

# Human rights in Somaliland: Awareness and action

A REPORT OF A WORKSHOP HELD IN HARGEISA, SOMALILAND

Organised by Amnesty International and International Cooperation for  
Development  
17 - 19 October 1998

## About the report

This joint report by Amnesty International (AI) and International Cooperation for Development (ICD) provides a record of the discussions and practical work achieved during a three-day workshop entitled 'Human Rights Awareness and Action' held in Hargeisa, Somaliland, in October 1998. Most of the material in the report was generated by the workshop facilitators and the 31 participants. Some additional background material has been included for readers not familiar with the Somali context. The report will be of interest to those concerned with developments in Somalia and Somaliland, human rights promotion, and capacity-building with local organisations in Africa.

Pippa Hoyland, ICD, compiled this report, which is the third in a series produced by CIIR/ICD on building partnerships with local non-governmental organisations.

Acronyms and glossary<sup>4</sup>

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## Acronyms and organisations

AI Amnesty International  
Candlelight A women's development NGO  
CBO Community-based organisation  
CCS Committee for Concerned Somalis  
COSONGO Consortium of Somaliland Non-Governmental Organisations  
DDAP Dulmar for Women's Development, Advocacy and Peace  
FGM Female genital mutilation  
HAVOYOCO Hargeisa Voluntary Youth Committee  
HEAL Health, Education and Agricultural Liaison  
Health An international health NGO  
Unlimited  
Horn-Watch Horn of Africa Human Rights Watch Committee  
ICD International Cooperation for Development  
IGAD Inter-Governmental Authority on Development  
LPI Life and Peace Institute  
NEGAAD A women's NGO umbrella group  
NGO Non-governmental organisation  
NOW National Organisation for Women and Children's Development  
NSS National Security Service  
OAU Organisation of African Unity  
SNM Somali National Movement  
SORRA Somali Relief and Rehabilitation Association  
SOWRAG Somaliland Women's Research and Action Group  
SRRP Somali Relief and Rehabilitation Programme  
UN United Nations  
UNDP United Nations Development Programme  
UNICEF United Nations Children's Fund  
UNOPS United Nations Office of Project Services  
UNOSOM United Nations Operation in Somalia  
USC United Somali Congress  
USR United Somali Roots  
WAAPO Women's Action for Advocacy and Progress Organisation  
WARDA Women's Action for Rights and Development Association  
WFP World Food Programme

WHO World Health Organisation  
YAGLEEL A local development NGO

## Glossary of Somali words

*Billis, jileex*, Terms meaning 'noble', used to refer to pastoralist clans  
*Biri-ma-* 'Spared from the Spear', a list of *geydada* Somali pastoral social conventions controlling warfare  
*Cuqubo* Divine retribution  
*Dhabor* 'Backbreakers', nickname for the *Jabinta* former military police, known for their brutality  
*Diya* Customary system of compensation for homicide  
*Guulwadayal* 'Victory Pioneers', former paramilitary unit that conducted surveillance within the community  
*Guurti* Committee of Elders — the Upper House of the Somaliland Parliament  
*Hangash* Former military police  
*Maxas* Weak and vulnerable people, protected in battle by God  
*Qaat* Leaf of the *catha edulis* plant chewed as a mild narcotic drug  
*Shari'a* Islamic law  
*Shir* Traditional council of elders  
*Wadaad* 'Man of God', one of the two ideal male roles in Somali pastoral society  
*Waranle* Warrior, literally, 'spear-bearer', one of the two ideal male roles in Somali pastoral society

# History of Somalia/Somaliland

1897 The colonial powers divide the Somali-inhabited territories in the Horn of Africa between the United Kingdom (British Somaliland), France (Djibouti), Italy (Italian Somaliland) and Ethiopia (the Ogaden).

1960 British Somaliland gains independence from Britain on 26 June. The former British and Italian protectorates unify on 1 July creating the Somali Republic (Somalia).

1961 Aden Abdulla Osman becomes the first elected President of the Somali Republic.

1967 Abdirashid Ali Shirmarke is elected president.

1969 President Abdirashid Ali Shirmarke is assassinated on 15 October. Major-General Mohamed Siad Barre comes to power in a bloodless coup d'état on 21 October and declares the Somali Democratic Republic a socialist state.

1974 A Somali-Soviet friendship treaty is signed, leading to substantial military aid to Somalia. Somalia is reputed to have one of the largest armed forces in Africa.

1975 Ten Islamic sheikhs are executed for opposing the introduction of a new law providing more equal inheritance rights for women. They had questioned its compatibility with Islamic teachings. The event exposes growing repression by the Siad Barre regime.

1977-78 War with Ethiopia. Somalia suffers a disastrous defeat following the suspension of its military aid from the Soviet Union and new Soviet support for Ethiopia. Somalia renounces its treaty of friendship with the Soviet Union. Hundreds of thousands of Somalis originating from the Ogadeni region of Ethiopia arrive as refugees in Somalia. A failed coup d'état, led by military officers mostly from the Majeerteen clan, leads to massive government reprisals in the north east.

1980 Economic and military links with the United States are strengthened.

1981 The opposition Somali National Movement (SNM) is created with support drawn largely from the Isaaq clan. The government reinforces repressive policies towards the Isaaq areas of the north west. The SNM gradually establishes bases in Ethiopia.

1988 Siad Barre and Mengistu Haile-Mariam of Ethiopia sign an accord to restore diplomatic relations, exchange prisoners of war and end subversive activities and hostile propaganda against each other.

The SNM launches an attack on Burao and Hargeisa. The government responds by destroying Hargeisa through air bombardments, killing thousands of people and causing hundreds of

thousands of others to flee to Ethiopia and elsewhere. The Siad Barre government comes under growing international criticism for human rights abuses.

1989 Creation of the opposition United Somali Congress (USC) in the south.

1990 Publication of the *Manifesto*, signed by 114 business people, religious and former political figures in Mogadishu calling for dialogue and political reform. Around 40 of the signatories to the *Manifesto* are imprisoned. The government suffers growing loss of control of the countryside.

1991 After heavy fighting in Mogadishu, the USC takes over in January as Siad Barre and his remaining forces flee to Kismayo. Chaos ensues in Mogadishu. Hundreds of thousands of people are internally displaced.

The SNM takes over in Hargeisa and the north west. In May the north west declares the creation and independence of the Somaliland Republic but it receives no international recognition. On 18 May Abdirahman Ahmed Ali ('Tuur'), chairman of the SNM, is elected its first president.

The state of Somalia collapses, leaving no central government. Somaliland distances itself from the continuing civil war in the south.

1992 Start of the UN operation (UNOSOM) in Somalia.

1993 Mohamed Ibrahim Egal is elected President of Somaliland by the Guurti (Council of Elders) at the Borama conference. A framework for government is agreed with clan elders.

1995 Ex-president Siad Barre dies in exile in Nigeria. End of UNOSOM as UN and US forces withdraw from Somalia — they had no presence in Somaliland during the three-year operation.

1997 President Egal is re-elected for a further two-year term and a new Somaliland constitution is adopted.

1998 A ban on the export of livestock to Saudi Arabia from Somalia, Somaliland and other countries in the region causes severe economic hardship. Puntland is declared in May as a federal regional state in north-east Somalia. Peace talks in the south fail and a national reconciliation conference is cancelled.

1999 The livestock ban is lifted in May. The Ethiopia/Eritrea war spills over into Somalia.

## Foreword

The Siad Barre regime perpetrated appalling human rights abuses, culminating in a horrifying decade of civil war and the collapse of the Somali state. Many Somalis, whose lives were endangered through belonging to a particular clan, were compelled to flee to other countries or take refuge in their original clan territories. Many found themselves hostages to a traditional clan system where perpetrators of human rights violations were given impunity and politicians manipulated clan members into killing innocent people.

Somalis everywhere, whether at home or in the diaspora, hope for a better future. In the attempt to avoid history repeating itself, one section of the Somali people, the people of Somaliland, are emphasising human rights as part of the foundation for reconstruction and nation-building. As a result, the 1997 Somaliland Constitution includes articles reflecting aspects of almost all international and regional human rights conventions. The structures and institutions responsible for human rights promotion and protection, however, lack the capacity, experience and skills to prevent violations and abuses. The nascent NGO community in Somaliland, which emerged to fill the vacuum for the reconstruction and rehabilitation of the country, also recognises that human rights should be a guiding principle of the post-conflict society.

### Significance of the workshop

Discussions between International Cooperation for Development (ICD) and local organisations in Somaliland (represented by a local NGO ad hoc committee) prioritised the development of a greater understanding of human rights issues. Amnesty International (AI) had run workshops on human rights in Kenya in October 1996 and August 1997, attended by Somali organisations and individuals resident in Kenya, including some from Mogadishu. AI subsequently sought an opportunity to host a similar workshop in Somaliland. AI and ICD agreed to join their efforts and organise the workshop *Human Rights Awareness and Action* in October 1998.

The workshop was significant in the following ways:

- it obtained the support of the Somaliland government;
- its diverse participants included governmental and non-governmental organisations;
- it offered an important opportunity for minority groups to voice their concerns;
- participants were able to speak openly and without fear;
- Somali women were well represented;
- it encouraged empathy — where the majority presented the case of the minority;
- it constituted a sign of hope for the forgotten, the traumatised and the marginalised.

The above factors contributed to the workshop's success; the participants felt that they had made a pledge to follow up on activities they identified at the end of the three days.

## Impact of the workshop and follow-up

The workshop participants met again in Hargeisa two months later to celebrate the 50th anniversary of the Universal Declaration of Human Rights in December 1998. This event was well attended by the general public, while ministers and government officials also showed their support.

A few weeks later, a seminar on Somaliland minorities — the Tumul, Yibir and the Gaboye — was organised by *Jamhuriya* newspaper and Somaliland TV in direct response to ideas and suggestions arising from the workshop. Somali poets, intellectuals, historians and traditional leaders came together for the first time to discuss the historical reason for centuries of discrimination against the skilled crafts-people who constitute the minority groups. The oral culture of the Somali people, and the importance of poetry and proverbs in Somali society, are believed to contain the clue to this discrimination. This workshop represented the first step in a long-term study of myths and prejudices about minority groups. It may help, over time, to bring about a change in attitude among the majority of Somali people.

In January 1999 participants completed an evaluative questionnaire. In March 1999, they started to meet spontaneously and regularly at the ICD office to find ways of taking other workshop recommendations forward. At their instigation, ICD organised a two-day follow-up workshop in May 1999 to explore setting up a human rights awareness-raising and action organisation. Invitations were extended to the original participants and 10 additional people including the Attorney General, the police Criminal Investigation Department (CID), the Custodial Corps (prison administration) and relevant human rights institutions.

The participants unanimously agreed to form an organisation to promote and protect the human rights of the individual. Given that the majority of Somalis had until 1991 lived under a government which actively violated human rights and fiercely repressed open discussion, this debate and resolution were unprecedented and point to a new commitment to human rights at many levels within Somali society. At the end of the two-day workshop a nine-member working group, including the deputy chair of the Somaliland parliament Abdulkadir Haji Ismail Jirdeh, was nominated to establish the framework for a human rights organisation.

In July 1999 the workshop participants met together once again in Hargeisa to review the proposals made by the working group. During this meeting a new human rights organisation for Somaliland was formally launched with the name of SAMO TALLIS, Somaliland Coalition for Human Rights. The elected board of directors of SAMO TALLIS now has the task of carrying forward recommendations arising from the original workshop. We wish it well.

The October 1998 workshop generated such a degree of enthusiasm and so many ideas that it can truly be said to have laid a foundation for a human rights culture in Somaliland.

Much work remains to be done by each of the organisations represented at the workshop in developing further their own capacities and activities. Further international assistance may be required in some areas, for example in investigating human rights and spreading awareness of human rights and legal protections. Local networking and communication will need to ensure organisations can work efficiently in lobbying, campaigning and publicity.

In addition to expanding the knowledge and skills of people wanting to work for human rights in Somaliland, this report will be useful for Somalis elsewhere with similar hopes and commitments. We

hope that Somalis will make use of this report for workshops adapted to their own situations and needs.

The report is also a record of a human rights initiative which should persuade the international community to accelerate its assistance to Somalis for reconstruction and development with a human rights basis.

Thanks to all those people who made possible the 'Human Rights Awareness and Action' workshop and this publication.

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# The workshop in context: Rights, responsibilities and the Somali conflict<sup>2</sup>

## Introduction

In 1992 Amnesty International described Somalia as a 'human rights disaster'.<sup>3</sup> As donor governments and the international humanitarian system belatedly scaled up their relief efforts in response to famine in Somalia, AI drew attention to the fact that the humanitarian tragedy arose not from drought or a deficit in food production, but from a long-term human rights crisis. Two decades of military rule and three years of civil war fought by means that expressly violated international humanitarian and human rights law were responsible for the deaths of some 300,000 Somalis and displacement of 3 million.

Against this background, the holding of a human rights workshop in Hargeisa in October 1998, and a pledge by the Somaliland authorities to adhere to the Universal Declaration of Human Rights, must be considered positive developments. Ten years ago under the military regime of Major-General Mohamed Siad Barre, such a meeting would have been banned. Somalis attending such a meeting would have been arrested and subjected to the weight of national security laws. Ten years ago few international aid agencies would have considered human rights important in their work. Fewer still would have openly promoted them. In the past decade — one which has witnessed a global proliferation of wars, human displacement and suffering — the protection of and respect for basic human rights has gained in importance, both as a measure of good governance and for defining international relations.

Although the workshop in Hargeisa reflects the marked improvement in the human rights environment in one part of the former state of Somalia, human rights abuse remains a chronic problem in other areas. In southern Somalia many Somalis continue to face insecurity from indiscriminate killings, assassination, hostage taking, rape, torture, displacement, theft of land and property, forced labour and discrimination. Perhaps a third of the former population of Somalia are still refugees in the region and throughout the world. An extended period of security and political stability and the reconstruction of basic services are required to establish conditions for the safe return of refugees.

## Human rights and military rule

The human rights situation in Somalia has not always been so grim. The Universal Declaration of Human Rights was incorporated into Somalia's constitution at independence in 1960 when Somalia joined the United Nations.<sup>4</sup> In 1962 Somalia became a signatory to the Geneva Conventions. During the period of civilian democracy in the 1960s, the country's human rights record was generally good,



even though the political system became increasingly corrupt and autocratic. This all changed in October 1969 when the military took power. Initially welcomed in many quarters, the so-called 'bloodless revolution' was to produce one of the most repressive military governments in Africa. Adopting 'scientific socialism' as the ideological framework for the revolution, the proclaimed vision was to turn Somalia into a modern socialist state. Under the leadership of Siad Barre, the denial of basic human rights was institutionalised through legal reforms and oppressive state security structures.

On taking power the military formed the Supreme Revolutionary Council to rule the country. It immediately abolished the 1960 Constitution and promulgated reforms that undermined internationally protected civil and political rights. Members of the overthrown government were detained without charge or trial. The Prime Minister in 1969 (Somaliland's current president) Mohamed Ibrahim Egal, was detained without trial from 1969 to 1975, then sentenced to jail for 30 years in 1976 — although he was freed a year later. Two administrative detainees were among Africa's longest held prisoners of conscience: Mohamed Abshir Musse, the former police commander (held for 13 years) and Yusuf Osman Samanter 'Barda'ad' (held for 20 years). Political parties were outlawed. Rule was enacted by decree, with judicial and legislative powers invested in the ruling party and the president. Non-governmental forms of civil association were banned. Professional and labour associations, civic organisations and educational institutions were brought under state control, and a strongly censored media controlled the freedom of political and cultural expression.

The army became the most powerful institution in the country. Military personnel, many related to the president, were appointed to senior civil service positions. Compulsory attendance at orientation centres and military training impressed on the general populace the supremacy of the military. National security structures were created, modeled on Soviet-style institutions. Principal among these agencies was the National Security Service (NSS), which was given unlimited powers to arrest and detain opponents without trial. The NSS interrogation centre in Mogadishu — known as *Godka* ('the Hole') — became synonymous with torture. The military police — nicknamed *Dhabar Jabinta* ('backbreakers') — were renowned for brutality. At a community level the paramilitary *Guulwadayaal* ('Victory Pioneers') provided a system of surveillance that instilled a culture of fear and silence.

National security legislation established the military's legal control over state affairs, and provided it with blanket immunity. National security organs were given powers to search homes, confiscate property, and to detain suspects without charge or trial for unlimited periods. *Habeas corpus* (where the evidence warranting arrest is brought before the judge) was abolished.<sup>5</sup> Particularly notorious for the denial of human rights was Law no. 54 of 10 September 1970 for 'Safeguarding National Security'. This law (known as the law of 26 articles) defined 26 offences that were considered detrimental to the maintenance of peace, order and good government. Of these, 20 were punishable by a mandatory death sentence. Anyone who expressed views contrary to the government's, whether violent or non-violent, could be tried for subversion and executed. One notorious article made it a capital offence to spread rumours (*afminshar*).

Security offences were tried by the National Security Court, which was shielded from independent scrutiny, being an instrument of the executive. Presided over by military and security officers, few of whom had legal training, the judicial procedures of the court violated international treaties to which Somalia was a signatory. Trials were grossly unfair and thousands were executed. Political prisoners and their relatives were routinely tortured to extract confessions and information and subjected to indefinite and prolonged detention without trial. Many suffered extrajudicial executions.

Thousands of Somalis fell foul of national security legislation. One of the most notorious cases in which Law 54 was invoked, was the summary, night-time trial, conviction and execution in 1975 of 10 religious teachers who objected to the government's amendment of the Islamic law of inheritance. In 1981, 40 doctors, businessmen, teachers and civil servants who had established a self-help scheme to improve local facilities at Hargeisa hospital, were arrested in Hargeisa for setting up an allegedly subversive organisation. The 'Hargeisa Group' were all sentenced in 1982 to lengthy prison sentences. In May 1990 some 40 prominent businessmen, politicians and intellectuals were arrested in Mogadishu for publishing a manifesto calling for the reinstatement of democracy. The so-called

'Manifesto Group' were released later in the year after local and international pressure. Some leading members of the Manifesto Group turned to organising the military overthrow of the Barre regime in 1991.

The introduction of a new constitution in 1979, which was supposed to end military rule, did nothing to improve civil and political liberties. The Somali Revolutionary Socialist Party, set up by the regime in 1976, was recognised as the country's sole political party, of which Siad Barre was elected president unopposed in 1986 with 99.9 per cent of the vote. The regime repressed its opponents in violation of international humanitarian and human rights law. Between 1979 and 1981, after an unsuccessful military coup by officers belonging to the Majeerteen clan, several thousand Majeerteen civilians were killed in a scorched-earth campaign in central and north east Somalia, that was a foretaste of the war in the north west at the end of the 1980s.

## Repression in the north west

The supremacy of the military regime was shaken by Somalia's defeat in the Ogaden war with Ethiopia in 1977-78. The attempted coup in 1978 and the formation of the Somali Salvation Democratic Front (SSDF) was followed in 1980 by the formation of the Somali National Movement (SNM), which drew support mainly from the Issaq clan in the north west. Human rights violations, unequal political representation, unfair economic practices, uneven distribution of development resources, and growing hostility from refugee paramilitary groups armed by the Somali government were the main causes of Issaq disaffection. The SSDF and SNM launched their armed struggles from bases in Ethiopia with the support of the dictatorial regime of Mengistu Haile-Mariam.

SNM incursions were met with government repression. In February 1982, students in the north western city of Hargeisa demonstrated against the arrest and conviction of the Hargeisa Group. Some 200 students were imprisoned and a curfew was imposed in Hargeisa and other cities in the north west. Under draconian emergency legislation, extraordinary powers were given to the military and police. These were used to repress the Issaq population accused of supporting the SNM. A Regional Security Council and Mobile Military Court were established with powers to arrest and impose the death penalty. The *Hangash*, a police force established after 1978 to monitor the military, became equally feared by civilians. Between 1982 and 1991, these forces responsible for the nation's security carried out mass arrests, detentions without trial, extrajudicial executions and torture.

Government repression and counter-insurgency tactics took various forms. Freedom of movement was restricted with the introduction of identity cards in 1986 by the military governor, General Mohamed Said Hersi ('Morgan'). Vehicle owners had to obtain written permission to travel between towns. Issaq businessmen suffered discriminatory practices. Livestock was taxed and confiscated along with other property. In March 1983 *qaat* was banned and *qaat* producers had their farms destroyed. As the pastoral economy was considered the source of manpower and economic base of the SNM, the rural population in the north west was subjected to a scorched-earth military campaign of asset stripping, killings, destruction of water reservoirs, burning of farms and planting of landmines. Issaqs faced discrimination in employment and access to services. 'Self-reliance' became a political imposition as parents were forced to pay education fees to supplement teachers' pay and equipment. The military became established as the political elite in the north west, sustaining their position and privileges through violence. Their interests, however, were not solely political. Corruption was rife. After 1982, military transfers to the north west were much sought after as an opportunity to make money. Arbitrary arrests were a common means of extracting money. Bribes were paid for release from prison, to be spared torture or to obtain better prison conditions. Hargeisa police station became the bargaining centre, and was nicknamed the *saylada dadka* (the 'meat market').<sup>6</sup>

## Silent international allies

The level of state violence in Somalia went largely unreported and unchallenged outside the country for much of Siad Barre's tenure in power, despite reports and campaigns by some human rights organisations. There were several reasons for this.

For its first 10 years, the Siad Barre regime was firmly in the Soviet socialist bloc. After 1978, when the Soviet Union switched its support from Somalia to Ethiopia, Cold War political configurations placed Somalia firmly in the West's political sphere with the United States as its principal ally. Its location on

the Gulf of Aden and the Indian Ocean lent Somalia strategic importance. Berbera was utilised by the United States for stationing a rapid deployment force. Despite the West's concerns with democracy and political and civil rights, global strategic interests came before human rights. The US government even ignored its own legal restrictions on providing financial assistance to regimes engaged in human rights violations. While encouraging some liberal economic reforms, the United States continued to support Siad Barre militarily and financially up to and after the outbreak of war with the SNM. As late as June 1988, two months after the outbreak of war in the north west, a US arms shipment was unloaded in Berbera. During the early months of war US technicians reportedly helped repair the military's communications system in the north. In mid-1989 the United States supported the disbursement of World Bank and African Development Bank Loans to Somalia.

In the Cold War, expression of international concern for human rights protection was primarily confined to refugees outside the borders of their countries. International relief and development agencies in Somalia were therefore more concerned with the rights of Somali refugees than the rights of Somali citizens in their own country. This meant that the regime was able to restrict access by journalists and human rights organisations. Amnesty International was banned from visiting Somalia until 1989.

It was the outbreak of full-scale civil war in the north west in May 1988, the flight of hundreds of thousands of Somalis abroad and the evacuation of international aid agencies, that focused international attention on Somalia. The flight of refugees to neighbouring countries and the evacuation of aid agencies from the north west made the documentation of human rights violations easier. As the Cold War began to thaw, western promotion of civil and political rights pushed human rights up the international agenda. Somalia also began to lose its strategic importance. From 1988 there was a proliferation of reports on human rights in Somalia. Amnesty International, Africa Watch and the General Accounting Office of the US Congress all published lengthy reports on the civil war, the refugee crisis and the human rights situation in Somalia.

These human rights reports did bring pressure to bear on the regime. In January 1989 the government declared a general amnesty for all political prisoners and invited AI for talks in Somalia. In March 1989 300 long-term prisoners were released, including the Hargeisa Group. US Congress restricted further US financial and military aid to Somalia. The tentative offers of political reform by the regime, however, came too late. Its promises to improve the human rights situation were also contradicted by the government's brutal military campaign in the north west.

## War without rules

The brutality of the Somali civil war in the early 1990s was widely reported in the international media at the time of the famine and the international intervention. Missing from the journalistic descriptions of the war was the fact that it had a precedent — set by the Somali government during the 1988-91 war against the SNM in the north west. Government restrictions and lack of media interest had meant that the war was little reported for two years.

SNM attacks on Burao and Hargeisa in May 1988 provoked a brutal reaction by the government. The aerial bombardment and shelling of Hargeisa by the Somali armed forces in 1988 was intense. Within two months of the SNM's attacks, it is estimated that some 10,000 people were killed. Human rights organisations have estimated that between 50,000 and 60,000 civilians had been killed by January 1990.<sup>7</sup> The flight of 400,000 to 500,000 Somalis from the north west to Ethiopia and surrounding countries was one of the fastest and largest forced movements of people recorded in Africa. Many thousands also fled southwards.

The war was fought by the Somali armed forces without any respect for standards of international humanitarian law. No effort was made to distinguish between civilians and armed combatants. The shelling of Hargeisa was indiscriminate, and unarmed civilians were rounded up *en masse* and shot. Planes piloted by South African mercenaries hired by the regime strafed townspeople and those fleeing to the countryside. Days of non-stop bombing left most buildings in ruins. Mines were planted in streets, houses and livestock thoroughfares to kill, maim and deter return. In one detailed report on refugee flight, nearly 70 per cent of refugees interviewed in Ethiopia and Kenya reported having witnessed violence against unarmed civilians.<sup>8</sup> The wounded and sick were not spared as hospitals

were also targeted. In 1988 two dozen medical workers were killed outside Berbera hospital by firing squad. The private property of civilians throughout the north west was systematically looted, again in violation of international humanitarian law. The government refused to grant ICRC access to civilian casualties. Ogaden refugees in Somalia were armed by the government to fight the SNM in direct violation of their protected status. Humanitarian aid was looted. The SNM was also accused by human rights groups of summarily executing military officers and civilians associated with the regime.

The fighting and human rights crisis intensified in mid-1989. In July 1989 the war spread to Mogadishu when government security forces killed some 450 civilians during riots, and over 40 Issaq civilians were rounded up and executed at Gezira beach outside the city. As the war spread in the south and the Hawiye people (under the banner of the United Somali Congress, USC) and the Ogadenis (under the Somali Patriotic Movement, SPM) revolted against the government, the Somali armed forces responded with similar patterns of abuse. Their counter-insurgency strategy ensured that the war was not only fought without respect for international norms, but in a way that expressly violated them. This set a pattern for the civil war that ensued.

In January 1991 the Siad Barre regime was overthrown by the USC forces in Mogadishu and the SNM in the north west. With the military regime ousted, the repressive structures of government and the military were dismantled. At the same time the Somali state collapsed under factional clan-based fighting, leaving a country awash with weapons and untrained and unrestrained militia forces. Mobilised by the 'warlords' General Mohamed Farah Aideed, Ali Mahdi Mohamed, Colonel Omar Jess, General Aden Gabiyo, General Mohamed Said Hersi 'Morgan', various militia were responsible for civilian massacres, rape, torture, the indiscriminate use of landmines, and the looting and destruction of public and private property. Some 25,000 people were estimated to have been killed in Mogadishu alone between 1991 and 1992, as a result of indiscriminate shelling between the forces of Aideed and Ali Mahdi. So-called 'clan cleansing' caused massive population movement as groups sought to wrest control of urban and rural assets. Over a million people were forced to flee the country and nearly 2 million people were displaced internally. Asset stripping, forced displacement and the disruption of food supplies led to mass deaths from starvation, disease and war, including up to 50 per cent of all children under the age of five. It is no coincidence that those who died in the greatest numbers in the inter-riverine agro-pastoral regions of southern Somalia were from minority groups such as the Rahanweyn, Benadiri, Bantu, Barawanis, Bajunis and the artisan groups who lacked the protection of the Somali pastoralist kinship system and were historically, politically, socially and economically marginalised (see box).

The north west declared independence from the rest of Somalia in May 1991. The Republic of Somaliland failed to obtain international recognition but remained a separate entity from the rest of Somalia, which collapsed into civil war towards the end of 1991. The state of Somalia disintegrated as two rival USC factions in Mogadishu and their allies fought, neither succeeding in establishing a central government.

### Somali clans and minorities

Somalia is often described as a unique country in Africa, being a state founded on one ethnic group, speaking one language, and practising one religion, Sunni Islam. In fact, the country has several cultural and socio-economic groups. Since the state of Somalia was carved out from the territories of the Somali people during colonial times, the so-called 'noble' (*bilis, jileex, or arji*) Somali pastoral nomadic clan families, such as the Marehan, Ogadeni, Majeerteen, Dolbahunte, Warsengeli, Hawiye, Issaq and Dir, have represented the dominant political culture in Somalia. Historically, Somali agro-pastoral clans known as the Rahanweyn (also known as Digil-Mirifle), whose language and political culture are distinct from those of nomadic Somalis, together with the Digil, have been marginalised within Somali society. Occupying the sorghum producing areas of Somalia ÿ Bay and Bakool ÿ they died in disproportionate numbers during the 1991ÿ93 famine. In addition Somalia has a number of substantial minority communities: the Ashraf and Sheekal religious families who claim direct descent from the Prophet, Benadiri urban coastal communities of Arab extraction, Swahili speaking Bravanese urban coastal communities, Bantu agriculturalists, Bajuni fishing communities,

and artisan 'castes' ÿ the Tumul, Gaboye and Yibir ÿ who practice leatherwork, metalwork, hairdressing, hunting and some ritual activities. These minority groups, particularly the Bantu and artisan groups, lack political power or protection within the dominant Somali clan system. For a long time they have suffered discrimination in Somalia, unable to inter-marry with the noble clans, barred from education, and subject to forcible expropriation of property. During the civil war many were subject to systematic human rights abuse. Some who managed to leave and find refuge abroad have begun to demand equal recognition of their rights.

Source: Minority Rights Group International (1998) *Children in Armed Conflict*. London: MRG.

## Somali laws of war

The civil wars in Somalia have been marked by brutality and the breakdown of social norms and conventions.

Traditionally, feuding and warfare in Somali pastoral nomadic society may have served a function of regulating relations between groups and enabling them to adjust to demographic, economic and environmental change. The 'warrior' (*waranle* — 'spear bearer') was one of the two ideal roles that a man could pursue; the other being a 'man of God' (*wadaad*). While military might provided the ultimate sanction in any relationship, warfare was traditionally bounded by rules that conditioned its scale and nature and supported reconciliation. Indeed, the list of Somali social conventions that ideally mitigate and regulate conflict — *biri-ma-geydo* (Spared From the Spear) — reads like a Somali version of the Geneva Conventions.<sup>9</sup>

In battle, women, children, *wadaad*, guests, community leaders, the elderly, enemy captives, war wounded, the sick, and peace delegates all had immunity (*biri-ma-geydo*) from attack. Titled heads of clans, such as the *suldaan*, *garaad*, or *ugass*, were not supposed to actively participate or encourage war, but to counsel against it. Certain weapons and practices, such as mutilation and rape, were prohibited. While the looting of camels and horses was permissible, the economic impact of warfare was limited by prohibitions against the looting of livestock and household property essential for the sustenance of women and children. Public utilities which benefited all, such as wells, were likewise protected.

These Somali laws of war depended on a system of reciprocal obligations delineated in unwritten customary agreements (*xeer*), that varied only in detail across the whole Somali nation. Conventional warfare where the rules were observed was commonly known as *xeerka biri-ma-geydada*. Wrongs were compensated for according to Islamic *shari'a* law. The concept of *nabsi* (precedent) meant that the example set in battle would be reciprocated by the enemy. As the weak and vulnerable (*maxas*) were protected by God, any attack on them would result in *cuqubo* (divine retribution). The social pressure to maintain group honour was strong, and the close kin group had the power to enforce it. Those who violated the conventions were considered to lack any moral inhibitions or restraints.

These traditional conventions of warfare are associated with a particular kinship system and a semi-subsistence pastoral nomadic way of life. The integration of Somalia's semi-subsistence economy into broader market relations, new forms of governance in the form of a centralised state, the introduction of constitutional rights in place of customary rights, the replacement of customary law with judicial law, a changing resource base, and the militarisation of society, among other factors, eroded the balanced reciprocity. The military strategies of the Siad Barre government and the warlords not only challenged these norms, but overturned them. Linked into regional and international trading networks, and armed by regional governments, Somalia's warlords do not depend on a semi-subsistence economy and a reciprocal relationship with their kin that the traditional Somali military leader depended on. Consequently, the Geneva Conventions and the Somali codes of war have been violated with impunity. The human cost has been enormous. The traditionally immune have been killed; practices such as rape, once considered alien to Somali society, have been widespread; and public and private resources have been looted and destroyed.

Alongside the excessive brutality of the war there has also been much bravery, courage and humanitarian endeavour by Somalis in all parts of the country, and from all social classes. Not all social values have been overturned. Traditional systems of governance and reconciliation have endured in many areas. In the absence of a state, traditional councils of elders provide a basis for reconciliation, security and nascent administrations in different areas of the country.

## **International military intervention and the United Nations**

The international humanitarian and military intervention in Somalia between 1992 and 1995 did little to improve the human rights situation.<sup>10</sup> Although the United Nations Operation in Somalia (UNOSOM) did help reduce the level of violence, human rights were given a low priority. The focus of the humanitarian intervention was on providing material assistance for starving people. The human rights violations that caused and perpetuated the starvation received little attention. Negotiating humanitarian access with the warlords meant that they were not held accountable for the human rights atrocities of their forces. Human rights concerns were sidetracked in peace negotiations, which also failed. An Independent Expert on Somalia was appointed by the UN Commission on Human Rights in August 1993 to provide assistance for developing human rights protection. However, the Expert only visited once and no systems for monitoring, reporting and acting on human rights violations were established. Some effort was made to re-establish a police force, judiciary, prison service and district authorities, but these were under-resourced and ultimately unsustainable in the violent and politically divided environment.

In the end the United Nations itself lost the moral high ground, as some of the troops of the multi-national intervention force under its command flouted international human rights and humanitarian standards that they were there to uphold. In mid-1993, UNOSOM under US leadership was drawn into a conflict with General Aideed following the killing of UN peacekeepers. During this conflict, UN forces were responsible for firing on unarmed demonstrators, killing unarmed civilians, rape, forced relocation of residents, destruction of public and private property, an attack on a hospital, and the bombing of a political meeting in Mogadishu. Outside of Mogadishu, UN troops were accused of beatings, torture and harassment. The Canadian, Belgian, Italian and German governments have subsequently held commissions of enquiry into the behaviour of their troops in Somalia and initiated some prosecutions. However, these processes are still largely incomplete and have not satisfied Somali victims' criticisms. No such action has been taken by the US government.

## **Human rights in a collapsed state**

State collapse means that the current human rights situation in the former state of Somalia defies simple generalisation. Somalia has been without an internationally recognised government since 1991. Documentation of human rights abuses is difficult, given the isolation of much of the country. In Somaliland, and in the Puntland State which was declared in the north east in August 1998, a measure of political and economic recovery has been achieved, and the human rights situation is much improved. In other areas, where there is continuing political instability and chronic humanitarian need, the human rights situation remains dire.

In the south, externally sponsored reconciliation processes have failed to produce a political settlement, and internal processes to establish regional administrations have so far mostly been fruitless. Some regional and district councils that provided a measure of local authority post-UNOSOM show signs of breaking down. In areas where authority is contested and unaccountable to local populations, insecurity, abuse of human rights, and population displacement persist. The situation is complicated by the presence of Ethiopian troops who entered the Gedo region in August 1996 to quash the armed Al-Itihad Al-Islami group. The war between Ethiopia and Eritrea in 1998-99 spilled over into Somalia and threatened to destabilise the country further.

In a situation of ongoing political violence and criminal activities (some linked to international networks), warring factions in the south continue to violate humanitarian law. Minority groups are subject to periodic organised violence, land expropriation and forced labour, and comprise a large proportion of the displaced population. The kidnapping and murder of humanitarian aid workers has forced many international agencies to leave or scale down their operations in the south. Although the overthrow of the Siad Barre government ended state censorship of the media, the freedom of speech

and expression continues to be curtailed through violence. In Mogadishu, peace activists have been murdered, journalists kidnapped, and artists arrested for expressing views in opposition to local faction leaders. In some parts of the south landmines continue to be laid around towns, on farmland and grazing areas, and along commercial routes.

When the Somali state collapsed in 1991, the legal, judicial and law enforcement systems disintegrated. There are currently no constitutional and legal rules governing private, social or economic behaviour uniformly across Somalia. In most regions, the system of justice combines customary law, Islamic *shari'a* law, elements of the pre-1969 penal code, and Somali law as it was applied during the Siad Barre regime. Laws are applied differently in each region, if they are applied at all, and are enforced by clan elders, their militias, or *shari'a* court militias. The most widely applied system is the customary system of compensation for homicide, *diya*.

In the absence of a criminal justice system, *shari'a* courts have gained some credence for improving law and order, particularly in Mogadishu, Gedo, Middle Shabelle, and Hiran in the south. Although Islam was the declared state religion in the 1960 constitution, *shari'a* law was previously applicable only in domestic affairs. The remit of the *shari'a* courts currently extends beyond dealing with domestic affairs and even includes tax collection. Those who administer the courts are selected by faction leaders or community authorities. Few have expertise in *shari'a* law. In Mogadishu and elsewhere they have presided over summary trials and handed out cruel, inhuman and degrading punishments such as amputations, floggings and stonings that are prohibited in international law. International standards for trials such as the right to representation by an attorney and the right to appeal are not respected.

After 21 years of injustice under military rule, the task of restoring and instilling confidence in the judicial system is enormous. In the absence of the rule of law, a culture of impunity is allowed to prevail. Many officials under Siad Barre who were responsible for human rights violations reside in many countries abroad, some as recognised refugees. Others are to be found among the present-day faction leaders and some even hold public office in regional administrations.

## Human rights in Somaliland

In Somaliland and Puntland, where central governmental administrations have been re-established, the human rights situation is markedly better than in other regions of former Somalia. Somaliland went through a period of localised civil war in 1994 to 1996, but has largely avoided the bitter factional fighting to which Mogadishu and parts of the south have been subjected. The Somaliland administration in Hargeisa has made significant progress in rehabilitating political, social and physical infrastructure. In both Somaliland and Puntland traditional forms of governance, in the form of councils of elders, were a pre-requisite for rebuilding political stability, and providing a transitional step towards reestablishing government administrations. Since 1991 the government of Somaliland has been changed twice by an electoral college of elders at national conferences in 1993 and 1996. The Puntland administration derives authority from a series of consultative conferences organised and sponsored by people within the north east. While neither administration can claim to have been elected by universal suffrage, people in these regions are experiencing decentralised, responsive and participatory forms of government for the first time since the 1960s.

The 1993 Somaliland National Charter formally re-instated the 1960 Somali Penal Code and proclaimed Somaliland's adherence to the UDHR. A revised constitution adopted in 1997 subjects all rights and laws to *shari'a*. A criminal justice system is slowly being established, and a police force, although still weak, has played an important role in ensuring security and enforcing law. The judiciary in Somaliland, however, is weak and lacking in human, material and financial resources. While there are reported to be 55 judges in Somaliland, with a system of regional and district courts, only about one-third of the judges have had formal legal training.<sup>11</sup>

The record of the judiciary in protecting human rights to date has been poor. The record of the Somaliland government has also been tarnished by the arrest and detention of a number of political opponents and the limitations it has placed on the independence of the judiciary. During the 1994-96 civil war in Somaliland, the authorities threatened to put captured enemy militia on trial for treason. Although this did not happen, and all were freed in 1997, in February 1996 the High Court in Hargeisa did convict five political opponents of the Egal administration on charges of armed treason, *in*

*absentia*, sentencing three to death and two to life imprisonment. In November 1996, 20 people were arrested without warrant for peacefully demonstrating against the economic situation in the country prior to the national conference to elect a new president. They were released three months later without having been charged or tried. The Chief Justice was also removed from his position by the government after hearing a case challenging the criteria for participation in the political process that led to the selection of Egal as president. The late proprietor of the *Jamhuriya* newspaper in Hargeisa was also twice arrested for publishing criticisms of the Somaliland administration.

## Somali human rights organisations

A positive feature of post-Siad Barre Somalia has been the emergence of non-governmental civil society organisations, and the greater freedoms of expression and association. While local non-governmental organisations have a chequered history, many played a positive role during the famine, and in reconstruction and recovery in different areas of the country. In the absence of state institutions, many of these organisations have provided a platform and a framework for civic action in the areas of community development, social welfare, and human rights monitoring.

In recent years local organisations have emerged for the first time to defend and promote human rights. Remarkably one of the first of these groups — the Dr Ismail Centre for Human Rights — emerged in Mogadishu in the midst of violent conflict.<sup>12</sup> The existence of this centre would not have been feasible under Siad Barre. In Hargeisa two human rights groups have been formed — the Horn of Africa Human Rights Watch Committee ('Horn-Watch' which attended the workshop) and the Guardians for Civil Liberties. They perceive their role as one of monitoring the human rights situation in their area, intervening with the authorities on violations of human rights, and providing some basic legal advice and aid.

Another important human rights group is the Independent Committee for the Investigation of War Crimes, which was established in Hargeisa after heavy rains in May 1997 exposed a mass grave containing some 200 bodies. Located near the former headquarters of the 26th Sector of the Somali Armed Forces, the grave contained prisoners executed by Somali government forces in May 1988. A Ministerial Committee and a Technical Committee were established by the Somaliland authorities to investigate war crimes of the Siad Barre regime. Many more mass graves have since been uncovered in Hargeisa, and there are other suspected sites in Berbera and Gebilay.

The aim of this initiative is to help national reconciliation by documenting the past crimes, and denying impunity to the perpetrators of these crimes so as to avoid abuses in the future. Due to the difficulties of tracing persons who have left Somalia, and because the Somaliland courts would be perceived as biased or inadequate, the Committee appealed for an international tribunal to be established to deal with the issues. In November 1997 the UN Independent Expert for Human Rights in Somalia visited the mass graves and two international forensic experts from the Boston-based organisation Physicians for Human Rights visited in December 1997. With the exception of this assistance, the appeal has received little response. This is not surprising. The record of tribunals investigating crimes against humanity in Bosnia and Rwanda in attracting sufficient financial and political support has been poor. The victims of gross human rights violations and humanitarian law, however, should not be overlooked. Support for such investigations is important, given the progress on the establishment of a Permanent International Criminal Court to try those accused of genocide and crimes against humanity. Mass killings in Somaliland, and elsewhere in Somalia, constitute crimes against humanity. If the perpetrators of war crimes are not brought to justice and held accountable to international standards, a culture of impunity will be perpetuated. At present it is important to collect and preserve the evidence of such crimes.

## Local and international responsibilities

In 1997 the UN Independent Expert for Human Rights in Somalia concluded in her report to the UN Commission on Human Rights that:

as long as the faction leaders, the militias and other irregular armed forces continue their conflict in Somalia and until a peaceful settlement is reached, international humanitarian law related to internal armed conflict applies in the whole territory of Somalia irrespective of whether the specific area is engulfed in active fighting.<sup>13</sup>



At the same time, military hostilities on the Somalia-Ethiopia border are governed by laws pertaining to international armed conflict. This conclusion is important for two reasons.

First, human rights protection is difficult where there is no recognised state structure or government with the means to enforce international human rights standards. Conventionally, the protection and upholding of the rights of the citizen of a country is the responsibility of the state. A major constraint to human rights observance and protection in former Somalia has been the lack of an internationally recognised government, and the absence of legitimate and credible state-type institutions. This is both a consequence and a cause of the perpetuation of human rights abuses. There may be little incentive for those exercising control over populations to form effective administrations and to be held accountable for human rights protection if they benefit from the absence of government.

In the absence of a recognised state, all non-state entities in Somalia (including Somaliland and Puntland) who claim authority over populations, are bound by customary international law related to internal armed conflict, as outlined in Common Article 3 of the Fourth Geneva Conventions of 12 August 1949. These principles aim to protect civilian populations and non-combatants, including prisoners of war, the wounded and the sick, and prohibit extrajudicial executions, hostage taking, humiliating and degrading treatment, harassment of relief workers and the manipulation of humanitarian aid. All Somali bodies claiming to exercise any form of governmental authority in Somalia or Somaliland are under an obligation to protect and promote the human rights of populations in areas they control. Furthermore, the UN Security Council declared in 1992 that those authorities who commit abuses of human rights shall be held individually responsible.

Human rights will be central to a reconstituted Somali state, whatever form it takes. As no state can expect to exempt itself from international norms, the credibility of any political entity in Somalia seeking international recognition will be assessed, in part, on the establishment of a responsible human rights regime. This includes the mandatory obligation to implement those treaties relating to fundamental human rights signed by the former governments of Somalia.

Second, the Independent Expert for Somalia in her statement reminds the international community of its responsibilities towards the protection and assistance of war affected populations of Somalia. The scrutiny of the human rights situation in the country could be strengthened by the UN High Commissioner for Human Rights establishing a permanent field presence in Somalia. International law, however, is concerned not only with setting standards, but also with training and monitoring, reporting and the establishment of institutions with responsibility for implementation. Several international and national agencies are currently involved in strengthening the understanding and observance of human rights and humanitarian principles in Somalia, including UNICEF, the ICRC, the Life and Peace Institute, and independent Somali organisations noted above.

Increasing the flow of assistance to Somali populations is also part of the international community's responsibility to protect social and economic rights. Chronically low levels of human development in Somalia constitute a long term emergency. Somalia is ranked at the bottom of the UNDP Human Development Index. There are over 200,000 internally displaced and over 400,000 Somali refugees in the region. Average life expectancy is as low as 41 years, child and maternal mortality amongst the highest in the world. There are pockets of chronic malnutrition and debilitating diseases such as tuberculosis are increasing. Extreme levels of poverty and vulnerability exist against a backdrop of environmental degradation and distress. The situation is most acute in the politically volatile south, where drought, floods and continuing conflict in several areas combined in 1998 to produce the most acute food deficit in the inter-riverine areas since 1992. The little rehabilitation and development assistance that exists is currently concentrated in Somaliland and Puntland, following the international policy to invest in areas of stability. The result is an increasing divergence between the northern and southern regions in terms of basic indicators of well-being.

Despite the chronic needs, international assistance to Somalia has sharply declined since 1995, when the international intervention was seen to fail and UN and US troops withdrew. While international donors continue to respond to acute emergencies, such as the floods that struck southern Somalia in 1997, most international aid programmes in Somalia and Somaliland are severely under-funded. Since 1993 the UN annual appeals for Somalia have consistently raised less than a third of their funding requirements. Inward remittances from Somalis in the diaspora and private investments by Somalis in

utilities and social services now outweigh investments made by international aid programmes. Although the increasing investments made by Somalis themselves are a positive development, the decline in international assistance erodes the social and economic rights of the Somali people. The situation of children is a case in point. Somalia is one of only two countries in the world that have not signed the Convention on the Rights of the Child.<sup>14</sup> The collapse of essential health and educational services for children has created a chronic situation, in which primary school enrollment is amongst the lowest in the world, and almost the entire population of children between the ages of 10 and 18 have received no education. International support for education, however, is extremely limited. Finally, human rights protection does not stop at the borders of sovereign states. Weapons still flow into Somalia in violation of the international arms embargo, which the international community imposed and has responsibility to maintain. Somali refugees in Kenya continued to suffer human rights abuses long after the worst of the famine in Somalia had subsided. There is a growing reluctance among Western governments to grant asylum to refugees. As well as working to improve the human rights situation in Somalia, other states need to look at their own application of international standards regarding the treatment of Somali refugees.

## Planning the workshop

The workshop was jointly planned and funded by International Cooperation for Development (ICD) and Amnesty International (AI). Discussions on hosting a workshop to raise human rights awareness in Somaliland began in November 1997. In its work to build the capacity of local NGOs, ICD observed that local organisations were prioritising the need for human rights training and information in their efforts to build civil society in the aftermath of the struggle to overthrow the Siad Barre dictatorship and subsequent civil conflict. At the same time, AI was working to build human rights in all parts of the collapsed state of Somalia. In October 1996, AI had held a human rights training workshop in Kenya entitled *Somalia — Putting Human Rights on the Agenda* with participants from Somali organisations and individuals resident in Nairobi and Mogadishu, and a follow-up workshop in August 1997. Following this event, AI sought a partner with whom to cooperate in the planning and implementation of a similar workshop in Somaliland. AI and ICD agreed to work together on the workshop *Human Rights Awareness and Action*; AI provided external facilitators for the workshop, while ICD provided local facilitators and practical and logistical support through its Hargeisa office.

Holding this workshop in Somaliland was extremely significant. It represented the first opportunity to explore human rights issues since the creation of Somaliland in 1991. The 20 years spent under a brutal regime provided little for Somalis to build on in promoting a culture of human rights; awareness of the rights of the individual in society was limited. However, there is widespread determination in Somaliland never to return to the situation of the past and many insist that human rights principles should be a guiding component of the post-conflict society.

Additionally, the conflict period brought with it changing social patterns — in particular for previously disadvantaged and marginalised groups including women and minority groups. There are growing demands to put an end to practices which deny basic human rights, including female genital mutilation (FGM) and the segregation of minorities. Local NGOs are seeking ways to incorporate human rights principles into their development programmes, while the flourishing written media seeks to maintain its freedom of expression as a means of developing an open and democratic society.

The government of Somaliland welcomed the hosting of the workshop in Hargeisa, and representatives of the government, as well as NGOs, attended the workshop.

During their stay, Amnesty International representatives held meetings with President Mohamed Ibrahim Egal and ministers and officials of the Somaliland government and discussed a wide range of human rights issues. The president, his cabinet and other officials, including police and prison officers, signed a pledge to promote and observe the Universal Declaration of Human Rights in celebration of its 50th anniversary. Hundreds of others, including the workshop participants, pledged the same commitment to universal human rights. AI representatives visited Hargeisa Central Prison and spoke

with Ahmed Farah Jirreh, a businessman detained by a regional security committee and sentenced to one year's imprisonment without trial. Ahmed Farah Jirreh and a journalist detained in Berbera were freed shortly afterwards.

## Workshop preparation

Planning for the workshop took place over a number of months. Consultation on the content, timing, and choice of participants was undertaken by ICD with local NGO partners in Somaliland. Early consultations overwhelmingly endorsed the need for the workshop, both as a means of raising awareness and to assist participants in learning how to integrate human rights into the work of local civil society organisations. Moreover, local NGO partners stressed the importance of government representation at the workshop in order to enable protection of human rights throughout society. Prior to the workshop, local NGO representatives and ICD introduced government members and ministries to the concepts on the agenda in order to gain their overall approval and participation. The government indicated that both the workshop and the presence of AI in Somaliland were positive for the country and its image in the wider world.

What the participants wanted from the workshop

- to explore the relationship between human rights and conflict;
- to discuss how to address past human rights violations in Somaliland, how to raise awareness about them and to encourage international participation in investigation;
- to discuss the nature of individuals' human rights;
- to gain knowledge on the universality of human rights;
- to learn how to undertake investigative reporting for human rights;
- to know what documents and tools exist for human rights promotion;
- to explore the relationship of human rights to good governance;
- to learn how to address discrimination against minorities;
- to address the promotion of women's political representation and to discuss human rights and gender;
- to explore the relationship of poverty to human rights abuses;
- to look at human rights and 'clanism';
- to discuss how to raise human rights awareness within the security forces and political leadership;
- to look at how to eliminate FGM;
- to explore the relationship of Somali art and culture to human rights.

The workshop was designed to bring together a broad range of local activists, with different professional skills and backgrounds, who were directly involved in human rights in their working lives or who had a demonstrable interest in and commitment to human rights. Participants were invited from local NGOs, women's groups, the media, the legal profession, the government, and minority groups. Attempts were made to balance representation from the different regions of Somaliland and to obtain a gender balance. Prospective participants were invited to complete a questionnaire before the workshop, outlining their particular interest in human rights and how this interest is expressed through their work.<sup>15</sup> As far as possible, their views and wishes were incorporated into the workshop programme.

The workshop was planned over three days, working from 8am to 2pm each day with flexible breaks for breakfast, refreshments and prayers. Plenary sessions were conducted in English; small-group sessions were in Somali. Some informal social events were held in the evenings. Daily monitoring and feedback from the 31 participants was conducted, with overall feedback being obtained in the evaluation session on the last day. There was joint facilitation by international facilitators from AI from London and Kuwait and Somali facilitators from Hargeisa. The facilitators met each day to discuss the progress of the workshop and to propose adjustments in the light of participants' feedback.

## Workshop aims and objectives

The workshop participants agreed the aims and objectives of the workshop:

#### Aims

- to increase human rights awareness;
- to develop skills and knowledge in human rights;
- to use and pass on what is learned.

#### Objectives

By the end of the workshop, the participants would:

- have gained greater awareness of human rights in different fields related to Somaliland;
- have developed skills for investigating human rights;
- have increased their ability to take action for human rights;
- have learned to work cooperatively for human rights;
- put human rights on the agendas of their own organisations.

### The dynamics of the participants

Much of the success of the workshop can be attributed to the positive dynamics of the different groups of participants.<sup>16</sup> Many of those attending the workshop had personal experience of human rights abuses, and so could apply particularly perceptive skills to the group assignments. Their diverse professional backgrounds brought a wide range of perspectives and experiences to the event. Some had not known each other or worked together before. Positive factors in group dynamics

#### Why they happened...what happened

The participants were drawn from diverse professional backgrounds, stimulating discussions on human rights from a variety of different angles and individual personal experience. Despite different missions and visions, all participants shared the same concern for human rights. Participants were:

- women and men
- young and old
- Somalis from major clans and minority groups
- governmental and non-governmental
- lawyers, civil servants, journalists, poets, health workers

The participants came to the workshop on an equal footing, irrespective of differences or status. Because of a shared concern about human rights, participants who had experienced conflict or disagreement outside the workshop were able to work together on common issues. This will provide the foundation for future cooperation. During discussion and in feedback sessions from small group work, participants acted as advocates on each other's behalf. The workshop represented an important opportunity for members of minority groups to be treated as equals and to analyse their problems with other Somalis. Men spoke about women's rights and advocated the abolition of FGM. Everyone spoke about the rights of vulnerable children. Human rights activists were able to meet and plan how they could work together in the future. A one-day seminar on minority rights was organised shortly after the workshop. Stability and security in the country and the support of the government for the workshop. Lack of fear enabled the participants to speak freely and openly. An environment of confidence was created by the support of the Somaliland government and the president's pledge to support the Universal Declaration of Human Rights. Lively work in small groups. Small group work allowed the participants to interact with less constraint and to speak freely in Somali. Women were vocal. Despite their small number, women were very vocal. Discovery of talents for leadership. Participants discovered talents in each other that can be mobilised during future human rights activities.

# Day One: What are human rights?

#### Timetable for the day

7.30 — 8.00      Registration

8.00 — 9.30	Opening session and introductions
9.30 — 9.45	Break
9.45 — 10.45	What are human rights? — general introduction
10.45 — 12.00	How human rights are important for you
12.00 — 12.30	Break
12.30 — 14.00	Human rights for Somaliland
19.00	Dinner
20.00	Cultural programme

## Official opening

Rashid Sheikh Abdillahi from the Independent Committee for the Investigation of War Crimes opened the workshop with some verses from the *Quran*.

Adan Yousuf Abokor, ICD's Country Representative in Somaliland, then explained that ICD has an intrinsic interest in supporting human rights through its capacity building programme for local NGOs. Human rights are integral to the development process. He expressed ICD's pleasure in welcoming Amnesty International for the first time to Somaliland, and wished all the participants a fruitful workshop over the coming three days.

Giving a brief review of the past three decades of Somali history, Martin Hill from Amnesty International pointed to the appalling human rights violations under the regime of Siad Barre, particularly in the north west, culminating in the war of 1988 and the bombing of Hargeisa. A huge number of people had become refugees, he said. He welcomed the current peace and stability in Somaliland as a good sign for the future. He asked the workshop participants to stand for one minute's silence out of respect for the countless victims of the human rights violations that have taken place in what is now Somaliland.

'Somali culture contains many human rights elements which must be preserved and respected'

— workshop participant

## Introductions

Participants were asked to spend a few minutes getting to know their seated neighbour and then to introduce each other to the plenary, rather than simply introducing themselves and their organisation. This 'broke the ice', started participants talking to each other, helped them to recognise each other's experience and made the atmosphere less formal. Ground rules were agreed:

- Punctuality
- Patience and tolerance
- No smoking in the workshop hall
- Active listening and participation in the discussions
- No shyness, speak loudly
- One speaker at a time
- Use English but if necessary speak in Somali
- Ask if you don't understand
- No personal/organisational advocacy
- Have fun

## What are human rights?

What are human rights? Ghanim Alnajjar asked participants to think around the question 'what do human rights mean to you?' Human rights include the right to live, the right to think, the right to live in a world we desire, and the right to organise ourselves. Humankind is born free and we have natural rights given by God and nature, he said. However, we have to work to achieve equality and justice. As individuals we want to give our views freely, live freely and not oppress others. Those fortunate enough to enjoy these rights can advocate for others to gain these rights.

Ghanim Alnajjar explained that the Universal Declaration of Human Rights, proclaimed in 1948, stresses that we are all born free and equal. However, we live in nation-states where criteria of

citizenship have been established and where the state as a political entity can oppress us. The Declaration perceives human rights as inherent in all persons but protected principally within the boundaries of 'recognised states' that possess full legality. As the state enjoys exclusive monopoly over power, it is obliged to protect people's dignity. If it fails to apply justice within its boundaries or in its dealings abroad, we identify what we call human rights violations.

The UDHR declares human rights to be universal. Small states, including those in Latin America, and Arab and Muslim states, particularly Lebanon, played an important part in the creation of the Universal Declaration, which drew upon the intellectual well-springs of Africa, the Americas, Asia and Europe. During its deliberations, third world representatives played a key role in drafting the document. It is not a western or alien document, but rather a tool which can be used to ensure states do not violate people's rights and to assist people against state oppression.

Ghanim Alnajjar's presentation was followed by a lively discussion. In response to questions on AI, he spoke about its recent worldwide campaign against human rights violations in the United States, its logo of a candle and barbed wire (symbolising hope in oppression), the effectiveness of its grassroots letter-writing campaigning, and its worldwide work. Participants asked how much of the Somali culture incorporates human rights; they also asked what right AI had to interpret human rights on their behalf. Ghanim Alnajjar replied firstly that Somali culture, like all cultures, has good values and bad values; and secondly that this is part of the right to freedom of opinion and expression, as well as AI's belief in universal humanity. AI, and other organisations working on human rights, do not interpret cultures, criticise religions, convert people or act as missionaries of any faith.

To end his presentation, Ghanim Alnajjar quoted a speech made by the UN secretary-general, Kofi Annan, in 1997. He stated:

There is no one set of European rights and another of African rights. Human rights assert the dignity of each and every individual human being and the inviolability of individuals' rights. They belong inherently to each person, each individual, and are not conferred by, or subject to, any governmental authority. There is no one law for one continent and one for another. And there should be only one single standard — a universal standard — for judging human rights violations.

'If people don't claim their rights themselves, no-one can give them'

— workshop participant

## Human rights for Somaliland

### Human rights and Somali culture

As background to current questions of human rights in Somaliland, Martin Hill of AI gave a short historical introduction covering colonial rule, independence and nine years of civilian and democratic government, followed by the military coup by Siad Barre which led to 21 years of dictatorship and violent repression of human rights. He described the 1991 overthrow of the Siad Barre government, the collapse of the Somali state and the civil wars that ensued. Somaliland declared independence unilaterally and, though it too has experienced periods of civil war in some parts, it has now achieved a measure of peace, security and recognition of human rights which is not found elsewhere in the former Somali state. This workshop, said Martin Hill, was a sign of the level of stability achieved, in that it came about at the request of Somaliland's NGOs with the government's good will.

Martin Hill asked workshop participants to identify current human rights issues in Somaliland, to describe what violations have taken place, and to suggest remedies for the abuses. He also asked them to give their views on what were the obstructions to human rights, the causes of their violation (for example, the role of culture) and to suggest how rights should be implemented.

Several participants highlighted some of the traditional Somali cultural values that relate to human rights. In Somali pastoral and nomadic society, for example, conflicts between clans or sub-clans were instigated over theft of camels and horses, access to grazing and water rights, women, or through pride and arrogance. As a consequence, traditional Somali society developed rules to regulate conflict, to provide compensation for those wronged through conflict and to protect vulnerable groups of people. Included among these vulnerable groups are women and children, the aged, the sick, men of

religion, peace delegates, traditional leaders, guests, travellers, the unarmed and neutral and the war-wounded.<sup>17</sup>

On the negative side, participants felt that the Somali people have 'inherited from our forefathers' a culturally based oppression of minorities. This was felt to be an important human rights concern that participants wanted to explore in more depth in the workshop.

The human right What are the issues? Context Rights of women- political representation

- equal opportunities
- equal justice under the law
- inheritance rights
- no forced marriage
- abolition of FGM Women in Somaliland currently have no political voice. They may inherit only half the amount of their brothers. Marriage without choice is common. Almost all Somali women suffer Pharaonic circumcision (female genital mutilation).
- child labour (especially girls)
- family disintegration
- no education (especially girls)
- no leisure facilities
- children in orphanages
- sex discrimination
- street children Girl children are expected to provide domestic labour from a young age, denying them access to education. Lack of leisure facilities for young people in Somaliland leads to increased consumption of *qaat*.
- access to employment
- right to intermarry
- right to choose own partner
- right to land ownership and allocation
- participation in decision-making
- political representation
- equality of education Minority groups in Somaliland continue to experience social, economic and political segregation. They are unable to marry outside their own minority groups.
- Right to equality under the law- judges need training
- justice needs improving in the courts
- bribery is common
- arbitrary arrests
- police brutality
- charges must be known
- right not to be tortured or receive collective punishment
- rights of prisoners The legal system has too few professionals and there is a need for improved training. Many poor people cannot pay legal fees. Law enforcement has been strengthened but the police need training. Prisoners endure poor health, bad sanitation, lack of food, over-crowding, and ill-treatment.
- Right to freedom of expression, association and movement- safeguard press freedom and freedom to publish
- restrictive laws
- political repression and censorship
- imprisonment of journalists
- maintaining freedom for political parties
- problem of 'clanism' in political parties
- right to religious freedom The written media is vibrant in Somaliland but detention of journalists has occurred.

Political parties have not yet been formed. Social and political identity are deeply linked to clan and sub-clan, leading to the potential for clan membership to become the key factor in political party formation.

The Somaliland Constitution established the right to freedom of association. Rights of mentally and physically disabled people- poor cultural treatment of people with mental disability

- neglect by government and society at large
  - cultural abuse
  - deliberate neglect
  - no treatment or care available No statistical information is available on numbers of disabled people in Somaliland. People experiencing mental and physical disability as a result of the war are likely to be numerous. There is little awareness of the rights of disabled people within society. Right to access basic human needs- lack of clean water
  - insufficient shelter and housing
  - no access to health care
  - limited access to education
  - the right to work (high unemployment) Somaliland is rebuilding its social services and infrastructure but is hampered by limited resources. Movement of people into urban areas places stress on already stretched capacity. Right to live without state violence · war
  - executions
  - genocide
  - landmines Almost everyone in Somaliland has suffered from the recent history of the country. Landmines remain in place and are a continued threat. Human rights awareness- lack of knowledge of human rights
  - clanism
  - the past lingers on Somaliland's recent history provides no experience or information on which to build a positive culture of human rights. The identification of individuals with clan and sub-clan can be a threat to human rights. How can Somaliland come to terms with the human rights abuses of its recent past? Rights of the homeless and refugees · forced evictions of the homeless
  - right of refugees to care, protection and maintenance Somaliland's population experienced dramatic upheaval during the civil war period, many becoming refugees in neighbouring countries. With the return of peace, people are returning with limited access to resources or shelter. Rights of people living with HIV/AIDS
  - end discrimination
- HIV/AIDS presents a real threat to the Somali population. There is little awareness of the cause and prevention of HIV/AIDS, denial that it exists and social stigma attached to persons openly known as HIV positive. Freedom of artistic development- lack of resources and support
- potential for exploitation by government
  - no copyright for artistic performances or songs Poetry, songs and theatre play a significant role in Somali society. Poets, dramatists, song writers and singers were detained and imprisoned by the Siad Barre regime. Nickname abuse Somali people use nicknames to identify each other. Some names focus on a specific physical or character defect which can be cruel and hurtful.

## Day Two: Exploring human rights in Somaliland

### Timetable for the day

8.00 — 9.45 Investigating human rights

Campaigning for human rights

Building organisational credibility

9.45 — 10.00 BREAK

10.00 — 11.45 Group work



11.45 — 12.15	BREAK
12.15 — 14.00	Report back and discussion

Day Two's first two sessions focused on how to organise and conduct work to combat human rights violations. These sessions emphasised the need for careful planning and conduct of human rights work in order to ensure the success of the work itself and the future of the human rights organisation.

## Investigating human rights violations

Martin Hill led the first session on investigating and reporting human rights violations. This covered factors that should be taken into consideration by an organisation when investigating and reporting human rights violations, including:

- the importance of remaining independent from outside influences, including governmental and non-governmental organisations, to ensure that work is clear, focused and perceived as free from external interference;
- the need to be specific both about what is being researched and the purpose of collecting the information. Many areas of human rights protection can be investigated and reported on, so an organisation needs to establish and work with clear priorities. Priorities can be identified after observing the immediate human rights context;
- the importance of being thorough in research and information gathering. Methods can include asking questions, holding interviews, talking to the victims of human rights violations, contacting the relevant authorities, ensuring that any research contacts are protected through confidentiality if necessary. Thorough research demonstrates the seriousness with which an organisation approaches its work;
- the production of a report (with recommendations) which is truthful, balanced, accurate, and both independent and impartial.

## Campaigning for human rights

Eve Mitchell led this session on campaigning for human rights. It began with an open discussion of what 'campaigning' means in practice and what all campaigns have in common. Campaigning is essentially taking action in order to change a named situation. Solid research should be coupled with solid campaigning in order to maximise chances of success. Campaigning in this context can range from producing posters and leaflets to lobbying those in authority, but careful planning helps effective use of time, resources and information.

All campaigns have three things in common: goals, audiences/targets and methods (see boxes). Being specific about each of these assists in the organisation of the campaign and in judging progress.

## Building organisational credibility

Ghanim Alnajjar led a discussion session on 'how to develop the credibility of your organisation'. The key to developing credibility lies in establishing a good reputation and image that assists in successful campaigning. A credible organisation should have the following:

- clear terms of reference
- public support
- elected key officials and organisational representatives
- ability to obtain accurate information derived from good research
- accountability
- good financial records and accurate budgeting
- an achievable programme of action
- a logo and symbol for promotion
- no politicisation within the organisation

Poet and human rights activist Ali 'Banfas' recited a poem that he had written specifically for the occasion.

Ugaadha bahalkii awood badanbaa  
 Arjuma ka kalee italka yar  
 Markaan dhan ka eego aadamiga  
 Sidooda kawii ahaadaa  
 Sharciga arligiyo umadu ku dhaqnayd  
 Indhaho laga rido afkooy gashadaan  
 Amnesty International waa urur  
 Aduunkoo dhan laga aqoosanyahoo  
 Inaanu ku eegin loo alkumoo  
 Ilaasha xuquuqd aadmiga

The poem expresses the similarities between human behaviour in times of war and life in the jungle, where the stronger kills the weaker. It praises Amnesty International for its work to protect human rights.

## Campaigning for human rights

### Goals

The goal is what a campaign wants to achieve  
 Goals must be defined and specific  
 Organisational strengths and capacities must be assessed to ensure the setting of realistic goals  
 Goals may emerge from information obtained during research but may also indicate where further research is needed  
 Progress and developments should be monitored

### Audiences/

targets  
 The audience will assist in achieving the goals of the campaign  
 Audiences can be mobilised through a campaign to bring about positive change  
 The specific audience or target needs to be selected according to the situation to be addressed  
 The resources of the organisation and its capacity should be considered when selecting the audience and targets on a particular issue  
 Progress and developments should be monitored

Methods  
 The methods are how an organisation brings about change  
 Methods can include any means to mobilise the relevant audience and targets to promote change  
 The range of methods that human rights campaigners can use include: publicity; distribution of research findings; direct lobbying; public rallies  
 Methods selected can be culturally specific and include the use of plays, drama, songs or poems  
 Progress and developments should be monitored

## Recap on key points

How to research human rights  
 Define which right you are researching  
 Monitor and observe the situation  
 Investigate (ask questions), ensuring the investigation is accurate and impartial  
 Produce a report based on accuracy, truth, independence and impartiality  
 Take action through campaigning  
 Monitor the end result  
 What is campaigning  
 The process of putting across your message using radio, TV, newspapers, magazines, other media  
 Identify what are your overall goals  
 Identify your target audience to ensure using the most effective media  
 Identify what methods can be used  
 Consider lobbying and networking  
 Monitor the end result  
 How to build the credibility of your organisation  
 Ensure your organisation operates with accuracy, impartiality in political matters, and is independent  
 Build structures of accountability, sustainability  
 Ensure good leadership and vision  
 Create a serious programme of action and see it through  
 Promote your organisation — have a reflective slogan or

symbol  
 Monitor your action plan

# Five human rights issues

By this stage the workshop participants were ready for a practical task to test their learning, so a project was devised that would cover all the areas discussed. Participants were divided into five groups, ensuring a mix of interests and gender. Then the five most important themes from among those identified during the brain-storming session were designated, one to each group with Mohamed Barud Ali and Rhoda Ibrahim facilitating throughout. Each group was asked to identify specific human rights problems related to its theme, to discuss who is responsible for these problems, how research could be carried out on them and what difficulties might be encountered. They also selected rapporteurs to provide feedback from group discussions to the plenary.

## 1. Children's rights

### Context<sup>18</sup>

'States parties recognise the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development'

— Article 27, UN Convention on the Rights of the Child, 1989

The Convention on the Rights of the Child provides an internationally accepted statement of what each society owes to its children. It contains a broad set of pre-requisites to assure the physical, mental and emotional well-being of children, their protection and participation within society and their special needs in situations of civil war or armed conflict. Broadly interpreted, these include the rights of access to health, education, rest and leisure, protection from economic or sexual exploitation, special protection and assistance for a child who is a refugee or affected by armed conflict, and freedom from discrimination.

### Article 29 of the Somaliland Constitution<sup>19</sup>

1. The government has the responsibility of taking care of and educating children, especially those without parents or guardians.
2. The government is responsible for children orphaned during the struggle.

The lives of many children in Somaliland have been drastically affected by the extended period of war and conflict. Health services, which collapsed in 1988, struggle to provide the very minimum of basic care to infants and young children. Poor infrastructure and equipment, health staff who are urgently in need of upgrading their skills and knowledge, an irregular supply of basic drugs, and low immunisation against childhood diseases lead to high infant and under-five mortality rates and illness through poverty-related and preventable disease.<sup>20</sup>

Despite community initiatives in many urban centres to re-establish educational opportunities, few children, particularly girls, have access to education.<sup>21</sup> The civil war has created a 'lost generation' of young people denied access to schooling and basic or technical education. The lack of sports or recreation facilities leads many young people in urban areas to increase their use of *qaat*. Child labour, especially for girls, is for many families an economic necessity.

Street children have become a new urban phenomenon, with between 150 and 350 boys living on the streets of Hargeisa, Boroma and Berbera. Evidence suggests that these children are on the street either because they have been left with no family members since the war, or that they work on the street to obtain income for family support. Many sniff glue, chew *qaat* and are vulnerable to exploitation. Unpublished research carried out on the impact of war on 144 children and adolescents in Somaliland describes high levels of anxiety, depression and war trauma among children as well as in the general population.

### Task set to Group One

Identify what are the human rights problems for children in Somaliland. Who is responsible? How can we carry out research on these problems? What difficulties might be encountered and how could they be overcome?

### Group One's assessment

#### Children's rights: the problems

- family breakdown since the war
- numbers of street children increasing
- children are traumatised
- returning refugee children are vulnerable because of poverty
- no kindergarten/day care facilities
- extra load on the girl child at home
- no family planning
- lack of family knowledge of child rights
- lack of educational facilities
- lack of leisure facilities

The problems identified by Group One represent a wide range of issues relating to the rights of children both within and outside the family. The group highlighted the impact of the war and the significant changes within family and social structures which it has brought about, with a serious effect on the rights of children.

Conflict since 1988 has led to families being separated by physical distance, clan divisions and death. Many children are brought up in one-parent households due to the death or dislocation of immediate family members; many are housed with extended family relatives. Families' ability to provide for children's basic needs and rights (access to health and education) is affected by low incomes and spreading existing resources thinly. Within the family, Group One pointed to a general lack of knowledge about children's rights. By way of examples, the group pointed to children whose behaviour is 'corrected' by beatings from adults; and family exploitation of child labour — felt to be an especial burden on girl children who carry out routine domestic responsibilities from which they cannot be released to attend school.

One consequence of the war period is that many women have now become the main bread-winners for the family: often through selling *qaat*, setting up tea shops or other small trading enterprises in urban areas. Young children are left at home — sometimes with an older sibling or sometimes alone while the mother is working. Group One identified the lack of kindergarten, pre-school or child care facilities as a major obstacle to ensuring that children receive adequate care while their mothers are working.

The urban areas of Somaliland are experiencing an increase in the numbers of children living on the streets. This phenomenon was little known before the period of war and conflict. Group One reported that the increase was caused in part by growing family breakdowns, also a result of the war. They identified street children as a priority target group, given the lack of a safe and secure home environment. More widely within the overall population of Somaliland, many children and young people have undergone personal suffering or witnessed horrifying experiences as a result of the war. These young people retain severe psychological and social problems, depression and recurring nightmares. This group was also identified by Group One as a priority.

Refugee children were also specifically mentioned. Many former refugees are returning to Hargeisa and elsewhere in Somaliland. The returnees from the refugee camps in Ethiopia are among the poorest people in urban areas and their children may suffer exploitative work practices or end up as street children.

The 1988 war had a devastating impact on urban infrastructure, with most buildings being destroyed partially or fully and many looted. Much re-building is under way but there are currently no recreational or leisure facilities for children and young people in Somaliland. Group One registered their concern that without recreational or leisure facilities young people cannot expand their horizons; out of

boredom and lack of opportunities they tend towards increasing their use of *qaat* or other anti-social behaviour.

Finally Group One highlighted the need for family planning. Providing for the basic needs and rights of children is more difficult without the possibility of limiting family size to the material means of the family.

#### Who is responsible and the way forward

In response to the question as to who holds the responsibility for children's human rights problems in Somaliland, Group One identified the war, the government and the family as the key players.

In order to assess the overall human rights needs of children in Somaliland, Group One stressed the need to gain more information than is currently available. Little is known about the daily reality of street children, who they are, why they are on the streets and how they survive. The group would aim to solve this by having direct contact with the children. Since street children are primarily living in urban areas, Group One also identified a need to collect information and data from children living in rural areas of Somaliland to establish their problems and needs in relation to children's rights — felt to be especially important since many children in rural areas are a part of the labour force (on farms, herding livestock or doing other work).

'Is there not a contradiction in a pastoral society such as ours between the need for children to herd their inheritance and their right to education?'

— workshop participant

A general lack of awareness on the rights of children was identified as the main difficulty in undertaking this research. Children themselves are unlikely to be fully conversant with their rights, but nor are the Somaliland government or the general population familiar with the concept of children's rights. In order to overcome this problem Group One proposed working with the Ministry of Education to introduce a children's rights oriented curriculum in schools and an awareness-raising campaign targeting parents, women and youth organisations, community leaders, religious groups and the government. Awareness-raising would be carried out through the mass media, pamphlet distribution, discussions and workshops.

## 2. Human rights awareness

### Context

'Our people's human rights awareness is zero'

— workshop participant

For 20 years, Siad Barre's government and the National Security Service controlled all institutions and associations, including the judiciary, public administration, the media, educational institutions and legal and other professions. Dissent was fiercely suppressed and monitoring and criticism of human rights violations were not tolerated. Perceived opposition to the regime led to widespread arbitrary imprisonment, detention without trial and a few grossly unfair 'show' trials. Torture was common as were other human rights violations, often directed against the north west (now Somaliland), with thousands of executions, both extrajudicial and through the infamous National Security Courts.

Within this context, the awareness and promotion of human rights issues were unable to flourish. This left the Somali people with little experience to draw on in promoting a culture of human rights. In Somaliland, with the emergence of a new structure of government and flourishing civil society organisations, raising awareness on human rights is crucial to safeguard the participation of individuals in civil and political life and to ensure that there is no return to the violations of the past.

Since Siad Barre's fall in 1991, several active and independent human rights organisations have emerged. They are engaged in a range of activities including research into past war crimes, monitoring human rights and advocating more equal rights for women and minorities. In addition, the written media play a significant role in promoting human rights, since general human rights awareness within the population is low. However, some people holding key senior posts within the judiciary, prison

service and other institutions have returned to posts which they held in the days of the repressive Siad Barre regime, without benefits of training in basic human rights, their protection and promotion.

### Task set to Group Two

What is the awareness of human rights in Somaliland? Who is responsible? How can we research this? What are the difficulties? How can we overcome them?

### Group Two's assessment

#### Human rights awareness: the problems

- low level of human rights awareness
- illiteracy as a contributing factor
- lack of awareness of relationship between citizens and government
- human rights perceived as an alien concept
- negative aspects of 'clanism' and some traditional values
- legacy of the former Siad Barre regime

Group Two considered a range of issues relating to awareness of human rights in Somaliland. Awareness was found to be negligible, with contributory factors ranging from Somalia's recent history to intrinsic Somali values and culture.

The overriding factor contributing towards the low level of awareness on human rights was noted to be widespread illiteracy.<sup>22</sup> Most materials relating to awareness on human rights are in written form and little is available in the Somali language. Civic education and training programmes have only recently begun in Somaliland and, to date, human rights have not been prioritised by the international community.

Group Two recognised that many people in Somaliland maintain the misconception that human rights concepts derive from Western countries and are alien to Somali culture. The universality of human rights is not known or accepted, discouraging widespread discussion of human rights as a concern for each and every individual.

The legacy of Siad Barre's regime and Somalia's recent history presents an additional barrier towards understanding human rights and has provided a context in which Somalis have little positive experience of exercising their rights. Group Two perceived the problem to be twofold: firstly, a recent political leadership that actively violated human rights over many years through its state instruments; secondly, Somali citizens themselves, some of whom were passive in the face of human rights violations or supported them for their own ends.

Some traditional Somali values were seen to work actively against human rights. Specific issues around which awareness must be raised include female genital mutilation (Pharaonic circumcision) and an unfair distribution of labour especially within the household, where young girls and boys are not treated the same within the family. Human rights can be violated in the name of 'clanism', personal interest, power and opportunism. These factors have contributed to the current situation in Somaliland in which, as a participant pointed out: 'people are not aware of their rights and government officers do not know their obligations'.

#### Who is responsible and the way forward

Group Two identified a number of groups who should take responsibility for increasing awareness of human rights in Somaliland. The main focus should be on governmental and civil society groups, including legislative bodies, the parliament, the elders, specific ministries (Interior, Justice, Information, Education, Health, Religious Affairs), and the police. Potential promoters of human rights awareness are civic organisations, including local NGOs, women's organisations, religious groups, human rights activists, clan elders and the independent media. Finally Group Two decided to involve the Inter-Governmental Authority on Development (IGAD), the Organisation of African Unity (OAU) and the Arab League in an effort to promote awareness more widely within the regional context.

Given the strong consensus of opinion on the low level of human rights awareness in Somaliland, the question of whether to research the issue was not relevant. It was taken for granted. Group Two would

take action through establishing a group of voluntary activists committed to increasing general awareness on human rights. Support should be provided to existing groups and individuals working on the issues. Specific areas of concern should be prioritised in order to have maximum impact. The main difficulties would lie in access to resources both human and financial. Financial resources would be required to promote human rights education and to mobilise activities around human rights awareness.

Group Two proposed launching a campaign to raise awareness on human rights, targeting civil society in Somaliland, NGOs, the Ministry of Interior, and others. Appeals would be made to the government on issues relating to human rights and lobbying would be encouraged. Human rights training for the police force would be a key step in raising awareness and promoting a culture of human rights.

‘For training we need to include the courts and a wider group rather than just the police’

‘We must develop human rights training materials for the police’

— workshop participants

### 3. Minority rights

#### Context

‘States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law’

— Article 4, Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the UN General Assembly 1992

Somali society is generally perceived as being homogenous in terms of ethnicity, language and religion. However, the population of both Somalia and Somaliland contains groups considered to be minorities — with their status in society appearing to derive historically from their occupational specialisations and lack of linkages with main clan lineages. In Somaliland, where nomadic pastoralism is the dominant way of life and culture, three main groups of people are considered minorities: the Tumul, the Yibir and the Gaboye.<sup>23</sup> They suffer from low social and economic status and experience segregation within society.

The Tumul were traditionally blacksmiths, making spears, knives, arrowheads, swords and other metal objects including amulets and charms. Both the Yibir and the Gaboye were traditionally hunters and leather-workers making ornaments, straps, amulets, prayer mats and saddles. For all three groups, inter-marriage outside their minority clans was not permitted, political representation denied and traditionally they were not allowed to own land or livestock. The Tumul, Yibir and Gaboye are considered ‘out-caste’ by wider Somali society. In Somali poems and sayings, ‘Midgan’, ‘Yibir’ and ‘Tumul’ are used as words of disgrace and humiliation.

There are many theories to explain the segregation of minority groups within Somali society from a historical perspective. One such theory points to the values of traditional pastoralist Somali society, in which people who worked with their hands were regarded as inferior. The skills of the minority groups in shoemaking and blacksmithing depend on highly skilled manual labour which may have led to their low caste status in the past.

During the Siad Barre era, the situation of minority groups was given prominence, but Somali analysts indicate that no tangible programmes of empowerment were established and the regime paid only lip service to the real needs of minorities.

Despite the discrimination experienced by minority groups for centuries, it is only recently that representatives of minority groups have begun to lobby for their rights and advocate change. Several local NGOs concerned with improving the social and economic situation of minority groups have emerged (some of whom attended the workshop) and there is a new determination that their voice

should be heard. These developments bear witness to the encouraging new willingness in Somaliland to address long-standing human rights issues in an open and constructive manner.

### Task set to Group Three

Assess the human rights problems of minorities in Somaliland. Who is responsible? How can we research this? What are the difficulties? How can they be overcome?

Group Three's assessment.

#### Minority rights: the problems

- social segregation and discrimination from wider society
- intermarriage is denied
- economic dominance
- work segregation
- no political representation until recently

This group was extremely vocal from members' first-hand experience of the problems faced by their communities and the need to promote awareness and change in their access to basic human rights.

Group Three identified the minority groups as the Tumaal, the Yibir and the Gaboye. These groups live with active denial of their human rights from wider society. They are socially segregated and unable to marry into majority Somali families. In addition, the minority groups suffer economic dominance: economic activities that are designated to them, such as blacksmithing and shoe-making, are considered 'menial tasks'. They have limited political participation although there is now one member of the Somaliland parliament from a minority group and minorities have the right to vote. The situation of the minorities is now one of under-representation rather than no representation. They have little or no representation in the public or private sectors. They suffer discrimination from their minority status, which has denied them the right to seek change in their situation socially, politically and economically.

#### Who is responsible and the way forward

Responsibility for change in the current situation of minority groups in Somaliland was felt by Group Three to be a national problem, since eradication of discrimination involves changes in attitudes. In order to effect change, Group Three proposed collecting more information on the current situation of minority groups through questionnaires. Information was seen to be a key component of bringing about change in attitudes. However, 'identifying the truth' concerning the historical reasons for minority segregation was expected to be difficult since it has not been attempted before.

Group Three recommended calling on experts to assist them in this process. Voluntary organisations might be best placed to undertake research with minority communities. Group Three recognised the importance of involving religious leaders, the government, the Guurti, clan elders as well as civic groups, and minority groups themselves in a public awareness campaign to promote change.

## 4. Women's empowerment

### Context

'The misconception that states "men are superior to women" has been gradually changing. Yet some women's rights are constantly violated'

— workshop participant

'State parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures including legislation, to ensure the full development and advancement of



women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men'

— Article 3, UN Convention on the Elimination of All Forms of Discrimination against Women, 1979

#### Article 57 of the Somaliland Constitution

- women and men are equal as far as the rights, freedom and responsibilities outlined in the Somaliland Constitution are concerned;
- the Government should promote the rights of women to be liberated from customs and traditions which are against the *Shari'a* and which affect their body physically and psychologically;
- women have the right to own, manage, supervise, use and donate their assets in accordance with *Shari'a*;
- to enhance knowledge and income, women have the right to education including skills training and adult education.

'The Somaliland Constitution was drafted by men. Women were not consulted and articles relating to women's rights do not reflect majority women's opinion'

— workshop participant

The situation of women in Somaliland today is undergoing considerable change. Within an essentially conservative and highly structured patrilineal society, Somali women have traditionally not received equal access to basic rights, have been unable to participate in formal political life and have received inheritance rights of only half those awarded to their brothers.

Today, particularly in rural areas, priority for education is still given to boys and female literacy levels are low. A high number of births contribute towards health problems for women which, when combined with a devastated health infrastructure, give Somalia one of the highest rates of maternal mortality in the world.<sup>24</sup> The cultural practice of female circumcision, also known as Female Genital Mutilation (FGM),<sup>25</sup> inflicted on an estimated 98 per cent of Somali girls between the ages of six and 10, is a violation of human rights and leads to immediate and longer term physical and psychological problems.

The civil war and conflict have had a mixed impact. Women's role in peace-making and reconciliation between clans during the period of civil conflict in Somaliland has been widely acclaimed. Because of a woman's unique relationship with all her kin, she is potentially in a stronger position than men to influence male members in her family in the name of peace.<sup>26</sup> Peace rallies and demonstrations organised by women's groups have contributed significantly to peace making and have raised awareness among women as to their potential as a force for social change. A number of women's organisations have emerged since 1997, mainly involved in social development programmes for women (including health, education and access to credit), but with the additional aim of raising the profile of women's needs and rights in the wider political context.

Increasing numbers of women, moreover, are becoming the household breadwinners, in particular within the retail and petty trading sectors. While some interpret this change as a contributory factor to the rising divorce rate and breakdown of families, it seems certain that it increases women's economic independence and allows a more equal balance in economic decision-making at the family level.

Many Somali women feel strongly that their social, political and economic gains during the war period must now be consolidated for real progress.<sup>27</sup>

#### Task set to Group Four.

What is the human rights situation of women in Somaliland? Who is responsible? How can we research this? What are the difficulties and how can we overcome them?

#### Group Four's assessment

## Women's rights: the problems

- lack of political rights for women
- access to health and education
- FGM
- unequal economic rights

The overwhelming priority accorded to the issue by Group Four was political rights. Women have no representation at national and local political levels; they are therefore denied participation in political processes and have limited opportunities to express their views and concerns within public fora. They live outside the formal decision-making process and must seek informal methods to exert influence through their male relatives.

Group Four regarded women's social rights as threatened. They have limited access to education, as their prime purpose in life is widely viewed as marriage and life in the household. Priority in education is awarded to boys. Women's right to health was upheld by Group Four, seeing it as vital both for women and their children, who represent the next generation. Female genital mutilation which is widely practised on Somali women was stated to be a 'violation of the human body' and an active abuse of women's rights. The widely-held but mistaken belief that FGM is an Islamic practice should be challenged as a first step towards the promotion of change, said the group. In addition, women's economic rights are violated through unequal inheritance laws, limited economic opportunities and male control of household incomes.

## Who is responsible and the way forward

Group Four felt that there was a cultural aspect to many of the abuses of women's rights in Somaliland. The society is male-dominated and politicians have little awareness or interest in the inclusion of women in political processes. In a context in which an individual's social identity is linked strongly to their clan, women are disadvantaged in a political sense through the perception of their divided clan loyalty.<sup>28</sup> Women themselves must take some responsibility for human rights abuses against them: they are often unaware of their rights and submissive in the face of male dominance.

In order to gain more information and research the problems further, Group Four would enter into contact with women at all levels in Somaliland society. These would include women's organisations, urban and rural women, educated women and women traders. To promote changes they would consult with elders, religious leaders, nomads, urban-dwellers and the educated young generation. Recognising the need for a formal framework to promote women's rights, Group Four would also enter into dialogue with relevant state institutions, such as the legislative bodies and judiciary.

Difficulties likely to be encountered when exploring issues concerning violations of human rights were not underestimated by the group. Resistance from men, lack of awareness from women, cultural assumptions about women's situation and misinterpretation of *Shari'a* law were all seen as potential barriers to change. Yet Group Four felt that through initiating a positive campaign for women's empowerment and targeting Somaliland society, resistance to change could be countered. By making use of poems, songs and drama, and working with the *shir* (council of elders) and through the media, issues relating to women's rights should be discussed and debated. An important element would be to correct misinterpretation of the *shari'a* as it relates to inheritance issues.

## Comments from participants

- About political representation for women

'The Somaliland Constitution says women can vote and be voted for.'

'There is no final saying in *Shari'a* about women taking part in politics. But there are different Islamic societies — it is open to different interpretations.'

'Being in power means money — so the strong men push women out.'

- About FGM

From a man: 'We are trying to make amends — it's a daunting task trying to change centuries of tradition.'

'Religious leaders are the ones to correct a historical mistake.'

'It's not women's problem — it's society's problem.'

## 5. Justice and prison conditions

### Context

'Injustice is practised by everyone in Somaliland'

— workshop participant

The interim constitution of Somaliland states that laws enacted prior to 1969 (when Siad Barre came to power) are still in force. These are an amalgamation of several systems including traditional and customary law, Islamic *shari'a* law and the pre-1960 Somali penal code. Codes governing cases of criminal procedures are derived from Italian, British and Indian legislation.

There are currently eight prisons in Somaliland: in Borama, Gabile, Hargeisa, Burao, Erigavo, Las Anod and two in Berbera. The estimated total male prison population was 2,000 in 1996, with a female population of around 20. Prisoners are locked up for crimes such as larceny, livestock theft, wounding and murder. Some people with mental problems are held in prison for the lack of any other facility to keep them. They are mostly 'forgotten people'. In January 1999, 70 per cent of prison inmates were awaiting trial due to lengthy bureaucratic procedures and the small number of judges in court.<sup>29</sup> At the time of the workshop, there was one political prisoner held in Hargeisa prison. He was visited by Amnesty International and released one week after the delegation left Somaliland.

The legal system in Somaliland is mostly staffed by unqualified people. There are only a small number of qualified lawyers (believed to be fewer than 10). Legal aid does not exist and some prisoners are believed to be incarcerated simply because they cannot afford to pay lawyers to take their case to court when it is outside the remit of *shari'a* or traditional law. Corruption is common and it is alleged that a legal case can be won or lost on the basis of financial leverage. There are numerous violations of human rights due to the underdeveloped legal system.

Prisons and police stations are overcrowded and tuberculosis is spreading fast. During the *Eid*, or national holidays, presidential pardoning of prison inmates relieves the over-crowding. Prisoners do not receive regular meals, although some food is supplied to the prisons by the World Food Programme (WFP). Meals are taken to prisoners by their relatives.

Of great concern to many in Somaliland is the fact that many staff in the prison services, police and security services have not changed in the past 20 years. The prison service during the era of Siad Barre was synonymous with arbitrary arrests, imprisonment and torture. With no reform or training programme in human rights for prison personnel and security officers, many fear that past attitudes and methods of working have not died out.

An additional concern is the existence of a special security committee,<sup>30</sup> which can order an arrest without a warrant and pass sentence without a trial. According to human rights groups, this procedure was used to detain approximately 100 individuals during 1998.<sup>31</sup> The editor of the *Jamhuriya* newspaper was detained five times in 1998.

### Task set to Group Five

Assess the situation of justice and prison conditions in Somaliland. Who is responsible? How can we research this? What are the difficulties and how can we overcome them?

### Group Five's assessment

#### Justice and prison conditions: the problems

- lack of fair trials
- the existence of emergency courts
- unqualified/untrained legal personnel

- overcrowded prisons
- poor health and sanitation in prisons
- prolonged detentions
- major and minor suspects held together
- no rehabilitation through prisons

Group Five assessed the main human rights issues to be injustice in the courts and poor conditions within prisons. Justice is hampered by the lack of fair trials, the existence of emergency 'courts' and the predominantly unqualified prosecutors and lawyers.

No legal training currently exists within Somaliland; many trained and qualified legal personnel left their country during the period of war and conflict and are currently living in the diaspora. Although some judges qualified at Mogadishu Law School, in the United Kingdom or in Sudan, others have been appointed after practical training in the courts or in the police force. In addition, legal personnel lack any form of legal codes and reference materials relating to laws currently applicable in Somaliland, despite using them on a regular basis.

Prison conditions are characterised by overcrowded jails and poor sanitation. Many prisoners suffer poor health as a result. A full time doctor works at the Central Prison in Hargeisa and obtains supplies from the Ministry of Health. Without pressure from relatives, many prisoners may become victims of unwarranted prolonged detentions. Group Five indicated its concern that minors are held with adult prisoners regardless of the severity of their crime or sentence. In addition, Group Five noted that the prison service currently offers no rehabilitation or training programmes for offenders.

Who is responsible and the way forward

Group Five felt that all members of society are affected by the current problems within the justice and prison systems in Somaliland. Responsibility for improvements in the justice and prison system, it felt, lies primarily with government and the Ministry of Justice in particular. Other concerned parties, in the view of Group Five, are the Supreme Court and the Custodial Corps (the prisons administration).

Group Five indicated the need for improvements in the prison system and the need to revitalise the judicial system. Public awareness on these issues needs to be raised in particular through the actions of civic groups and human rights organisations. More information on the current situation is necessary; in order to obtain this, Group Five proposed interviewing prisoners or people who have suffered a miscarriage of justice, observing court procedures, and interviewing judges, lawyers and other legal professionals to assess their needs for an improved service. The group anticipated difficulties in gaining access to prisoners.

'There must be no going back to the Siad Barre days'

— workshop participant

## Day three: taking action on human rights

### Timetable for the day

8.00 — 12.15	Small group work — integrating human rights into your work
12.15 — 14.00	Feedback from the groups
	Workshop recommendations
	Workshop evaluation
	Workshop close

On Day Three participants were asked to work again in the same groups. Groups were asked to construct an imaginary NGO to work on the human rights issue they had selected on Day Two. All participants had to consider the constraints of resources, time and knowledge, so groups found it necessary to pay close attention to being clear and realistic about their decisions.

All groups established an organisational structure. In every instance, this structure included a Board of Directors, an Executive Committee or Executive Director to whom the various departments of the

organisation would report. Departments for implementing programme activities included: awareness raising; planning, research and information; campaign and fund-raising; and administration and finance.

All groups considered their requirements for funding sources. They considered membership fees to be an important source of finance, together with the local business community. Some groups considered staging cultural or sports events or holding lotteries. Others would seek funds from the international community.

Several groups tested their financial skills by preparing a budget to enable their plan of action to become a reality. Costs were split into recurrent and capital costs, with a start-up budget and one-year running costs, which were estimated at between US\$22,240 (Group 1) and US\$36,960 (Group 3).

Finally, all groups included within their working plans the need to carry out monitoring and evaluation of their work and to assess the impact that they had been able to bring about.

## Task set to all groups

Each group will design a hypothetical NGO with a name, logo, budget, goal, actions, target group etc. They will design it to take action on the human rights issue in Somaliland that they worked on during Day Two.

Group One: Children's rights

Name of the organisation:

Child Right Concern in Somaliland (CRCS)

Slogan:

'Help CRCS protect children's rights'

Logo:

Song: *Ku Dedaala*

*Dedaala*

*Daryeelka*

*Xuquuqda*

*Carruurta*

*Carruurta*

(Try, try, try to protect the rights of children)

Goal:

To improve and develop the living conditions of street children

Actions:

Establish itself

Capacity building of the organisation

Undertake research into:

- causes of street children

- numbers and sex of children
- location
- problems experienced by street children

Recommendations and possible solutions

Evaluation

Target group:

Street children

Other concerned parties:

Government of Somaliland

Families

Community elders and religious leaders

Local NGOs/International NGOs

Membership:

CRCS will be a membership organisation with voluntary members who are committed to child rights.

Members will pay a fee. Membership will be open to all.

Group Two: Human rights awareness in Somaliland

Name of the organisation:

Concern for Human Rights Association (CHRA)

Character:

CHRA is a local voluntary human rights association working to protect and promote all human rights principles enshrined in the Universal Declaration of Human Rights. This will be achieved through human rights campaigns, human rights education. CHRA is a membership association.

Goal:

The improvement and promotion of human rights awareness among the young people of Somaliland.

Objectives:

To help youth acquire knowledge on human rights through rallies, meetings, sports and cultural events, debates, songs, dances;

To involve governmental ministries such as Education, Culture and Information to take part in achieving the above goal;

To conduct research on human rights violations against youth as well as abuses of human rights by youth;

To advocate the establishment of Human Rights education centres and to publish newsletters.

Membership: CHRA will be a membership organisation. Membership is open to all mature individuals of both sexes who are ready to serve the organisation voluntarily for at least two years.

Members should be human rights activists, not human rights violators.

Group Three: Minority rights

Name of the organisation:

IFTIIN (Light), from *Ileyska fafa ee tirtirid iimaha nolosha* (The spreading light eradicates the defects of life)

Slogan:

'*Dulmiga diid, cidna ha dulmin*' (Refuse to be abused and don't abuse anyone)

Logo:

**Mission statement:**

IFTIIN is created to study and undertake research on the segregation, suppression and other human rights abuses perpetrated against minorities. IFTIN will unveil the causes of these violations and will design appropriate actions for overcoming these abuses. They are a socio-economic evil which could lead in the long term to political instability if action is not taken to address them.

**Actions:**

1. Research into the historical background of human rights abuse against minorities:
  - develop a questionnaire
  - when did segregation happen?
  - why did it happen?
  - how did it happen?
2. Research into current and recent practices
  - who continues to practice human rights abuse?
  - how can this be overcome?
  - who will react and act against it?
3. Analysis of the data and its interpretation
4. Lobbying of government, religious and traditional leaders
5. Awareness-raising using the mass media

**Group Four: Women's Rights in Somaliland**

Name of the organisation:

XAQ (Justice)

Slogan:

'Women's rights have been violated'

Logo:

**Objective:**

To advocate the total eradication of female genital mutilation.

**Structure:**

Established in Hargeisa on 19 October 1998 by a group of men and women volunteers.

Problem identification:

FGM is a violation of the human body which leads to health problems and the breakdown of families. It is embedded in deeply-rooted cultural beliefs including the belief that FGM is Islamic, the male belief that FGM is connected to virginity, and a mis-interpretation of the Muslim religion.

Actions:

- Initiate a campaign for the eradication of FGM involving the First Lady, national women's organisations, the national technical anti-FGM committee, the regional anti-FGM committee;
- Raise public awareness within the whole country;
- Collect information on the effects of FGM through consulting women, men, FGM practitioners, midwives, young girls, traditional birth attendants;
- Consult religious leaders;
- Re-address the misinterpretation of the *shari'a* on FGM through a media campaign including radio broadcasts, mini-dramas, sports, poems, jingles, songs, articles in the press and meetings;
- Monitoring and evaluation.

Target group:

Young women and girls

Group Five: Justice and prison conditions

Name of the organisation:

Prison Watch

Slogan:

'Fight for detainees'

Logo:

Goal:

The prevention of illegal detention (mass, prolonged or secret).

Problem identification:

- Lack of public awareness;
- Inefficiency of the legislative body;
- Legacy of the former regime.

Actions:

- Research the current situation through visits to prisons, meeting prisoners (current and former), interviewing prisoners' families, friends or colleagues, checking court files;
- Gain more information through interviewing prison authorities, the Attorney-General, Ministers of Justice and Supreme Court Chairman;
- Raise public awareness through the local media;
- Lobby influential public figures, elders, the community, and religious leaders;
- Involve local NGOs;
- Link with international human rights organisations and the media.



Target groups:

Governmental officials, members of parliament, legal bodies.

Funding resources:

Membership fees

Local business people

Former detainees

Philanthropists

## Workshop conclusion

It was agreed by all the participants and facilitators that the workshop had achieved its objectives. The facilitators congratulated the participants for the amount of work achieved during the three days and for the extremely rich experience which they had brought to the event. Each participant was given a signed Certificate of Successful Attendance at the workshop from Amnesty International.

The ideas generated within the workshop will prove the next challenge. With this in mind, facilitators asked participants what follow-up activities they would like to see from this first workshop on human rights (*see box*).

## Concluding remarks

On behalf of the participants, Advocate Faisal Haji Jama Geedi expressed his gratitude to the visiting team from Amnesty International for arranging this important workshop. He noted that the participants had not only learned the whole concept of human rights but also understood their own human rights. He indicated the importance of following up this kind of workshop.

Martin Hill, on behalf of Amnesty International, expressed his thanks to ICD and in particular to Adan Yousuf Abokor for his tireless support in enabling the workshop to run smoothly. He said that he was very glad to have been able to get to know the workshop participants personally during the three days of work together. He mentioned the meeting which the AI team had been invited to with the President of the Republic of Somaliland, President Mohamed Ibrahim Egal, and his Cabinet, and AI's pleasure that they had collectively pledged their support for the Universal Declaration of Human Rights. He thanked the participants for their excellent cooperation and contributions to the workshop.

Adan Yousuf Abokor closed the workshop by saying that it had far surpassed his expectations and had been a resounding success. The workshop atmosphere had been very friendly and enthusiastic, and the hard work by all concerned had produced excellent results. He concluded with the words:

'It is said that every long journey starts with the first step and I hope that this workshop will be our first step towards raising our awareness, promoting and protecting the rights of our children, women and other discriminated-against members of our society. In every nation a small dedicated and committed number of citizens initiate positive change for the benefits of their children and grandchildren and I can't see a better goal than this for our noble task. Sometimes atrocities and human rights violations are committed because the majority of the nation accepts it as normal. Let us help our society to see the difference between what is right and what is wrong.'

Follow-up activities as proposed by participants

- a meeting between existing human rights organisations in Somaliland;
- networking between umbrella NGO groups on issues relating to human rights;
- establishment of a committee for human rights in Somaliland;
- discussions on human rights during *qaat* chewing sessions;
- more use of the media for the promotion of human rights;
- encourage the development of new human rights organisations;
- Amnesty International to host a follow up workshop;

- strengthened capacity of organisations working on human rights;
- setting up of Amnesty International membership in Somaliland;
- information on human rights to be sent to Somaliland to increase awareness on human rights;
- Amnesty International to support the capacity and development of rights-based local NGOs;
- continuous communication between Somaliland human rights organisations and Amnesty International;
- follow-up on issues relating to the human rights of minority groups.

### Participants' feedback on the workshop<sup>32</sup>

Before departing, participants were each asked to write down one good and one bad aspect of the workshop. Below is a sample list of responses:

- the workshop met its objectives
- good interaction among the participants
- it was positive to have the opportunity of holding this workshop on human rights in Somaliland
- good participation
- I enjoyed the group work
- I came to realise that Amnesty International does not have long red noses, big ears and horns — and that was a relief
- it was a very short period for the workshop — it would be good to have at least seven days
- there were no hand-outs.

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## Appendix One

### Participants' details

All participants indicated that they can be contacted for more information about their work activities c/o ICD Hargeisa, PO Box 10012, Djibouti.

#### Group One

Ahmed Jambuur Kahin is a Director in the Ministry of the Interior (Republic of Somaliland). Interested in the promotion of human rights, he has previously held posts as Local Government Administrator, District Administrator and Regional Administrator.

Ali Hassan Adan ('Ali Banfas') is a member of the Board of Directors of the Horn Watch. Ali worked previously as a teacher, but under the Siad Barre regime between 1980 and 1988 was held as a prisoner of conscience at Mandera Central Prison. He is a well-known poet.

Daud Mohamed Gelle is a founder-member and programme officer of HEAL, a local NGO based in Hargeisa. HEAL works with grassroots local communities towards an improvement in living standards including awareness of human rights. He has previously held posts as SNM Secretary for Liberated Areas, and in the Guurti.

Hodan Abdillahi Salah is the chairwoman of the Horn of Africa Peace and Development Association (HAPDA), which is engaged in peace promotion and advocacy, education and agriculture. Hodan is also a member of the women's 'umbrella' organisation *Hanaqaad*. Hodan is interested in campaigning against FGM and in training for women.

Mohamed Abdirahman Jibril is a private doctor. He has a Master's degree and has worked with Somali refugees in Ethiopia.

Norine Michael Mariano is the president and founder member of the Committee for Concerned Somalis (CCS). CCS is involved in activities which empower women, such as income-generation. Norine is also a member of the NEGAAD women's 'umbrella' group. She has been active in the promotion of peace and conflict resolution and has played a vital role in the rehabilitation of Hargeisa Hospital.

#### Group Two

Abdirahman Yusuf Artan works as a Trainer of Trainers attached to the Life and Peace Institute (LPI), a Swedish international NGO. LPI provides civic education programmes and training in good governance for local government structures. Abdirahman is also a member of YAGLEEL, a local NGO involved in development and rehabilitation work, and is the chairperson of the Somaliland Journalists Association. Abdirahman has a Master's degree in Dramatic Arts.

Ahmed Jama Samatar ('Dr Who') is an official of United Somali Roots (USR), which works to highlight the oppression and ill-treatment of minority groups. Ahmed is a medical doctor and psychiatrist attached to the Ministry of Health and Labour. He is interested in the promotion of rights in Somaliland for minority groups such as the Gaboye, Tumal and Yibir.

Faisal Abdillahi Abdalla is editor-in-chief of *Maandeeq*, a government newspaper in Hargeisa. He is a member of the Somaliland Journalists Association. Faisal has held previous posts as news editor at Radio Mogadishu and has been a reporter and editor attached to other local newspapers. Faisal is interested in setting up a human rights newsletter for Somalis.

Mohamed Elmi Aden is the Executive Director of HAVOYOCO (Hargeisa Voluntary Youth Committee). HAVOYOCO is a development organisation which addresses the needs of children, young people and women.

Safia Haji Abubakar Omer is the Gender Officer of UNOPS/SSRP, Hargeisa, Somaliland. UNOPS/SSRP is involved in projects which promote socio-economic rehabilitation and development. Safia has a Master's degree in chemistry and has previously held posts as a college lecturer, a project manager for CARE in Somalia, and a consultant to local NGOs on women's projects.

Shukri Harir Ismail is a founder member and vice chairperson of Women's Action for Advocacy and Progress Organisation (WAAPO). WAAPO aims to promote the social, political and economic status of women. Shukri is also a member of the women's umbrella group NEGAAD, which is engaged in improving the position of women in society. Shukri is interested in the promotion of women's and minority rights and in the eradication of FGM.

Suleiman Ismail Bolaleh is a founder-member and director of Horn-Watch. This organisation works to protect and promote all human rights enshrined in the Universal Declaration of Human Rights and other international conventions and treaties on human rights. Horn-Watch carries out human rights education, campaigning and advocacy work. Suleiman has a degree in Pedagogy and has previously held posts as a teacher and an inspector of education.

#### Group Three

Ahmed Abdillahi Ali-Bahal is a Member of Parliament, a member of the Peace Committee for Somaliland, chairperson of the Birmaal Community Organisation and a founder of the Technical Development Foundation, which assists in the development of traditional technology carried out by the Birmaal (or Tumal) minority group.

Faisal Haji Jama Geedi is a lawyer with a private practice in Hargeisa and has previously worked as an advocate in Mogadishu in the office of the late Dr Ismail Jumaale Ossobleh, a prominent Somali human rights lawyer.

Fousia Osman Fadal is a member of the National Organisation for Women's and Children's Development (NOW). NOW works towards the creation of an enabling environment which will encourage women's self-development; NOW supports the access to basic education of low-income households and children. Fousia's specialist field within NOW is child care and nutrition.

Hassan Said Yousuf Bulaale is the Chief Editor of *Jamhuriya*, a private and independent newspaper. Hassan is also a member of the Somaliland Journalists Association and Horn Watch. He is interested in the promotion of human rights and press freedom in Somaliland.

Mohamed Abdi Dhinbil ('Galbeedi') is chairperson of the board of the Somali Relief and Rehabilitation Association (SORRA). SORRA is engaged in relief and rehabilitation activities and participatory rural appraisal. Mohamed is also a member of the Consortium of Somaliland Non-Governmental Organisations (COSONGO). He has previously held posts as a Regional Refugee Commissioner and as Somaliland's Minister for Foreign Affairs and National Planning. Mohamed is interested in land tenure and conflict prevention and in the rights of marginalised farmers.

Shukri Haji Ismail is the coordinator and founder member of Candlelight, which works to support health and education activities in the Hargeisa and Togdheer regions. Candlelight advocates for the right of women to participate in government decision/policy making bodies as well as campaigning against domestic violence. Shukri has a degree in public health and is also a qualified nurse and midwife.

#### Group Four

Abdulkadir Haji Ismail Jirdeh is the First Deputy Speaker of the House of Representatives (Parliament). Abdulkadir is interested in combating discrimination and in the promotion of minority and women's rights.

Fadumo Warsame Hirsi is a founder-member and executive director of Dulmar for Women's Development, Advocacy and Peace (DDAP). DDAP advocates on behalf of women's rights as well as operating a literacy and skills training programme for women, and belongs to the women's 'umbrella' group NEGAAD. One of Fadumo's area of interests is the eradication of harmful practises against women, such as FGM.

Hassan Aw-Barakalle Mohamoud ('John') is the head of administration and finance at the Independent Committee for the Investigation of War Crimes.

Mohamed Hassan Ali ('Weji') works for Health Unlimited, an international development organisation aiming to promote health/reproductive health. Mohammed has a degree in literature and has previously held posts with the Ministry of Education, ICRC and UNOSOM. As a member of a minority

group, Mohamed is interested in promoting minority rights and combating discrimination against minorities.

Rashid Abdi Hussein is the president and founder-member of the Gaboye Minority Group Association, which aims to support and provide advocacy on behalf of the Gaboye and other minority groups. This organisation is concerned about the level of discrimination faced by minority groups.

Safiya Ali Yusuf is the chairperson of Women's Action for Rights and Development Association (WARDA). WARDA exists to upgrade women's awareness of their rights. Safiya believes that through awareness-raising, education and economic advancement women's access to human rights will improve and current practices such as FGM will be abandoned.

#### Group Five

Asmahan Abdelsalaam Hassan works with the Somaliland Women's Research and Action Group (SOWRAG). This organisation carries out action-oriented research, training of women researchers, and the sensitising of men and women to the problems that women face. SOWRAG also implements gender-awareness projects. Asmahan previously worked as a training officer at the Somali Institute of Development Administration and Management in Mogadishu.

Fadumo Ahmed Sheikh is the chairperson of the National Organisation for Women and Children's Development (NOW). Fadumo has a background in teaching and is interested in the empowerment of women and in the promotion of the rights of women and children in Somaliland.

Hussein Ahmed Aideed is a founder-member of the Independent Committee for the Investigation of War Crimes, which is investigating war crimes committed under the Siad Barre regime. It is striving to find ways of bringing perpetrators of war crimes to justice. The committee collects testimonies, identifies victims and perpetrators of crimes and locates mass graves. Hussein has previously held posts as a naval officer, member of parliament, and between 1993 and 1996 was the vice chairman of the Constitutional Drafting Committee.

Hussein Ali Nur is a journalist with *Himilo*, an independent newspaper. Hussein has a degree in journalism and has previously held posts as a BBC stringer, editor and head of foreign languages at Radio Hargeisa. Hussein is interested in the promotion of women's participation in politics and in improving the judiciary system.

Omar Hassan Ahmed is a member of the Board of Directors of Horn Watch. Omar has degrees in agriculture and environmental protection and has previously held posts in World Bank funded projects, German and British government development agencies, and as a consultant for grassroots organisations.

Rashid Sheikh Abdillahi Ahmed is the chairperson of the Independent Committee for the Investigation of War Crimes and is also a member of the Somali Cultural Association. Rashid has previously held posts as member of parliament and in the SNM. Rashid is interested in human rights.

#### About the facilitators

Eve Mitchell worked at the time as a campaigner for Amnesty International's Eastern Africa team, which covers East Africa and the Horn of Africa. She had been with Amnesty International for eight years, having previously worked in its Southern Africa team. Her background is in anthropology, which she studied in Boston. She and Martin Hill developed and delivered workshops on human rights for Somali organisations in Kenya in 1997 and 1998 with a view to delivering similar workshops inside the former Somali Republic.

Ghanim Alnajjar is Professor of Political Science at the University of Kuwait and a Visiting Fellow at Harvard University. He has written extensively about human rights in the Arab world and Islamic societies and is widely traveled. He is a long-term member of Amnesty International and the founder of Amnesty International in Kuwait. He was jailed as a prisoner of conscience during the Iraqi invasion of Kuwait. Attending the workshop brought him to Somaliland for the first time, although he already had many contacts amongst Somalis working in the Gulf Region.

Martin Hill has been Amnesty International's researcher on Somalia and other countries in Eastern Africa since the late 1970s. He has a doctorate in social anthropology. On his first visit to Hargeisa, he has nonetheless had many contacts over the years with people from all Somali regions including victims of the Siad Barre government. He has been following human rights developments in Somaliland since 1991.

Mohamed Barud Ali completed his schooling at Sheikh secondary school before graduating in geochemistry in UK. In 1981 he was arrested, along with a group of professionals, for organising a self-help scheme in Hargeisa hospital and was sentenced to death by the Siad Barre security court. Following student riots in Hargeisa, the sentence was commuted to life imprisonment. Mohamed spent eight years in solitary confinement in Labaatan Jiro political prison near Baidoa. He was adopted by AI as a prisoner of conscience. In 1990, after his release, Mohamed and his colleagues formed a

non-governmental organisation, the Somali Relief and Rehabilitation Association (SORRA), and he became its Executive Director from 1998/99. He has been a Minister in the Somaliland government and an active mediator in recent conflicts.

Rhoda Ibrahim is a development practitioner with over 14 years experience at both community and programme policy level. Since 1995, she has been working with ICD in Somaliland as a resource person for local NGOs and community based organisations (CBOs). She is committed to strengthening the local NGO/CBO sector and promoting participatory development, human rights and conflict prevention.

#### About the note-taker

Abdillahi Sheikh Hassan is a consultant specialising in public administration with several years of experience working for the United Nations and NGOs. He has a degree in social science and business administration. He has worked in the Middle East and with Somalia's embassy at the United Nations. He has also worked with UN agencies including UNDP, Habitat and World Food Programme in both Mogadishu and Hargeisa.

#### About the ICD staff

Adan Yousuf Abokor has been ICD's country representative for Somalia and Somaliland since 1998 based in Hargeisa. A qualified physician, he was appointed Director of the Hargeisa Group Hospital in 1980. In 1981, he was arrested by the Siad Barre regime for organising a self-help group to improve hospital conditions. He was held for eight years in solitary confinement and was an Amnesty International-adopted Prisoner of Conscience. Following his release, Adan has held senior positions in SORRA and has worked with the Life and Peace Institute. He is committed to the promotion of human rights.

Pippa Hoyland has worked with ICD since 1991, initially as country representative of ICD's Namibia programme and from 1997 as joint programme manager for Somalia, Somaliland and Yemen. Before joining ICD, Pippa worked with ActionAid in Rwanda from 1982 to 1986 and then in Somalia where she spent three years until 1988. Her formal qualifications are in European Studies and Development Studies.

## Appendix Two Questionnaire for prospective participants

### *CONFIDENTIAL*

- Full name:  
  
Male  Female  [please tick]
- Contact address:  
tel:      fax:
- Organization:
- Position in it (founder, official, member, etc):
- What does your organization do?
- Other organizations you belong to:
- Your education:
- Your employment history:
- Your current work/other activities related to human rights:
- Workshops/training courses you have attended since 1991:
- What particular topics would you like to have included in this workshop? (Please list in order of importance. We cannot guarantee that everyone who attends will have everything they want included in the sessions, but we will meet as many of your requests as we can.)

(2)

(3)

· How will it help your work to learn more about each of the topics you have listed above (please take each in turn.)

(1)

(2)

(3)

· What resources (money, time, staff, etc) would you need to do this work, and if you don't have these resources now, how do you think you will get them?

· Apart from resources, what would be the main difficulties or obstacles to doing this work? How would you overcome these difficulties?

· Any other comments or questions or advice for us about this workshop

Signed      Date

## Appendix Three

### After the event: Evaluation carried out in January 1999

Three months after the workshop, participants were asked to complete a short written form to provide feedback and to assess what sort of follow-up might be required. Approximately two-thirds of the participants responded. Their responses are summarised as follows:

*1. What was the most useful aspect of the workshop for you and your work?*

- the Somaliland community became aware of human rights
- learning how to conduct research on human rights violations
- investigating human rights violations
- how to maintain the concepts and principles of human rights
- learning more about women's rights
- the open discussion on Somaliland's minority group rights
- understanding children's rights
- identifying key human rights issues

*2. Why was this aspect useful?*

- participants at the workshop will use the skills gained
- I developed my skills to investigate human rights crimes
- because it provided information and education on human rights
- the participants became enlightened
- I gained information about how to strive for the development of women's rights
- directly useful to me in my work

*3. Has the workshop had any impact on your work and, if so, what has this been?*

- the system for researching and campaigning
- my respect and maintenance of human rights with my colleagues in the workplace
- I transmitted what we gained to a larger number of women through workshops and during exchanges of views and experiences

- we gained some more supporters for our struggle
- raising awareness on human rights, for example among clan elders

*4. What surprised you most during the workshop?*

- the work approach was very enthusiastic, especially the introduction of participants to each other
- the potential to build organisations around different aspects of human rights
- the competition during the small group work
- how the workshop was conducted
- the group projects which were prepared and presented by the participants based on the concepts of human rights
- when I came to know that developed women's communities had experienced all kinds of discriminations against women and gender inequalities
- when I learnt about the structure of Amnesty International, which I imagined larger
- the tortures of people in prison in the past
- that the facilitators covered the workshop aims

*5. Were there areas which you would like to have discussed which were not covered during the workshop? If so, what were these?*

- training governmental institutions — especially the security forces
- documenting human rights abuses, especially testimonies about genocide
- how to strengthen capacity at national level
- what we discussed was all new to me so I cannot suggest what was omitted
- political violence against women

*6. Any other comments which you would like to make about the workshop?*

- such a workshop should be repeated annually
- hold more workshops around the same issue
- some kind of follow up mechanism and the contacts between workshop participants and AI be maintained
- really, I do believe it was an accomplished mission

## Amnesty International

Amnesty International is a worldwide voluntary activist movement that works to prevent some of the gravest violations by governments of people's fundamental human rights. The main focus of its campaigning is to:

- free all prisoners of conscience. These are people detained anywhere for their beliefs or because of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status, who have not used or advocated violence;
- ensure fair and prompt trials for political prisoners;
- abolish the death penalty, torture and other cruel treatment of prisoners;
- end extrajudicial executions and 'disappearances'.

Amnesty International also calls on opposition groups to halt abuses such as hostage-taking, torture and deliberate and arbitrary killings.

Amnesty International, recognising that human rights are indivisible and interdependent, works to promote all the human rights enshrined in the Universal Declaration of Human Rights and other international standards, through human rights education programmes and campaigning for ratification of human rights treaties.

Amnesty International is impartial. It is independent of any government, political persuasion or religious creed. It does not support or oppose any government or political system, nor does it support or oppose the views of the victims whose rights it seeks to protect. It is concerned solely with the protection of the human rights involved in each case, regardless of the ideology of the government or opposition forces, or the beliefs of the individual.

Amnesty International has more than 1,000,000 members and subscribers in over 160 countries and territories. It is financially independent, being financed by subscriptions and donations from its worldwide membership. No funds are sought or accepted from governments for Amnesty International's work investigating and campaigning against human rights violations.



# International Cooperation for Development

International Cooperation for Development (ICD) is a non-governmental organisation working for development, social justice and self-reliance among communities in 11 countries in Africa, the Middle East, Latin America and the Caribbean.

ICD supports its partner organisations by recruiting skilled development workers who are willing to share their knowledge and expertise in the partners' development projects.

Development workers are qualified professionals with several years' experience. More than 120 are currently working alongside partners in a huge variety of posts, from sustainable agriculture to alternative communications, from peacebuilding to primary health care, from organisational development to income generation.

In placing a development worker, ICD looks for partners whose projects

- benefit the poor and most excluded
- challenge the causes of poverty
- address the needs of both women and men
- promote self-reliance
- involve the community and reflect its needs
- share skills
- respect the rights of people with disability
- respect local culture
- take account of the impact of HIV/AIDS on development.

ICD first began working in Somalia in 1978. Between 1984 and 1990, ICD managed a project of training and support to Sool Region's Primary Health Care Service in conjunction with the Ministry of Health. Since 1991, ICD has been working with local NGOs in Soomaliland; in 1995, it recruited Rhoda Ibrahim as a resource person to support their work. Within an overall framework of capacity building and institutional strengthening, the programme has taken a thematic focus on issues relating to conflict analysis and resolution, human rights, and gender. ICD's work in Somaliland also includes support for maternal and child health and HIV/AIDS awareness, working with the Ministry of Health and Labour. ICD's contribution to this workshop was made possible by a grant from CAFOD.

ICD is a department of the Catholic Institute for International Relations (CIIR), an independent charity founded in 1940. CIIR works with people of any religious belief or none to tackle the causes of poverty and injustice internationally through advocacy and skillsharing. The Institute's International Policy Department (IPD) carries out research, analysis, advocacy and awareness-raising on democracy, human rights, peace processes and international economic justice in Asia, Latin America, the Caribbean and southern Africa. CIIR has consultative status at the Economic and Social Council of the United Nations (ECOSOC). Registered charity no. 294329.

1 For notes on the participants, see Appendix One, page 46.

2 This section was prepared by Mark Bradbury, a former director of ActionAid in Somalia, who has more than 10 years' experience working on Somalia.

3 Amnesty International (1992) *Somalia — A Human Rights Disaster*, London.

4 The Somali Republic was formed from the union of the former British Somaliland Protectorate in the north and the former Italian colony in the south.

5 The Somali legal system that Siad Barre had inherited was an amalgamation of various legal systems and traditions: Italian colonial law, English common and statute law, the Indian Penal Code, Egyptian civil law and Islamic *shari'a*.

6 Africa Watch (1990) *Somalia — A Government At War With Its Own People*, London.

7 Africa Watch (1990) *Somalia — A Government At War With Its Own People*, London.

8 Gersony, R (1987) *Why Somalis flee: Synthesis of accounts of conflict experience in northern Somalia by Somali refugees, displaced persons and others*, Bureau for Refugee Programmes, Department of State, USA.

9 International Committee of the Red Cross/Somali Red Crescent Society (1997) *Spared From the Spear*, Nairobi: ICRC/SRCS.

10 The international intervention was primarily confined to southern Somalia.

11 *Situation of Human Rights in Somalia. Report of the UN Independent Expert submitted in accordance with Commission on Human Rights resolution 1997/47, 54th session, 1998.*

12 The Dr Ismail Centre for Human Rights was established in Mogadishu in 1996 in memory of the respected human rights lawyer Dr Ismail Jumaale Osooble, who died in exile in 1990. Its objectives are to promote universal human rights and impartially monitor human rights violations by any party. It has issued several reports on human rights violations by various factions on issues such as killings by faction militias, kidnappings and discrimination against minorities. It has conducted human rights campaigns and belongs to a coalition of Somali civic associations in Mogadishu that includes women's organisations, peace groups, media associations and development groups.

13 *Advisory Services in the Field of Human Rights. Report on the situation of human rights in Somalia*, prepared by the Independent Expert on Human Rights, Ms Mona Rishmawi, pursuant to Commission resolution 1996/57 of April 1996. Commission on Human Rights 53rd session, 3 March 1997.

14 The other is the United States.

15 See Appendix Two.

16 For notes on the participants, see Appendix One.

17 See *Spared from the Spear: Traditional Somali behaviour in warfare*, ICRC, February 1997.

18 The contextual sections are additional to material generated by the workshop in order to provide background information to participants unfamiliar with the Somali context.

19 The present parliament is tasked with drafting and passing additional specific laws to protect children's rights in the future.

- 20 See UNICEF, *Children and Women in Somalia 1997/98 — A Situation Analysis*, March 1998. This gives the infant mortality rate as 125 per 1,000 and the under-five mortality rate as 211 per 1,000.
- 21 Enrolment in primary classes 1 to 4 is estimated at 23 per cent of the target age group (see *UNDP Human Development Report*, Somalia 1998).
- 22 Traditionally an oral society, Somaliland's literacy rate was estimated at 18 per cent for men and 6 per cent for women in 1985. However, current literacy rates are likely to be significantly higher. (Source: UNICEF, *Children and Women in Somalia*, 1997-98. A situation analysis; quoted in *UNDP Human Development Report*, Somalia 1998.)
- 23 The term 'Gaboys' is the preferred name of the Midgan. 'Gaboys' means 'quiver', indicating that the people were hunters before being condemned as low-caste.
- 24 Maternal mortality was estimated at 1,600 per 100,000 in 1997 according to UNICEF (*Children and Women in Somalia 1997-98. A situation analysis*).
- 25 'Female genital mutilation comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural or other non-therapeutic reasons' (Joint WHO/UNICEF/UNFPA statement, Geneva 1997).
- 26 A Somali woman takes her father's clan (as do their brothers). She remains a member of this clan even if she marries outside it (which is common). Her children will take the clan of her husband. In an inter-clan dispute, therefore, a woman may find her children or husband in conflict with her brothers and father. On the other hand she has close links with her mother's uncles (who are of the same clan as her mother, but not necessarily the same as herself).
- 27 For more information on the change in women's situation during the war see, *Somali Conflict and Peace — The perspectives of Somali women*, report of a workshop held in 1997, mimeo, ICD.
- 28 It is believed that Somali women are divided between their loyalty to their own paternal clan and to the clan of their husband and children (children belong to the same clan as their father).
- 29 *The Republican*, 16 January 1999
- 30 The emergency law was passed in 1963 during a period of crisis in Somalia and was never repealed. In Somaliland there is a security committee currently headed by the Mayor of Hargeisa with four to five ministers as members, including the Minister of the Interior. Anyone believed to be a danger to the security and stability of the country can be detained and sentenced by this committee to one year's imprisonment with no court trial or legal defence. Recent media attention has reduced the use of this unpopular law.
- 31 US Department of State Human Rights Report on Somalia, 1998.
- 32 See Appendix Three for a written evaluation in January 1999.