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Somalia

SOMALI REPUBLIC

Head of state of Transitional Federal Government:	Abdullahi Yusuf Ahmed
Head of government of Transitional Federal Government:	Nur Hassan Hussein (replaced Ali Mohamed Gedi in November)
Head of Somaliland Republic:	Dahir Riyaale Kahin
Death penalty:	retentionist
Population:	8.8 million
Life expectancy:	47.1 years
Under-5 mortality (m/f):	192/182 per 1,000

The humanitarian crisis continued to worsen during 2007. Somalia had no effective central government or justice system. Repeated outbreaks of armed conflict led to thousands more civilian deaths and more than a million people displaced by the end of 2007. Several thousand people were detained by militias and police outside any recognizable legal process. Human rights defenders and journalists were in danger.

In the north-west, the self-declared Republic of Somaliland, whose independence is not recognized by international bodies, enjoyed relative stability.

Background

Violence escalated following the defeat, in late December 2006, of the forces of the Council of Somali Islamic Courts (COSIC), which had controlled Mogadishu for some months, by Ethiopian forces supporting the Transitional Federal Government (TFG). An insurgency in Mogadishu was met by Ethiopian-led counter-insurgency operations in March and April, and there was further fierce fighting in the last three months of 2007. Over 6,000 were killed in the conflict, and hundreds of thousands were displaced, including 600,000 from Mogadishu. Thousands of other people fled to other countries. The Kenyan border, however, remained officially closed throughout 2007 to people fleeing conflict in south-western and central Somalia.

TFG leaders moved to the capital Mogadishu in early 2007 but most government ministers and the Transitional Federal Parliament remained in Baidoa town, 80 km to the west. The TFG did not succeed in establishing peace or governance in Mogadishu. A National Reconciliation Conference was held in Mogadishu between August and October but was boycotted by TFG opponents and former Islamic Courts leaders. Some of these opponents formed the Alliance for the Re-Liberation of Somalia (ARS) in Eritrea in September and declared support for the insurgents, particularly opposing the Ethiopian military presence in Somalia.

In January the UN mandated an AU peace-support force (AMISOM). Uganda provided 1,600 troops, less than one-fifth of the projected 8,000 force, joined by a smaller Burundian contingent in December. It had little impact on human rights. The AU and UN had envisaged a UN peace-keeping operation replacing AMISOM and Ethiopian troops, but in November the UN Security Council rejected a UN peace-keeping operation because of the severity of the conflict. The UN arms embargo was widely flouted.

Implementation of the agreed five-year transition from state collapse to an elected democratic government expected in 2009 was delayed. A new government was being formed by the new Prime Minister in December after the former Prime Minister was dismissed by the President.

Somaliland

The Somaliland Republic, which declared itself a separate state in 1991, continued to seek international recognition. In October there was a brief resumption of conflict near Las Anod town in an area claimed by both Somaliland and Puntland (a semi-autonomous regional state in north-eastern Somalia). Several

people were killed in fighting between local clan militias which escalated into confrontation between both authorities. Tens of thousands of people were displaced by the fighting.

Armed conflict

The conflict in Mogadishu between insurgents and the TFG, supported by Ethiopian troops, was marked by numerous violations of international humanitarian law. These included indiscriminate and disproportionate attacks on civilian neighbourhoods in response to insurgent attacks.

In January US airships attacked remnants of the COSIC forces in the south-west who had fled from Mogadishu. Dozens of civilians were reportedly killed by the US attack, as well as COSIC fighters.

In March and April Ethiopian forces killed hundreds of civilians in Mogadishu in attacks on civilian areas. Ethiopian forces were also accused of extrajudicial executions of civilians and rape during counter-insurgency operations from October, after the failed National Reconciliation Conference.

Justice and rule of law

The Transitional Federal Parliament approved a three-month state of emergency in January, which was not renewed. It established a new National Security Agency.

The UN provided support to revive the system of justice and policing in Mogadishu and also other less conflict-afflicted areas, but generally there was still no recognizable rule of law or system of courts. Arbitrary detention of TFG opponents and suspected insurgents was frequent throughout 2007, particularly during counter-insurgency operations. Several thousand people were detained by TFG militias and police without any fair or recognizable legal process. In July the TFG declared a general amnesty for insurgents but arrests resumed in new military operations from October. Most detainees were released within weeks, often on payment of bribes. Many were held in Mogadishu central prison in overcrowded, unhygienic cells. Others were held in unauthorized places of detention, with their whereabouts unknown to their families.

- Ahmed Diriye Ali, a Hawiye clan council leader, was arrested in Mogadishu in November and held in secret detention without charge or trial on political grounds. His relatives were not allowed to send him medication for diabetes and high blood pressure.
- Raha Janaqow, head of Saacid women's organization in Mogadishu was detained for some days in April in a secret prison.
- Idris Osman, director of the UN World Food Programme in Mogadishu, was arrested by TFG security forces in October and held incommunicado for several days without charge or explanation.

Freedom of expression Human rights defenders

Human rights defenders were at high risk from all sides.

- Isse Abdi Isse, founder-director of Kisima, a human rights organization in Kismayu, was murdered in Mogadishu in March.
- The President of the Supreme Court, Yusuf Ali Harun, was detained in Baidoa in October after declaring the President's dismissal of Prime Minister Ali Mohamed Gedi unconstitutional. The TFG authorities subsequently charged him with corruption, including misuse of UN funds, which he denied.
- In Somaliland, three leaders of the new Qaran opposition party were jailed in August for three years nine months for seditious assembly and banned from political activities for five years. The trial was unfair and their defence lawyers were convicted of contempt of court, fined and barred from practising for a year. Mohamed Abdi Gabose, Mohamed Hashi Elmi and Jamal Aideed Ibrahim were prisoners of conscience. They were pardoned by the President and freed in December but the political ban remained in force.

Journalists

Dozens of journalists were detained for short periods, and several media agencies were shut down briefly. Eight journalists were murdered during 2007. Some killings were politically motivated and no one was brought to justice for any of them. In late 2007, the violence against the media in Mogadishu reached levels not seen since 1991. In December the Transitional Federal Parliament passed a media law which included restrictions on journalists and private media agencies.

- Bashir Nur Gedi, manager of Shabelle Media Network in Mogadishu, was killed at his home by unidentified gunmen in October.

- Yusuf Abdi Gabobe, chief editor of the Somaliland Times and Haatuf newspapers in Somaliland, was arrested in January for criticizing corruption. He was sentenced to two years' imprisonment after an unfair trial. He was freed in March by a presidential pardon.

Over 50 journalists from Mogadishu fled to neighbouring countries. In December the Somaliland government ordered 24 journalists who had fled there from Mogadishu to leave the country but after appeals did not implement the order.

Violence against women

There were numerous reports of rape during the conflict in Mogadishu by Ethiopian troops, TFG militiamen and armed bandits. Internally displaced women in camps and others fleeing Mogadishu in public vehicles were also raped, particularly women from minority communities.

Women's organizations continued to campaign against female genital mutilation and domestic violence. In the Transitional Federal Parliament, women were still denied their full representation set by the Transitional Federal Charter in 2004.

Refugees and internally displaced people

The Kenyan government's closure of its border with Somalia in January violated international refugee law and hindered humanitarian access to south-western Somalia. Thousands of asylum-seekers fleeing conflict in Mogadishu and the south-west were turned back at the border in January. (See Kenya entry.)

The number of internally displaced people (IDPs) fluctuated as the intensity of the conflict varied in Mogadishu, the south-western port of Kismayu and other parts of the country.

By the end of the year, the total number of internally displaced people was estimated at over a million, about 400,000 of whom (mainly members of minorities) had been living in IDP camps for several years. Conditions for the displaced were dire. Many lacked water, sanitation and medical assistance, and violence including rape and looting by former militia members was widespread. International humanitarian agencies could not reach many of the displaced, and several staff of local partner NGOs were killed and relief supplies looted. TFG officials frequently obstructed the delivery of humanitarian aid. Some officials accused humanitarian agencies of "feeding terrorists".

Over 1,400 displaced Somalis and Ethiopian nationals died at sea in trafficking operations from Puntland to Yemen.

'War on terror'

At least 140 people fleeing Somalia in January who managed to enter Kenya were detained by the Kenyan authorities. At least 85 of these detainees, who were detained incommunicado without charge or trial on suspicion of links with COSIC, were unlawfully transferred (rendered) to Somalia in January. They were detained in Mogadishu or Baidoa and then transferred onwards to Ethiopia, along with other people detained by Ethiopian troops in Somalia on similar grounds. Some were released but 41 acknowledged by Ethiopia were still detained incommunicado and in secret at the end of 2007.

Death penalty

Death sentences were imposed by courts in all areas. Some sentences were commuted to diya (compensation payments to victims' families), but there were also several executions.

- A former TFG militia member was publicly executed by shooting in Mogadishu in July after a swift and unfair trial for homicide.
- In Somaliland, death sentences imposed in 2004 on seven men allegedly linked to al-Qa'ida who were convicted of killing three international aid workers were commuted on appeal by the Supreme Court. Three people were executed in 2007.

Amnesty International visit/reports



Amnesty International representatives visited Somaliland in December.

-  [Kenya/Ethiopia/Somalia – Horn of Africa unlawful transfers in the 'war on terror' \(AFR 25/006/2007\)](#)
-  [Somalia: Amnesty International denounces abuses in escalating Mogadishu conflict and killing of human rights defender \(AFR 52/006/2007\)](#)
-  [Somalia: Protection of civilians must be a priority \(AFR 52/009/2007\)](#)
-  [Somalia: Journalists suffering worst time since 1991 state collapse \(AFR 52/016/2007\)](#)