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2013 Scores

Status: Partly Free
 Freedom Rating: 4.5
 Civil Liberties: 5
 Political Rights: 4

Overview

The Somaliland government employed a heavy-handed response to political criticism in 2012. More than 80 journalists were arrested and temporarily detained throughout the year. Postponed local elections were ultimately November, and opposition groups held protests over registration and vote count disputes throughout the year.

The modern state of Somalia was formed in 1960 when the newly independent protectorates of British Somaliland and Italian Somaliland agreed to unite. In 1969, General Siad Barre seized power, ushering in a violent era of clan rivalries and political repression. Barre was deposed in 1991. The current Somaliland, located in the northwestern corner of the country, took advantage of the resulting political chaos and declared independence later that year.

In a series of conferences, Somaliland's leaders formed a government system combining democratic elements, including a parliament, with traditional political structures, such as an upper house consisting of clan elders. Somaliland's first two presidents were appointed by clan elders. In 2003, Dahir Riyale Kahin became Somaliland's first elected president, and direct elections for members of the lower house of parliament were held for the first time in 2005, with no reports of widespread intimidation or fraud. The president's United People's Democratic Party (UDUB) captured the most seats, followed closely by the Peace, Unity, and Development Party (Kulmiye) and the Justice and Development Party (UCID).

In 2006, Riyale violated the constitution by postponing elections for the upper house and extending its term by four years. The presidential election was delayed until June 2010, eight months after Riyale's extended term officially expired. The leader of Kulmiye, Ahmed Mohamed Silanyo, captured almost 50 percent of the vote, comfortably ahead of Riyale, who received 33 percent. International monitors identified some irregularities, but declared the vote free and fair.

While the presidential elections were a success, long overdue legislative elections were again postponed in 2010, until 2013 for the lower house and 2014 for the upper house.

Postponed local council elections eventually took place in November 2012. Though the elections were declared generally free and fair by international observers, large protests followed a recount in Hargeisa's city council elections. The UDUB had announced in September that it would not participate after alleged attempts by the Political Parties Registration and Verification Committee (PPR&VC) to discredit it by revoking the candidacy of two of the party's leading members on possibly dubious grounds. The PPR&VC had also been criticized in April after it refused to register nine political groups. That decision was met with protests in the cities of Hargeisa, Burao, and Berbera.

Somaliland has had difficult relations with the rest of Somalia, particularly the semiautonomous region of Puntland. The neighbors have rival claims to the Sool, Sanaag, and Cayn regions. Previously under the control of Somaliland, these three regions, now known as Khaatumo State, declared autonomy from Somaliland in January 2012 and stated their intention to remain part of greater Somalia. In February, 6,000 people were displaced in Buuhoodle, capital of the Cayn region, after clashes between Somaliland's military and clan militias loyal to Khaatumo. Clashes continued throughout 2012, including deadly demonstrations in Sool in November by members of the population who rejected the holding of the Somaliland local elections in that region.

The most devastating drought to hit the Horn of Africa in six decades had caused serious hardship in Somaliland in 2011, though the authorities responded fairly well to the crisis. Drought conditions persisted throughout 2012 due to erratic rainfall, with an estimated 20,000 affected families, and the Somaliland government appealed to the international community for support.

Political Rights and Civil Liberties

According to Somaliland's constitution, the president is directly elected for a maximum of two five-year terms and appoints the cabinet. The presidential election of 2010, originally scheduled for 2008, resulted in a smooth transfer of power from the UDUB party to the main opposition party, Kulmiye. Members of Somaliland's 82-seat lower house of parliament, the House of Representatives, are directly elected for five-year terms, while members of the 82-seat upper house, or Guurti, are indirectly elected for six-year terms. In 2010, the terms of the lower and upper house were extended until 2013 and 2014, respectively, on the grounds that Somaliland could not organize another election so soon after the presidential poll.

A constitutional restriction that allowed for a maximum of three political parties was relaxed in 2011 following a vote in parliament. In October 2011, a new party, Waddani, was formed by breakaway members of the UCID party. Although parties defined by region or clan are technically prohibited, party and clan affiliations often coincide.

Corruption in Somaliland was a serious problem under the government of President Dahir Riyale Kahin, but there have been signs of improvement under his successor, President Ahmed Mohamed Silanyo. In March 2012, three top officials charged with mismanaging food aid were fired. The three claimed that the government had pressured the judge to convict them. In June, Abdirashid Duraan, the judge who presided over the case, was wounded after being shot by unknown gunmen. A bill to strengthen the five-member Good Governance and Anti-Corruption Commission, an informal body established in 2010, passed the lower house in October and the upper house in November; this was the latest effort to crack down on the misuse of public funds.

While freedoms of expression and the press are guaranteed by the constitution, these rights are limited in practice. Journalists faced increased government interference and harassment in 2012. In August, the Somaliland Journalist Association characterized 2012 as "the worst time for freedom of expression in Somaliland," and in December cited the arrest and temporary detention

of 81 journalists that year, compared to 51 cases in all of 2011. Demonstrations following a January 2012 police raid against Horn Cable TV, a private media outlet that Silanyo accused of "spreading propaganda against his administration," led to the arrest and temporary detention of more than 20 journalists. Somali TV reporter Ahmed Ali Farah was arrested in late March for covering a conference announcing the independence of Khaatumo State. Somaliland National Television journalist Hodan Abokor Afi was beaten in August while covering a child custody case; her suspected attacker was a deputy police commander. Though she filed a complaint, it was reportedly dismissed. The government owns the only domestic radio station, Radio Hargeisa, and prohibits the establishment of private stations. There are seven private daily newspapers in addition to the state-owned *Mandeeq*, although they have limited circulations. The government does not restrict access to the internet.

Islam is the state religion, and nearly all Somaliland residents are Sunni Muslims. While the Somaliland constitution allows for freedom of belief, it prohibits conversion from Islam and proselytizing by members of other faiths. It also requires that candidates for the presidency, vice presidency, and House of Representatives be Muslim. Academic freedom is less restricted than in neighboring Somalia. The territory has at least 10 universities and colleges of higher learning, though none are adequately resourced.

Freedoms of assembly and association are constitutionally guaranteed. However, the government banned political demonstrations after the May 2012 arrests of three opposition leaders in Hargeisa, who were protesting the PPR&VC's decision to disqualify their groups from participating in the November local elections. The government mounted a crackdown on demonstrations held in support of the new government in Somalia. In August, dozens of men were arrested in Las Anod for organizing a demonstration to commemorate the new Somali parliament. In October, 15 elderly women and several journalists were arrested in the Sool region for rallying in support of the newly appointed Somali prime minister.

International and local nongovernmental organizations operate without serious interference. The constitution does not specifically mention the right to strike, though it does permit collective bargaining. The right to belong to a union is generally respected.

The judiciary is underfunded and lacks independence, while the Supreme Court is largely ineffective. Somaliland has approximately 100 judges, most of whom do not have formal legal training. Somaliland's constitution allows for three legal systems, based on Sharia (Islamic law), civil law, and customary law. Upon taking office, Silanyo pledged to strengthen the independence of the judiciary and release all prisoners who had not been charged with a crime, apart from those accused of terrorism or theft. In May 2011, he pardoned 751 prisoners to mark Somaliland's twentieth anniversary. Somaliland's police and security forces, while more professional than those in Somalia, have at times used excessive force.

Societal fault lines are largely clan-based. Larger, wealthier clans have more political clout than the less prominent groups, and clan elders often intervene to settle conflicts. There has been increased discrimination against foreigners. In January 2012, the government confirmed the forced return of 15 unregistered Ethiopian refugees and 5 asylum seekers who were squatting at an informal settlement in Hargeisa known as the Social Welfare Centre. Though condemned by Human Rights Watch, the deportations continued. In August, about 100 Ethiopian refugees, largely women and children, were deported.

While society in Somaliland is patriarchal, women have made modest advances in public life. Silanyo appointed 2 women to his 20-member cabinet. There is only one woman in the House of Representatives, one in the Guurti, and a woman was elected chairperson of the Somaliland Human Rights Commission. Female genital mutilation, while illegal, is practiced on the vast majority of women.

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