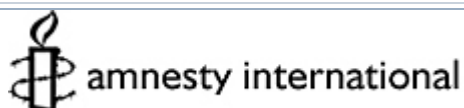


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Amnesty International Annual Report 2012 - Somalia

Head of state of Transitional Federal Government: **Sheikh Sharif Sheikh Ahmed**

Head of government of Transitional Federal Government: **Abdiweli Mohamed Ali (replaced Mohamed Abdullahi Mohamed Farmajo in June)**

Head of Somaliland Republic: **Ahmed Mohamed Mahamoud Silanyo**

Death penalty: **retentionist**

Population: **9.6 million**

Life expectancy: **51.2 years**

Armed conflict between pro-government forces and the Islamist armed group al-Shabab continued in southern and central Somalia. Thousands of civilians were killed or injured as a result of armed conflict and generalized violence, and hundreds of thousands were displaced. In July and August, the UN declared famine in six areas of southern Somalia. Access by aid agencies to civilians remained constrained by fighting, insecurity and restrictions by parties to the conflict. Humanitarian workers, journalists and human rights activists remained targeted for abuses. The Transitional Federal Government (TFG) and allied militias extended their control over the capital Mogadishu and some areas in southern Somalia. In October, Kenya's armed forces intervened in Somalia against al-Shabab. Armed groups increasingly carried out forced recruitment, including of children, and continued abducting, torturing and unlawfully killing people in areas under their control. Serious human rights abuses, including war crimes, remained unpunished. In semi-autonomous Puntland, security

deteriorated with attacks against officials, judges and journalists and local clashes in Galkayo. In Somaliland, refugees and migrants faced increased hostility.

Background

In February, the TFG and the AU Mission in Somalia (AMISOM) launched a military offensive against al-Shabab in Mogadishu. In August, al-Shabab announced its withdrawal from the capital, leaving the TFG and AMISOM in control of most of Mogadishu at the end of the year, although clashes continued on the outskirts of the capital.

In southern Somalia, TFG-aligned militia supported by Kenya and Ethiopia took control of territory previously held by al-Shabab, including Doble, a town on the Kenyan border. In October, following kidnappings in border areas, Kenya intervened militarily on the side of the TFG in southern Somalia, stating it was taking action against al-Shabab. In December, Kenya decided that its troops in Somalia would join AMISOM. On 31 December, pro-TFG and Ethiopian forces captured the border town of Beletweyne.

In June, the Kampala Accord – brokered by Uganda and the UN to resolve tensions between the TFG President and the Speaker of Parliament – resulted in Prime Minister Farmajo resigning. A road map was adopted to end the transitional period in August 2012. Agreed by the TFG, the Puntland and Galmudug regional authorities and the Alhu Sunna Waal Jama militia in September, the road map prioritized restoring security, adopting a constitution, holding elections, political outreach and good governance.

AMISOM, mandated to protect TFG institutions with an authorized strength of 12,000 troops, increased its troops to some 9,800 Ugandan and Burundian soldiers, joined by 100 Djiboutian soldiers in December. AMISOM addressed accusations of indiscriminate shelling and shooting by its troops. In March, three Ugandan soldiers were found guilty of carelessness by a disciplinary court in two incidents during which civilians were shot at. AMISOM also endorsed an "indirect fire policy" to better control the use of mortars and artillery.

In July, the UN declared that more than 750,000 people were at risk of starvation, mainly in southern and central Somalia. In November, the UN stated that three out of six areas in these regions were no longer in a state of famine; however, 250,000 people remained at risk of starvation and 4 million in need of assistance.

International support continued for TFG security forces and allied militia, despite their lack of accountability for ongoing, serious human rights abuses. The UN Monitoring Group highlighted continuous violations of Somalia's arms embargo. In July, the UN Security Council expanded the sanctions regime to include individuals responsible for

recruiting and using child soldiers, and for violations of international law. However, the UN Monitoring Group was not given additional resources to carry out this expanded mandate.

The human rights situation was mentioned by the UN Secretary-General, the UN Independent Expert on Somalia and during Somalia's Universal Periodic Review at the Human Rights Council. However, no mechanism was established to investigate crimes committed under international law and address long-standing impunity.

The UN Security Council continued to strengthen anti-piracy measures. It called on states to participate in the fight against piracy, investigate and prosecute suspected pirates and strengthen the Somali authorities' capacity to bring pirates to justice.

Indiscriminate attacks

Thousands of civilians were killed or injured in the fighting, including in unlawful attacks. Parties to the conflict continued to use mortars and artillery in areas densely populated or frequented by civilians in Mogadishu, killing or injuring thousands of people in what were often indiscriminate attacks. Civilians were also killed and injured in shooting incidents between different TFG units in Mogadishu, and by improvised explosive devices and grenades increasingly set off by al-Shabab or their sympathizers since August. Al-Shabab claimed responsibility for suicide attacks which killed or injured hundreds of people. Civilians were killed or injured in fighting between TFG allies and al-Shabab in or near towns and in air strikes, some conducted by Kenya, in southern and central Somalia.

- In May, 1,590 people were treated for weapons-related injuries in three Mogadishu hospitals according to the WHO. Of these, 735 were children aged below five who had burns, chest injuries and internal haemorrhage caused by blasts, shrapnel and bullets. This coincided with intense fighting, including with heavy weapons, between AMISOM and the TFG against al-Shabab around Bakara market, despite a high concentration of civilians in that area.
- On 4 October, a truck exploded at Km4, a busy road intersection by a TFG compound in Mogadishu, killing more than 70 people and injuring more than 100. Among those killed were some 50 students and their parents, who were checking the results of scholarship applications to study abroad at the Ministry of Education. Al-Shabab claimed responsibility for the attack.
- On 30 October, an air strike hit a camp for internally displaced people (IDPs) in Jilib, Lower Juba, killing at least five people, including three children. At least 52 others were injured, including 31 children. The Kenyan army stated that it had targeted an al-Shabab military camp in an air raid on that day in the same area,

but denied killing civilians. No results of a Kenyan government investigation were available by the end of the year.

Internally displaced people, refugees and migrants

Fighting, insecurity and acute malnutrition displaced hundreds of thousands of people. Some 1.36 million Somalis were internally displaced at the end of 2011, mostly in southern and central Somalia, according to UNHCR, the UN refugee agency.

In July, around 35,000 people fleeing drought in southern Somalia arrived in Mogadishu. Reports of sexual violence against women and girls in IDP camps in the capital increased from July onwards.

In October, some 41,000 people were displaced within and around Mogadishu and Lower Juba due to fighting or fear of fighting.

In August, the Puntland authorities forcibly returned some internally displaced men back to southern and central Somalia and detained others.

The flow of civilians to neighbouring countries increased. During 2011, 164,375 Somalis fled to Kenya and 101,333 to Ethiopia. Some countries, including Saudi Arabia, deported Somalis back to southern and central Somalia despite the risks they would face there.

In June, the European Court of Human Rights ruled in the lead-case of *Sufi and Elmi v. the United Kingdom* that enforcing removals to southern and central Somalia would be lawful only in exceptional circumstances, in light of the dire human rights and humanitarian situation there (see UK entry and Europe and Central Asia overview).

Restrictions on humanitarian aid

Some 4 million people needed humanitarian support by the end of 2011 because of armed conflict and drought. International assistance increased after famine was declared in July. Humanitarian operations remained impeded by fighting, insecurity, restrictions on access and intimidation of aid workers. Humanitarian workers were abducted and at least six were killed. Concerns about aid being diverted continued.

- On 20 October, Médecins Sans Frontières (MSF) was forced to suspend a measles vaccination campaign for 35,000 children in Daynile outside Mogadishu after fighting broke out between AMISOM and the TFG against al-Shabab.
- In July, an al-Shabab spokesman stated that aid organizations could assist people affected by drought in southern Somalia, but later clarified that agencies banned

by the group in January 2010 would not be allowed back. On 28 November, six UN agencies and 10 aid organizations were banned by al-Shabab from operating in areas under its control. Al-Shabab groups closed some of these agencies' compounds and looted some humanitarian equipment.

- Humanitarian assistance in IDP camps in Mogadishu was impeded by shooting incidents between TFG units and people looting food aid. On 5 August, at least five people were reportedly killed in the Badhabo IDP camp, as trucks transporting food aid were looted by TFG militias. The TFG warned that looters would be punished. However, in November, the Karan District Commissioner was reportedly pardoned after being sentenced to 15 years' imprisonment by a military court for looting aid.
- On 25 October, three Danish Refugee Council workers were kidnapped in Galkayo South. Two of them remained held at the end of the year.
- On 18 November, Ahmed Jama Mohamed, a Norwegian Refugee Council worker, was shot dead by unidentified gunmen in Galkayo.
- On 23 December, Muhyedin Yarrow and Mohamed Salad, two World Food Programme workers, and Abdulahi Ali, a Somali NGO worker, were killed in Mataban town, Hiran province.
- On 30 December, Philippe Havet and Andrias Karel Keiluhu, two MSF workers, were shot and killed in Mogadishu.

Child soldiers

Al-Shabab continued to forcibly recruit boys, some as young as eight, into their forces before and during military operations. Many were sent to the front line. Girls were also recruited to cook and clean for al-Shabab forces or forced to marry its members.

The TFG reaffirmed its commitment to prevent the use of child soldiers. However, at least 46 TFG recruits aged below 18 were selected for military training abroad. The TFG detained ex-child combatants with adults in poor conditions and failed to provide effective reintegration opportunities after their release.

Abuses by armed groups

Al-Shabab factions continued to torture and unlawfully kill people they accused of spying or not conforming to their own interpretation of Islamic law. They killed people in public, including by stoning them to death, and carried out amputations and floggings. They also imposed restrictive dress codes on women and men.

- On 4 January, a man named as Nur Mohamed Nur, aged about 19, had his foot and hand amputated in Baidoa after al-Shabab accused him of theft. Al-Shabab reportedly forced Baidoa residents to watch the amputation.
- On 6 March, two men, named as Abdullahi Hajji Mohammed and Abdinasir Hussein Ali, were shot and killed in public by al-Shabab members in the Maslah military camp in Mogadishu. The first man was reportedly accused of spying for the TFG, the second of killing al-Shabab members.
- On 16 June, Shamarke Abdullahi Mohamoud, reportedly aged 18 and accused of raping a girl, was stoned to death in the Hiran region by al-Shabab members.
- In late August, the decapitated bodies of two young men were found in northern Mogadishu. Several other decapitated bodies were found in the same period, during which al-Shabab had reportedly warned that those co-operating with the TFG and AMISOM would be beheaded.

Freedom of expression

Somali journalists and civil society organizations continued to be intimidated by parties to the conflict. At least three media workers were killed. In Puntland, the authorities arbitrarily arrested journalists and restricted media freedom.

- On 4 August, Farah Hassan Sahal, a Radio Simba worker, was shot in Bakara market, Mogadishu during a TFG and AMISOM offensive against al-Shabab, and later died.
- On 2 September, Noramfaizul Mohd, a Malaysian cameraman for Bernama TV, was killed by gunfire and his colleague Aji Saregar injured while covering a relief mission in Mogadishu. On 26 September, AMISOM announced that four Burundian soldiers were responsible and should be tried in their own country.
- On 18 December, Abdisalan Sheikh Hassan, a journalist for Horn Cable TV and Radio Hamar, was shot in the head by a man in military uniform while being driven through Mogadishu, according to witnesses. He died shortly after. The TFG promised to investigate.
- On 2 July, Faysal Mohamed Hassan, a journalist for Hiiraan Online, was sentenced to one year's imprisonment by a court in Puntland for "publishing false news". He was pardoned on 31 July.

In November, the Puntland authorities banned the Universal TV and Somali Channel TV stations, accusing them of working against peace and security. The ban on Universal TV was lifted on 3 December.

Death penalty

In Mogadishu, at least 32 death sentences and six executions were reported following TFG military court trials which lacked basic guarantees for fairness. A presidential decree in August gave the TFG military court jurisdiction over civilians in some Mogadishu areas vacated by al-Shabab. The TFG later gave assurances that civilians tried by the military court would not be executed, and that civilians would be tried by ordinary courts in future.

TFG-allied militia in southern Somalia reportedly executed at least two soldiers. In Puntland, at least four men were sentenced to death and three were executed. The Galmudug authorities executed one man for murder in Galkayo town.

- On 22 August, two men were executed by firing squad in Mogadishu after being convicted of murder by the TFG military court.

Somaliland

Thousands of people were reportedly displaced by clashes between the Somaliland security forces and an armed group in the disputed Sool and Sanag regions. In June, a peace activist was shot and wounded in the Sool region.

Journalists were reportedly harassed by the Somaliland authorities.

In May, a new law was passed to regulate civil society organizations. There were concerns that it could increase government control over international and national organizations in Somaliland and restrict their work.

Refugees, asylum-seekers and migrants faced increasing hostility. In September, all "illegal immigrants" were given one month to leave the country by the authorities. Around 80,000 people were affected by this declaration, most of them Ethiopians.

- In June, Abdusalam Haji Mukhtar, an Ethiopian refugee, was forcibly returned to Ethiopia, where he risked torture.