

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	450
Land:	Somalia
Kilde:	Freedom House
Titel:	Freedom in the World 2014 – Somaliland
Udgivet:	15. september 2014
Optaget på baggrundsmaterialet:	9. december 2014

Freedom in the World 2014 - Somaliland

Publisher [Freedom House](#)

Publication Date 15 September 2014

Cite as Freedom House, *Freedom in the World 2014 - Somaliland*, 15 September 2014, available at: <http://www.refworld.org/docid/541aa0b423.html> [accessed 5 December 2014]

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

2014 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 4.5

Civil Liberties (1 = best, 7 = worst): 5

Political Rights (1 = best, 7 = worst): 4

OVERVIEW

The government of Somaliland, which had declared independence from Somalia in 1991, showed mixed signals regarding its commitment to political and civil rights in 2013. The administration continued its heavy-handed response to political criticism. Though arrests of journalists were less frequent than last year, the Somaliland government appeared to focus its energies those it considered key threats. In July, Kalsan TV, a London-based private television station, was banned indefinitely by Somaliland authorities who said the station lacked a license. Officials of the television station attributed the ban to the network's airing of a political debate that the government had not wanted broadcast.

In June, President Ahmed Mohamed Mohamoud Silanyo announced a major reshuffle and expansion of his administration, increasing the size of his cabinet from 33 to 45. The president dismissed five ministers and two deputies, named new officials, and established two new ministries. Opposition groups criticized the move, suggesting it would strain government resources for little benefit and was at odds with Silanyo's 2010 election promise to consolidate government.

Fears mounted that U.K.-based bank Barclays PLC would be successful in its efforts to close more than 250 Somali money-transfer operators, including Dahabshiil Holdings Ltd., the largest money-transfer operation in Somaliland and Somalia, due to concerns over money laundering. The bank's attempts to pull out were put on hold in November when Dahabshiil won an injunction delaying the closeout until the completion of a full trial, which was scheduled for 2014.

In October, the police in Hargeisa, the capital, conducted a sweep of 53 suspects accused of causing insecurity and violence. Similar security operations had led to the arrest of 270 others, according to Brigadier General Abdilahi Iman Fadal.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 21 / 40

A. Electoral Process: 5 / 12

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 United People's Democratic Party (UDUB) to the main opposition party, the Peace, Unity, and Development Party (Kulmiye). Silanyo, the leader of Kulmiye, captured almost 50 percent of the vote, comfortably ahead of the incumbent, Dahir Riyale Kahin, who received 33 percent. International monitors identified some irregularities, but declared the vote free and fair.

Somaliland has a well-developed electoral framework. Members of the 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 clan elders indirectly elected for six-year terms. In 2013, the terms of the lower and upper houses were extended for a second time, until 2015 and 2016, respectively. The terms were first extended in 2010 on the grounds that Somaliland could not organize another election so soon after the presidential poll. On November 28, 2012, the region held municipal elections for local councils, the first such elections in a decade. The United Nations alleged that elections did not take place in certain areas of the disputed eastern Sanaag, Sool, and Buhodle areas; those reports were unconfirmed by the Somaliland government. Overall, the elections were deemed free and fair by a coalition of civil society observers, though large protests followed a recount in Hargeisa's city council elections and the elections prompted Silanyo to call for a new voter roll before the upcoming parliamentary elections.

B. Political Pluralism and Participation: 10 / 16

Although parties defined by region or clan are technically prohibited, party and clan affiliations often coincide. A constitutional restriction allows for a maximum of three officially recognized political parties. The region's Registration and Approval Committee (RAC) reviewed the 18 parties and associations in existence to determine which could contest the November 2012 local elections. From the seven parties that contested those elections the three parties that received the most votes would be officially sanctioned and therefore would be the only parties able to stand in elections for the coming decade. The three that emerged on top in November 2012 were: Wadani, the Justice and Welfare Party (UCID), and the ruling Kulmiye party. Wadani is the newest of these parties; it was formed by breakaway members of UCID in October 2011 and later added members of the Horyaal and Nasiye political groups in September 2012 to solidify its position in the lead-up to the local council elections. In July 2013, Wadani and UCID agreed to align their strategies and form a coalition against Silanyo's Kulmiye party.

C. Functioning of Government: 6 / 12

Corruption in Somaliland was a serious problem under the government of President Riyale, but there have been signs of improvement under Silanyo. In March 2012, three top officials charged with mismanaging food aid were fired. A bill to strengthen the five-member Good Governance and Anti-Corruption Commission, an informal body established in 2010, passed parliament in the fall of 2012. In April 2013, the president followed through on his rhetorical commitments to the fight corruption by firing both the head and the second in command of the Hargeisa Power Agency on corruption-related charges. In July, Hassan Omer Horri was named the new Director General of the Good Governance and Anti-Corruption Commission.

Civil Liberties: 25 / 60

D. Freedom of Expression and Belief: 7 / 16

While freedoms of expression and the press are guaranteed by the constitution, these rights are limited in practice. Journalists continued to face government interference and harassment in 2013. In April, the offices of *Hubaal*, an independent daily newspaper, were attacked and shots were fired at the paper's manager, and there were allegations that the assailants were police. In June, acting attorney general Aden Ahmed Mouse suspended *Hubaal* without explanation. The next month, a Somaliland court charged the newspaper's editor and its manager, Hassan Hussein Abdullahi and Mohamed Ahmed Jama, with defamation, reporting false news, and wrongly accusing Ethiopian consulate workers of smuggling alcohol into Somaliland. The suspension was lifted in August and both Abdullahi and Jama were granted presidential pardons. Citizens demonstrated in Hargeisa after one of the police officers accused of attacking the newspaper in April was released without charge in early December. Four journalists who covered the story for other news outlets were arrested and detained for seven days following the protest. *Hubaal* was again shut down after a police raid against its headquarters in December and remained closed through the year's end. Journalist Jama Jiir was released on appeal several months after his arrest on charges of insulting the state related to a February *Gufaan Times* article he had written criticizing the ruling party for what he called slow movement on anticorruption measures and unfair distribution of resources.

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.

E. Associational and Organizational Rights: 5 / 12

Freedoms of assembly and association are constitutionally guaranteed, though the government has taken a heavy-handed stance on critical demonstrations. In 2012, the government banned political demonstrations after the May arrests of three opposition leaders in Hargeisa who were protesting the decision to disqualify their groups from participating in local elections. In September 2013, witnesses alleged that police fired live ammunition at protesters chanting antigovernment slogans and burning tires in Erigavo in the disputed Sanaag region; the protesters were demonstrating against the Somaliland government's ban on the official Somali currency in the region. At least 10 people were wounded, according to witnesses. After the violence, the government imposed a curfew in the region.

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.

F. Rule of Law: 7 / 16

The judiciary is underfunded and lacks independence, and 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 respectively 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. Somaliland's police and security forces, while more professional than those in Somalia, have at times used excessive force. In October, discussions began for the drafting of an Administration Procedure Act, which would outline the separation of powers and clarify roles within the Somaliland government.

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.

G. Personal Autonomy and Individual Rights: 6 / 16

In 2013, the Somaliland government placed new emphasis on tightening legal strictures around human trafficking, specifically related to youth emigration for employment. According to the Somaliland National Youth Organisation, about 50 Somaliland youth are smuggled out of the region every month. According to the Somaliland Youth Ambition Development Group, in May, a group of 325 young people were smuggled out of Somaliland, bound for Libya; of the group that left Somaliland, almost half wound up imprisoned in Libya or Tunisia, 15 died en route – killed either by smugglers or by harsh conditions – and over 30 remain unaccounted for. In an effort to curb illegal migration, Silanyo created a committee to prevent migration and promote job creation in June. In October, Somaliland police arrested a man they said was a top regional official in a major international human trafficking network led by Yasin Mahi Ma'alín, a Swedish citizen of Somali origin.

While society in Somaliland is patriarchal, women have made modest advances in public life. The idea of a quota for political representation of women has been frequently discussed, but never adopted, and Kulmiye in 2010 expressed support for a 25 percent quota across all political institutions. In 2013, Silanyo appointed two new female ministers, bringing the total number of women in his cabinet to four. However, the only female member of the Guurti, Fadumo Jama Eleye, resigned in March, citing the challenge of creating sufficient change as the only woman in the upper house. Baar Saeed, a member of the House of Representatives, is now the region's sole female legislator.

The government showed a renewed commitment to combatting rape after an increase in cases in 2013, with a heavy-handed approach to arrests and prosecutions. In August, the government handed 5- and 10-year prison sentences to 21 individuals for the gang rape of two women in Hargeisa. According to a human rights worker, in the two weeks prior to the sentencing, six additional gang-

rape cases were seen in the city. Female genital mutilation, while illegal, is practiced on the vast majority of women.

Copyright notice: © Freedom House, Inc. · All Rights Reserved