

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	221
Land:	Somalia
Kilde:	Amnesty International
Titel:	"Amnesty International report 2007 the state of the world's human rights"
Udgivet:	30. maj 2007
Optaget på baggrundsmaterialet:	30. maj 2007

you need a style #id for tooltip

you need a style #id for tooltip



[Blog](#)



[Homepage](#) > [Africa](#) > Somalia

SOMALIA

SOMALI REPUBLIC

Head of state of Transitional Federal Government: Abdullahi Yusuf Ahmed

Head of government of Transitional Federal Government: Ali Mohamed Gedi

Head of Somaliland Republic: Dahir Riyaale Kahin

Death penalty: retentionist

International Criminal Court: not ratified

Thousands of civilians fled in early 2006 as the Islamic Courts fought a warlord coalition in Mogadishu. The Islamic Courts took over Mogadishu in June and most of the south and central areas of Somalia later. Throughout the year, the Transitional Federal Government (TFG) had little control. Conflict between the Islamic Courts and the TFG, supported by the Ethiopian army, broke out in December. The Islamic Courts were defeated and the Ethiopian force entered Mogadishu and placed the TFG in power. Fighting continued in the south-west of the country. There were arbitrary detentions of journalists in all areas, and unfair political trials in Somaliland and reports of torture. Human rights defenders were at risk in all areas. At least seven people were executed.

Background

Many areas were subject to drought, with humanitarian access impeded by insecurity and threats to staff. International reconstruction aid was delayed due to the absence of a united and effective government in Somalia, 15 years after the state collapsed in 1991. Conditions for 400,000 internally displaced people remained poor. Discrimination and violence against minorities remained widespread, with little protection from government or justice institutions.

Somalia's Foreign Minister ratified 17 African Union (AU) treaties in February, completing Somalia's signing of all 31 AU treaties and conventions, including the African Convention on Human and Peoples' Rights. The TFG, however, had no means to implement them. Steps to create National Human Rights Commissions were taken by the Transitional Federal Parliament and by the authorities in Puntland and Somaliland, but the commissions did not become functional.

Transitional Federal Government

The Transitional Federal Government (TFG), a coalition of clan-based faction leaders which was created from the 2002-4 peace talks held in Kenya, was provisionally based during the year in Baidoa town in the west. Although recognized by the UN and international community, it was unable to extend its control beyond Baidoa or establish itself in the capital, Mogadishu. Other regions were controlled by faction leaders through their clan militias but Puntland Regional State in the north-east had a functioning government, remaining nominally part of Somalia. The TFG opposed the de facto independence of Somaliland in the north-west. In Mogadishu and other southern areas, there was little security for civilians.

In September a suicide bomber in Baidoa failed to assassinate the TFG President but killed 11 men, including his brother and bodyguards.

Islamic Courts

Fighting broke out in Mogadishu in early 2006 between militias of a new Union of Islamic Courts (UIC) and warlords who had formed an "Alliance for Restoration of Peace and Counter-Terrorism", which was reportedly supported clandestinely by the USA. Hundreds of civilians were killed in the crossfire until the UIC captured Mogadishu in June. This brought peace to the capital after many years of violence and extortion by warlords' militias. The UIC reopened the airport and seaport, which had been closed for many years, and promised humanitarian access to international organizations.

In June preliminary negotiations about power-sharing between the TFG and UIC were held in Khartoum and mediated by Sudan under Arab League auspices, in order to avoid a threatened conflict. They agreed to avoid hostilities and establish a joint army and police force.

The UIC created the Council of Somali Islamic Courts (COSIC) to replace the UIC, with an executive committee headed by Sheikh Sharif Sheikh Ahmed. A legislative committee was headed by Hassan Dahir Weys, who was wanted by the USA for alleged involvement in al-Qa'ida operations in Kenya and Tanzania and also reportedly led the UIC militia known as "Shabab" (youth militants). The COSIC extended its control through the central and southern regions, mostly without any fighting, and set up local Islamic courts with militias. In September its forces took over the southern port of Kismayu and began to form regional administrations linked to the Islamic courts in Mogadishu and other areas.

Talks between the COSIC and the TFG in Sudan broke down. Ethiopian troops were called in by the TFG President. In October, the COSIC, which demanded an Islamic state in Somalia and opposed the presence of foreign forces, declared jihad (holy war) against Ethiopia. After increasing clashes with COSIC forces, open conflict broke out in December. After some days, COSIC forces were defeated, some fleeing to the south-west with the Ethiopian army and TFG force in pursuit. In late December Ethiopian troops entered Mogadishu to place the TFG in power.

International community response

The UN, African Union, European Union and League of Arab States supported the continuation of the IGAD (Inter Governmental Authority for Development) peace and reconciliation process. This had led to the formation of the TFG in 2004, and provided for an IGAD-led peace support force (IGASOM). As conflict increased towards the end of the year between the Ethiopian-supported TFG forces and the COSIC, the UN Security Council authorized preparations for the deployment of the IGASOM force. The UN Security Council kept in force the 1992 Somalia international arms embargo, but exempted IGASOM from the embargo. In May and November, the UN arms embargo monitoring group had criticized Ethiopia, Eritrea and other countries for violating the embargo and recommended targeted sanctions.

Somaliland

The self-declared Somaliland Republic continued its demand for international recognition. It received some international development assistance. Its unresolved border dispute with neighbouring Puntland remained a cause of tension. The Somaliland Government on several occasions accused the UIC/COSIC of attempting to destabilize Somaliland.

Justice and rule of law

There was no rule of law or justice system consistent with international standards in the central and southern regions of Somalia. Islamic (Shari'a) courts, which became the basis of the administrative and judicial system in most of the south from mid-2006, did not allow the right to legal defence counsel or meet internationally recognized standards of fair trial. The COSIC imposed increasingly harsh interpretations of Shari'a law regarding morality offences and dress code, including banning musical entertainment. Offenders were arbitrarily flogged and humiliated by militias.

- Sister Leonela Sgorbati, 70, an Italian Catholic humanitarian worker, was killed in Mogadishu in September, reportedly because of her religion. Her Somali bodyguard was also killed. The COSIC condemned the murders and said it had arrested the alleged killer but he was not brought to court.

- Over 100 demonstrators were detained briefly in Kismayu in October by the incoming COSIC forces.

In Somaliland there were several arbitrary detentions and unfair trials.

- Nine people were arrested in Hargeisa in September 2005 after a shoot-out between an Islamist armed group and police. Their trial started in early 2006 but was not completed by the end of the year. Several defendants, including Sheikh

Mohamed Sheikh Ismail, alleged that they had been tortured. More than 50 people demonstrating in Hargeisa against the alleged torture were arrested. They were sentenced to one year's imprisonment in summary and unfair trials by an "emergency court" consisting of administration and security officials. They were released by presidential pardon in October 2006.

- Twenty-seven elders of the Ogaden clan from Ethiopia, who had been arrested in 2003 but acquitted of armed conspiracy by the Supreme Court on appeal in 2005, were finally released in late 2006.

Journalists

More than 20 journalists were arrested in different areas, although most were released quickly after interventions by media associations. The National Union of Somali Journalists (NUSOJ), which actively engaged in protecting press freedom and reporting abuses against journalists, was formally recognized by both the TFG and the COSIC. A COSIC proposal to impose heavy restrictions on the media was under discussion in late 2006.

- In June Martin Adler, a Swedish photographer, was killed in Mogadishu at a UIC rally. The UIC condemned the murder but the alleged killer, although reportedly arrested, was not brought to trial.

- In October, three radio journalists were arrested in Baidoa by TFG police for reporting on Ethiopian soldiers in the area. They were released uncharged after some days.

- In early December, Omar Farouk Osman Nur, NUSOJ Secretary General, was arrested by COSIC militias and held incommunicado in a secret prison. He was released uncharged later that day.

Human rights defenders

Somali human rights defenders, most working within well-established national coalitions in Somalia and Somaliland, continued to monitor human rights violations and conduct advocacy with the authorities and general public. At times, many faced severe risks, in particular members of women's organizations.

In Mogadishu in June, talks were held between the UIC and the Civil Society Alliance. A ban on civil society organizations was withdrawn, and UIC representatives agreed to recognize non-governmental organizations and uphold the freedom of the press. However, increasing restrictions on freedom of expression and assembly severely threatened their work.

Women's rights

Several women's rights organizations, grouped in coalitions such as the Coalition of Grassroots Women's Organizations (COGWO) based in Mogadishu, and Nagaad women's coalition in Somaliland, campaigned actively, particularly against female genital mutilation, rape and domestic violence. The UIC, however, refused to meet or recognize women's NGOs.

Refugees and internally displaced people

Tens of thousands of people fled from Mogadishu during the fighting in the first part of the year, and from other areas affected by the advance of UIC forces and fighting in the latter part of the year. Many refugees from the Kismayu area entered Kenya and tens of thousands were displaced inside the country.

Conditions in camps and informal settlements containing 400,000 long-term internally displaced people remained extremely poor, with little international assistance reaching the most vulnerable.

There were hundreds of deaths at sea of people trying to reach Yemen from Puntland in trafficking operations. A Puntland government ban on trafficking in October was widely ignored. In October, 1,370 Ethiopians arrested for trying to reach Yemen were either deported to Ethiopia or allowed to claim asylum.

Death penalty

Despite local campaigns in all areas against the death penalty, death sentences were imposed by Islamic courts in the south and by ordinary courts in Somaliland. According to the Somali Islam-based custom of diya (compensation), death sentences were lifted by courts when the murder victim's family accepted compensation from the perpetrator's family.

Three men were publicly executed in Mogadishu and a nearby town by Islamic court militias in June.

- Omar Hussein was publicly executed in Mogadishu in May by the 16-year-old son of a man whose murder he admitted. An Islamic court ordered him to be knifed to death in the same manner as the murder.

In Somaliland there were at least four people executed in 2006. Several others were under sentence of death and awaiting the outcome of appeals or presidential clemency decisions. These included seven men allegedly linked with al-Qa'ida who were convicted in November 2004 of killing three aid workers. Judgement on their appeal to the Supreme Court had not been delivered by the end of 2006.

AI country reports/visits

Statement

- Somalia: Fears for human rights in looming conflict (AI Index: AFR 52/004/2006)

Visit

An AI representative attended a regional meeting on women's rights in Somaliland in November.

Article tags : [Africa](#), [Somalia](#), [death penalty](#), [internally displaced people](#), [journalists](#), [UN](#), [violence against women](#)

[Close this box](#)

To:	
Recipient's email:	
From:	
Your name:	
Your email:	
Your message:	

Neither Amnesty International nor any other organisation will contact you or any of the email recipients without your permission.