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Amnesty International Report 2010 - Somalia

SOMALI REPUBLIC

Head of state of Transitional Federal Government: Sheikh Sharif Sheikh Ahmed (replaced Adan Mohamed Nur Madobe in January)

Head of government of Transitional Federal Government: Omar Abdirashid Ali Sharmarke (replaced Nur Hassan Hussein in February)

Head of Somaliland Republic: Dahir Riyaale Kahin

Death penalty: retentionist

Population: 9.1 million

Life expectancy: 49.7 years

Under-5 mortality (m/f): 186/174 per 1,000

Armed conflict between armed groups and Transitional Federal Government (TFG) forces continued despite the withdrawal of Ethiopian troops in January. Thousands of civilians were killed and hundreds of thousands displaced by indiscriminate warfare, bringing the number of people internally displaced since 2007 to up to 1.55 million. The humanitarian crisis deepened, compounded by insecurity and threats against aid agencies. Humanitarian workers, journalists and human rights activists faced considerable risks, including killings and abductions, in the course of their work. Serious human rights abuses, including war crimes, remained unpunished. The TFG controlled only part of the capital Mogadishu and there was no effective justice system. Armed groups controlled vast areas of south and central Somalia where they carried out unlawful killings and torture. In semi-autonomous Puntland, a new regional government was elected and a spate of killings of officials and civilians threatened relative stability.

Background

Following the 2008 Djibouti peace agreement, the Transitional Federal Parliament was enlarged and elected Sheikh Sharif Sheikh Ahmed, former Alliance for the Re-liberation of Somalia-Djibouti leader, as TFG President on 30 January.

Attacks continued against the TFG, particularly by al-Shabab ("youth") militias. In early January, an al-Shabab faction took Baidoa city, where Parliament used to sit. Despite

the withdrawal of Ethiopian troops and the adoption by Parliament of Islamic law in April, armed groups launched a new offensive against the TFG in and around Mogadishu on 7 May. Among the groups were the Hizbul Islam coalition led by Sheikh Hassan Dahir Aweys, who returned to Somalia from Eritrea in April, and al-Shabab factions. In June, the TFG reached an agreement with the Ahlu Sunna Wal Jama'a armed group, which had fought against al-Shabab in central Somalia in January. Allies Hizbul Islam and al-Shabab clashed from September onwards in and around Kismayo.

The African Union Mission in Somalia (AMISOM), comprising 5,200 Burundian and Ugandan troops and mandated to protect TFG institutions, was increasingly attacked by armed groups. AMISOM troops allegedly responded with indiscriminate shooting and shelling, resulting in civilian deaths. Al-Shabab claimed responsibility for at least three suicide attacks – an attack on 22 February in Mogadishu killed 11 Burundian soldiers; an attack on 18 June on a hotel in Beletweyne killed the TFG Minister of Security and over 20 others, including an aid worker; and an attack on 17 September on AMISOM's base near the Mogadishu airport killed at least 21 people, including the Deputy Force Commander, in retaliation for a reported US helicopter strike on 14 September against suspected al-Qa'ida member Saleh Ali Saleh Nabhan near Barawe.

On 18 December, Mohamed Suleiman Barre and Ismail Mohamed Arale were released from the US detention centre at Guantánamo Bay and returned to Somaliland.

Despite international support, including transfers of weapons and ammunition by the USA, and the training of TFG troops by states including France, the TFG struggled to integrate and enlarge its security forces. On 23 December, the UN Security Council imposed sanctions, including an arms embargo, on Eritrea, accused of supporting Somali armed groups in violation of the UN arms embargo on Somalia. The UN Security Council continued to request the UN Secretary-General to plan for the relocation of UN operations into Somalia and for an eventual UN force.

Human rights abuses, including recruitment of children into armed forces, were raised in reports by the UN Secretary-General, the UN Independent Expert on Human Rights in Somalia, and the Representative of the UN Secretary-General on internally displaced persons. International and local calls to end impunity for crimes under international law did not translate into concrete steps by the TFG or the international community to establish a commission of inquiry into such crimes.

Hijacking of ships and kidnapping of maritime crews by pirates increased and expanded far beyond the Gulf of Aden, despite international naval patrols and renewed commitment by the Puntland authorities to try pirates. The Puntland authorities faced more insecurity, including killings of officials and civilians. Among those killed were five Pakistani Muslim clerics in Galkayo in August.

Indiscriminate attacks

All parties to the conflict used mortars and heavy weapons in areas populated or frequented by civilians. Mogadishu civilians were particularly affected, as armed groups launched attacks from residential areas, and the TFG and AMISOM allegedly fired indiscriminately in response. As a result, numerous civilians were killed and injured.

- On 2 February, at least 10 civilians were killed and a dozen injured on Maka al-Mukarama road in Mogadishu when AMISOM soldiers allegedly opened fire after an explosion targeted their vehicle. The results of an AMISOM investigation into the incident were not publicly available by the end of the year.
- On 17 June, a mosque in the Karan district in northern Mogadishu was hit by a mortar at dusk after a day of fighting between the TFG, AMISOM and armed groups. Thirteen worshippers leaving after prayers were killed.
- On 11 September, the Martini hospital for disabled war veterans and a prison

were hit by mortars during an attack by armed groups on the Mogadishu port. At least 11 people, including three children, were killed in the hospital. Four guards in the prison were killed and a dozen people were injured. Armed groups denied responsibility for the shelling.

Displacement

Fighting and insecurity were a major cause of displacement. In January, fighting between al-Shabab and Ahlu Sunna Wal Jama'a in Dhusamareb and Guri El in central Somalia displaced 50,000 to 80,000 people.

The UN estimated that after the armed groups' offensive against the TFG in Mogadishu in May, over 255,000 people fled the capital, including 65,000 who had returned since January hoping for improved security. Many joined previously displaced people along the Afgoye corridor outside Mogadishu, which by the end of the year hosted some 366,000 people in squalid settlements.

Civilians also fled to neighbouring countries; more than 50,000 crossed the border with Kenya to reach refugee camps in Dadaab. Others undertook dangerous sea journeys across the Gulf of Aden to reach Yemen. According to the UN, almost 32,000 Somalis arrived in Yemen in 2009; 309 Somali and other nationals died, including by drowning, during the journey.

Restrictions on humanitarian aid

Up to 3.7 million people were in need of humanitarian support during the year because of armed conflict, displacement, droughts and floods, yet humanitarian operations remained under-funded. Humanitarian operations were further impeded by fighting and insecurity, killings and abductions of humanitarian workers, and threatening statements and restrictions against aid agencies, although many roadblocks were dismantled in areas under the control of armed groups. At least 10 humanitarian workers were killed and a further seven kidnapped. Ten aid workers abducted in 2008 remained hostages. Fighting in May and June in Mogadishu forced aid staff to flee compounds and temporarily halt humanitarian operations.

- Three World Food Programme (WFP) workers were killed by gunmen during the year. On 6 January, Somali national Ibrahim Hussein Duale was shot dead while monitoring school feeding in a WFP-supported school in Yubsan village, six kilometres from Garbahare in the Gedo region. On 8 January, Somali national Mohamud Omar Moallim was shot dead while monitoring food distribution to displaced people in a camp north-west of Mogadishu. On 22 December, the WFP head of security guards in Beletweyne was shot dead in the town.
- Two Médecins Sans Frontières foreign medical workers were abducted on 19 April in Bakool region and released on 28 April. The organization suspended its operations in Bakool, which included one health centre serving some 250,000 people and four health posts, because of lack of security.
- On 17 May, following its capture of the city of Jowhar, al-Shabab raided the compound of UNICEF, the UN Children's Fund. It destroyed or looted humanitarian supplies, including vaccines and nutritional supplies for malnourished children, affecting over 100,000 child beneficiaries. The UNICEF compound was still occupied by al-Shabab at the end of the year.
- In June, the al-Shabab faction in Kismayo accused humanitarian organizations of being behind the conflict in Somalia. On 25 October, al-Shabab closed the office of a Somali aid agency, ASEP, which operates in Beled Hawo, along the Somali-Kenyan border in Gedo region, allegedly for spying for Western governments.

Threats against journalists and civil society

The space for freedom of expression and independent reporting on the situation in Somalia further narrowed. Intimidation of Somali journalists and civil society organizations by armed groups increased, including through the threat of killings, closure of radio stations and occupation of NGO offices. Nine journalists were killed during the year, including at least three in targeted killings. The dangers forced many Somali activists to flee the country. Insecurity and the risk of kidnappings hindered visits by foreign observers. Cases of harassment of journalists were also reported in Puntland.

- On 7 June, Mukhtar Mohamed Hirabe, director of Radio Shabelle, was shot dead by unknown gunmen in Bakara market. His colleague Ahmed Omar Hashi was injured in the shooting. Mukhtar Mohamed Hirabe was the third Radio Shabelle journalist to be killed and the second radio director to be murdered in 2009.
- On 1 October, the al-Shabab faction in Baidoa entered the premises of Radio Warsan, asked the station to stop broadcasting and detained two of its journalists for two days, reportedly accusing them of broadcasting music contrary to Islam. On 21 October, al-Shabab in Baidoa closed Radio Warsan and Radio Jubba.
- On 2 June, director of Somali Universal Satellite TV Ibrahim Mohamed Hussein was abducted by masked gunmen in the Afgoye district; he was released days later. Two foreign journalists, Canadian reporter Amanda Lindhout and Australian photographer Nigel Brennan, were freed on 25 November. They had been held hostage since their kidnapping in Afgoye on 23 August 2008. Two Somali men abducted with them were freed on 15 January.
- Between 19 and 21 August, armed groups looted the offices of a civil society organization in Mogadishu.
- On 2 November, al-Shabab reportedly closed three women's organizations in Beled Hawo in Gedo region, claiming that Islam does not allow women to work.
- On 3 December, a suicide bomber detonated explosives at a medical graduation ceremony in Mogadishu. The attack killed at least 23 people, including medical students, university staff, three journalists and three TFG ministers, and injured at least 56 others. No one claimed responsibility for the attack.

Justice system

There was no effective functioning and centralized justice system in south and central Somalia. The UN Development Programme continued to provide capacity-building support for detention facilities, courts and police forces. The Office of the High Commissioner for Human Rights agreed with the TFG to provide technical assistance in human rights and support for the fight against impunity.

In Puntland, which had a functioning justice system, there were reports of arbitrary detentions and unfair trials.

Abuses by armed groups

Al-Shabab factions unlawfully killed and punished people they accused of spying or not conforming to their own interpretation of Islamic law. In areas under their control, there was an alarming rise in public killings, including stonings to death, as well as amputations and floggings. Al-Shabab factions also desecrated graves of Sufi religious leaders and put restrictions on women's dress and freedom of movement.

- On 25 June, Ali Mohamudi Geedi, Osmail Kalif Abdulle, Jeylani Mohamed Had and Abdulkadir Adow Hirale had their right hands and left feet amputated by al-Shabab in front of a crowd in Suqahola in Mogadishu. They were accused of robbery.

- On 28 September, an al-Shabab firing squad publicly killed Mohamed Ali Salad and Hassan Moallim Abdullahi, whom they accused of spying for AMISOM and the US Central Intelligence Agency (CIA).
- On 16 October, al-Shabab forces in northern Mogadishu reportedly flogged women for wearing bras, claiming this was against Islam.
- On 7 November, Abas Hussein Abdirahman was stoned to death in front of a crowd in Merka. He was reportedly accused of a sexual offence.
- On 13 December, Mohamed Abukar was stoned to death in Afgoye by Hizbul Islam members. He was accused of sexual intercourse outside marriage with a woman, who was given 100 lashes.

Somaliland

The Republic of Somaliland, which declared independence in 1991, continued to seek international recognition, although Somaliland people focused their political attention on repeated delays in national elections. In late September, President Dahir Riyaale Kahin and two Somaliland opposition party leaders signed an agreement brokered by Ethiopian mediators to create a new election commission, fix a flawed voter registration list, and reschedule elections for 2010.

During the period leading up to the agreement, Somaliland government officials regularly arrested and briefly detained independent journalists. The government also maintained security committees which carried out arbitrary arrests; more than 200 individuals were detained in 2009. Human rights defenders censored their own reporting out of fear that they could be arrested or their organizations shut down.

Three protesters were killed and six injured during a demonstration on 12 September. Police fired tear gas and bullets to disperse a crowd outside a parliament building, which was closed several days earlier after a gun was drawn during a parliamentary session.

Tensions remained high in border areas claimed by the semi-autonomous Puntland Region of Somalia. Somaliland continued to host displaced Somalis without sufficient international support.

Death penalty

The TFG reportedly established a military court in Mogadishu to try soldiers accused of criminal offences in October. The court reportedly sentenced six soldiers to death, including three in their absence, for murder.

In Puntland, at least six people were sentenced to death for murder, including two tried in their absence. No executions were known to have been carried out.

- On 27 April, Ifraah Ali Aden was sentenced to death after a summary trial by the court of first instance in Bossaso, Puntland, after being found guilty of murdering another woman. She was convicted the day after the murder.

Amnesty International visit/reports

- Amnesty International delegates visited Somaliland in September.
- Somalia: Human Rights Challenges – Somaliland Facing Elections (AFR 52/001/2009)
- Somalia: End indiscriminate shelling in Mogadishu (AFR 52/005/2009)

- Somalia: Amnesty International calls for accountability and safeguards on arms transfers to Somalia's Transitional Federal Government (AFR 52/006/2009)
- Somalia: Unlawful killings and torture demonstrate al-Shabab's contempt for the lives of civilians (AFR 52/009/2009)
- Somalia: Protection of civilians should be a paramount concern for the UN Security Council, 16 January 2009
- Somalia: Allegations of AU force firing on civilians need investigating, 5 February 2009

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