

**REPUBLIC OF SOMALILAND**  
**SOMALILAND NATIONAL**  
**HUMAN RIGHTS COMMISSION**



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**Somaliland National Human Rights Submission to**

**Universal Periodic Review November 1<sup>st</sup>, 2010**

## **Background**

The union of Somalia and Somaliland was not successful and after a long conflict Somaliland re-asserted its independences in 1991. Since that time all the elements necessary for an effective government have been put in place; however, the international community has not yet recognized Somaliland as an independent state. This denial of the right to self determination has a negative effect on Somaliland nationals. Although the people of Somaliland were the first victims of the civil war in Somalia, they have succeeded in establishing stability and peace in their region but unfortunately they are associated with the same negative image of Somalia in its current state. It imposes on them problems of the civil war in the south such as terrorism and piracy.

This is the first time Somaliland has had an opportunity to participate in the Universal Periodic Review. The Transitional Federal Government of Somalia has never claimed any involvement in the state affairs of Somaliland, thus it cannot report on the state of Human Rights in Somaliland. Recognized or not Somaliland has a functional and ruling government which has a responsibility along with its law enforcement agencies to protect all rights granted to all inhabitants of Somaliland. This report reflects on Somaliland only and will cover the period of 2006 – 2010.

The Somaliland government has made significant progress in peace building and community harmonization. It also successfully developed all necessary political, economical, and social institutions. Conflict resolution took precedence over everything else. Common rights took priority over individual rights; Public Order Laws were put in place to protect peace and stability. However, the human rights are enshrined in the constitution and other Somaliland legislations. Somaliland has consented to all the international treats signed by Somalia.\*

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## **Achievements**

- Somaliland has successfully maintained its peace and stability for the past 20 years.
- Somaliland has established a democratic government in the Horn of Africa.
- All three elections since 1993 were peaceful, transparent and demonstrated successful transfer of power transfers
- All institutions required for an effective government were established.
- Education is slowly starting to play its part in society. There are more children attending schools and Universities than ever before

## **Types of Human Rights violations**

### **1. Political violations**

- In 2008, prominent politicians were detained for exercising their political rights. These Politicians formed a political association with opposing ideological ideas to those of the ruling party. Politicians remained in imprisoned for several months. In previous years there were similar detentions.

- **Freedom of Speech violations**

In the past few years, there were several politically motivated detentions of press media personnel and closure of newspapers and a TV station. The Editor In-chief of Hatuf Newspaper was detained for expersing his opnion, The Editor in-chief of The Republican was detained three times. Also, Horyal Radio was burned. In addition to that, there is a ban on opening Radio Stations.

- **Right to assemble and demonstrate peacefully:**

In 2008, holding the elections was delayed. Members of the public demonstrated demanding that elections be held on time, and the police shot live ammuniton that resulted in two deaths and several others were injured. On two other occation, demonstrators were shot and three were dead and others were injured.

Also, there were times when the opposition party Kulmiye was not able to conduct its meetings. The government instructed all hotel owners not to rent meeting halls to Kulmiye.

### **Public Order Law**

In an effort to maintain peace and stability, Somaliland Government put in place Public Order Law. By enforcing Public Order Law, anyone committing actions that would endanger the stability and peace of the country would be detained without warrant. Detainees would remain in remand for long periods without being formally charged or having access to legal representation.

However, government officials, police, community elders and influential figures used it as a mechanism to oppress opponents accusing them of endangering the peace. It is praiseworthy that the newly elected government abolished it as soon as it took office.

### **Discrimination against Minorities**

Some minority groups in Somaliland are considered to be of a low caste. Although they are citizens of Somaliland, minority groups were denied access to elements of a decent life. They live an undignified life. They are the poorest among the poor of Somaliland.

- **Income** Members of minority clans can only work in most undesirable jobs. They can only obtain jobs as street sweepers or janitors, shoe maker/shoe mender, shoe polishing, blacksmith, potter, and circumcision practitioner. These jobs are low paying jobs, with an income from these jobs; they cannot afford to live a decent life.
- **Shelter:** They live in sub standard accommodation, in huts made of cardboard and dried milk tins, which do not protect from weather conditions.
- **Education:** Minority children do not attend schools. Parents are poor and cannot afford to pay the nominal fees; but the issue that most defers minority children from going to school is being afraid of other children's bullying and name calling.
- **Sanitation:** Minority communities live in slums and do not have access to basic services such as garbage collection. Municipality trucks do not go to their neighborhoods to collect garbage. Garbage piling up poses serious health risk for the community.

Due to poor housing, people in the minority community do not have enough latrines in some neighborhoods there are one latrine for fifty families.

### **3. Gender Rights**

In Somaliland as in most parts of the world, women carry the heaviest burden when it comes to caring for the family. In Somaliland they are also often the breadwinners. Along with these challenges they must also deal with the following:

- **Maternal Mortality:** one of the highest in the world

At 1044-1400/100 000 live births (WHO), Somaliland has one of the world's highest maternal mortality rates. Multiple factors contribute to this, the most striking are that most women give birth at home without a skilled birth attendant and do not receive antenatal care

- **Illiteracy:**

Overall illiteracy is high and it is even higher among women and girls. Illiteracy severely limits the type of employment women can get and consequently prevents them from being independent

- **Political participation**

Although the new Somaliland government has included a record number of women in its cabinet two ministries and a deputy minister and appointed women to several key posts in federal agencies such as the chair of Human Rights Commission, more still needs to be done to ensure women participate in legislation, policy, and decision making.

#### **4. Child rights**

Majority of children in Somaliland live in poverty. Their basic Human Rights are not fulfilled. Their rights to food, adequate accommodation, education and health care. They suffer common problems including but not limited to:

- **Malnutrition**

Malnutrition is common among Somaliland children belonging to poor families particularly in the internally displaced community, orphans and families of absent fathers, families where the head of the household is drug addict.

- **Inadequate Housing**

Children from poor families in Somaliland especially refugee returnees live in makeshift homes in slums in most urban areas. These homes do not protect their inhabitants from rain, winds or cold weather. They are often without basic necessities of a decent life such as latrines, clean drinking water, and electricity.

- **Poor Education**

There is no mandatory education in Somaliland and consequently children from poor families miss school. Education in public schools is free; nonetheless, school head masters charge a nominal fee of \$1.5 per month per student to enhance teachers' salary which is very low. Many families consider the fee expensive and let children go without schooling.

- **Street children**

Street children have become a common sight in all urban areas in Somaliland. They lack all basic life necessities and are subject to all kinds of behavioral problems. They

lack care and compassion in order to grow up into healthy adults. Some of them die due to simple health complications that went untreated. They are exposed to drugs and without guardianship can be taken advantage of and abused. Currently there is no governmental mandate to deal with street children.

## **Recommendations**

A national strategic plan to address all the Human Right concerns stated above.

In particular, measures to deal with extreme poverty, the most obvious human rights violation. Poor access to education, health care, and adequate housing are a result of poverty.

Somaliland Human Rights Commission recommends the following:

- Collection of baseline data to accurately measure Somaliland's starting point and so we can measure the effectiveness of future interventions
- Government support of livelihood systems and survival skills to help poor people to combat poverty.
- Political rights are fundamental and perhaps the most important human right, government must protect them.
- Adequate distribution of services to all regions
- National plan for education including free mandatory primary education
- Social and judiciary justice which will include all sectors of the society
- Community development for minority clans through community economic development, financial incentive for minority schools, university scholarships for minority youth along with other youth from poor families to attend university.
- Properly designed prisons and police stations which will maintain human dignity of prisoners

## **Challenges**

Somaliland a nomadic society had its own systems where individuals' rights were protected by clan. Thus Human rights protection by an institution is a new concept in Somaliland and it rises following challenges:

Lack of experts in the fields of human rights as internationally understood, and consequently lack of experience in conducting human rights activities as it should be. Lack of knowledge of what rights people are entitled to and limited understanding of when human rights are violated. Data collection, its storage, and maintenance are not fully developed. Often information comes from memory and guessing.

## Recommendation

Human rights awareness campaign is needed to educate all sectors of society including the government and its law enforcement on what are basic human rights are and when could violations happen. The campaign could begin at grass root levels, school children could learn at school.

Research on all human rights violatios and data collection systems to be put in place, that would assist in collecting accurate data on what are the real violations are how often do they happen and their impact on victims and society.