



**SOMALI MINORITY RIGHTS AND AID FORUM (SOMRAF)**

**REPORT ON HUMAN RIGHTS VIOLATIONS  
AGAINST THE SOMALI  
MARGINALIZED MINORITY GROUPS**

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Submissions for OHCHR'S Summary of Stakeholders information

This report Submitted jointly by

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## **The Situation of Somalia: Background and Introduction**

Somalia's new phenomenon of state failure is rare in the modern history of mankind and not comparable to any country. The situation is changing frequently like moving sands, it is getting more critical in all aspects, as the country experienced a full breakdown of state functioning on all three dimensions, security, legitimacy/rule of law and welfare. The country is considered one of the poorest countries in the world, the situation aggravated by the civil war inherited incomparable human rights violations, absolute destruction of social and economic infrastructures across the country, and eventually caused inadequacies of service deliveries. The civil war in Somalia was to a large extent a clan-based war, a very violent and destructive war in which the various population groups and clans have accused each other of committing physical violence and abuses, including murder, rape, abduction, looting etc.

However, social segregation is a deep-rooted social issue that divides the Somali society into two categories; *laan-deer* (Majority-long brunch) (noble) and *laan-gaab* (minority – short brunch) (inferior). In Somalia, it is generally the case that noble groups are those belong to the culturally dominant group of transhumant pastoralists, who form nearly sixty per cent of the total population. Groups that are not pastoralist are often considered inferior or minority groups. The situation of occupational minority groups deteriorated further as overall situation of the country got worse. In fact, in the absence of a legitimate state authority and accepted rule of law, a society, a nation, and country like Somalia will find itself in a state of turmoil and anarchy where only the strongest clans survive. Pillage, robbery, rape and enslavement of the unarmed and unprotected is a means of control and domination and ultimately survival. Those who have no means of protection or can seek retribution like minorities (youth, women & children) they are easy targets and find themselves vulnerable and disadvantaged people which are the case of Somali vulnerable marginalized minorities.

## **The Situation of Somali minorities Communities**

The problem of Somali marginalized minority groups continued to worsen without any intervention or remedies necessitating the establishment of SOMREF to fill the information gaps regarding minority group's socio-economic status and build a frame of cooperation with all related bodies such as aid agencies, donors, foundations & policy makers to explore interim intervention and explore durable solution in the abhorring human rights facing the community as well as address their immediate humanitarian needs. Beyond any doubt, the populations, especially in southern parts of Somalia, have suffered severe losses in human as well as material terms. Marginalized minority communities across the country are excluded and disadvantaged community in Puntland, Somaliland and southern parts of Somalia due to a complex multi dimensional challenges cannot be detailed here and the complex nature of Somali conflict. Accordingly, **Somalia marginalized minority communities are facing disaster human and humanitarian situation, extreme poverty and hunger which can lead to slow collective death**, as members of these communities, especially women youth and children are suffer most from various forms human rights abuse, social and economic deprivation, including hunger and malnutrition, inadequate healthcare, limited access to education, and low self-esteem etc. Due to the above reasons, the minorities are the neediest group of people facing worst starvation, highest poverty rates, massive displacement, huge unemployment figures, highest illiteracy levels and horrific health and sanitation status. Unlike other clans from dominant groups, minorities lack international support due the prolonged Somali conflict which creates an environment where minority groups are vulnerable and abnormally displaced from their homes. Therefore, they suffered grievous human rights violations, which

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included extra judicial killings, appropriation of lands and properties, and forced displacement from their lands to IDP or refugee camps situated along the Somalia Ethiopia border.

## **POVERTY & EXCLUSION**

The first goal of the MDGs is the eradication of extreme poverty and hunger. The key to poverty alleviation is economic growth and the creation of employment for all. However, poor people without employable skills cannot benefit from the growth process. Historically, Somali inhabitant horn of Africa regions has been one of the most unequal regions of the world... but there are grounds for cautious optimism with regard to equity of progress on the MDGs.

## **MINORITY ABUSES IN SOMALIA**

After the collapse of Somalia central government in 1991, the country disintegrated into regions and districts controlled by warlords and clan militias from majority tribes. Clan protection became the only means to safeguard the individuals and their properties. Due to their lower population and status, the minority groups were unable to mobilize clan militia to protect themselves. Unlike the other armed majority tribes, the minority groups became a soft target to the powerful warlords and the clan militias as the perpetrators and their tribes were not at the risk of revenge or reprisal. As a result, the minority groups have been subjected to various forms of human rights abuses. Many people from minority groups have been brutally killed and murdered for different reasons. The magnitude of killing reached to the extent that such terminologies (looma ooyaan) meaning “the un-mourned one” and “looma aaraan” the un-revenged one and ‘Sacabooley’, ‘unarmed’ have emerged in Somalia. This shows the highest vulnerability of minority groups and their properties. As well, it shows that no one cared of the death and suffering of minority person and loss of his or her property.

According to minority groups interviewed, there have been various forms of killings and for different reasons. Some have been shot dead:

*My father and brother were killed by the Abgal clan of Hawiye tribe in Karaan neighbourhood of Mogadishu. Our shops, cars and houses have been confiscated by them.<sup>ii</sup>*

In another accident, three men were executed for stabbing to death of another man:

*Abdinasir Abdilahi Saleebaan, Mohamed Sahild Oldad, and another one from Madiban minority group between the ages of 20-25 years were executed by Puntland authority after one of them found guilty of stabbing a man from the majority to death in Bossasso in 2008. Another one was found guilty in catching the hands of the deceased victim while being stabbed. The third one was found guilty of chasing the girl friend of the victim in order to take a mobile cell phone from her. All the three were put to death without considering the level of the crime each one committed<sup>iii</sup>.*

Even pregnant women married to the majority clans have not been spared from brutal killing and mistreatment.

*On 3<sup>rd</sup> June, 2007, Halimo Abdi Hashi was shot dead with five bullets by her husband Ismail Abdi Ganey in Garowe, Puntland region of Somalia after she refused to give him her money. She was not buried for five days and her body was rotten inside the house. The perpetrator was and is still at large<sup>iv</sup>.*

Children have also been killed and murdered with broken glass.

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*In February 2009, Abdi Hashi Farah Dhimbil, 16 years old boy and another boy from majority clan fought in Bossasso. During the fighting, other majority individuals supported the majority one and caught Abdi's hands. Then Abdi was slaughtered with a broken glass<sup>v</sup>.*

In another similar accident, another child lost his life.

*In 2006, Hassan Mohamoud Abdi dhere, 15 years old Madiban minority group was drowned to death at night time after fighting with another boy from majority reer Hagar/dhulbahante sub-clan of Darod in Hagar burburis village in Somali region of Ethiopia opposite to Buhodle district. The next morning he was found dead in the Berkad, his hands tied together<sup>vi</sup>.*

Others have died after serious torture and beating with clubs and gun butts.

*In 2005, Abdi Hassan Ahmed from Madiban minority in Galka'ayo controlled by Puntland was jailed in the central police station after fighting and defeating another man from majority Majerten tribe. The relatives of the majority one came and paid money to the police gaurds and tortured Abdi until he died in the police station in Galka'ayo.<sup>vii</sup>*

Still others have been burnt alive.

*On 16 August, 2004, around 9 PM, Mohad Said Nour my husband was called and taken by his friend to his house. He was sick at that time. After twenty minutes, he was taken back to his house being completely burnt. His hands were tied together and then petrol was poured onto him and ignited. Five days later, he died in Barkhadle hospital in Bossasso, Puntland region of Somalia.<sup>viii</sup>*

Many people have been killed for confiscating and taking away the properties of the victims. Others have been killed while preventing their daughters from rape.

*In 2007, the Ethiopian attacked our neighbourhood Hurwaa in Mogadishu. There were no opposition forces in the area. If the Ethiopian did not find opposition forces firing, then they used to rape women and loot valuable properties from the civilians. The Ethiopian forces were wearing military uniforms and driving technicals (vehicles mounted with heavy weapons). They spoke foreign language. I got the word ney meaning come in Amharic (Ethiopian language). Ten men came to our house and forcefully took and lifted my sister. My father tried to defend and prevent her from being raped. He was shot dead instantly. My younger who was a child threw stones at them and was also shot dead. My sister was raped, slaughtered and thrown into a garbage pit near the neighbourhood by the Ethiopians nine hours after they took her<sup>ix</sup>.*

The Hayat hospital diagnosed the body and verified the rape and slaughtering. Khadra Ahmed Yusuf, 28 years old woman was the eyewitness and verified the crime.

*In 2006, Mohamoud Abdi Dhere died after being beaten with AK47 gun butts in Bossass, by the police in Puntland region of Somalia in 2006 while trying to defend his daughter from rape.*

Minority activists have disappeared in hands of powerful warlords. Conflict between the victim and Abdillahi Yusuf over the representation of minority groups in Puntland and Somalia Reconciliation conference in Kenay was reported.

*The articulate minority activist and traditional leader in Puntland, Garaad Abdilahi Olad Ibe was taken away from his house in Bossasso in June 2003 by then Puntland presidential guards of Abdillahi Yusuf driving small car called Mark 11. He first went to them to ask who they were. He came to me and said that then President was calling him. He disappeared and never came back<sup>x</sup>.*

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The minority community and his family believe that he was either shot dead and buried inside the compound of Puntland Presidential balance in Bossasso or was imprisoned in American Secret terrorist Detention jail (ship) in Djibouti being falsely accused of Alqa'ida membership. The family is appealing to international communities and human rights organizations to identify his whereabouts if he is alive. Extra-judiciary killings have been reported even in safer areas. Many others have been caught in crossfire. Close relatives of the deceased victims from Minority groups have been denied blood compensation (diya) by both the majority clans and Puntland administration as per the agreement reached earlier.

*In 2007, Hussein Yusuf Ali, 70 year old man was knocked down by a lorry in Bossasso. Seven days after he died. The court released the perpetrator on bail. The majority clan denied that the victim died because of the knock down and refused to pay the blood money<sup>xi</sup>.*

Similarly

*In 2007, Abdiqadir Mahdi Omer Afweyne died after accidentally hit by a bullet fired by Bossasso police who wanted to disperse angry protesters. The Puntland administration and Ali Saleban sub-clan of Majerten/Darod refused to pay the blood money<sup>xii</sup>.*

In another accident, 14 years old minority from Madhiban died.

*In April 2007, special presidential bodyguards of the former Puntland president, Ade Muse open fired to disperse angry protesters in Bossasso and accidentally shot dead 14 years old Abdi Abdillahi Mire. Although the former president authorized the payment of the blood compensation, the former finance ministry-Gaagaab refused to pay on the pretext of lack of money. However, he paid similar blood compensation to the majority clans<sup>xiii</sup>.*

Rape is another form of human rights violation and abuses. Like the clan protection mentioned, minority women and girls have been continuously raped or gang-raped. Lack of protection in south central Somalia and lack of law enforcement in Puntland state of Somalia have contributed to extremely high level of rape cases.

*While Nim'o Mohahoud Abdi, 17 years old Madiban girl and her mother who work in selling meat were slaughtering sheep at home when the Bossasso patrolling police suddenly came to their house at 3:00 AM after midnight. They wanted to rape both the girl and her mother, but found the mother was pregnant and bit old. They lifted the girl in their vehicle and gang-raped. The father Mohamoud Abdi Dhere tried to defend his daughter from rape, was beaten severely with AK47 gun butts. Few days later he died as a result of the beating<sup>xiv</sup>.*

The rape cases occurred in the rural, urban and IDP camps.

*In 2006, a 17 years old Yibir minority girl, Hodan Hussein Jama, was gang-raped by seven men from majority Ali Saleban sub-clan of Marjerten/Darod in Armada village, Bossasso, Puntland region of Somalia. Although the police in the area arrested and transferred to perpetrators to Bossasso, the former vice minister in charge of security released them from the police station. Ever since, the victim has been sick and suffering from serious problems<sup>xv</sup>.*

A Bandabow family from minority Banadiri community faced one of the most serious human rights violations from the Ethiopian forces in Mogadishu. This brutal shooting down the father and younger brother and raping, slaughtering the girl and throwing her body into garbage pit.

*In 2008, after attacking the area, Ethiopians forces raped, slaughtered my sister Ina Mohamed Elmi and threw her into a garbage pit near the Hurwaa neighbourhood in Mogadishu the nine hours after they took her. They also shot dead my father and younger brother<sup>xvi</sup>.*

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According to women in Ajuuran minority IDP camps and other minority groups in Bossasso, rape is extremely high and is becoming part of their daily life.

*There is no a single woman safe from rape. At night, armed gunmen come to the IDP camp and forcefully drive women and girls out of their shelters and rape outside the camp. Rape cases occur two times a week.*

In Puntland, the IDPs and minority communities are not protected and gunmen hunt women and girls. The police who could safeguard the vulnerable women and girls are heavily involved in the rape cases.

*In early morning in 2004, while we (12 women) going for work, a small vehicle came and stopped beside us. Some of us ran away, however, they caught me. 13 years old girl who initially ran away came back to me because she did not know what was going on. We were taken to Bossasso beach and gang-raped. Two men raped me and the 3 raped the 13 years old girl. I was bleeding victims and went to the nearest police station to inform the problem. Surprisingly I saw the one of the perpetrators at the police station wearing on his head a small piece of cloth of mine. He was also drunk. When I informed the police, the police replied that he was officer in charge of that police station and that they were not in a position to jail him. However, no disciplinary action has been taken nor any prosecution in the front of the law..*

The impact of rape and gang-rape has been substantial. Raped women have been forced to leave their homes due to stigma. Others have been seriously sick and become infertile. Others have been suffering from gynaecological disorders and various sexual transmitted diseases.

The confiscation of fixed assets and taking away other valuable properties from minorities groups have continued since early 1990<sup>s</sup>. Due to lack of protection, the minority groups and their properties are vulnerable to armed attacks and loss of productive assets. As a result of this deprivation, many minority households became destitute and poorest of the poor. Others were forced to flee to neighbouring countries. All the impoverished households in Kenya and Somalia live in the worst living conditions and standards and need urgent humanitarian support.

### **LACK OF ACCESS TO JUSTICE & EDUCATION**

Minorities are denied of justice. In Somaliland, the justice system is one of the most corrupted and marginalizes the minority groups and the poor. Land disputes are very common and contribute to accidents of killing and clashes. The courts also perpetuate the social and economic discrimination and exclusion. There are also multiple laws are employed in the society. Sharia law, customary law and Indian Bible cords.

In Somalia, there are no government courts with the exception of the Puntland autonomous region. There is law and order in this part of the country. It was also areas where different groups fought to come to power. Human rights and minority have severely violated and abused. Killing, slaughtering, massacre, rape, abduction, destruction of civilian properties, civilian shelling and bombardment as well as displacement have all occurred.

The international communities have not taken tough measures to prosecute human rights violation and abuses in Somalia. Al Shabab Al Mujahidin controls most of the regions in the region in the south and some regions in the central Somalia. There are no fully functioning and visible courts in this area. Many minority groups may not know where to go to prosecute perpetrators. However, reports from the areas indicate no serious injustice on the part of the minority groups.

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In Puntland state of Somalia, the existing justice system is also one of the most corrupted. Majorities of Judges are bribed and their decisions are usually in favour of the bribers. The minority groups encounter serious injustice both from the authority and the communities. To de-motivate the minorities and other poor people, the process of judgement is deliberately delayed in the corrupted justice systems so that the poor will be able financially to regularly come to the court. The Puntland authority has not sufficiently acted on the many cases of killing, torture, beating, slaughtering, rape that occurred in their territory. These abuses are explained in the above section and will be looked at one by one to investigate how the judiciary dealt with.

Mohamed Abdi Dhere, the father who tried his best to defend his daughter was severely beaten with base of guns. Few days later he died of such torture and beating. In the morning, they went to the police station to inform the case. The police replied that the perpetrators were not policemen and that the victims should identify the responsible men and if not should leave the police station. The police have not taken any action to investigate the matter. This is mainly when they came to know that the victims were from the minority groups.

Likewise courts in Puntland behave in the same way as the police. The courts force the victims to identify the perpetrators or drop their cases.

*Mohad Said Nour* who was burned alive and who few days later died in the hospital in Bossasso in 2004, his case was taken to the court. The District Court has sentenced the perpetrator to death as per Sharia law. According to court's verdict, there were many other perpetrators involving in the same case, who were not sentenced. Much worse, The Court of Appeal has suspended the case until the son of the deceased victim who was at the age of five would become fifteen years old. The relatives of the deceased victim and clansmen insisted on the prosecution of the murder and they were ignored.

However, when the members from minority clans stabbed to death a man from the majority, the decisions are reached within few hours or days at maximum without giving enough time to bring lawyers and time to prepare for defence in the trial. A good example is that three men from the minority groups who have been accused of killing a man in Bossasso.

*Only one of them was found guilty and that convinced that he had stabbed the victim in the head. The second was found guilty of holding the hands of the deceased victim. The third was found guilty of chasing the girl friend of the victim in order to rob her mobile. The following morning, Bossasso local court sentenced to the death to the first, fifteen and ten years of imprisonment respectively to the second and third. In the same day, the Court of Appeal hastily sentenced all the three to death without giving time to get lawyers to defend the accused men. Immediately they were shot dead and left in that place. The clansmen of the victim put pressure on the court to sentence all the three to death or that they would do so.*

Halimo Abdi Hashi, the pregnant woman shot dead by her husband, the Puntland authority has not taken any action even jailing the criminal. The minority clan and the majority clan discussed the matter outside the court with very high power imbalance.

***NOTE:***

***This Reports on only covering Somaliland, Puntland as south-central Somalia is worse that detailed above.***

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