

# Somalia

## Situation and Trend Analysis

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# 1 Introduction

Since January 1991, Somalia has been without a functional, recognized central government, making it the longest-running instance of complete state collapse in post-colonial history. This unprecedented political context has made accurate assessment of human security, human rights, and political asylum claims an especially challenging task. This challenge is complicated further by the tendency to draw two false conclusions about Somalia's protracted state collapse, both of which tend to inflate the importance of the role of the state. The first is the claim that the prolonged absence of a functioning central government *ipso facto* creates an environment wherein human security and human rights cannot be secured. This line of reasoning draws heavily on the images and evidence from Somalia's early years of civil war (1991-92), which produced catastrophic insecurity for Somali citizens. That civil war and famine took an estimated 250,000 Somali lives, destroyed much of the capital city Mogadishu, and produced an estimated 1.6 million internally displaced persons and another one million refugees. Yet Somalia in 2004 is a dramatically different political setting than in 1992. Though Somalia remains a zone of state collapse, local communities have adapted in a number of ways, creating a patchquilt of formal and informal systems of governance which provide modest, variable levels of security and predictability to Somali households. As a result, accurate assessment of human rights, human security, and vulnerability in Somalia today is much more complex, requiring close attention to situational factors at the local and regional level. For that reason, this analysis includes both country-wide and regionally-specific assessments.

A second common error is the expectation that a revived central government will produce immediate and significant improvements in human security and human rights in Somalia. Currently, a two-year Somalia peace process in Kenya is on the verge of producing a Somali transitional federal government (TFG). The establishment of the TFG will mark an important moment in the Somali saga, but it will not produce immediate and substantial impact on most aspects of Somali politics, economics, and security. At best, the TFG's capacity to project administration and control will be very modest in the next two to three years; at worst, the TFG will fail entirely. Thus much of the situation analysis which follows will not be significantly affected regardless of the outcome of the Nairobi peace talks and the TFG. Instead, many of the broader trends we have witnessed over the past decade will continue to shape the Somali political and economic landscape.

In sum, the prolonged absence of the central government has not been as catastrophic as some have claimed; and the expected revival of a central government will not be as immediately beneficial as some presume.

## 2 Political Analysis

### 2.1 Actor Inventory

In the context of a collapsed state, the question "who acts?" is central. In Somalia, the number of political actors who matter is quite large, reflecting the ease with which relatively small groups can play the role of spoiler. Labeling Somali political actors is often problematic – a political figure can simultaneously be considered a traditional elder, a businessman, and a militia leader. The legitimacy of political claimants to serve as representatives of Somali constituencies is also fiercely contested; identifying legitimate and authoritative representation for Somali communities has been one of the most persistent problems faced by external mediators. Finally, the power of different actors has shifted significantly in recent years.

*Clans.* Somalia is a lineage-based society, and clannism – always a central factor in politics, conflicts, and allocation of resources – has greatly increased in importance since the collapse of the state. Clan is the main source of personal protection for individual households in the absence of public security; the main source of customary law and conflict management; the principal source of identity; the basis for proportional representation and power-sharing in the transitional governments; the tool manipulated by political leaders to mobilize support, divide adversaries, and dispense patronage; and the basis on which most militias form and armed conflicts have been fought since 1991. Somali lineage groups are particularly complex actors because they are fissurable along clan, sub-clan, and sub-sub-clan lines, creating situational and fluid, not fixed, political groupings. This makes them a chronically unstable basis on which to structure alliances and political representation. Over the course of the past fifteen years, Somali clan politics and armed conflicts have devolved to much lower (sub-sub clan) lineage levels.

*Traditional elders.* After a period of marginalization during the civil war of 1991-92, traditional clan elders have in recent years reasserted a more robust role in political life. Their principal role is as mediators of disputes within their clan; as representatives of their clans in negotiations with other clans; and, more recently, as ratifiers or legitimizers of national political accords. They rarely assume direct political roles as faction or elected leaders, though in Somaliland the assembly of elders, or guurti, is formally enshrined in the upper house of the Parliament. Who actually constitutes an "elder" is frequently a matter of dispute, since any respected adult male may earn that role. The background of elders ranges from highly educated engineers to illiterate nomads, and their behavior ranges from respected to venal and corrupt. Titled elders vary in their authority in different regions of the country.<sup>1</sup> The past fifteen years has seen a proliferation of titled elders as sub-clans all seek their "own" traditional head.

*Factions.* Political factions – the United Somali Congress, the Somali National Front, the Somali Salvation Democratic Front, and a dozen others – were the dominant actors in the early to mid 1990s, and monopolized representation in national peace talks. Many began as armed liberation movements. Nearly all were narrowly clan-based, led by militia leaders and top former civil servants of that clan, and were de-

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<sup>1</sup> Titled elders are named ugaas, boqol, sultan, iman, or garaad, depending on clan.

voted mainly to earning that clan a seat in national reconciliation talks. In recent years, the rise of cross-clan alliances has produced an array of coalition-based factions, such as the Somali Reconciliation and Reconstruction Council, or SRRC (a collection of Ethiopian client groups), the Jubba Valley Alliance, or JVA (an alliance of convenience between some Marehan and Haber Gedir/Ayr militias occupying Kismayo) and the Group of Eight (mainly Hawiye militia leaders in the Mogadishu area, opposed to Ethiopia but also outside the Transitional National Government). For the most part, clan-based factions are increasingly marginal if not entirely defunct today, while coalition-based factions have proven to be very transient in nature. Most factions exist principally as diplomatic window dressing, to help militia leaders represent themselves to international actors.

*Militia leaders.* Militia leaders are mainly former Somali army officers who command militias drawn from their clan or sub-clan. Through much of the 1990s, top militia leaders like General Aideed dominated political affairs in the country. Since the late 1990s, however, the fortunes of most militia leaders have fallen, mainly because their own clans are reluctant to provide them with financial support, and because businessmen have bought out the militia from beneath them. Even weak militia leaders can play the role of spoiler, however. Militia leaders who possess independent sources of revenue such as airstrips and seaports (ie, those who double as businessmen), or who head up regional administrations where they can collect taxes (ie, those who double as governors and presidents), have maintained a greater level of influence than those dependent on their clans and external patrons for resources.

*Transitional National Government.* Led by President Abdiqassim Salad Hassan, the TNG was established at the Arta peace talks in August 2000, intended to serve for a three-year period to culminate in ratification of a constitution and holding of elections. The TNG faced considerable internal opposition from the outset, and was never able to extend its administration beyond portions of Mogadishu and surrounding areas. Since its mandate ended in August 2003 it has continued to exist more as a political faction representing the Haber Gedir/Ayr clan than as a national authority. If the Transitional Federal Government is established in late 2004, the TNG should cease to exist.

*Businessmen.* The business community has emerged since the late 1990s as a major power broker inside Somalia. They now possess the greatest concentration of wealth in the country, and control the largest private security forces, surpassing the military capacity of warlords. Most leading businessmen are based in Mogadishu and a majority are members of the Hawiye clan-family. Many reside in Dubai. The business community is by no means a coherent group – in many respects, it is more accurate to speak of business communities. The interests of the business community in revival of national government are variable, as some are engaged in legitimate commerce while others make their fortunes in activities which are either illegal or which would likely be taken over by a central government.

*Islamists.* Islamic movements and groups have unquestionably grown in influence since 1990, and today are a major feature of the political landscape. They are not unified in agenda, worldview, or sources of support. Some, such as the al-Islah charity, have earned prominence by providing educational and health care services and promoting relatively progressive social agendas. Others, such as al-Ittihad, have more overt and radical political agendas, and have engaged in acts of violence

which have earned them designation as terrorist groups. Recently, small jihadist cells have launched armed attacks against international targets in Somalia.

*Regional authorities.* Regional polities have emerged as one of the strongest power bases for Somali leaders since the late 1990s. By far the most powerful is secessionist Somaliland, which controls a growing administrative structure, has an annual budget of 27 million US dollars, and represents one to two million people. Puntland state is weaker functionally, but is a strong political base for its President Abdullahi Yusuf. To the south, the Jubba Valley Alliance controls the port town of Kismayo; Strongman Indha Adde has established a regional authority in Lower Shabelle; and Mohamed Dhere controls a Jowhar district administration.

*Civil society groups and professionals.* Civil society groups were extremely weak in the early 1990s but have gradually assumed a more robust and autonomous role in political life. Most continue to reflect clan interests, but a growing number transcend lineage and region. The most powerful civil society groups today include al-Islah, the Islamic charity association which represents a loose network of many top professionals in Mogadishu; the newly-formed Somali Chamber of Commerce, institutionalizing the growing clout of the business community; and local human rights and women's groups. The independent media – both print and radio journalism – are also influential actors.

*The diaspora.* About one million Somalis (out of an estimated total population of about eight million) live abroad. Most are immigrants in wealthier regions of the world – the Gulf states, western Europe, North America, and Australia – though several hundred thousand are refugees or illegal immigrants in Kenya, Ethiopia, and Yemen. The diaspora plays a crucial role in the Somali economy – the remittances they send constitutes by far the largest source of revenue in Somalia, estimated at between 500 million to one billion US dollars per year. In recent years, the diaspora has also invested in real estate and small businesses in Somalia, fueling a construction boom in several major cities. They are also increasingly inclined to return for extended visits both to Somaliland and South-Central Somalia, creating a "summer economy" in Hargeisa and Mogadishu. Finally, the diaspora constitutes an important group of political figures, holding positions in both transitional national governments and regional administrations.

*External actors.* External actors, especially the neighboring states of Ethiopia, Kenya, and Djibouti, but also Egypt, the Gulf states, the regional organization IGAD (Intergovernmental Authority for Development) and the European Union (the major donor), play an important role in Somalia. At times regional rivalries have led to virtual proxy wars inside Somalia, impeding reconciliation. More recently, sustained external commitment to the peace process in Somalia has pressured Somali actors to reach an accord.



## 2.2 Country-wide political trends

*National reconciliation.* Since October 2002, Somali political representatives have been engaged in a national peace process meeting in Kenya sponsored by the regional organization IGAD. The purpose of the peace process (which at times has been called the "Eldoret" process, the "Mbagathi talks" and now simply the Somali national peace talks) has been three-fold – to commit all parties to a cessation of hostilities, to produce discussion and agreement on key conflict issues dividing Somalia (known as "phase two" of the talks), and to broker a power-sharing deal as part of the creation of a Transitional Federal Government (TFG), which will succeed the now defunct Transitional National Government.

Between 2002 and early 2004, the talks encountered several periods of crisis and impasse. Numerous, serious violations of the ceasefire occurred inside Somalia; political leaders demonstrated very little interest in resolving conflict issues in the "phase two" portion of the talks; disputes over who had the right to represent whom plagued the proceedings; regional mediators were accused of manipulating the talks to favor their Somali clients; and little consensus among the Somalis existed over fundamental issues such as the nature of the federal system proposed for the TFG. By early 2004, most observers presumed the talks were stillborn. But in May 2004, Ethiopia and Djibouti agreed to place concerted pressure on the Somali participants, jump-starting the talks. Phase two of the talks were declared over (despite the fact that none of the conflict issues had been resolved) and the phase three, power-sharing proceedings were initiated. The system of representation in the transitional parliament is based on the "4.5 formula" which enshrines proportional representation by clan (four major families each have 61 seats, while minority groups control the remaining 31 seats). Representatives of the clans – comprised of politicians, militia leaders, regional authorities, traditional elders, and civil society members – met in separate clan caucuses to allocate seats by sub-clan, and then to select specific Members of Parliament to represent each sub-clan. By August 2004 they succeeded in naming a 275 member parliament. At the time of this writing, negotiations are under way to select top members of the cabinet – President, Prime Minister, and other cabinet positions – as the final step in forming a transitional government. As with the parliament, the top positions in the executive branch will be allocated along clan lines. The institutionalization of clan as the basis of representation mimics the Lebanese confessional system, with all its strengths and weaknesses.

Assuming that the final negotiations over the formation of the executive branch succeeds sometime in late 2004, the TFG will face daunting tasks. Indeed, for as difficult as the peace process has been, it constitutes the easy part of reviving the central government. Operationalizing the TFG will require setting up a basic administrative structure in Mogadishu, rebuilding a police force, judiciary, and other facets of public security, reclaiming control over key national assets like seaports, demobilizing and reintegrating militia, instituting customs collection, co-opting or confronting rejectionists. It will also require dealing with critical conflict issues left unresolved in the peace talks – the parameters of federalism, the status of stolen or occupied property, the handling of allegations of war crimes, the regulation of economic activities, the dispensation of ongoing armed conflicts, and the status of existing regional polities (including secessionist Somaliland). All of this will need to be addressed with

very modest financial resources, as the TFG is not expected to attract large amounts of foreign assistance or even immediate recognition from an international community that wants it to succeed but is reluctant to throw large sums of foreign aid at what could be yet another stillborn transitional government. Most observers expect that the best the TFG can be expected to do in its first two years is gradually build a modest administrative capacity in the Mogadishu area and in selected towns in the interior. For the next several years, the TFG will co-exist with, not replace, existing structures and practices of governance in Somalia.

*Armed conflict.* Armed conflict continues to plague much of Somalia, but since 1995 the nature, duration, and intensity of warfare has changed significantly. With few exceptions, armed conflicts today are more local in nature, pitting sub-clans against one another in an increasingly fragmented political environment. This devolution of clan warfare means that armed clashes tend to be much shorter and less lethal, in part because of limited support from lineage members for such internal squabbles, and in part because clan elders are in a better position to intervene. Money and ammunition is more scarce as well, placing limits on the duration of conflict. Atrocities against civilians are much less common than in the past. Warlords are much less of a factor since 1999. Armed clashes in Somalia are now increasingly difficult to distinguish from armed criminality and blood feuds.

*Criminality.* Lawlessness remains a serious problem in Somalia, but the egregious levels of violent crimes and level of impunity associated with the early 1990s are now uncommon. This is due in part to the reassertion of governance systems noted above, which punish and deter crime; in part to rise of private business militias, which protect most of the valuable assets in the country; and in part to the procurement of arms by previously weak social groups (such as the agricultural communities of southern Somalia). Many former gunmen who earned a living from banditry have since demobilized, often shifting into jobs as security guards. The most dangerous street crime is now kidnapping for ransom, which is endemic in Mogadishu. Less visible but more destructive is "white collar crime" in Somalia committed by some of the top political and business figures. This includes the damaging export of charcoal, introduction of counterfeit currency, land grabs, complicity in dumping of toxic waste in Somali territory, drug-running, gun-smuggling, embezzlement of foreign aid funds, and incitement of communal violence for political purposes.

*Governance.* Absent a functioning central government, local systems of governance have developed in Somalia, generally a reflection of the desire of local communities and businesses to manage state collapse and provide minimal law and order. Informal rule of law has emerged via local sharia courts, neighborhood watch groups, and the reassertion of customary law and blood compensation payments. More formal administrative structures have been established at the municipal, regional, and transregional level as well. Somaliland is by far the most developed of these polities, and has made important gains since the late 1990s in consolidating rule of law, multi-party democracy, functional ministries, and public security. Other sub-state administrations have tended to be vulnerable to spoilers and internal division, or have had only a weak capacity to project authority and deliver core services. Collectively, these informal and formal systems of governance fall well short of delivering the basic public security and services expected of a central government, but they provide a certain level of predictability and security to local communities, and can

also represent local communities in relations with neighboring states and international aid agencies.

*Islamic radicalism.* Islam plays a much more visible role in Somali society today than prior to the civil war. This heightened Islamic role manifests itself in different ways – in shifts in political rhetoric, the rise of sharia courts, the ascendance of Islamic charities and Islamic schools, attitudes regarding women and matters of public morality, and views of the West. Somalia has not, however, been a hotbed of Islamic radicalism. It has not been a significant source of recruits into al Qaeda, nor has it been the site of major terrorist camps and attacks against western targets. The main Somali radical Islamic movement, al-Ittihad, appears to have declined in power since the mid-1990s. Throughout the past decade, Somalia was principally used by Islamic radicals as a transshipment point into Kenya, but not as a safe haven. In recent years, however, concerns about Islamic radicalism inside Somalia have grown. Several foreign terrorists have used Somalia as a refuge; Somali Islamic hardliners such as Hassan Aweiss have successfully built a power base using local sharia courts; some Somali businesses and charities have been accused of collaboration with al Qaeda; and since 2003 a number of assassinations and attempted attacks on international targets inside Somalia have been linked to jihadist cells operating in the country. The public sense of desperation with the daily perils and poverty of protracted state collapse, and resentment at the West's perceived disinterest in Somalia's crisis, combine to provide an ideal breeding ground for rising anti-western sentiments and radical Islamic movements.

## 2.3 South-Central Somalia

The zone of Somalia from Galkayo to the Kenyan border is the most conflict-ridden and lawless portion of the country. After several years of gradual abatement of armed conflict, 2003 witnessed an upsurge of significant armed clashes in South-Central Somalia. In at least a few instances these clashes were linked to the Kenyan peace talks. Over the past year, armed conflict has erupted in several locations but is not as prevalent as was the case in 2003. Most of the conflicts have been or are intra-clan and local in nature; casualty levels have generally been low. As in the past, most casualties are civilians. In 2003-04, the main zones of armed conflict in South-Central Somalia have been:

- *Central Somalia.* Unusually heavy clan clashes in arid pastoral areas and several small towns have broken out. These have generally been fought over control of wells and pasture, but have spiraled out of control, producing casualty levels sometimes exceeding one hundred people. Stress from prolonged drought in the area may be fueling these resource wars. Inter-clan fighting between Dir and Marehan in Galgaduud region has been especially protracted and fierce, as have clashes within the Gaaljaal clan in eastern Hirran region.
- *Mogadishu.* The heaviest fighting in Mogadishu has been in the north of the city, pitting Abgal sub-clans and their militia commanders against one another. In May 2004 the militias of warlord Musa Sude and Bashir Raghe (the latter commanding the El Ma'am seaport militia, controlled by a business consortium) clashed. Musa Sude demanded a portion of seaport revenues. Over one hundred died in the fighting, and thousands were displaced. Most

of the rest of Mogadishu has been spared significant armed clashes in 2004. In 2003, intra-Abgal violence spilled over into the Medina neighborhood of south Mogadishu as well.

- *Lower Shabelle region.* Because much of this valuable riverine region is occupied by outside clan militias (the Haber Gedir Ayr sub-clan now dominates the region), endemic outbreaks of violence here are typically associated with land rights and political control. In 2004, clashes over land occurred in the Afgoye areas between the militias of Ayr strongman Indha Adde and Murosade strongman Mohamed Qanyare.
- *Bay and Bakool regions.* Intra-clan battles within the Rahanweyn clan, stoked by splits within the leadership of the Rahanweyn Resistance Army, resulted in hundreds killed and thousands displaced in parts of Bay and Bakool regions in 2003. Some of these attacks intentionally targeted civilians, and included rape. In 2004, clan elders brokered a peace, allowing the rival militias to reunite in Baidoa town. As of September 2004, this peace has generally held, allowing the region to slowly return to normalcy.
- *Gedo region.* Chronic disputes over control of key towns between rival sub-clans of the Marehan clan has rendered much of Gedo region one of the most unstable and conflict-ridden zones of southern Somalia. This insecurity periodically produces flows of refugees across the Kenyan border. Worse, clashes between the Garre and Marehan clans on the Kenyan side of the border have produced insecure conditions on the Kenyan side of this troubled area as well.
- *Middle Jubba region.* Armed conflicts have plagued key towns in Middle Jubba in 2003-04; Buulle was the scene of inter-clan clashes within the Ab-same clan, and the Jilib area has been chronically conflict-prone due to struggles between local Sheekal and other clans against the Marehan and Ayr clan militias comprising the Jubba Valley Alliance.
- *Lower Jubba region.* Tensions within the Jubba Valley Alliance have led to recurring security incidents and firefights, as unpaid Marehan militiamen demand salaries from the JVA. The Kismayo seaport has at times been occupied by these militia. In September 2004, General Morgan and his mainly Mi-jerteen clan militia attempted to ally themselves with disgruntled local clans in a bid to take Kismayo by force from the divided JVA. Morgan's forces were beaten back before reaching the city. Kismayo, perhaps the most chronically unstable and violent city in all of Somalia since 1990, remains tense following the failed attack.

Despite the chronic outbreaks of armed conflict, communities in South-Central Somalia have developed an array of formal and informal systems of governance. These polities and arrangements have generally been vulnerable to spoilers and often collapse after several years, but then re-emerge again. Most communities in South-Central Somalia fall under the loose authority of one or more of the following "polities":

- *Sharia courts.* Many towns and neighborhoods in South-Central Somalia have attempted to improve basic public order and security by establishing sharia courts. Typically, the courts are underwritten by local businessmen, operated by religious clerics, and overseen by clan elders. They rarely exercise juris-

diction beyond the sub-clan to which they are affiliated, so they are of little use in controlling cross-clan crimes. They always co-exist with rather than replace customary clan law (*xeer*) (see Judiciary, below). Where they have been established, they are generally credited with a significant reduction in crime and are popular with most residents. But they have proven very vulnerable to spoilers, especially powerful militia leaders who are threatened by the courts and work to undermine them. The sharia courts in South-Central Somalia have tended to come and go in cycles. Currently they are in an ascendant phase, with new courts emerging especially in Mogadishu. In the current context, however, the courts are affiliated with a radical Islamist hardliner, Hassan Aweiss, who appears to be using the revived sharia courts to strengthen his bargaining position with the emerging Transitional Federal Government in Nairobi.

- *Local/regional administrations.* A major trend in South-Central Somalia in recent years has been the rise of territorially-defined, sub-national "administrations". Typically these administrations are headed by a military strongman who uses control over the territory to raise tax revenue and present himself as a "governor" rather than a warlord. The actual governance these administrations provide is generally very minimal. As of 2004, the most significant of these regional administrations includes the Jubba Valley Alliance (a military coalition of Haber Gedir Ayr and Marehan militia controlling Kismayo town and parts of the Jubba Valley up to Jilib); Lower Shabelle region ("Governor" Indha Adde is a militia strongman from the Haber Gedir Ayr who has placed fellow Ayr clansmen in control of districts – his administration collects taxes at the seaport of Merka and is providing some basic services in the region); Jowhar administration (militia leader Mohamed Dheere controls this town and surrounding area); and Hiran region (several "governors" claim to administer this region; non exercises effective control).
- *Customary law/clan elders.* The vast majority of "governance" is actually dispensed via traditional mechanisms, which have gradually reasserted themselves following the civil war. Clan identity forms the explicit basis for this system. Relations between neighboring clans are governed by customary law, or *xeer*, which is negotiated by administered by clan elders. Crimes are deterred or punished via the use of blood compensation, or *diya*, in which *diya*-group members (ranging from 600 to 6000 extended relatives per group) pay fines levied in livestock for transgressions committed by one of their members. The relative weakness of more formal governance in South-Central Somalia means that most Somalis rely on customary law for their day-to-day security.
- *Neighborhood watch groups.* In Mogadishu, most neighborhoods have organized groups of young men to patrol their areas to prevent crime; this has dramatically improved security in those neighborhoods.
- *The Transitional National Government (TNG).* Established in August 2000, the TNG immediately faced opposition from regional polities, warlords, and clans across much of southern Somalia. Corruption quickly drained foreign aid from the TNG to private pockets, leaving it with few resources. At times in the period from 2000-02, the TNG was able to project basic authority in parts of Mogadishu, the Lower Shabelle, and a few other areas, but it gradually faded in power and relevance.

## 2.4 Puntland

Puntland was established in 1998 as a non-secessionist, autonomous state in north-eastern Somalia. Comprising all of the territory traditionally inhabited by the Harti clan, Puntland is essentially an "ethno-state". Its territorial claim on parts of Sool and Sanaag regions have been the source of dangerous political confrontation with neighboring Somaliland, which also claims that territory. Politically, Puntland has in recent years been one of the most difficult regions of Somalia to read. At times it exhibits impressive levels of stability, reconciliation, unity, and modest government capacity; at other times it lurches toward what appears to be political crisis and collapse.

Puntland has been led since 1998 by President Abdullahi Yusuf, who led the liberation movement Somali Salvation Democratic Front (SSDF) against the Barre regime and who has remained a top political figure in Somalia. Yusuf has been and remains a client of neighboring Ethiopia. He has used his control of the presidency in Puntland principally as a power base from which to pursue a top position in a national Somali government. As a result of his preoccupation with national politics, Yusuf has done little to encourage the development of effective administration in Puntland; as a result the capacities of the Puntland government have remained modest. In 2001, Yusuf failed to hold scheduled elections, leading to a serious political crisis. Opposition figures and clan elders declared a new government, led by Yusuf's rival Jama Ali Jama. In 2001-02, Puntland experienced armed conflict for the first time in a decade, with dozens of casualties in several short battles. In the end Yusuf regained the presidency, and the opposition, now led by General Adde, sought reconciliation and integration into the Puntland government. Adde is today an important ally of Yusuf's.

In 2003 and 2004, Puntland has faced two major political crises. The first is the armed confrontation with Somaliland over control of parts of Sool region, a crisis which erupted in December 2003 when Yusuf's vice-president committed Puntland troops into the regional capital Las Anod. A military stand-off ensued, but neither Somaliland nor Puntland could afford a full-scale war over the remote territory. The conflict remains unresolved, however, and is a potential flashpoint for conflict; brief armed clashes there in September 2004 served as a reminder of this. This is especially likely if the new TFG seeks to "raise the flag" in Las Anod as a means of demonstrating its sovereignty over Sool region; Somaliland will likely respond with force. The second crisis in Puntland is contested authority. Yusuf has had to divert most of Puntland's meager resources toward the Nairobi peace talks, where his bid to claim a top national position in the TFG requires money. Militia have been left unpaid in Puntland, and have periodically taken control of roads or airports to protest. Opposition groups appear to be maneuvering against Yusuf as well. Though Puntland has been stable since 2003, the possibility for instability still exists. Few however believe the population is willing to resort to armed conflict. And throughout its recent political confrontations, Puntland has remained relatively free from violent crime and lawlessness. Most observers attribute this to the strength of customary law and clan elders in the maintenance of rule of law in that part of Somalia.

## 2.5 Somaliland

Somaliland's political and economic trajectory has been very distinct from the rest of the country. There, the period since 2000 has been one of both political consolidation and growing crisis. Politically, Somaliland has enjoyed impressive consolidation of its democracy and constitutional rule. In the past three years, it has made a transition to multi-party democracy; held local and presidential elections; resolved a disputed, extremely close presidential election without violence; and executed a peaceful, constitutional transfer of power upon the death of President Egal in 2002. Somaliland remains a zone of impressive law and order as well, with very low crime rates and a high degree of public safety. Civil liberties have generally been protected, allowing opposition parties and private media to freely criticize the government. This political stability and progress, combined with an impressive economic recovery (up until recently), has allowed Somaliland to reintegrate hundreds of thousands of refugees from the 1988 civil war. All of these accomplishments has helped Somaliland make its case to the external world that it merits diplomatic recognition as an independent state. Though no state has in fact recognized Somaliland, there have been a number of indications that some states are considering some form of diplomatic engagement short of outright recognition.

At the same time, Somaliland faces worrisome political challenges. Internal political divisions are increasingly acute, a legacy of the contested and probably fraudulent presidential elections in 2003. Opposition parties are deeply suspicious that the government of President Dahir Riyale will seek to postpone or manipulate the parliamentary elections scheduled for March 2005. For their part, Riyale and his supporters are fearful that the opposition will use control of a new parliament to impeach or replace Riyale. Key decisions about the structure of elections for Parliament have been postponed, raising concerns that the electoral commission will not have time to prepare adequately for the March 2005 elections. Recent arrests of journalists and restrictions on public meetings by the government have raised fears of creeping reversal of the democratization process there. The military stand-off with Puntland over control of parts of Sool region remains unresolved. The assassination of four international aid workers in three separate attacks since October 2003 has shattered international confidence in Somaliland as a safe and secure environment. Militant Islamists, at least some of whom appear to have connections to southern Somalia, are implicated in these attacks. Finally, the immanent establishment of a TFG in Mogadishu, one which claims jurisdiction over secessionist Somaliland, has produced deep anxieties and uncertainty over Somaliland's future. Simmering tensions between hard-core secessionists (mainly in the opposition parties) and the Riyale government (which may be less committed to secession) could boil over if and when the TFG takes actions designed either to provoke Somaliland or induce it to negotiate. The TFG will be far too weak to directly challenge Somaliland militarily – that is simply not a viable scenario – but it could use instruments of sovereignty to squeeze Somaliland on matters such as international flights, passports, development aid, and commercial loans.

## 3 Security Analysis

### 3.1 Country-wide security trends

Personal security for Somalis varies widely by region in Somalia. South-Central Somalia is much less secure than Puntland and Somaliland. Within each region, personal security can vary significantly by specific location – parts of Mogadishu are referred to by local residents as "green" (go) areas and "red" (no-go) areas, reflecting a close mapping of areas where risks of criminal violence are high. Zones of relative security and insecurity can change over time, with some towns or neighborhoods shifting from safe to unsafe quickly. The most important common element of personal security across all of Somalia is clan affiliation. Members of powerful clans or sub-clans enjoy greater protection from attack because of the certain threat of a revenge attack by their clan; members of weaker clans are generally more vulnerable to physical attack or kidnapping. Internally displaced persons who are residing far from their clan's home areas are especially vulnerable to a range of abuse and predation committed with impunity. Female IDPs or females from weak social groups have very little protection from rape, theft, and abuse. Low caste groups such as the Bantu are still periodically subjected to forced labor by stronger clans in certain locations.

### 3.2 South-Central Somalia

South-Central Somalia is unquestionably the least secure zone of contemporary Somalia. What conditions and circumstances render an individual Somali vulnerable to either random or targeted attack constitute a complex calculation. Somalis residing in South-Central Somalia are expert at making these security calculations to minimize the possibility of theft, assault, or kidnapping, relying on extensive communications and adopting a range of risk-management tactics.

*Kidnapping.* The single greatest security threat facing Somali citizens in South-Central Somalia today is kidnapping for ransom. This is partially a reflection of the fact that most valuable physical assets are now protected by private security guards and hence difficult to steal. The kidnapping epidemic has mainly been centered in Mogadishu. It affects all levels of Somali society, as even very poor residents are held for as little as twenty US dollars. But the Somalis at greatest risk are those who will fetch the largest ransom: members of wealthy families, Somalis working in international agencies, Somalis with family members in the diaspora; and Somali diaspora members returning to visit family in Mogadishu. Kidnapping victims are often sold by small criminal gangs to more powerful warlords. A certain percent of kidnapping attempts "go bad" resulting in shootings and even death for the kidnap victims.

*Targeted political attacks.* Though violent crime is down in South-Central Somalia, the threat of targeted political violence still exists. Top political and militia figures routinely require armed escorts for protection. Any Somali who gains prominence for their political views or activities, including human rights activists, journalists, and civil society leaders, runs a risk of a targeted attack if they have earned political enemies as part of their work. Even apolitical Somalis, if they are prominent in their community as professionals (such as medical doctors) have been targeted for as-



sassinations as part of a general cycle of revenge killings in extended clan feuds. In the past two years, Islamic radicals have conducted several targeted killing of Somalis, and have routinely issued threats against citizens expressing support for secular policies. Occasionally, businessmen have been known to resort to violence against competitors. Most murders in South-Central Somalia remain, however, the result of generic disputes over stolen or contested property, employment, and contracts.

Both wealthy and ordinary Somalis in South-Central Somalia have adapted to poor and variable security with a range of risk-management strategies. If they can afford it, they hire private security, and live in walled compounds. Open displays of wealth are avoided. Travel routes are varied, and movement in the city in late afternoon and night is avoided. Some high-profile civil society leaders sleep in different locations. These kinds of tactics are common to many high-risk post-conflict environments.

### 3.3 Puntland

Personal security in Puntland has been and remains relatively good. Residents of Puntland freely travel both day and night with no need for security, as crime is relatively low there. A few politically-motivated assassinations have occurred in Puntland – including the 2002 killing of Sultan Ahmed Mohamud Mohamed "Hurre", and the August 2004 murder of the mayor of Boosaaso. In several instances, the Puntland administration has detained journalists who have written critical stories. But overall levels of armed violence, politically-motivated attacks, and threats of violence are not nearly as common as in South-Central Somalia, and freedom of speech and assembly are generally good. One key to strong personal security in Puntland is the fact that nearly all residents of Puntland (until recently) are members of a Harti clan, and can draw on their clan for protection. This deters both criminal attacks and governmental abuse of power. One growing exception to this rule is the increasing number of internally displaced persons and migrant laborers from South-Central Somalia who now reside in Puntland's main towns of Boosaaso, Garowe, and Galkayo. These outsiders (*galti* or guests in Somali) do not enjoy full rights and protections in customary law; the poorest of the migrants reside in sprawling slums and are subject to abuses for which there is little recourse.

### 3.4 Somaliland

Personal security in Somaliland has consistently been high in Somaliland since 1996, except in the troubled eastern regions of Sool and Sanaag, which fall within Somaliland's legal claim of jurisdiction but which remain largely beyond its capacity to govern. Violent crime is very low in Somaliland, rendering private security unnecessary. Political assassinations and threats of violence have not been a part of the political scene, and for the most part Somaliland has protected freedom of speech and assembly. Opposition parties and critics of the government in the media have generally enjoyed an open forum. Some of these civil liberties have been eroded in the past year, however, as relations between the Riyale administration and the opposition grow increasingly acrimonious. Several journalists have been detained and public meetings have been restricted in 2004.

At the same time, personal security for foreigners working in Somaliland has badly deteriorated since late 2003. In three separate attacks, international aid workers have been targets of assassination-style shootings, resulting in four deaths and one injury. These attacks are believed to implicate Somali Islamic jihadists. Though Somaliland remains far safer for international aid workers than South-Central Somalia, the United Nations has placed security restrictions on its international staff working in Somaliland.

## 4 Judiciary and Rule of Law

### 4.1 Country-wide trends

Even prior to the collapse of the state, most Somali disputes and crimes were settled not by formal judicial bodies but by customary law (*xeer*), unwritten sets of conventions and procedures based on precedent. Disputes were generally settled by a respected sheikh serving as arbitrator, or were negotiated by clan elders representing both defendant and accused and drawing on the *xeer* governing relations within their clans. Police often were used to arrest a suspect but usually handed the suspect over to clan elders. The formal judiciary was mainly used for serious felonies, especially killings, and for political crimes. Because of the politicization, corruption, and incompetence of the courts in the Barre era, most Somalis retain a lingering suspicion of formal court systems.

Clan elders and customary law continue to handle the vast majority of disputes and accusations of criminal activity in Somalia today, including in Puntland and Somaliland, where functioning judiciaries exist.

Countrywide, there is a growing push to institute sharia law as the basis for the penal code. Islamists are most assertive in advocating this; it is unclear what percentage of the Somali population supports the idea. Political leaders have paid lip service to the call for Islamic jurisprudence by invoking sharia in the constitutions of Somaliland, Puntland, and the Transitional Federal Government, but in practice have continued to draw on the pre-1969 Somali penal code, and have resisted attempts by Islamists to secure control of the judiciary portfolio.

In recent years, customary law and Islamic jurisprudence have been influenced by one another as local communities begin integrating the two in the application of justice. In practice, this has meant that a victim of a crime (or his or her *diya* group) has the right to opt for customary blood payment for compensation, even when the case is heard by a sharia court. Only if the victim's *diya* group rejects blood compensation are sharia punishments meted out. The growing influence of sharia in Somalia is beginning to have a significant impact on the dispensation of customary law as well. Sharia law is in many ways at odds with basic elements of customary law. Sharia emphasizes individual over communal responsibility; deliberation over negotiation; and retribution over compensation.

The dispensation of customary law and sharia law is widely supported in Somali society, but both generally fail to meet international judicial standards of due process

and human rights. Customary law and its reliance of blood payments is based on the principle of collective rather than individual culpability, constitutes a form of justice based exclusively on negotiated settlements, and as a result tends to work against members of weak lineage groups, which lack the coercive capacity to insist on compensation from stronger clans. The shortcomings of sharia law when measured by international legal standards are well-known, and includes concerns both about the lack of proper legal training by court officials; lack of due process; women's rights; and forms of punishment which constitute gross violations of human rights. Stonings and amputations associated with sharia punishments are in fact exceedingly rare in Somalia.

Countrywide, human rights monitors have expressed deep concern over the state of judicial processes. These concerns include criticism of the multiplicity of contradictory laws on which various judicial authorities claim to base rulings; the lack of legal training of many judges; and the lack of legal authority and accountability of local sharia courts which administer justice in many areas. Inspections of government prisons have revealed harsh and unacceptable conditions, especially in prisons in Mogadishu and Puntland. Prisons are overcrowded, unsanitary, and life-threatening; and juveniles are mixed with adults, including boys sent to the prison by parents for disobedience.

## **4.2 South-Central Somalia**

Formal police and judicial systems are virtually non-existent in South-Central Somalia; none of the local and regional administrations have been willing or able to establish a judiciary. In 2000-02, the Transitional National Government did stand up a police force and attempted to rebuild a court system but the initiative failed. Today, the only "police" functioning in South-Central Somalia are local gunmen serving as sharia court militia. Their principal task is to arrest suspects who are in almost all cases voluntarily handed over to the sharia court by their own clan, following negotiations. Sharia court militia also guard prisoners and in some cases patrol streets in the neighborhood served by their court.

Sharia courts have enjoyed a revival in South-Central Somalia following their marginalization in 2000. They are now operating in a number of locations, including Kismayo, Lower Shabelle, much of Mogadishu, and Beled Weyn. In most locations, they remain in the control of local clan elders and businessmen. In Mogadishu, their resurgence is attributed to the efforts by Islamist political figures – most notably Hassan Aweiss – to build a power base in order to maximize his influence on negotiations to form a transitional government.

### 4.3 Puntland

The judiciary in Puntland is very weak, reflecting the general weakness of the administrative structures of a Puntland government which often cannot pay its civil servants. Despite training programs offered by international agencies, few qualified judges are available in Puntland – in 2001 only 14 of Puntland's 44 judges possessed law degrees. Those who are qualified have very limited access to legal texts, references, administrative staff, and basic equipment. Puntland inherited a heterogeneous set of legal codes – from 1969, 1973, and 1974 – resulting in judges applying an admixture of laws and drawing mainly on the legal code they know best. Formal courts operate only in the main towns of Boosaaso, Garowe, and Galkayo, and even there public confidence is generally low. Most disputes continue to be handled via customary law. Islamists have at times sought control of the Puntland judiciary, resulting in the judiciary being a center of contested political authority. Puntland's judiciary has however proven to be an autonomous voice willing to legally challenge the President. The police force in Puntland is generally indistinguishable from the Puntland militia, which in turn has been a force loyal to President Yusuf and at times used against his political opposition. Yusuf's inability to pay his police and militia have led to repeated incidents involving security forces blocking road traffic in protest.

### 4.4 Somaliland

The judiciary in Somaliland is better developed than elsewhere in Somalia, but is also weak and prone to act as an arm of the president rather than as an independent interpreter of the law. The lack of adequate separation between executive and judicial branch was made clear during the contested presidential election in 2003, when the Supreme Court mishandled its verdict on the election outcomes, in the process badly eroding public confidence in the Somaliland judiciary. *The Somaliland Times* complained that corruption in the judiciary meant that justice in Somaliland "is sold to the highest bidder".<sup>2</sup>

Somaliland's judicial system is better developed than Puntland's but faces the similar set of problems – poorly qualified judges, lack of resources (only half of one percent of the Somaliland budget is devoted to the judiciary), and low public confidence. Few of Somaliland's 35 judges read English, yet are charged with dispensing 1969 penal code written in English. Prisons are overcrowded and the courts have periodically been misused by political leaders to detain dissidents, journalists, and political opposition. By contrast, the Somaliland police force is relatively functional and well-respected in Somaliland. Though it is weak in forensic skills, the Somaliland police carry out basic roles in public security. Poor pay remains a major factor fueling police corruption, however.

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<sup>2</sup> Quoted in Mark Bradbury et al., "Somaliland: Choosing Politics over Violence", *Review of African Political Economy* no. 97 (2003), p. 471.

## 5 Human rights situation

### 5.1 Country-wide human rights trends

In the absence of a recognized government, local authorities are held accountable for protection of human rights in areas they control. As the UN independent expert on the situation of human rights in Somalia has consistently argued, this responsibility is invested in local authorities and all parties to the conflict by way of international humanitarian law, as defined in the 1949 Geneva conventions. It is not clear, however, that all local authorities and parties to armed conflicts are aware of these international conventions or are convinced that they bear such responsibility. Whether local authorities possess the capacity to enforce justice when human rights have been violated by militia or other citizens is also a matter of debate.

In addition, as noted in section 4, local customary law (*xeer*) – which is the principal source of conflict management, conflict prevention, and justice in Somalia – occasionally conflicts with universal human rights conventions. In addition, increased reliance on sharia courts as a complement to traditional customs has introduced processes and punishments which violate international human rights norms and standards.

Some progress has been made in recent years, but human rights violations remain endemic and very serious in parts of Somalia. Human rights violations in contemporary Somalia tend to fall in one of several categories: violations of the rules of armed combat, including the rules of armed occupation; human rights violations perpetrated by criminals which go unaddressed by local authorities; and human rights violations perpetrated by political authorities themselves. Most human rights violations occur in South-Central Somalia. In Puntland and Somaliland, human rights are considerably better protected.

### 5.2 South Central Somalia

The absence of effective governance, the prevalence of armed conflict and lawlessness, the relative weakness of traditional clan authorities, and endemic levels of armed occupation of valuable riverine and urban real estate are all factors which contribute to poor levels of human rights in South-Central Somalia.

*War Crimes.* Human rights violations in armed conflict continues to be a serious problem. Targeting of civilians in armed conflict is one example. Most casualties in these clashes are civilians. The Isma'il Jemale Human Rights Centre documented 530 civilian deaths in armed conflicts between July 2002 and June 2003.<sup>3</sup> Most of these occurred in conflicts in Baidoa, Middle Shabelle, Mogadishu, and south Mudug. Pastoral conflicts in 2003 in south Mudug, for example, claimed an unusually high number of lives for a dispute over rangeland – 43 dead and 90 injured – most of whom were civilians. Likewise, intra-factional fighting in Baidoa in mid-2002 claimed the lives of over one hundred people, wounding two hundred more. Most of the esti-

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<sup>3</sup> United Nations Integrated Regional Information Network, Rights Group Reports Increase in Abuses, Nairobi, 23 July 2003.

mated one hundred deaths resulting from fighting in north Mogadishu in May 2004 were civilian as well. Militia make no distinction between combatants and civilians, simply targeting all members of an opposing clan or sub-clan. Militia also are often guilty of indiscriminate firing of weapons, including mortars and other heavy weaponry, into neighborhoods where civilians are the principal casualties.

*Rape.* Though not as endemic as in the period 1991-1992, rape continues to be occasionally used as a weapon against enemy clans or sub-clans during armed clashes. In June 2003, for instance, clashes between the militia of rival RRA leaders Shatigaduud and Habsade degenerated into a series of reprisals involving abduction and rape of young girls.

*Looting and destruction of property.* Villages and occasionally neighbourhoods are often intentionally sacked and burned as part of armed clashes. Armed conflicts in the Medina district of Mogadishu in 2003, between the militias of Omar Finnish and Musa Sude, culminated in one of the most severe episodes of urban looting in several years. Clashes between the Aulihan and Bartirre clans in Middle Jubba in 2003 also led to entire villages being burned. Such pillaging exacerbates household food insecurity and can contribute indirectly to needless deaths due to malnutrition and disease.

*Intentional displacement of civilians.* The intentional displacement of civilians is, as the UN independent expert on human rights in Somalia has repeatedly warned, a war crime. Somalia has been the scene of massive displacement, sometimes orchestrated as part of ethnic cleansing of contested and valuable neighbourhoods and agricultural land. Almost no region of South-Central Somalia is immune to this problem. Most of the displacement in Somalia occurred in 1991-1992 and remains unresolved. IDPs are among the most vulnerable of all social groups in Somalia, much more likely to suffer from malnutrition and other life-threatening conditions.

*Impunity.* In almost no instance have commanders and local authorities taken action against the militias responsible for these human rights violations.

*Criminal violations of human rights.* Unchecked criminal activity has also eroded human rights in parts of South-Central Somalia. Kidnapping for ransom, for instance, has become one of the most serious crimes in Mogadishu, affecting both rich and poor. A total of 185 abductions were recorded between July 2002 and June 2003. Criminal gangs and roaming militias are committing rape with near impunity, mainly targeting women in socially weak and vulnerable groups, which pose little to no threat of retaliation. This has been a particular human rights crisis for female IDPs in Mogadishu, Kismayo, and Boosaaso, and is also a major crisis for female Somali refugees in the Kenyan refugee camps at Dabaab. UNHCR documented one hundred cases of rape at Dabaab in a six month period of 2002 but estimated the actual number was ten times higher. Female genital mutilation is another human rights abuse. More than 95 percent of Somali women undergo female genital mutilation, the vast majority of which constitute the most severe "pharaonic" form. Though many local religious authorities have publicly stated that the practice has no basis in the Koran and should be stopped, no efforts by local authorities have been taken to prevent this human rights abuse.

### 5.3 Puntland and Somaliland<sup>4</sup>

Human rights are much better protected in both Puntland and Somaliland, in part due to the absence of armed conflict and unchecked criminality, and in part due to the existence of functional administrations which provide basic rule of law. Ironically, however, those human rights violations which do occur in Puntland and Somaliland are mainly perpetrated by the government administrations. Specifically, they have been accused by human rights groups of several kinds of human rights infractions:

*Arbitrary or unlawful deprivation of life.* Police or public security forces paid by and affiliated with Puntland administration have in several cases used lethal force against civilians without just cause. In 2002, security forces of Abdullahi Yusuf stopped the car of a prominent opposition elder and killed him. In 2000, Puntland security forces shot into a crowd of protesters, killing one and wounding nine.

*Arbitrary arrest and detention.* Somaliland and Puntland have both been accused of using arrests and detention as a weapon against political opponents. Since 2001, the worst instances of this practice have been in Puntland. Hundreds of Jama Ali Jama supporters were imprisoned and later released by Abdullahi Yusuf's forces in Puntland in 2002-2003. Yusuf's security forces have also arrested Muslim preachers at a religious gathering, as well as several human rights advocates. Somaliland authorities detained a number of individuals who attended the Arte peace talks in 2000, in one instance charging a respected elder with treason. Journalists in Hargeisa and Puntland have been detained and imprisoned for stories critical of local authorities.

*Restrictions on civil liberties.* The print and radio media are very active in Puntland and Somaliland, but have come under periodic harassment from local authorities. The most common form of government interference is arrest of journalists and editors linked to unfavourable stories. In Puntland, Yusuf's administration closed a privately owned radio and television station in 2002 because of its support for his rival Jama Ali Jama; in Hargeisa, Somaliland authorities banned all private radio stations in 2002. Freedom of assembly is not guaranteed. In Puntland the Yusuf administration has banned all political parties. Freedom of association has until recently been respected in Somaliland, but in the summer of 2004 the Riyale administration restricted public meetings convened by unlicensed groups.

*Prison conditions.* Inspections of government prisons have revealed harsh and unacceptable conditions, especially in Puntland. Prisons are overcrowded and unsanitary.

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<sup>4</sup> Human rights patterns in Puntland and Somaliland are similar, hence the two polities are discussed together in this section.

## 6 Socio-economic/Humanitarian Situation

### 6.1 Country-wide trends

Somalia remains one of the poorest and most underdeveloped countries in the world. Its basic human development indicators underscore the point. Life expectancy is estimated at 47 years; infant mortality is 132 per 1000 live births; under-five mortality is 224 per 1000; adult literacy is 17 percent, primary school enrolment is 14 percent; 23 percent of the population has access to clean water; and GNP per capita is 200 US dollars.<sup>5</sup> Moderate to severe malnutrition levels among children under five are consistently in the range of 25 percent.

Somalia's productivity is based mainly on pastoral nomadism and in some regions agriculture; both sectors are mainly subsistence-oriented and profoundly impoverished. The country is heavily and increasingly dependent on remittances, now totaling between 500 million to one billion US dollars per year. Remittances have been the key to impressive growth in money transfer and telecommunication companies, commercial imports of consumer goods, the transportation sector, real estate investment and housing construction, and a range of service industries. Nearly all of this economic growth and entrepreneurship occurs in the largest cities, worsening the urban-rural wealth gap in the country. The prolonged absence of a central government has created a context in which criminal economic activity (such as smuggling and drug production) can thrive. Porous borders and the lack of customs taxes at southern Somali ports have transformed Somalia into a major entrepot economy for commercial goods flowing into east Africa. In 2003-04, the hottest urban economy is Boosaaso, due to rapid increases in import-export activities out of its port; by contrast, the Hargeisa economy, previously the strongest in Somalia, has faced several years of recession.

The country has not experienced outright famine conditions since 1992, but remains chronically vulnerable to severe food shortages due to periodic flooding or drought. Currently, a prolonged drought in northeastern and central Somalia (from Sool region through Galgadood) is creating a very serious humanitarian crisis among pastoral communities there.

Different sub-sections of the Somali population face very different access to social services and human development. Somalia faces a rapidly growing gap between a small economic elite and the mass of much poorer citizens. With few exceptions, the only social services available in Somalia are private and fee-based, so that the wealthy tier of Somalis enjoys access while the rest of the population does not. This is in effect creating two Somalias.

Relatively privileged Somali households typically possess some of all of the following features: they receive monthly remittances from relatives abroad (generally in the range of 100-200 US dollars per month); they are urban (Mogadishu, Hargeisa, or Boosaaso); and they operate one or more businesses and own urban real estate.

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<sup>5</sup> These figures are derived from UNDP *Somalia Human Development Report 2001* (Nairobi: UNDP), 2001, p.19. Given the difficulty of data collection in Somalia, these figures should be considered rough estimates.



By contrast, households which tend to be most vulnerable include the following categories:

*IDPs.* The estimated 350,000 IDPs in Somalia (almost five percent of the population) constitute the most vulnerable group in the country. "One of the most important coping mechanisms in Somalia continues to be the social support mechanisms through which relatives and friends assist one another in times of need", observed a recent Food Security Assessment Unit report. "[D]isplaced households are separated from their social support."<sup>6</sup> Though no major wave of new IDPs has occurred since 1999, chronic insecurity, predation, and depressed economic conditions in rural areas are producing a significant rural-urban drift. According to one report, IDPs constitute half of the estimated 750,000 Somalis who live in a state of chronic humanitarian need.<sup>7</sup> They are especially vulnerable as a group for several reasons: most are from weak, minority, agricultural clans, and hence easily abused with impunity; nearly all are "guests" (*galti*) in territory dominated by larger clans, affording them less protection (in some places, such as Somaliland, IDPs from South-Central Somalia are seen as "foreigners" with no legal rights or claims); all are destitute and survive on short-term wage labor and periodic infusions of humanitarian aid; and most reside in camps which are controlled by "camp managers", militiamen who restrict their movement and who divert assistance away from the IDPs.

*Poor pastoral households.* Pastoralists continue to constitute about 60 percent of the Somali population. Pastoralists have never enjoyed good access to basic services. In recent years, pastoral production has come under heavy stress as well, due to environmental degradation, the import ban imposed by Saudi Arabia on Somali livestock, and long-term declining terms of trade of livestock against basic foodstuffs (rice, flour, sugar). Poorer pastoral households are increasingly destitute and less able to survive periodic drought and livestock raiding; many are drifting into urban centers.

*Subsistence farmers.* Subsistence farmers have historically been the most malnourished and poorest section of Somali society. The years of warfare and insecurity have only made matters worse. Most small farmers are in southern Somalia, where chronic insecurity remains a problem. In 2004, the highest recorded levels of malnutrition in Somalia were concentrated along the Jubba river valley, in agricultural villages there.

*Urban unemployed.* Employment levels in Somalia are difficult to measure, as most of the urban economy is informal in nature. But the universal consensus is that finding a viable livelihood in Somalia's cities is very difficult, and that even in the strongest local economies (currently Boosaaso, Mogadishu, and Hargeisa) unemployment levels are 70 percent or higher.

*Females.* Women have unquestionably borne the brunt of Somalia's long-running crisis. They now assume even more responsibilities for the household. Women have emerged as the major breadwinners for most households, earning money in the

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<sup>6</sup> Food Security Assessment Unit, Monthly Nutrition Update for Somalia July 2003, Nairobi, 11 July 2003, p.1, [http://www.unsomalia.net/FSAU/nutrition\\_updates.htm](http://www.unsomalia.net/FSAU/nutrition_updates.htm) [accessed August 2003].

<sup>7</sup> United Nations Coordination Unit, A Report on Internally Displaced Persons..., p. i.

marketplace or in other petty trade and labor, while still assuming all of the responsibility for managing the household and raising children.

## 6.2 South-Central Somalia

South-Central Somalia continues to present paradox with regard to the socio-economic and humanitarian situation. On the one hand, it features the greatest concentration of wealth and vibrant entrepreneurship, mainly in the capital city Mogadishu. Yet South-Central Somalia is also home to Somalia's greatest concentration of poverty and malnutrition, both in its urban slums and in riverine agricultural areas.

Mogadishu continues to expand its private, fee-based social services. In the past two years the most dramatic improvement has been in education, where a network of private schools (FPENS network) now provides primary and secondary school education to nearly 100,000 students in and around Mogadishu. The quality of these schools is strong and will undoubtedly improve Somalia's literacy rates in coming years. The FPENS schools receive start-up funding from Islamic charities, but then must remain sustainable based on their school fees. Several private institutes of higher education, including Mogadishu University, have been established and expanded in the past few years, offering degrees to thousands of students. Mogadishu is also home to a number of quality hospitals. Almost all other services – electricity, running water, security, transport – are available from the private sector, but as a result are accessible only to those who can pay.

South-Central Somalia has not experienced a "loud" humanitarian emergency since the El-Nino floods of 1997-98, and war-induced famine or refugee crises appear to be a thing of the past. Localized emergencies remain endemic, however. They typically involve armed conflicts which produce displacement and disrupt local production for brief periods. The bigger humanitarian issue in Somalia consists not of "loud" emergencies but rather chronic underdevelopment and malnutrition.

## 6.3 Puntland

Puntland's economy is much smaller than either Somaliland or South-central Somalia, due to its much smaller population, but it is currently the site of the most dynamic commercial activity in the country. For a variety of reasons, the Boosaaso seaport is favored by Somalis engaged in import-export activity ranging across Somaliland, the Ethiopian interior, and into southern Somalia. As a result, towns along the main north-south highway from Boosaaso to Galkayo are experiencing strong commercial activities, a real estate and construction boom, and a robust increase in service sectors. Migrant laborers from southern Somalia and Ethiopia are making their way to Puntland due to perceptions of better job prospects there. This migration has in turn created large shanty-towns of IDPs and migrants in Boosaaso, where poverty levels and malnutrition are quite high and living conditions extremely poor.

Puntland is relatively weak in provision of quality social services by the private sector. Some public schools are functioning well at the primary and secondary level,

allowing households of modest means access to education. A number of private schools are run by local non-profits.

Puntland is currently the site of the worst humanitarian crisis to hit Somalia in almost a decade. Prolonged drought in the region has rendered many pastoral households destitute and is requiring substantial emergency response. The effects of the drought are felt mainly in rural areas, not urban centers.

## **6.4 Somaliland**

Somaliland's economy was by far the strongest in all of Somalia from the early 1990s until 2002, sustaining robust growth in small business investments, construction, and commerce. Berbera's all-weather seaport was the most active in Somalia, and Somaliland earned higher per capita levels of remittances than any other part of the country. Many of the businesses operating in Hargeisa are owned or co-owned by southern Somalis, and a large number of migrant laborers from southern Somalia and Ethiopia have relocated to Somaliland in search of employment. Somaliland's diaspora has been especially active in investing in businesses and real estate there.

In the past several years, Somaliland's economy has taken a downturn. It still remains the most stable location for investment in Somalia, but the recession there is serious. Commercial trade through the seaport has declined, in part because of the Saudi livestock import ban, and in part because Boosaaso port offers lower customs duties, which has diverted much commercial activity to Puntland.

Access to basic social services in Somaliland is better than any other part of Somalia. The Somaliland government has been able to support modest public schools, allowing poorer families access to education. Numerous private schools operate there as well. Likewise, both public and private health care is available in Somaliland, including several hospitals.

The eastern portion of Somaliland is currently experiencing serious and prolonged drought, resulting in destitution of much of the region's pastoral community. Chronic malnutrition is generally concentrated in the slums of Hargeisa where IDPs, migrant labours, and repatriated refugees are concentrated.