

## ↑ Somalia

**Political Rights:** 6  
**Civil Liberties:** 7  
**Status:** Not Free

**Trend Arrow:** Somalia received an upward trend arrow due to progress in establishing a central government.

### Overview:

After 13 years of civil strife and anarchy, the final phase of Somalia's marathon peace talks drew to a close in 2004. Under the guidance of the Intergovernmental Authority on Development, a grouping of seven Horn of Africa countries acting as mediators, Somali delegates concluded the contentious process of forming a 275-member parliament, the Transitional Federal Assembly (TFA), in August as part of the new Transitional Federal Government (TFG). In October, legislators elected Abdullahi Yusuf, an Ethiopian-backed career soldier and leader of the breakaway enclave of Puntland, to a five-year term as president of Somalia's TFG. Despite substantial progress in realizing the goals of the peace talks, intermittent clashes continue to erupt between various rival factions throughout the country, resulting in the deaths of hundreds of civilians.

Somalia, a Horn of Africa nation, gained independence in July 1960 with the union of British Somaliland and territories to the south that had been an Italian colony. Other ethnic Somali-inhabited lands are now part of Djibouti, Ethiopia, and Kenya. General Siad Barre seized power in 1969 and increasingly employed divisive clan politics to maintain power. While flood, drought, and famine racked the nation, the struggle to topple Barre has caused civil war, starvation, banditry, and brutality since the late 1980s. When Barre was deposed in January 1991, power was claimed and contested by heavily armed guerrilla movements and militias divided by traditional ethnic and clan loyalties.

Extensive television coverage of famine and civil strife that took approximately 300,000 lives in 1991 and 1992 prompted a U.S.-led international intervention. The armed humanitarian mission in late 1992 quelled clan combat long enough to stop the famine, but ended in urban guerrilla warfare against Somali militias. The last international forces withdrew in March 1995 after the combined casualty count reached into the thousands. Approximately 100 peacekeepers, including 18 U.S. soldiers, were killed. The \$4 billion UN intervention effort had little lasting impact.

The Djibouti-hosted Conference for National Peace and Reconciliation in Somalia adopted a charter in 2000 for a three-year transition, established the Transitional National Government (TNG), and selected a 245-member Transitional National Assembly (TNA). The TNA elected Abdiqassim Salad Hassan as transitional president in August 2000. The TNG and more than 20 rival groups signed a ceasefire in October 2002 in Kenya as a first step toward establishing a federal system of government. However, over the next year, the talks deadlocked when some faction leaders dropped out to form their own parallel talks in Mogadishu.

The faltering peace process was revitalized at a national reconciliation conference in Nairobi in 2004. In August, the new TFG, consisting of the 275-member TFA, replaced the TNG. The country's four largest clans were each given 61 seats, and an alliance of minority

clans took the remaining 31. The parliament chose a speaker who facilitated the presidential contest won by Abdullahi Yusuf; more than two dozen candidates competed for the post. However, ongoing lawlessness forced the fledgling parliament to convene across the border in Kenya.

Under the Somali National Charter adopted in 2003 and amended in early 2004, Yusef appointed Ali Muhammad Gedi, a prominent member of the political arm of the United Somali Congress, as his prime minister in November 2004. Under the interim charter, Gedi will lead a five-year central government based in the Somali capital of Mogadishu. That government will face the daunting tasks of enforcing a ceasefire among warring clan-based militias, forming a new police force and army, and rebuilding the economic infrastructure. Somali leaders have agreed to undertake a national census while a new constitution, which must be approved in an internationally supervised referendum, is being drafted. The new government must also address the question of autonomy for the neighboring region of Somaliland, whose leadership has boycotted the peace talks. The presence of rival militias with suspected links to al-Qaeda and other terrorist organizations further complicate the picture, although President Yusef is perceived as an ally of the U.S.-led war on terror.

The UN Security Council has extended its mandate in the country until 2005. Despite a 12-year-old arms embargo, the Security Council says that illegal weapons and ammunition continue to be sold openly in Somali markets, particularly in the capital.

Somalia is a poor country where most people survive as pastoralists or subsistence farmers. More than a decade of conflict and a persistent drought have devastated the country's agricultural and livestock production, leaving 1.3 million people in dire need of food aid. Since the freezing of assets in 2001 belonging to Somalia's Al-Barakaat telecommunications and money-transfer firm, which was accused of aiding terrorist groups, private remittance companies have taken steps to self-regulate the industry, including the creation of a new watchdog body, the Somali Financial Services Association. Together, the companies facilitate the transfer of \$750 million into the country each year.

### **Political Rights and Civil Liberties:**

Somalis cannot change their government democratically. The 2000 elections marked the first time Somalis had an opportunity to choose their government on a somewhat national basis since 1969. Some 3,000 representatives of civic and religious organizations, women's groups, and clans came together under the Intergovernmental Authority on Development, following Djibouti-hosted peace talks, to elect a transitional parliament in August 2000. In August 2004, the new 275-member parliament, the TFA, came into existence. Abdullahi Yusuf, leader of the breakaway enclave of Puntland, was elected to a five-year term as president

The region of Somaliland has exercised de facto independence from Somalia since May 1991, although it has failed to gain international recognition. A clan conference led to a peace accord among its clan factions in 1997, establishing a presidency and bicameral parliament with proportional clan representation. Somaliland is far more cohesive than the rest of the country, although reports of some human rights abuses persist. A referendum on independence and a new constitution were approved in May 2001, opening the way for a multiparty system. Dahir Riyale Kahin of the ruling Unity of Democrats party emerged as the winner of historic presidential elections in 2003. Kahin had been vice president under Mohamed Egal, who died of kidney

failure in 2002. International observers from 14 countries declared the voting to be free and fair. Municipal elections in December 2002 also drew 440,000 people to the polls.

Puntland established a regional government in 1998, with a presidency and a single-chamber quasi legislature known as the Council of Elders. Political parties are banned. The traditional elders chose Abdullahi Yusuf, now the new president of Somalia, as the region's first president for a three-year term. After Jama Ali Jama was elected to replace him in 2001, Abdullahi Yusuf refused to relinquish power, claiming he was fighting terrorism. Yusuf seized power in 2002, reportedly with the help of Ethiopian forces.

Somalia was not ranked by Transparency International in its 2004 Corruption Perceptions Index.

Somalia's charter provides for press freedom. The country has about 20 privately owned newspapers, a dozen radio and television stations, and several Internet Web sites. Most of the independent newspapers or newsletters that circulate in Mogadishu are linked to a specific faction. Although journalists face harassment, most receive the protection of the clan supporting their publication. The transitional government launched its first radio station, Radio Mogadishu, in 2001. Press freedom is very limited in the country's two self-declared autonomous regions. In January 2004, two radio journalists were briefly detained by authorities in Puntland for coverage of the escalating border dispute between Puntland and Somaliland. In April, the editor of an independent weekly newspaper, *War-Ogaal*, was arrested and jailed for more than a month without charge for publishing an article accusing a Puntland minister of corruption. In September, the editor of the Somaliland independent daily newspaper *Jamhuuriya* was arrested for the fifteenth time in ten years. Reporters Sans Frontieres described the incident as the latest in a long campaign of legal harassment.

Somalia is an Islamic state, and religious freedom is not guaranteed. The Sunni majority often views non-Sunni Muslims with suspicion. Members of the small Christian community face societal harassment if they proclaim their religion, but a number of international Christian aid groups operate without hindrance. Academic freedom faces some restrictions similar to those imposed on the media, and there is no organized higher education system in most of the country.

Several indigenous and foreign nongovernmental organizations operate in Somalia with varying degrees of latitude. A number of international aid organizations, women's groups, and local human rights groups operate in the country. The charter provides workers with the right to form unions and assemble freely, but civil war and factional fighting led to the dissolution of the single labor confederation, the government-controlled General Federation of Somali Trade Unions. Wages are established largely by ad hoc bartering and the influence of clan affiliation.

Somalia's charter provides for an independent judiciary, although a formal judicial system has ceased to exist. In Mogadishu, Sharia (Islamic law) courts have been effective in bringing a semblance of law and order to the city. Efforts at judicial reform are proceeding slowly. The Sharia courts in Mogadishu are gradually coming under the control of the transitional government. Most of the courts are aligned with various subclans. Prison conditions are harsh in some areas, but improvements are under way.

Human rights abuses, including extrajudicial killing, rape, torture, beating, and arbitrary detention by Somalia's various armed factions, remain a problem. Many violations are linked to banditry. Two aid workers with the German Development Agency were killed in Somaliland in 2004 when their car was ambushed. Police arrested five Somalis in connection with the murders. A member of the UN field security team was abducted by a militia group but was released unharmed nine days later.

Although more than 80 percent of Somalis share a common ethnic heritage, religion, and nomadic-influenced culture, discrimination is widespread. Clans exclude one another from participation in social and political life. Minority clans are harassed, intimidated, and abused by armed gunmen.

Women's groups were instrumental in galvanizing support for Somalia's peace process. However, delegates forming the new parliament flouted a provision requiring that 33 of the 275 seats be reserved for women, appointing only 23. Women legislators are now seeking a constitutional amendment to increase that number by 14. The country's new charter prohibits sexual discrimination, but women experience intense discrimination under customary practices and variants of Sharia. Infibulation, the most severe form of female genital mutilation, is routine, and women's groups launched a national campaign to discourage the practice in March. UN agencies and nongovernmental organizations are working to raise awareness about the health dangers of this practice. Various armed factions have recruited children into their militias.