



# Maat for Peace' Submission on The Situation of human rights in Somalia

## Introduction

The Federal Republic of Sudan has been facing turmoil in the form of an armed group called Al-Shabaab that has been launching many attacks, leading to the death and injury of hundreds of innocent civilians, including women and children. Al-Shabaab have also been hampering aid from entering parts of the country, causing thousands to starve. When it comes to freedom of opinion and expression, journalists are still suffering under the new government, despite the President promising freedom of press.

Somaliens have also witnessed positive efforts by their government as some elements of education and health were improved through several initiatives. Women, historically seen as a vulnerable group, were positively targeted through a national action plan that aims to include them in decision-making processes.

This report provides details on violations committed by both Al-Shabaab and the country's security forces as well as the positive efforts exerted by the Somali government. At the very end is a set of recommendations directed to the Independent Expert on Somalia.

## Freedom of opinion and expression

A. O. N., a cameraman for M24 TV, was shot in the cheek on August 21 2022, by a police officer from the Haramacad Unit while he covered the Hotel Hayat attack<sup>1</sup>. Two Haramacad policemen were detained following the event, according to the Somali

<sup>1</sup> Horn Observer Staff. "Somalia: Local TV camera-journalist shot and injured by Haramcad police while covering Mogadishu hotel attack." Horn Observer, 21 August 2022, <https://bit.ly/3O2vAN5>.



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Journalists Syndicate (SJS), a trade union and local media advocacy group, but were later freed on the instructions of their commander<sup>2</sup>.

A. M., a media activist, was unlawfully detained by security authorities on October 10, 2022, in the capital of Somalia, just one day after he had criticised an order from the Ministry of Information that forbade journalists from covering stories about the militant group Al-Shabaab<sup>3</sup>. The media crackdown occurred months after the current president of Somalia, who accused his predecessor of employing illegal force to muzzle journalists, made a campaign pledge to advance press freedom<sup>4</sup>.

On November 30<sup>th</sup> of the same year, the National Intelligence and Security Agency (NISA) agents who were stationed at the People's House (the Federal Parliament) gate, halted journalists and threatened them with death or imprisonment if they inquired about a hotel attack<sup>5</sup>. Pressing inquiries concerning the hotel attack were avoided by local reporters from various television stations out of fear.

On the same day, three SJS employees were forcibly detained at Baidoa Airport as they were scheduled to return to Mogadishu following a training for local journalists<sup>6</sup>. The three coworkers were released that day, but the following day, on December 1, they were detained again after being stopped by a Southwest intelligence officer at the Baidoa Airport<sup>7</sup>. All were freed without charges<sup>8</sup>.

H. O. H., a reporter for Shabelle TV, was seized on December 3 2022 by Galmudug police in Adado after he uploaded a news article about civilians kidnapped by al-Shabaab in central Somalia on his Facebook page<sup>9</sup>. He was detained at the Adado police station on the direction of the regional president<sup>10</sup>. He was released without charges late on Sunday, December 4<sup>11</sup>.

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<sup>2</sup> Ibid.

<sup>3</sup> Somali Guardian Staff. "Arrest of media activist in Somalia sparks outcry." Somali Guardian, 13 October 2022, <https://bit.ly/3Bje5Ra>.

<sup>4</sup> Ibid.

<sup>5</sup> Horn Observer Staff. "Threats, arbitrary detention against Somali journalists on the rise amid crackdown on free press." Horn Observer, 5 December 2022, <https://bit.ly/42QNXJI>.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

As a result of threats related to their reporting, there has been evidence of a substantial increase in the number of journalists fleeing the country. Six journalists, including three women, have left Somalia for Turkey and Kenya, among other destinations<sup>12</sup>. These journalists claimed they made the decision to leave for exile as a result of mounting pressure and threats from the authorities as well as a crackdown on free press<sup>13</sup>.

## The Security Situation

The security situation in Somalia is very concerning as Al-Shabaab continues to launch bombings, gun assaults and other attacks in broad daylight that have led to the death and injury of hundreds of civilians and military personnel.

Al-Shabaab attacked the well-known Hayat Hotel with guns and bombs on Friday August 19, 2022, in Somalia's capital, Mogadishu<sup>14</sup>. This was the first significant incident since President Hassan Sheikh Mohamud took office in May and intensified government forces against Al-Shabaab. When the terrorists and Somali forces engaged in gunfire, the hotel building suffered severe damage causing some of it to collapse, leaving many people to frantically search for their family members and friends who had been inside when the siege started<sup>15</sup>. Civilians who fled in the direction of the hotel's wall and its destroyed gate were shot and killed by the assailants when they struck<sup>16</sup>.

These hotels are frequently assaulted because they serve as the locations where government officials gather through meetings and other activities, which increased when the new government took office and established many of its appointments and positions<sup>17</sup>. These hotels are also targeted because they hold business owners that have not agreed to Al-Shabaab's demands<sup>18</sup>.

Al-Shabaab fighters have killed at least 19 civilians, who were travelling in the night, women and children included, and destroyed trucks filled with food aid in an overnight attack on September 3<sup>rd</sup> 2022<sup>19</sup>. The trucks carrying food supplies from

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<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Al Jazeera Staff. "Somali forces end Al-Shabab siege at Mogadishu hotel." Al Jazeera, 21 August 2022, <https://bit.ly/3nRag2v>.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Al Jazeera Staff. "At least 19 civilians killed in al-Shabab attack in Somalia." Al Jazeera, 3 September 2022, <https://bit.ly/3MiIqpd>.

Baladweyne city to Mahas town were attacked in the Hiran district of the semi-autonomous state of Hirshabelle in central Somalia<sup>20</sup>. The trucks were set on fire and those on board were killed as well<sup>21</sup>.

The country's bloodiest attack since a truck bombing at the same location nearly six years ago killed more than 500 people resulted in at least 100 deaths and 300 injuries on October 29th, 2022<sup>22</sup>. Al-Shabaab claimed responsibility and stated that its intention was to attack the ministry of education because it was receiving support from non-Muslim nations<sup>23</sup>. Among the dead and wounded were three journalists<sup>24</sup>. One of the ambulance's response cars, which were already in short supply, was wrecked by the second explosion<sup>25</sup>.

Al-Shabaab are not the only ones committing violations that risk the security of civilians, security forces have also had a role. On May 8<sup>th</sup> 2023, security forces clashed with demonstrators in Somaliland, injuring at least 17 people, including civilians and police officers<sup>26</sup>. Days after a local security officer was killed, police in the town of Borama used live bullets to disperse a mob of protesters<sup>27</sup>. Images that went viral online showed civilians sustaining injuries during the firing as troops tried to break up the protest<sup>28</sup>.

In clashes between security forces and clan members in the town of Las Anod in Somaliland, a total of 210 individuals lost their lives 680 others were injured<sup>29</sup>. The violence broke out on February 6 2023, and lasted for 24 days after elders in the Sool region, where Las Anod is located, released a statement endorsing the federal government of Somalia and requesting that Somaliland authorities remove its forces from the region<sup>30</sup>. Due to these clashes, 200,000 families were forced to leave their homes<sup>31</sup>.

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<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Faruk, Omar. "Somalia car bombings kill at least 100, president says." ABC News, 31 October 2022, <https://abcn.ws/3O1r69y>.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Somali Guardian Staff. "At least 17 wounded in anti-govt protest in Somalia's break-away region of Somaliland." Somali Guardian, 8 May 2023, <https://bit.ly/44P65Vz>.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ahram Staff. "210 civilians killed in 24 days of Somaliland clashes: Official." Ahram Online, 2 March 2023, <https://bit.ly/3MtGRoR>.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

These are only some of the recent attacks that have impeded on Somali civilians' right to security. Al-Shabaab have been able to carry out multiple attacks very successfully, in very crowded areas, indicating that security checks in the country are not up to par which is an issue that the security sector of Somalia needs to urgently deal with to minimize the loss of lives and injuries.

## **The Humanitarian situation**

Humanitarian aid in some parts of Somalia is hampered by an ongoing Al-Shabaab blockade. One of the areas in Somalia most severely impacted by the drought is Bakool in the southwest, which has been under an Al-Shabaab blockade for more than ten years<sup>32</sup>. The only ways to get humanitarian aid to those in need are by air or by utilising donkey carts to bring food<sup>33</sup>. According to the mayor of Bakool's provincial capital Hudur, Al-Shabaab set fire to more than four donkey carts that were transporting desperately needed food supplies to the area in the first half of October<sup>34</sup>. Spokesperson for Gedo's regional administration, also disclosed that Al-Shabaab executed 11 engineers who were constructing a water well in the area<sup>35</sup>.

Another obstacle to humanitarian aid in Somalia is US counterterror legislation, which places restrictions on aid organisations' freedom of movement in order to prevent their aid from ending up in Al-Shabaab's hands<sup>36</sup>. Most US-backed agencies are unable to pay al-Shabab's fees at checkpoints and bigger, formalised payments of "taxes" in exchange for entry to the areas it controls since doing so may result in fines of up to \$1 million and 20 years in prison<sup>37</sup>. Although the US claims that its law does not intend to target relief operations, it indirectly does so by denying help to 900,000 Somalis who live in Al-Shabaab-controlled territories. If relief organizations are to reach the vast majority of people who are on the verge of famine negotiations with Al-Shabaab must take place without fear of prosecution in the US.

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<sup>32</sup> Dhaysane, Mohammed. "Al-Shabaab blockades exacerbating humanitarian crisis in Somalia." AA, 18 November 2022, <https://bit.ly/3MjiWbp>.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Chatterjee, Phelan. "Somalia drought: Are US terror laws hampering aid effort?" BBC, 27 September 2022, <https://bbc.in/3LURteU>.

<sup>37</sup> Ibid.

## Education

In order to alleviate a teacher shortage that has hampered learning, President Hassan Sheikh Mohamud announced on Monday, November 21, 2022, an increase in the budget for the Ministry of Education to train and recruit 3000 teachers<sup>38</sup>. Priority will be given to hiring new teachers in parts of Somalia with limited access to education<sup>39</sup>. Moreover, special opportunities will be offered to districts where there are relatively few school children<sup>40</sup>. The President also revealed that a month earlier, the fee charge for issuing secondary school certificates was abolished, and that exam costs will soon be lifted, and cutting the cost of textbooks is currently being worked on<sup>41</sup>. The education sector usually received inadequate funding as the ministries of defense and security received most of the funding and so this is considered a step forward in Somalia's educational journey.

## Health

About 6.4 million Somalians face acute water shortages and poor sanitation with 1.8 million children likely suffering from acute malnutrition, a combination of which increases the risk of cholera infections among vulnerable populations<sup>42</sup>. In 2022, 26 drought-affected districts in Somalia recorded 15,635 cases of cholera and 88 fatalities, with a fatality rate of 0.6%, according to official statistics from the Federal Ministry of Health and Human Services<sup>43</sup>. In response, the Ministry of Health and Human Services has initiated a five-day single-dose oral cholera vaccination campaign with assistance from UNICEF and the WHO, with the goal of reaching around one million individuals<sup>44</sup>.

In the ten districts most affected by the drought, this house-to-house effort intends to immunise 995,886 individuals aged one year and older, including pregnant women<sup>45</sup>. To make sure that everyone in the target district receives at least one dose of the cholera

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<sup>38</sup> FTL Somalia Staff. "Somalia to Increase Budget for Education Ministry in 2023." FTL Somalia, 21 November 2022, <https://bit.ly/3W3wpY7>.

<sup>39</sup> Mohamed, Ahmed. "Somalia Hiring 3,000 Teachers After Quadrupling Education Budget." VOA News, 3 January 2023, <https://bit.ly/3LZTwhJ>.

<sup>40</sup> Ibid.

<sup>41</sup> Ministry of Education Staff. "PRESS RELEASE, Somali National Teacher's Day Recruitment and Training of 3,000 Teachers." Ministry of Education, Culture and Higher Education, 21 November 2022, <https://bit.ly/42LWEnX>.

<sup>42</sup> UNICEF Staff. "Somalia launches campaign to vaccinate one million people against cholera." UNICEF, 25 January 2023, <https://uni.cf/42qUpXJ>.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

vaccine, the partners meticulously developed precise micro plans and deployed 1328 outreach teams, each of which consisted of two vaccinators, one social mobilizer, and one data entry worker<sup>46</sup>.

## Women

The Somali National Action Plan (NAP) for the implementation of the Somali Women's Charter and United Nations Security Council Resolution 1325 (UNSCR 1325) was launched by the Federal Government of Somalia on September 5, 2022<sup>47</sup>. The Ministry of Women and Human Rights Development oversaw the process of creating the national action plan, working with other line ministries with a focus on gender, peace, and security with funding assistance from the Government of Sweden through UN Women Somalia<sup>48</sup>. Ensuring Somali women's inclusion and engagement in peacebuilding and decision-making at all levels is the main goal of the national action plan<sup>49</sup>. The national action plan identifies and seeks to address ongoing and new peace and security issues that affect Somali women<sup>50</sup>. These issues include climate change, humanitarian crises, COVID-19, access to justice, participation in constitutional review processes, state building and peacebuilding, national reconciliation, as well as transitional justice mechanisms<sup>51</sup>.

The process to create and launch local action plans (LAP) on UNSCR 1325 was initiated by the 5 Federal Member States and the Banadir District<sup>52</sup>. Each federal member state has a draft LAP that identifies ongoing, recent, and emerging problems with peace and security, examines how gender affects these problems, and develops specific plans to deal with these problems thoroughly and methodically over a four-year period<sup>53</sup>.

## Recommendations

**In order to minimize and hopefully end all violations against civilians and media personnel, Maat recommends the following:**

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<sup>46</sup> Ibid.

<sup>47</sup> APO Group Staff. "Somalia launches National Action Plan on United Nations Security Council Resolution (UNSCR 13) for women and security." APO Group Africa Newsroom, 5 January 2023, <https://bit.ly/42sdzfp>.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

When it comes to the arbitrary arrest of journalists, Maat recommends a regular assessment of existing laws that can be misused to target journalist with the aim of amending or repealing them to ensure they align with international human rights standards. Laws related to defamation and national security should be carefully reviewed to prevent their misuse to stifle freedom of the press. It is important that this assessment takes place in collaboration with different stakeholders, including journalists themselves and civil society.

To be better prepared for attacks launched by the paramilitary group, specialized training, resources and equipment must be provided to law enforcement and security forces. Training should include intelligence, gathering, investigation techniques and human rights awareness. Coordination and information sharing between different law enforcement agencies at the local, regional and national levels must be enhanced through capacity building workshops.

On a similar note, fostering strong relationships between law enforcement agencies and local communities is important. Implementing community policing strategies that involve community members in crime prevention efforts, build trust and gather valuable intelligence. Civil society organizations can be effective partners in implementing such strategies as they usually have the needed resources and expertise.

The fourth and last recommendation is to develop and implement peacebuilding initiatives that address the underlying causes of the conflict and provide opportunities for reconciliation and sustainable peace. This may involve socio-economic development projects, community dialogue forums, or programs focused on disarmament, demobilization, and reintegration (DDR) of paramilitary members. Such initiatives could once again be effectively implemented in collaboration with civil society organizations and community leaders who possess great influence over their communities.