



# PUNTLAND SITUATION REPORT

## Somali Law & Policy Program

October 2019

## 1. EXECUTIVE SUMMARY

During October 2019, Puntland State was generally stable with the notable exception of two assassinations in Galkayo. As the state prepared for the opening of Parliament's 45<sup>th</sup> Ordinary Session, there was growing political tension between Puntland President Said Abdullahi Deni and a group of state MPs, who warned against efforts to unseat parliament Speaker Abdihakim Mohamed Ahmed 'Dhoobo'. Meanwhile, the political standoff between Federal Government of Somalia (FGS) and Puntland entered its sixth consecutive month, after President Deni of Puntland rejected FGS request to not attend the Jubaland presidential inauguration in Kismayo. When the UN Special Envoy to Somalia visited Garowe, he praised Puntland State's progress on economic, social and democratization sectors, while calling for "resumption of cooperation" between FGS and Federal Member States, including Puntland. However, the aforementioned group of opposition state MPs also criticized President Deni's trip to Kismayo to attend the Jubaland presidential inauguration.

There were media reports of suspected U.S. military airstrikes against militants in Puntland's Bari region and at least 3 fighters were killed. Al Shabaab militant group carried out two assassinations of Puntland security officials in Galkayo and a senior police official survived a bombing attempt on his life, also in Galkayo. The state's counter-terrorism force reportedly dismantled landmines in Golis Mountains area southwest of Bossaso; however, there was relative calm in Bossaso itself during the reporting month.

The Federal Government of Somalia (FGS) reportedly transported a weapons consignment of unknown quantity from Mogadishu to Galmudug state that was unloaded at the natural harbor of Hobyo. Puntland government did not issue any public statement on the shipment of arms and FGS justified the move as weapons intended for Somali National Army (SNA) units serving in Dhusamareb, capital of Galmudug. Political tension between Puntland and Somaliland was relatively low during the reporting month; nevertheless, a group of soldiers in Sanaag region defected from the Somaliland army to join Puntland following the path of other defections in Sanaag region in recent months.

In Buhodle district, a disputed area between Puntland and Somaliland, Puntland Interior Ministry efforts to establish a new Buhodle Local Council faced stiff resistance from local opponents and pro-Somaliland politicians in the region. The Interior Ministry succeeded to establish Local Councils in Burtinle and Buhodle districts securing a higher number of seats for women councilors. Meanwhile, the Transitional Puntland Electoral Commission (TPEC) held a number of meetings to engage with local media, independent politicians and civil society in a bid to shore up support for the state's stalled democratization process. Puntland police arrested a local journalist accused of "defamation" charges. Press freedom groups immediately condemned the arrest; subsequently, the charges were dropped and the journalist was released after admitting to reporting "false news".

Puntland State continued its infrastructure building drive though local media reported community frustrations with Bossaso airport expansion deal signed last month. The government's well-intentioned infrastructure plan requires a parallel campaign to increase local support. Lastly, the state government's efforts to retake control over government properties in public hands sparked protests in Garowe underscoring the necessity of land management reforms in Puntland.

## 2. PEACE AND SECURITY

- 2.1 **Key Developments:** During the October reporting month, local media reported a total of 6 violent deaths in Puntland representing a decrease from the previous month. About 50% of all violent fatalities reported were attributed to counter-terrorism operations in Puntland, with 33.3% attributed to VEO attacks against Puntland security officials and 16.7% attributed to local/clan conflicts. There was one bomb attack against Puntland police commander, which exploded in Galkayo without any reported casualties.
- 2.1.1 **Uncategorized:** On Oct. 9 a fire-fight between the Puntland Security Forces (PSF) and the security detail of Minister Finance Hassan Shire Abgal occurred in Bossaso.<sup>1</sup> The fire-fight led to two injuries. It was reported that the shootout broke out after a misunderstanding between the vehicle carrying the Minister and his security detail and PSF soldiers manning a checkpoint in Bossaso. There was no official statement on the incident by the Puntland government.
- 2.1.2 **Violence Against Women:** On Oct. 9, a number of suspects were brought to Nugal Regional Court in Garowe with charges of rape.<sup>2</sup> One of the suspects was accused of raping a 3-year-old in Garowe. On Oct. 12, Nugal Regional Court freed five persons accused of rape crimes. Four of the men were accused of gang-rape and one person was accused of a single rape. Judge Abdinur Jama Hussein said the court released the suspects after the prosecutor failed to provide evidence of crime.<sup>3</sup> Separately, on Oct. 23, Puntland deputy prosecutor-general Mohamed Hared told local media in Garowe that the prosecutor's office is awaiting the implementation of the High Court's decision to uphold the death sentences on three men convicted of the rape-murder case of 13-year-old Aisha Ilyas in Galkayo in Feb. 2019.<sup>4</sup>
- 2.1.3 **Sub-National Conflict:** On Oct. 1, Somaliland upper house member Abdihakim Omar Farah said Puntland officials in Buhodle "are inciting insecurity" in the area. Puntland delegation led by Labour Minister Jama Farah Muse arrived in Buhodle the day before; Buhodle is a district bordering Ethiopia which is claimed by both Puntland and Somaliland.<sup>5</sup> On Oct. 2, local media reported that a Puntland delegation visiting Buhodle district was "threatened" if they did not leave the town. The report states that Puntland Labour Minister Jama Farah Muse was accused of "provocation" after local elders rejected Puntland's plans to establish a new Buhodle Local Council. Elders asserted the Local Council is already established and saw Puntland's involvement as problematic.<sup>6</sup> The Puntland delegation did not speak to media about the issue. On Oct. 13, Somaliland military forces in Sanaag region defected to Puntland side, the second major defection since August. The defecting forces were welcomed in Badhan by Puntland government officials.<sup>7</sup>
- 2.1.4 **Regional Fault-Lines:** On Oct. 20, a weapons and ammunition consignment of unknown quantity was transported via ships and unloaded at the natural harbour of Hobyo, in Galmudug state.<sup>8</sup> Local media reported that the Somali military in Mogadishu had delivered the weapons consignment for Somali National Army units based in Galmudug.<sup>9</sup> In recent months, Galmudug state has been engulfed in political crisis involving the Galmudug President, Ahlu Sunna political group and Federal Government of Somalia. It was not immediately clear what impact, if any, the weapons shipment would have on peace and stability in Galmudug and surrounding regions.
- 2.1.5 **Violent Extremist Organizations:** On Oct. 18, Puntland Ministry of Finance's Mudug region customs director Hassan Abdille Hirabe was shot and killed in Galkayo by unknown gunmen who fled the scene. The late Mr. Hirabe was a former Galkayo deputy mayor.<sup>10</sup> On

Oct. 16, Galkayo central police station commander Abdigani Jama 'Habun' survived a bomb attack after his vehicle had an explosive device planted on it overnight in Galkayo. Mr. Habun told local media that his children were in the house when he realized his vehicle was mined with an explosive device and he quickly rushed everyone out of the house "before the car exploded".<sup>11</sup> Al Shabaab group has previously carried out assassinations and bombing attacks on Puntland officials in Galkayo. On Oct. 26, a senior member of Puntland traffic police for Mudug region Mohamud Farah Awl was killed in Galkayo. Al Shabaab group claimed responsibility for the killing of this official.<sup>12</sup>

2.1.6 **Counter-Terrorism:** On Oct. 11, Puntland counter-terrorism unit PSF announced its forces disarmed a number of land mines in Galgala and Balikhadar villages along Golis Mountain Range of Bari region, 80km southwest of Bossaso.<sup>13</sup> Al Shabaab militants have camps in Golis mountains west of Bossaso since 2008, from where they launch attacks. On Oct. 26, suspected US military airstrikes killed at least 3 people in Puntland's Bari region. Suspected US military airstrikes have regularly targeted Al Shabaab and ISIS operatives in Puntland's Bari region in recent years.<sup>14</sup>

2.1.7 **Local/Clan Conflicts:** On Oct. 3, Puntland Finance Minister Hassan Shire declared emphasized the government's declared commitment against people who want to hold on to government properties. He warned anyone who refuses to leave government properties in Garowe "shall be punished".<sup>15</sup> On Oct. 20, there was a brief shootout between local police and armed gunmen after local police on conducting a weapons checks clashed with a group of armed men who refused to surrender. At least one police officer was wounded, local media reported.<sup>16</sup> On Oct. 21, local demonstrators in Garowe burned tires and demanded the arrest of a police officer who killed a civilian the day before.<sup>17</sup> On Oct. 22, Puntland parliament speaker Abdihakim Mohamed Ahmed 'Dhoobo' appointed a nine-member committee to conduct an "inquiry" into the death of the civilian killed in the operation in Garowe.<sup>18</sup>

2.1.8 **Maritime Security:** On Oct. 2, Puntland prosecutor-general Mohamud Hassan Aw'Osman said Puntland is ready to transfer some 26 inmates convicted of piracy related crimes to a Federal Government prison in Mogadishu "after the prisoners requested to complete their sentences in their home region". Federal prosecutor-general Ahmed Ali Dahir said he planned to review the matter.<sup>19</sup> On Oct. 15, Puntland Fisheries Minister Farah Awash speaking in Bossaso warned that "illegal fishing" was on the rise off the Puntland coast. Minister Awash noted that "18 illegal fishing vessels from Iran, India and Pakistan" were reported in Puntland waters.<sup>20</sup> The minister warned that state forces would soon capture the illegal fishing vessels.<sup>21</sup>

2.1.9 **Security Sector Governance:** On Oct. 7, President Deni named Col. Mumin Abdi Shire as the new Nugal regional police commander and Col. Bashir Ali Mohamed as Sanaag regional police commander.<sup>22</sup> On Oct. 12, Karkar regional governor Said Mohamed Fahie told a local news agency that the administration is trying to regain control over government land in the outskirts of the provincial capital Qardo, which the governor said was "illegally seized by private citizens".<sup>23</sup> Governor Fahie warned against militia against bringing weapons and warned local police will "confiscate weapons" from armed citizens.<sup>24</sup> On Oct. 21, Karkar Governor Fahie issued an internal memo to Karkar Regional Appeals Court, Regional Prosecutor-General, and Chief Judge of Qardo First Instance Court, requesting the said officials to "explain" the reason why a "convicted criminal who did not complete his prison term was released by directive of the traditional elders".<sup>25</sup> On Oct. 29, President Deni officially launched training for 500 new recruits at a Horgoble military training camp in Qardo.<sup>26</sup>

## 2.2 Security Forecast

- 2.2.1 **Violence Against Women:** As forecast in September the sentences of Aisha Ilyas' rapists and murderers were delayed. Meanwhile more gruesome acts of sexual violence of minors were reported during the month of October. One of Puntland's earliest tests has been what measures it takes to fight against sexual violence against women and minors. Despite a highly publicized case that unfolded in the public eye, there haven't been secondary measures taken to address the problem pre-emptively, as it continues to occur. The alleged sexual abuse of a three year old at an IDP camps signals that sexual violence continues to affect all levels of society. Although pre-emptively stopping crime especially sexual violence is not a feat that any country has successfully managed to do, but it seems that the administration is content with only bringing abusers to justice. It will take more than swift court cases to address the issue effectively. It is likely that pending court cases such as t
- 2.2.2 **Sub-national Conflict:** The sub-national disagreement over the jurisdiction of Sool, Sanaag and Ayn did not result in any casualties during the month of October. More political jostling between Puntland and Somaliland was expected as the local council elections in Buhodle were slated for this month. However, this did not result in any incidents between the two entities. Within the past year government delegation visits to contested areas has resulted in skirmishes (Yubbe and Badhan) after which the balance of power shifted. A delegation led by the Puntland Minister of Education was fired upon and eight days later the first batch of Somaliland forces from Sanaag defected to Puntland. The skirmish could be construed as the catalyst that changed the landscape of the conflict in Sanaag and Somaliland was rightly wary of replicating that in Buhodle. Puntland also had to tread carefully to quell initial apprehension and ensure that the community supported the local council elections in Buhodle. It seems that at the moment neither side wants to engage in full-scale conflict; yet, the jostling between the two may very well lead to it, as it has before. As the test of the local council elections has passed, there are no events on the horizon that may escalate the conflict. It is likely the two sides will continue their political back and forth over the contested regions.
- 2.2.3 **Regional Fault-lines:** The regional fault-lines south of Puntland have been tested throughout the past year with a number of critical developments impacting Galmudug. A delayed election and the subsequent ambiguity have impacted the region's political stability. During this period of political transition in Galmudug a local clan conflict between Puntland and Galmudug residents has continued to persist.<sup>27</sup> The recent cache of weapons reportedly headed to Galmudug forces in the area will cause trepidation as the region has a long history of conflict, coupled with Somalia's history of weapons meant for government forces falling into the wrong hands.<sup>28</sup> At the moment, the impact that this arms shipment will have on regional stability cannot be foreseen. Nevertheless, the clan conflict in Mudug and its developments should be closely monitored.
- 2.2.4 **Violent Extremist Organizations:** The lack of attacks by VEOs in September was compensated for with a string of attacks in Galkayo in the month of October shifting the focus from Bossaso to the capital of Mudug region. The targeting of government officials in the region fits the modus operandi of VEOs although only one death was claimed by them. This may signal a serious issue in Galkayo in which freelance elements are using the hallmarks of VEOs to carry out their own objectives. Regardless, the steps the administration takes to replicate the security gains made in Bossaso will be crucial in the months to come.
- 2.2.5 **Maritime Security:** As predicted, the re-opening of the fishing season has brought on new developments in Puntland's bout with illegal fishing. The remarks made by the Minister of

Fisheries came as a surprise given that in August Minister Awash said that there was a sharp decrease in illegal unregulated unreported fishing in Puntland waters.<sup>29</sup> According to the Minister the rise in IUU started in mid September and has been increasing since. However, artisanal fishermen have been reporting illegal fishing activities off the coast of Puntland as far back as April.<sup>30</sup> In August the Minister said that Puntland had fined seven boats engaged in illegal fishing. It will be crucial to see what progress Puntland makes in securing the coast more effectively and effectively combating IUU fishing.

Last month the Ministry of Justice and Religious Affairs said that it would review the agreement with Seychelles to house Somali pirates convicted in Seychelles. It is unknown if the transfer of inmates from prisons in Puntland to Mogadishu is related to that review. To inmates the move was long awaited since many come from different regions in Somalia. This will ease access of family visits especially if their families are in Mogadishu and may positively contribute to their rehabilitation. As IUU continues to drain Somalia's marine resources, a resurgence in piracy is a constant threat and proper rehabilitation of convicted pirates will be key to dissuading at-risk populations.

**2.2.6 Local/Clan Conflicts:** The clan conflict shifted from Mudug which has had a string of attacks to Garowe after government policies led to armed scuffles. Although the death of the civilian was at the hands of a police officer, initial arbitration was conducted by elders. It is unclear what the official government stance is on the killing of the civilian but initial reports indicated that there was a reluctance in investigating and resolving the matter by security forces. The fact that the parliament reviewed the matter itself shows serious commitment to preserving justice. If the government doesn't adequately address the grievances, the situation may take on a clan dynamic. It will be crucial to observe what steps the government enacts to resolve the grievances.

**2.2.7 Security Sector Governance:** More rudimentary personnel changes occurred in the security sector as the administration continues its reform. Still, these personnel changes are unlikely to create systemic changes within the security institutions without the government reforming the procedures and frameworks that govern these institutions. Coincidentally, the very framework of the justice system and its adherence was called into question by Karkaar Governor Fahie who directed a letter questioning the grounds of a commutation of prison sentences for convicts. The Governor rightly cited that legal grounds were not utilized to release the prisoners in question accentuating a problem with Puntland's security sector governance. Comprehensive probation and commutation policies and laws are non-existent in Puntland and commutations are administered by the President on an ad-hoc basis. Despite Governor Fahie's letter, it seems as if this issue has been resolved behind closed doors and attempts to reach the Governor for clarification were unsuccessful.

## 3. POLITICS AND GOVERNANCE

### 3.1 FGS-Puntland Dispute Widening

**3.1.1 Key Developments:** Political tensions between Federal Government of Somalia (FGS) and Puntland State Government continued uninterrupted throughout the month of October, in a continuation of the unresolved political crisis since May. On Oct. 1, Somali media reported that Puntland government would not attend the Somali Partnership Forum (SPF), which was held in Mogadishu Oct. 1-2, and attended by FGS, some Federal Member States and the international community, to review annual progress and cooperation.<sup>31</sup> Media reports noted that Jubaland's absence from SPF was among the major reasons for Puntland's absence from the conference.

On Oct. 5, President Said Deni received at the State House in Bossaso an international delegation from UN Mission in Somalia (UNSOM) led by Deputy Special Envoy Raisedon Zenanga and Inter-governmental Authority on Development (IGAD) Special Envoy Mohamed Ali Guyo in Bossaso.<sup>32</sup> State media reported that the meeting focused on federal-state relations and the international community's efforts to diffuse underlying political tensions between FGS and Puntland state.

On Oct. 9, a delegation of FGS ministers arrived in Bossaso to meet President Deni, with local media reporting that the FGS delegation requested the Puntland leader to "postpone" his planned trip to Kismayo to attend the Jubaland presidential inauguration, and urged him to "commence dialogue between Federal Government and Jubaland".<sup>33</sup> However, President Deni reportedly rejected the offer and travelled to Kismayo the next day to attend the inauguration of Jubaland President Ahmed 'Madobe' Mohamed Islam.<sup>34</sup> On Oct. 13, President Deni delivered his speech at the Jubaland presidential inauguration in Kismayo, whereby his carefully crafted speech praised the Jubaland election, congratulated re-elected Jubaland president Ahmed Madobe and called on FGS leadership to "free" Jubaland security minister Abdi Janan, who was arrested in Mogadishu on Sep. 2.<sup>35</sup> The Puntland leader also called for federal elections 2020/2021 to be "held on time."

On Oct. 18, President Deni expressed to VOA Somali Service that he is interested in "mediating" between FGS and Jubaland administration to resolve the election dispute, despite the fact that his attendance at the Jubaland presidential inauguration frustrated FGS leaders.<sup>36</sup>

On the home front, there were some challenges to President Deni's policy position vis-à-vis relations with FGS and his trip to Jubaland. On Oct. 19, Puntland Justice Minister Awil Sheikh Hamud criticized some Islamic clerics in Puntland for the "politicized speeches" at mosques; in particular, Minister Hamud named Sheikh Mukhtar Ahmed Farah whose speech the day before at Al-Huda Mosque in Garowe specifically mentioned the Jubaland presidential election. Minister Hamud called on Islamic clerics to "steer clear" from sensitive political matters between FGS and Puntland.<sup>37</sup>

On Oct. 27, President Deni welcomed UN Special Envoy to Somalia Ambassador James Swan at Puntland State House in Garowe, where discussions focused on UN projects in Puntland and efforts to resume political talks between Federal Government of Somalia and Federal Member States, including Puntland State.<sup>38</sup> According to UNSOM press statement, Ambassador Swan praised "Puntland Government's commitment to economic and social development and to democratization", and at the same time congratulated the Puntland leadership on developments that were "positive signals of economic revival in Puntland". The UN Special Envoy specifically called for the "resumption of cooperation between the Federal Government and all Federal Member States".

Separately, on Oct. 19, FGS Planning Minister Gamal Hassan, who is also an MP of Lower House of Federal Parliament, announced that he had opened a constituency office in Dhahar district of Puntland.<sup>39</sup> On that same day, the Puntland Interior Ministry issued a directive "suspending" establishment of political offices by federal ministers, citing that the "Ministry notes that the federal parliamentarians whose term is nearly ending came to office in accordance with clan-sharing arrangement, and were not elected in a district-constituency election".<sup>40</sup> On Oct. 20, Puntland MP Abdirahman Dhoore told a press conference in Garowe that he and like-minded state MPs are "opposed" to the Puntland Interior Ministry's decision to "suspend" opening of offices by federal parliamentarians.<sup>41</sup> On Oct. 20, Federal Senator Mohamud Mashruc, who represents Puntland state in Upper

House of Somalia, also opposed the Puntland administration's decision to suspend opening of constituency offices by federal parliamentarians.<sup>42</sup>

3.1.2 **Analysis:** Strained relations between the FGS and Puntland have become the norm. Puntland administrations under former leaders Abdirahman Farole and Abdiweli Gaas had strained relations with Mogadishu due to allegations of abuse of power and mismanagement of foreign aid by federal leaders whilst successive federal leaders have accused Puntland of misapplying state powers in the country's fragile federal framework. Currently, the two sides have not engaged in dialogue since the failed political talks in May and the ongoing tit-for-tat politics can best be characterized as petty, divisive and not in the national interest of Somalia. Changing the new "norm" of stagnation to a politics of progress requires leaders to continuously engage in dialogue, compromise and agree on a set of policies to move the nation forward.

3.1.3 **Forecast:** FGS-Puntland relations remained tense and stagnant throughout the reporting period. The political tensions have been ongoing since May, despite efforts by the UN Special Representative to Somalia to diffuse tensions. Thus far, it remains unlikely that relations between the Federal Government in Mogadishu and Puntland State will improve over the next month. The two sides are embroiled in a long-running dispute rooted in an incomplete constitutional framework and a political history characterized by rivalry and often uncompromising policy positions that lead to zero sum politics.

## 3.2 Dispute Between Puntland President and Parliament

3.2.1 **Key Developments:** On Oct. 7, Puntland State MPs Abdirahman Dhoore and Abdirahman Jabiri held a press conference in Garowe to warn against any motion to unseat parliament Speaker Abdihakim Mohamed Ahmed 'Dhoobo', ahead of opening of the 45<sup>th</sup> Ordinary Session of Puntland Parliament on Oct. 26.<sup>43</sup> The two MPs are considered supporters of Speaker Dhoobo and oppose efforts to unseat him as Speaker of the House.

On Oct. 26, at the opening session of Parliament, Speaker Dhoobo gave the floor to questions and Puntland MP Awil Hassan Daad asked President Deni a set of contentious questions. The MP alleged that the state was in "crisis" and that the president should "vacate the seat". The president responded to MP Daad with a show of frustration and walked out of parliament shortly thereafter. Speaking outside parliament that same day, MP Daad accused President Deni of using "threatening language" against him and other MPs and "storming out of parliament". Another MP, Abdirahman Dirie Arab, told reporters that the president "should not use threatening language" against parliamentarians.<sup>44</sup>

On Oct. 30, Puntland prosecutor-general's office requested that MP Daad's parliamentary immunity "be revoked" so the prosecutor may bring charges against the parliamentarian.<sup>45</sup> On Oct. 31, a group of opposition MPs met with President Deni in Qardo at a special dinner event; the meeting was seen as an effort to calm political tensions between the president and some state MPs.<sup>46</sup>

3.2.2 **Analysis:** The Puntland parliamentarian who questioned President Deni during the opening session of parliament, traditionally a ceremonial event, and the other MPs who held press conferences challenging government policies opened the door for direct criticism of the executive since the elections of Jan. 2019. This was a democratic exercise in its own right. However, many of the statements made by MP Daad cannot be construed as constructive criticism and did not take into account context: President Deni inherited weak state institutions, a backlog of unpaid salaries of civil servants and security forces and depressed

economic activity. State MPs who are critical of government policy have not given the administration enough time to settle in and allow reforms to be instituted before voicing their criticism in such a dramatic manner. Nor have these MPs brought forth any policy ideas that will address the issues that they have raised. There is no question that governance and institutional reforms require time to be implemented and that the MPs exercised their right in the state's democratic system to voice public concerns. Nonetheless, the approach chosen could have been more constructive and beneficial instead of adopting a divisive and confrontational tone.

3.2.3 **Forecast:** As the Puntland Parliament's 45<sup>th</sup> Ordinary Session opened, political tension remained high in Garowe with a group of vocal state MPs openly challenging President Deni about ongoing reforms and policy decisions. This development is unlikely to subside over the next month, and the government is expected to continue its active engagement with MPs to build consensus about the way forward.

### 3.3 Radio Director Released After Admitting to 'False News'

3.3.1 **Key Developments:** On Oct. 18, national journalist umbrella organization NUSOJ demanded the immediate release of Radio Daljir director Ahmed Sheikh Mohamed 'Tallman' who was arrested by state police on Oct. 17 over defamation allegations against Puntland police commissioner.<sup>47</sup> On Oct. 19, Media Association of Puntland (MAP) also issued a press release requesting the "immediate release" of the Radio Daljir director.<sup>48</sup> On Oct. 19, Puntland prosecutor-general Mohamud Hassan Aw'Osman told local media that the Radio Daljir director was arrested for "violations against government security institutions".<sup>49</sup>

On Oct. 21, Nugal Regional First Instance Court postponed hearing of a case between the aforementioned journalist and Puntland Police Force. The hearing was postponed until Oct. 23, when the Puntland court released the Radio Daljir director after he admitted to reporting "false news" without evidence.<sup>50</sup>

3.3.2 **Analysis:** The government's concerns about independent media misusing press freedoms to push an agenda contrary to peace and in violation of media ethics may be justified at times. However, the government's response must always be balanced and transparent. Thus, the zealous arrests of local journalists seem like a knee-jerk reaction that is counter-productive in the long-term. Simultaneously, Puntland media should ensure that reporting is accurate and observe media ethics, which helps the state government, uphold peace and protect citizens. There is no shortage of media in Somalia but international standards of ethics and reporting are sorely lacking. The industry is plagued by a culture of 'sharuur' which loosely translates to a fee paid to journalists to cover news stories. This means that some media companies and reporters are essentially paid advertisers instead of journalists. The practice of sharuur is common due to the limited revenue media organizations generate. This calls into question the ethical standards of some journalistic pieces in Somalia and more importantly signals the need for a broad reform of the fourth estate. Despite the practice of sharuur, the ability of independent media to operate freely is a vital component of a democratic society and the government's response should be circumspect and strictly within the letter of the law.

3.3.3 **Forecast:** The dispute between Puntland state police and the local journalist has been resolved. However, it is expected that similar episodes are likely in the short-term, due to the limited training and education of journalists, the 'money for news' oriented nature of



media in Somalia and the anticipated actions of the government aiming to lessen the impact of negative news.

### 3.4 Local Elections and Democratization Process

**3.4.1 Key Developments:** The Transitional Puntland Electoral Commission (TPEC) has continued its engagement with civil society, aiming to shore up support for relaunching the state's dormant democratization process. Concurrently, the Puntland Ministry of Interior, Federal Affairs and Democratization continued fulfilling its mandate of establishing Local Councils in a number of districts across Puntland, although the process has faced some stiff opposition in some districts.

On Oct. 1, TPEC met with members of the free press in Garowe to discuss the role of media in democratization and the multiparty process.<sup>51</sup> On Oct. 22, Transitional Puntland Electoral Commission (TPEC) held a consultative meeting with former Puntland government officials and politicians to discuss the state's democratization process.<sup>52</sup>

On Oct. 15, local armed militia briefly seized control over Burtinle Local Council offices after protesting about the Puntland Interior Ministry's "mismanagement" of the district's new local council election process.<sup>53</sup> The local militia were later removed from government offices through the intervention of elders.<sup>54</sup> On Oct. 16, Puntland Interior Ministry announced the new list of 22-member Burtinle Local Council in an event concluded by Interior Minister Mohamed Abdirahman Dhabanad. The new Council includes 7 women members according to the list.<sup>55</sup> On Oct. 24, Puntland Interior Ministry announced a new list of Buhodle Local Council members, consisting of 25 members including 7 women councillors.<sup>56</sup>

**3.4.2 Analysis:** The Puntland Interior Ministry's continued work to establish Local Councils is commendable and in accordance with government priorities. However, as demonstrated in Buhodle and Burtinle, the process is not without flaws. It remains imperative that the Interior Ministry undertakes more work to engage local stakeholders ahead of implementing reforms to prevent misunderstandings or disputes in the future. Furthermore, the continued work of TPEC to engage civil society stakeholders works in tandem with President Deni's pledge to institute multiparty political system in Puntland.

**3.4.3 Forecast:** The Puntland Interior Ministry is expected to continue leading efforts to form new Local Councils, strengthen decentralization of service delivery and learn from recent experiences. Additionally, TPEC is expected to continue engaging civil society stakeholders and commence a public awareness campaign ahead of the launching the democratization process in Puntland.

## 4. SOCIAL AND ECONOMIC AFFAIRS

### 4.1 Government's Infrastructure Plan Requires Narrative

**4.1.1 Key Developments:** In the wake of an airport management agreement with a UAE based firm that lacked public accountability and transparency, the Puntland administration led by President Deni tried to appeal to the populace of Bossaso in a bid to quell negative public sentiment.

Oct. 2, President Deni held an event attended by over 3,000 persons in Bossaso, whereby the president discussed many issues including security, economic development, and federal relations.<sup>57</sup> One of the key takeaways of the event was President Deni's appeal to

his own government officials to “to inform their constituents, to uphold peace and rule of law, and to work together to defend our common interests”.<sup>58</sup> On Oct. 4, acting governor of Bari region, Ahmed Ali Abdullahi, told media that the Bari Region Security Council chaired by Acting Bari Governor issued a new directive banning political meetings in Bossaso until permission is granted by the regional administration, saying that the decision was for “security reasons”.<sup>59</sup> On Oct. 5, Puntland Human Rights Defender Mr. Mohamed Yusuf issued a letter in response to the Bari regional administration’s directive banning political meetings requesting that the “letter be rescinded” and that “citizen rights and freedoms were protected by Puntland constitution and laws”.<sup>60</sup> On Oct. 12, community elders in Puntland’s Bari region publicly criticized the Puntland administration over economic policies in Bari region, such as awarding foreign firms management Bossaso port and airport. The elders accused the foreign companies of “doing nothing” to expand Bossaso port and that the companies were “hindering economic development” in Bari region. The public reaction came after President Deni announced last month that the government awarded an airport management contract to a UAE-based firm.<sup>61</sup> A day later on Oct. 13, Puntland police detained well-known political figure Muse Ali Jama in Bossaso after Mr. Jama attended a community meeting where speakers criticized Puntland government policy and at which he had made inflammatory remarks about the judicial process.<sup>62</sup> On Oct. 16, Bossaso District Court judge Abukar Abdinur Jama told local media that Muse Ali Jama was released from jail. Bossaso District Court Judge said that Mr. Jama was arrested for “insulting the Puntland courts and accusing them of taking bribes without any proof”.<sup>63</sup> Amid growing negative sentiment against the agreement of the expansion and management of Bossaso airport, the president took a more nuanced approach to building trust and gaining public support for the deal. On Oct. 18 President Deni held a luncheon at Biyo Kulule a village within Bossaso district where traditional elders, community leaders and former politicians convened.<sup>64</sup> The luncheon was a clear attempt to engage community leaders and address “misinformation” according to President Deni. Although the topics of discussion were not made public, subsequent statements expressed by guests and the president made mention of the contentious agreement for Bossaso airport. Many guest speakers called for unity and warned against the spread of misinformation.

Other economic developments, on Oct. 26, in his speech to Parliament, President Deni said that rehabilitation of Garowe-Bossaso Road would start in November and noted that the administration “made gains” to restore donor funding for Garowe-Galkayo Road.<sup>65</sup> On Oct. 27, President Deni met with Chinese Ambassador to Somalia Qin Jian on his second visit to Puntland, whereby discussions focused on increasing cooperation, strengthening friendly relations and expanding investment opportunities for the two sides. Ambassador Jian noted that the visit was follow-up to President Deni’s trip to Zhejiang province, China.<sup>66</sup>

- 4.1.2 **Analysis:** The September Situational Report noted that Puntland needed to balance economic development and transparency if the administration wanted to maintain social cohesion. As expected, the lack of transparency increased negative public sentiment which was lingering from the ratification of the P&O Ports deal of Bossaso earlier this year. The initial attempts to engage with the public by the Puntland administration were not successful. This can be attributed to the approach taken which was evasive and impersonal with little direct mention of the agreement and defense of it. This ineffectual attempt came in a 40 minute speech that lumped together many topics, including the reasons for not attending the High Level Partnership Forum in Mogadishu, security and other issues. Only days later reports emerged of brewing discontent in Bossaso with regards to the agreements. And the approach authorized by the government was to ban meetings for ‘security reasons’. The directive by the Bari region administration was a political blunder as it likely provoked the opposition further. The attempts to subdue elders convening by the Bari region officials failed utterly as the private meetings transformed into public spectacles. A week after elders loudly voiced their dissatisfaction with President Deni’s economic

policies, a change in tactics was instituted by the Puntland administration. The luncheon that invited prominent leaders in the community allowed for the President – on a more personal level – to justify and explain the recent economic agreements. The luncheon may have gone some way to limiting the furor but this entire episode could have been avoided if there were genuine attempts at demonstrating transparency and building consensus at the outset. The recently concluded airport deal sets a new low on any international benchmark of transparency and public accountability. So much so that the company with which the Puntland administration signed the Memorandum of Understanding (MoU) has not been revealed publicly even during the press conference following signing of the MoU. With this much secrecy surrounding the agreement, the outraged reaction to it was only natural. This reaction is bolstered by the fact that residents in Bossaso will associate a firm from the UAE with the DP World subsidiary P&O Ports which has little public backing. Clearly though, this obvious parallel was not taken into account by the government which had to scramble to deal with a public relations crisis whose effects still linger. At the luncheon, Deni and the guest speakers referred to ‘misinformation’ and its rampant spread. But it is the Puntland administration that enables the spread of so called misinformation when they conduct important economic deals with little transparency, public accountability and consultation.

- 4.1.3 **Forecast:** The Puntland administration may well believe that the public dissatisfaction with the Bossaso airport management agreement is behind it. However, it will likely resurface if the agreement and its particulars are not openly and publicly addressed. Moreover, any future agreements undertaken by the Puntland government will be viewed skeptically by the public. This means the administration will have little room to maneuver unless they drastically improve the level of accountability and transparency on offer to its constituents.

## 4.2 Necessity of Land Management Policy

- 4.2.1 **Key Developments:** After a soldier was killed in Garowe during a land disagreement over property claimed by the Puntland government, the administration began a campaign to repossess land that was owned by the former central government on the basis of the pre-1991 land law.

On Oct. 2 the Puntland government deployed police on the streets of Garowe in areas that were owned by the government.<sup>67</sup> On Oct. 3, Puntland Finance Minister Hassan Shire declared that the government would be firmly enforcing a strong policy against people who want continue to squat on government properties, warning that anyone who refuses to leave government properties in Garowe “shall be punished”.<sup>68</sup> On Oct. 4, Garowe Local Council session opened in Garowe and Mayor Ahmed Barre’s speech focused on public safety and the local government’s efforts to take back government lands from private citizens. Puntland police were deployed on city streets in Garowe as the local government destroyed buildings constructed on government owned lands.<sup>69</sup> On Oct. 7, senior Puntland officials including Cabinet ministers and police commanders visited sites in Garowe where local government was retaking public lands from private citizens. The Puntland officials repeated the government’s efforts to completely restore government control over public lands.<sup>70</sup> On Oct. 10, Puntland police commissioner Gen. Muhiyadin Ahmed Muse told press conference in Garowe that local police would take action against anyone suspected of refusing to surrender government-owned land. Since September, Garowe local government has been seizing public properties from private citizens.<sup>71</sup>

- 4.2.2 **Analysis:** The decision to reclaim the lands that were owned by the central government was a hastily made decision. The catalyst for the decision was the killing of a soldier during a dispute that involved public land belonging to the government. Only days later there were

rumbblings of a government decision that would repossess all public lands. Many residents believed that it was a mere rumor and did not understand what was to come. According to Mohamed Abdirahman, a shop owner who was a tenant of these lands deemed government owned property, the whole affair took only a matter of days. “I had heard about the rumors but nobody knew if they were factual or not. It died down and then out of nowhere we were being told that we had only days notice to find another location,” said Mr. Abdirahman. In the government’s defense, there were reports of private meetings/consultations of community leaders and elites to discuss the impending policy. However, these meetings did not include many of those who were directly impacted by the decision. The meetings focused on elite buy-in and did not attempt to appeal to the public at large. The Minister of Finance publicly proposed the plans to repossess the lands a day after residents were told to move their materials. There are unconfirmed reports that owners of the properties were told in advance but that was not communicated to their tenants. “We were only told that they [land owners] were engaged in ongoing discussions with the government,” said Kayse Abdi a tenant who owned a shop in a property that was repossessed. The majority of the property that was repossessed by the government was for commercial use and the adverse impact that it has had on small and medium sized businesses is extensive. Out of the properties destroyed, 95% were for business use according to a study by NAI.

During his press conference Minister Shire was vehement that the government had repeatedly told squatters that they should vacate the government properties. But it is unclear if the Minister spoke to all that were squatting on government property or to a select few. The government did not appropriate all public lands. Many prominent large businesses, hotels and business centers were not repossessed or destroyed only the more numerous but smaller enterprises. A study on tax justice conducted by NAI found that small and medium businesses accounted for more tax revenue when compared to large businesses.<sup>72</sup> This not only due to the higher number of small and medium businesses compared to large businesses but according to a Ministry of Finance official who was interviewed during the study, large businesses were taxed less. This was due to a number of reasons some of them being easier access to government and tax breaks as well as the government’s underdeveloped tax policies that use rudimentary methods of estimating revenues of businesses instead of having them comply with international accounting practices. Given the tax justice disparity, it is very likely that the businesses destroyed contributed more to tax revenue than the remaining large ones do. Many questions remain unanswered: what was the criteria that was used to repossess the public lands? How did the Puntland administration reach this decision? Why were these lands first to be repossessed? And what will happen with the other public lands that continue to operate freely? The government has not made any efforts to publicly address these concerns.

Repossessing public lands is a government right and should be respected by the public. Nevertheless, the government also needs to take into consideration the state of the public lands and the reasons so many previous administrations chose not to reclaim them. Most of the lands in question were not developed nor did they have structures. Many of the private residents who annexed the public lands invested large sums of money in building and constructing their properties and all are taxpayers who contributed to the state coffers. Although owners personally benefited from the property that belonged to the central government, it cannot be denied that they also contributed to the economy of Puntland. In any case, property owners are not the real losers of this policy; it is the small and medium businesses who were tenants for years and were given very little to no time to relocate. “I haven’t been able to find a space to rent as land owners have raised the price of rent dramatically because they know that a large number of businesses need premises,” said Mr. Abdirahman. The policy by the government was not well-thought out, transparent or equitable and has very likely impacted the tax revenue of the local government

4.2.3 **Forecast:** The administration if it continues upon this path of repossession and appropriation without due process will only engender more conflict among its populace and further opposition to its entire governing agenda. Loss of livelihood and loss of assets at the hands of the state government is tantamount to human rights violations. This is especially problematic in a poor country where alternative livelihood opportunities are scarce. Puntland needs to establish a clear and equitable policy with regard to formerly government land that has been de facto privatized under previous administrations. Any repossession must meet key international criteria. These include but are not limited to: clear legislation and policy on land management, a notice period for repossession and recourse to the courts, compensation and restitution for investment incurred to develop raw land, etc. Consultation with and advice from qualified international actors should be sought before the government proceeds any further along this course.

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**New Access International (NAI Somalia)**, founded in 2012, is a Civil Society Organization (CSO) based in Somalia. NAI Somalia specializes in research, organization and policy development, and advocacy programs, and launched its **Somali Law and Policy Program** in January 2019, publishing the monthly **Puntland Situation Report** that focuses on collecting, observing, recording, and analyzing all major events and developments linked to matters of law and policy, and its impact on peace, politics and development in Puntland State, Somalia.

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