

PUNTLAND SITUATION REPORT

Somali Law & Policy Program July 2019

1. EXECUTIVE SUMMARY

Over the course of the July reporting period, the peace and stability in Puntland State of Somalia remained steady and the overall situation gradually transformative. Puntland's six-month old administration, under the leadership of state President Said Abdullahi Deni, made visible strides on reforms in key areas, with particular focus on appointing new faces to public administration, financial management, and the security sector. The government's reform agenda focused on aligning qualified individuals with key technocrat positions; however, it remains to be seen if the new nominations will bear significant change on overall reform goals in improving public service and quality of life. Puntland's relations with Federal Government of Somalia (FGS) was fraught with dramatic accusations and media propaganda, but the emergence of a continuous and unpredictable pattern of unstable relations was noted, signifying potentialchanges on the domestic policy platform but not necessarily a tangible change in federal-state disputes or resolving balance of power issues.

Throughout July, as in June, military tensions were again heightened in parts of Sanaag region; however, the fighting and associated tensions was between Somaliland troops and local militia led by rebel leader Col. Said Awil Jama 'Arre', while during June the military standoff was between Somaliland and Puntland sub-national forces in eastern Sanaag. The fighting, with layers traversing between clan conflict and political violence, poses significant threat and risks to peace and stability in northern Somalia.

There was were no major terror-related incidents during the reporting period in Puntland; state forces were reportedly conducting search-and-seizure operations and tightening security state-wide ahead of August 1 Puntland Day celebrations. Explosive information published by the *New York Times* revealed grave allegations that the Qatari ambassador to Somalia was aware of terrorism attacks in Puntland, in efforts to thwart the UAE's involvement in the Somali state, including security sector support and DP World subsidiary P&O Ports' Bossaso port expansion concession. Qatar and the Somali federal government denied the allegations, but Puntland President called for an "international investigation", directly contradicting the FGS and illustrating how unresolved federal-state schisms often spill out onto the international diplomatic arena.

Puntland Parliament's vote to impose higher tariffs on non-essential goods and products entering from Somaliland was not implemented, raising questions of the government's capacity or commitment to enforce higher tariffs to protect local production and businesses. Puntland rejected recognition of the Federal Government's Somaliland Dialogue and Reconciliation Committee, demanding a seat as stakeholder. However, the Federal Government's direct donations to community groups in Puntland led to heightened disputes with Puntland officials, forming another layer in the prolonged federal-state saga. On a separate note, the government rightly focused on efforts to repair and rehabilitate key sections of the major north-south highway connecting Bossaso and Galkayo. During July, Puntland government engineers accompanied by Chinese construction firm CCECC engineers conducted a road repair assessment and Puntland Ministry of Public Works is expected to soon present the report's data to the Council of Ministers.

2. PEACE AND SECURITY

- 2.1 Key Developments: During July, a total of 15 violent fatalities were reported in Puntland State, representing a slight increase from 12 violent deaths in June. Furthermore, 33 fatalities were reported in the regional fault-lines (neighboring regions of Somaliland and Galmudug) during the same period, with about 97% of fatalities in the regional fault-lines reported in areas under Somaliland administration, and 3% attributed to the killing of a Galmudug police commander in South Galkayo. The significant number of violent fatalities in Somaliland-controlled areas is attributed to recurrent clan fighting (76%) in El Afweyn district of western Sanaag region, and armed opposition activities (24%), led by rebel commander Col. Arre, operating in parts of contested Sanaag region. The U.S. military carried out one airstrike targeting militants in the mountain areas of Puntland's Bari region. Puntland state forces continued active security operations, including police raids and seizure of material support for militant groups in Bossaso. Attacks during Julyin Puntland were primarily attributed to local/clan conflicts (93%) and U.S. military airstrikes on insurgent groups in Bari region (7%). There were no deaths reported in VEO attacks or incidents of violence against women reportedduring the reporting month.
- 2.1.1 **Violence Against Women**: OnJul. 2, Puntland Deputy Prosecutor-General Mohamed Hared told a local radio station that the case of 12-year-old Najmo Abdulkadir Hassan was "neglected by her family members especially her siblings" and regretted that the young victim did not receive justice. The young victim was violently raped in March in Burtinle district, taken for medical treatment to Addis Ababa, and died from her wounds in Garowe, in June. Prosecutors had initially detained an unidentified number of suspects on rape charges, but no new charges were introduced after Najma's death.
 - On Jul. 22, Puntland High Court Acting Chief Judge Nur Isse Mohamed issued a letter that the Supreme Court would "commence proceedings" for the rape-murder case of 13-year-old Aisha Ilyas, who was killed in Feb. 2019 in Galkayo. In June, the Nugal Regional Court convicted three suspects of rape-murder and sentenced them to death. The three men lost anappeals case, and the high-profile case has been transferred to the High Court. The court announced that judges would begin hearing the case on Aug. 17.3
 - On Jul. 25, UN's Independent Expert on the Situation of Human Rights in Somalia Mr. Bahame Tom M. Nyanduga, speaking in Mogadishu, said: "I would like to reiterate the need to implement laws against sexual offenses which been adopted in Puntland and Somaliland, to ensure that victims are protected, have access to justice and effective remedies, and that perpetrators of these heinous crimes are held accountable".⁴
- 2.1.2 **Regional Fault-Lines**: Puntland State is neighbored by Somaliland (to the west) and Galmudug (to the south). This sub-section focuses on presenting and analyzing regional fault-lines, trends and local complexities, hopefully to foster a broader understanding of evolving peace and security dynamics in Puntland.
 - On Jul. 8, at least six persons were killed when clan fighting reignited in Somaliland-controlled El Afweyn district, Sanaag region.⁵ On Jul. 9, clan fighting in El Afweyn district worsened with 50 casualties reported, and the death toll increased to 25 deaths.⁶ On Jul. 10, local communities protested in parts of Erigavo angered by the violent clan clashes in El Afweyn district, and protested against the deployment of additional Somaliland forces in the district.⁷
 - On Jul. 12, Somali President Mohamed Abdullahi Farmajo issued a statement calling for an "immediate end" to clan hostilities and a "peaceful resolution" to clan violence in El Afweyn

district, and urged the Somaliland government and people to work together to "end the bloodshed".8

During the reporting month, Somaliland administration continued to engage in sporadic military clashes with the rebel militia in Sanaag region, led by Col. Arre. In March, Somaliland's defense minister described Col. Arre as a "troublemaker" and noted that Somaliland deployed troops to Sanaag region "to fight against troublemakers". 9 During July, troops movements and armed clashes were reported in parts of Sanaag region between the two sides. On Jul. 10, at least three combatants were killed in an area 45km east of Erigavo, after Somaliland troops attacked the rebel militia's positions, aiming to prevent Col. Arre's forces from setting up bases in the Dhoob mountain area. However, on that same day, media reports said Col. Arre succeeded in seizing Dhoob area and more local fighters joined his rebel forces, who are now estimated to number between 300 to 600 fighters. 10 The next day, Somaliland deployed additional troops to Erigavo district, to diffuse local tensions and secure the city against potential incursions by Col. Arre's militia. 11 On Jul. 27, Somaliland troops and Col. Arre's forces clashed again, this time in Karin village, western Sanaag region.¹² The fighting erupted after Somaliland forces attacked the rebel fighters in mountain areas west of Erigavo. Local media reported at least 5 soldiers were killed in the fighting.¹³

- 2.1.3 **Violent Extremist Organizations:**On Jul. 2, Galmudug police commander in South Galkayo Awil Nur Roble died of wounds sustained from a roadside bomb on 30th street in South Galkayo the day before. Galmudug state forces commenced security operations, but did not immediately arrest any suspects.¹⁴
 - On Jul. 23, Puntland President Said Deni expressed concern over allegations of Qatari involvement in terror attacks in Bossaso, citing a *New York Times* article. The president said Puntland government "suspected" that foreign powers were involved in attacks in Bossaso, including the assassination of the port director for a UAE-based firm that manages Bossaso Port. Later that day, Puntland government issued an English-language press statement calling for an "international investigation" into allegations of Qatari links to terror attacks in Bossaso, as reported by *New York Times* article. The statement noted that the Puntland president "called upon the executive and legislative Houses of the Federal Government of Somalia to launch an official and thorough investigation into recent terrorist activity in Bossaso, including the assassination of P&O Ports company manager in Bossaso on February 4, 2019". Said Ports article. The president investigation into recent terrorist activity in Bossaso, including the assassination of P&O Ports company manager in Bossaso on February 4, 2019".
- 2.1.4 **Counter terrorism Operations:** On Jul. 28, the US military announced its carrying out an airstrike against ISIS suspects in Golis Mountain area southwest of Bossaso in Puntland state of Somalia, killing one militant. According to the statement, the US military says it conducted the airstrikes "in cooperation" with the Somali Federal Government.¹⁹
 - On Jul. 29, Puntland Security Force (PSF) counterterrorism commanders announced they seized explosives material during a security operation in Bossaso. Puntland authorities raided a Bossaso home and seized the explosives, but it was not clarified whether any suspects were detained. Puntland government ordered heightened security operations ahead of August 1 celebration to mark Puntland State's 21st anniversary celebration.²⁰
 - On Jul. 29, Puntland Military Court sentenced to death an officer with Puntland Maritime Police Force (PMPF).²¹ Puntland military prosecutors accused the officer, Sergeant Mohamud Ahmed Mohamed 'Shekeye', of "aiding" the security breach that led to the killing of UAE-based P&O Ports' company manager in Bossaso, Mr. Anthony Formosa, who was fatally shot by an Al Shabaab assassin on Feb. 4, 2019, inside the port area.²² Puntland security forces shot and wounded the attacker, who died later from gunshot wounds.

On Jul. 29, Puntland Military Court in Bari region convicted 12 persons linked to the P&O Ports attack in Bossaso in Feb. 2019.²³ Of the 12, seven persons were sentenced to death "in absentia", while four men were convicted of being members of terrorist groups and sentenced to death: Mahad Hassan Hussein, Ayub Nur Nuh, Bishar Mohamed Hassan, and Hassan Baraka Harissa. Mr. Nuh was also accused of being "head of Amniyat" – an arm of Al Shabaab group.²⁴ The military court also handed down life in prison sentences to two persons (Aisha 'Major' Ahmed Mohamed and Shukri Hussein Ahmed), and 20-year prison sentences for two other persons (Abdirahman Mohamed Salah 'Dukunbe' and Abdirizak Ahmed Mohamed 'Fidig').²⁵ Meanwhile, the military court freed one person (Aden Isaq Aden) after prosecutors could not prove any connection to terrorist groups or the port attack. The military prosecutor said all convictions get a 30-day appeals period.

2.1.5 **Local/Clan Conflicts**: On Jul. 3, two Puntland soldiers were killed and another soldier wounded when a member of their own security team unexpectedly openly fire on his fellow soldiers at a residence they were guarding in Garowe. ²⁶ Local media reported that all the soldiers were members of personal security staff of former Puntland Planning Minister Shire Haji Farah, and that the random killing occurred at the former minister's home in Garowe. The killer escaped (to date) and Puntland police continue their investigations.

In a separate incident on Jul. 3, two armed men were killed in Marero, a village east of Bossaso when Puntland security forces raided a staging post for human smuggling activities.²⁷ Government forces reportedly raided a group ofgunmenwho wounded a Puntland police officer in Bossaso the previous day. As of reporting time, the matter was being "resolved out of court" according to local reports.

On Jul. 12, Somali media reported that at least six persons were killed and three others wounded after unidentified gunmen opened fire on a civilian vehicle in Saho district, in Mudug region southwest of Galkayo.²⁸ The attackers escaped the scene, the wounded persons were rushed to hospital for medical treatment and local communities described the killing as "clan-related".On Jul. 22, four nomadic persons were killed by unidentified attackers in Bali Busle village, Mudug region.²⁹ According to the report, three of the four persons killed, were family members including a father and his son. Both random attacks were attributed to local and clan-related conflicts in Mudug region.

2.2 Security Forecast

- 2.2.1 Sexual Violence Against Women: The court system in Puntland has been tested by the spate of rape and murder cases of young females earlier in 2019, with public outrage demanding swift justice. Puntland has been able to quell public outrage with the sentencing of Aisha's assailants for now. However, the case still lingers as the publicawaits to see what the High Court rules onthe three convicted murders. Other high-profile cases that occurred earlier this year still havenot been brought to court, but it is expected that those suspects will a judge in the coming months. The subdued public outrage will be the ultimate test of the Puntland government's commitment to enforce the Sexual Offenses Bill submitted to Parliament.
- 2.2.2 **Regional Fault-lines:** Regional stability to the west of Puntland has been increasingly worsening as Col. Arre's rebellion is growing stronger and more brazen. Conflict in Somaliland has taken several transformations this year, as Col. Faisal Falalug continues his guerilla-style attacks on Somaliland forces in Sool region, and Col. Arre has amped up military activities in Sanaag region. The spillover effect it can have on Puntland is high, as Somaliland and Puntland have fought over the contested Sool and Sanaag regions for

years, although military activity spiked in 2018 but is currently dormant. For now, it is likely Col. Arre's forces are likely to engage in dialogue with Somaliland government, while Col. Falalug's forces will likely continue their surprise raids on Somaliland forces. Whether the instability continues in Sool and Sanaag regions, and the extent of violence, will largely depend on Somaliland's response to the armedrebellions.

- 2.2.3 Violent Extremist Organizations: July saw no VEO attacks on Puntland soil. The assassination of Galmudug police commander is a setback for peace and security progress in Galkayo, a fault-line city that has had its difficulties with VEO attacks in the past. The allegations levied against Qatar and the response from the international community will be key area to watch, as Puntland exerts pressure on the FGS to investigate the allegations. Despite the lull in attacks in July, security forecast forlow-level VEO activity in Puntland especially around Bossaso is likely to continue.
- 2.2.4 Counter-Terrorism Operations: Much like June, July was a relatively quiet month for US airstrikes in the Golis Mountains, with the American military reporting one airstrike against in Puntland during July. The Puntland government has focused on building community ties and the successful raid by the PSF may be attributed to the focus on improving cooperation between the local community and the security forces.
- 2.2.5 Local/Clan Conflicts: Last month, reports emerged of rising clan tensions in Mudug which pose threat to peace and security and peace in the area. Although the random killings in the volatile Mudug region has not been clearly attributed to those tensions, the sudden seemingly random acts of violence against civilian populations may have been influenced by widespread talk of local tensions. The killings of civilians in Saho and Balibusle areas of Mudug regionwere allegedly committed by militia hailing from Galmudug, although the Puntland security sources could not confirm. Even without confirmation, allegations are sometimes sufficient enough to drastically transform delicate balance of stability in the region. Mudug region has a history of rural fighting spilling over to Galkayo urban area. Traditional elders have interceded in the matter and investigations are still underway. It is still too early to forecast what will become of these killings, but developments should be closely monitored. Moreover, the killings in Mudug region come at a politically sensitive time in Galmudug, which is making preparations for a drawn-out state election, as international aid agencies warn of a looming food crisis in the region, due to minimal seasonal rains.

3. POLITICS AND GOVERNANCE

3.1 FGS-Puntland Relations

3.1.1 **Key Developments**: On Jul. 1, Puntland President Said Deni, speaking at a Somali Independence Day event in Garowe, declared that the Puntland government is "ready to engage in dialogue with any group that wants dialogue", called on the Federal Government of Somalia (FGS) to be "neutral" in Galmudug and Jubaland state elections, and warned that the FGS should "avoid the legacy of a bad reputation inherited [by FGS] in Southwest state election" in Dec. 2018.³⁰ On Jul. 7, Puntland Interior Ministry issued a press release warning the FGS "to respect state elections planned by the people of Galmudug and Jubaland to elect their leaders in accordance with laws and constitutions unique to each Federal Member State (FMS), in line with Article 120 of Provisional Federal Constitution of Somalia".³¹

On Jul. 20, Puntland government issued a press statement criticizing FGS-Somaliland Reconciliation Committee, which President Farmajo appointed on Jul. 17. The statement warned that Puntland government would not recognize the dialogue process if it was not a

stakeholder in the committee.³²The next day, on Jul. 21, Puntland issued another statement demanding that FGS "immediately stop interference" in Galmudug and Jubaland state elections.³³ The statement said Puntland is "concerned about the behavior of federal leaders" and accused FGS of "inciting Somali people against each other and harming their unity". Moreover, the statement claimed that the FGS "disregarded equitable distribution of international aid", and went on to commend the Galmudug and Jubaland people for engaging in "internal-consultations and electing their leadership".³⁴

Despite the political tensions and the tit-for-tat exchanges through media, the FGS and Puntland continued technical-level cooperation. On Jul. 14, Somali Labor Minister Sadik Warfa arrived in Garowe to attend a meeting between federal and state Ministers of Labor regarding youth employment. Fon Jul. 29, a three-day conference concluded in Garowe regarding immigration coordination activities between Mogadishu and state capital offices of Immigration and Naturalization Directorate (IND) of Somalia. Puntland Vice President Ahmed Karash gave the closing remarks at the event, attended by IND Director Col. Mohamed Aden Jimale 'Kofi', Puntland Security Minister Abdisamad Mohamed Gallan, and other senior officials. Puntland President Said Deni welcomed to the State House in Garowe Mr. Mohamed Mursal, Speaker of the People's Assembly (Lower House) of Somali Federal Parliament, where Speaker Mursan was scheduled to attend August 1 Puntland Day celebrations and engage in discussions focused on improving FGS-Puntland relations.

- 3.1.2 Analysis: Throughout July, FGS-Puntland relations remained tense, unsettled and seemingly driven by competing interests and ideologies vis-à-vis Somali federalization.FGS actions, and Puntland's reactions, further exacerbated the tensions and pulled the two stakeholders in opposing directions. Puntland's concerns about FGS interreference in its state affairs, as well interference elections in Galmudug and Jubaland states, were seemingly validated by FGS actions, such as financial support bypassing Puntland institutions, and FGS press statements opposed to Jubaland's self-governed electoral process. At its heart, the dispute is fueled by competing political and ideological differences, with FGS seeking a more centralized approach to governance, and Puntland demanding its regional autonomy status protected by the Provisional Federal Constitution (2012) of Somalia. The long-standing dispute between FGS and Puntland took a turn for the worse in May, when the National Consultative Conference of FGS and FMS leaders concluded without agreement in Garowe, paving the way for continued incessant political disputes.
- 3.1.3 Forecast: The FGS-Puntland relations are expected to remain on an adversarial course, with each party pushing its own agenda. Unresolved matters of state, such as a negotiated agreement on distribution of political power between FGS and FMS, national security, revenue sharing, management and sharing of natural resources, and harmonizing federal-state constitutions and judicial systems, will remain issues of contestation for prolonged political disputes. However, the continuation of technical-level cooperation is anticipated to continue, and provides an important bridge for reconciling political differences between the center (FGS) and the periphery (FMS).

3.2 Qatari 'Role' in Bossaso Bomb Attack: NYT

3.2.1 **Key Developments**: On Jul. 22, the *New York Times* published an article detailing recorded conversations between Qatar's Ambassador to Somalia and a Qatari businessman, whereby discussions included alleged links between Qatar and a bombing attack on May 11th near Bossaso court house.³⁹On Jul. 23, Puntland President Deni while speaking at Garowe Book Fair indirectly accused the Qatari government of involvement in terror attacks in Bossaso, citing the *New York Times* article.⁴⁰ The President said Puntland

government "suspected" that foreign powers were involved in attacks in Bossaso, including the assassination of UAE firm P&O Ports company manager at Bossaso Port in Feb. 2019.

On Jul. 23, Puntland government issued a press statement calling for an "international investigation" into allegations of Qatari links to terror attacks in Bossaso, as reported by the *New York Times* article.⁴¹ The statement said the Puntland president "called upon the executive and legislative Houses of the Federal Government of Somalia to launch an official and thorough investigation into recent terrorist activity in Bossaso, including the assassination of P&O Ports company manager in Bossaso on February 4, 2019".⁴²

On Jul. 30, UAE State Minister for Foreign Affairs Dr Anwar Gargash said it was "unfortunate" that Qatari government was involved in "terrorist and extremist activities in Somalia", according to Dubai-based *The National* newspaper. Dr Gargashmade a direct reference to the *New York Times*, whose article claimed to have obtained a secret recording between Qatari ambassador to Somalia and a Qatari businessman, discussing May 11th bombing attack in Bossaso. The UAE State Minister for Foreign Affairs claimed that the article "proves Doha's ties to terrorism". Since 2010, the UAE has funded and trained the Puntland Maritime Police Force (PMPF), the state's anti-piracy force; and, in 2017, UAE-based firm (and DP World subsidiary) P&O Ports was awarded Bossaso port expansion contract worth \$336million. Both Qatar and Somalia's federal government have denied the *New York Times* allegations.

3.2.2 **Analysis**: The *New York Times* article was an explosive report that shed light on the hidden foreign forces that allegedly engage in destabilizing Puntland, and Somalia more broadly.Puntland government's measured reaction, to demand an "international investigation", is a laudable step as the state government is unable to manage such an important investigation. In contrast to Puntland's position, Somali Foreign Minister Ahmed Isse Awad presented the FGS official policy on the *New York Times* report, saying: "The Qatari government released a statement that they shared with us in which they denied the claim. And we [FGS] are satisfied with it."

Qatar's direct involvement in Somali politics has been well-known for many years, including funding election campaigns for two successive Somali presidents in 2012 and 2017. The *New York Times* article raised eyebrows and attracted unwanted attention towards Qatar, a small Gulf State isolated by fellow Gulf nations since 2017, with Saudi Arabia and UAE accusing Qatar of supporting international terror groups. Allegations of Qatari connections to terror groups are not new; however, Qatar's fight against the UAE role in Somalia, and specifically Puntland, has become increasingly visible since the election of Somali President Farmajo. Nonetheless, allegations of direct involvement in terror attacks, in this case a bombing attack in Bossaso in May, raise important questions about the unchecked role of foreign governments in Somali political affairs and regional stability.

3.2.3 **Forecast**: Foreign powers have historically exploited security vulnerabilities and political instability in Somalia, and the serious allegations levied against Qatar are no exception. The matter, however, is not expected to be resolved through any "international investigation", as the Somali Federal Government is "satisfied" with Qatar's denial, thereby blocking any possible international action. However, both Somali stakeholders and international actors operating in Somalia will become more aware of the hidden factors that jeopardize peace and security in the country, and hopefully trigger new strategies. It is also likely the matter will bring unwanted scrutiny by international actors towards Qatari activities in Somalia, but unlikely that the international community will take steps to curb Qatar's uncheckedinfluence and demand transparency of its financial contributions to FGS.

3.3 Puntland International Engagement

3.3.1 **Key Developments**: On Jul. 8, President Deni welcomed to Puntland the new UN Special Representative to Somalia and Head of UNSOM Ambassador James Swan, whereby discussions focused on UN programs in Puntland, federal-state disputes, 2021 federal elections, and Puntland-Somaliland conflict. It was Ambassador Swan's first visit to an FMS since assuming office in UNSOM headquarters Mogadishu, in June.

Speaking at the press conference in Garowe, Ambassador Swan said: "We are looking forward to working closely with the people of Puntland and the federal member state administration in order to implement the UNSOM mandate and the activities of the entire UN family more effectively, including efforts to support inclusive dialogue among the Federal Government of Somalia and the Federal Member States." He UN special envoy expressed concern about the "continuing problem and the sporadic fighting in areas of Sool and Sanaag in recent months", and called for a "peaceful resolution" to the Puntland-Somaliland territorial conflict. He

On Jul. 10, President Deni welcomed to Garowe EU Special Envoy to Somalia Nicolas Berlanga Martinez, whereby discussions focused on EU support to Somalia and Puntland specifically, in the security sector and development programs.⁴⁸

- 3.3.2 Analysis: During the reporting period, Puntland administration steadily continued its international cooperation and engagement with international partners. After assuming office in Mogadishu, both the UN and EU envoy to Somalia traveled to Puntland as their first destination to commence a tour of Somali state capitals. This step likely signifies that international partners recognize Puntland's role as a key stakeholder in the Somali nationbuilding process. However, Puntland's strong opposition to FGS federalization policypresents both a challenge and an opportunity for Puntland and its international engagement policy. By challenging the FGS on federalization matters, Puntland is steadily re-positioning itself as the leader of FMS – demanding regional autonomy, fair sharing of foreign aid, and consultations on federalization and national security matters. On the other hand, Puntland's strong opposition to FGS policy risks alienating some international actors who have invested heavily in slowly but steadily supporting FGS to strengthen its institutional capacity through donor funded programs. This dynamic compels Puntland to walk a fine line to protect its regional autonomy, whilst avoiding to alienate key international partners who have invested millions to protect FGS credibility, domestically and internationally.
- 3.3.3 **Forecast**: Puntland government is anticipated to continue its robust and reenergized international engagement efforts, enabling the state to attract medium to long-term development programs and investmentinitiatives in key economic sectors. Conversely, with no political resolution in sight, the FGS is expected to continue efforts blocking Puntland's international engagement, a move that will likely further deepen the FGS-Puntland dispute and ensure a period of prolonged political disengagement.

3.4 Puntland Parliament: 44th Session Concludes

Key Developments: On Jul. 7, Puntland Parliament categorically rejected 2018 annual budget review, after the government's Auditor-General presented a report stating that the former Puntland administration did not adheretothe approved 2018 budget.⁴⁹ With 40 MPs present to vote on the motion to approve the budget review, 12 MPs voted yes, 27 MPs voted no and one MP abstained. According to MPs, the budget review was returned to the Finance Ministry to be resubmitted to parliament at a later date.

On Jul. 20, a group of ten Puntland Members of Parliament submitted a motion demanding the dissolution of the five-member Puntland High Court, citing "internal disputes, committing injustices against society, low performance, widespread corruption, judicial power abuse, and lack of presence in all regions and districts" of Puntland.⁵⁰ The MPs cited Puntland State Constitution Article 90 and requested the commencement of parliamentary proceedings to dissolvejudges of the High Court with a 50%+1 vote.On Jul. 28, the motion against the High Court was "dismissed"⁵¹ after four of the 10 MPs who submitted the motion suddenly "withdrew" their names from the motion, and thereby the motion failed to meet minimum requirements to be presented on the parliamentary floor, Speaker Abdihakim Mohamed Ahmed 'Dhoobo' announced.

On Jul. 21, Puntland Parliament's Policy, Planning and International Cooperation Subcommittee presented a report to Parliament describing the importance of the Statistics Bill submitted by the Puntland Ministry of Planning, Economic Development and International Cooperation.⁵² The Sub-committee's report stated the bill helps Puntland with "policy direction, streamlined information and enhancing the Census Bureau". The report also said the bill helps the government strengthen its transparency and accountability mechanisms in state institutions and with international organizations.

On Jul. 23, Puntland Parliament approved the Civil Service Commission Law, after a presentation by parliament's Society and Cultural Affairs Sub-committee.⁵³ Of 37 MPs present, 32 voted yes, 4 voted no and 1 MP abstained, and the Civil Service Commission Law was passed.

- 3.4.1 Analysis: Puntland Parliament's 44th session, the first session since President Deni's election in Jan. 2019, concluded in July. The parliamentary agenda featured a range of topics (see: PSR June 2019), most of which were discussed and debated, and some issues were presented on the parliament floor for a vote. In the end, Puntland parliamentarians approved laws drafted and submitted by the former administration, including Civil Service Commission Law. Parliament's imposition of a 500% tariff on non-essential goods entering from Somaliland (detailed in the next section) was a key step aimed at protecting the Puntland economy, but the government's enforcement actions remain to be seen. However, parliament's overall weak line of questioning of the administration on security, public finance, federalization, the democratization process, and signed commercial agreements, was indicative of the historic character of the state parliament as largely a rubberstamp entity that is too weak to seriously challenge government leadership on matters of state.
- 3.4.2 **Forecast**: Puntland parliament's first annual session concluded without much excitement. Parliamentarians are expected to remain largely divided into three groups: pro-government, opposition, and undecided MPs, largely aligning with parliament's historic nature. This system will likely endure, at least in the near-term, ensuring that the state parliament does not become a formidable force able to challenge the administration on state affairs.

3.5 Puntland Institutional Reforms

3.5.1 **Key Developments**: Throughout the reporting period, Puntland state leadership continued its focus on implementing institutional reforms, particularly appointing new officials to key government positions and restructuring government agencies. A presidential decree issued on Jul. 4 abolished two government agencies: Puntland Water, Energy and Natural Resources (PSAWEN), which was founded in 1998, and Puntland Petroleum and Minerals Agency (PPMA), which was formed in 2009.⁵⁴ According to the decree, PPMA was integrated as a department of Puntland Ministry of Energy, Mining and Water, while two

new agencies were formed and placed under the supervision of that Ministry: Puntland Water Authority and Puntland Electricity Authority. On Jul. 7, President Deni replaced long-serving officials at key financial institutions, appointing a new cadre of public servants to the positions of Auditor-General, Accountant-General, State Bank Governor, and Director-General of Ministry of Finance.⁵⁵

During July, other appointed positions included: Governors of Sanaag and Haylaan regions; Directors of Bossaso and Badhan airports, Puntland Maritime Police Force (PMPF) director, Director-General of Ministry of Energy, Mining and Water. A Cabinet minister, State Minister for Constitution Salah Habib, resigned via a Facebook post on Jul. 17, whereby he claimed that he was "not consulted" when President Deni changed his role from State Minister of Presidency to State Minister of Puntland Ministry of Justice, Rehabilitation and Religious Affairs. Mr. Habib previously served as Puntland Minister of Justice under the former Abdiweli Gaas administration. On Jul. 18, President Deni also suspended the work of Eng. Abdirizak Yusuf Elmi, chairman of Puntland Highway Authority, in a presidential decree. The decree further stated that "all newly hired employees after January 2019 have also been dismissed". On that same day, Puntland Parliament voted to approve the nomination of new Auditor-General Abdirizak Omar Farah, who received 40 MP votes to assume his new position.

Meanwhile, other government institutions continued enacting new policies and focusing on strengthening governance at all levels. On Jul. 7, for example, the Puntland Tender Board suspended Joint Program for Local Government (JPLG) funding for Bender Beila District of Karkar region, citing corruption allegations. In particular, the Board accused Puntland Ministry of Interior's Director-General Mohamed Ali Nur 'Jubba' and an unnamed Local Council member of 'mismanaging' the tender process for JPLG project in the district.

At the regional administration level, Mudug regional governor Ahmed Muse Nur Yare issued a decree on Jul. 17, instructing all non-governmental organizations operating in Mudug region to send their work plan and field trips to Mudug Governor's office before the projects commence to ensure security and accountability.⁶¹ In similar fashion, on Jul. 28, Karkaar regional governor Said Mohamed Fahiye issued a decree instructing all "international organizations" to register their activities with Karkar Regional Administration prior to implementing project activities in the administrative region.⁶²

Towards the end of the month, President Deni nominated a six-member Senior Presidential Advisory Council, including two women, marking the first time thata Puntland leader has nominated an official Advisory Council.⁶³Nuradan Aden Dirie, a former senior UN policy adviser and 2009 Puntland presidential candidate, was appointed as the Council Chairman.

3.5.2 Analysis: Said Deni was elected President of Puntland State in Jan. 2019, after campaigning on a reform platform. Since assuming office, President Deni has undertaken preliminary steps to jump-start the new administration's plans for reforming government institutions. In July, the president nominated people to key positions in public finance, such as Bank Governor and Auditor-General, underscoring the government's continued focus on improving public finance management and other key sectors. The reform steps taken in July includes a major shakeup of institutions, whereby two government agencies (PSAWEN and PPMA) were dissolved and integrated into three new institutions: Ministry of Energy; Puntland Water Authority; and Puntland Power Authority. The government's directive placed all matters of oil, gas, mining, electricity, and water under the direct supervision of a single Ministry of Energy, Mining and Water, thereby streamlining major sectors from a policy and management point of view.

While the government's continued reform agenda is commendable, some major challenges remain. For example, it was not made clear how the new Ministry and two new agencies will work together in terms of overlapping mandates. Or, more importantly, whether newly appointed officials in sectors of public finance can enact the necessary measures to curb corruption and improve financial procedures and transparency. Procedural and administrative reform will need to run parallel with President Deni's nominations, if the desired goal is reforms that lead to improved governance.

It is probable that the government's decision to empower the Ministry of Energy, Mining and Water with a broad mandate will help to draw attention to Puntland's overall limited access to adequate clean water and power sources, and possibly allow for a more streamlined, cross-sectoral policy approach. However, building a government's general credibility is reliant on a number of factors, and public confidence is more likely to improve when majority of institutions function with professionalism, transparency and commitment to quality service.

3.5.3 Forecast: It takes time for newly appointed government officials to comprehend to their new duties, to fully grasp the information flow, and to adapt to the work environment. It is unlikely that the new officials can make dramatic changes in the coming months, but it is more likely that the new officials will introduce incremental changes and short-term goals in administrative procedures and staff training, hoping to make major performance improvements in the long-term.

4. SOCIAL AND ECONOMIC AFFAIRS

4.1 Puntland Struggles to Enforce 500% Tariff on Products from Somaliland

Key Developments: The Puntland government and legislature have taken a number of steps in recent weeks, which government officials' claim will ensure protection of the local economy. On Jul. 8, Puntland Parliament voted to ban containers imported via Somaliland's Port of Berbera, which arrives by container and is trans-shipped by trucks to Puntland markets. The MPs also voted to impose a 500% tariff on all non-basic goods and products entering from Somaliland.⁶⁴ This was following a parliamentary discussion whereby Parliament's Economic Affairs Sub-committee detailed many issues, including what some Puntland legislators termed as a "trade imbalance" of supplies coming from Berbera Port, compared to those arriving from Bossaso. Parliament's decision was preceded by the Puntland Ministry of Finance, which issued a decree on Jun. 29 levying a new tax of 200% on non-essential items coming from Somaliland.⁶⁵

According to the parliamentary sub-committee, two companies owned and operated by Puntland residents signed an agreement with the Somaliland Government and DP World, which manages Berbera Port. Puntland MPs claimed the two companies were granted access to bring shipping containers of supplies through Berbera Port, without being subject to Somaliland taxation as long as the products are transported to Puntland markets.⁶⁶

According to the sub-committee, the agreement undermines economic activities at Bossaso Port, as more products headed to Puntland markets have been diverted to Berbera Port. There was overwhelming support for the vote to ban containers coming from Berbera Port and this was doubled down by parliamentarians who also levied a 500% tariff on what they called an abundance of non-essential items coming to Puntland markets via Berbera Port.

Despite the ban of containers coming from Berbera, it seems that Puntland customs authorities have not adhered to parliament's early July decision. On Jul. 27, local media

reported that the ban and tax hike did little to stop the flow of goods and containers coming from Berbera.⁶⁷ NAI corroborated this information from several businesses in Garowe, who stated that non-essential products were still arriving with no additional tariffs imposed, and that containers were still flowing to Puntland markets.⁶⁸

4.1.1 Analysis: In essence, the Puntland government's argument is that local businesses and the local economy will be bolstered by hiking tariffs on non-essential items coming from Somaliland. But that assumption relies on products being domestically sourced by consumers at affordable rates. If that assumption is true, then the move may in fact be a step in the right direction for Puntland. Tariffs have been in the spotlight recently as many prominent countries are shunning away from the free trade school of thought. Most recently, India has taken protectionist measures towards its economy by imposing a tariff hike on 19 "non-essential imports". ⁶⁹ The move is seen as a recent global shift towards protectionism of domestic economies. But tariffs come with its pros and cons, as with any economic model.

There were two major decisions undertaken by Puntland parliament: first, the banning of containers coming from Berbera; and second, imposing a 500% tariff hike on all non-essential items. Starting with the tariff hike, the argument was that non-essential items that are sourced in Puntland were having to compete with products coming from Somaliland. For example, apparel originally coming from Ethiopia by way of Wajale Customs Point, in Somaliland, bottled water and other materials were mentioned in parliament's discussions. Some MPs described how these products were hurting local businesses, and argued that protectionist economic policies were necessary. One MP specifically cited that bottled water made in Puntland was not allowed to enter Somaliland territory, claiming that it would be "burned to protect local water companies" Meanwhile, Puntland customs collectslight tax from bottled water and other products arriving from Somaliland, compared to thehigher tax rate at the port of Bossaso.

Within small and medium-size local businesses, there are rumblings of discontent regarding the blanket high tariff on all "non-essential items" entering from Somaliland. Some businesses fear that the decision will more than likely mean that competitively priced products from Somaliland, which Puntland businesses and consumers rely on, might be impacted by abrupt price hikes. Higher prices will undoubtedly be transferred toPuntland consumers. This is the principle reasoning for disagreement with tariffs.

Products are coming in from Somaliland to Puntland cities and towns in high volume, indicating a high market demand. While Puntland MPs can be commended for raising the public policy issue, it is clear that a government-commissioned study on this matter of economic urgency was not conducted. It is important that the Puntland public have a better understanding of key questions impacting the local economy, such as why there is this demand for products arriving by way of Somaliland, and who or what market forces are driving this demand?

For the Puntland government, a more nuanced approach would work betterto effectively promote the domestic market and local production capacity, at which point the government may levy tariffs on specific items that can be sourced competitively within the domestic market. However, the solution to the problem may lie in Puntland's approach to custom duties at Bossaso Port. One of the main reasons for the influx of products from Somaliland is because small and medium retailers and wholesalersseeking competitive prices are opting to source products through Somaliland.Puntland government's blanket approach on tariffs on all non-essential items coming from Somaliland is looking at the problem from one side; however, the imperative question remains:how can Bossaso Port regain its competitiveness in Somalia and the wider Horn of Africa region?

Bossaso has smaller capacity compared to other key ports in Somalia, such as Mogadishu, Berbera or Kismayo. However, Bossaso Port was the premier port supplying large swaths of Somalia including Somaliland regions, between 1990s and 2000s. Bossaso is no longer the most utilized port in the country due of a multitude of factors. Major changesto political and security dynamics in Mogadishu and south-central Somalia, and Somaliland enacting competitive economic reforms, have both contributed to Bossaso port's decline.

However, the most critical factor was arguably a self-inflicted wound. In 2010, the Puntland government was facing a deficit, so the administration adopted a policy of increasing customs duty at Bossaso Port, which deterred many small and medium businesses throughout Somalia who traversed long distances to enjoy Puntland's low customs duties. The timing of the tax increase coincided with Mogadishu port regaining its standing, and Somaliland led by President Ahmed Silanyo at the time was able to capitalize on Puntland's misjudgement by lowering customs duties at Berbera Port, in a bid to attract local entrepreneurs and investors back to Berbera, and away from Bossaso port.

Credible reports that Puntland custom authorities have not enforced the ban and the tariff hikeis perhaps indicative that local sentiments differ from parliament. Arguably, there are a number of key reasons why customs authorities are not inclined to implement parliament's ban. The "dry port" in Puntland-controlled Sool region is an essential source of income for the local area. If the ban and tax increase is properly enforced, it will likely significantly diminish revenue generated. Secondly, Puntland companies who signed agreements with Somaliland complained about the "poor handling of goods" by shipping companies importing to Bossaso port, as products are shipped with dhows and boats because there is no container terminal in Bossaso.In their support for the Berbera deal, some Puntland local companies have cited product damage and extra shipping costs from Omani ports to Bossaso port. This is a fundamental issue that the Puntland government has not adequately addressed, and one thatcould have huge ripple effect of higher costs throughout the supply chain.

Puntland economists argue that the unintended impact on the local economy can be mitigated, if there is sound research to identify the best viable model and that gradual steps are taken to implement change. "Puntland has taken an approach that is not properly thought out. Most people do not know it, but Somaliland has taken similar approaches to boost their local economy by levying tariffs on certain items they know are found locally, but they also have given subsidies to businesses using their port. Case in point: the two Puntland companies who only pay port fees," says Guled Mussa, a Somali economist based in Canada. He argues Somaliland tariffs on products are being mirrored by Puntland, but other important policies incentivizing the use of Bossaso port have not been implemented. Bossaso is at disadvantage because it cannot handle containers. Knowing this, the Puntland government should enact policies that incentivize the use of Bossaso port. Puntland's efforts to ensure there is a level playing field locally should be welcomed, but if it is not measured in its approach, the policy can backfire and lead to businesses and consumers paying higher prices."

4.1.2 Forecast: If Puntland enacts the ban and tariff hike imposed by parliament, the question will remain on how customs authorities will enforce the policy effectively. If indeed it is enforced, the extent of the economic impact cannot be measured due to limited available data; however, the policy is likely to create additional political burdens on the state government from various local stakeholders. It is unclear, as of yet, if all levels of the executive branch are in consensus with parliament's ban. However, it is likely that more developments will be forthcoming in the following months. Whether or not Puntland goes

forward with policy enforcement, bolstering the local economy and restoring Bossaso Port's competitive advantage, will likely remain critical matters of importance for the government.

4.2 Social Impact: Politicization of FGS Donations to Puntland Development

4.2.1 **Key Developments**: A series of events that transpired between Puntland and the FGS in July have had a substantial impact on social development of communities in Puntland. Beginning in Galkayo and making its way to Bossaso, the FGS direct donations to various community committees and activist groups has been highly publicized and scrutinized by the Somali media and public. A visit to Galkayo by FGS Prime Minister Hassan Ali Khaire morphed into a public fallout after Puntland Interior Minister Mohamed Abdirahman Dhabanad criticized the Prime Minister's visit for having "bypassed agreed protocols" after he visited Awale Stadium in Galkayo. The Prime Minister's visit to thestadium was organized by local community activistswhich, according to Puntland authorities, coincided with events organized by Puntland government. On Jul. 10, the Prime Minister opted to attend the community organized event thereby shunning Puntland government's protocol arrangements, leading to a public fallout between the FGS and Puntland.

The fallout was further exacerbated when, just a day later, it was leaked that the FGS Ministry of Finance donated \$220,000 USD to the community committee in charge of the rehabilitation of Awale Stadium in Galkayo.⁷³ Puntland did not immediately respond to the donation, but the government's frustrations manifested on Jul. 17, when Mudug Governor Ahmed Muse Nur Yare issued a decree banning any meetings without prior government approval.⁷⁴ In his decree, Governor Nur Yare noted that, "In observance of our region's security needs and supremacy of law, it is vitally important to prevent every step that harms the governmental system".

FGS cash donations to other community committees continued, when on Jul. 18, Bossaso police arrested three persons in connection with \$150,000 which FGS Ministry of Finance deposited to a community committee's bank account. Puntland officials demanded that Federal Government deposit any funding support through Puntland institutions. Puntland officials demanded that the \$150,000 is sent back but the three men refused (the men are part of Bossaso road community committee) and were subsequently detained.⁷⁵

On Jul. 20, it was reported by multiple news outlets that Somali President Mohamed Abdullahi Farmajo joined the fray. President Farmajo intervened publicly by publishing a statement on his official Twitter account, stating that he "spoke with Puntland President Deni" and "requested the unconditional release" of committee members detained in Bossaso. The next day, Puntland Prosecutor-General Mohamud Aw Osman told press conference in Garowe that, "neither President Deni nor President Farmajo can release persons detained by Puntland court system". He stated that only "by law" can anyone be released from Puntland prisons. His remarks were in direct response to the Somali President's call for the release of three detained committee members. Again, on Jul. 21, Puntland police in Bossaso arrested chairman of road community committee, Sheikh Mohamed Moallim Ahmed, who joined other committee members at the Bossaso jail. On Jul. 23, however, Bari Regional Court issued a ruling immediately releasing all four persons detained by police in Bossaso.

Leading up to the release of the Bossaso road committee members, there were alsounconfirmed reports of Galkayo authorities seeking to arrest members of the Awale Stadium committee for accepting the FGS donation. On Jul. 30, media outlets reported that some committee members in Galkayo allegedly fled to Dhusamareeb, capital of Galmudug state, where Prime Minister Khaire was staying, after one committee member reported on a

Facebook post that he "fled Galkayo authorities" who were seeking to arrest him.⁷⁹ Senior police officials in Galkayo confirmed to NAI that there was no active arrest warrant for the man, nor was the government investigating his case.⁸⁰

4.2.2 **Analysis**: The events that transpired can either be construed as political maneuvering or it can be interpreted as a misunderstanding between FGS and Puntland. In either case, therehave beennoticeable implications on the social landscape. The fallout between the Prime Minister and Puntland administration was followed by two notable donations to two non-governmental community committees. Puntland viewed the FGS donations as violations, especially after the 'protocol' debacle in Galkayo.

The FGS viewed the donations as support to independent local bodies working in local development. The committee in Galkayo has been fundraising for Awale Stadium for quite some time. Youth groups in Galkayo have also vocalized the need to rehabilitate Awale Stadium and empower local sports. However, the timing of the FGS donation created reservations as to what exactly are the intentions of FGS leaders.

Conversely, the response by the Puntland government was unclear and lacked balance. In 2018, the FGS deposited direct funding support to volunteer committee bank accounts for social projects, namely Mire Aware stadium in Garowe. Puntland officials allowed that deposits intended for "community projects"; however, government officials said the Bossaso road rehabilitation project is a government-led initiative and demanded that the deposit be made via government institutions, instead of a community committee.

In the midst of this political maneuverings and misunderstandings, social cohesion in Galkayo and Bossaso was tested. The brunt of the maneuvering adversely impactedlocal communities not involved in government affairs. Ultimately, FGS was perceived as politicizing aid in a bid to undermine Federal Member States (FMS), such as Puntland. Both sides engaged in polarizing behavior that did not inspire local harmony. The timing of the FGS donations questions the legitimacy of their claim of supporting local development initiatives, and the Puntland government's reaction deepened the dispute. Knowingly or unknowingly, actions by both parties misleadingly transformed local development into a pro-FGS or pro-Puntland debate. Whether or not the FGS – already locked in political disputes with FMS –has the right to grant donations directly to local community committees in regional states is another debate.

The FGS being accused of using money to buy influence and support in the FMS has long been an allegation levied against former federal leaders; however, that money usually went to certain prominent political figures who would utilize those funds to seek local support. The tactic the FGS is accused of implementing is using local development needs to buy influence, which at face value is a better strategy for the communities as a collective who will benefit from development projects, provided they are implemented. But it can also set a dangerous precedent in which those with deeper pockets at the federal-level are able to influence local communities for political gain. Pinning local residents who care about development against their state government should not be a strategy adopted by the FGS, as it undermines governance and political cohesion between FGS and FMS. In the same token, Puntland should not adopt a strategy of arresting those who receive development supportto fundlocal projects, and Puntland should consider other strategies to resolve the matter at the local level. This political jostling between the two sides should stay within the confines of the political arena, and both sides should ensure that social cohesion and development is not be jeopardizedat all costs.

4.2.3 **Forecast**: The politicization of support to community development programs does not seem like strategy that either side supports; however, as the federal elections draw closer, FGS-

FMS relations will continue to be tested and time will tell if politicization of aid will continue. The social impact of the aid will likely not be long lasting, as Puntland has opted for a laissez-faire approach to FGS development support to community groups. However, a close eye should be maintained on the transparency and implementation outcomes of proposed community development projects.

4.3 Puntland Focuses on Rebuilding Highway

- **4.3.1 Key Developments**: On Jul. 23, Puntland President Said Deni speaking at an event in Garowe said that the Puntland government was focused on efforts to rebuild broken sections of the state's 750km main highway, connecting port of Bossaso in the north, to Galkayo in the south.⁸¹ President Deni said Chinese construction firm CCECC engineers, accompanied by Puntland Ministry of Public Works Ministry and Puntland Highway Authority engineers, had begun field assessment of the damaged highway and that the governmentwas fundraising to commence highway reconstruction as soon as possible.
- 4.3.2 Analysis: In May, heavy seasonal rains in Puntland led to flash flooding that damaged key sections of the Garowe-Bossaso highway. If left unaddressed, the damage would likely continue to deteriorate the road conditions. The state government's commitment to improve the road network that leads to the port city of Bossaso is in line with the state's economic interests. The poor road network linking Galkayo to Garowe is also expected to be in the scheduled for rehabilitation projects; however, the Puntland government has prioritized the less costly rehabilitation along the Garowe to Bossaso corridor, which was damaged by heavy rains. The government is also utilizing the support of a major international company (CCECC) to ensure state infrastructure is maintained at the highest quality.
- **4.3.3 Forecast:** The rehabilitation project for sections of the Garowe-Bossaso highway will likely commence in the following months.

New Access International (NAI Somalia), founded in 2012, is a development agency 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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