



PUNTLAND SITUATION REPORT

Somali Law & Policy Program

September 2019

1. EXECUTIVE SUMMARY

During the reporting period in September, Puntland State remained relatively stable; however, the continued threat from conventional, such as Somaliland, and non-conventional forces including Al Shabaab and ISIS remain. For the fourth consecutive month, there has been a marked decline in violent extremist operations in Puntland. This decline can be attributed to the government's active efforts to disrupt militant activities in the region. More importantly, however, the government's engagement with local communities aiming to improve security and focus on economic development has achieved measured success.

Sub-national military tensions with Somaliland remained high during the reporting month. In Sanaag region, Puntland commanders alleged that Somaliland was colluding with Al Shabaab militants. Without a dialogue process, Puntland-Somaliland tensions are likely to remain high as the tensions are further fueled by media disinformation. Significantly, the threat of local/clan conflicts increased in Mudug region with another incident of clan violence related to attacks in August. If unresolved, the clan clashes threaten to transform from rural clashes to urban conflict in Galkayo.

Political tensions between the Federal Government of Somalia (FGS) and Puntland continued uninterrupted; the Puntland president strongly warned against term extension for FGS leaders. However, at the technical-level, FGS and Puntland officials were engaged in meetings on cooperation in a number of sectors, including federal electoral process, public finance and justice sectors. With regards to Puntland and Somaliland relations, political messages shared via media agencies between Puntland and Somaliland during the reporting period continued to undermine relations between the two sub-national entities, whilst each was busy attempting to influence local support in Sool, Sanaag and Cayn (SSC) regions. Puntland's relations with local media groups faced some controversial challenges, as the Ministry of Information demanded registration of journalists and media agencies, and a local court issued an arrest warrant for a journalist. Meanwhile, Puntland Ministry of Interior continued its efforts to establish Local Councils in a number of districts, while Transitional Puntland Electoral Commission (TPEC) initiated discussions with the donor community and launched public consultations on the democratization process.

Meanwhile, the Puntland administration continued its efforts to focus on rehabilitating and expanding public infrastructure, and attracting foreign investment in the token. The first-ever Puntland Investment Forum was held in Garowe, with over 400 delegates present, local and international companies, and concluded with an investment pledge of USD \$467million over the next three years. President Said Deni of Puntland attended the launch of the second phase of Gara'ad port construction project, in a move seen to solidify government support for the community-led investment project. The state government also announced a USD \$2million investment for rehabilitation of Garowe-Bossaso road, donated by UAE government. However, public concerns were raised regarding a Memorandum of Understanding (MOU) between Puntland Ministry of Civil Aviation and a UAE-based airport management firm, for expansion a management of Bossaso International Airport. The government's efforts to focus on developing public infrastructure is timely and commendable; equally important is to address the public's dissenting voices through increased transparency, public consultation and advocacy programs.

2. PEACE AND SECURITY

2.1 **Key Developments:** In September, local media reported a total of 12 violent deaths in Puntland and surrounding regions, representing an increase of 100% from August. About 50% of all violent fatalities were reported in the regional fault-lines (Somaliland, in this case), about 25% attributed to local/clan conflict, about 17% attributed to VEO attacks in Puntland. There was one reported bomb attack against Puntland security forces in Bari region, leading to two deaths and four wounded soldiers. For the third consecutive month, there were no new reported incidents of violence against women. And the remainder attributed to a random attack where one security officer was killed.

2.1.1 **Uncategorized:** On Sep. 16, at least one Puntland security officer was shot and killed in Bossaso when a fellow officer opened fire on him.¹ The reason for the shooting was not disclosed. Both officers were part of the state police's UN-trained Special Protection Unit (SPU), which protects UN staff and international NGOs. The alleged killer was arrested, according to Bari regional police commander Col. Hussein Ali Mohamed.²

2.1.2 **Violence Against Women:** On Sep. 9, Puntland Prosecutor-General Mohamud Hassan Aw'Osman told a press conference in Garowe that reports that the three men convicted in the case of 13-year-old victim Aisha Ilyas rape-murder case were released from prison. Mr. Aw'Osman dismissed the "false reports", saying: "This case passed through all legal proceedings. The convicted men are in prison, they did not escape nor were they released".³ The prosecutor-general was responding to unverified claims circulating on social media networks. On Aug. 22, Puntland High Court judges rejected the three men's appeals case and upheld the lower court's death sentence ruling.

On Sep. 29, Federal Government's Prosecutor-General said he traveled to Puntland to seek more information about organized crimes, including rape, with the prosecutor-general commenting that Mogadishu and Puntland experienced high level of rape in recent years.⁴

2.1.3 **Sub-National Conflict:** On Sep. 5, Puntland Defence Force (Darawishta) commander Gen. Yasin Omar Dheere travelled to Badhan, capital of Sanaag region, and toured troops who recently defected from Somaliland military. Addressing the troops, Gen. Omar Dheere said: "Sanaag region is in a state of war at the moment", adding that Puntland troops in Sanaag region were facing "a united enemy of Somaliland and Al Shabaab who are together".⁵ The Puntland Darawish commander also claimed that Puntland state forces "apprehended Shabaab elements crossing over from Somaliland".⁶

Four days later, on Sep. 9, Puntland Darawish commander in Sanaag region Gen. Abdullahi Omar Anshur responded to Somaliland army chief Gen. Nuh Tani's comments on "capturing Badhan", saying: "The Badhan community kicked out Somaliland and they cannot return."⁷ On Sep. 19, Puntland Darawish Force commanders in Ayn Region (Buhodle) told local media that security forces in Buhodle area are part of Puntland state forces.⁸ The forces were led by area commander Col. Abdirahman Abdullahi Ahmed and 43rd brigade commander Lt. Col. Bashir Osman, according to media reports.

2.1.4 **Regional Fault-Lines:** On Sep. 18, clan fighting erupted again in El Afweyn, in Somaliland-controlled western Sanaag region.⁹ Somaliland's Sanaag governor Mohamed Ahmed Alin Timbaro told media in Erigavo that at least 5 persons were killed in the fighting.¹⁰ On Sep.16, Somaliland-appointed Sool regional governor Abdinasir Mohamed Barre "Abusheybe" told media that an officer with the Somaliland prison guards, killed another officer and escaped, and that local police were searching for the fugitive.¹¹ On Sep. 20,

Somaliland Interior Ministry's State Minister for Security Mohamed Muse Dirie denied media reports that a "new rebel group" was declared in Las Anod, saying "media should steer away from false news".¹² The self-proclaimed Khatumo Liberation Front, led by rebel Col. Faisal Falalug, has conducted guerrilla operations against Somaliland forces in Sool region since 2018.

2.1.5 Violent Extremist Organizations: On Sep. 20, at least 2 Puntland soldiers were killed and 4 wounded when a roadside bomb exploded in Galgala mountains, southwest of Bossaso.¹³ Al Shabaab group which is active in Golis Mountains Range claimed responsibility for the attack. On Sep. 23, ISIS branch in Somalia shared photographs of an alleged training camp named "Daud al Somali" and new fighters who joined ISIS at an undisclosed location in Puntland State's Bari region.¹⁴

2.1.6 Counter-Terrorism: On Sep. 6, Bari Governor Yusuf Dhedo, accompanied by Bari regional police chief, went to Galgala village to talk with local communities and security commanders. Since 2008, Galgala mountain area of Golis Range has been a hotbed for insurgent activity in Puntland.¹⁵ On Sep. 10, Bari regional police chief Col. Hussein Ali Mohamud told local media that state forces were making significant efforts to improve security in Bossaso and Bari region in general, and noted that the commander recently visited Galgala village.¹⁶

On Sep. 15, speaking at an opening ceremony for Puntland Investment Forum, President Deni said the government would "wipe out Al Shabaab and ISIS threat" to attract more investors to the state.¹⁷ On Sep. 24, Puntland's counter-terrorism Puntland Security Force (PSF) announced that its forces conducted security operations in areas of Al Madow Mountains, saying that a number of Al Shabaab fighters were "killed or wounded" in the operation, although the statement did not provide further details.¹⁸

2.1.7 Maritime Security: On Sep. 5, Minister of Justice and Religious Affairs Awil Sheikh Hamud denied allegations that pirates being held in Puntland were freed. Seychelles and Puntland state had an agreement to transfer pirates arrested in international waters and convicted in Seychelles to Puntland prisons. The Minister has said it would review its 2012 agreement with Seychelles, regarding piracy convicts being held in Puntland jails.¹⁹ On Sep. 9, Puntland Fisheries Minister Farah Awash told media that, since assuming office in Feb. 2019, the Ministry detained and fined up to seven boats engaged in illegal fishing activities off the Puntland coast. During a trip to Bargaal, the Minister described the foreign licensing of fishing permits to a crowd of fishermen and community members. The Minister also noted that the Ministry assisted in the formation of district-level fishing associations in Bossaso, Eyl, Beila and Gara'ad coastal areas and planned to establish more fishing associations.²⁰ On Sep. 11, local reports emerged that five Puntland fishermen were missing after going on a fishing expedition near the coastal city of Gumbah, according to the Gardafui governor Mohamud Ahmed Ainab.²¹ The reports of the missing fishermen came during a trip by Minister Awash to the region.

2.1.8 Local/Clan Conflicts: On Sep. 12, at least 3 persons were killed and the driver wounded in an area west of Galkayo, when unidentified militia opened fire on passenger bus.²² Local media reported it was clan related attack launched by Galmudug based militia on passengers hailing from Puntland.²³

2.1.9 Security Sector Governance: On Sep. 1, Puntland police official Col. Ibrahim Abdi Balayah 'Dhoolgu', police chief of Ayn Region, was arrested in Garowe after "rejecting" the police commissioner's demands for reform and removing "ghost police" from the payroll.²⁴ On Sep. 2, Puntland government denied media reports that a plane carrying military equipment landed at Qardo airport, in Puntland's Karkar region. Puntland Aviation Minister

Osman Lugator, speaking to reporters in Badhan, Sanaag region, told local media that the “online media reports are false” and that “Puntland airports are safe and reliable”.²⁵ On Sep. 3, a small number of Puntland forces mutinied and set up a temporary roadblock south of Armo, a town 100km south of Bossaso along the Galkayo-Bossaso highway.²⁶ Puntland military commanders were dispatched to the mutinying troops, who were reassured government action with regards to payment and were subsequently sent back to their bases, local media reported.

On Sep. 11, the new Capital Police in Garowe officially launched its work mandate to tackle people illegally carrying weapons, youth engaged in local crimes, and striving to restore the capital city’s safety image. The event was attended by Nugal governor, Garowe mayor and senior police commanders.²⁷ On Sep. 13, Puntland security minister Abdisamad Mohamed Gallan told weekly Council of Ministers that “reforming security forces is underway, including traffic police and diplomatic security” and that the process was underway “in all regions of Puntland”.²⁸ On Sep. 24, Puntland President Said Deni nominated Mukhtar ‘Jeyte’ Mohamed Hassan as the state’s new director of Puntland Intelligence and Security Agency (PISA). Previously, Mr. Jeyte served as Puntland Deputy Education Minister under President Deni administration. The new director is expected to make major reforms at PISA and coordinate Puntland government’s security and intelligence activities.²⁹

2.2 Security Forecast

2.2.1 **Violence Against Women:** Despite convictions of the violent rape and murder of a 13-year-old, Puntland authorities still have a number of high-profile cases pending. The sluggishness in getting these cases to trial could have contributed to unfounded reports on social media. Clan representatives who have defended the convicted men have not been as vocal lately nor have they publicly maintained their initial stance. Although the swift punishment of culprits may act as a deterrent, Puntland’s battle with violence against women will likely continue as there have been no reported efforts in identifying and addressing the root causes of sexual violence.

2.2.2 **Sub-national Conflict:** Sool, Sanaag and Cayn (SSC) continue to be an area of active military tensions between Puntland and Somaliland sub-national entities. The Puntland Darawish commander’s serious allegations of Somaliland working with Al Shabaab militant group is not the first time; since 2011, successive Puntland administrations have directly accused Somaliland government of providing support to Al Shabaab fighters in Golis Mountains, southwest of Bossaso. New tensions in Buhodle between pro-Puntland and pro-Somaliland camps risks opening a new front between the rival sides. While the Puntland commander’s allegations are alarming, the Somaliland army commander’s remarks threatening to “capture Badhan” are provocative and contribute to widening the political divide. It is anticipated that sub-national tensions will likely remain, with the two sides making public exchanges to attract local support in SSC regions.

2.2.3 **Regional Fault-lines:** The regional fault-lines in Western Sanaag continue to worsen with another deadly attack in El Afweyn district. Despite efforts, the Somaliland government has been unable to cease the clan-based violence that has continued to destabilize the region. Reports of the brokering of an agreement between Col. Arre and the Somaliland government have not yet materialized. Although the conflict and death toll has not reached numbers witnessed in previous months, the situation in El Afweyn district can spill into surrounding regions. If unaddressed through joint government-community efforts, the conflict in El Afweyn district may continue to a negative impact on Sanaag region.

- 2.2.4 **Violent Extremist Organizations:** September saw no attacks in Bossaso despite the presence of President Deni and the Puntland administration towards the tail end of the month. However, the ISIS branch in Somalia displayed images of new recruits in what could be deemed as a response to President Deni's comments at the Puntland Investment Forum. The show of force comes at a time where many have believed that the group has been weakened. The gains in security specifically in the port city of Bossaso will likely be tested more rigorously over the coming months.
- 2.2.5 **Maritime Security:** The missing fishermen from Cape Gurdafui are alarming, although the expedition is during the southwest monsoon season which has been known to take fishermen every year. The arrests of vessels illegally fishing off the coast of Puntland reported by the Fisheries Minister was during a tour of coastal villages in Gurdafui region. Last month, the Minister reported a drop in Illegal Unregulated Unreported Fishing (IUUF) activities in Somali coast of Puntland. Now that the fishing season has reopened, fishermen can corroborate the Minister's claims. The decision by Justice Minister Hamud to review the prisoner-transfer agreement with Seychelles will likely face implementation challenges, depending on provisions stipulated in the 2012 agreement. Some pirates have been convicted of 25 years for their crimes, some analysts believe the sentences are too harsh and need to be reevaluated. If Puntland wants to commute sentences of pirates, the state will need to show that the piracy convicts have been rehabilitated and successfully reintegrated back into the community.
- 2.2.6 **Local/Clan Conflicts:** The clan violence in Mudug region has continued to escalate. In August, several related clan attacks occurred within days of each other, prompting the speculation of clan revenge attacks, although the culprits were never identified. It seems that the conflict has continued with another attack reported this month. In last month's, *Puntland Situation Report* cautioned that if the conflict was not resolved, it may spill over into Galkayo and have more dire consequences. Rural conflicts that are unresolved have a tendency to manifest in urban centers, if unaddressed. Puntland and Galmudug will need to address the ongoing conflict to ensure that the security gains in recent months by the two sides in Galkayo are maintained.
- 2.2.7 **Security Sector Governance:** Puntland continued the changing of personnel within security institutions with the naming of the PISA director. The reforms for Puntland have been mainly a reshuffle at the top of institutions, with little in the way of policy and structural reforms within these institutions. However, the arrest of Puntland police chief in Ayn region for reportedly refusing to comply with the removal of 'ghost names' from police payroll is a step in the right of accountability. However, what has yet to be clearly understood, is what actions the government is taking to remove ghost names from police and Darawish ranks and how the government will ensure timely payments to reformed security forces. The temporary mutiny at Armo, Bari region, signals that Puntland administration is still dealing with compensation issues of existing security forces. Security reforms will need to incorporate Public Finance Management reforms within the security forces for any reforms to be successful. For the coming months, it is forecasted that ad hoc security sector reforms shall continue for the foreseeable future, unless long-term reforms are instituted.

3. POLITICS AND GOVERNANCE

3.1 FGS and Puntland Relations

- 3.1.1 **Key Developments:** On Sep. 9, Puntland Vice President Ahmed Karash officially opened a Somali Ministry of Foreign Affairs passport office in Garowe.³⁰ On Sep. 16, Puntland President Said Deni warned leaders of Federal Government of Somalia to not seek term

extension, saying: “After two and a half years, there is no electoral model in place, and we remain hopeful, but the country cannot accept term extension. The only thing Somalis have agreed on is to hold elections on time, once every four years.”³¹

On Sep. 17, Puntland Finance Minister Hassan Shire told media that the joint meeting between Federal and State ministers of finance in Addis Ababa focused on debt relief process.³² He noted that the meeting was “successful” and said that it has agreed to engage in more consultative meetings in the future. He further added that the federal and state finance ministers also held a separate meeting with federal parliamentary finance sub-committee. The meeting statement noted that the FGS and FMS finance ministers agreed to support the debt relief process, cooperate on improvements in Public Finance Management and fiscal federalism.³³

On Sep. 19, members of Somali Federal Parliament’s constitutional review committee arrived in Garowe for talks with Puntland government officials.³⁴ On Sep. 21, Puntland president and vice-president met with Lower House of Somali Federal Parliament’s Elections Committee, where the committee presented the electoral model for 2020/2021 federal elections in Somalia. The committee previously met with Puntland parliamentary leadership.³⁵ On Sep. 22, having concluded meetings in Addis Ababa, Somali Federal Government’s Finance Ministry announced plans to release \$6million USD to five regional states and Banadir regional administration.³⁶ The funding was granted by EU as budget support to Somali regional authorities.

On Sep. 26, President Deni of Puntland told VOA Somali Service that he planned to attend Jubaland presidential inauguration to be held in Kismayo soon.³⁷ He said “civil aviation is not a shop owned by a person” and accused Federal Government of violating the country’s federal constitution. On Sep. 29, a meeting opened in Garowe between Federal Government’s Prosecutor-General and Puntland officials, including state prosecutor, police commanders and Human Rights Defender. The meeting focused on improving federal-state relations in justice sector.³⁸

3.1.2 Analysis: FGS-Puntland relations remain unstable and characterized by political tensions. However, at the technical-level, FGS and Puntland institutions continue to cooperate, including federal electoral process, public finance and justice sectors, as reported in September. The main dispute, however, remains unresolved: disagreement over the nature of federalism and subsidiarity. FGS has shunned the Jubaland electoral process, while Puntland recognizes the Jubaland election outcome. This dispute has worsened progressively since the Jubaland election, and there are no apparent efforts underway to bridge the gap between Mogadishu and Puntland. In 2015, ahead of the federal election, the National Leaders Forum (NLF) was instituted bringing together FGS and FMS leaders under a single umbrella; working together, NLF steered the electoral process that culminated in the second federal election held in Mogadishu in 2017, making the NLF process a success. However, current FGS leadership has rejected establishing a national forum – similar to NLF – and thereby sidelined FMS leaders from the national consultations. Somalia needs a leadership forum to reactivate FGS-FMS political cooperation, lessen political tensions, resolve the Jubaland election dispute, and prepare Somalia for federal elections in 2020/2021. As the U.K. Ambassador to Somalia stated at the High-Level Partnership Forum in Mogadishu, “real leadership” is needed which requires genuine commitment to building consensus on disputed issues.

3.1.3 Forecast: Political relations between the FGS and Puntland are expected to remain tense and even confrontational during the next month. More significantly, as the political row widens, over the next month, it remains unlikely that FGS is willing to agree to the

establishment of a national forum of FGS and FMS leaders to cooperate on federal electoral process 2020/2021.

3.2 Puntland-Somaliland Relations

3.2.1 **Key Developments:** On Sep. 3, Taleh Mayor Iman Ali Shire told local media that Puntland government “pledged” to the district to complete construction of city hall, the police station and other public offices.³⁹ The mayor said Puntland “took responsibility” after Somaliland “failed” to fulfil its development promises to Taleh district, in Sool region. On Sep. 21, Puntland Aviation Minister Hussein Osman Lugator told a press conference in Garowe that Puntland hired 7 staff members trained by International Civil Aviation Authority (ICAO), after the staff were expelled from Egal International Airport in Hargeisa.⁴⁰ The Puntland aviation minister claimed that Somaliland’s decision to fire the staff followed ICAO decision to officially restore airspace authority to Federal Government of Somalia (FGS) in Mogadishu. On Sep. 29, Somaliland-appointed Buhodle mayor Osman Yusuf and other Somaliland officials held a press conference in Buhodle warning Puntland against “inciting instability” in Buhodle area.⁴¹

3.2.2 **Analysis:** The war of words and tit-for-tat political maneuvering continued between Puntland and Somaliland throughout September. However, political messages exchanged via the media may lead to public incitement through disinformation campaigns, and potentially pave the way towards armed clashes. On the surface, it seems that Puntland and Somaliland are engaged in a media war to attract the support of local communities in Sool, Sanaag and Cayn (SSC) regions, which the two sub-national administrations have disputed over since the 1990s. However, the deeper impact of unresolved political disputes, combined with public incitement, comes with risks that might deepen the conflict and initiate a new wave of violence. In this regard, it remains imperative that Puntland and Somaliland engage in open dialogue to lessen tensions, to increase cooperation on common issues such as security, and to negotiate peaceful settlement for political disputes.

3.2.3 **Forecast:** Over the next month, while armed conflict is unlikely, Puntland and Somaliland are anticipated to continue engaging in a media tit-for-tat to push their opposing political narratives and objectives.

3.3 Government–Media Relations Shaken

3.3.1 **Key Developments:** On Sep. 16, Puntland prosecutor-general Mohamud Hassan Aw’Osman told media that state government did not order the closure of Radio Daljir, an independent radio station.⁴² The prosecutor-general added that the court issued an arrest warrant for two reporters and demanded that the reporters present themselves to local police. On Sep. 17, Radio Daljir issued a press statement “condemning the illegal actions of Puntland Police Force and their raids on Radio Daljir FM stations of Daljir-Garowe and Daljir-Bossaso” and that the radio did not have “any confirmed court order issued” and further condemned the “illegal arrest” of one of its reporters.⁴³ The International Federation of Journalists, a global media watchdog, called on Puntland authorities to “stop intimidating the press in Puntland” in a press statement on Sep. 16.⁴⁴

On Sep. 22, Puntland Information and Telecommunication Minister Ali Hassan Sabarey told press conference in Garowe that all media agencies and journalists “must enrol with Ministry before October 15” to be evaluated and registered.⁴⁵ On Sep. 23, Media Association of Puntland (MAP) Chairman Mohamed Dahir Aynsane told a press conference in Garowe that Puntland journalists should “dismiss” the Information Minister’s remarks.⁴⁶ Mr. Aynsane noted that the Puntland Media Law mandates registration of media agencies

and journalists to the Media High Council of Puntland. On Sep. 27, Puntland military court issued a letter to Radio Daljir director summoning him to court for questioning over a radio report. However, the letter was quickly condemned by media groups.⁴⁷

3.3.2 **Analysis:** Reports of police raids on independent media agencies in Puntland are worrying. The state government should be guided by existing laws and regulations in its actions. It is imperative that the fourth estate of governance, free press, is not interfered with. Especially as Puntland prepares for the democratization process, it remains critically important that the independent media is granted its constitutional rights to inform the public; however, actions such as police raids harm government-media relations and damage the government's democratization process. Conversely, independent media agencies in Puntland should abide by high standards of media ethics, publish credible reports and refrain from unconfirmed reports that might be construed as public incitement, slander or defamation. But in no way should these offences even if they are committed by media, be liable to charges at a military court.

3.3.3 **Forecast:** The dispute between Puntland police and Radio Daljir is anticipated to be resolved in the short-term. Moreover, over the coming months, Puntland Information Ministry, MAP and the state's independent media agencies are expected to commence discussions on improving government-media relations for the long-term.

3.4 Local Elections and Democratization Process

Key Developments: During the reporting month, Puntland Ministry of Interior, Federal Affairs and Democratization continued its efforts to establish new Local Councils in seven districts of Puntland. On Sep. 5, a new 27-member Badhan Local Council was established, which elected a new mayor and a female deputy mayor. On Sep. 8, the 21-member Ufayn Local Council in Bari region was nominated and elected a new mayor and deputy mayor.⁴⁸ Puntland Interior Ministry supervised both electoral proceedings.

On Sep. 16, new members of Transitional Puntland Electoral Commission (TPEC) met with EU Special Envoy to Somalia Nicolas Berlanga Martinez, to commence preliminary discussions on the state's democratization process.⁴⁹ On Sep. 17, President Deni told BBC Somali Service that the state government planned to nominate the Puntland Constitutional Court, noting that the "[Puntland] High Court has the authority to resolve political and constitutional disputes".⁵⁰

3.4.1 **Analysis:** The Puntland state government has repeatedly expressed its commitment to advancing the state's democratization process. In August, the Puntland president nominated TPEC in support of this endeavor, becoming the first administration to do so in their first year in office. The Interior Ministry's ongoing efforts to establish Local Councils in seven districts of Puntland is commendable, and milestones were already achieved in August and September. Moreover, TPEC began engaging in public consultations, which is a move in the right direction, to increase public awareness and participation in the democratization process. Significantly, President Deni's remarks on establishing the Puntland Constitutional Court indicates that the state government is willing to implement democratization reforms and to remove potential hurdles in the future. However, it is imperative that qualified judges are nominated to the Constitutional Court, who have adequate education and experience, and a reputation for integrity and neutrality. In addition, the Puntland Interior Ministry and TPEC are expected to initiate public advocacy programs that increase the public's access to knowledge and information about the democratization process, including public consultative processes at the district-level. To

succeed, the democratization process requires political commitment, funding allocation and public participation to enjoy legitimacy and public support.

- 3.4.2 **Forecast:** Puntland state government, through its various institutions, is expected to continue achieving milestones in the democratization process over the coming months. However, the democratization process is anticipated to be challenged by funding shortages and institutional gaps, unless the state government takes preliminary actions to address these expected challenges.

4. SOCIAL AND ECONOMIC AFFAIRS

4.1 Puntland Hosts First Investment Forum

4.1.1 **Key Developments:** The much-anticipated Puntland Investment Forum commenced in September in Garowe with many local and international companies in attendance. In the lead up to the Forum, arrangements were made to ensure a smooth commencement. On Sep. 5, the weekly meeting of Puntland Council of Ministers concluded at State House, with a Cabinet statement noting that discussions included security update and final preparations for Puntland Investment Conference.⁵¹ On Sep. 14, the Permanent Committee of Puntland Parliament officially endorsed the Puntland Investment Law, which is expected to be presented on the parliament floor during the next session in Oct. 2019.⁵² On Sep. 15, the investment forum officially opened in Garowe with over 400 delegates in attendance at the three-day event.⁵³ On Sep. 17, the three-day Puntland Investment Forum concluded and an official communiqué published stated that commitments of “over 300 million” were made.⁵⁴ On Sep. 19 President Deni said some 10 local and foreign companies pledged to commit a total of \$467million USD in investments in Puntland over the next three years.⁵⁵ Puntland government nominated a committee to follow up on investment pledges made at the forum.

4.1.2 **Analysis:** Puntland has marked its first Investment forum and was successful in bringing attention to Puntland’s resources and investment opportunities. The forum brought together guests from several countries that convened in Garowe to discuss business opportunities and network with local companies. The investment forum was successful in its main objective, which was to “promote high level dialogue and networking” according to the investment forum concept note. In essence, it also provided a platform to entice foreign and domestic investors to trade in Puntland state. The arrival of 300 representatives from 130 companies both foreign and domestic with limited publicity and outreach about the conference and its occurrence is a feat in and of itself. In August, there were reports of a possible delay of the investment forum’s September 15 commencement date. Possibly, the lack of media visibility and publicity about the forum could’ve helped spawn these unfounded rumors. Nevertheless, the forum was a success and commenced on time. The opening of Garowe airport and the subsequent agreement with Ethiopian Airlines for regular flights boosted accessibility for foreign visitors. Puntland state’s accessibility has historically been limited, which has hurt economic development and more specifically foreign investment. The investment forum’s timing was ideal as it harmonized improved accessibility with Puntland’s vision to focus on economic development.

According to the communiqué, the investments were for sectors such as real estate, agriculture, fisheries, mining, IT and education. The communiqué advised that the Puntland government enable a business-friendly environment and enact laws, such as the Puntland Investment Law, to facilitate direct investment. The Puntland Parliament’s endorsement of the state’s investment law was a step in the right direction. Puntland’s bid to attract investment creates a commonality with the Federal Government of Somalia (FGS). The FGS and Puntland can synchronize efforts in passing legislation that would enable risk

insurance through the World Bank Group's Multilateral Investment Guarantee Agency (MIGA).⁵⁶ This agency helps developing countries solicit investments by protecting foreign direct investments against political and non-commercial risks. If eligible, MIGA acts as the de-facto insurer against risks that would normally dissuade investors from putting money into fragile and developing countries. Somalia is currently not among the MIGA member states; however, the FGS has been reported to be drafting legislation that would enable membership of the agency. This presents an opportunity of convergence of interests for Puntland and the FGS, as they put aside their differences and work together on legislation that is beneficial economically at a national stage.

Economic development in a fragile context such as Somalia will require strong policies and frameworks that enable investment, but policies should not solely focus on enabling investment but also regulation and consumer protections to ensure that investments become sustainable and socially responsible. In a country where regulatory frameworks are weak or non-existent, it will be crucial to see how Puntland and the FGS approach building these frameworks and enforcing them effectively.

Future investment forums in Puntland will need to build on the progress made by ensuring that commitments made are actionable and bear fruit. More importantly, however, is that the Puntland government with the assistance of local stakeholders prioritizes the collecting of data that can help the state showcase its resources and potential, using tangible data. In a country where studies on natural resources date back to more than 30 years ago, the prioritization of new data collection will be key to Puntland's marketing strategy and its subsequent investment.

- 4.1.3 **Forecast:** The investment forum communiqué suggested that other smaller scale showcase conferences will be occurring, specifically an expo in Bossaso. The investment committee is tasked with following up commitments and it remains to be seen whether the committee will report on progress in the next reporting period.

4.2 Balancing Infrastructure, Investment and Transparency

- 4.2.1 **Key Developments:** On the heels of an Investment Forum, Puntland continued to showcase its push for economic development. On Sep. 18, President Deni officially launched phase two of construction of Gara'ad port, in Puntland's Mudug region. The event was attended by Puntland officials, community leaders and local and international investors.⁵⁷ A week later, the commencement of a major infrastructure project was announced by the Puntland government. On Sep. 25, Puntland presidential spokesman Jama Deperani wrote on his Twitter page that "rehabilitation of Bossaso-Garowe Road shall start next month, and the first funding of USD \$2million was paid by UAE. China government shall also participate".⁵⁸

The next day, after the Puntland president arrived in Bossaso, reports emerged of a meeting on Sep. 23 in which a UAE entity met with President Deni and his administration and showed serious interest in Bossaso airport expansion.⁵⁹ On Sep. 25, local media reported confirmed that President Deni and the unnamed UAE entity held a press conference announcing a Memorandum of Understanding (MOU) between a UAE-based aviation firm and Puntland Ministry of Civil Aviation for expansion and management of Bossaso International Airport. Despite the press conference, the MOU and its particulars were not revealed for public scrutiny.⁶⁰ On Sep. 26, in what could be deemed a response to public backlash about the deal, President Deni defended the administration's decision to sign an agreement with a foreign company based in UAE for management and expansion of Bossaso International Airport. President Deni said "Puntland needs investment" and

noted that the MOU “is an important investment to expand Bossaso Airport and attract international airlines”.⁶¹

4.2.2 **Analysis:** Puntland has adopted an aggressive approach to economic development and foreign investment, by focusing on construction and rehabilitation of infrastructure as a means to solidify the state’s logistics capacity and attract investors while trying to market its natural resources. Although both major infrastructure programs, such as the Gara’ad Port and P&O Ports Bossaso concession, were granted by his predecessor, President Deni has ratified both projects, despite the surrounding controversies. The Gara’ad port construction project was a locally funded project that was facilitated by the former Puntland administration. The project has promise and President Deni’s visit to Gara’ad for the launch was in part an acknowledgement of Puntland residents’ valiant efforts, and underscored the government’s official endorsement of the Gara’ad port construction project. On the other hand, despite the negative public sentiment towards the P&O Ports deal for Bossaso port expansion, President Deni ratified the agreement and vowed to improve security after the assassination of P&O Ports manager in Bossaso in Feb. 2019. While the current Puntland administration inherited the agreement and the public sentiment that went with it from its predecessor, little was done by the Deni administration to address public concerns on the deal through transparency, public consultations and media advocacy.

More recently, however, the marquee projects for the current administration revolved around rehabilitating current infrastructure such as the Bossaso-Garowe Road, which was damaged in the Gu’ seasonal rains in May and June this year. The economic value of the only road network connecting the port city of Bossaso to the rest of Puntland regions is undoubtedly important and ensuring that rehabilitation begins before more damage is caused is timely and appropriate. However, the gains and positive momentum made with the upcoming road rehabilitation and Gara’ad port’s progress, have been eclipsed by the move to sign a deal with an unnamed company from the UAE for the construction and expansion of Bossaso International Airport. It remains to be revealed what type of deal was signed; for example, whether it is a Build, Operate, Transfer (BOT) deal or whether the agreement is solely Engineering, Procurement and Construction (EPC) agreement. Regardless of what type of agreement, the Civil Aviation Ministry is expected to reveal the details of the MOU to increase transparency and address public concerns.

It seems that the Puntland administration have not learned from the previous P&O Port deal. Negative public sentiment to the new Bossaso airport deal was quick and widespread. Many prominent elders and residents in Bossaso held private and public meetings to vocalize their dissent for the airport agreement. Although there were no public statements made by the groups who held meetings, there was a general atmosphere of disappointment with the new agreement. Dissenting voices mentioned the fact that the MOU’s particulars were not made public; that the UAE company and its mandate was not specified; and perhaps most importantly, that UAE-based P&O Ports had done no expansion work of Bossaso International Airport since signing the deal in April 2017, thereby compounding public concerns and worry over the new MOU for Bossaso airport.

In Bossaso, President Deni met with business and community leaders to shore up support for security and foreign investment. Indeed, the president’s intervention was key to assuaging public concerns; however, the government’s ministers and regional officials are also tasked with presenting the administration’s policies to their local constituencies to shore up support for the government’s program. The president’s commitment to improving public infrastructure and attracting foreign investment is commendable and underpins the government’s long-term development strategy. President Deni seems to be aware of public sentiments and alluded to it in his speech when he stated that foreign investment was

necessary to the development of Puntland and that Somalis were not willing to invest as much as others would.

The stance should not be foreign investment or public support; they do not need to be sacrificed for each other. Puntland can be open to securing investment, while simultaneously being transparent with the public on major investments and government plans. Puntland will need to adopt transparent measures if the state wants to ensure that projects garner public support. Without fostering public support, the risk attached to the investment increases and can ultimately hinder foreign investment instead of attracting it.

4.2.3 **Forecast:** Despite the backlash it seems like the Puntland administration has not put addressing public concerns of the airport agreement on the immediate priority list. It's highly likely that public undertones will surface in the next reporting period. What steps the Puntland government will take to ensure transparency and reveal details of the agreement will be crucial in ensuring that the social and political landscape of Bossaso does not face shocks in the coming months.

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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