



HUMAN RIGHTS CENTER

*Speaking for those who are not
heard*

Quarterly Report ≡ April 2021

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Badda Cas, Jigjigayar Hargeisa
Somaliland www.hrcsomaliland.org

Phone: +252 (0) 633 3278181

Email: hrcsomaliland@gmail.com

Introduction

This report covers from January to April 2021. It is part of the Human Rights Centre's reports based on data gathered and documented to highlight human rights issues in Somaliland. This period of reporting coincides with elections season. The report shows that the government has taken election-related actions against opposition candidates. House of Representatives and Local Councils' elections will take place on 31 May 2021.

Somalilanders will get a chance to cast their votes in the long-awaited House of Representatives and local councils' elections. The outgoing House of Representatives was elected in 2005 for five years mandate.¹ However, they remained in power based on controversial extension made by the other house of the Parliament,

the Guurti, which also extends its own term. The Guurti was first selected in clan conference in 1997 for six years term. Three political parties are participating in the elections.

In this election cycle, Somaliland has seen an unprecedented crackdown of opposition candidates. The detention of opposition candidates to deny them to compete in the elections is a breach of

Somaliland's Constitution and electoral laws as well as the fundamentals of conducting free and fair elections.

Human Rights Centre recorded the detention of 7 opposition politicians who declared willing to compete in the elections. Additionally, three more opposition candidates are wanted by the Police. During the period this report covers, HRC has also documented the detention of 7 journalists.

No. of detained journalists.	No. of detained/wanted opposition politicians	Total
7	10	17

The members of the House of Representatives are 82.

Detention and harassment of opposition politicians

The government of Somaliland has arrested seven opposition candidates, and three are wanted by the Police, according to a statement issued by the Police and other sources. The arrest of the opposition politicians contradicts the Constitution of Somaliland and the Elections Act, which both provide politicians with the right to participate in politics without fear of reprisal and to join the party of their choosing. Article 22(1) of Somaliland constitutions says, «every citizen shall have the right to participate in the political, economic social and cultural affairs.»

Article of the Elections Act stipulates that candidates have immunity from arrest unless they are caught in the act of committing a crime. In all the cases investigated by Human Rights Centre, the arrests were carried out contrary to the Elections Law.

The government has not officially charged any of the arrested candidates and politicians.

The National Electoral Commission issued on 26 April 2021 a statement informing the government authorities that candidates have immunity and shall not be arrested unless caught in the act of committing a crime. The statement further provided that it is prohibited to arrest a candidate during the election period. The National Human Rights Commission also supported the electoral body's decision and called on the immediate release of detained candidates. In a press release, the Police defended the detention of the candidates and said they are investigating other candidates for the following counts:

- False certification by a person performing a service of public necessity (art. 371 of the Penal Code);
- False certification of a public document by a private individual (art. 373 of the Penal Code);
- Falsification of private deeds (art. 375 of the Penal Code).

The press release has not detailed the facts concerning the articles allegedly violated. Additionally, the Police has not stated which candidate is accused of which count. According to court records, no candidate or detained opposition politicians have been charged by the Office of the Attorney General.

The list of arrested and wanted opposition politicians

sn	Name	Title	The date of arrest	Release/ detention	Status
1	Range Ahmed Yusuf	Finance Secretary, UCID party	08/02/2021	06/03/2021	Not in NEC list
2	Mohamoud Ahmed Jama Dhadoon	Member, UCID party	08/02/2021	06/03/2021	Not in NEC list
3	Shu'ay Mohamed Muse	Agriculture Secretary, UCID	25/03/2021	08/04/2021	Not in NEC list
4	Ibraahim Abdi Hussein	Secretary of Religious Affairs, UCID party.	09-Apr-21	In detention	NEC list
5	Abdilaahi Hersi Hassan	Candidate for UCID party	22-Apr	In detention	Announced candidate (In NEC list)
6	Abdirahman Ahmed Ali	Candidate for UCID party	28-Apr-21	In detention	Announced candidate (In NEC list)

7	Anab Abdi aw Hersi	Candidate for UCID party,		Wanted by the Police (court warrant has been issued)	"Announced candidate (In NEC list)"
8	Qasim Adan Sulaiman	Candidate for Waddani party	24-Apr	In detention	"Announced candidate (In NEC list)"
9	"Kubra Hassan Mohamoud"	Candidate for Waddani party		"Wanted by the Police (court warrant has been issued)"	"Announced candidate (In NEC list)"
10	Abdilaahi Yousuf Ahmed	Candidate for Waddani party		Wanted by the Police	Announced candidate

Case study

On 8 February 2021, the Police of Somaliland arrested Raage Ahmed Yusuf and Mohamoud Ahmed Jama Dhadoon, two candidates from UCID opposition party. Raage Ahmed Yuusuf was an aspirant for the UCID party in the House of Representatives in Hargeisa, while Mohamoud Ahmed Yuusuf Dhadoon was a candidate for the Hargeisa city council. Raage is also the Secretary of Finance of UCID and a member of its central committee. They were not charged with a crime. On 6 March 2021, they were released on the condition of refraining from candidature, according to multiple sources who talked to the Human Rights Centre.

Detention of journalists

In this quarterly report, Human Rights Centre has documented the detention of 7 journalists detained for work-related activities.

Adan Abdi Idle, a freelance journalist, was arrested on 13 April for Facebook posts critical to the Central Bank governor. Hargeisa Regional Court remanded him into prison for further investigations. No official charges are currently filed with the court. He was released on 29 April 2021 without charges.

On 23 April 2021, Abdiqadir Mohamed Abdilahi (Aka Ishqi), a reporter of MM TV was arrested in Borama by the Somaliland police after he interviewed Hassan Dehehe, a sheikh based in Borama who allegedly supported the President of Somalia.

Abdihakim Mohamed Ali, a freelancer journalist, was arrested on

5 January 2021 in Erigavo for a Facebook post. He was released on 18 January 2021 without charges.

Hussein Ateeye Gaafane, a reporter of Universal TV, Abdilaahi Dahir Ways of Saab TV, Ahmed Dirie Iltire, a reporter of SBC TV and Shuaib Mohamed Kahim of Bulsho TV, was arrested on 16 January 2021 in Borama on the order of the mayor of Borama. They released on 20 January 2021 without any charge.

Women detained for supporting «unity.»

Two women have been detained for allegedly supporting Somaliland to unite with Somalia. Sabah Abdi Ibrahim was detained in April 2021 after she dressed in Somalia's flag. She was released without charges after spending six days in a police station in Hargeisa, the capital of Somaliland.

Degan Omar Dahir Miiraash was arrested on 23 April 2021 in Borama for allegedly dressing clothes with the Somali flag. She

was released on the same day without charges. Dagan has already served six months of imprisonment for similar allegations.

The detention of individuals for purportedly showing support for

“unity” is not new. Human Rights Centre has, in earlier reports, documented several activists, singers and other people who got detained and prosecuted in Somaliland for allegations of being against the independence of Somaliland².

² <https://www.horndiplomat.com/2020/05/21/somaliland-prosecutes-female-singers-andactivist/> ; <https://www.garoweonline.com/index.php/en/news/somalia/somalia-four-musiciansarrested-at-hargeisa-airport-in-somaliland> ; <https://somalilandstandard.com/young-manarrested-in-somaliland-for-wearing-somali-flag-sports-outfit/>

Recommendations

- We recommend the government of Somaliland to stop the detention of opposition politicians and to release all detained opposition candidates and members of the opposition parties. The government shall respect the Constitution and the electoral laws and regulations concerning the freedom of politicians to campaign without the interference of the Police. The Police shall refrain from interfering in politics and shall act neutrally and independently.
- We call on the government of Somaliland to respect freedom of media and freedom of expression. Criminalizing media issues should be stopped, and the Penal Code articles that punish journalists should be repealed.
- We call on the National Electoral Commission to play an active role in observing campaign rules and regulations to ensure human rights and freedoms are respected during the election period. Furthermore, the National Electoral Commission shall establish the monitoring committee agreed by the political parties to monitor the implementation of the Political Parties Code of Conduct.
- We call on all political parties to abide by campaign laws and avoid actions that may breach the laws.

<https://somalilandstandard.com/young-manarrested-in-somaliland-for-wearing-somali-flag-sports-outfit/>

About Human Rights Centre

The Human Rights Centre (HRC) is a non-profit organization established in January 2013 to contribute to the protection and promotion of human rights in Somaliland. HRC was founded by lawyers who are inspired by the Bill of Rights in the Somaliland Constitution and the Universal Declaration of Human Rights. It is registered with the Somaliland government as a non-profit-making and non-governmental organization. HRC was formed to cover

the need for documentation and advocacy on human rights to help maintain the gains made by Somaliland's nascent democracy. The central policy of the Human Rights Centre is to create and foster a culture of voluntary human rights activists who are willing and committed as Human Rights defenders with a passion for contributing to the protection, promotion and realization of Human Rights in the region.

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