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SOMALIA

Evading Reality

Government Announces Cosmetic Changes As Abuses Continue and Challenges to Regime Intensify

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Introduction

In recent weeks, President Mohamed Siad Barre has announced a series of measures in order to win domestic credibility for his deeply unpopular regime and to counter the growing international isolation which has resulted in blocking aid. On September 3, he dismissed his Prime Minister whose government had only been in power since February and appointed a new government under Mohamed Hawadleh Madar, the former Vice-President of the National Assembly. The government has promised to abolish a special court system that handles "political" cases and to repeal certain legislative provisions which facilitated the abuse of human rights. On July 16, the President stated that there would be a referendum on a new constitution on October 31 and that local and multi-party elections would be held in February 1991. The government has also ratified a number of international treaties although no effort has been made to implement the provisions of these treaties. It has also announced plans to liberalize the economy.

Reminiscent of unfulfilled promises made since January 1989, these initiatives have been greeted with deep cynicism and indifference within Somalia and by the sizeable Somali community of refugees abroad. Twenty-one years of violent behavior by the government have eroded public confidence in the efficacy of working within the system as a means to bring an institutionalized dictatorship to an end. Underscoring the public's skepticism, in the midst of these pronouncements, on August 16 a branch of the military police massacred 17 men in Berbera.¹

The government hopes that these plans will divert attention from the political, economic and social crisis that engulfs the country. The need to explore alternatives to the government's traditional reliance on purely military "solutions" to political problems has never been greater. The establishment of yet another Cabinet, the promise of a new constitution which is being debated by a powerless parliament and elections in a war-torn country are not the answer. They are merely the continuation of a policy that seeks to evade the daunting problems facing the country. President Barre's regime stubbornly refuses to undertake the reforms that would in fact give meaning to the talk of greater "democratization".

Somalia has been racked by years of intense armed conflict and massive human rights abuses. It will take more than the appointment of a new Prime Minister or superficial efforts to change the form of government in order to heal the wounds of war and to establish the rule of law. What is required is a coherent strategy for national reconciliation which the government has failed to articulate. On the contrary, it recently arrested 45 prominent citizens whose only "crime" was to issue a document that detailed steps towards national reconciliation. They were detained for three weeks and brought to court on charges which carry the death penalty. President Barre talks of seeking peace through negotiations with the armed movements fighting his government. Yet he has

¹ See pp18-19 for details.

not made any serious efforts to involve rebel groups in the moves towards a new constitution, the referendum and the organization of multi-party elections. Nor has the government made any genuine efforts to adopt the policies that will encourage hundreds of thousands of refugees to return home. On the contrary, people are more desperate than ever before to leave and seek refuge and peace beyond the country's borders. Hundreds of Somali citizens have left Mogadishu and other cities for the safety of refugee camps in the Ethiopian desert. Guerrillas who are fighting in the bush, some of them for years, and the refugees who fled their homes to escape government terror are not going to return to Somalia to participate in "elections" organized by the government on its own terms.

The government has also talked of establishing dialogue with human rights groups. In April, in a meeting in New York with Africa Watch, the former Foreign Minister, Ahmed Jama Abdulle confirmed newspaper reports that the government had invited Africa Watch to visit Somalia. However, no practical measures have been taken to facilitate the visit and the government has not responded to inquiries by Africa Watch concerning the timing of such a visit. In June, a visit by Amnesty International which was due to have talks with the government was postponed by the authorities at short notice.

In the wake of growing evidence about massive human rights violations, economic assistance from the donor community has declined dramatically, particularly from the United States and most members of the European Community with the exception of Italy which has continued to support the government. A number of aid agencies have withdrawn altogether or cut back their services, either in protest against human rights abuses, because of the security situation or both. In order to make up for this loss, President Barre recently visited Iraq, Libya and Yemen, seeking military and economic assistance. An additional fear is the prospect that donor countries will implement the promise of conditioning foreign aid to African countries on democratic reforms, an end to human rights abuses and corruption.

The drastic cut in foreign aid has deprived high government officials of their traditional dependence on easy money to siphon off. Having bankrupted the country, the regime now has no alternative but to promise reforms in the hope of encouraging donors to reverse their decisions and aid agencies to resume their activities.

The Failure to Implement Previous Promises

After intense criticism of its human rights record and its conduct of the war in the north in 1988, in January 1989 the government embarked on a public relations campaign, in the hope that high-sounding pronouncements would be sufficient to renew economic and military aid.

On August 30, 1989, the government announced that a multi-party system was to be established and that parliamentary elections would be held by the end of 1990. The government then stated that (1)

anyone who had participated in or supported armed conflict would not be permitted to form a party and (2) no party based on tribalism or regionalism would be permitted. In a newsletter published at the time, we wrote:

Political reality in Somalia makes it impossible for the opposition or the public to take these proposals seriously. These conditions make it impossible for any of the existing opposition groups, as well as potential organizations, to compete. Political parties in Somalia have always been organized on a regional basis, a factor that the government's deliberate exploitation of clan differences and regional rivalries has done much to exacerbate.

The government then scrapped these qualifications. Subsequently, angered by the lack of response from the main rebel organizations, the government abandoned its plans altogether. In light of these experiences, it is hardly surprising that the latest initiatives have met with deep skepticism.

Committee to Investigate the July 1989 Massacre at Jezira Beach

One of the tools the government has tried to use to counter international criticism of its human rights record is the creation of committees whose mandate is to investigate allegations of abuses. However, their findings have not been published and, with the sole exception of a committee that recommended the release of prominent political prisoners in early 1989, their recommendations have not been acted upon. A committee was set up to investigate the massacre on July 16, 1989 when 47 men belonging to the Isaak clan were shot at Jezira Beach just outside Mogadishu. Details about the massacre have been provided to human rights organizations by a survivor, Omer Musse Mirreh, who has since fled the country. The committee has apparently submitted its findings to the President but its report has yet to be made public. In a document issued shortly before the anniversary of the massacre, Amnesty International wrote:

No announcement has been made by the government about the findings of the inquiry. There are reports that the President has stated that no massacre took place but that a small number of criminal prisoners were shot dead trying to escape from custody at Danane military camp...

...the failure to follow-up the official inquiry into the killings undermines the credibility not only of this inquiry, but also of other official investigations into reports of abuses. It also raises the question of whether the government is willing to meet its obligations under the international human rights treaties to which the Somali Government adhered in January 1990.²

² *Somalia: Extrajudicial Executions - The July 1989 Jezira Beach Massacre, Amnesty International.*

Creation of a Constitutional Committee to Investigate the War in the North

In January 1989, the government announced the formation of a committee to "establish the origins of the trouble in the north, evaluate the damage and seek solutions." The government set up a three-man Reconciliation Committee composed of government officials. Only one member of the group visited the north; he limited his visit to Berbera and Burao. The other two members did not go to the region at all. Africa Watch is not aware of any concrete steps that resulted from this initiative. The Committee is said to have submitted a report to the President; if that is the case, its findings remain a government secret.

The Promise of a New Constitution: Why It Cannot Be a Panacea

Drafting a new constitution is a central feature of the government's program of reform, but it is unlikely to be prove a panacea. The government adopted a constitution in 1979, also "approved" in a national referendum, but that has not provided any protection against serious violations of the rights the constitution guarantees, including the right of protection against arbitrary arrest, the right not to be tortured, freedom of speech, association and religion. On the contrary, these abuses have intensified since 1979, the year the new constitution was adopted. The constitution was not intended to protect citizens since it explicitly provided that the exercise of these constitutional rights "shall not contravene the laws of the land, general morality and public order." The legislation on which these rights depend are the very laws that empower security agencies to commit gross violations of human rights. In addition, there is a provision which states that legislation contrary to the constitution should be altered within a year of its introduction. More than ten years later, no change has taken place. It is not clear in what respects the new draft constitution will be an improvement on the existing one.

The new constitution is being "debated" in a parliament dominated by members of the country's only legal political party, which is in reality a rubber stamp for political decisions taken by President Barre. It is known in Somalia as "The Assembly of Applause." Apart from the National Assembly, only certain government officials are involved in the discussions and decisions about the constitution. A constitution approved in such a fashion can not be a sufficient basis on which to build respect for human rights in a country dominated for two decades by a repressive military regime. The National Assembly has no experience of taking political decisions that have not been dictated by President Barre. There is no reason to believe that in the immediate future they will depart from this well-established pattern.

Multi-Party Elections: Africa Watch Assesses the Obstacles

On July 16, the government stated that multi-party elections would be held in February 1991. It designated two senior members of the ruling party as a team that "anyone wishing to establish a

party" can talk to, underlining the lack of seriousness which characterizes the proposed reforms.

In early August, the council of ministers approved the bill legalizing political parties. According to Radio Mogadishu:

The approval at the meeting...followed profound study and debate by members of the cabinet and clarifications made by the committee responsible for organizing the work on the multiparty bill. The cabinet sifted and analyzed the articles of the law.

The law legalizing the multiparty system contains 31 articles in three chapters. The first chapter concerns methods of forming parties, their roles, their right freely to campaign as legal parties among the people, and exceptions and court procedures for parties in the event of problems. Chapter two concerns penalties and violations. Chapter three concerns transitions and winding-up procedures.³

It is difficult to understand how elections can take place in the current political situation in Somalia, a country in the midst of war where important civil and political liberties, such as freedom of association, assembly and speech, have been severely restricted since 1970. The accumulated fear and insecurity felt by everyone living in Somalia, including potential candidates, cannot be overemphasized. It is inconceivable that there will be many candidates independent of the government who will be ready to expose themselves, their families and their supporters to the real possibility of reprisals at the hands of a government notoriously disrespectful of human life. In addition, significant parts of the country are not in government control, making it impossible for the authorities to organize elections. Finally, there is such a proliferation of arms throughout the country and the level of political tension is so great that meaningful elections cannot take place unless there is a concerted effort to disarm the population. This will not happen as long as the government fails to improve the security situation.

The electorate cannot believe that merely choosing among a few candidates will usher in a genuine democratic system, nor is it likely to encourage a climate in which people can begin to overcome their fear of open involvement in the political process. The recent history of countries as diverse as Guatemala and Romania shows that the process of voting for different parties, in the absence of stable, independent civilian institutions and a willingness on the part of the government to end human rights abuses and to punish offenders, is not sufficient to create a climate that encourages the exercise of democratic freedoms. The government has thwarted the development of independent institutions, which are necessary to the operation of a genuine democracy. There are no newspapers and no civic organizations independent of the government, including the only trade union organization in the country and the national women's group. Foreign journals are censored.

³ Quoted in *Foreign Broadcast Information Service (FBIS)*, August 6, 1990.

Television and radio are owned and operated by the government and every aspect of cultural life is closely monitored and subject to crippling restrictions.

There is no question that the government will "win" the elections because it is not a fair contest. President Barre has laid down all the ground rules; neither the armed movements, key civilian opposition leaders nor the public have so far shown any interest in elections under these conditions.

The Need to Reform the Legal and Security System

As soon as the government seized power in a coup in 1969, it introduced sweeping laws and administrative procedures which have been used to stifle political activity and to discourage dissent. A body of "National Security Laws" govern cases deemed to be "political", defined as any threat to "security" and "public order". These laws, both on their face and as applied, violate international norms. The most important of the new laws is Law No. 54 passed on September 10, 1970 and entitled "Law for Safeguarding National Security". In 26 articles, it details a wide range of political activities which constitute "crimes" against the "freedom, unity and security" of the nation. Twenty of these offenses carry a mandatory death sentence. Other rights protected in the international agreements the government recently ratified are punishable by lengthy sentences, including life imprisonment.

Law No. 64 of October 10, 1970, abolished habeas corpus, the legal recourse in the case of illegal detentions; it was re-introduced only in 1990. Arbitrary arrest, prolonged detention without charge or trial and "investigations" carried out in complete secrecy are justified in law as necessary "security" measures. Law No. 14 of February 1970 empowers security personnel to search any person, property or house and confiscate the property belonging to a person suspected of "anti-revolutionary" activities. No explicit limitations on the sweeping powers granted were spelled out. There are no procedures for challenging the legality of an arrest and detention. There are no opportunities for administrative or judicial review of the grounds of detention.

People accused of political offenses are dealt with by the National Security Service and various other security agencies, such as the Gulwadaayaal, a uniformed para-military group, the Hangash, military police, the Dabar Jabinta (the "Backbreakers") another branch of the military police, the Red Berets, a heavily-armed special force that acts as the President's bodyguards and the Barista Hisbiga, a force that belongs to the ruling party, the Somali Revolutionary Socialist Party (SRSP). All these agencies have their own interrogation and detention centers, as well as secret "safe houses". In addition, a formidable array of informal sanctions, imposed capriciously, have been used to discourage views that do not conform to the government's opinions and to punish activities it does not condone. Many people have been released only after their relatives paid exorbitant bribes. The relevant provisions are so broadly worded that they constitute an open invitation to the security forces to arrest people for the sole purpose of extorting bribes from their families and friends.

Over the years, hundreds of men and women have been found guilty and sentenced to death and executed or suffered long prison sentences under vague charges of "sedition". This means whatever the government wants it to mean. They have been detained and continue to be detained without charge or trial for years or months on the basis of undisclosed information. None of the security agencies has a legal obligation to seek an arrest warrant, to acknowledge the custody of a detainee or to inform him or her of the charges against them.

There is no instance in the past 21 years that a political detainee has received a fair trial since there is no independent judiciary. "Justice" in political cases has been exclusively under the jurisdiction of a special court composed of military personnel, operating under summary trial procedures, without separation between the functions of prosecution, investigation and judgment. This special court system is known as the National Security Court (NSC). The NSC exists outside the normal legal system and reports directly to the President. There is no higher court of appeal; the only recourse is to appeal to the President for mercy. The president of the court and its two "judges" have always been military officers with no legal training, who are appointed by President Barre and answerable only to him. In important political cases, the verdicts are determined before the trial even begins and the president of the NSC works closely with President Barre.

In early September, the government announced its intention to abolish the NSC; there is some confusion as to whether it has already been abolished or whether, as has been widely reported, this will only come into effect after the October referendum, once the abolition has been officially gazetted by the government. Even though the government has declared its intention to abolish the NSC, this is unlikely to lead to dramatic improvements. First, it is difficult to believe that civilian courts will be allowed to try political cases without the guidance of President Barre and senior government officials. Secondly, there is the risk that the judges and prosecutors of the NSC will simply be transferred to a civilian court and will continue to have politically significant cases transferred to them. Thirdly, no civilian judge in the country has had any experience in the past 21 years of handling cases with political overtones. It will take several years of experience before any civilian judge can be expected to act independently of the executive. Finally, the government has yet to state in clear terms its plans to repeal all legislative provisions which deny citizens the right to a fair trial; so far the government has indicated it will repeal the provisions that allow the NSS to detain suspects. It is unclear what will happen to the rest of the legislation which came into power in the early 1970s. As long as legislation contrary to internationally accepted standards remains intact, it will be unimportant whether defendants are tried in civilian courts or the NSC.

Among the laws contrary to the international treaties ratified by Somalia are:

Law No. 17 of April 1970: a defendant is prohibited access to legal counsel until "all investigations" have been terminated. Even then, only brief consultations shortly before the trial are permitted. There is no respect for the right of a defendant to consult his attorney privately. The law requires that a representative of the Attorney-General of the NSC be present. Witnesses for the defense are either barred

altogether or intimidated. In many cases, the prosecution's witnesses have consisted of the security agents and NSC "judges" who tortured the defendants and forced them to sign self-incriminating statements.

Law No. 8 of 1970: this amended the Code of Criminal Procedure to admit confessions as evidence in cases related to national security. Confessions are not otherwise admitted under Somali law. This has contributed to the pervasive use of physical and psychological torture as the principal method of interrogation. In addition, the fear of lawyers in defending politically unpopular clients compounds the lack of an independent judiciary.

However, even if the government dismantles the NSC, there are other "courts" which have the power to sentence people to long periods of imprisonment and even to impose the death sentence without any pretence for judicial safeguards. The Mobile Military Court (MMC) known in Somali as Maxkamada Wareegta, was originally created as a military tribunal for the army. Its jurisdiction was extended to civilians in the early 1980s when armed insurgency against the government began to take root in the north. The MMC, which is composed only of military officers, is notorious for summary executions. It has sentenced hundreds of people to death who have all been executed within a few days of the "sentence".

The Regional Security Court (RSC) consists of special committees which have the power to order arrests and to draw up and implement political measures which have facilitated abuses by the army and security forces, such as the curfew system.

In addition, certain military commanders in charge of regions exercise the right to impose lengthy prison sentences on their own authority. Habiba Yusuf Liiban, a farmer's wife in her fifties, was arrested in October 1984 in Gogol Wanaag, a small farming village near Arabsiyo in the northwest region. After spending a few days in a military compound nearby, she was taken in the direction of Arabsiyo. Between Arabsiyo and Gebiley, she was sentenced to life imprisonment while standing under a tree. The "sentence" which was never commuted by a court of law or even a military tribunal, was passed by the military commander in charge of that district. She was then transferred to Hargeisa Central Prison; her sentence was commuted to 15 years' imprisonment in October 1986 and she was released in 1989. As long as senior army officers have this kind of power, there is no prospect of ensuring Somali citizens protection under the law. The abolition of the NSC will have no effect on the MMC, the RSC or the powers of the armed forces to dispense their idea of "justice".

Arrests and Detentions on Political Grounds Continue Unabated

In spite of the talk of reform, repression remains severe for anyone who challenges official policies. A few recent examples are:

The Arrest and Trial of the Manifesto Signatories

In mid-May, more than 100 prominent Somali citizens signed an open letter condemning the policies of the regime. The signatories included the first civilian president of Somalia, Aden Abdulle Osman, the former president of parliament, Sheikh Mukhtar Hussein, both in their eighties, Mohamed Abshir Musse, head of the police force in the last civilian government, former Cabinet Ministers, former ambassadors and other senior civil servants, military leaders, religious figures, elders and intellectuals. The government's reaction to the manifesto calls into question the sincerity of its plans to promote national reconciliation and to open up the political system.

The manifesto called for an end to the government's policies of deliberately killing unarmed civilians, the destruction of major towns, of wells and reservoirs, the lifeline of the largely nomadic population. It accuses the government of violating the human rights of its citizens for the last twenty years and calls on the regime to take heed of developments in Eastern Europe. It urges the government to repeal the laws and to dismantle the judicial system which have institutionalized the denial of human rights. Charging that the government has placed its own interests above those of the nation, it criticizes the regime for corruption, economic mismanagement and destroying the army by basing promotions on tribal and political factors instead of merit. The signatories hold the government responsible for hardship to ordinary people by bankrupting the Somali Commercial and Savings Bank through the system of granting unsecured loans to members of the government and their relatives. (The government has promised to pay back the people who lost their savings when the Commercial and Savings Bank was declared bankrupt; to-date, no-one has received any payment. The real losers are those with modest savings; people with substantial assets had made other arrangements years in advance.)

The manifesto calls for a three step process to end the civil war, restore law and order and bring about a lasting political solution. It recommends the formation of a 13-member committee to prepare for a national conference of reconciliation. The purpose of this committee would be to develop an agenda, select conference participants and enter into discussions with the government and opposition groups to establish a basis for a peaceful solution to the civil war raging throughout the country. It calls for the organization of the national conference of reconciliation in neutral territory, consisting of representatives of the government, leaders from all regions of Somalia, and prominent religious leaders and intellectuals. The manifesto defines two other important goals of the conference, namely to agree on basic principles for a new constitution, and establish a timetable and procedures for holding free elections for a new government. The conference would establish a caretaker government to carry out its decisions.

The document made the following comments about the effects of government policies:

In its twenty year rule, the present Regime has succeeded to monopolize power in the domains of politics, economy and security. In the process, the people lost all their basic freedoms and their role in the participation of the affairs of their own

country. Well known to all is the Regime's arbitrary practice of throwing thousands of innocent citizens in prison simply because they happened to comment on certain governmental policies or decisions which seemed to them unjust and inefficient. Worse still, others were jailed for mere suspicion of being members or sympathizers of the opposition. Thousands of citizens have suffered years of imprisonment under cruel living conditions without proper food, water, light, health care, bedding, etc., for periods of up to 17 years. Many have been tortured and others have died while still in detention without any formal charges or due process of law. We cannot help but note, hereby, in a combination of shame and irony, that under European colonial rule, the ordinary Somali enjoyed the right to Habeas Corpus whereas he has been arbitrarily deprived of such rights as a citizen by the regime as early as October, 1969, with Decree Law No. 64. In this case, comparing the record of the present regime to that of British and Italian colonialism, doesn't independence mean less freedom to the ordinary Somali citizen? We must say, that in view of the kind of treatment the present Regime has morally subjected the Somali people to, for the past twenty years, many Somalis cannot help but sadly feel: "it was better when it was worse." No one can deny the fact that the present Regime's human rights violations, at the expense of Somali citizens has become so notorious and for so long to have reached such a point, whereby, Somalia has been listed as one of the worst four or five countries in the whole world, by Amnesty International, Africa Watch and other human rights organizations.

In order to "give credibility to the proposed constitution and democratic changes", the manifesto highlighted the need to repeal the laws and to change the government's practices.

After having suffered oppressive dictatorship for more than two decades, the Somali people now feel heartfully thirsty and hungry to re-acquire their fundamental freedoms and national dignity. Therefore, if the Regime is honestly serious enough [about] its declared intentions of restoring democratic pluralism, then the best test case would be the immediate abrogation of all the above mentioned Marxist inspired oppressive laws, thus restoring forthwith to the Somali people their sacred rights to basic freedoms such as: freedom of speech, freedom of assembly and association, and freedom to travel. It may well be worth stating there that various prominent Somalis who, after having suffered detention without trial for well over a decade, were subsequently placed under travel restrictions, which are still in force.

The signatories also called on the government to dismantle the security agencies including the Hangash, Dabar Jebinta, Koofiyad-Casta (Red Berets) the Barista Hisbiga and the Guulwadayaal. The manifesto was signed and dated May 15, 1990. Forty-five of the signatories were arrested on June 11/12. Some of the signatories included former political prisoners, for the most part high-ranking members of the civilian government overthrown in October 1969 who were detained for several years. (Mohamed Abshir Musse remained in detention for twelve years.) Many were

extremely advanced in age, well into their eighties, and in poor health. One of the detainees, who was very old, fell in the toilet and had to be transferred to Medina Hospital where he was kept under armed guard. They were initially detained in the NSS headquarters for the Benadir Region in Mogadishu where they were interrogated at length. Subsequently, they were transferred to a maximum security prison, Laanta Bur, 40 kilometers from Mogadishu.

Their trial was announced three days before it took place on July 15. The trial, which was to decide the lives of 45 lasted from 9.00 a.m. to 1.30 p.m. They were charged with sedition and treason. As the trial had turned into a major political event, the court was surrounded by huge crowds facing heavily armed guards. The defendants instructed their lawyers to limit their argument to the fact that the accused did not recognize the NSC as a legitimate court of law. After this was rejected by the prosecution, the defendants told their lawyers to cease making any representation on their behalf. When the lawyers attempted to leave the building, the prosecution threatened to arrest and charge them on the spot. They were forced to remain in court for the rest of the proceedings but did not present any further arguments. Most of the "witnesses" called by the government were the NSS officers who had interrogated the defendants. After adjourning for 30 minutes, the prosecution stated that the charges had been dropped for lack of evidence.

Most observers thought the defendants would receive the death sentence, after which President Barre would exercise his prerogative of mercy and they would be "pardoned" or receive light sentences which would eventually be overturned by the President. The decision to drop the charges for lack of evidence is unprecedented in important political cases and was clearly intended to defuse the political tension which their arrest and detention had created in the country and to appease international opinion. In its public pronouncements, the government gives high priority to the need to reach an understanding with the opposition. Yet, shortly after their release, those arrested in connection with the manifesto were summoned to a meeting with the President. In preparation for a discussion of the issues they had raised in the manifesto, they prepared points to discuss with the President and chose a spokesman in advance of the meeting. There was no discussion. They were lectured by the President and then dismissed. The President turned down their request to discuss the political problems facing the country and told them that the manifesto was the work of foreigners.

April 1990

A number of Isaaks from prominent business families were arrested and detained for about two weeks. They included: Mohamed Ahmed Hassan "Barjeh", Farhan Hassan Abdi "Arwo" and Mohamed Jirdeh Hussein. The government did not give any reasons for their arrest, but it is widely believed that the government's objective was to deprive the SNM of its financial base of support which comes from the Isaak clan.

March 1990

Abdi Mohamed Amin, a playwright and poet, and Saada Ali Warsame, a singer, were arrested and detained without charge for a few weeks. Ms Warsame had sung the words of a poem entitled "Landcruiser" written by Amin at the National Theater in Mogadishu. No reasons were given for the arrests which followed the broadcast of the poem by the British Broadcasting Corporation (BBC). The poem is a stinging attack on the wealth accumulated by the President, his family, his clan, high-ranking politicians and others close to the President at the expense of the public. The importation of a large number of Toyota Landcruisers is one of the most striking examples of the life of conspicuous consumption that characterizes the leaders of the regime, and particularly the young members of the President's family and others who have benefitted from the President Barre's rule. The Landcruiser has become synonymous with corruption; this no doubt explains the government's nervous reaction to the poem and widely distributed abroad among the Somali diaspora. In recent weeks, Saada Ali Warsame has been refused permission to travel abroad. On three occasions she has been turned back at the airport and her passport has been confiscated. At the end of August, a number of Somali artists whose works are performed at the National Theater, a group known as Waaberi, or Dawn, criticized the government for its conduct of the wars in the country, corruption and economic mismanagement. About twelve of them have left the country and are currently in Britain.

Fear of Arrest

Abdi Qeys, one of Somalia's most prominent poets and playwrights, wrote a series of poems in which he attributes the war in the north directly to government policies. The poems immediately became the focus of interest in Mogadishu. Abdi Qeys escaped when he learned that an order of arrest had been issued. Qeys is a former long-term political prisoner; he was first detained from 1973-77 and later from 1982-89.

The Army and Security Agencies Kill with Impunity as Before

Despite the ratification in January 1990 of international instruments which protect the right to life, the well-established pattern of violent abuses remains tragically unbroken in Somalia. The regime continues to pursue the policies which in the past have killed tens of thousands of innocent Somalis and forced hundreds of thousands of others to flee the country.

For a number of years, and particularly since 1988, Somalia has been racked by a generalized armed conflict. Political violence is widespread in every region of the country and affects people from every walk of life. The wars have been characterized by an inability on the part of the government to draw a distinction between persons actively taking part in the hostilities and the unarmed civilian population. The result has been a staggering loss of human life and widespread suffering. Thousands of others have died as a consequence of war-related causes, mainly epidemics and lack of medical attention. Hundreds of thousands of nomads and farmers have been forced to abandon their homes and their source of livelihood in order to avoid the government's counter-insurgency campaigns. Most have taken refuge in the inhospitable desert in Ethiopia. Others have sought

shelter in Djibouti and Kenya where the presence of Somali refugees is regarded as a security problem rather than a humanitarian issue and on that basis, they have been denied refugee status.

In the countryside, violence generated by the wars has led to the growth of militia groups who take "justice" into their own hands, adding to the insecurity already felt by the largely nomadic population living in the countryside. Sadly for the Somali people, there is no evidence that the government has the political will to curb the violence which is committed daily by its soldiers and security personnel against unarmed combatants.

The Turmoil in the Central and Southern Regions:

Security Disintegrates in Mogadishu

People who left Mogadishu in recent months and weeks have told Africa Watch of the fear widespread among residents as they await each night for undisciplined soldiers and members of various security agencies to loot their homes. Taking money, jewellery and other valuables by force, people are subjected to verbal threats which often escalate into physical abuse. People are afraid to walk in the streets after 8.00 p.m. Residents say that people are killed every night in Mogadishu, adding that it is difficult to distinguish ordinary thieves exploiting the insecurity from members of the armed forces harassing people, often in plain-clothes, and as one resident put it "doing the government's dirty work". Many embassies are restricting the movement of staff and many foreigners have left the country.

On March 18, Peter White, a British employee of the World Bank, was shot dead. At the end of June or early July, a German technician seconded from Lufthansa to Somali Airlines was murdered and his wife raped. The government has sought to blame "robbers" but it is widely believed that they were both murdered by the Red Berets. According to an AFP report:

Since March three foreign nationals have been killed in Mogadishu by armed groups, and a US Marine corporal received a gunshot wound. Foreign diplomats said that the attacks were carried out by the so-called "Red Berets", belonging to the personal guard of President Siyad Barre who is challenged by a growing political movement.⁴

A series of bombs have recently exploded in Mogadishu; the most recent explosion was at the main post office; several people were injured and there are reports that two people may have died.

The Killings in the Soccer Stadium

⁴ AFP report quoted in BBC Summary of World Broadcasts, August 17, 1990.

Over a hundred civilians were killed on July 6 at a soccer stadium the crowd, attending regional competitions, reacted to a speech by President Barre by hooting and shouting anti-government slogans. Some of the President's bodyguards, the Red Berets who were inside the stadium shot into the air and then started shooting people. Those stationed outside the stadium shot into the crowd as they sought to escape the panic inside. Many of the victims died in the stampede. Relatives were not allowed to recover the bodies which were taken by the authorities to hospitals where families were denied access. Over three hundred people were wounded, some of them critically. As in the past, lethal force, wholly disproportionate to the threat, was used and resulted in unnecessarily high casualties.

In the central region, the government faces armed opposition from the United Somali Congress (USC) and in the southern region, the guerrillas are the Somali Patriotic Movement (SPM).

The central regions, consisting of Mudug, Hiran and Galguduud, inhabited mainly by the Hawiye and Majerteen clan, are also in a state of disintegration. The army has been particularly targeting two groups belonging to the Hawiye both because the USC derives its strength from the Hawiye and because the government holds civilians belonging to the clans associated with the rebel forces as "responsible" for their activities. Hundreds of civilians have died in retaliation for attacks by rebel forces. Their houses are searched and robbed and warehouses raided. The majority of the people living in the region are mainly nomads. Fleeing government retaliation, they live as displaced people beyond the protection of international organizations and without access to assistance. Africa Watch has received numerous accounts of the army dressing in civilian clothes and pretending to be local people, in order to "test" the loyalty of the civilians they encounter. Cars carrying people have been overturned after they were hit by bullets, killing and injuring many of the passengers.

- * On January 10, 1990, Shukri Buraale, the six children and pregnant wife of Muse Jama, a trader from Hargeisa, were killed when their car was overturned after they left Mogadishu to go to the refugee camps in Ethiopia.
- * On December 6, 1989, Habiba Warsame Ismail and several others died when soldiers fired on their car in Abuud Waaq in Dusa Mareeb region and it overturned. Also 18 people were injured, including Habiba's daughter, Jamilla Ahmed.

After robbing cars, it is common for the soldiers to hang the bodies of some of the victims on trees; the civilians living in the region are then forced to come and see the bodies of some "buda'd". (This is a derogatory term in Somali meaning armed bandits)

Belet Weyne, May 1990

On May 30/31, Belet-Weyne, the regional capital of Hiran and Dusa Mareeb, government troops

massacred about a hundred civilians, including women and children, and confiscated most of their livestock. Belet-Weyne in particular was subjected to looting. Several surrounding villages were also the scene of violence, including Adaado, Hinjilaab and Hogdugaag. This followed an assault by the USC forces against army posts in the region. Abdi Aloq, the commander of the army in the area and three colonels were killed in an ambush by the rebel forces.

The area around Kismayo, Bakol and Baidoa has also been the scene of heavy fighting. In early March, there was a confrontation in El Berde between the army and a rebel group led by Ahmed Omer Jesse, a former high-ranking officer in the army. A number of soldiers apparently defected and many others were wounded. An army group led by General Jama "Green" returned but did not catch up with Jesse's force. Instead, they turned their frustration against the civilians living in the region and massacred 200 people, mainly women and children.

April 1990

At the end of April, 37 civilians were killed by government troops in Bosaaso, capital of the northeastern region. The government claims they died in the course of clashes between two rival groups of the same clan. The reality is that the killings were carried out by government soldiers. Civilians living in the area had refused to pay taxes to the governor and he was killed after he sought to collect the taxes by force; the army went on the rampage and massacred 37 people.

The Massacre at Galkayo in November 1989

After the killing of over 450 civilians in July 1989 in Mogadishu,⁵ rebel forces operating in Ethiopia and defectors from the army launched attacks against the government. There were local mutinies in Galkayo, Hiran and Belet Weyne. Rebel forces briefly occupied Galkayo in mid-November, 1989. They are said to have captured much military equipment at the 4th Division Headquarters, including 30 mobile anti-aircraft guns, rocket launchers and tanks. They were unable to take most of this equipment and burned it. Subsequently, government troops undertook massive reprisals against civilians living in the regions of the 54th, 21st, 60th and 77th military sectors. The towns and villages affected include Dagaari, Saddle-Higlo, Bandiir Adley, Galinsor, Wargalo, Do'ol, Gowlalo, Halimo, Go'ondalay and Galkayo town which is the regional capital of Mudug. Africa Watch has received details of the atrocities in some of these villages and Galkayo itself.

Galkayo

Many of the soldiers who were stationed in Galkayo were Hawiye and they deserted the army as they knew that the victims of the atrocities two days earlier in Go'ondalay and other surrounding

⁵ See *News from Africa Watch*, July 21, 1989.

villages were mainly Hawiye civilians. The civilians in Galkayo are said to have welcomed the rebels. After the withdrawal of the rebel forces from the military barracks, government reinforcements arrived from the 21st Division based in Galgaduud region. The troops first shelled the town on November 26th, destroying parts of the city and hitting some of the residential districts. People fled in panic. Soldiers swept through the town, conducting house-to-house searches and looting whatever valuables they could find. Of course, not all civilians were able to flee, particularly elderly men and women and a great number of mothers with young children, many of who were killed. Among the victims, Africa Watch has received the following names:

- * Fadumo Jama Muse, 58, housewife
- * Fardoos Haasan Kulan, 3
- * Su'ad Abdi Guled, 17, student
- * Saeedo Abdi Mirre, 19, student
- * Nura Abdillahi Aden, 25, pregnant mother
- * Kaaha Mohamed Warsame, 29, housewife, and her 26-day old baby
- * Nadifo Abdi Abdille, in her 80s
- * Asha Tahlil Warsame, in her 80s
- * Halimo Ahmed Muse, in her 70s

Go'ondalay

This village is 70 kilometers west of Galkayo. There was an armed clash between rebel forces and government troops on November 24. Two days later, the town was surrounded by planes, and civilians fled. Some hours later, soldiers came in and armored infantry forces destroyed the village and water-reservoirs. When the government troops entered, they gathered the civilians who had not managed to flee and shot many of them. Some of the victims include:

- * Sheikh Adan Sahal, 41, religious leader
- * Sheikh Abdirahman, 50, religious leader
- * Sheikh Farah, 61, religious leader
- * The son of Sheikh Farah, 26, student
- * Aden Golad "Nagnagleh", 47, nomad
- * Barda'ade, 50, truck owner
- * Ali "Fanahay", 26, nomad
- * Abdi Hassan, 23, student
- * The son of Saitoon, "Indabuur", 22, student
- * Mohamed "Dherre", 27, nomad
- * "Qooray" Isse Dhaansay, 51, nomad
- * Abdillahi Ali Wa'ais, 27, nomad

Among the reservoirs destroyed were ones belonging to:

- * The family of Hassan Jumaale
- * The family of Isse Daansay
- * The family of Ahmed Seed

Dool

This village is 30 kilometers east of Galkayo. Many of the civilians who had fled Galkayo had sought refuge in Dool. Some days after their arrival, the troops which had destroyed Galkayo, led by Colonel "Dago Baayr" of the 21st Division surrounded the village and shot civilians. About 200 people died, consisting mainly of the inhabitants of Galkayo who had sought shelter there. Among the victims are:

- * Ma'allin Dherre Sheikh Yusuf, 45, religious leader
- * Sheikh Yusuf Jumaale "Dhalle", 70, religious leader
- * Haji "Hogolof" Awaleh, 65, businessman and Hawiye elder
- * Abdullahi Abdul-Khaire "Hogolof", businessman and Hawiye elder
- * Warsame Yare, 60,
- * Haji Shirwanaje, 80, elder
- * Haji Shirwa'a Ali Bulaale, 78, retired businessman
- * Fuad Mohamed Jama, 25, unemployed
- * Osman Shirre Kulanne, 40, unemployed
- * Mohamed Jama Farah, 19, student
- * Abdi Warsame Farah, 22, student
- * Abdillahi Hassan Warsame, 46, driver
- * Abdillahi Balay, 24, student
- * The son of Hussein A'dde, 23, unemployed
- * Abdi Abdillahi Addad, 24, shopkeeper

The following surrounding villages were damaged during the same attack.

- * Hara Dherre, district town
- * Hobyo
- * Laas A'dale, 25 kilometers east of Galkayo
- * Galiso
- * Wisil, between Hara Dherre and Galkayo

The Continuing Violence in Northern Somalia

When in 1988 the SNM attacked Burao, one of the main towns of northern Somalia, and Hargeisa, the capital of the region, the army sought to punish the civilian population for supporting the rebels. Aerial bombardment, artillery shelling and killings by the army followed. Africa Watch has estimated that between 50,000-60,000 people died of war-related causes between May 1988 and

January 1990. Seventy per cent of Hargeisa has been destroyed and other cities and villages severely damaged. The urban and nomadic population have either become refugees or they are displaced within the country. In spite of the devastation, the killings of civilians in northern towns and villages continue.

The Massacre in Berbera

Africa Watch has received details from many independent sources of an army massacre of seventeen Isaak men killed in Berbera. The men were shot in front of a restaurant in the center of town late in the evening of August 16 by the Hangash, a branch of the military police notorious for human rights abuses. There are also reports that Ethiopian refugees armed by the government were implicated in the massacre. The killings were apparently in retaliation for attacks against government personnel and property by the SNM. Shortly before the massacre, the SNM had apparently confiscated a boat belonging to the government and had also blown up a lorry carrying water-tanks in Dubar, the water-station for the area of Berbera. The government did not provide any evidence that these men were responsible for these actions or that they were even members of the SNM. They were shot on the basis that, as Isaaks, they bore a heavy responsibility for the actions of the SNM.

Nineteen men were taken out and seventeen died. The other two are in a serious condition.

The victims have been identified as:

- * Abdi Mohamed Elmi
- * Ahmed Abdi Karshe
- * Hussein Aden Farah
- * Aden Elmi Ali
- * Abdullahi Ibrahim Ali
- * Abdullahi Abdi Ali, cousin of above
- * Abdi Mohamed Robleh
- * Aden Warsame Ali
- * Aden Elmi Ali
- * Abdullahi Osman Yusuf
- * Ali Mohamed Isse
- * Moghe Osman Jibril
- * Mohamed Ali Mohamed
- * Mohamed Ahmed Saleh
- * Ali Mohamed Ahmed
- * Abdi Hagar Dahir
- * Aden Mohamed Abokor

The two injured men are:

- * Jama Abokor Ahmed
- * Aden Elmi Warsame

August 1990

Ethiopian refugees living in Saba'ad, a refugee camp near Hargeisa attacked a group of Isaak nomads, killing more than 60 people and stole all their livestock. The Somali government has been pursuing a deliberate policy of arming Ethiopian refugees in northern Somalia to use them in the war against the Isaaks. Armed and encouraged by the government, they are responsible for some of the worst atrocities of the war, particularly in Hargeisa, Berbera and Sheikh.

April 1990

In April there was fierce fighting in the western coastal region, mainly in the Lughayo, Loya'ade, Zeila and Bulahaar districts. In the course of the fighting, government troops rampaged through the surrounding villages. Out of 700 Isse families, some were killed, others wounded and they all lost their livestock and their homes. The survivors fled to neighboring Ethiopia and Djibouti. Hundreds of Isaak nomadic families living in the areas have been subject to the same atrocities.

Africa Watch received details of incidents that took place in March from a traveler who visited the area in March and April.

March 28, 1990

Six women were robbed and shot in Adadley by the army. The women, who were from the farming communities of Shilmale, Hid-hid and Getiteley, had gone to Adadley for business. When they had finished their transactions and were preparing to return to their communities, several soldiers herded them into a room at the edge of the town, robbed and shot them. As I was not far from the Adadley area, I tried to take pictures of the bodies. But the army collected the bodies and buried them in haste. They were:

- * Anab Muhumed H. Jama Egal, 30
- * Surer Deria Warsame, 45
- * Halimo Yassin Galeyd, 60
- * The daughter of Aw Abdi Bulale Hassan, 40
- * The daughter of Aw Abdi Abdalla, 50
- * The wife of Jama Der

March 20, 1990

A plane bombarded the villages of Quda'a-Gudle, Barad and Jenya-Laye and killed seven

people. Among the victims were:

- * Roble Osman, 50, his wife and his two small children
- * Abdi H. Mohamed Abdikarim

January/February 1990

Government troops retook control of Hargeisa which had been captured by the SNM in late December. They killed a number of elderly Isaak women, estimated at 23, who, in view of their age, had decided to stay in spite of the risks. Some of them were petty traders. They were shot in their homes, either in the center of Hargeisa or in surrounding villages, such as Daloldo. They include:

- * Ardo Ahmed Hudur
- * Adar Deer, milk retailer, killed in Daloldo

December 25, 1989

Early in the morning, a group of soldiers from Odweine under the command of Lieutenant Ibrahim "Marehan" rounded up all those living at Hahi, near Odweine, singled out 13 youths, led them out of the village and executed them. One of them, Mohamoud Mohamed Hassan, 25, survived. He is being treated for the wounds he suffered. He identified the twelve victims as:

- * Abdi Mohamed Shnaib, 25
- * Ali Mohamed Shnaib, 23, brother of above
- * Abby Abdi H. Jama, 28
- * Ibrahim Ismail Hassan H. Jama, 23
- * Sadiq Abdisalam H. Ahmed, 31
- * Hussein Abdisalam H. Ahmed, 28 brother of above
- * Bashir Moalin Ali Hassan, 22
- * A 24 year-old brother of above
- * Mohamed Dahir Moalin Abdi, 33
- * Mahad Hassan Farah
- * Son of Sudi Duale Bubal
- * Son of Abdillahi Deria

About a month before this happened, in mid-November, a group of soldiers headed by the same Lt Marehan, shot dead four civilians in Qaburaley, just outside Odweine. They were:

- * Mohamed Abdi Dirqi, 40
- * Mohamed Omer Nur, 22
- * Ibrahim Sheikh Mohamoud Gabobe, 25

* Aar Jama Nur

The June manifesto commented on the consequences of the wars in the country:

The civil war raging between the government forces and the opposition movements has caused unlimited disaster to our motherland, not only militarily but also politically, economically, socially, morally and materially to the point of making us feel ashamed of ourselves as Somalis as well as being made pessimistic about our future.

The killings of tens of thousands of innocent civilians including: the aged, women and children as well as the destruction and looting of their property.

The fleeing by hundreds of thousands of people from their homes because of fear for their lives, compelled to seek refuge among other countries in Ethiopia and Kenya.

The destruction and the looting of major townships including: Hargeisa, Burao, Sheikh, Erigavoi, Buhodle, Galkayo, Galdogob, Do'ol, Wargalo, Hilmo and its surrounding hamlets, Afmadow, Liboya and Bada'de. To our shock and dismay, most of the wells and water reservoirs on which, because of the arid nature of our land, the very existence and the life of the nomads and their livestock so much depends were deliberately destroyed as punitive measures.

Political Detainees are Subject to Ill-Treatment as in the Past

On January 24, 1990, the government ratified the International Covenant on Civil and Political Rights with its Optional Protocol, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Unfortunately, this has not resulted in any improvement in the treatment of detainees.

Africa Watch has obtained details about the condition of a group of detainees arrested for the most part in July/August 1989 in the aftermath of the killing of unarmed demonstrators and mass arrests in Mogadishu in mid-July. They are being held in tiny overcrowded cells. They have been denied medical treatment as well as physical exercise and some of them are said to have been tortured. They have not been allowed family visits, though their families are obliged to bring them their food.

They were first detained in the central prison of Hangash, the military police, and were later transferred to the principal NSS prison, the Godka, notorious for the torture and ill-treatment of political detainees. After they had spent some months there, they were transferred to Galshire, the central jail of Mogadishu.

Among the detainees are a group of Ogaden officers who were apparently deserting the army. They had a car accident after they left Mogadishu; they were recaptured on August 3. The government suspects them of deserting the army to join the SPM. They are:

Col. Dr Abdi Aideed Hirey, a medical doctor who is a specialist in cardiology as well as tropical medicine. Dr Hirey broke his right arm in three places and was badly injured on the forehead. Since the accident, he has not been given any medical treatment in prison. As a result, his hand is now deformed and he is no longer able to use it. He is also said to be suffering from heart trouble. Dr Hirey is married and has three sons and three daughters.

Col. Ahmed Sheikh Abdi, an infantry officer who previously held the position of chief of staff of a division in the army. Col. Abdi was also a political prisoner in 1977-8, and was held in the maximum security prison of Labatan Jirow during which time he was apparently tortured. Col. Abdi is married and has five sons and five daughters.

Lt. Col. Mohamed Ahmed Ali, a specialist in electrical-mechanical engineering in the air force; he was the chief of staff of Bali-Dogle Air Base. His right leg broke as a result of the accident; he has not received any medical treatment. His right leg is now lame. He is married and has one son and four daughters.

Major Hassan Mohamed Haybe, an artillery battalion commander. Major Haybe is married and has a son and a daughter.

Major Fawzi Mohamed Ali, an infantry officer who was an instructor at the military academy for cadets. He is married with two sons and three daughters.

A number of civilians were arrested at the same time. They are:

Abdullahi Hassan Khalif, the driver of the car in which the officers were traveling. He was employed by the U.S. Agency for International Development (U.S.A.I.D.) as a technician for small trucks and as a driver. Mr Khalif is married and has a number of children.

Aideed Mohamed Abdullahi, a farmer living in the vicinity where the accident occurred. He was one of the people living in the area who came to assist the officers. Instead, he himself was arrested and remains in detention. He is married with one son and one daughter.

Other political detainees include:

Col. Ahmed Budul Hilowly, an infantry specialist, who was the chief of staff of the 43rd Garrison at Kismayu when he was arrested on March 22, 1989. He is said to have been subjected to physical ill-treatment in prison and, as a result is sick. He has not received any medical care. A few months after Col. Hilowly had been in prison, President Barre included Col. Hilowly's name was on a list of

71 people who had benefitted from a presidential pardon. However, he was never released and remains in detention. Col. Hilowly is married and has two sons and one daughter.

Lt. Col. Irad Hassan Ali, an instructor in a school for commandos at Bali-Dogle Air Base. He was arrested at his home on October 15, 1989, accused of involvement with a political organization. He is married and has several children.

Captain Kassim Mohamed Aden, worked in the office of the former Minister of Defence, Major-General Aden Abdillahi Nur, who was himself arrested on July 24, 1989 and remains in detention. Captain Aden was arrested in July 1989 and his case was linked to that of the former Minister. The government has not produced any evidence to substantiate the allegations that Captain Aden was involved in anti-government activities. His "crime" seems to consist of the fact that he belonged to the same family as the former Minister and was a member of his staff. Captain Aden is married and has four sons and two daughters.

Abdi Ahmed Shuriye, a businessman, is a former government employee. Dr Shuriye was arrested on July 25, 1989. He was one of many intellectuals summoned by President Barre in July 1989 to advise him on political developments and who were subsequently arrested. Shuriye had been arrested at an earlier period in 1989 and detained for a month. In between the two arrests, he had been summoned twice to the NSS headquarters, where he is said to have been threatened, his fingerprints taken and given a written warning. Shuriye is married and has three sons and five daughters.

Mohamud Farah Guled is a businessman. He was previously a police inspector. He was arrested on April 18, 1989, accused of organizing political activities. He is married with seven sons.

A second group of nine detainees has remained in prison since July/August 1989. Twenty people, all Hawiye, were accused of various crimes and are detained without charge or trial. They have been accused of various charges under the National Security Law, all of which carry the death penalty. These offenses, which are linked to charges that the defendants were involved with the creation of the anti-government organization, the USC, include: "(1) formation of an illegal organization; (2); dissemination of anti-national propaganda detrimental to the Somali government and (3) dissemination of propaganda against the presidency and encouragement of tribalism." They were arrested at different times between July 13 and August 5, 1989. Eleven of them escaped, but are to be tried *in absentia*, and nine were arrested while at their homes. They are held in the Godka. The government has announced their "imminent" trial on several occasions since January, always to be postponed at the last minute. The trial was first expected to take place on January 28 and then on April 2. It was postponed again on August 28. To date, they still have not been charged with any crime.

They are:

Hassan Abdullahi Hassan, "Goley", 33, a businessman

Farah Mohamed Elmi, 31, university lecturer

Mohamed Osman Farah, "Oon", 32, unemployed at the time of his arrest, formerly a Major in the NSS

Mohamed Sheikh Mohamoud Guleid, "Kabbah", 44, a businessman

Hassan Gutaale Abdille, "Koshin", 37, businessman

Mohamed Hassan Osman, 43, a retail trader

Abshir Ali Isse, 29, employee, Somali Film Agency

Abdirasheed Abdi Kheyre, 38, businessman

Mohamed Ali Alasso

Africa Watch has received credible information that they have been subjected to physical and psychological torture and deliberate imposition of poor conditions. Prisoners are reported to have been permanently handcuffed and frequently beaten. They are denied bedding and are not provided with adequate food, which has to be provided by relatives. Cells are overcrowded with lack of ventilation and limited toilet facilities. They are allowed to go outside to the toilet only once a day. They are given no opportunity to exercise. Prisoners are often denied visitors and punished by being held in solitary confinement.

Poor Prison Conditions: Letter from *Galshire* Prison

In late August, Africa Watch received a letter sent from *Galshire*, the Central Prison in Mogadishu giving details of appalling conditions.

This is a prison intended to hold colonised people about whom one does not care and whose welfare one is indifferent to. It was built with the mentality of the coloniser which has no interest in the future of anyone who challenges the colonial power.

[President] Mohamed Siad Barre resembles in so many ways the colonial system which we had freed ourselves from in that he insists on ruling over people who do not want him... He has come to view the Central Prison as one of the places for the maintenance of his rule. He has built others [prisons] which are like the Central Prison of Mogadishu [such as] Laanta Bur, Labaatan Jirow, Buurweyn which history will record.

The Central Prison is a very ugly building, so filthy that it throws the person who is taken there for the first time into a state of shock. It is a big building which has crumbled as the Indian Ocean has eaten into both the bricks and the steel. The inside of the prison consists of 4 compounds, and it was intended to hold about 600 people.

At the moment, there are 1600 and at times there are more. The thing that is really shocking is the fact that one of the compounds referred to is full of people on death-row which the so-called court called the National Security [Court] but which should be called the Court of the Destruction of the Nation and the People, sentenced in a light-hearted fashion to death by firing squad. Every week, the soldiers in charge of Mogadishu sector take out some of the people on death-row and slaughters them in the manner that lambs are slaughtered during religious festivities.

The cells in the prison are tiny. Most are 3 meters in length and 2 meters in width, and they hold several people. Some of the cells are 4 square meters and each of these cells holds 15 people. As for the space to sleep on, every prisoner has the space of 3 steps. The doors are made of very heavy steel and they have a very small hole of 15 centimeters intended to allow people to breathe. But in fact the hole is so small that it is not even enough for the air required for the large number of people who are cramped into those cells.

The Central Prison of Mogadishu is a place without food, water, light, medicines or bedding. The guards live off the food and extortions they take from the prisoners. Paying bribes or extortions is the only way that prisoners have access to the things sent to them from outside...

The government exercises no responsibility for the lives [of prisoners]. In order to see your visitors, it is necessary to give away half of what you get. If you don't do that, you can be sure that you will never again get any visitors.

The prisoners whose families do not have the means to bring them things have to share with those who receive things. The other thing is that several prison guards use heavy clubs to beat those who are being punished - they beat the prisoner together.

Sick prisoners and the healthy have to sleep in the same cell or compound. There is the same lack of distinction between political prisoners, thieves, drug offenders and minors - they all share the same cells.

The result of the lack of food, bedding, water, medicine...and air and especially the discomfort and physical torture is to deprive the prisoner of his strength and his health. There are many diseases that spread easily in this prison such as TB...

The consequence of the difficulties outlined above is that every day people die in this prison. There is a room called the "transit" room where people are kept when they have lost all their strength and they are kept there until they die and they are buried with the use of money collected from the prisoners.

If anyone thinks that what we are saying are lies or exaggerations it will be enough for them to come to Mogadishu and talk about the conditions at the Central Prison either to the families of the prisoners or to the prisoners themselves.

Conclusion

Systematic human rights violations in Somalia are under-reported because of severe restrictions on local reporters, difficulty of access for foreign journalists and international human rights organizations and the absence of domestic human rights groups. Until recently, major donors have kept quiet about massive institutionalized corruption, lack of public accountability, denial of democratic freedoms and human rights abuses. Donor countries are now talking of linking foreign aid to Africa with respect for human rights and moves towards political pluralism. The people of Somalia, as elsewhere in Africa, are waiting to see whether Western governments mean what they say. The recent cosmetic changes and the promises of reform are an index of the increasingly desperate efforts by President Barre to convince a skeptical world that times have changed in Somalia. We hope that the absence of the conditions necessary for genuine free elections will be carefully scrutinized by the international community, before hurried decisions are made to unblock aid or deliver military supplies merely on the basis of the government's announcement of reforms.

Recommendations

The Somali Government

If the government is serious about respect for human rights, there are a number of basic measures it should take immediately which are essential to give substance to the reforms it has announced. It should:

- * Release all political prisoners and detainees, including those whose names appear in this document;
- * Put an end to torture and deliberate ill-treatment of political detainees and prisoners, such as routinely denying them medical treatment, access to legal counsel and family visits;
- * Dismantle the security agencies and irregular paramilitary forces, whose members, poorly trained and lawless, continue to kill, rape and loot civilians. This is necessary in order to create the climate conducive for pre-election campaigns. In particular, President Barre should set an example by disarming his own bodyguards, the heavily armed "Red Berets" who are responsible for most of the violence in Mogadishu;
- * Repeal the entire body of laws and administrative procedures adopted in 1969/70 which have institutionalized the denial of fundamental human rights;

- * Punish, in tribunals independent of the government, those who are guilty of human rights abuses. Until the authorities demonstrate the political will and capacity to prosecute the responsible officials, there is little prospect of genuine and lasting improvements in the human rights situation;
- * Cease the practice of holding political detainees in military installations which are not formally recognized as detention or interrogation centers. Detainees should only be held in places that are publicly recognized and their names and places of detention should be recorded in a central register available to people concerned about their welfare, such as family members and lawyers;
- * Ensure that investigations into human rights violations are only carried out by individuals whose impartiality, independence and competence is beyond dispute, and not by persons who are members of the government or closely identified with the regime;
- * Allow foreign journalists unlimited access to the country without government escort;
- * Permit international human rights organizations to visit Somalia and to conduct their investigations without hindrance and without fear that citizens who talk to them will subsequently meet with violent reprisals;
- * Improve the dismal prison conditions which are a source of physical hardship, indignities and psychological damage to political prisoners and common criminals;
- * Publish the findings of the committee which investigated the massacre of Jezira Beach and the reports of other committees so that the public is kept informed about events in their country.

The Donor Community

We urge donors to maintain the suspension of non-humanitarian aid to the Somali government until it takes the steps outlined above. Donors should make it clear that concrete progress towards specific human rights issues is essential if the international community is to have any faith in the government's professed commitment towards the process of democratization. We wish to emphasize the importance of ensuring that the purpose of this aid suspension is not undercut by funding provided through multilateral agencies or through indirect channels.

Please address appeals to:

President Mohamed Siad Barre
President of the Somali Democratic Republic
Villa Somalia
Mogadishu
Somalia

Prime Minister Mohamed Hawadleh Madar
Office of the Prime Minister
Mogadishu
Somalia

Copies to:

Ahmed Mohamed Aden
Minister of Foreign Affairs
Ministry of Foreign Affairs
Mogadishu
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Ambassador Abdullahi Ahmed Addou
Embassy of Somalia
600 New Hampshire Ave., NW
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Ambassador Ahmed Jama Abdulle
Embassy of Somalia
60 Portland Place
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Previous Africa Watch Publications on Somalia:

Somalia: A Government at War with its Own People; Testimonies about the Killings and the Conflict in the North. An Africa Watch Report, January 1990. pp. 268. cost: \$15.00.

Africa Watch is a non-governmental organization created in May 1988 to monitor human rights practices in Africa and to promote respect for internationally recognized standards. Its Executive Director is Rakiya Omaar; its Research Director is Richard Carver; Karen Sorensen and Janet Fleischman are Research Associates; Jo Graham and Ben Penglase are Associates.

Africa Watch is part of Human Rights Watch, an organization that also comprises Asia Watch, Americas Watch, Helsinki Watch and Middle East Watch. The Chairman of Human Rights Watch is Robert L. Bernstein and the Vice-Chairman is Adrian DeWind. Aryeh Neier is Executive Director of Human Rights Watch, the Deputy Director is Kenneth Roth; Holly Burkhalter is Washington Director, and Susan Osnos is Press Director.