



SOOMAALIYA

“Ma Taqaanid Cid Eedda Leh”

Dembiyo Dagaal oo Soomaaliya ka Dhacay

HUMAN
RIGHTS
WATCH



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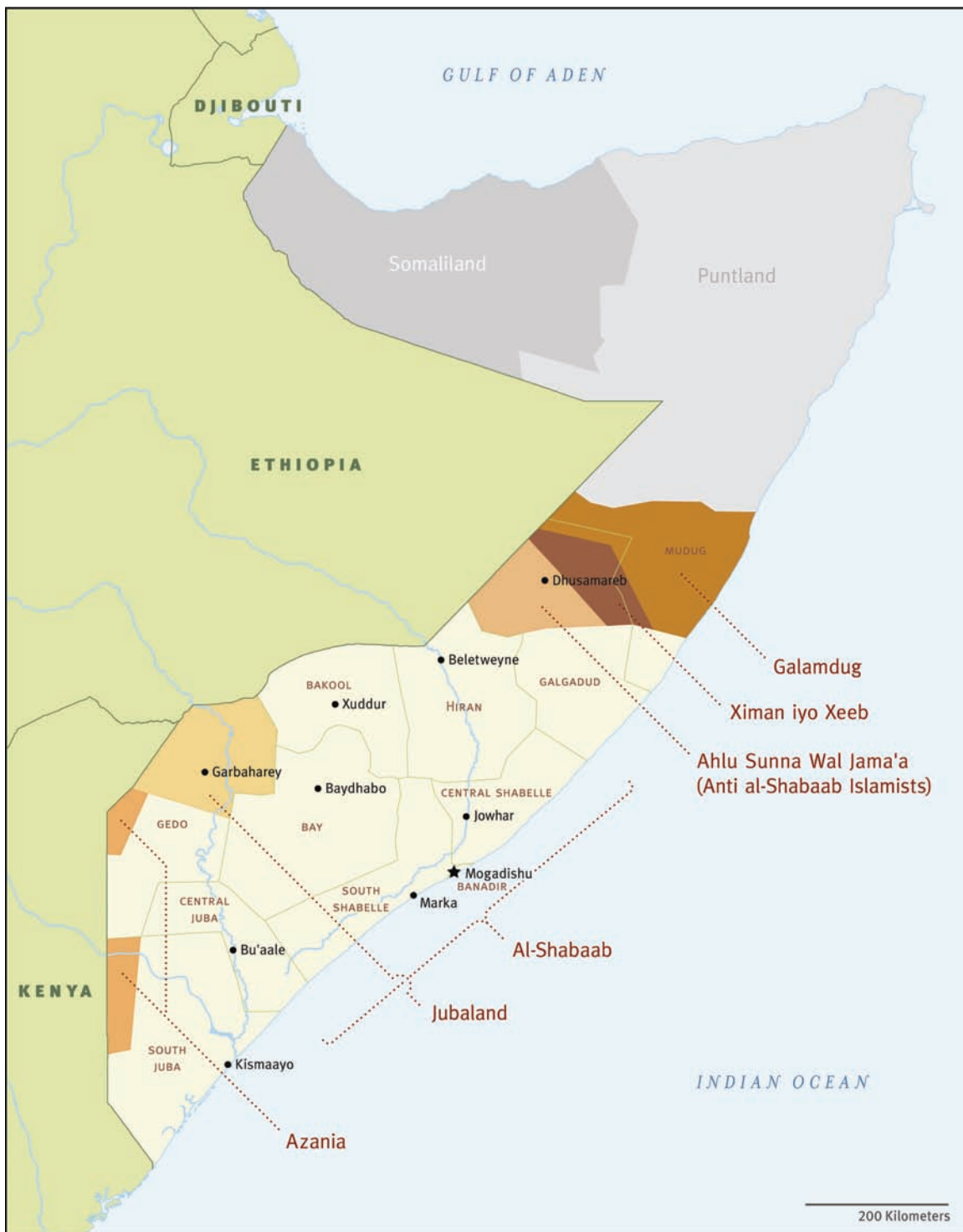
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Khariidad



Map of south and central Somalia including estimated boundaries of local administrations

Guudmar

Dagaallo sii xoogeysaneyey tan iyo dabayaaqadii 2010-ka oo ka socday konfurta Somaliya una dhexeeyey xoogagga xulafada la ah dawladda FKMG ah iyo kooxda Islaamiyiinta hubaysan ee Al-Shabab ayaa dhaliyey qasaare in kabadan 4,000 oo rayid ah, oo ay ku jiraan dhimashada tiro kabadan 1,000 qof iyo xadgudubyo aad u badan oo loo gaystey dadka rayidka ah. Tobannaan kun oo Somali ah ayaa ka barakacay guryahoodii, oo ay ku jiraan in-kabadan 87,000 oo u gudbey Kenya todobadii bilood ee ugu horreeyey sanadka 2011-ka halkaasoo ay ku noolyihiin xeryo hadda rasmi ahaan hoy u ah in ku dhow 390,000 oo qof. Sii-xoogeysiga dagaalkan, oo ka mid ahaa kuwii ugu cuslaa tan iyo 2006-dii waxa uu kusoo beegmey marxalad ay jirto mid ka mid ah abaarihii ugu xumaa sanadihii dhowaa, waxayna sii laba-laabtay mushkiladii bani'aadannimo ee Somaaliya ka jirtey. Bishii July. Qaramada Midoobey waxay ku dhawaaqdey in macluuli ka jirto laba degmo oo ku taal koofurta Soomaaliya. Dagaalallada weli socda, nabadgelyo xumida, iyo mamnuucidda al-Shabaab ee gargaarka bani'aaddannimo, sida xayiraad ay saareen hawlihii hay'adaha gargaarka iyo hanjabaad iyo weerarro loo gaystey shaqaalaha gargaarka ayaa sii biiriyey masiibada hadda taagan.

Duullaan uu qaadey milateriga TFG-da bishii Febrayo 2011-ka, iyadoo ay taageerayaan AMISOM, ciidamada qalabka sida ee Kenya iyo Itoobiya iyo maliishiyaad Soomaali ah, sida kuwii lagu soo diyaariyey Kenya iyo Itoobiya, ayaa keeney qabsashada deegaanno ay hore u haysteen Al-Shabaab oo ku yaal Muqdisho iyo koonfurta dalka ee u dhow xuduudaha Kenya iyo Itoobiya. Kenya, waxay iyadu si gaar ah u danaynaysaa, qayb dhulka Soomaaliyeed ah oo dacalka ku haya xuduudkeeda, oo loogu yeero "Jubaland" inay ka dhigto soohdin difaac ah oo u dhexeeya Kenya iyo deegaannada ay ka taliyaan al-Shabaab.

Dadka rayidka ah ayey ku dhaceen qaybta ugu weyn ee qasaaraha dagaallada u dhexeeya dhowrka koox ee qaybta ka ah dirirta Soomaaliya sida: TFG-da, al-Shabaab, AMISOM, maliishiyaad-ka ku dhinaca ah TFG-da ee ay taageerto Itoobiya sida Ahlu-Sunna Wal-jameeca iyo Raas-Kambooni iyo maliishiyaadka ay Kenya Taageerto. Waxaa jirey xadgudubyo waaweyn ee xeerarka caalamiga ah ee bani'aadannimada (Sharuucda dagaalka) oo ay gaysteen dhinacyada dagaalka, sida madaafiic si aan kala sooc lahayn loogu garaacey goobaha rayidka iyo adeegyada bulshada, Soo xirid iyo xabsi sharci-darro ah, iyo dilal aan sharciga la marsiin. Dagaalku saamayn aan la xisaabin karin ayuu u geystey awooddii dadka rayidka ah ee ka qaxayey deegaannada ay abaartu ka jirtey si ay gargaar ugu raadsadaan xuduudka kenya iyo Itoobiya sida in jidkii ay ku bixi

lahaayeen oo ka xirmay, ama ha noqoto al-Shabaab oo si ula-kac ah uga hor-istaagayey dadka inay baxaan.

Soomaalida kasoo cararayey deegaannada ay al-shabaab ka taliyaan waxay soo sheegeen xadgudubyo baahsan oo ka dhan ah xuquuqda aadanaha. Al-Shabab waxay weli wadaan inay si muuqata u fuliyaan madax-goyntii iyo karbaashiddii; inay si qasab ah ciidammo ugu qortaan dadka waaweyn iyo carruurtaba, inay soo rogaan sharciyo qallafsan oo ku dhowaad dhinac-walba ka taabanaya hab-dhaqanka dadka iyo nolosha bulshadaba, iyo inay ka hor joogsadaan dadka ku hoos jira maamulkooda gargaar bani'aadannimo oo ay si daran ugu baahi qabaan, sida cunto iyo biyo.

Dadweynaha ku nool deegaannada ay dawladda Federaalka KMG ah iyo xulafadeedu maamulaan waxaa sidoo kale ay la kulmeen xadgudubyo ka dhan ah xuquuqda aadanaha iyo xeerarka dagaalka. Kuwaasoo isugu jira soo-xirid iyo xabsi aan sharci waafaqsanayn, xayiraad la saarey xorriyada hadalka iyo isu-imaatinka, iyo weerarro aan kala sooc lahayn oo rayidku wax-ku-noqonayaan.

Soomaalida badbaadada u raadsanaysa Kenya waxay la kulmaan qashqashaadda boliiska, soo-xirid aan sharci ahayn iyo in dib loogu masaafuriyo Soomaaliya. Qaxootiga Somalida ah ee ku sii jeeda xeryaha qaxootiga la ciir-ciiraya ee Dhadhaab, dalka Kenya, waxay qaadaan jidad gadaale oo qarda jeex ah si ay uga dhuuntaan boliiska Kenya iyo goobta rasmi ahaan ah xuduudka oo illaa dhowaanahanba xirnayd. Waxayna u gacan-galaan qawlaysato isku-xiran aadna u diyaarsan kuwaasoo gaysta dhac iyo kufsi.

Kormeeridda iyo la socoshada beesha caalamka ee xuquuda aadanaha ee Soomaaliya waa mid aad u liita hadana xaqiijinta in si habaysan loo diiwaan-geliyo xadgudubyada socda ayaa fure u ah in ugu dambaynta laga xisaabtamo xadgudubyadaas. Sidaa darteed ayey warbixintani iftiiminaysaa inta ay gaarayaan xadgudubyada xuquuqda aadanaha iyo xeerka caalamiga ah ee dagaalka ee ku dhacaysa bulshada rayidka ah ee Koonfurta iyo bartamaha Soomaaliya.

Qaramada Midoobey iyo deeq-bixiyayaasha waaweyn ee dawladda KMG ah gaar ahaan Midowga Yurub iyo Mareykankuba wey cambaareeyeen tacadiyada xuquuqda aadanaha ee Soomaaliya iyo ku tumashada xeerarka caalamiga ah ee dagaalka ee sababay qasaaraha rayidka. Si kastaba ha ahaatee, taageeradooda milateri ee ay siiyaan dawladda TFG-da iyo AMISOM darteed mas'uuliyad gaar ah ayaa ka saaran inay kaalin muuqata ka qaataan hagaajinta hab-dhaqanka TFG-da iyo xoogagga xulufadeeda ah. Halka ay xoogaggani kala wareegeen deegaanno hore u hoos iman jirey al-Shabaab, QM iyo deeq-

bixiyaasha waaweyn waxaa sidoo kale looga baahan yahay inay ku cadaadiyaan xurmaynta xuquuqda aadanaha ee aasaasiga ah waana inay si dhow ula socdaan kaalmada ay bixiyaan. Taageerida iyo siyaasado ka gaabiyey inay keenaan ujeedooyinkaas aasaasiga ah waa in dib looga fiirsadaa. Illaa hadda TFG-du waa ay ka gaabisey inay sugto ammaanka isla markaana ilaaliso xuquuqda aadanaha ee deegaannada kooban ee ay ka taliso; Deegaannadaas oo sii ballaartana waxa ay sii murjinaysaa oo kaliya mashaakilaadka hadda jira.

Warbixintan, waxay Human Rights Watch ku adkaynaysaa dhammaan kooxaha qaybta ka ah dirirta Soomaaliya inay qaadaan tallaabooyin la taaban karo oo lagu ilaalinayo rayidka laguna joojinayo xadgudubyada isla markaana lagu ciqaabayo kuwa mas'uulka ka ah xadgudubyada halista ah. Dawladda TFG-da iyo AMISOM waa inay meel-mariyaan tallaabooyin lagu yareynayo suurtoagalnimada inay waxgaaraan rayidka inta weerarradu socdaan, gaar ahaan in la joojiyo dhammaan weerarrada aan kala soocaynin ciidanka cadawga iyo dadka rayidka ah. Dhammaan dhinacyada dagaallamaya waa inay fududeeyaan oo aysan horjoogsan gaaritaanka gargaarka bani'aadannimo iyo dadaalka bani'aadannimo ee hadda socda si wax looga qabto abaarta.

Al-Shabaab waa inay sidaasoo kale qaaddaa talaabo kasta ee suurto-gal ah oo ay isaga ilaalinayso inay ciidammo geyso duullaamana ka soo qaado goobaha uu dadku ku badan yahay. Waa inay deg-deg u joojisaa inay rayidka ka dhigato "Gabbaad", taasoo ah marka si ulakac ah rayidka la geliyo inta u dhexeysa ciidankooda iyo ciidammada weerarka ah. Deegaannada al-Shabaab hoos taga, madaxda deegaanku waa inay xurmeeyaan xuquuqda aasaasiga ah ee shacabka, oo ay ku jirto xornimada in qofku meeshuu doono aadi karo iyagoo u fasaxaya rayidka inay aadaan deegaan kale iyo dalal kaleba. Isu-socodkaasi waa daruuri abaarta hadda jirta darteed. Al-Shabaab waa inay sidoo kale dhaqsi ugu ogolaadaan hay'adaha samafalka inay ka hawlgalaan dhammaan deegaannada hoos yimaada si ay u geeyaan gargaar bani'aadannimo oo deg-deg ah.

Qaramada Midoobey, Mareykanka, Midowga Afrika iyo Midowga Yurub, oo taageera dawladda TFG-da maaliyad ahaan iyo milateri ahaanba waa inay dejiyaan hal-beeg cad oo lagu hagaajinayo dhawrista xuquuqda caalamiga ah ee aadanaha iyo xeerarka dagaalka iyo weliba heer isla xisaabtan hagaagsan. Waa inay TFG-da ugu yeeraan si deg-deg ah ku diyaariso qorshe lagu hagaajinayo xaaladaha nabadgelyo laguna xaqiijinayo xuquuqda aadanaha ee deegaannada hoos taga. Iyadoo tan niyadda lagu hayo, waa inay TFG-da ku dhiirriyaan inay hubiso in qodobadii la isku afgartey heshiiskii Kampala uu la socdo bartilmaameedyo cad ee yoolka xuquuqda aadanaha. TFG-da iyo taageerayaasheeda caalamka waa inay sidoo kale ambaqaadaan dhismaha guddi QM ah oo wax soo baara oo

ka imanaya Golaha Amniga ee QM si ay u diiwaangeliyaan xadgudubyadii waaweynaa ee xuquuqda caalamiga ah ee aadanaha iyo xadgudbyada xeerarka dagaalka ee dhacay tan iyo billowgii dagaallada 1991-kii.

Kenya sida muuqata waxa soo foodsaarey culays weyn oo ah sidii ay u caawin lahayd una ilaalin lahayd tiro kudhow 700,000 oo qaxooti ah oo kusugan Kenya. Laakiin culaysyadaasi uma cudurdaarayaan xadgudubyada boliiska—sida kufsi, soo-xirid aan sharciyeysnayn, iyo musaafurin sharci darro ah—oo lagula kaco dadka magangalyo-doonka ah. Sidoo kale uma cudurdaareyso in boliisku uu ka badbaadin waayo magangalyo-doonka qawlaysatada ku sugan deegaannada xuduudka ah. Saraakiisha mas’uulka ka ah xadgudubyadaas waa in si dhaqsi ah oo hufan loo baaraa. Waxayna taasi keenaysaa oo kale, inay xaqiijiso Soomaalida magangalyo doonka ah inay si nabad ah uga safri karaan xuduudka illaa xeryaha iyo caawinaad loo diiwaangeliyo sida ugu dhaqsiiyaha badan, mas’uuliyiinta Kenya waa inay xarun kala soocid dib uga furaan Liboi oo ku taal xuduudka Somaliya iyo Kenya ayna ogolaadaan QM iyo shirkadaha gaarka ah ee basaska inay magangalyo-doonka gaarsiyaan xeryaha.

Abaarta ka jirta Soomaaliya ayaa tirada qaxootiga u gudbaya Kenya iyo Itoobiya ka dhigey mid cirka maraysa. Laakiin tirada soo geleysey waxay horeba u ahayd mid sarreysa horraantii 2011-ka taasoo ay ugu wacnayd dagaalka Soomaaliya oo sii xoogeystey, taasoo ay ugu wacnayd sida dadaallo ay Kenya taageereysey oo al-Shabaab looga saarayey Jubaland. Human Rights Watch waxay ka walaacsan tahay hadallo kasoo baxay wasiiro iyo saraakiil katiran dawladda Kenya oo dhiirrigelinaya in xeryo dadka guddaha ku barakacay ah laga sameeyo Soomaaliya, lana tuhunsan yahay in loola jeedo dhulka difaac ah ee ku yaal Jubaland. Jubaland illaa mar dhow waxay ahayd aag dagaal ka socdo. Waana dhul aad u yar: Fariisimada al-Shabaab 80km oo kaliya ayey u jiraan xuduudka Kenya. In la abuurro kala duwanaansho aan meeshaba ku jirin oo u dhexeeya kuwa kasoo cararaya dagaallada iyo kuwa kasoo qaxaya abaarta, sida ay isku dayday dawladda Kenya waa marin-habaabin. Macluushu waxay had iyo goor leedahay sababo cakiran oo siyaasadeed iyo kuwa deegaaneed oo dhaliyey. Hadalladii dhowaan kasoo yeeray saraakiisha dawladda Kenya waxay sii kordhinayaan walaac ah in laga yaabo inay Kenya isku daydo inay qaxootigii dhowaan yimid amaba kuwii kasoo horreeyey ay Somaliya ku celiso haddii xeryo laga sameeyo gudaha Soomaaliya.

Wagtigan Kenya ayaa ugu dhow meel uu ku badbaado qaxootiga Soomaaliyeed qorshaha beesha caalamka uu waxkaga qabanayo qaxootigana waa inuu halkaas ka ambaqaadaa. Kenya waxa soo foodsaarey culays mug leh waxayna ku andacoonaysaa in xeryo dheeraad ah oo la dhiso uusan deegaanku xamili karin. Hase ahaatee, waqtigan si kale oo macquul

ahaan bedelkeeda la yeeli karaa wey yar tahay. Iyadoo qaxooti 400,000 ah lagu ciriiriyay meel 90,000 loogu talagalay, in kabadan 1,000 qaxooti ahna ay maalin kasta imanayaan oo ay ugu dambeysey bishii July, mas'uuliyiintu Kenya waa inay si dhaqsi ah ugu ogolaadaan qaxootiga inay degaan xerada weli maran ee Ifo- II isla markaana ay heshiis dhul kale oo xeryo cusub laga sameeyo la saxiixdaan hay'ada QM ee qaxootiga si loo dhimo ciriiriga ka jira kuwii hore.

Talo Bixin Muhiim ah

Ku Socoto Golaha Ammaanka ee QM

- In la dhiso guddi wax soo baara oo Soomaaliya loogu talagalay si ay u soo baaraan una soo bandhigaan dembiyadii waaweynaa ee ku xadgudubka sharciga caalamiga ah, ayna kasoo talo-bixiyaan tallaabooyin lagu hagaajinayo ka xisaabtanka xadgudubyada kadhanka ah xuquuqda aadanaha iyo xeerarka dagaalka.

Ku Xafiiska Siyayaasada QM u Qaabilsan Soomaaliya (UNPOS) iyo Xafiiska QM ee Xuquuqda Aadanaha (OHCHR)

- Waa in la kordhiyaa tirada saraakiisha xuquuqda aadanaha ee kormeereysa si furanna uga oo warramaysa xadgudubyada xuquuqda aadanaha ee Soomaaliya.

Ku Socoto Dawladda Federaalka KMG ah ee Soomaaliya

- Waa inay qaaddaa dhammaan tallaabooyinka lagama maarmaanka ah oo ay ku xaqiijinayso in ciidamada amniga ee dawladda iyo kooxaha hubaysan ee xulafada la ah ay u hoggaansamaan xeerka caalamiga ah ee dagaalka iyo kan xuquuqda aadanaha.
- Inay xaqiijisaa in dhammaam eedaha loo qaateenka ah ee xadgudubyada xuquuqda aadanaha iyo xeerarka bani'aadannimo ee dagaalka oo ay gaysteen ciidanka dawladda iyo kooxaha xulufada la ah loo soo baaro si deg-deg ah, dhexdhexaad ah oon mugdi ku jirin, isla markaana kuwa mas'uulka ka ah xadgudubyada waaweyn, iyadoon la eegeyn darajadooda lala xisaabtamaa.
- In la xaqiijiyo geedi-socodka qodobadii "Heshiika Kampala" ay ku jiraan bartilmaameedyo cad ee xuquuqda aadanaha.
- Inay ogolaato kordhinta tirada shaqaalaha caalamiga ah ee hay'adda kormeereysa kana soo warbixinaysa xadgudubyada xuquuqda aadanaha ee Soomaaliya, isla markaana xayiraadda laga qaadaa saraakiisha Xafiiska QM u qaabilsan xuquuqda aadanaha OHCHR iyo saraakiisha xuquuqda aadanaha ee isla xafiiska UNPOS ka tirsan.
- In la fududeeyo gaarsiinta gargaarka bani'aadannimo ee deegaannada hoos taga dawladda KMG ah.

Ku Socoto Hawlgalka Midowga Afrika ee Soomaaliya (AMISOM)

- In la xaqiijiyo in dhammaan eedaha la taaban karo ee xadgudubyada xuquuqda aadanaha iyo xeerarka dagaalka oo ay gaysteen ciidanka AMISOM loona soo baaro si deg-deg ah, dhexdhexaad ah oon mugdi ku jirin, oo ay soo baarto AMISOM ama dalalka taageera ciidanka isla markaana kuwa mas’uulka ka ah xadgudubyada waaweyn, iyadoon darajo loo eegeyn lala xisaabtamaa.

Ku Socoto Dhammaan Kooxaha Hubaysan, Oo ay Ku Jirto al-Shabaab

- Waa inay si dhaqsa ah u qaadaan tallaabyoinka lagama maarmaanka ah si loo dhameeyo ku tumashada xeerka bani’aadannimo ee dagaalka.
- Waa in deg-deg hay’adaha gargaarka oo ay ku jirto QM loogu ogolaadaa inay ka hawlgalaan deegaannada hoos yimaada si loo geeyo gargaar bani’aadannimo.
- Waa in la xurmeeyaa xorriyada socodka ee rayidka, gaar ahaan xaq ay u leeyihiin inay magangalyo u raadsadaan dalalka deriska ah.
- In la qaado taxadar kasta ee suurto-gal ah si rayidka looga ilaaliyo saamaynta weerarrada haddii kalena la yareeyo waxyeello gaarta dadka rayidka ah, sida in laga fogaado in ciidammo la geeyo goobaha dadku ku badan yahay. In la joojiyo rayidka oo laga dhigto “gabbaad.”
- In la dhameeyo dhammaan ciidan u qorista qasabka ah ee dadka waaweyn iyo askaraynta carruurta da’adoodu ka yar tahay18 jir.

Ku Socoto Mareykanka, Midowga Yurub, Midowga Afrika, QM iyo Deeq Bixiyaasha Kale.

- Waa in la xaqiijiya in hannaanka looga baxayo nidaamka KMG ah ee la diyaarinayo iyadoo lala kaashanayo beesha caalamka sidii uu dhigayey “heshiiskii kampala” ay ku jiraan bartilmaameedyo cad oo xuquuqda aadanaha.
- In shardi looga dhigo kaalmada maaliyadeed iyo milateri ee TFG-da xurmeynta xeerarka caalamiga ah ee dagaalka iyo xuquuqda aadanaha iyo ka xisaabtanka xadgudubyada waaweyn.

Ku Socoto dawladdaha Kenya iyo Itoobiya

- Inay xaqiijiyaan in wixii ciidamo Kenyaan iyo Itoobiyaan ah ee hawlgal milateri ka wada Soomaaliya ay dhowraan xeerka caalamiga ah ee dagaalka; Saraakiisha ammaanka ee ka hawlgelaya Soomaaliya waa inay u hoggaansamaan xeerka caalamiga ah ee xuquuqda aadanaha.

Ku Socoto Dawladda Kenya

- Waa inay qaaddaa dhammaan tallaabooyinka lagama maarmaanka ah si loo dhameeyo xadgudubyada ka dhaca deegaannada xuduudka ku dhow ee boliisku u gaysto Soomaalida magangalyo doonka ah iyo qaxootiga—sida kufsigu, baadda, iyo soo-xirid iyo xabsi aan sharciyeysnayn—kuwa mas’uulka ka ahna lagula xisaabtamaa.
- In lasoo af-jaro tarxiilka oo dhan—dib u musaafurinta qasabka ah een sharciga waafaqsanayn—ee Soomaalida magangalyo-doonka ah looga saaryo Kenya, lana sii daaya kuwa u xiran eedeymaha “soo-gelid sharci darro ah.”
- In si dhaqsi ah loogu ogolaado xafiiska QM ee Qaxootiga (UNHCR) inuu qaxootiga u raro xerada Ifo II.
- In si deg-deg ah loo fududeeyo bixinta dhul dheeri ah oo loogu talo galay 300,000 oo qaxooti ah si loo yareeyo ciriiriga ka jira xeryaha, loogana jawaabo kuwa hadda soo gelaya.
- Inay si cad u xaqiijiso in wixii xero ama xarumo ah ee laga sameeyo Jubaland aysan bedel u noqonayn mas’uuliyaddii Kenya ka saarnayd inay martigeliso qaxootiga Soomaaliyeed iyo in Soomaalidu xaq u leeyihiin inay magangalyo ka raadsadaan Kenya sida uu dhigayo sharciga Kenya iyo kan caalamiga ah iyadoon la eegeyn isbedel maamul oo ka dhaca Soomaaliya.

Qaabkii La Raacey

Bishii Abriil 2011, Human Rights Watch waxay wareysatey 26 qof oo ah qaxooti iyo magangalyo-doon dhowaan soo galay kuna jira saddexda xero qaxooti ee Ifo, Dhagaxley iyo Xagardheere oo ku yaal Dhadhaab, oo qiyaastii 70km u jirta xuduudka Soomaliya. Human Rights Watch waxay sidoo kale wareysatey Boliiska Kenya iyo saraakiil ka tirsan Laanta Arrimaha Qaxootiga, saraakiil ka socotey xafiiska Hay'adda QM ee Qaxootiga iyo wakiilada ururrada aan dawliga ahayn ee Kenya iyo kuwa caalamiga ahba. Waxayna isla iyaga ay mar kale la samaysey wareysiyo kale oo kaas daba joogay bilihii May iyo Juun. Intii ay socotey xog-ururintii taa dabajoogtey, Human Rights Watch waxay sidoo kale wareysatey wakiilo ka socdey dawladda FKMg ah iyo ururrada bulshada rayidka ah ee Soomaaliya oo ay ku wareysatey Nairobi ama Kigali qaarna taleefoonka. Baaritaankan waxaa intaa u dheer inuu ku qotomo 35 waraysi oo bilihii Nofembar iyo Disembar 2010-ka lagu sameeyey Dhadhaab kadib markey dhaceen wixii loogu yeerey “Weerarradii Ramadaanka” ee Muqdisho ka dhacay.

Dad qaxooti iyo magangalyo-doon ah oo loo aqoonsadey inay dhowaan yimaadeen ayaa si mutadawacnimo ah kaga qaybgaley wareysiyo ay iyagu inta badan hadlayeen. Ujeedada aasaasiga ah ee baaritaanku waxuu ahaa in la aqoonsado xadgudubyada xeerka caalamiga ah ee xuquuqda aadanaha ee ay galeen dhammaan dhinacyada dagaalka Soomaliya. Qaxootiga iyo magangalyo-doonka waxaa la weydiyey inay qeexaan sababta ay uga soo carareen Soomaaliya; xaaladda xuquuqda aadanaha ee deegaankii ay ka yimaadeen; iyo waayo aragnimadooda dagaalka hubaysan. Waxaa sidoo kale la warsadey inay ka waramaan wax caqabado ah oo ay kala kulmeen inta u dhaxeysa deegaankoodii illaa Dhadhaab si qiimeyn loogu sameeyo illaa intuu gaarayo deegaanka koox walbaa ka taliso Soomaaliya iyo mas'uuliyiinta Kenyaba inta ogolaatey xornimada isu socodka. Human Rights Watch, way u suurto geli weysey inay baaritaan ka samayso gudaha Soomaaliya walaac nabadgelyo darteed, iyo deegaannada Koofurta Itoobiya, xayiraad ay dawladda Itoobiya saartey baaritaankii Human Rights Watch; sidaas darteed, dhammaan xog-ururinta ugu muhiimsani waxay ka dhacdey Kenya gudaheeda. Warbixintani waxay isticmaalaysaa caddeymaha qaxootiga iyo magangalyo-doonka oo ay la socoto warbixin kale oo ka hadlaysa dagaalka si loo sharxo iyadoo laga eegayo dhinaca xuquuqda aadanaha iyo tan bani'aannimo abaarta iyo macluushu haatan taagani muujinayso.

Wareysiyada lala yeeshey qaxootiga iyo magangalyo-doonku waxaa lagu sameeyey af Somali iyadoo ay caawinayaan tarjumaano. Wareysiyada badankood waxa loo qaadey mid-mid, halka qaar kalena loo qaadey kooxo yar yar. Magacyada qaxootiga iyo magangalyo-doonka dhammaan waa la bedeleey ama waa laga saarey sababo nabadgelyo darteed.

I. Muuqaal Guud

Soomaaliya waxay weli ku jirtaa dagaal sokeeye dawlad shaqeynaysana malahan tan iyo markii ay dhacdey xukuumaddii Siyaad Barre 1991-kii. Dagaallo u dhexeeyey maliishiyo-beeleedyo u halgamayey xukunka awoodda ayaa ku dhamaadey heshiis aan caga badnayn sanadkii 2006-dii markii ay awoodda la wareegeen Midowga Maxkamadaha Islaamiga (ICU) ah oo ay taageerayaan maliishiyaad.¹ Laakiin awoodo dibedda ah sida Itoobiya, Mareykanka iyo Midowga Yurub ayaa ka baqey in Maxkamadaha iyo garabkooda xag-jirka ah ee hubaysan, al-Shabaab, ay Soomaaliya ka abuurayaan.² Isla sanadkaas, Milateriga Itoobiya ayaa soo farageliyey Soomaaliya markii uu codsi kaga yimid dawladdii la eryey ee KMG ahayd, hilfaha ayey u qaadeen maliishiyaadkii Maxkamadaha, muddo 2 sano ah ayeyna la dagaallamaysey al-Shabaab oo noqotey kooxda ugu weyn kooxaha hubaysan ee Koonfurta iyo bartamaha dalka, gaar ahaan Muqdishu, caasimadda.

Itoobiya waxay baxdey 2009-kii markii wadahaadalkii Jabuuti uu horseedey dawlad cusub, oo ah TFG-dii oo isbedel lagu sameyey. Isla markiiba, koxihii hubaysnaa, oo TFG-duna mid ka tahay ayaa dagaal toos ah dib ugu laabtey. Sanadihii 2009-ka iyo 2010-kii oo dhan dagaalku waxa uu ka socdey Muqdisho iyo meelo yar yar oo cayiman halka al-Shabaab-na ay sii adkaysatey gacan ku haynteedii inta badan caasimadda iyo deegaannada koonfurta iyo bartamaha dalka. Al-Shabaab waxay billowdey inay deegaannada hoos yimaada kusoo rogti qaabkeeda xagjirka ah ee Shareecada Islaamka, waxayna geysatey xadgudubyo baahsan oo ka dhan ah xuquuqda aadanaha, sida ciqaab ay ka mid tahay Madaxyo-goyn, addimo-goyn, dhagax-ku-dilid, garaacis, xayiraad la saarey lebiska iyo xoriyada isu-socodka, wax-bixin qasab ah, iyo in si qasab ah maliishiyo la isugu qoro.³ Al-Shabaab iyo mucaaradka kale ee hubaysan si joogto ah ayey ugu hanjabaan suxufiyiinta, xubnaha u dhaqdhaqaaqa bulshada rayidka iyo shaqaalaha gargaarka. Al-Shabaab way qirataa

¹ Human Rights Watch warbixinnada hoose ayey soo bandhigtey wejiyadii hore ee dagaalka, eeg: Human Rights Watch, *Somalia – Shell-Shocked: Civilians Under Siege in Mogadishu*, vol. 19, no. 12(A), August 2007, <http://www.hrw.org/node/10784>; “*So Much to Fear*”: *War Crimes and the Devastation of Somalia*, December 2008, <http://www.hrw.org/node/76419>; *Harsh War, Harsh Peace: Abuses by Al-Shabaab, The Transitional Federal Government and AMISOM in Somalia*, April 2010, <http://www.hrw.org/node/89646>.

² Macluumaad dheeri ah ee khatarta la sheegey in Maxkamaduhu (ICU) ku ahaayeen dalalka Gobolka, fiiri: International Crisis Group, “*Somalia’s Islamists*,” Africa Report No. 100, December 12, 2005, <http://www.crisisgroup.org/en/regions/africa/horn-of-africa/somalia/100-somalias-islamists.aspx> (kuna qorneyd shabakada May 16, 2011).

³ Fiiri: Human Rights Watch, *Harsh War, Harsh Peace*.

askaraynta carruurta oo qayb ka ah tiro badan oo dhowaan qaarna dhinteen qaarna ka goosteen ciidanka al-shabaab.

Dawlada TFG-du waa ay awoodi la'dahay inay gacan ku dhigto dhulka Soomaaliya tan iyo billowgeedii, dawlad ahaan magac kaliya ayey u jirtaa, waxana kaliya oo ay awood ku leedahay qayb yar oo ka mida Muqdisho. Tan iyo 2009-kii TFG-da waxaa taageerayey ciidamo ka socda Hawlgalka Midowga Afrika ee Soomaliya.⁴ Marka laga soo tago al-Shabaab, kooxaha muhiimka ah ee kale oo hubaysan waa Xisbul-Islam, Ahlu-Sunna Wal-jameca iyo Raas-Kambooni.⁵ Ahlu Sunna, oo taageero milateri ka hesha Itobiya iyo Raas-Kambooni waxay xulufo la yihiin TFG-da. Xisbul-Islam marar badan ayey ka barbar dagaalantey al-Shabaab iyadoo kasoo horjeeda TFG-da si rasmi ah ayeyna ugu biirtey al-Shabaab bishii Disember 2010-ka. Xisbul-Islam iyo Al-Shabab labaduba taageero milateri, dhaqaale iyo mid siyaasadeed ayey ka heleen Ereteriya.⁶

Dawladda Federaalka KMG ah sumcadeeda xuquuqda aadanaha aad ayey u liidataa. Ciidankeeda waxay si is dabajoog ah ugu lug yeesheen weerarro aan kala sooc lahayn oo lagu qaadey rayidka, soo-xirid aan sharciyeysnayn iyo caburin xuquuqda bulsho ahaan iyo siyaasad ahaanba.⁷ Waxay dhowaan xayiraad saartey awoodii xafiiska QM u qaabilsan xuquuqda aadanaha si uu u soo kormeero eedaymo xadgudubyo ka jira deegaannada

⁴ AMISOM waxaa la bilaabay sanadkii 2007 iyadoo mas'uuliyadeeduna ahayd inay ilaaliso Hay'adaha Federaalka KMG ah. Laga billaabo 2009-kii waxaa loo xilsaarey inay sugaan ammaanka goobihii ay ka baxeen ciidamada Itoobiya.

⁵ Macluumaad dheeri ah oo ku saabsan kooxahan iyo kaalintooda dagaalka, fiiri, Human Rights Watch, *Harsh War, Harsh Peace* iyo International Crisis Group, "Somalia: To Move Beyond a Failed State," Africa Report No. 147, December 23, 2008, <http://www.crisisgroup.org/en/regions/africa/horn-of-africa/somalia/147-somalia-to-move-beyond-the-failed-state.aspx> (lagu arkey, May 22, 2011).

⁶ UN Security Council, "Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1853 (2008)," S/2010/91, March 2010, http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/91, pp. 21-25 (la arkey August 2, 2011).

⁷ Fiiri Human Rights Watch, *Harsh War, Harsh Peace*; International Crisis Group, "Somalia: The Transitional Government on Life Support," Africa Report No. 170, February 21, 2011, <http://www.crisisgroup.org/en/regions/africa/horn-of-africa/somalia/170-somalia-the-transitional-government-on-life-support.aspx> (la arkey May 22, 2011); United Nations Human Rights Council, Working Group on the Universal Periodic Review, Eleventh Session, *Somalia*, A/HRC/WG.6/11/SOM/2, February 21, 2011, p.6 <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/109/50/PDF/G1110950.pdf?OpenElement> (laga arkay May 22, 2011), p. 6. Golaha Xuquuqda Aadanaha ee Qaramada Midoobey waxa uu heley in TFG-du ay muujisey "ixтираam-darro qaawanoo ay u hayso mabaadii"da xeerarka caalamiga ah ee dagaalka marka loo eego badbaadinta rayidka."

hoos taga, kadib markay 2 shaqaalaheeda ka mid ah dalka laga saarey.⁸ TFG-du waxay sidoo kale xayiraad saartey xorriyadda indadku dareenkooda muujiyaan, isu-imaatinka iyo shirarka waa weyn.⁹

TFG-du dhowaan ayey kordhisatey mudadeedii kumeelgaarka ahayd, oo ku ekeyd Ogoosto 2011-ka, ayna ku darsatey hal sano oo kake. “Heshiiskii Kampala” oo la saxiixey 9-kii Juun 2011-ka, iyadoo uu hagayey madaxweynaha Yugandha Yuweri Musaveni ayaa soo afjarey bilo hardan siyaasadeed uu u dhexeeyey MadaxweynahaSomaaliya Sheekh Shariif Sheekh Axmed iyo afhayeenka Baarlamaanka Shariif Xasan Sh. Aadan waxaana uu dib u dhigey doorashooyinkii illaa Ogoosto 2012-ka waxaana uu TFG-da siinayaa hal sano oo dheeri ah oo ay ku hirgeliso waajibaadka ugu muhiimsan mudada KMG ah. Kuwaasoo ah hawlaha loo arkey inay diyaarintoodu lagama maarman u tahay hirgelinta dawlad dimoqraadi ah. Heshiiska Kampala waxa uu dhigayaa in hannaan geedi-socod oo leh bartimaameedyo cad iyo waqtiyeysan iyo qaabkii loo fulin lahaaba in la soo diyaariyo ka hor Ogosto 2011-ka. Golaha Ammaanka ee QM waa uu soo dhoweeyey heshiiska.

Deeq bixiyaasha caalamka, oo ah kuwa ay gebi ahaan TFG-du ku tiirsan tahay si ay u shaqeyso, waxay si cad u sheegeen in sii wadida taageeradodu ay ku xirnaanayso dhamaystirka 12-ka bilood ee soo socota hawlihii ugu muhiimsanaa ee mudada kmg ah, sidii uu dhigayey heshiiskii Jabuuti ee 2008-da iyo cahdiga kmg ah, laakiin ma aysna dejin bartilmaameedyp cad oo lagu hagaajinayo xuquuqda aadanaha.

Deeq-bixiyayaasha caalamiga ah waxay dawladda KMG ah iyo AMISOM siiyaan taageero siyaasadeed oo muhiim ah, mid milateri iyo mid dhaqaale. Bishii Oktoobar 2010 midowga Afrika waxa uu madaxweynihii hore ee Ghana Jerry Rawlings u magacaabey ergayga gaarka ah ee Soomaaliya. bishii Maarso shir uu yeeshey Golaha Ammaanka ee QM oo uu guddoominayay dalka Shiinaha waxa kasoo baxay in joogitaanka QM ee Somaliya la kordhiyo wadashaqayn wanaagsanna yeesho. Midowga Yurub waxay ku yaboohdey US\$92 milyun dolar oo ah deeq dheeri ah oo loogu talo galay AMISOM taasi oo isugeynta kaalmada Yurub bixiso ka dhigeysa US\$291 Milyan; halka Mareykankana la

⁸ Jacfar Yare, “Somalia banned two officials working with the UN High Commissioner for Human Rights” *Diirad*, April 2, 2011, <http://www.diirad.com/news-in-english/2724-somalia-banned-wo-officials-working-with-the-un-high-commissioner-for-human-rights.html> (la arkey August 2, 2011).

⁹ Abdalle Ahmed, “Somalia: Interior Ministry bans un-permitted demos and political meetings from the capital,” *RBC Radio*, April 18, 2011, <http://www.raxanreeb.com/?p=92498> (la arkey August 2, 2011).

sheegey inuu siinayo AMISOM qalab milateri oo ku fadhiya \$45 Milyan oo dheeraad ah.¹⁰ Jarmalku waxa uu isna ballan qaadey qalab ku kacaya \$4.9milyan inuu AMISOM siinayo. Dalalka xubnaha ka ah Bariga Afrika u olo-olaynayay Midowga Yurub iyo Mareykanka inay bixiyaan lacago dheeri ah.¹¹

Awoodda ciidanka AMISOM weli waa 9,000, oo aad uga hooseysa 20,000 ee Midowga Afrika ku qiyaasey in loo baahan yahay si loo ilaaliyo hay'adaha TFG-da, waana tiro uu ansixiyeey Golaha Ammaanka ee QM. Burundi iyo Yugaandha waxay ballanqaadeen ciidamo 4,000 oo dheerad ah inay AMISOM kusoo biirinayaan.¹² Wasaaradda Difaaca ee Yugaandha waxay hadda Baarlamaanka dalka ka waddaa olole 4,000 oo ciidamo dheeraad ah.¹³ Illaa 1000 askari oo Burundi ah ayaa dhowaan tegey Soomaliya. Dalalka Gini, Siralyoon, iyio Jabuuti ayaa sidoo kale ballan qaadey 4,000 oo ciidan dheeri ah. Inkastoo deeq-bixiyayaashu doonayaan inay wax bixiyaan hadana maalgelintii iyo rabitaanka siyaasadeed ee deeq-bixiyaasha qaarkood ayaa weli ah caqabad taagan.¹⁴

Duullaamadii Dhacay Bilaha Sebtember 2010 iyo Febraayo 2011

Sebtembar 2010-kii TFG-du waxay qaadey weerar milateri oo ay ku doonaysey inay meelo kale oo Muqdisho ah dib uga qabsato al-Shabaab. Labada dhinacba waxay shacabka rayidka ah u gaysteen xadgudubyo waaweyn oo ka dhan ah xeerarka dagaalka mana jirin guulo muhiim ah oo milateri oo laga gaarey.¹⁵ Horraantii 2011-ka, TFG-du duullaankeedii

¹⁰ ArgawAshine, "EU donates \$92 million to Somali peacekeepers," *Africa Review*, May 29, 2011, <http://www.africareview.com/News/EU+donates+to+Somali+peacekeepers/-/979180/1135052/-/58byla/-/index.html> (accessed August 2, 2011); Lolita C. Baldor, "Somalia: US Taps \$45 Million in Gear for Terror Fight," June 26, 2011, http://www.huffingtonpost.com/2011/06/26/somalia-terror-us-fight_n_884816.html (la arkey August 2, 2011).

¹¹ East African Community, "Communiqué of the 9th Extraordinary Summit of the EAC," 1(17), April 19, 2011 <http://www.eac.int/about-eac/eacnews/625-communication-9th-extraordinary-summit.html> (la arkey August 2, 2011).

¹² Michael Onyiego, "Uganda, Burundi Pledge an Additional 4,000 Troops in Somalia," *Voice of America*, March 28, 2011, <http://www.voanews.com/english/news/africa/Uganda-Burundi-Pledge-Additional-4000-Troops-in-Somalia-118769484.html> (la arkey August 2, 2011).

¹³ Isaac Imaka, "Uganda to Send more troops to Somalia" *Daily Monitor*, April 23, 2011, <http://www.monitor.co.ug/News/National/-/688334/1149292/-/c2mq3lz/-/index.html> (la arkey August 2, 2011).

¹⁴ African Union Peace and Security Council, 273 Meeting, "Report to the Chairperson of the Commission on the Situation in Somalia," Addis Ababa, April 21, 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_344.pdf (la arkey August 2, 2011).

¹⁵ "Somalia: Stop War Crimes in Mogadishu," Human Rights Watch news release, February 14, 2011, <http://www.hrw.org/en/news/2011/02/14/somalia-stop-war-crimes-mogadishu>.

ayey dib u billowdey, iyadoo markan taageero ka heleysa AMISOM. Ahlu Sunna Wal Jameeca, iyo maliishiyaad kale oo ay soo tababareen Kenya iyo Itoobiya oo la geeyey koonfurta Soomaaliya ee xiga xuduudka Kenya iyo Itoobiya, ayaa ka qaybgaley hawlgalka, oo ujeedadiisu ahayd in qaybo dalka kamid ah dib looga qabsado al-Shabaab.

Dagaalku wuxuu ka dhacay meelo kala duwan oo dalka ah, gaar ahaan gobollada Bay, Bakool, Hiiraan iyo Gedo, iyadoo iska hor-imaadyo culusna laga soo sheegey meelo u dhow magaalooyinka Buulo-Xaawo, Beledweyne, Doolow, Dhobley iyo Garbahaarey.¹⁶ Deegaanadaas badankood waxay ku dhowyihiin xuduudyada Kenya iyo Itoobiya, dagaalkuna wuxuu la xiriiyey qorshe ay dawladda kenya ku abuureyso dhul gudaha Soomaaliya ah oo noqda goob dhexe oo difaac oo celisa al-Shabaab. (Fiiri sawirka).

Ciidamada TFG-da, oo ay taageerayaan maliishiyaad xulufu la ah, waxa u suurto gashey inay guulo ka gaaraan goobo Muqdisho dibedda ka ah, inkastoo difaaca hore ee caasimada ay weli tahay meel dagaalku weli ka socdo.¹⁷ AMISOM waxay hadda sheegatey in ciidamada dawladda taageersan ay gacanta ku hayaan 8 kamid ah 16-ka degmo ee caasimadda, iyadoo boqolkiiba 80 shacabkuna ay iyada hoos tagaan.¹⁸ Si kastoo ay tahay, al-Shabaab dhawaan waxay kusii xoojiyeen fariisimadooda illaa 500 oo dagaal yahan oo laga keeney gobollada Shabeellada Hoose, Bay iyo Bakool.¹⁹ Weerarro dhawaanahan socday oo dib loogula wareegayo suuqa Bakaaraha, oo ah meel ay ku xooggan yihiin al-Shabaab dhaqaaluhuna ka soo galo, ayaa wax ka bedeli kara xaaladda guud, inkastoo uu qasaare weyn u keenayo dadka rayidka ah.

Ciidamada ku jira weerrarada ka dhanka ah al-Shabaab waxay isugu jiraan ciidanka joogtada ah ee TFG-da iyo isbahaysi maliishiyaad kala duwan. Gobolka Gedo ciidanka TFG-da, oo ay

¹⁶ UN Security Council, "Report of the Secretary General on Somalia," S/2011/277, April 28, 2011, <http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/N1130412.pdf> (la arkey August 2, 2011); fiiri iyo Sim Tack, "Short-winded Offensives in Somalia," *The Geopolitical and Conflict Report*, May 6, 2011, <http://gcreport.com/index.php/analysis/189-short-winded-offensives-in-somalia> (la arkey August 2, 2011).

¹⁷ Tack, "Short-winded Offensives in Somalia," *The Geopolitical and Conflict Report*, <http://gcreport.com/index.php/analysis/189-short-winded-offensives-in-somalia>.

¹⁸ Roundtable on "Enhancing Respect for International Humanitarian Law (IHL) in the Implementation of the African Union Mission in Somalia (AMISOM) Mandate," Kigali, Rwanda, July 6-8, 2011, Waxaa ka qayb galey Human Rights Watch researcher.

¹⁹ Rashid Nuune, "Al Shabaab reinforces Mogadishu," *Somalia Report*, May 19, 2011, http://www.somaliareport.com/index.php/post/792/Al-Shabaab_Reinforces_Mogadishu?PHPSESSID=fdb9d256ede740a53c439ec68425cfd4 (la arkey August 2, 2011).

wehliyaan Ahlu-Sunna-Waljameeca iyo maliishiyad kale oo deegaanka ah oo ay taageerayaan milateriga Itoobiya ayaa la wareegey, deegaan ballaaran oo ay ku jirto magaalo madaxda Garbaaharey (fiiri khariidada), iyagoo iska caabin yar la kulmey.²⁰ Jubbada Hoose, Maliishiyaad ay Kenya soo tababartey iyo xoogaga TFG-da oo lagu taageerayo hubka culus ee Kenya ayay dagaal ku dhexmarey al-Shabaab agagaarka Dhoobley iyo Buulo-Xaawo.

“Hindisaha Jubaland”

Meel ka mid ah goobaha ugu badan ee dagaallada hadda socdaa ka dhaceen waa xuduudka Kenya iyo Itoobiya, deegaan lagu magacaabo “Jubaland.” Jubaland waa tii ugu dambeysay is-maamul goboleedyo dalka oo dhan ku baahsan oo dhismahooda ka dambeeysey maadaama aysna jirin awood dawlad oo dhexe—10 ayaa illaa hadda la sameeyey.²¹ Jubaland, oo sidoo kalena loogu yeero Azania, waa hindise is-maamul goboleed cusub oo ka kooban 3 gobol oo ku yaal xuduudka Kenya, oo ay curisey Kenya si ay u samayso aag dhexe oo laga difaaco al-Shabaab sidoo kalena hoy ku-meel-gaar ah u noqon kara qaxootiga faraha badan ee ka soo cararaya dagaallada ka socda meelaha kale ee dalka.²² Hadda waxay ka kooban tahay dhul aad u yar oo u dhow Doolow oo ku taal xuduudka Itoobiya iyo jiidda ku teedsan xuduudka Kenya, oo qiyaastii gaareysa 60 illaa 80km oo ballac ah.

Human Rights Watch waxay ka warrantey 2009-kii dhallinyaro isugu jirta Kenyan asalkoodu yahay Soomaali iyo muwaadiniin Soomaali ah oo laga qorayay xeryaha Dhadhaab iyo waqooyiga Kenya loona sameeyey ballanqaadyo been ah in mushaharro sare la siinayo, QM-na ay taageero siinayso ciidamada.²³ Labadii sano ee kasoo wareegtey,

²⁰ Weerar-celis, ayaa la sheegey inay al-Shabaab ku dishey hogaamiyihii ugu sarreeyey Ahlu-Sunna Wal Jamaaca, Sheekh Xasan Sheekh Axmed, fiiri “Somalia: Al Shabaab says AhluSunna’s Chairman of Gedo Region Killed,” *Shabelle Media Network*, May 5, 2011, <http://allafrica.com/stories/201105051013.html> (la arkay August 2, 2011).

²¹ Mohamed Yusuf, “Fears Over New States Grow,” *Somalia Report*, April 30, 2011, http://www.somaliareport.com/index.php/post/626/Fears_Over_New_States_Grow?PHPSESSID=b7ab39f2dbb91ca612655485399a5af6 (la arkay August 2, 2011).

²² Derek Flood, “The Jubaland Initiative: Is Kenya Creating a Buffer State in Southern Somalia?” *Terrorism Monitor*, Vol. 9, No. 17, April 28, 2011, [http://www.jamestown.org/single/?no_cache=1&tx_ttnews\[tt_news\]=37857](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=37857) (la arkay May 22, 2011); iyo, Wareysiga Human Rights Watch ee khabiir arrimaha Soomaaliya, Nairobi, Kenya, June 2011; eeg Alex Thurston, “The creation of Jubaland/Azania was driven by the need to fight the Al Qaeda-linked militant group, Al Shabab, but it’s unclear whether the new region will be able to do that effectively,” *Somalia Online* (blog), April 6, 2011, <http://hornofafrica-abdikarim.blogspot.com/2011/04/creation-of-jubalandazania-was-driven.html>, (la arkey August 2, 2011).

²³ “Kenya: Stop Recruitment of Somalis in Refugee Camps,” Human Rights Watch news release, October 22, 2009, <http://www.hrw.org/en/news/2009/10/22/kenya-stop-recruitment-somalis-refugee-camps>.

maliishiyadii waxay ku dacadarreysan yihiin Xerada tababarka milateri ee Archer's Post oo u dhow Isiolo ee Kenya iyagoo sugaya in la qaado. Iyadoo weerarro ka imanayan dhinaca waqooyi, waxay u muuqataa in Kenya ay geysey ciidamadaas iyadoo taageereysa fikirka Jubaland hogaaminta ciidankana la hoos geeyey Prof. Maxamed Cabdi Gaandi, oo hore TFG-da uga ahaa wasiirka difaaca.²⁴Jubaland fikir ahaan waxay ka kooban tahay Gobollada Soomaaliya ee hadda ah Jubbada Hoose, Jubbada Dhexe iyo Gedo. Xitaa kadib dagaalladii ugu dambeeyey ee May 2011 in yar oo ka mid ah gobolka Gedo iyo Jubbada Hoose ayaa hoos imanaysey Gaandi iyo maliishiyadiisa ay Kenya soo tababartey.²⁵

Kenya muddo 20 sano ah ayaa culays sii kordhaya ka haystey qaxootiga ka qaxaya dagaallada Somaliya, iyadoo xitaa Kenya qudheedu ay dagaalkaas qayb ku leedahay oo ay weerarradii ugu dambeeyey taageereysey xoogaga la diriraya al-Shabaab si loo abuuro "Jubaland" sidaasoo ay tahay, in la sameeyo deegaan xor ka ah al-Shabaab oo oo dhinaca Somaaliya ee xuduudka ku yaal, ayna xukumaan maliishiyo saaxiib la ah waxay u saamaxaysaa saraakiisha Kenya qiil ay ku yiraahdaan qaxootiga Soomaalidu halkaas ayuu joogi karaa intii uu Kenya soo geli lahaa. Waxayna bilihii dhowaa ku doodayeen in qaxootigii dhowaan soo galay ay kasoo carareen abaar ee aysan kasoo cararin dagaal sidaasna ay suurto gal tahay inaan loo tixgelin magangalya-doon sida uu xeerka caalamiga ahi dhigayo, si nabad ah ayeyna ugu noqon karaan Jubaland, oo ay dawladda Kenya ku doodayso inay tahay ammaan.²⁶

Dawladda Kenya waxa si sax ah ugu doodayso in xeryaha qaxooti ee ku yaal Dhadhaab ay buuxaan, ayna buuxeen sanado, iyadoo kuwii cusbaa ee yimid lala dejiyey jaaliyaddii hore u joogtey ama dhismayaal kumeel-gaar ah looga sameeyey xeryaha dibedooda. Sidaasoo ay tahay, dadka kasoo cararaya Somaliya xaalado kala duwan ayey isugu jiraan oo ah inay ka soo cararayaan masiibooyin ban'iaadannimo oo is biirsadey kaasoo dagaalka iyo xadgudubyada xuquuqda aadanaha ka dhanka ahi ay qayb muuqata ka yihiin waxa abuurey baahida gargaarka bani'aadanimo isla markaana sii murjinaya gaarsiinta gargaarka bani'adannimo. Waxayna leeyihiin xuquuqda caalam ahaan loo dhawrayo ee inay magan-galyo u raadsadaan dal sadexaad.

²⁴ Human Rights Watch oo taleefoon ku wareysatey suxufi Keenyaati ah, February 26, 2011.

²⁵ Tack, "Short-winded Offensives in Somalia," *The Geopolitical and Conflict Report*, May 6, 2011, <http://gcreport.com/index.php/analysis/189-short-winded-offensives-in-somalia>.

²⁶ Fiiri qaybta hoose, "Xeryo ku yaal Jubaland: Xal-miyaa?"

II. Xadgudubyada Xeerka Caalamiga ah ee Dagaalka

Dhammaan ciidamda ku lug leh dagaalladii dhowaan Muqdisho ka dhacay ee al-Shabaab, xoogagga xulafada la ah dawladda, oo ay ku jiraan ciidanka AMISOM, waxay mas'uul ka ahaayeen xadgudubyo waaweyn oo ka dhan xeerarka dagaalka. Xadgudubyadaas waxaa ku jira weerarro aan kala sooc lahayn, dilal maxkamad la'aan ah, soo-xirid iyo xabsi aan sharci waafaqsanayn, iyo askariyeyn qasab ah.

Sharciga caalamiga ah ee dagaalka waxa uu dul saarayaa dhinacyada ku jira dagaal hubaysan waajibaadka sharciga ah ee inay yareeyaan dhibaataada aan loo baahnayn ee rayidka ayna ilaaliyaan rayidka iyo kuwa aan dagaalka ku jirin. Waana mid quseeya xaalad kastee dagaal hubaysan, kuwa dagaallamaya ha ahaadeen ciidan rasmi ah ama kooxo hubaysan oo aan dawli ahayn, sida al-Shabaab, Ahlu sunna Waljameeca iyo maliishiyaadka kale een rasmiga ahayna. Dhammaan kooxaha hubaysan ee dagaalka ku jira waa inay u hoggaansamaan xeerka caalamiga ah ee dagaalka cid kasta ee ku xadgudubta si dembiile-nimo waxaa lagu qaadi karaa dacwad dembiyo dagaal dalka gudihiisa iyo dibediisaba. Sharci kaas la mid ah ayaa qabanaya ciidamada caalamiga ah sida AMISOM, oo sida sharciga ay ku hawlgalayso dhigayo aan qayb ka ahayn dagaalka balse hawlgallo milateri ka fulisa gudaha Soomaaliya.

Dhibaataada rayidka ka soo gaartey dagaallada waxaa ugu sii darsamey mid ka mid ah abaarihii ugu xumaa ee mudooyinkii dhowaa Soomara Somaliya, gaar ahaan qaybaha koonfureed ee dalka. Xayiraado macno-darro ah oo la saarey gaarsiinta gargaarka, xatooyo deeqaha gargaarka, iyo al-shabaab oo gebi ahaanba mamnuucdey keenista wax gargaarka bani'aadanimo ah ayaa sii kordhiyey dhibaataadii isla markaana sii badiyey tirada dadka ee ka cararaya deegaanka. Al-Shabaab waxay sidoo kale dadka ka hor istaageen inay u baxaan deegaanno kale ee gudaha ama dibeda Soomaaliya.

Weerarro aan Kalasooc lahayn oo lala Beegsadey Rayidka

Wararka ka imanaya Muqdisho iyo warbixino ay ururisey Human Rights Watch sanadkii ina dhaafey waxay sheegayaan iskudhacyo joogto ah oo u dhexeeya AMISOM iyo ciidanka TFG-da iyo kuwa kasoo horjeeda ee al-Shabaab inay inta badan qasaare gaarsiyaan rayidka. Tusaale ahaan, bishii May hoobiye ayaa lagu garaacey Suuqa Bakaaraha, oo ah goob si ku cel-celis ah loo duqeeyey, waxaana sida la sheegey ku dhintey 15 in kabadan

80 way ku dhaawacmeen.²⁷ Qof dhawaan ka yimid caasimadda [oo la yiraah] HP, oo ka yimid Wardhiigley ayaa u sheegey Human Rights Watch in intii uu socdey dagaalkii dhowaa ee Muqdisho, “Waxaa jira dhowr meelood oo dugsiyadii iyo xarumihii caafimaadka ay burburiyeen hubka culus ee ka imanayey labada dhinacba. Way adag tahaya in la ogaado in taasi ula kac tahay. Labada dhinacba dadweynaha ayey ka dhiganayaan gabbaad.”²⁸

Wey adag tahay in tiro lagu kalsoon yahay laga helo Soomaliya, laakiin marka loo eego Hay’adda Caafimaadka Adduunka (WHO), tan iyo bilowgii 2011 illaa June, 3,900 rayid ah oo ku dhaawacmay dagaallada ayaa la geeyey isbitaallada Muqdisho.²⁹ Bishii May, uu dhacay dagaalkii ugu qaraara sanadkan ee dhexmarey AMISOM iyo al-Shabaab, ku dhowaad kala bar ka mid ah 1,590-kii qof ee la dhigay isbitaallada waxay ahaayeen carruur da’doodu ka yar tahay 5 jir.³⁰ Dagaalka oo ku sii fidaya qaybaha kale ee dalka, weerarka ay TFG-du qaaddey darteed, tacadiyadii noqdey xaqiiqo kamid ah nolol maalmeedka Muqdisho waxay hadda haystaan rayidka ku dhaqan gobollada kale.

Xeerka u yaal dagaalku wuxuu reebayaa weerarrada ula kaca ah ee lala beegsado rayidka iyo weerarrada aan waxba kala soocayn ama kuwa laga fili karo inay sababaan qasaare shacab oo xad-dhaaf ah. Bartilmaameedyo milateri oo keliya ayaa weerar lala beegsan karaa. Xeerka dagaalku wuxuu sidoo kale dhinacyada dagaalamaya ka doonayaa in la qaado taxadar kasta ee suurtoagal ah si saamaynta dagaalka looga ilaaliyo rayidka ku hoos nool. Taas waxaa ka mid ah iska jiridda in bartilmaameed milateri la geeyo gudaha ama agagaarka meelaha shacabku ku badan yahay, la iskuna dayo in shacabka laga saaro aagga bartilmaameedyada milateri ah. Marka xoogagga hubaysani ay si ulakac ah rayidka ka dhigtaan inuu ka horreeyo ciidanka milateriga si uu uga difaaco weerarka waxay samaynayaan “gaashaan ka dhigasho dadka” oo ah dembi dagaal.³¹

²⁷ “15 killed, 80 Hurt in Mogadishu Shelling,” ShabelleMedia Network, May 19, 2011, <http://allafrica.com/stories/201105190081.html> (la arkey May 19, 2011).

²⁸ Wareysiga Human Rights Watch kula yeelatey H.P. Xerada Qaxootiga Ifo, April 21, 2011.

²⁹ World Health Organization, “High numbers of wounded children in Somalia’s latest outbreak of violence,” May 31, 2011, <http://www.who.int/hac/crises/som/en/> (la arkey July 25, 2011).

³⁰ Ibid. Tirada carruurta da’doodu ka yar tahay 5-jir ee la dhigay isbitaallada Muqdisho bishii May waxay ahayd 735, sida laga soo xigtey Hay’adda Caafimaadka Adduunka (WHO).

³¹ International Committee of the Red Cross (ICRC), Customary International Humanitarian Law, (Cambridge, UK: Cambridge University Press, 2005), rule 22, citing Protocol I, art. 58(c); rule 23, citing Protocol I, art. 58(b); rule 24, citing Protocol I, art. 58(a); and rule 97, citing Protocol I, art. 51(7). eeg Human Rights Watch, *So Much to Fear*, pp. 28-29, 64-66; and *Harsh War, Harsh Peace*, p. 39.

Al-Shabaab

Al-Shabaab waxay marar badan Muqdisho ka fulisey weerarro hoobiye si xadgudub ku ah xeerarka dagaalka. Sidii ay hore Human Rights Watch uga warrantey, ciidanka al-Shabaab ee la geeyay xaafadaha dadku ku badan yahay, si aan kala sooc lahayn ayey gantaallada hoobiyaha ugu tuuraan dhinaca fariisimada TFG iyo AMISOM. Sida qaalibka ah lama sameeyo isku-day looga saarayo dadka rayidka ah goobaha duqaynta; taas bedelkeeda, marka ay dhowr gantaal ridaan ciidanka al-Shabaab waa ay ka baxsadaan meesha si ay uga fakadaan madaafiicda jawaabta ah ee ay soo ridayaan ciidamada TFG iyo AMISOM, kaasoo badanaa keena qasaare badan oo rayid. Xeeladdani khatar aan loo baahnayn ayay rayidka gelinaysaa, waxayna noqon kartaa gaashaan ka dhigasho. Waxay sidoo kale noqon kartaa in lagu kicinayo carada dadweynaha si lid ku ah TFG-da.³²

Qof dhowaan Muqdisho ka yimid oo soo marey Kismaayo, [lana yiraah] O.L ayaa u sheegey Human Rights Watch inaysan al-Shabab si hordhac ah ugu wargelin rayidka inay xaafadooda hoobiye ka ridayaan aysanna u ogolaan inay u baxsadaan meelo ka ammaan roon: “Al-Shabaab uma ogolaadaan dadka inay baxaan marka weerar soo socdo, maxaa yeeley inay la joogaan ayey rabaan oo ay gaashaan ka dhigtaan.”³³

AMISOM

Sidii ay Human Rights Watch u baahisey sanadihii 2010 iyo 2011-ka, shacabku wuxuu weli soo sheegayaa duqeymo aan loo meel-dayin oo ay samaynayaan Hawlgalka Midowga Afrika ee Soomaliya.³⁴ Kiisas badan oo ah duqeymaha AMISOM oo aan kala sooc lahayn, mararka qaarna u muuqda inay xad-dhaaf yihiin, ayay Human Rights Watch diiwaangelisey Ogoosto illaa Sebtembar 2010-kii intii ay socdeen wixii loo yiqiirin “Dagaaladii Ramadaan” kaasoo al-Shabaab ay ku qabsadeen qaybo dhul muhiim ah oo Muqdisho ku yaal, halka nabad-ilaaliyaasha AMISOM iyaguna duqeeyeen deegaannada al-Shabaab hoos taga iyagoo isku dayaya inay dib u riixaan.³⁵

2011-ka kiisaska caynkan ahi waxay u muuqdaan inay yaraadeen, taasoo muujinaysa dadaal dhinaca AMISOM ah oo ay ku hagaajinayso shiishkeeda kuna yareynayso

³² Human Rights Watch, *Harsh War, Harsh Peace*, p. 39.

³³ Wareysi Human Rights Watch kula yeelatey O.L., Xerada Qaxootiga Ifo, April 20, 2011.

³⁴ “Somalia: Stop War Crimes in Mogadishu,” Human Rights Watch news release, February 14, 2010.

³⁵ Wareysiyo Human Rights Watch, Dadaab, Kenya, November 2010.

xabbadaha aan kala sooca lahayn, gaar ahaan aqoonsashada meelaha-aan xabbadi ka soo dhacayn.³⁶

Waxaase, ay wararku weli tilmaamayaan dhowr weerar oo aan kala sooc lahayn, oo uu ugu daran yahay kan Suuqa Muqdisho ee Bakaaraha, oo ah meel magaalada kamid ah oo weli dadku aad ugu badan yahay, dhextaalna u ah nolosha bulshada.³⁷ Iyadoo la tixraacayo duqeymaha soo noq-noqdey, Maamulka Banaadir sarkaal ka tirsan ayaa si damqasho la'aan ah ugu yeerey Suuqa Bakaaraha “Kawaankii Dadka.”³⁸ Si taas la mid ah, Warbixin ay Maarso soo saartey hay'adda Guddiga Mushkiladaha Caalamka (International Crisis Group) ayey kaga hadashey hoobiyayaal AMISOM oo ku dhacay xero ay ku jireen dad barakacayaal ah, kaasoo dhaawacay tobonnaan qof bishii Febraayo.³⁹

AMISOM waxay qiratey mas'uuliyadda tiro kooban oo ah weerarro si qalad ah loola beegsadey rayidka. November 23-keedii 2010-ka, ciidamda ayaa rasaas ku furey dad rayid ah oo joogey is-goys dadku ku badan yahay oo u dhow Garoonka Diyaaradaha ee Aadan Cadde. AMISOM waa ay aqoonsatey inay qalad gashey, waxay qabatey 6 askari, waxayna billowdey baaritaan. Tani waxay noqotey markii ugu horreysey ee AMISOM qirato mas'uuliyadda dhimashada dad rayid ah.⁴⁰ Bishii Janaayo, ciidanka AMISOM waxay rasaas ku fureen koox dad ah oo u ordayey si ay u caawiyaan wiil uu bas jiirey.⁴¹ Illaa maanta, 3 askari oo askarta AMISOM ah ayaa lagu xukumey 2 sano oo xarig ah oo ay ku qaadan

³⁶ Wareysiyo Human Rights Watch kula yeelatey ururrada bulshada rayidka ah Muqdishu iyo Nairobi, June 2011.

³⁷ Eeg “Dozens Die, Others Injured in Mogadishu Clashes,” *Garowe Online*, March 16, 2011, <http://allafrica.com/stories/201103171037.html> (accessed June 21, 2011); “Mogadishu Clashes Leave 15 Dead,” *Garowe Online*, March 21, 2011, <http://allafrica.com/stories/201103220020.html> (Lagu arkey June 21, 2011); and “Mortars Kill 10 in Mogadishu,” *Garowe Online*, March 24, 2011, <http://allafrica.com/stories/201103250346.html> (la arkey June 21, 2011).

³⁸ “Benadir Administration – Bakaara Market is People’s Butcher,” *Shabelle Media Network*, March 27, 2011, <http://allafrica.com/stories/201103280211.html> (la arkey August 2, 2011).

³⁹ International Crisis Group, “Somalia: Crisis Update,” March 1, 2011, <http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?CountryIDs={05B5BDAB-4083-4968-830D-08EB00590DD0}#results> (la arkey May 20, 2011).

⁴⁰ Guddiga Baaritaan ee AMISOM waxay soo ogaadeen in dad rayid ahi ku dhaawacmey, balse aan wax rayid ahi ku dhiman dhacdooyinkii 23-kii November iyo 25-kii Janaayo. “Sida ku cad waajibaadka dawladdaha ciidamadoodu ka mid yihiin AMISOM, ciidanka waxaa lagu anshax marinayaa shuruucdooda hawlgallada milateri” Saddex askari ayaa lagu eedeeyey “Taxadar la'aan” sida uu qabo Xeerka Ciidanka Difaaca Dadka Yugaandha (2005) midkastaana 2 sano oo xabsi ah ayuu ku qaadanayaa Yugaandha.

⁴¹ “AU Forces Shoot And Wound Civilians in Mogadishu,” *Shabelle Media Network*, January 25, 2011, <http://allafrica.com/stories/201101250672.html> (la arkey August 2, 2011).

doonaan dalalkooda, oo kiisaskan marka la eego ah Yugandha. Dhacdooyin kale oo kuwaas ka duwanna, waxaa lagu heley dembi ah inay galeen “Falal lid ku ah Rayidka”.⁴²

Warqad uu Febraayo 5-teedii taliyaha ciidanka AMISOM Maj. Gen. Nathan Mugisha u soo direy Human Right Watch waxa uu ku aqoonsadey laba dhacdo kuwaasoo ciidamadu, uu yiri, si qalad ah ayey rasaas ugu fureen rayidka, laakiin ma uusan garawsan duqeynta madaafiicda aan kala sooca lahayn ee Suuqa Bakaaraha iyo goobaha kale ee rayidka ee Muqdisho.⁴³

Inkastoo falka al-Shabaab uu gantaalada kaga soo tuurayo xaafadaha dadku ku badan yahay uu dhibaato ku hayo AMISOM, hadana xeeladdaas sharcidarrada ah kama caginayso AMISOM waajibaadkeeda xeerarka dagaalka ee inay xaqiijiso in weerarrada bartilmaameedyada milateri inaysan noqon kuwa aan kala sooc lahayn aysanna sababin qasaare xad-dhaaf ah oo rayidka iyo burbur hantiyeed.⁴⁴

Bishii May, AMISOM waxay ku dhawaaqdey inay suuqa Bakaaraha u aqoonsatey “Goob dagaalka ka caagan”⁴⁵ iyadooy sidaasi jirto ayaa hadanna qasaare xoog leh ka dhacay, AMISOM-na ku sumcad beeshey. Siduu sharxayo, C.E., oo ka yimid degmada Hodan ee Muqdisho:

Labada Dhinacba ma badbaadiyaan dadweynaha. Qaar badan oo ka mid ah deriskayga ayaa la diley. Mararka qaar waxaa dhaca in qof aad wada quraacateen subixii uu madfac dilo galabkii. Anigey taasi igu dhacdey.

⁴² African Union Mission in Somalia, “AMISOM Disciplinary Hearings,” *AMISOM News*, March 15, 2011, <http://www.amisom-au.org/read-Press-Statement-AMISOM-DISCIPLINARY-HEARINGS.pdf> (la arkey June 21, 2011); “Ugandan AMISOM soldiers jailed for shooting Somalis,” *BBC*, March 16, 2011, <http://www.bbc.co.uk/news/world-africa-12764412> (la arkey August 2, 2011).

⁴³ Warqada Colonel Nathan Mugisha, Taliyaha Ciidamada, Hawlgalka Midowga Afrika ee Soomaaliya (AMISOM), uu u soo direy Human Rights Watch, February 5, 2011. Mugisha wuxuu ku yiri, “Waxaa si rasmi ahaan la ogyahay in 18-kii bilod ee lasoo dhaafey ay dhaceen laba dhacdo oo kaliya kuwaasoo askarteenna, oo ay la noqotey inay khatar ku jiraan, go’aan khalad ahna qatey, ay rasaaseeyeen dad kuwaasoo gadaal laga ogaadey, nasiib-darro inay ahaayeen rayid... askartii ku lug-lahayd waa la qabtey waxayna marayaan sida sharcigu qabo.”

⁴⁴ ICRC, *Customary International Humanitarian Law*, rule 140 (“Dhowrista xeerka caalamiga ah ee dagaalka kuma xirna sida dhinaca kale u dhaqmo”).

⁴⁵ “AU Force Says it Will Not Bomb Key Mogadishu Market,” *AFP*, May 20, 2011, http://www.google.com/hostednews/afp/article/ALeqM5iY7duotrGxkBDWkTPPV7ITR_POqQ?docId=CNG.34fd6b84d49890cb836bc148afa6ad47.741 (la arkey May 20, 2011).

Mararka qaar waad taqaannaa cidda dishey dadka, sababtoo ah kooxuhu dhinacyo kala duwan ayey kala joogaan, oo ay madaafiicda ka soo ridaan. AMISOM ayaa ah midda inta badan dadka dilaysa. Laakiin kulligood waa isla mid.

Al-Shabaab waxay ka heshaa inay hubka ka soo riddo meelaha dadku deggan yahay, iyagoo si cad u og in dhinaca kale uu kasoo jawaabay oo isla meeshii soo duqeynayo. Kadibna al-Shabaab wey cararaan. Al-Shabaab waxay sidan u isticmaalayaan borobogaando dagaal. Waxay ogyihiin inay iyaga u wanaagsan tahay marka ay dadku dawladda eedeeyaan. TFG iyo AMISOM-na ma kalajecla in rayid joogo iyo in kale meelaha ay duqeynayaan.

Ma ogid cid aad eedayso—ma waxaad eedaynaysaa al-Shabaab oo dadka ku dhex-dhuunta, mise dawladda oo soo garaaca isla meeshii laga soo duqeeyey?⁴⁶

Dawladda Federaalka KMG ah

Ciidanka nabadgelyada ee Dawladda Federaalka KMG ah waxaa lala xiriihinayaa weerarro aan kala sooc lahayn sababay qasaare rayid iyo xadgudubyo kale oo xeerarka dagaalka ah. Waxaa sidoo kale jirey xadgudubyo kale, sida adeegsiga awood aan loo baahnayn oo xad-dhaaf ah, oo dhacay intii lagu jirey xaalad lagu tilmaami karo inay socdeen hawl gallo amniga lagu sugayey, kaasoo ay tahay in adeegsiga xooggu ahaado mid aad u xadidan.⁴⁷

Dabayaaqadii Jannaayo, ciidanka TFG-da ayaa la sheegey inay dad rayid ah oo Muqdisho rasaas ku fureen, iyagoo diley 12 illaa 20 qof dhaawacayna ugu yaraan 30 kale.⁴⁸ Febraayo 15-keedii, iyadoo la isu diyaarinayo dagaallo soo cusboonaadey, Ra'iisul-wasaarihii

⁴⁶ Wareysiga Human Rights Watch la yeelatey C.E., xerada qaxootiga Xagardheere April 22, 2011.

⁴⁷ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990).

⁴⁸ “Nearly 15 People Killed in Soldiers Clash in Mogadishu,” *Shabelle Media Network*, January 31, 2011, <http://allafrica.com/stories/201102010178.html> (accessed August 2, 2011); “20 Killed in Mogadishu as TFG Soldiers Open Fire Indiscriminately,” *Garowe Online*, January 31, 2011, <http://allafrica.com/stories/201102010049.html> (la arkey August 2, 2011).

markaa C/hi Maxamed Farmaajo ayaa ku adkeeyey ciidanka iany iska ilaaliyaan dilalka dadka rayidka ah.

Intii u dhexeysay 15-kii ilaa 21-kii Febraayo, waxa jirey afar dhacdo oo kala duwan oo ciidanka TFG-du ay rasaas ku fureen dad rayid ah. Febraayo 15-kiidii, Ciidanka TFG-du waxay rasaaseeyeen dad ku bannaanbaxayey al-Shabaab, waxaana la diley illaa 4 qof, lix illaa 10 qofna waa la dhaawacay. Sababo keeney rasaaseyntaas lama soo sheegin.⁴⁹ Febraayo 17-keedii askari dawladda ka tirsan ayaa rasaas ku furey gaari dad rayid ah saaran yihiin oo joogsan waayey markii sidaas la amrey, waxaana ka dhashey hal dhimasho ah iyo 2 dhaawac ah.⁵⁰ Febraayo 18-keedii, Idaacadda Shabelle ayaa baahisay in laba rayid ah ay dhinteen laba kalena ay dhaawacmeen markii ciidanka dawladdu ay rasaas ku fureen dad cunto qaybin saf ugu jirey magaalada Muqdisho.⁵¹ Febraayo 21-keedii, askarta TFG-da ayaa rasaas ku furey dad kusoo xoomay Xarunta Madaxtooyada ee Villa Somalia, kuwaasoo dhagaxyo tuurayey iyagoo ka bannaanbaxayey soo xiridda duqii hore ee Muqdisho, Maxamed Cumar Xabeeb; wax dhimasho iyo dhaawac ah lama soo sheegin.⁵² Dhacdooyinkaas waxay horseedeen in war-murtiyeed inay ka xun yihiin ay uu ka soo baxo AMISOM, saraakiisha TFG-da, iyo duqeyda magaalada.⁵³

TFG-du waxay soo xirtey dhowr qof oo lala xiriirinayo dilalkaas. Bishii Maarso, Maxkamada Ciidamdu waxay xukuntey 5 askari dawladda ah oo loo haystey eedo la xiriira dilalka rayidka; mid kasta waa lagu heley waxaana lagu xukumay xabsi u dhexeeya 2 illaa 5 sano. Xukunkaas kadibna Maxkamadda Ciidamadu waxay si adag uga digtey dilalka dadka rayidka ah.⁵⁴

⁴⁹ “Somali Soldiers Fire [on] Demonstrators in Mogadishu,” *Shabelle Media Network*, February 15, 2011, <http://allafrica.com/stories/201102150851.html> (August 2, 2011).

⁵⁰ “Soldier Shoots a Civilian Bus, Killing One,” *Shabelle Media Network*, February 17, 2011, <http://allafrica.com/stories/201102180014.html> (la arkey August 2, 2011).

⁵¹ “Soldier Shoots IDPs, Killing Two People in Mogadishu,” *Shabelle Media Network*, February 18, 2011, <http://allafrica.com/stories/201102210156.html> (August 2, 2011).

⁵² “Violent Demonstrations Start in Mogadishu,” *Shabelle Media Network*, February 21, 2011, <http://www.shabelle.net/article.php?id=3654> (August 2, 2011).

⁵³ “AMISOM – We are Sorry for the Civilian Casualties Committed by TFG Soldiers,” *Shabelle Media Network*, February 18, 2011, <http://allafrica.com/stories/201102180838.html>; “Mogadishu Elders Lambaste Civilian Casualties by TFG,” *Shabelle Media Network*, February 15, 2011, <http://allafrica.com/stories/201102160023.html> (la arkey August 2, 2011); iyo “Govt Seizes Persons Linked to Mogadishu Demonstrators’ Deadly [sic],” February 17, 2011, <http://allafrica.com/stories/201102170764.html> (la arkey August 2, 2011).

⁵⁴ “Military Court warns Somali Soldiers,” *Shabelle Media Network*, March 21, 2011, <http://www.shabelle.net/article.php?id=4770> (la arkey August 2, 2011).

Ciidanka TFG-du wuxuu sii wadaa inuu madaafiicda ay al-Shabaab ka soo ridayaan xaafadaha uu dadku ku badan yahay, uga soo jawaabto inta badan si aan kala sooc lahayn, madaafiic jawaab-celin ah. Sida looga bartey habdhaqanka al-Shabaab ee inay madaafiic soo tuuraan kadibna ay dhaqsiba banneeyaan meeshii, duqeynta TFG-da waxa ka dhasha inta badan waa qasaare rayid.

Haweeney degan xaafadda Tawfiiq ee Muqdisho ayaa sharraxdey sida uu yahay weerarka iyo weerar-celiska: “Al-Shabaab dhexdeenna ayey kusoo dhuuntaan inta dagaalku socda, hub ayeyna ka ridayeen gurigeenna agtiisa. Dawladuna jawaab ahaan waxay soo duqeysey isla bartii laga soo weerarey laakiin kuma aysan dhicin al-Shabaab, waxayna ku dhaceen guryihii dadka. Dad badan ayaa ku dhaawacmey, qaarna waa ku dhinteen.” Iyada lafteeda ayaa gurigeedii uu madfac burburiyey; Mana aysan aqoon dhinaca uu ka yimid.⁵⁵

Weerarro caynkaas oo kale ah ayaa u muuqda inay meelo kalena ka dhaceen, maadaama uu dagaalku ka gudbey Muqdisho. T.S., oo weysey ninkeedii iyo wiilkeeda oo 8-jir ahaa intii ay ka carareysa dagaal ka socdey Baardheere, ee gobolka Gedo, ayaa tiri, “Guryo badan ayey labada dhinacba burburiyeen. Ma jirin cid isku hawlaysey inay isku daydo inaan rayidka wax la gaarsiin.”⁵⁶

Intii uu socdey dagaal culus oo ka dhacay Dhoobley bishii Maarso, ciidanka TFG-da iyo al-Shabaab waxay madaafiic ku duqeeyeen guryaha rayidka iyo adeegyada bulshada. Sida uu sheegey D.I., “labada kooxood waxay isticmaalayeen hubka culus, Dadweynuhu wey u adkaysan waayeen, wayna qaxeen, oo jid-kastaba raaceen. Guryaha badankood way burbureen.”⁵⁷ Isbitaal dadweyne ayaa si xun wax ugu noqdey madaafiicda, oo u muuqdey in ciidamada Kenya ay lug ku lahaayeen, sida aan hoos uga hadli doonno.

Ciidamada Qalabka sida ee Kenya iyo Itooboya

Cutubyo katirsan xoogagga hubaysan ee Kenya iyo Itoobiya ayaa la geeyey si ay gacan uga gaystaan hawlgallo ka socdey koonfura Soomaaliya tan iyo billowgo 2011-ka. Labada dawladdoodba kaalmo milateri ayey u fidayeen kooxaha maliishiyaadka halkaas jooga ee dawladda taageersan, taasoo ka dhigi karta inay wax ku leeyihiin xadgudubyada ay gaysteen kooxahaaasi.

⁵⁵ Wareysi Human Rights Watch kula yeelatey K.R., xerada Qaxootiga ee Xagardheere, April 22, 2011.

⁵⁶ Wareysi Human Rights Watch la yeelatey T.S., xerada qaxootiga Xagardheer, April 22, 2011.

⁵⁷ Wareysi Human Rights Watch la yeelatey D.I., xerada qaxootiga Dhagaxleey, April 20, 2011.

Wardoona ku sugan Dhadhaab iyo kuwa kaleba waxay soo sheegeen joogitaanka gudaha Soomaaliya ee ciidan Itoobiyaan iyo Kenyati ah, la-taliyaal iyo qalab milateri mudadii lagu jirey wejigii ugu dambeeyey ee dagaalada socda.⁵⁸ Idaacada Shabelle waxay sheegtey in ciidamo Itoobiyaan ah la-taliyayaal milateri ay Balanballe kula kulmeen Ahlusunna Wal-jameeca bishii Jannaayo.⁵⁹ Ciidamada Itoobiya ee ka dhinac dagaalamaya Ahlu Sunna Wal jameeca waxa la soo sheegey inay madaafiic ku garaaceen magaalda Buulo-Xaawo bishii Maarso.⁶⁰ Bishii Maarso-na Madaxweynaha TFG Sheekh Shariif Sh. Axmed iyo Ra'iisul wasaare Farmaajo waxay sheegeen in ciidamada Itoobiya ay gacan ka gaysyteen inay al-Shabaab dib uga qabsadaan Buulo-Xaawo.⁶¹ Qaxooti Soomaali ah oo ku jira Dhadhaab iyo suxufi Kenyaati ah ayaa sidoo kale ka warramay joogitaanka Buulo-Xaawo ee ciidammo Kenyati ah iyo qalab milateri.⁶²

Wareysi ay qaaddey Human Rights Watch, xadgudubyo yar ayaa toos loola xiriiriyey ciidamada dalalkaas. Qof qaxooti ah oo ku jira Dhadhaab kana soo cararey Buulo-xaawo Jannaayo 2011 ayaa sheegey in ciidanka Itoobiyaanku ay hub culus ka soo ridayeen agagaarka magaalda xuduudka ah Doolow intii ay dagaalladu ka socdeen Buulo-Xaawo. Waxa uu Human Rights Watch u sheegey: “Waxay hubka kasoo ridayeen meel fog iyagooon cidna u aabo-yeelayn. Mararka qaarna ciidanka ayey ku dhacaysey mararka qaarna guryaha, mararka qaar xoolaha mararka qaarna rayidka.”⁶³ Waxa uu sheegey in wax digniin ah aan rayidka la siin kahor intuusan dagaalku billaaban. Isagoo ka cararaya weerarrada madaafiicda ee ka imanaysey labada dhinac, ayey kala lumeen aabihiis iyo walaalkiis oo 12-jir ah illaa hadana ma uusan arkin. Qof kale oo deggan Buulo-Xaawo ayaa sheegey in ciidamada Kenya ay mas'uul ka yihiin burburka magaalada: “Waxa Buulo xaawo burburiyey waa hubkii ay Kenyatigu ridayeen, iyagoo taangiyo isticmaalaya”⁶⁴

⁵⁸ Wareysi Human Rights Watch kula yeelatey, K.F., J.I., iyo T.A., Xeryaha qaxootiga ee Xagardheera iyo Ifo, April 22 iyo April 23, 2011. Sida uu sheegey K.F., Magaalada Buulo-Xaawo intii dagaalku ka socdey iyo dagaalka kadib bishii Maarso “Itoobiyaanku meel kasta ayey joogeen.”

⁵⁹ “Ethiopian Military Meet With AhluSunna in Balanbal,” *Shabelle Media Network*, January 29, 2011, <http://allafrica.com/stories/201101290073.html> (la arkey August 2, 2011).

⁶⁰ Wareysi Human Rights Watch la yeelatey suxufi Kenyaati ah, April 23, 2011. Sidoo kale arag “Kenya-Somalia: Thousands Displaced in Offensive Against Militants,” *IRIN*, March 1, 2011, <http://www.irinnews.org/report.aspx?ReportID=92070> (la arkey May 20, 2011).

⁶¹ “President Admits They Retook BulaHawo with Ethiopian Help,” *Shabelle Media Network*, March 5, 2011, <http://allafrica.com/stories/201103060013.html> (la arkey August 2, 2011).

⁶² Wareysi Human Rights Watch la yeelatey T.A., xerada qaxootiga ee Ifo, April 23, 2011, iyo suxufi Kenyaati ah, April 2011.

⁶³ Wareysi Human Rights Watch la yeelatey J.I., xerada qaxootiga Xagardheer, April 22, 2011.

⁶⁴ Wareysi Human Rights Watch la yeelatey T.A., xerada qaxootiga Xagardheer, April 23, 2011.

Magaalada xuduudka ku taal ee Dhoobley, isbitaal dadweyne ayaa qasaare xun la gaarsiiyey markii lagu duqeeyey madaafiic laga yaabo inay ula kac ahayd ama si aan kala sooc-lahayn uga imanaysey taangiyada iyo qoryaha culus ee Kenya. Sida ay sheegeen goobjoogayaal iyo shaqaalaha isbitaalka, Taangiyada Kenya waxay joogeen xuduudka oo ay kasoo duqeynayeen Dhoobley. Farriin email ah oo Human Rights Watch loo soo direy, shaqaale isbitaalka ka tirsan ayaa sharxay in duqeynta Dhoobley ee ka imanaysey dhinaca xuduudka dhanka Kenya inay billaabatey 6-dii Maarso ayna sii socotey illaa Maarso 16, 25 iyo 31-kii:

Dhowr todobaad oo si xiriir ah ay u dagaallamayeen al-Shabaab iyo xoogagga kasoo horjeeda ayaa si tartiib-tartiib ah u sii xoogeystey, iyadoo dagaal weyn oo qabsashda magaalada ahina billowdey 1-dii April. Duqeyn culus oo magaalada ah [120mm mortars] waxaa xigey weerar wadajir ah oo ay soo qaadeen kooxaha al-Shabaab ka horjeeda [ciidamada ay Kenya soo tababartey iyo ciidanka kooxda Raaskambooni]. Milateriga Kenya si muuqata ayuu ugu jirey dagaalka [Madaafiicda culus].⁶⁵

Abril 4-dii, milateriga Kenya ayaa duqeyn markii ugu dambaysay ah u geystey magaalada waqti maalin ah iyagoo qasaare xun gaarsiiyey isbitaalka. Sida laga soo xigtey isla shaqaalahaas isbitaalka “Isbitaalka dhinac ka mid ah ciidamada midoodna uma aysan isticmaalayn ujeedooyin milateri markii uu weerarku dhacay iyo mar kale oon maalintas ahaynba.”⁶⁶

Dilal Sharci Darro ah

Al-Shabaab waxay fulisay dilal aan nidaam maxkamadeed la marsiin oo ah dad looga shakiyey basaasnimo ama inay cadawga la jiraan. Deegaannada al-Shabaab ka taliso, dilka waxaa looga fuliyaa sidii xukun ciqaabeed ahaan iyadoo uu yar yahay ama uusan jirin nidaam garsoor oo la marsiiyo xitaa xad-gudubyada yar-yar ee Shareecada qaabka adag ee ay al-Shabaab u fashirto. Ciidamada xulafada la ah TFG-da waxay gaysteen dilal aan maxkamadi xukumin oo ah dad looga shakiyey inay al-Shabaab ka tirsan yihiin.

⁶⁵ Xiriir Email ah oo Isbitaalka Dhoobley looga soo direy Human Rights Watch, May 1, 2011.

⁶⁶ Ibid.

Al-Shabaab

Al-Shabaab waxay weli waddaa inay fuliso dilal ciqaab u ah dembiyo la tuhmey (basaasnimo), iyadoo inta badan uu yar yahay amaba jirin nidaam sharci oo la marsiiyo. Marar badan dilalku waxay ka dhacaan fagaarayaalka.

Degmada Afmadow horraantii April, al-Shabaab waxay dil ku-fuliyeen laba qof madaxa looga-jiro oo kooxdu uga shakisey basaasiin yihiin. Sida uu sheegayo O.L., oo ah magangalyo-doon deegaanka ka yimid, labada qof waxaa laga yaabaa in laga shakiyey maadaama ay ka mid ahaayeen dadka kaliya een magaalada ka qaxin markii al-Shabaab joojiyeen ogolaanshaha in hay'adaha gargaarku bixiyaan cunto gargaar ah. O.L. waxa uu Human Rights Watch u sheegey, “Qof kasta wuu yaqaan in labadaas maskax-ahaan jirran yihiin...[laakiin] al-Shabaab waxay u malaynayaan inay warar siinayaan dad dibedda ah...Waxaa roob looga dhigeysa rasaas.”⁶⁷

Buulo-Xaawo, dhowr qof oo al-Shabaab uga shakiyeen inay la shaqeynayaan dawladda ayaa dil lagu fuliyey.⁶⁸ Dadkaas waxaa ka mid ahaa nin lagu magacaabo Xasan Qase, oo Jannaayo lagu diley Buulo-Xaawo shaki ah inuu u shaqeynayey TFG-da.⁶⁹

Dilalka fagaaraha iyadoo dadku daawanayo wuxuu dadka u bandhigayaa inay arkaan heer cadaawadeed oon caadi ahayn. Haweeney ka timid Jilib ayaa Human Rights Watch u sheegtey, “Indhahayga ayaan ku arkey—dad madaxa laga goynayo, gacmaha la-goynayo. Kursi ayaa lagu fariisiiyaa gacmahana waa laga gooyaa, meel fagaare ah. Haddii ay diidan inay jihaadka ku soo biiraan waa la dilaa.”⁷⁰

Maliishiyaadka TFG-da Xulafada la ah

Human Rights Watch waxay heshey warar ah in dilal aan maxkamad la'aan ah lagu-fuliyey dad looga shakiyey taageerayaasha al-Shabaab oo ay fulisey Ahlu-Sunna Wal-Jameeca oo xulufo la ah TFG-da. Sida goobjoogayaal sheegayaan markii TFG-du al-Shabaab ka

⁶⁷ Wareysi Human Rights Watch kula yeelatey O.L., xerada qaxootiga Ifo, April 20, 2011.

⁶⁸ Wareysi Human Rights Watch kula yeelatey L.C., xerada qaxootiga Xagardheere, April 22, 2011, iyo N.Y. iyo T.A., xerada qaxootiga Xagardheere, April 23, 2011.

⁶⁹ Wareysi Human Rights Watch kula yeelatey L.C., xerada qaxootiga Xagardheera, April 22, 2011.

⁷⁰ Wareysi Human Rights Watch kula yeelatey J.K., dibedda xerada qaxootiga ee Ifo, April 20, 2011.

qabsatey Buulo-xaawo Maarso 2011-ka, Ahlu-Sunna oo xukunta magaalada, waxay qabteen isla markaana dileen 3 rayid ah.⁷¹

Mid kamid ah dadka la diley wuxuu ahaa wiil 17-jir ah oo al-Shabaab qasab ay ciidan ugu qorteen balse ciidanka isaga tegey kadib markii hooyadiis ku guulaysatey al-Shabaab oo ay ka barisey siidayntiisa. Sida uu sheegey qof reerka saaxiib la ah, wiilka waxaa la qabtey isagoo guriga usii ordaya markii iskuulka kasoo baxay. Waxay Human Rights Watch u sheegtey:

Markey qabteen, aabihiis ayaa lagu wargeliyey. Aabihiis wuxuu u tegey saraakiishii wuxuuna ka baryey in loo siidaayo wiilka, waxa loo sheegey “Adigana sidoo kale waan ku xireynaa haddii aad sii waddo weydiinta.”

Wey toogteen [wiilkii]. Hal qasnad oo dhan ayey ku dhammeeyeen korkiisa, weyna diideen in maydkiisa la qaaado. Saddex maalmood ayey haysteen inteysan duugin ayuuna qurmey.⁷²

Xoolo-jir iyo qof kale oo dadka deggan Buulo-Xaawo kamid ah ayey sidoo kale dil lagu fuliyey iyadoo looga shakiyey inay u basaasayaan al-Shabaab, sida uu sheegey qof magaalada degan.⁷³

Ahlu Sunna waxay xabsiga iyo dilalkaasba ku difaacdey inay ahaayeen hawlgallo nabadgelyo.⁷⁴ Afhayeenka maliishiyada, Sheekh Maxamed Xuseen Al-Qaadi, wuxuu u sheegey saxaafadda in siyaasadda kooxda ay tahay in cidii lagu soo eedeeyo inay al-Shabaab u basaaseysey la dilo, oo ay ku jireen isla ciidankooda iyo carruurta.⁷⁵

⁷¹ Sidoo kale eeg, “Elders Accused Ahlu Sunna of Killings Against Civilians,” *Shabelle Media Network*, March 26, 2011, <http://allafrica.com/stories/201103281476.html> (la arkey August 2, 2011).

⁷² Wareysi Human Rights Watch kula yeelatey N.Y., xerada qaxootiga ee Xagardheere, April 23, 2011.

⁷³ Wareysi Human Rights Watch kula yeelatey T.A., xerada qaxootiga Xagardheer, April 23, 2011.

⁷⁴ “Ahlu Sunna Says the Operation is to Assure Security,” *Shabelle Media Network*, March 26, 2011, <http://allafrica.com/stories/201103281469.html> (la arkey August 2, 2011).

⁷⁵ “Ahlu Sunna – ‘We Will Execute Anyone Spy[i]ng for Al Shabaab’,” *Shabelle Media Network*, May 18, 2011, <http://allafrica.com/stories/201105180737.html> (la arkey August 2, 2011).

Tacadiyo Loo Gaysto Dadka la Qabto

Human Rights Watch waxay heshey warar soo-xirid aan sharciyeysnayn iyo tacadiyo dadka rayidka ah ay u gaysataan al-Shabaab iyo kooxaha dawladda xulafada la ah kadib marka ay goobo ka qabsadaan kooxaha kale ee hubaysan.

Al-Shabaab

Al-Shabaab tacadiyo joogto ayey u gaysataa dadka ku nool deegaannada hoostaga.⁷⁶ Mid kamid ah carruurta ay al-Shabaab askareeyeen ayaa Human Rights Watch uga warramay soo-xirid dad uu dhowaan isagu wax ka fuliyey:

Waxaan u shaqeynay gelin-gelin, qaar maalintii, qaarna habeenkii. Qaar waxaa loo direy magaalada si ay u soo qab-qabtaan kuwa cabaya [Qamriga], sigaarka, qaadka, iyo kuwa dadka wax ka sheegaya. Anigu waxaan ku jirey kuwii dadka soo xiray. Indhahaa laga xiraa, shaararkana waa laga siibaa, ul ayaana lagu garaacaa waana la haraatiyaa. Qofka waa la garaacaa illaa uu ka miyir beelo, kadibna xabsiga ayaa loo qaadaa.⁷⁷

Jirdilka iyo tacadiyo kale oo hore loo ogaa ayaa u muuqda inay sidii u socdaan oo aysan waxba iska bedelin. Sida xagjir-nimada ah ee al-Shabaab u fashirta Shareecada ayaa aasaas u ah tacadiyada badankood. Haweenka waa la garaacaa ama la iska xiraa haddii ay niman salaamaan iyadoo la arkayo, xitaa qaraabadooda.⁷⁸ Al-Shabaab wey mamnuucdey wixii lagu madadaalan jirey badankood, sida daawashada iyo cayaarida kubadda cagta iyo heesaha. Ciddii jebisa waxyaabahaas la reebey waxay khatar u tahay in la garaaco. Haweeney shaqadeedu ahayd heesaa oo Kismaayo joogta ayaa tiri, “Waa is-dil in la sii wado.”⁷⁹ Ragga iyo dumarka labadana waxa lagu qasbey lebis dhaqanka waafaqsan (sida daboolida madaxa dumarka iyo addimada iyo xirashada dhar madow) waana la ciqaabayaa haddii aysan u hoggaansamin; tusaale ahaan, D.S. oo ah nin, waa la garaacey markuu soo xirtey surweel loo arkey inuu aad u dheer yahay.⁸⁰

⁷⁶ Taarikh buuxda oo dhaqamadan ah, fiiri warbixinta Human Rights Watch, *Harsh War, Harsh Peace*.

⁷⁷ Wareysi Human Rights Watch kula yeelatey B.E., xerada qaxootiga Ifo, April 21, 2011.

⁷⁸ Wareysi Human Rights Watch kula yeelatey J.K., dibedda xerada qaxootiga ee Ifo, April 20, 2011.

⁷⁹ Wareysi Human Rights Watch kula yeelatey H.P., xerada qaxootiga Ifo, April 21, 2011, iyo I.B., xerada qaxootiga Xagardheera, April 22, 2011.

⁸⁰ Wareysi Human Rights Watch kula yeelatey D.S., xerada qaxootiga Dhagaxleey, April 21, 2011.

Maliishiyaadka Xulafada la ah TFG-da

Ugu yaraan hal meel oo laga qabsadey al-Shabaab, xoogagga TFG-da xulafada la ah waxaa lagu eedeeyey inay iska xiraan oon sharciga la marsiin dadka lagu tuhmey inay al-Shabaab ka tirsan yihiin.

A.D., waa haweeney soo qaxdey Buulo-Xaawo illaa Kenya, hadana ku laabatey Buulo-Xaawo markii dagaalku dhamaadey, hadana qaxdey mar kale iyadoo ka cabanaysa handadaada ciidanka TFG-da: “Saraakiil ka socotey TFG ayaa nala hadley oo yiri ‘Al-Shabaab dhibaato badan ayey halkan ka samaynayaan. Waan idin soo celinney, laakiin waxaan idinka rabnaa inaad si nabad ah u joogtaan. Laakiin haddii qofi abuurto wax amni darro ah, dhammaantiin waa laydin ciqaabayaa.’ Arrintaas darteed waxaan go’aansanney inaan baxno.”⁸¹

Ninkeeda, T.A., wuxuu sheegey in sida xun ee ay al-Shabaab ula dhaqmeen ay isaga iyo goyskiisaba kasoo saartey Buulo-Xaawo, xataa markay magaalada u muuqatey in nabaddii kusoo laabatey. Wuxuu sharxey:

Aniga lafteyda waxaa i qabtey oo I dhacay saraakiisha [Ahlu Sunna Wal Jameeca]. Waxaan fadhiyey meel magaalada Buulo Xaawo bartankeeda ah, qarax ayaana dhacay, gaari TFG-de leedahay ayaa qarax miino lagu burburiyey. Isla markiiba askar [katirsan Ahlu-Sunna] ayaa magaalada soo galay oo bilaabey inay si taxadar la’aan ah rasaas u furaan. Annaka oo dhan waa nala hareereeyey waxaana naloo qaadey saldhiga boliiska. Iyadoo la ii sii wado qolkii xabsiga, ayey askartu iga dhaceen taleefoonkii gacanta iyo 7,000 oo shilinka Kenya ah.

Shan boqol oo naga mid ah ayaa la xirey. Waxaana nalaku hayey xarunta, qaarna qolka xabsiga. Dumar ayaa sidoo kale lasoo xirey, meel gaara ah ayaana lagu hayey. Qaar ayaa watey ilmo yar-yar. Dumakii iyo carruurta waxaa la siidaayey isla maalintii, laakiin raggu laba maalmood ayey xirnaayeen.

Markii nala siidaayey kadib, waxaa jirey dibed bax ay dawladda TFG-du qabatey. Waxay noo sheegeen inaan saddex midkood yeelno: Inaan Kenya

⁸¹ Wareysi Human Rights Watch kula yeelatey A.D., xerada qaxootiga Ifo, April 23, 2011.

ama Itoobiya aadno ama aan baxno oo ku biirno al-Shabaab. [sarkaal degmada katirsan] ayaa yiri, “Haddii mar kale wax dhacaan adinkaan mas’uul ka ah, waana idin dilaynaa.”

Maalintii ka dambaysey dibadbaxaas waxaa noo muuqatey inaysan halkan nololi oollin. Waxaana go’aansanney inaan iska tagno.⁸²

A.D. waxay sii raacisey:

TFG-du sidoo kale dadka ayey garaacayeen. Waxaa jirey dumar badan oo la xirey. Dadka waa la xiraayey, loomana ogolayn in cunto xitaa loo geeyo. Markii aan soo tegey dad badan ayaa weli xabsiga kusii jirey. Haweeney aan aqaanno ayaa ka mid ahayd...Ma ogi in la sii daayey iyo in kale. Waxaa lagu eedeeyey inay al-Shabaab tahay, sababtoo ah walaalkeed oo lagu diley dagaalka ayaa ka tirsanaa al-Shabaab. Waxay soo xirayeen dadka 15-jir iyo intii ka weynba ee ay uga shakiyaan inay u eg yihiin ama u labisan sidii al-Shabaab.⁸³

Sheekadani waxay ka marakacaysaa hadalkii afhayeenka Ahlu-Sunna Wal-KJameeca Cabdulwaaxid uu u sheegey IRIN News bishii Maarso:

Ma rabno inaan dilno dhalinyarada dhowr iyo toban-jirka ah ee maskaxda laga dhaqay oo ay isticmaaleen dad aan danaynayn maslaxada dalka iyo Soomaalidaba; Sidaas darteed kuwa aan halkan ku hayno waa la lumiyeey; ujeedadeennu waa inaan xabsi ku hayno, si aan u wacyi gelino, una nadiifinno niyadooda maskax-dhaqida lagu sameeyey.⁸⁴

TFG-da

Dawladda Federaalka KMG ah waxay leedahay dhowr meelood oo dadka lagu xiro oo Muqdisho ah halkaasoo dadka lagu Tuhmay al-Shabaab iyo qaar kaleba ay ku xiran yihiin. Xaaladda goobahaas dadka lagu xiro waa mid aad u liidata dadka oo la iska soo xirana

⁸² Wareysi Human Rights Watch kula yeelatey T.A., xerada qaxootiga Xagardheer, April 23, 2011.

⁸³ Wareysi Human Rights Watch kula yeelatey A.D., xerada qaxootiga Ifo, April 23, 2011.

⁸⁴ “Kenya-Somalia: Aid critical as calm returns to border region,” *IRIN*, March 11, 2011, <http://www.irinnews.org/Report.aspx?ReportID=92159> (la arkey August 2, 2011).

arrin caadi ah ayey noqotey. Gelitaanka xabsiga Hay'adda Nabadsugidda Qaranka (NSA) waa mid aad u xadidan; Human Rights Watch wey heli weysey hal qof oo kormeere madaxbannaan ah oo ay u suurto gashey inuu galo xabsiga Nabadsugidda si ay u qiimeeyan xaaladda dadka xiran. Warar ayaa tilmaamaya inay carruur ku jiraan meesha dadka lagu xiro. Kormeer madaxbannaan oo ay sameeyaan Qaramada Midoobey iyo ururada bulshada rayidka ah waalama huraan si ay u xaqiijiyaan dhowrista xuquuqda aadanaha ee dadka u xiran dawladda TFG-da.

Askareynta Carruurta iyo Askar Isu-qorid Qasab ah

Mudadii hawlgallada milateri ee dhowaanahan socdeen, gaar ahaan “weerradii Ramadaan” wararka sheegaya in al-Shabaab ay carruurta askaraynayaan ayaa si lama filaan u kordhey. Sanduuqa Qaramada Midoobey ee (UNICEF), ayaa cambaareysey kor u kaca askareynta iyo weliba xabsiga la sheegey inay ciidamada TFG-da ku hayaan carruurtii dagaalamaysey, waxayna ugu baaqdey in hay'ad caalami ah si toos ah u heli karto la xiriirka dhammaan carruurta xiran ee lagu eedeeyey inay dagaalka ku jireen.⁸⁵ Ururrada aan dawliga ahayn ee wadaniga ah ayaa sidoo kale ku eedeynaya dhowr kooxood oo dagaalka qayb ka ah ay isticmaaleen askar carruur ah.⁸⁶

Xeerka caalamiga ah ee dagaalka waxa uu ka mamnuucayaa ciidamada qalabka sida ee qaranka iyo kooxaha hubaysan ee aan dawliga ahaynba askaraynta carruurta da'doodu ka hooseysa 15-jir iyo ka qaybgalkooda dagaaladaba. Soomaaliya waa ay saxiixdey, laakiin lama ansixinin Heshiiska Xuquuqda Carruurta (Optional Protocol to the Convention on the Rights of the Child). Heshiiskaasi waxa uu reebayaa in ururrada aan dawliga ahayn inay askar u qortaan carruur da'doodu ka yar tahay 18-jir; askareynta qasabka ah ama qafaalka ee ciidamada dawladda; iyo ka qaybqaadashada dagaallada tooska ah ee carruurta 18-jir-ka kayar ee dhinac kasta.⁸⁷

⁸⁵ United Nations Children's Fund (UNICEF), “Ongoing Somalia crisis is a children's crisis says UNICEF - recent child casualties and detentions,” March 11, 2011, <http://reliefweb.int/node/392060> (la arkey August 2, 2011).

⁸⁶ “Somalia: Recruitment of Child Soldiers on the Increase,” *IRIN*, March 17, 2011, <http://allafrica.com/stories/201103220058.html> (la arkey August 2, 2011).

⁸⁷ Fiiri xeerka lagu kordhiyey Cahdigii Geneva 12-ka Ogosto 1949, ee la xiriira badbaadinta dhibanaayaasha dagaalada hubaysan ee aan dawlado u dhexeynin (Protocol II), 1125 U.N.T.S. 609, ee dhaqangaley December 7, 1978, qod. 4(3)(c). Inkastoo Soomaaliya aysan qayb ka ahayn Protocol II, hadana qaybaha, qodobka. 77(2) ee Protocol I, ee quseeya dagaallada caalamaiga ah ee hubaysan iyo qod.38-aad ee Xuquuqda Carruurta ee Cahdiga, waxa loo arkaa inuu la xiriirto sharciga guud ee la isla yaqaan ee xeerka caalamiga ah ee dagaalka. Fiiri ICRC, *Customary International Humanitarian Law*, sharciga Lamb.138. Sidoo kale arag Rome Statute ee Maxkamada Caalamiga ah ee Dembiyada (Rome Statute), U.N. Doc. A/CONF.183/9, July 17, 1998, ee dhaqan galay July 1, 2002.

Al-Shabaab

Al-Shabaab waxay mas'uul ka ahayd askareyn baahsan oo wiilal iyo gabdhaba leh iyo askareyn qasab ah oo dadka waaweyn, rag da'ah. Human Rights Watch horey ayey uga warbixisey askareynta qasabka ah ee al-Shabaab.⁸⁸

O.L. waxa uu u sheegey Human Rights Watch: “Al-Shabaab si qasab ah ayey dadka u askaraynaysey. Haddii qof 4 wiil u joogto, waxay u sheegayaan waa inay saddex ku deeqaan. Waxay jecel yihiin inay qaataan carruurta 12-jir illaa 16-jirka ah, sababtoo ah waxbadan makala oga. Mid kamid ah wiilal aan adeer u ahay ayey qaateen. Wuxuu ahaa 11-jir. Markii iigu dambaysey waxaan ku maqley Baydhabo. Ma ogi inuu nool yahay ama dhintey toona.”⁸⁹

Askareynta qasabka ah ee carruurta wuxuu sidoo kale ka dhacay Buulo-Xaawo. Sida laga soo xigtey K.F., “Dhallinta dhowr-iyto-ban jirka ah waxa loo sheegey inay iyaga kusoo

Xeerka Rome (The Rome Statute) waxuu qorayaa “askareynta qasabka ah iyo askar-u-qorida carruurta da’doodu ka yar tahay 15-jir” si ay uga mid noqdaan “ciidamada milateri ama kuwa kooxaha” ama “in loo isticmaalo ka qayb galka dagaal toos ah” inay tahay dembiyo dagaal (qod. 8(2)(b)(xxvi) iyo 8(2) (e) (vii)). Waxa uu reebayaa ka qayb qaadashada carruurta ee dagaalka oo kaliya ma ahane sidoo kale, ilaalo, basaasnimo, iyo qabashada hawlaha taakuleynta tooska ah. Dhowr Qaraar oo Golaha Ammaanka ah ayaa cambaareeyey askareynta iyo u isticmaalida carruurta ee dagaallada, sida Qaraarka 1261 (1999), 1314 (2000) 1379 (2001), 1460 (2003), 1539 (2004), 1612 (2005), iyo 1882 (2009) ee carruurta iyo dagaallada hubaysan. Fiiri Xafiiska QM ee Eragayga Gaarka ah ee Xoghayaha Guud u qaabilsan Carruurta iyo Dagaallada Hubaysan, “Go’aannadii Golaha Ammaanka ee Carruurta iyo Dagaallada Hubaysan,” oon taariikhaysnayn, <http://www.un.org/children/conflict/english/resolutions.html> (la arkey August 2, 2011). Qaybta lagu kordhiyey Cahdiga Xuquuqda Carruurta (The Optional Protocol to the Convention on the Rights of the Child) ee ku lug-lahaanshaha carruurta dagaallada hubaysan, waxa uu xoojinayaa qodobada ku jira Cahdiga Xuquuqda Carruurta isagoo ka dhigey 18-jir da’da ugu yare ee askareynta qasabka ah ee carruurta iyo ka qaybqaadashada tooska ah ee dagaallada. Qodobka 4-aad wuxuu leeyahay “kooxaha hubaysan ee ka duwan ciidamada hubaysan ee dawladda waa inaysan, xaalad kastaba ha ahaatee, askareynin ama dagaallada u isticmaalalin shaqsiyaad da’doodu ka yar tahay 18-jir.” Fiiri Xeerka Gaarka ah ee Cahdiga Xuquuqda Carruurta ee ku taxaluqa carruurta ee dagaallada hubaysan, ee la ansixiyey May 25, 2000, G.A. Res. 54/263, Annex I, 54 U.N. GAOR Supp. (no. 49) at 7, U.N. Doc. A/54/49, vol. III (2000), dhaganna galay February 12, 2002. Soomaaliya way saxiixdey Xeerka Gaarka ah, Optional Protocol sanadkii 2005. Cahdiga Africa ee Xuquuqda iyo Samafalka Carruurta, OAU Doc. CAB/LEG/24.9/49 (1990), ee dhaganna galay November 29, 1999, qodobada. 2 and 22(2), waxa uu ka dalbanayaa dawladda “inay qaadaan dhammaan tallaabooyinka lagama maarmaanka ah si loo xaqiijiyo in carruur aysan si toos ah dagaal uga qayb-gelin, kana waantoobaan si gaar ahaaneed, askaraynta wax carruur ah.” Soomaaliya waxay Cahdigan saxiixdey 1991 laakiin lama ansixinin.

⁸⁸ Eeg Human Rights Watch, *Harsh War, Harsh Peace*, pp. 52-54.

⁸⁹ Wareysi Human Rights Watch kula yeelatey O.L., xerada qaxootiga Ifo, April 20, 2011.

biiraan ama magaalada isaga baxaan.”⁹⁰ 15-jir ka yimid Buulo-Xaawo ayaa sidoo kale sheegey in carruur da’diisa ah dhowaan askar loo qorayey.⁹¹ Magaalada Jilib J.K. waxay Human Rights Watch u sheegtay, “Laga billaabo tan iyo markii al-Shabaab yimaadeen, carruurta waxbarashadii wey joojiyeen. Carruur 9-jir, 10-jir, 11-jir ah ayaa askar laga dhigey—qaarkood xitaa qori ma qaadi karaan. Dugisyada oo dhan waa la xirey.”⁹²

Dhammaan askareynta carruurta kayar da’da la ogolyahay waa xadgudub xeerka caalamiga ah ee dagaallada, ha ahaadeen kuwo lagu sheegey inay iyagu doorteen ama yeysan ahaanine.

B.E. waxaa loo qaadey Ceelasha Biyaha, oo koonfur ka xiga Muqdisho, waxaana loo soo tababarey isticmaalka dhowr buntuq oo kala duwan.⁹³ Waxa uu dagaal ka qaybgalay hal mar, isagoo toogtey oo diley askari TFG ah. Waa uu baxsadey markii markii afar saaxiibadiis ah, oo iyaguna carruur ahaa, dil-lagu fuliyey baddana lagu tuurey markey isku dayeen inay baxsadaan. Inkastoo ay qatar ahayd iskudayga inuu isaga xataa baxsado, hadana wuxuu sheegey, inuu awoodi waayey inuu usii dulqaato cadawtimmada ka jirta al-Shabaab dhexdeeda.⁹⁴

Al-Shabaab sidoo kale si qasab ah ayey u askareeyaan dadka waaweyn. J.K. ayaa sharxey “Ragga magaalada wareegaaya” inta badan si qasab ah ayaa askar loogu qoray, taasoo u keentey rag badan inay socodkooda xadidaan inta badan waqtigoodana ku qaataan goobahooda.⁹⁵ Dadka waaweyn ee da’da ah ayaa ka mid ahaa dadka la askareeyey. Nin 50-jir ah, oo kasoo qaxay degmada Afmadow, ayaa yiri “Waxay isku dayeen inay i qoraan, laakiin waan ka cararey. Waxay iigu hanjabeen haddii aanan la shaqeyn, in lay xiri doono amar diido darteed. Ragga 50-jirka ah xataa kama daynayaan Askareynta.”⁹⁶

⁹⁰ Wareysi Human Rights Watch kula yeelatey K.F., xerada qaxootiga Ifo, April 21, 2011.

⁹¹ Wareysi Human Rights Watch kula yeelatey J.I., xerada qaxootiga Xagardheere, April 23, 2011. Sida uu sheegey J.I., carruurta waxaa loo qaadey Dhuusamarreeb si ay tababar milateri usoo qaataan.

⁹² Wareysi Human Rights Watch kula yeelatey J.K., duleedka xerada qaxootiga ee Ifo, April 20, 2011.

⁹³ Ceelasha Biyaha, Duleedka Muqdisho.

⁹⁴ Wareysi Human Rights Watch la yeelatey B.E., xerada qaxootiga Ifo, April 21, 2011.

⁹⁵ Wareysi Human Rights Watch kula yeelatey J.K., duleedka xerada qaxootiga Ifo, April 20, 2011.

⁹⁶ Wareysi Human Rights Watch kula yeelatey D.S., xerada qaxootiga Dhagaxaleey, April 21, 2011.

TFG-da iyo Maliishiyaadka Xulafada la ah

Human Rights Watch waxay soo bandhigtey askariyeyn si marin-habaabin ah ku dhacdey, oo Kenya iyo TFG-du wadeen 2009-kii intii ay dadaalka ugu jireen isugeynta maliishiyaadka Hindisaha Jubaland.⁹⁷ Qaar kamid ah kuwii lagu soo qorey si-marin habaabin ah waxaa laga yaabaa inay kamid yihiin maliishiyaadka la geeyey Jubaland. Human Rights Watch waxay heshey caddeymo macquul ah oo ka sheekeynaya in carruur ay ka mid ahaayeen maliishiyaadka TFG-da iyo kuwa xulafada la ah.⁹⁸

Xayiraadaha Gelitaanka Gargaarka Bani'aadannimo

Xaaladda Bani'aadannimo ee ka jirta Soomaaliya weli waa mid naxdin leh waxaana uga sii darey dagaallada sii qarxey mudaddii u dhaxaysey Febraayo illaa May iyo xaalado abaareed oo aad u qallafsan. Raadkii ay dagaalka iyo abaartu reeben waxa uu hawlihii gargaarka bani'adannimo iyo kuwii caafimaadkaba gaarsiiyey meel awoodooda ka tanbadan. Xogtii ugu dambeysey ee 29-kii July, sida QM laga soo xigtey 2.2 Malyan Soomaali ah oo ku nool deegaannada al-Shabaa hoos taga ayaa u baahan gargaar.⁹⁹ QM waxay sidoo kale ku warrantey inuu weli socdo mamnuuciddii dadka inay ka qaxaan deegaannada al-shabaab maamulaan.¹⁰⁰ Dhimasho badan oo lala xiriirinayo abaarta ayaa lasoo weriyey.¹⁰¹ Carruurta Soomaaliya 4-tiiba mid ayaa nafaqao darro haysaa—taasoo ah mid ka mid ah heerarka ugu sarreeya dunida, waana xaalad sii murjiyey abaarta hadda jirta.¹⁰²

Xeeraka caalamiga ah ee dagaalka waxa uu dalbanayaa in dhammaan dhinacyada dagaalka ku lug leh inay ogolaadaan islamarkaana fududeeyaan gaarsiinta gar-gaarka

⁹⁷ "Kenya: Stop Recruitment in Refugee Camps," Human Rights Watch News Release, <http://www.hrw.org/en/news/2009/10/22/kenya-stop-recruitment-somalis-refugee-camps>.

⁹⁸ Wareysi Human Rights Watch la yeelatey qaxooti, Dhadhaab, June 2011; Wareysi lala yeeshey ururrada bulshada rayidka ah ee Soomaaliya, Nairobi, June 2011; wareysi sarkaal TFG ka tirsan, Kigali, July 2011.

⁹⁹ UN Office for the Coordination of Humanitarian Assistance (OCHA), "Protection Cluster Update," July 29, 2011, <http://ochaonline.un.org/somalia/Clusters/Protection/tabid/2832/language/en-US/Default.aspx> (la arkey July 29, 2011).

¹⁰⁰ Ibid.

¹⁰¹ "Somalia: Worst drought in a lifetime," *IRIN*, April 20, 2011, <http://www.irinnews.org/Report.aspx?ReportID=92536> (la arkey August 2, 2011).

¹⁰² Danish Refugee Council, "Somalia: Drought leaves one in four children malnourished," May 6, 2011, <http://www.trust.org/alertnet/news/somalia-drought-leaves-one-in-four-children-malnourished/> (la arkey August 2, 2011).

bani'aadanimoo ee dadweynaha u baahan. Ogolaanshaha gargaar gaarsiintana looma xannibi karo sababo aan sharci ahayn.¹⁰³

Gaarsiinta gargaarka bani'aadannimo ee koonfurta iyo bartamaha Soomaaliya waxaa qayb ahaan joojiyey amni darro oo ay wehliso tallaabooyin ay soo rogeen kooxaha hubaysan oo si gaar ah u bartilmaameedsanaya hay'adaha shisheeye ee gargaarka. Jidgooyooyin, miinooyin, iyo qaraxyada wadada-dhinaceeda lagu aaso ayaa gaabis ka dhigey habsami u socodkii cuntada iyo daawooyinka ee gobol aan lahayn waddooyin hagaagsan oo ku filan. Qiimaha cuntaduna cirka ayuu isku shareerey gobollada qaar.

Al-Shabaab waxay jebisey xeerka caalamiga ah ee bani'aadannimada markii raashinka gargaarka ah ka mamnuucdey deegaanno badan oo iyada hoos yimaada. Waxay mamnuucdey illaa 20 hay'adood oo gargaar ah oo ay ku eedeeysey inay leeyihiin ujeedooyin diimeed iyo kuwo mabda'.¹⁰⁴

Ciidanka TFG-da sidoo kale lagu eedeeyey inay joojiyeen qaybinta raashin gargaar ah. Ibraahim Nuur Xabeen Guddoomiyaha Guddiga Abaaraha ee TFG-da, ayaa idaacadda Shabeelle u sheegey: "Askarta ayaa naga joojiyey inaan raashin gargaar ah gaarsiinno illaa 600 oo qoys oo ku nool Muqdisho."¹⁰⁵ Xatooyada iyo hor-joogsiga raashinka ayaa ugasii darey amni-darradii cuntada ee ka jirtey deegaan markii horeba ay xaaladiisu kacsanayd, abaari haleeshey isla markaana uu khayraadkiisu gabaabsi yahay. Taas darteedna, hay'adaha qaarkood waxa qasab ku noqotey inay hawlahoodii gebi ahaanba

¹⁰³ Protocol II, oo si weyn loogu arko inuu yahay fasiraad xeerka guud ee caalamiga ah marka lagu jiro dagaalada aan caalamiga ahayn ee hubaysan, waxay uu qodobka 18(2) kusheegayaa "haddii dadka rayidka ahi ay ka cabanayaan dhibaato aan loo baahnayn oo ay ugu wacan tahay iyagoon helin sahaydii lagama maarmaanka u ahayd noloshooda, sida cunto, daawo, tallaabooyin samafal oo loo sameeyo dadweynaha rayidka kuwaasoo ah kuwo gargaar bani'aadanimoo oo kaliya ah, dhexdhexaadna ah oo loo fuliyo si aan ka tarjumayn kala soocid waa in la fuliyaa, iyadoo loo eegayo raalli ahaanshaha dhinaca u xilsaaran sahay ee ay quseyso sahay gaarsiinta." Eeg ICRC, *Customary International Humanitarian Law*, rule 55.

¹⁰⁴ Abdi Hajji Hussein, "Somali Rights Group Condemns Al Shabaab's Humanitarian Aid Ban," *All Headline News*, September 18, 2010, <http://www.dbune.com/news/world/1135-somali-rights-group-condemns-al-shabaabs-humanitarian-aid-ban.html> (la arkey August 2, 2011); iyo Marc Dubois, "UK undermines its own Somalia aid with a political agenda," *Medecins Sans Frontieres*, March 10, 2011, <http://www.msf.org/msf/articles/2011/03/uk-undermines-its-own-somalia-aid-with-a-political-agenda.cfm> (la arkey August 2, 2011).

¹⁰⁵ "Drought Committee Complains of Soldiers," *Shabelle Media Network*, February 26, 2011, <http://allafrica.com/stories/201102281526.html> (la arkey August 2, 2011).

joojiyaan ama ay hakad geliyaan. Ururrada sii shaqaynaya ama waxaa ka tanbatey culays awoodooda dhaafsiisan ama xannibaya dagaallada sii socda ama carqaladayn ula kac ah.

Al-Shabaab

Luulyo 6-deedii al-Shabaab waxay ku dhawaaqdey inay qaadeyso xayiraad muddo dheer saarneyd raashinka gargaarka bani'aadannimo ah oo lagu soo rogey deegaannada iyaga hoos taga tan iyo 2009-kii taasoo timid markii ay hayaameen kumannnaan Soomaali ah oo ku noolaa deegaannada al-Shabaab ay abaaraha dartood.¹⁰⁶ Tallaabadaas waxaa soo dhoweeyey hay'adaha samafalka, laakiin waxay ugu baaqeen al-Shabaab inay bixiyaan ballanqaadyo ah ammaanka shaqaalaha gargaarka.¹⁰⁷ Al-Shabaab go'aankaas dib ayay uga laabatey, iyadoo ku andacoonaysa in hay'adihii la xayirey ay sidoodii weli mamnuuc u yihiin.¹⁰⁸

Saamaynta mamnuucidda al-Shabaab saartey gebi-ahaanba raashinka gargaarka ah ee degaannada hoos yimaada wuxuu ahaa mid masiibo weyn ku reebay bulshooyinkaas. Magangalyo-doonkii ay wareysatey Human Rights Watch oo ka yimid deegaannada al-Shabaab kataliso waxay badankood sharxeen mamnuucid dhamaystiran oo gargaarka bani'aadannimo ah.¹⁰⁹ Abaarta daran ee ku dhufatey Soomaaliya 6-dii bilood ee ugu dambaysey ayaa sii labanlaabey dhibaataadii kadhalatey mamnuuciddan.

Qaxootigii soo gaarey Dhadhaab bishii Abril 2011 ee ka yimid degmada Saakow oo Shabaab ka taliyo waxa ka muuqatey nafaqo-darro aad u daran. Qof kamid ahaa qaxootiga ka yimid Saakow ayaa ku calaacalay, "Waxaan u malaynayaa inay rabeen inay dadku dhintaan."¹¹⁰ Haweeney ayaa u soo bareertey khatarta inay soo qaxdo iyadoo uur sagaal-bilood ah leh, kuna umushey duurka intey jidka kusoo jirtey, intii ay joogi lahayd Saakow.¹¹¹ Duqeyda Luuq ee Gobolka Gedo, waxa la sheegey inay ugu baaqeen al-Shabaab inay qaadaan xayiraadda

¹⁰⁶ "Somalia Islamists lift aid ban to help drought victims," *BBC*, July 6, 2011, <http://www.bbc.co.uk/news/world-africa-14046267> (la arkey August 2, 2011).

¹⁰⁷ Office of the United Nations Resident and Humanitarian Coordinator for Somalia, "The Humanitarian Community welcomes Al Shabaab's announcement to allow resumption of operations in southern Somalia, but needs guarantees," July 7, 2011, <http://reliefweb.int/node/424296> (la arkey August 2, 2011).

¹⁰⁸ "Somali Islamist maintain aid ban and deny famine," *BBC*, July, 22 2011, <http://www.bbc.co.uk/news/world-africa-14246764> (la arkey August 2, 2011).

¹⁰⁹ Wareysiyada Human Rights Watch, Dhadhaab, April 2011.

¹¹⁰ Wareysi Human Rights Watch kula yeelatey G.V., xerada qaxootiga Dhagaxleey, April 21, 2011.

¹¹¹ Wareysi Human Rights Watch la yeelatey magangalyo-doon ka yimid Saakow, xerada qaxootiga Dhagaxleey, April 21, 2011

ay saareen gargaarka, iyagoo ka digaya in dadku macluul u dhiman doonaan haddii aysan helin gargaar raashin ah.¹¹² Digniinahaas way dhaceen oo la arkey.

T.F., oo ka yimid Gobolka Bay, ayaa sheegey inuu Kenya u soo qaxay kadib hal sano oo uu ku hoos jirey al-Shabaab. Waxuu u sheegey Human Rights Watch: “[Al-Shabaab] waxay ka joojiyeen hay’adaha inay cunto iyo biyoba u keenaan dadka, waxayna dhalisey baahi badan dadkuna wey iska carareen. Tani waxay socotey kudhowaad hal sano. Waxay dadka u sheegayeen inay Ilaah uun ku tiirsanaadaan oo ay iska illoobaan ku-tiirsanaanta hay’adaha.” Wuxuu Soomaaliya ka soo tegey markii inta badan 40-kii ariga ahaa iyo 20-kii lo’ ee uu lahaa ay macluul u le’deen, taasoo ku qasabtey inuu ku tiirsanaado gargaarka oo isna la joojiyey.¹¹³

D.S. oo ka yimid degmada Afmadow ayaa yiri, “Wax gargaar bani’aadannimo ah ma aqbalayaan raggaasi. Waxay yiraahdaan ‘waa gaalo kuwa cuntada qaybinaaya, waxna kama rabno iyaga’”¹¹⁴

A.P., oo ay wareysatey Human Rights Watch isla maalintii uu ka yimid Saakow, ayaa yiri, “Xoolaheennii oo dhan way le’deen. Ma jiro geel noo harey, ari iyo lo’ dadkii ayay xataa bilaabatey inay dhintaan. Cunto ma jirin sababtoo ah al-Shabaab ayaa u diidey hay’adaha gargaarka inay cunto keenaan. Waxay yiraahdaan, ‘Ma doonayno cuntada gaalada.’”¹¹⁵

Al-Shabaab oo Isku-dayeysa Joojinta Socdaalka

Xeerka caalamiga ahi wuxuu ilaaliyaa xaqa qofku u leeyahay xornimada socodka, oo ay ku jirto xaqa qofku u leeyahay inuu dalkiisa ka tago.¹¹⁶ Dadka rayidka ah sidaasoo kale xilliga dagaalka waxa laga ilaaliyey xayiraada sharci-darrada ah ee ku lidka ah xorriyadooda.¹¹⁷ Wixii

¹¹² “Food price is high as Al Shabaab Isolate Parts of Gedo Region,” *Shabelle Media Network*, April 9, 2011, <http://allafrica.com/stories/201104120195.html> (la arkey August 2, 2011).

¹¹³ Wareysi Human Rights Watch kula yeelatey T.F., xerada qaxootiga ee Ifo, April 20, 2011.

¹¹⁴ Wareysi Human Rights Watch kula yeelatey D.S., xerada qaxootiga ee Dhagaxley, April 21, 2011.

¹¹⁵ Wareysi Human Rights Watch kula yeelatey A.P., xerada qaxootiga ee Dhagaxley, April 21, 2011.

¹¹⁶ Fiiri Universal Declaration of Human Rights (UDHR), adopted December 10, 1948, G.A. Res. 217A(III), U.N. Doc. A/810 at 71 (1948), art.13; and International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316, 99 U.N.T.S. 171, entered into force March 23, 1976, art. 12(2).

¹¹⁷ Xeerka caalamiga ah ee dagaallada waxa uu reebayaa xorriyad ka qaadida aan sharciga ahayn ee rayidka iyo inan cidna loo qabsan lahaystenimo. Fiiri qod.3-aad ee Geneva Conventions ee la xiriira dagaalka hubaysan ee caalamiga ahayn.

mamnuucid socodka ah oo ay soorogto koox qayb ka ah dagaalka waa inay ahaataa tallaabo muddo gaaban ah oo leh sababo la cayimay si looga ilaaliyo rayidka waxyeelada dagaalka.¹¹⁸

Magangalyo-doon dhowaan soo galay Kenya waxay Human Rights Watch u sheegeen in al-shabaab iskudaydey inay Soomaalida qaar ka joojiso inay dalka ka qaxaan, sida iyagoo xirey badanaa waddooyinka Dhoobley, joojinayey basaska, una gaystey xirid iyo xabsi dadka qaar, inkastoo ay badanaa ku-meel-gaar ahayd.¹¹⁹ Bishii Luulyo, Xafiiska QM ee Isku-xirka Arrimaha Gargaarka (OCHA) waxa uu ka warramay in al-shabaab ay weli waddo mamnuuciddii ay saartey dadka ka tegaya deegaannada hoos taga.¹²⁰

K.F., oo 20-jir ah, waxa uu Human Rights Watch u sheegey inuu ku jirey koox kasoo qaxdey Buulo-Xaawo illaa Dhoobley kadibna soo galay Kenya April 2011:

Intaan jidka ku jirney dhowr jeer ayaa al-Shabaab na qabteen wayna diidayeen inaan u gudubno Kenya. Waxay noo sheegeen ‘inaan dalka ka tegi karin maadaama aan dhowr-iyto-ban jir nahay. Yaa dalka difaacaaya?’ Waxaan iska dhigney sidii inaan u noqonayno Buulo-Xaawo, kadibna jid gadaale ayaan ka soo wareegney.¹²¹

Sida uu sheegey J.K., “Al-Shabaab wey ka joojinaysey dadka inay baxaan, marka waxaan kusoo gudubney dhuumasho. Gaari kasta oo ay arkaan inuu dad wado way xirayeen.”¹²²

Qaar isku dayey inay soo qaxaan wey soo dhaafi waayeen ciidamda al-Shabaab. U.W. wuxuu kasoo qaxey Diinsor isagoo u socda Buulo-Xaawo Sebteembar 2010-kii abaarta iyo lacagta ay dalbanaysey al-Shabaab darteed. Dabadeedna wuxuu u soo gudbey Kenya markii dagaalku ka bilowdey Buulo-Xaawo bishii Jannaayo. Sida uu U.W., “Waxaan warsadey qoyskeyga inay kasoo baxaan Diinsoor, laakiin al-Shabaab ayaa jidka ka soo celiyey oo Diinsoor ayey kusoo noqdeen. Waxaa lagu yiri ‘Waan ognahayn inaad Kenya u socotaan,’ si qasab ah ayaana lagu celiyey. Saddex jeer ayaa al-Shabaab dib u celiyey. Illaa hadana ma aysan imaanin [Kenya].”¹²³

¹¹⁸ Fiiri ICRC, *Customary International Humanitarian Law*, rule 22.

¹¹⁹ Wareysi Human Rights Watch kula yeelatey G.V., xerada qaxootiga Dhagaxley, April 21, 2011.

¹²⁰ OCHA, “Protection Cluster Update,” <http://ochaonline.un.org/somalia/Clusters/Protection/tabid/2832/language/en-US/Default.aspx>.

¹²¹ Wareysi Human Rights kula yeelatey K.F., xerada qaxootiga, April 21, 2011.

¹²² Wareysi Human Rights Watch kula yeelatey J.K., duleedka xerada qaxootiga Ifo, April 20, 2011.

¹²³ Wareysi Human Rights Watch kula yeelatey U.W., xerada qaxootiga ee Xagardheer, April 22, 2011.

Waxay u muuqataa, si al-Shabaab ugu baqdin geliso inaysoo laabtaan dadka ka qaxey meelaha ay xukumaan waxay ku hanjabeen inay weerarayaan Kenya haddii dadka magangalyo-doonka ah ee ka qaxay Buulo-Xaawo ee tegey Mandheera oo Kenya ah ay dibedda kusii maqnaadaan. Warqado ayey kooxdu ku faafisey Mandheera oo dhan ay dicaayad ugu samaynayso hanjabaadaas. Dhowr magangalyo doon ahaa ayaa isaga laabtey Soomaaliya iyagoo ka baqaya weerar Mandhera lagu soo qaado.¹²⁴

¹²⁴ Wareysi Human Rights Watch kulayeelatey U.W., xerada qaxootiga Xagardheer, April 22, 2011.

III. Xuquuqaha Kale ee Lagu Tuntay

Falal Dembiyeed ay Gaysteen Ciidanka TFG-da

Dhowr qof oo la wareystey ayaa ku warramay in ciidanka TFG-du dhac hubaysan iyo dembiyo kaleba ay shacabka kula kaceen. Xadgudubyadaas ma ahan in hoggaanka TFG-du ogolaadey, laakiin TFG-du waxay ka baaqsatey ka hortegidda falalkaas ama ay tallaabo anshax oo ku habboon ka qaado, inkastoo marar badan laga hadley xadgudubyada ciidankeeda.

Nin dhallinyaro ah oo kasoo qaxay Muqdisho Abriil ayaa Human Rights Watch u sheegey inuu ogyahay in ciidanka TFG-du ay Talefonada gacanta ka qaataan rayidka.¹²⁵ Haweeney ayaa ku eedeysay qaar ka mid ah ciidanka TFG-da xatooyo: “Oktoobartii hore waxay bililiqeysteen gurigeyga, igadoo qaatey dahab iyo waxyaabo kale. Iyagoo labisan ayey yimaadeen. Shan camal ayaa timid, oo qoryo wata. Waxkasta waa nalaka qaatey.”¹²⁶

T.S., oo ka timid Baardheere, waxay sheegtey in magaaladeeda ay dhowr jeer kala qabsadeen al-Shabaab iyo TFG-da sanadkii hore. Waxay tiri, “Cid kasta oo magaalada qabsata dadkana wey garaacdaa hantidana wey bililiqeysataa.”¹²⁷

Canshuurta iyo La-wareegida Xoolaha ee al-Shabaab

Al-Shabaab waxay deegaannada ay xukunto u dejisey nidaam “canshuurid” oo boob ah. Iyadoo ku doodaysa inay ku socoto sida Quraanku dhigayo, kooxdu waxay qoysaska ka dalbadaan Zako—oo qofka Muslimka ah looga baahan yahay si uu naftiisa ugu daahiriyo bixinta sadaqada. Qaar badan oo magangalyo-doon ah ayaa Human Rights Watch u sheegey in magaca Zakada ay al-Shabaab kula wareegeen lacago aad u badan iyo xoolo-ba illaa ay waayeen waxay ku noolaadaan.¹²⁸ Sida uu ku tilmaamey D.S., oo ah Magangalyo-doon ka yimid Afmadow: “Haddii aad ari leedahay, arigaagey qaadanayaan. Markasta oo gallaydu diyaar noqotana, way imanayaan.”¹²⁹

¹²⁵ Wareysi Human Rights Watch kula yeelatey H.P., xerada qaxootiga Ifo, April 21, 2011.

¹²⁶ Wareysi Human Rights Watch kula yeelatey K.R., xerada qaxootiga Xagardheer, April 22, 2011.

¹²⁷ Wareysi Human Rights Watch kula yeelatey T.S., xerada qaxootiga Xagardheer, April 22, 2011.

¹²⁸ Wareysi Human Rights Watch kula yeelatey O.L., xerada qaxootiga Ifo, April 20, 2011.

¹²⁹ Wareysi Human Rights Watch kula yeelatey D.S., xerada qaxootiga Dhagaxleey, April 21, 2011.

Culayskii dhaqaale ee qoysaska haystey ayey al-Shabaab dhibaato kale kusii kordhisey markay dumarka ka mamnuucdey inay shaqeeyaan. Mamnuucidda, oo ay al-Shabaab ku andacoonayso inuu ku salaysan yahay Quraanka, waxa uu meelaha qaar ka noqdey, xeelad kale oo wax lagu xado. Haweeney suuqa wax ku iibin jirtey oo dhowaan soo gashey Kenya kana timid Jilib, gobolka Jubada Dhexe ayaa u sheegtey Human Rights Watch, “Wey noo diidayeen inaan shaqeyno dumar ahaan. Haddii aad rabto inaad shaqeyso waa inaad laaluushtaa.”¹³⁰

Ugu yaraan hal meel oo ku taal saakow, ragga sidoo kale waa loo diidey inay shaqeeyaan. Sida ay sheegayaan 2 nin oo dhallinyaro ah oo ka yimid Saakow, waxaa lagu qasbey inay waqtigoodii shaqo badankiis ku qaataan waxbarasho uu midkood ku sheegey inay ahayd barashada “sida loo aado loona diriyo.” Waxa uu saaxiibkii intaa ku darey “Waxaa lagu sheegayaa inaad xataa shaqeyn, sababtoo ah Allah ayaa bixinaya, adigu baro, Cuntadu wey imaanaysaa Ilaahay fadligiis.”¹³¹

Cadaadiska Al-Shabaab ee Mucaaradkooda Siyaasadeed

Cidii muujisa taageeradooda siyaasadeed ee koox kale oo aan al-Shabaab ahayn khatar weyn ayaa uga iman karta. O.L oo ah magangalyo-doon dhowaan ka yimid Gobolka Jubada Hoose ayaa Human Rights Watch u sheegey inuu ahaa sarkaalka deegaanka u jooga Xisbul-Islam, oo ah koox maliishiyo Islaami ah oo la tartamaysey, oo heshiish la saxiixatey al-Shabaab Disembar 2010-kii kuna biirtey, horraantii 2010-ka, heshiiska hortii, ayey al-Shabaab gubeen hantidiisii oo dhan, isaguna dhuumasho ayuu galay. Xitaa dib-u-heshiisiintii al-Shabaab weli wey raadsanayeen O.L. Wuxuu sheegey in walaalkiis la jirdiley iskuday la doonayey in lagu qasbo inuu u sheego halka uu jiro. O.L, markaas kadib wuxuu u soo baxsadey Kenya.¹³²

Haweeney katimid Muqdisho ayaa sheegtey in ninkeeda, oo ah taageere firfircoon ee TFG-da, ay al-Shabaab afduubteen isagoo jooga Suuqa Bakaaraha Ogoosto 2010-kii:

lyaga ayaa inta I soo wacay igu yiri “waxan haynaa ninkaagii, oo sidoo kalena ah gaal, soow ma ahan?” Waxaan iri “Ninkaygu waa Muslim.” Waxay yiraahdeen “Waxay yiraahdeen waa gaal, waana gawracaynaa.” Laba

¹³⁰ Wareysi Human Rights Watch kula yeelatey J.K., duleedka xerada qaxootiga Ifo, April 20, 2011.

¹³¹ Wareysi Human Rights Watch kula yeelatey H.N. iyo P.Y., xerada qax. ee Xagardheer, April 22, 2011.

¹³² Wareysi Human Rights Watch kula yeelatey O.L., xerada qaxootiga ee Ifo, April 20, 2011.

maalin kadib markii la qabtay way Isoo waceen hadana. Waxay ii sheegeen inaan ahayn gaalo, carruurtenno ahaayeen gaalo, aanna is jirrno..Hanjabaadoodii weli dhagahayga ayaa ka yeereysaa.

Kenya ayey u soo qaxdey maarso, iyadoon wax fikrad ah ka haysan in ninkeedii dhintey ama nool yahay.¹³³

Weerarrada Suxufiyiinta iyo Difaacayaasha Xuquuqda Aadanaha

Somaaliya weli waa mid kamid ah dalka ugu khatarta badan Afrika ee suxufi laga noqdo. Tan iyo 2005-tii 23 suxufi ayaa la diley. Novembar 2010-kii suxufiga Xasan Maxamed Abiikar ayaa dirqi kaga fakadey iskuday lagu khaarijin lahaa. Konton-iyoo-Sagaal Suxufi oo Somali ah ayaa musaafuris ku maqan, dalka labaad ee ugu badan suxufiyiinta musaafuriska ah. Ugu yaraan 16 suxufi ayaa qaxay sanadkii 2010-ka oo kaliya, sts.¹³⁴ TFG-da iyo xoogaga mucaaradka labaduba wey canaadeen suxufiyiinta tiradoodu gabaabsiga tahay ee weli ku mintidaya inay ka sii shaqeeyaan Soomaaliya. Qaar kamid ah suxufiyiintii dalka ka qaxdey weli hanjabaadyo ayaa soo gaara.¹³⁵ Suxufiyiinta dalka ku hareyna waxay la kulmaan soo xirid iyo cadibaad.

Bishii Maarso, Ciidanka ammaanka ee dawladda TFG-da ayaa u yeerey Cabdi Maxamed Ismaaciil, tifaftiraha Idaacadda Shabeelle, oo kamid ah tiro yar oo saxaafadda Soomaalida ah oo gaarta caalamka, waxayna xireen saddex maalmood. Ismaaciil waxaa su'aalo laga weydiyey xaqiiqnimada wararka idaacaddiisa ka baxa, gaar ahaan war ay dawladdu u aragtey inuu dhaliilayey madaxweyne Shariif. Walaac ay muujiyeen duqayda deegaanka, Ururka Qaranka Suxufiyiinta Soomaaliyeed (NUSOJ) iyo xubno ka tirsan Baarlamaanka TFG-da ayaa dedejiyey sii dayntiisa. Wasaaradda Warfaafinta ee TFG-da waxay isticmaashey eedeymo waxkama jiraan ah oo keentey in Xeer-ilaaliyaha Guud ay uu soo farageliyo kulamada NUSOJ, isla markaana la isku dayo in la xiro hoggaamiyayaasha ururka. Bishii May rag hubaysan oon la garanayn ayaa xoog ku galay xafiisyada NUSOJ iyagoo qaatey computer-ro iyo warqado muhiim ah una hanjabey shaqaalaha NUSOJ.¹³⁶

¹³³ Wareysi Human Rights Watch la yeelatey A.B., April 2011 (goobta & taariikhda waa la qariyey)

¹³⁴ Committee to Protect Journalists, "Attacks on the Press 2010: Somalia," February 15, 2011, <http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php> (la booqdey August 2, 2011).

¹³⁵ "Exiled Somali Journalists threatened by hardliners," *AFP*, May 6, 2010, <http://www.google.com/hostednews/afp/article/ALeqM5jUG5Ti2FZ4-3NtLjKZv952QNTPQ> (August 2, 2011).

¹³⁶ International Federation of Journalists, "IFJ Condemns Robbery at Union's Office in Somalia," May 24, 2011 http://www.nusoj.org/index.cfm?zone=/unionactive/view_article.cfm&HomeID=206545 (la arkey August 2, 2011).

Difaacayaasha xuquuqda aadanaha badankoodu sanadihii lasoo dhaafey ayay dalka ka qaxeen markii ay badatey hanjabaadaha ay la kulmaan. TFG-du waxay mamnuucdey laba sarkaal oo ka socdey xafiiska QM ee Xuquuqda Aadanaha oo kala ah Scott Campbell, oo ah Agaasimaha Hawlgallada Afrika u qaabilsa Xafiiska QM ee Xuquuqda Aadanaha iyo Sandra Beidas oo ka socotey Xafiiska QM ee Siyaasadda Soomaaliya.¹³⁷

¹³⁷ “Somalia banned two officials working with the UN High Commissioner for Human Rights,” *Diirad*, April 2, 2011, <http://www.diirad.com/news-in-english/2724-somalia-banned-wo-officials-working-with-the-un-high-commissioner-for-human-rights.html> (August 2, 2011).

IV. Xadgudubyada Qaxootiga iyo Barakacayasha

Bishii Jannaayo 2011-ka tirada dadka barakacayaasha ah ee Muqdisho iyo hareeraheeda waxay mareysey 375,000 oo qof, tirada dalka oo dhanna 1.4 Malyan.¹³⁸ Tirada dadkani wey sii korortey bilihii dhowaa. Intii u dhaxaysey bartamihii May iyo Bartamihii July 2011-ka, 100,000 oo barakacayaal cusub ah oo ay abaaruhu barakiciyeen ayaa soo gaarey Muqdisho iyo hareeraheeda, iyadoo 70,000 oo kamid ahina ay yimaadeen Luulyo oo kaliya.¹³⁹

Maadaama ay abaartu ka jirtey gobollo gaar ah ee Koonfurta iyo Bartamaha Soomaaliya, 20,000 oo qaxooti Soomaali ah ayaa Kenya soo galay laba todobaad gudahood bishuu Juun.¹⁴⁰ 20-kii July, QM ayaa ku dhawaaqdey in xaalad macluul ahi ka jirto gobollada Bakool iyo Lower Shabeelle.

Bartamihii Luulyo tirada guud ee qaxootiga iyo magangalyo-doonka Soomaalida ah ee ka diiwaangashan dalalka Soomaaliya deriska la ah waxay gaartey 811,176,¹⁴¹ Waxaase la og yahay in boqollaal kun oo kale oo doortey inay ka fogaadaan xaalada liidata ee ka jirta xeryaha qaxootiga ee Dhadhaab inay ku nool yihiin magaalooyinka waaweyn ee Kenya sida Nairobi iyo Mombasa.¹⁴² In kabadan kala bar tirada qaxootiga Somaliyeed ee diiwaangashan ee gobolka waxay ku sugan yihiin Kenya, oo si joogto ah oo sharci-darro ah tobanaan, mararka qaarna boqollaal Soomaali ah dib ugu musaafurisey dalkoodii ay dagaalladu bur-buriyeen.¹⁴³

¹³⁸ “Number of Somali refugees grows sharply in 2011,” *UNHCR Briefing Notes*, April 29, 2011, <http://www.unhcr.org/4dba949d9.html> (la arkey August 2, 2011).

¹³⁹ “Number of famine-displaced Somalis seeking aid in Mogadishu swells to 100,000,” *UN News Centre*, July 26 2011, <http://www.un.org/apps/news/story.asp?NewsID=39146&Cr=Somali&Cr1> (la arkey August 2, 2011).

¹⁴⁰ “Kenya sees 20,000 Somali refugees arriving in just two weeks,” *UNHCR Briefing Notes*, June 24, 2011, <http://www.unhcr.org/4e0475f69.html> (la arkey July 3, 2011); “Two refugees killed during rioting at Kenya camp: UN,” *AFP*, July 1, 2011, <http://kbc.co.ke/news.asp?nid=71096> (la arkey July 9, 2011).

¹⁴¹ UN High Commissioner for Refugees (UNHCR), “East and Horn of Africa Update: Somali Displacement Crisis at a Glance,” July 20, 2011, <http://www.unhcr.org/4e26e63c6.html> (la arkey August 2, 2011).

¹⁴² Eeg Human Rights Watch, *Welcome to Kenya: Police Abuse of Somali Refugees*, June 2010, <http://www.hrw.org/reports/2010/06/17>, p. 18.

¹⁴³ Eeg “Kenya: Stop Deporting Somalis Fleeing Conflict,” Human Rights Watch news release, March 31, 2011, <http://www.hrw.org/en/news/2011/03/31/kenya-stop-deporting-somalis-fleeing-conflict>.

Itoobiya sidoo kale wey la kulantey hayaanka qaxootiga Somaalida. Intii u dhaxaysey Jannaayo iyo bartamihii Luulyo, in kudhow 78,000 oo Soomaali ah ayaa u gudubtey Itoobiya taasoo ka dhigaysa tirada guud ee Itoobiya ku nool in ka badan 159,000.¹⁴⁴ Dadkaa dhowaan soo galay in badan oo ka mid ah waxay magangalyo ka raadsadeen gobolka bari ee ismaamulka Somalida, iyadoo xafiiska Hay'adda QM ee Qaxootigu uu xero 4-aad ka furey gobolka Doolow Cadde si uu uga jawaabo qul-qulka dadka soo gelaya.¹⁴⁵

Soo-Xirid, Musaafurin iyo Dhaca Joogtada ah ee Boliiska Kenya

Human Rights Watch si qoto-dheer ayey uga warrantey boliiska iyo xadgudubyada kale ee Soomaalida magangalyo-doonka ahi la kulmaan inta ay isku-dayayaan inay gaaraan xeryaha qaxootiga ee Kenya iyo weliba xadgudubyada iyo dhaqan-xumada kale ee ay kala kulmaan xeryaha dhexdooda iyo magaalada Gaarisa.¹⁴⁶ Kadib kulamo ay yeeshen Human Rights Watch iyo dawladda Kenya sanadkii 2010-kii, dawladdu waxay samaysey koox madaxbannaan oo soo baarta. Kooxdu waxay booqatey xeryaha Sebteembar 2010-kii, laakiin dawladdu weli ma aysan faafin natijadii u soo baxdey. Xadgudubyada hoos ku faahfaahsan waxay wada dhaceen tan iyo markii la dhisey kooxda.

Boliiska Kenya wuxuu wadaa xiridda, masaafurinta, iyo inuu mararka qaar lacag ka baado Soomaalida Magangalyo doonka ah, taaso xadgudub ku ah Sharciga Qaxootiga ee Kenya ee 2006-dii.

Kumannaanka Soomaalida ah ee kasoo hayaamey Buulo-Xaawo illaa Magaalada kutaal waqooyibari Kenya bishii Maarso 2011-kii ayaana tusaale loo qaadan karaa. Dadka reer Mandheera markii hore wey soo dhoweeyeen Soomaalida, oo kasoo qaxaysey dagaalka u dhexeeya al-Shabaab iyo dawladda TFG-da. Qaxootiga markii hore waxaa la dejiyey garoon ciyaareed, kadibna waxaa loo rarey xero qaxooti oo ku-meelgaar ah oo ay maamusho hay'adda Laanqayrta Cas ee Kenya. Hase ahaatee, dhowr maalin kadib guddoomiyaha degmada ayaa ku amrey boliiska in qasab loogu celiyo Soomaaliya.¹⁴⁷

¹⁴⁴ UNHCR, "East and Horn of Africa Update: Somali Displacement Crisis at a Glance," <http://www.unhcr.org/4e26e63c6.html>.

¹⁴⁵ UNHCR, "2011 UNHCR country operations profile – Ethiopia," <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e483986> (la arkey August 2, 2011).

¹⁴⁶ Eeg Human Rights Watch, *From Horror to Hopelessness: Kenya's Forgotten Somali Refugee Crisis*, March 2009, <http://www.hrw.org/node/81794>; and *Welcome to Kenya*.

¹⁴⁷ Arag AbdilatifMaalim, "Mandera camp for 10,000 refugees shut," *Nairobi Star*, March 24, 2011, <http://www.nairobistar.com/local/northeastern/18416--refugee-camp-in-mandera-shut-down> (la arkey June 21,

N.Y. Wuxuu ku jirtey dadkii qasabka loogu celiyey Buulo-Xaawo, oo hadana kasoo galey Kenya dhinaca koonfur sii xigta si ay u gaaraan Xeryaha Dhadhaab. Waxay u sharaxdey Human Rights Watch dhibkii ay la kulantey:

Markii dagaalku dib u billawdey bishii Maarso, waxay noqotey inaan qaxno. Mandheera markaan imid waxaan la joogey qarabadayda dhowr maalin...[kadibna] waxaan aadey xero ku taal Mandheera oo aan joogey 5 maalmood. Kadibna saraakiil dawladda Kenya oo askar la socdaan ayaa yimid waxayna noo sheegeen inaan baxno. Waxay ahaayeen dad hubaysan oona labisan. Waxa joogey laba gaari oo askar ka buuxdo. Qaxooti badan ayay askarta Kenya garaaceen intii ay socotey ka bixitaanka xerada.

Waxaa naloo sheegey inaan dalkeennii ku laabanno sababtoo ah hadda waa nabad. Waa noo hanjabayeen, iyagoo noo sheegey “Haddii aydnaan hadda dhaqaaqin, kuligiin dhulkaa laydin dhigayaa. Intaan idin fidinno ayaan idinku dul-soconaynaa.” Baabuurka dushiisa iyagoo saaran ayey sidaas ku qaylinaayeen—ma aysan wadan codbaahiye. Way wareegayeen iyagoo marba meel tegayey dadkana ku wargelinayey. Waqti maalin ah ayey ahayd qiyaastii 10 a.m. Duhurkii markii la gaarey qof kastaa wuu tegey. ft.¹⁴⁸

Iyadoo bishii November 2010-kii, UNHCR ay si cad ugu baaqdey mas’uuliyiinta Kenya inay joojiyaan qaxootiga Soomaaliyeed ee ay ka tarxiilayaan Mandheera.¹⁴⁹ Hadana dawladda Kenya iyo UNHCR labaduba wey beeneeyeen in dib-u-celin qasab ahi ka dhacdey Mandheera bishii Maarso 2011-kii, soona jeediye in dib u laabashada Buulo-Xaawo ay ahayd mid ikhtiyaari ah oo kuwii rabey loo ogolaadey inay joogaan Kenya.¹⁵⁰ Sida uu sheegey K.F., “markii TFG-du qabsatey Buulo-Xaawo, xeryaha waa la xirey waxaana naloo sheegey ‘Dawladiina ayaa hadda xukunta Buulo-Xaawo . Dalkiinna ku laabta.’”¹⁵¹

2011); iyo “Kenya: Stop Deporting Somalis Fleeing Conflict,” Human Rights Watch news release, <http://www.hrw.org/en/news/2011/03/31/kenya-stop-deporting-somalis-fleeing-conflict>.

¹⁴⁸ Wareysi Human Rights Watch interview la yeelatey N.Y., xerada qaxootiga Xagardheera, April 23, 2011.

¹⁴⁹ UNHCR, “UNHCR issues urgent appeal to Kenya to halt refoulement of Somali refugees,” November 3, 2010, <http://reliefweb.int/node/373378> (la arkey July 27, 2011).

¹⁵⁰ Wareysi teleefoon oo Human Rights Watch la yeelatey James Seriani, Guddoomiyaha Gobolka Waqooyibari, March 29, 2011, iyo ElikeSegbor, Wakiilka UNHCR, Nairobi, April 13, 2011.

¹⁵¹ Wareysi Human Rights Watch la yeelatey K.F., xerada qaxootiga Ifo, April 21, 2011.

Qaxooti kale, oo Mandheera iskala joogey qaraabo ama saaxiibo intii ay xeryaha aadi lahaayeen ayaa xadgudubyo kala kulmey boliiska. K.F. Wuxuu u sheegey Human Rights Watch:

Boliiska Kenya wuxuu ku weydiinayaa aqoonsi waxayna leeyihiin haddii aadan haysanin, waa inaad laaluush bixisaa haddii kale waa lagu xiraa. Waa la i qabtey, laakiin dad ayaan u yeertey waana la i siidaayey ka hor intaan la i geyn saldhiga weyn ee boliiska. Dadku waxay keeneen qiyaastii 5000 oo shilinka Kenya ah—una dhiganta US\$55 dollar [si ay u siiyaan askarigii Isoo qabtey]. Sidan ayaa ku dhacday qofkasta ee aan kaar aqoonsi ah wadan—waa shaqo aad loogu yaqaan boliiska Kenya.¹⁵²

Human Rights Watch waxay marar badan ku celcelisey sida uu xiritaanki bishii Janaayo 2007 ee xarunta qaa-bilaadda qaxootiga ee Xuduudka Libooya uu ku dhiirriyey boliiska Kenya inay joojiyaan, lacag ka baadaan, qabtaan, xiraan isla markaana masaafuriyaan Soomaalida magangalyo-doonka ah ee isku dayaysa inay gaaraan xeryaha Dhadhaab oo 90 km u jira xuduudka Somaliya iyo Kenya.¹⁵³ Sida ay qabto hay'adda Refugee Consortium of Kenya (RCK), oo ah urur Kenyaan ah oo xuquuqda Qaxootiga u dooda, boliisku waxay masaafuriyeen in ka badan 100 Somali ah muddo labada todobaad gudahood ah bishii Abriil 2011¹⁵⁴ mararka qaarna habeennimadii ayey fuliyaan masaafuriska.¹⁵⁵

Sida ay tilmaamayaan sahama ay Human Rights Watch hore u samaysay iyo wareysiyo ay dhowaan la yeelatey hay'adda qaxootiga u dooda ee RCK oo si joogto ah u kormeerta maxkamadaha ku yaal magaalada Gaarisa ee u dhow xeryaha, marka magangalyo-doonka la geeyo maxkamada iyadoo loo haysto inay sharci-darro ku soo galeen ama ku joogeen Kenya, garsoorayaashu mararka qaar uun bay ilaaliyaan xaqooda inay magangalyo raadsadaan waxayna amraan in la sii daayo loona qaado xeryaha, inkastoo maalmo lagu hayey xabsiyada saldhigyada boliiska oo aalaaba dadku isaga bateen.¹⁵⁶

¹⁵² Wareysi Human Rights Watch la yeelatey K.F., xerada qaxootiga Ifo, April 21, 2011.

¹⁵³ Fiiri Human Rights Watch, *From Horror to Hopelessness: Kenya's Forgotten Somali Refugee Crisis*, pp. 20-25; and *Welcome to Kenya*, pp 22-42.

¹⁵⁴ Wareysi Human Rights Watch kula yeelatey Hay'adda Refugee Consortium of Kenya, Nairobi, April 5, 2011, iyo Dhadhaab, April 22, 2011.

¹⁵⁵ Wareysiga Human Rights Watch la yeelatey ururka Refugee Consortium of Kenya, Nairobi, April 5, 2011.

¹⁵⁶ Fiiri Human Rights Watch, *Welcome to Kenya*, pp. 22-42.

Hay'adda RCK waxay tababarro xuquuqda qaxootiga iyo magangalyo-doonka ah, sida uu qabo sharciga qaxootiga, siisaa boliiska iyo maxkamadaha. Laakiin waxay sheegayaan inay la kulmaan natiijo isku dhaf ah, oo ay qayb ahaan ugu wacan tahay cadaadis boliiska deegaanka uga yimaada saraakiisha boliiska ee Nairobi fadhigoodu yahay oo ku cadaadiya inay soo qabtaan xiraanna magangalyo-doonka. Qareen ka tirsan RCK oo tababarrida boliiska lug ku lahaa ayaa u sheegey Human Rights Watch:

Foomamka qiimaynta ahaa ee gabagabada tababarka, boliisku waxay ku yiraahdaan, “Waxaan idinka rabnaa inaad bartilmaameedsataan madaxdeenna,” sababtoo ah wey og yihiin in qaxootigu xuquuq leeyihiin laakiin amarro ayaa uga imanaya meelo kore. Waxaa lagu qiimeeyaa tirada soo qabasho oo ay sameeyaan—boliiska ayaa sidan ii sheegey. [maamulka boliiska] awaxay yiraahdaan, “shaqadeennu waa inaan dadka soo xirno; waa shaqada maxkamada inay dadka sii dayso.”¹⁵⁷

Xeerka Kenya ee Qaxootigu waxa uu dhigayaa in dadka magangalyo-doonk ahi ay 30 maalmood gudahood oo ka billaabanaysa isla marka ay dalka soo galaan iska diiwaangeliyaan xafiiska ugu dhow ee Laanta Qaxootiga Kenya.¹⁵⁸ Ma ahan in loo diido soo-gelid, ama laga saaro Kenya haddii diidmadaas ama cayrintaasi ay ku celinayso dal “qofkaasi naftiisa, qofnimadiisa iyo xorriyadiisaba ay khatar ku gelayso arrimo ah...ama dhacdooyin si halis ah u carqaladeynaya amniga guud ee qayb kamid ah ama dhammaan dalkaas oo dhan.”¹⁵⁹ Xeerka caalamiga ah iyo kan xeer goboleedka Afrika way reebayaan in qaxootiga iyo magangalyo-doonka si qasab ah dib lagu celiyo cadaadis, Jirdil, iyo xaalado ay jiraan cadaawad guud oo si weyn u dhaawacaysa amniga guud.

UNHCR waxay kula talisey dawladaha inaan rayidka Soomaaliyeed lagu celin koonfur-dhexe Somaliya sababtoo ah “khatarta dhibaato halis ah oo ay rayidku halkaas kala kulmi karaan oo ay ugu wacan tahay xadgudubyo baahey ee xeerarka dagaalka iyo kutumasho aad u ballaaran ee xuquuqda aadanaha ah. Inkastoo dawladda Kenya sharci ahaan ka horjoogsan karto soo gelida Kenya kuwa si macquul ah loogu arkay inay khatar ku yihiin amnigeeda qaran, hadana ma ahan inay xuduudkeeda ka xirato magangalyo-doonka

¹⁵⁷ Wareysi Human Rights Watch la yeelatey Refugee Consortium of Kenya, Dadaab, April 22, 2011.

¹⁵⁸ The Refugee Act 2006 [Kenya] (Refugee Act, 2006), No. 13 of 2006, 30 December 2006, art. 11.

¹⁵⁹ Refugee Act, 2006, art.18(b).

waajib ayeyna ku tahay sida uu dhigayo Cahdigii Qaxootiga ee 1951 inay kala-shaandhayn ku samayso qaxootinnimadooda inta aysan go'aansan inay dib u celiso.¹⁶⁰

Dembiyo iyo Kufsi Lagala Kulmo Xuduudka iyo Xeryaha Dhadhaab Dhexdooda

Baqdinta ay Soomaalida magangalyo doonka ahi ka qabaan in la qabto lana masaafuriyo ayaa weli kusii qasbaysa inay isticmaalaan dad si kontorobaan ah uga gudbiya xuduudka illaa xeryaha qaxootiga iyagoo marsiinaya jidad yar yar ee baadiyaha halkaasoo ay badanaa bartilmaameedsadaan boliiska iyo tuugaduba.¹⁶¹

Iyadoo ay jiraan warar sheegaya in dhowr boqol oo magangalyo-doon ah laga masaafuriyey Kenya bilihii dhowaa ayey UNHCR u sheegtey Human Rights Watch in tiradaas la hubiyo iyadoo la tixgelinayo 10,000 oo kale oo qaxooti ah oo loo ogolaadey inay galaan Kenya isla markaana gaarey xeryaha.¹⁶²

Lix-iy-labaatan Magangalyo-doon iyo qaxooti Somaliyeed ah oo dhowaan soo galay oo ay Human Rights Watch ku wareysatey Dhadhaab bishii April 2011-kii, 10 kamid ah tuugo ayaa ku heshey inta u dhexeysa xuduudka iyo Xeryaha. Dhamaantood waxay sheegeen si ay uga fogaadaan boliiska Kenya, oo Soomaaliya caan kaga ah qab-qabashada, xiridda ama masaafurinta Soomaalida marka ay yimaadaan Kenya, inay lacag siiyeen dad qarsoodi ahaan u gudbiya si ay uga fogaadaan wadada weyn ee tagta xeryaha waxay bedelkeedii mareen mid ka khatarsan “Jidka *Panya* ee gadaale” oo lagu yaqaan in tuugadu tilmaansadaan. Weerarrada burcadnimo waxay dhaceen maalin iyo habeenba, taasoo kicisey in la is weydiiyo kartida iyo doonista boliiska Kenya inay ilaalo ka qabtaan aaggaas kana hortagaan dembiyadaas.¹⁶³

Dadka la wareystey waxay sheegeen in burcadu ay garaaceen kana dhaceen waxii yaraa oo ay wateen. Waxaa jirey warar badan oo sheegaya in dumar la kufsadey.

¹⁶⁰ Convention relating to the Status of Refugees (1951 Refugee Convention), 189 U.N.T.S. 150, entered into force April 22, 1954, and its Protocol Relating to the Status of Refugees, 606 U.N.T.S. 267, entered into force October 4, 1967. Kenya ratified the 1951 Refugee Convention in May 1996.

¹⁶¹ Sidoo kale Human Rights Watch, *Welcome to Kenya*.

¹⁶² Wareysi Human Rights Watch la yeelatey wakiilka UNHCR, Nairobi, April 13, 2011.

¹⁶³ Wareysiyo Human Rights Watch kula yeelatey H.P., xerada qaxootiga Ifo, April 21, 2011. gaarigii H.P. waxaa la haystay inta u dhaxaysey 4 p.m illaa 5-tii galabnimo.

Tuugo ayaa laba jeer joojisey gaari ay D.I. ku safreysey Dhoobley illaa Xeryaha bishii Maarso 2011-kii. Waxay Human Rights Watch u sheegtey:

Saddex maalin ka hor ayaan ka soo tegey Dhoobley. Waxaan saarnayn laba *mataatuu* [basaska yaryar]. Jidka ayaa nalaku dhacay. Dad hubaysan ayaa jidka labadiisa dhinac joogey. Inay na rasaaseeyaan ayey billaabeen. Waxay noo sheegaan inaan dhulka seexanno. Waxaan ahayn 40 qiyaastii, waxay ahaayeen 10 noo timid oo qoryaha qoorta nooga qabatey iyo 10 kale oo geedaha ku jirtey.

Raga iyo dumarka wey kala saareen waxayna noo sheegeen inaan siinno taleefonada gacanta, lacag iyo waxkasta een haysanay. Gabdhaha qaar waa la kufsadey—lix camel ay ahaayeen. Aniga qoorta ayey qori iiga hayeen lacag iyo telefonkii gacantana wey iga qaateen, aniga qof weyn ayaan ahay oo la ima kufsan.

Wey na siidaayeen gaarigeennii ayaana sii wadaney. Dhowr kilomitir kadib waxaan ku dhacney dabin kale oo tuugo. Gaariga ayaa wax isku taageen, wuuna dhaqaaqi waayey. Inaan lugayno ayey noqotey. Kooxdii kale ee tuugada ahaa sidoo kale iyaguna dad bey kufsadeen. Waan maqlayney ooyinta gabdhaha. Tuugadu waxay wateen mindiyo waxayna dhahayeen “hadaadan nasoo raacin, waan ku dilaynaa.”¹⁶⁴

Weerarkii labaad kadib, D.I. waxay soo lugeysey 48 saacadood si ay u soo gaarto Dhadhaab.

Burcaddu waxay sidoo kale joojiyeen K.F., oo Kenya u soo safrey bartamihii Abriil. Waa la dhacay inta la garaacey, waxaana sida D.I. waxa isna qasab ku noqotey inuu usoo lugeeyo Dhadhaab, isagoo yiri “Dumar ayaa nala socdey waxayna u kaxaysteen kaynta, dumarkiina waxay mar dambe sheegeen inay tuugadu kufsadeen.”¹⁶⁵

Dhacdo kale, bishii Febraayo, Gaarigii D.S. la socdey ayaa 6 ama 7 nin oo qoryo wataa joojiyeen maalin nimo cad. Wuxuu yiri 3 haween ah ayaa duurka loo kaxaystay oo la

¹⁶⁴ Wareysi Human Rights Watch kula yeelatey D.I., xerada qaxotiga Dhagaxleey, April 20, 2011.

¹⁶⁵ Wareysi Human Rights Watch kula yeelatey K.F., xerada qaxootiga Ifo, April 21, 2011.

kufsadey.¹⁶⁶ Wuxuu ku sharxey, “Waxaan marney jidka duurka ah maxaa yeeley haddii gaarigu qaado jidka tooska ah [Jidka Dhoobley illaa Libooy] boliiska ayaa joojinaya waana la xirayaa. Dadkuna waxay joogayaan saldhiga boliiska iyagoon haysan cunto iyo biyo ku filan.”¹⁶⁷

Dhibanayaashu shaki ayey ka muujiyeen in boliiska Kenya uu tallaabo qaadi lahaa haddii ay ku wargeliyaan weerarrada. A.M. waxa uu yiri “Ma doonayo inaan dacwo gudbiyo sababtoo ah uma malaynayo in boliiska Kenya ay wax ka qaban doonaan.”¹⁶⁸ Caradan oo kale ayey ka sinnaayeen dhibane kasta ee weerar burcadnimo la kulmey oo ay Human Rights Watch wareysatey.

I.B. waxay sheegtey in bas yar oo ay ugu safreysey Dhadhaab bishii Oktoobar 2010 ay joojiyeen tuugo: “Intaan jidka sii soconey, dhacdadaas kadib, ayaan la kulaney boliiska una sheegney dhibaataadeena, laakiin wey diideen, inay meeshii aadaan.”¹⁶⁹

Kufsiiga Boliiska Kenya

Sanadkii 2010-kii, Human Rights Watch waxay wareysatey 2 dumar ah oo ay boliisku ku kufsadeen Dhadhaab agteeda.¹⁷⁰ Inkastoo boliisku ku ballanqaadey inay baaritaan ku samaynayaan eedaha la xiriiira kufsiiga iyo xadgudubyada kale ee boliiska, hadana cid ka mid ah askartii lala xiriirinayey kufsiiga marna dacwad laguma soo oogin.

Bishii Jannaayo 2011, Human Rights Watch waxaa soo gaarey eedeymo sheegaya in Boliiska Kenya uu kufsadey magangalyo-doon cusub oo markaas yimid. Sida uu sheegayo suxufi wareystey dhibanaha wax yar kadib dhacdada, dhibanaha waxaa kufsaday sadex askari oo ka tirsan saldhigga boliiska ee Dhadhaab.¹⁷¹ Shaqaalaha UNHCR waxay xaqiijiyeen inay heleen warbixinta kufsiiga.¹⁷² Boliisku waxa uu Human Rights Watch u sheegey inay ka warhayaan kiiska, waxayse ku andacodeen in baaritaankoodii uusan u saamin inay aqoonsadaan kuwii gaystey. Cidna looma maxkamadeyn dembigaas; taas

¹⁶⁶ Wareysi Human Rights Watch kula yeelatey D.S., xerada qaxootiga Dhagaxley, April 21, 2011.

¹⁶⁷ Ibid.

¹⁶⁸ Wareysi Human Rights Watch kula yeelatey A.M., xerada qaxootiga Dhagaxley, April 20, 2011.

¹⁶⁹ Wareysi Human Rights Watch kula yeelatey I.B., Xerada qaxootiga Xagardheere, April 22, 2011.

¹⁷⁰ Human Rights Watch, *Welcome to Kenya*, pp. 25-27.

¹⁷¹ Wareysi Human Rights Watch taleefoon ku wareysatey suxufi Kenyaati ah, May 31, 2011.

¹⁷² Wareysi Human Rights Watch la yeelatey saraakiisha UNHCR, Nairobi, January 28, 2011, iyo Dadaab, April 19, 2011.

bedelkeeda, jawaabtii boliisku waxay noqotey in askartii lala xiriirinayey laga bedelo saldhiga Dhadhaab loona bedelo saldhigyo kale.¹⁷³

Xaaladaha Nolasha Ban'iaadannimo ka baxsan ee Dhadhaab

Xeryaha qaxootiga ee Dhadhaab waxa hadda soo foodsaarey masiibo bani'aadannimo oo muddo dheer isi-soo taraysey.

Saddexda xero ee ku taal Dhadhaab mid kasta waxaa markii hore loogu tala galay inay qaado 30,000 oo qaxooti ah.¹⁷⁴ Tiradii ugu dambeysey Luulyo 29-keedii, 2011, ee xeryaha oo hadda kama-dambaystii jooga, ¹⁷⁵ ku jirey waxay ahaayeen in kudhow 390,000, oo ay wehliyaan tiro kale oo la dejiyey xeryo kumeel-gaar ah oo laga sameeyey meel dibedda ka ah xeryaha rasmiga ah.¹⁷⁶ Tan iyo 2008, UNHCR si isdaba joog ah ayey dawladda Kenya uga codsanaysey dhul dheeri ah si loo ballaariyo xeryaha, waxayna ahayd oo kaliya 2010-kii markii la bixiyey ogolaanshaha in la dhiso ballaarin yar oo lagu sameeynayo mid ka mid ah xeryaha, Ifo II.¹⁷⁷ Hadana markii Ifo II ay diyaar u noqotey inay hoyso qaxooti, Novembar 2010-kii, madaxda Kenya wey diideen inay fasaxaan. Ugu dambayntii, 14-kii Luulyo, 2011, Ra'iisul wasaaraha Kenya Raila Odinga ayaa shaaciyey in UNHCR ay qaxooti dejin karto qaybta cusub ee xerada, laakiin illaa hada xilliga qoraalkan ee Luulyo 29, dejintii qaxootiga ee Ifo II weli lama ogolaanin inay billaabato.¹⁷⁸

Biyaha, caafimaadka, musqulaha, waxbarashada iyo tasiilaadka kaleba waxay marayaan meeshii ugu dambaysey. Bishii Ogoosto 2008 ayey UNHCR bixisey booskii ugu dambeeyey ee meel xerada laga degi karo. Ilaa markaas dadka cusub ee yimaada waxaa qasab ku ahayd iney dul-degaan qaxootigii hore u joogey xeryaha, taasoo ka dhalatay ciriiri xun oo xad-dhaaf ah.

¹⁷³ Wareysi Human Rights Watch la yeelatey Leo Nyongesa, oo ah sarkaal ka tirsan boliiska Garissa, April 19, 2011.

¹⁷⁴ Fiiri khariidada ku taal, Human Rights Watch, *Welcome to Kenya*, p. 1.

¹⁷⁵ "Somalia: Endless Stream of Refugees," *IRIN*, May 17, 2011, <http://www.irinnews.org/Report.aspx?ReportID=92740> (la arkey August 2, 2011).

¹⁷⁶ Xog ay ka heshey Human Rights Watch UNHCR bishii July 25, 2011.

¹⁷⁷ Fiiri Human Rights Watch, *From Horror to Hopelessness*; Human Rights Watch interviews with UNHCR officials April, 2011.

¹⁷⁸ Dhakhaatiirta aan xuduuda lahayn-Spain ayaa ka baxay xerada qaxootiga Ifo ee ku taal Dhadhaab March 2011 iyagoo ka gadoodey horumar la'aantata xerada cusub, laakiin hawlahoodii dib ayey u billaabeen 2 bil kadib. Xiriir Email ah oo MSF u soo dirtey Human Rights Watch, March 17, 2011.

Hadda heerka uu marayo qul-qulka dadku dhowaan waxaa jiri doona 500,000 oo qaxooti ah oo ku sugan gudaha iyo hareeraha xeryaha Dhadhaab. Xeryaha hore u jirey waxay qaadi karaan ku-dhowaad 150,000 (oo 60,000 ka badan xadkii loogu talo galay). Haddii Ifo II ay hoyn karto 80,000, inkastoo loogu talo galay 40,000, weli waxaa soo haraya 270,000 oo qof oo meel ay degaan u baahan. In xaaladaha Soomaaliya ay si aan caadi ahayn u hagaagaan ma ahane, qaxooti dheeri ah ayaa laga yaabaa inay tiradan soo biiriyaan. Ugu dambaynta, Kenya waxa qasab ku noqonaysa inay bixiyaan dhul dheeri ah oo xeryo loogu talo galay ama ay ogolaato qaxootiga Soomaaliyeed inay xornimo ugu kala socdaan Kenya dhexdeeda, intii ay ku qasbi lahayd inay ku ekaadaan isla Dhadhaab.

J.K. waxay u sheegtey Human Rights Watch in tan iyo markay timid afar bilood ka hor inay ku nooleyd xerada Ifo dibadeeda, guriga haweeney isbitaal la jiifiyey. Ma oga waxay fali doonto haddii guriga qofkii deganaa soo laabto.¹⁷⁹ Qof kale oo qaxooti ah ayaa si cabasho la'aan ah u sharxey, "Wax dhibaato ah ma qabo tan iyo matkaan imid Kenya; Waxa kaliya ee jira waa inaan guryo haysan." Wuxuu isku ciriiriyey waab cooshado ka samaysan oo ku yaala bannaanka xerada Xagardheer isaga iyo dhowr qof oo kale oo ay asal ahaan isku magaalo ka yimaadeen.¹⁸⁰

Xeryaha Jubaland Xal Miyaa?

Muddo dhowr sano ah dawladda Kenya way dib dhigeysey furitaanka Ifo II iyo bixinta dhul kale oo laga sameeyo xeryo oo ku yaal Dhadhaab. Iyadoo qayb libaax ka qaadanaysa martigelinta qaxootiga Soomaaliyeed, hadana dawladdu wey caddeysey inay ka daashey culayskaas iyo xiisadda ay abuureyso in xubno al-Shabaab ah ay joogaan xeryaha ayna ku dhex-jiraan jaaliyadda Soomaalida ah ee Nairobi. Waxaa sidoo kale jirey mucaaradad muddo dheer ka imanaysey bulshada martida loo yahay ee gobolka Waqooyi Bari, taas ayaana marar badan la xusey inay caqabad ku tahay bixinta dhul dheeri ah oo xeryo kale laga sameeyo.¹⁸¹ Dawladda Kenya waxay sidoo kale ku wargelisay UNHCR sanadka 2011 inay damacsan tahay inay dib u furto xaruntii qaabilaadda ee Liboya, laakiin taasi ma dhicin illaa hadda waqtiga qoraalkan la qorayo.¹⁸²

¹⁷⁹ Wareysi Human Rights Watch kula yeelatey J.K., duleedka xerada qaxootiga Ifo, April 20, 2011.

¹⁸⁰ Wareysi Human Rights Watch kula yeelatey U.W., Xagardheer, April 22, 2011.

¹⁸¹ Wareysi Human Rights Watch la yeelatey Aadan Ducaale MP, Xubin Baarlamaanka ugu jira Garissa, Nairobi, May 3, 2011.

¹⁸² Xiriir Email ah oo Human Rights Watch la samaysey saraakiisha UNHCR officials, May 23, 2011.

Muddo sanado ah Kenya waxay ku socotey siyaasado xakamayn ah oo ay kula dhaqmayso magangalyo-doonka iyo qaxootiga Soomaalida ah. Waxaa ka mid ah go'aankii Janaayo 2007 ay ku xirtey xuduudka ay la wadaagto Soomaaliya; go'aan isla kaas la xiriira oo lagu xirayo xafiiskii qaabilaadda ee Liboy—kaasoo safarkii Dhadhaab lagu tegayey ku kordhiyey ku dhowaad fogaansho 100km ah, khatar dheeri ah iyo qaali-na kadhigey; diidmada illaa Luulyo 2011 in qaxootiga loo ogolaado in loo raro xerada cusub ee Ifo II si loo kala fududeeyo ciriiriga xeryaha; iyo mamnuucidda xorriyadda socoshada ee dhammaan qaxootiga xeryaha ku jira. Waxay sidoo kale ka baaqsatey inay gacan ku qabato xadgudubyada ciidankeeda boliiska, oo tan iyo markii la xirey xuduudka, kumannaan Soomaali magangalyo doon ah qab-qabtey, lacag baad ah ka qaatey, faraxumeeyey isla markaana masaafuriyey.

Jawaabta Kenya ee gurmada xaalada ka jirta Soomaaliya, sida askaraynta iyo tababarida maliishiyaad Soomaali ah ee labadii sano ee ina dhaaftey iyo kaalmadeeda milateri ee Hindisaha Jubaland, waxay u muuqataa inay ku xiran tahay ujeedada in laga abuurto 'goob ammaan ah' gudaha Soomaaliya.

Mudadii labada sano ee ina dhaaftey walaaca nabadgelyo ee ay Kenya ka qabtay ciidanka al-Shabaab ee udhow xuduudka iyo daalka culayska qaxootiga Soomaaliyeed ayaa u muuqda inay dawladda Kenya taageeradeeda isugu gaynayso "Hindisaha Jubaland," ee kor lagu xusay. Abuuritaanka aag laga difaaco al-Shabaab oo xasiloon wuxuu u saamaxayaa wasiirada iyo saraakiisha Kenya inay ku doodaan in qaxootiga la dejiyo Jubaland halkii Kenya.

Tusaale ahaan wasiir ku-xigeenka amniga gudaha, Orwa Ojodeh, waxa uu Human Rights Watch u sheegey bishii Juun in maadaama uu "dagaalkii ka socdey Soomaaliya dhamaadey," beesha caalamku waa inay ka fekertaa inay xeryo dadka gudaha ku barakacay ah ka samayso gudaha Soomaaliya ee ku dhow xuduudka Kenya, ayna adeegyo u fidisaa Soomaalida halkaas ku sugan si loo yareeyo tirada qaxootiga ah ee soo gelaya Kenya.¹⁸³ Hadalkiisaas waxaa ku celiyey Adan Ducaale, oo ah xubin Baarlamaanka ugu jira Gaarisa, oo ah magaalada ugu dhow Dhadhaab, oo u sheegey Human Rights Watch, "Xalka ugu wanaagsani waa in xeryo laga dhiso Jubaland. Kenya iyo Itoobiya kaalin ayey ka qaadan karaan ilaalintooda."¹⁸⁴

¹⁸³ Wareysi Human Rights Watch telefon kula yeelate Wasiir ku-xigeenka Orwa Ojodeh, London, July 20, 2011.

¹⁸⁴ Wareysi Human Rights Watch la yeelatey Adan Ducaale, Mudane Barlaman ka ugu jira Gaarisa, Nairobi, May 3, 2011.

Madaxa Laanta Arrimaha Qaxootiga ee Kenya, Cumar Dhadho, waxa uu wareysi ku sheegey, “Dal ahaan in ku filan waan marti-geliney—Waxaan dalka ku haynaa qaxooti in nagu filan. Marka dawladda kale waa inay sidoo kale yimaadaan oo gacan ka gaystaan.”¹⁸⁵ Dhadho waxa uu sii raaciyey in go’aankii markii hore lagu diidayey inaan la degin xerada lagu kordhiyey Ifo, uu ahaa mid lagu gaarey illaa “heerka ugu sarreysa” ee dawladda.¹⁸⁶ 24-kii Luulyo-na, Wasiirka dawladda u qaabilsan barnaamijyada gaarka ah, Esther Murugi, ayaa saxaafadda u sheegtey in xeryaha qaxooti laga dhiso gudaha Somaliya qaxootiga Soomaalida ahina ay “joogaan dalkooda.”¹⁸⁷

Bishii Luulyo 21-keedii, dawladda Kenya waxay soosaartey war-murtiyeed kusaabsan xaalada qaxootiga dalka ku sugan iyo abaarta kaasoo ka koobnaa hadallo xiriir ah oo walaac xambaarsan lana xiriirey Hindisaha Jubaland. Hadalkaas waxaa uu qeexayey in “Qaxootiga haatan kusoo qulqulaya Kenya waa Soomaali Cunto raadsanaysa ee ma ahan dad kasoo cararaya dagaal.”¹⁸⁸ Arrintu sidaas ma ahan. Macluushu waa wax ka dhashey arrimo siyaasadeed iyo kuwa bii’ada ah oo is-biirsadey, sida carqaladaynta meelihii daaqsinta lahaa oo uu sababey dagaalka ka socda Soomaaliya iyo mamnuucida ay al-Shabaab saartey gargaarka bani’aadannimo iyo xorriyaddii dadka ee inay qaxaan. Abuurida sidan dadka loo kala-soocey waxay u muuqataa inuu xoojinayo inay suurowdo Kenya inaysan aqoonsanayn xaq ay u leeyihiin inay magangalyo raadsadaan kuwa kasoo cararaya abaarta ee aan kasoo qaxin dagaal.

Warkaasi waxa uu sidoo kale yiri “Waxa ka wanaagsanaan lahayd kana bani’aadansan in xarumo quudin laga sameeyo gudaha [Soomaaliya] halkaaso amniga ay sugayaan Dawladda Federaalka KMG ah iyo AMISOM.”¹⁸⁹ Iyadoo xarumo quudin oo laga sameeyo gudaha Soomaaliya ay noqon karto tallaabo waxtar leh oo ku-meelgaar ah, hadana qaabkaas la dejiyey ma ahan in laga dhigto sabab Soomaalida loogu diido magangalyo gudaha Kenya. Looma malaynayo in xaaladda nabadgelyo ee aan degananayn ee ka jirta

¹⁸⁵ Cathy Majtenyi, “Refugee camp in Kenya swells to crisispoint,” *Voice of America*, <http://reliefweb.int/node/405063> (accessed August 2, 2011).

¹⁸⁶ Cathy Majtenyi, “Refugee camp in Kenya swells to crisispoint,” *Voice of America*, <http://reliefweb.int/node/405063>.

¹⁸⁷ “Stop Entry of Refugees, Says Murugi,” *Daily Nation*, July 24, 2011, <http://allafrica.com/stories/201107260033.html> (la arkey August 2, 2011).

¹⁸⁸ Dawladda Kenya, “Briefing on the refugee and drought situation in the country,” July 21, 2011, <http://reliefweb.int/node/435254> (la arkey July 22, 2011).

¹⁸⁹ Ibid.

dhinac kasta koonfur-dhexe Soomaaliya inay waqtiyadan dhow marna saamaxayso hawlo gargaar oo muddo-dheer ku socon kara sida muhiimka ah ee loo baahan yahay.

Ugu dambayntii, warku wuxuu yiri, “Qulqulka qaxooti ee hadda socda ma ahan mid la-xakamayn karo waxaana dhici karta inuu gaaro meel culayskiisu uu ka weyn yahay mid la qaadi karo. Waxa loo baahan yahay in lala yimaado xal macquul ah oo dhab ahaan caawin kara qaxootiga ay abaartu waddo. In la dhiso xeryo kale ma xalin doonto mashaakilka.”¹⁹⁰ Diidmada Kenya ee in la dhiso xeryo dheeri ah waxay dafireysaa xaqiiqada xaalada qaxooti ee maanta taagan iyo tan mustaqbalkaba. Go’aan kasta ee qaxootiga loogu rarayo Jubaland si loogu kala yareeyo xeryaha Dhadhaab, ayna ku jirto in lagu sababeeyey in dadka kasoo qaxaya macluusha aysan usoo bixin qaxootinnimo, wuxuu burinayaa waajibaadkii saarnaa Kenya sida uu dhigayo xeerka caalamiga ah ee reebaya dib-u-celinta qaxootiga waana inay diidaan deeq-bixiyayaasha caalamiga ah iyo hay’aduhuba.

Dawladda Kenya waxa la sheegayaa inay xubnaha deeq-bixiyayaasha ku sugan Nairobi kala hadlayso furitaanka xarumo quudineed ee gudaha Soomaaliya. Inta qorshayaashan hore loo wado, waa in la dhowraa nabadgelyada iyo ammaanka qaxootiga ee mudada-fog, iyo weliba xaq ay u leeyihiin xorriyada socodka iyo xaq ay u leeyihiin inay magangalyo ka raadsadaan dal saddexaad.

Xeerka caalamiga ahi waxa uu mamnuucayaa in si qasab ah qaxootiga loogu celiyo cadaadis, jirdil iyo xaalado ay jirto cadaawad guud. Inkastoo dawladda Kenya ay xaq u leedahay inay ka hor is-taagto dadka qaar soogelidda ama inay sii joogaan Kenya—oo ay ku jiraan kuwa si macquul ah loogu arkay inay khatar ku yihiin amnigeeda qaran, sida dagaalyahaniinta al-Shabaad—hadana xuduudkeeda kama xiran karto magangalyo-doonka. Xeerka Caalamiga ahi wuxuu sidoo kale maamullada ka reebaya inay magangalyo-doonka u masaafuriyaan Soomaaliya iyagoon marka hore u ogolaanin inay codsadaan magangalyo.

¹⁹⁰ Ibid.

V. Kaalinta Mareykanka, Midowga Yurub, Midowga Afrika, Qaramada Midoobey ee Soomaaliya

Mudadii xilka Dawladda Federaalka ee KMG-ah waxay ahayd inay dhamaato Ogoosto 2011, lana qabto doorashooyinka dawlad cusub. Hase yeeshee, is-af-garadkii Kampala, oo ay 9-kii Juun 2011 kala saxiixdeen Madaxweynaha Soomaaliya Sheekh Shariif Sh. Axmed iyo afhayeenka Baarlamaanka Shariif Xasan Sh. Adan, ayaa ku kordhinaya xilligii KMG ahaa hal sano oo dheeri ah dibna u dhigay doorashooyinkii inaysan ka dib-dhicin Ogoosto 2011-ka. Golaha Ammaanka ee QM wuu soo dhoweeyey heshiiskii Kampala, isagoona ku adkeeyey sida loogu baahan yahay in lasoo dhamaystiro qodobadii waajibaadka mudada kmg ah.¹⁹¹ Deeq-bixiyaashu waxay ballan-qaadeen in hal sano oo kale oo kaalmo maaliyadeed ah ay siinayaan TFG-da, Deeq-bixiyaasha muhiimka ah sida Midowga Yurub waxay sheegeen in kaalmada mustaqbalka la siinayo hay'adaha TFG-da, sida gunnooyinka xildhibaanada, inay ku xiran tahay horumarka la sameeyo, isbedelka iyo dhamaystirka hawlihii mudada ku-meelgaarka ah. Hawlahaas ayaa la aaminsan yahay inay aasaas u yihiin isbedel siyaasadeed oo cusub oo Soomaaliya ka dhaca waxaana ka mid ah: Dhismaha qaybaha maamulka ee gobollada iyo degmooyinka, diyaarinta dastuur federaal ah, abuuritaanka hay'adaha madaxabannaan ee dawladda iyo qabashada doorashooyin, tiro-koob iyo afti loo qaado dastuurka.

Qaramada Midoobey iyo dawladda kaleba xaalad adag ayey ku jiraan: waxay ku qasban yihiin la-shaqeynta dawladda TFG-da oo awoodeedu aad u kooban tahay, musuqmaasuq ah kalana-qaybsan. Haddii ay la shaqeeynayaan TFG-da, waa inay qaadaan tallaabo adag oo ay ku adkaynayaan inay horumar la taaban karo oo ay ku hagaajinayso habdhaqankeeda la timaado. Dhinaca kale al-Shabaabt waa ka hor yimid wax saamayn shisheeye ah oo dhan.

Ma jiro jid fudud oo lagu xaqiijin karo in TFG-da iyo dhinacyada kale ee dagaalka qaybta ka ah loogu cadaadin karo inay ku socdaan si waafaqsan xeerka caalamiga ah. Tallaabo la qaadi karo oo muhiim ah waa abuuridda guddi wax soo baara. Taasi waxay noqonaysaa habka lagu diiwaangelin karo xadgudubyadii waaweynaa ee xuquuqda aadanaha iyadoo si

¹⁹¹ UN Security Council, "Statement by the President on the Situation in Somalia," June 24, 2011, S/PRST/2011/13, <http://reliefweb.int/node/422278> (accessed August 2, 2011); Halima Abdallah, "Reform Or Forget Funding, EU Warns Somalia Government," *The East African*, July 3, 2011, <http://allafrica.com/stories/201107041347.html> (la arkey August 2, 2011).

la arki karo loo soo bandhigayo, loo kala saarayo heerka iyo xumaanta dagaalka, loona helo taariikh dhexdhexaad ah ee xadgudubyaddii kadhacay Soomaaliya 1991-kii iyo wixii ka dambeeyey. Iskuday kasta ee mustaqbalka lagu baadi-goobayo runta ama cadaaladana wuxuu tixraaci lahaa gudiga caynkaas ah oo jiritaankiisa oo kaliya uu noqon karo mid ay ku waantoobaan qaar noqon lahaa dembiilayaal dagaal. Deeqbixiyaasha ay ku tiirsan yihiin TFG-da iyo AMISOM waa inay baadi goobaan gudigaas TFG-duna waa inay Golaha Ammaanka ee QM ka codsataa in la dhiso gudigaas.

Qaramada Midoobey iyo deeq-bixiyayaasha taageera TFG-du waa inay sidoo kale la shaqeyntooda TFG-da xoojiyaan. In aamusnaan lagu aqbalo sida xaaladu tahay, oo ay ka mid tahay musuqmaasuqa baahey iyo isla xisaabtan la'aanta xadgudubyada xuquuqda aadanaha, waxa kaliya oo ay TFG-da kusii dhiirrigelinaysaa sii wadidda hab-dhaqankeedii hore ee ku aadanaa dadka rayidka ah. Taageerada maaliyadeed iyo tan milateri ee la siiyo TFG-da waa in shuruud looga dhigaa gaarista bartilmaameedyo muuqda oo la isla og yahay kuna xiran xurmaynta TFG-da ee xeerka caalamiga ah ee xuquuqda aadanaha iyo sharciyada dagaalka, ayna ku jiraan dhammaan maliishiyaadka xulafada la ah TFG-da.

Qaramda Midoobey waxay abuurtey cunaqabateyn lid ku ah Ereteriya taageerideeda al-Shabaad ee Soomaaliya.¹⁹² Si la mid ah, Mareykanka, Midowga Yurub iyo Qaramada Midoobey waa inay meel adag iska taagaan Itoobiya iyo Kenya ee dhinaca la xisaatanka xadgudubyada xuquuqda aadanaha ee ay gaystaan ciidamo ay si toos ah iyo si dadbanba u taageeraan isla markaana la sii wado in lagu cadaadiyo dalalkaas inay xurmeeyaan xuquuqda dhammaan qaxootiga ka qaxaya Soomaaliya si ay u raadsadaan magangalyo iyo badbaadin iyadoon loo eegeyn kororka xadiga tirada ka gudbaysa xuduudka ee hadda sii kordheysa.

Si guud ahaaneed, taageerada dowladda TFG-da waa inuu ku salaysnaadaa rajada laga qabo inay karti u leedahay inay xukunto ayna ballan qaado nabadgelyada amniga shacabka xukunkeeda ku hoos nool. Marxaladan hadda ee muhiimka ah, marka deegaan laga qabsado al-Shabaab, waajibaadka muhiimka ah sida xoojinta awoodda boliiska, adeegyada aasasiga ah iyo gaarsiinta gargaarka bani'aadannimo waxay u baahan yihiin wada-shaqeyn xoog leh oo dhexmarta TFG-da, deeq-bixiyaasha caalamiga ah iyo hay'adaha. Qorshaha milateri ee TFG-da waxa loo baahan yahay inay la socoto istiraatiijiyad siyaasadeed oo hagaajinaysa xurmaynta xuquuqda ay leeyihiin dadka Soomaaliyeed ee mudada dheer dhibaataada kusoo jirey.

¹⁹² "Eritrea hit with sanctions for 'aiding insurgents,'" *BBC*, December 23, 2009, <http://news.bbc.co.uk/1/hi/8428881.stm> (la arkey August 2, 2011).

Talooyin

Ku Golaha Ammaanka ee QM

- In la dhiso guddi wax soo baaara oo Soomaaliya loogu talagalay si ay u soo baaraan una soo bandhigaan dembiyadii waaweynaa ee ku xadgudubka sharciga caalamiga ah, ayna kasoo talo-bixiyaan tallaabooyin lagu hagaajinayo ka xisaabtanka xadgudubyada kadhanka ah xuquuqda aadanaha iyo xeerarka dagaalka

Ku Socoto Xafiiska Siyayaasada QM ee Soomaaliya (UNPOS) iyo Xafiiska QM ee Xuquuqda Aadanaha (OHCHR)

- Waa in la kordhiyaa tirada saraakiisha xuquuqda aadanaha ee kormeereysa si guudna uga soo warranta xadgudubyada xuquuqda aadanaha ee Soomaaliya.

Ku Dawladda Federaalka KMG ah ee Soomaaliya (TFG)

- Waa inay qaaddaa dhammaan tallaabooyinka muhiimka ah ee lagu xaqiijinayo in ciidamada amniga ee dawladda iyo kooxaha hubaysan ee xulafada la ah ay u hoggaansamaan xeerka caalamiga ah ee dagaalka iyo kan xuquuqda aadanaha.
- Inay joojisaa gantaalaha ay ku tuureyso deegaannada dadku ku badan yahay ee Muqdisho illaa laga hirgelinaayo tallaabooyin lagu xaqiijinayo in isticmaalkoodu waafaqsan yahay mabda' wax kala saaridda iyo xadeysnaanta ee xeerka caalamiga ah ee dagaalka.
- Inay xaqiijisaa in dhammaan eedaha loo qaateenka ah ee xadgudubyada xuquuqda aadanaha iyo xeerarka bani'aadannimo ee dagaalka oo ay gaysteen ciidanka dawladda iyo kooxaha xulufada la ah loo soo baaro si deg-deg ah, dhexdhexaad ah oon mugdi ku jirin, isla markaana kuwa mas'uulka ka ah xadgudubyada waaweyn, iyadoon la eegayn darajadooda lala xisaabtamaa.
- In la xaqiijiyo hannaanka geedi-socodka qodobadii "Heshiika Kampala" ay ku jiraan bartilmaameedyo cad ee xuquuqda aadanaha sida kuwa la xiriira xoojinta sharciga iyo kala dambaynta.
- Inay ogolaato kordhinta tirada shaqaalaha caalamiga ah ee hay'adda kormeereysa kana soo warbixinaysa xadgudubyada xuquuqda aadanaha ee Soomaaliya, isla markaana xayiraadda laga qaadaa saraakiisha Xafiiska QM u qaabilsan xuquuda aadanaha OHCHR iyo saraakiisha xuquuqda aadanaha ee xafiiska UNPOS ka

- Inay samaysaa kala-saarid taxadar leh qaadaana talaabooyinka kale ee lagu xaqiijinayo in carruur da'doodu ka yar tahay 18-jir aysan ku jirin loona qorin ciidanka dawladda TFG-da.
- Inay codsato in Golaha Ammaanka ee QM uu dhiso guddi wax soo baara si ay u soo baaraan una soo bandhigaan dembiyadii waaweynaa ee ku xadgudubka sharciga caalamiga ah, ayna kasoo talo-bixiso tallaabooyin lagu hagaajinayo ka xisaabtanka xadgudubyada kadhanka ah xuquuqda aadanaha iyo xeerarka dagaalka ee Soomaaliya, isla markaana ay si buuxda ula shaqeysaa guddiga marka lasoo dhiso.
- In la fududeeyo gaarsiinta gargaarka bani'aadannimo ee deegaannada hoos taga dawladda KMG ah.

Ku Hawlgalka Midowga Afrika ee Soomaaliya (AMISOM)

- In la xaqiijiyo in dhammaan eedaha la taaban karo ee xadgudubyada xuquuqda aadanaha iyo xeerarka dagaalka oo ay gaysteen ciidanka AMISOM la soo baaro si deg-deg ah, dhexdhexaad ah oon mugdi ku jirin, oo ay soo baarto AMISOM ama dalalka taageera ciidanka isla markaana kuwa mas'uulka ka ah xadgudubyada waaweyn, iyadoon darajo loo eegeyn lala xisaabtamaa.
- Inay joojisaa gantaalaha ay ku tuureyso deegaannada dadku ku badan yahay ee Muqdisho illaa laga hirgelinaayo tallaabooyin lagu xaqiijinayo in isticmaalkoodu waafaqsan yahay mabda' wax kala saaridda iyo xadeysnaanta ee xeerka caalamiga ah ee dagaalka.
- In la xaqiijiyo in shaqaalaha AMISOM ay helaan tababar ku haboon ee xeerka caalamiga ah ee dagaalka.
- In laga fiirsado hirgelinta qaab magdhow waxku-ool ah looga bixinayo dhimashada rayidka, dhaawaca iyo burburka hantiyeed. Nidaamkani ma ahan inuu ku koobnaado oo kaliya magdhawga xadgudubyada xeerarka dagaalka ee waa inay sidoo kale ku jirtaa tacsiiyeyn iyo magdhow laga bixiyo qasaaraha ka dhasha hawlgallada ciidamada AMISOM ee aan u muuqan inay iyagu mas'uuliyadeeda leeyihiin.

Ku Dhammaan Kooxaha Hubaysan, oo ay ku jirto Alshabaab

- Waa inay si dhaqsa ah u qaadaan tallaabooyinka lagama maarmaanka ah si loo dhameeyo ku tumashada xeerka bani'aadannimo ee dagaalka.
- In la qaado taxadar kasta ee suurto-gala ah si rayidka looga ilaaliyo saamynta weerarrada haddii kalena la yareeyo waxyeello gaarta dadka rayidka ah, iyadoo laga fogaanayo in ciidammo la geeyo goobaha dadku ku badan yahay.

- In la joojiyo dhammaan gantaalaha lagu tuureyo deegaannada dadku ku badan yahay ee Muqdisho illaa laga hirgelinaayo tallaabooyin lagu xaqiijinayo in isticmaalkoodu waafaqsan yahay mabda' wax kala saaridda iyo xadeysnaanta ee xeerka caalamiga ah ee dagaalka.
- In la fududeeyo ka bixitaanka rayidka ee inay tagaan meelo ammaan ah inta ay socdaan hawlgallada milateri.
- In la joojiyo hanjabaadaha dilka ah iyo dilalka qorsheysan ee rayidka.
- In la dhameyo dhammaan ciidan u qorista qasabka ah ee dadka waaweyn iyo askaraynta carruurta da'adoodu ka yar tahay 18 jir..
- In si deg-deg ah ciidanka looga saaro dhamaan carruurta 18-jir kayar loona fasaxaa askarta hore carruurnimo loo askareeyey inay hubka iska dhigaan.
- In si ku-haboon loola xisaabtamo dhammaan shaqaalaha gaysta xadgudubyada ka dhanka ah xuquuqda aadanaha iyo xeerka dagaalka, iyadoon la eegayn derajadooda.

Ku al-Shabaab iyo Maamullada Hoose ee ka jira Deegaannada al-Shabaab

- In la qaado dhammaan tallaabooyinka lagama maarmaanka ah si loogu dhaqmo mabaadii'da xeerka caalamiga ah ee dagaallada.
- In si dhaqsi ah loogu ogolaado hay'adaha gargaarka bani'aadannimo, oo ay ku jirto Qaramada Midoobey, inay ka hawlgalaan deegaannada hoos yimaada si loo geeyo kaalmada bani'aadannimo.
- Waa in la xurmeeyaa xaq ay u leeyihiin shacabku xorriyada socodka, gaar ahaan xaqooda inay magangalyo u raadsadaan dalalka deriska ah.
- In la qaado dhammaan xayiraadaha tooska ah iyo kuwa aan ahayn ee la saarey xuquuqda xornimada qofka, kamid noqoshada [xisbi ama urur], shirarka waaweyn ee nabadeed iyo tan diimeed. Kuwaas waxaa kamid ah tallaabooyinka u diidaya kooxaha inay isu yimaadaan ama si xor ah u hadlaan; kuwa kusoo rogaya ciqaab dembiyeed cidii dukanweysa ama hawl kasta ee socota xilliyada salaadda; iyo iskudayga in faafreeb lagu sameeyo waxbarashada guud.
- In la dhameeyo dhammaan tallaabooyinka takooraya dumarka, oo ay ku jiraan shaqadooda, safarkooda iyo labiskooda.
- In la dhameeyo ciqaabaha, naxariis-darrada ah, bani'aadannimada ku xun liidnimadana ah, sida dilka, addimo-goynta iyo karbaashidda ciqaab ahaanta loo fuliyo.
- In la joojiyo faragelinta aan sharciga ahayn ee arrimaha khaaska ah ee guriga, goyska, iyo muuqaalka, oo ay kamid tahay ciqaabidda dadka labiskoodu ama muuqaalkoodu uusan waafaqsanayn nidaamkii ay soo rogeen al-Shabaab ama maamullada deegaannada.

- In la xaqiijiyo in dhammaan ciqaad dembiyeedka lagu soo rogo oo kaliya iyadoo loo marayo nidaam garsoor oo xurmeynaya dariiqa garsoorka iyo xaqa eedeysanuhu u leeyahay maxkamad cadaalad ah.
- In sharciga lagu qaado xubnaha al-Shabaab iyo maamulayaasha hoose ee gaystey xadgudubyada xuquuqda aadanaha.

Ku Socoto Mareykanka, Midowga Yurub, Midowga Afrika, QM iyo Deeq Bixiyaasha Kale

- Waa in la xaqiijiyaa in hannaanka geedi-socodka ee la diyaarinayo iyadoo lala kaashanayo beesha caalamka sidii ku cadeyd Heshiiskii Kampala ay ku jiraan bartilmaameedyo cad oo la higsanayo oo xuquuqda aadanaha si gaar ahna u xoojinaya sarreynta sharciga.
- In kaalmada maaliyadeed iyo milateri ee mustaqbalka lasiinayo TFG-da shardi looga dhigo bartilmaameedyo cad ee xurmeynta xeerarka caalamiga ah ee dagaalka iyo sharciga xuquuqda aadanaha iyo ka xisaabtanka xadgudubyada waaweyn.
- In lagu adkeeyo xubnaha Golaha Ammaanka ee QM dhismaha guddi wax-soo baara ee Soomaaliya.
- In Kenya lagu cadaadiyo furitaanka xuduudkeeda ku yaal Liboy, inay ku sii socoto qorshaha furitaanka xerada cusub ee Ifo-II, iyo inay bixiso dhul dheeri ah oo laga furo xeryo cusub si looga jawaabo qulqulka qaxootiga ee hadda socda.

Ku Socoto Dawladda Itoobiya

- Inay xaqiijisaa in dhammaan ciidanka milateriga itoobiya ee hawlgallada ka wada Soomaaliya inay ixtiraamaan xeerarka caalamiga ah ee dagaalka u yaal.
- Inay baarto eedaymaha in ciidamada Itoobiya ay gaysteen xadgudubyo xeerarka dagaalka ah, oo ay ka mid yihiin inay gaysteen weerarro aan kala sooc-lahayn mudadii ay socdeen hawlgalladii dhowaa, iyo inay qaaddo dhammaan tallaabooyinka lagama maarmaanka ah si loola xisaabtamo kuwii mas'uulka ka ahaa.
- Inay taageerada ay siiso kooxaha dawladda TFG-da xulufada la ah ay shardi uga dhigto inay xurmeeyaan xeerarka caalamiga ah ee dagaalka.

Ku Socoto Dawladda Kenya

- Inay soo baarto duqeyntii madaafiicda aan kala sooca lahayn ee ciidamada Kenya ay ku garaaceen Dhoobley isla markaana lala xisaabtamo kuwii mas'uulka ka ahaa.

- In la xaqiijiyo in wixii ciidamo Kenyaati ah ee hawlagallo milateri kawada gudaha Soomaaliya ay ilaaliyaan xeerka caalamiga ah ee dagaallada; saraakiisha ammaanka ee ka shaqeynaya Soomaaliya inay dhowraan xeerka caalamaiga ah ee xuquuqda aadanaha.
- In dhammaan kooxaha hubaysan ee ay Kenya taageerto la-siiyo tababarka ku habboon ee xeerka caalamiga ah ee bani'aadannimada dagaalka.
- In si dhaqsi ah loo furo xuduudka ku yaal Liboy lana sameeyo xarun cusub oo qaxootiga lagu kala-sooco si loo fududeeyo diiwaangelintooda iyo inay si nabad ah Soomaalida magangalyo-doonka ah uga gudbaan xuduudka illaa xeryaha qaxootiga.
- In lasoo af-jaro dhammaan tarxiilka Soomaalida laga celinayo Kenya lana sii daayo kuwa u xiran eedeymaha “soo-gelid sharci darro ah” ama “Joogitaan sharci-darro ah,;” in lasoo baaro dacwadna lagu qaado dhammaan saraakiisha lagu helo inay ku lug lahaayeen dib-u-celinta qasabka ah ee qaxootiga, oo ay ku jirtay tarxiil ballaaran ee qaxooti laga qaadey Mandheera dib loogu celiyey Soomaaliya bishii Maarso 2011.
- In la qaado dhammaan tallaabooyinka lagama maarmaanka ah si loo dhameeyo xadgudubyada boliiska ee ka dhaca deegaannada xuduudka ku dhow oo ay u gaystaan Soomaalida magangalyo doonka ah iyo qaxootiga—kuwaasoo ay ka mid yihiin kufsig, lacag baad ah, iyo soo-xirid iyo xabsi aan sharciga loo marin; kuwii ka dambeeyeyna lala xisaabtamaa.
- In si dhaqsi ah loogu ogolaado UNHCR inay qaxootiga u rarto xerada Ifo II.
- In si deg-deg ah loo fududeeyo bixinta dhul dheeri ah oo loogu talo galay 300,000 oo qaxooti ah si ciriiriga looga yareeyo xeryaha hadda jira, loogana jawaabo qul-qulka qaxaooti ee hadda socda.
- Inay si cad u xaqiijiso in wixii xero ama xarumo ah ee laga sameeyo Jubaland inaysan bedel u noqonayn mas'uuliyaddii Kenya ka saarnayd inay marti-geliso Qaxootiga Soomaaliyeed isla markaana ay Soomaalidu xaq u leeyihiin inay magangalyo ka raadsadaan Kenya sida uu dhigayo xeerka Caalamiga ah iyo kan Kenyaba iyadoon la egeyn isbedel maamul oo ka dhacay Soomaaliya.

“Ma Taqaanid Cid Eedda Leh”

Dembiyo Dagaal oo Soomaaliya ka Dhacay

Tobannaan kun dad gaaraya ayaa ka qaxay dagaalka oo si-deg-deg ah oo lama filaan ah ku faafay iyo abaaro daran oo ku dhuftey Soomaaliya nuskii hore ee sanadkan 2011-ka. Dawlada Federaalka KMG ah ee Soomaaliya oo ay taageerayaan ciidanka nabad-ilaaliyaasha Midowga Afrika, AMISOM, ayaa dhowr duullaan ku qaaddey kooxda mintidka ah ee al-Shabaab ee ku sugan Muqdisho iyo qaybo ka tirsan koonfurta iyo bartamaha Soomaaliya intii u dhexeysay Jannaayo iyo May 2011-ka. Dhismaha Ismaamul-goboleedka Jubaland iyo Azania oo ay ka dambeeyaan xoogagga ay taageereyso dawladda Kenya ayaa si rasmi ah loo hirgeliyey kadib markii al-Shabaab laga saarey deegaannada ku teedsan xuduudka Kenya, halkaasoo laga abuurey aag difaac oo u dhexeeya xuduudka iyo deegaannada ay ka taliso al-Shabaab, oo ay Kenya doonayso inay ka joojiso hubka sharci-darrada ah ee kasoo galaya iyo qaxootiga.

“Ma Taqaanid Cid Eedda leh”: Dembiyo Dagaal oo ka Dhacay Soomaaliya, waxa lagu soo bandhigayaa xadgudubyada ka dhanka ah xeerarka caalamiga ah ee xuquuqda aadanaha iyo xadgudubyada xeerarka dagaalka oo ay gaysteen dhammaan dhinacyada ku lug leh dirirta ka socota dalka uu dagaalku bur-buriyey ee Soomaaliya. Waxaa taas wehlisa in al-Shabaab ay xayiraad adag ka saartey hay’adaha gargaarka inay deegaannada ay ka taliso gaarsiyaan gargaar bani’aadannimo oo si deg-deg ah loogu baahan yahay. Qaxootiga ka qaxaya Soomaaliya waxay la kulmaan safar dhibaato badan ay ka maraan marka ay ku sii jeedaan xeryaha ku yaalla Itoobiya iyo Kenya iyagoo sii maraya deegaannada ay ka taliyaan al-Shabaab. Xeryaha qaxootiga ee ku yaalla Dhadhaab ee Kenya waxaa ku jira in kudhow 400,000 oo qof, oo ah in afar-laab kabadan tiradii markii hore loogu talo galay inay qaaddo kadib 20 sano oo dagaallo ka socdeen Soomaaliya; 60,000 oo qaxooti dhowaan yimid ah ayaa deggan meel bannaan ah oo xerada dibadeeda ah. Hay’adaha caalamiga ah iyo deeq-bixiyayaashu waa inay kala shaqeeyaan Kenya sidii ay u bixin lahayd dhul laga sameeyo xeryo dheeri ah oo si deg-deg ah loogu baahan yahay.

Dawladda Federaalka KMG ah ee caalamku taageero, xulafadooda iyo AMISOM, iyo weliba al-Shabaab waa inay qaadaan tallaabo muuqata oo lagu dhamaynayo xadgudubyada xuquuqda aadanaha. Si loo billaabo nidaam lagu xaqiijinayo ka-xisaabtanka dembiyadii faraha badnaa ee ka dhacay Soomaaliya, waa in la helaa Guddi Wax-soo-baara oo ka socda Qaramada Midoobey.

*Dad barakacayaal ah iyo Ciidamada
Dawladda Federaalka ee Dhoobley,
Soomaaliya, July 2011*

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