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1999 Country Reports on Human Rights Practices

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SOMALIA [[note 1](#)]

Somalia has been without a central government since its last president, dictator Mohamed Siad Barre, fled the country in 1991. Subsequent fighting among rival faction leaders resulted in the killing, dislocation, and starvation of thousands of persons and led the United Nations to intervene militarily in 1992. In a conference in Cairo, Egypt, in December 1997, all parties except two signed the so-called "Cairo Declaration." The Declaration provided for a 13-person council of presidents, a prime minister, and a national assembly. A national reconciliation conference held early in 1998 in Baidoa produced no significant results. There were no further attempts at national reconciliation during the year; however, in September during a speech before the U.N. General Assembly, Djiboutian President Ismail Omar Guelleh announced an initiative on Somalia to facilitate reconciliation under the auspices of the Inter-Governmental Authority for Development. Serious interclan fighting occurred in part of the country, notably in the central regions of Bay and Bakool, in the southern regions of Gedo and Lower Juba, and around Kismayo. Hussein Aideed is the leader of the Somali National Alliance (SNA), which continued to assert that it was the government of the entire country. There were occasional skirmishes between the SNA and other militias, including with forces supporting the breakaway former financier of the Aideed faction, Osman Atto, and with the Somali Salvation Alliance (SSA), led by Ali Mahdi. On June 11, Marehan and Habr Gedr militiamen captured the southern town of Kismayo from a rival militia led by General "Morgan" of the Majereteen subclan. Also in June the Rahanweyn Resistance Army regained control of the Bay and Bakool regions from Hussein Aideed. No group controls more than a fraction of the country's territory. International efforts to forge a peace accord achieved little during the year. There is no national judicial system.

Leaders in the northeast proclaimed the formation of the "Puntland" state in July 1998. The Puntland's leader publicly announced that he did not plan to break away from the remainder of the country. In the northwest, the "Republic of Somaliland" continued to proclaim its independence within the borders of former British Somaliland, which had obtained independence from Britain in 1960 before joining the former Italian-ruled

Somalia. Somaliland has sought international recognition since 1991. Somaliland's government includes a parliament, a functioning civil court system, executive departments organized as ministries, six regional governors, and municipal authorities in major towns. The ban in Puntland and Somaliland on all political parties remained in place.

After the withdrawal of the last U.N. peacekeepers in 1995, clan and factional militias, in some cases supplemented by local police forces established with U.N. help in the early 1990's, continued to function with varying degrees of effectiveness. Repeated intervention by Ethiopian troops helped to maintain order in Gedo region, a base of support for a local radical Islamic group called Al'Ittihad. In Somaliland over 70 percent of the budget was allocated to maintaining a militia and police force composed of former troops. Police and militia committed numerous human rights abuses.

Insecurity, bad weather, and crop-destroying pests helped worsen the country's already dire economic situation. In May Saudi Arabia lifted a 16-month ban against the export of livestock, which before the ban accounted for more than half the trade from some ports, somewhat improving matters. The country's economic problems caused a serious lack of employment opportunities and led to pockets of malnutrition in Mogadishu and some other communities.

Serious human rights abuses continued throughout the year. Many civilian citizens were killed in factional fighting, especially in the Bay and Bakool regions between supporters of Hussein Aideed, most of whom came from the Habr Gedr subclan, and the Rahanweyn Resistance Army. There were numerous reports of human rights abuses by the Aideed forces. Key human rights problems remained the lack of political rights in the absence of a central authority; some disappearances; harsh prison conditions; arbitrary detention; the judicial system's reliance in most regions on some combination of traditional and customary justice, Shari'a (Islamic) law, and the pre-1991 Penal Code; infringement on citizens' privacy rights; some limits on the freedoms of assembly, association, and religion; restrictions on freedom of movement; discrimination against women; and the abuse of women and children, including the nearly universal practice of female genital mutilation (FGM). Abuse and discrimination against ethnic minorities in the various clan regions continued. There is no effective system for the protection of worker rights, and there were isolated areas where minority group members were forced to labor for local gunmen.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

Political violence and banditry have been endemic since the revolt against Siad Barre, who fled the capital in January 1991. Since that time, tens of thousands of persons, mostly noncombatants, have died in interfactional and interclan fighting. Although reliable statistics were not available, a number of persons were killed during the year. In January during a fight for control of Kismayo, militia from the Habr Gedr/Marehan alliance shot and ran over nine Majereteen prisoners. In February in retaliation, Majereteen militia killed eight Marehan businessmen. An attempt in March by a warlord to collect taxes at a roadblock in north Mogadishu turned into an interclan battle that left at least 40 persons

dead. In April fighting between militia loyal to Mohamed Qanyareh Afreh and soldiers loyal to Islamic courts (see Section 1.e.) in south Mogadishu resulted in the deaths of at least 30 civilians and injuries to almost 50 others. In late April and early May, fighting between forces loyal to Hussein Mohamed Aideed and forces from the Rahanwein Resistance Army for control of the town of Baidoa resulted in the deaths of several dozen civilians and numerous injuries.

Although many civilians died as a result of fighting during the year, politically motivated extrajudicial murder was uncommon. The numerous extrajudicial killings during the year generally centered on conflicts over land or over job disputes. Militia working for Islamic courts in the south occasionally executed without trial persons suspected of criminal acts (see Section 1.e.).

In July members of Ali Mahdi's Abgal sub-clan allegedly killed Osman Jeyte, a well-known comedian. The reason for the killing remained unclear, and there was no investigation.

In August members of a Mogadishu militia fired on a demonstration by the Ismail Jumale Center for Human Rights in north Mogadishu, killing one person and injuring another (see Section 2.b.).

In March a foreign worker with a religious organization was killed near the southern port of Ras Kaimboni. There was a report that the local deputy police chief and deputy military commander for Al'Ittihad were responsible; however, there no investigation and no arrests were made by year's end. In September a senior UNICEF official was killed, and as a result, the U.N. suspended activities in the south for 5 days. In September a well-known businessman, Haji Aboullahi Korehey, was killed during a battle between rival factions in the southern town of Kismayo.

In February unknown persons killed Dr. Singh Bohgal, a Kenyan veterinarian. There was no investigation.

There was an increase during the year in attacks within Ethiopian territory by armed groups opposed to the Government of Ethiopia, supported by Eritrea, operating out of Somalia. These attacks took the form of landmine incidents and hit-and-run attacks by guerrillas and bandits armed with small arms and grenades. In response the Ethiopian Government conducted military incursions into Somalia. Some civilians and combatants were killed as a result of these attacks and in confrontations between Ethiopian government forces and the guerrillas, although the total number of deaths could not be confirmed. In August Ethiopian troops fired on a group of Somali civilians protesting Ethiopia's occupation of their border town, killing two persons.

No investigation was conducted into a 1998 attack by militia fighters on a World Food Program Convoy that killed two persons.

The investigation into the 1997 killing of a Portuguese doctor still was pending at year's end.

In 1997 a War Crimes Commission in Hargeisa in Somaliland began investigating the murder in 1988 of at least 2,000 local residents, including women and children, by Siad

Barre's troops. Heavy rains in 1997 revealed numerous mass graves in the Hargeisa area. During the year, the War Crimes Commission continued to record eyewitness accounts and other evidence.

b. Disappearance

There were no known reports of unresolved politically motivated disappearances, although cases easily might have been concealed among the thousands of refugees, displaced persons, and war dead. Kidnaping remained a problem, particularly for relief workers and critics of faction leaders. In February gunmen kidnaped two Oromo Liberation Front (OLF) officials and a senior Al'Ittihad official. Reportedly the gunmen, believed to be militiamen loyal to Habr Gedr, handed over the OLF officials to the Ethiopian Government. There was a report that in April a veterinarian in Hagar was kidnaped by unknown persons and released unharmed later after paying a ransom. In May businessman Ali Shire Mohammed was kidnaped by unidentified militiamen in South Mogadishu. He was released later, reportedly after paying a ransom. Kidnaping also was a major concern in the northeast, where gunmen hijacked a number of vessels on the high seas and, in some cases, kidnaped the crews or passengers (see Section 1.d.). In March the crew of a foreign fishing vessel held since December 18, 1998, was released after a ransom was paid to their captors. In late April, gunman kidnaped two Finnish tourists sailing off the coast of Puntland, but released them a week later unharmed. In June gunman kidnaped four German nationals from their yacht off the coast of Puntland and demanded a ransom; however, in July they were released when their captors were attacked by Puntland militia.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

There were no reports of the use of torture by warring militiamen against each other or against civilians. Many incidents of torture probably are unreported. Although reliable statistics were not available, a large number of persons were injured as a result of interfactional and interclan fighting (see Section 1.a.).

In April a domestic human rights group accused fighters loyal to warlord Hussein Aideed of routinely raping women in 15 villages in southern Qoroley district.

In August members of a Mogadishu militia fired on a demonstration by the Ismail Jumale Center for Human Rights in north Mogadishu, killing one person and injuring another (see Section 2.b.).

There were several bomb explosions during the latter half of the year in Hargeisa, Somaliland, including an explosion on December 21 at the U.N. Development Program office in Hargeisa. Somaliland police attributed the bombings to disgruntled persons who had failed to get jobs with various international organizations, and reported that a number of persons had been arrested in connection with the bombings.

There were no reports of the use of harsh physical punishments by Shari'a courts, which in past years included public whippings, amputations, and stoning (see Section 1.e.).

There was an increase in attacks within Ethiopia by armed opposition groups operating out of Somalia (see Section 1.a.). These attacks took the form of landmine incidents and

hit-and-run attacks by guerrillas and bandits armed with small arms and grenades (see Section 1.a.).

Prison conditions varied by region. Conditions at the south Mogadishu prison controlled by the Aideed forces improved markedly in 1997 after the start of visits by international organizations; however, conditions at the north Mogadishu prison of the Shari'a court system remained harsh and life threatening. Conditions elsewhere reportedly were less severe, according to international relief agencies. A prison established by the Mursade subclan at the border between north and south Mogadishu reportedly holds hundreds of prisoners. Conditions are described as adequate. The costs of detention are paid by the detainees' clans. In many areas, prisoners are able to receive food from family members or from relief agencies.

The Jumale Center for Human Rights visited prisons in Mogadishu during the year. The government of Puntland permits prison visit by independent monitors; however, no such visits occurred during the year. Somaliland authorities permit prison visits by independent monitors; however, it is not known if any such visits occurred during the year.

d. Arbitrary Arrest, Detention, or Exile

In the absence of constitutional or other legal protections, various factions and armed bandits continued to engage in arbitrary detention, including the holding of relief workers. The crews and passengers of vessels on the high seas were hijacked frequently and held for ransom (see Section 1.b.).

In Somaliland a special security committee that includes the mayor of Hargeisa and local prison officials can order an arrest without a warrant and sentence persons without a trial. In July the mayor of Hargeisa sentenced five men to prison terms ranging from 3 months to 1 year for heckling during a speech organized by the Government and the leaders of the Council of Elders. At the end of July, the Parliament abolished the emergency law that established the special security committees. The five men were released from prison in August.

In December Somaliland authorities arrested five persons in Boroma, Somaliland and accused them of acts of subversion after they demonstrated against the Government on issues of employment, education, and reintegration assistance (see Section 2.b.).

Lengthy pretrial detention in violation of the 1991 Penal Code was reported in Somaliland and Puntland.

In August in Puntland the regional administration detained three journalists reportedly for writing articles critical of the government (see Section 2.a.).

In February two Ethiopians were detained and deported, allegedly for engaging in Christian missionary activities in Somaliland. At the end of May, seven Ethiopians were arrested in Somaliland, allegedly for attempting to proselytize Christianity (see Section 2.c.).

None of the factions used forced exile.

e. Denial of Fair Public Trial

There is no national judicial system.

Some regions have established local courts that depend on the predominant local clan and associated faction for their authority. The judiciary in most regions relies on some combination of traditional and customary law, Shari'a law, the penal code of the pre-1991 Siad Barre government, or some combination of the three. For example in Bosasso and Afmedow criminals are turned over to the families of their victims, which then exact blood compensation in keeping with local tradition. Shari'a courts continued to operate in several regions of the country, filling the vacuum created by the absence of normal government authority. Shari'a courts traditionally ruled in cases of civil and family law, but extended their jurisdiction to criminal proceedings in some regions beginning in 1994. In the northwest, the self-proclaimed Republic of Somaliland adopted a new constitution based on democratic principles, but continued to use the pre-1991 Penal Code. A U.N. report issued in September noted a serious lack of trained judges and of legal documentation in Somaliland, which caused problems in the administration of justice. In Bardera courts apply a combination of Shari'a law and the former penal code. In south Mogadishu, a segment of north Mogadishu, the Lower Shabelle, and parts of the Gedo and Hiran regions, court decisions are based solely on Shari'a law. The five Islamic courts operating in Mogadishu are aligned with different subclans, raising doubts about their independence. The courts generally refrained from administering the stricter Islamic punishments, like amputation, but their militias administered summary punishments, including executions, in the city and its environs. With the collapse in December 1998 of the Shari'a courts in north Mogadishu headed by Sheikh Ali Dere, the application of physical punishment appears to have ceased.

The right to representation by an attorney and the right to appeal do not exist in those areas that apply traditional and customary judicial practices or Shari'a law. These rights more often are respected in regions that continue to apply the former government's penal code, such as Somaliland.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Looting and forced entry into private property continued, with the Bay, Bakool, and Lower Juba regions being especially hard hit. Following the June capture of Baidoa by the Rahanweyn Resistance Army, a few Rahanweyn families reportedly were evicted from their houses in South Mogadishu.

Most properties that were occupied forcibly during militia campaigns in 1992-93, notably in Mogadishu and the Lower Shabelle, remained in the hands of persons other than their prewar owners.

Approximately 40 percent of the population, or almost 300,000 persons, have been displaced internally as a result of interfactional and interclan fighting.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The print media consist largely of short, photocopied dailies, published in the larger cities and often linked to one of the factions. Several of these newspapers nominally are independent and are critical of the faction leaders.

Somaliland has two independent daily newspapers, one government daily, and an independent English-language weekly. Treatment of journalists in Somaliland reportedly improved during the year.

In Puntland, Abulkadir Ali and Mohamed Deeq of the newspaper Sahan, and Ahmed Mohamed Ali of the newspaper Riyaq were arrested by the regional administration, reportedly for writing articles critical of the Government.

Most citizens obtain news from foreign news broadcasts, chiefly the British Broadcasting Corporation, which transmits a daily Somali-language program. The major faction leaders in Mogadishu, as well as the authorities of the self-declared Republic of Somaliland, operate small radio stations.

There is no organized higher education system in most of the country. In January a university opened in north Mogadishu, and about 200 students attended classes during the year. On November 4, Amoud University opened in Boroma, Somaliland. A second university is scheduled to be opened in Hargeisa, Somaliland in 2000.

b. Freedom of Peaceful Assembly and Association

Many clans and factions held meetings during the year without incident, although usually under tight security. Although citizens are free to assemble in public, the lack of security effectively limits this right in many parts of the country. Few public rallies took place during the year without the sponsorship of an armed group. In August the Ismail Jumale Center for Human Rights organized a rally in north Mogadishu to protest the killing of Osman Jeyte, a well-known comedian (see Section 1.a.). Members of a Mogadishu militia fired on the demonstration, killing one person and injuring another.

In December Somaliland authorities arrested five persons in Boroma, Somaliland, and accused them of acts of subversion after they demonstrated against the Government on the issues of employment, education, and reintegration assistance.

Some professional groups and local NGO's operate as security conditions permit.

The 1997 Somaliland Constitution established the right of freedom of association; however, political parties are banned in Somaliland. Puntland's leadership banned all political parties for 3 years, beginning in August 1998.

c. Freedom of Religion

There is no constitution and no legal provision for the protection of religious freedom, and there were some limits on religious freedom.

Somalis overwhelmingly are Sunni Muslim. Some local administrations have made Islam

the official religion in their regions, in addition to establishing a judicial system based on Shari'a law (see section 1.e.). The Somaliland judicial system recognizes elements of Shari'a law as well as the pre-1991 penal code and traditional law (Xeer) (see section 1.e.).

In March the Minister of Religion in Somaliland issued a list of instructions and definitions on religious practices. Under the new rules, religious schools and places of worship are required to obtain the Ministry of Religion's permission to operate. Entry visas for religious groups must be approved by the Ministry, and certain unspecified doctrines are prohibited.

Local tradition and past law make it a crime to proselytize for any religion except Islam. Christian-based international relief organizations generally operate without interference, as long as they refrain from proselytizing. In February two Ethiopians were detained and deported, allegedly for engaging in Christian missionary activities in Somaliland. At the end of May, seven Ethiopians were arrested in Somaliland, allegedly for attempting to proselytize Christianity.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Freedom of movement continued to be restricted in most parts of the country. Checkpoints manned by militiamen loyal to one clan or faction inhibit passage by other groups. In the absence of a recognized national government, most citizens do not have the documents needed for international travel.

As security conditions improved in many parts of the country, refugees and internally displaced persons continued to return to their homes. Approximately 17,000 Somali refugees were returned from Ethiopia under the auspices of the U.N. High Commissioner for Refugees (UNHCR) during the year. Despite sporadic harassment, including the theft of UNHCR food packages by militiamen and attacks on World Food Program convoys, repatriation generally took place without incident. The repatriation of refugees to Somaliland from Ethiopia continued during the year; however, there were several interruptions in the repatriation process due to misunderstandings among the refugees about their reintegration packages, allegations of corruption in the contracts for transport of the refugees, and inertia on the part of both the Somaliland authorities and the Ethiopian government. Nevertheless, approximately 9,000 refugees had returned to Somaliland by year's end. However, despite the relative stability in many parts of the country, many citizens still flee to neighboring countries, often for economic reasons. During the year, most migrants left from the northeast and traveled via boat to Yemen. Hundreds of such migrants drowned during the year in accidents at sea.

The number of Somali refugees in Kenya remained at approximately 124,000 at year's end, down from more than 400,000 at the height of the humanitarian crisis in 1992. In Ethiopia the number of Somali refugees fell to 180,000 by October from over 200,000 a year earlier. Djibouti hosted approximately 21,500 Somali refugees in camps at year's end.

As there is no functioning central government, there is no policy of first asylum nor are there any laws with provisions for the granting of refugee or asylee status. A small

number of Ethiopian refugees remained in the country, mostly in the northeast near Bosasso. The authorities in Somaliland have cooperated with the UNHCR and other humanitarian assistance organizations in assisting refugees. There were no reports of the forced expulsion of those having a valid claim to refugee status.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

In the absence of a widely supported effective national government, recognized either domestically or internationally, citizens cannot exercise this right. In most regions, local clan leaders function as de facto rulers. Although many such groups derive their authority from the traditional deference given clan elders, most face opposition of varying strength from political factions and radical Islamic groups.

In the Republic of Somaliland, the existence of which was endorsed by clan elders in 1991 and 1993, a clan conference led to a peace accord early in 1997. This accord demobilized militia groups, established a constitution and bicameral parliament with proportional clan representation, and elected a president and vice president from a slate of candidates. The Hargeisa authorities have established functioning administrative institutions in virtually all the territory they claim, which equals the boundaries of the Somaliland state that achieved international recognition in 1960. Political parties are banned in Somaliland.

In March 1998, Puntland was established as a regional government during a consultative conference with delegates from six regions, including traditional community elders, the leadership of political organizations, members of legislative assemblies, regional administrators, and civil society representatives. Representatives of Puntland-based subclans chose Abdullahi Yussuf as President. Puntland has a single chamber quasi-legislative branch known as the Council of Elders, which plays a largely consultative role. Political parties are banned in Puntland.

Although several women were important behind-the-scenes figures in the various factions, women as a group remained seriously underrepresented in government and politics. No women held prominent public positions, and few participated in regional reconciliation efforts.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several local human rights groups were active during the year. They investigated the causes of conflict in the Mogadishu area, protested the treatment of prisoners before the Shari'a courts, and organized periodic peace demonstrations. In August the Ismail Jumale Center for Human Rights organized a rally in north Mogadishu to protest the killing of well-known artist Osman Jeyte (see Section 2.b.). Women's NGO's played an important role in galvanizing support in the country for the initiative on Somalia launched by Djiboutian President Ismail Omar Guelleh.

In Hargeisa in Somaliland, local NGO's appeared to operate freely and without harassment during the year.

Several international organizations operated in the country during the year including the

Red Cross, Care, the Halo Trust, and various demining agencies. In June Save the Children opened an office in Hargeisa to promote child protection and improve non-formal education among returned refugees.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Societal discrimination against women and widespread abuse of children continued to be serious problems. The 1997 Somaliland Constitution contains provisions that prohibit discrimination on the basis of sex and national origin.

Women

Violence against women exists, although there are no reliable statistics on its prevalence. Women suffered disproportionately in the civil war and in the strife that followed. For example, there were reports that fighters loyal to Hussein Aideed routinely raped women in southern Qoroley district (see Section 1.c.). Women are subordinated systematically in the country's overwhelmingly patriarchal culture. Polygyny is permitted, but polyandry is not. Under laws issued by the former government, female children could inherit property, but only half the amount to which their brothers were entitled. Similarly, according to the tradition of blood compensation, those found guilty in the death of a woman must pay only half as much to the aggrieved family as they would if the victim were a man.

Several women's groups in Hargeisa in Somaliland actively promote equal rights for women and advocate the inclusion of women in responsible government positions.

Children

Children remain among the chief victims of the continuing violence. Boys as young as 14 or 15 years of age have participated in militia attacks, and many youths are members of the marauding gangs known as "morian," or "parasites or maggots." Even in areas with relative security, the lack of resources has limited the opportunity for children to attend school. There are three secondary schools in Somaliland and more than three secondary schools in Mogadishu; however, only 10 percent of those few children who enter primary school graduate from secondary school. Schools at all levels lack textbooks, laboratory equipment, and running water. Teachers are trained poorly and paid poorly. The literacy rate is less than 25 percent. The Somaliland authorities drafted a national education policy during the year.

Female genital mutilation, which is widely condemned by international experts as damaging to both physical and psychological health, is a near-universal practice. Estimates place the percentage of women who have been subjected to FGM at 98 percent. Infibulation, the most harmful form of FGM, is practiced. The practice was illegal in 1991, when the Siad Barre government collapsed, and in Somaliland it remains illegal under the Penal Code (see Section 1.e.); however, the law is not enforced. While U.N. agencies and NGO's have made intensive efforts to educate persons about the danger of FGM, no reliable statistics are available on their success.

People With Disabilities

In the absence of a functioning state, no one is in a position to systematically address the needs of those with disabilities. There are several local NGO's in Somaliland that provide services to the disabled.

Religious Minorities

Non-Sunni Muslims often are viewed with suspicion by members of the Sunni majority. There is strong social pressure to respect Islamic traditions, especially in Islamist enclaves such as Luuq in the Gedo region. There was an increase in religious intolerance among Muslims by Al'Ittihad. In north Mogadishu, Al'Ittihad forcibly took over two mosques. There reportedly have been other mosque takeovers in Puntland and Lower Shabelle.

There was an influx of foreign Muslim teachers into Hargeisa in Somaliland to teach in new private Koranic schools. These schools are inexpensive and provide basic education; however, there were reports that these schools required the veiling of small girls and other conservative Islamic practices not normally found in the local culture.

There is a small, low-profile Christian community. Christians face societal harassment if they proclaim their religion.

National/Racial/Ethnic Minorities

More than 80 percent of citizens share a common ethnic heritage, religion, and nomadic-influenced culture. The largest minority group consists of "Bantu" Somalis, who are descended from slaves brought to the country about 300 years ago. In most areas, members of groups other than the predominant clan are excluded from effective participation in governing institutions and are subject to discrimination in employment, judicial proceedings, and access to public services.

Members of minority groups are subjected to harassment, intimidation, and abuse by armed gunmen of all affiliations.

Section 6 Worker Rights

a. The Right of Association

The 1990 Constitution provided workers with the right to form unions, but the civil war and factional fighting negated this provision and shattered the single labor confederation, the then government-controlled General Federation of Somali Trade Unions. In view of the extent of the country's political and economic breakdown and the lack of legal enforcement mechanisms, trade unions could not function freely.

The new Constitution of Somaliland established the right of freedom of association, but no unions or employer organizations yet exist.

b. The Right to Organize and Bargain Collectively

Wages and work requirements in the traditional culture are established largely by ad hoc bartering, based on supply, demand, and the influence of the clan from which the worker originates. As during past years, labor disputes sometimes led to the use of force or

kidnaping (see Section 1.d.).

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The pre-1991 Penal Code prohibits forced labor; however, local clan militias generally forced members of minority groups to work on banana plantations without compensation.

d. Status of Child Labor Practices and Minimum Age for Employment

Formal employment of children was rare, but youths commonly are employed in herding, agriculture, and household labor from an early age. The lack of educational opportunities and severely depressed economic conditions contribute to child labor.

e. Acceptable Conditions of Work

There was no organized effort by any of the factions or de facto regional administrations to monitor acceptable conditions of work during the year.

f. Trafficking in Persons

The pre-1991 Penal Code prohibits trafficking, and there were no reports of persons being trafficked in, to, or from the country.

footnote:

1. The United States does not have diplomatic representation in Somalia. This report draws in part on non-U.S. Government sources.

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