

SUMMARY

In September, 54 civilians have been killed and 85 wounded due to the continued conflict in Somalia. Al-Shabaab (AS) remains the main perpetrator, responsible for 57 per cent of civilian casualties, and civilian casualties due to IED attacks by AS in Mogadishu have increased significantly since August. Security forces are responsible for 36 civilian casualties, one fourth of which occurred in incidents at checkpoints in South West State. Six civilian casualties were caused in a single clash between security forces in Puntland, while a nine-year old girl was killed by crossfire between Somali National Army soldiers in Mogadishu. Six civilian casualties (four killed, including three children, and two injured) reportedly resulted from two airstrikes conducted by unidentified aircraft in Jubaland. Eight death penalty sentences were issued by courts in Somalia and one death sentence was carried out the same day in Jubaland, in the absence of due process rights. Several incidents related to violations of freedom of expression, including the death of a journalist, beating of another and several arrests have been reported in Somaliland, Puntland and Galmudug. A Somali Bantu man was brutally killed by a group of assailants because his nephew married a woman from a different clan, without the permission of her mother.





KEY FIGURES

CIVILIAN CASUALTIES AND OTHER PROTECTION CONCERNS¹

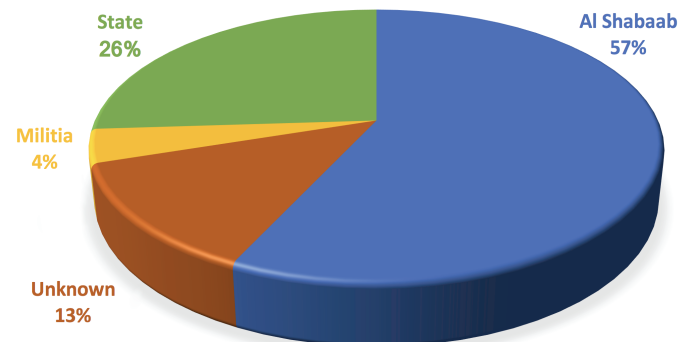
TOTAL	KILLED	INJURED	SEXUAL VIOLENCE	ABDUCTIONS
139	54 	85 	1 	133 

¹ Casualty figures are subject to change due to late reporting and/or additional information received by HRPg after publication of the brief.

HIGHLIGHTS

- AS:**  **67%** increase from August
- State Actors:**  **6%** increase from August
- Abductions:**  **375%** increase from August [highest number in 2018]
- Arbitrary arrests and/or prolonged detention:**  **38%** increase from August
- Airstrike:** two airstrikes by unidentified aircraft reportedly caused six civilian casualties.

PERCENTAGE OF CIVILIAN CASUALTIES BY MAIN PERPETRATOR - SEPTEMBER 2018



DEATH PENALTY



Eight death sentences pronounced in September; **one execution** carried out:

- **1** by a civilian court in Qardho, Puntland;
- **7** by military courts: **3** in Bossaso, Puntland; **2** in Baidoa, South West State; **1** in Beletweyne, HirShabelle; and **1** in Kismayo, Jubaland;
- The sentence in Jubaland was carried out on the same day, without giving the defendant, who did not have legal representation, the opportunity to appeal.

FREEDOM OF EXPRESSION



Several incidents related to freedom of expression and/or concerning media staff were recorded in September, among them:

- One journalist stabbed to death by unknown perpetrators in Galkayo, Mudug region;
- One civilian arrested by Somaliland police for publicly expressing views against Somaliland independence, and released five days later;
- One journalist beaten and injured, allegedly by a police officer, in Galkayo, Mudug region;
- One journalist arrested in Dhusamarreb, sentenced to six months imprisonment for reporting what was claimed to be false news, and released within 24 hours;
- One journalist in Mogadishu received death threats from unknown individuals for covering the killing of a Somali Bantu man.

CONCERNS

STRENGTHENING NATIONAL INSTITUTIONS



HUMAN RIGHTS DUE DILIGENCE POLICY (HRDDP)

The UN HRDDP Task Force revised the Standard Operating Procedures on HRDDP implementation in Somalia. Amendments include clarifications on UN agencies, funds and programmes' requirements and on the process to suspend/withdraw support. The Task Force also discussed measures to mainstream HRDDP in the various strands of the Comprehensive Approach to Security and to ensure accountability in line with HRDDP obligations. The AMISOM/UNSOS/HRPG technical working group on HRDDP discussed mitigation measures for AMISOM helicopters and the status of implementation of these measures.



CHILD PROTECTION

Grave violations against children remain on the increase with forced recruitment of children by AS dominating. For the period 1-27 September, the Country Task Force on Monitoring and Reporting (CTFMR) documented a total of **336 incidents** of grave violations affecting **626 children** (547 boys and 79 girls). The children were victims of **killing and maiming** (105), **abduction** (96), **recruitment and use** (395), and **rape** (30). Additionally, the CTFMR documented six attacks on schools and three attacks against hospitals. AS was responsible for most of the violations (79 per cent), followed by the Somali National Army (four per cent), Somali police (three per cent) and unknown armed elements (eight per cent), while the remaining violations were attributed to regional member state forces and clan militias. The CTFMR documented **12 incidents** in which **26 boys** and **one girl** were detained by Somali security forces in security operations, the majority of whom in Mogadishu.

The bi-monthly Children and Armed Conflict (CAAC) Working Group meeting took place on 13 September, co-chaired by the CTFMR and the government, with the participation of international organizations; its aim is to strengthen coordination and information sharing on children and armed conflict in Somalia.



SEXUAL VIOLENCE

Sexual violence against women and girls - although significantly underreported - remains a source of major concern. In addition to the acts of sexual violence against children in armed conflict mentioned above, three girls have recently died as a result of complications arising out of Female Genital Mutilation and Cutting (FGM/C) procedures. FGM is widespread and efforts are underway to put in place a zero-tolerance policy. Moreover, in South West State, sexual violence against women and girls remains largely unpunished. Alleged perpetrators when arrested by police force are released from custody following the intervention of community leaders. The incidents are handled using customary law and practices. This process has proved to exclude the survivors' needs, desires of justice and right to be equally protected by the law.



OPPOSITION TO SEXUAL OFFENCES BILL

The signing into law of Somaliland's Rape and Sexual Offences Act by the President on 28 August is facing strong opposition and there are calls for its rejection from different actors. On 19 September members from Somaliland's three political parties (Kulmiye, Waddani and UCID) and the lawyers' association held a press conference in Hargeisa criticizing the act as against Islamic law and called for the President to review it. Similar calls were made by religious actors. On 20 September, the Somaliland Minister of Religious and Islamic Affairs, during a press conference in Hargeisa, stated that the government will review this bill to comply with the Islamic law and Somali culture.



HUMAN RIGHTS TRAINING

- **One-day** training on child protection for **25 staff** (including 11 women) from the Ministry of Women and Human Rights Development in Mogadishu;
- **Two-day** human rights training for **25 Jubaland State Police officers** (including seven women) in Kismayo;
- **Two sessions** on human rights and the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules) to **26 Puntland Custodial Corps officers** in training organised by UNODC in Garowe;
- **Seven-day** learning tour for **7 staff** from the Office of the Puntland Human Rights Defender at the Uganda Human Rights Commission.

STRENGTHENING NATIONAL INSTITUTIONS

PRISON MONITORING



On 23 September, HRPG conducted a monitoring visit to the Garowe Central Prison to assess detention conditions and respect of the rights of the detainees. There were **272 inmates**, of whom **158 convicted** - including three young females serving terms of imprisonment for family disobedience, which is not a crime - and **114 on remand** (a 20 per cent increase from July 2018). Two pre-trial detainees accused of being affiliated to AS have been in prison since July 2016, without having been charged and with their detention warrants lacking specific dates for their next court appearance. HRPG received complaints about the lack of a medical officer in the prison and shortage of water following the breakdown of the water pump.

ADVOCACY



- HRPG Chief met with the Mayor of Mogadishu to advocate on IDP issues;
- Meeting with Jubaland Ministry of Human Rights, Gender and Family Affairs to discuss the Joint Programme on Human Rights;
- Meeting with Jubaland Minister of Planning and International Cooperation to advocate for the recommendations from the Universal Periodic Review to be mainstreamed in the State-level Development Plan; and
- Monthly Civil Society Forum: members of the Somali Bantu community attended the forum for the first time.

INTERNATIONAL MECHANISMS

**Renewal of the mandate of the Independent Expert on the situation of human rights in Somalia**

On 28 September, the Human Rights Council renewed the mandate of the Independent Expert on the situation of human rights in Somalia for a period of one year to assess, monitor and report on the situation of human rights in Somalia with a view to making recommendations on technical assistance and capacity building in the field of human rights.

IN FOCUS

HRPG issued its second report on Freedom of Expression, entitled ***"The Precarious Enjoyment of Freedom of Expression in Somalia"*** in September 2018. The report assesses the progress made and challenges encountered since the release of the 2016 report. It asks for prompt, independent, impartial and thorough investigations to be conducted into human rights violations and abuses affecting freedom of expression, and that perpetrators be held accountable. It recommends, among others, that: the process of approval of the Commissioners of the Independent National Human Rights Commission be expedited, given the critical role it is to play in safeguarding human rights; media legislation be in line with the Federal Constitution; and private media and civil society groups be allowed to select members of the Independent Media Council. Read the full report: <https://bit.ly/2RbqbCJ>

