

SOMALILAND HUMAN RIGHTS DEFENDERS'
DECLARATION OF CALL TO ACTION
December 10, 2003

This Declaration of Call for Action from Somaliland civil society groups and traditional leaders (Aqils of Togdheer) is a consolidated document that resulted from symposium-workshops held in Burao, Borama, Berbera and Hargeisa from December 6-9, 2003 in celebration of the International Human Rights Day.

A. RIGHTS OF VULNERABLE GROUPS

1. ON PROTECTION OF RIGHTS OF MINORITY ON SOCIAL SEGREGATION AND ECONOMIC MARGINALIZATION.

- 1.1. To the Ministry of Justice to take more effective measures to protect individuals and communities of minorities against intimidation, arbitrary arrests and imprisonment, harassment and rape; further, to arrest and prosecute individuals who are accused of committing crimes against members of these vulnerable groups.
- 1.2. To Members of Parliament to take issues of discrimination and segregation of minorities more seriously by passing a law that protect the rights of minorities in Somaliland
- 1.3. To the Sheikhs, as respected leaders of the community to preach about the rights responsibilities of everyone to respect them as individuals.
- 1.4. To the media to continue their resolve to protect the minorities by exposing human rights violations.
- 1.5 To the government and international agencies provide employment, formal and non-formal education

2. ON DISCRIMINATION AGAINST PEOPLE WITH DISABILITIES

- 2.1. To the Ministry of Public Service and Housing, issue expeditiously regulations that require all buildings and infrastructure accessible to all physically challenged individuals e.g. ramps.
- 2.2. To the members of the Parliament, Ministry of Health and Labour and Civil Service Commission to repeal Article 8 of the Civil Service Commission Law which deprives physically challenged individuals of employment opportunities in governmental offices.
- 2.3. To UN Agencies and International Non-Government Organizations to abolish all discriminatory policies, formulate and prominently display their equal opportunity

policy that gives particular attention to the physically challenged individuals with deformities.

- 2.4. To local and international non-governmental organizations to make firm their commitment to protect and advance the rights of people with disabilities by working together with the physically challenged in pushing for Somaliland's development and progress.

3.ON PROTECTING REFUGEE AND ASYLUM SEEKERS

3.1. For United Nations High Commissioner on Refugees (UNHCR)

- ❑ To resettle refugees who are in Somaliland to a 3rd country that is more likely to provide them with basic social services and employment.
- ❑ To establish and implement a modality that will assist refugees with obtaining vocational training.
- ❑ To provide uniform ID Cards to refugees so as to protect them from arbitrary arrests and harassment.

3.2. To the Somaliland government and UNHCR to:

- a) Expedite the process for awarding asylum and refugee status.
- b) To take special and immediate steps to reduce the existing back log of asylum and refugee status seekers.

4. PROTECTION OF RIGHTS OF WOMEN AND GIRL CHILD

4.1. To protect the rights provided by Shariah to women and children, for example:

- a. Provision and fair division of inherited wealth after the death of a relative or parent;
- b. The right and freedom to widows to decide on whom to marry without precondition under the provision of Sharia Law;
- c. Protection and provision of appropriate care and education to orphaned children, primarily by the clan and legitimate relations, collecting and handling over to proper caretaker of children without parents and/or caretakers.

4.2. To Somaliland population

- a. To understand that community is generated from a family and a good family is established by appropriate and legal marriage. The success of lasting marriage comes from the freedom of choice of partners, abiding by the principles of married life and shared respect and patience of marriage partners.

- b. To exercise special population by all marriage partners and relevant clans to protect legitimate marriage.

If divorce is unavoidable, there should be peaceful and amicable settlement of her property

- 4.3. To parents that they provide equal opportunities to their female children in areas of education and sports.
- 4.4. To government leaders to encourage female members of the community to actively participate in community affairs and decision-making.
- 4.5. To the Ministry of Religion and Endowment to train women scholars in harnessing their understanding of Islam.
- 4.6. To the government to ensure that water supply should be easily accessible to women
- 4.7. To the communities to encourage boys to participate in household chores and responsibilities purely relegated to women.
- 4.8. To Members of Parliament to pass laws ensuring women's quota to hold public office.

5. PROTECTION OF FOREIGN HUMANITARIAN WORKERS

- 5.1. To the Ministry of Interior to expeditiously complete the investigation within a month and provide the public with an interim report about the investigation on the murder of foreign humanitarian workers to put questions of the public to rest.
- 5.2. To the Ministers of Education and Health, Ministries whose areas of work and services were affected by the killings of Annalena Toneli and Richard and Enid Eyeington to give special and immediate attention to the resolution of the cases.
- 5.3. To the Ministry of Planning to take the necessary steps to involve local communities, local leadership structures including traditional leaders and elders to ensure that mechanisms to protect foreign humanitarian workers are in place.
- 5.4. To the government to provide information and encourage Somalilanders in the diaspora to cooperate with the investigation efforts and closely monitor their respective communities and provide the government information relevant to the case.
- 5.5. To the government to take steps to guarantee the safety of all humanitarian workers with particular attention to facilitating their freedom of movement throughout Somaliland.
- 5.6. To the communities to take active role in performing their responsibilities in working with the law enforcers in ensuring the security of foreigners living in the country.

6. RIGHTS OF PRISONERS AND ARRESTED INDIVIDUALS

- 6.1. The government must terminate the practice of holding persons in jails and prisons without trial beyond 48 hours.
- 6.2. In cases where individuals have been deprived of their liberty i.e. kept in police custody without trial, beyond a reasonable period, those individuals must be compensated by the Government.
- 6.3. If the Government does not produce evidence that justifies remand of an accused person that person must be released immediately.
- 6.4. The government should take all steps necessary to assure that the human rights of incarcerated individuals are upheld. In furtherance of that assurance that all incarcerated individuals should :
 - a. Be free from all forms of torture, physical and psychological, cruel and unusual punishment.
 - b. Have proper food
 - c. Have proper medication
 - d. Proper cloth and clean cells
 - e. Have open air and sun
 - f. Be separated according to gender, age and criminal offense.
 - g. Be taught Religion and Islam in jails so their behaviour be changed.

B. RIGHTS OF CIVIL SOCIETY AND HUMAN RIGHTS DEFENDERS

1. To the government to take all steps necessary to respect the rights of civil society organizations.
2. To the government to respect the freedom of the press, access to information and the freedom of expression and opinion and to abide by the articles of the International Declaration of Human Rights.
3. To organizations to carry out their mission of public service and human rights advocacy without fear of government harassment.

C. ON RIGHT TO LAND

1. To the government to ensure that rules and regulations to resolve land and water disputes are in place and actively implemented. These result should be against bribe and other corrupt practices.
2. To the government to set up policies and mechanisms that proper registration of properties are made.
3. To the government consistent with its public responsibilities, protect from defacement and properly maintain all public cemeteries and mass graves particularly those used by the poor and those killed during the war.

To establish, protect and maintain new public cemeteries that are outside of the city limits.

4. To the government to adopt serious measures against land grabbing.
5. To the courts to prosecute surveyors (geometricians) who have committed grave mistakes that resulted to land disputes.
6. To the local government to ensure that capacities of members of Lands management committees are developed and that the committee should be provided with necessary facilities and resource.
7. To the government to ensure seasonal protection of communal grazing reserves against enclosure, charcoal burning and grazing violators and intruders.

D. ON PUBLIC SECURITY

1. To the Ministry of Justice:
 - a. To properly train men and women police in the procedure for conducting investigations and security measures with respect to human rights principles.
 - b. To provide the police force with necessary facilities to fight crimes i.e. logistics, communication facilities.
 - c. To formulate a police code of conduct that prohibits officers from intimidating, harassing, assaulting, beating individuals while conducting investigations.

That the code of conduct be enforced to the full effect of the law.

2. To the government to ensure that there is a strong collaborative relationship between the community and police particularly in fighting crimes and crime prevention.
3. To the Ministry of Education to ensure that issues pertaining to peace and security are incorporated in school syllabus (both formal and non-formal education) to produce a better informed generation on peace building.
4. To the communities to stop giving bribes to the people working for the judiciary e.g. lawmakers, judges and the police force.

