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ACKNOWLEDGEMENT

The Observatory of Conflict and Violence Prevention (OCVP) would like to thank the interviewees and survey participants who gave us their precious time and shared their thoughts on such sensitive issues.

We also thank the Department for International Development (DFID) of the United Kingdom, for providing us with the financial support needed to undertake this survey through the United Nations Development Programme (UNDP) in Somalia.

Finally, we are grateful to the local authorities in Garowe District for giving us the permission to conduct this assessment in the district.
# ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCSA</td>
<td>District Conflict and Security Assessment</td>
</tr>
<tr>
<td>DDF</td>
<td>District Development Framework</td>
</tr>
<tr>
<td>DFID</td>
<td>Department for International Development</td>
</tr>
<tr>
<td>FGDs</td>
<td>Focus Group Discussions</td>
</tr>
<tr>
<td>IDPs</td>
<td>Internally Displaced Persons</td>
</tr>
<tr>
<td>JPLG</td>
<td>UN Joint Programme on Local Governance and Decentralized Service Delivery</td>
</tr>
<tr>
<td>KII</td>
<td>Key Informant Interviews</td>
</tr>
<tr>
<td>OCVP</td>
<td>Observatory of Conflict and Violence Prevention</td>
</tr>
<tr>
<td>ODK</td>
<td>Open Data Kit</td>
</tr>
<tr>
<td>PLAC</td>
<td>Puntland Legal Aid Centre</td>
</tr>
<tr>
<td>PSU</td>
<td>Puntland State University</td>
</tr>
<tr>
<td>SRS</td>
<td>Systematic Random Sampling</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
</tr>
</tbody>
</table>
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Map of Study Area

Map of Garowe District: Adopted from UN OCHA 2012
DISTRICT PROFILE

Puntland State of Somalia (Puntland) is a part of the Federal Republic of Somalia. Garowe is the third largest city in Puntland. It is also the capital city of Puntland and is the seat of the Puntland government, where the government and all its departments are located.

Northeast Somalia, including Garowe, has gone through several changes, from being ruled by a Majerteen king named Osman Mohamoud in the early 19th century to the region being part of Italian Somaliland, during the colonial period. After independence was achieved, the city of Garowe became a part of the Barri region. Further changes lay ahead as Garowe later became the regional capital of Nugaal region of Somalia - named after the Nugaal valley which is straddled by Garowe Town. Once the Somali civil war broke out in 1991, the political elite, traditional elders (Issims), the general public and other key players, began the process of establishing a constitutional framework, and by 1998, declared the Puntland State of Somalia. The declaration of an autonomous administration within the Republic of Somalia came about in order to establish administrative capabilities for the purpose of delivering basic services to its citizens.

The governance structure is mainly based upon the clan system and consists of the Legislative (House of Representatives), the Judiciary, and the Executive (the President and Vice-President and his nominated Council of Ministers). In early 2012, Puntland under the regime of the former president Abdirahman Mohamud Farole tried to move to democratization. The Puntland Electoral Commission was formed and several prominent political aspirants announced political associations. This attempt later faced some challenges and was suspended by the then president. Puntland has since elected the current administration of President Abdiweli Mohamed Ali, the fifth president of Puntland and former Prime Minister of Somalia, in a process that was praised by the international community as transparent using the clan system.
SCOPE

The District Conflict and Security Assessment is designed to gather people’s perceptions regarding service providers and accessibility and effectiveness of the services they provide. Information is gathered according to four progress indicators relating to service provision: justice, governance, security and conflict. While a district may contain a major urban settlement (main town) and a number of smaller surrounding villages, it is the unfortunate reality that the type of public services this assessment is aiming to measure are concentrated only within the main town of the district, while at the village level they are either inadequate or completely absent. Keeping this in mind this assessment was designed and carried out in the major urban settlement of the district; the Garowe town.
EXECUTIVE SUMMARY

Continual assessment of issues directly affecting the community’s safety and security is critical for effective evidence – based programming, informed decision making and measuring the impact of related programmatic interventions. It enables a better understanding of what works and does not work at the community level. With this in mind, the district level assessments map out and provide a better understanding of issues that affect targeted communities across the Somali regions. By using key indicators for selected thematic areas, this report provides an assessment on the state of conflict, governance, justice as well as safety and security in Garowe District. The assessment was conducted from the 22nd to 27th December 2014. Key Research findings are presented below.

Security Providers

The formal security apparatus, (which includes the police and the Ministry of Security) was observed to be sufficiently operational. For purposes of the coordination of security services, the district had been divided into several zones and an attempt had been made to distribute security services across all of them but the levels of awareness showed that the presence of the police was felt mostly in the area nearest to the city centre (Waaberi). The challenges to effective provision of police services that were pointed out included lack of vital operational and logistic equipment, police indiscipline and clan politics. Despite those shortcomings, the police were still regarded as the legitimate security providers and were consistently the most mentioned entity when respondents were asked who they preferred to report to in instances of civil disputes, petty crimes and serious crimes.

Justice Providers

Being the capital city of Puntland, all the courts in the judicial system are present in Garowe. Those include District Courts, the Military Court, the Court of Appeal and the Supreme Court. Awareness of the existence of courts was however quite low within the subdivisions and overall usage of the court within the last 12 months fell behind usage of informal justice providers such as the traditional elders and the religious leaders. There were high levels of interaction among the justice providers however, and the formal justice system can be said to have managed to provide justice services by proxy in consideration of the fact that the formal court issues the authorisation certificates used by religious leaders in Shariah offices. The court also refers cases which it feels are best suited for alternative dispute resolution to the traditional elders.

Governance Providers

The local council in Garowe was observed to consist of 27 councillors nominated by traditional elders based on the clan system. The Mayor and his deputy were elected by the councillors. Awareness of the existence of the council was equal among the genders and high across the subdivisions – particularly higher in Waaber. The council provides basic services to the residents of Garowe (including the IDPs encamped in the periphery of the city) such as sanitation, development and upkeep of infrastructure, education, health and security services as well as environmental protection. For the purposes of prioritisation and coordination, the council is guided by the District Development Framework (DDF) - a five year plan developed in consultation with the community with the support of the Joint Programme on Local Governance and Decentralised Service Delivery (JPLG).
Conflict and Violence

Few respondents reported that they had witnessed conflicts between different groups or clans in the past twelve months. However, it was noted that violence was often a feature of the conflicts that were observed. Among the subdivisions, accounts of witnessing conflict were highest in Waaberi and lowest in Hantiwadaag while accounts of witnessing crime were highest in Hantiwadaag and lowest in Waaberi. Most conflicts were centred on family disputes, resources, power struggles, and clan revenge while most crimes were petty crimes. In spite of this, most respondents stated that they felt very safe or rather safe; however, a little less than one third of respondents indicated that they did not feel safe, while a similar proportion of respondents perceived that safety in the area had declined during the past year. Males generally had a more positive perception of safety than women.
1. METHODOLOGY

1.1. Overview

As part of its continual assessment of issues directly affecting community security and safety, OCVP conducted an extensive collection of primary data in the GAROWE district of Nugal region in Puntland.

In order to gain a comprehensive understanding of the thematic areas under investigation, a mixed- method approach was employed to allow the research team to triangulate information uncovered in both the data collection and subsequent analysis phase. The household survey aimed at obtaining a representative picture of the target populations’ perceptions regarding the thematic areas under exploration. Focus Group Discussions and Key Informant Interviews were used to probe deeper into, and cross-validate issues pertaining to these areas.

The quantitative data was analysed by the OCVP Research and Analysis team using the Statistical Package for Social Science (SPSS) version 22, after it had been collected using smart tablets (Samsung Tab 4 mini) that were running ODK Collect; a mobile data collection tool developed by Open Data Kit (ODK). The qualitative data was subjected to thematic analysis, using a largely deductive approach (qualitative research being a smaller component of the overall study). The main themes of coding were developed before the mission, in line with the questions, but further coding was done during analysis.

1.2. Sampling Methodology

A district household estimation provided by the local municipality enabled the application of a sampling formula\(^1\) to determine a representative sample size for the district. The study took into account certain statistical parameters such as the level of confidence desired (95%), sample design effect (1.5), margin of error (+ or – 9%) and the assumption that some security correlations of (0.3) existed within the subdivisions.

The p-value of 0.3 in the formula assumes a security correlation above a random normal distribution of 0.5 within the district clusters (subdivision). This is a reasonable assumption based on the topic of the survey – respondents within the districts are likely to exhibit a correlational relationship between their perceptions and the surrounding security environment. This is further backed by OCVP’s past experience in which individuals from the same area tend to exhibit similar perceptions on security, justice, governance and conflict and violence.

The calculation detailed above resulted in a sample size of 162.

1.3. Household Survey

A face-to-face quantitative survey was conducted in which questions relating to personal demographics, security, justice and governance provision, and conflict and violence were asked of respondents from randomly selected households. OCVP’s two trained data enumerators and two local supporters (with local acquaintances and knowledge on borders between subdivisions) under the supervision of an OCVP supervisor, managed to collect the calculated 162 questionnaires in Wadajir, Waaferi, Hantwadaag and

\(^1\) See Annex 6.1
Hodan subdivisions (Table 1), from December 22-25 2014.

OCVP employed a modified Systematic Random Sampling (SRS) approach where enumerators randomly selected the 5th household after a random start point and interviewed one respondent above 18 years old in every selected household. Adjustments to this interval were periodically made so as to cater for gender balance without adversely affecting the random nature of the sampling approach.

Table 1: Number of male and female respondents within the subdivisions

<table>
<thead>
<tr>
<th>Area/Subdivision</th>
<th>Gender (Number of respondents)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Burao Sheikh</td>
<td>28</td>
<td>42</td>
</tr>
<tr>
<td>Wadajir</td>
<td>36</td>
<td>34</td>
</tr>
<tr>
<td>Barwaaqo</td>
<td>28</td>
<td>2</td>
</tr>
<tr>
<td>Daaroole</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Total sample</td>
<td>112</td>
<td>88</td>
</tr>
</tbody>
</table>

There was an equal distribution of male and female respondents in the subdivisions of Hanti wadaag and Hodan, whereas Waaberi had a slightly higher proportion of females and Wadajir had a higher proportion of males (Fig. 1).

1.4. Focus Group Discussions

The second research tool utilised was a series of Focus Group Discussions (FGDs) aimed at capturing participants’ perception on security and justice providers (formal and informal), governance providers and the dynamics and experiences of conflict and violence. The FGDs were conducted on the 24th-27th of December 2014 at various venues (see breakdown at Table 2). Each discussion group lasted for about an hour.

A total of six groups were represented in the FGDs:

1. Women,
2. Traditional elders and religious leaders (in one group),
3. Youth (male and female in one group),
4. Justice providers (formal),
5. Governance providers (formal) and
6. Internally displaced persons (IDPs).

Each group consisted of 10 participants. A local organiser assisted in the recruitment of the participants based on clan-lines, geographic coverage, was not being captured. Consequently, the governance providers’ and justice providers’ groups were scrapped and the religious leaders’ and traditional elders’ groups were merged into one group.
social class, gender and age group (as well as profession in the case of justice and governance providers).

An OCVP researcher moderated the discussions with the assistance of a note taker. Digital recorders were used to record the discussions only after obtaining the participants’ consent. Following verbatim transcription, the data was cleaned, organised and finally further coding was done during the analysis phase.

Table 2: Distribution of focus group participants by gender

<table>
<thead>
<tr>
<th>Focus Group</th>
<th>Gender</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Women</td>
<td>-</td>
<td>10</td>
</tr>
<tr>
<td>Elders/Religious Leaders</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>Youth</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Justice Providers</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>Governance Providers</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>IDP Group</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>32</td>
<td>14</td>
</tr>
</tbody>
</table>

1.5. Key Informant Interviews

The third method utilised for data collection was personal interviews with key informants who possessed experiential knowledge on the themes under investigation. The aim was to go deeper into the subject areas and cross-validate the issues raised in the FGDs.

A local organiser assisted in the scheduling of the interviews, which were then conducted by OCVP researchers. Interviews began with questions that were tailored to the interviewee and then generally cut-across the thematic areas of governance, justice, security, and conflict and violence.

Table 3: Key Informant Interview participants

<table>
<thead>
<tr>
<th>Key Informant</th>
<th>Gender</th>
</tr>
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<tbody>
<tr>
<td>Nugal Region Police Commander</td>
<td>1</td>
</tr>
<tr>
<td>Deputy Mayor</td>
<td>1</td>
</tr>
<tr>
<td>Chief of the Court of Appeal</td>
<td>1</td>
</tr>
<tr>
<td>Key Religious Leader</td>
<td>1</td>
</tr>
<tr>
<td>IDP Chair Person</td>
<td>1</td>
</tr>
<tr>
<td>Peace Building Activist</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>6</td>
</tr>
</tbody>
</table>

The interviews were conducted from December 27 – 28, 2014 at the respective offices of the interviewees. A convenient venue was selected for those who did not have offices. Each interview lasted for about half an hour. Six key informants were interviewed, including: the Nugal Region Police Commander, the Deputy Mayor, the Chief of the Court of Appeal, a key religious leader, a key peace building activist and IDP chairperson.
2. PROFILE OF RESPONDENTS

The household survey respondents were composed of 49% females and 51% males (Fig. 2). The assessment was completed on the premise that close to equal proportions of both sexes would be represented, in order to ensure that a range of views and insights were captured from the target population.

**Figure 2: Gender distribution of respondents**

Respondents in their twenties and thirties made up two thirds (67%) of the entire sample, with one in every four respondents (25%) interviewed being a male between 20 and 29 years of age. Those between 18 and 20 formed 7% of the sample while those in their forties made up 12%. Approximately 6% of the respondents were in their fifties and a further 8% were either 60 years of age or older (Fig. 3).

**Figure 3: Age distribution of respondents by gender**

Most of of the respondents (61%) were married, while slightly more than a quarter (26%) were single. Approximately 8% and 4% were divorced and widowed respectively (Fig. 4).

**Figure 4: Marital status of the respondents**

Overall, most (72%) of the respondents had some form of formal education (primary school to tertiary level), including almost one in every two respondents (49%) who had obtained either secondary or tertiary level education (Fig. 5).
When disaggregated by gender, it was observed that the level of education among the respondents was not uniform. Approximately 69% of males had been educated to the secondary level or higher compared with only 25% of females who had been educated to a similar level. Notably, 29% of females compared with only 6% of males had never been educated (Fig. 6).
3. SECURITY, JUSTICE AND GOVERNANCE PROVIDERS

3.1. SECURITY PROVIDERS

The police authorities, along with the security committees and the Ministry of Security, are in charge of the planning and implementation of the security sector activities in Garowe district. In fulfilling this mandate, the above-mentioned entities receive financial and/or logistic support from the local government. They also coordinate with the traditional elders at times. According to the Nugal Region Police Commander, Garowe is divided into several zones, each secured by one of the following police stations: Central Station, Waberi Station, Western Check Point, Eastern Check Point, and Isaac Station (not fully functional). The police primarily handle matters such as capturing perpetrators, recording instances of crime and violence, as well as enforcing the judgements delivered by the courts. In addition, the police provide certain basic, albeit limited, services inside IDP camps in order to improve their security situation. This is particularly carried out by the police officers of the Central and Waberi Stations.

To supplement the work of the police, the local government financed and managed the deployment of a night surveillance police force known as the “private police department troops” or “civil troops.”

According to a majority of the participants in the focus group discussions and key informant interviews, the major sources of insecurity in Garowe district included: land disputes, youth-based violence, clan-related conflicts and numerous cases of rape. The potential presence of members of Al-Shabaab in the community was also mentioned as an issue of utmost concern.

3.1.1. Level of Deployment

Despite significant efforts made by the police to improve the quality of security services, they continued to face a myriad of challenges. “We cannot ignore the good performance of the police in Garowe, but I believe we have not reached the required level of security performance.”

Firstly, a large number of villages and IDP camps did not benefit from the presence of the police due to a lack of police posts and/or an insufficient number of police officers in the area. “I absolutely believe that there is a strong need for police stations in all the villages of Garowe.” In fact, 58% of participants stated that their village did not have a police presence (Fig. 7).

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3 Nugal Region Police Commander, Key Informant Interview, 26th December 2014
4 Chief of the Court of Appeal, Key Informant Interview, 25th December 2014
5 IDPs, Focus Group Discussion, 22nd December 2014
6 Deputy Mayor of Garowe District, Key Informant Interview, 25th December 2014
7 Women, Focus Group Discussion, 23rd December 2014
8 Peace-building Activist, Key Informant Interview, 24th December 2014
Within the subdivisions, it appeared that levels of awareness were lowest in Hanti wadaag, where only 14% of the respondents answered in the affirmative when asked whether they were aware of the presence of police in their community. Waaberi recorded the highest levels of awareness among the subdivisions, with 60% of the respondents interviewed there indicating awareness. About half the people in Wadajir (49%) were aware of police presence while in Hodan the proportion was 32% (Fig. 8).

Of the 37% (n=60) of respondents who had indicated an awareness of police presence, a majority (87%) were aware of just one station (Fig. 9).

With regard to spatial distribution, the few stations that were in operation were located within reach of the respondents interviewed. Just less than nine out of every ten respondents (87%) who had indicated an awareness of police presence reported that it would take them under an hour to reach the nearest station (Fig. 10). This apparently positive observation should however be qualified by the fact that all the respondents in the household survey were residents of Garowe town and its environs. According to qualitative discussions, police presence within the urban areas of the district, despite being unsatisfactory, was still considerably higher than in
the far flung villages, where it was virtually non-existent.\(^{10}\)

**Figure 10: Respondents’ estimation of distance to nearest police station**

![Distance to closest Station (in time)]

In addition to the challenges highlighted above, there was also a lack of vital equipment (such as vehicles, fuel, etc.). In the FGD with justice providers it was stated that the police were doing their best, but were hampered by lack of resources:

*The police are truly doing everything they can and we know that they lack too many things. For example, if something happens here, it takes too long to get here and that is the result of not having the proper equipment. It is possible that the policemen do not have the fuel to reach the destination. It is also possible that they have no means of transportation to reach the place in time.*\(^{11}\)

Moreover, the women focus group discusants underlined the fact that “they [police officers] lack communication channels that can be accessed 24hrs a day,”\(^{12}\) thus making it difficult for police officers to swiftly respond to cases of violence and crime.

This lack of capacity was worsened by the low and irregular salaries provided to the police officers; leading to a breakdown of morale and a lack of incentives for the troops to improve their performance.\(^{13}\)

In a similar vein, the proper training of police officers, a crucial aspect of any successful security sector reform, had not been properly addressed. The relationship between the police and the community had largely deteriorated due to several cases of misconduct as pointed out by Police Commander during a Key Informant Interview:

*Due to the general Somali nature and the long years of lack of central governance, the police officers sometimes fire gun shots without an apparent reason. Nonetheless, we recently began imposing strict punishment such as imprisoning whoever fires a gunshot without reason or whoever commits misconduct as a police officer. There are around 10 police prisoners in this centre due to misconduct.*\(^{14}\)

It is essential for the police forces to respect the population they work with. They must make sure that they act in a professional, accountable and transparent manner vis-à-vis the citizens they are supposed to protect. According to the Nugal Police Commander, the district is “currently looking forward to training each and every police officer to reach international standards in terms of preserving and serving the people in the best manner.”\(^{15}\)

The justice providers also mentioned the fact that the police service was highly constrained by clan politics. Regular absences from work were a common occurrence, but senior officers were hindered in attempts to act on this lack of professionalism since

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\(^{10}\) Women, Op. Cit

\(^{11}\) Justice Providers, Focus Group Discussion, 25th December 2014

\(^{12}\) Women, Op. Cit

\(^{13}\) Peace-building Activist, Op. Cit.

\(^{14}\) Nugal Police Commander, Op. Cit.

\(^{15}\) Ibid.
police officers were highly protected by their respective clans. The justice providers pointed out:

The commander of the police has no power to say he will fire the officers who do not show up at work regularly. The fact is that we are still under clan administration. Nobody can fire those people unless we have a democratic government with different parties, because their clans are protecting them.  

3.1.2. Preference of the security providers

In spite of the numerous challenges the police faced, it could be said that many residents of Garowe still regarded them as the legitimate security provider.

When the respondents in the household survey were asked to whom they would prefer to report when they had problems of a civil nature such as trespass, family disputes and business disputes 45% of them said the police (Fig. 11). In instances of petty crimes such as theft and household violence, the police remained the preferred institution to report to, with almost half of the respondents (49%) stating them (Fig. 12). In relation to serious crimes such as grave assault, rape and murder, the police again were most preferred at 43% (Fig. 13).

For civil matters and petty crimes, traditional elders were mentioned by the second largest proportions of respondents (21% for civil matters and 28% for petty crimes) while in instances of serious crimes the court was the second most mentioned institution at 28%.

The local authority (local council) – perhaps due to its involvement in the resolution of land disputes – was the third most mentioned institution for civil matters at 12% while for petty crimes it was the court at 8% and for serious crimes it was traditional elders at 17%.

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3.1.2.1. Gender considerations in preference of security providers

When analysed in terms of the percentages within each gender, the respondents reporting preferences exhibited some subtle but distinct trends. It was observed that men were somewhat more inclined to refer security issues to the informal institutions (religious leaders or traditional elders).

For instance, for civil matters, while the proportion of men opting for the police was almost equal to that of the women (45% of men and 44% of women), a greater portion of men (27%) opted for the traditional elders than women (15%). Women were more likely than men to opt for the court than men at 13% against 8%, whereas the portion of male respondents (6%) was slightly higher than that of women (4%) naming religious leaders as a reporting preference (Fig. 14).

In the case of petty crimes, though men (53%) appeared to be more likely to opt for the police than women (44%), slightly higher portions of males also opted for traditional elders (29%) and religious leaders (8%) than the corresponding portions of women (27% and 3% respectively). Women were, however, slightly more likely to report petty crimes to the court than men were (9% vs. 7%). (Fig. 15.)

For serious crimes, the distinction was even clearer. The portions of women that opted for the police (46%) and the court (29%) were greater than those of men at 40% and 27% respectively. Conversely, at 19% against the women’s 14% for traditional elders and 7% against the women’s 3% for religious leaders, the men appeared to favour informal institutions more (Fig. 16).
3.1.3. Perception of security providers

In spite of the numerous shortcomings that plagued police performance, many participants reiterated their sense of gratitude for the police efforts. “We have to thank the police for responding to crimes, but clearly there are still constraints.”\(^{17}\) In fact, the majority of the household survey participants (59%) expressed a fairly or very high level of trust in the police (Fig. 17).

Along gender lines, more than one-half of the female respondents (52%) reported very high levels of trust and more than half of the remaining female respondents (27%) reported very low levels of trust. Among the male respondents, the greatest proportion (37%) reported very high levels and the second largest proportion (23%) reported very low levels of trust (Fig. 18).

\(^{17}\) *Peace-building Activist*, Op. Cit.
When it was inquired of the respondents in the household survey what their perception of the police was compared to the previous year, more than a third of them (39%) said they did not know. Nevertheless, of those that gave an indicative answer, those who said that police performance had improved made up 29% of the surveyed sample and those who thought there had been no change made up 23%. Only 9% of the respondents thought the performance of the police had declined (Fig. 19).

**Figure 18:** Respondents’ level of trust towards police in responding to crime by gender

**Figure 19:** Perception of the performance of the police - yearly trend
3.2. JUSTICE PROVIDERS

3.2.1. Level of deployment

In Garowe, there is a District Court, a Court of Appeal and a Supreme Court as well as a Military Court. The civilian courts handle civil suits and ordinary criminal matters while the military court deals with military crimes as well as extreme crimes such as matters related to terrorism and piracy. There are five (5) judges and nine (9) High Commissioners in the Supreme Court and three (3) judges in the Court of Appeal including the Chief of the Court of Appeal.\(^{18}\)

While all the respondents in qualitative discussions knew of the existence of at least one of these courts, awareness of the courts among the household survey respondents was very low, with only 12% of the respondents indicating that they knew of the existence of a court in their community (Fig. 20).

Figure 20: Respondents’ awareness of the existence of courts

Across the subdivisions, respondents in areas where there was no courthouse appeared to express greater levels of unawareness as was the case in Hodan where none of the respondents were aware of the presence of a court (Fig. 21).

Figure 21: Respondents’ awareness of the existence of courts by subdivision

3.2.2. Performance of the Justice Providers

In the twelve months preceding the assessment, the most predominantly used justice provider had been traditional elders, who were used by almost a quarter (23%) of the respondents. Religious leaders were the second most commonly used justice provider, having been used by 19% of the respondents and the court had the lowest level of usage at 12% (Fig. 22).

\(^{18}\) Chief of the Court of Appeal, Op. Cit.
From the qualitative discussions and interviews, it was deduced that diverse factors affected the usage of the various justice providers.

### 3.2.2.1. Formal Courts

Despite the relatively low levels of usage, the courts were still regarded as legitimate justice providers. According to the women’s focus group discussants, in terms of the fair dispensation of equal justice and the enforcement of judgments, the courts were most preferable. However, the cost associated with the formal justice provider and the length of time before the issuance of judgments had often forced many aggrieved persons to opt for the cheaper and faster informal justice providers.

**Enhanced access to Justice**

Speaking to the concerns over costs, the Chief of the Court of Appeal stated during a key informant interview that the government was in the process of initiating judicial reforms and had in fact introduced a pauper brief system called *Kiis Maskiin.* He further added that there are institutions that offer legal aid services in the public interest such as the Legal Aid Clinic at the Puntland State University and the UNDP-funded Puntland Legal Aid Centre (PLAC). Minority communities such as Internally Displaced Persons were said to be the most frequent beneficiaries of legal aid and the *Kiis Maskiin* system.

Participants in the focus group discussions were aware of these reforms, and claimed that for the past three (3) years, the government had been progressively working towards eliminating challenges that had long plagued the judicial services such as corruption, administrative mismanagement and delays in the conclusion of cases. It seemed that the efforts of the government were paying off as, according to the religious leader interviewed as a key informant, the current judicial service was trustworthy and fair in the provision of justice.

Men appeared to have been more likely to have used the courts than women, as 20% of them fell among the 12% of respondents that had used courts compared to 4% of women (Fig. 23).
There were no apparent distinctions among the subdivisions in terms of the usage of courts in the previous year. The proportions of residents who had used courts were almost equal among the four; 14% in both Hanti Wadaag and Hodan and 11% in both Waaberi and Wadjir (Fig. 24).

3.2.2.2. Traditional elders

Traditional elders were said to play a dominant role in Puntland that went beyond the provision of justice to include the nomination of Members of Parliament and district councillors and acting as clan representatives.26

So integral is the clan system to the criminal justice system that according to a traditional elder in one of the focus group discussions, elders sometimes handle matters that have been referred to them by the formal court for alternative dispute resolution.27 Only when an out of court settlement proves impossible is a matter that has been referred in that manner sent back to the court for commencement.28 The clan system is also engaged in the apprehension and handing over of fugitives to the police, particularly in instances of serious crimes such as murder and revenge killing.29

The elders mediate disputes between individuals, families, sub-clans, clans and sometimes between clans and the government.30 According to the religious leader interviewed as a key informant, the traditional system draws its legitimacy from an understanding of customs and a familiarity with past incidences of

26 Traditional elders and religious leaders, Focus Group Discussion, 24th December 2014
27 Ibid
28 Ibid
30 Youth, Focus Group Discussion, 22nd December 2014
conflict and how they were solved, which helps them to apply the appropriate Xeer\textsuperscript{31} between disputants.\textsuperscript{32} While their role in the provision of justice services is not provided for; traditional elders have been known to exercise ad-hoc jurisdiction in all matters ranging from petty crimes to serious crime, the latter in coordination with the formal justice system.\textsuperscript{33}

Furthermore, the involvement of traditional elders in serious criminal matters is limited to the exclusion of matters dealing with rape and revenge killings following a directive from the Ministry of Justice and Religious affairs.\textsuperscript{34} However, in matters where there is no pre-existing customary law, such as cases of terrorism and piracy, traditional elders are not involved.\textsuperscript{35}

Traditional elders in one of the FGDs further added that the system they employ is known as Xeer Darood – which translates to Darood customary law; the result of social contracts between the descendants of Darood.\textsuperscript{36} It has clear hierarchical internal governance structures (Isimo, Sub-Isimo and Nabadoons) and duties and roles are assigned and adhered to:

\begin{quote}
\textldots \text{For example, when nominating members of parliament, the Nabadoons initially propose candidates who are then approved by the Sub-Isim before being nominated by the Isim. In conflict resolution likewise, different categories of elders have different roles.}\textsuperscript{37}
\end{quote}

As mentioned above, traditional elders had been the most commonly utilised justice providers in the last year in Garowe, with almost a quarter (23\%) of the respondents indicating usage (See Fig. 25). Among the subdivisions, the levels of usage of traditional elders were highest in Waaberi, where around three (3) out of every ten (10) respondents (31\%) had engaged elders. Slightly more than a quarter (27\%) and slightly less than a quarter (24\%) of those in Hodan and Wadajir respectively had used elders and in Hanti wadaag, those who had used elders made up 16\% of the respondents in the subdivision (Fig. 25).

\textbf{Figure 25: Usage of traditional elders by subdivision}

The level of usage of traditional elders was higher among males than females, with 30\% of males indicating usage vis-a-vis the 16\% of females (Fig. 26).

\begin{center}
\textsuperscript{31} Customary law derived from social contracts between clans.
\textsuperscript{32} Religious leader, Key Informant Interview, 24\textsuperscript{th} December 2014
\textsuperscript{33} Traditional elders and religious leaders, Op. Cit.
\textsuperscript{34} Ibid
\textsuperscript{35} Ibid
\textsuperscript{36} Ibid
\textsuperscript{37} Ibid
\end{center}
3.2.2.3. Religious leaders

In Garowe, the role of religious leaders has been formalised and they have offices spread out through the subdivisions which operate under authorisation certificates issued by the formal courts. They employ Sharia law exclusively in adjudication of disputes and where applicable they call witnesses to clarify evidence.

Their application of Sharia law, the relatively low cost of engaging them and the fact that they only commence cases after both parties have committed themselves to accept the outcome were some of the factors mentioned in qualitative interviews that made the usage of religious leaders desirable. In other cases, it was said that the fact that they do not consider customs and traditions – which may not always lead to fair and just conclusions in a modern age – also made them desirable.

Of the 19% of respondents who had used religious leaders (See Fig.22), Wadajir and Waaberi had levels of usage that were almost equally high at 24% and 23% respectively, followed by Hantiwadaag at 18% and Hodan at 9% (Fig. 27).

The levels of usage of religious leaders among the respondents were significantly higher among the men than the women. Roughly three in every ten male respondents (29%) had used religious leaders as compared to slightly less than one in every ten (9%) female respondents (Fig. 28).

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40 Ibid
Figure 28: Usage of religious leaders by gender

3.2.2.4. Comparisons between justice providers

An analysis of the different issues presented by respondents who had used any form of justice provider revealed trends that may indicate the possibility that the choice of justice provider was affected by the nature of the issue. For instance, household violence accounted for most of the cases referred to traditional elders and religious leaders (44% and 43% respectively), while land disputes accounted for most of the cases brought before the courts (37%). It was also observed where assault cases had been referred to elders and religious leaders but not to the court (Table 4).

<table>
<thead>
<tr>
<th>Issues referred to different justice providers</th>
<th>Justice providers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Court</td>
</tr>
<tr>
<td>Land dispute</td>
<td>37%</td>
</tr>
<tr>
<td>Robbery</td>
<td>11%</td>
</tr>
<tr>
<td>Household violence</td>
<td>32%</td>
</tr>
<tr>
<td>Assault</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>16%</td>
</tr>
<tr>
<td>Refused to answer</td>
<td>5%</td>
</tr>
<tr>
<td><strong>Base</strong></td>
<td>19</td>
</tr>
</tbody>
</table>

Upon further analysis of the proportions of respondents who had used any form of justice provider in the past 12 months, it was observed that those who had used religious leaders had received a judgement nine out of ten times (90%). Out of those who had engaged traditional elders, two thirds (66%) had received a judgment and 60% of those who had used the court reported that a judgment had been issued (Fig. 29).

Figure 29: Issuance of judgments

Of those who had received judgments, the highest rate of enforcement was reported among those who had used religious leaders at 96%, while 84% and 92% of those who had used traditional elders and the
courts respectively reported that the judgment issued had been enforced (Fig. 30).

Figure 30: Enforcement of judgments

![Graph showing enforcement of judgments](image)

3.1.3. Perception of the Justice Providers

When it was inquired of the respondents in the household survey, which among the justice providers they trusted most in solving of cases, the formal courts appeared to be the most trusted, having been pointed out by 39% of the respondents. Religious leaders were stated as the most trusted justice provider by 37% of the respondents. Traditional elders on the other hand, were indicated as trustworthy by the least percentage (21%) of the respondents (Fig. 31). When contrasted with the levels of usage reported, which showed that traditional elders were the most commonly used of the three providers, it might indicate the possibility that the high usage may have resulted more as a compromise due to accessibility than outright legitimacy. During focus group discussions, it was mentioned severally that despite the numerous challenges faced by the courts, the judgements they give are fair, but for reasons of expedience as well as convenience and sometimes due to financial constraints, most people still opt for the informal justice providers.42

Figure 31: Respondents’ choice of must trusted justice provider

![Bar chart showing respondents' choice of justice provider](image)

The gender patterns observed with the preference of security providers were also noted with the perception of justice provider (Fig. 32). Only 14% of the female respondents indicated trust in traditional elders as compared to 28% of their male counterparts. Conversely, women were generally more likely to indicate trust for the court (41%) and religious (39%) leaders than men (37%: court and 34%: religious leaders).

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The most commonly cited reason for ascribing trust to any form of justice provider was fair judgement, having been mentioned by 85% of the 62 respondents who trusted the courts most, 32% out of the 34 respondents who trusted traditional elders and 86% of the 59 respondents who trusted religious leaders (Table 5).

Table 5: Reasons for trust of justice providers

<table>
<thead>
<tr>
<th>Reason for trust of justice provider</th>
<th>Most trusted justice provider in solving cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fast decisions</td>
<td>The Court: 8%</td>
</tr>
<tr>
<td>Fair judgment</td>
<td>The Court: 85%</td>
</tr>
<tr>
<td>Independence from politics</td>
<td>Traditional elders: 24%</td>
</tr>
<tr>
<td>Less costly</td>
<td>-</td>
</tr>
<tr>
<td>Ease of access</td>
<td>-</td>
</tr>
<tr>
<td>More reliable</td>
<td>-</td>
</tr>
<tr>
<td>Base</td>
<td>62</td>
</tr>
</tbody>
</table>

When household survey respondents were asked to state what level of confidence they ascribed to the formal justice system, a clear majority (77%) exhibited confidence (63%; very confident and 14%: fairly confident). Only 12% said they were not confident while the remaining 10% were non-committal on the matter (Fig. 33).

Within the genders, almost three quarters (73%) of women expressed the highest level of confidence in the formal justice system compared to slightly more than a half (54%) of the men. At 15%, men had a slightly higher likelihood of stating that they were not confident than women at 10% (Fig. 34).

Within the subdivisions, it was observed that markedly more people in Waaberi (71%) reported that they were very confident in the formal justice system (Fig. 35), in comparison to the other subdivisions (59%: Hanti wadaag, 59%: Hodan and 62%: Wadajir).
Finally, respondents were asked what their opinion regarding the performance of the courts (as a formal justice provider) was compared to the previous year. While a substantial proportion of them (37%) were non-committal (answered don’t know), almost a third (32%) of all the respondents said that they thought the performance had improved (Fig. 36). They made up a half (50%) of all those who gave an indicative answer (Improved, Declined, No change) (Fig. 37). Of the entire sample, 22% of respondents felt that there had been no change and only 10% felt that the performance had declined (Fig. 36).

In Waaberi, more than one-half (51%) of the respondents interviewed felt that the performance of the formal court had improved, compared to 22% in Hanti wadaag, 23% in Hodan and 27% in Wadajir (Fig. 38).
Figure 38: Perception of the performance of the court: yearly trend by subdivision

Along gender lines, women (42%) were more likely than men (32%) to indicate that they did not know whether the performance of the courts had improved, while a greater portion of men (35%) than women (28%) felt that the performance had improved (Fig. 39).

Figure 39: Perception of the performance of the court: yearly trend by gender
3.3. GOVERNANCE PROVIDERS

3.3.1 Level of Deployment
The local council of Garowe has 27 councillors who are nominated by traditional elders based on a clan quota system.\(^3\) The Mayor and Deputy Mayor are elected by the council.

Almost three quarters (73%) of the household survey respondents were aware of the existence of the local council (Fig. 40).

Figure 40: Respondents’ awareness of the presence of a local council

![Graph showing respondents' awareness of the presence of a local council by subdivision]

The levels of awareness of the existence of the council were equally high across the subdivisions excepting Hodan where 68% of the respondents indicated awareness compared to more than 70% of respondents in each of the other subdivisions (74% in Hanti wadaag, 73% in Waaberri and 73% in Wadajir). (Fig. 41.)

Awareness of the existence of the council also remained uniform across gender lines, with 72% of all male respondents and 73% of all female respondents stating that they were aware of the existence of the local council (Fig. 42).

Figure 41: Respondents’ awareness of the presence of a local council by subdivision

![Graph showing respondents' awareness of the presence of a local council by gender]

Figure 42: Respondents’ awareness of the presence of a local council by gender

\(^3\) Traditional elders and religious leaders, Op. Cit.
Among those who had indicated awareness of the local council, 56% of the respondents stated that they were aware of the services it provides (Fig. 43)

Figure 43: Respondents’ awareness of services provided by the local council

![Graph showing awareness of services provided by the local council.]

Within the subdivisions, awareness of services was consistently above 50% with the exception of Hodan where slightly more than a quarter (27%) of the respondents indicated awareness in contrast to about two thirds (65%) in Hanti wadaag, 58% in Waaberri and 56% in Wadajir (Fig. 44).

Figure 44: Respondents’ awareness of services provided by the local council by subdivision

![Bar chart showing awareness of services provided by the local council by subdivision.]

One-half (50%) of the female respondents who were aware of the existence of the local council were aware of the services it provided while among the men those who were aware of services made up 62% (Fig. 45).

Figure 45: Respondents’ awareness of services provided by the local council by gender

![Bar chart showing awareness of services provided by the local council by gender.]

3.3.2. Performance of the Local Council

According to qualitative discussions, the local council is involved in the coordination of security, sanitation

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44 Traditional elders and religious leaders, Op. Cit.
services, urban planning, land dispute resolution and development and maintenance of infrastructure. With respect to urban planning, the governance providers who were involved in one of the focus group discussions mentioned the successful planning and development of several roads and highways with the support of the UN Joint Programme on Local Governance and Decentralised Service Delivery (JPLG) and the central government.  

Sanitation appeared to be the most visible service associated with the local council, having been mentioned in all the focus groups as well as in the household survey, where more than half (53%) of the respondents who were aware of services provided pointed it out. Infrastructure was mentioned by 42% of the respondents, security by 30%, and health by 17% (Fig. 46).

Figure 46: Respondents’ responses regarding services provided by the local council

In the IDPs focus group discussion, participants said that despite the fact that the IDP camps were in the periphery of the town, they still received services such as the allocation of land for resettlement by the local government along with the provision of water and sanitation and the coordination of the distribution of aid.  

The Deputy Mayor added that, in addition to the services mentioned by the focus group discussion participants, the local council is also mandated to provide health services, oversee the development of the education sector and undertake environmental protection.

3.3.2.1. Pressing Community Needs

When respondents were asked what their opinion as to the most pressing needs in the community were, unemployment was mentioned by 36% of the entire sample while 35% mentioned insecurity.

Despite the provision of sanitation services being the most commonly mentioned service provided by the

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45 Governance Providers, Focus Group Discussion, 25th December 2014

46 IDPs, Op. Cit

local council, it was still a prominent community need, having been mentioned by more than a quarter (28%) of the respondents (Fig. 47).

Figure 47: Respondents’ opinions about the most pressing local issues

<table>
<thead>
<tr>
<th>Issue</th>
<th>% of Cases (n=162)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unemployment</td>
<td>36%</td>
</tr>
<tr>
<td>Insecurity</td>
<td>35%</td>
</tr>
<tr>
<td>Poor sanitation</td>
<td>28%</td>
</tr>
<tr>
<td>Lack of infrastructure</td>
<td>15%</td>
</tr>
<tr>
<td>Poor health</td>
<td>14%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>14%</td>
</tr>
<tr>
<td>Poor economy</td>
<td>12%</td>
</tr>
<tr>
<td>Poor education</td>
<td>10%</td>
</tr>
<tr>
<td>Shortage of electricity supply</td>
<td>10%</td>
</tr>
<tr>
<td>Lack of water</td>
<td>9%</td>
</tr>
<tr>
<td>Bad health centers</td>
<td>8%</td>
</tr>
</tbody>
</table>

When the respondents who had indicated an awareness of the local council were asked whether they knew of any channels of communication between the community and the local government, more than half (58%) of them answered in the affirmative (Fig. 48).

Figure 48: Respondents’ awareness of channels of communication
Among the male and female respondents, awareness of communication channels was expressed at nearly equal proportions; 58% of the men compared to 57% of the women answered positively (Fig. 49).

The respondents in Waaberi exhibited markedly higher levels of awareness of communication channels (73%) compared to Hanti wadaag at 53%, Hodan at 47% and Wadajir at 52% (Fig. 50).

The Deputy Mayor confirmed the existence of these channels, stating that the local government holds biannual public meetings in which the midyear achievements of the local council are presented and feedback from members of the community sought on planned projects. The meetings are used as platforms for the formulation of development strategies. He added that during the biannual meeting, efforts are made to ensure that all sectors of the society (such as community elders, religious elders, women, youth, business persons and other important persons) are sufficiently represented. Beyond that, the deputy mayor also explained that the local government coordinates with ad hoc governance providers where necessary, an example being the referral of conflict and disputes that prove too contentious to the traditional elders for resolution through the customary mechanisms.

Of those respondents who were aware of communication channels, 41% had participated in consultative meetings between the community and

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49 Ibid
50 Ibid
51 Ibid
the local government at some point in the last 12 months (Fig. 51).

**Figure 51:** Respondents’ participation in local governance consultations (last 12 months)

According to a key informant, while there were practical advantages to being nominated by traditional elders, it also tended to harm the legitimacy of the council as a formal governance provider in that:

- Because they had not been involved in the formation of the council, most members of the community lacked a clear understanding of the nature of local governance and importance of the services that the council ought to provide, thereby hampering accountability.
- There was no clear distinction between the formal governance system and the traditional mechanism in the eyes of the people.
- Tax collection was hindered by the misinformed mistrust of the public.

**3.3.3. Perception of the Local Council**

When asked about the performance of the local council as compared to the previous year, almost one third (32%) of the respondents felt that it had improved, 37% felt that the performance had remained constant in relation to the previous year while 11% of respondents felt that it had declined (Fig. 53).

**Figure 53:** Respondents’ perception as to the performance of the local council: yearly trend

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Male respondents were more likely than their female counterparts to indicate that the performance of the courts had improved (40% male vis a vis 24% female), but among those who felt that there had been no change the proportions were almost equal (Fig. 54).

Figure 54: Respondents’ perception as to the performance of the local council: yearly trend by gender
4. CONFLICT AND VIOLENCE

4.1. Experience of Conflict and Violence

Two out of every ten household survey respondents (20%) reported that they had witnessed conflict between clans or groups within the last 12 months (Fig. 55).

Figure 55: Account of witnessing conflict between clans or groups

Among those who had witnessed conflict there was a greater proportion of men (30%) than women (10%) and within the subdivisions, Waaberri had the largest proportion of those reporting occurrence of conflict at 33%, followed by Wadajir at 27% and Hodan at 14%. At 9%, Wadajir had the least proportion of its residents reporting the occurrence of conflict compared to the residents of the other subdivisions (Fig. 56 and Fig. 57).

Furthermore, of the respondents who reported witnessing conflict in the last year, almost one third (31%) went on to say that they had witnessed three incidences of conflict, one quarter of them (25%) reported witnessing only one incident and 19% had witnessed two (Fig. 58).
When further inquiry was made as to how many of the conflicts witnessed had led to violence, most of the respondents (60%) who had reported witnessing conflict stated that only one incident had led to violence (Fig. 59).

One quarter (25%) of all the respondents in the household survey also reported having witnessed crime or violence against someone outside their homestead (Fig. 60).

Along the lines of gender, the likelihood of having witnessed crime or violence outside the homestead was higher among men (29%) than women (20%) as shown in Fig. 61.

On the other hand, among the subdivisions, Hantiwadaag had the greatest proportion (33%) of respondents reporting that they had witnessed crime and violence outside the homestead and Waaberi had the least (18%). This is an interesting reversal of the proportions of respondents witnessing clan or group
related conflict seen in Fig 57 above. Slightly more than a quarter of the respondents in Hodan (27%) reported witnessing crime or violence outside the homestead and in Wadajir, this figure stood at 19% (Fig. 62).

**Figure 62: Account of witnessing crime or violence outside the homestead by subdivision**

![Diagram showing percentage of respondents in different subdivisions who witnessed crime or violence outside the homestead.]

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Yes</th>
<th>No</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardi wadaag</td>
<td>33%</td>
<td>66%</td>
<td>2%</td>
</tr>
<tr>
<td>Hodan</td>
<td>27%</td>
<td>73%</td>
<td></td>
</tr>
<tr>
<td>Waaberi</td>
<td>18%</td>
<td>82%</td>
<td></td>
</tr>
<tr>
<td>Wadajir</td>
<td>19%</td>
<td>81%</td>
<td></td>
</tr>
</tbody>
</table>

(n=162)

4.2. Dynamics of Conflict and Violence

The main cases of violence and conflict in Garowe district consisted of relatively minor disputes concerning mostly civil matters. The Chief of the Court of Appeal of the Nugal Region said:

*During the last twelve months, we recorded around 400 - 500 cases divided into the basic local disputes of Somalis such as monetary, domestic, contractual, criminal and other issues.*

Apart from the basic civil matters, the Deputy Mayor of Garowe district also mentioned misunderstandings over land, youth-related issues, clan-based differences and rape as sources of violence in the region. A peace-building activist interviewed placed particular emphasis on cases of land and natural resource conflicts by explaining the following:

We are dealing with the main resource-based conflicts, as well as clan conflicts [water, rangeland and other clan-based conflicts]. During the drought season, conflicts are common because of the movements of pastoralist people. Also, water and fodders become very scarce and this may potentially cause conflict.

Moreover, according to him, “most clan conflicts in Garowe originate from land disputes.” This is because the Puntland government does not control the process of land acquisition, which in turn leads to numerous cases of land-grabbing. In some instances, an owner could have several, sometimes conflicting papers certifying registration of land, which were issued by different authorities.

As has been witnessed on other occasions, unclear and/or weakly-enforced property laws can be a strong incentive for conflict and violence.

The information provided by the household surveys confirms those observations, since more than half of the respondents (52%) believed that the major sources of conflict were family disputes. Almost one quarter of the respondents, (24%) were of the opinion that the conflict had been caused by disputes over resources (mostly land) and 12% of them felt that the cause had been power/cultural struggles (Fig. 63).

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4.2.1. Conflict Resolution

Several participants in the women’s focus group discussion affirmed the important role of governmental institutions in resolving disputes.

“When the government does not intervene in an on-going conflict, or fails to enforce court orders, the risk of escalation into violence and the potential of harm to innocent persons increases.”

Nonetheless, despite the critical role that entities such as the government courts play in settling disputes, there was a clear recognition that the Somali people seem to prefer alternative dispute resolution (ADR) mechanisms. “ADR is widely practiced in Somalia and it is an unsurpassed mechanism of dispute resolution in the traditional local context.”

A large part of the population in Garowe district relies heavily on the religious leaders (Sheikhs) to use the Sharia for the purpose of resolving disputes. The sheikhs also stated that it is important to recognise that in this domain, the traditional elders play a strong complementary role.

Elders and sheikhs can be considered as one component or a package in terms of conflict settlement, because they are responsible for the different tribes or clans in the whole of the society.

Furthermore, they mentioned that government bodies (i.e. courts, police forces, and ministries) refer numerous cases to the religious or traditional elders because they are seen as more impartial.

It is interesting to note that the situation is markedly different inside the IDP camps. Several respondents expressed their concern over the fact that there are on-going disputes between families in the camp but, unlike other communities, IDP camps do not have elders to solve these issues. In the event of a dispute, IDP committees, composed of respected individuals and a chairperson, are organised. In fact, they added: “We rarely use courts because we always resolve our problems in our camps according to our traditions.”

“Indeed, the role of the government concerning the provision of conflict resolution mechanisms remains rather limited since it is only used in cases along the line of petty crimes. “If it is a case such as youth robbery, attacks or theft, we immediately communicate with the police and the local government.”

4.3. Perception of safety

According to the key informant interview with the religious leaders, the security situation in certain villages of Garowe district had improved, mainly due to the presence of police officers. Their regular patrols had led not only to an actual decrease in the number

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58 Traditional elders and religious leaders, Op. Cit.
59 Ibid
60 Ibid
61 IDPs, Op. Cit.
of cases of crime and violence, but most importantly, to a feeling of reassurance within these communities.

When we look back, there were times when people could not easily walk in the villages because of robbery, but now wherever you are at night you feel safe because the police conduct nightly rounds and are often seen in the different villages.\textsuperscript{64}

This overall positive perception led to a high level of satisfaction concerning the level of safety, despite the clear obstacles that police forces continued to face. In fact, 65\% of the household survey respondents believed that the district was rather/very safe, although at 31\% the portion that felt rather/very unsafe was also noteworthy (Fig. 64).

\begin{figure}[h]  
\centering  
\includegraphics[width=\textwidth]{Figure64.png}  
\caption{Perception of safety}  
\end{figure}

However, these positive perceptions of the current security situation were limited to certain groups of people. Participants in the women’s focus group discussions voiced concerns about youth-based violence and opportunistic crimes.

When walking on the streets, we don’t feel safe or comfortable because we are vulnerable to youth-based violence and there aren’t enough police officers in the streets and villages, so we are particularly vulnerable to opportunistic crime – such as mobile snatching and sexual assault.

When disaggregated by gender, it was observed that men had expressed positive perceptions – very safe and rather safe – at marginally higher proportions than women. More than half of the male respondents (57\%) had said they felt very safe compared to 42\% of the women and 18\% of the men had felt rather safe compared to 14\% of the women. Conversely, women expressed negative perceptions of safety – rather unsafe and very unsafe – at higher proportions than the male respondents. A quarter (25\%) of the female respondents felt rather unsafe compared to 16\% of the male respondents and 16\% of women felt very unsafe compared to 6\% of the men (Fig. 65).

\begin{figure}[h]  
\centering  
\includegraphics[width=\textwidth]{Figure65.png}  
\caption{Perception of safety by gender}  
\end{figure}

Indeed, when taking into account a yearly trend, it was observed that women were more likely to feel that safety levels had decreased (34\%) than men (29\%). Almost half of the male respondents (43\%) felt that safety had increased compared to slightly more than a quarter (27\%) of the female respondents (Fig. 66).

\begin{figure}[h]  
\centering  
\includegraphics[width=\textwidth]{Figure66.png}  
\caption{Perception of safety by gender}  
\end{figure}

\textsuperscript{64} Traditional elders and religious leaders, Op. Cit.
Overall, 35% of all respondents felt that safety levels had increased, 28% felt that there had been no change and 31% felt that there had been a decline (Fig. 67).

**Figure 66: Perception of safety - yearly trend by gender**

- Increased: 43% (Male: 43%, Female: 43%)
- No change: 27% (Male: 28%, Female: 26%)
- Decreased: 29% (Male: 29%, Female: 29%)
- Don’t know: 10% (Male: 10%, Female: 10%

**Figure 67: Perception of safety - yearly trend**

- Increased: 35%
- No change: 28%
- Decreased: 31%
- Don’t know: 5%

(n=162)
5. CONCLUSION

A lot of progress has been made across all sectors that were under investigation in the assessment. The security, justice and governance providers in Garowe have done commendable work, despite being faced with innumerable challenges.

There is a need for the stepping up of security sector reforms to match the current needs of the fast growing urban community and to inculcate the principles of civilian protection as a core function of community oriented police services. Only when the civilians feel secure and able to approach the police without fear of antagonism can the society begin to focus on matters of development and stimulation of the local economy. The reform should also take into account the adverse effect of clanism on the effective operation of the police. Further to that, financial resources also need to be directed toward increasing police presence in the far flung villages of the district as well as enhancing the equipment and logistical capabilities of the current force so as to make it more effective in the provision of services. The role of informal security providers (traditional elders and religious leaders) ought to be investigated so as to ensure alignment with international human rights with regard to gender equity.

If the pace of current judicial reform is increased, the residents of Garowe stand to benefit further from the positive progress that has been made in the sector. Mechanisms for enhancing access to justice ought to be prioritised and better publicised so as to pave the way for more confidence in the formal justice system. The level of coordination between the formal and informal justice systems was also observed to be commendable. The clear delimitation of roles and responsibilities as well as jurisdiction should however be formalised and communicated widely so as to avoid instances of miscarriage of justice.

The local council has performed increasingly well, providing services to the best of its ability to all members of the community, including marginalised communities such as IDPs. With the support of JPLG and the central government of Puntland, the council was able to prioritise and deliver on most of the needs of the community that fell within its mandate. The selection of councillors by traditional elders rather than through election members of the community however, ought to be reconsidered. While it has served in the past to ensure clan representation in local governance, it may now be a hindrance to the legitimacy of the council and the need to ensure accountability by affording the residents a chance to gain familiarity with local governance concepts through electoral processes.
6. ANNEXES

6.1. Sample Size Formula

\[ \frac{z^2 (P) (1-P) (f)}{e^2} \]

Where:
- \( z \): confidence interval (95%)
- \( P \): P-Value which assumed some security correlation within the cluster (0.3)
- \( f \): is the sample design effect (1.5)
- \( e \): the margin of error to be attained (+ or − 9%)
# 6.2 Glossary of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Access to Justice</strong></td>
<td>People’s ability to solve disputes and reach adequate remedies for grievances, using formal or traditional justice systems. The justice process has qualitative dimensions, and it should be in accordance with human rights principles and standards.</td>
</tr>
<tr>
<td><strong>Civil case</strong></td>
<td>Non-criminal cases relating to civil wrongs and disputes between individuals, including generally property, business, personal domestic problems, divorces and such types where one’s constitutional and personal rights are breached.</td>
</tr>
<tr>
<td><strong>Clan</strong></td>
<td>A system characterized by a chain of paternal ancestors reaching back to a perceived founding ancestor whose name all members of the clan share for identity.</td>
</tr>
<tr>
<td><strong>Conflict</strong></td>
<td>State of disharmony between incompatible persons, ideas, or interests.</td>
</tr>
<tr>
<td><strong>Criminal case</strong></td>
<td>An action, suit, or cause instituted to punish an infraction of the criminal laws of a country.</td>
</tr>
<tr>
<td><strong>District Safety Committee</strong></td>
<td>A representative body comprised of a broad cross section of civil society that acts in an advisory capacity to the local government in issues of community security and safety.</td>
</tr>
<tr>
<td><strong>Enforcement</strong></td>
<td>Relates to the implementation of orders, decisions and settlements emerging from formal or informal adjudication. Enforcement bodies include police and prisons, and administrative bodies in particular cases. Traditional systems may also have specific mechanisms of enforcement. Enforcement systems are the key to ensuring accountability and minimizing impunity, thus preventing further injustices.</td>
</tr>
<tr>
<td><strong>Formal Justice System</strong></td>
<td>A codified system of laws and court proceedings enforced by recognized actors of lawyers, police and justice officials. The formal justice system involves civil and criminal justice and includes formal state-based justice institutions and procedures, such as police, prosecution, courts (religious and secular) and custodial measures.</td>
</tr>
<tr>
<td><strong>Gender</strong></td>
<td>“Gender” refers to the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women.</td>
</tr>
<tr>
<td><strong>Governance provider</strong></td>
<td>Formal institutions or individuals that act, process, or possess the authority of governing.</td>
</tr>
<tr>
<td><strong>Informal Justice System</strong></td>
<td>Dispute resolution mechanisms falling outside the scope of the formal justice system. The informal justice system is used here to draw a distinction between state-administered formal justice systems and non-state administered informal justice systems.</td>
</tr>
<tr>
<td><strong>Justice Provider</strong></td>
<td>Formal or Informal Institutions or individuals that are responsible to provide fair and equitable treatment of all individuals under the law (customary, formal or Sharia).</td>
</tr>
<tr>
<td><strong>Justice System</strong></td>
<td>Includes formal justice institutions and procedures, such as police, prosecution, courts and prisons, as well as Alternative Dispute Resolution (ADR), and other informal and traditional systems (e.g. a council of elders). The justice system includes coordination and other arrangements among its different components that influence overall outcomes on access to justice.</td>
</tr>
<tr>
<td><strong>Land/water disputes</strong></td>
<td>A state of debate or quarrel between/among persons, groups or communities over the property, the use, etc. of plots or swathes of land and water points.</td>
</tr>
<tr>
<td><strong>Local Authority</strong></td>
<td>Those invested with formal power, especially a government or body of government officials at district level.</td>
</tr>
<tr>
<td><strong>Petty Crimes</strong></td>
<td>Criminal offense that is less serious than a serious crime and generally punishable by a monetary fine, forfeiture or a jail term of up to a year, or a combination of both.</td>
</tr>
<tr>
<td><strong>Security Provider</strong></td>
<td>Formal or informal Institutions or individuals that are responsible for the protection of persons, dwellings, communities or the nation from harm.</td>
</tr>
<tr>
<td><strong>Serious Crimes</strong></td>
<td>Criminal offense that is more serious than a petty crime and which can be punished by one or more years in prison.</td>
</tr>
<tr>
<td><strong>Violence</strong></td>
<td>The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, which either results in or has a high likelihood of resulting in injury, death, psychological harm, or deprivation.</td>
</tr>
<tr>
<td><strong>Xeer</strong></td>
<td>A customary law system that has evolved from a basis of clan relations, with some influence of Islamic law (Sharia), that employs mediation and negotiation through the use of traditional elders.</td>
</tr>
<tr>
<td><strong>Youth</strong></td>
<td>Men and Women between the age of 15 and 30.</td>
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</tbody>
</table>