BURAO

DISTRICT CONFLICT AND
SECURITY ASSESSMENT REPORT

JUNE 2015

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District Conflict and Security Assessment Report

BURAO DISTRICT

JUNE 2015
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Finally, we are grateful to the local authorities in Burao District for giving us the permission to conduct this assessment in the district.
## ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>DCSA</td>
<td>District Conflict and Security Assessment</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>KII</td>
<td>Key Informant Interviews</td>
</tr>
<tr>
<td>MCH</td>
<td>Mother and Child Health</td>
</tr>
<tr>
<td>MOU</td>
<td>Memorandum of Understanding</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>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

Source: UN OCHA 2012
DISTRICT PROFILE

Burao is the capital of the Togdheer region and is the second largest city in Somaliland. The district holds the largest livestock population and is the centre of the livestock market in Somaliland, Somalia and Eastern Ethiopia. Remittances from the Diaspora in Western regions, the Middle East and other countries are also a major contributor to the district’s economy. In addition, there are a number of small and medium businesses in telecommunications, mineral water, hospitality, detergent-manufacturing and other industries.

Much of the district was destroyed and several persons displaced during the prolonged civil war in the 1980s. Most of the residents were forced to flee for their lives in 1988 and many ended up in refugee camps in Ethiopia. Rehabilitation commenced in 1991, when people started to return to the city, but was interrupted by local conflict in 1992 and 1994. The process was also negatively impacted by a ban on livestock exports to the Middle East in 2000. Following a prolonged period of peace, the environment is now conducive to investment and regeneration.

Social services in Burao are provided by several agencies, including the government, local NGOs, international organisations, the private sector and other community-based organisations. The Diaspora has also contributed to several social and development activities including the construction of bridges, hospitals, a modern shopping centre, and the University of Burao. The district is one of the districts in Somaliland that benefits from the UN Joint Programme on Governance and Decentralised Service Delivery, which aims to strengthen local governance and enhance decentralised services in Somaliland and other regions of Somalia.
SCOPE OF THE ASSESSMENT

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 primarily 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 BURAO 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 Burao District. This assessment was conducted in the Burao District from April 10 to 16, 2015.

The following summarises the key findings of the assessment:

Governance providers

As is customary for Grade A districts under the Regions and Districts (Self-Management) Law (Law No: 23/2002), Burao has an elected council that comprises 21 councillors (all male) currently serving a five year term that commenced in December 2012. In general, awareness of the existence of the council was very high; only one in every ten respondents answered that it is not present, and most of these were among the Internally Displaced Persons (IDPs). The council was most notably known for the provision of sanitation and infrastructure services, but a few respondents also mentioned health, water, agriculture, security and education. The Mayor was quoted as stating that the on-going pilot test for decentralisation, of which Burao District is a part, would empower local councils and expand their functions. Some of the most mentioned pressing local issues included lack of infrastructure, bad health centres and poor health, water shortages, poor education, unemployment and insecurity. Of interest, lack of water was an isolated issue, having been brought up only among the IDP communities. On the part of the local council, the mayor was of the opinion that the biggest challenge relates to taxation laws (that were put in place more than two decades ago) whose application presently places the mandate of taxing trade, particularly livestock trade for which Burao is well known, in the hands of the local council of Berbera rather than that of Burao. As it relates to good governance practices, a majority of the respondents in the survey were in concurrence that it is important to have elected officials; but in qualitative discussions, discussants were sceptical of the extent to which these officials act as representatives of the electorate and also felt that given the economic distress prevalent in the country, 21 councillors are a financial burden. Nonetheless, the outlook was positive as about a half of the respondents still felt that the performance of the council had improved in the past year, with a further quarter stating that they had at least maintained their level of performance.

Justice

As is common place across all Somali-speaking regions, the justice system in Burao is composed of formal actors in the form of the judiciary, the police and correctional services as well as informal actors such as traditional elders and religious leaders. As a regional capital, Burao has a Regional court in addition to the District Court and the Court of Appeal. Awareness of the existence of courts was high overall, although among the IDP communities more than one third of surveyed respondents stated that they were not aware of the existence of the courts. Most respondents thought there was only one court. This perception may have been influenced by the fact that the Courts are housed in the same building, sharing meagre facilities. For three quarters of those interviewed, the court was less than an hour away from their homesteads. Most of those who reported that the court was more than an hour’s walking distance away were IDPs. In the survey, the
reported rates of actual usage of justice providers within the year leading up to the assessment showed the courts having been used more often than traditional elders and religious leaders. Confidence levels in the formal justice system were high, with more than eight in ten respondents stating that they were either very or fairly confident in the system and a similar proportion feeling that the performance of the court had improved in the last 12 months. Slightly more respondents identified the court as their most trusted justice provider than those who chose traditional elders and those who chose religious leaders. Collectively, however, the informal justice providers were more highly regarded. Qualitative discussions highlighted an underlying bias in favour of informal justice providers and an accompanying scepticism of the courts occasioned by allusions of inefficiency and corruption. Some areas in need of reform were also identified. These include resource enhancement as well as the need for proper training and ethics in the recruitment of judicial staff.

Security providers

The Police are the main security provider in Burao, but the community also benefits from the efforts of informal entities, specifically traditional elders and security/safety committees. Almost all respondents were aware of the presence of the police and when they were asked to whom they preferred to report civil disputes, incidences of petty crime and serious crimes, they overwhelmingly stated the police, without any major variations between the genders. Furthermore, the police were mentioned by almost all the respondents as their most trusted security provider, with the most frequently cited reason for this trust being their relatively fast response. In the same vein, nine out of every ten respondents stated that they had either very high or fairly high levels of trust towards the police in responding to crime and violence, and three quarters felt that the performance of the police had improved over the preceding 12 months. This overall positive perception of the police was achieved despite the challenges that they faced in the course of their duties. Some of the challenges that were identified included the lack of logistical facilities, personnel shortages and an insufficiency of police stations.

Conflict and violence

The district had not experienced a significant number of incidents of conflict or violence in the 12 months preceding the assessment. Less than one in every ten persons surveyed across the district reported having witnessed conflict between clans or groups, with the proportions across the sub-divisions not indicating any variation that would point to a concentration of such conflict in one area. However, there was a slightly higher prevalence of male respondents reporting having witnessed conflict than that of female respondents. Of those who had witnessed conflict, a mean of 3 incidents was reported. In addition, an even smaller proportion of respondents reported witnessing crime and violence against persons outside their own homestead in the preceding twelve months. The major cause of the conflict that was observed between groups was further stated – by three quarters of those who had witnessed any form of conflict – to be youth related violence. With respect to dispute resolution arrangements, the police were said to have the overall mandate of intervening, particularly when there is a risk of the conflict escalating into widespread violence but, depending on the nature of the case, the traditional elders and the district safety committee also mediated disputes. Overall, a majority of respondents in the household survey felt that the level of safety in the district was high but, across the sub-divisions there were noticeable variations, with as much as close to half the respondents in Mohamed Ali Sub-division, as well as sizable proportions in Sh. Bashiri and Lihle stating that they feel unsafe. As to the trend from year to year, about two thirds of the respondents felt that there had either been an improvement or no change in the level of safety over the past year, but the remaining one-third felt that safety had decreased.
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 BURAO District of Somaliland. 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, and Key Informant Interviews were used to probe deeper into, and cross-validate issues that emerged from the Focus Group Discussions.

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 a larger quantitative 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

This is the third DCSA conducted in Burao (the previous DCSAs were conducted in 2012 and 2013). The methodology used in 2013 was employed for this assessment. 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 − 8%) and the assumption that some security correlations of (0.3) existed within the sub-divisions.

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 (sub-division). 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.

Finally, a total sample of 240 households was derived from the calculation detailed above.

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 three trained data enumerators and two local supporters (with local acquaintances and knowledge on borders between sub-divisions) under the supervision of an OCVP supervisor, managed to conduct 240 interviews in four main sub-divisions: Sheikh-Bashiir, Faarah Omaar, Mohamed Ali and Lihle. Data was also collected from the two main IDPs: Koosaar and Ali Hossein) from April 10-16, 2015.

OCVP employed Systematic Random Sampling (SRS) where enumerators randomly selected any 4th household after a random start point and interviewed one respondent above 18 years old in each selected household. A gender balance was emphasised across the entire survey. Table 1 illustrates the distribution of respondents by gender within each of the sampled sub-divisions.

<table>
<thead>
<tr>
<th>Area/Sub-division</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>Sh. Bashiir</td>
<td>16</td>
<td>34</td>
</tr>
<tr>
<td>Faarah Omaar</td>
<td>24</td>
<td>26</td>
</tr>
<tr>
<td>Mohamed Ali</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Lihle</td>
<td>26</td>
<td>24</td>
</tr>
<tr>
<td>IDPs</td>
<td>17</td>
<td>23</td>
</tr>
<tr>
<td>Total sample</td>
<td>108</td>
<td>132</td>
</tr>
</tbody>
</table>

Table 1: Distribution of respondents within sub-divisions by gender
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 11th and 12th of April 2015 at Burao District Safety Committee (DSC) Hall. Each discussion group lasted for about an hour.

A total of five groups were involved in the FGDs: women, elders and religious leaders, youth (male and female in one group), justice providers (formal and informal) and governance providers. Each group consisted of 10 participants (with the exception of governance providers group which consisted of 6). (See Table 2). A local organiser assisted in the recruitment of the participants based on clan-lines, geographic coverage, social class, gender and age (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 where the participants’ consent was obtained. Following a verbatim transcription, the data was cleaned, organised and finally further coding was done.

<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>2</td>
</tr>
<tr>
<td>Governance Providers</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Internally Displaced Persons</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>36</td>
<td>20</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. The interviews were conducted between April 13 and 16, 2015 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 Regional Police Commissioner, District Court Commissioner, a key Religious Leader, a key Traditional Elder, Ali Hossein IDP Chairperson and Burao Mayor (See Table 3).

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>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
</tr>
<tr>
<td>Regional Police Commissioner</td>
<td>1</td>
</tr>
<tr>
<td>District Court Commissioner</td>
<td>1</td>
</tr>
<tr>
<td>Ali Hossein IDP Chairperson</td>
<td>1</td>
</tr>
<tr>
<td>Key Religious Leader</td>
<td>1</td>
</tr>
<tr>
<td>Key Traditional Elder</td>
<td>1</td>
</tr>
<tr>
<td>Burao Mayor</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>6</td>
</tr>
</tbody>
</table>
2. PROFILE OF RESPONDENTS

The household survey sample comprised 55% males and 45% females. A gender balance had been emphasised throughout the assessment to allow a clear depiction of the differences in experience, views and insights between the two genders in relation to the thematic areas (Fig. 1).

More than one half of the respondents (58%) fell within the 20-29 and 30-39 year age categories, (34% and 24% respectively), while 21% of respondents were between the ages of 40 and 49 years. Respondents aged 60 and over as well as those below 20 each comprised 6% of the sampled population. The remaining 9% of respondents were between the ages of 50 and 59 years (Fig. 2).

Regarding the marital status of the respondents, almost two thirds (67%) of the sampled respondents were married, while one quarter (24%) were singles. The remaining were either divorced or widowed (7% and 2% respectively), see figure 3.

A little more than one third (34%) of the respondents had never been educated or had been self-schooled, while approximately 22% had only attended Quranic Madrasa. Less than one half of respondents (45%) were formally educated, with 8% having been educated to the primary level, 15% to the intermediate level and 18% to the secondary level. Those who reported that they were educated to the...
tertiary level accounted for the smallest portion of the sample, 4% (Fig. 4).

Figure 4: Respondents’ level of education

When disaggregated by gender, the findings indicate that female respondents were less educated than their male counterparts. More than one half (55%) of the male respondents reported that they had attended a primary, intermediate, secondary or tertiary institution compared with 35% of female respondents. Moreover, approximately one-third of the women (32%) compared with 18% of men stated that they had never been educated (Fig. 5).

Figure 5: Respondents’ level of education by gender
3. GOVERNANCE, JUSTICE AND SECURITY PROVIDERS

3.1. GOVERNANCE PROVIDERS

In the last two decades, since Somaliland declared its independence, the structure of the Local Government has evolved. During the first decade, the local governments were run by Mayors, appointed by the Ministry of Interior. However, in 2002, the first local government elections, in which several political organisations registered and participated, were held in Somaliland. Since then, elected councillors who vote for a mayor and deputy mayor amongst themselves (under the procedural law laid down in the presidential and local elections), have run the business of the local governments.¹

The main law governing Somaliland Local Governments (SLG) is the Regions and Districts (Self-Management) Law (Law No: 23/2002). Somaliland’s administration system categorises districts into grades A, B, C and D; it is the first three categories that have elected local councils of which the number of councillors is proportional to the district grade. Only D districts still have nominated village heads.²

This section is aimed at assessing the awareness, performance, participation and perception of the local government in Burao Town as well as the challenges facing the institution.

3.1.1. Level of deployment

Being a grade ‘A’ district, Burao has a local council that comprises 21 elected councillors representing different clans and communities in the district. The current councillors (all male) came to office in December 2012 with five years office tenure.

Nine in ten (90%) of the respondents in Burao were aware of the existence of the local council in the district (Fig. 6). Respondents in the IDP community were least aware of the local council (35% of the sampled IDP respondents were not aware of the council), followed by the Faarah Omar and Mohamed Ali sub-divisions where approximately one in every ten respondents was not aware of the council’s existence (Fig. 7).

Figure 6: Respondents’ awareness of the existence of a Local Council

![Presence of Local Council](image)

¹ Mohamed A., Local Governments in Somaliland: Challenges and Opportunities (2012), Wardheernews
Regarding the awareness of the local council across the gender divide, the findings suggested that a greater proportion of females was unaware of the existence of the council (12% of females compared with 7% of males). See figure 8.

The law No: 23/2002 (Regions and District self-Management law) stipulates the services that local councils should be responsible for providing. These services include water, sanitation, health, and education among others. It is against this constitutional stipulation that the assessment sought respondents’ knowledge of the services provided by the local council. The findings show that Sanitation (69%) and Infrastructure (64%) were the services provided by the local council that respondents were most knowledgeable about (Fig. 9).

Regarding the services provided by the local council, the mayor of Burao stated that:

Local councillors are mandated to the basic service delivery: [primary] education, water - though the central government provides water in some areas, while in other areas it is privatised - health such as the MCHs, sanitation and hygiene, quality control. All in all, the local councils are responsible to deliver basic services, whether local councils deliver these services or not. The government is responsible in the provision of other services.³

The Need for Effective Decentralisation

Article 112 of the Somaliland Constitution (2001) lays down the legal framework for the decentralisation of administrative powers. Burao is one of seven districts in Somaliland which is working with the Joint Programme on Local Governance and Decentralised Service Delivery (JPLG) and other partners to

³ Mayor, Key Informant Interview, 15th April 2015
strengthen local governance and enhanced decentralised services. As a part of this initiative, in 2014, the Burao District Council, along with the District Councils of Berbera and Boroma, signed a Memorandum of Understanding (MOU) with the Somaliland Ministry of Education to pilot a system to facilitate the decentralisation of primary education. The Mayor of Burao was optimistic about the current pilot decentralisation, stating that successful decentralisation will serve to empower the local councils.

The office of decentralisation is chaired by former Mayor of Hargeisa, Shicir...so that services are decentralised and the local councils are empowered; otherwise, the function of the local council becomes only sanitation and garbage collection.

3.1.2. Performance of the Local Council

The assessment sought to determine respondents’ knowledge of the means of communication with the local council. The findings show that 64% of the respondents who were aware of the council were not certain about or did not possess knowledge of channels of communication (Fig. 10).

Respondents who were aware of the local council were asked if they knew of the available channels of communication with the council. The results across the sub-divisions indicated that IDPs were least aware of channels of communication, with only 4% of IDP respondents stating that they knew of channels of communication with the council. While awareness of avenues of communication was highest among respondents in the Faarah Omaar subdivision, the majority (52%) stated that they were not aware of channels of communication with the local council (Fig. 11).

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The assessment sought to determine respondents’ level of participation in local council consultative meetings in the last twelve months. The findings suggested that only 5% (n=12) of the respondents had participated in local council meetings. (Fig. 12.)

Of those who had participated in consultative meetings (n=11), equal proportions of 36% stated that they had participated once and twice, while 27% said three times (Fig. 14).

3.1.2.1. Pressing Community Needs
Lack of infrastructure (54%), bad health centres (46%), poor sanitation (45%), poor health (27%), lack of water (24%), poor education (18%) and unemployment (16%) were among the most pressing issues cited by the respondents (Fig.15).
The focus group discussants expanded on the pressing issues within the community. They spoke about issues such as high taxation, inflation, unemployment, exploitative electricity providers, scarcity of public schools and students dismissed for not paying school fees despite the government policy of free primary education.

The following is an overview of the issues as highlighted in several focus group discussions.

- **Education**

  The elders’ group discussion participants mentioned that education is generally good but expressed concern over the scarcity of primary schools. Another point which they raised was the requirement for fees to be paid at this level despite a declaration by the government that there would be free primary education.

  The education is good but public schools, particularly primary schools, are limited. For example, I live in Faarah Omar sub-division, there are only two schools, namely Qasabka and Sheikh Ibrahim School which has the largest number of students enrolled in a single school in Somaliland. In addition, if parents don’t pay fees, the students will be dismissed from the free primary public schools.\(^6\)

  IDP discussants also raised the matter of fees for primary school students. In addition, they implied that the government faced challenges in making payments to the teachers.

  The government announced free basic primary education and promised to pay teachers’ salaries but that announcement is no longer practical; if the student does not pay the school fee, he or she is dismissed from the school.\(^7\)

- **Inflation**

  There were complaints about inflation accompanied by widespread unemployment and heavy taxation. IDP discussants declared that, “The most pressing issues are widespread unemployment and higher taxation.”\(^8\) One participant suggested that in the past, the impact of inflation had been offset by support from NGOs, but that this had now been reduced.

  “Previously, inflation used to be in the food stuffs but we used to get donations from NGOs, now we no longer receive any support and this is taking place at a time when inflation has skyrocketed.”\(^9\)

- **Water**

  Despite being identified among the most pressing issues facing the community by a little less than one-quarter of household survey respondents (24%), participants in the IDP focus group discussions were the only discussants who expressed concern about lack of water. Otherwise, there was consensus that water is not a pressing issue in Burao, with women and elders/religious leaders’ group discussion participants emphasising that every household in the city had access to water.

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\(^6\) *Elders and Religious Leaders, Focus Group Discussion, 11th April, 2015*

\(^7\) *IDPs, Focus Group Discussion, 11th April 2015*

\(^8\) *IDPs, Op. cit.*

\(^9\) *Ibid*
• Electricity

Electricity was a major concern and was raised in several group discussions. Participants stated that although electricity is available, it is expensive. They pointed out that the two electricity providers had recently merged and that this resulted in the only electricity company being exploitative and monopolistic. Women group FGD participants complained,

There were two electric providers but recently they united and created a monopoly. They just say what they want; they ask you to buy a meter, at the end of the month the meter reads wrong and once you complain to them, they tell you to buy another meter… will I always keep buying meters? If they disconnect you, you have no other option.10

• Sanitation

Poor sanitation was attributed to a lack of nationalism and pride. People were said to litter the streets and other public places with household waste. Consequently, garbage was everywhere. Religious and traditional elders remarked,

People are not patriotic. Households collect garbage and dump it in public places. No local authority or central government can manage this.11

• Health

Participants in several discussion groups expressed their nervousness with the health sector which they perceived to be neglected by the government.

Women spoke of a decline in the quality of health care public facilities.

Health is facing challenges, for example, previously, NGOs supported Burao General Hospital but now the NGOs no longer support the hospital. This has affected service delivery and performance. People are transferred all the way to Hargeisa.12

Participants also complained about lack of monitoring and control.

There are private health workers who are not really professional. Everybody opens a centre and nobody monitors them.13

One youth participant gave an example of what was perceived as being neglect on the part of the government:

Pharmacies are not monitored; they sometimes sell expired medicine. I myself tried to buy tetracycline from a pharmacy and I found that the drug had expired. That signifies that there is not anyone from the Ministry of Health who is responsible for monitoring the pharmacies. I also witnessed a man collecting expired medicine from the general hospital. I am not sure whether his purpose was to sell or not, but he was a pharmacist.14

3.1.2.2. Hindrances to effective Local Council

The Mayor of Burao stated that the local council’s biggest challenge is the law which addresses tax unification. The Mayor stated that at the time this was drafted in 1992/93, Government control was limited to western regions of the country and the government decided that anything from the eastern regions should be taxed in Berbera and anything from the western regions in Gabiley. Since then, the policy has not been amended despite the expansion of government control to the whole country.15

Our biggest challenge is [the law] which talks about the unification of taxation. Owing to this article, Burao which has the biggest livestock market in the country does not tax its livestock. It is the central government and Berbera local council who collect taxes and get predefined

10 Women, Focus Group Discussion, 12th April 2015
13 Youth, Focus Group Discussion, 11th April 2015
percentages, Burao does not benefit anything from the livestock sold in its markets.  

3.1.3. Perception towards the Local Council

The assessment sought respondents’ perception towards the importance of elected representatives. The findings show that a broad majority (82%) of the respondents agreed that it was important to have elected representatives (Fig. 16).

Regarding the importance of elected officials across sub-divisions, the majority (seven-in-ten or more) of the respondents in each of the different sub-divisions agreed that it is important to have elected representatives at the district level (Fig.17).

FGD participants explicitly discussed their perceptions towards the local council. The participants’ perceptions of the importance and performance of the elected council varied, with some participants arguing that, owing to the poor economy of the country, 21 councillors who require remuneration and other benefits create a burden. A quote from former president of Somaliland, the late Mohamed Haji Ibraham Egal, was used to support this view, “One hyena and twenty-one hyenas; which is better?” Elders and religious leaders argued that service, and not the salary, should be the priority for the councillors.

The Mayor was, however, in favour of elected representation.

*It is important that people elect their representatives and hold them accountable.*

Some participants posited that the election system presented some challenges. These participants felt that elections are not based on merit and competence but rather on the clan system. They also mentioned that elections are costly to the councillors.

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16 Ibid
17 Governance Providers, Focus Group Discussion, 12th April 2015
who incur a lot of debts while vying for office, noting that some even auction their properties to finance their campaign. One participant stated,

There are some councillors who will ask you what service delivery you want from them when you never elected them for this cause. They tell you, we bought votes auctioned our cars, houses and land to buy votes.\(^{19}\)

Further to this, participants alluded to the need to balance clan-based elections and performance of the elected councillors. Several participants, including the Mayor, emphasised that upon their election, most elected councillors lack experience and administrative skills and this necessitates the need to impart new skills to the councillors through trainings.

People [councillors] have different capacities, backgrounds and some people may come with wrong attitudes caused by lack of experience or young age of some councillors. Today’s councillors are not those of yesterday [referring to the time councillors were not elected], we have grown up and developed experience.\(^{20}\)

One governance providers’ discussion participant remarked,

Three months training should be offered to the councillors so they understand their duties.\(^{21}\)

One-half (51%) of the respondents who were aware of the council felt that there had been an improvement in its performance in the 12 months preceding this assessment. A little less than one quarter (24%) of the respondents said there had been no change, while 21% responded that there had been a decline in performance (Fig. 18).

![Figure 18: Respondents' perception of the performance of the Local Council](image)

Performance of the local council across sub-divisions show that the IDPs reported the lowest perception of an improvement in performance with 35% (the least among all), followed by Lihle with 43% (Fig. 19).

IDP discussants were more explicit about their discontent over the local authority,

The IDP camps do not have water, hospital and schools in close proximity to their area. The local authority never goes to the IDPs even for checking. No NGOs operate in the IDPs and we hear that they were dismissed by the Local authority.\(^{22}\)

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\(^{19}\) *Justice Providers, Focus Group Discussion, 12th April 2015*


\(^{22}\) *IDPs, Op. cit.*
Female respondents were more positive towards the performance of the local council than their male counterparts, with a greater proportion of females indicating that there had been an improvement in performance over the past year (Female: 57% vs. Male: 44%). See figure 20.

Figure 20: Respondents’ perception of the performance of the Local Council by gender

Clannism impedes state of affairs

Clannism is part and parcel of everyday life in Somaliland; however, discussants talked about the flipsides of clannism and called for the need to challenge the status quo.

For development to take place, there is no need for clan power sharing when appointing civil servants. Selection and appointment should be based on merit and competence, not the clan system.\(^{23}\)

Another participant remarked,

Appointment of the ministries should not be based on the clan system only, but on merit and appointing someone who has the competencies to do the work. Even if the appointment is clan based much emphasis should be given to competence. This will improve the service delivery.\(^{24}\)

It is not only the appointment of civil servants that is based on the clan system but also the election of the local councillors. The electorate votes along clan lines. To some participants this is causing hindrance,

“I believe the list based nomination was more effective than the election along clan lines.”

To illustrate how far reaching the influence of clannism is, one of the participants in the justice providers’ group gave the following example:

If two children fight while playing football, each will get enforcement from those of the same clan and the children skirmishes turns into conflict and grouping based on clannism.\(^{25}\)

Another participant felt that the biggest problem was that these aspects of clannism were generally accepted.

Clannism is deep rooted and does not spare anything, even the educational institutions. The school mates are divided along clan lines. No one sees clannism as a bad thing [it is accepted]. To me it is the biggest problem.\(^{26}\)

A similar claim was made by a participant in the women’s group discussion.

Students graduate, but do not get jobs based on merit unless someone fixes them. For example, I have two girls who graduated from the university last year. They tried

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\(^{24}\) Ibid


all means to find jobs but whenever there is a job opening, they should go with someone to fix them. Getting jobs is based on favouritism and nepotism. The councillors we elected did not look back. Even lower jobs, let us say cleaners, need connections.27

3.2. JUSTICE PROVIDERS

The justice system in Burao, as is commonplace in most Somali regions, is composed of both formal and informal elements. The formal components comprise the judiciary (the court system, lawyers and prosecutors); the police as the investigating and prosecuting agent in criminal matters and for the purposes of enforcing judgements; and the correctional services (jails and prisons) for execution of judgments. The informal justice providers on the other hand, include traditional elders applying Somali customary law (Xeer) – which is normally manifested as a social contract between two or more clans and, in some instances, religious leaders adjudicating (mainly family law) matters in accordance with Sharia’ah law. The formal and informal justice providers make up a system that is both complementary and at times contradictory in nature.28

The formal system, while drawing appeal as a discrete system of rules that can be enforced by the use of state sanctioned force, is in dire need of reform. The system is severely under-resourced in terms of human resource as well as facilities and also draws skepticism from the community amidst claims of corruption. The informal system on the other hand, enjoys far reaching influence, especially among rural communities with limited access to state structures. Despite concerns regarding the effect of its seemingly overly patriarchal nature on the rights of victims, especially in instances of gender-based violence, it draws legitimacy from its integration into the cultural fabric.

In this section, the level of deployment, the performance and the perception of the various justice providers are discussed.

3.2.1. Level of Deployment

As the regional capital of Togdheer Region, Burao has a District Court, a Regional Court, and a Court of Appeal. The District Court and the Regional Court are housed in the same building. In a Key informant interview, the District Court Commissioner hinted at the severe infrastructural challenges, commenting that sometimes up to seven judicial officers have to share one small room as an office.29

Among the household survey respondents, nine in every ten (90%) were aware of the presence of the courts (Fig. 21).

Figure 21: Respondents’ awareness of the presence of a functioning court

Within the subdivisions, all or almost all the respondents (100% in Sh. Bashir, Mohamed Ali and Lihle, 96% in Faarah Omar) were aware of the presence of courts. The level of awareness among the IDPs was however, notably lower. More than one third (35%) of IDP respondents stated that they were not aware of any courts (Fig. 22). To wit, there


29 District Court Commissioner, Key Informant Interview, 14th April 2015
seemed to be a notable apathy towards formal justice provision among the participants of the IDP focus group discussion who made comments indicating a deep scepticism brought on by allegations of corruption within the courts, high costs and delayed resolution.\footnote{IDPs, Op. cit.}

The IDP Chairperson in an interview indicated that there is a dispute settlement committee that handles a majority of the disputes among the IDPs, and that recourse to the formal justice system is taken as a last resort.\footnote{IDP Chairperson, Key Informant Interview, Op. cit.}

Survey respondents mostly believed there was either just one court (40\%), two (22\%) or three (17\%) in the district (Fig. 23).

With regard to accessibility, almost three quarters (73\%) of the respondents who were aware of the courts stated that they were within an hour or less in walking distance to the nearest court, whereas a little more than one quarter (26\%) stated that they were more than an hour’s walking distance from the nearest court (Fig. 24).

The respondents in the two IDP camps from which samples for the household survey were drawn reported the least accessibility in terms of distance to the courts, with 71\% of them stating that it would take them more than one hour to walk to the nearest court (Fig. 25).
3.2.2. Performance of the Justice Providers

3.2.2.1. Use of different justice providers

Qualitative discussions and interviews pointed to a dominance of the use of informal justice providers, especially the traditional elders in Burao. The IDPs brought together for a focus group discussion were unanimous in their indication that they would turn to the elders first whenever there was an issue of justice. A discussant in the Youth FGD pointed out that the use of traditional elders is commonly acceptable with the exception of instances where they apply precedent to the detriment of the rights of the victim – particularly in rape cases. The popularity of the traditional elders, especially among the marginalised communities with limited access to formal justice services was evident. An IDP focus group participant stated the following in relation to the overlapping jurisdictions:

"Actually, whenever they intervene, [it] ends in either of two outcomes: to be resolved or referred to the court."

It appeared that the traditional elders continued to be involved in rape cases despite a September 2013 circular from the Attorney General precluding such involvement. By his admission, a practising traditional elder interviewed as a key informant stated that elders are involved in cases ranging from lesser offences such as assault and civil matters to capital offences such as murder and rape.

When this matter was raised in the FGD with the religious leaders and traditional elders, participants acknowledged that they addressed rape cases, but emphasised that the overriding objective of the traditional dispute resolution mechanism is to maintain peace between groups in conflict. A participant sought to rationalise the apparent intrusion into the jurisdiction of the formal justice system.

"Yes that is true. But we need to understand that the formal courts apply rigid penal rules but we, traditional elders, see the matter from a different angle. We are aware that the male relatives of the victim might commit revenge killings to avenge her, so if we make them [the victim and the perpetrator] marry as well as impose compensation, the situation will be calm. Sometimes we even impose her blood compensation [the severest punishment] on the offender in addition to the normal compensation [xaal]."

The formal justice system on the other hand, while widely accepted as the legitimate government-mandated justice provider, appeared widely unpopular due to a variety of reasons, chief among them being the apparent ineffectiveness of the

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33 Ibid
35 Traditional Elder, Key Informant Interview, 13th April 2015
system. The length of time between the commencement of a case in the courts and its final resolution was also seen as a vitiating factor in effective justice provision. A participant in the IDP focus group, for instance, stated;

Many cases are brought to the courts but fewer judgments are received. Some cases, land disputes for example, can linger up to ten years, even some can reach up to twenty years.\textsuperscript{37}

Despite the fact that findings from the qualitative discussions and interviews suggest that the usage of informal justice providers appeared to be common, only 3% and 1% of the respondents in the household survey stated that they had engaged traditional elders and religious leaders respectively for a matter of justice in the past 12 months. Actual usage of the courts was higher among respondents, with approximately one in every ten (9%) stating that they had used the court (Fig. 26). Notably, three of the seven respondents who had referred cases to traditional elders had also referred cases to the courts in the past year.

When observed after gender disaggregation, it was noted that women (5%) had been more likely than men (1%) to have sought out traditional elders while men (10%) were slightly more likely than women (8%) to have used the court. No female respondents reported usage of religious leaders in the 12 months preceding the assessment (Fig. 27).

3.2.2.2. Issues referred to justice providers (formal and informal)

Among those who had used any of the justice providers within the previous 12 months leading up to the assessment, land disputes (29%) had been the most common issue brought to the court, closely followed by household violence and assault (24% each). Close to one third (29%) of the seven cases reported to have been adjudicated by traditional elders involved business disputes. Household violence and land disputes (14% each) were also mentioned among the issues that had been brought to traditional elders. The cases that had been referred to religious leaders involved a business dispute, assault and household violence (Table 4).

<table>
<thead>
<tr>
<th>Issues referred to different justice providers</th>
<th>Justice providers</th>
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<tbody>
<tr>
<td>Land dispute</td>
<td>Court 29%</td>
</tr>
<tr>
<td></td>
<td>Traditional Elders 14%</td>
</tr>
<tr>
<td></td>
<td>Religious Leaders 33%</td>
</tr>
<tr>
<td>Robbery</td>
<td></td>
</tr>
<tr>
<td>Household violence</td>
<td>24%</td>
</tr>
<tr>
<td></td>
<td>Traditional Elders 14%</td>
</tr>
<tr>
<td></td>
<td>Religious Leaders 33%</td>
</tr>
<tr>
<td>Assault</td>
<td>24%</td>
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<tr>
<td></td>
<td>Religious Leaders 33%</td>
</tr>
<tr>
<td>Youth Violence</td>
<td>19%</td>
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<tr>
<td>Business Dispute</td>
<td>14%</td>
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<tr>
<td></td>
<td>Traditional Elders 29%</td>
</tr>
<tr>
<td></td>
<td>Religious Leaders 33%</td>
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<tr>
<td><strong>Base</strong></td>
<td><strong>21</strong></td>
</tr>
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<td></td>
<td><strong>7</strong></td>
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<tr>
<td></td>
<td><strong>3</strong></td>
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</tbody>
</table>
3.2.2.3. Issuance and enforcement of Judgements

All respondents who had referred cases to traditional elders or religious leaders stated that judgments had been issued and enforced. Among those who had used the courts, 71% stated that they had received judgments (Fig. 28) and of those, 80% went on to state that the judgment had been enforced (Fig. 29).

Figure 28: Respondents’ account of the issuance of judgements

Figure 29: Respondents’ account of enforcement of judgments – court

3.2.3. Perception of the Justice Providers

Despite the numerous challenges levelled at the courts in qualitative discussions and interviews, when it was enquired of the respondents in the household survey who among the justice providers they trust the most to solve cases, the court was the provider that was most frequently mentioned (42%) followed by traditional elders (37%). Religious leaders were third at 20% (Fig. 30).

Figure 30: Respondents’ trust of justice providers

Upon gender disaggregation, a similar pattern was observed with respect to respondents’ indication of their most trusted justice provider. The most notable variation was with the proportions of both genders who stated that they trust religious leaders most, with nearly one-quarter of males (24%) compared with 17% of females identifying religious leaders as their most trusted justice provider (Fig. 31).

Figure 31: Respondents’ trust of justice providers by gender

The court was cited by one half of the respondents in each of the Sh. Bashir (50%) and Faarah Omaar (49%) Sub-divisions as the most trusted justice provider. It was a close second to the traditional elders in Mohamed Ali, Lihle, and among the IDPs (Fig. 32).
Figure 32: Respondents’ trust of justice providers by sub-division

About one half (49%) of those who specified the court as their most trusted justice provider gave fast decisions as the reason for their choice. Fair judgements and reliability were also leading factors influencing choice of the courts (28% and 15% respectively). The most frequently cited reasons for choice of traditional elders were independence from politics (30%), fast decisions (25%) and the comparatively lower cost of adjudication (20%). In the case of religious leaders, an overwhelming majority (79%) of those who identified them as their most trusted justice provider attributed this to their fair judgments. See table 5 below.

Table 5: Respondents’ reasons for choice of most trusted justice provider

<table>
<thead>
<tr>
<th>Reason for trust of justice provider</th>
<th>Most trusted justice provider in solving cases</th>
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<tbody>
<tr>
<td></td>
<td>The Court</td>
</tr>
<tr>
<td>Fast decisions</td>
<td>49%</td>
</tr>
<tr>
<td>Fair judgment</td>
<td>28%</td>
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<tr>
<td>Independence from politics</td>
<td>-</td>
</tr>
<tr>
<td>Less costly</td>
<td>5%</td>
</tr>
<tr>
<td>Ease of access</td>
<td>2%</td>
</tr>
<tr>
<td>More reliable</td>
<td>15%</td>
</tr>
<tr>
<td>They are respected</td>
<td>-</td>
</tr>
<tr>
<td><strong>Base</strong></td>
<td><strong>62</strong></td>
</tr>
</tbody>
</table>


39 Ibid

3.2.3.2. Issues for reform

Qualitative discussions also highlighted some issues which negatively impact the effectiveness of the formal justice system and warrant reform. In two broad categories, those issues were noted to involve: (i) resource allocation and (ii) ethics and professionalism.

Resource allocation:

The formal justice sector was said to be severely under-resourced, with systemic shortcomings in the form of insufficient working space for judicial staff, lacking logistical capabilities and meagre remuneration for judicial staff. The District Court Commissioner complained:

...no logistics, equipment and stationery ... the chair I am using was disposed of by the former deputy governor. About stationery, we receive 300,000 shillings [US $42] for stationary throughout the year and our requirements go up to 1,500,000 shillings [$ 215]. This gap forced the judges each to contribute $10 from their meagre salaries to buy stationery. The government accuses the justice sector but never questions itself about what it does for us when it comes to salaries. The B-grade officer in the Ministry of Finance is paid more than the judges.38

Ethics and professionalism

There were also allegations of unethical practices such as the issuance of practising licences to lawyers who had previously been judges and had been dismissed for professional misconduct:

My former boss was dismissed. He became a practicing lawyer and I met him in the court in which I am a judge. Naturally, I respect him and therefore I may be biased in his favour. The license is issued by the same government that dismissed him!39

When asked what level of confidence they had towards the formal justice system, slightly more than four out of every five respondents (82%) were either very confident (42%) or fairly confident (40%) and
17% stated outright that they were not confident (Fig. 33).

Figure 33: Respondents’ level of confidence in the formal justice system

Gender wise, a greater proportion of female respondents (47%) than that of the males (35%) stated that they were very confident in the formal justice system, whereas a greater proportion of men (44% males versus 37% females) stated that they were fairly confident (Fig 34).

Figure 34: Respondents’ level of confidence in the formal justice system by gender

Furthermore, more than one half (52%) of the survey respondents felt that the performance of the courts had improved compared to the previous year. Almost one third (31%) felt that there had been no change and 9% each either felt that there had been a decline in performance or did not know (Fig. 35).

Figure 35: Perception of the performance of the formal court-yearly trend

Female respondents (55%) had a slightly higher likelihood than male respondents (47%) of reporting that they thought the performance of the court had improved. Larger portions of men however, reported that they felt that there had been no change (35% men vs. 27% women) or that there had been a decline (12% men vs. 6% women) See figure 36.

Figure 36: Perception of the performance of the formal court-yearly trend by gender

The highest occurrences of positive responses with regard to the survey participants’ perception of the change in performance were observed in Sh. Bashir and Faarah Omaar where 68% and 64% respectively of interviewed residents stated that there had been an improvement. In Mohamed Ali, Lihle and among
the IDPs those who held a similar opinion made up 40%, 42% and 43% respectively (Fig 37).

Figure 37: Perception of the performance of the formal court-yearly trend by sub-division
3.3 SECURITY PROVIDERS

The security system that is in place in Burao District is similar to the other regions in Somaliland, whereby the police are the main security provider. The police are supported in their efforts by informal entities such as the traditional elders. The district was perceived by the majority of qualitative respondents as being relatively peaceful. However, while there have not been any major destabilising incidents leading to widespread insecurity, there were issues which did cause public concern.

Against this background, this section assesses the level of deployment of the security providers as well as the perception, including preference and trust, towards the security providers. Finally, the section sheds some light on the challenges faced by the security providers.

3.3.1. Deployment Capabilities

Nearly all respondents (98%) reported awareness of the police presence (Fig. 38). Participants in the youth focus group discussions also acknowledged the role of the community in supporting police in security provision; security/safety committees and night guards in the surrounding villages assisted on a daily basis by, for example, informing the police of potential insecurity issues and keeping watch.

Every person is responsible for the security, participation can even be information given to the police by the community members.40

Another youth disputant said, “Villages have committees who work in security provision. Night watch guards also contribute to the security provision at night.”41

Although the youth FGD participants presented the positive role that night guards played in supporting security efforts in the district, they also suggested that these entities presented a risk, whereby residents felt almost obligated to use the services of these unregistered providers:

If you have a dispute with them, they may use thieves to burgle your house and then you are forced to go back to their service.42

Elders’ role in supporting the formal entities in security provision was commended. However, there were times when they would tend to develop vested interests in the conflict.

Elders also support the security provision though they have two edges as they also earn a living from conflicts.43

Figure 38: Respondents’ awareness of police presence

There were hardly any variations in respondents’ awareness of the police presence when looking at sub-divisions. All the respondents in Lihle reported that they were aware of the police presence, while at least 95% of respondents in each of the other sub-divisions and the IDPs also indicated that they were aware (Fig. 39).

41 Ibid
42 Ibid
Shortage of police stations

There were variations in respondents’ estimation of the number of police stations in the district. Approximately two in every five respondents (43%) estimated that there was one police station. However, the majority of respondents (54%) estimated that there were two or more. The remaining 3% of respondents did not give a response. See figure 40.

Approximately one-quarter of respondents (24%) stated that they were less than twenty minutes away from the closest police station, while 43% stated that the closest police station was between twenty and forty minutes away from their homesteads. More than one-third of respondents (36%) estimated that it would take more than 40 minutes to get to the closest police station from their homes. Furthermore, 55% of residents in the Sh. Bashiri subdivision lived 20-40 mins away from their nearest police station, compared with those living in Faarah Omaar (43%) and Mohamed Ali (40%). (Figs. 41 and 42.)

Regarding the number of police stations, qualitative discussants made explicit claims that there was a shortage of police stations in the district. Although the police commissioner asserted the presence of five police stations in the different subdivisions of the town, there was consensus among participants that more police stations were needed. The shortage of police stations also limited the correctional facilities
available to the police as one participant explained,

The city needs as many as ten police stations. The number of police in the city is not sufficient. They make their efforts but the city is still larger. For example, when the government started arresting the youth gangs; it could not get enough police stations to keep them.44

IDP group discussants shared the opinion that the police is good in terms of number of officers and performance, but that the number of police stations is limited.45 This was further elaborated by the discussants in the elders and religious group,

There are many subdivisions which do not have police stations, including October village. There is inconsistency between the quality and quantity of the police. Their quality is good but the quantity is very limited.46

One participant in the elders group also added that Lihle Village also did not have a police station, stating that, “The nearest police station is the Central Police Station in the down town.”47

3.3.2. Preferred Security Providers

The assessment sought to determine respondents’ preferences for reporting various security matters (civil matters, petty and serious crimes) to different security providers. Below are the key findings in this regard:

3.3.2.1. Civil matters

When it came to reporting civil cases, the police were identified as the most preferred choice (84%), followed by the other formal providers such as the court and the local authority (7% and 6% respectively). A small number of respondents preferred the traditional elder at 2% and finally few respondents (1%) mentioned the religious leader (Fig. 43).

Factoring in the gender perspective in respondents’ choice of reporting civil matters, the study revealed almost identical trends wherein 99% of females versus 94% of males preferred the formal providers. The police was most favoured by both genders (Fig 44).

3.3.2.2. Petty crimes

Similar to the stated preferences for reporting of civil cases, the police were identified as the preferred choice for reporting petty crimes (96%). A minority of respondents indicated a preference for reporting such matters to the traditional elders (2%), the local authority and court (1% each). See figure 45.

Figure 45: Respondents’ preference of reporting petty crimes

![Figure 45: Respondents’ preference of reporting petty crimes](image)

No major variations were noted with regard to gender based analysis of the reporting preference for petty crimes (Fig. 46).

Figure 46: Respondents’ preference for reporting petty crimes by gender

![Figure 46: Respondents’ preference for reporting petty crimes by gender](image)

3.3.2.3 Serious Crimes

When serious issues arose for the respondents, the police still ranked highest, with 98% stating that they would utilise police services. Respondents’ preference for the traditional elder when it came to reporting serious crimes remained in second position with 2% (See Fig. 47).

Figure 47: Respondents’ preference for reporting on serious crimes

![Figure 47: Respondents’ preference for reporting on serious crimes](image)

The police remained the most preferred provider for both genders when it came to reporting of serious crimes. However, while all the female respondents (100%) stated that they would prefer to report serious crimes to the police, approximately 5% of males identified traditional elders as their preferred choice for reporting of serious crimes (Fig. 48).

Figure 48: Respondents’ preference for reporting on serious crimes by gender

![Figure 48: Respondents’ preference for reporting on serious crimes by gender](image)

3.3.3. Perception of Security Providers (Formal and Informal)

The study continues to indicate the significant role played by the formal system, with an overwhelming majority of respondents (93%) identifying the police
as their most trusted security provider, whereas approximately 6% of respondents indicated higher levels of trust in the informal providers (traditional elders and religious leaders) see figure 49.

Figure 49: Most trusted security provider in responding to crime and violence

Approximately 96% of the female respondents and 90% of males identified the police as their most trusted security provider for responding to crime and violence. Among the remaining respondents, 5% of the males and 3% of the females stated that they trust traditional elders most in this regard, while 5% of the males (and none of the females) stated that they preferred the religious leader (Fig 50).

Figure 50: Most trusted security provider in responding to crime and violence by gender

When asked to state reasons for their preference, fast response was the most frequently cited reason for selection of the police and traditional leaders (74% and 44% respectively). Preference for religious leaders and the local authority was most frequently attributed to unbiased enforcement (60% and 100% respectively). Table 6 presents respondents’ reasons for their choice of most trusted security provider.

Table 6: Respondents’ reason of choice of most trusted security provider

<table>
<thead>
<tr>
<th>Reason for trust of security provider</th>
<th>Most trusted security provider in responding to crime and violence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fast response</td>
<td>Traditional elders        Religious leaders Courts Local authority</td>
</tr>
<tr>
<td>Unbiased enforcement</td>
<td>44%                       20%                      -                  74%</td>
</tr>
<tr>
<td>They are respected</td>
<td>11%                       60%                      100%               8%</td>
</tr>
<tr>
<td>Ease of access</td>
<td>33%                       20%                      -                  2%</td>
</tr>
<tr>
<td>Other</td>
<td>11%                       -                        -                  15%</td>
</tr>
<tr>
<td>Base</td>
<td>9                         5                        1                  223</td>
</tr>
</tbody>
</table>

The study further analysed respondents’ opinions of the police as a formal security provider. The quantitative findings suggested that respondents held a very high level (56%) or fairly high level (34%) of trust in the police. Only 11% reported a fairly low or very low level of trust in the police as the entity that responded to crime and violence (Fig. 51).

Figure 51: Respondents’ level of trust in the police

Disaggregation of trust towards the police along gender lines indicated that a greater proportion of females than that of males (95% versus 84%) had
fairly or very high levels of trust in the police. See Fig. 52.

Figure 52: Respondents’ level of trust in the police by gender

3.3.4.1. Challenges faced by the police

Based on the feedback from the qualitative discussions, there were no serious challenges facing police in the district. However, one issue considered to have mainly affected police effectiveness was the shortage of police stations and officers in the district.

The police shortage was further compounded by the deployment of Burao district police officers to other districts or at times regions. Explaining this, the police commissioner remarked,

It is true that we do not have sufficient police officers; this is a general problem, not specific to Burao only. Secondly, at any given time, there are some of our police officers deployed to other areas or regions outside the district. Currently there are 15 police offices deployed to Las Anod, 15 deployed to Baliga Dureye in north of Burao. There is no problem because they are in police operations and national duty.

Commenting on the number of police stations, the police commissioner stated that though Burao is one of the districts that has the largest number of police stations in the country, this number is still insufficient based on the size of the region and district in particular.

Police response hiccup

The police is the preferred choice for reporting in the wake of a crime. However, the qualitative discussants raised an array of issues that affected police response to crimes. These included delays caused by lack of proper logistics and sometimes the behaviour of police officers. IDP discussants remarked:

In fact, the police perform but the number and the equipment is insufficient. For example, if a problem takes place in one of the subdivisions and you report to the police, they may not have a police car that can transport police officers.

Though many participants stated that the “quality” of the police officers is good, there were others who raised questions regarding police conduct.

Police ethics should also be improved. If a victim or a poor person reports to the police, the police will not help the person unless he or she pays something… this is because what is paid to them [salary paid to the police officers] is much lower than what they can decently live for.

Furthermore, police training and potential biases were other issues that some participants spoke of.

The police do not do a good investigation, if someone approaches the police first, they are more likely to just think that he is the victim. If one part has connections and the second does not, then the police will support the person with connections. Additionally, if you report to the police they will not go with you unless you pay them something.

48 Regional Police Commissioner, Key Informant Interview, 14th April 2015
In regard to the police response, the distance of the crime scene also mattered. Women’s group discussants raised this point.

Police do their best and their response will depend on the distance of the incident to the police station. In the remote areas it takes time for the police to reach. For example, I live in October and it is distant from the police stations; if there is an incident, the culprits will flee from the scene before the police arrives. Police mostly complain about lack of transportation, however, whenever there is insecurity we report to the police and any delay is caused by poor logistics.53

3.3.4. Performance of security providers

The majority of respondents (76%) perceived that there had been an improvement in police performance over the last twelve months; compared with 15% who felt that there had been no change and 7% who reported a decline. See figure 53.

When looking closer at respondents’ perception of police performance by gender, the majority of respondents, both male (71%) and female (80%), felt that it has improved. Approximately 19% of males and 12% of females reported that there had been no improvement, while 9% of males and 5% of females mentioned a decline. See figure 54.

When comparing the opinion of police performance across different sub-divisions, it was noted that more than 80% of respondents in Sh. Bashir reported that there had been an improvement, while 78% of respondents from the IDPs and Mohamed Ali shared a similar opinion. The highest portion that reported a decline was by approximately 12% of respondents in Lihle (Fig. 55).

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53 Ibid
4 CONFLICT AND VIOLENCE

4.1 Dynamics of Conflict and Violence

This section presents an overview of respondents’ account of their experiences with conflict and violence, the root causes of such incidents, and the overall perception of safety in the area. Although there were no major destabilising incidents in Burao district, there were certain issues that were presented by respondents during the assessment.

4.1.1 Experience of Conflict

A little less than one in ten respondents (8%) reported that they had in fact witnessed conflict among clans or subgroups during the past twelve months, while the remaining majority 92% had not witnessed any conflict between groups or clans (Fig. 56).

There were no major variations across sub-divisions, with respondents in Lihle (10%) being slightly more exposed to conflict than those in the other areas – 6% in Faarah Omaar, and 8% each in Sh. Bashir, Mohamed Ali and IDPs. See figure 57.

Figure 57: Account of witnessing conflict between clans or subgroups by sub-division

Experience of conflict appeared to be more prevalent among male respondents, as more males (11%) had witnessed conflict compared to females (5%) in the past 12 months. See Fig. 58.

On average, those who had witnessed conflicts between groups or clans (n=19) during the past year reported that they had observed just less than 4 (mean = 3) incidents of conflict, with approximately one quarter (26%) stating that they had witnessed two such incidents during this time, followed by those that had observed one (21%) and three and four (16% each) see figure 59.
4.1.2. Experience of Crime and Violence

Approximately 5% of respondents stated that they had witnessed at least one incident of crime and violence against someone outside the homestead (Fig. 60). Respondents in Mohamed Ali sub-division witnessed more incidents of crime and violence at 10% than any other sub-division (Fig. 61).

4.1.3. Causes of conflict

*Youth related violence* was identified as the main cause of observed conflicts (74%). Other common causes of conflict cited by respondents in the household survey include crime (26%), family disputes (21%) and resources (21%). Figure 63 illustrates the main reasons cited for the conflicts which were observed.
Youth related Violence

Youth formed groups with names such as Da’ish and Boko haram. These groups often loitered in the different sub-divisions and at times fought among themselves while at other times, they would mug persons and steal their phones. Participants in the elders and religious leaders’ focus group discussion felt that migration of youth from other areas as well as the unavailability of jobs were among the factors that contributed to this problem.

Youth programm and policies are required to sustain the reported reduction in youth violence, illegal youth immigration or use of drug substances, mainly such as khat.57

Land Disputes

There was consensus among participants in the focus group discussions that land related disputes are common in the district. Participants raised varied reasons for land disputes, including: (1) illegal land grabbing; (2) improper land ownership documents; (3) Issuance of double or multiple titles for some plots of land; and (4) ineffective conflict resolution mechanism among others. Land is not only an issue in the urban areas of the district but also in the rural areas. These are mainly: (1) Disputes on earth dams and (2) digging water reservoirs in the rural areas.58

Commenting on the youth violence, the police commissioner remarked that:

Youth violence can be expected in any major city; however, the youth violence in Burao is not the same level as those reported in other major cities such as Hargeisa.55

Furthermore, the commissioner substantiated the claim of reduction in youth related violence by the participants, saying that;

There was a time in 2014 when the youth violence become common issue but we combatted by arresting around 100 of them [youth] of whom many of them were warned that any future arrests will have serious consequences on them. We collaborated with their parents since then youth related violence has subsided.56
Focus group discussants also spoke about factors that contributed to the land disputes in the district. Youth discussants remarked that,

*For land disputes, there is not always a fair resolution. The government may sometimes issue two different documents for the same plot of land; such cases create conflicts.*\(^{59}\)

Furthermore, discussants in the elders’ group stated, “After the civil war, the people started grabbing land without authorization and that creates most of the land conflicts.”\(^{60}\)

On the subject of land disputes, the Regional Security Officer noted that most of the pending issues on his desk were land related. He also pointed out that there were challenges with enforcement of the court judgments pertaining to these matters.

There are over 60 cases on my desk which are mostly land related, mostly outside the district, including disputes on earth dams; a verdict has been pronounced several times on these cases but they are always subjected to review. The enforcement of court judgements and conflict resolution fail in the enforcement stage which is a dangerous thing. The problem is lack of enforcement in the justice sector and lingering cases some of which take years, you think as if judges are not in charge, you can see court assistants carrying cases in the town and negotiating with both disputing sides.\(^{61}\)

### 4.1.4 Dispute Resolution

It is the responsibility of the formal institutions in Burao, including the police, to manage conflicts, particularly where there is a risk of escalation that has the potential to lead to violence. However, based on feedback from the qualitative responses, factors that influenced who the public approached included the nature of the case and the victims’ past experience with an institution. For instance, the traditional elders were mainly involved with matters pertaining to murder (especially matters that require the payment of blood compensations), rape, and land disputes.\(^{62}\) However, there were some situations that elders were unable to resolve and, in these cases, formal arrangements had to be made. According to the KII with a traditional elder, such situations include dealing with “…a man who is aggressive but has the support of this clan. When we see such issue we refer the case to the safety committee.”\(^{63}\)

### 4.2 Perception of Safety

Regardless of the experiences with conflicts, crime and violence over the past year, more than one half of respondents (64%) stated that they felt safe (very safe and rather safe) within their area, compared with a little more than one third (36%) who expressed that they did not feel safe (rather unsafe and very unsafe). See figure 64.

Figure 64: Perception of safety in the area

Respondents from IDPs were most positive at 98%, followed by residents from Faarah Omaar with 69% reporting that they felt safe. However, a little less than a majority of respondents in Mohamed Ali (48%) reported feeling unsafe in their area (See Fig. 65).

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The perception of safety was similar among both male and female respondents. There was only a marginal 2% difference in the proportion of male and female respondents who indicated that they felt fairly or very safe (64% males compared with 62% females). Equal proportions of men and women stated that they felt unsafe (36% each) - see figure 66.

Approximately 47% of respondents stated that safety in the area had increased over the past year, while 35% thought the opposite and perceived that safety had decreased (Fig. 67). Area based analysis suggested that the majority of IDPs (75%) and those in the Faarah Omaar subdivision (56%) felt that the level of safety had actually increased. Residents of Sh. Bashir (44%), Mohamed Ali (44%) and Lihle (46%) were more likely to indicate that safety had declined over the past year. See figure 68.

Although there was no major variation in respondents’ perception of safety by gender, 36% of females compared with 33% of males reported a decline in safety since the last assessment. See Fig 69.
Although incidences of conflict were relatively low in the city, the quantitative data presented a pessimistic perception of safety in the district across the genders. Factors influencing the negative perceptions of safety, as indicated by the high percentage of respondents who stated that they felt unsafe in their area could be attributed to concerns over youth related problems, which were said to include muggings and assault.
5 CONCLUSION

Governance

Since 2002, Somaliland has moved to the local council election system. The election of local representatives was considered important as it promotes administrative decentralisation. However, those who critiqued the local council election system based their criticism on several issues including the financial loads that the councillors’ salaries place on a district whose resources are already scanty. Secondly, it was felt that the present election system promotes clannism and lack of accountability; and thirdly, elected councillors were said to have the attitude that they were elected by their respective clans. This has sometimes affected respect to the chain of command and accountability. Furthermore, the elected members sometimes lacked the necessary experience and training which affected their performance and conduct. Other hindrances to good governance included: clannism, with civil servants being elected or appointed on clan basis, and service providers’ lack of supervision. Finally, the need for effective decentralisation and revision of public finance laws to allow each district to control the revenues generated within their boundaries was also considered to be important.

Justice

The usage of informal justice approaches, mainly customary law, still remains very popular in the district. Despite the fact that traditional justice complements the formal and reduces work load, effective and efficient formal justice is said to be an answer to social issues that need justice. One particular issue that warrants effective formal justice system and quick execution of judgements is those convicted of murder cases as there are many unexecuted death sentences which is a timing bomb to the security. Generally, the justice sector was perceived to have several challenges and was in need of reform. The recruitment of dismissed judges as practicing lawyers, the lack of role specification between the ministry of justice and judicial commission and lack of sufficient facilities, mainly transportation and adequate stationery, were challenges that faced this sector. Furthermore, training and professional conduct of the judicial staff were also issues that needed to be addressed.

Security

Generally security was not an issue of great concern in the district as there had been no major destabilising incidents in the recent past neither clan or group conflicts with the exception of isolated cases of rape and youth based violence which were reported to have been on the decline due to the efforts made by the police and the community at large. However, it is worth noting that a considerable number of the respondents felt unsafe. With police being the most preferable security provider and despite acknowledgement of the work done by the police in light of numerous challenges, it is worth noting that there has been an increasing dissatisfaction with the police service. Lack of adequate police facilities and police conduct seemed to have had a negative impact on perception towards police. Finally, unregistered individual night guards whose use was becoming increasingly popular operated without sufficient oversight and control. This resulted in residents being unable to freely deregister or terminate their services as the night guards used tactics including thieves to burgle the house of the de-registered family unless the household signed up for their service again.

Conflict and Violence

Burao has been relatively stable in the recent past with both formal and informal security providers complementing each other to curb conflict and violence. However, youth related violence, land disputes and unexecuted murderers packed in the prisons were the potential conflict triggers, while clannism and livelihoods were the main drivers of conflict in the district on the other hand. Youth programmes and policies and enforcement of court judgements may serve to further mitigate some of the conflicts which were observed within the district.
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 − 8%)
### 6.2 GLOSSARY OF TERMS

| **Access to Justice** | 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. |
| **Civil case** | Non-criminal cases relating to civil wrongs and disputes between individuals, including generally property, business, personal domestic problems, divorces and such types where ones constitutional and personal rights are breached. |
| **Clan** | The clan is a system characterised by a chain of paternal ancestors reaching back to a perceived founding ancestor whose name all members of the clan share for identity. |
| **Conflict** | State of disharmony between incompatible persons, ideas, or interests. |
| **Criminal case** | An action, suit, or cause instituted to punish an infraction of the criminal laws of a country. |
| **District Safety Committee** | 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. |
| **Enforcement** | 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 minimise impunity, thus preventing further injustices. |
| **Formal Justice System** | A codified system of laws and court proceedings enforced by recognised 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. |
| **Gender** | "Gender" refers to the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women. |
| **Governance provider** | Formal institutions or individuals that act, process, or possess the authority of governing. |
| **Informal Justice System** | Dispute resolution mechanisms falling outside the scope of the formal justice system. The term informal justice system is used here to draw a distinction between state-administered formal justice systems and non-state administered informal justice systems. |
| **Justice Provider** | 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). |
| **Justice System** | 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. |
| **Land/water disputes** | 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. |
| **Local Authority** | Those invested with formal power, especially a government or body of government officials at district level. |
| **Petty Crimes** | 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. |
| **Security Provider** | Formal or informal institutions or individuals that are responsible for the protection of persons, dwellings, communities or the nation from harm. |
| **Serious Crimes** | Criminal offense that is more serious than a petty crime and which can be punished by one or more years in prison. |
| **Violence** | 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. |
| **Xeer** | 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. |
| **Youth** | Men and Women between the age of 15 and 30. |