ODWEYNE

DISTRICT CONFLICT AND SECURITY ASSESSMENT REPORT

MARCH 2016

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District Conflict and Security Assessment Report

ODWEYNE DISTRICT

MARCH 2016
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**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>
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<tr>
<td>FGDs</td>
<td>Focus Group Discussions</td>
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<td>IDPs</td>
<td>Internally Displaced Persons</td>
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<td>KIIs</td>
<td>Key Informant Interviews</td>
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<tr>
<td>OCVP</td>
<td>Observatory of Conflict and Violence Prevention</td>
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<tr>
<td>ODK</td>
<td>Open Data Kit</td>
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<tr>
<td>SRS</td>
<td>Systematic Random Sampling</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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Map of Togdheer Region (Showing Location of Odweyne District) Adopted from UNOCHA 2012
DISTRICT PROFILE

Odweyne is officially\(^1\) the capital of Odweyne District under the Togdheer region of Somaliland, however unofficially\(^2\) it is the capital of the DaadhMadheeh region, one of the regions created in 2008, which is still not ratified by the parliament. It is located in a region known for pastoralism; where there are over 60 villages or communities that fall under the ambit of Odweyne. The district has a local council that comprise of 17 councillors, including one female councillor, who have elected a mayor among themselves. Odweyne was a major base for the Somali National Army troops before the collapse of the state. It was a strategically important base, thus this location became a hotbed of heavy fighting between Somali National Army (SNA) and Somali National Movement (SNM) in the late 1980s.

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\(^1\) According to the Regions and Districts (Self-Management) Law (Law No: 23/2002).
\(^2\) According to a presidential decree in 2008
SCOPE

The District Conflict and Security Assessment is designed to gather community perceptions regarding service providers and accessibility and effectiveness of the services they provide. The data was 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 for they are deemed to be in adequate or completely absent at village level. Keeping this in mind, this assessment was designed and carried out in the major urban settlement of the district; the Odweye town.
EXECUTIVE SUMMARY

Continu 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 Odwayne District which was conducted from the February 10 to 14, 2016. Key Research findings are presented below.

Security

The Police is the major security provider in the Odwayne district, although, clan/traditional elders and village committees compliment the formal security providers. The informal compliment the formal due to the large swathe of land (or communities), which fall under the ambit of Odwayne; and secondly the limited facilities and resources at their disposal. The size of the police is not sufficient to cover the security needs in the district. Nonetheless, people enjoy a great deal of stability with no major security concerns or outbreaks of crime and violence reported recently. Majority of the quantitative participants said that the police is the security provider, which they report different security issues to – civil, petty or serious crimes. However, due to the limited number of police, as well as their absence in some of the areas, people alternatively report to the local traditional elders as well.

In assessing the level of trust towards the security providers, majority of the respondents (77%) chose the police as their most trusted security provider. Furthermore, the participants emphasized that the police performance had improved over the year preceding the assessment. Despite this improvement, qualitative research participants raised concerns over the potential challenges that face the police in running their operations smoothly. The primary concerns was the insufficient size of the police force, along with the restricted facilities available. For instance, the participant explained that inadequate transportation was a large issue, which was further aggravated by the rough roads and long distances, which served as a potential hindrances to actually provide security in a case of emergency.

Justice

Odwayne, officially a grade-B district under the Togdheer region and unofficially the capital of the newly created DaadhMadheedh region, has a District/Regional court (Gobol/Degmo). The elevation of the District court into Regional court, in September 2014, was not parallel to the creation of the new region, in 2008. Since the two courts are combined, 85% of the interviewed household respondents were aware of one court, and a few (13%) were aware of two courts. The court(s)’ staff comprised a Commissioner and two Charges; one is responsible for the District Court and the second for the Regional Court.

Suggestion: Despite this, the court(s)’ faced an array of challenges including lack of infrastructure and lack of logistics. For instance both courts share one old room and they do not have a car. The general challenges that faced the justice system is, for instance, that the whole region does not have a prison. On another note, however, the elevation of the courts relieved the local people; since 2014 they do no longer need to use Burao religion court. Furthermore, 52% of the respondents were of the view that the performance of the court(s) had improved in the twelve months preceding this assessment. Further, the participated also confirmed that the High Court had visited the district as a mobile court for the first time.
Governance Providers

A unanimous (100%) number of respondents in the household survey were aware of the presence of the council. The council was involved in the provision of sanitation services and maintenance of infrastructure, and to a lesser extent supported the education and health sectors. One third of respondents responded that the local council was not providing any services at all, owing perhaps to the limited budgetary constraints due to only few taxes being collected in the district. When it came to the issue of most pressing needs in the community, both the household survey and the qualitative respondents listed water shortage as their top need, with over nine in every ten (95%) mentioning this need. This was followed by over five in every ten (53%) citing poor health as their main concern. Over one third (32%) of the respondents in the household survey had been aware of the channels of communication between the community and elected representatives, however over half (55%) were unaware. A little more than one in every ten (14%) respondent had participated in local governance consultation within the 12 month period preceding the assessment, with nearly one half (48%) of those having done so twice. A majority (86%) of the respondents affirmed the importance of having elected representatives at the district level. However, the level of confidence in the performance of the local council was seen to be low for six in every ten (60%) of the respondents, with over one third feeling that the performance of the council had improved in the past year.

Conflict and Violence

In the year preceding the assessment, there were no major outbreaks of violent conflict or crimes in Odweyne. A minor portion (18%) of the survey respondents reported to have been aware of conflict between clans or groups; with a majority of them to stating that they had witnessed conflict within the last twelve months. Qualitative research participants reiterated the major source of conflict is over land arising from the enclosure of large tracts of land in beforehand shared pastoral lands. Traditional elders and village committees were said to resolve most of these conflicts, while passing the few that were too contentious over to the formal justice and security bodies. Cases of business related clashes. Especially among Khat dealers, were also pointed out. Participants also cited youth violence mostly situated around football rivalries. However, in general the residents of Odweyne felt very safe and majority (90%) said that the safety level had improved over the past year.
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 Odweyne District of the Togdheer region of Somaliland, unofficially the capital of the newly created DaadhMadheedh region\(^3\).

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 Sciences (SPSS) version 23, after it had been collected using smart tablets that were running ODK Collect; an open source mobile data collection tool. 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.

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3 Odweyne used to be a district under Togdheer region, until 2008 when the government of Somaliland created new regions including DaadhMadheedh region whose capital is Odweyne, though not yet officially ratified by the Parliament.

1.2. Sampling Methodology

A district household estimation\(^4\) provided by the local municipality enabled the calculation of a sample size for the district based on the estimated number of households and a 6% margin of error at a 95% confidence level. This resulted in a sample size of 175 households.

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. After consultations with the District Administrations on the size and borders between subdivisions, OCVP’s data enumerators\(^5\) managed to collect 175 household responses in Barwaqo, Hawl-Wadaag, Sha’abka and Shimbiraley Subdivisions (Table 1), from February 10\(^{th}\) to February 14\(^{th}\), 2016.

OCVP employed a modified Systematic Random Sampling (SRS) approach where enumerators randomly selected every other 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.

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4 The local administration provided three different population estimates, researchers considered the middle estimate. However this estimate was also not realistic—the draughts in the area caused community mobility.

5 Four trained interns, together with experienced enumerator, under the supervision of OCVP Data analyst conducted the household interviews.
1.4. Focus Group Discussions

The second research tool utilised was a series of Focus Group Discussions (FGDs) aimed at capturing participants’ perception of security and justice providers (formal and informal), governance providers and the dynamics and experiences of conflict and violence. The FGDs were conducted between the 10th and 13th of February 2016 at the Local Council Hall (see breakdown at Table 2). Each discussion group lasted for about an hour.

A total of five groups were represented in the FGDs: women; youth; elders and religious leaders; justice providers (formal and informal); and governance providers (formal). Each group consisted of 10 participants, with the exception of Governance and Justice providers’ groups which consisted of seven participants each. 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 after obtaining the participants’ consent. Following verbatim transcription, the data was cleaned, organised and finally further coding was done during the analysis phase.

1.5. Key Informant Interviews

The third method utilised for data collection was 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 the 11th and 12th of February 2016 at the respective offices of the interviewees. A convenient venue was selected for those who did not have offices. Each interview lasted for about twenty minutes. Five key informants were interviewed, including: Local Council’s Permanent Secretary, Police Commissioner, Court Commissioner, Key Religious Leader and Key Traditional Elder.

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>
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<tbody>
<tr>
<td></td>
<td>Male</td>
</tr>
<tr>
<td>Police Commissioner</td>
<td>1</td>
</tr>
<tr>
<td>Permanent Secretary</td>
<td>1</td>
</tr>
<tr>
<td>Court Commissioner</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>Total</td>
<td>5</td>
</tr>
</tbody>
</table>
2. PROFILE OF RESPONDENTS

The household survey respondents comprised of 58% female and 42% male (Fig.1). A gender balance had been emphasised to allow a clear depiction of the differences in experiences, views, and insights between the two genders in relation to the areas that were assessed.

One third (27%) of the respondents in Odwelyn were in their twenties and one quarter (25%) were in their thirties. A further fifth of respondents were in their forties, followed by those in their 60s and above, fifties and respondents under twenty (10%, 9% and 8% respectively).See Figure 2.

Three quarters (77%) of the respondents were married, one in every five (21%) were single and 2% each were widowed (Fig. 3).
A substantial portion of the respondents (39%) informed OCVP researchers that they had never been educated. Over one in every ten (14%) had attended Quranic Madarasa, and 7% had been self-schooled. Those who had attended formal education institutions made up 39% (7% had attained primary school level of education, 18% had gone up to the intermediate level, 9% attended secondary school and 5% tertiary level of education) see figure 4.

![Figure 4: Respondents' education levels](image)

Disaggregation along gender lines showed that a large portion of those who had reported never having been educated were female, making up 56% of the female sample, compared with 16% of the male sample. On the other hand larger portions of male respondents than those of female reported having been self-schooled (11%: male vs. 5%: female). However the results were more similar with 15% of male vs. 14% of females reported having attended Quranic madarasa. In all formal education categories, there were larger portions of male respondents than there were of female respondents (58% vs. 26%) respectively (Fig. 5).
Figure 5: Respondents’ education levels by gender
3. SECURITY, JUSTICE AND GOVERNANCE PROVIDERS

3.2. SECURITY PROVIDERS

The police is the major security provider in the district. The district covers relatively large area of land and the police force present operates with limited facilities. Further, the number of police is not also sufficient to cover the security needs in the district and thus they have to cooperate with the informal security bodies such as elders and the local community.

This section assesses the level of deployment of security providers in the Odweyne district, as well as the perceptions held by the general public towards security, which includes an investigation of the general public’s opinion of the level of performance and trust in the security providers.

3.2.1. Level of Deployment

Almost all (99%) of the respondents were aware of the presence of police in the district, with only 1% stating that they did not know (Fig.6).

Respondents in the different subdivisions were well aware of the police presence in town. A 100% of the respondents in Hawl Wadaag, Sha’abka and Shimbiralay stated that they were aware of the police presence (Fig. 8).

Upon gender disaggregation, it was observed that all (100%) of the male sample had indicated an awareness of police presence, while only 1% of the female sample had stated that they did not know whether or not the police were present in the district (Fig. 7).

A majority (94%) of the survey respondents correctly identified that there was one police station in
Odweyne, whereas, 6% thought that there were two stations (Fig. 9)

Figure 9: Respondents estimation of the number of police stations

There is only one police station in Odweyne which is also the central police station of the whole district. Nevertheless, with the help of the local community the overall security of the district is excellent. In a key informant interview with Odweyne police commissioner, he praised the local people of their peace loving nature. “The people here [in Odweyne]... love peace and hate detention on top of that”

Vast majority (85%) of the respondents figured that they were close enough to the police station nearest to them to reach it in less than twenty minutes on foot. The rest (15%) felt that it would take them between twenty and forty minutes (Fig. 10).

Across the subdivisions, 100% of the population in Sha’abka which is the subdivision where the police station is located indicated that they were less than twenty minutes away from the police station. Majority of the respondents in the other subdivisions were more than twenty but less than forty minutes away from the police station (Hawl-wadaag: 93%, Shimbiralay: 80% and Barwaag: 71%). Barwaag subdivision seemingly was the furthest from the police station with 29% of its population in 20-40 minutes walking distance to the police station. Followed by are Shimbiralay and Hawlwadaag subdivisions (20% and 7% respectively). See figure 11.

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6 Odweyne Police Commissioner, Key Informant Interview, February 13, 2016.
7 Ibid.
3.2.2. Preference of the Security Providers

When the respondents in the household survey were queried to whom they would prefer to report civil matters such as trespass, family disputes and business disputes, majority (62%) of them said the police. Other security providers mentioned were the court (21%), local authority (9%), traditional elders (6%) and religious leaders (1%). See Figure 12.

With respect to instances of petty crimes such as theft and household violence, the police were the most commonly cited preferred choice to report to, having been mentioned by almost eight out of every ten (78%) respondents. Traditional elders and the court were the significant other choices mentioned, identified by 16% and 3% of the respondents (Fig. 14).

Some trivial variations were observed when the data was disaggregated by gender. While marginally larger portions of men had chosen the police (81%: male vs. 76%: female) as their preferred choice to report to, females on the other hand showed relatively higher preference towards the traditional elders (17%: female vs. male: 15%) and the court (4%: female vs. male: 3%). See figure 15.
Regarding reporting **serious crimes** such as grave assault, rape and murder, the police again topped in the list, having been mentioned by almost three quarters of the respondents (74%). Traditional elders trailed with 13% followed by the court (10%) and local authority (2%). See figure 16.

The qualitative research participants also agreed that police were the security body, which they first reported to in case of a security concern. People keep police contact numbers in order to call in the event of an emergency. In the justice providers FGD, one participant explained:

> If any act of insecurity occurs, people report to police and they have police commissioner’s telephone number. All community in Odweyne and nearby villages have the contact of police and they report back if any violence happens and police respond promptly.  

However, limited number of police stations in the district, creates absence of police services in some of the areas within the district. Therefore, in the case where there is no police, local traditional elders are the ones that are reported to. One participant in the Justice providers’ FGD said: “If police is present in the scene they take action on the matter, if the crime is committed and police is not present, elders deal with the issues and report back to the police”.  

There are village committees which collaborate with formal security bodies. The police commissioner gave details on how elders work together with the police:

> Our work relationship with traditional elders is good. They even go to places we do not have access to reach… In the cases where they fail to settle we take due process of law and the law settles.  

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8 Justice Providers, Focus Group Discussion, February 12, 2016
9 Ibid
10 Police Commissioner, February 13, 2016.
It is the community’s help that complements the security services of the police. A participant in the women FGD said:

The police and the community give a hand to each other. Security is not left for the police, local authority or to the government, but rather the community gives a support to maintain its security. Community is the first to act when there is insecurity by arresting the perpetrator and handing him over to the police.\(^{11}\)

The Justice Providers focus group discussants also stated this: “Local people arrest the criminal by themselves till police reaches the scene or they help the police in search of the wrongdoers. This happens many times.”\(^{12}\)

### 3.2.3. Perception of Security Providers

In a manner that is akin to that observed with regard to reporting preference, a little over three quarters of the respondents (77%), when asked whom among the security providers they trusted the most to respond to crime and violence, pointed out the police. 15% said the traditional elders, while 3% each mentioned the local authority and the religious leaders (Fig. 18).

The likelihood of having stated the police as the most trusted security provider was virtually similar in male and female respondents (77% and 76% respectively). However, a relatively larger portion of men (18%) had chosen traditional elders as their most trusted security provider in responding to crime and violence compared to 14% of women who held similar view. The third most trusted which was the local authority was relatively more common among the females compared to males (Female: 6% vs. male: 1%). See figure 19.

Figure 19: Most trusted security provider in responding to crime and violence

When household respondents were queried about the reasons of their trust towards the different security providers, the police who had been chosen by most of the respondents were considered because of their fast response (59%) and because of their ease of access (20%). Traditional elders who were the second most trusted security provider were chosen because of their unbiased enforcement (37%), fast response (22%), ease of access (22%) and due to respect (19%). Few \((n=5)\) respondents chose religious leaders as the security provider they trusted most because of their unbiased enforcement (60%) and due to respect (40%). Similarly, few \((6)\) respondents also selected the local authorities mainly because of fast response and due to respect (33% each). See table 4.

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12 Justice providers, February 12, 2016.
When respondents’ perception on the trust towards the police (as a formal security body) in responding to crime and violence was assessed, a vast majority (90%) stated that they had high trust (very high: 55% and fairly high: 35%) while 9% expressed their low trust towards the police. (Very low: 2% and fairly low: 7%), see figure 20.

Figure 20: Respondents’ level of trust towards police in responding to crime

Upon gender disaggregation, only minor variations were observed, such as a slightly larger portion of women (23%) having stated that they had fairly high levels of trust in the police than that of men (14%) stating the same and a slightly larger portion of men (11%) stating that they had very low trust in the police than that of women (2%) stating the same (Fig. 21).

3.2.4. Police Performance

It was further enquired of the household survey respondents what their perception of police performance was, in relation to the previous year. More than three quarters (77%) stated that they felt that police performance had improved. 10% felt that there had been no change while only 6% indicated that there had been a decline in police performance. 8% of the respondents did not know what to answer (Fig. 22).

Figure 21: Respondents’ level of trust towards police in responding to crime by gender

Figure 22: Perception of the performance of the police - yearly trend

Comparatively a larger portion of male (81%) respondents than that of females (74%) felt that police performance had improved over the past year. Conversely, a larger portion of female respondents than that of men thought that police performance had
not changed (Female: 11% vs male: 8%). On the other hand, slightly higher proportion of males than females were of the opinion that police performance had declined (Male: 7% vs female: 5%), see figure 23.

Figure 23: Perception of the performance of the police - yearly trend

[Graph showing percentage of respondents who perceived improvement, no change, decline, or don’t know, by gender.]

Those respondents who felt that police performance had improved constituted the majority in all subdivisions (Sha’abka: 79%, Barwaqo: 78%, Shimbiralay: 76% and Hawlwadaag: 74%). The largest number of respondents, who responded that there had been no change, were from Sha’abka (18%) while those who reported decline in the police performance were relatively highest in Shimbiralay (16%), see figure 24.

Figure 24: Perception of the performance of the police - yearly trend by subdivision

[Graph showing percentage of respondents who perceived improvement, no change, decline, or don’t know, by subdivision.]

Despite the improvement reported by the household survey participants in the police performance over the 12 months preceding the assessment, district police operated under evident resource constrictions. The number of police in the district was not enough. Majority of the focus group discussion participants have raised this concern. Odweyne police commissioner confirmed this to OCVP researchers in a key informant interview:

There is a shortage of police officers in the area. The number of police is not proportional to the security needs in the area. This together with deficient transportation is the only concern we have.\(^\text{13}\)

Poor transportation is another major challenge in the job execution and operations of the police. There is only one functioning vehicle and thus, the police rely on private cars from the public in case of simultaneous security incidents or in case this sole vehicle is under repair. Police commissioner explained this:

We have only one vehicle which belongs to the headquarter, but the police station has none. We use that one with them. At the present the vehicle is away as it was taken to a mission last night. Sometimes, when there is no car at our disposal, we use private cars.\(^\text{14}\)

One participant in the justice providers FGD spoke about this as well: “That [lack of transportation] is the main problem…so when the car is sent to 150 km distance operation and another emergency situation arises, there will be no response.”\(^\text{15}\)

According to the police commissioner, police can secure peace when all the necessary facilities are at their disposal, which includes proper transportation. Otherwise, the time lost in looking for a vehicle in the case of an emergency will ease the offenders to flee. This is further aggravated by the use of telephones where the offenders are notified on phone before police even reaches the crime scene.\(^\text{16}\)

\(^{13}\) Police Commissioner, February 13, 2016
\(^{14}\) Ibid
\(^{15}\) Justice Providers, February 12, 2016
\(^{16}\) Police Commissioner, February 13, 2016
3.2. JUSTICE PROVIDERS

This section presents participants’ views and insights regarding the justice providers (both formal and informal) operating in the Odweyne district. The section attempts to provide an overview of the available justice providers, of their performance, and of the level of trust they enjoy. Finally, the section will encapsulate the challenges faced by the justice.

3.2.1. Level of deployment

Odweyne officially being a Grade-B district under Togdheer Region, and unofficially the capital of the newly created DaadMadheeh Region\(^{17}\), had a District Court until September 2014, when the district court was elevated to act as District/Regional Court (Gobol/Degmo). All (100%) of the sampled respondents in the household survey were aware of its presence in the district. This was substantiated by the interviewed Odweyne District/Regional Court Commissioner, “There is only one District/Regional Court, we worked as a District Court but since November, 2014 the court status was elevated. There is no Court of Appeal here, but both the court of appeal and High Court come to us as mobile courts occasionally.”\(^{18}\)

More than eight in every ten (86%) respondents were aware of only one court, while slightly more than one in every ten (13%) was aware of two and only 1% of the sample reported lack of knowledge in the number of courts in Odweyne (Fig.25).

The FGD’s participants expressed their awareness of a District/Regional Court, which share the same room. Youth discussants elaborated that, “The Regional/District Court are the same, they share the same room, and it is called as Gobol/Degmo [Regional/District] Court. The court uses one single room left by the British colony...”\(^{19}\) Limited number of staff, Chairperson (Commissioner) and two Charges, one acting as District Court Charge and the second as Regional Court Charge, operate in the court(s).\(^{20}\)

The elevation of District Court into Regional Court relieved the local people, who no longer go to Burao, hundreds of kms away from Odweyne, for cases that fall outside the jurisdiction of the District Court. Explaining this, the interviewed Court Commissioner said, “It reduced the pressure from the people, because they used to service the use of Burao Regional Court but now they file their cases with the Regional Court here”.\(^{21}\)

An overwhelming majority (99%) of respondents reported that they could reach court(s) in less than one hour. Eight-in-ten or more (84%) of respondents claimed it would take them less that twenty minutes to reach the court(s), and 15% estimated that it would take them between twenty to forty minutes (Fig.26).

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\(^{17}\) One of the new regions created in 2008 which is not yet ratified by the Parliament  
\(^{18}\) Court Commissioner, Key Informant Interview, February 13, 2016  
\(^{19}\) Youth, Focus Group Discussion, February 11, 2016  
\(^{20}\) Court Commissioner, February 13, 2016  
\(^{21}\) Ibid.
3.2.2. Performance of the Justice Providers

Household respondents who reported usage of any of the different justice providers for the past year comprised 37% of the total sample. Most (27%) of those had used the informal justice providers (Elders: 19% and Religious leaders: 8%). Whereas 10% had used the formal justice provider (courts), see figure 27.

Disaggregation of data according to the respondents’ gender shows that more men had used the justice providers than women (Male: 57% vs. Female: 22%). The largest gender gap existed in the usage of traditional elders; 30% of those who had sought justice form elders were men against 11% women (Fig.28).

3.2.2.1. Usage of the different Justice Providers

Odweyne is surrounded by a large pastoralist community, who are attached to their traditions and customary laws. Furthermore, the centralized formal justice system and numerous constraints facing this system also left the pastoralist with no option but to use the informal justice system, which is available to them. The Court(s) Commissioner mentioned that, “People love the traditional justice because they are connected to their tradition which has survived over the years.”

The commissioner added that cases brought to the formal courts are those that elders failed to arbitrate. This was substantiated by the elders’ discussion participants who argued, “People go [or are referred] to the courts when the case is serious and tough.” The elders’ provision of justice is complemented by the religious persons who advise on cases that have provisions in the Shari’ah, “We consult with the Shari’ah” said elders’ discussion participant. However, the youth discussants argued that Shari’ah is not fully applied though important, “Shari’ah is important but it is not applied”.

In the discussion on why people prefer to present their cases to one justice provider rather than the other, the

22 Ibid.
23 Ibid.
youth discussants claimed that one’s choice will depend on the type of the case, “If the case is simple, it is settled by the elders, but if the case is complicated, then it will be taken to the court, those are the two main justice providers”.  

Group discussion participants reiterated that the type of the case, the length of time it took one justice provider to conclude the case, the proximity of the justice providers and the perception towards the justice providers were the main factors that influenced the preference of one justice provider over the other, “I don’t prefer the courts because cases linger, unlike elders who are very effective to conclude the case”.  

Another youth discussant said, “It will depend on the stage in which the case is, for example, if it is a consensual divorce case, the separating partners will use the Shari’ah, if they are in disagreement they will use the formal justice”.  

3.2.2.2. Issues referred to Justice Providers

Land and business related disputes, household violence, youth violence, assaults, car-accident, related incidents and rape were the most frequent issues brought before the justice providers. The court and traditional elders were the main justice providers to whom most of these issues were referred to.

The findings show that land and youth violence related disputes, household violence and assaults were referred to all different justice providers. Cases of business disputes were taken to either the court (25%) or to the elders (12%). Notably assaults and household violence were the issues that religious leaders were involved most at 29% and 50% respectively. (Table 5)

Table 5: Issues referred to justice providers

<table>
<thead>
<tr>
<th>Issues referred to different justice Providers</th>
<th>Court</th>
<th>Traditional Elders</th>
<th>Religious Leaders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land dispute</td>
<td>44%</td>
<td>24%</td>
<td>14%</td>
</tr>
<tr>
<td>Business dispute</td>
<td>25%</td>
<td>12%</td>
<td>-</td>
</tr>
<tr>
<td>Robbery</td>
<td>-</td>
<td>3%</td>
<td>-</td>
</tr>
<tr>
<td>Youth violence</td>
<td>6%</td>
<td>12%</td>
<td>7%</td>
</tr>
<tr>
<td>Household violence</td>
<td>19%</td>
<td>52%</td>
<td>50%</td>
</tr>
</tbody>
</table>

Civil cases were directly brought to the court(s), while the police remain the first point of contact in the case of a criminal case, "There are two types of cases: civil and criminal, mostly people approach us [courts] for civil case such as the land dispute and go to the police for criminal cases”.  

The youth discussants also stated that civil cases such as the land and family disputes were referred to the courts, “Farm/land disputes and family disputes go the courts,” said youth group discussant. Homicides, rape, robbery and land disputes emerged to be the issues that needed justice according to the youth. The youth discussants further argued that Gender Based Violence (GBV) was the pressing issue that needed immediate punitive action against the perpetrators, “One important issue that needs justice is the violation against women, for example, if a man rapes a girl, it is more likely that she will not get justice as the rapist is released at the police station before his case is brought to the court… Gender Based Violence cases should get a fair justice”.  

Contemporary crimes were also referred to the courts as claimed by elders’ discussion group participant, “Sometimes we see contemporary cases and transfer them to the courts”.  

Regarding the issuance of judgements by the different justice providers; religious leaders and elders were the highest in the issuance of judgements at 93% and 91% respectively. While among the three, courts were the lowest at 88%, according to the findings from the sampled households in Odweyne (Fig.29).

26 Ibid.
27 Ibid.
28 Ibid.
Among all justice providers, respondents who had approached the elders for justice reported the lowest levels of enforcement, amounting to 13% of the relevant sample, while symmetrical portions, 7% and 8%, of the respondents claimed judgements from courts and religious leaders were not enforced, respectively (Fig.30).

Figure 30: Enforcement of judgements

The interviewed elder claimed that elders are informal traditional government, they enforce their decision and involve the formal government where enforcement of their decisions failed, “Elders are like informal traditional government, when they make a decision [judgement] they make an effort that their decision is implemented. If parties refuse, then their case is referred to the formal authorities.” Elders first get the consent of both disputing parties to arbitrate the case; and that each party will respect the elders’ judgement. Once elders announce the final judgement, their decision is put on notary and parties are expected to voluntarily respect their promises. In the case the decision is not implemented voluntarily, the formal authority comes in, “People prefer to settle their cases outside, those who choose to agree and settle their difference and take the burden from us, we do not refuse because they are making our work easy”. The Police Commissioner further added, “They go to the notary and reach an agreement, those who did not abide by the notary agreement, we prosecute them through the process of law”.

Part of the informal traditional justice system is the Village Committees. Every village has a committee comprising of a Village Head and representatives from the local clans who dwell in the village. The names of the village committees are submitted to the formal authorities and the two collaborate and complement each other in regards to justice and security issues.

The difference between the formal and informal justice providers, in the enforcement of judgements, lies in their procedures. The formal justice providers will follow legal procedures and their final judgement, in the case of the regional or district court, is subjected to appeal. Unlike the traditional elders who do not follow procedures and their judgement is not subjected to appeal.

3.2.3. Perception of the Justice Providers

When respondents in the household survey were asked to state, who among the justice providers they trusted the most in solving cases, four-in-ten and more (43%) mentioned traditional elders. One quarter (25%) mentioned courts and one fifth (20%) said the religious leaders, while 9% could not make up their minds and only 1% trusted none of the justice providers (Fig.31).

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34 Ibid
36 Ibid
38 Traditional Elder, Key Informant Interview, February 12, 2016.
Some variations emerged upon the disaggregation of data along gender lines. Traditional elders were identified most frequently as the preferred justice provider for both men and women; however, men appeared to hold higher trust in traditional elders (49%) compared to women (39%). Similarly, more men (23%) trusted religious leaders than women (18%), while conversely, slightly more women (25%) trusted courts than men (23%), see figure 32.

Respondents were also asked what level of confidence they had in the formal justice system, which, beyond the courts, also includes the other actors in the criminal justice arena such as the police, prosecutors and correctional authorities; who work in concert to respond, investigate, prosecute, adjudicate and enforce judgements. The findings in this assessment indicate that two thirds (66%) of the respondents expressed confidence (very or fairly confident) in the formal justice system, 19% were not confident and 15% could not decide (Fig. 33).

Table 6: 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 23%  Traditional elders 16% Religious leaders 11%</td>
</tr>
<tr>
<td>Fair judgment</td>
<td>- 58% 20% 77%</td>
</tr>
<tr>
<td>Independence from politics</td>
<td>- 3% -</td>
</tr>
<tr>
<td>Less costly</td>
<td>- 21% 6%</td>
</tr>
<tr>
<td>Ease of access</td>
<td>2% 16% -</td>
</tr>
<tr>
<td>More reliable</td>
<td>7% 24% 6%</td>
</tr>
<tr>
<td>Other</td>
<td>7% 1 -</td>
</tr>
<tr>
<td><strong>Base</strong></td>
<td><strong>42</strong>  <strong>76</strong>  <strong>35</strong></td>
</tr>
</tbody>
</table>

The youth discussants argued that despite the fact that different social groups may have trust in different justice providers, the youth trusts the formal justice providers, “Different people may have trust in different justice providers, but as youth we have trust in the formal justice system”.

Upon further investigation of the reasons behind the trust accorded to the justice providers, it was observed that fair judgements (58%) and fast decisions (23%) were the most cited reasons for trust in the courts. In the case of the traditional elders, reliability (24%), ease of access (16%), fair judgement (16%) and less costly (21%) were the main reasons for them being most trusted. Those who trusted religious leaders and conflict resolution committee attributed their trust to fair judgements (77%), see table 6.

Youth, February 11, 2016.
When disaggregated by gender, it was observed that the majority of both male and female respondents were either ‘very confident’ or ‘fairly confident’ in the formal justice providers (78% and 59% respectively). While similar portion (15% each) of both genders stated outright that they were not confident in the formal justice system. Most (26%) of those who could not decide were females compared to 10% of their male counterparts (Fig. 34).

Finally, when household survey respondents were asked their views on the performance of the courts (formal justice providers), slightly more than half (52%) of the respondents were of the view that there had been an increase in the performance of the court over the last twelve months preceding the assessment. However, around half of that number (29%) could not express their opinion and 16% expressed opinions of no change (Fig. 35).

Along gender lines, majority of both male and female respondents (63% vs. 44% respectively) were positive towards the performance of the courts, compared to 19% of males vs. 14% of females with the opinion that there had been no change in the performance. The number that reported decline in performance was minor (3% males vs. 4% females). However, substantial portion (38%) of the females were undecided on the question of court’s performance (Fig. 36).
3.2.4. Challenges Faced by the Justice System

The recent elevation of the District Court into a Regional Court, though the two are still combined, was a major breakthrough for the justice system in Odweyne District. However, the absence of a prison and the fact that people should still take their appeal to Burao Appeal Court is a challenge to the justice system.

Another challenge facing the justice system is the lack of facilities such as offices, vehicles and budget. The court(s) and police in the district provide services to a large community scattered over 60 villages, “There are around 60 villages under the ambit of the Odweyne court(s) and yet we do not have the facilities, you see that we use one room built by the British colony, no cars are available to us. People are pastoralists and they need that you go to them in their localities.”

The traditional system of informal justice plays a key role in the provision of justice, some participants estimated that 80% of the justice delivered is by the informal providers, and only 20% by the formal system, but urbanization and contemporary crimes render difficulties to this form of justice as argued by the elders’ discussants.

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40 Court Commissioner, February 13, 2016.
41 Elders and Religious leaders, February 11, 2016.
3.3. GOVERNANCE PROVIDERS

3.3.1. Level of Deployment

This section is aimed at assessing the awareness, performance, participation and perception of the local government (council) as well as the challenges facing the institution.

A totality of household survey respondents were aware of the presence of the local council (Fig. 37).

Figure 37: Respondents’ awareness of the existence of the local council

He further stated that despite local council collecting taxes, the amount paid was insufficient to cover all the needs of the local community, even though the central government does provide certain financial support.43

The Governance Provider’s FGD participants, when asked about how the general public perceives the services provided by the local council, claimed that the public are aware of the services the local council providers. However, due to limited financial capabilities, the council was challenged in effectively meeting the public’s needs. “There are many needs in this area and one cannot perform if one does not have relevant funds. We have worked on many issues but there is still a lot left to be accomplished”.44 Another participant added: “I think we have achieved 25% of what we promised when we came into office and another 75% remains because of the mentioned limitations”.45

There was a divergence when it came to assessing the performance of the local council by the Youth Focus Group discussants. Some felt they were doing relatively well despite limited budget, others felt they were underperforming. “Cities like Burao and Aynabo implemented many of the JPLG [Joint Programme on Local Governance], but in Odweyne, we do not know where this project has gone. We do not know what has been spent with that money in the last 5-7 years. Spending it on small tarmac and other minor things makes no sense”.

Furthermore, the Governance Provider’s Group also outlined that they provide “water by digging wells, health by paying MCH watchman salary, education by paying boarding school watchman and charcoal costs and sanitation through the collection of garbage and Solid wastes. We also provide people with awareness on peace and security. We hold

42 Local Council Secretary, Key Informant Interview, February 13, 2016.
43 Ibid.
44 Governance Providers, Focus Group Discussion, February 12, 2016.
45 Ibid.
meetings for them, where we solve conflicts that arise, getting the support from local elders”.

Out of those services, sanitation (38%) and infrastructure (37%) were the services that respondents in the household survey identified as the most delivered by the local government. Notably, portions of the respondents also claimed outright that the council provides no services (30%) or stated that they did not know of any services that the council provides (10%). See figure 38.

Figure 38: Respondents’ opinion regarding services provided by the local council

3.3.2.1. Pressing Community Needs

When respondents were asked what their opinion as to the most pressing needs in the community were, lack of water (95%), poor health (53% each), lack of infrastructure (37%) and poor education (35%) were mentioned. Poor sanitation and drought were also mentioned by 26% and 23% respectively of the respondents (Fig. 39).

Figure 39: Respondents’ perception of the most pressing issues

In the focus group discussion with the Youth, participants pointed out that the shortage of clean water, poor health services and lack of good quality education were some of the districts’ most pressing needs. There was some discussion and confusion regarding the high spending on securing drinkable water and funds available to assist with raising the standard of health in the district, as well as the reasons why such improvements were not taking place “This year and last year, there were delays of development programs that should have commenced, the construction of health facilities such as MCH’s, but we are hoping that these will start in the next couple years”.

When interviewing the women who were involved in a focus group discussion, they too claimed that the shortage of clean water was a pressing need, but also “the poor condition of the livestock market. Odweyne’s livelihood depends on these livestock so when there is no livestock market, it affects water and food security. Governance Provider’s FGD participants further alluded to why the country’s taxation rules were not strictly enforced and pointed to the lack of a livestock market, which lead to loss of potentially lucrative tax on livestock that instead went to larger cities such as Hargeisa and Burao. "If we had a market, then our animals would not go to Hargeisa and Burao markets. They [markets in

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47 Ibid.
48 Ibid.
49 Ibid.
50 Women, February 11, 2016.
Hargeisa and Burao| most refer to article 12 of taxation that was drafted during the former President (Egal). There are new taxation articles, which were drafted after article 12 but they are not implemented. People will refuse our taxation because we do not have a market and will accept the taxation of areas that have markets.”

Religious leaders and traditional elders voiced the lack of health facilities and poor education as pressing needs in their own focus group discussion, adding that the main hospital is not operational and that there are not enough qualified health care professionals. Furthermore, they pointed to that there are not enough equipment and medication available to the public. Although the local secondary school, which is a boarding school, has been re-opened after 27 years, there is a great need for skilled teachers.

The focus group with Justice Providers, when questioned about the most pressing needs in the community, stated that in addition to the shortage of clean water supply, also limited health facilities in the district is another concern. In fact, the limited health facilities forces unwell people to risk travelling to Hargeisa and Burao for treatment. There are no laboratories or x-ray machines in the district or in the Dhaadmadheed region. The problem even impacts the justice sector’s timely investigations of rape cases, where victims must be sent to Hargeisa and Burao for laboratory analysis.

When asked whether they were aware of the existence of channels of communication between the community and the local council, over half of respondents (55%) in Odweyne District answered that they were not aware. However, a little over three in every ten (32%) reported that they were aware of such channels (Fig. 40).

Awareness of channels of communication was higher among men (40%) than among women at 26% (Fig. 41).

When disaggregating by subdivision, it is observed that awareness levels with regard to channels of communication are affirmative for over three in ten respondents from Hawl-wadaag (37%), Barwaqo (35%) and Sha’abka (30%). The least awareness was displayed by residents from Shimbiraley (26%), with nearly every seven in ten responding that they were not aware (64%). See Figure 42.

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51 Governance, February 12, 2016.
52 Traditional Elders and Religious Leaders, February 11, 2016.
53 Justice Providers, February 12, 2016
Further examination of the participation in consultations between the local community and the councillors, revealed that 14% of all respondents had participated in local government consultations in the last twelve months (Fig. 43). Speaking about communication channels between the council and members of the community, the Secretary of the Local Council informed OCVP researchers that the council holds once a year meetings with members of the community “We discuss the work we (local council) has done and we show the community our achievements and they ask questions”.  

Gender disaggregation showed that significantly more male (at 23%), had been more likely to state that they had participated in local council consultation meetings within the last 12 months, than their female counterparts had been at 8% (Fig. 44).

Along the subdivisions, those residing in Sha’abka (21%) had the highest participation in such consultations, followed by Barwaqo and Hawl-wadaag (15% vs. 13%). Least likely to participate in local council participations were residents from Shimbiraley at 10% (Fig. 45).

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54 Local Council Secretary, February 13, 2016.
Of those who had participated in consultation meetings (25 respondents) in the 12 months prior to the assessment, a little under half (48%) went on to state that they had participated twice, slightly more than a third (36%) had participated only once while 12% had participated three times, and only 4% had taken part in these meetings more than four times (Fig. 46).

Gender disaggregation showed that whereas similar proportions of male and female respondents had indicated that the election of local governance representatives was important (90%: male vs. 83%: female), a larger portion of the female respondents (16%) felt it was not important, than that of males (10%). Further, only female respondents (1%) had claimed that they did not know whether or not it was important (Fig. 48).

3.3.2. Perception of Elected Representatives

More than three quarters (86%) of the participants from the household survey acknowledged the importance of elections, when enquired about their opinion to the importance of having elected representatives. However over one in every ten (14%) stated outright that they felt that it was not important (Fig. 47).

Figure 45: Respondents’ participation in Local Council meetings, by subdivision

![Bar chart showing participation in Local governance consultations (last 12 months)](chart1)

Figure 46: Frequency of participation in consultations

![Bar chart showing frequency of participation in consultations](chart2)

Figure 47: Respondents’ opinions regarding the importance of elected representatives

![Pie chart showing opinions regarding the importance of elected officials](chart3)

Figure 48: Gender disaggregation on the importance of elected officials
A distinctly larger proportion of the respondents in Barwaago and Sha’abka (91%) than the respondent from Shimbiraley (76%) felt that the election of representatives was important. Additionally, quarter (24%) of Shimbiraley respondents felt that elections were not important, compared with only 9% in Hawl-wadaag (Fig. 53).

On the contrary, Traditional Elder and Religious Leader discussants supported the nomination system of the past because they believed it was easier in replacing underperforming officials. Further, they voiced that in the present state once candidates win an election “no one can fire them nor can they be challenged and they do not provide any service to their constituency. Hargeisa local councils receive millions of dollars in income and you can see their community complaining about them.”

Furthermore, contrarily, youth, elders and religious leaders FGDs believed that elections do not eliminate the clan element; candidates will still require the support of their elders and expect vote from their clan.

3.3.5. Perception of the Local Council

When asked what level of confidence they had in the local council, a cumulative 60% of the respondents in the household survey said that they had a low level of trust (45%: very low and 15%: fairly low). Some respondents however, making up 37% of the sample, stated that they had high levels of confidence and a further 3% did not know (Fig. 50).

In qualitative discussions, whenever the youth, women and the Governance and Justice focus groups were queried on the importance of having elected representatives at the local governance level, they all unanimously agreed that it was important.55

Accountability and being an antidote to clan rivalry were the key factors in supporting the election system, “The previous Odweyne local council was nominated on clan basis and they were not accountable…But, we can go to this administration and hold them to account…Because we elected them.”56

55 Governance Providers, February 12; Women, February 11; Youth, February 11; Justice, February 12, 2016.

56 Youth, February 11, 2016.

57 Traditional Elder and Religious Leader, February 11, 2016.
With regard to gender disaggregation, few variations were observed between female and male respondents, with the exception of those who had stated that they did not know where only 5% of females states such and none of the males (Fig. 51).

When asked what their opinions were with regard to the performance of the local council over the past year in relation to the previous year, close to four in every ten (37%) stated that they thought that the council’s performance had improved, nearly three in every ten (29%) felt either that there had been no change or that performance had declined (29% vs. 28% respectively) and 7% stated that they did not know (Fig. 53).

Level of confidence along subdivisions showed that respondents residing in Shimbiraley had the lowest level of confidence in the local council, followed by those in Barwaaqo and Hawl- wadaag (63% vs. 54% respectively). On the other hand slightly under a majority of residents from Sha’abka (48%) displayed confidence in the local council (Fig. 52).
Analysis along gender lines revealed that more men (38%) than women (21%) had been likely to state that they felt that the council’s performance had declined. On the converse, a larger proportion of women (34%) had indicated that they believed that there had been no change compared to 21% of women who held similar view (Fig. 54).

Across the subdivisions, it was observed that residents in Hawl-wadaag and Barwaago (43% vs. 41% respectively) had been more likely to have a positive outlook with regard to the performance of the local council. In comparison, only 36% of the respondents from Sha’abka and 26% of the respondents from Shimbirahly had shared the positive outlook.

Further, residents from Shimbiraley and Sha’abka had the highest portion that stated that they had seen no change in the council’s performance (44% vs. 39% respectively), see Figure 55.

Figure 54: Respondents’ perception towards the performance of the local council by gender

Figure 55: Respondents’ perception towards the performance of the local council by subdivision
4. CONFLICT AND VIOLENCE

At the time of the assessment, no major outbreaks of conflict or violence particularly between clans or groups had been reported in Odweyne over the past twelve months. Land based disputes were said to be the most common forms of disagreements among residents, although only very few could be said to have escalated to the point of conflict. This was said to be due to the traditional leaders and village committees, which had been able to resolve most conflicts. If the conflict was perceived as to contentious, the village council and the traditional elders passed the issue to the formal justice and security bodies. Besides land based disputes, especially cases of business related clashes notable among khat dealers were also pointed out.

4.1. Experience of Conflict and Violence

Respondents who recounted awareness of clan or group conflict taking place within the 12-month period prior to the assessment made up 18% of the sample. However, the vast majority of respondents (82%) were not aware of any such conflicts having occurred in the district in the preceding year (Fig. 56).

The Hawl wadaag subdivision had the least awareness of clan and group conflict, with only 13% of the respondents residing in Hawl wadaag had witnessed such conflict. Respondents from Sha’abka and Barwaqo were slightly more aware (21% and 22% respectively), see figure 58.

In comparison, more men than women were aware of conflict between clans or groups, with 27% of male respondents indicating their awareness of recent conflicts as opposed to 12% of the sampled females (Fig. 57).

Figure 57: Awareness of conflict between clans or groups by gender

Figure 56: Awareness of conflict between clans or groups

Figure 58: Awareness of conflict between clans or groups by location
Further investigation revealed that 13% of all respondents in Odweyne had actually witnessed conflict between clans or groups within the 12 months prior to the assessment (Fig. 59).

When the account of witnessing conflict between clans or groups were observed on the basis of subdivisions, Barwaqo and Sha’abka had the highest proportions of respondents who stated that they had actually witnessed conflict between clans or groups in the year preceding the assessment (15% each). The portions of the respondents who witnessed such conflicts in the other two subdivisions comprised of 12% in Shimbiralay and 9% in Hawl wadaag (Fig. 61).

The analysis of data along gender lines revealed that male respondents (19%) had been more than twice as likely to have indicated an account of witnessing conflict as female respondents at 8% had been (Fig. 60).

For those respondents who reported witnessing conflict in the previous year (n =22), close to one half (45%) went on to state that they had witnessed two conflicts. There were also cases reported to have
witnessed, three, four and five conflicts (14%, 9% and 5% respectively) See figure 62.

Figure 62: Number of conflicts witnessed in the past twelve months

When further enquired as to how many of those conflicts witnessed had led to violence, more than one half (59%) of those who had witnessed the conflicts said that those conflicts lead to no violence. However, around one quarter (23%), confirmed that one of them led to violence, while 9% said two conflicts led to violence and an equal proportion of 9% reported to have seen three conflicts that led to violence (Fig. 63).

Figure 63: Number of conflicts leading to violence

When the survey respondents were further asked whether any of those violent conflicts reported had led to death. Vast majority (82%) reported that there were none. However, 9% (n=2) said one of them led to death. Another 9% (n=2) stated two of them had led to death. (Fig. 64)

Figure 64: Number of violent conflicts leading to death

4.2. Dynamics of Conflict and Violence

When respondents were questioned as to the cause(s) of the conflicts observed, vast majority (82%) of the respondents (18) who had observed the said conflicts reported that they had been about resources (land). Power (cultural struggle) had been identified as the second most cause of conflicts between clans and or groups with 18% (n=4) of the respondents stating so. Family disputes, youth violence and business disputes were the other causes mentioned. (9%, 5%, 5% respectively), see figure 65.
The participations in the FGDs and KIs stated that the major reasons for conflict was related to land, especially arising from the enclosure of large tracts of land in the beforehand shared pastoral lands. With weak national land registration and poor management of such legal framework, this remains the main source of dispute in the rural areas.

Sometimes conflicts arise between charcoal dealers and owners of the demarcated plots of land. Also, Inter-clan conflicts were mentioned as conflict over land, when clans dispute over creation of new settlements and digging dams. Disputes among khat dealers competing in the market, which at times lead to violent confrontations, were also mentioned. Participants also pointed out youth violence mostly situated around football rivalries.

**Land disputes**

In the different focus group discussions with the women, the youth, religious leaders and traditional elders, governance and justice providers, land disputes were mentioned as the highest priority in terms of safety concerns in Odwwayne District. Furthermore, the Police Commissioner when asked what the most common type of crimes that he came across were, intimidated to the illegal enclosure of large tracts of land.

The enclosure of previous shared pastoral lands by individuals is a major source of conflict. It stimulates conflict between the individual who enclose the land and the livestock herders, who are still practising the pastoral way of life. The individual who enclose, claim to farm the land. However, often, they just put demarcations (in the form of branches) and do nothing more productive with the land. Neither do they pay taxes on the so-called farms.

There are also charcoal traders who cut and burn trees and sometimes burn trees inside the demarcated lands, which causes conflicts between them and the enclosed land owners. Likewise, charcoal dealers get into conflict with the local community who attempt to stop them from cutting the trees. Elders and religious leaders FGD participants stated:

*When they [charcoal dealers] burn trees, the community demands them to stop burning down the trees. If they then insist doing so, the result might be a violent confrontation.*

Moreover, the district has productive farmlands and sometimes disputes arise over water channels or the extension of borders. Youth FGD participant said: “There are farm land disputes among the farmers who conflict over farm water channels during the rainy season.”

Another prominent source of land dispute is the formation of new settlements in a progressively urbanising environment. These settlements generally are formed around newly dug dams and other clans sometimes consider this as transgression to their ancestral lands and thus violent confrontations arise. Youth FGD participant explained this:

*Dams in the villages cause disputes. A group [A clan] digs a dam and gives it a name. Others come and claim that the place belongs to them and that it is their ancestral home.*

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60 Justice providers, February 11, 2016.


63 Youth, February 11, 2016.
They also claim that they have the right to name the place. Dams always cause problems.64

Khat disputes

In the FGDs with Elders and Religious leaders, women and youth, they all mentioned that Khat is a source of conflict and had even recounted violence that resulted in death65. Khat dealers compete in the market; issues arise when khat-dealers sell khat outside their home towns. A participant in the Elders and Religious leaders FGD explained this:

Community is in settlements. Each clan have their own village... [For example] villagers say if you are from Beerato you can’t sell khat in Odweyne, otherwise they fight and resist. Khat caused this kind of conflict.66

4.2.1. Land Conflict Resolution

Both formal and informal actors were observed to be active in land dispute resolution in Odweyne. The police, the court, and the local council were all involved in the resolution of land disputes on the formal side while traditional elders and religious leaders were involved on the informal side.

There are village level committees who resolve disputes in the remote villages, where there is no ready access to formal security bodies. They are the first point of contact if there are any security issues. If the committees find difficulties when settling the disputes, they refer them to the formal security bodies.67 The two sides have good working relations, as the police commissioner told OCVP researchers.68

11% of the house survey respondents in Odweyne, gave an account of having witnessed violence or crime against someone outside their own homestead (Fig. 66).

Male respondents (21%) were more likely to have witnessed crime and violence against someone outside their own homestead compared with their female counterparts (5%), see figure 67.

Analysis of witnessing a crime or violence outside the homestead along subdivisions showed that Barwaqo subdivision was in the lead with 15%, followed by Sha’abka with 12%. Shimbiralay and Hawl-wadaag had almost similar proportions of 10% and 9% respectively (Fig. 68).

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64 Ibid.
66 Ibid.
67 Traditional Elder, February 12, 2016.
Rape

In several qualitative discussions\(^9\), the issue of rape was raised as a safety concern. However, the police commissioner who also said he was recently appointed as Odweyne police commissioner said that they there were no cases of rape in their records: “The overall peace situation in this region is very good, even the rape crimes do not have place in our OP. because, it does not happen here”\(^9\).

### 4.3. Perception of safety

Almost everybody (99%) in the survey said that they felt very safe in Odweyne, with only 1% stating that they felt rather safe (Fig. 69).

All the males (100%) and almost all female (99%) respondents indicated that they felt very safe (Fig. 70).

The perception of safety across the different subdivisions was superbly high. 100% of those respondents queried in Hawl-Wadaag, Sha’abka and Shimbiralay and 98% in Barwaaqo stated they were very safe. It was only 2% in Barwaaqo subdivision who said they were rather save (Fig.71).

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\(^9\) Police commissioner, February 13, 2016.
An overwhelming majority (90%) of the respondents in Odweyne felt that the level of safety had increased over the year prior to the assessment. A minor 2%, however, said that there had been a decline in safety. 7% said that there was no change. (Fig. 72)

Around nine in every ten of the respondents in all subdivisions (Shimbiralay: 92%, Hawl-wadaag: 91%, Sha’abka: 88% and Barwaaqo: 87%) had the perception of an increase in safety over the year preceding the assessment. (Fig. 74).

Upon segregating data according the gender, relatively larger proportion of male respondents (93%) had showed a perception of an increase in safety than the proportion of female respondents that had (87%) while the opposite was true for those respondents who indicated no change in safety in the last 12 months preceding the assessment (Female: 9% vs. male: 5%). See figure 73.
5. CONCLUSION

Like any other district in Somaliland, the police is the major security provider in Odweyne. However, the police in the district, and generally in the region, was not proportional to the geographical size. The region is very large and with open land, with only one central police station located in Odweyne and two other police posts outside the town. The community, mainly the elders and village committees, supported the police in the provision of security and strengthened the weaknesses of the formal security providers. There was only one car to the police’s disposal, which necessitated the police to lent cars from citizens, and even sometimes the police needed the citizens to refuel the car. The challenges that the police faced included the lack of infrastructure, such as offices and a prison, lack of transportation and insufficient numbers of police officers. Despite the challenges, the collaboration between the police and the community made the region relatively peaceful.

On the other hand, the court(s) also faced challenges similar to those faced by the police. However, a notable progress was the recent elevation of the District Court to act as District/ Regional Court. Due to the elevation, which took effect in late 2014, formal justice users no longer needed to travel all the way to Burao to access regional court services. Instead, this is now available to them in the region. Notwithstanding, still prisoners were referred to Burao prison and their relatives had to travel a long distance to see the prisoners or to lodge an appeal against their convictions.

The findings from the Odweyne district showed that there were many services still to be delivered adequately, such as water, quality education, good healthcare and infrastructure. The Council were honest in their assessment of their current work delivery to be limited and they blamed resource challenges. Perhaps unsurprisingly, the household survey respondents had low confidence in the Council’s ability to deliver these basic services, along with just fewer than four in every ten supporting the notion that performance of the Council had improved within the last twelve months. Despite these limitations, the Council was also involved in the support of the health and education sectors, the provision of sanitation services and the maintenance of infrastructure within the district. However the governance providers of Odweyne had a long way remaining before the public could fully support their efforts.

Regarding the conflict and violence in the area, generally no major outbreaks of conflict and violence were reported and 99% of the sampled respondents felt very safe. However, land disputes and conflict between rivalry Khat dealers were the common types of conflict in the area. When respondents were asked about the major causes of conflict, 82% mentioned land disputes; this took place after illegal enclosures of shared grazing lands, or after charcoal producers trespassed a fenced land and burnt the trees for charcoal. At times, conflict was between the charcoal producers and the community who resisted burning of the trees. The culture of individuals fencing large tracts of communal land without using the land for any productive means, or paying tax, was on the increase. Another type of conflict was between the Khat dealers, who competed for markets on a clan basis. Sometimes their conflict turned into violence.
### 6. APPENDIX

#### 6.1. Glossary of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Access to Justice</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>Civil case</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 ones constitutional and personal rights are breached</td>
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<tr>
<td>Clan</td>
<td>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</td>
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<tr>
<td>Conflict</td>
<td>State of disharmony between incompatible persons, ideas, or interests</td>
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<tr>
<td>Criminal case</td>
<td>An action, suit, or cause instituted to punish an infraction of the criminal laws of a country</td>
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<tr>
<td>District Safety Committee</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>
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<tr>
<td>Enforcement</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 minimise impunity, thus preventing further injustices.</td>
</tr>
<tr>
<td>Formal Justice System</td>
<td>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.</td>
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<tr>
<td>Gender</td>
<td>“Gender” refers to the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women.</td>
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<tr>
<td>Governance provider</td>
<td>Formal institutions or Individuals that act, process, or possess the authority of governing</td>
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<tr>
<td>Informal Justice System</td>
<td>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.</td>
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<tr>
<td>Justice Provider</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>Justice System</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>
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<tr>
<td>Land/water disputes</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>
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<td>Local Authority</td>
<td>Those invested with formal power, especially a government or body of government officials at district level</td>
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<tr>
<td>Petty Crimes</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>
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<tr>
<td>Security Provider</td>
<td>Formal or informal Institutions or individuals that are responsible for the protection of persons, dwellings, communities or the nation from harm</td>
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<td>Serious Crimes</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>
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<tr>
<td>Violence</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>
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<tr>
<td>Xeer</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>
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<tr>
<td>Youth</td>
<td>Men and Women between the age of 15 and 30</td>
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ODWEYNE DISTRICT CONFLICT AND SECURITY ASSESSMENT REPORT

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