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ABBREVIATIONS

DCSA  District Conflict and Security Assessment
DFID  Department for International Development
FGDs  Focus Group Discussions
IDPs  Internally Displaced Persons
KII  Key Informant Interviews
OCVP  Observatory of Conflict and Violence Prevention
ODK  Open Data Kit
SRS  Systematic Random Sampling
UNDP  United Nations Development Programme
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DISTRICT PROFILE

Salahley is a district in the Southwestern part of Somaliland, situated in the region of Maroodi-Jeeh. It is located around 70km to the South of the regional capital of Hargeisa, and 15km to the North of the Somaliland-Ethiopia border. Under the Somaliland Regions and District Law (Self-management), Salahley is classified as a Grade C district. An elected local council comprising of thirteen councillors serves the district. The district has a well-equipped maternity hospital that serves all the suburban villages of the district.

Historically, the inhabitants of the district were predominantly pastoral. However, decades of perennial drought and the consequent disappearance of rangeland and chronic water scarcity have caused deterioration in the socio-economic stability of many of its inhabitants, forcing a portion of them to adopt alternative modes of subsistence. In this manner, climate change has led to conflict and competition over the meagre resources, particularly between herders and charcoal producers.¹

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 Salahley 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 Salahley District which was conducted from the November 15th to November 19th, 2015. Key Research findings are presented below.

Security

In Salahley, the police force is the major security provider with some help from local representative committees of elders in the remote villages of the district. There are no security concerns or widespread outbreaks of crime and violence reported in the recent times. However, there are challenges that exist with the police who operate under restricted access to resources such as communication equipment and transport services to respond to urgent security situations. The number of the police is also insufficient with less than 30 police officers reported to operate in the whole district, which has over 28 villages falling within its ambit of administration. Quantitative research participants have showed excellent awareness of police presence with reachable distance to the nearest police station. They preferred to report to the police in the different security issues they encounter whether civil, petty or serious. They have also chosen the police as their most trusted justice provider in responding to crime and violence. On the other hand, the qualitative research participants, have raised concern over the shortage in the number of police and their limited resources. They have mentioned the importance of having enough police and security bodies to patrol the area since Salahley is near the border with Ethiopia and can experience cross-border crimes.

Justice

Salahley has one district court which mainly deals with civil cases that can attract a maximum of three year court sentences. While cases outside the district court jurisdiction were referred to Hargeisa regional court. The informal justice providers, mainly the elders, play a complementary role by delivering informal justice as similar proportion of the household respondents used both the elders and the court in the last twelve months preceding this assessment. The district court also mainly referenced to Shari’ah and customary law when settling civil cases. Most of the cases brought to the justice providers were related to the private enclosure of the communal land. The district court faced an array of challenges including absence of a prosecutor, lack of vehicle, neither office furniture nor stationeries with court staff self-supplying the stationeries using their meagre salaries. Despite of this, majority of the household respondents were confident in the formal justice system, additionally, half of the respondents viewed that the performance of the court has increased compared to the year leading to this assessment.

Governance Providers

As a C grade district under the Regions and Districts (Self-Management) Law – Law No: 23/ 2002 of Somaliland, Salahley District has a local council consisting of 13 councillors, one of whom is a female. Almost all the respondents in the household survey were aware of the presence of the council. The council was actively involved in the provision of sanitation services, maintenance of infrastructure and supporting the security as well as education and health sectors. Almost one half of the respondents in the household survey had been aware of the existence of channels of communication between the community and elected representatives, with levels of awareness being significantly higher in Ayaan Subdivision than they were in Mahad Subdivision. A little more than one in every ten respondent
had participated in local governance consultation within the 12 month period preceding the assessment, with about one half of those having done so twice. A majority of the respondents affirmed the importance of having elected representatives at the district level. On the same vein, level of confidence in the performance of the local council was seen to be high for almost three quarters of them, with close to two thirds feeling that the performance of the council had improved in the past year.

Conflict and Violence

Salahley had not witnessed any major outbreaks of violent conflict or crime in the year leading up to the assessment. While a portion of the household survey respondents claimed to either have been aware of or personally witnessed conflict within the last year, very few of those incidences had escalated to the point of violence. Accounts of awareness of conflict were notably higher in Ayaan than they were in Mahad and accounts of actually witnessing conflict were exclusive to Ayaan. Of the seven people who reported having witnessed conflict, about a half further stated that only one had led to violence while the other half said that two of the conflicts had led to violence. All the respondents reporting that they had witnessed conflict attributed at least one of the conflicts they had witnessed to competition over resources (land/water), though some also mentioned youth violence, business disputes and crime in addition. Land disputes were consistently brought up in qualitative discussions as the most common underlying cause of conflict while the crime of rape was singled out severally as an emerging phenomenon raising safety concerns in Salahley. In overall however, a majority of the residents of Salahley felt very safe and most felt that safety levels had increased in comparison with the previous 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 Salahley District of the Maroodi Jeex region 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. 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 22, 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.

1.2. Sampling Methodology
A district household estimation provided by the local municipality enabled the calculation of a sample size for the district based on the estimated number of households and a 9% margin of error at a 95% confidence level. This resulted in a sample size of 80 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. OCVP’s two trained data enumerators and two local supporters (with local acquaintances and knowledge on borders between subdivisions) managed to collect 80 responses in Mahad and Ayaan Subdivisions (Table 1), from November 15\textsuperscript{th} to November 19\textsuperscript{th}, 2015.

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.

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

<table>
<thead>
<tr>
<th>Area/Subdivision</th>
<th>Gender (Number of respondents)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Ayaan</td>
<td>16</td>
<td>24</td>
</tr>
<tr>
<td>Mahad</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Total sample</td>
<td>36</td>
<td>44</td>
</tr>
</tbody>
</table>

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 15th and 18th of November 2015 at the Local Youth Centre (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 8 participants, with the exception of women and youth groups which consisted of ten 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.

Table 2: Distribution of focus group participants by gender

<table>
<thead>
<tr>
<th>Focus Group</th>
<th>Gender</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Women</td>
<td>-</td>
<td>10</td>
</tr>
<tr>
<td>Elders/Religious Leaders</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>Youth</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td>Justice Providers</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>Governance Providers</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>30</td>
<td>14</td>
</tr>
</tbody>
</table>

1.5. Key Informant Interviews

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

The interviews were conducted between the 17th and 19th of November 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. Five key informants were interviewed, including: The Mayor, Police Commissioner, Assistant Judge, 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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
</tr>
<tr>
<td>Police Commissioner</td>
<td>1</td>
</tr>
<tr>
<td>Mayor</td>
<td>1</td>
</tr>
<tr>
<td>Assistant Judge</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

Male and female respondents made up almost equal proportions (male: 45% vs. female: 55%) of the sample. (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.

Three quarters (75%) of the respondents were married, one in every five (20%) were single and 3% each were either divorced or widowed (Fig. 3).

One third (33%) of the respondents in Salahley were in their thirties and one quarter (25%) were in their twenties. Almost similar proportions (17% and 16%) were in their forties and fifties respectively while those under twenty and those above sixty years of age made up 7% and 4% respectively (Fig. 2).
A substantial portion of the respondents (35%) informed OCVP researchers that they had never been educated. One in every ten (10%) had been self-schooled and 16% had only attended Quranic madarasa. Those who had attended formal education institutions made up 39% (5% who had attained primary school level of education, 11% who had gone up to the intermediate level, 18% who had attended secondary school and 5% who had tertiary level of education), see figure 4.

Disaggregation along gender lines showed that a large portion of those who had reported never having been educated were female, making up 52% of the female sample, compared with 14% of the male sample. Larger portions of female respondents than those of men also reported having been self-schooled (14%: female vs. 6%: male) and having attended Quranic madarasa (18%: female vs. 14%: female). In all formal education categories, there were larger portions of male respondents than there were of female respondents (67% vs. 17%) respectively. Only male respondents had reported having attained tertiary education (Fig. 5).
3. SECURITY, JUSTICE AND GOVERNANCE PROVIDERS

3.1. SECURITY PROVIDERS

The police is the major security provider in the district with help from local traditional elders in the remote villages where there are no presence of formal security bodies. However, the police force present in Salahley, are under-resourced and not sufficient in number. Notwithstanding, people still trust the police with no security concerns or widespread outbreaks of crime and violence reported in the recent times.

This section assesses level of deployment of the security providers and the perception held by the general public towards security including level of performance and trust in the security providers.

3.1.1. Level of Deployment

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

Upon gender disaggregation, it was observed that all (100%) of the male sample had indicated an awareness of police presence, while only 2% of the female sample had stated that they did not know whether or not the police were present in the district (Fig. 7).

In Mahad Subdivision, all (100%) of the respondents were aware of police presence, while in Ayaan Subdivision only 3% stated that they did not know (Fig. 8).

Household survey respondents either thought that there was one police station (53%) or that there were two stations (47%) in Salahley (Fig. 9).
There is only one police station in Salahley which is also the central police station of the whole district. Yet there had been good progress in the number of police posts built elsewhere in the district for the past two years. During a key informant interview, the District Police Commissioner informed OCVP researchers about this: “Before two years there were only three police posts. But, at present there are seven including the central police station”.  

Despite the high awareness of police presence among the household respondents, the police commissioner had showed a concern on the level of awareness in terms of the services provided by the police: “The level of awareness is still low. Awareness programs to enhance Police-community relationship are needed”.  

Close to three quarters (70%) 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, one quarter (24%) felt that it would take them between twenty and forty minutes and 6% felt that the time it would take them would be more than forty minutes but less than one hour (Fig. 10).

Across the subdivisions, similar proportions (69%: Ayaan vs. 70%: Mahad) had indicated that they were less than twenty minutes walking distance away from the nearest police station. While all the other respondents in Mahad (30%) had indicated that they were between twenty and forty minutes away from the station, only 18% had indicated a similar distance in Ayaan, with 13% indicating that they were more than forty minutes away from the closest station (Fig. 11).

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2 Salahley, Police Commissioner, Key Informant Interview, 18th November, 2015

3 Ibid
3.1.2. Preference of the Security Providers

When the respondents in the household survey were asked to whom they would prefer to report civil matters such as trespass, family disputes and business disputes, an overwhelming majority (84%) of them said the police. The local authority, court and traditional elders were mentioned by 8%, 5% and 4% respectively (Fig. 12).

With respect to instances of petty crimes such as theft and household violence, the police were the most commonly cited preferred reporting agent, having been mentioned by nine out of every ten respondents. Traditional elders and the local authority were mentioned by 5% and 3% respectively while 1% mentioned the court or stated that they did not know (Fig. 14).

Similar proportions of male and female respondents (83%: male and 84%: female) had chosen the police as their preferred security provider to whom to report to in the event of a civil matter. Slightly larger portions of the female sample than those of the male sample had chosen the local authority (9%: female vs. 6%: male) and the court (7%: female vs. 3%: male) while only men (8%) had chosen the traditional elders (Fig. 13).

Some minor variations were observed when the data was disaggregated by gender. While marginally larger portions of men had chosen the police (92%: male vs. 89%: female) and traditional elders (8%: male vs. 2% male) than those of women, only females had chosen
the local authority (5%), court (2%) or refused to answer (2%). See figure 15.

Figure 15: Reporting preference for petty crimes by gender

Regarding reporting serious crimes such as grave assault, rape and murder, the police remained the most preferred provider, having been mentioned by over nine in every ten respondents (93%). Traditional elders were mentioned by 5% while 1% mentioned the court and a further 1% claimed that they did not know (Fig. 16).

Figure 16: Reporting preference - serious crimes

The portion of female respondents (95%) choosing the police was slightly larger than the portion of male respondents (89%) who held the same view and in converse, the portion of men (8%) choosing traditional elders was larger than the portion of women (2%) reporting the same. Only men (3%) had chosen the court and only women (2%) had stated that they did not know (Fig. 17).

Figure 17: Reporting preference for serious crimes by gender

Different qualitative discussants have also agreed that police are the security providers that people first report to whenever there is a security issue.

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: “Where there is no police station, people report to the traditional elders. If elders are then unable to resolve, they then pass it to the nearest police station.”

3.1.3. Perception of Security Providers

In keeping with the positive attitude observed with regard to reporting preference, a little over nine in every ten respondents (91%), when asked whom among the security providers they trusted the most to respond to crime and violence, mentioned the police. The remaining 9% mentioned the traditional elders (Fig. 18).

---

4 Salahley Justice Providers, Focus Group Discussion, 16th November, 2015
The likelihood of having stated the police as the most trusted security provider was higher among the women than it was among the men by 15 percentage points (98%: female vs. 83%: male) while on the other hand, a larger portion of men (17%) had chosen traditional elders as their most trusted security provider in responding to crime and violence than that of women who had at 2% (Fig. 19).

An outright majority (92%) of the respondents who had chosen the police as their most trusted provider went on to state that the reason for this trust was their fast response. Among those who had chosen traditional elders, unbiased enforcement (43%) and respect (57%) were the two main reasons advanced (Table 4).

When respondents’ perception on the trust in the police (as a formal security provider) was gauged, a cumulative 87% sated that they had high trust (very high: 19% and fairly high: 68%) while 6% each had either very low or fairly low levels of trust and 1% did not know how to respond (Fig. 20).

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).
It was further enquired of the household survey respondents what their perception of police performance was, in relation to the previous year and more than two thirds (69%) stated that they felt that police performance had improved. One quarter (26%) felt that there had been no change while only 4% felt that there had been a decline in police performance (Fig. 22).

While those feeling that police performance had improved had been the majority in both subdivisions, they made up a larger portion in Mahad (85%) than they did in Ayaan (53%). Larger portions of residents in Ayaan felt that there had been no change (40%) or that there had been a decline (5%) than the portions of Mahad residents in the survey holding the same views respectively (13%: no change and 3%: decline). See figure 24.

A slightly larger portion of male (72%) respondents felt that police performance had improved than that of women (66%) who held the same opinion. Conversely larger portion of female (30%) respondents felt that police performance had not changed than that of men (22%) who held the same opinion (Fig. 23).
Findings from the quantitative data analysis indicate that the police performance have improved in the past year. Despite this improvement, there exist limitations in the job execution and operations of the police. The most important of these limitations is the number of police which is insufficient. This has been raised by the qualitative research participants. When asked whether the number of police in the district was enough one participant in the youth FGD stated:

No. The number of police that works in the whole district is only 21. That is when the custodial corps are not included in the number. Some of the villages [in the district] are as far as 70km. So it is difficult for only 21 policemen to handle security issues in such large area of land.⁵

The same concern was also raised by another participant in the justice providers’ FGD. He described it as follows:

The population in Salahley district is estimated to be around 45,000 people. The district [area] is very extensive. The number of police which is around twenty is not even enough to cover the [security] services needed in the central police station. There is thus a great need of getting enough police.⁶

This shortage in number of police has been complemented by the informal security providers which included the local people and traditional elders. One of the participants in the Justice Providers’ FGD said:

Citizens are the other [apart from the police] security providers including us. If there is any problem we get united against it... In the case of an incident there [the place that the incident occurred] goes by the authorities, local council representatives and traditional elders [to stabilize] because stability is very important.⁷

In the remote villages, there are local representative committees of elders whom people report to about their security concerns. If finding resolutions is out of their scope, they pass it to the formal security bodies. Police commissioner explained this: “There are village level committees who resolve the issues and then report them to us. For more serious disputes they pass it to us directly at district level”.⁸

### 3.1.5. Challenges faced by the security providers

The police were said to be operating under severe resource constrictions, not only inadequate number of police as mentioned above but also without transportation to respond to security incidences in the far-flung places and communication equipment. In a key informant interview with the police commissioner of Salahley, he summarised the challenges as: “The challenges that exist consist of three things; access to far places, limited transportation and limited number of police”.⁹ In terms of equipment he adds “Communication is made through mobile phones. There is the need for the right tools of communications such as the police radios”.¹⁰

Salahley district is in the border of Somaliland with Ethiopia. Despite collaboration between Salahley local council and Ethiopian administration in Daroor¹¹ (under Ethiopian Somali Region), cross border security issues need enough police and security bodies operating in the area. A discussant in the Youth FGD, said: “More police are needed in the border. There are two police stations along the border now. And there are only three police officers each. Therefore, they need [more] police as well as transport”.¹²

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⁵ Salahley Youth, Focus Group Discussion, 15th November, 2015
⁷ Ibid.
⁹ Ibid
¹⁰ Ibid
¹¹ Salahley Governance Providers, Focus Group Discussion, 16th November, 2015
This section attempts an investigation of the various justice providers operating in Salahley District. It presents participants and/or respondents views and insights regarding the justice providers and examines in overall the state of justice provision, including the challenges faced by the providers, the level of trust they enjoy and trends in their performance over time.

### 3.2.1. Level of deployment

There is only one functional court in Salahley: The district court. Although the district covers large area of land, but according to the court assistant judge the district court provides the needed service. Like any other district in Somaliland, the traditional elders also play a complementary role in delivering informal justice.

Despite the existence of a court, shortage of judicial staff has been raised as a concern. The only judicial staff available are the chief judge and his assistant. There is no prosecutor. District court assistant judge said that: “[It is] only me and the chief judge. There is no other staff”. The assistant judge also hinted that there are infrastructural challenges with meagre facilities and resources such as the transportation, furniture and stationery.

In the household survey, an outright majority (96%) of the respondents confirmed awareness of the presence of a court in the district. A minority of 4% were not sure whether or not there was a court (Fig. 25).

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13 District Court Assistant Judge, Key Informant Interview, 19th November, 2015
16 Ibid
Analysis of the data along with the respondents’ subdivisions of residence revealed that almost equal proportions in Ayaan (98%) and Mahad (95%) subdivisions were well aware of the presence of a court in Salahley (Fig. 27).

For those who acknowledged the presence of a court in the district, 4% of them reported that they were aware of two courts. However, the rest (96%) were aware of the existence of only one court in the district (Fig. 28).

On the other hand, all the participants in focus group discussions and key informant interviews also indicated awareness of the court in Salahley.

The court’s location was one hour or less away from almost all the respondents (99%). Nearly 6 out of ten (59%) of these respondents reported to be able to get to the court in 20 minutes or less. Around one third (35%) reported a walking distance of between 20 to 40 minutes. 5% have said that it would take them between 40 to one hour to the court from their homes. Only 1% of the respondents reported that it takes them more than one hour to reach the court (Fig.29).

3.2.2. Performance of the Justice Providers

Respondents who have reported to have used any of the different justice providers for the past year comprised 22% of the total sample. Half (11%) of these
respondents have used the courts. For those respondents who have used informal justice system, 8% approached the traditional elders while 3% have used the religious leaders. (Fig. 30).

Figure 30: Usage of justice providers

Disaggregation of data according to the respondents’ gender show that males and females had equally used the courts (11% each), while usage of traditional elders was higher among males (11%) than females (5%). Usage of religious leaders was relatively more common among females (5%) compared to males who have not approached the religious leaders at all (Fig. 31).

Figure 31: Usage of justice providers by gender

Some of the FGDs and KII participants viewed that in case there is a dispute traditional elders were the first to approach for mediation. If disputes were not resolved by the traditional elders, the court was considered as the alternative option. One respondent in the Justice Providers’ FGD stated:

Usage [of courts] is not much. People think the case that goes to the court had no any other option considered in resolving it. People first go to the traditional elders and the religious leaders [before coming to the court].

3.2.2.1 Usage of the different Justice Providers

All the three different justice providers were observed operating in parallel at Salahley district. The District Court assistant judge stated that: “We mainly judge based on Shari‘ah and the traditional system which operate in parallel. There is also the formal justice system”.

The decision of which justice provider to refer depended on the typology of cases. Criminal cases and serious offenses were mainly referred to formal justice system. There was one such case that happened in Salahley which was a murder incident of a man who killed his wife. The murderer was directly referred to Hargeisa to be tried at the regional court. Criminal cases are not resolved within the district court but are taken to the regional or the high court in Hargeisa. The district court’s maximum custody time limit is 3 years and the maximum sentence that the court can hand down is 3 year sentence.

On the other hand, minor offenses and petty crimes which constituted the majority of the cases in the district were mainly handled in the informal justice system. The district police commissioner explained:

“They [Traditional elders] resolve majority of the disputes in the 28 villages of the district. Only few cases reach to the court whether district level or regional level. There are village level committees who resolve

18 District Court Assistant Judge, Op. cit.
19 Salahley Traditional Elders and Religious Leaders, Focus Group Discussion, 16th November 2015
20 District Court Assistant Judge, Op. cit.
the issues and then report them to us. For more serious disputes they pass it to us directly at district level”. 21

There were also cases which were customarily resolved using Shari’ah law and referred to the religious leaders. Such cases include inheritance and family related matters. One discussant in the youth FGD stated that: “Religious leaders are referred in such cases like inheritance and swearing an oath which is the last step in taking a decision”. 22

Different Focus group discussants also agreed that Shari’ah based resolutions are received in good trust. A religious Leader in a key informant interview said:

Religious leaders are the reference of last resort. When all other groups fail to resolve, they are the ones that cases are referred to at last. There was a farm dispute case that lasted up to three years, which was finally referred to the religious leaders who resolved the case in 7 days. 23

Cooperation of the different justice providers is thus inevitable in order to develop the justice system in general, as recommended by the qualitative research participants. The religious leader in the KII expressed his opinion: “I would recommend cooperation from all the sides. This cooperation together with raised awareness will help improve justice system”. 24

3.2.2.2. Issues referred to Justice Providers

Land and business related disputes, household violence, youth violence, robbery and assaults 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. The findings show that land related disputes were referred to all the different justice providers. Cases of business disputes and household violence were also taken to either the court (11% and 44% respectively) or to the elders (17% and 33% respectively). On the other hand the court alone dealt with respondents’ cases of robbery and youth violence (11% each). While assault cases (16%) were dealt with by the traditional elders. (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>33%</td>
<td>50%</td>
<td>100%</td>
</tr>
<tr>
<td>Business dispute</td>
<td>11%</td>
<td>17%</td>
<td>-</td>
</tr>
<tr>
<td>Robbery</td>
<td>11%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Youth violence</td>
<td>11%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Household violence</td>
<td>44%</td>
<td>33%</td>
<td>-</td>
</tr>
<tr>
<td>Assault</td>
<td>-</td>
<td>16%</td>
<td>-</td>
</tr>
<tr>
<td><strong>Base</strong></td>
<td><strong>9</strong></td>
<td><strong>6</strong></td>
<td><strong>2</strong></td>
</tr>
</tbody>
</table>

Results from the qualitative data analysis further support the findings from the quantitative data. Land dispute is the most prevalent issue referred to the different justice providers at Salahley. Most of these land disputes arise over private land enclosures where the previously shared pastoral lands have been illegally fenced and claimed by individuals. 25

Despite most of these disputes being referred to the courts and the traditional elders, religious leaders also play their role. There has been a land dispute case that prolonged almost two decades. 26 The case got unresolved both at the district and regional courts and has been finally referred to the religious leaders with the help of mobile Shari’ah court based in Hargeisa who finally resolved the case. 27

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, almost six out of ten (58%) mentioned the court. One third (33%) mentioned traditional elders. Religious leaders accounted only 4% in the sample respondents’ trust. 1% confirmed their trust to the conflict resolution committee. Another 1% trusted none of the justice providers. And 4% of the

23 Salahley Religious Leader, Key Informant Interview, 17th November, 2015
24 ibid
25 ibid
26 District Court Assistant Judge, Op. cit.
respondents stated that they don’t know whom to trust. (Fig. 32).

As highlighted in figure 33 respondents’ opinions regarding the most trusted justice provider varied across gender. The court was the most trusted justice provider for both males and females. However, a greater proportion of female respondents identified the courts as their most trusted justice provider (66% females vs. 47% males). In contrast, a greater proportion of male respondents identified traditional elders as the justice provider that they trust most (44% males vs. 23% females). Only 7% of the sample respondents trusted religious elders and they were all females. Whereas, the minor 3% who trusted conflict resolution committee were all males. (Fig. 33)

Upon further investigation of the reasons behind the trust accorded to the justice providers, it was observed that fair judgements (44%), fast decisions (33%) and ease of access (16%) were the most cited reasons for trust in the courts. In the case of the traditional elders, reliability (38%), ease of access (31%), fair judgement (15%) and independence from politics (12%) were the main reasons for them being most trusted. Those who trusted religious leaders and conflict resolution committee attributed their trust to fair judgements (Table 6).

<table>
<thead>
<tr>
<th>Reason for trust of justice provider</th>
<th>Most trusted justice provider in solving cases</th>
<th>The Court</th>
<th>Traditional elders</th>
<th>Religious leaders</th>
<th>Conflict resolution committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fast decisions</td>
<td></td>
<td>33%</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fair judgment</td>
<td></td>
<td>44%</td>
<td>15%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Independence from politics</td>
<td></td>
<td></td>
<td>12%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less costly</td>
<td></td>
<td></td>
<td>4%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ease of access</td>
<td></td>
<td>16%</td>
<td>31%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>More reliable</td>
<td></td>
<td>4%</td>
<td>38%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The lesser of two evils</td>
<td></td>
<td>2%</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Base</strong></td>
<td></td>
<td><strong>45</strong></td>
<td><strong>26</strong></td>
<td><strong>3</strong></td>
<td><strong>1</strong></td>
</tr>
</tbody>
</table>
In the FGDs, when the discussants were asked which justice provider they trusted most, the majority of the discussants stated that the traditional elders were the number one justice provider of peoples’ choice. One participant in the Justice providers FGD explained this:

> Traditional elders are the most trusted… There are customs that people follow. The most important one is that back into our old tradition there were no functioning ministries and courts [formal justice system]. But, the traditional elders were the only courts available. Courts and the formal governance system are contemporary [systems] to us, so people still prefer the traditional system.

A notable reason that backs such trust is that there is a respect and acceptance for the traditional elders’ (xeer beegti) judgments, the xeer beegti are elders with experiential knowledge on the unwritten agreements between clans, ad hoc committee of xeer beegti are set up when there is a serious issue that calls for elders’ immediate intervention. Prior to a verdict all parties are asked to submit written confirmation (in the urban areas) of their confidence and hence acceptance of the elders’ final judgements.

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 vast majority (90%) of the respondents expressed confidence (very or fairly confident) in the formal justice system (Fig. 34).

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 (86% and 93% respectively). While 14% of males compared with only 5% of the females stated outright that they were not confident in the formal justice system (Fig. 35).

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29 Ibid
Finally, when household survey respondents were asked what their views were regarding the performance of the formal court, almost six out of ten (58%) 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 (30%) expressed opinions of no change. While minor percentage of the respondents expressed their opinions in decline of court performance or had no opinion (9% and 4% respectively), see figure 36.

Figure 36: Perception of the performance of the court: yearly trend

Across the subdivisions, almost three quarters (73%) of respondents in Mahad subdivision felt there was an improvement compared to less than half (43%) of the respondents from Ayaan subdivision. While 38% vs. 23% in Ayaan and Mahad subdivisions respectively were of the opinion that no change was made. A relatively greater proportion of 15% of the respondents in Ayaan subdivision compared to only 3% in Mahad subdivision reported that there had been a decline in the performance of the court over the past year (Fig. 37).

Figure 37: Perception of the performance of the court: yearly trend

Along gender lines, majority of both male and female respondents (64% vs. 52% respectively) were positive towards the performance of the courts, compared to 25% males vs. 34% females with the opinion of no change in performance. The number that reported decline in performance was minor (11% males vs. 7% females), see figure 38.

Figure 38: Perception of the performance of the court: yearly trend by gender

3.2.4. Challenges Faced by the Justice System

Insufficient number of staff including the lack of a prosecutor was identified as one of the challenges that
exist and hamper much of the smooth running of court’s operations.\textsuperscript{30}

Inadequate supply of infrastructures such as the furniture, stationeries as well the transportation was also cited as one of the challenges. The district court assistant judge expressed: “We don’t have a vehicle... Most office furniture and stationeries are self-supplied and not provided by the government”.\textsuperscript{31}

Many of the qualitative research participants identified lack of capacity building programs for justice providers as a point of concern. Strengthening different justice providers’ capacities through trainings would have helped them discharge their obligations and develop their knowledge in conflict resolution. The court assistant judge demanded such programs: “We [Formal justice providers] need trainings. I was appointed for this position in 2003... In all that period of time, there were no capacity building opportunities. There were times we requested this from the government but nothing had happened".\textsuperscript{32}

Unlike the other two justice systems, the traditional justice system is based on customary laws derived from old customs and judicial precedents rather than statutes. The elders (\textit{guurti}) who judge based on these are mainly illiterate. They do not receive any formal capacity building programs and thus resolving disputes that arise from the contemporary issues would be a challenge to them. A traditional elder in Salahley highlighted this:

\begin{quote}
They [traditional elders] need short trainings. There are cases beyond their customary laws and thus require additional knowledge. So, in that case they should have some idea to guide them. I would suggest putting effort to train them periodically.\textsuperscript{33}
\end{quote}

The findings from the qualitative research participants suggest that they were not yet familiar with the formal justice system and raising awareness in this sector is worth considering. District assistant judge explained one of the problems that arise from such low awareness:

\begin{quote}
Problems include tribal interference where the accused’s clansmen will ask you in the street why their son has been detained. We normally convince these people that the law will prove whether the accused is criminal or innocent. This is because the formal justice system did not yet reach everybody.\textsuperscript{34}
\end{quote}

\textsuperscript{31} District Court Assistant Judge, Op. cit.
\textsuperscript{32} Ibid
\textsuperscript{33} Salahley Traditional Elder, Key Informant Interview, 17th November 2015
\textsuperscript{34} District Court Assistant Judge, Op. cit.
3.3. GOVERNANCE PROVIDERS

3.3.1 Level of Deployment

As per the Regions and Districts (Self-Management) Law – Law No: 23/2002 of Somaliland, Salahley District which is categorised as a C-Grade district, has a local council consisting of 13 councillors, one of whom is female. The council is headed by the Mayor and has committees constituted within it, one of which is the Conflict Resolution Committee that mostly handles land dispute cases.

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.

Almost all (99%) of the respondents in the household survey were aware of the presence of the local council (Fig. 39).

In Mahad Subdivision, all (100%) of the respondents had indicated awareness, while only 3% of the respondents in Ayaan had stated that they did not know whether or not there was a local council (Fig. 41).

All (100%) of the male respondents were observed to have been aware of the presence of the local council in Salahley, while only 2% of the female respondents had indicated that they did not know whether there was a local council or not (Fig. 40).

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35 The Mayor of Salahley, Key Informant Interview, 18th November 2015

36 Ibid
3.3.2. Performance of the Local Council

According to the Mayor who spoke to OCVP researchers in Key Informant Interview, apart from the conflict resolution services mentioned above, the council is also involved in supporting the provision of security through the construction of police stations, three of which had been completed in the year preceding the assessment. In addition, he also informed the researchers that the local council supports the Health sector through the provision of basic utilities, maintains an emergency preparedness kitty for local schools and coordinates with all government agencies within the district. Speaking about those services the mayor stated:

*We built three local police stations this year. Other services provided include helping health sector by providing basic utilities. We also help education sector. We give money to the local boarding school and help them deal in emergencies. We provide help to all the government agencies in the district.*

He further stated that despite these modest achievements, economic constraints had prevented the council from providing further services, such as salaries for teachers and health workers as well as more premises for education, health, police and the court. On their part, religious leaders and traditional elders speaking in an FGD, when asked how the public rates the provision of services by the council, asserted that the council was doing its best with regard to general service provision; health, sanitation, as well as education and security.

Out of those services, sanitation (61%), education (43%), and infrastructure (42%) were the services that respondents in the household survey identified as the most delivered by the local government. Notable portions of the respondents also claimed outright that the council provides no services (16%) or stated that they did not know of any services that the council provides (11%). See figure 42.

38 *Ibid*

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 infrastructure (80%), shortage of electricity supply and lack of water (69% each), poor sanitation (25%) and poor health (20%) were mentioned. Poor economy and education were also mentioned by 23% of the respondents (Fig. 43).

In the focus group discussion with the youth,

39 *Ibid*
participants pointed out that the shortage of clean water, poor health services and the prevalence of land disputes were some of the districts’ most pressing needs. On their part, the women who were involved in a focus group discussion claimed that the shortage of clean water, the shortage of electricity supply and the shortage of police personnel were the most pressing needs facing the district. Religious leaders and traditional elders also voiced the shortage of clean water and electricity supply as pressing needs in their own focus group discussion, adding that the supply of electricity in the district was in the hands of private entities with little oversight, leaving them free to raise the rates or mismanage the supply at will. On the other hand, when participants in the focus group discussion with governance providers were questioned as to the most pressing needs in the community, in addition to the shortage of clean water supply, they also mentioned the reservation (fencing off) of large tracts of otherwise productive land and unregulated charcoal trade. This illegal charcoal trade was also mentioned as one of the most pressing needs during the focus group discussion with justice providers.

A little over four in every ten respondents (42%) in Salahley District answered in the affirmative when they were asked whether they were aware of the existence of channels of communication between the community and the local council. However, the majority (56%) reported that they were not aware of such channels (Fig. 44).

Awareness of channels of communication seemed to be slightly higher among women (44%) than among men at 39% (Fig. 45).

On disaggregation by subdivision it was observed that awareness levels with regard to channels of communication were significantly higher in Ayaan at 62% than they were in Mahad at 23% (Fig. 46).

42 Salahley Women, Focus Group Discussion, 16th November 2015
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. 47). Speaking to communication channels between the council and members of the community, the Mayor informed OCVP researchers that the council holds biannual meetings with registered representatives from all the villages.46

Along the subdivisions, the likelihood of residents in either Mahad or Ayaan to state that they had participated in such consultations was almost equal at 13% for Ayaan and 15% for Mahad (Fig. 49).

Of those who had participated in consultation meetings (11 respondents) in the 12 months prior to the assessment, a little over half (55%) went on to state that they had participated twice, slightly more than a third

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(36%) had participated only once while 9% had participated thrice (Fig. 50).

Figure 50: Frequency of participation in consultations

3.3.4. Perception of Elected Representatives

When it was enquired of the respondents in the household survey as to their opinions regarding the importance of having elected representatives, more than three quarters of them (78%) acknowledged that elections are important. However close to two in every ten (18%) stated outright that they felt that it was not important, while 5% did not know whether or not it was important (Fig. 51).

Figure 51: Respondents’ opinions regarding the importance of elected representatives

Gender disaggregation showed that whereas similar proportions of male and female respondents had indicated that the election of local governance representatives was important (78%: male vs. 77%: female), a larger portion of the male respondents (22%) felt it is not important than that of females (14%) and only female respondents (9%) had claimed that they did not know whether or not it was important (Fig. 52).

Figure 52: Respondents’ perception towards elected representatives, by gender

A distinctly larger proportion of the respondents in Mahad (90%) felt that the election of representatives was important than the proportion of respondents from Ayaan (65%) who held a similar opinion. Additionally, one quarter (25%) of Ayaan respondents felt that elections were not important, compared with 10% in Mahad and all the respondents who had indicated that they did not know also came from Ayaan, making up 10% of its sampled population (Fig. 53).

In qualitative discussions, whenever focus group discussants were queried on the importance of having elected representatives at the local governance level, they all unanimously agreed that it was important.47

3.3.5. Perception of the Local Council

When asked what level of confidence they had in the local council, a cumulative 71% of the respondents in the household survey said that they had a high level of trust (36%: very high and 35%: fairly high). Some respondents however, making up 22% of the sample, stated that they had low levels of confidence and a further 8% did not know (Fig. 54).

With regard to gender disaggregation, it was observed that variations fell within five percentage points for all categories with the exception of those who had stated that they did not know (3%: men vs. 11%: women). See figure 55.

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 six in every ten (59%) stated that they thought that the council’s performance had improved, three in every ten (30%) felt that there had been no change and 5% each either claimed that there had been a decline or that they did not know (Fig. 56).

Analysis along gender lines revealed that men (69%) had been more likely to state that they felt that the council’s
performance had improved than women (51%) were. On the converse, a larger proportion of women (37%) had indicated that they believed that there had been no change that the proportion of men that had (22%). See figure 57.

Figure 57: Respondents’ perception towards the performance of the local council by gender

Across the subdivisions, it was observed that residents in Mahad had been more likely to have a positive outlook with regard to the performance of the local council with three quarters of them (75%) having indicated that there had been an improvement, compared with 44% of residents from Ayaan (Fig. 58).

Figure 58: 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 and/or violence particularly between clans or groups had been reported in Salahley over the past twelve months. Land based disputes were said to be the most common forms of disagreements among residents but very few could be said to have escalated to the point of conflict, with traditional elders and village committees being said to have been able to resolve most and to have passed the few that were too contentious over to the formal justice system. 

4.1. Experience of Conflict and Violence

Respondents who reported awareness of clan or group conflict taking place within the 12-month period prior to the assessment made up 20% (n=16) of the sample. The vast majority of respondents (80%), however, were not aware of any such conflicts having occurred in the district during the previous year (Fig. 59).

Awareness of clan or group conflict was higher among men than among women, with 25% of male respondents indicating their awareness of recent conflict, as opposed to 16% of the sampled females (Fig. 60).

Awareness of the occurrence of conflict was significantly higher in Ayaan than in Mahad, with more than a third (35%) of the respondents in Ayaan having indicated such awareness compared with just 5% in Mahad (Fig. 61).

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Upon further enquiry, it emerged that up to 9% of all respondents in Salahley had actually witnessed conflict between clans or groups within the 12 months prior to the assessment (Fig. 62).

The analysis of data along gender lines revealed that male respondents (14%) had been more than twice as likely to have indicated an account of witnessing conflict as female respondents at 5% had been (Fig. 63).

Upon disaggregation by subdivision it was further noted that all of the respondents who had stated that they had actually witnessed conflict between clans or groups within the last year had been residents of Ayaan, making up 18% of the sampled population there (Fig. 64).

Furthermore, of the respondents who reported witnessing conflict in the previous year (n = 7), close to one half (43%) went on to state that they had witnessed two conflicts, with 14% each stating that the number of conflicts had been one, three, four and six (Fig. 65).

When further question as to how many of those conflicts witnessed had led to violence, more than one half (57%) of those who had witnessed the conflicts said that only one of them had led to violence while the remainder (43%) stated that two conflicts had led to violence (Fig. 66).
4.2. Dynamics of Conflict and Violence

When questioned as to the cause(s) of the conflicts witnessed all (100%) of the respondents (7) who had witnessed the said conflicts reported that they had been about resources (land), but one respondent each (14%) also stated that the conflicts had involved youth violence, business disputes and crime (Fig. 67).

In FGDs and KIs, participants reiterated the occurrence of conflicts over land, particular disputes originating from the enclosure of large tracts of land and disputes caused by the weak national land registration and management legal framework. Youth violence, mostly situated around football rivalries was also mentioned, though justice providers in their FGD went on to state that the phenomenon had in recent times become drastically less visible in Salahley, owing to the intervention of traditional elders. In addition, they also pointed out that crime, particularly rape, was also a common form of violence in the district, sentiments that were echoed in the FGD with governance providers as well as the KII with a key traditional elder.

Land disputes

The enclosure of community land previously slotted for pastoral use was said to be increasingly leading to conflict between the sections of the society still practising the pastoral way of life and those looking to adopt a more sedentary form of settlement in a progressively urbanising environment. Lamenting the rise of this practice, particularly in rural areas, the traditional elder interviewed as a key informant stated:

In the rural areas there are private land enclosures. For example somebody fences a tract of land that is a whole kilometre long. Even if the whole land is divided among the people nobody will get a share of 1 km long piece of land.

In other focus group discussions with the women, the youth, religious leaders and traditional elders, land disputes were mentioned as the highest priority in terms of safety concerns in Salahley District. Furthermore, the Police Commissioner when asked what the most common type of crimes that he came across were, alluded to the illegal enclosure of large tracts of land. In the same vein, the District Court Assistant Judge who gave a key informant interview also

52 Traditional Elder, Op.cit
confirmed that the most common type of cases handled by the court involved land disputes.\footnote{District Court Assistant Judge, Op. cit.}

### 4.2.1. Land Conflict Resolution

Both formal and informal actors were observed to be active in land dispute resolution in Salahley. 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. The local council, through the Conflict Resolution Committee as asserted by the Mayor in a KII, was involved in the resolution of disputes, a bulk of which, as he further stated, were land disputes.\footnote{Mayor of Salahley, Op. cit.} The Police Commissioner affirmed that most security incidences the police responded to involved land disputes,\footnote{Police Commissioner, Op. cit.} as did the District Court Assistant Judge when speaking to the most common types of cases handled by the court.\footnote{District Court Assistant Judge, Op. cit.}

Of all respondents in Salahley, only 3% gave an account of having witnessed violence against someone outside their own homestead (Fig. 68).

![Figure 68: Account of witnessing crime or violence outside the homestead](image)

The likelihood of having witnessed a crime or violence against someone outside of the homestead was observed to be similar among male and female respondents (Fig. 69).

![Figure 69: Account of witnessing crime or violence outside the homestead by gender](image)

Analysis of witnessing a crime or violence outside the homestead along subdivisions showed that all (5%) those who reported to have witnessed such a crime were the respondents in Ayan subdivision (Fig. 70)

![Figure 70: Account of witnessing crime or violence outside the homestead by subdivision](image)

### Rape

In several qualitative discussions, the issue of rape was raised as a safety concern. In particular, one of the respondents in the FGD with governance providers stated that he could personally recall four cases of rape...
that had occurred within the year prior to the assessment.\footnote{Governance Providers, Op. cit.}

### 4.3. Perception of safety

A distinct majority (88%) stated that they felt very safe in Salahley, with a further 11% stating that they felt rather safe and only 1% indicating that they did not know (Fig. 71).

There has been a distinction between the safety perceptions in the two subdivisions, with all (100%) the respondents in Mahad felt very safe as opposed to three quarters (75%) of the respondents in Ayan, where almost a quarter (23%) felt rather safe and 3% could not give an outright response regarding perception of safety (Fig. 73).

Almost equal proportions of male (89%) and female (86%) respondents had indicated that they felt very safe, and 11% each of the male or female sample had indicated that they felt rather safe while only women, making of 2% of the female sample had stated that they did not know (Fig. 72).

An overwhelming majority (86%) of the respondents in Salahley felt that the level of safety had increased over the year prior to the assessment, 13% felt that there had been no change in the level of safety and 1% did not
know whether there had been an increase, a decrease or no change in safety (Fig. 74).

Figure 74: Perception of safety - yearly trend

A larger proportion of male respondents (97%) had indicated a perception of an increase in safety than the proportion of female respondents that had (77%) while a larger portion of the female respondents (20%) had indicated that there had been no change than the portion of male respondents that had (3%). See figure 75.

Figure 75: Perception of safety - yearly trend by gender

While all the respondents (100%) in Mahad Subdivision had the perception of an increase in safety over the year preceding the assessment, respondents holding a similar opinion in Ayaan had been close to three quarters (73%). In addition, all those who had stated that they felt that there had been no change came from Ayaan and made up one quarter (25%) of the sampled residents there (Fig. 76).

Figure 76: Perception of safety-yearly trend by subdivision
5. CONCLUSION

The formal justice system exists in the district but with limited jurisdiction; there is one district court that deals with claims based on Shari’ah, especially those related to family law, civil litigations and criminal cases punishable by imprisonment for up to three years. Cases beyond the jurisdiction of the court are transferred to Hargeisa. This might limit the access to the formal justice system as this would mean an additional cost to both of the disputing sides to travel to Hargeisa for cases likely to linger, hence they may prefer to settle their cases through the elders who are currently the first point of contact for those seeking justice. Only cases elders failed to settle are referred to the formal justice system. The unpopular justice system could be the resultant of the absence of a prosecutor, lack of people’s familiarity with the formal justice system and limited budget and training of the judicial staff which have an adverse impact on the smooth running and performance of the court.

Security is provided by both formal and informal entities. Police as a formal security provider is overstretched and operate under poor transportation to respond to security incidences in the distant places outside Salahley town. Despite of this there are no reported security alarms or prevalent outbreak of crime and violence in the town and over the 28 villages that fall under its ambit, as the role of the informal security providers such as the elders and local committees is very pivotal to the provision of security. However, the district is adjacent to the Ethiopian border, therefore, cross-border security issues need sufficient presence of formal security providers.

Being a C grade, Salahley has a Local Council consisting of 13 councillors, one of whom is a female representative. The Mayor heads the council, assisted by a deputy and within the council are constituted committees, one of which is the Dispute Resolution Committee that had in the recent past been pivotal in the resolution of many land conflicts. The Council had done commendable work, despite resource challenges in the support of the provision of security through the building of police stations, three of which had been completed in the year leading up to the assessment. The Council was also involved in the support of the health and education sectors as well as the provision of sanitation services and the maintenance of infrastructure within the district. But for the aforementioned resource challenges, the Mayor stated that the council had also aspired to provide salaries for teachers and health workers in the district as well as premises for the police and judicial officers.

Salahley had not witnessed any major outbreaks of violent conflict or crime in the year leading up to the assessment. While a portion of the household survey respondents claimed to either have been aware of or personally witnessed conflict within the last year, very few of those incidences had escalated to the point of violence. The most common safety concern was said to be the prevalence of land disputes taking two forms, enclosures of large tracts of land that would otherwise have been utilized by pastoral members of the community on the one hand, which was said to be predominantly a rural problem; and disputes that were asymptomatic of a weak land registration and management regime, most visible in urban areas. Further to that, the illegal and unregulated trade in charcoal, with the consequent environmental degradation was also mentioned as a safety concern for members of the community in Salahley. With regard to crime, rape was singled out as a phenomenon that was perceived to be on the rise. Despite that, most residents of Salahley felt safe and a majority felt that the levels of safety had improved compared to the previous year.
6. ANNEXES

6.1. Sample Size Formula

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

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

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>
</tr>
<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>
</tr>
<tr>
<td>Conflict</td>
<td>State of disharmony between incompatible persons, ideas, or interests</td>
</tr>
<tr>
<td>Criminal case</td>
<td>An action, suit, or cause instituted to punish an infraction of the criminal laws of a country</td>
</tr>
<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>
</tr>
<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>
</tr>
<tr>
<td>Gender</td>
<td>&quot;Gender&quot; refers to the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women.</td>
</tr>
<tr>
<td>Governance provider</td>
<td>Formal institutions or Individuals that act, process, or possess the authority of governing</td>
</tr>
<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>
</tr>
<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>
</tr>
<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>
</tr>
<tr>
<td>Local Authority</td>
<td>Those invested with formal power, especially a government or body of government officials at district level</td>
</tr>
<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>
</tr>
<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>
</tr>
<tr>
<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>
</tr>
<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>
</tr>
<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>
</tr>
<tr>
<td>Youth</td>
<td>Men and Women between the age of 15 and 30</td>
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