

THE REPUBLIC OF SOMALILAND

THE HOUSE OF REPRESENTATIVES

THE STANDING AND ETHICS COMMITTEE

Report about the 11th of August 2022 protest

Hargeisa - Somaliland

Xaqdoon Law Firm translated this Report. The translation is not sanctioned or approved by the Committee or the House. The Somali version is the official government document. Email: xaqdoon@gmail.com

Contents

Introduction..... 3

THE GENERAL REPORT ON THE INFORMATION GATHERING CONCERNING THE PROTESTS 4

 Gathering information on the 11th August protests and their casualties 4

 Meeting with the Minister of the Ministry of Interior and Security..... 4

 Meeting with the leaders of the opposition parties. 5

 Meeting with the Commander of the Police Forces of the Republic of Somaliland..... 6

 The casualties of injuries and deaths during the protests 9

THE FINDINGS OF THE COMMITTEE 10

SUGGESTIONS (RECOMMENDATIONS)..... 10

Introduction

According to the constitution, the Parliament is part of the three branches of the state, namely, the executive, the judiciary and the legislation. The House of Representatives is part of the bicameral Parliament consisting of the Guurti and the Representatives. The Representatives elected on 31st May 2021 are the second elected representative since the one-person-one-vote system started and the fifth House [since Somaliland declared the restoration of independence]. A total of four Houses preceded.

The House of Representatives represent the public and is the first legislature of the country's Parliament. Its tasks enshrined in Article 39 of the Constitution include passing laws and acceptance and supervision of the general policy on the leadership of the country. The House's members are 82 elected from all the country's electoral districts. The House has subcommittees responsible for different activities and tasks. The subcommittees are 10, as stated in the Bylaws of the House. The supervision of the executive and the independent state institutions includes the House's responsibilities and its subcommittees as stipulated in article 53, paragraph 7 of the Constitution of the Republic of Somaliland.

The Standing and Ethics Committee conducted fact-finding and information gathering concerning the protests on 11th August [2022]. The Committee carried out meetings and monitored the issue. The Committee hereby submits the Report on the protests, its casualties, and the general information it collected.

After the protests and violence happened in the country, the Standing and Ethics Committee of the House of Representatives convened a meeting to discuss generally the situation of the country and, in particular, the protests that took place in the country on 11th August 2022, which resulted in the deaths and injuries of civilians and security officers and mass arrests. After the meeting, the Committee agreed:

- On behalf of the House of Representatives, to issue a declaration concerning the current situation and to address the relevant sides, such as the executive, the opposition parties, and the people of Somaliland. The declaration is as follows:

Declaration

The Standing and Ethics Committee of the House of Representatives carries out its constitutional responsibilities stated in article 53, paragraph 7 of the constitution and article 3, paragraph 18 of the Bylaws of the House of Representatives, which define the powers of the subcommittees of the House.

The Standing and Ethics Committee, which acts the House of Representatives when it is in recess, hereby issues the following declaration:

1. We regret the incidents that happened in the main cities during the protests day on 11/08/022, where civilians died and were injured, others were arrested, and the destruction of property and the injuries of some members of the security forces.
2. The standing and Ethics committee, on their names and the name of the House of Representatives, send condolences to all people who died in that incident. We pray to Allah to grant his paradise and to give their families acceptance and patience, and Allah to treat those wounded and to give quick recovery.

3. The Standing Committee implementing its constitutional obligations, will study the incident. It will investigate to provide a full report to the House of Representatives.
4. The Standing and Ethics Committee calls on the executive and the political parties to de-escalate the country's situation and return to the negotiation table.
 - A plan was made regarding the operations of the [investigation] of the protests and what it resulted and to carry out an official fact-finding mission and data collection to submit to the House of Representatives a full report presenting everything that exists so that the House can make a decision.
 - The Committee was divided into two groups to operate in the cities where the incidents happened: Hargeisa, Burao, and Erigavo. The deputy chair of the Committee led the group that was sent off to the east while the rest of the group led by the chair remained in Hargeisa.

THE GENERAL REPORT ON THE INFORMATION GATHERING CONCERNING THE PROTESTS

Gathering information on the 11th August protests and their casualties

The Standing and Ethics Committee conducted data gathering on the protests that took place in the country on 11th August 2022. It examined how the protests happened, the problems that caused them or resulted from them, and how these problems were resolved or managed.

The 11th August protests took place in the main cities, including the capital, Hargeisa, Burao, Borama, Las Anod, Erigavo, and Berbera. The protests in the three cities of Hargeisa, Burao, and Erigvo resulted in casualties. In contrast, the protests in the other three cities were peaceful and caused no casualties.

The Committee met with officials and the sides on whom the casualties were inflicted.

1. The Minister of Interior.
2. The leaders of the opposition parties.
3. The Commander of the Police forces of the Republic of Somaliland.
4. The management of the hospital that treated injured persons.
5. The injured persons who were at the hospitals.
6. Government officials, opposition parties, and security agencies at regional levels in the regions of Tog-dheer, Sanag and Maroodijeeh.

Meeting with the Minister of the Ministry of Interior and Security

The Committee first met with the Minister of Interior Affairs, Honorable Mohamed Kahin, on 15th August 2022 and interviewed him about the 11th August 2022 protests.

The Minister gave the Committee a brief report about how things happened from the beginning to the end:

- The opposition parties submitted on 8th August a letter of request to hold protests.
- After he received the letter, he requested the leaders of the opposition parties to meet with him for a further discussion about the planned protests.
- On 9th August, the meeting was attended by only the chairman of UCID Party, Faisal Ali Warabe. At the same time, the leaders of Waddani did not participate.
- The Minister of Interior and the chairman of UCID Party, Faisal Ali Warabe, who was representing the opposition parties, agreed:
 - ✓ The protests requested by the opposition parties will take place on Thursday, 11th August 2022, between 07:00 am to 12:00 pm.
 - ✓ The protests will take place at the political parties' offices in the six regions' capital cities. They shall not go beyond [these locations]. In each city, a place occupied by an opposition party was allocated as the protest place.
- The Minister stated that no deaths or injuries happened at the allocated locations for the protests. The places where the incidents took place are all beyond the marked protest locations.
- Five people died as a result of the protests.
- The injured members of the security forces were 85, including 23 who were injured by a collision of two police vehicles in Buroa.

After that, the Committee asked the Minister the following questions:

Question 1: *Due to the fact that the protests happened and deaths and injuries ensued, are there any security officials/personnel who have been arrested?*

The Minister responded NO. THERE ARE NO [ARRESTS].

Question 2: *Did gunfire shot by the protesters wound any security members?*

He responded: No gunshots hit the security members, but there were catapults and stones.

Meeting with the leaders of the opposition parties.

The Committee met with the leaders of the opposition parties, WADDANI and UCID, and other officials of the parties. They told the Committee that the 11th August 2022 protests were following the previous protest that took place in Hargeisa, the capital, on 9th June 2022, in which live ammunition and tear gas were used against members of the Parliament from the opposition and supporters, and that 24 officials whom all hold senior positions at the parties were arbitrary arrested, who were held without charges and without bringing them to court for 28 days.

The leaders of the opposition told the Committee that the protests are fundamental rights enshrined in the constitution. They also shared with the Committee that the government permitted the 11th August 2022 protests. They then confronted the permitted protests with fierce resistance and used excessive and unnecessary force against unarmed civilians carrying whistles and boards.

The opposition stated that they are victims of extra-judicial killings and arbitrary detentions.

Chairman Hersi, while talking about a woman wounded by a gunshot in the early morning before the protests started, said, **“We sat at Jiic-Aboor teashop located around the total area to drink tea and wait for others en route. Between 6:30 am and 7:00 am, before the people gathered and marched, the first person, a woman, was shot while she was walking near Mohamoud Ahmed Ali School. The woman was with Member of Parliament Mohamed Khadar Dahir. The protest did not start, and people did not gather. She was walking, and that is when she was shot.”**

The leaders of the parties told the Committee that there was a boy who was at a place near the office of Waddani. He was chased, shot, and ran over by plain-clothed intelligence officers driving a car with a civilian [plate number]. They said they had the car's plate number and a video and that the people in the neighborhood who took the video were also available eyewitnesses.

Additionally, the opposition parties told the Committee that the government had started the detention of the leaders and supporters of the parties before the protests started.

A member who spoke as the lawyer of Waddani told the Committee that the judiciary has refused to file a civil case submitted to Hargeisa Regional Court by Waddani party on behalf of the people wounded in the 9th June 2022 protest where they asked for compensation.

The Committee asked many questions regarding whether they had made any problems or violence and whether they confronted the police with weapons. The Opposition Parties responded that they did not use weapons.

Meeting with the Commander of the Police Forces of the Republic of Somaliland.

On 17th August, the Committee met with the Commander of the Police Forces, **General Maxamed Saqadhi Dabagale, at the Commander's office.** The Committee explained to the Commander the purpose of their visit, which was to gather information about the crises resulting from the 11th August 2022 protests, their extent, the casualties at the side of the forces, the number of detainees, and what caused the injuries and deaths and generally all relevant information related to the protests.

The Commander of the Police Forces told the Committee that the opposition parties first requested a permit for the protest. The government allowed them to protest on a fixed date of **11th August** at allocated places which were the regional headquarters of the parties.

After that, he stated that the Police Forces had suspicious information and therefore were prepared to tackle any problem that might result and prevent them. And that they were walking on the sides of the protesters. The protests took place on a fixed date, Thursday, 11th August. The Forces received information stating that the protesters intended to march beyond their allocated areas.

The Commander first gave the Committee a brief about the protests that happened in Hargeisa. He stated that protesters, with the chairman of the Waddani Party, Mr. Cirro [as he said], crossed the small bridge at the *Saylada* area and met with people at the office of Waddani. The two groups met the crossroad leading to the house of Waran-adde. There the chairmen and leaders of the parties addressed the people. That place was not the party's office, and the people gathered there were small.

He said that after the speeches finished, the people moved and started a crowd and stone-throwing. The leaders of the parties marched towards the office of the Waddani Party. The protesters became divided into two groups; a group that went with the leaders and a group that remained and started crowding and stone-throwing toward the police.

He stated that the people were using stone-throwing, catapults, axes, knives, and bullets. At first, a prisoner transport vehicle was hit by a bullet from the back of the car and went through the front mirror. The shot went near the ear of the driver. We could not locate the person who fired the bullet.

He also stated:

- The protesters blocked the long New Hargeisa Road with burning tires.
- The trouble-making people were on the road at Bandare Hotel, Ina Xayd Aw Faarax, Al Shukri fuel station, and the theatre where the main problem happened.
- The protests continued until 1:00 pm. The protesters wanted to march and reach the Waaheen market, but the forces prevented them.
- The forces were mainly using tear gas, and that caused most of the civilian injuries.
- **The dead people were five.** Three of them were killed by bullets, one died from a motor car collision in Buroa, and one was killed in Hargeisa by tear gas which caused a shortage of breathing that resulted in death.
- The injured civilians they are aware of are 27. Six of them were wounded in Buroa and 21 in Hargeisa. There were no injuries in Erigavo.
- Eighty-five (85) members of the forces were wounded. Sixty-two (62) of them by catapult, stones, metals, and some by bullets. Twenty-four (24) were injured by the collision of two cars owned by the police in Buroa. There are no deaths of the security forces.
- The problem happened in Hargeisa, Buroa, and Erigavo. In Borama, Las Anod, and Berbera, the people stayed at their allocated places and dispersed voluntarily.
- A total of 14 police vehicles have been damaged, particularly their screens were shattered, and some were hit by bullets, such as a prisoner transport vehicle where a bullet went through from the rear screen to the front screen.

After that, the Committee asked the Commander several questions, to which the Commander all responded. And the questions were as follows:

Question: the Committee saw two policemen injured in Buroa [car collision] at Hargeisa hospital. Therefore, where are the 85 wounded police persons?

The Commander responded: First, the serious wounds were not more than 14 officers, and all wounded ones were not hospitalised. Most of them were treated and returned to work or went to rest at their houses. He also added that he visited or saw all the policemen wounded in Hargeisa.

Question: The peaceful protest was all agreed. How did more than 30 people sustain live ammunition gunshot wounds?

The Commander: stated that they do not believe gunshots hit the majority of the people. But that they were hit by rubber bullets and tear gas. He also noted that the people used catapults, stones, axes, and shots against the forces. He added that there would not have been a problem if the protestors in Hargeisa, Burao, and Erigavo had protested the way the protestors in Borama, Las Anod, and Berbera did. But the people caused the forces to hurt them even some [of the people] were taking the guns from the troops.

Question: *because the protesters were not armed, who made the final order to use live ammunition or to fire? Was the President? The Minister? Or you?*

Commander: He stated, “no one made the order. Neither person with superiority over me nor lower than me, and I did not order it. We told the forces that the people were their people and would use rubber bullets and tear gas if necessary.

Question: *Are there any members of the forces arrested for these incidents?*

Commander: he stated that there are no members of the security forces arrested for the incidents and that there is an ongoing investigation. What happened was chaos; if the forces had not resisted patiently, the casualties would have been much more significant. That mass people who filled in the extensive areas would have caused a problem for heading Waaheen market and the city if the security forces did not resist and prevented it.

Question: *how many civilians have been arrested for the incidents?*

Commander: he stated that 70 are in detention and that 82 people were arrested at the first operation.

Question: *there was a young boy who was killed by a gunshot. The young boy was far outside the protest area when a car with a civilian plate number carrying plain-clothed young men chased him. They fired a gunshot at short range. Then the car ran over him. They took his body. What do you know about that case? Are there any people arrested for this?*

Commander responded, “*it is true that there was a Landcruiser with a civilian plate number present at the protest day. But that he killed or ran over him is the information we are unaware of. The Commander of the intelligence agency and I are currently conducting its investigation.*

Question: **Commander, you told us that the firing of bullets and violence started after the protesters were addressed, and they marched, and the protestors fired from their side. There is a woman who was shot at 7 am with the presence of a member of Parliament and the Commander of a police station. A car came and fired at her. Do you have that information?**

Commander Response: It was a rubber bullet, not live ammunition, as one of the police station commanders who were present told me at that time.

Question: **Commander, first, it is an obligation to perform without aggressiveness and collectively preserve security. However, as far as we know, how the police behaved in Hargeisa is unacceptable to see 30 wounded persons and deaths. At the same time, you were capable of defending yourself, and you have units capable of defending themselves from stones. You could have used units with metal sheets and water cannons to push people**

back. You were able to secure yourself from the protestors. With all of that, what caused you to use live ammunition against civilians?

Commander: the Commander said, “**you know how vast the place the protestors gathered was, and it was outside of the allocated area. They used stones and catapults and blocked the road. If I tell you the truth, the injuries should have been hundreds of people, considering how things happened and how the police resisted. The intention was to push the country into anarchy.**

After that, the Committee, to get accurate information about the casualties and the problems of the protests in Hargeisa, Burao and Erigavo, the members were divided into two groups. One group travelled to Togdheer and Sanaag regions to collect information on the administrative capitals of Buroa and Erigavo. The other group remained in the capital Hargeisa to also collect the problems and casualties that resulted from the protests in the capital.

The Committee had information gathering sessions with the heads of the relevant government officials, such as the commanders of the armed forces in the regions of Tog-dheer and Sanaag. They visited the hospitals where the wounded people at the protests were hospitalised. Moreover, they met with the regional leaders of the political parties and the regional government officials.

The casualties of injuries and deaths during the protests

During the **11th August 2022** protests, there were casualties **of fatalities and injuries**. The losses consisted of security forces and civilians. The data collected by the Committee from the hospitals in Hargeisa, Burao, and Erigavo are as follows:

- **Deaths**

The total number of confirmed people who died at the protests is **five persons**. Three were killed by live ammunition. **One person** was killed by a motor vehicle collision of vehicles owned by the police. **One person** was killed by the tear gas.

	Hargeisa	Burao	Erigavo	Total
Death	3	1	1	5

- **Injuries**

The actual number of injured people is unconfirmed. The Committee has confirmed from the hospitals that **76** civilians have been hospitalised for injuries sustained during the protests.

The Minister of Interior and the Commander of the Police Forces told the Committee that **85** members of the security forces were wounded during the protests. They stated that 62 of them were wounded by the protestors, and 23 were wounded as a result of a motor vehicle collision in Burao.

Civilian injuries	Hargeisa	Burao	Erigavo	Total
Civilian injuries	34	42	-	76
Security forces injuries	62	23 (car accident)	-	85

THE FINDINGS OF THE COMMITTEE

1. The Committee found from the fact-finding that the executive and the opposition parties were in agreement to hold peaceful protests.
2. The Committee found that civilians died while civilians and police were also injured.
3. The committee found that the security forces used excessive force and live ammunition against the protesters.
4. The committee found that the protestors used stones and catapults against the forces.
5. The committee found that no security forces were arrested or brought to court for the killings and injuries committed against the protestors.
6. The Committee found that mass arrests of protestors, both men and women, were made during the protest day. Some have been released, and others are still in detention without charges.
7. The police forces claimed that a bullet fired by the protestors injured a policeman and that it was fired from a pistol. However, the opposition denied that and stated that no bullets were fired from their side. (The Committee attempted to visit the victim and interview him about where the bullet came from but was unable to meet him).
8. The leaders of the opposition parties and the family of a young boy killed on the protest day claimed that there was a Landcruiser with a civilian plate number that chased the young boy, who was outside of where the protests were ongoing, shot him in close range and thereafter ran over him, and then took the body to the main hospital in Hargeisa. The Commander of the Police stated that there is an ongoing investigation on this case, and he is working with the Commander of the intelligence [agency].

SUGGESTIONS (RECOMMENDATIONS)

The Committee recommends:

1. To improve the preparedness and capacity of the security forces and by giving them the equipment necessary to manage the protests, such as the metal sheets that prevent stones, metal hats, tear gas, water cannons, and similar equipment they need, and to provide them training.
2. To train the security agencies on managing crowds to prevent casualties of deaths and injuries.

3. By using the public and private media to provide public awareness about how to carry out peaceful protests.
4. The executive shall carry out an official investigation on 11th August 20220 authorised protests.
5. Security agencies shall not use live ammunition against unarmed civilians.
6. The House of Representatives shall issue a decision on the government officials who obstructed or refused to provide the Committee information during the fact-finding mission. These include the Intelligence Agency Commander, the Sanaag Police Department, and the director of Hargeisa Group Hospital.
7. The executive shall compensate the people injured and killed during the protests.
8. The executive shall release all the people arrested concerning the 11th August protests.
9. The executive and the opposition parties shall stop anything that can incite the public.
10. The Committee recommends that the House shall review the following laws: The Police Act, Law No. 63/2013, and the Public Order and Security Law, Law No. 51/2012.
11. The Committee calls on the members of the House to become part of the solution initiatives to resolve the dispute in the country without prioritising the interests of their parties, but the public interest of the nation shall be the priority and to address the country's situation and to take their role as lawmakers.
12. Finally, the Committee recommends the House to study and decide on this Report submitted by the Standing Committee on the **11th August Protests**.

END

Xaqdoon Law Firm translated this Report. The translation is not sanctioned or approved by the Committee or the House. The Somali version is the official government document.

Email: xaqdoon@gmail.com