

SOMALIA

- **SOM-14:** Abdullahi Hashi Abib
- **SOM-13:** Amina Mohamed Abdi (Ms.)



Inter-Parliamentary Union
For democracy. For everyone.

Somalia

*Decision adopted unanimously by the IPU Governing Council at its 213th session
(Geneva, 27 March 2024)*



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SOM-14 – Abdullahi Hashi Abib

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of movement
- ✓ Undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate

A. Summary of the case

Mr. Abdullahi Hashi Abib is an independent member of the Somali House of the People. According to the complainant, Mr. Abib has faced escalating threats against him and his family as well as intimidation due to his efforts to expose alleged human rights violations and instances of corruption within the government. He has allegedly also been confronted in parliament and called upon to stop his investigations. As a result, Mr. Abib has had no choice but to reside occasionally outside the country for his own safety. When in Somalia he has to take extreme precautions to avoid putting himself in danger, which limits his freedom of movement and ability to work with his constituents.

Case SOM-14

Somalia: Parliament affiliated to the IPU

Victim: An independent member of parliament

Qualified complainant: Section I.(1) (a) of the Committee Procedure (Annex I)

Submission of complaint: February 2024

Recent IPU decision(s): - - -

IPU mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:

- Communication from the authorities: March 2024
- Communication from the complainant: March 2024
- Communication to the authorities: Letter to the Speaker of the National Assembly (February 2024)
- Communication to the complainants: March 2024

In addition, the complainant asserts that Mr. Abib has been repeatedly denied the opportunity to speak in parliament, prevented from introducing motions and has faced warnings of sanctions for making critical statements against the authorities. The complainant also notes that, during a parliamentary session where the accession to the Rome Statute of the International Criminal Court (ICC) was to be discussed, the Speaker did not allow any discussion on this item despite broad support among the parliamentarians present. According to the complainant, such a decision violates parliamentary rules, was taken as a result of pressure from outside parliament and was motivated by a desire to protect high-ranking officials for their involvement in numerous human rights violations, including the murder of Mr. Abib's colleague, Ms. Amina Abdi, in March 2022 (see case SOM-13), who was known for her calls for accountability in parliament.

Following the May 2022 elections, there was a peaceful transfer of power in June 2022, raising hopes for a more democratic and peaceful future for the country. According to the complainant, the new president actively called for an investigation to identify the mastermind of the assassination of Ms. Abdi, who hailed from the same party as Mr. Abib, but there has been no progress in the investigation since the elections. According to the complainant, Mr. Abib continues to call for accountability in Ms. Abdi's assassination, with the hope of ending the endemic impunity for political murders of prominent female figures in Somalia. He also aims to mobilize fellow parliamentarians by raising their awareness and building their capacity to fulfil their mandate through his involvement with the Horn and East Africa Parliamentary Institute.

Somalia is facing an increase in violent armed attacks as part of a decades-long civil war against insurgent groups. In past cases, the federal authorities have not been able to investigate the murder of parliamentarians due to structural challenges plaguing the country's judicial system. The IPU Committee on the Human Rights of Parliamentarians dealt with 12 cases of assassination, dating back to 2008, 2009 and 2014. All cases concerned acts of murder, none of which have been resolved.

During the 148th Assembly of the IPU in Geneva, the Committee on the Human Rights of Parliamentarians was able to meet with the delegation of Somalia. During the course of the meeting, the delegation shared a letter from the Speaker of the House of the People that addressed some of the concerns raised by the complainant. According to the parliamentary authorities, Mr. Abib was always allowed to voice his views, as stipulated by the parliamentary rules of procedure; they were not aware of any complaints raised by Mr. Abib in parliament and had not heard of any threats being made against him. The authorities encouraged Mr. Abib to make use of internal mechanisms to address his concerns and to include supporting evidence for any allegations raised against the authorities.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Notes* that the complaint concerning Mr. Abib is admissible, considering that the complaint: (i) was submitted in due form by a qualified complainant under Section I.(1)(a) of the Procedure for the examination and treatment of complaints (Annex I of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians); (ii) concerns an incumbent member of parliament at the time of the initial allegations; and (iii) concerns allegations of threats, acts of intimidation, violation of freedom of opinion and expression, violation of freedom of movement, and undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate, allegations which fall under the Committee's mandate;
2. *Thanks* the members of the Somalian delegation for the information provided during a meeting with members of the IPU Committee on the Human Rights of Parliamentarians in March 2024;
3. *Is concerned* about the allegations that Mr. Abib received death threats as a result of his oversight activities; *acknowledges* that Somalia continues to face grave security challenges that affect all members of society; *remains convinced* that the parliamentary authorities have a responsibility to do their utmost to ensure that their colleagues are safe from any reprisals or threats as a consequence of their parliamentary work; and *requests* the authorities to do everything they can to ensure that Mr. Abib's life is protected and that he is able to carry out his work without threats, intimidation or obstruction;

4. *Is troubled* by the discrepancy between the account of the complainant and that of the authorities regarding allegations that Mr. Abib and others have repeatedly been denied the right to speak or raise motions in parliament; *wishes* to receive further clarification on this point, including a copy of the rules of procedure of the House of the People; and *hopes* to be able to rely on the assistance of the parliamentary authorities in obtaining video recordings of sessions of parliament where incidents were reported by the complainant;
5. *Requests* the Secretary General to bring this decision to the attention of the Speaker of the House of the People of Somalia, the complainant and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.



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*Decision adopted unanimously by the IPU Governing Council at its 211th session
(Manama, 15 March 2023)*



Amina Mohamed Abdi ©AMISOM

SOM-13 – Amina Mohamed Abdi

Alleged human rights violations

- ✓ Murder

A. Summary of the case

Ms. Amina Mohamed Abdi entered parliament in 2012; she was re-elected in 2016 and remained a member of the House of the People until her assassination in March 2022.

According to the complainant, Ms. Amina Mohamed Abdi was killed on 23 March 2022 as she left a polling station in the constituency of Beledweyne. Reportedly, a suicide bomber ran up to hug her and detonated his explosive vest, killing her and many others. According to media reports, the al-Shabaab jihadist insurgent group claimed responsibility for the attack, which was followed by another blast at the hospital of Beledweyne, ostensibly to ensure that all survivors taken there for treatment were killed. The then President, Mohamed Abdullahi Mohamed (also known as Farmaajo), condemned the attacks and the then Prime Minister, Mohamed Hussein Roble, urged the security agencies to carry out an investigation into the murder.

The complainant claims that, despite the official position alleging that al-Shabaab was behind the murder, Ms. Abdi was in fact the victim of a State-sponsored attack due to her fearless efforts to investigate the disappearance of Ms. Ikran Tahlil, a young female civil servant who was allegedly killed by agents from the National Intelligence and Security Agency (NISA) in June 2021. Several high-ranking officials, including former Prime Minister Roble, have publicly stated that the killing of Ms. Abdi was an attempt to disrupt justice in Ms. Tahlil's case. In September 2021, Prime Minister Roble had dismissed the NISA chief following Ms. Tahlil's disappearance, leading to tensions with President Farmaajo, who proceeded to withdraw the Prime Minister's executive powers.

Case SOM-13

Somalia: Parliament affiliated to the IPU

Victim: Opposition member of parliament

Qualified complainant: Section I.1(d) of the Committee Procedure (Annex I)

Submission of complaint: June 2022

Recent IPU decision: October 2022

Recent IPU Mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:

- Communication(s) from the authorities:
- - -
- Communication from the complainant:
March 2022
- Communication to the authorities:
Letter to the Speaker of the House of the People (February 2023)
- Communication to the complainant:
March 2023

Since the death of Ms. Abdi, the complainant asserts that a suspect has been identified and apprehended by the authorities. A man named Mohamed Abdi Nuur (also known as Dr. Fanah) has testified that he was tasked with organizing the attack by a regional deputy of the al-Shabaab armed group on behalf of high-ranking Somali officials with links to the insurgency group. However, the complainant reports that the relevant segments of the video recording of that testimony have been removed. The complainant alleges that this was done to mislead the public into concealing the true mastermind of the murder as well as the collusion of certain State officials with al-Shabaab.

Somalia is facing an increase in violent armed attacks as part of a decades-long civil war against insurgent groups. In past cases before the IPU Committee on the Human Rights of Parliamentarians, the federal authorities have not been able to investigate the murder of parliamentarians due to structural challenges plaguing the country's judicial system. The complainant is of the view that the justice system is not reliable due to the normalization of impunity for violent crimes and chronic corruption, and calls for an international investigation of the murder.

Following the May 2022 elections, there was a peaceful transfer of power in June 2022, raising hopes for a more democratic and peaceful future for the country. The newly elected President, Hassan Sheikh Mohamud, appointed Mr. Hamza Abdi Barre as Prime Minister. Both belong to the same party as Ms. Abdi, the Union for Peace and Development Party.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Condemns* the brutal murder of Ms. Amina Abdi; *stresses* that this vicious crime must not be left unpunished and that all those responsible for Ms. Abdi's death must be held to account in keeping with principles of accountability and human rights law; *urges* parliament – within the boundaries of the separation of powers – to help ensure that justice is done and thereby send a strong signal that the assassination of a parliamentarian will not be left unpunished; *calls on* the Somali authorities to do their utmost to ensure that justice is done; and *wishes* to receive information on any steps made by the authorities in that regard;
2. *Regrets* that the Somali parliamentary authorities were not able to meet with the IPU Committee on the Human Rights of Parliamentarians during the 146th IPU Assembly, despite the invitation extended by the Committee; and *recalls* in this regard that the Committee does everything possible, in accordance with its Rules and Practices, to promote dialogue with the authorities of the country concerned, and primarily with its parliament, so as to achieve a satisfactory resolution in the cases before it;
3. *Acknowledges* the efforts undertaken thus far to identify the culprits and try one of the suspects, an individual under the name of Mohamed Abdi Nuur, also known as Dr. Fanah, as reported by the complainant; *is shocked* by the testimony of the suspected organizer of the attack about the manner in which the attack was allegedly planned and carried out; *is disturbed* by allegations put forward by the complainant that certain high-ranking state officials are behind this vicious attack as a reprisal for Ms. Abdi's advocacy for accountability in the case of the enforced disappearance of Ms. Ikran Tahlil; and *wishes* to receive the official views of the authorities on these allegations and to know whether the investigation into the murder is taking this lead into account;
4. *Affirms* that the IPU stands ready to provide assistance, if so requested, aimed at building the capacities of parliament and other public institutions to identify any underlying issues that may deter the resolution of this case and to rectify such issues, given the sizeable challenges faced by state institutions in Somalia and the recent efforts aimed at a transition towards peace and democracy based on the rule of law; *requests* the competent authorities to provide further information on how the IPU could best provide such assistance; and *calls on* the authorities to make use of the expertise of the United Nations special procedures, including the Independent Expert on the situation of human rights in Somalia, to ensure accountability in this case;
5. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainants and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.