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**Information on Somalia for Review by the Human Rights Committee at the 140th Session
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About Us

1. The Centre for Voters Initiative & Action presents this report to the United Nations Human Rights Committee ahead of the 140th Session for the review of the State of Somalia. The Centre is a non-governmental organization based in the Americas with an international focus. The Centre acknowledges there can be no secure tomorrow without ensuring youth have knowledge to vote, participate, and engage with the democratic processes.
2. The Centre works with multiple international mechanisms to convey dialogue, conduct research, and bring awareness to the thematic issues of electoral engagement around the world. We closely follow and participate in the United Nations human rights mechanisms in Geneva and abroad, including the Human Rights Committee.

Introduction

3. The Centre presents this submission ahead of the 140th session of the United Nations Human Rights Committee (the ‘Committee’) taking place between 4th Month 2024 and 28th March 2024 where it will consider Somalia’s first periodic report.
4. The state of democracy and representation in Somalia over the past few years has become critical. In recent years, political terrorists have worked to stall human rights, interfered in the electoral process, and consequently formed a massive humanitarian crisis as a result of the political instability, resulting in an urgent need for the voices of the Somali people to take control of their own government once again, rather than it being in the hands of militants.

5. Somalia ratified the International Covenant of Civil and Political Rights (ICCPR) in 1990 but has never submitted an initial report.¹ Somalia has also not ratified the first and second Protocols, nor have they participated in the review process, as opposed to other member states. The failure of the state of Somalia to address its human rights situation has deeply concerned the international community. As a result of the lack of oversight, Somalia has continued to counter fundamental rights granted in the CCPR.
6. The Centre has submitted this petition to the Committee to focus on four specific violations: 1) the reduction of civic equality resulting in a weakened democracy; 2) the lack of quality civic education and encouragement; 3) reduction in participation in the democratic processes with political violence; and 4) establishment of a culture of fear in self-determination.
7. Considering the multitude of human rights violations currently occurring in Somalia, we strongly urge the committee to consider the following recommendations for Somalia to protect the fundamental rights guaranteed in the CCPR:
 - 1) Submit their review to the ICCPR, as they were required to do so when first signing on to the treaty, and ratify the first and second Protocols of the treaty, along with participating in the review process in future meetings;
 - 2) Ensure political will and investment into youth education are put in the Somalia National Strategy and Action Plan for Preventing and Countering Violent Extremism;
 - 3) Allocate resources for construction and maintenance of schools, guaranteeing equal education access throughout Somalia; and
 - 4) Enshrine legislation to protect the equality of women, e.g., the Juvenile Justice law, Puntland FGM bill, and Disability policy along with ratifying and implementing the African Charter and Welfare of Children Law.
8. A complete list with further recommendations is at the end of this submission. We hope that the Committee will consider including some of these recommendations in their concluding observations to the State.

Violation 1: Reduction of Civic Equality Resulting in a Weakened Democracy

Somalia's Socioeconomic Disparities

9. Somalia has long been a State which lags far behind others. From having one of the world's lowest gross domestic products (GDP) to ranking in the lowest percentile for the human

¹ "Human Rights Committee Postpones Review of Somalia." *Centre for Civil and Political Rights*. <https://ccprcentre.org/ccprpages/somalia-never-reviewed-despite-ratifying-the-iccpr-in-1990>.

development index (HDI), the social, political, and economic situations in Somalia have been fragile.²

10. The patriarchal societal system has further boosted the country's decline, with women often being kept from participating in the work industry. Family wealth has traditionally been kept to the men, even though women manage the sale and exchange of farm products. Certain regions of Somalia see employed women in higher numbers, with Puntland at 40% being its highest.³
11. Traditional policies in place prevent Somalia women from interacting in the workforce, thus restricting their rights to financial assets, even with increased economic opportunities. Women experience higher unemployment than men (74% for women and 61% for men), and societal norms force them into household labor or child-care.⁴
12. A supermajority of the population, nearly 70%, lives under the poverty line.⁵ Life expectancy is only 58, and on course to drop significantly.⁶ Somalia also faces other issues, such as climate change, droughts, floods, cyclones, storm dust, and more. The lack of a central government system, but rather a State ran by third-party entities exacerbates the socioeconomic situation further, restricting the scope the federal government has on properly addressing such issues.
13. Meaningful strides have been made to addressing these issues, but in terms of transforming Somalia to a fully developed country, progress would take extremely long. Barriers such as traditional and cultural norms, corruption of public officials, inequalities in the justice system, and more contribute to the difficulty of making Somalia a thriving country.
14. Struggling socioeconomic status' among Somalis are at the foundation of all other issues; should the situation in Somalia rapidly improve, it will happen as a result of economic and social benefits. CVIA has worked with multiple NGOs addressing issues in Somalia and has seen firsthand how these issues are at the root of others.

Traditionally Based Justice System

15. Somalia ranks fourth lowest in the world regarding gender equality. Somalia has unsettlingly high statistics in maternal motility, rape, female genital mutilation/cutting and child marriage rates. Violence against women is also common.
16. Laws in Somalia are not executed by the State, but rather through traditions and customs. Historically, Somalia has promoted women as house cleaners and child-rearers, shunning

² "Subnational Human Development Index (SHDI) Area Database - Somalia". *Global Data Lab*. <https://web.archive.org/web/20220908235856/https://globaldatalab.org/areadata/table/shdi/SOM/>.

³ See <http://www.so.undp.org/index.php/Millennium-Development-Goals.html>.

⁴ *Ibid.*

⁵ "Somalia Economic Update: Investing in Social Protection to Boost Resilience for Economic Growth." *World Bank Group*. <https://www.worldbank.org/en/news/feature/2022/11/29/somalia-economic-update-investing-in-social-protection-to-boost-resilience-for-economic-growth>. Also see <https://hlpf.un.org/countries/somalia/voluntary-national-review-2022/>.

⁶ *Ibid.*

them from any involvement in the workspace. The traditional execution of these laws relies on precedent from ages ago, where the rights of women were massively different from those we see in more developed countries today.

17. The lack of gender equality maintained by the justice system holds Somalia back and prevents it from fairly guaranteeing due process to all Somalians, regardless of gender, stifling its success and not following through with its obligations under the ICCPR.

Given the current customs of executing laws in Somalia, we respectfully urge the Committee to recommend that Somalia move towards executing its laws through a stable and independent judiciary rather than traditions and norms.

Lack of Proper Health Services

18. Numerous human rights treaties have clearly established the fundamental right to health care. Yet though meaningful strides have been made towards increasing healthcare, one-fifth (20%) of Somalis report lack of access to healthcare.⁷ With limited access to health services, maternal mortality rates lie at around 1,600 per 100,000 live births.⁸ Active cholera is also widespread, along with parasitic infections, tuberculosis, cavities, anemia, eosinophilia, malaria, and measles.⁹
19. The failure of numerous programs to become widespread has resulted in a greater healthcare decline. The Somali Joint Health and Nutrition Program and Somali Joint Health and Nutrition Program are examples of attempts, though these have seen limited effects. Current socioeconomic and gender barriers prevent the proper implementation of these programs, and the lack of a proper central government throughout the State results in disparities as to the extent of the effect of these programs.
20. The failure of Somalia to maintain these health programs is the result of socioeconomic and infrastructure issues, exacerbated by the political turmoil and instability, which propels Somalia to a world in which children and women especially cannot receive proper access to health services. We urge the Committee to push Somalia towards encouraging a more established central government to provide full scope to maximize the extent of proposed programs. Political threats and barriers may occur, yet the Somali government must do everything in its power to maintain proper healthcare.

Child Marriage

21. 36% of girls in Somalia are married before they turn 18, and 17% are married before they turn 15.¹⁰ The belief that women are inferior to men and boys combined with gender

⁷ Morrison, J., & Malik, S. M. M. R. (2023). "Population health trends and disease profile in Somalia 1990-2019, and projection to 2030: will the country achieve sustainable development goals 2 and 3?". *BMC public health*, 23(1), 66. <https://doi.org/10.1186/s12889-022-14960-6>.

⁸ See <https://data.unicef.org/wp-content/uploads/2023/02/Trends-in-Maternal-Mortality-2000-2020.pdf>. Also see <https://www.healthynewbornnetwork.org/resource/somalia-maternal-newborn-health-country-profile/>.

⁹ *Ibid.*

¹⁰ See <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/somalia/>.

equality trends result in a further increase of child marriage. The other conflicts, which are too a result of gender equality, further exacerbate childbirth, along with poverty, insecurity and lack of access to proper services.

22. Child marriage only amplifies gender inequality; the addition of more and more children into the State, who are even more likely to continue the process of inequality, further exacerbate the situation. Child marriage prevents children from going to school; women are forced to stay at home and perform household activities rather than educating themselves.
23. The right to education is an undeniable right established by the United Nations time and time again, but specifically enshrined in the ICCPR. It is the duty of Somalia to oblige by these principles and ensure that children have access to school through all means necessary, and in order to achieve that, must prevent frequent occurrence of child marriage and gender inequality.

It is the fundamental right of children to receive education, and therefore we respectfully ask the Committee to have Somalia to enact and enforce legislation setting the minimum age to marry at 18, ensuring girls stay in schools longer to receive proper education.

24. The longer children, specifically female children, are kept in school, the more likely they are to engage themselves in the workforce. Statistics show that in several more developed countries, females who complete a four-year education, followed by another higher-level education, have up to 40% less children than their counterparts who choose to not complete their education.¹¹
25. Dropping out has serious consequences on women, both socially, politically and economically, from lack of general literary comprehension to the inability to involve themselves in the government, resulting in further oppression. To truly ensure a democracy representative of the people, the women must have an equal say to the men, which can only be done so by assuring quality education by removing barriers e.g., child marriage.

Educational Disparities from Gender Division

26. The educational disparities derive from several other issues outlined previously, perhaps the most influential being derived from the socioeconomic disparities and child marriages.
27. When women are forced into the workplace, their attention is taken away from education and they often have poor-paying jobs. In Somalia, it's estimated that 70% of the population is accounted for by persons below 30, and 42% are between the ages of 14 and 29.¹² The

¹¹ Woldeamanuel, B. T., Gessese, G. T., Demie, T. G., Handebo, S., & Biratu, T. D. (2023). "Women's education, contraception use, and high-risk fertility behavior...", *Frontiers in Global Women's Health*, 4, 1071461. <https://doi.org/10.3389/fgwh.2023.1071461>.

¹² Projected using <https://www.populationpyramid.net/>.

young population of Somalia can serve as a critical component in determining the future of the State.

28. However, due to gender disparities outlined, 65% of young women have not attended school at all or received little primary education. The adult literacy rate was only 26% for women as a result of this; women who do not receive education consequentially are not able to properly read or understand, but men who receive proper education due to societal encouragement are able to achieve literary comprehension.¹³
29. In Puntland, a study conducted by the Ministry of Education found that 37% of primary school attendees were girls, as opposed to 63% boys.¹⁴ This is the result of the traditions, socioeconomic barriers, and other limitations, e.g., childbirth or FGM/C, limiting the ability for girls to finish or remain in school.¹⁵
30. The result in limited education for women is a government which does not support their beliefs. Without proper knowledge or ability to read, they have limited power to enact change in their communities. Knowledge is power; and men are given all the knowledge, therefore they have all the power.

Civic Inequality Resulting in a Limitation of Civic Engagement

31. The issues outlined previously are all but a handful of those that Somalians face. These issues exacerbate the lack of civic engagement. Without respect to gender equality, women will continue to remain uneducated and disadvantaged in respect to their physical, emotional, psychological, and social lives, furthering their engagement with the civic process.
32. The voting process has remained one for the economically superior and educated to participate in. With women not being able to learn about their fundamental rights or how to get involved, they will continue to abstain from the democracy which they can represent themselves in. Should civic inequality continue, women will have little to no say in their government, resulting in a democracy ruled by 50% of the people.¹⁶ Proper democratic political representation in Somalia relies heavily on gender equality; the equality of women promotes further representation and engagement in democracy.
33. Somalia's government has begun to make meaningful strides towards political representation for women; the recently elected government in the capital of Somalia contains two women in its leadership.¹⁷ Though the amounts of women in leadership roles vary, hope is provided for a world in which women can properly have their say in the Somali democracy.

¹³ See <https://www.undp.org/sites/g/files/zskgke326/files/migration/so/Gender-in-Somalia-FINAL.pdf>.

¹⁴ "Multi-Year Resilience Programme Puntland 2019-2022", *Education Cannot Wait Facilitated*.
https://www.educationcannotwait.org/sites/default/files/2022-02/Puntland%20ECW%20MYRP_Final.pdf.

¹⁵ See <https://www.africasvoices.org/case-studies/child-protection-gender-equality-in-somalia-unicef/>.

¹⁶ *Idem* (footnote 13).

¹⁷ *Ibid*.

Lack of Equality Ultimately Destroying Democracy

34. The lack of equality uproots civic engagement in Somalia in a multitude of ways. The restriction of information access based on sex results in unequal portions of the population being able to participate in the civic process. Without a well-informed population, the government will not be a representation of all the people, but rather a higher echelon.

The disparities of gender equality stifle Somali women from properly participating in the civic process, thus decreasing their representation and creating a cycle of despair and continuous oppression. Considering these violations, we respectfully push the Committee to compel Somalia to pass and enforce national bills to combat these issues, such as the Juvenile Justice law, Puntland FGM bill, and Disability policy. We also emphasize the need for Somalia to ratify the African Charter and Welfare of the Child law to establish clear protection of human rights for children. Should these changes fail to happen, the situation will continue to be exacerbated.

Violation 2: Lack of Quality Civic Education and Encouragement

Economic Benefit at the Expense of Education

35. The ICCPR guarantees the right to education as a fundamental right for all persons. However, 85% of Somali children do not have access to proper education.¹⁸ The patriarchal societal system, further established in the first violation overview, prevents women from seeking formal education, but rather to pursue child-rearing.
36. Economic disparities often force children to enter the workforce early. Somalia's population is extraordinarily young, with over 70% being the age of 30 or under.¹⁹ As a result, the Somali workforce and economy is reliant on many people, being young adults, to pursue life in the job industry sooner than intended. While children are obligated to attend school until they are fourteen, child labor has existed since the 1700s.²⁰ The urgency to support one's family supersedes the need for quality education, resulting in a high number of children who enter the workforce when they should remain in schools.
37. While the economic reasoning may seem beneficial in the short-term for those who choose to skip school and begin earning money immediately, the short-term economic benefit can be harmful in the long run in terms of how much a person can offer to the country. Both men and women struggle in completing school; for men, it's often entering the workforce, but for women it is remaining at home. In Puntland, girls attend school in a 1:3 ratio to their male counterparts, and females earn 40% less than their male counterparts for similar types of jobs.²¹

¹⁸ See <https://www.usaid.gov/somalia/education>.

¹⁹ O'Neill, Aaron. "Labor force participation rate in Somalia 2021", *Statista*, <https://www.statista.com/statistics/993951/labor-force-participation-rate-in-somalia/>

²⁰ *Idem* (footnote 18).

²¹ *Idem* (footnote 11).

38. The connection between education and income is undoubtedly direct, regardless of gender: those who complete proper schooling will receive higher salaries. Yet Somalis who continue to enter the workforce earlier put themselves at risk for financial stability later. It is imperative that the Somali government enforce stricter child labor limits to ensure students attend school—the CCPR guarantees education as a fundamental right for students across the world, yet that is constantly at risk due to the socioeconomic disparities.

Attendance in Schools

39. Social and cultural practices in Somalia have withheld girls from receiving proper primary and secondary education; economic disparities and crises lead boys to entering the workplace early to support their family.
40. Three decades of political conflict have also nearly destroyed Somalia's health and education systems, which are characterized by poor quality, insufficient access, and inadequate resources. As a result, nearly 85 percent of children are not enrolled in school.²²
41. Efforts have been made by civil society on the ground to improve the education which Somali children receive: setting up remote instruction, mobile education units, and other programs allow some Somali children to receive quality education to succeed in life. However, this is often a privilege for the ones who can afford it; most Somali children will be deprived from access to a classroom and never could read.
42. Furthermore, no compulsion exists in the Somali government to enforce education among children. In the United States, a nation bound to the ICCPR, truancy laws are in place across all fifty states to ensure students receive some sort of education. As a result, education boosts the overall intellectual strength of the nation. Should Somalia begin to enable compulsion among the schools, there will be rippling effects: those educated children will be able to be catalysts for change through taking their skills learned them and using them to benefit the State.
43. However, the lack of attendance has other consequential effects other than a lack of proper intellect: children who do not attend school become more vulnerable to crime, harassment, and other human rights violations that are prevalent in Somalia.

The lack of attendance in schools exacerbates the intellectual weakness throughout the State of Somalia. Therefore, we respectfully persuade the Committee to recommend Somalia implement a series of truancy laws to order compulsion within schools throughout the State.

Continued Cycles of Economic Turmoil

44. Unfortunately, the economic stability that Somalis face is not limited to one generation. Children under 14 reflect nearly 50% of the population in Somalia. Of those children, 73%

²² *Idem* (footnote 12).

fall below the poverty line.²³ Extensive research has found that falling into poverty can last a lifetime: poverty leads to entering the workforce significantly earlier, thus limiting education. Limited education results in limited pay, furthering the fertility rate and exacerbating the process of economic generational disparities. UNICEF Somalia has found that "a child seldom gets a second chance at an education or a healthy start in life."²⁴

45. A lack of second chances ensures that those who are born into unfortunate circumstances remain in them; with a total fertility rate of ~6.42 births per woman in 2020, the number of children faced with unfortunate circumstances continue to grow exponentially.²⁵
46. The growing population in Somalia is often described, as in other countries, as a double-edged sword. In 2023, the Somali birth rate was 40.9 births per thousand persons.²⁶ Young people in Somalia have the power to be catalysts for change; they can become educated, contribute to the workforce with their higher education, and therefore boost the economy of Somalia to create a better country for all its citizens. However, the State does have the potential to continue its harmful tract in which children enter the workforce early, do not receive proper education, and continue to contribute to the populations, thus furthering the harmful cycle currently seen today.
47. A mechanism to enable change in Somalia is providing proper civic education: with the citizens of Somalia having adequate knowledge regarding engagement of the governmental processes, proper civic engagement can serve as a catalyst for breaking the devastating cycle of multiplying an economic and social deadweight on Somalia.

Education Disparities Forming Disproportional Electoral Representation

48. The limitations/violations which Somalis face in virtually all aspects of their day-to-day lives contributes to growing disproportional electoral representation and furthers the limitations of the democratic process. For the past three decades, Somalia has been ruled through elections through clan battles. On 28th May in Mogadishu, the State of Somalia announced the elections process will be held through direct voting.²⁷ For the past three decades, however, clans had determined how the country would be governed. The decisions were declared by Somali state media SONNA, to abolish prime minister and directly have the people vote for the president and vice president is a major stride in process for Somalia.
49. However, universal suffrage in Somalia has been on and off; the past three decades of clan votes are evidence that Somalia does not constantly enforce universal suffrage despite its

²³ *Idem* (footnote 5).

²⁴ See <https://www.unicef.org/somalia/social-policy>.

²⁵ Govt. Somalia, UNFPA. "The Somali Health and Demographic Survey 2020", *reliefweb.int*, <https://reliefweb.int/report/somalia/somali-health-and-demographic-survey-2020>. Also, see <https://data.worldbank.org/indicator/SP.DYN.TFRT.IN?locations=SO/>.

²⁶ *Ibid*.

²⁷ See <https://www.reuters.com/world/africa/somalia-says-it-will-revert-direct-vote-officials-starting-next-year-2023-05-28/>.

obligations under the ICCPR.²⁸ Threats such as insecurity, weak state structures, and more have caused clan heads and elected lawmakers to choose the president, not the people.

50. These flexibilities in the democratic process must not exist. However, educational disparities continue to prevent Somali citizens from being properly educated on their rights, and therefore being unable to properly act. Should Somalis be properly educated on their fundamental civic rights, they would be able to take action to ensure their rights are not limited in ways that allow these governmental actions from happening again.
51. In the United States of America, Canada, United Kingdom, France, and other major Western democracies, the citizens are educated as to what their rights are for engaging in the civic process, and therefore identify mistakes or irregularities in the system. However, no such mechanisms in Somalia exist: civil society in Somalia cannot hold their government accountable for their violations under the ICCPR as they are not educated enough to do so.
52. We urge the committee to enshrine education as a key pillar to maintaining the state of a democratic, direct electorate, and therefore a strong democracy.

Lack of Engagement due to Lack of Education

53. Proper civic engagement can only occur when the population is properly educated on their rights in a proper democracy. In the United States of America, surveys have found that those who are educated on mechanisms for engaging with the political process are more likely to express their engagement in the civic process later in life.
54. Civic engagement ties directly with the viability of a democracy: without proper education, people are misguided on their rights in the respective State, which therefore allows States to exploit the people. The lack of proper civic education in Somalia is a clear precipice for the crumbling of the Somali democracy. Without the education they need, Somalis will continue to not recognize their proper rights as granted in the ICCPR. Forming a strong democracy needs educated people, and proper education would greatly increase civic engagement in Somalia.
55. The Centre for Information and Research on Civic Learning and Engagement found that young people who learned about voting procedure are further prepared for voting. Students who did not receive encouragement to vote from teachers were twice as more likely to think voting was a waste of time (26%) versus those who were given encouragement (12%).²⁹ There is a direct relationship between education and civic engagement: the more education, the more civic engagement.

²⁸ See OHCHR report from August 2016, https://www.ohchr.org/sites/default/files/Documents/Countries/SO/UNSOM_RightFreedomExpression.pdf.

²⁹ Tufts. “Youth who learned about voting in high school more likely to become civically informed and engaged”, *Centre for Information and Research on Learning and Civic Engagement CIRCLE* <https://circle.tufts.edu/latest-research/youth-who-learned-about-voting-high-school-more-likely-become-informed-and-engaged>.

56. The lack of proper democracy in Somalia can be attributed greatly for the lack of persons engaging with the civic process: people do not understand how to engage in the mechanisms in Somalia and therefore cannot. In a State of 16,300,000 people, only a few thousand Somalis voted for a parliament that represents the entire nation.³⁰ The State's parliament determines the House of People which then vote for a president to lead the country. The power clans still dominate Somalia, yet turnout remains low. Education on the civic process would greatly increase these statistics on civil society engagement, yet the barriers listed in this petition prevent that from occurring.

Economic limitations, along with social and cultural barriers prevent the children of Somalia from receiving a proper education, and therefore do not know the mechanisms for change. Somalis children are a double-edged sword; given the right education, they can turn the country into a strong democracy. However, should the current violations continue, Somalis will be deprived of knowledge on engaging within the civic process and would ultimately undermine their value as citizens. We respectfully urge the Committee to push for great reform in the State of Somalia for proper education to increase civic engagement by enshrining legislature highlighting the need for schools and frequently collaborating with civil society and NGOs in Somalia to provide knowledge on the civic rights of the Somalis on the ground.

Violation 3: Political Violence Resulting in Reduction of Participation in the Democratic Processes

Established Militant Organizations

57. Al-Shabaab (the youth) is a militant organization operating primarily in Somalia. Its creation can be traced back to the political vacuum which Somalia fell into after the collapse of its military in 1991. Al-Shabaab was a youth militia under the Islamic Courts Union initially, until the Ethiopian invasion of 2006, where the group became radical and established a guerrilla movement.³¹
58. Al-Shabaab primarily targets the youth; socioeconomic conditions often result in the youth joining, with children who are most vulnerable at 12-16 years of age being recruited the most. A research study by the Institute for Security Study in 2014 found motivations of the youth in Al-Shabaab.³² 70% of the participants were under 24 years of age, and half had lost their parents.³³ Most of the members claimed they joined with economic intentions, and most had received little to no education.

³⁰ Ali, Mohamud. "Somalia's elections - where the people don't vote", *BBC News Nairobi*, <https://www.bbc.com/news/world-africa-61083959>.

³¹ See <https://www.cfr.org/timeline/al-shabaab-east-africa>.

³² Olojo A. "How viable is dialogue with al-Shabaab and Boko Haram?", *Institute for Security Study Publication*. Available at: <https://www.africaportal.org/publications/how-viable-dialogue-alshabaab-and-boko-haram/>.

³³ Anneli Botha and Mahdi Abdile. "Radicalisation and al-Shabaab Recruitment in Somalia – ISS Paper 266," *Institute for Security Studies*, 5, <https://issafrica.s3.amazonaws.com/site/uploads/Paper266.pdf>.

59. 2022 was the deadliest year regarding political violence, with over 2,400 political incidents. Al-Shabaab, a Sunni Islamist military and political organization, has remained the most active violent group in Somalia. Even with efforts to establish a central government system, direct military attacks on the militant organizations, and the African Union Mission to Somalia (AMISOM), continued attacks illustrate the resilience of these militant organizations.³⁴
60. Militant groups such as Al-Shabaab are fueled to stay in power due to the lack of action by the government only because of their threats to the Democratic process. The instilling of fear, and radicalization of Somalians throughout the country, creates a State which is ruled not by the government nor the people, but rather a rogue faction.
61. Though Democratic elections may occur, these elections constantly have a shadow of violence behind them, always ensuring the election process will never truly be reasonable nor just. The State of Somalia is a member of the ICCPR and therefore must guarantee fundamental rights to engage in the political process to its citizens, as well as protecting the Declaration of Human Rights' clause on participating in "free and genuine elections", but these rights are constantly under danger due to the violence and fear instilled by militant organizations.³⁵

Growing Militant Threats on Political Situations

62. The rapid rise in power for Al-Shabaab has had disastrous affects for civil society across Somalia. From less international oversight to violent tactics being used, the human rights of Somalis have been tested greatly given the lack of proper government. In recent years, Al-Shabaab has become a larger threat than ever to the integrity of the democracy in Somalia.
63. The group poses a constant threat given their assassinations of political officials; since 2020, militants have continued to conduct suicide attacks. Attacks on state capitals are also rising; Kismayo in the Jubaland region has gone from a safe city to one where the city's economic heads and parliamentary officials have been killed.³⁶ Furthermore, political assassinations have occurred near high profile airports (notable one being in Mogadishu) and in Dhusamareb in Galmudug.³⁷
64. The withdrawal of Ethiopian and United States forces has further allowed militants to grow in the levels of threat they pose: their withdrawal left another power vacuum for Al-Shabaab to fill. Though these forces were not meant to provide election stability, they did. The withdrawal of these forces has allowed Al-Shabaab to exponentially grow in its spoke of affecting the political process; previous safeguards no longer exist. When the Trump administration ordered around 700 United States troops to leave for neighboring Kenya

³⁴ See https://www.state.gov/wp-content/uploads/2022/04/ICS_AF_Somalia_Public.pdf.

³⁵ See <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

³⁶ See <https://www.crisisgroup.org/africa/horn-africa/somalia/b165-blunting-al-shabaabs-impact-somalias-elections>.

³⁷ The deputy speaker of Jubaland's parliament survived a grenade attack claimed by Al-Shabaab on 09 November. "Guddoomiye ku xigeenka Baarlamaanka maamulka 'Jubaland' oo isku day dil ka badbaaday", Somalimemo, 10 November 2020.

and Djibouti, the militants had the access to move throughout the country, particularly in the countryside with no barriers; this allowed them to attack more urban voting centers.³⁸

65. As situations grow further dire, and little to no hope of rapid change, those best poised are the local Somali police in collaboration with NGOs. AMISOM and the local Somali police have formulated plans that have yet to be executed; we respectfully urge the Committee to enable the State to enact provisions citing the need for increased protection at election stations and electoral city hubs.³⁹

Militant Management/Manipulation of Democracy

66. Rapid increases in militant activity have plagued the State of Somalia since its government collapse. In other States bound to the CCPR, only one organization dominates the governance of civil society; for example, the United Kingdom has a Parliamentary democratic republic structure, whereas Afghanistan remains governed by militant group Al-Qaeda. Somalia has a different situation given their dichotomy between militant and democratic rule; while the central government has limited provisions, militants continue to manipulate civil society under their orders. A ruling militant group essentially deems the democratic government null, constantly undermining their authority and value for civil society.
67. Militant groups continue to seek further power in continuing to undermine the central government: one method continuously used to manipulate the power in Somalia to the militants continuously is manipulating elections in their (militants) favor. As opposed to more developed countries, election manipulation in Somalia is as simple as not receiving ballot access: voting locations are among those locations targeted by militants to affect the integrity of the Somali democracy. New voting locations have begun to pop up throughout Somalia; Bosasso and Galkacyo are two of the cities that have recently been listed as election centers and have faced massive increases in violence since doing so.⁴⁰ Militants continue to target voting locations to reduce the voter turnout. Their methods can be compared to those of the Ku Klux Klan's in the United States in maintaining a white-supremist turnout: simply preventing access to the ballot to limit the influence of the general population. Al-Shabaab continues to express these provisions violently in ensuring they maintain constant control over the democratic process. We urge the State to implement strict policies enshrining the need for safety in these locations and continuing to provide increased military support in targeted locations to increase voter turnout.
68. As described previously, prominent political persons continue to be targeted in Al-Shabaab's attacks: a suicide attack on 18 December before Prime Minister Mohamed Hussein Roble was expected to arrive is all but one example of the group's increasing influence on manipulating political figures to support their visions, which fundamentally

³⁸ *Idem* (footnote 36).

³⁹ *Ibid.*

⁴⁰ *Ibid.*

violate the rights of Somalis and the obligations for the State under the Covenant.⁴¹ However, damage is done to civil society as well.

Recruitment of Children into Extremism

69. Somalia is a breeding ground for extremism; a Mercy Corps volunteer once found that “young people take up the gun [...] because they are angry”.⁴² Anger in Somalia is rampant; young people are targeted by organizations due to their lack of education, employment opportunities, social barriers, and other injustices. The frustrations they face, combined with not being able to properly engage in their government, lead young people to acting in irrational ways. The prefrontal cortex, the center for the decision making of the brain, is not fully developed until one is in their twenties; the youth that are targeted by these extremist organizations only see their suffering and express their frustration through violence.
70. Al-Shabaab continues to be empowered by its youth: new recruits are often 10-15 years old and have promises of up to 700 USD in salaries, along with free Islamic education and marriage.⁴³ Extensive messaging occurs through radio, public meetings, and social media to spread the word of their organization. The right tools are being used in the wrong ways; civilian support continues to grow for Al-Shabaab, yet if the government chooses to counteract with proper education through the channels the militant groups use, then a change can be made.
71. Somalia's National Strategy and Action Plan for Countering and Preventing Violent Extremism highlights "education [as] an essential part of preventing violent extremism".⁴⁴ The extent to which this can be effective can vary, but it is essential that the State of Somalia try to reform. We urge the Committee to call on the urgency for civic education; allowing students to involve themselves in the process of changemaking will limit harmful coping mechanisms such as the ones seen today.

Regional Disparities Across Somalia

72. It is critical to reflect on the geographical differences across Somalia: different areas of the State are impacted in different ways through the elections process. As of September 2015, Somaliland had self-declared independence (not recognized), while Puntland remained semi-autonomous but with a pro-Somali government administration. However, Southern regions in Somalia often saw larger areas of conflict. Kismayo, Badhadhe, Baidoa, and Mogadishu all remain in regions either supported by the African Union, Ethiopia, and have

⁴¹ The attack killed at least seventeen, including three senior military officers. Declan Walsh, “Suicide bomber in Somalia hits prime minister’s rally”, *The New York Times*, <https://www.nytimes.com/2020/12/18/world/africa/somalia-prime-minister-bombing.html>.

⁴² See https://www.mercycorps.org/sites/default/files/2019-11/IF%20Youth%20Are%20Given%20the%20Chance_LR_FINAL.pdf. Also, see Proctor, 2015, p. 2.

⁴³ United Nations Assistance Mission in Somalia, 2017a; *Counter Extremism Project*, <https://dppa.un.org/en/mission/unsom/>.

⁴⁴ See https://assets.ctfassets.net/jzxyrkiixcim/3iU2mjYyVZXb2TPGG0JqaY/60c3cbf9b47b31a65ad428c119ee28b4/PCV_E_Brief_Somalia.pdf.

an Al-Shabaab presence.⁴⁵ The massive diversity of political rulings creates complexity in governance: how can governors govern when there is no set governor?

73. Al-Shabaab has seen over 420 fatalities from political violence between 18 March to 14 April 2023.⁴⁶ Though the definition of "political violence" can imply different things, one item is certain: the impact militant groups have on different regions in Somalia is undeniable, and certain regions must be safeguarded and focused on more than others. However, most of the violence tends to scatter the South of Somalia's main geographical area: Galmudug, Hirshabelle, South West, Banadir, and Jubaland are littered with violence. Banadir, especially, has seen numerous acts of political violence against citizens.⁴⁷

74. Given the geographical disparities of Somalia, and the vast influence the State has, it is necessary to have a holistic outlook on solving electorally motivated political violence in Somalia in order to tackle the issue for all regions of Somalia.

We respectfully ask the Committee to take into consideration the vast geographical influence of the State and ensure that region-based solutions are proposed for electoral violence due to the disparities in violence currently seen. We further respectfully prompt the Committee to focus its efforts on political violence specifically in Southern Galmudug, Hirshabelle, South West, coastal Jubaland, and especially in Banadir.

Lethal Consequences for Engagement

75. Civic engagement in Somalia is a struggle stemming from two issues: a lack of engagement and security. While citizens may not receive proper education for their civil rights, expressing them can be (at times) lethal. Both parliamentary and presidential elections have caused bitter relationships across the country. Al-Shabaab has threatened retribution for anyone who participates in the vote, as electors, delegates or candidates for office. They have repeatedly called civic engagement an "apostate" activity, illustrating the extent to which democracy is in peril in Somalia should militant groups continue to have as big an influence as they currently do.⁴⁸ The actions of Al-Shabaab directly violate fundamental principles of civic engagement in democracy, thus labelling them a threat to the human rights of Somali civil society.

76. The warnings Al-Shabaab have issued show two things: firstly, they show the power of the group. Al-Shabaab's track record is proof of power over the democratic process in Somalia. Should they choose to do so, they have the power to ruin the entire elections process through violence; their warnings are simply emphasizing the dominance that they have. The warnings also serve as justification for the attacks, sort of as "notice" for violence to

⁴⁵ See <https://www.crisisgroup.org/africa/horn-africa/somalia/b187-sustaining-gains-somalias-offensive-against-al-shabaab>.

⁴⁶ Data compiled from <https://acleddata.com/2023/04/21/somalia-situation-update-april-2023-counter-insurgency-operation-gains-regional-support-in-phase-two-as-al-shabaab-attacks-and-political-differences-persist/>.

⁴⁷ *Ibid.*

⁴⁸ "Communiqué from the consultative forum regarding the jihad in East Africa", *Al-Shabaab*, 18 March 2020.

occur should anyone act against their wishes and choose to engage civically with the democratic process, which limits the ability for civil society to cast a ballot.⁴⁹ At a March forum, Al-Shabaab painted electoral participation as unbelief, and that "democracy is a type of "infidelity" that elevates the rule of human beings above that of God".⁵⁰ On 1 April, Ali Dheere continued to support Al-Shabaab's opposition to the democratic election process, stating "Al-Shabaab will view all those who participate as legitimate targets for reprisal".⁵¹ Reprisal is deadly combat by force, creating a culture of fear for civilians of Somalia where they should be expressing their given rights to choose their leaders. Al-Shabaab is undoubtedly a threat to the fundamental rights of the Somali citizens for being civically engaged, and a barrier that must be addressed by the Committee.

77. Jihadi based policies have, and will, continue to dominate the democratic process through deadly violence; after the 2016 and 2017 elections, dozens of civilians and delegates were killed by Al-Shabaab across Somalia (particularly in Mogadishu) in response to their civic participation.⁵² The threats militant groups continue to pose are not null; if not acted upon, they will continue to dominate the political power of Somalia and oppress the democratic processes further.

The violent actions of Al-Shabaab to prevent proper civic engagement and expression in Somalia violates numerous articles under the Covenant, from restricting the rights of the people to assemble by threatening them with violence (and in some cases actually assassinating civil society and candidates) to destroying electoral voting centers, we respectfully urge the Committee to persuade Somalia to enact stricter military policies at their electoral centers and establish plans of action in collaboration with local authorities to ensure the utmost safety at electoral stations.

Consequential Lack of Civic Education and Democratic Engagement

78. Several NGOs on the ground in Southern Africa have discovered that civically engaged youth are less likely to employ violence as a tool for change; militant groups often seek children who do not know how to bring about change properly and offer their violent ways as prospects for making change. In that sense, educating children would have a contradictory effect: education would repel people from seeking violent change knowing proper, safe solutions.
79. In these heightened times of violence, and the trend set to increase exponentially, the youth can be a double-edged sword in Somalia's future: they can either become easily susceptible to their circumstances with a lack of education and economic disparities, joining militants

⁴⁹ *Idem* (footnote 45).

⁵⁰ *Idem* (footnote 48).

⁵¹ *Ibid.*

⁵² In 2016-2017, voting took place in the state capitals of Kismayo, Baidoa, Jowhar, Adado and Garowe, in addition to Mogadishu. In 2021, voting is also planned for Dhusamareb (as a replacement for Adado), Bosasso, Galkacyo, Beledweyne, Barawe and Garbaharey. See Crisis Group Briefing, *Staving off Violence around Somalia's Elections*, op. cit. <https://www.crisisgroup.org/node/15396>.

and exacerbating the political violence or receive proper education to rise above their counterparts and contribute to a more civically engaged and prosperous future. A lack in civic engagement will only propel the next generation to seek alternative solutions for making change, often which result in violence as we've seen with Al-Shabaab.

80. Countless studies have found, as outlined numerous times in this submission, that civic education is a catalyst for change: should children become civically educated, it would be a significant stride in solving the human rights violations Somalia faces today.⁵³ We respectfully urge the Committee to underscore the need for civic engagement in order to form a more engaged democracy and begin undermining the roots of anti-civic-engagement on which Al-Shabaab has built itself on to diminish their political counterparts.

Violence Undermining ICCPR Principles

81. The electoral violence seen in Somalia from Al-Shabaab undermines the fundamental principles of the Covenant built to protect the citizens of Somalia. Al-Shabaab's Jihadi-ideological oriented statements on the threat for those who participate in the civic process violate the freedom of expression and assembly for the citizens of Somalia, as protected under Articles 6, 7, 18, 19, and 21 under the Covenant. Furthermore, the actions of Al-Shabaab of threatening civil society further violate the right to participation in public affairs, such as that enshrined in Articles 19 and 25 of the Covenant.
82. Somalia has clearly violated basic principles of the International Covenant on Civil and Political Rights, and we urge the Committee to implement our recommendations in order to help heal the situation after the violations seen.

Violation 4: Establishment of a Culture of Fear in Self-Determination

Establishment of Fear

83. The first line of the ICCPR guarantees the right of self-determination in which people can freely express their views and beliefs. However, the culture of fear established in Somalia has gravely affected the right to self-determination of the persons in the State. Self-determination has been constrained by increased political instability, clan-based politics, and external interventions which have created an environment where the people of Somalia struggle to exercise meaningful agency in shaping its own destiny.

Lack of Civic Participation due to Fear

84. The fear instilled has disastrous effects on civil society across Somalia. Terrorists rely on one thing as their primary weapon: terror. Terror is a mechanism used primarily by Al-Shabaab to ensure that no person ever interacts with the civic process in a way they do not agree with; their track record for human rights violations causes civil society to fear of any repercussions should they violate the rules imposed upon them. However, education has

⁵³ *Idem* (footnote 42). However, see additional Mercy Corps reports on education's correlation to civic engagement at https://www.mercycorps.org/sites/default/files/2020-01/CRITICAL_CHOICES_REPORT_FINAL_DIGITAL.pdf.

been found as a mechanism for reducing the threats exaggerated threats often presented.⁵⁴ Studies have found that perceptions of terrorism are often affected by education: if fear limits civic engagement, and terrorists contribute to that fear, then education can consequentially contribute to a lack of fear and therefore a greater increase in the democratic processes.

85. Studies on perception of the terrorist threat have shown that the media, the most common source for civil society to receive news on violent extremist acts, is the primary area in which the public find information on terrorism. Media tends to focus on the negative aspects occurring, which garner more engagement and revenue, but that correlates with further fear of a terrorist threat occurring. Such is the case in Somalia with Al-Shabaab: threats made by the militant group continue to exacerbate fear among civil society which contributes to a lower lack of engagement in the democratic processes.⁵⁵

86. The threat of violence against civilians is a great fear; however, studies have found that learning more about threats themselves will increase the perceptions of the scope of the threat. Research has found "in the context of terrorism, mastery may actually reinforce fear", showing the true impact of education. To combat an organization as massive as Al-Shabaab, with all the threats they convey to civilians on a regular basis, it is necessary to begin with education on the ground to combat the fear that has been instilled in light of Jihadist policies.⁵⁶

The fear of violence is a primary tool used by Al-Shabaab to limit civic engagement, therefore violating a fundamental right to participation in democracy under the Covenant. We respectfully urge the Committee to enshrine education as a method for the Somali government to use in combating the militant threats.

Political Censuring

87. The amount of political censuring across the State of Somalia serves as a great violation to the rights of civic expression under the ICCPR. The current laws relating to arrest and detention in Somalia regulate that arrested persons must face judicial authorities 48 hours after their arrest. The Constitution further attests that the suspects must be arrested on sufficient evidence; that families shall be notified in case of arrest; and provide access to a lawyer and other legal protections for the accused.⁵⁷ However, proper adherence to these laws is rare. In other countries, such as the United States, citizens are aware of their rights prior to being questioned and/or detained by authorities. In Somalia, no such safeguards exist or are properly followed.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ The government of Somalia is dedicated to increasing civic education access. See previous strategies in Mogadishu at <https://www.africasvoices.org/case-studies/civic-education-and-engagement-in-banadir/>.

⁵⁷ See United States State Department Report, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/somalia/>.

88. The lack of adherence to proper safeguards in Somalia exacerbates arbitrary detention; authorities frequently arrest numerous persons accused of terrorism with little to no evidence. Political censorship in Somalia is yet but another method for militant groups to use to reduce proper civic engagement in the democratic processes. Somaliland, a region north of Somalia, continues to use arbitrary detention and arrests to hide their wrongdoings as reported by media. In Puntland, citizens who demonstrated too much political expression regarding geopolitical issues with the region were also detained.⁵⁸ The actions of the Somali government in these regions shows the extent to which fear can be used to censor ideas, thus limiting proper civic engagement and violating Somalia's obligations under the Covenant.
89. Authorities have been found to often use allegations of al-Shabaab affiliation to justify these arrests; the Somali federal government has made numerous arrests due to the lack of safeguards detailed above. The Somali Mechanism for the Safety of Journalists found that there were 66 arbitrary arrests and detentions, and authorities continue to crack down on other radio show directors and media journalists.⁵⁹ Local police continue to violate human rights by detaining inmates without respect to civil rights; this is a clear violation of the fundamental rights when one is arrested.
90. The political censorship in Somalia contributes to a growing fear of self-determination: civil society are not able to properly determine if and when it is appropriate to comment on issues that affect them. Therefore, we respectfully urge Somalia to ensure that proper adherence to the civil rights of the accused is followed.

Recommendations to the Committee

91. The human rights violations in Somalia are critical and must be fully addressed. Should these violations continue, Somali citizens will live in a country where they are deprived of their fundamental rights. In response, we urge the committee to recommend Somalia to do the following:
- Submit their review to the committee, as they were required to do so when first signing on to the treaty. Somalia must also ratify the first and second Protocols of the treaty, along with participating in the review process in future meetings.
 - Draft and implement legislation to form social safety nets to provide financial assistance and services to the poor, vulnerable, and internally displaced persons. This legislation should be created with input from Somali citizens themselves who are disadvantaged and should have transparent and independent monitoring mechanisms to reduce corruption risks. International organizations and local civil societies should work to provide technical assistance and oversight.
 - Draft and enact legislation to allocate government funds to, in a larger portion, healthcare and education programs for all citizens. Governments should ensure healthcare and education is being prioritized to meet UN SDGs, but also basic human

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

- rights provisions outlined in the Declaration of Human Rights. Mobile health and education units should reach these conflicted areas as well.
- Allocate resources for construction and maintenance of schools, guaranteeing equal education access throughout Somalia. International organizations should work with the Somali government to provide construction, and alternate delivery methods of education should security be too much of a risk, e.g., community-based schools.
 - Allocate resources to enhance teacher training programs and recruitment efforts to increase the amounts of educators, especially in rural areas with low education access. The government should implement transparent hiring processes for teachers, and more investments should be made in ongoing training programs to reach more children.
 - Develop curriculums which are sensitive, inclusive, and relative to the needs of Somalians, and promote civic education. Diverse groups of people, from students to teachers to current government workers should develop the curriculum, ensuring relevance to today.
 - Promote civic education programs and community engagement initiatives to empower citizens and strengthen democratic organizations. Somalia should advocate for the protection of freedom of expression and assembly for such organizations.
 - Invest in conflict resolution at the local levels to address issues where they are, and further prevent more violence. The government should facilitate the gathering of local leaders and persons, and other civil society organizations to promote understanding and the needs of the people.
 - Given the current customs of executing laws in Somalia, we respectfully urge the Committee to recommend that Somalia move towards executing its laws through a stable and independent judiciary rather than traditions and norms.
 - It is the fundamental right of children to receive education, and therefore we respectfully ask the Committee to have Somalia to enact and enforce legislation setting the minimum age to marry at 18, ensuring girls stay in schools longer to receive proper education.
 - The disparities of gender equality stifle Somali women from properly participating in the civic process, thus decreasing their representation and creating a cycle of despair and continuous oppression. Considering these violations, we respectfully push the Committee to compel Somalia to pass and enforce national bills to combat these issues, such as the Juvenile Justice law, Puntland FGM bill, and Disability policy. We also emphasize the need for Somalia to ratify the African Charter and Welfare of the Child law to establish clear protection of human rights for children. Should these changes fail to happen, the situation will continue to be exacerbated.
 - The lack of attendance in schools exacerbates the intellectual weakness throughout the State of Somalia. Therefore, we respectfully persuade the Committee to recommend Somalia implement a series of truancy laws to order compulsion within schools throughout the State.
 - Economic limitations, along with social and cultural barriers prevent the children of Somalia from receiving a proper education, and therefore do not know the mechanisms for change. Somalis children are a double-edged sword; given the right education, they can turn the country into a strong democracy. However, should the current violations continue, Somalis will be deprived of knowledge on engaging within the civic process and would ultimately undermine their value as citizens. We

- respectfully urge the Committee to push for great reform in the State of Somalia for proper education to increase civic engagement by enshrining legislature highlighting the need for schools and frequently collaborating with civil society and NGOs in Somalia to provide knowledge on the civic rights of the Somalis on the ground.
- We respectfully ask the Committee to take into consideration the vast geographical influence of the State and ensure that region-based solutions are proposed for electoral violence due to the disparities in violence currently seen. We further respectfully prompt the Committee to focus its efforts on political violence specifically in Southern Galmudug, Hirshabelle, South West, coastal Jubaland, and especially in Banadir.
 - The violent actions of Al-Shabaab to prevent proper civic engagement and expression in Somalia violates numerous articles under the Covenant, from restricting the rights of the people to assemble by threatening them with violence (and in some cases actually assassinating civil society and candidates) to destroying electoral voting centers, we respectfully urge the Committee to persuade Somalia to enact stricter military policies at their electoral centers and establish plans of action in collaboration with local authorities to ensure the utmost safety at electoral stations.
 - The fear of violence is a primary tool used by Al-Shabaab to limit civic engagement, therefore violating a fundamental right to participation in democracy under the Covenant. We respectfully urge the Committee to enshrine education as a method for the Somali government to use in combating the militant threats.

Conclusion

92. The human rights situation in Somalia is incredibly to alarming. Should these actions continue, the violations will destroy the core of democracy and representation for the 17 million citizens of Somalia. It is not one issue we see in Somalia contributing to a weakened democracy, but a combination of circumstances that exacerbate the reductions of rights. As enshrined in this petition, the Centre strongly supports that civic engagement and education are core in reforming Somalia into a more prosperous, successful, and safe State.
93. Though this petition lays out our foundation for change in Somalia, it is ultimately up to the Committee in adopting our recommendations. To properly maintain the democracy in Somalia, social and cultural barriers must be reduced, and children must remain in schools regardless of socioeconomic status. Education must be enshrined; safeguards must be implemented to ensure so. Quality education must be given, even if with support from NGOs or local CSOs, and this should be done in combination with strong governmental policy encouraging the safety of civil society to ensure proper ballot access at the polls, ensuring no Somali is fearful in expressing their own rights and beliefs. The fight is one that requires immense support, and we hope the Committee and the State of Somalia will join us in doing so.
94. This submission may be published on the OHCHR website or any other places necessary. For any inquiries regarding this submission, please contact primary contributor Samad Quraishi at squraishi@cvia.ch. Additional contributors and translators for this report include Hanna Rohde, Julia Elliot-Ortega, Miranda Elliot-Ortega, and Stella Zarpas.