



ASSESSING THE EFFECTIVENESS OF RULE OF LAW INSTITUTIONS IN  
GALMUDUG STATE: A CASE STUDY OF FIVE DISTRICTS (ABUDWAK, ADADO,  
DHUSAMAREB, GURIEL, AND GALKAYO)

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## Table of Contents

List of Acronyms .....	2
Executive Summary .....	3
Findings .....	5
Introduction .....	6
Purpose of the Study .....	8
Objectives of the Study .....	8
Rationale of the Study .....	9
Methodology .....	9
Background .....	10
Framing Justice in Fragile Contexts: Rule of Law in Galmudug’s Reality .....	12
Galmudug’s Justice Landscape in Transition .....	13
Legal Pluralism and Institutional Coordination in Galmudug.....	15
Xeer and Customary Justice .....	16
Sharia Law and Religious Legitimacy .....	18
The Statutory Justice System .....	19
Institutional and Capacity Gaps in the Statutory Justice System .....	20
Courts: Capacity, Infrastructure, and Judicial Independence .....	21
Police, Prosecution, and Custodial Services: A Fragmented Justice Chain .....	21
Justice for Whom? Access, Equity, and Inclusion .....	22
Implications for District-Level Effectiveness .....	23
Assessing the Effectiveness of Rule of Law Institutions in Galmudug State .....	24
Justice Delivery Is Shaped by Legal Pluralism in Practice .....	24
Institutional Presence Does Not Equal Institutional Effectiveness .....	24
Weak Enforcement Undermines Trust and Compliance .....	24
Policing: Reactive Engagement and Capacity Constraints .....	25
Access to Justice Remains Unequal and Hybrid model .....	25
Conclusions and Recommendations .....	25
Conclusions .....	25
Recommendations .....	26
Summary of Research Tables .....	27
Bibliography .....	30

## List of Acronyms

**ADR** Alternative Dispute Resolution

**ASWJ** Ahlu Sunna Waljama'a

**FGD** Focus Group Discussion

**GSDP** Galmudug State Development Plan

**GSPF** Galmudug State Police Force

**HC Dialogue** Horncenter Dialogue

**ICT** Information and Communication Technology

**IDLO** International Development Law Organization

**IDP** Internally Displaced Person

**JJCP** Joint Justice and Corrections Programme

**JPP** Joint Police Programme

**KII** Key Informant Interview

**NPM** New Policing Model

**NVC** Non-Violent Communication

**OECD** Organisation for Economic Co-operation and Development

**PFC** Provisional Federal Constitution

**RAP** Resettlement Action Plan

**SGVB / SGBV** Sexual and Gender-Based Violence

**SPA** Somali Peace Agreement (as referenced in Talo Wadaag)

**SURP-II** Somali Urban Resilience Project – Phase II

**UNDP** United Nations Development Programme

**UNODC** United Nations Office on Drugs and Crime

**UNPOL** United Nations Police  
**UNSOM** United Nations Assistance Mission in Somalia

## Executive Summary

In stable and accountable governance systems, rule of law institutions constitute the primary interface between the state and society. They play a critical role in resolving disputes, protecting rights, deterring violence, and reinforcing public confidence in political authority. Effective policing, fair and timely adjudication, and inclusive justice mechanisms are foundational to peace, reconciliation, and long-term development. In fragile and conflict affected contexts such as Somalia, the effectiveness of rule of law institutions is not merely a legal concern but a decisive factor shaping conflict dynamics, social cohesion, and state legitimacy.

In Galmudug State, the consolidation of the rule of law remains a central yet unfinished component of state-building. While progress has been achieved in political formation and relative security stabilization, justice institutions continue to operate within an environment characterized by insecurity, political fragmentation, resource scarcity, and deeply embedded customary governance systems. Formal rule of law institutions—police, courts, prosecution, and corrections—coexist with informal and hybrid mechanisms rooted in Xeer and Sharia, resulting in a plural legal order that is both resilient and fragmented.

This study, conducted by Horncenter (HC) Dialogue under the Road to Peace Project, assesses the effectiveness of rule of law institutions across five strategically significant districts: Abudwak, Adado, Dhusamareb, Guriel, and Galkayo. The research seeks to understand how justice institutions function in practice, how communities experience and navigate them, and how these institutions are perceived in terms of accessibility, fairness, and legitimacy. The findings are intended to provide evidence-based insights for policymakers, donors, and peacebuilding actors working to strengthen justice systems, prevent conflict, and promote inclusive governance.

The study adopts a mixed-methods research approach, integrating quantitative community surveys with qualitative Key Informant Interviews, Focus Group Discussions, and institutional observations. This methodology enables a grounded assessment of institutional performance alongside public trust and lived experience, ensuring that conclusions reflect realities on the ground rather than formal mandates alone. Particular attention is given to the perspectives of women, youth, internally displaced persons, and marginalized groups, whose access to justice remains a critical indicator of institutional legitimacy and inclusivity.

Findings reveal a rule of law landscape characterized by uneven institutional presence, fragmented authority, and differentiated levels of public trust across districts. Dhusamareb, as the administrative capital of Galmudug, demonstrates comparatively stronger institutional functionality due to higher political attention, infrastructure investment, and administrative concentration. In contrast, Abudwak, Adado, and Guriel exhibit limited reach of formal justice institutions, acute personnel and infrastructure shortages, and a heavy reliance on informal

dispute resolution mechanisms. Galkayo presents a distinct and complex case, where divided administration and prolonged political contestation continue to undermine institutional coherence, coordination, and public confidence.

Across all districts, formal rule of law institutions face persistent structural constraints. Police capacity is weakened by limited mobility, logistical shortages, and perceptions of politicization. Courts struggle with procedural delays, case backlogs, and inconsistent enforcement, while prosecution and correctional systems remain underdeveloped. These limitations significantly restrict the ability of the state to provide timely, impartial, and accessible justice, particularly in rural and peri-urban areas.

At the same time, community trust overwhelmingly favors informal and hybrid justice mechanisms. Elders and religious leaders are widely perceived as accessible, culturally legitimate, and capable of delivering swift dispute resolution, particularly in matters related to land, family, and inter-clan relations. However, this reliance entails important trade-offs. Informal systems often reproduce gender inequality, marginalize minority clans, and lack accountability mechanisms for serious criminal offenses. The absence of structured coordination or referral pathways between formal and informal institutions further entrenches fragmentation rather than complementarity within the justice system.

The study also demonstrates that the effectiveness of rule of law institutions in Galmudug cannot be separated from broader conflict dynamics and political economy factors. Clan affiliation, insecurity, and political interference shape both institutional behavior and public perceptions. Where justice institutions are perceived as inaccessible, partisan, or ineffective, communities' default to informal self-help mechanisms, increasing the risk that unresolved grievances escalate into violence.

Despite these challenges, the research identifies clear and actionable pathways for reform. Strengthening the rule of law in Galmudug does not require the displacement of informal justice systems, but rather their strategic integration into a coherent, accountable, and rights respecting justice architecture. Institutional capacity building, rural outreach, structured engagement with elders and religious leaders, gender-responsive justice programming, and conflict-sensitive coordination mechanisms emerge as central priorities.

Ultimately, this study positions rule of law reform in Galmudug as a peacebuilding imperative rather than a purely technical intervention. By aligning institutional strengthening with local legitimacy, constitutional principles, and international standards, donors and policymakers can support the transformation of rule of law institutions from fragile and uneven structures into trusted foundations for stability, reconciliation, and inclusive governance.

## Findings

The findings of this study strongly align with existing peacebuilding, rule of law, and state building literature, which emphasizes that effective justice institutions are foundational to sustainable peace, social cohesion, and conflict prevention in fragile and conflict-affected settings. The perspectives gathered from community members, justice actors, elders, and local authorities across Abudwak, Adado, Dhusamareb, Guriel, and Galkayo resonate closely with national policy frameworks, donor-supported rule of law programming, and global best practices on hybrid justice and access to justice.

Participants consistently highlighted that justice in Galmudug is not merely a legal function, but a lived social process shaped by accessibility, legitimacy, security conditions, and trust. By centering local voices and institutional realities, the study identifies critical gaps, opportunities, and pathways for reform that are directly relevant to donors, policymakers, and peacebuilding actors. The study's **seven core findings** are summarized as follows:

- **Uneven Presence and Functionality of Formal Rule of Law Institutions:** The study found that the presence and effectiveness of formal rule of law institutions vary significantly across districts. Dhusamareb benefits from relatively stronger institutional infrastructure due to its status as the state capital, while Abudwak, Adado, and Guriel face acute shortages in personnel, facilities, and operational capacity. In Galkayo, divided administration further undermines coherence and service delivery. This uneven institutional footprint limits equal access to justice and reinforces geographic and social inequalities
- **Dominance and Legitimacy of Hybrid and Informal Justice Mechanisms:** Across all districts, elders and religious leaders remain the primary providers of justice, particularly in rural and peri-urban areas. Participants emphasized the accessibility, speed, and cultural legitimacy of Xeer and Sharia-based mechanisms. This finding aligns with literature on legal pluralism in Somalia, confirming that informal systems continue to fill the gap left by weak formal institutions. However, reliance on these systems often comes at the expense of legal consistency, documentation, and rights protection.
- **Limited Trust in Formal Institutions and High Reliance on Social Legitimacy:** Community trust overwhelmingly favors informal justice actors over police and courts. Where formal institutions are perceived as distant, politicized, or influenced by clan affiliations, communities default to elders as trusted mediators. This trust deficit undermines state legitimacy and weakens the social contract, reinforcing cycles of grievance and informal dispute resolution outside state oversight

- **Gender and Marginalized Groups Face Systemic Exclusion:** Women, youth, and marginalized clans experience persistent barriers to accessing both formal and informal justice. Participants reported that women often rely on male intermediaries, face discriminatory outcomes under Xeer, and have limited confidence in courts to protect their rights. This exclusion aligns with broader peacebuilding evidence that inequitable justice systems perpetuate conflict and social fragmentation.
- **Weak Coordination Between Formal and Informal Justice Systems:** The study identified a critical lack of structured coordination, referral pathways, and mutual recognition between formal courts and informal justice actors. Cases frequently move between systems without clarity, accountability, or follow-up, leading to duplication, unresolved disputes, and loss of public confidence. This fragmentation limits the effectiveness of both systems and undermines rule of law consolidation.
- **Security and Political Dynamics Shape Justice Outcomes:** Insecurity, clan politics, and political interference significantly affect institutional behavior and public perceptions. In areas where security threats persist or institutions are viewed as partisan, justice outcomes are contested and enforcement is weak. This finding underscores the inseparable link between security, governance, and rule of law in fragile contexts like Galmudug.
- **Strong Demand for Integrated, Context-Sensitive Rule of Law Reform:** Despite challenges, participants expressed strong support for reforms that strengthen formal institutions while constructively engaging informal systems. There was broad consensus that justice effectiveness should be improved through capacity-building, rural outreach, gender-responsive approaches, and formalized collaboration with elders and religious leaders. This demand aligns closely with donor priorities on stabilization, conflict prevention, and inclusive governance.

## Introduction

The rule of law is widely recognized as a foundational pillar of peace, stability, accountability, and legitimate governance in both established democracies and fragile, conflict-affected states. It encompasses a set of formal and informal institutions, norms, and practices through which laws are publicly promulgated, applied equally, and enforced fairly to protect citizens' rights and resolve disputes peacefully. Effective rule of law institutions—including police, courts, prosecution services, correctional systems, and complementary customary and religious adjudication mechanisms—play a critical role in regulating disputes, preventing violence, safeguarding rights, and fostering trust between populations and governing authorities. In doing so, they contribute directly to state legitimacy, social cohesion, and sustainable peace.

In fragile and conflict-affected contexts, the absence or weakness of rule of law institutions is widely identified as a key driver of chronic instability, governance failure, and recurrent cycles of violence. Where justice and security institutions lack capacity, impartiality, or legitimacy, grievances accumulate, informal power structures proliferate, and the risk of renewed conflict increases. Conversely, where rule of law institutions are accessible, predictable, and equitable, they serve as essential mechanisms for dispute resolution, protection of rights, and the consolidation of stability and peace.

In Somalia, these dynamics are particularly pronounced. Decades of civil war, political fragmentation, and institutional collapse have profoundly weakened the country's justice and security architecture. Formal law enforcement and judicial systems eroded over time, creating governance vacuums that were often filled by non-state actors, including clan elders, religious leaders, and armed groups. This process produced a deeply pluralistic justice environment in which formal state law, customary *xeer*, and Islamic Sharia coexist, interact, and at times compete for authority and legitimacy. While such pluralism can enhance local access to dispute resolution, it also poses significant challenges for uniform legal standards, human rights protection, and the consolidation of cohesive state authority.

Rebuilding rule of law institutions has therefore become central to Somalia's peacebuilding and state-building efforts. The Organisation for Economic Co-operation and Development (OECD) underscores that the prolonged absence of functioning rule of law institutions has significantly contributed to insecurity, weak governance, and political fragility in Somalia, highlighting that institutional development must serve as a cornerstone of peace and governance reform.<sup>1</sup> Similarly, global analytical frameworks such as the World Justice Project's Rule of Law Index emphasize that access to justice, legal transparency, accountability, and effective enforcement mechanisms are essential dimensions of effective governance and sustainable peace consolidation in fragile and conflict-affected contexts.<sup>2</sup>

At the sub-national level, Galmudug State provides a critical case for examining how rule of law institutions operate within a federalized and conflict-affected environment. Formally established in 2015, Galmudug occupies a politically and geographically strategic position in central Somalia, linking the country's northern and southern regions. Despite notable progress in political consolidation and relative security stabilization, the effectiveness of rule of law institutions in Galmudug remains uneven and fragile. Formal justice and security institutions continue to face significant constraints, including limited human and financial resources, weak infrastructure, political interference, and persistent insecurity, all of which undermine their ability to deliver justice effectively and equitably.

Efforts by international partners, including the United Nations Development Programme (UNDP), have sought to strengthen policing and justice systems in Galmudug, recognizing that institutional capacity, legitimacy, and public trust are vital for sustainable peace and governance. UNDP's rule of law and human rights programming has supported the establishment and strengthening of formal police structures and justice mechanisms, contributing to incremental improvements in institutional performance (UNDP Somalia, 2023).<sup>3</sup> However, the practical effectiveness, community perceptions, and reach of these institutions vary considerably across districts, particularly where formal systems intersect with strong customary and religious justice practices.

Assessing the effectiveness of rule of law institutions across Galmudug's five districts— Abudwak, Adado, Dhusamareb, Guriel, and Galkayo—therefore offers valuable insights into how justice systems function under diverse social, political, and security conditions. Dhusamareb, as the state capital, hosts relatively more developed formal institutions but continues to face challenges related to coordination, capacity, and political influence. Galkayo, a major commercial and administrative hub, is shaped by a divided security and administrative landscape that complicates justice delivery. Adado and Abudwak represent emerging administrative centers where formal institutions remain nascent, while Guriel has experienced recurrent conflict dynamics, including military operations against Al-Shabaab, which have directly affected institutional reach and community trust.

By examining these districts comparatively, this study assesses how rule of law institutions function in practice, how they are perceived by communities and stakeholders, and how they interact with informal and hybrid justice mechanisms. Importantly, the study conceptualizes rule of law effectiveness not merely as a technical or legal issue, but as a peacebuilding and governance challenge deeply intertwined with conflict dynamics, clan relations, political economy factors, and public legitimacy.

The research seeks to generate evidence-based insights that inform more context-responsive, inclusive, and sustainable rule of law interventions. By grounding institutional reform in local realities while aligning it with constitutional principles and international standards, the study contributes to ongoing efforts to strengthen state legitimacy, prevent conflict recurrence, and consolidate peace in Galmudug State and comparable fragile and conflict-affected contexts.

## Purpose of the Study

The purpose of this study is to assess how rule of law institutions function in practice across selected districts of Galmudug State, based on first-hand field research conducted by the study team. The assessment seeks to understand how justice is delivered and experienced at the community level, how formal institutions interact with informal and hybrid mechanisms, and how institutional performance shapes public trust and perceptions of state legitimacy. By grounding analysis in lived realities, the study aims to generate practical insights that inform context-sensitive and inclusive approaches to strengthening justice systems in Galmudug.

## Objectives of the Study

The study is guided by the following objectives:

- To examine the operational structure and effectiveness of the main rule of law institutions, including judiciary, police, and correctional systems.
- To analyze the relationship and coordination mechanisms between formal, customary, and religious justice systems.
- To identify gaps, challenges, and institutional bottlenecks that hinder access to justice and equitable service delivery
- To assess public perceptions of legitimacy, fairness, and trust in rule of law institutions.
- To recommend evidence-based strategies to strengthen justice systems, promote accountability, and build citizen confidence in state institutions.

## Rationale of the Study

The need for this study arises from persistent governance and justice challenges in Galmudug. Over the years, weak institutional capacity, limited geographic coverage of justice services, and inadequate coordination between state structures and community-based mechanisms have constrained progress toward stability, governance, and development. Many districts in Galmudug continue to rely heavily on informal systems, leaving gaps in accountability, fairness, and accessibility, particularly for vulnerable and marginalized groups.

Moreover, empirical data on the performance of rule of law institutions at the district level is scarce. Without reliable evidence on how justice is delivered, how institutions are perceived by communities, and how formal and informal mechanisms interact, policymakers and donors face challenges in designing effective interventions. By generating comprehensive data and insights from local communities, this study aims to inform targeted investments, programming, and policy reforms that strengthen institutional capacity and enhance public trust in governance.

The study focuses on five districts: Abudwak, Adado, Dhusamareb, Guriel, and Galkayo, which collectively represent diverse demographic, security, and governance conditions across Galmudug. These districts were selected to reflect urban, peri-urban, and rural settings, as well as areas with varying levels of institutional presence and conflict exposure

## Methodology

This study adopts a mixed-methods research approach, integrating both quantitative and qualitative data collection to ensure a holistic understanding of rule of law effectiveness. A mixed-methods approach is particularly suited for fragile and conflict-affected contexts like Galmudug, where formal records may be incomplete and community perspectives are critical to understanding institutional performance.

The research begins with a desk review of existing legal frameworks, institutional documents, government policies, and previous assessments by relevant agencies and partners. This preliminary review establishes the contextual and institutional foundation for the study and informs the design of primary data collection tools.

Primary data collection will include key informant interviews (KIIs) with district officials, judges, prosecutors, police commanders, and traditional elders to capture operational insights and institutional challenges. Focus group discussions (FGDs) will be conducted with youth, women, and other community representatives to explore perceptions of fairness, trust, and accessibility of justice services. In addition, observational studies of courts, police stations, and correctional facilities will be conducted to assess infrastructure, workflow, and service delivery capacity.

Collected data will undergo rigorous analysis. Quantitative data from surveys and institutional checklists will be statistically analyzed to evaluate performance indicators, access levels, and variations across districts. Qualitative data from interviews and FGDs will be thematically analyzed to capture lived experiences, contextual dynamics, and nuanced challenges. Triangulation of qualitative and quantitative data will ensure reliability and a comprehensive understanding of the rule of law landscape in Galmudug.

Ethical considerations are central to this study. Informed consent will be obtained from all participants, and confidentiality and anonymity will be strictly maintained. Data collection will be conducted sensitively to avoid political or clan-based tensions, ensuring that the research process does not create harm or exacerbate local conflicts.

This methodological approach is designed to produce actionable insights that inform justice sector reform, strengthen institutional capacity, enhance public trust, and promote sustainable peace and governance in Galmudug.

## Background

This study is grounded in the constitutional and institutional framework governing rule of law development in Galmudug State, Somalia. The background outlines the legal foundations and policy context within which justice institutions operate, providing a basis for interpreting the study's district-level findings. The analysis relies solely on sources referenced in this report and does not introduce new literature, ensuring a clear distinction between contextual review and original field-based evidence.

The legal architecture of Galmudug is anchored in the 2012 Provisional Federal Constitution (PFC) of Somalia, which establishes Somalia as a federal, sovereign, and democratic republic and defines the division of powers between the Federal Government and Federal Member States.<sup>4</sup> Article 1 affirms that authority is vested in the people and exercised in accordance with the law,<sup>5</sup> while Article 142 recognizes existing and emerging administrations during the federal transition. This provision provided constitutional legitimacy for the formation of Galmudug's institutions at a time of political fluidity and incomplete federal consolidation.

The Galmudug State Constitution, adopted in July 2015, further defines the state's administrative and judicial structures.<sup>6</sup> However, constitutional supremacy in practice is frequently contested due to political friction between federal and state authorities. This has resulted in fragmented governance, with uneven application of legal authority across districts. In this environment, the rule of law functions as a negotiated system in which federal and state legal frameworks coexist with entrenched customary and religious mechanisms, including clan-based dispute resolution.<sup>7</sup>

Human rights protections are a central component of this legal framework. The PFC guarantees equality before the law (Article 11), the right to life (Article 13), and the prohibition of torture and degrading treatment (Article 15). While these rights are formally entrusted to the judiciary, available evidence indicates that their enforcement is inconsistent and often mediated through customary authorities, reflecting both limited institutional reach and enduring societal reliance on informal justice mechanisms.<sup>8</sup>

Policy frameworks such as the Road to Sustainable Peace and Good Governance (R2P) program acknowledge these structural challenges by promoting integrated approaches that link security, justice, governance, and development. Such initiatives seek to strengthen institutional legitimacy while adapting reform efforts to the realities of hybrid governance.

Within this context, the research titled *Assessing the Effectiveness of Rule of Law Institutions in Galmudug State: A Case Study of Five Districts* (Abudwak, Adado, Dhusamareb, Guriel, and Galkayo) examines how constitutional mandates and institutional arrangements translate into practice at the district level. This background establishes the foundation for assessing institutional performance, identifying systemic constraints, and informing context-sensitive rule of law programming in Galmudug State.<sup>9</sup>

## Framing Justice in Fragile Contexts: Rule of Law in Galmudug's Reality

The pursuit of the rule of law in Galmudug State takes place within a setting defined by profound political and institutional fragility. Somalia's position as 1st out of 179 countries on the Fragile States Index and 193rd out of 193 on the Rule of Law Index<sup>10</sup> reflects the structural constraints shaping justice delivery rather than abstract global comparisons. <sup>11</sup> Within this environment, justice in Galmudug has not historically functioned as a centralized public service administered by a unified state authority. Instead, it has evolved through negotiated and pluralistic arrangements shaped by decades of political fragmentation, during which no single authority exercised sustained territorial or administrative control.<sup>12</sup> This prolonged absence of unified governance weakened the social contract between citizens and the state, particularly with regard to expectations around security provision, accountability, and access to justice.

As a result, contemporary justice provision in Galmudug remains characterized by coexistence and competition among multiple actors. Formal courts and police institutions operate alongside customary elders applying *xeer* and religious leaders adjudicating through Sharia, each drawing legitimacy from different sources.<sup>13</sup> In focal districts such as Dhusamareb and Galkayo, effectiveness of rule of law institutions is therefore less about formal mandates and more about how these institutions navigate a contested justice space where authority is shared, negotiated, and often disputed. Gaps created by weak or inconsistent state service delivery have historically been exploited by Al-Shabaab, which has positioned itself as an alternative provider of swift and predictable—though coercive—justice, particularly in areas where formal institutions are perceived as absent, inaccessible, or slow to respond. While the 2022 elections and the launch of the National Stabilization Strategy have generated renewed momentum for justice sector reform, emerging evidence suggests that these national-level developments have yet to meaningfully reshape everyday experiences of justice at the community level.<sup>14</sup>

Insights from focus group discussions conducted in **Galkayo** by the HornCenter (HC) Dialogue illustrate how this fragile and plural justice environment is experienced locally (FGD, Galkayo, HC Dialogue). Participants consistently described justice as uneven and highly context dependent, shaped by neighborhood dynamics, clan relations, and the type of dispute involved. Although formal courts and police are present, they were frequently perceived as slow, costly, and uncertain in outcome—particularly in relation to land and commercial disputes. As a result, many residents reported turning first to elders and religious leaders,

whom they viewed as more accessible and better able to prevent disputes from escalating in a socially divided city. At the same time, participants acknowledged that informal mechanisms do not consistently deliver equitable outcomes, especially for women and youth, leaving some grievances only partially resolved.<sup>15</sup>

Parallel findings from focus group discussions in Dhusamareb, also conducted by HC Dialogue, reveal a related but distinct set of dynamics shaped by the town's role as the political and administrative capital of Galmudug (FGD, Dhusamareb, HC Dialogue). Participants recognized the visible presence of courts, police, and justice sector offices and acknowledged recent efforts to strengthen institutional coordination following political stabilization. Nevertheless, many community members described formal justice institutions as socially distant and difficult to engage, particularly for ordinary citizens without personal connections or financial means. Some participants specifically highlighted the **challenge of bearing formal registration and administrative costs**, which often limits their ability to access state justice and encourages them to turn first to elders and religious leaders.<sup>16</sup> Discussions highlighted perceptions that justice processes are increasingly centralized and formalized, yet insufficiently responsive to community realities. As in Galkayo, elders and religious leaders continue to play a central role in resolving disputes,<sup>17</sup> often acting as intermediaries between communities and state institutions rather than being fully integrated into formal justice.

Collectively, evidence from Dhusamareb and Galkayo suggests that the effectiveness of rule of law institutions in Galmudug cannot be assessed solely through institutional presence, legal frameworks, or reform commitments. Instead, effectiveness is shaped by how justice institutions relate to communities, manage legal pluralism, and overcome the physical and social distance—frequently described by participants as institutional “bunkerization”—that continues to undermine trust and engagement. Without addressing these relational and access-based challenges, formal justice institutions are likely to remain marginal actors within a justice system that communities continue to navigate primarily through negotiated, non state pathways.

## Galmudug's Justice Landscape in Transition

Galmudug's transition from fragmented clan-based authority toward a structured Federal Member State began most visibly with the 2015 Adaado process, which brought eleven major clans together to negotiate a power-sharing framework and establish a common political

foundation. 18 While this process marked an important political milestone, early state formation was undermined by prolonged rivalry between the Galmudug administration and the Sufi group Ahlu Sunna Waljama'a (ASWJ), which maintained control over key urban centers, including Dhusamareb and Guriel, until approximately 2021. Following the military defeat of ASWJ, Galmudug came under a single, unified political authority headquartered in Dhusamareb, creating new space for consolidating governance and justice institutions across the state.<sup>19</sup>

This political unification has enabled tentative efforts to institutionalize justice across the five focus districts, though progress remains uneven. Previously divided towns such as Galkayo have experienced relative improvements in security following localized peace accords,<sup>20</sup> however, structural challenges persist. Many clans remain armed and continue to wield significant autonomous power, frequently bypassing formal state institutions in favor of clan based security arrangements. As a result, the justice transition in Galmudug is characterized by an ongoing push to integrate clan-based forces into the formal Galmudug State Police Force (GSPF)<sup>21</sup> a process that remains politically sensitive and operationally incomplete. In Galkayo, these challenges are compounded by the town's continued division between Puntland and Galmudug administrations, resulting in parallel justice institutions and overlapping jurisdictions that further complicate access, coordination, and accountability.

Key informant interviews conducted during field visits to Abudwak and Adado provide direct insight into how justice and security are experienced at the district level in Galmudug. Across both locations, informants emphasized that justice institutions operate within a negotiated environment where formal authority is constrained by clan dynamics, security concerns, and limited enforcement capacity.<sup>22</sup>

## Legal Pluralism and Institutional Coordination in Galmudug

Rule of law in Galmudug is shaped by a deeply embedded system of legal pluralism in which Xeer (customary law), Sharia (Islamic law), and statutory law coexist and interact in practice.<sup>23</sup> The Provisional Federal Constitution (PFC) formally recognizes a tripartite legal arrangement, wherein Xeer is acknowledged as a legitimate mechanism for dispute resolution, while its application is normatively restricted to non-serious criminal matters. This system of legal pluralism is not merely conceptual or doctrinal; rather, it constitutes the practical and lived justice framework for the majority of communities, in which statutory law, customary law, and religious law coexist and are simultaneously invoked in everyday dispute resolution.<sup>24</sup> Field observations conducted in Abudwak, Adado, and South Galkayo demonstrate that Xeer remains the primary mechanism for dispute resolution, with proceedings commonly held in open communal spaces where elders directly engage disputing parties. These forums prioritize speed, reconciliation, and social legitimacy, resulting in high compliance rates without reliance on formal enforcement. Xeer is particularly dominant in land disputes and inter-clan conflicts, where collective responsibility and diya mechanisms are employed to prevent retaliatory violence. However, its effectiveness is accompanied by structural limitations, most notably its patriarchal orientation, which restricts women's direct participation and undermines equality before the law.<sup>25</sup>

Sharia occupies a complementary yet distinct role within Galmudug's justice landscape. Constitutionally recognized as the foundation of all laws, it has historically filled governance gaps during periods of weak state authority. First-hand assessments of Sharia-based proceedings reveal a more structured and procedurally ordered process, typically conducted in mosques or ADR centers with clear documentation and defined roles. This structure enhances transparency and predictability, contributing to higher levels of trust, particularly among women seeking justice in family and inheritance matters. Compared to Xeer, Sharia is widely perceived as offering greater procedural protection, although its application remains context-dependent and variably interpreted.<sup>26</sup>

While this plural system improves access to justice, it has also contributed to weak institutional coordination and the absence of strong, active linkages among formal rule of law institutions—specifically the courts, police, and prisons.<sup>27</sup> The dominance of Xeer and Sharia in resolving most disputes often diverts cases away from the formal criminal justice chain, limiting police involvement in investigation, evidence collection, and case documentation.

Courts frequently receive cases only after informal settlements have already taken place, forcing judges to reconcile statutory requirements with outcomes shaped outside the formal system, thereby creating inconsistencies in legal standards, sentencing, and enforcement. Correctional institutions, in turn, operate at the margins of this fragmented system, as imprisonment is commonly perceived by communities as a last resort or even as disruptive to negotiated settlements. The lack of effective coordination and functional linkage among police, courts, and prisons weakens institutional continuity, reduces the deterrent effect of statutory law, and undermines public confidence in formal justice outcomes.<sup>28</sup>

In response, the Galmudug Ministry of Justice has introduced hybrid ADR mechanisms aimed at bridging customary, religious, and statutory systems. ADR centers in Abudwak and South Galkayo convene panels of elders, religious leaders, and women adjudicators to resolve minor disputes while formally referring serious crimes to state courts. Empirical observations from these centers indicate improved institutional linkages, clearer referral pathways between community mechanisms, police, and courts, and enhanced inclusivity—particularly through the increased participation of women, who now comprise approximately 22 percent of adjudicators. Between 2019 and 2023, IDLO-supported ADR centers handled over 5,400 cases, with women accounting for nearly half of justice seekers. Despite these gains, coordination across courts, police, and prisons remains uneven and largely dependent on external support, limiting the sustainability and system-wide integration of policing, adjudication, and correctional enforcement.<sup>29</sup>

Taken together, these findings demonstrate that the effectiveness of rule of law institutions in Galmudug cannot be assessed in isolation. Rather, it is contingent upon the degree to which courts, police, and prisons are functionally aligned and actively linked within a legally plural environment. While legal pluralism provides flexibility and local legitimacy, its current configuration continues to produce coordination gaps that constrain institutional effectiveness, weaken accountability, and challenge the consistent application of statutory justice. Understanding and addressing these interdependencies is therefore central to evaluating—and ultimately strengthening—the rule of law in Galmudug State.<sup>30</sup>

## Xeer and Customary Justice

Xeer remains the most accessible and culturally embedded justice mechanism across Galmudug State. As an oral system based on negotiated inter-klan agreements, it emphasizes conflict mitigation through collective responsibility and compensation (*diya*), prioritizing social harmony and the prevention of retaliatory violence over individual punishment. This

approach enables rapid dispute resolution and compliance through social enforcement, particularly in contexts where formal institutions lack reach or capacity.<sup>31</sup>

As noted by Maslax Macalin Cilmi, Secretary of Galkayo District, during a key informant interview, **“in most of our communities, people continue to rely on Xeer as their primary mechanism for resolving disputes...because customary elders do not require financial payments to initiate or hear a case, whereas the formal justice system often involves fees and other costs simply to open a case.”** This cost differential, he emphasized, makes Xeer significantly more accessible for economically vulnerable populations and explains the continued preference for customary mechanisms over formal courts. Recognizing this context, meaningful formal justice reform in Galmudug must focus on reducing financial and procedural barriers, while constructively engaging with Xeer as part of a broader, pluralistic justice framework—particularly during transitional periods where state institutions are still consolidating authority and capacity. (HC Dialogue, 2025).

In response to the coexistence of customary and statutory justice systems, the Galmudug Ministry of Justice has undertaken efforts to bridge these frameworks through the establishment of Alternative Dispute Resolution (ADR) centers in Abudwak and South Galkayo. These centers operate under a hybrid justice model, bringing together elders, religious leaders, and women representatives to adjudicate minor offenses, while ensuring that serious crimes—such as homicide—are formally referred to statutory courts. Importantly, the ADR model has expanded women’s participation in local justice processes, with women now constituting approximately 22 percent of adjudicators, and accounting for nearly half of all justice seekers. Between 2019 and 2023, ADR centers supported by the International Development Law Organization (IDLO) handled more than 5,433 cases, demonstrating both the demand for and functionality of hybrid justice mechanisms.<sup>32</sup>

Despite these advances, Xeer continues to serve as a critical stabilizing force in inter-clan dispute resolution and violence de-escalation, frequently functioning as the first point of recourse even in areas where formal courts are operational. However, its effectiveness in preserving social order is accompanied by notable limitations. Justice outcomes under Xeer tend to privilege collective settlement over individual rights, often marginalizing women, youth, and minority clans whose participation in decision-making remains constrained. Moreover, the emphasis on compensation (*diya*) can dilute personal criminal accountability in cases involving serious offenses, reinforcing perceptions of impunity.

While Xeer remains indispensable within Galmudug’s plural justice landscape, its continued predominance underscores the necessity of hybrid justice approaches that preserve its conflict-mitigation strengths while systematically addressing structural exclusions and accountability deficits, thereby advancing a more equitable and credible rule-of-law framework.<sup>3</sup>

## Sharia Law and Religious Legitimacy

Sharia law provides the moral and ethical foundation for Somalia’s legal system, as stipulated under Article 2 of the Provisional Federal Constitution (PFC), which prohibits the enactment of legislation that contradicts Islamic principles. This constitutional positioning places Sharia not only as a source of religious guidance but also as a central reference point for legal legitimacy and social order. In Galmudug, Sharia is most prominently applied in matters of family law, including marriage, divorce, inheritance, and child custody, where religious norms are deeply embedded in everyday social relations and dispute resolution practices.

Existing evidence indicates that Sharia-based adjudication enjoys strong public legitimacy, largely due to its perceived divine authority and moral consistency. This perception was repeatedly affirmed during fieldwork. As one religious leader in Dhusamareb explained, *“People trust Sharia because it comes from Islam, which everyone recognizes as the highest moral authority. When a decision is made according to Sharia, people are more likely to accept it willingly, even if the outcome is difficult.”* This sense of moral obligation contributes to high levels of voluntary compliance and reinforces Sharia’s authority within communities.

Field findings further suggest that Sharia mechanisms are often viewed as more impartial than both customary and statutory systems. In districts such as Dhusamareb and Guriel, community members frequently seek religious scholars to resolve disputes not only because of their religious standing, but also because they are perceived as less susceptible to clan based bias. As a community elder from Guriel noted, *“Clan interests can influence customary decisions, but religious scholars are expected to judge based on Islam, not clan, which is why many people prefer Sharia for family disputes.”*

Accessibility also emerged as a key factor underpinning reliance on Sharia-based justice. Proceedings are typically conducted in familiar settings such as mosques or religious compounds and follow procedures that are widely understood. For displaced and economically vulnerable populations, this accessibility is particularly significant. An IDP representative from South Galkayo emphasized this point, stating that *“Sharia is easier to access than formal courts. We know where to go, and even without police enforcement, people follow decisions because they fear religious consequences.”* This reinforces Sharia’s role as a trusted intermediary between customary and statutory systems, especially in civil and family-related matters.

At the same time, reliance on Sharia-based justice presents notable limitations. Interpretations of Sharia principles vary among scholars, resulting in inconsistencies in outcomes across districts. Moreover, while Sharia mechanisms may appear accessible, they do not automatically guarantee equitable participation or outcomes for all groups. Women’s involvement in proceedings is often mediated through male relatives, which can limit their agency. As a women’s rights advocate in Galkayo observed, *“Sharia courts are respected, but women’s voices are not always heard directly, especially in divorce and inheritance cases, where decisions may reflect conservative social norms.”*

Overall, Sharia law occupies a central yet complex position within Galmudug’s plural justice landscape. Its moral authority, accessibility, and community trust make it an indispensable component of justice delivery, particularly where formal institutions remain weak. However, these findings also underscore the importance of integrating Sharia-based mechanisms with statutory frameworks and strengthening safeguards to promote consistency, inclusion, and the protection of fundamental rights.<sup>34</sup>

## The Statutory Justice System

The statutory justice system—comprising courts, police, prosecution services, and correctional institutions—is the most recently institutionalized component of Galmudug’s justice architecture.<sup>35</sup> Its operational reach and effectiveness remain uneven, with functionality concentrated primarily in urban centers such as Dhusamareb and Galkayo. In these locations, international support through initiatives such as the Joint Justice and Corrections Programme (JJCP) and the Joint Police Programme (JPP) has contributed to the rehabilitation of infrastructure, provision of equipment, and training of justice and security personnel. Outside these urban hubs, statutory institutions face persistent constraints related to staffing, mobility, and enforcement capacity, limiting their ability to deliver consistent and accessible justice.

The literature highlights that the central challenge confronting statutory institutions lies in asserting jurisdiction over serious crimes while coexisting with deeply embedded customary and religious justice systems. In response, the Galmudug Ministry of Justice has promoted Alternative Dispute Resolution (ADR) Centers as a hybrid mechanism that seeks to integrate traditional mediation within a framework of state oversight and constitutional compliance. These centers are designed to channel minor civil and criminal cases away from overburdened courts while ensuring that serious offenses are referred to formal judicial processes. While ADR mechanisms have improved access to justice and reduced caseload pressure, their effectiveness ultimately depends on clear referral pathways, institutional coordination, and the state’s capacity to enforce decisions when informal resolution proves insufficient.<sup>36</sup>

The statutory system, represented by district courts and the police, is the most nascent of the three. Its effectiveness is currently concentrated in urban centers like Dhusamareb and Galkayo, where international support from programs like the Joint Justice and Corrections Programme (JJCP) and the Joint Police Programme (JPP) has funded infrastructure and training.<sup>37</sup> The challenge for the statutory system is to assert its jurisdiction over serious crimes while integrating the strengths of the traditional and religious systems. The Ministry of Justice in Galmudug has attempted to bridge this gap by establishing Alternative Dispute Resolution (ADR) Centers, which provide a structured environment for traditional mediation that is overseen by the state and aligned with constitutional principles.<sup>38</sup>

## Institutional and Capacity Gaps in the Statutory Justice System

The formal justice system in Galmudug—encompassing the Ministry of Justice, the Judiciary (District, Regional, Appeal, and Supreme Courts), the Police, prosecution services, and the Custodial Corps—operates within a context of sustained institutional fragility. Although the 2023–2025 Galmudug State Development Plan (GSDP) identifies justice sector reform as a strategic priority, empirical evidence from the field highlights a persistent disconnect between policy intent and operational performance. In practice, statutory justice institutions are legally established across the state, yet they function within weak administrative foundations, constrained territorial reach, limited resources, and complex political and social dynamics that collectively undermine their ability to deliver the rule of law in a consistent and credible manner. 39 Findings from focus group discussions conducted in Dhusamareb, Galkayo, Abudwaq, Adado, and Guriel confirm that these constraints are experienced by communities as tangible and recurring barriers to justice access. Across all five districts, participants described formal justice institutions as present but fragile, characterized by inconsistent enforcement, limited predictability, and uneven service delivery (HC Dialogue, 2025). Importantly, these challenges do not affect all districts equally, helping to explain why institutional effectiveness varies significantly despite the existence of similar legal frameworks.<sup>40</sup>

Field evidence from focus group discussions (FGDs), conducted in Dhusamareb, Galkayo, Abudwaq, Adado, and Guriel confirms that these structural constraints are experienced as persistent, practical barriers to justice. Across these districts, formal justice is present legally but fragile operationally, with limited predictability and inconsistent enforcement (HC Dialogue, 2025).<sup>41</sup> These challenges shape why institutional effectiveness varies significantly across districts despite the presence of similar legal frameworks.

## Courts: Capacity, Infrastructure, and Judicial Independence

The judiciary in Galmudug is structured across three tiers: **First Instance Courts at district and regional levels, Appeal Courts located in Dhusamareb and Galkayo, and the Supreme Court as the highest appellate authority.** While this structure provides a formal backbone for justice delivery, its effectiveness is severely constrained by staffing shortages and infrastructural weaknesses. District and regional courts typically operate with **no more than five judges and two judicial assistants**, while Appeal Courts function with **three judges and two assistants**. Judicial officials interviewed in **Dhusamareb and Galkayo** consistently reported that these staffing levels are inadequate given population size and caseloads, contributing to delayed hearings, compressed court calendars, and irregular court sessions.<sup>42</sup> These challenges are most pronounced in **Abudwaq and Adado**, where courts do not operate on a continuous daily basis.

Judicial credibility is further weakened by appointment procedures. Judges at all levels are appointed by the President, a process widely perceived by communities—particularly in **Guriel and Abudwaq**—as exposing the judiciary to political and clan-based influence. In disputes involving land or inter-clan tensions, these perceptions significantly undermine confidence in judicial neutrality and discourage reliance on formal courts.<sup>43</sup>

Operational deficiencies compound these concerns. Across **Mudug and Galgaduud**, courts frequently lack permanent premises, resulting in multiple judicial tiers being housed within the same facility. This arrangement undermines confidentiality, institutional security, and orderly case management. Court administration remains entirely paper-based due to the absence of digital registration, archiving, or tracking systems. Field observation confirmed that courts often lack secure filing systems, stable electricity, and basic office equipment, at times relying on nearby police stations for power. Electricity interruptions observed in Adado, **Abudwaq, and Guriel** occasionally forced hearings to pause or relocate, further eroding public confidence in judicial reliability.

### Police, Prosecution, and Custodial Services: A Fragmented Justice Chain

Law enforcement and correctional institutions form a critical link between judicial decisions and their enforcement; however, coordination across this justice chain remains weak. The **Galmudug State Police Force (GSPF)** has expanded to approximately **700 officers**, largely through support under the **Joint Police Programme (JPP)**. A notable example of improved coordination is the **Joint Police Patrol Unit in Galkayo**, which participants credited with contributing to improved urban security. Beyond Galkayo, however, policing effectiveness remains uneven across **Dhusamareb, Adado, Guriel, and Abudwaq**.<sup>44</sup>

FGDs and key informant interviews highlighted limited investigative training, absence of forensic tools, and weak coordination between police, prosecutors, and courts. Investigations frequently rely on confession-based practices rather than evidence-led methods, undermining due process and weakening prosecutorial case files. These weaknesses often result in prolonged pre-trial detention, case dismissals, or acquittals due to insufficient evidence. In turn, courts are reluctant to proceed with trials based on poorly prepared files, while prosecutors face difficulties sustaining charges.

The custodial system further reflects these coordination gaps. Inadequate communication between courts, police, and custodial services contributes to irregular detention practices, delays in prisoner transfers, and weak oversight of pre-trial detention. In several districts, participants reported cases where detainees remained in custody despite delayed hearings or incomplete case files, undermining perceptions of fairness and legality. These gaps highlight that deficiencies in one part of the justice chain—policing, prosecution, or detention—directly affect the credibility and effectiveness of the entire system.

## Justice for Whom? Access, Equity, and Inclusion

Rule of law effectiveness in Galmudug is **sharply curtailed by systemic inequalities** that disproportionately affect women, internally displaced persons (IDPs), youth, and minority clans. These inequities are not incidental but are structurally embedded within both formal and informal justice arrangements, limiting access to protection and redress for the most vulnerable groups.<sup>45</sup>

Women face persistently high levels of sexual and gender-based violence (SGBV), particularly within IDP settlements where livelihood insecurity and weak civil protections intersect. In practice, cultural norms frequently frame SGBV not as a criminal offense against the individual, but as a clan matter to be “resolved” through forced marriage, clan compensation, or practices such as godob-reeb—where women are exchanged to settle disputes and prevent further conflict. As a result, justice outcomes prioritize social stability over individual rights, reinforcing impunity and silencing survivors. Although Galmudug was the first Federal Member State to enact legislation banning all forms of female genital mutilation (FGM), enforcement remains critically weak, reflecting a broader gap between progressive legal frameworks and lived realities.<sup>46</sup>

Internally Displaced Persons (IDPs) are particularly vulnerable to exclusion and rights violations. In Galkayo and Hobyo, IDPs constitute approximately 44 percent and 31 percent of the population respectively, placing significant pressure on land, housing, and social services. Across Galmudug, an estimated 75 percent of IDP households are female-headed, often due to displacement-related family separation or conflict-related loss.<sup>47</sup> These households face heightened exposure to property disputes, forced evictions, and sexual exploitation. Lacking strong clan affiliations, IDPs—especially those from minority clans—are frequently sidelined in both statutory and customary decision-making processes, leaving them with limited recourse to justice.<sup>48</sup>

Youth, despite constituting the demographic majority, remain **largely excluded from justice dialogues and dispute-resolution mechanisms**, which are dominated by senior male elders. This exclusion limits intergenerational legitimacy and weakens the responsiveness of justice systems to evolving social realities. At the structural level, the entrenched “4.5 clan system” further concentrates power among dominant clan leaders, reinforcing patterns of political and legal marginalization for women, youth, IDPs, and minority groups.<sup>49</sup>

Notwithstanding these challenges, inclusive justice initiatives demonstrate measurable potential for change. Targeted programs implemented across Galmudug have reached more than 41,000 citizens, with women accounting for approximately 56 percent of beneficiaries. These interventions provide evidence that more equitable and accessible justice delivery is achievable when institutional design intentionally prioritizes inclusion, representation, and protection for marginalized populations.<sup>50</sup>

Overall, access to justice in Galmudug is shaped less by the existence of legal frameworks than by social position, clan affiliation, gender, and displacement status. Addressing these inequities requires not only legal reform but sustained investment in enforcement, inclusive mechanisms, and protections that translate formal rights into lived justice outcomes.

## Implications for District-Level Effectiveness

Viewed in combination, these institutional, operational, and credibility deficits explain why the effectiveness of statutory justice institutions varies markedly across **Dhusamareb, Galkayo, Abudwaq, Adado, and Guriel**. While **Dhusamareb and Galkayo** benefit from higher level courts, police units, and administrative presence, challenges related to access, cost, coordination, and trust persist. **In Abudwaq, Adado, and Guriel**, limited staffing, weak infrastructure, and fragmented enforcement across the police–court–custodial chain further reduce institutional effectiveness. These findings underscore that the rule of law in Galmudug cannot be assessed solely through institutional presence, but must be understood through

how justice institutions function as an interconnected system—and how communities experience their performance in practice.

## Assessing the Effectiveness of Rule of Law Institutions in Galmudug State

### Justice Delivery Is Shaped by Legal Pluralism in Practice

Justice in Galmudug operates through a **plural legal system** in which statutory law, customary (xeer), and Sharia function simultaneously. Across **Dhusamareb, Galkayo, Abudwaq, Adado, and Guriel**, communities routinely navigate between these systems based on **accessibility, speed, perceived fairness, and enforceability**, rather than formal legal mandate alone. Customary and religious mechanisms dominate the resolution of civil, family, and inter-clan disputes due to their rapid response and strong social enforcement. This reliance reflects a pragmatic response to institutional constraints rather than rejection of state authority.

## Institutional Presence Does Not Equal Institutional Effectiveness

Although statutory courts and police are formally present across all five assessed districts, their operational effectiveness varies substantially due to persistent structural and institutional constraints. In Galkayo (South), fragmented governance arrangements and entrenched clan boundaries limit jurisdictional reach and enforcement authority, rendering justice delivery heavily dependent on negotiated settlements rather than consistent application of statutory law. In Dhusamareb, higher institutional density has not translated into effective access, as procedural complexity, administrative requirements, user costs, and perceived social distance between institutions and communities continue to inhibit engagement with formal justice mechanisms. In Abudwaq, Adado, and Guriel, chronic staffing shortages, irregular court operations, and underdeveloped infrastructure further restrict institutional reach and functionality. Across all districts, the justice chain—linking policing, prosecution, adjudication, and custodial services—remains fragmented, characterized by limited investigative capacity, reliance on confession-based policing, weak prosecutorial follow-through, and inconsistent enforcement of judicial decisions. These deficiencies undermine deterrence, compliance, and public trust, leading communities to rationally prioritize dispute resolution mechanisms capable of delivering timely outcomes supported by social enforcement and collective accountability.

## Weak Enforcement Undermines Trust and Compliance

The justice chain linking **police, prosecution, courts, and custodial services** remains fragmented. Limited investigative capacity, reliance on confession-based policing, weak prosecutorial follow-through, and inconsistent enforcement of court decisions reduce deterrence and public confidence. Quantitative indicators show moderate case throughput alongside high pending rates, reinforcing perceptions of delay and unpredictability. Communities therefore favor mechanisms that ensure immediate and socially enforced outcomes.

## Policing: Reactive Engagement and Capacity Constraints

Policing in Dhusamareb remains largely reactive. Field data show that police interventions typically occur after disputes or violence have escalated, rather than through preventive or intelligence-led approaches. This was evident during the Xananbuure conflict, where police engagement focused on containment rather than early de-escalation. While the presence of formal police institutions has contributed to a gradual decline in exclusive reliance on clan based customary justice mechanisms (xeer), severe understaffing limits patrol coverage, community engagement, and conflict prevention capacity.<sup>51</sup> however A key innovation in this district (and others in Galmudug) is the introduction of "Heart Coherence" and Non-Violent Communication (NVC) training for police and correctional staff.

## Access to Justice Remains Unequal and Hybrid model

Formal justice processes are constrained by **registration fees, procedural delays, geographic distance, and perceived bias**, disproportionately affecting **women, youth, IDPs, and minority clans**. While ADR mechanisms demonstrate improved inclusion—evidenced by high female participation and user satisfaction—these gains are not reflected in formal courts or policing institutions, where female representation remains minimal.

Hybrid justice approaches—particularly **ADR mechanisms combining customary legitimacy with state oversight**—emerge as the most effective models observed. High case volumes and satisfaction rates indicate improved access, reduced conflict escalation, and stronger compliance. However, coverage remains limited relative to overall justice needs.

## Conclusions and Recommendations

### Conclusions

This study finds that the effectiveness of rule of law institutions in Galmudug State is shaped less by formal legal frameworks or institutional presence and more by how justice systems function in practice. Across all five districts, justice delivery operates within a plural and negotiated environment where statutory law, Xeer, and Sharia intersect, overlap, and at times compete.

Formal justice institutions remain constrained by limited enforcement capacity, procedural barriers, and weak public trust. While informal and hybrid mechanisms provide accessible and culturally legitimate pathways for dispute resolution, they often do so at the expense of individual rights and equitable outcomes. Women, IDPs, youth, and minority clans are systematically disadvantaged within both formal and informal systems, revealing deep structural gaps in access to justice.

Reform efforts supported by international partners have contributed to improvements in infrastructure, training, and coordination. However, field evidence indicates that these efforts have not yet translated into consistent, lived improvements for communities. Institutional distance, weak enforcement, and limited integration between justice systems continue to undermine the consolidation of the rule of law.

Overall, the study concludes that strengthening the rule of law in Galmudug is fundamentally a peacebuilding and governance challenge that requires sustained engagement with social norms, power relations, and community expectations, alongside institutional strengthening.

## Recommendations

- Based on the study's findings and analysis, the following recommendations are proposed:
- **Strengthen Enforcement and Institutional Credibility:** Prioritize investments that enhance enforcement capacity, including police mobility, investigative skills, and coordination with prosecution and courts. Judicial decisions must be enforceable to rebuild public confidence.
- **Institutionalize Hybrid Justice Mechanisms:** Expand and formalize ADR centers as structured interfaces between customary, religious, and statutory systems. Clear referral pathways should be established to ensure serious crimes are handled by formal courts.
- **Address Land Disputes Through Specialized Mechanisms:** Develop land dispute resolution mechanisms that combine legal adjudication with mediation, supported by improved documentation, mapping, and enforcement safeguards to protect vulnerable groups.
- **Promote Gender -Responsive Justice:** Increase women's participation across justice institutions, including as adjudicators, mediators, and police officers. Reduce procedural barriers and strengthen protection mechanisms for survivors of SGBV.
- **Improve Access to Justice for IDPs and Minority Groups:** Design targeted legal aid, outreach, and protection mechanisms for IDPs and minority clans, ensuring their inclusion in both formal justice processes and local decision-making structures.
- **Reduce Institutional Distance from Communities:** Promote community-oriented justice approaches that improve communication, transparency, and accountability. Justice institutions should actively engage communities to rebuild trust and legitimacy.
- **Align Reform with Lived Realities:** Ensure that justice sector reforms are grounded in district-level realities rather than uniform models. Continuous field-based assessment should guide adaptive and context-sensitive interventions.

## Summary of Research Tables

This section consolidates key legal, institutional, programmatic, and governance data generated and reviewed during the study. The tables provide a structured overview of Galmudug’s rule of law architecture, institutional performance, justice sector support, and governance gaps, complementing the qualitative analysis presented in previous sections.

### Legal and Justice Framework in Galmudug State

<b>Legal Pillar</b>	<b>Primary Source</b>	<b>Institutional Guardian</b>	<b>Core Function</b>
<b>Federal Law</b>	2012 Provisional Federal Constitution	Federal Ministry of Justice	Supreme legal authority; federalism and rights framework
<b>State Law</b>	2015 Galmudug State Constitution	Galmudug State Ministry of Justice	Regional governance, administration, and service delivery
<b>Statutory Law</b>	1962 Somali Penal Code	Regional and District Courts	Criminal prosecution and civil litigation
<b>Customary Law</b>	Xeer (Inter-clan agreements)	Traditional Elders	Compensation-based reconciliation and conflict mitigation
<b>Sharia Law</b>	Islamic Jurisprudence	Religious Scholars and Sharia Courts	Moral code; family law and inheritance
<b>Human Rights</b>	PFC Title Two and International Treaties	Human Rights Commission	Protection of fundamental rights and liberties

## Comparative Institutional Conditions — Galkayo (South) and Dhusamareb

<i>Institutional Factor</i>	<i>Galkayo (South)</i>	<i>Dhusamareb</i>
<b>Police Force Structure</b>	Combined / Cross-Border Force	Galmudug State Police
<b>Primary Challenge</b>	Revenge killings and clan-based borders	Institutional consolidation
<b>Court Functionality</b>	Collaborative (North–South coordination)	Formal administrative courts
<b>Security Trend</b>	Improving following AS crackdowns	Relatively stable (state headquarters)
<b>Key Infrastructure Support</b>	Police vehicle cooperatives	SURP-II urban resilience investments

## Justice Sector Programs and Interventions in Galmudug

<i>Program / Project</i>	<i>Primary Implementers</i>	<i>Focus Areas</i>	<i>Key Output in Galmudug</i>
<b>Joint Justice and Corrections Programme (JJCP)</b>	UNDP, UNSOM, UNODC	Justice reform, corrections, ADR	Establishment and support of ADR centers
<b>Joint Police Programme (JPP)</b>	UNDP, UNPOL	Police training and infrastructure	ICT equipment and furnished police stations
<b>Somali Urban Resilience Project II (SURP-II)</b>	World Bank	Urban governance and resilience	Dhusamareb urban infrastructure and RAP
<b>Talo Wadaag</b>	Interpeace, SPA	Reconciliation and state formation	District-level reconciliation dialogues
<b>ADR Somalia</b>	IDLO	Customary justice integration	ADR centers in Abudwak and Galkayo

## Justice Sector and Legal Aid Metrics

Indicator	Metric / Value	Context
<b>Criminal Case Disposition Rate</b>	68% (of 6,114 cases)	Efficiency of federal and state courts
<b>National Judicial Pending Rate</b>	36.7%	Proportion of cases awaiting resolution
<b>Legal Aid Beneficiaries</b>	17,461 individuals (11,744 women)	Cumulative recipients of legal assistance
<b>ADR Case Volume (15 months)</b>	5,433 cases	Managed by IDLO-supported ADR centers
<b>ADR Service Satisfaction</b>	8.2 / 10	User feedback on ADR effectiveness
<b>Gender Balance in ADR Users</b>	50% women	Share of women seeking justice via ADR
<b>Women Adjudicators</b>	22%	Female representation on ADR panels

## District Council Formation and Governance Gaps

District	Category	Council Seats	Deviation from Legal Requirement	Formation Period
Dhusamareb	A (Capital)	33	+6 above legal limit (27)	July–December 2022
Galkayo (South)	A (Provincial)	29	+2 above legal limit (27)	July 2020
Adado	B	23	+2 above legal limit (21)	July–December 2022
Abudwak	B	23	+2 above legal limit (21)	July–December 2022
Guriel	B	23	+2 above legal limit (21)	2021

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HORNCENTER (HC) DIALOGUE  
GALMUDUG STATE OF SOMALIA

DHUSAMAREEB