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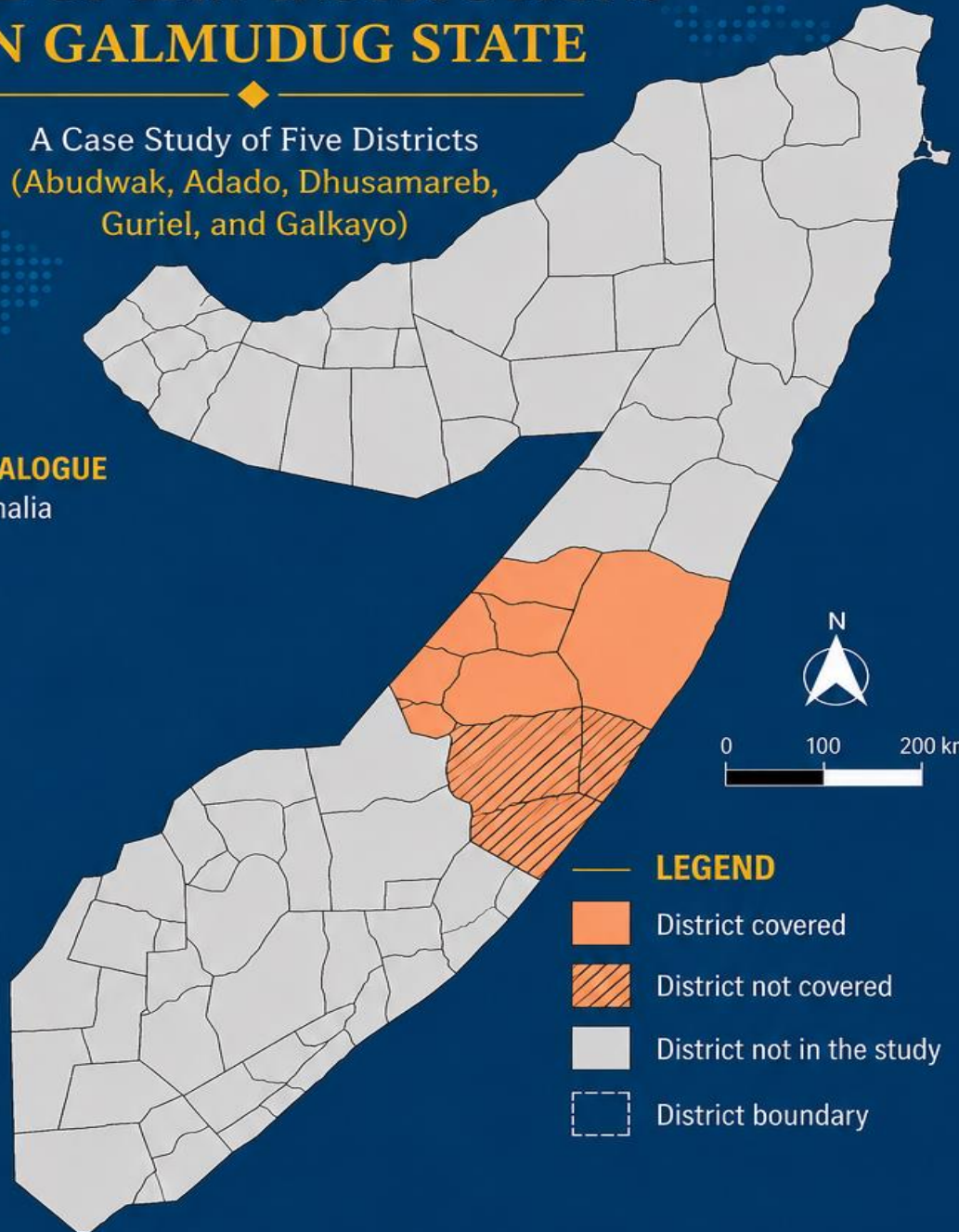
Dialogue

BUILDING INFORMED COMMUNITIES



# ASSESSING THE EFFECTIVENESS OF RULE OF LAW INSTITUTIONS IN GALMUDUG STATE

A Case Study of Five Districts  
(Abudwak, Adado, Dhusamareb,  
Guriel, and Galkayo)



**HORNCENTER (HC) DIALOGUE**

Galmudug State of Somalia



**DHUSAMAREEB**



Jan 2026

## STUDY FOCUS



Access to Justice



Institutional Effectiveness



Rule of Law & Accountability



Community Perceptions

## LEGEND



District covered



District not covered



District not in the study



District boundary



## WHY THIS MATTERS



Strengthening institutions for fair and accessible justice



Promoting trust between communities and the state



Supporting peace, stability and sustainable development



Generating evidence for informed policy and reform

01

**TABLE OF CONTENTS**

*Assessing The Effectiveness of Rule of Law Institutions in Galmudug State*

01	Table of Contents	
02	List of Acronyms	.....
03	Executive Summary	.....
04	Findings	.....
07	Introduction	.....
08	Purpose of Study and Objectives	.....
	— Purpose	
	— Objectives	
	— Rationale of the Study	
09	Methodology	.....
	— Desk Review	
	— Primary Data Collection & Data Analysis	
10	Background & Legal Framework	.....
11	Framing Justice in Fragile Context	.....
	— Rule of Law in Galmudug's Reality	
	— Al-Shabaab's Parallel Justice System (Gap 01)	
12	Galmudug's Justice Landscape in Transition	.....
13	Legal Pluralism and Institutional Coordination	.....
16	Courts: Capacity, Infrastructure & Judicial Independence	.....
16	Police, Prosecution, and Custodial Services	.....
19	Justice for Whom? Access, Equity, and Inclusion	.....
21	Justice Delivery in Practice	.....
22	Conclusions	.....
22	Recommendations	.....
24	Summary Data Tables	.....
26	Bibliography	.....

*Horncenter (HC) Dialogue. · Road to Peace Project · Galmudug State, Somalia*

02

List of Acronyms

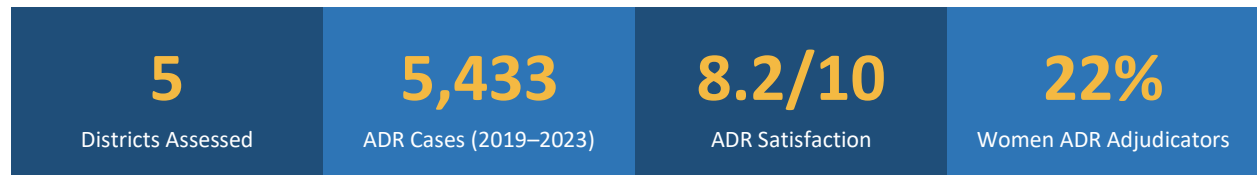
Acronym	Full Form
ADR	Alternative Dispute Resolution
AS	Al-Shabaab
ASWJ	Ahlu Sunna Waljama'a
FGD	Focus Group Discussion
FGM	Female Genital Mutilation
GSDP	Galmudug State Development Plan
GSPF	Galmudug State Police Force
HC Dialogue	Horncenter (HC) Dialogue
HLP	Housing, Land, and Property
IDP	Internally Displaced Person
IDLO	International Development Law Organization
JJCP	Joint Justice and Corrections Programme
JPP	Joint Police Programme
KII	Key Informant Interview
M&E	Monitoring and Evaluation
NVC	Non-Violent Communication
OECD	Organization for Economic Co-operation and Development
PFC	Provisional Federal Constitution
SGBV	Sexual and Gender-Based Violence
SURP-II	Somali Urban Resilience Project – Phase II
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UNSOM	United Nations Assistance Mission in Somalia

## 03

## Executive Summary

In stable and accountable governance systems, rule of law institutions constitutes the primary interface between the state and society — resolving disputes, protecting rights, deterring violence, and reinforcing public confidence in political authority. In fragile and conflict-affected contexts such as Somalia, these functions are decisive factors shaping conflict dynamics, social cohesion, and state legitimacy. Where justice fails, grievances accumulate, trust collapses, and violence becomes the default mechanism of dispute resolution.

In Galmudug State, the consolidation of rule of law remains a central yet unfinished component of state-building. Formal institutions — police, courts, prosecution, and corrections — coexist with informal and hybrid mechanisms rooted in Xeer and Sharia, producing 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 these institutions across five districts: Abudwak, Adado, Dhusamareb, Guriel, and Galkayo.



Findings reveal uneven institutional presence across districts, with Dhusamareb demonstrating stronger functionality as the state capital, while Abudwak, Adado, and Guriel face acute shortages in staff, infrastructure, and enforcement capacity. Galkayo presents a distinct case shaped by divided administration between Galmudug and Puntland, undermining coherence and public confidence.

Community trust overwhelmingly favors informal and hybrid mechanisms. Elders and religious leaders are perceived as accessible, culturally legitimate, and swift in resolution. However, these systems often reproduce gender inequality, marginalize minority clans, and lack accountability for serious offenses. A critical but previously underanalysed dimension of this landscape is the presence of Al-Shabaab's shadow justice system, which actively competes for community legitimacy by offering swift, enforceable, and low-cost dispute resolution — exploiting every gap in state service delivery.

This enhanced edition integrates ten critical research gaps identified through expert review — covering Al-Shabaab's parallel justice system, land and property rights, youth and juvenile justice, the political economy of dysfunction, corrections and custodial systems, technology, disaggregated data, Galkayo's divided governance, constitutional implementation, and monitoring and evaluation. These are not supplementary additions — they are analytical foundations that the study requires to be actionable.

Strengthening rule of law in Galmudug is not a purely technical intervention. It is a peacebuilding imperative that requires confronting political economy dynamics, integrating informal systems strategically, and building accountability from the community level upward.

## 04 | Findings

Justice in Galmudug is a lived social process shaped by accessibility, legitimacy, security conditions, and trust. Field research across five districts identified eight core findings:

### F—1 Uneven Presence and Functionality of Formal Institutions

The presence and effectiveness of formal rule of law institutions vary significantly across districts. Dhusamareb benefits from relatively stronger infrastructure as the state capital. Abudwak, Adado, and Guriel face acute shortages in personnel, facilities, and operational capacity. In Galkayo, divided administration between Galmudug and Puntland further undermines coherence and service delivery, reinforcing geographic and social inequalities in access to justice.

### F—2 Dominance and Legitimacy of Hybrid and Informal Justice

Across all districts, elders and religious leaders remain the primary providers of justice. The accessibility, speed, and cultural legitimacy of Xeer and Sharia mechanisms are consistently emphasized. Between 2019 and 2023, IDLO-supported ADR centers managed 5,433 cases with an 8.2 out of 10 satisfaction rating — demonstrating that hybrid models are actively preferred when well-designed. Al-Shabaab's parallel courts further illustrate that communities will engage any system that delivers enforceable outcomes.

### F—3 Low Trust in Formal Institutions

Community trust in police and courts is persistently low. Formal institutions are widely perceived as slow, expensive, politically influenced, and socially distant. Where institutions are seen as partisan or clan-aligned, communities disengage entirely. This trust deficit directly mirrors the appeal of Al-Shabaab's justice model, which communities describe as faster, cheaper, and more enforceable — regardless of its coercive nature.

### F—4 Systemic Exclusion of Women, IDPs, and Minority Groups

Women face compounded barriers in both formal and informal justice systems. IDPs — 75 percent of whom are female-headed households — face structural exclusion from Xeer and practical barriers to formal courts. Minority clan members are systematically disadvantaged. Land and property disputes are a primary driver of IDP exclusion, yet no dedicated land justice mechanism exists across the five districts.

### Weak Coordination Across the Justice Chain

**F—5**

The chain linking police, prosecution, courts, and corrections is critically fragmented. Police rely on confession-based investigations. Prosecutors receive poorly prepared files. Court decisions go unenforced. Custodial facilities coordinate minimally with courts. Youth offenders — who constitute a large and growing proportion of justice system contacts — face adult criminal processing with no diversion pathways.

**F—6**

#### **Security and Political Dynamics Shape Justice Outcomes**

Clan affiliation, political interference in judicial appointments, and Al-Shabaab's presence in peri-urban areas directly shape institutional behavior and community perceptions. Key actors benefit materially from institutional dysfunction — through patronage in judicial appointments, informal income from court fees, and authority derived from unregulated Xeer. Without addressing this political economy, technical reforms will be absorbed without producing change.

**F—7**

#### **Strong Community Demand for Integrated Reform**

Despite widespread frustration, participants across all five districts expressed consistent support for reforms that strengthen formal institutions while constructively engaging informal systems. This community mandate is the political foundation on which reform can be built — but it requires a credible M&E framework to translate demand into measurable accountability.

**F—8**

#### **Formal Justice Must Officially Recognise Xeer and Invest in Its Capacity**

Xeer is the primary and most trusted justice mechanism in Galmudug, resolving most disputes in an accessible and cost-free way, while the formal system remains limited and disconnected from communities.

However, Xeer lacks official recognition and support, with no structured investment in the capacity of customary practitioners or alignment with human rights standards and referral systems.

To improve the justice sector, Xeer should be formally integrated and supported through training, technical tools, and financial assistance, creating a coordinated system where customary, Sharia, and formal justice work together to enhance trust and access.

## 05 | Introduction

The rule of law is a foundational pillar of peace, stability, accountability, and legitimate governance. In fragile and conflict-affected contexts, the absence or weakness of rule of law institutions is a key driver of chronic instability: where justice and security institutions lack capacity, impartiality, or legitimacy, grievances accumulate, informal power structures proliferate, and cycles of violence intensify. As such, strengthening rule of law institutions is not only a legal or technical priority, but a central component of peacebuilding and state-building efforts.

In Somalia, decades of civil war, political fragmentation, and institutional collapse have weakened the country's justice and security architecture, creating governance vacuums filled by clan elders, religious leaders, armed groups—and, critically, Al-Shabaab's shadow courts. This has produced a deeply pluralistic justice environment in which formal state law, customary Xeer, Islamic Sharia, and Al-Shabaab's coercive system coexist and compete for authority and legitimacy. While this pluralism can enhance access to justice at the local level, it also presents significant challenges for consistency, human rights protection, and the consolidation of unified state authority.

The Organization 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, emphasizing that institutional development must serve as a cornerstone of peace and governance reform (OECD, 2017). Similarly, the World Justice Project's Rule of Law Index highlights that access to justice, legal transparency, accountability, and effective enforcement are essential dimensions of effective governance, particularly in fragile contexts.

At the sub-national level, Galmudug State—formally established in 2015 and located in central Somalia—provides a critical case for examining how rule of law institutions operate within a federalized and conflict-affected environment. This study assesses the effectiveness of rule of law institutions across five districts—Abudwak, Adado, Dhusamareb, Guriel, and Galkayo—and, in this enhanced edition, fills ten critical analytical gaps that the foundational study left unaddressed.

A critical dimension of this analysis is the central role of customary justice systems—particularly Xeer—which continue to serve as the primary mechanism for dispute resolution across Galmudug. In practice, Xeer addresses the majority of disputes, offering accessible, cost-free, and community-trusted processes rooted in long-standing social norms. However, despite its effectiveness and reach, Xeer remains largely unrecognized and unsupported within the formal justice framework. This creates a disconnect between state institutions and community-based justice practices, while also raising concerns around consistency, inclusivity, and alignment with human rights standards.

These dynamics point to the need for a more integrated and context-responsive approach to rule of law reform. Strengthening justice systems in Galmudug requires not only improving the capacity and credibility of formal institutions, but also recognizing and constructively engaging with customary and religious systems. A coordinated justice ecosystem—linking formal law, Xeer, and Sharia through clear roles, accountability mechanisms, and referral pathways—offers a more sustainable pathway to enhancing access to justice, rebuilding public trust, and promoting long-term peace and governance.

## 06 | Purpose of Study and Objectives

### Purpose

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. The assessment seeks to understand how justice is delivered and experienced at the community level, how formal institutions interact with informal and hybrid mechanisms, how political economy dynamics sustain dysfunction, and how institutional performance shapes public trust and perceptions of state legitimacy.

### Objectives

- To examine the operational structure and effectiveness of the main rule of law institutions, including the judiciary, police, and correctional systems.
- To analyze the relationship and coordination mechanisms between formal, customary, religious, and shadow justice systems — including Al-Shabaab's parallel courts.
- To identify gaps, challenges, and institutional bottlenecks that hinder access to justice and equitable service delivery, including land justice and juvenile justice.
- To assess public perceptions of legitimacy, fairness, and trust in rule of law institutions.
- To analyse the political economy of institutional dysfunction and identify who benefits from the status quo.
- To recommend evidence-based strategies to strengthen justice systems, promote accountability, and build citizen confidence in state institutions, supported by a monitoring and evaluation framework.

### Rationale of the Study

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

Critically, empirical data on rule of law institution performance at the district level is scarce, and the evidence that does exist rarely addresses the full scope of the justice landscape. Al-Shabaab's shadow courts operate in and around districts where formal institutions are weak, yet remain unanalyzed in most rule of law assessments. Land disputes — the primary driver of conflict in all five districts — lack any dedicated justice mechanism. Youth and juvenile justice are entirely absent from the programming and policy discourse despite demographic realities. Without reliable evidence that addresses these gaps, policymakers and donors face significant challenges in designing effective interventions.

The five selected districts — Abudwak, Adado, Dhusamareb, Guriel, and Galkayo — collectively represent Galmudug's diverse demographic, security, and governance conditions. Their comparative study provides both a comprehensive picture of Galmudug's justice landscape and actionable evidence for targeted investments and policy reforms.

# 07

## Methodology

This study adopts a mixed-methods research approach integrating quantitative and qualitative data collection. A mixed-methods approach is particularly suited for fragile contexts like Galmudug, where formal records are incomplete and community perspectives are indispensable for understanding institutional performance.

### Desk Review

The research began with a desk review of existing legal frameworks, institutional documents, government policies, and previous assessments. This review established the contextual and institutional foundation for the study and informed the design of primary data collection tools.

### Primary Data Collection

Method	Respondents	Purpose
<b>Key Informant Interviews (KIIs)</b>	District officials, judges, prosecutors, police commanders, traditional elders	Capture operational insights and institutional challenges
<b>Focus Group Discussions (FGDs)</b>	Women, youth, IDPs, community members across all five districts	Explore community perceptions of fairness, trust, and access to justice
<b>Institutional Observations</b>	Courts, police stations, correctional facilities	Assess infrastructure, workflow, and service delivery capacity
<b>Community Surveys</b>	Representative community members across districts	Quantify access levels, trust indicators, and performance variations

### Data Analysis

Quantitative data from surveys and institutional checklists were statistically analyzed to evaluate performance indicators, access levels, and district-level variations. Qualitative data from KIIs and FGDs underwent thematic analysis to capture lived experiences, contextual dynamics, and nuanced challenges. Triangulation of both data streams ensured reliability and comprehensive understanding.

### Ethical Considerations

Informed consent was obtained from all participants. Confidentiality and anonymity were strictly maintained. Data collection was conducted sensitively to avoid political or clan-based tensions, ensuring the research process did not create harm or exacerbate local conflicts.

## 08 | Background

This study is grounded in the constitutional and institutional framework governing rule of law development in Galmudug State. The legal architecture is anchored in the 2012 Provisional Federal Constitution (PFC) of Somalia, which establishes Somalia as a federal, sovereign, and democratic republic, affirms that authority is vested in the people and exercised in accordance with the law (Article 1), and recognizes existing and emerging administrations during the federal transition (Article 142).

The Galmudug State Constitution, adopted in July 2015, further defines the state's administrative and judicial structures. However, constitutional supremacy is frequently contested due to political friction between federal and state authorities, resulting in fragmented governance and uneven application of legal authority across districts.

Human rights protections form a central component of the 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). In practice, enforcement is inconsistent and often mediated through customary authorities.

Legal Pillar	Primary Source	Institutional Guardian	Core Function
<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 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	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

## 09 | Framing Justice in Fragile Context

### Rule of Law in Galmudug's Reality

The pursuit of rule of law in Galmudug takes place within a setting defined by profound political and institutional fragility. Somalia ranks 1st out of 179 countries on the Fragile States Index and 193rd out of 193 on the Rule of Law Index — figures that reflect structural constraints shaping justice delivery rather than abstract global comparisons (UNDP Somalia, 2025; Somalia NBS, 2024).

Justice in Galmudug has never historically functioned as a centralized public service. Instead, it has evolved through negotiated and pluralistic arrangements shaped by decades of political fragmentation. Contemporary justice provision is therefore characterized by coexistence and competition among multiple actors: formal courts and police, customary elders applying Xeer, religious leaders adjudicating through Sharia, and Al-Shabaab's coercive shadow courts.



#### Community Voice — Galkayo (FGD, HC Dialogue, 2025)

*Participants consistently described justice as uneven and context-dependent, shaped by neighborhood dynamics, clan relations, and dispute type. Formal courts and police were perceived as slow, costly, and uncertain in outcome, particularly for land and commercial disputes. Many residents reported turning first to elders and religious leaders as more accessible and better able to prevent disputes from escalating.*



#### Community Voice — Dhusamareb (FGD, HC Dialogue, 2025)

*Community members recognized the visible presence of courts and justice offices, but described formal institutions as socially distant and difficult to engage for ordinary citizens without personal connections or financial means. Participants specifically highlighted the challenge of bearing formal registration costs, which drives reliance on elders and religious leaders even in the state capital.*

#### GAP 01

#### Al-Shabaab's Parallel Justice System: The Legitimacy Competitor

Al-Shabaab operates a network of shadow courts across central and southern Somalia that actively compete with state institutions for community justice. These courts handle land disputes, commercial disagreements, clan discrimination, divorce, and inheritance. Field evidence from Somalia suggests that in some areas like Eylbur and Galhareri up to 80 percent of land disputes are taken to Al-Shabaab rather than formal courts — because AS courts deliver enforceable decisions quickly and at zero cost to the parties. This is not simply a security threat. It is a justice service delivery competition that the state is currently losing in several Galmudug districts. AS courts exploit every visible failure of state justice — delays, fees, corruption, unenforced decisions — as evidence that the state is illegitimate. Improving state justice delivery speed, cost-

accessibility, and enforcement is therefore simultaneously an institutional reform goal and a counter-extremism strategy. Every credible improvement to Galmudug's formal or hybrid justice institutions reduces the comparative appeal of Al-Shabaab's coercive alternative.

Collectively, these findings suggest that the effectiveness of rule of law institutions cannot be assessed solely through institutional presence, legal frameworks, or reform commitments. Effectiveness is shaped by how justice institutions relate to communities, manage legal pluralism, and overcome the physical and social distance — frequently described as institutional 'bunk erization' — that continues to undermine trust and engagement.

## 10 | Galmudug's Justice Landscape in Transition

Galmudug's transition from fragmented clan-based authority toward a structured Federal Member State began with the 2015 Adaado process, which brought eleven major clans together to negotiate a power-sharing framework. Early state formation was undermined by prolonged rivalry with ASWJ until approximately 2021. Following ASWJ's military defeat, Galmudug unified under a single administration headquartered in Dhusamareb, creating new space for consolidating governance and justice institutions.

This unification enabled tentative efforts to institutionalize justice across the five focus districts, though progress remains uneven. Many clans remain armed and continue to bypass formal state institutions in favor of clan-based security arrangements.

District	Status	Key Transition Challenge	Justice Implication
<b>Dhusamareb</b>	State capital — most developed institutions	Institutional consolidation; political pressures on judiciary	Access barriers persist despite institutional density
<b>Galkayo (South)</b>	Divided between Galmudug and Puntland	Parallel justice institutions; overlapping jurisdictions	Cross-boundary case management unresolved
<b>Abudwak</b>	Emerging administrative center	Nascent formal institutions; clan authority dominant	Near-total reliance on Xeer; very limited court reach
<b>Adado</b>	Post-ASWJ consolidation	New governance structures being established	Limited institutional capacity; ADR center needed
<b>Guriel</b>	Post-conflict rebuilding	Security threats from AS; fragile community trust	Sharia most trusted; formal institutions least established

GAP  
08

### Galkayo as a Divided-City Justice Case Study

Galkayo is divided between Galmudug (south) and Puntland (north) administrations, with parallel police forces, courts, and customary justice mechanisms operating across an informal boundary. This creates three concrete governance failures: (1) Jurisdictional gap — cases involving parties from both sides have no clear procedural pathway, enabling forum-shopping and deliberate delay; (2) Evidence non-recognition — evidence collected by one administration's police is not accepted by the other's courts, undermining prosecution across the boundary; (3) Enforcement gap — court decisions from South Galkayo cannot be enforced in North Galkayo and vice versa, creating effective impunity zones. These failures require a structured inter-administration response: a Galkayo Justice Coordination Committee, jointly chaired by Galmudug and Puntland representatives, with a cross-boundary mediation register, evidence-sharing protocols, and a joint enforcement mechanism for serious criminal matters.

### 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. The Provisional Federal Constitution formally recognizes this tripartite arrangement. In practice, all three systems — and Al-Shabaab's fourth system — are simultaneously invoked in everyday dispute resolution.

Dimension	Xeer — Customary	Sharia — Islamic	Statutory — Formal
Community Trust	Very High	High	Low to Moderate
Speed	Fast — days to weeks	Moderate	Slow — months to years
Cost to User	None	None	High — fees and transport
Women's Access	Severely Restricted	Limited	Formally Equal (rarely enforced)
Geographic Reach	Universal — including rural	Universal	Urban centers only
Primary Case Types	Land, inter-clan, diya, marriage	Family, inheritance, divorce	Criminal, serious civil matters
Enforcement	Social pressure and diya	Moral obligation	Police, courts, prison
Documentation	Entirely oral	Increasingly documented	Paper-based, fragmented

The absence of structured coordination between these systems creates a 'jurisdiction hopping' dynamic: parties losing under Xeer appeal to formal courts; parties winning in formal courts cannot

enforce decisions in clan-contested cases. This prolongs disputes, escalates grievances, and erodes confidence in all systems simultaneously.

The Galmudug Ministry of Justice has introduced hybrid ADR mechanisms to bridge these systems. ADR centers in Abudwak and South Galkayo handled over 5,433 cases between 2019 and 2023 with women accounting for nearly half of justice seekers. Despite these gains, coordination across courts, police, and corrections remains largely dependent on external support.

### Digital Justice and Technology as a Reform Lever

GAP  
06

All five districts operate paper-based court systems with no digital case management, no secure archiving, and no case tracking infrastructure. ICT is referenced in the programme acronyms list but never examined as a reform tool. Evidence from comparable fragile contexts demonstrates that low-cost technology interventions can significantly improve justice delivery: SMS-based legal aid hotlines reduce procedural knowledge barriers; mobile court scheduling systems allow rural communities to plan attendance; digital documentation of Xeer agreements creates accountability and reduces forum-shopping; and e-case management systems reduce backlog and improve transparency. A phased ICT roadmap — beginning with case management in Dhusamareb and Galkayo, expanding to mobile legal aid across all five districts — should be integrated into the JJCP and JPP programme cycles.

## 11 | Xeer, Sharia, and Statutory Justice

### Xeer — Customary Justice

Xeer remains the most accessible and culturally embedded justice mechanism across Galmudug. As an oral system based on negotiated inter-clan 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 high compliance through social enforcement, particularly where formal institutions lack reach or capacity (Saferworld, 2020).

*“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.”*

— Maslax Macalin Cilmi, Secretary of Galkayo District (KII, HC Dialogue, 2025)

Despite its strengths, Xeer's justice outcomes tend to privilege collective settlement over individual rights, often marginalizing women, youth, and minority clans. The emphasis on compensation (diya) can dilute personal criminal accountability for serious offenses, reinforcing

perceptions of impunity. These limitations underscore the necessity of hybrid justice approaches that preserve Xeer's conflict-mitigation strengths while addressing structural exclusions (IDLO, 2020).

### Sharia — Religious Legitimacy

Sharia provides the moral and ethical foundation for Somalia's legal system under Article 2 of the PFC, which prohibits legislation contradicting Islamic principles. In Galmudug, Sharia is most prominently applied in family law — marriage, divorce, inheritance, and child custody — where religious norms are deeply embedded in everyday social relations.

*“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.”*

— Religious leader, Dhusamareb (FGD, HC Dialogue, 2025)

Community members in Dhusamareb and Guriel frequently seek religious scholars to resolve disputes not only for their religious standing, but because they are perceived as less susceptible to clan-based bias. For IDPs and economically vulnerable populations, Sharia's accessibility in familiar mosque settings makes it a trusted intermediary between customary and statutory systems. However, interpretations vary among scholars, and women's involvement is often mediated through male relatives, limiting their agency (Somali Public Agenda, 2024).

### Statutory Justice — Formal State

The statutory justice system — comprising courts, police, prosecution services, and correctional institutions — is the most recently institutionalized component of Galmudug's justice architecture. Its operational reach is concentrated primarily in Dhusamareb and Galkayo, where international support through the JJCP and JPP has rehabilitated infrastructure and trained personnel. Outside these urban hubs, statutory institutions face persistent constraints in staffing, mobility, and enforcement capacity.

The central challenge for the statutory system is asserting jurisdiction over serious crimes while coexisting with deeply embedded customary and religious systems. The Galmudug Ministry of Justice has attempted to bridge this gap through ADR centers, designed to channel minor cases away from overburdened courts while ensuring serious offenses are referred to formal judicial processes (UNDP, 2025).

## 12 | The Statutory Justice System

### 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 in Dhusamareb and Galkayo, and the Supreme Court as the highest appellate authority. District and regional courts operate with no more than five judges and two judicial assistants; Appeal Courts with three judges and two assistants. In Abudwak and Adado, 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 in Guriel and Abudwak as exposing the judiciary to political and clan-based influence. In land and inter-clan disputes, these perceptions significantly undermine confidence in judicial neutrality.

Court administration is entirely paper-based. Field observations confirmed that courts often lack secure filing systems, stable electricity, and basic office equipment. Electricity interruptions in Adado, Abudwak, and Guriel occasionally forced hearings to pause or relocate.

### Police, Prosecution, and Custodial Services

The Galmudug State Police Force (GSPF) has expanded to approximately 700 officers, largely through the JPP. The Joint Police Patrol Unit in Galkayo has contributed to improved urban security, but policing effectiveness remains uneven across all five districts. FGDs and KILs highlighted limited investigative training, absence of forensic tools, and weak coordination between police, prosecutors, and courts. Investigations frequently rely on confession-based rather than evidence-led practices, undermining due process and weakening prosecutorial case files.

The custodial system 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, detainees remained in custody despite delayed hearings or incomplete case files.

#### Corrections and Custodial System Assessment

The Somali custodial system faces severe challenges including a lack of qualified personnel, poor infrastructure, and weak accountability mechanisms that do not meet the UNODC Nelson Mandela Rules (UNSOM, 2024). In Galmudug, a new prison for Galkayo has been planned under the JJCP, yet no baseline assessment of current detention conditions exists across the five districts. Pre-trial detention is irregular, prolonged, and inadequately monitored. Rehabilitation programming is virtually absent. Female detainees and juvenile detainees in particular have no specialized facilities or procedures. This enhanced edition recommends: (1) a Galmudug Corrections Baseline Assessment applying the Mandela Rules as the evaluative framework; (2) a dedicated female and juvenile detention policy; (3) a structured court-custodial coordination protocol to eliminate unlawful prolonged detention; and (4) a psychosocial rehabilitation pilot for high-risk detainees modelled on the JJCP programme implemented in Baidoa.

GAP  
05

Institution	Capacity Level	Primary Constraint	Reform Priority
<b>District Courts</b>	Low — especially Abudwak/Adado	Understaffing, no digital systems, irregular sessions	Recruit judges; introduce e-case management
<b>Appeal Courts</b>	Moderate — Dhusamareb/Galkayo only	Limited reach, political appointment concerns	Strengthen independence; expand to other districts
<b>GSPF Police</b>	Low to Moderate	Confession-based investigations; limited mobility	Forensic training; vehicles; coordination protocols
<b>Prosecution</b>	Low	Poorly prepared case files; weak follow-through	Prosecutorial training; case management systems
<b>Custodial Corps</b>	Very Low	Minimal court coordination; irregular transfers	Corrections assessment; Mandela Rules baseline

## 13

### Institutional and Capacity Gaps In the Statutory Justice

#### Gaps in the Statutory Justice System

The formal justice system in Galmudug operates within a context of sustained institutional fragility. Although the 2023–2025 GSDP identifies justice sector reform as a strategic priority, a persistent disconnect exists between policy intent and operational performance. Statutory institutions are legally established across the state, yet function within weak administrative foundations, constrained territorial reach, limited resources, and complex political dynamics (GSDP, 2023; HC Dialogue, 2025).

01

#### Enforcement Deficit

Court decisions frequently go unenforced. Without reliable enforcement — police vehicles, political willingness, and coordination with the custodial corps — judicial rulings have no practical force. Communities that observe unenforced decisions quickly withdraw entirely from the formal system.

02

#### Institutional Distance

Justice institutions are perceived as physically remote, procedurally complex, and socially inaccessible — particularly for rural communities, women

		en, and IDPs. In Dhusamareb this is described as 'bunkerization': institutions that cannot be navigated without personal connections, financial resources, or legal knowledge.
<b>03</b>	<b>Resource Scarcity</b>	Courts without stable electricity, police without vehicles or forensic tools, and prosecutors preparing case files by hand represent fundamental failures of institutional resourcing — not inefficiencies to be managed through training alone.
<b>04</b>	<b>Political Interference</b>	Presidential appointment of judges, clan-influenced police deployments, and the instrumentalization of legal processes by powerful actors erode judicial independence. These patterns reflect a political economy in which key actors benefit from dysfunction.
<b>05</b>	<b>Fragmented Justice Chain</b>	The chain linking police, prosecution, courts, and corrections lacks functional coordination. Limited investigative capacity, reliance on confession-based policing, weak prosecutorial follow-through, and inconsistent enforcement of judicial decisions reduce deterrence and public confidence.
<b>06</b>	<b>Digital and Infrastructure Gap</b>	All five districts lack digital case management systems, secure document archiving, or case tracking tools. Courts rely entirely on paper records, making case management fragile, inefficient, and vulnerable to loss.

**GAP 04**

**Political Economy of Justice Dysfunction**

The original studies identify political interference as a challenge but does not examine who benefits from institutional dysfunction and why. A political economy analysis reveals five specific dynamics sustaining institutional weakness in Galmudug: (1) Judicial appointments as patronage — presidential appointment of judges provides a mechanism for rewarding political loyalty and maintaining leverage over court outcomes; (2) Elder authority and diya income — powerful clan elders derive authority and economic benefit from their role as primary dispute resolvers, creating rational incentives to resist formalization or regulation of Xeer; (3) Selective enforcement as elite tool — weak enforcement enables politically connected individuals to operate with impunity while legal processes can be deployed against opponents; (4) Fee income as informal economy — unofficial court filing fees constitute informal income for justice sector employees whose formal salaries are low or irregularly paid; (5) Donor dependency and reform theater — the availability of international funding creates incentives to perform reform activities without altering underlying power dynamics. Recommendations that do not account for these incentive structures will be absorbed without producing change. Reform design must explicitly map vested interests and include political engagement strategies alongside technical capacity building.

## 14

## Courts, Access, Equity, and Assessing Inst. Effectiveness

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

Rule of law effectiveness in Galmudug is sharply curtailed by systemic inequalities that disproportionately affect women, IDPs, youth, and minority clans. These inequities are structurally embedded within both formal and informal justice arrangements (IDLO, 2020).

### Women and Gender-Based Violence

Women face persistently high levels of SGBV, particularly within IDP settlements. 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 godob-reeb — where women are exchanged to settle disputes. Justice outcomes prioritize social stability over individual rights, reinforcing impunity and silencing survivors. Galmudug was the first Federal Member State to criminalize FGM (2024) — a meaningful legislative advance. However, enforcement remains critically weak, reflecting a persistent gap between progressive legal frameworks and lived realities (PeaceRep, 2025).

### Internally Displaced Persons (IDPs) and Housing, Land, and Property Rights

IDPs constitute approximately 44 percent of Galkayo's population and 31 percent of Hobyo's. Across Galmudug, an estimated 75 percent of IDP households are female-headed. These households face heightened exposure to property disputes, forced evictions, and sexual exploitation. Lacking strong clan affiliations, IDPs — especially from minority clans — are sidelined in both statutory and customary decision-making processes (MoPIED, 2024; PMC, 2022).

#### Land, Housing, and Property Rights Justice

Land is the single most frequent driver of disputes, IDP vulnerability, and inter-clan violence across Galmudug — Over 400 thousand displaced in Galmudug live in informal settlements, at National level over 81 percent of which are on private land, making forced evictions a chronic reality. HLP challenges are compounded by the pluralistic legal system — Xeer, Sharia, and statutory law have overlapping and often contradictory land jurisdiction claims, with no cadastral system or land registry in any of the five districts. Counterfeit land documentation is systematically weaponized against IDPs and minority clan members by dominant clan actors, with deliberate procedural delays designed to exhaust claimants. No land justice mechanism exists across the five assessed districts. This enhanced edition recommends: (1) a dedicated land justice module within the ADR center framework, with specific capacity to handle IDP eviction cases and counterfeit documentation challenges; (2) partnership with NRC and UNHCR to develop a community land documentation programme in Galkayo and Dhusamareb; (3) development of a Galmudug HLP rights policy aligned with the National Eviction Guidelines (2019) and Durable Solutions Strategy; and (4) training of ADR adjudicators in HLP rights standards.

GAP  
02

## Youth, Juvenile Justice, and the AS Recruitment Nexus

Youth, despite constituting the demographic majority, are largely excluded from justice dialogues dominated by senior male elders. 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 (EUAA, 2025).

### Youth and Juvenile Justice: A System That Does Not Exist

GAP  
03

Somalia has no functional juvenile justice system in any Federal Member State meeting international standards. In Galmudug, juvenile offenders are processed through adult courts or released informally through clan negotiation — with no diversion programmes, no age-appropriate procedures, and no rehabilitation pathways. The JJCP has identified juvenile justice as a training priority for the Custodial Corps, yet no juvenile-specific facilities or procedures exist in the five assessed districts. This gap has a direct Al-Shabaab recruitment dimension: AS messaging to youth in Guriel, Abudwak, and peri-urban Galkayo specifically emphasizes injustice and power abuse, with research indicating that two-thirds of recruited AS members cite clan discrimination, government corruption, or economic marginalization as their primary motivation. Creating a credible and accessible juvenile justice system — with diversion, rehabilitation, and community-based alternatives to detention — is simultaneously a juvenile rights obligation and a counter-recruitment strategy. This enhanced edition recommends: (1) a Galmudug Juvenile Justice Procedure Manual, establishing minimum age-appropriate procedures and diversion pathways for first-time juvenile offenders across all five district courts; (2) a youth-community mediation pilot programme in Guriel and Abudwak, linking at-risk youth with trained mediators and economic opportunity programming; and (3) integration of juvenile justice training into all GSPF and Custodial Corps capacity building activities under JPP Phase II.



#### Measurable Progress

*Targeted inclusive justice programmers in Galmudug reached over 41,000 citizens, with women accounting for approximately 56 percent of beneficiaries. This demonstrates that equitable and accessible justice delivery is achievable when institutional design intentionally prioritizes inclusion (UN Somalia, 2025).*

## 15

## Assessing Institutional Effectiveness: Cross-District Analysis

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

Communities across Dhusamareb, Galkayo, Abudwak, Adado, and Guriel routinely navigate between statutory, Xeer, Sharia, and — in some peri-urban areas — AS systems based on accessibility, speed, perceived fairness, and enforceability. This reflects a pragmatic response to institutional constraints, not a rejection of state authority.

### Institutional Presence Does Not Equal Institutional Effectiveness

Statutory courts and police are formally present across all five districts, yet operational effectiveness varies substantially. In Galkayo (South), fragmented governance limits jurisdictional reach and enforcement authority. In Dhusamareb, higher institutional density has not translated into effective access. In Abudwak, Adado, and Guriel, chronic staffing shortages and underdeveloped infrastructure restrict institutional reach. The justice chain — linking policing, prosecution, adjudication, and custodial services — remains fragmented across all districts.

### Policing: Reactive Engagement and Capacity Constraints

Policing across Galmudug remains largely reactive. Field data show that police interventions typically occur after disputes or violence have already escalated, rather than through preventive or intelligence-led approaches. This was evident during the *Xananbuure* conflict in Dhusamareb, where police engagement focused on containment rather than early de-escalation. A positive innovation is the introduction of Heart Coherence and Non-Violent Communication (NVC) training for police and correctional staff across Galmudug.

### Access to Justice Remains Unequal

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

# 16 | 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, Sharia, and Al-Shabaab's shadow courts intersect, overlap, and compete.

Formal justice institutions remain constrained by limited enforcement capacity, procedural barriers, weak public trust, and a political economy that sustains dysfunction. 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. Land disputes, juvenile justice, and the AS legitimacy challenge remain critically unaddressed.

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. Without an M&E framework, these improvements cannot be tracked, measured, or held accountable.

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

R—  
1

Strengthen enforcement and institutional credibility. Invest in police mobility, investigative skills, and court-police coordination. Judicial decisions must be enforceable to rebuild public confidence. Without enforcement, every other institutional improvement is undermined at the point of delivery.

R—  
2

Institutionalize hybrid justice mechanisms. Expand and formalize ADR centers as structured interfaces between customary, religious, and statutory systems, with clear referral pathways for serious crimes. Establish ADR centers in Adado and Guriel as immediate priorities.

R—  
3

Establish a land justice mechanism in all five districts. Develop HLP-focused ADR capacity, community land documentation programmes, and training for ADR

adjudicators in land rights standards. Address counterfeit documentation practices through a dedicated legal aid service for IDP claimants.

R—  
4

Promote gender-responsive justice. Increase women's participation across all justice institutions. Reduce procedural and financial barriers. Establish SGBV case tracking registers in all five district courts. Develop an enforcement implementation plan for Galmudug's 2024 FGM prohibition.

R—  
5

Develop a juvenile justice system. Issue a Galmudug Juvenile Justice Procedure Manual. Establish diversion pathways for first-time juvenile offenders. Launch youth-community mediation pilots in Guriel and Abudwak as a counter-AS recruitment measure.

R—  
6

Address the political economy of dysfunction. Design reforms that explicitly map vested interests and include political engagement strategies alongside technical capacity building. Judicial appointment reform, fee structure transparency, and institutional accountability mechanisms must be prioritized.

R—  
7

Conduct a Galmudug Corrections Baseline Assessment. Apply UNODC Nelson Mandela Rules as the evaluative framework. Establish structured court-custodial coordination protocols. Pilot psychosocial rehabilitation for high-risk detainees. Develop female and juvenile detention policies.

R—  
8

Invest in digital justice infrastructure. Implement e-case management systems in Dhusamareb and Galkayo courts as a first phase. Launch SMS legal aid hotlines across all five districts. Introduce digital documentation of Xeer agreements through ADR centers.

R—  
9

Establish an inter-administration justice coordination mechanism for Galkayo. Create a Galkayo Justice Coordination Committee with Galmudug and Puntland representation, a cross-boundary mediation register, and joint evidence-sharing protocols.

R—  
10

Develop a comprehensive M&E framework for all recommendations

**R—  
11**

Officially recognize Xeer and invest in its capacity as a state-supported justice mechanism. The Galmudug Ministry of Justice, with donor support, should: (i) formally acknowledge Xeer as a legitimate component of the justice architecture within the state's legal framework; (ii) design and deliver a structured training curriculum for customary elders covering human rights standards, SGBV case handling, referral protocols for serious crimes, basic documentation practices, and the rights of women, youth, and minority clans; (iii) provide ADR centers with dedicated Xeer liaison roles, ensuring documented case registration and functional referral pathways to district courts; (iv) establish a Customary Justice Support Fund — financed jointly by the state and donors — to provide transport allowances, meeting facilities, and operational grants to community justice forums, especially in rural Abudwak, Adado, and Guriel where formal institutions have no meaningful reach. This investment is not a substitute for building formal courts — it is the foundation of a coordinated justice ecosystem that communities will actually use.

**R—  
12**

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

### Summary Data Tables

#### Justice Sector Programmers and Interventions in Galmudug:

Programme / Project	Implementers	Focus Areas	Key Output in Galmudug
<b>Joint Justice and Corrections Programme (JJCP)</b>	UNDP, UNSOM, UNODC	Justice reform, corrections, ADR	ADR centers; corrections model; justice strategy
<b>Joint Police Programme (JPP)</b>	UNDP, UNPOL	Police training and infrastructure	ICT equipment; furnished police stations; GSPF training
<b>Somali Urban Resilience Project II (SURP-II)</b>	World Bank	Urban governance and resilience	Dhusamareb urban infrastructure and Resettlement Action Plan
<b>Talo Wadaag</b>	Interpeace, SPA	Reconciliation and state formation	District-level reconciliation dialogues
<b>ADR Somalia</b>	IDLO	Customary justice integration	5,433 cases managed (2019–2023); 22% women adjudicators

<b>Women Peace and Protection Joint Programme</b>	UNDP, UN Women	SGBV response; women's justice access	Female police officers; SGBV legal aid
<b>Preventing Violent Extremism and Crime (PVEC)</b>	UNDP, MERA	Counter-extremism; community justice	Guriel and Abudwak community justice programming

### Justice Sector Performance Metrics:

Indicator	Value	Context
<b>Criminal Case Disposition Rate</b>	68% (of 6,114 cases)	Efficiency of federal and state courts nationally
<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 in Galmudug
<b>ADR Service Satisfaction</b>	8.2 / 10	User feedback on ADR effectiveness
<b>Women in ADR (Users)</b>	50%	Share of women seeking justice via ADR
<b>Women Adjudicators in ADR</b>	22%	Female representation on ADR panels
<b>IDP Households — Female-Headed</b>	~75%	Galmudug-wide estimate; source: MoPIED, 2024
<b>Land Disputes Reaching Formal Courts</b>	~20%	Estimated; 80% estimated to go to informal/shadow systems

### District Council Formation and Governance Gaps:

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

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