

**POLICE ACTIVITIES AND HUMAN RIGHTS PROTECTINO IN HARGEISA
SOMALILAND**

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Master of Arts in Human Rights and Development

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DECLARATION A

"This thesis is my original work and has not been presented for a degree or any other academic award in any university or institution of learning".

Name and Signature of Candidate

Date

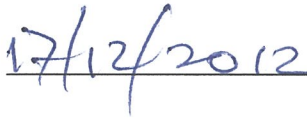
DECLARATION B

"We confirm that the work reported in this thesis was carried out by the candidate under our supervision".



Name and Signature of Supervisor

Name and Signature of Supervisor



Date

Date

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I am thanking to the one above all of us (Allah), for giving me the strength and ability to continue and conclude this study despite my constitution wanting to give up.

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ABSTRACT

The study intended to establish the relationship between police activities and human rights protection in Hargeisa, Somaliland, using descriptive and correlational designs. The first major objective of this study was to establish the demographic characteristics of respondents in which the study indicates that male dominate (59.6%) female (40.4%), the study also revealed that 54.1% which is the very majority of the respondents in the sample were aged below 30 years; 30.3% were 31-40 years old; 12.8% were aged 41-50; while 2.8% were 51 and above years old. the majority of the respondent are bachelors degree holders with 18.3% followed by diploma 14.7%, and those with masters degree constitutes 13.8%. Most of the respondents as table 4 indicate worked as police officers with 53.2% while the rest were the community with 46.8%. In the second objective, the study shows that, on the overall, the level of police activities (as to: torture, cruel, inhuman or degrading treatment and torture justification, arbitrary arrest and presumed innocence) is fair (grand mean = 2.31) and in third objective the study indicates that the level of human rights protection was found to be fair (grand mean = 2.51). The last objective of the study was to determine whether there is a significant relationship between the level of police activities and level of human rights protection in Hargeisa, Somaliland. The study uses Pearson Linear Correlation Coefficient to measure and describe the relationship between the two variables of the study and to test the null hypothesis. The study also uses regression analysis to rank the effect of the two police activities (torture and arbitrary arrest). The level of police activities was found to be positively and significantly correlated with the level human rights protection (sig. < 0.05 and r-value = 0. .371). It recommends that there is need to create the "inner belief" of the police related to the commitment of a crime or an offense based solely on objective facts or information, to respect the legally established assumption for the innocence of the person arrested or suspected, to respect the laws and rules regarding the attitude towards the arrested persons, suspects or witnesses when carrying out interrogations and taking explanations from the citizens, to protect all persons from discrimination based on religious, ethnic or social criteria, Correct training will lead to a clear awareness of the fact that aggression and confrontation in police work is not the most direct way to truth and justice, nor the way that leads to the best possible result in a specific situation. Police should apply ***the principle of none-discrimination*** which implies that human rights should not be restricted regarding certain individuals, and that there should be cooperation in order to avoid discrimination.

TABLE OF CONTENTS

Preliminaries

Declaration A	ii
Declaration B	ii
Acknowledgement	iii
Abstract	iv

Chapter	Page
---------	------

One	THE PROBLEM AND ITS SCOPE
-----	----------------------------------

Background of the Study	1
Statement of the Problem	4
Purpose of the Study	5
Research Objectives	5
Research Questions	6
Null Hypotheses	6
Scope	6
Significance of the Study	7
Operational Definitions of Key Terms	8

Two	REVIEW OF RELATED LITERATURE
-----	-------------------------------------

Introduction	9
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	Concepts, Ideas, Opinions from Authors/Experts	9
	Theoretical Perspectives	17
	Related Studies	17
Three	METHODOLOGIES	
	Research Design	23
	Research Population	23
	Sample Size	23
	Sampling Procedure	24
	Research Instruments	24
	Validity and Reliability of the Instrument	25
	Data Gathering Procedures	26
	Data Analysis	26
	Ethical Considerations	27
	Limitations of the Study	28
Four	PRESENTATION, INTERPRETATION AND ANALYSIS OF RESULTS	
	Profile of Respondents	29
	Level of police activities	32
	Level of human rights protection	35
	Relationship Between the level of police activities and human rights protection	36
	Regression Analysis for level of police activities and human rights protection	38
Five	FINDINGS, CONCLUSIONS AND RECOMMENDATIONS	
	Summary of Findings	39

Level of respondents	39
level of internal control systems	40
level of Accountability	41
Relationship Between the level of ICSs and Accountability	41
Conclusions	42
Recommendations	43
Suggested Areas for Further Research	44
References	45
Appendices	
Appendix IA Transmittal Letter	48
Appendix 1B Transmittal Letter for Respondents	49
Appendix II Clearance from Ethics Committee	50
Appendix III Informed Consent	51
Appendix IVA Face Sheet: Profile of Respondents	52
Appendix 1VB Questionnaire to determine the level of police activities	53
Appendix 1VC Questionnaire to determine the level of Human rights protection	54
Researcher's Curriculum Vitae	55

LIST OF TABLES

Table	Page
1. Respondents of the Study	23
2. Computation of Validity	24
3. Computation of reliability	25
4. Profile of respondents	30
5A. the level of police activities in terms of torture	32
5B. the level of police activities in terms of arbitrary arrest	33
6. The level of human rights protection	35
7. Correlation for Scores in the level of police activities and Human rights protection	37
8. Regression Analysis for level of police activities and Human rights protection	38

CHAPTER ONE

THE PROBLEM AND ITS SCOPE

Background

The standards on human rights are not a far-fetched concept in our reality but a part of the interior legislation of each member and non member state of the UN, including the Republic of Somaliland as set out in the constitution Article 10 (Foreign Relations)

1. The Republic of Somaliland shall observe all treaties and agreements entered into by the former state of Somalia with foreign countries or corporations provided that these do not conflict with the interests and concerns of the Republic of Somaliland.
2. The Republic of Somaliland recognizes and shall act in conformity with the United Nations Charter and with international law, and shall respect the Universal Declaration of Human Rights.

The idea of human rights protection emerged stronger after World War II. Before the two wars came on the scene, Adolf Hitler 1933 became the chancellor of Germany and came up with a fixation which in his book "Mein Kampf" of two categories of top races vs. the lower races, which were the Jews followed by some others of Africans, because this was his conception, he went into persecuting and punishing the lower races, many human beings were used for forced labor, experiment and many were also killed. The extermination by Nazi Germany of over six million Jews, Sinti and Romani (gypsies), homosexuals, and persons with disabilities horrified the world. Trials were held in Nuremberg and Tokyo after World War II, and officials from the defeated countries were punished for committing war crimes, "crimes against peace," and "crimes against humanity.", for him he lost the war but his misdeeds stuck in the minds of those who had conquered him and became one of the major principles on what the new world was to be constructed. (A.G.G. Gingyera-pinycwa, 2010).

Governments then committed themselves to establishing the United Nations, with the primary goal of bolstering international peace and preventing conflict. People wanted to ensure that never again would anyone be unjustly denied life, freedom, food,

shelter, and nationality. The essence of these emerging human rights principles was captured in President Franklin Delano Roosevelt's 1941 State of the Union Address when he spoke of a world founded on four essential freedoms: freedom of speech and religion and freedom from want and fear. The calls came from across the globe for human rights standards to protect citizens from abuses by their governments, standards against which nations could be held accountable for the treatment of those living within their borders. These voices played a critical role in the San Francisco meeting that drafted the *United Nations Charter* in 1945, in the charter of United Nations we see their efforts that contained outlines of how it was to be constructed, they took human rights seriously thus it is assertions being made about human rights. (Nancy Flowers, 1990)

Police officers must implement the law and human rights observance should always be among the priorities when performing particular police actions. Police officers have to be aware that any breach of law performed by them with respect to citizens during execution of their official duties constitutes a violation of human rights too. In such cases, besides the responsibility borne by police officer, the affected person also becomes entitled to receive compensation from the state.

Human rights violation which is the Dependent Variable (DV) in my study occurs when actions by state (or non-state) actors' abuse, ignore, or deny basic human rights (including civil, political, cultural, social, and economic rights). Furthermore, violations of human rights can occur when any state or non-state actor breaches any part of the UDHR treaty or other international human rights or humanitarian law. In regard to human rights violations of United Nations laws, Article 39 of the United Nations Charter designates the UN Security Council (or an appointed authority) as the only tribunal that may determine UN human rights violations. (Beitz, Charles R, 2009)

Police which is the Independent Variable (IV) in my study is the governmental department charged with the regulation and control of the affairs of a community, now chiefly the department established to maintain order, enforce the law, and prevent and

detect crime. A body of persons making up such a department trained in methods of law enforcement and crime prevention and detection and authorized to maintain the peace, safety, and order of the community.

Human rights advocates agree that, so many years after its issue, the Universal Declaration of Human Rights is still more a dream than reality. Violations exist in every part of the world. For example, Amnesty International's 2009 World Report and other sources show that individuals are: Tortured or abused in at least 81 countries. Face unfair trials in at least 54 countries. Restricted in their freedom of expression in at least 77 countries, Not only that, but women and children in particular are marginalized in numerous ways, the press is not free in many countries, and dissenters are silenced, too often permanently. While some gains have been made over the course of the last six decades, human rights violations still plague the world today. In Brazil in 2007, according to official figures, police killed at least 1,260 individuals—the highest total to date. All incidents were officially labeled "acts of resistance" and received little or no investigation. In 2008, US authorities continued to hold 270 prisoners in Guantánamo Bay, Cuba, without charge or trial, subjecting them to "water-boarding," torture that simulates drowning. Former-President George W. Bush authorized the CIA to continue secret detention and interrogation, despite its violation of international law.

In Kenya, authorities violated international refugee law when they closed the border to thousands of people fleeing armed conflict in Somalia. Asylum-seekers were illegally detained at the Kenyan border without charge or trial and forcibly returned to Somalia.

In Somaliland, the constitution sets out a number of fundamental rights for citizens including Political, Economic, Social and Electoral Rights (Article 22), Freedom of Movement and Association (Article 23), The Right to Life, Security of the Person, Respect for Reputation and Crimes against Human Rights (Article 24), The Right to Liberty, Guarantees and the Conditions of Rights and Freedoms (Article 25), The Rights of Persons Deprived of their Liberty (Article 27), Right to Sue and Defend (Article 28),

The Sanctity of the Home (Article 29), Freedom of Public Demonstration, Expression of Opinion, Press and other Media (Article 32).

since Somaliland had a government ruling all over the country, the police doesn't directly infringes the human rights by kidnappings or committing human rights abuses directed against citizens, but in one way or another still the arbitrary arrest, imprisoning people without good reason, and keeping people in prisons more than 48 hours without trial is common and prison conditions are so poor and dangerous. (Bureau of Democracy, 2003)

Statement of the Problem

Human rights violations and the trauma that results from these violations often leads to new human rights violations and infringements, as conflict, intensities, hatred accumulates, and makes restoration of peace more difficult, many believe that the protection of human rights is "essential to the sustainable achievement of the three agreed global priorities of "peace, development and democracy" and violation of human rights constitutes a constrain to achieve these global priorities.

Human rights violations are usually caused by the police. One of the main functions of the police is to defend human rights. They do so by maintaining public order and by providing all members of society with the opportunity to exert their rights. In addition, each police officer is obliged to observe all the rules relating to human rights and fundamental freedoms as strictly as possible while performing his or her legal duties. Effective police operations involve the performance of police functions in such a way that they do not infringe upon human rights. (Robertson, Arthur Henry, 1996)

Article 124 of Somaliland constitution states that

1. The Police Force shall be responsible for protecting the peace and for enforcing the law, and its structure and duties shall be set out by law.
2. The Corrections Force shall be responsible for guarding and reforming prisoners and its structure and duties shall be set out by law.

Despite of this, The Police infringe and violate the human rights by means of torture, arbitrary arrest and arresting people without good of sufficient reasons, discriminations in terms of political opinions and of being a member of a particular group or ethnic, in which the negative effects or the victims are persons who individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss, or substantial impairment of their fundamental rights.. (Felipe Isa, Adam Gearey 2006).

So this study is undertaken by the researcher to determine and assess the level of police activities in obeying, respecting, promoting and protecting the international and national human rights principles and laws in Hargeisa, Somaliland.

Purpose of the Study

The purpose of the study aimed at strength and weaknesses of level of police activities in human rights protection, also the study aimed at identifying gaps of police activities in the protection and promotion of human rights; moreover the study aimed to contribute the knowledge generation.

Research Objectives

General objective

To determine the correlation between police activities and human rights protection

Specific Objectives

- I. To determine the profile characteristics of respondents in terms of
 - a) Community (Age, Gender, Education Level, Profession)
 - b) Police (Age, Gender, Education Level, Years Worked as Police, Sector)
- II. To determine the level of police activities on human rights protection in Hargeisa, Somaliland.
- III. To determine the level of human rights protection in Hargeisa, Somaliland.

- IV. To determine if there is a significant relationship between the level of police activities and human rights protection in Hargeisa, Somaliland.

Research Questions

- i. What are the profile characteristics of respondents in terms of
 - c) Community (Age, Gender, Education Level, Profession)
 - d) Police (Age, Gender, Education Level, Years Worked as Police, Sector)
- ii. What is the level of police activities in protecting human rights in Hargeisa, Somaliland?
- iii. What is the level of human rights protection in Hargeisa, Somaliland?
- iv. Is there a significant relationship in the level of police activities and human rights protection in Hargeisa, Somaliland?

Hypothesis

There is no significant difference in the level of police activities and human rights protection according to their profile characteristics of respondents.

There is no significant relationship between the level of police activities and human rights protection in Hargeisa, Somaliland.

Scope of the study

Theoretical scope

This study is based on the interest theory, proposed by John Finnis (1980), cited in Freeman Michael (2002), According to the theory the principal function of human rights is to protect and promote certain essential human interests. Securing human beings' essential interests is the principal ground upon which human rights may be morally justified, this theory relates to this study that the principal function of human rights in this theory is to protect and promote and secure human beings interests.

Geographical scope

This study was carried out in the capital city of Hargeisa Somaliland; it was conducted within the community respondents looking at different aspects such as (Business men, students, elders, and women). On the other hand the researcher conducted study with police respondents looking at different aspects such as (Rank, sectors, police station).

This study investigated the level of police activities and human rights protection in different institutions in Hargeisa, since it is the capital city of Somaliland, where most public and private institutions concentrate and base their services.

Content scope

The study examined the level of police activities in human rights protection; on the other hand the study examined the level of police activities and the level of human rights protection in Hargeisa, Somaliland.

Time scope

This study was conducted between March, 2012 and October 2012. Since the study was correlation design, data collection from the field took place between May 2012 and August 2012, after which the dissertation was compiled.

Significance of the study

The researcher will explore the role of police activities in protecting human rights.

The beneficiaries of this study will include the following

Somaliland Government: the government will use this study as a base for the accountability of police in protecting human rights.

Local communities: they will use this study to discover the role of police in human rights protection.

The academicians: the academicians will use the information provided in this study to get more information from this field and further encouragement to undertake more studies, academicians will also benefit from the findings of this study by getting the empirical evidences about the role of police in human rights protection.

International and local organizations: will use the standards and the formula that the study will discover about the police and its role in human rights protection in Somaliland.

The future researchers: will utilize the findings of this study to embark on a related study.

Operational Definitions of Key Terms

Demographic characteristics of the respondents are attributes looked for in this study in terms of age, gender, profession, level of education, experience.

Police is the governmental department charged with the duty of protecting the peace, safety, and order of the community, enforcing the law, and crime prevention and detection, and authorized to guard and reform prisoners.

Human Rights Protection is the Prevention of Human Rights violations which occur when actions by state (or non-state) actors' abuse, ignore, or deny basic and fundamental human rights.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

Concepts, Opinions, Ideas from Authors/ Experts

Police

According to Michael M Wechsler (1994) the officers who are appointed to the maintenance of public tranquility among the citizens are called police; the word police have three significations namely:

The first relates to measures which are adopted to keep order, the laws, and ordinances on cleanliness.

The second has for its object to procure to the authorities the means of detecting even smallest attempts to commit crime, in order that the guilty may be arrested before their plans are carried into execution, and delivered over to the justice of the country

This one comprehends the laws, ordinances and other measures which require the citizens to exercise their rights in a particular form.

One of the main functions of the police is to defend human rights. They do so by maintaining public order and by providing all members of society with the opportunity to exert their rights. In addition, each police officer is obliged to observe all the rules relating to human rights and fundamental freedoms as strictly as possible while performing his or her legal duties. Effective police operations involve the performance of police functions in such a way that they do not infringe upon human rights.

Today, we live in a dynamically changing world in which the police cannot remain in the backwaters of public development. Public expectations of police work have changed radically. People hope that they will be provided with a more efficient service, but that this will not infringe upon their legal rights and interests.

Each unlawful police action leads to a loss of public support, which sharply reduces the efficiency of efforts to reduce crime.

The standards on human rights are not a far-fetched concept in our reality but a part of the interior legislation of each state. Police officers must implement the law and human

rights observance should always be among the priorities when performing particular police actions.

Police officers have to be aware that any breach of law performed by them with respect to citizens during execution of their official duties constitutes a violation of human rights too. In such cases, besides the responsibility born by police officer, the affected person also becomes entitled to receive compensation from the state.

According to (Christina Dilova, et al, 2006) in order not to admit such cases, the police officers have to observe the following rules in their routine practice:

- They have to use force and firearms only as the last resort when there is no alternative way to perform the tasks assigned.

- To use force and firearms only subject to strict compliance with legal and sub-legal (if any) requirements related to this issue.

- To be aware that they are obliged not to obey any orders and instructions aimed at torture and maltreatment.

- To create their "inner belief" related to the commitment of a crime or an offense based solely on objective facts or information.

- To respect the legally established assumption for the innocence of the person arrested or suspected.

- To respect the laws and rules regarding the attitude towards the arrested persons, suspects or witnesses when carrying out interrogations and taking explanations from the citizens.

- To keep the confidentiality of all information obtained with reference to the performance of their functions, save when otherwise is required by justice.

- To keep secret the information related to the personal life of citizens and to avoid and prevent the dissemination of such information for unauthorized purposes.

- To obey the legal regulations when performing searches, inspection of premises, phone tapping or checks of correspondence.

- To protect all persons from discrimination based on religious, ethnic or social criteria.

To fill in and keep in an accurate and correct way all data, registers, lists and other documents required for performance of their duties.

The above-mentioned rules are a guarantee for impartiality in the actions of police officers. Impartiality is a sign of police professionalism. Often, the police officer is subject to pressure both by his or her chief and by the public (especially when investigating crimes of substantial public resonance). Such pressure is capable of distorting the concept of professionalism and of prompting the officer to illegal acts. In such a moment, it is his training and experience that will help him or her to act in an impartial and professional way.

Observance of human rights is a basic requirement when performing police activities. In this respect, the nature of the individual police officer is of great importance. Respect and recognition of the personality of individual members of society is one of the most important criteria for selection of police officers. This has to do with the fact that no one can expect observance of human rights from people who do not include respect of others and recognition of the other's personality in their value system. The important part played by the managerial staff of police consists in the prevention of such people entering the police system. With no qualitative selection of the applicants for such works no efficiency of their future activity could be achieved.

In recent years, the developed police systems around the world have shown that the extent of efficiency is higher proportionately to the extent of correspondence between the social and ethnic structure of police and the social and ethnic structure of society. Achieving such a structure should be a basic priority for the personnel system. Police acts are most effective and are in greatest harmony with human rights when its officers come from the same social and ethnic groups as the potential subjects of police interference. It is necessary to break the stale conventions and to create more favorable conditions for employment of applicants from the minorities in the areas of mixed ethnic population.

The new priorities to the profession of police officer require a change in the training of newly admitted and existing police officers. International law and the

standards of human rights are developing dynamically and the solution could therefore be an adequate training of all police officers.

Police officers may respect and protect human rights only if they are well acquainted with them. Otherwise, their only value will be on paper instead of in real life. (Christina Diloova et al, 2006)

Most people have heard the argument that respect for human rights is somehow opposed to effective law enforcement. And effective law enforcement means to capture the criminal. And to secure his conviction, it is necessary to "bend the rules" a little. A tendency to use overwhelming force in controlling demonstrations, physical pressure to extract information from detainees, or excessive force to secure an arrest can be observed now and then. In this way of thinking, law enforcement is a war against crime, and human rights are merely obstacles thrown in the path of the police by lawyers and NGOs.

According to (Christina Diloova, et al, 2006) in fact, violations of human rights by police only make the already challenging task of law enforcement more difficult. When the law enforcer becomes the lawbreaker, the result is an assault on human dignity, on the law itself and on all institutions of public authority. The effects of police human rights violations are multi-fold:

- They erode public confidence

- They hamper effective prosecutions in court

- They isolate the police from the community

- They result in the guilty avoiding sentence, and the innocent being punished

- They force police agencies to be reactive, rather than preventive in their approach to crime.

- They bring agents and institutions of public authority into disrepute.

- They exacerbate civil unrest

Respect for human rights by law enforcement agencies actually enhances the effectiveness of those agencies. Where human rights are systematically respected, police officers have developed professionalism in their approaches to solving and

preventing crime and maintaining public order. In this sense, respect for human rights by police is, in addition to being a moral, legal and ethical imperative, also a practical requirement for law enforcement. When the police are seen to respect, uphold and defend human rights:

Public confidence is built and community cooperation fostered.

Legal prosecutions are successful in court.

Police are seen as part of the community, performing a valuable social function.

The fair administration of justice is served, and, consequently, confidence in the system.

An example is set for respect for the law by others in the society.

Police are able to be closer to the community, and, therefore, in a position to prevent and solve crimes through proactive policing.

Support is elicited from the media, from the international community, and from higher authorities.

A contribution is made to the peaceful resolution of conflicts and complaints.

An effective police service is one that serves as the first line of defense in the protection of human rights. Its members carry out their work in a way, which does not rely upon fear and raw power but on the contrary on the regard for the law, honor, and professionalism. (Skopje, et al, 2002)

Human Rights Protection

According to (Antony Lewis, 2008) human rights protection is the activity to protect/defense infringement/violation of the basic rights or freedoms to which all human beings are entitled by eliminating any kind of government exercise to interfere. (Including rights to life and liberty as well as freedom of thought and expression and equality before the law). According to (Antonio Cassese, 1990), to protect human rights is to ensure that people receive some degree of decent, humane treatment. Because political systems that protect human rights are thought to reduce the threat of

world conflict, all nations have a stake in promoting worldwide respect for human rights.

According to (Michelle Maiese, 2004), while human rights are not always interpreted similarly across societies, these norms nonetheless form a common human rights vocabulary in which the claims of various cultures can be articulated. The widespread ratification of international human rights agreements such as the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights is taken as evidence that these are widely shared values. Having human rights norms in place imposes certain requirements on governments and legitimizes the complaints of individuals in those cases where fundamental rights and freedoms are not respected. Such norms constitute a standard for the conduct of government and the administration of force. They can be used as "universal, non-discriminatory standards" for formulating or criticizing law and act as guidelines for proper conduct.

According to (Antonio Cassese, 1990), many conflicts are sparked by a failure to protect human rights, and the trauma that results from severe human rights violations often leads to new human rights violations. As conflict intensifies, hatred accumulates and makes restoration of peace more difficult. In order to stop this cycle of violence, states must institute policies aimed at human rights protection. Respect for human rights has therefore become an integral part of international law and foreign policy. The specific goal of expanding such rights is to "increase safeguards for the dignity of the person. Despite what resembles a widespread consensus on the importance of human rights and the expansion of international treaties on such matters, the protection of human rights still often leaves much to be desired. Although international organizations have been created or utilized to embody these values, there is little to enforce the commitments states have made to human rights. Military intervention is a rare occurrence. Sanctions have a spotty track record of effectiveness. Although not to be dismissed as insignificant, often the only consequence for failing to protect human rights is "naming and shaming.

According to (Don Hubert and Thomas G. Weiss et al, 2001), Responsibility to protect human rights resides first and foremost with the states themselves. However, in many cases public authorities and government officials institute policies that violate basic human rights. Such abuses of power by political leaders and state authorities have devastating effects, including genocide, war crimes, torture and crimes against humanity. What can be done to safeguard human rights when those in power are responsible for human rights violations?

Torture

Torture is expressly forbidden in all circumstance, without exception, under the terms of international human rights law, despite the ratification by over 145 states of the convention against torture, it remains still widespread. Torture is most likely to occur in place of detention or incarceration; typically torturers are agents of the state (Police).

UN convention against torture and other cruel, inhuman or degrading treatment, 1948, article 1 state. Torture mean any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information, or confession, punishing him for an act he or a third person has committed or is suspected of having committed, where such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

Somaliland constitution prohibits torture, other cruel, or in human degrading treatment in Article 24: The Right to Life, Security of the Person, Respect for Reputation and Crimes against Human Rights

2. Every person shall have the right to security of his person. Physical punishment and any other injury to the person is prohibited.
3. Every person shall have the right to have his dignity, reputation and private life respected.

4. Crimes against human rights such as torture, extra-judicial killings, mutilation and other similar acts shall have no limitation periods.

Article 26: Crime and Punishment expands on

1. Crimes and (their) punishment shall be laid down by the law, and no punishment shall be administered in a manner which is contrary to the law.

2. The liability for the punishment of any crime shall be confined to the offender only.

According to the UN convention against torture and other cruel, inhuman or degrading treatment, 1948, *Article 2*

1. Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.

2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.

3. An order from a superior officer or a public authority may not be invoked as a justification of torture.

Arbitrary Detention

One of the principal powers of any states is the capacity to detain and imprison people, but some use unfair and arbitrary detention as means of political control. The international covenant on civil and political rights, 1966, article 9 states. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such ground and in accordance with such procedure as are established by law.

Article 25 (The Right to Liberty, Guarantees and the Conditions of Rights and Freedoms) of the Somaliland constitution provides that

1. No person shall be deprived of his liberty except in accordance with the law.

2. No person may be arrested, searched, or detained, except when caught in flagrante delicto, or on the issue of a reasoned arrest warrant by a competent judge.

Article 27 (The Rights of Persons Deprived of their Liberty)

1. Any person who is deprived of his liberty has a right to meet as soon as possible his legal representative, relatives or any other persons he asks for.
2. Any person who is deprived of his liberty because of alleged criminal offences shall have the right to be brought before a court within 48 (forty eight) hours of his arrest.
3. No person shall be compelled to proffer a confession, a witness statement or testimony under oath. Any such matters (evidence) obtained under duress shall be void.
4. No person shall be detained in a place which is not determined by law.
5. The law shall lay down the maximum period in which a person can be detained in custody pending.

According to the UN convention against torture and other cruel, inhuman or degrading treatment, 1948, *Article 16*

1. Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article 1, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles 10, 11, 12 and 13 shall apply with the substitution for references to torture of references to other forms of cruel, inhuman or degrading treatment or punishment.

Arbitrary detention may be one of these forms of cruel, inhuman or degrading treatment or punishment.

Theoretical perspective

This study is based on the interest theory or school of thought, proposed by John Finnis (1980), cited in Freeman Michael (2002), According to the theory the principal function of human rights is to protect and promote certain essential human interests. Securing human beings' essential interests is the principal ground upon which human rights may be morally justified, this theory relates to this study that the principal function of human rights in this theory is to protect and promote and secure human beings interests.

Related Studies

Jack Healy (2011) conducted a study on the Brutality by Afghan Local Police in Afghanistan, his findings were Local police forces trained and financed by the United States have killed and raped civilians, stolen land and carried out other abuses against the Afghan villagers they are charged with protecting, according to a report released by Human Rights Watch. The accusations of violence, theft and impunity raise new questions about whether the local police and government-supported militias in Afghanistan, which are meant to play a major role in defending small villages against the Taliban, are instead undermining security at a critical moment for the country and the NATO-led war effort.

Brad Adams (2009) conducted a study on India: Overhaul Abusive, Failing Police System Disrepair of Police Forces and Lack of Accountability Contribute to Rights Violations in India, his findings were, Colonial-era police laws enable state and local politicians to interfere routinely in police operations, sometimes directing police officers to drop investigations against people with political connections, including known criminals, and to harass or file false charges against political opponents. These practices corrode public confidence. Abysmal conditions for police officers contribute to violations. Low-ranking officers often work in difficult conditions. They are required to be on-call 24 hours a day, every day. Instead of shifts, many work long hours, sometimes living in

tents or filthy barracks at the police station. Many are separated from their families for long stretches of time. They often lack necessary equipment, including vehicles, mobile phones, investigative tools and even paper on which to record complaints and make notes. "India's status as the world's largest democracy is undermined by a police force that thinks it is above the law," said Adams. "It's a vicious cycle. Indians avoid contact with the police out of fear. So crimes go unreported and unpunished, and the police can't get the cooperation they need from the public to prevent and solve crimes."

Andrew Fagan (2007) conducted a study on the atlas of human rights (mapping violations of human rights around the globe) in Pakistan, he found out that several thousand of people detained during period of emergency rule declared in November 2007, including human rights activists, lawyers, journalists and political opponents.

Andrew Fagan (2007) in his book the atlas of human rights (mapping violations of human rights around the globe) in Venezuela, his findings were that Venezuela police are estimated responsible for 900 killings each year, and the minister of interior and justice Tariq al Aissami, admitted in 2009 that 20% of all crimes in the country were committed by the police.

Asian Legal Resource Centre (2006) conducted a study on Police abuses in Cambodia, their findings were that the Cambodian criminal justice system lacks almost all components for effective operation, including an independent and efficient judiciary. Police activities are devoid of democratic policing and rule of law principles. In fact, the police and military are often involved in crimes and human rights violations, alike ordinary perpetrators. Police or military agents perpetrating gross abuses are not brought to justice. In the eyes of the public, the police constitute a threat to their safety and security; they are mistrusted and regarded as criminals. Police officers do not behave according to either the Cambodian constitution or article 6 of the ICCPR, protecting the right to life.

Amnesty International (2000) conducted a study on the public attitude towards the police in Jamaica; their findings were that many described the police not as protectors from crime but as a force to be feared, almost akin to an occupying force. In the communities visited by Amnesty International, almost everyone claimed to have had direct experience of police brutality. It was therefore not surprising that in the three schools Amnesty International visited, only one schoolchild said they would consider becoming a police officer.

Amnesty International is gravely concerned that the authorities in Jamaica, despite numerous assurances to the contrary are failing to prevent serious and systematic human rights violations at the hands of the police and security forces.

Police abuse has been documented by national and international organizations numerous times in the past 30 years. In 1986, an Americas Watch report, Human Rights in Jamaica, concluded that there existed in Jamaica: "a practice of summary executions by the police; a practice of unlawful detentions by the police at times accompanied by police assaults on detainees; and a practice of confining detainees in police station lock-ups under squalid and degrading conditions." Fifteen years later, Amnesty International finds that these practices continue.

Andrew Fagan (2007) conducted a study on the atlas of human rights (mapping violations of human rights around the globe) in Albania, his findings were that the police are alleged to have tortured or ill-treated people, minors included, in over 140 incidents from 2002-2005.

Andrew Fagan (2007) conducted a study on the atlas of human rights (mapping violations of human rights around the globe) in Eritrea, he found out that several hundred political opponents were imprisoned between 2001 and 2008, including 11 former ministers and liberation veterans being held in secret detention for calling for democratic reforms.

Gerald Bareebe (2009) conducted a study on Uganda: Human Rights Violation Cases Reported against Police his findings were a total of 5,000 human rights violations and unprofessional conduct-related cases have been reported by individuals against the Police Force, its political commissar, Mr Asan Kasingye, has said. Speaking at the launch of the human rights complaints' manual for the Police in Kampala, Mr Kasingye said out of 5,000 cases, 3,000 have been handled and the guilty officers were demoted or forwarded to courts of law for trial.

Bahrain Center for Human Rights (2012) expresses its concern on the continued cases of kidnapping and assaults on children by the security men and the secret police in Bahrain. What increases the concern is the impunity policy practiced by the Bahraini authorities to protect the human rights violators and aggressors, and helping them to escape punishment by avoiding conducting serious investigations of the incidents of abuse and with full cooperation of the public prosecution and the judiciary. Most often, the victims are children, which is a direct violation of Bahrain pledges to protect and ensure the rights of the child including the right to protection from physical assault.

Andrew Fagan (2007) conducted a study about the atlas of human rights (mapping violations of human rights around the globe) his findings were that in Kenya more than 1,000 people were killed as a result of politically motivated ethnic violence and associated police killings following disputed elections in 2007. The government failed to investigate allegations of torture and unlawful killings committed by the police including the execution of 10 men.

Andrew Fagan (2007) in his book the atlas of human rights (mapping violations of human rights around the globe) in UK 2005, police officers shot dead a Brazilian at point blank-range on a London underground train, the victim was innocent but had been mistaken for a suspected terrorist bomber in an operation that was subsequently heavily criticized, no persecutions have been brought against any police officer.

Bahrain Center for Human Rights (2012) started several months ago and continued until the writing of this report documenting the repression and intimidation

adopted by Bahraini security forces and which are of new forms and methods and unjustified in order to spread terror among the citizens who participate in marches and peaceful protests; where they recently proceeded to develop a new way of repression by insulting the victims during their arrest, and taking them to isolated places and torturing them with the aim of getting them injured as much as possible by breaking parts of their bodies.

Survey by the New Orleans Organization (2006) about safe streets/ strong communities found out, that 72% of the predominantly African-American respondents who had been stopped by police reported being victimized through verbal abuse, public strip searches or physical abuse.

Andrew Fagan (2007) in his book the atlas of human rights (mapping violations of human rights around the globe) found out, that in Syria 2007, the Syrian government failed to acknowledge security-force involvement in the disappearances of an estimated 17,000 persons since the 1970s, the vast majority of whom remain unaccounted for and many of whom are believed to have been killed by Syrian forces or while in their custody.

Gabriel Ribera (2005) conducted a study on UN accommodates human rights abuses by police in Haiti his findings were, images of the killings by the U.S.-armed and U.N.-trained Police Nationale de Haiti (PNH) are stark and undeniable. Peaceful demonstrators slaughtered in cold-blood as the U.N. pontificates and postures to justify its role in legitimizing the coup against the democratically elected government of Jean-Bertrand Aristide in 2004, the first anniversary of the coup against the constitutional government, the PNH fired at unarmed demonstrators as the U.N. stood by. Video footage and photographs from that day show the U.N. was close enough to see the police open fire on peaceful demonstrators, yet unexplainably, not close enough to do anything about it. To date, no serious investigation of the Haitian police for shooting unarmed demonstrations or well-documented cases of murder sprees into poor neighborhoods of the capital has been undertaken. The UN has done little more than

make noise while not one single name of a policeman or SWAT team member who committed these acts has been made public. This can only send a message to the Haitian police that they have free reign to commit murder and tell tall-tales about it. They now assume the UN will keep supporting them by remaining silent because no one in the Haitian police is being held accountable. For many observers on the ground this gives the appearance that the UN mandate to "restore democracy" to Haiti is providing the police with cover to commit murder with impunity. In the absence of any public investigation it can certainly be argued this has been the reality thus far.

Andrew Fagan (2007) in his book the atlas of human rights (mapping violations of human rights around the globe) found out, in Cote D'ivoire in 2008, riot police dispersed several hundred demonstrators who had blocked roads and burned tires in Abidjan, to protest against the rising cost staple foods. The police used tear gas grenades and live ammunition. Two people were killed and more than 10 people including women traders were wounded.

While all the studies mentioned above related to police activities and human rights protection, none of these studies was in the context of Hargeisa, Somaliland, a gap which this study intends to fill.

CHAPTER THREE

METHODOLOGY

Research Design

This study was conducted using descriptive correlation design in order to describe the relationship between police activities and human rights protection in Hargeisa, Somaliland.

Research population

The research study focused on the population that the researcher ultimately wants to generalize the result which is totaling 150.

Sample Size

$$\text{The formula is } N = \frac{n}{1+n(0.0025)} = \frac{150}{1+150(0.0025)} = \frac{150}{1.375} = 109$$

Table1: Categories of Sample

Categories of expect respondent	Population	Sample size
Police Officers	80	58
Community	70	51
Total	150	109

Source: primary data

Therefore as proportional $\frac{109 \times 80}{150} = 58$ (Police Officers)

$\frac{109 \times 70}{150} = 51$ (Community)

The sample size was 109, whereas 58 respondents were police, and 51 was the community

Sampling Procedure

The study used two sampling techniques: stratified random sampling and systematic random sampling techniques. In stratified sampling the population is divided into sub-populations. The goal of stratified random sampling is to achieve desired representation from various sub-groups in the population. Stratified random sampling was utilized to select respondents based on criteria

i. The police respondents sector (Police Station, Village)

ii. The community respondents village, district or division

From the list of qualified respondents chosen based on the inclusion criteria, the systematic sampling was used to finally select the respondents in each stratum with consideration to the computed minimum sample size.

Research Instrument

The study employed different research instruments to collect data in the field such as Questionnaire. The questionnaires consisted of close ended questions however, choosing this method saved time during the information gathering period. The self administered questionnaires were given to the respondents those who are able to read and write and those who can't read and write helped by the research on filling the questionnaires. The close ended questionnaires allowed the respondents to express their views, attitude, and feeling.

Besides the questionnaire, the researcher conducted focus group discussions with the respondents who were unable to read and write, to simplify and make understandable to them the questionnaires, so they can easily answer. Furthermore, the researcher observed and noted the respondent's information including their reaction, and physical appearances through discussion.

Validity Table using Content Validity Index (CVI)

The study used 3 judges whereby the first judge agreed that 17 items of the 19 items were valid, second judge agreed that 18 items and lastly third judge agreed that 16 items were valid. In addition to the inter-judge individual coefficient of validity, the average results of CVI are indicated in table 2.

Table 2
Computation of Content Validity

Judges	number of items declared valid	÷ Total no. of items	= Inter-judge individual coefficient validity
1 st Judge	17	19	.89
2 nd Judge	18	19	.94
3 rd Judge	16	19	.84
Total inter-judge individual coefficient of validity-----			2.67

Source: primary data

Therefore, average CVI = $\frac{\text{Total inter-judge individual coefficient of validity}}{\text{Total number of judges}} = \frac{2.67}{3.00}$

CVI ----- = **0.89**

For the instrument to be accepted as valid, the average index should be 0.7 or above. Therefore, since CVI is 0.89 then the instrument used in this study is valid.

Reliability is the degree to which an instrument consistently measures whatever it is measuring. An instrument is reliable if it produces the same results whenever it is repeatedly used to measure trait or concept from the same respondents even by other researchers. To ensure reliability, the two instruments were pre-tested by administering them to 8 respondents in special protection unit (SPU) in Hargeisa, Somaliland. Reliability of the data collected was tested using the Cronbach's coefficient alpha (α), computed using SPSS.

Table 3
Computation of Reliability
Cronbach's alpha coefficients for Reliability of Instruments

Construct	Number of Items	Cronbach's alpha
1. Police Activities		
1A. torture	2	0.89
1B. arbitrary arrest	2	0.93
2. Human rights protection	4	0.85

Source: primary data

Results in table 3 indicate that the instrument had a high degree of reliability, with all Cronbach's alphas for all items greater than 0.8, which is the minimum Cronbach's alpha required to declare the instrument reliable.

Data Gathering Procedures

The researcher deployed two assistance personnel to help him during the field work and information gathering process. The college of higher degree and research at Kampala International University issued an introductory letter to the researcher which helped him to conduct the questionnaire smoothly, question and interview the respondents easily, moreover the researcher prepared the informant consent letter which was signed by the respondent as a compliance to fill the questionnaire effectively, efficiently, and without fear.

Furthermore, the researcher explained the respondents the aim of the study and that the provided answers will be just used for academic purposes. At the submission of the questionnaires the researcher checked the questionnaires one by one to make sure whether questionnaires have been filled and answered completely and to ensure the accuracy of provided information.

Data Analysis

The study utilized statistical techniques in data analysis. In Objective One, the Percentage and frequency distribution were utilized to analyze data according to the respondents profile characteristics. In Objectives Two and Three, the Means and standard deviation were used to determine the level of police activities in Hargeisa, Somaliland, and the level of human rights protection in Hargeisa, Somaliland. Lastly in Objective Four, the Pearson's linear correlation coefficient (PLCC) was used to determine if there is a significant relationship between the level of police activities in protecting human rights in Hargeisa, Somaliland.

The following mean ranges were used to arrive at the mean of the individual indicators and interpretation:

A. For the level of police activities and human rights protection

Mean Range	Response Mode	Interpretation
3.26-4.00	strongly agree	Very good
2.51-3.25	agree	good
1.76-2.50	disagree	Fair
1.00-1.75	strongly disagree	Poor

Ethical Considerations

To ensure ethical considerations of the study and the safety, social and psychological well being of the person and/or community involved in the study the researcher got clearance letter from the ethical committee, also getting an introductory letter from the College of Higher Degree and Research, Kampala International University ensured the privacy and confidentiality of the information provided by the respondent which was used just on academic matters. On the other hand to ensure the safety of the person and/or community involved in the study the researcher got the

consent of the respondent approved by his signature before the respondent fills the questionnaire.

Limitations of the Study

Fear from government was the highest constrain of the respondents, whether police, prisoners, and community. Police respondents may not provide the exact information needed for the study fear to be punished or fired from work, on the other hand it may be difficult to get some of the respondents especially police commanders in their offices

Prisoners may also provided inadequate information fearing of punishment or torture by police hands. Police sensitivity from human rights may be a big challenge to conduct the research in Hargeisa, Somaliland.

To overcome these limitations the researcher mobilized the police and the government by pointing out that this study is intended to show the police activities in human rights protection in favor of police, not showing any police activities which are against human rights protection, which lead to that community and prisoners had the confidence to provide the correct information.

Moreover the respondents faced a big challenge in understanding the questionnaire, because most of them couldn't understand the English language, which could affect the answers that were provided by them.

To overcome this limitation the researcher spent time in translating the questionnaire in to Somali language, so respondents can easily understand the questions and provide the correct and relevant answers.

CHAPTER FOUR

PRESENTATION, ANALYSIS AND INTERPRETATION OF DATA

INTRODUCTION

This chapter presents the presentation of data, analysis, and interpretation. The data analysis and interpretation was based on the research questions as well as research objectives, the presentation is divided into two parts. The first part presents the respondents profile or demographic information, while the second part deals with presentation, interpretation, and analysis of the research questions and objectives.

Demographic information of the respondents

This part presents the background and information of respondents who participated in the study. The purpose of this information was to find out the demographic characteristics of respondents and show the distribution of the population in the study.

In addition to that, the first objective of the study was to determine the demographic characteristics of respondents in terms of age, gender, education discipline, profession and work experience. To examine the category that majority of the respondents fit in. Data on this objective was analyzed under the question "what are the profile characteristics of the respondents in terms of Age, Gender, and Educational discipline, and work experience?"

Table 4
Demographic Characteristics of the Respondents
N=109

Category	Frequency	Percentage (%)
Gender		
Male	65	59.6
Female	44	40.4
Total	109	100%
Age		
21-30	59	54.1
31-40	33	30.3
41-50	14	12.8
51 and above	3	2.8
Total	109	100%
Educational Qualifications (Under Education Discipline)		
Elementary	25	22.9
Secondary	20	18.3
Diploma	16	14.7
Bachelors	33	30.3
Masters	15	13.8
Total	109	100%
Profession		
Police	58	53.2
Community	51	46.8
Total	109	100%

Number of Years Working Experience		
Less than/below 1 year	17	15.6
1 - 2 years	17	15.6
3 - 4 years	25	22.9
5 - 6 years	22	20.2
7 years and above	28	25.7
Total	109	100%

Source: primary data

Table 2, indicates that different categories were involved in the study. 59.6% of the respondents were male, while 40.4% were female. So, it shows that most of respondents were male than female. Also table 2 indicates that the majority of the respondents were between the ages of 21-30 years. This means that majority of the respondent were young which constitute 54.1%, while those within the age limit of 31-40 years constitute 30.3%, while the age of 41-50 constitutes 12.8, the remaining constitutes 2.8% and falls within the age of 51 and above. Table 2, implies that the majority of the respondent are bachelors degree holders with 18.3% followed by diploma 14.7%, and those with masters degree constitutes 13.8%. Most of the respondents as table 2 indicate worked as police officers with 53.2% while the rest were the community with 46.8%. Table 2 also shows that most of respondents had experience with 7 years and above which constitutes 25.7% then followed by those with 3-4 years working experience accounting 22.9% those within 5-6 years working experience constitute 20.2% respondents with 1-2 years working experience constitute 15.6, while the remaining 15.6% were those with in less than one year working experience.

Table 5 A
Level of Police Activities in terms of torture

Police Activities	Mean	Interpretation	Rank
Torture			
People are not tortured by the police	3.42	Very good	1
In police stations no one is subjected to torture	3.06	Good	2
In police stations no one is subjected to cruel, inhuman, or degrading treatment or punishment	2.99	Good	3
Torture cannot be justified	1.69	Fair	4
Mean index	2.79	Good	

Source: primary data

Results in table 5A show that item analysis means indicate that the level police activities is very good in terms of i) No one deserves to be tortured by the police (average mean =3.42); whereas the level of police activities is good in terms of ii)no one is subjected to torture in police stations (average mean =3.06); iii) no one is subjected to cruel, inhuman or degrading treatment in police stations (average mean = 2.99); and police activities are fair in terms of iv)torture cannot be justified (average mean = 1.69);

Strengths

The study shows that level of police activities is strong in abolishing torture, and cruel, inhuman or degrading treatment, and eliminating that people are subjected to torture in police stations.

Weaknesses

The study also shows that police activities are weak in justifying torture.

Table 5 B**Level of Police Activities in terms of arbitrary arrest**

Police Activities	Mean	Interpretation	Rank
Arbitrary arrest			
People are subjected to arbitrary arrest, detention, or exile by police	2.57	Good	1
People are only arrested for good and sufficient cause by the police	2.17	Fair	2
Police believe that guilt can only be established after presenting a thorough defense at a fair trial	2.13	Fair	3
Police presume People charged with a crime innocent until proven guilty	2.11	Fair	4
Police presume people innocent and given a fair trial	2.05	Fair	5
Police recognize that guilt or innocence is determined based on the laws that were in effect at the time of the alleged offence, not retroactively based on laws passed or amended since that time.	1.92	Fair	6
Everyone deserves to be presumed innocent until proven guilty	1.36	Poor	7
Mean index	2.04	Fair	
Grand mean	2.31	Fair	

Source: primary data

Results in table 5B shows that item analysis means indicate that the level police activities is very good in terms of i) to arbitrary arrest, detention, or exile (average mean = 2.57); whereas police activities are fair in terms of ii) arresting people for good and sufficient cause (average mean = 2.17); iii) believe that guilt can only be

established after presenting a thorough defense at a fair trial (average mean = 2.13); iv) presuming People charged with a crime innocent until proven guilty (average mean = 2.11); v) presuming people innocent and giving them a fair trial (average mean = 2.05); vi) recognize that guilt or innocence is determined based on the laws that were in effect at the time of the alleged offence, not retroactively based on laws passed or amended since that time (average mean = 1.92); and poor in term of that everyone deserves to be presumed innocent until proven guilty (average mean = 1.36);

Strength

The study shows that police activities are strong in arbitrary arrest, detention, or exile.

Weaknesses

Police activities are weak in arresting people for good and sufficient cause, believe in that guilt can only be established after presenting a thorough defense at a fair trial, presuming People charged with a crime innocent until proven guilty, presuming people innocent and giving them a fair trial, recognizing that guilt or innocence is determined based on the laws that were in effect at the time of the alleged offence, not retroactively based on laws passed or amended since that time, and poor in terms of that everyone deserves to be presumed innocent until proven guilty.

Level of Police Activities

The independent variable in this study was one category namely police activities. It was measured using qualitative questions in the questionnaire and each of the questionnaire item was Likert scaled using four points 1=strongly agree; 2=agree; 3=disagree; 4=strongly disagree. Their responses were analyzed using SPSS's summary statistics showing the means and standard deviations as indicated in table 5 shows data on each.

Table 6
Level of Human Rights Protection

Human Rights Protection	Mean	Interpretation	Rank
According to police all people are free and equal and are treated with respect and dignity	1.96	Fair	1
Police treat everyone as a worthy human	1.91	Fair	2
While protesting the police ensure the safety of the protesters	2.36	Fair	3
Police recognizes that dignity is inherent to all humans and deserves to be recognized unconditionally	2.07	Fair	4
Police extends equal rights to people regardless of race, color, religion, social origin, or natural origin	2.06	Fair	5
Police extends equal rights to people regardless of their political opinions, property ownership status, and birth circumstances	2.27	Fair	6
Community has full confidence on the police	2.48	Fair	7
Community helps the police to fulfill/conduct their activities	2.49	Fair	8
Mean index	2.2	Fair	

Source: primary data

Results in table 6 shows that item analysis means indicate that the level of human rights protection is fair in terms of i) all people are free and equal and are

treated with respect and dignity (average mean = 1.96); ii) Police treat everyone as a worthy human (average mean = 1.91); iii) While protesting the police ensure the safety of the protesters (average mean = 2.36); iv) police recognizes that dignity is inherent to all humans and deserves to be recognized unconditionally (average mean = 2.07); v) Police extends equal rights to people regardless of race, color, religion, social origin, or natural origin (average mean = 2.06); vi) Police extends equal rights to people regardless of their political opinions, property ownership status, and birth circumstances (average mean = 2.27); vii) Community has full confidence on the police (average mean = 2.48); viii) Community helps the police to fulfill/conduct their activities (mean average = 2.49).

Strengths

Results in table 6 of item analysis indicate that human rights protection is strong in safeguarding and ensuring the safety of protesters.

Weaknesses

Results in table 6 show that human rights protection is weak in extending equal rights to people regardless of race, color, religion, social origin, or natural origin, extending equal rights to people regardless of their political opinions, property ownership status, and birth circumstances, recognizing that dignity is inherent to all humans and deserves to be recognized unconditionally, and that all people are free and equal and are treated with respect and dignity, that Police treat everyone as a worthy human, that community has confidence in police, and that community helps police in conducting their activities.

Relationship between the level of police activities and human rights protection

The fourth objective in the study was to determine whether there is a significant relationship between the level of Police activities and Human rights protection in Hargeisa, Somaliland. On this, the researcher stated a null hypothesis that there is no significant relationship between police activities and human rights protection in Hargeisa, Somaliland.

The PLCC was used to test a null hypothesis that the level of police activities and human rights protection are not significantly correlated, results of which are indicated in table 7.

Table 7
Correlation for Scores in police activities and human rights protection in Hargeisa, Somaliland

(Level of significance 0.05)

Variables Correlated	r-value	Sig. Value	Interpret	Decision Ho
Police activities vs human rights protection	.371**	.000	Positive and significant	Rejected

**. Correlation is significant at the 0.05 level (2-tailed).

Results in table 7 suggest that the level of police activities altogether is significantly correlated with level of human rights protection in general ($r = 0.371$, $\text{Sig.} = 0.000$). This leads to a conclusion that police activities are important for human rights protection and these results are significant at 0.05 level of significance. Basing on these results, the stated research hypothesis is rejected, the alternative is accepted leading to a conclusion that police activities and human rights protection ($\text{sig.} = 0.000$) are significantly correlated at 0.05 level of significance.

Regression Analysis for level of police activities and human rights protection in Hargeisa, Somaliland

Regression analysis helped rank the effect of the two police activities on human rights protection in Hargeisa, Somaliland, with the view of identifying the most important control components. Table 7 shows results of this test

Table 8

Regression Analysis for level of police activities and human rights protection in Hargeisa, Somaliland (Level of significance 0.05)

Variables Regressed	Adjusted r^2	Beta	F-value	Sig.	Interpret.	Decision on Ho
Police activities vs human rights protection	0.46	-	14.282	0.000	Significant effect	Rejected
Arbitrary arrest vs human rights protection	0.51	.45	5.2	0.000	Significant Effect	Rejected

Source: primary data

The results in table 8 suggest police activities positively and significantly affect human rights protection in Hargeisa, Somaliland ($F=14.282$, sig. = 0.000). The results indicate all the two police activities together contribute over 46% towards variations in human rights protection (adjusted $r^2 = 0.46$). Results also indicate that arbitrary arrest contributes 51% towards variations in human rights protection.

Considering coefficient section of table 8, results indicate that while all the two components of police activities when taken together significantly affect human rights protection, not all the two components are individually significant and not all of them contribute the same way. Results indicate that of the two police activities only one significantly affect human rights protection.

CHAPTER FIVE

FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

INTRODUCTION

This chapter presents the summary, conclusions and recommendations arising from the study along the study objectives

Summary of Findings

Demographic characteristics of the respondents

This study intended to assess the level of police activities and human rights protection in Hargeisa, Somaliland, and the study was guided by four specific objectives namely:

- (I) To determine the profile characteristics of respondents in terms of Community (Age, Gender, Education Level, Profession) and Police (Age, Gender, Education Level, Years Worked as Police, Sector)
- (II) To determine the level of police activities in human rights protection in Hargeisa, Somaliland.
- (III) To determine the level of human rights protection in Hargeisa, Somaliland.
- (IV) To determine if there is a significant relationship between the level of police activities and human rights protection in Hargeisa, Somaliland.

Data analysis was done using SPSS's descriptive statistics and found out that 59.6% of the respondents were male, while 40.4% were female. So, it shows that most of respondents were male than female. Also table 2 indicates that the majority of the respondents were between the ages of 21-30 years. This means that majority of the respondent were young which constitute 54.1%, while those within the age limit of 31-40 years constitute 30.3%, while the age of 41-50 constitutes 12.8, the remaining constitutes 2.8% and falls within the age of 51 and above. Table 2, implies that the

majority of the respondent are bachelors degree holders with 18.3% followed by diploma 14.7%, and those with masters degree constitutes 13.8%. Most of the respondents as table 2 indicate worked as police officers with 53.2% while the rest were the community with 46.8%. Table 2 also shows that most of respondents had experience with 7 years and above which constitutes 25.7% then followed by those with 3-4 years working experience accounting 22.9% those within 5-6 years working experience constitute 20.2% respondents with 1-2 years working experience constitute 15.6, while the remaining 15.6% were those with in less than one year working experience.

Level of Police Activities

The study showed that level of police activities is strong in abolishing torture, and cruel, inhuman or degrading treatment, and eliminating that people suffer from torture in police stations, and that police activities are strong in arbitrary arrest, detention, or exile.

The study also showed that police activities are weak in justifying torture, also Police activities are weak in arresting people for good and sufficient cause, and the believe that guilt can only be established after presenting a thorough defense at a fair trial, presuming People charged with a crime innocent until proven guilty, presuming people innocent and giving them a fair trial, recognizing that guilt or innocence is determined based on the laws that were in effect at the time of the alleged offence, not retroactively based on laws passed or amended since that time, and police activities are poor in terms of that everyone deserves to be presumed innocent until proven guilty.

Level of Human Rights Protection

Results indicated that human rights protection is strong in safeguarding and ensuring the safety of protesters, and that community helps the police to conduct their activities.

Results also indicated that human rights protection is weak in extending equal rights to people regardless of race, color, religion, social origin, or natural origin, extending equal rights to people regardless of their political opinions, property ownership status, and birth circumstances, recognizing that dignity is inherent to all humans and deserves to be recognized unconditionally, and that all people are free and equal and are treated with respect and dignity, that Police treat everyone as a worthy human, that community has confidence in police, and that community helps police in conducting their activities.

Relationship between the level of police activities and human rights protection

Results indicated that the level of police activities altogether is significantly correlated with level of human rights protection in general ($r = 0.371$, Sig. = 0.000). This leads to a conclusion that police activities are important for human rights protection. The results also indicated and showed that police activities positively and significantly affect human rights protection in Hargeisa, Somaliland ($F=14.282$, sig. = 0.000). The results indicate all the two police activities (torture and arbitrary arrest) together contribute over 46% towards variations in human rights protection.

CONCLUSION

In this section, the researcher gives conclusion to the study findings in relation to the study purpose. The study tested the hypothesis and reached that level of police activities have positive and significant relationship with human rights protection leading to the rejection of null hypothesis and accepting alternative hypothesis. The level of police activities are positively and significantly correlated with the level of human rights protection in Hargeisa, Somaliland.

The study validated that Police officers have to bear the responsibility of any breach of law performed by them with respect to citizens during execution of their official duties constitutes a violation of human rights too, and besides the responsibility born by police officer, the affected person also becomes entitled to receive compensation from the state.

Many researchers concentrated on human rights protection in relation to police activities in different parts of the world. Therefore, this study contributed to fill the gap and concentrated on Police Activities and Human Rights Protection in Hargeisa, Somaliland, in particular.

The researcher found out that without Impartiality and police professionalism, Observance and respect of human rights will be absent. Thus often, the police officer is subject to pressure both by his or her chief and by the public (especially when investigating crimes of substantial public resonance). Such pressure is capable of distorting the concept of professionalism and of prompting the officer to illegal acts. In such a moment, it is the training and experience of the police officer that will help him or her to act in an impartial and professional way.

RECOMMENDATION

Police officers have to be aware that any breach of law performed by them with respect to citizens during execution of their official duties constitutes a violation of human rights too. In such cases, besides the responsibility born by police officer, the affected person also becomes entitled to receive compensation from the state. In order not to admit such cases, the police officers have to observe the following rules in their routine practice:

To use force and firearms only as the last resort when there is no alternative way to perform the tasks assigned. To be aware that they are obliged not to obey any orders and instructions aimed at torture and maltreatment of prisoners. To create their "inner belief" related to the commitment of a crime or an offense based solely on objective facts or information.

Police officers should respect the legally established assumption for the innocence of the person arrested or suspected. To respect the laws and rules regarding the attitude towards the arrested persons, suspects or witnesses when carrying out interrogations and taking explanations from the citizens. To keep the confidentiality of all information obtained with reference to the performance of their functions, save when otherwise is required by justice. To protect all persons from discrimination based on religious, ethnic or social criteria

Correct training will lead to a clear awareness of the fact that aggression and confrontation in police work is not the most direct way to truth and justice, nor the way that leads to the best possible result in a specific situation. The most important goal of the training is that every police officer should understand the importance of the police profession, the purpose of which is to protect the rights and freedoms of citizens. Police officers should be trained in the correct treatment of detained persons. Abilities to interrogate without using unlawful methods and with the aim of establishing the objective truth are required.

Police should apply the principle of none discrimination which implies that human rights should not be restricted regarding certain individuals, and that there should be cooperation in order to avoid discrimination.

Suggested Areas for the Further Research

The field of human rights protection issue in Somaliland is still narrow and continues to grow. Therefore, more studies are still needed in relation to human rights protection with effective police activities.

Studies relating financial role of police activities in human rights protection would also help in the struggle to explain factors affecting improving and promoting human rights in Hargeisa, Somaliland. Other studies are needed to carry out on the roles of government policies and procedures in the promotion and protection of human rights. Studies similar to this one need to be conducted in other police sectors in other regions of Somaliland.

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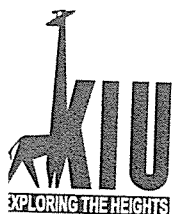
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**OFFICE OF THE HEAD OF DEPARTMENT, ECONOMICS AND
MANAGEMENT SCIENCES
COLLEGE OF HIGHER DEGREES AND RESEARCH (CHDR)**

Date October 21, 2012

**RE: REQUEST FOR ISMAIL MOHAMED ISMAIL MHD/36893/121/DF
TO CONDUCT RESEARCH IN YOUR ORGANIZATION**

The above mentioned is a bonafide student of Kampala International University pursuing Masters of Arts in Human Rights and Development.

He is currently conducting a research entitled " **Police Activities and Human Rights Protection in Hargeisa, Somaliland.**"

Your organization has been identified as a valuable source of information pertaining to his research project. The purpose of this letter is to request you to avail him with the pertinent information he may need.

Any information shared with him from your organization shall be treated with utmost confidentiality.

Any assistance rendered to him will be highly appreciated.

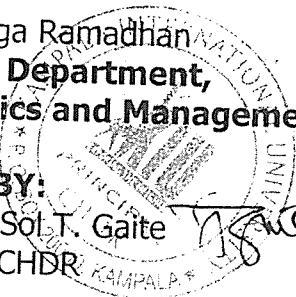
Yours truly,

**Mr. Malinga Ramadhan
Head of Department,
Economics and Management Sciences, (CHDR)**

NOTED BY:

Dr. Sofia Sol T. Gaite

Principal-CHDR



APPENDIX 1B

TRANSMITTAL LETTER FOR THE RESPONDENTS

Dear Sir/ Madam,

Greetings!

I am a Masters of Arts in Human Rights and Development candidate of Kampala International University. Part of the requirements for the award is a dissertation. My study is entitled, **Police Activities and Human Rights Protection in Hargeisa, Somaliland**. Within this context, may I request you to participate in this study by answering the questionnaires. Kindly do not leave any option unanswered. Any data you will provide shall be for academic purposes only and no information of such kind shall be disclosed to others.

May I retrieve the questionnaire within five days (5)?

Thank you very much in advance.

Yours faithfully,

Mr. Ismail Mohamed Ismail

APPENDIX 11
CLEARANCE FROM ETHICS COMMITTEE

Date _____

Candidate's Data

Name _____

Reg. # _____

Course _____

Title of Study _____

Ethical Review Checklist

The study reviewed considered the following:

- ☐ Physical Safety of Human Subjects
- ☐ Psychological Safety
- ☐ Emotional Security
- ☐ Privacy
- ☐ Written Request for Author of Standardized Instrument
- ☐ Coding of Questionnaires/Anonymity/Confidentiality
- ☐ Permission to Conduct the Study
- ☐ Informed Consent
- ☐ Citations/Authors Recognized

Results of Ethical Review

- ☐ Approved
- ☐ Conditional (to provide the Ethics Committee with corrections)
- ☐ Disapproved/ Resubmit Proposal

Ethics Committee (Name and Signature)

Chairperson _____

Members' _____

APPENDIX III
INFORMED CONSENT

I am giving my consent to be part of the research study of Mr. Ismail Mohamed Ismail that will focus on Police Activities and Human Rights Protection.

I shall be assured of privacy, anonymity and confidentiality and that I will be given the option to refuse participation and right to withdraw my participation anytime.

I have been informed that the research is voluntary and that the results will be given to me if I ask for it.

Initials: _____

Date: _____

APPENDIX 1VA

FACE SHEET: PART A: DEMOGRAPHIC CHARACTERISTICS OF THE RESPONDENTS

Gender (Please Tick): ___(1)Male
 ___ (2) Female

Age: _____

Qualifications Under Education Discipline (Please Specify):

(1)Elementary/Primary _____

(2) Secondary Certificate_____

(3) Diploma _____

(4) Bachelors _____

(5) Masters _____

(6) Ph.D. _____

Other qualifications other than education discipline _____

Profession _____

Number of Years Working Experience (Please Tick):

___ (1) less than/Below one year

___ (2) 1- 2yrs

___ (3) 3-4yrs

___ (4) 5-6yrs

___ (5) 7 years and above

APPENDIX IVB

QUESTIONNAIRE TO DETERMINE POLICE ACTIVITIES AND HUMAN RIGHTS PROTECTION

Direction 1: Based on your knowledge of conditions as they now exist, respond to each of the following items by choosing the number on the scale that best reflects your agreement or disagreement with each statement.

Response Mode Rating

Strongly Disagree (4)

Disagree (3)

Agree (2)

Strongly Agree (1)

PART B: POLICE ACTIVITIES QUESTIONNAIRE

Torture					
1	In police stations prisoners are subjected to torture				
2	In police stations prisoners are subjected to cruel, inhuman, or degrading treatment or punishment				
3	Prisoners deserves to be tortured by the police				
4	Torture cannot be justified				
Arbitrary Arrest					
5	People are subjected to arbitrary arrest, detention, or exile by police				
6	People are only arrested for good and sufficient cause by the police				
7	It is legally wrong to arrest someone arbitrarily or without cause by the police.				
Presumed Innocent					
8	Police presume People charged with a crime innocent until proven guilty				

9	Police believe that guilt can only be established after presenting a thorough defense at a fair trial				
10	Police recognize that guilt or innocence is determined based on the laws that were in effect at the time of the alleged offence, not retroactively based on laws passed or amended since that time.				
11	Police presume people innocent and given a fair trial				
12	Everyone deserves to be presumed innocent until proven guilty				

PART C: HUMAN RIGHTS PROTECTION QUESTIONNAIRE

13	According to police all people are free and equal and are treated with respect and dignity				
14	Police treat everyone as a worthy human				
15	While protesting the police ensure the safety of the protesters				
16	Police recognizes that dignity is inherent to all humans and deserves to be recognized unconditionally				
17	Police extends equal rights to people regardless of race, color, religion, social origin, or natural origin				
18	Police extends equal rights to people regardless of their political opinions, property ownership status, and birth circumstances				
19	Community has full confidence on the police				
20	Community helps the police to fulfill/conduct their activities				

(This questionnaire is based on the text and principles of the United Nation's "Universal Declaration of Human Rights (2008), the number of the questionnaire was 25, the researcher utilized 15 out of the 25 questionnaires).

RESEARCHER'S CURRICULUM VITAE

To document the details of the researcher, his competency in writing a research and to recognize his efforts and qualifications, this part of the research report is thus meant.

Personal Profile

Name: Ismail Mohamed Ismail

Gender: Male

Nationality: Somalilander

Educational Background

Candidate of MHD (Master of Arts in Human Rights & Development (K.I.U)

Bachelor degree of Arts in Law (LLB) (University of Hargeisa)

Diploma in Public Administration & Management (UMI)

Proposal and report writing skills (IAL)

Hamden Secondary School

Omar Binu Khatab Primary/Elementary School



Work Experiences

IT officer on Somaliland Municipal Association (SMA), Hargeisa, Somaliland

Data collector on human development report index, Implemented by Admas University College, Hargeisa, Somaliland.

District facilitator on UNDP JPLG program, Implemented by Hargeisa municipality, Hargeisa, Somaliland.

IT officer in Somaliland awareness youth development organization (SADYA)

Advocacy Officer in Uganda Red Cross Society, Jinja Branch, Kampala, Uganda