

Bayahow:

The aftermath of Jail Ogaden



Sept
2021

Executive summary

The Association for Somali Region Victims and Survivors (ASVS)¹ is a local organization established in April 2019 by former Jail Ogaden and Bayahow prisoners, including other victims and survivors of gross human rights violations in the Somali Region. The organization primarily advocates for the needs and rights of victims and survivors, in terms of their resettlement and rehabilitation, physical and psycho-social wellbeing, and to contribute to sustainable justice and peace in the Somali region.

'Jail Ogaden' also known as Jigjiga Central prison is located in Jigjiga, the Capital of the Somali Region. First built in 2001, the prison underwent an expansion in 2011 serving as the region's main prison which housed several thousand prisoners at any given time since 2011². The notorious prison is characterized by gross human rights violations including prolonged arbitrary detention, torture, rape and other forms of serious abuses. The horrific conditions in Jail Ogaden was consistent with the Ethiopian government's counter-insurgency campaign against the Ogaden National Liberation Front (ONLF), and the policy of collective punishment against those suspected of supporting the ONLF. In February 2018, Abdi Mohamoud Omar 'Abdi Iley' transferred over 800 ONLF political prisoners from Jail Ogaden to Bayahow to continue their imprisonment under harsh conditions. Prisoners were subjected to carry out laborious work constructing homes with the promise of being awarded benefits including livestock and grazing land, however, no prisoner was ever awarded any of these rights. Bayahow functioned as an extension of Jail Ogaden until the downfall of Abdi Iley in August 2018.

Jail Ogaden was officially closed in September 2018³ as part of a series of reforms initiated by the current President of Somali Regional State, Mustafa Muhumed Omer. To date, there has been no meaningful reckoning with the large-scale atrocities committed by Ethiopian state institutions in the Somali Region over the past few decades, or any real attempts at redress. In 2019, former president of the Somali Region Abdi Iley was charged with instigating inter-communal violence based on the events of August 4th, 2018⁴. Limiting the prosecution of Abdi Iley to the events of August 4th alone, rather than the decade-long violations which he was instrumental in orchestrating, evidences the failure of the Ethiopian Government to hold accountable perpetrators of serious abuses.

1. <https://www.as-vs.org/>

2. <https://www.hrw.org/report/2018/07/04/we-are-dead/torture-and-other-human-rights-abuses-jail-ogaden-somali-regional#.ftn70>

3. <https://www.africanews.com/2018/09/22/ethiopia-s-somali-region-closes-notorious-jail-ogaden/>

4. <https://addisstandard.com/news-ethiopia-charges-ex-somali-region-president-46-others-with-inciting-violence/>

This has resulted in widening concerns among victim and survivor communities, as well as the wider public, on the lack of accountability for mass atrocities committed against civilians by local and federal institutions, specifically under Abdi Iley's tenure as head of the Regional Security Bureau (2008 - 2010), and as president of the Somali Region (2010 - 2018). Mukhtar Subane (security advisor to Abdi Iley) who features extensively in testimonies of prisoner abuse in both Jail Ogaden to Bayahow, is currently held in a federal detention facility for reasons that have not been specified.

Though imprisonment in Bayahow was a continuation of Jail Ogaden in terms of experience, there are significant economic and security ramifications associated with the Bayahow site which requires urgent attention. Following ASVS's advocacy campaign calling on the Somali Regional government to compensate Bayahow prisoners for the resources they were allocated prior to arriving at Bayahow camp, the Disaster Prevention and Preparedness Bureau (DPPB), now the Disaster Risk Management Bureau (DRMB) proposed a settlement formula which entailed compensating Bayahow prisoners based on their 1. Daily labor, 2. Livestock, 3. Grazing land, and 4. Value of the homes they forcibly built ⁵.

The settlement scheme was to take into full account the original budget allocated for the Bayahow project by all entities involved in devising the budget breakdown for Bayahow. This scheme was not intended to compensate survivors for the broader physical, mental, and socio-economic impact of Bayahow on prisoners' lives. As such, ASVS has been calling for a more comprehensive rehabilitation and compensation scheme which reflects the personal injuries sustained in prison, including prisoners' physical and psychological damages, as well as their 'pain, suffering, and loss of amenity.'

However, despite repeated pressure by survivor groups, the government has not taken any steps towards fulfilling this agreed upon scheme. Former Bayahow prisoners are currently scattered across different parts of the Somali Region, each battling with the collective and individualized consequences of surviving Jail Ogaden and Bayahow. The group is formally represented by ASVS in all advocacy related activities.

5. The securitization of Bayahow is related to the multifaceted clan dynamics associated with land ownership in the Bayahow area, and the government's plan to resettle IDPs in this contested terrain which has resulted in communal violence in 2020.

Recommendations

To the Somali Regional State (SRS) government

The soon to be established 'Xaqiijin iyo Xaalmarin' Commission to order an impartial investigation into the establishment of Bayahow.

The investigation should cover allegations of torture and other forms of mistreatment, and to establish all institutions and personnel involved in the creation of Bayahow, including to investigate the possible implication of international organizations and or other international funding bodies for the Bayahow project. Investigation into the establishment of Bayahow should also include allegations of corruption by individuals and entities involved in the illegal exploitation of prisoners' forced labour for commercial gain.

- To ensure Bayahow prisoners are recognized as a distinct category of Jail Ogaden prisoners under a special resolution.
- To recognize Bayahow as an extension of Jail Ogaden, and to recognize the complex and often -overlapping modes of imprisonment, and experiences of torture and abuse in the Somali region.

To task the Disaster Risk Management Bureau and any other relevant government institution to revisit and expand upon the previously proposed compensation scheme in accordance with the formal governmental budget allocated to compensate prisoners for 1. Daily labor, 2. Livestock 3. Grazing land 4. Value of homes.

The expanded scheme should include new strategies for promoting the physical and mental well-being of former Jail Ogaden and Bayahow prisoners. To remedy the physical, mental, and socio-economic impact on livelihoods, the compensation and rehabilitation scheme should provide survivors care and access to services including but not limited to monetary payments and facilitating their access to medical and mental health support. The purpose of the comprehensive compensation scheme should be to provide redress to victims, restoring survivors back to their physical, economic, and psychological positions before Jail Ogaden and Bayahow.

- To implement previous calls for the memorialisation of specific sites of torture and other serious abuses such as Jail Ogaden and Bayahow in close consultation with survivor groups. This will serve to promote community healing and raise awareness for future generations.

- To set - up a scholarship fund for former Jail Ogaden and Bayahow prisoners who want to pursue their education and better their livelihoods.
- To enhance all regional initiatives addressing legacies of past human rights abuses in the Somali Region by fully supporting the soon to be established 'Xaqiijin iyo Xaalmarin' Commission.

To the Federal Democratic Republic of Ethiopia (FDRE)

- Since the Federal Democratic Republic of Ethiopia (FDRE) and Somali Regional State (SRS) government are jointly and severally liable for mass imprisonment and the mistreatment of prisoners in the Somali Region, they are called upon to compensate Jail Ogaden and Bayahow survivors for the personal injuries sustained in prison, including prisoners' physical and psychological damages, loss of livelihoods, and for their 'pain, suffering, and loss of amenity.'
- To order an impartial and transparent investigation into allegations of torture and other serious violations in Jail Ogaden and Bayahow.

To the Federal Democratic Republic of Ethiopia (FDRE) and the Somali Regional State (SRS) Government

- To investigate and identify all personnel involved in allegations of torture and other serious abuses in Jail Ogaden and Bayahow.
- To hold perpetrators of serious abuses against prisoners in Jail Ogaden and Bayahow accountable.
- To devise a strategy for tackling the problem of impunity for torture and other serious human rights abuses, namely by reforming the justice sector and reconstituting the repressive elements of regional security structures which does not guarantee non -repetition of past serious abuses.

To International Partners

- To launch an investigation into possible crimes against humanity in Jail Ogaden and Bayahow.
- To offer technical and material assistance for survivors' efforts at reintegration and resettlement in the Somali Region.
- International NGOs that work with IDPSs in the Somali Region, particularly on resettlement initiatives in Bayahow to advocate for a comprehensive settlement scheme to be reached between the regional government and former Jail Ogaden and Bayahow prisoners.

Background

Home to approximately 6 million⁶ ethnic Somalis, the Somali Regional State is one of Ethiopia's 10 regional states bordering Oromia to the west/southwest, Afar to the west and northwest, Somalia to the east/south-east and northeast, Kenya to the south and Djibouti to the northeast.

Since Menelik II's incursions on Somali territories in the late 1800s, the relationship between the Somali periphery and the ruling center has been defined by violence and resistance. Raids against the livestock of pastoral communities (their primary means of survival), the extraction of levies and the wholesale destruction of villages by Ras Makonnen's forces sparked the rebellion of Sayid Mohamed Abdille Hassan towards the turn of the twentieth century. During this period, he articulated the cause of Somali nationalist resistance against Ethiopian, British and Italian colonialism. This was followed by the political mobilization of the Somali Youth League (SYL) in the 1940s calling for the self-determination of Somali territories in light of the wave of independence felt across the African continent. Ethiopia's claim on the Somali territory was realized in 1948 with the transfer of the Ogaden from the British Military Administration (BMA), and in 1955 with the transfer of the Hawd and Reserve areas. The transfer of Somali territories under Ethiopian administration bred new forms of political mobilization against the Ethiopian state project, namely 'Nasruallah' led by Makhtal Dahir who launched an armed rebellion against the Ethiopian government in 1963. This was followed by the attempt of Western Somali Liberation Front (WSLF) to secede from Ethiopia which culminated in the well-known 1977 Ogaden War.

The Ogaden National Liberation Front (ONLF) was established in 1984 seeking the self-determination of the Somali people under Ethiopian rule. Following the ousting of the Derg and the EPRDF's ascension to power, the ONLF took an active role in the re-constitution of the Ethiopian state which provided a degree of autonomy and recognition to distinct ethnic groups through the implementation of an ethnic federalist state-system. The ONLF took an active role in regional politics and contested the 1993 elections, winning 60% of regional parliamentary seats.

In February 1994, the ONLF endorsed a referendum bill for the regional parliament to trigger article 39 of the Ethiopian constitution that allows for eventual secession. This prompted the government to crackdown on senior ONLF officials, including the arrest of the regional president and his cabinet members. In April 1994, ONLF deserted all government posts and launched its armed insurgency against the Ethiopian state, triggering the latest manifestation of the long-standing quest for Somali self-determination.

6. This figure is based on local estimations as there is no accurate figure for the population of the Somali Region. This is due to the political manipulation of previous official censuses.

Recurring conflicts ranging from conventional war to protracted insurgencies has designated the Somali region as an epicenter of conflict resulting in widespread atrocities and human suffering across generations.

Despite the numerous political transformations that Ethiopia has undergone, Somali engagement with the center under various political arrangements i.e. the monarchical regime, the revolutionary Derg government and the Ethiopian People's Revolutionary Democratic Front (EPRDF) has been defined by unequal power relations. Somalis in Ethiopia are considered to be among the most marginalized politically, socially, culturally and economically. Somalis are inadequately represented in the higher echelons of Ethiopia's political and security institutions while the Somali Region is lagging behind in all aspects of developmental infrastructure such as transportation, telecommunications, access to health, water and other essential services. The number of people facing food insecurity⁷ in the Somali Region is also disproportionately higher than other regions.

Human right abuses

Since the start of ONLF's armed insurgency, widespread human rights abuses committed by security officials has been widely documented in the Somali Region, specifically, the use of torture⁸ by Ethiopian security and intelligence institutions under The Tigrayan People's Liberation Front (TPLF) - led EPRDF regime in its campaign against the ONLF, and as a method of repression to deter civilian support for the ONLF.

The conflict in the Somali Region took a dramatic new turn when the ONLF attacked a Chinese-run oil installation near Obale (Jarar Zone) in April 2007, killing more than 70 personnel including Chinese and Ethiopian civilians. Prime Minister Meles Zenawi responded by launching a brutal counter-insurgency campaign led by the Ethiopian National Defense Forces (ENDF) which held the civilian population collectively responsible for the activities of the rebels. As outlined in 'Collective Punishment' by Human Rights Watch, the ENDF acted with complete impunity in acts of torture, extra-judicial killings and public executions, mass imprisonment, rape, confiscation of livestock, destruction of villages, and restrictions on access to basic necessities such as food and water, amongst other serious abuses. Human Rights Watch concluded that the ENDF was responsible for crimes against humanity in the Somali Region⁹. The post-2007 period was marked by a ban on independent media (local and international) and civil society organizations, blockading commercial activity and access to humanitarian aid.

7. https://reliefweb.int/sites/reliefweb.int/files/resources/IPC_Ethiopia_Acute_Food_Insecurity_2020Oct2021Sept_Report.pdf

8. Ethiopia is a party to The Convention against Torture (CAT) which defines torture as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person... when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official." Convention against Torture, art. 1. Ratified by Ethiopia in 1994.

9. https://www.hrw.org/sites/default/files/reports/ethiopia0608_1.pdf

By 2009, a brutal new paramilitary force that reports directly to the President of the Somali Region emerged with the purpose of continuing the ENDF's counter insurgency war against the ONLF and the Somali population en masse. The Liyu police have been responsible for carrying out deliberate and repeated attacks on civilian populations in a bid to root out the insurgency and terrorize the population to prevent affiliation with ONLF, which had been designated a terrorist group by the Ethiopian government alongside 4 other organizations: Al-Shabab, Al-Qaeda, Ginbot 7 (G7) and the Oromo Liberation Front (OLF).

Mass imprisonment of ONLF combatants and civilians suspected of supporting the ONLF and other illegal anti-government organizations became the cornerstone of the government's counter-insurgency strategy. This was facilitated by the militarization of the Somali Region which meant that civilians were unlawfully detained at various types of makeshift detention centers at local (kebele), district (woreda) and zonal levels, from ENDF military barracks, Liyu Police detention centers, to informal and often underground detention centers in remote areas without any due process or judicial oversight.

In Jigjiga, the capital of the Somali Region, accused persons were held in several district and zonal police stations, and later transferred to formal prisons such as Jigjiga Central Prison 'Jail Ogaden' after being convicted by a court of law. However, political prisoners were often held in various informal detention centers where they were subjected to a wide range of human rights abuses. Those accused of supporting the ONLF and other designated 'terrorist' organization were routinely interrogated and held in undisclosed locations before sentencing. Others were taken directly to Jail Ogaden without being convicted in violation against the 'Treatment of Federal Prisoners Council of Ministers Regulations No. 138/2007' and the 'Federal Prisons Commission Establishment Proclamation No. 365/2003.' Also, in violation against these proclamations, Jail Ogaden did not meet the basic criteria in terms of structure, facilities, and services to be granted the status of a prison. Outside of Jigjiga, there is no official account of the number of underground detention centers used by security and intelligence officials to conduct interrogations and carry out torture.

The most notorious and well-known detention center is Jigjiga Central Prison (Xabsiga dhexe), more commonly known as 'Jail Ogaden' in Jigjiga where the most senior ONLF personnel were imprisoned and subjected to various forms of abuses.

Jail Ogaden

Jail Ogaden was home to thousands of prisoners from all over the Somali Region who were never charged or convicted of any crime. It was characterized by routine practices of torture and humiliation with the aim of subjecting detainees to violent forms of physical and psychological abuse. Human Rights Watch's 2018 report *We Are Like The Dead* details the horrific experiences of inhumane and degrading treatment intended to force prisoners to confess to membership of the ONLF or to provide useful intel on the organization¹⁰.

Muhumed Abdullahi Guled recounts experiencing a constant regimen of abuse :

After being repeatedly hit on my head with the barrel of a gun, Abdihkaim Mohamed Baaja broke a fanta (glass) bottle and hit it over my head multiple times. I started bleeding endlessly. Abdirahman Labagole then said, "finally, I get to see Muhumed Anni's blood." I was stripped naked down to my underwear and thrown into a tiny bathroom, after this both my arms were broken above the wrist. The next morning Abdirahman Labagole expressed surprise at seeing me alive. "Muhumed Anni is still alive?" he asked. The next day he returned and said, "isn't this him sitting now" and "isn't this him speaking" to indicate that I had not been beaten enough. Three months later I was told by Farah Abdi Barre 'Farah Yare,' Head of prisoners administration department, that I will never leave prison except in a body bag.

ONLF prisoners bore the brunt of the violent physical and psychological abuses carried out in Jail Ogaden. They were split into two categories: supporter '*Seel*' and armed rebel '*Hubaysane*', with the latter category being targeted for specific types of inhumane torture and degradation. In 2016, 280 of the most senior ONLF rebel commanders who were all locked in Room 16 demanded their basic rights as prisoners since they were routinely singled out from the rest of the prison population. For 4 consecutive days they were denied food and water, and by day 6, Abdirahman Labagole (head of Liyu Police), 'Xaabsade' (head of regional intelligence) Abdihakim Mohamed Baaja (regional police commissioner), Nuur Abdi Maygaag 'Ilkacase' (regional commissioner of prison service administration) Mukhtar Subane (regional security advisor to the president, previous head of intelligence), Abdiaziz Mohamed Ali (chief of cabinet), and Yasin Abdiwaris (head of central ruling party) arrived at Room 16. Abdirahman Labagole told the prisoners:

You are not missing any rights, it is Abdi Mohamoud Omar and I who have determined that you have no rights to speak of – you are arrogant to assume that you have any rights.

This period was known as the small judgment day *'qiyaamihii yaraa'* based on the severity of the abuses experienced by 12 prisoners¹¹, out of the 280 who were singled out as the masterminds of what the prison heads classified as an attempted uprising or revolt. Muktar Subane and Ahmed Daahir 'Geel-qayiley' were personally responsible for using glass soda bottles and the barrels of their guns to beat the prisoners. Prisoners further recount the torture method known colloquially in Jail Ogaden as *'yuuqitaan'* which entails standing in the same position for days in a row, as being the worst form of punishment in terms of physical and psychological torture. In 2016, the 12 prisoners accused of organizing a revolt while demanding basic rights were ordered to stand for 7 days and nights in a row. One-night Casaanyo's feet became so severely swollen that the skin on his feet started to rupture releasing a watery fluid. One of the 12 prisoners describe the experience as 'the worst form of torture which killed us psychologically.' Today, this dark chapter in the history of Jail Ogaden is commemorated annually as 'Black Day' by ASVS on April 6th.

Ethiopia's 2018 political reforms: political prisoners in the Somali Region

The political reforms which swept across Ethiopia in the beginning of 2018 marked a new chapter in the repressive history of the EPRDF. Haile Mariam Desalegn stepped down following the mass Oromo-youth led protests calling for reform and democratization, paving the way for his successor to come to power in April 2018; Dr. Abiy Ahmed. The new Prime Minister pledged to initiate new reforms, including broad-based security sector reform¹², normalization of relations with Eritrea instilling a new sense of hope for millions of Ethiopians affected by the brutality of the state-apparatus which characterized the preceding decades. In line with the new reforms, regional presidents were instructed to release all political prisoners.

11. The names of the 12 prisoners, later transported to Bayahow: Muxumed Abdullahi Guled 'Muxumed Anni,' Daresalaam, Casaanyo, Abdiwali Xayraan, Sheikh Ahmed Yogol, Carab Bunow, Tamaan Xiirey, Xassan Abdisamad, Suldaan Xukun, Gadhya, Urur and Nuur Caafi.

12. <https://www.africanews.com/2018/04/15/ethiopia-pm-pledges-to-reform-security-sector-and-revisit-repressive-laws/>



Jail ogaden prisoners

Source: BBC Somali

The federal government began releasing political prisoners held in various detention centers in and around Addis Ababa including the notorious Maekelawi jail, Kaliti and others. Abdi Iley on the other hand, had other plans for the (ONLF) political prisoners held in Jail Ogaden. In February 2018, the BBC Somali service reported that Abdi Iley released all political prisoners - the report was accompanied by a photograph, previously unseen, displaying feeble, down-trodden political prisoners in their hundreds outside the gates of Jail Ogaden. According to prisoner testimonies, on 1st February 2018 ONLF

political prisoners were singled out, as they often were, and brought to the courtyard of Jail Ogaden. They were informed by Muktar Subane (security advisor to the president) that they were going to be released because Abdi Iley had pardoned them. They then had a photo taken of them, unaware of the political developments happening across Ethiopia, and that this photo was going to be used to mislead the public into believing that the ONLF political prisoners have been released.

On 2nd February 2018 around 728 prisoners were transported from Jail Ogaden to one of Jigjiga's main conference halls 'Sayid hall' to be addressed by Abdi Iley accompanied by a selected number of traditional elders and government representatives. Abdi Iley explained that it was not possible for him to release the prisoners at this moment in time, and instead they would be taken somewhere more remote where they would essentially be free. He further explained that they would be provided with livestock, land for farming, and that they would even build their own homes.

The sense of hope which was felt across other parts of the country with the initiation of new reforms, dwindled in the Somali Region when it became apparent that Abdi Iley had no intention of releasing political prisoners. In fact, they were to be subjected to a new and possibly even more severe form of imprisonment while battling with serious physical ailments and psychological trauma. Even the Somali prisoners released by Abiy Ahmed from Kaliti and Maekelawi were re-jailed in Jail Ogaden once they arrived in the Somali Region.

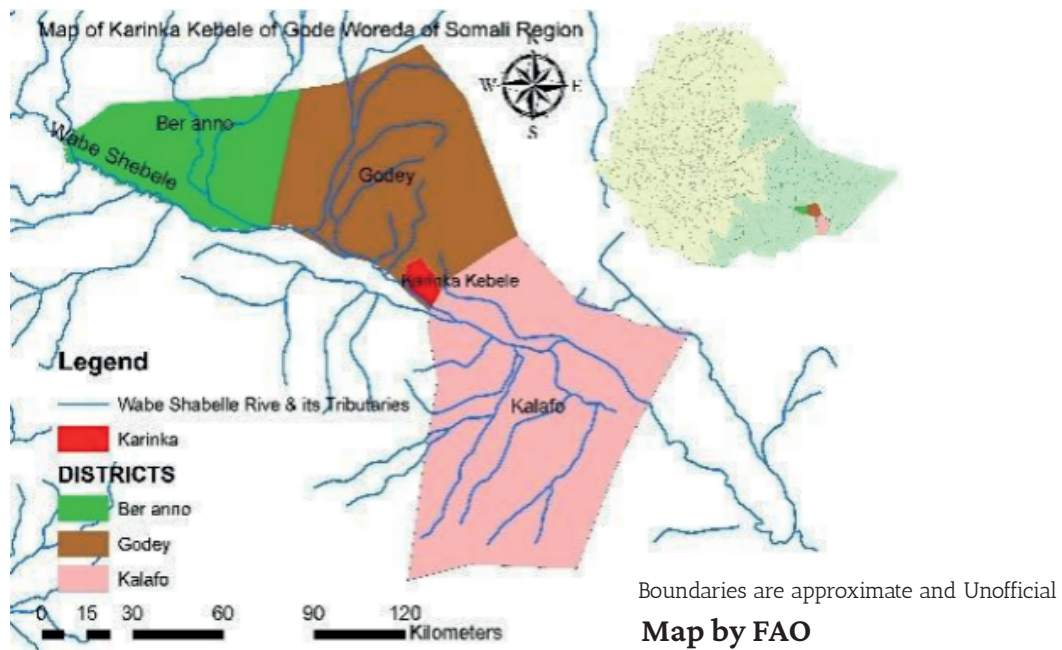
The prisoners were then split into two groups, one group was taken to the Teacher Training College (TTC) and the others were taken to the Nursing college where they were held for about 20 days during which the Liyu police, who were stationed both inside and outside the compounds, oversaw the security of the prisoners. Out of the ONLF political prisoners held in the two colleges, 728 of them were transported from Jigjiga to Bayahow camp, Shabeelle Zone via Godey. Another 80 prisoners, that were mostly handicap and severally sick, were brought to Bayahow at a later date.

Between February 2018 and August 2018, 808 ONLF political prisoners who served between 2-12 years in Jail Ogaden were selected to continue their prison sentences in a remote area away from the watchful eyes of the national and international community. Bayahow is to be considered as an extension of Jail Ogaden, and the experiences of prisoners there as a continuation of the torture and other serious human rights violations that prisoners were subjected to in Jail Ogaden. Despite national pressure to do so, Abdi Iley decided not to release political prisoners.

The circumstances surrounding Bayahow remained largely unknown until August 2018 when Abdi Iley was deposed by the Ethiopian government, which led to the breakdown of the repressive state apparatus which governed the day-to-day lives of civilians in the Somali Region.

Bayahow

'Bayahow' lives true to its name which refers to an empty and windy plain. It is located at approximately equal distance between Godey and Kelafo (45km respectively). The closest kebele is called 'Karinka' located around 2 km away, while Budhle is located roughly 5 km away from Bayahow towards Kelafo. When the prisoners arrived in February 2018, the desert plain was empty of any structures or basic services necessary for human survival amidst a five-year long drought. The main water supply is the Shebelle River around 5 km away southward from Karinka which was not suitable for immediate human consumption as evidenced by the immediate sickness of most prisoners after consuming this water upon arrival.



As elaborated by Abdi Iley in his Jigjiga address to the prisoners before their transfer, Bayahow was supposed to represent a new beginning for prisoners, providing them with the opportunity to earn a livelihood through provisions of livestock, a modest salary for construction work, and a plot of land. However, prisoners were soon to find out that Bayahow was nothing short of a 'forced labor camp' where they would spend their days building homes from scratch while in a state of deteriorating physical and mental health after spending years in Jail Ogaden. Professional staff responsible for overseeing the site have described Bayahow as 'an open-air prison' which was chosen for its remoteness as a means of exclusion and heightened security. As Abdi Takhal Farah, who served 9 years in Jail Ogaden for allegedly supporting ONLF explains:

'Due to the political pressure imposed on leaders across the country to release all (political) prisoners, it was no longer feasible to keep us in Jail Ogaden, so they transferred us here (Bayahow) just to change the scenery. But we remained prisoners.'

Bayahow management and key personnel

According to a former employee of the Liyu Enterprise, a government owned company which fulfills government contracts, Disaster Risk Management Bureau (DRMB) granted the Bayahow project to the Liyu Enterprise. Meanwhile Design Enterprise, also a government owned company, was responsible for the overall design of the project. These companies were known to function as shell corporations used to channel resources for the personal benefit of Abdi Iley and his affiliates. While technical aspects of the project were led by the engineers on-site, all other aspects of the project including the management of finances and the supervision of prisoners (including work schedules, meals, sleep times etc.) and staff working on the site was all under the control of Mukhtar Subane, the security advisor to the President. As an institution, the regional Security Bureau had no explicit role in this project. Mukhtar Subane on the other hand, as he often did, served at the personal discretion of former President Abdi Iley.

The managerial role of Mukhtar Subane in Bayahow is significant in that he is a recurring figure in testimonies of abuse and torture narrated by former Jail Ogaden prisoners, as well as Bayahow prisoners illustrating an explicit continuity in the Jail Ogaden-Bayahow experience of imprisonment. This is particularly the case with regard to (ONLF) political prisoners who recount Mukhtar Subane's personal involvement in coordinating their interrogation experience upon initial arrest, and his direct involvement in devising personalized methods of torture. A senior ONLF figure who was arrested on January 5th, 2014 recalls being personally interrogated by Mukhtar Subane and Abdirahman Abdulahi Burale 'Labagole' - regional security head and head of the Liyu Police- before being transferred to Jail Ogaden. This was owing to the wealth of intel that the prisoner was privy to due to his seniority within the ONLF.



*Mahamed Mahamoud,
former Bayahow and Jail Ogaden prisoner,
current Executive Director of ASVS*

"Due to mounting pressure on the administration to release all prisoners, a local reporter was sent to us by Subane, who was in Jigjiga at the time. The reporter put Subane on speaker and he began instructing the reporter what to ask us and how we should respond. The reporter was instructed to ask us 'are you prisoners here and have you abandoned your beliefs about ONLF' and then he instructed us to respond with 'no we are not prisoners and we have not abandoned our beliefs'. To distort the reality of our imprisonment to the rest of the world.

The monitoring and evaluation department at the President's office were designated to oversee the finances and monitor how the money was being spent. However, all matters pertaining to finances was under the full control of Mukhtar Subane who was aided by Najib Sheikh; the cashier on site handling all the money for the project which was sent to his account under the direct orders from Subane. Moreover, according to a monitoring and evaluation officer from the president's office assigned to Bayahow, Xalimo Mohamud Omar, Abdi Iley's sister, served as the supplier for all the construction materials for the project through her company.

Sources from the President's office under Abdi Iley's tenure reveal that the budget for the Bayahow project was three and a half billion birr. Due to the very large budget, it is suggested by observers that the funds for Bayahow may have been contributed to by sources outside of the Somali Regional Administration.

On conditions of anonymity, staff from the president's office, and engineers from the Liyu Enterprise describe not being allowed to leave Bayahow site for Kelafo or Godey in order to keep them isolated from surrounding communities, nor were they allowed to interact with the prisoners or even staff members from other institutions.

For instance, workers from Liyu Enterprise, those from Design Enterprise, and the prisoners were all kept at separate sites away from one another. Their only task was to monitor the construction of the homes, identify the supplies required for construction and report on the overall progress of the construction work back to the office of the president. As such, professional staff on site were imprisoned in the same way that the prisoners were in that they were even forbidden to take any form of leave. As a result of this entrapment, some workers decided to escape the site at night.

Over the course of several months, many of the professional staff from various government institutions escaped the site one by one due to the mistreatment of all personnel on site, especially prisoners by those in charge of the camp. 'They did everything they could to keep the people and the community away from us, we were completely isolated' explains a former prisoner alluding to the continued isolation that imprisonment in Bayahow constituted.

A breakdown of Bayahow homes

Prisoners were informed that the aim of the Bayahow project was twofold: to build designated homes for IDPs¹³, and for prisoners to build homes for themselves. Between 800 homes belonging to prisoners, and 2400 intended for IDPs from Qoloji were to be built in Bayahow. The two types of housing settlements are distinguished by their unique designs; IDP homes with a circular design, and a 5 meters by 4 meters rectangular design for prisoner homes, each built on 250 kare meters¹⁴ of land designated for each prisoner.



Subcontracts were given to each of the 10 districts in Shabelle to build some of the 2,400 circular houses meant for IDPs; each of the ten districts had two representatives on site. Each district received a contract for 50 houses which amounted to a total of 500 homes. In addition, Zamzam Group- a privately owned company, received a subcontract for a hospital and a high school. 12 foremen also received subcontracts to build some of the IDP houses for whom the prisoners worked as 'kuulis', assisting the foremen in the construction of the IDP homes in addition to their own prisoner homes.

13. There are conflicting reports on whether any part of the budget allocated for Bayahow was intended for IDPs at all as government sources indicate the absence of anything relating to IDPs in the original Bayahow scheme.

14. Kare meter is an Ethiopian unit of measurement.

By 3rd August 2018 when the project came to a halt due to shifts in the politics of the Somali Region, 500 out of the 800 homes intended to be built by prisoners were completed solely by the prisoners; meanwhile 1,600 out of the 3,200 IDP homes had been completed. Other completed structures include a meeting hall, a high school, a health center, four cafes and four stores. The construction of 4 mosques and 40,000 hectares of land reserved for the prisoners to grow crops was also included in the original design for Bayahow but was not completed by the time the project came to an end.

Experiences in Bayahow: continued imprisonment, forced labor and mistreatment

As evidenced by the testimonies of torture and other serious abuses in Jail Ogaden, the health condition of prisoners transported to Bayahow was immensely concerning and they were certainly not in any condition to carry out labor-intensive work in the extreme heat of the Bayahow plains. The harsh climate and condition of Bayahow, selected for its remoteness, was inhabitable particularly for fragile prisoners who were in dire need of accessing basic necessities such as food, water and medical help. Some prisoners were brought thin mattresses about a month after arriving in Bayahow while the rest slept on tarp. Those who were able to access extra materials tried to create makeshift tents.

A former prisoner explains the challenges posed by the environment alone:

‘We arrived in Bayahow during the dry ‘jiilaal’¹⁵ season, on top of that there was a severe drought. The area had not seen rainfall for 5 years. There were no wells in the area. Instead, people were sent to bring water from the river several kilometers away – this water was muddy and was not suitable for drinking by any means. Prisoners immediately became sick drinking this water, there was an outbreak of Acute Watery Diarrhea which weakened them even more. We had no place to sleep, 4 tents were brought to Bayahow which were reserved for Mukhtar Subane and those working with him.’

According to a contractor from the Liyu enterprise, prisoners took on the brunt of the difficult labor required for construction work. They unloaded construction materials, mixed the cement, made 30,000 – 42,000 bricks per day, and layered the bricks. He observed that the prisoners from Jail Ogaden were extremely fragile, and the harsh conditions of Bayahow resulted in up to 50 prisoners fainting every day from exhaustion and malnutrition as they were required to work on site 18 hours a day. The hardships of forced labor under extremely hot temperatures was exacerbated by the long duration of the workday. Prisoners worked from 5:30 am – 5:30 pm with limited breaks and minimal rest and a large number of prisoners worked throughout the night unloading construction material from the trucks.

A former Bayahow prisoner described spending his nights unloading cement and other supplies for construction, while his days were spent building the houses. None of the prisoners had any experience with construction work, which meant that the materials they were handling posed serious bodily risk. The danger of handling unfamiliar construction materials resulted in structures collapsing above prisoners and thereby injuring them as they were not built properly. The following statement by a former prisoner captures the variety of injuries sustained from carrying out intensive labor which they were untrained for under severe conditions:

'On the first day of construction, 50 of the prisoners were assigned to unload bags of cement. Since the prisoners were all inexperienced, and due to the extremely hot weather, the men removed their shirts and carried the cement on their backs. This resulted in severe skin damage, for some of them, their skin began to peel off their flesh. On a daily basis, around 40 of the prisoners would face some sort of injury or be taken to the emergency center due to being overworked.'



*Ahmed Ibrahim Abdi
former Bayxow and Jail Ogaden prisoner,
current Communications Director of ASVS*

"What was the most puzzling to me were how individuals with tuberculosis that had spent years in prison and were extremely weak and fatigued were forced to unload cement and do hard labour. I remember a day where 96 individuals fainted from exhaustion. Anyone that tried to intervene on behalf of those that were not fit to do hard labour would be labelled as being against the project or not wanting to work and would be punished."

55-year-old Muhumed Abdullahi Guled explains multiple other forms of injuries that prisoners sustained from construction work. For instance, 475 people were injured through handling metal sheets 'jiingado', around 127 people contracted tetanus infection linked to wound exposure/contact with metals by mishandling nails used for construction, and 27 people incurred serious injuries such as breaking their arms/ legs from unstable infrastructure collapsing on or falling off unstable structures which they were forced to work on without any prior construction experience. Amidst handling such dangerous materials, prisoners were forced to cater to the special needs of those among them whose mental - health had severely deteriorated over the years in Jail Ogaden, but were expected to take part in the construction tasks just like everyone else.

Moreover, according to Muhumed Abdullahi Guled, officials at Bayahow held regular evaluation sessions, locally known as 'gemgema' (group evaluations), where the performance of prisoners was judged, reminiscent of the notorious daily public 'gemgema' sessions in Jail Ogaden¹⁶. Poor performance in these evaluations resulted in being forced to carryout extended hours of work. Though prisoners were allocated 200 birr for each day of work, this amount was routinely decreased to 150 or 100 if their performance was deemed unsatisfactory and many were not paid at all.

The exacerbation of existing damage to long-term physical and mental well-being – from spending years in Jail Ogaden is another serious concern for Bayahow prisoners. Abdi Takhal Farah spent 9 years in Jail Ogaden where he contracted TB in 2014 which was left untreated. He was transported to Bayahow in a state of poor-health, where he was denied proper clothing and a place to sleep:

'We were eaten by different creatures usually found in deserts like Bayahow...due to the intensity of the forced labor on my body, combined with my existing ill health – my back was injured towards the top of my spine and I still feel the effects (today) of having carried blocks of brick.'

The effects of long-term suffering in Jail Ogaden and Bayahow has had a detrimental impact on the physical and mental well-being of survivors. Many still live with the physical ailments they incurred during imprisonment in Jail Ogaden, and later exacerbated in Bayahow, while some have been unable to survive the wounds inflicted by torture, mistreatment, and neglect. Dayib Mamaxed died shortly after being released from Bayahow on 28th November 2018. Likewise, Faysal Kaad Cabdi, Mahamud Sh. Cabdi Budul 'Baari,' Juned Macalin Maxamed, Nuure Maxamed Budul 'Nuure Goodi' and Gaanbe Hure Xasan 'Xassan Gaabane' all died since August 2018 after battling the compounded injuries sustained from spending up to 10 years in Jail Ogaden followed by 6 months in Bayahow.



*Mohamed Hussein Killas,
former Bayahow and Jail Ogaden prisoner,
current Director of Programs at ASVS*

. "No one was exempt from carrying out back-breaking labor for endless hours in the scorching sun, not even the mentally - ill, or those whose physical state showed serious deterioration due to years of abuse in Jail Ogaden; known to be rampant with infectious diseases. Not even the physically disabled were spared; in June 2018, 80 disabled prisoners were brought to us in Bayahow from Jail Ogaden – some of whom had their limbs amputated in Jail Ogaden"

After freedom

The effects of forced labor and prolonged imprisonment in Jail Ogaden has left a lasting impact on survivors. After their release in August 2018, prisoners faced serious challenges in adapting to life out of imprisonment as they were confronted with a completely new social and political environment. They had no assets and no source of income or livelihood to provide for themselves and their families whom they were separated from during extended periods of imprisonment. This has even resulted in the break-up of families.

Prolonged periods of imprisonment exacerbated the sense of loss felt by prisoners as many grappled with the loss of physical health, essential livelihoods, and mental well-being. Former prisoners struggle with the physical consequences of undergoing torture for prolonged periods without any access to medical help. Most common physical conditions include various crippling injuries such as chronic pain, improperly amputated arm(s) or leg(s), reoccurring problems from untreated TB, various types of infected wounds including gunshot wounds, nerve damage among other injuries. The compounded effects of untreated wounds and illnesses combined with malnutrition and torture has resulted in some prisoners' loss of hearing and/or vision, while some have died due to their injuries from Jail Ogaden and Bayahow. Abdi Omar Dhicis is one of many former prisoners who continues to struggle with the physical consequences of prolonged torture in Jail Ogaden, later exacerbated in Bayahow:

'due to beatings in Jail Ogaden and the harsh conditions of Bayahow, I have permanent damage to my left ear. I also have permanent nerve damage on my feet due to torture and being forced to stand for long hours.'

Former prisoners are unable to cover basic medical costs associated with accessing treatment for minor injuries, thus having to rely on family members or donations. However, ongoing medical costs for more complicated treatments and procedures such as surgeries, often required by most prisoners, are beyond their capacity. This has led to a growing number of Jail Ogaden and Bayahow survivors becoming incapacitated and losing hope in the possibility of regaining their health, resuming their lives, and re-integrating back into the community.

Mental Health and Trauma

Residual trauma has created obstacles for prisoners' daily lives. For instance, symptoms of Post-traumatic stress disorder (PTSD) are widespread among former prisoners often manifesting itself in the form of self-isolating detachment, vivid flashbacks, negative thoughts, and increased irritability. It is important to highlight that many prisoners testify having developed the strength to endure the psychological challenges of Jail Ogaden and Bayahow, but that it was life after Bayahow which really broke them. This is because they survived the ordeal of imprisonment with high hopes and anticipation for life after imprisonment. Instead, they received no reintegration support which they had placed their hopes upon receiving and have been unable to adjust to life as free men.

As Ahmed Ibrahim Abdi 'Qaahira' puts it:

'Life after Bayahow has been difficult. At the beginning of the transition we were hopeful, but unfortunately, we have not received any help or support. At times we tried empowering ourselves, but each time we faced extreme discrimination, especially from local government. For example, I tried competing for a government contract for a project, but I was denied from even entering the process because of my political beliefs.'

Individuals released from Bayahow have even reported facing discrimination from accessing government opportunities (i.e. job, contracts etc.) especially at the zonal and district levels.

While physical injuries, and psychological trauma has prevented the ability of prisoners to make a livelihood, those who were able to search for employment have faced the dual challenges of social stigma due to affiliation with ONLF, and the challenge of facing direct discrimination. This has resulted in the loss of opportunities to re-build their lives and occupy their rightful place in society. For former prisoners, facing discrimination is not only limited to accessing employment, but also in accessing higher education or resuming their studies.

Moreover, the feeling of abandonment and a sense of neglect is a widespread feeling among the ex-prisoner community. That no one has helped them, especially no support from the government – whom they'd placed high hopes upon in the beginning - has exacerbated the deteriorating mental health condition of former prisoners. Maxamud Muxumed Axmed, like many others, came out of Bayahow with nothing while in a state of poor mental and physical health. Members of his family were arrested alongside him, while the rest of his family had all their resources confiscated by the state as a form of punishment. Today, he lives with persistent symptoms of PTSD as he struggles to survive on his own:

'I am grateful for the freedom that I have now, but besides peace, most of us are in the same condition as when we first came out of Bayahow. I live with the trauma of both Jail Ogaden and Bayahow. I have constant nightmares, thoughts, and memories of the horror I experienced. It has even impacted by ability to read, comprehend, think and understand - my mind has completely changed.'

Conclusion

Today, the homes constructed by prisoners and others in Bayahow remain uninhabited but continue to be under the permanent supervision of the Somali Region's special forces. The site is managed by the Disaster and Risk Management Bureau (DRMB), who plan to settle three sets of people in these homes; drought induced IDPs currently based in the vicinity of Bayahow or the wider Shabelle zone, members of two local clans, and a group of IDPs from Qoloji who share a clan affinity with the local community residing around Bayahow. This formula for resettlement is intended to make beneficial use of the homes while reducing the potential for conflict over the ownership of these homes.

As this report has detailed, the case of former Jail Ogaden and Bayahow prisoners requires a more detailed consideration to remedy the physical, mental, and socio-economic impact on livelihoods which survivors continue to grapple with. For survivors, accountability encompasses elements of restitution, compensation, non-repetition of abuses, and holding perpetrators accountable. Compensation and rehabilitation¹⁷ entails providing care and access to services including but not limited to monetary payments and facilitating survivors' access to medical and mental health support. This also includes providing opportunities for economic and educational empowerment for instance through scholarships, targeted micro-loans, and other forms of developmental redress. These measures can provide redress to victims, restoring survivors back to their physical, economic, and psychological positions before Jail Ogaden and Bayahow.

The legacies of Jail Ogaden and Bayahow are laced with horror symbolizing the worst manifestations of state violence against its own civilians. Both sites symbolize lawlessness and a complete disregard for human life. With the closing of Jail Ogaden, there is an opportunity to prioritize education by utilizing the site to raise awareness and commemorate what happened there for future generations. Over the past three years, survivors have often served as ambassadors who accompany official visitors to Jail Ogaden, but as ASVS has been campaigning for, it is important to have Jail Ogaden transformed into an official museum. It is equally important to prioritize educating the masses on the history of Bayahow of which very little is known. Finally, it is not only vital for the collective healing of the survivor community to commemorate the lives lost in Jail Ogaden and Bayahow, but to uplift those among them whose lives have been changed forever and are in dire need of support today.

Acknowledgements

This report was written by Juweria Ali based on research conducted alongside members of the Association for Somali Region Victims and Survivors (ASVS).

ASVS would like to thank the funders, reviewers, translators, and interviewees who provided crucial testimonies by sharing their experiences with us; this report would not have been possible without their contributions.