

# Life Safety First: Winning the Struggle Against Road Traffic Accidents in Somaliland

NASIR M. ALI



**Cover Photo:** A passenger bus and taxi (Vitz) collision on the outskirts of Berbera, Somaliland. Four passengers died and seven other people injured as a result of the accident on the main road to Hargeisa near Berbera's western checkpoint. May 30, 2021. © Hargeisa Press.

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## EXECUTIVE SUMMARY

The effects of road traffic injuries and damages are prevalent in Somaliland. Hundreds of Somaliland citizens die each year due to road accidents, which additionally cause injuries and property damage amounting to thousands of dollars. All such tragedies and agonies are associated with road traffic accidents. This problem, which has also affected much of the world, remains the unknown silent killer of Somaliland citizens. Indeed, the accidents cause the loss of lives and the destruction of properties, directly affecting the livelihoods of many families who depend on the support of those who have lost their lives or property to such accidents. The increase in road traffic accidents both inside and outside of urban areas has broad adverse consequences for the population, for instance, speeding Khat trucks injure both humans and kill many animals grazing along road sides.

It is extremely imperative to acknowledge the importance of conducting such research on the mounting rate of road traffic accidents in Somaliland. Such research is necessary for the Somaliland Government to effectively tackle the broad-ranging effects resulting in rising number of road traffic accidents. It is necessary to have safe cars, roads, and good drivers who obey the rules relating to the state's road safety and security measures. This research is expected to contribute to the policy and decision-

making process of Somaliland in order to reach rational decisions. However, in order to solve this issue altogether it also requires a sense of social responsibility and commitment on the part of all those involved.

The Somaliland Government is expected to recognize the importance of implementing policies and strategies in place to address this national scourge. These policies can help root out major causes of road traffic accidents, such as the lack of diligence of drivers, over speeding, wrongful overtaking, non-use of seat-belts, distracted driving, unsafe road infrastructure, unsafe vehicles, inadequate post-crash care, inadequate law enforcement of traffic laws, and the lack of driving experience of some drivers, in particular, Toyota Vitz and water truck drivers, among others.

This study proposes policy options and strategies that can be applied against the causes of road traffic accidents both inside and outside urban centers. The implementation of these policies and strategies require firm leadership and a clear strategic vision; therefore, the government is expected to:

1. Expand traffic facilities across the country and cities, and build the capacity of the traffic police by teaching them the traffic laws, laws of the state, management, and

- leadership skills to tackle the problems they face.
2. Recruit more qualified traffic police, as many traffic police officers are approaching retirement age.
  3. Equip traffic police officers with body cameras, motorbikes, traffic police vehicles, and new surveillance technology, and deploy traffic accident investigators in each region in the country.
  4. The Government of Somaliland in general, and the Ministry of Transport and Roads Development, in particular, should refrain from issuing driving licenses without adhering to proper processes and procedures.
  5. The Traffic Police and the Ministry of Transport and Roads Development, in collaboration with the Local Governments, should implement the state's traffic laws without hesitation.
  6. The Local Governments, in collaboration with the Ministry of Transport and Roads Development, should utilize traffic lights and signs to help drivers avoid breaching laws and to improve road safety and security both inside and outside of urban centers. This can be done by means of deploying warning signs in rural, school, animal crossing, and grazing areas.
  7. The Government should enforce traffic laws without delay and impose harsh measures on those who breach them, including the imposition of fines or detention, and the confiscation of vehicles, among other measures that could deter drivers.
  8. The Central and the Local Governments should improve on infrastructure both inside and outside of cities in order to avoid road traffic accidents arising from poor road conditions.
  9. While speed limits are the best way to reduce the risk of road traffic accidents, the Ministry of Transport and Roads Development should introduce and implement vehicle speed limit, in particular upon Khat and water trucks, coaches, and passenger transport vehicles that regularly travel between the major cities of the country.
  10. The Government should encourage and institutionalize insurance companies and citizens should insure their cars to reduce risks. This will also relieve the burden from the traditional leaders, who are always engaged in collecting the blood or property damage compensation money on behalf of those killed or injured by vehicles belonging to their clan members.
  11. The Government should impose policies that would force car owners to inspect their cars' condition. The poor condition of cars is regarded as one of the causes of road traffic accidents.
  12. Adoption of a national policy and strategy to tackle the problems of road traffic accidents where the stakeholders are participating in

designing and implementing those policies and strategies. This should also include the reform and implementation of the existing traffic police bill, where necessary.

13. Pedestrians should distance themselves from roads to avoid any traffic accident that may lead to their injury or death. Therefore, the introduction of zebra-crossing and sidewalks (pavements) are necessary to keep pedestrians safe. This should be a priority for local governments.

## INTRODUCTION

Road traffic fatalities, injuries, and damage to properties are serious issues that challenge global health and development activities. The American Centers for Diseases Control and Prevention stated that the number of worldwide road traffic deaths continues to rise steadily, estimating the number of deaths only in the year 2016 as 1.35 million people.<sup>1</sup> However, when considered in the context of the increasing global population and rapid motorization that has taken place over the same period, this suggests that existing road safety efforts may have mitigated the situation from getting worse.<sup>2</sup> It also indicates that progress to realize Sustainable Development Goals

(SDGs) target 3.6 – which calls for a 50% reduction in the number of road traffic deaths by 2020 – remains far from sufficient.<sup>3</sup>

In addition to the abundant suffering that road traffic accidents produce, road traffic crashes can drive a family into poverty as crash survivors and their families struggle to cope with the long-term consequences of the event, including the cost of medical care and rehabilitation, and all too often the loss of the family's breadwinner.<sup>4</sup> Indeed, road traffic damage and injuries also place a huge strain on national health facilities, as many of the people involved may suffer from miserably inadequate levels of resources.

It is a fact that road traffic injuries constitute a major health and development problem in the world, especially in the African Region. According to the WHO Report of 2004, "the landmark World Report on Road Traffic Injury Prevention" drew attention to the magnitude, causes, and consequences of road traffic injuries. The report recommended policy options and strategies to tackle the rising casualties from road traffic injuries. Since then, many countries have taken measures to address the problem. The projections show that road traffic injuries will increase unless

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<sup>1</sup> Centers for Diseases Control and Prevention (2020). *Road Traffic Injuries and Deaths: Global Problem*. Available at <https://www.cdc.gov/injury/features/global-road-safety/index.html>. Accessed on January 2021.

<sup>2</sup> World Health Organization (2018). *Global Status Report on Road Safety*. Geneva: World Health Organization.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

decisive action is taken to tackle the problem.<sup>5</sup>

Indeed, traffic accidents cause around 1.35 million people to die each year worldwide. However, and according to the WHO, road traffic injuries are the leading cause of death among people aged between 5 and 29 years, and 93 percent of the world's fatalities on the roads occur in low- and middle-income countries, though these countries have only approximately 54 percent of the world's vehicles. The WHO report concludes that without sustained action, road traffic crashes are predicted to become the seventh leading cause of death by 2030.<sup>6</sup>

While the risk factors and causes of road traffic accidents may vary from one context to another, the WHO report of 2004 listed several factors as causes of crashes, including over speeding. According to the WHO, an increase in average speed is directly related both to the likelihood of a crash occurring and to the severity of the consequences of a crash. Not only speeding, but also driving under the influence of alcohol and other psychoactive substances, non-use of motorcycle helmets, seat-belts, and child restraints, distracted driving, unsafe road infrastructure, unsafe vehicles, inadequate post-crash care, and inadequate law

enforcement of traffic laws, are among the major factors that cause road traffic accidents in Africa. For instance, in Ethiopia, which is a country of over 100 million people, road traffic crashes recorded between 2016 and 2018 resulted in 14194 fatalities, 22647 serious injuries, and 21159 minor injuries, according to the Ethiopian Federal Police.<sup>7</sup>

In Somaliland, the number of road traffic deaths continues to rise steadily, reaching 182 deaths in 2019, with the number of injuries estimated at 3372. This number is extremely high compared to the 100 million people of Ethiopia with the above-stated statistics on death and injuries relating to road traffic accidents. It seems obvious that the number of traffic accidents and deaths is rising compared to previous years; the question is who is responsible for those accidents and what are the causes?

Several factors can be associated with the rising number of traffic accidents, especially in Somaliland. These include: over speeding, the non-use of seat-belts, distracted driving, unsafe road infrastructure, unsafe vehicles, inadequate post-crash care, inadequate law enforcement of traffic laws, lack of driving experience with some drivers (in particular "Tukhaan<sup>8</sup> drivers"), racing of water trucks

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<sup>5</sup> World Health Organization. *Road Safety*. Available at <https://www.afro.who.int/health-topics/road-safety>. Accessed January 2021.

<sup>6</sup> *Ibid.*

<sup>7</sup> United Nations (2020). *Road Safety Performance Review: Ethiopia*. Geneva: United Nations.

<sup>8</sup> The Toyota Vitz, which is also known as the Toyota Yaris in many countries is nicknamed Tukhaan. Tukhaan is a Somali word that means bedbugs, a small wingless insect that sucks blood and is sometimes found in houses and are prevalent in beds. Due to the bad driving of the

outside of urban centers thus resulting in massive casualties, unethical and reckless driving of major city transports (buses stop wherever they wish without giving due care and attention to public safety), irresponsible driving of school buses which race each other and refer to the children they are transporting as “popcorn”, lack of zebra-crossings for pedestrians, and a lack of adherence to the rules by green plated vehicles owned by the government, are all existing challenges.

The problems and challenges caused by road traffic accidents which lead injuries and damage to property in Somaliland are numerous and multidimensional. The Government is expected to take action and improve road safety holistically. This requires involvement from multiple actors and sectors such as transport, police, health, education, and actions that address the safety of roads, vehicles, and road users. The old saying, ‘An ounce of prevention is worth a pound of cure’, serves as a valid and thought-provoking frame of reference for this study. Also, effective and responsive policies that could tackle roads traffic accidents and eliminate their root causes are necessary, including designing safer infrastructure and incorporating road safety features into land-use and transport planning, improving the safety features of vehicles, improving post-crash care for victims of road crashes, setting and enforcing laws

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drivers and their consequent problems they are considered a pest (hence bedbugs).

relating to key risks, and raising public awareness.

Dealing with post-crash care is one of the major challenges faced in handling injuries from traffic accidents. There are growing concerns about dealing with traffic accidents. For instance, if the accidents happen between two regions, the injured should be transferred to the region where the accident has occurred even if that region does not necessarily have equitable health services and facilities. This kind of practice from the institutions concerned cut many people off from essential medical services, and this has a devastating impact on the victims. However, if any regional government is happy to deal with its own issues within its respective boundaries, it is tremendously important to improve the quality of health facilities and health staff they have in their regions, where the victims are in dire need to be protected and saved in post-crash situations.

## **AN OVERVIEW OF ROAD TRAFFIC ACCIDENTS IN SOMALILAND**

The frequency of road traffic accidents in Somaliland has been growing immensely, resulting in both deaths and the loss of property. However, the enforcement of the laws that pertain to road and traffic issues has been weak or absent, in reality. To tackle these challenges, the Government of Somaliland introduced the Somaliland Traffic Law in 2013 (Xeer Lr.

56/2013), which entered into force when the President of Somaliland signed it on 30 March 2013. Before the Somaliland Traffic Law was introduced in 2013, the main Somaliland traffic laws were the Traffic Ordinance No. 13 of 1937 as amended over the years and the various Traffic Rules issued under the Ordinance. The 1962 Somali Republic Traffic Code (Legislative Decree No: 4 of 16 December 1962)<sup>9</sup> has been in use in Somaliland until the new Somaliland Traffic Law came into force in April 2013.

Road traffic accidents remain the major silent killer of Somaliland citizens and the number of fatalities is increasing. For instance, in 2004 approximately 1251 road accidents were recorded, compared to 2199 accidents in 2011; thus, causing 75 and 142 deaths respectively. In 2019, approximately 2377 accidents were recorded, with 182 deaths and 3372 injuries alongside massive property damage, including animals. This increasing rate of car accidents occurring across the country could be blamed on several factors, including the lack of strong law enforcement mechanisms, poor road conditions, the poor condition of cars and the lack of proper repairing and maintenance from the owners,

irresponsible drivers, distraction and disturbance from the drivers' side, the high speed of cars both inside and outside urban centers, and the lack of sidewalks for pedestrians, to name but a few.<sup>10</sup>

Hargeisa city and nearby areas have a high proportion of accidents, which is evidenced by our analysis of the Hargeisa Group Hospital records, the largest and referral hospital in Somaliland. According to Hargeisa Group Hospital, the hospital recorded around 570 deaths and 18849 injuries caused by road traffic accidents since 2013. A period spanning 8 years as outlined by the figure below.

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<sup>9</sup> Traffic Code 1960 (Legislative Decree No. 4 of 16 December 1962, together with amendments) is a law issued by the Somali Republic to regulate the traffic at that time signed by the President, the Prime Minister, and the Minister of Public Works and Communications. Available at [http://www.somalilandlaw.com/Traffic\\_Code\\_1962.pdf](http://www.somalilandlaw.com/Traffic_Code_1962.pdf). Accessed January 2021.

<sup>10</sup> In one of their sessions held on 14 March 2021, the Somaliland Upper House "Guurti" discussed the security and safety of the roads, and raised their concerns over the deteriorating conditions of the roads inside the cities and how car accidents are rising. One of the members of the house linked the growing traffic accidents with a lack of tough regulation on issuing driving licenses and other rules.

Figure 1: Number of injuries & deaths recorded by HGH (2013–2020)

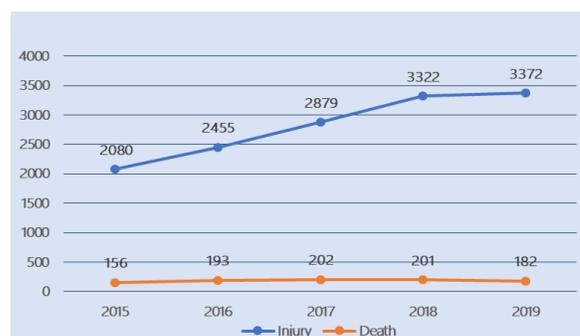


Source: Hargeisa Group Hospital (2021).

The lack of implementation of the state laws remains one of the major drivers of the increasing road traffic accidents happening in many parts of the country. The road accidents in Somaliland have been identified as one of the major challenges that face the citizens of Somaliland. For example, in 2015, the number of injuries resulting from car accidents was 2080 while the number of deaths reached 156 individuals. Additionally, the year 2016 witnessed an increase in both injuries and deaths, where 2455 and 193 were recorded respectively. The following year, 2017 was no different but the same increase was observed making the number of injuries 2879 and the deaths 202. 2018 experienced the same increase where 3322 injuries and 201 deaths were recorded. The year 2019, nevertheless, witnessed a slight decrease in the death rate where 182 deaths were recorded compared to the previous year of 2018 which recorded 201. However, 2019 witnessed the same increase in injuries where 3372 injuries were recorded as the following figure attests. With all

those lives and properties lost, the Government, which is responsible for the implementation of the state laws, should enforce the laws adopted by the state to safeguard the safety and security of the citizens.

Figure 2: Number of injuries & deaths recorded by Traffic Police (2015–2019)



Source: Somaliland Traffic Police (2021).

While the citizens are voicing their concerns over the issue, they are yearning for an immediate intervention to overcome the challenges of road traffic accidents by the state institutions responsible for the sector. However, the successive Somaliland governments have not said a word about the issue and its ramifications on human and state security and the magnitude of the losses associated with the rising road traffic accidents. Therefore, multiple interventions both from the local and the central governments are needed to address the problems posed by tragic accidents. A case in point is Hargeisa, the capital and the largest city in Somaliland with thousands of vehicles; it has only two traffic facilities, in the eastern and western zones of the city. “The late police

commissioner, Suldan Elmi Robleh Furreh, built the western zone traffic facility in Hargeisa to ease the load in the traffic main facility in the city” one of the traffic police of Hargeisa opined. However, “there is a need to build at least two other facilities to easily manage the ongoing car accidents in the city” he added.

### **UNDERSTANDING CAUSES OF ROAD TRAFFIC ACCIDENTS**

Road traffic accidents are dramatically increasing, which results in the loss of both lives and property. This tragedy and agony affects the lives of many, and therefore, requires particular attention and policy to be dealt with. It is, however, important to understand why all those accidents are occurring and whose responsibility it is to tackle and deal with this scourge. Several factors are critically understood to be the major drivers and causes of Somaliland’s rising road accidents, as mentioned above.

A very critical point to note is the reckless driving from most of the nation’s drivers, in particular those who drive the most troublesome type of vehicle ever imported to Somaliland, the Tukhaan (Toyota Vitz). Tukhaan drivers are the major cause of the rising accidents in Somaliland, especially in the urban centers. This could be linked with two major factors: a lack of driving experience from the drivers (mostly young), and the second very important point is the irresponsibility of the drivers. Therefore, Tukhaan vehicles have become

a symbol of all evil in Somaliland’s urban centers. Tukhaan is not only a major component of the cause of road accidents, but there is also strong criticism against them, as it is believed that the Tukhaan is the source and method of transporting alcohol and other drug substances within the major cities of Somaliland. Such allegations are mainly refuted and denied by Tukhaan drivers. Additionally, the racing of water trucks outside of urban centers causes massive casualties when they collide with other vehicles traveling outside cities, and the issue remains as one of the major sources of deaths from traffic accidents outside of urban centers.<sup>11</sup> Surprisingly, the green plate vehicles owned by the Government remain another challenge, for their drivers often breach traffic laws by passing or parking irresponsibly.

Khat drivers are another curse that cause road traffic accidents in Somaliland, in particular within rural areas. In open landscapes, Khat vehicles driving at high speed often strike and kill animals and livestock along the road. Such drivers also sometimes break the speed limit in urban centers and cause deaths and other types of injuries. In this regard, the Government of Somaliland has failed to force the Khat drivers to reduce the speed of the Khat trucks to avoid civilian casualties. Also, the Traffic Police and other related institutions have failed to directly address or criticise the growing threat of Khat drivers to the community. But, there is a well-known

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<sup>11</sup> Interview with one of the traffic police in Hargeisa, 2021.

saying from the public which exemplifies the improper driving of Khat trucks. This saying stipulates that “Khat is a government with a flag”, therefore, it is implied that roads ought to be vacated for Khat drivers to pass whilst speeding without hindrance. Such is a practice and habit denounced by rational citizens of Somaliland.

Poor conditions of the roads in Somaliland and poor maintenance of the vehicles are regarded as the major drivers of vehicle accidents in both rural and urban areas. Indeed, the numerous massive potholes in what used to be asphalt roads in the heart of both Somaliland’s cities and in the other roads that connect the towns of Somaliland is a classic example that exemplifies how drivers are burdened and distracted on the road, eventually resulting in a potential collision. Therefore, the local governments of Somaliland, and in particular Hargeisa, have failed to maintain and repair roads regularly, while the elected local councilors have never been aware of that responsibility. Therefore, it is time to understand the meaning and importance of those who the public wants to elect as their representatives, as local councilors, and also in the Lower House, the House of Representatives.

Poor driving and poor condition of the roads are not the only two causes of the road traffic accidents, as there are also other factors, for example, vehicle faults and failures to adequately maintain the

parts of a vehicle. Indeed, vehicle owners have often neglected their role in repairing and regularly inspecting the condition of their vehicles. For instance, poor quality brakes and tires result in failures to control vehicles and eventually cause them to crash or overturn. Similar can be said about the lack of side mirrors, faulty lights and indicators, and the absence of windscreen wipers are among the factors that most frequently cause collisions.<sup>12</sup> Even for responsible drivers, there are factors which make it difficult to service the car adequately as, there is a real concern of limited availability of car parts in garages, resulting in improper parts being fitted to cars and unskilled so-called mechanics causing more damage than fixing vehicles. Drivers spend large sums of money to purchase and maintain their cars, costs that could be reduced if the motor industry was managed properly.

An assessment conducted by the Somaliland Ministry of Transport and Roads Development attests to the above arguments and concludes that the major causes of road traffic accidents are categorically three main factors: a) poor and reckless driving, b) poor road conditions, and, c) poor vehicle conditions. To tackle these challenges identified by the assessment, the Ministry imposed new policies to administer the issuance of driving licenses, requiring citizens to pass through both medical checkups (sight examination) and theory and practical examinations about driving. Additionally,

<sup>12</sup> Debela Deme (2019). Review on Factors Causes Road Traffic Accident in Africa, *Journal of*

*Architecture and Construction*, Volume 2, Issue 3, pp 41–49.

the Ministry introduced the vehicles inspection policy and launched inspection facilities across the six regions of the country. Furthermore, as the Ministry is the sole institution responsible for the roads outside of the cities, the authority regularly repairs the potholes on the roads connecting Somaliland's cities and towns.<sup>13</sup>

Although these are the major causes of road traffic accidents, on the other hand, other institutions have also failed to materialize their role and responsibility. For instance, the Ministry of Interior in collaboration with the Traffic Police failed to enforce the nation's roads safety and security law passed by the parliament. This law is supposed to deal with all those challenges facing the vehicles and drivers equally. Indeed, the Somaliland public in general, and the drivers in particular are not aware of the existence of the traffic law let alone practicing it. Therefore, it is the responsibility of the Ministry of Transport and Roads Development to educate the public in collaboration with the Ministry of Inter-parliamentary and Constitutional Affairs and the Ministry of Information, Culture, and National Guidance.

### **THE COSTS AND CONSEQUENCES OF ROAD TRAFFIC ACCIDENTS**

Road Traffic Injuries are the eighth leading cause of death in the world and there has been a 46% increase since the 1990s, while the highest number of deaths occurs on the African continent.<sup>14</sup> In Somaliland, the human cost of road traffic accidents remain one of the major killers of Somaliland citizens. In each year, the number of car accidents dramatically increases while the number of deaths and injuries is also rising. This puts a burden both on the lives and livelihoods of many citizens, including children who every day lose one of their family members or sometimes their breadwinners.

The costs of road accidents are not limited to the potential loss of a family member who was responsible for the lives of many, nor to the damage of properties such as the destruction of homes, nor to the striking or killing of livestock and other animals, but also such accidents place a burden and pressure on clans and sub-clans. In the Somali social structure, society is organized in a clan-line system where each sub-clan has the responsibility to pay the blood money collectively, or in other words "Diya" or blood compensation.<sup>15</sup>

The Somali culture, which is mainly driven by the Islamic religion and values, obliges

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<sup>13</sup> Interview with the director of the department of planning and research at the Ministry of Transport and Roads Development, Hargeisa, Somaliland.

<sup>14</sup> Bonnet E, Lechat & L, Ridde V (2018). What interventions are required to reduce road traffic

injuries in Africa? A scoping review of the literature, *PLOS ONE*, 13 (11).

<sup>15</sup> Gardner, Judith & El Bushra, Judy (2004). *Somalia: The Untold Story – the War through the Eyes of Somali Women*. London: Pluto Press.

the clans and sub-clans to pay blood money. The people killed or injured by cars should be paid their compensation by the clan members of the drivers or the owners of the car. The responsibility remains on the shoulders of both the drivers and the owners; therefore, if the two are hailing from two different clans they should pay the blood compensation money collectively. This puts a burden on the clans and families of the owners and drivers of the cars.

It is a reality that the majority of cases the current Somaliland traditional chiefs deal with are traffic accidents, which greatly impact upon their normal activities. This means that traffic accidents replaced the killings among the community which were prevalent before traffic accidents. It is important to note that traffic accidents were not part of the traditional blood compensation system of the Somaliland people. The traditional chiefs interviewed by this study underlined that the involvement of the traditional chiefs in traffic accidents and the collection of blood compensation money associated with traffic accidents goes back to when Somaliland withdrew from the failed union of 1960 in 1991. The disintegration of Somalia's state institutions, including insurance companies, precipitated the traditional chiefs' involvement in the traffic accidents to avoid conflicts and confrontations with the community. Therefore, social insurance in the form of collecting blood compensation money

instead of funds from insurance firms became the typical practice in society from 1991 onwards.

One of the traditional chiefs interviewed by this study linked the rising car accidents with the increasing number of cars imported and the irresponsible drivers who do not care about the safety and security of both citizens and themselves. "It is easier to hit the person instead of damaging the car with a pothole, because then the driver will need to repair his car personally, while the injury or killing of the person is to be paid by his clan or sub-clan collectively" a traditional chief stated.<sup>16</sup> Therefore, there is an urgent need to encourage insurance companies to address the growing threats of traffic accidents and make reckless drivers accountable for their bad driving and behavior. "Insurance companies are the only solution to the growing road traffic accidents" one of the traditional chiefs added.<sup>17</sup>

The traditional chiefs have become victims of all problems happening in the country including traffic accidents. While the traditional chiefs are the bondage between the state institutions and the citizens – a practice in place since the arrival of the British and their subsequent establishment of the British Somaliland Protectorate in 1884 – the traditional chiefs' sole responsibility is to mediate between and among the community, collect the blood compensation money

<sup>16</sup> Interview with one of the traditional leaders in Hargeisa, 2021.

<sup>17</sup> Interview with one of the traditional leaders in Hargeisa, 2021.

among the clans, guarantee issues related to blood and property compensation, to name but a few.

However, and according to the interview with traditional chiefs, there are growing trends that greatly affect the traditional chiefs' role in the community, such as detaining the traditional chief to pressure his clan or sub-clan to pay the blood compensation or bring the perpetrator to face justice. "Now the government detains the traditional chief, it was not like this before, the government was sending the traditional chief to bring the perpetrator or collect blood compensation. How can a traditional chief bring a perpetrator or collect blood compensation while he is in detention?" one traditional chief responded.<sup>18</sup> Therefore, to avoid all those burdens on the traditional chiefs, one of the clans in the Hargeisa region suspended paying all traffic accident related blood compensation money, which at least relieved the clan's bleeding and burdens on the chiefs. This put a major responsibility on the shoulders of those owning the car and the drivers themselves.

The growing casualties caused by traffic accidents put a burden on the clans and sub-clans, and particularly the traditional chiefs bear a disproportionate portion of the burden. "I am not involved in any traffic accident-related case anymore" one

of the traditional leaders responded.<sup>19</sup> It appears that the traditional chiefs became the victims of all such complicated issues where they spend all their time and energy solving problems within the community. "I have an enforcement letter from the Governorate Office, informing the Hargeisa eastern and western police divisions to give us assistance to detain those who defy our demands and orders as a traditional chief. The commander will tell us, OK, take that Police car with four to five police, fuel the car, and give incentive to the police" another traditional leader stated.<sup>20</sup> "We cannot afford that, it is beyond our capacity to cover all those costs at the same time spend much of our time and energy solving social problems. However, we are obliged to do so and pay the money as per the orders of the police. Because our prime objective is to complete the mission and complement our obligations as a traditional chief" he added.<sup>21</sup>

### **THE SCHOOL CHILDREN AT RISK**

Children who are attending schools are becoming seriously vulnerable to the unregulated driving of the country's vehicles. The lack of zebra crossings and reckless drivers pose a great threat and challenge to the lives of many unaccompanied school children. This warrants urgent intervention and response from the parties concerned, especially the

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<sup>18</sup> Interview with one of the traditional leaders in Hargeisa, 2021.

<sup>19</sup> Interview with one of the traditional leaders in Hargeisa, 2021.

<sup>20</sup> Interview with one of the traditional leaders in Hargeisa, 2021.

<sup>21</sup> *Ibid.*

local government which is responsible for creating safe crossing areas and building what is known in Somali as “Askari jiifa” or “a sleeping soldier”, a tarmac speed-breaker aimed to save the lives of the school children and the elderly, and the traffic police who are expected to implement the traffic laws of the state and make the drivers obedient to the rules of the state. “The traffic police perform its work to counter the problems of road traffic accidents” one of the traffic police of Hargeisa argues.<sup>22</sup> “This is not an issue of law implementation and enforcement, it is an issue of human and social behavior” he added.<sup>23</sup>

Irresponsible driving within urban centers has become a common practice where many unregulated cars cause casualties and create damage. This demands a serious response from the state institutions concerned. Not only those institutions, but the public at large should take their role in mitigating the risks and dangers of unregulated car driving. “The role of religious leaders is missing or in reality absent; they are not aware of that raising the awareness of the public, for example about the risks posed by reckless drivers to the lives of school children and of bribes exercised in many parts of the state institutions, among other things, are part of their responsibilities” one of the intellectuals of the state expressed ardently.

Mrs. Ilhan Said Farah is a mother living in Hargeisa, and a member of the Somaliland

diaspora from the United States of America. This mother upholds her social responsibility by helping school children to cross the highway to go to school; thus, saving them from the cars that do not stop to allow the children to cross the road to reach their school, according to the interview she gave to SAAB TV, a Somali-owned TV station based in Somaliland in 2020. “I come here at 06:45 AM and leave at 07:45 AM on each school day. The students start crossing the road at the time mentioned, but most of them start at 07:15” she stated. She describes why she started this mission. “One day I came from downtown, it was around 11:30 AM, and I saw school children who were standing along the road, and no one was stopping their car to let the children cross the road. Immediately, I recalled how in the past people were letting us cross the roads” she added.

“This was guidance from Allah. To implement my plan, I consulted with my husband and my children and explained to them my longing to undertake that task. They told me not to get involved in this, as Somaliland’s drivers drive their cars irresponsibly; instead, they said, we will pay someone to do that job, but that was not possible. Several times I tried to pay someone to stand on the other side to help me; however, that did not happen” she opined. She explains her social work further and how she gears up this work. “I got a flag with red color, many questions come from this flag, for instance, why do

<sup>22</sup> Discussions with a traffic police in Hargeisa, 2021.

<sup>23</sup> *Ibid.*

you take this flag? Among other questions” she added. “Most of the people are now accepting my work and they stop when I am crossing the road with the school children, but, there are some drivers that neither stop nor give a chance to those children crossing the road. I pray and beg Allah each day to save both myself and the school children” she concluded.

Citizens' concerns about the road safety and security and the weaknesses of the state institutions strike at the heart of any discussions with the members of the local community. The formal institutions, in particular, the traffic police and social providing institutions remain at the center of their discussions. Therefore, building the capacity of the traffic police, other service providing institutions, and raising the awareness of the public towards road safety and security should remain a priority. It is a reality that most of the drivers lack the ‘paragon of virtue’ that could influence them to give priority to the school and unaccompanied children who face a very serious challenge and fear when crossing major roads to go to their schools or back to their homes. Therefore, the government, in particular, the concerned institutions should take the lead and address this social problem which puts a risk on the lives of many citizens of all ages.

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<sup>24</sup> It is a Somali word that means the customary rules and regulations within the clans and sub-clans.

<sup>25</sup> Yusuf, Abdi A. (2018). The Proliferation of Traditional Leaders in Somaliland: Past and

### **CAN INSURANCE BE A SOLUTION?**

The Somali people have always lived a traditional life under customary norms and rules called “*Xeer*”<sup>24</sup>. Historically *Xeer* was developed to manage the social, economic, and political lives of Somali tribes and is still widely used, not only in the pastoral settings but also in the urban dwellings. Somali traditional leaders use customary law as a guiding regulation for the governance of their clan members.<sup>25</sup> However, while the Somali traditional leaders have historically had immense importance in shaping Somali political and social life in general and the Somaliland people in particular, there is a growing trend of social change which greatly affected the behavior of the people who used to be obedient to the traditional leaders’ demands. This could be attributed to several factors including the growing number and proliferation of the traditional leaders, and the changing lifestyle of the people who are shifting from a collective way of life to an individual lifestyle. Given the emphasis on this point, there is a growing number of people who are intentionally declining to pay blood compensation money as many of them are tired of the endless demands from the traditional leaders to pay money.<sup>26</sup>

In this regard, the emergence of insurance companies that could allow people to get

Present Situations, *Somaliland Peace and Development Journal*, Vol. 2, pp. 1–11.

<sup>26</sup> Interview with a senior officer at one of the Insurance companies in Hargeisa, 2021.

insurance for their vehicles and properties to avoid the recurrent conflicts within the community and their traditional leaders is necessary. Therefore, there is an urgent need to introduce insurance to help the people; for instance, third party liability and comprehensive types of insurance would be beneficial to avoid the crisis of road accidents that greatly affect the lives and livelihoods of many. The question that arises from this argument is: what are the benefits associated with the introduction of insurance? There are several benefits, including the decrease of tribalism and tribal politics as much of the population is leaning towards an individualistic way of life, and the institutionalization of the people's way of life as most of them are dependent on clan support and protection. Therefore, the institutionalization of insurance by adopting its guiding policies and procedures is important, for it would oblige the citizen to obey the relevant procedures.<sup>27</sup>

Strengthening insurance companies' and their capacities is also necessary. This will encourage both local transactions and other regional and international clients using the services of Berbera Port and the corridor as well. In March 2018, DP World and Somaliland entered into an agreement allowing DP World to invest in the Berbera Port for around \$442m. This engagement will unlock the potentiality of

Somaliland's position in the region and could avoid risks associated with this development. Therefore, to prevent any danger to the citizens and their properties and also to those coming to Somaliland, the introduction and institutionalization of insurance to cover risks including road traffic accidents is important. Given the emphasis on this point, joining the COMESA Yellow Card is very important to avoid further risks and dangers. Yellow Card Insurance or simply the Yellow Card is essentially a regional third-party motor vehicle insurance scheme that provides third-party legal liability cover and compensation for medical expenses resulting from road traffic accidents caused by visiting motorists.<sup>28</sup>

Additionally, offering third-party liability protection to the insured or the driver whilst in a foreign country, the COMESA Yellow Card Scheme also offers emergency medical cover to the driver and passengers of the foreign motor vehicle involved in the traffic accident. The third-party liability cover offered is limited to the statutory provisions on road traffic third party liability award limits of the country being visited and from which the incident has occurred.<sup>29</sup> However, the major challenges faced by Somaliland is how to overcome the shortage of experts and technical professionals, where the country suffered from the disruption of academic institutions and emigration of

<sup>27</sup> Interview with a senior officer at one of the insurance companies in Hargeisa, Somaliland.

<sup>28</sup> Laws of Kenya (2012). *Insurance (Motor Vehicles Third Party Risks)*. Nairobi: National Council for

Law Reporting with the Authority of the Attorney-General.

<sup>29</sup> *Ibid.*

best-educated and skilled human resources due to the successive wars that ravaged Somaliland.<sup>30</sup> Therefore, Somaliland needs to hire international experts in its negotiations with the other regional and distant actors in order to safeguard the national interest of this nation.

On the other hand, in order to minimize the risks and dangers of those using the Berbera Corridor from neighboring countries, improving the corridor safety by using road signs, maintaining the road, building speed breakers, and creating additional checkpoints at the corridor from Berbera to the border town of Tog Wajale for security reasons, are necessary. Also, the issue of traffic police and building their capacity to deal with the foreign vehicles passing through this corridor is necessary. The capacity of the department of immigration and customs is also crucial to be improved and encouraged to counter all problems and insecurities associated with those using the corridor. Therefore, more citizens saw the opportunity to develop Berbera Port and the corridor as a national milestone in which this nation can gain a greater influence.

However, all those recommendations depend on whether the other state institutions involved in the sector are properly trained and equipped in order to

gain the full trust of the locals and other clients using the corridor. The development of state capacity to manage competing interests from different fronts and to be responsive to citizen's needs has the potential to improve the legitimacy of the state apparatuses, in particular, insurance policies and companies which are vital for this nation in the dawn of a globalizing world with the age of advanced science and technology. Therefore, to formulate policies that may benefit Somaliland citizens, greater recognition needs to be given to the safety and security of the citizens.

### **RESPONDING TO THE CHALLENGES FOR A BETTER ROAD SAFETY**

In the African context, the lack of capacity by the state institutions is a major issue as it makes them unable to deliver equitable and affordable services to the citizens.<sup>31</sup> In Somaliland, lack of consolidation of the state institutions, promotion of human development, and social well-being of the state citizens are the major challenges this nation is facing. In this regard, and to overcome those social, economic, and political obstacles and challenges, the government should put in place an ambitious infrastructural development plan to boost the country's growth, and improve the basic services needed by the citizens, so as to create hope for all. Once this happens, any policy and strategy

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<sup>30</sup> Jhazbhay, Iqbal (2010). Somaliland's post-war reconstruction: Rubble to rebuilding, *International Journal of African Renaissance Studies - Multi-, Inter- and Transdisciplinarity*, no. 3: 1, pp. 59–93.

<sup>31</sup> Okome, M. Olufunke (2013). *State Fragility, State Formation, and Human Security in Nigeria* (ed). New York: Palgrave Macmillan.

introduced by the concerned state bodies will be able to overcome the institutional weaknesses and prevent decay and destruction.

The perception of the citizens to the different state institutions is entirely different. The police force is one of the champions and a key player in preserving the security and safety of the citizens. Without the police, countries would not be able to provide a minimum level of security to their citizens or perform their regulatory functions. Hence, to provide security services and build long-lasting peace in a community, it is essential to build the capacity of the police force.<sup>32</sup>

In Somaliland, although citizens consider the police as the primary actor to maintain the safety and security of the people, there are both legal and institutional weaknesses within the police. These weaknesses include the low level of education among the policemen/women, lack of professional integrity, low wages, lack of housing for their families, and lack of capacity building programs. This leads them to reluctance and undisciplined acts as well as corruption.<sup>33</sup> Also, a lack of transparency and accountability is another critical challenge that needs to be addressed if Somaliland's security is to be sustained and improved.

The Somaliland Traffic Police is part of the ongoing police reform and part of the police's five-year strategic plan (2021–2025). This is aimed to transform the Somaliland Traffic Police, including training new officers equipped with new equipment and tools necessary to tackle the problems of road traffic accidents.<sup>34</sup> However, road traffic accidents in Somaliland have become among the primary sources of death and injury incidents reported to the health centers and police stations. Driving cars at high speeds with poor and unmaintained roads both inside and outside the cities remains one of the major drivers of the increasing frequency of road traffic accidents. Therefore, to upgrade the quality of the roads and implement the policies and strategies in place, the Government is expected to tackle the problems of road accidents. However, one may question which of these problems warrant an intervention? Indeed, there are several challenges and causes of road accidents, including reckless or irresponsible drivers, a distraction from the drivers' side, poor and unmaintained roads, and the lack of proper training for the drivers, among others.

To tackle these problems, the Government should focus on enforcing and implementing the policies in place and on the other hand improving the

<sup>32</sup> Kádár, András (2001). *Police in Transition: Essays on the Police Forces in Transition Countries* (ed). Budapest: Central European University Press.

<sup>33</sup> Abdi, Mustafe I. Ali, Nasir M. Ismail, Abdiqadir A. & Rashid, Ayan (2019). *Hard to Ignore: Tackling*

*Youth Violence in Hargeisa Mohamed Moge District*. Hargeisa: Institute for Peace and Conflict Studies.

<sup>34</sup> Interview with a senior officer of the Police Force, Hargeisa, 2021.

infrastructure which mainly causes accidents, such as poor road conditions. Not only unmaintained roads but also the lack of proper training for drivers and irresponsible driving (including high speeds) are among the major causes of road traffic accidents that warrant proper and timely intervention. Therefore, drivers should not only take responsibility for driving their cars, but should also be informed that they are responsible for any damage to both properties and lives they may destroy. This type of strategy will encourage the emergence of insurance companies and discourage poor drivers.

It is necessarily important to design strategies and policies that could help the state establish functional legal and appropriate policy frameworks to preserve both the lives of the people and the properties of the state's citizens that are regularly damaged by car accidents. In this respect, the Government should pursue clear policy objectives and rely on a vast range of policy tools to achieve them, in order to overcome the risks and challenges of road traffic accidents that frequently kill innocent civilians.

Sound policies adopted by national institutions in collaboration with the local people could serve as a milestone in achieving better road safety and security in Somaliland. Therefore, the need exists to re-institutionalize the Traffic Police so that they can help the state reduce the growing danger of road traffic accidents.

However, both implementation of the policies in place, including the Somaliland Traffic Law, and the improvement of the Traffic Police's livelihoods including their salaries and payments, remain a crucial task. If the Government fails to implement these policies and strategies, the safety and security of the Somaliland citizens will remain in limbo.

Post-crash care is another very important stage, especially when the victim is fighting for their life. This requires a particular policy and strategy to save the injured and victims' lives and facilitate access to health facilities; thus, giving the police first-aid care training which is crucial. The facilitation of access to health facilities for victims in order to save their lives remains one of the major problems faced by the injured. Therefore, there is an urgent need to improve the quality of health facilities in Somaliland's regions to serve the victims and equip them with knowledgeable and skilled personnel, and supplies to provide care to the victims.<sup>35</sup> In 2019, for example, the Somaliland Ministry of Health Development, the Local Government of Hargeisa, and the Laas Geel District laid the foundational stone of a health center aimed to provide services to those injured in road traffic accidents occurring between Hargeisa and Berbera.

### **CONCLUSION**

Government interventions that affect the management of road traffic accidents to

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<sup>35</sup> Interview with a senior officer of the Police Force, Hargeisa, 2021.

save the lives and livelihoods of citizens are far from being materialized. The Government institutions responsible for road safety and security, in particular the Traffic Police and the Ministry of Transport and Roads Development, have been reluctant to implement the policies and laws passed by the Somaliland Parliament. The Traffic Police whose payments are not attractive and sufficient to their livelihoods and families are vulnerable to the bribes that come from the drivers and those who breach the law of the state. Indeed, an economically weak police cannot dare to fine or detain someone who bribed them. Or sometimes they face uneven consequences from their tasks as many of those who breach laws may have a relationship with someone who is a senior official at the Somaliland Government, where the traffic police becomes a victim in trying to justly perform his duty. This means that the current Somaliland state practices are much more leaning towards the rich and not supporting the poor, delineating the old saying that the "big boss is always right". This is neither relevant to the Muslim values nor the state laws and regulations.

It is the responsibility of the Government to tackle the challenges and problems of road traffic accidents which kill hundreds and injure thousands each year whilst causing massive damage to properties. It seems obvious that the Traffic Police are dealing with problems of road safety and security with limited payment and incentives, and therefore, are prone to breaches of the rules and regulations of

the state. Though there are some institutional weaknesses within the Somaliland Traffic Police, the Ministry of Interior, which is the only governmental institution mandated to preserve, coordinate, and control both the quality and service of the Police, largely remains ineffective. In this regard, there is an urgent need for further institutional reforms and restructuring of the Traffic Police.

Nonetheless, Somaliland needs to address the problems and challenges identified in the report by strengthening the Somaliland Traffic Police including but not limited to the implementation of the traffic law to overcome the challenges of road traffic accidents. To realize this mission, building the capacity of the traffic personnel, improving or updating and implementing the policies in place, providing facilities and equipment as well as paying attractive payments and salaries to the traffic police would be a key determinant for the state's efforts to develop and prosper. Somaliland is in great need to establish responsible governance institutions to serve the best interest of the Somaliland citizens impartially and to overcome the very institutional weaknesses that have remained visible since their establishment.



## ABOUT THE STUDY

The mounting rate of road traffic accidents both inside and outside urban centers in Somaliland remains one of the major, if not the sole, factor that cause the death of numerous people. On each day, a road accident occurs somewhere in the country with fatality, injury, and destruction of property. In a country of 4.5 million people, 4654 road traffic accidents occurred resulting in 201 deaths, 3322 injuries, and the loss of 127 animals, in the year 2018 alone. The question that arises from this is: what are the root causes of this ongoing tragedy? Who is responsible for these fatalities? And what can be done by the Somaliland Government to minimize the rising number of road traffic accidents, both in and outside of cities? This study examines the causes of road accidents and analyzes the negligence within state institutions, especially the Ministry of Transport and Roads Development, in tackling these accidents. The Ministry is expected to regulate drivers and inspect vehicles' conditions in order to ensure public and community safety, by utilizing the services of traffic police, who are expected to enforce laws and regulations in order to curb the growing danger of road accidents. The study proposes certain measures to tackle road accidents.

## ABOUT THE INSTITUTE

The INSTITUTE FOR PEACE AND CONFLICT STUDIES (IPCS) is a higher learning and research institution based and operating within the institutional framework of the University of Hargeisa, Somaliland. The IPCS was established in February 2008 in response to the long-recognized call for an in-depth multidisciplinary approach to understanding and addressing the conflict and violence that has engulfed many parts of the Horn of Africa. The mission of the IPCS is to provide interested scholars, institute members and students with opportunities to engage in intensive study and research on Somaliland and Somali-inhabited regions in the Horn of Africa on an interdisciplinary basis.



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