

**TRIBUTE TO THE LATE AMBASSADOR YUSUF MOHAMED ISMAIL “BARI-BARI”,
THE CONSUMMATE HUMAN RIGHTS ACTIVIST**

By Bashir Mohamed Hussein¹

“[There exists] a very strong commitment from very powerful political figures, both domestic and foreign, together with some mafia-styled companies to silent [sic] whoever wants to proof the existence of this dirty and deadly business in Somalia. Indeed it is very much easy to silent [sic] one or two individuals”.

Ambassador Yusuf Mohamed Ismail “Bari-Bari”.



March 27th, 2015 shall remain a day in the history pages of the Somali diplomatic corps: the day a well-orchestrated assassination mission by a ruthless, heavily armed commandos killed twenty-four (24) people in a Mogadishu hotel. Amongst the innocent victims was the Somalia’s Ambassador to United Nations Office in Genève and other specialized institutions in Switzerland H. E. Ambassador Yusuf Mohamed Ismail “Bari-Bari”. Appointed to the post in December 2007 by the then Transitional Federal Government (TFG), Amb. Bari-Bari, among other institutions in Genève, represented Somalia at the United Nations Human Rights Council (UNHRC).

Born in Rome, Italy on July 15th, 1958 to a family with its roots in diplomacy, Amb. Bari-Bari was bitten by the public service bug at a young age; an energetic, affable and a political activist, Amb. Bari-Bari, who had been particularly interested in matters relating to social, economic and environmental justice, completed his university studies in Bologna, Italy. His murder was yet another tragic loss of the life of a true Somali human rights champion who had sacrificed the best part of his life, even at the cost of his own family and personal wellbeing, to promote and advocate for the fundamental human rights of the Somali people, particularly the weakest segments of the society including children, women and minorities.

Amb. Bari-Bari was known to all, Somalis and non-Somalis alike, for his relentless pursue of the dream of realizing the human rights of the Somali people who have been suffering from all kinds of abuses in almost four decades of dictatorial regimes, brutal conflicts and statelessness. In addition, within the greater context of the human rights situation in Africa and elsewhere, Amb. Bari-Bari was a staunch defender and active promoter of the God-given basic human rights of not only Somalis but also other social and ethnic groups that were equally oppressed, persecuted or otherwise dehumanized. One outstanding example is Amb. Bari-Bari’s battles for the rights of the people who live with Albinism. In fact, according to the UNHRC², *“his tragic death came only a day after a Human Rights Council resolution creating the mandate of an Independent Expert on the enjoyment of the rights of persons with albinism was adopted by consensus – a development due in no small part to Ambassador Bari Bari, who was the first diplomat to push for the plight of persons with albinism to be placed on the agenda of the Human Rights Council”*.

Likewise, Amb. Bari-Bari was an active advocate of the human rights of the brotherly Eritrean people as reflected by official recognition of the Eritrean human rights groups and UNHRC. In an official

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² See <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15779&LangID=E>

letter addressed to the President of Somali Federal Government (SFG) H. E. Hassan Sheikh Mohamud, the Eritrean Human Rights Concern (HRCE) wrote³ *"We would particularly like to express our deep*

The UNHRC's Tribute to Amb. Bari-Bari

Genève, 30 March 2015

Excellences; Ladies and Gentlemen:

"Horrible news reached us over the weekend. On [last] Friday, the terrorist group Alshabab attacked in Mogadishu the Maka Al-Mukarama hotel trapping many government officials causing the death of many innocent Somalis. Among them was our friend and colleague Ambassador Yusuf Mohamed Ismail Bari-Bari, the Permanent Representative of FGS to UNHRC. Ambassador Bari-Bari's death is a huge loss to all of us. We will miss him. Just in February he was once again at my residence where he gave me sound advice on the upcoming Human Rights Council. He was a widely respected diplomat and ambassador. He was a friend to many of us providing advice and having smile for everyone, and he was an optimist always believing that the things could change for the better. And, he was a true champion of human rights. His tireless work with the human rights council to promote and protect human rights, in particular in Africa, was recognized by many and is honored by us all. Only last week the Council has established an independent expert on Albinism, a human rights issue that Ambassador Bari-Bari was deeply committed to fighting hard for its recognition over the past years and working closely with civil society.

In June [2015] the Commission of Inquiry on Eritrea will report, also a mechanism he put forward showing courageous leadership. And, his tireless efforts with regards to human rights situation in Somalia were exemplary. He was a true advocate for his people and his country.

On behalf of the Human Rights Council, let me express our sincerest condolences to Ambassador Bari-Bari's family and friends as well as to the people of Somalia and the government. May he rest in peace in Garowe, the capital of his beloved Puntland where he was buried yesterday.

The UNHRC President H. E. Ambassador Joachim Rucke.

appreciation and respect for the work of your distinguished Ambassador to the United Nations in Geneva, H.E. Mr. Yusuf Mohamed Ismail "Bari Bari", an exceptional and resolute diplomat whose integrity and compassion for those suffering deep injustice epitomises the best values of our continent. Not only did he spearhead a historic resolution addressing the often severe mistreatment of Persons with Albinism; he has also played a crucial role in bringing the long-neglected case of the Eritrean people to international attention".

Difficult Operational Context

From the onset, unlike most of his colleagues in Genève, Amb. Yusuf has been working in an extremely difficult operational environment characterized by lack of and/or severe inadequacy of meaningful institutional and logistical support on the part of his resources-deprived government to carry out his duties as Ambassador. In a rare encounter when I had met with the late Ambassador in June 2010 in Genève, I had personally witnessed the exceptionally difficult working conditions of the late Ambassador. My trip to Genève enabled me to gain a firsthand experience about the precarious conditions under which Amb. Bari-Bari carried out his duties and his exceptional patience. Among other things, having visited the premises of Somali mission in Genève, the Ambassador told me that he had refurbished the small office with his own personal

resources as he had no public funds or budget at his disposal. With all likelihood, at the time, Amb.

³ See <http://asmarino.com/press-releases/2117-letter-to-the-president-of-somalia>

Bari-Bari was the only Ambassador in Genève who had not been receiving stipend or any other financial incentives from his government let alone an official car to discharge his day-to-day duties. Few ambassadors, if any, would have normally performed or functioned under similar circumstances. Against all odds, however, thanks to his passion, patriotic spirit and unparalleled perseverance, Amb. Bari-Bari has achieved extraordinary results and strategic milestones on behalf of his beloved country in the field of human rights.

Extraordinary Achievements

Among other historic achievements, thanks to Amb. Bari-Bari's tireless efforts, he was able to put Somalia back on the global human rights map. The Ambassador had won the commitment and political willingness of the Somalia's TFG to fulfill its international obligations in this important area. In this respect, Amb. Bari-Bari had taken the challenge of committing Somalia in the process known as Universal Periodic Review (UPR). According to the UNHRC⁴, the UPR is a *"State-driven process (...) which provides the opportunity for each State to declare what actions they have taken to improve the human rights situations in their countries and to fulfill their human rights obligations"*. And, after more than three years of hard work, in September 2011, in the middle of the worst famine that Somalia had experienced in over sixty years, at the UNHRC, Somalia passed the UPR. Given the situation in Somalia at the time, characterized by famine, very weak public institutions and widespread conflict, initially, almost nobody believed that Somalia would have been able to stand with the tough UPR process.

Tribute to his resourcefulness, Amb. Yusuf Bari-Bari, for the first time since 1984, following the submission of national report on the human rights situation in the country, which was successfully adopted by the Council by large consensus, Somalia has been able to fulfill its international obligations. During the UPR process, Somalia had received 155 recommendations from various countries. The Somali government accepted all 155 recommendations fully (141) or partially (4). Connected to this, there was another "record" worth mentioning. The resolution on the Somali UPR has been adopted by consensus (as opposed to by vote) and it was co-sponsored by 138 countries, which is even more than the number of co-sponsorship received by the draft resolution on the rights of the child. Following the aforesaid triumphs, that came after long and uphill struggle, to express his satisfaction Amb. Bari-Bari wrote⁵ *"if gratification could be cashed, I would be a billionaire"*. At last, Somalia was among nations on the human rights map.

With its weak transitional federal institutions, and being in the midst one of the most protracted and intractable conflicts in the world, compounded by the worst famine in the previous 60 years, back in 2011 nobody thought that Somalia would have had neither the political will nor the determination to commit itself and stand with the notoriously tough scrutiny of the UPR. True, under the circumstance, Somalia could not be expected to meet the *practical* realization of all human rights, however, as the saying goes, Rome was not built in one day. What Ambassador Bari-Bari fought for so relentlessly was to ensure a firm resolution and political commitment on the part of the Somali authorities (both at national and sub-national levels) to promote and protect the fundamental human rights of the Somali people. Once this important goal was successfully achieved, and having also passed the UPR "test" with all its recommendations, there was now an urgent need to put in place a national action plan to practically tackle the grave human rights violations in Somalia, and act upon the recommendations of the Somalia's UPR for the realization of human rights in the country; this would have enabled Somalia to make significant progress to meet its international obligations before the next UPR (early 2016). As matter of fact, on the 27th August 2013, the Somali Federal Government (SFG) has

⁴ See <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>

⁵ The original sentence was written in Italian (translated by the author).

formally endorsed Somalia's Human Rights Road Map, whereby 27th of August was, at the same time, declared Somalia's National Human Rights day.

In her official statement at the UNHRC, at the occasion of the adoption of Somalia's UPR, the then Minister of the Family, Women and Human Rights, H. E. Ms. Zahra Mohamed Ali Samatar praised Amb. Bari-Bari's hard work by stating⁶: *"The Government of Somalia would like to commend its Ambassador to the United Nations Office at Geneva, His Excellency Mr. Yusuf Mohamed Ismail Bari-Bari for truly believing that Somalia could participate in the UPR process and for making it happen. We see now why our Ambassador felt so strongly about our participation in the process. His vision and leadership, manifested also in the course of his recent mission to Somalia where he briefed the Council of Ministers on 25 August 2011 on the importance of the UPR process, was essential in bringing us to this point"*.

Meanwhile, as recently as December 15th, 2014, according to Mr. Bahame Nyanduga, the Independent UN HRs Expert on the situation of human rights in Somalia, *"despite severe capacity and resources constraints the government [of Somalia] has made some achievements in the human rights sphere which include the adoption of national action plan to combat sexual violence and holding of stakeholders consultations on the implementation of human rights road map"*⁷.

Another important area that the late Ambassador has succeeded was his passionate advocacy for a concrete technical capacity building for Somalia's fragile institutions under whose responsibility the realization of the human rights fell. In this respect, at the UNHRC, he was able to lobby successfully for various resolutions in the field of technical capacity building for Somalia that were eventually supported and adopted by the Council.

On the other hand, while constantly drawing to the attention of the international community the need to enable Somalis to promote and protect the human right, Amb. Bari-Bari has been a firm advocate for a *Somali-led* effort to identify the most appropriate and inclusive mechanism to prevent further abuses whilst seeking accountability for past human rights abuses. In his mind, the role of the international community in this context should have been limited to technical assistance and institutional capacity building. Conversely, the leadership and the ownership of the human rights agenda in Somalia belonged to the Somalis themselves. One of the Amb. Bari-Bari's dreams was to see one day *"capable and just Somali institutions in place to start a comprehensive mapping of the present and past human rights abuses in Somalia, starting right from the first day in which a Somali flag was raised, i.e. 26th June 1960 (...) with all what it means"*. He was not happy with the idea of partial or, even worse, selective examination of human rights situation in Somalia by focusing on specific post-independent period (e.g. only military regime era, civil war era, etc.,) merely to avoid "politicization" of such an important process and seek accountability.

As the Somalia representative to the UNHRC, therefore, his priorities included *inter alia*:

- Prevention of further grave abuses of human rights in Somalia;
- Securing international commitment for robust technical and institutional capacity building for Somalia to enable the country to fulfill its moral and international obligations for the realization of human rights;
- The concomitant design and implementation of country-wide programs, with special focus on the most vulnerable and affected communities, to guarantee the basic human rights particularly in the area of socio-economic needs and overall human security - e.g. peace,

⁶ See <http://www.un.org/webcast/unhrc/archive.asp?go=110503#pm%20>

⁷ <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13677&LangID=E>

access to basic social services such as clean drinking water, food, education and health including mental health, etc.;

- Fair, complete and comprehensive mapping and examination of the present and past abuses of human rights in Somalia; a process driven, led and owned by Somalis possibly with technical backstopping of the international community;
- Permanent realization of human rights within the context of fully reconciled Somali society which is free from fear and want under an effective and just rule of law.

Important Legacy to Cash in for the Benefit of all Somalis

"I am deeply saddened by the Ambassador Bari-Bari's assassination. Words cannot express the loss the family and the country [have] encountered. Irreplaceable"

H. E. Ms. Fawzia Yusuf Haji Aden⁸, MP, Former MoFA and DPM, SFG.

While Amb. Bari-Bari's tragic death left a gapping void, which could not be easily filled, he left behind a great legacy. As Amb. Bari-Bari used to say, particularly after Somalia had passed the UPR, *"it was the time to cash in on such important achievements for the benefit of the suffering masses in Somalia"*. The task of the practical realization of the human rights awaits primarily the leadership⁹ of the Somali authorities which should ensure that every Somali citizen can live a dignified life free from fear and want. In other words, the God-given basic rights of the citizens (including right to life, right to food and decent income, right to safe environment, right to education, health and other basic social services, etc. should be granted to the legitimate rights holders (i.e. the Somali citizens) by the duty bearers. Unfortunately, as repeatedly reported¹⁰, the human rights are still systematically violated in Somalia, for instance by all conflicting parties (e.g. children used as soldiers, rape, torture, unlawful indiscriminate killings and abduction, intimidation, human trafficking and other types of savage exploitation etc.). Apologists and some critics might argue that in current complex Somali context, with its protracted and intractable internationalized conflict, chronic humanitarian emergencies and weak governments, there is no silver bullet solution to the practical realization of human rights on the ground. Yet, the determination of Amb. Bari-Bari has demonstrated that extraordinary results can be achieved in an abnormally challenging context. Where there is a will, there is a way. The human rights situation can certainly be improved if the Somali leadership, at various levels, takes its responsibility

The Senior Bari-Bari

The Senior Bari-Bari In the summer of 1991, I was enough lucky to get to know also Ambassador Yusuf's late father, Mohamed Ismail Bari-Bari, a veteran political dissident and former educator in exile. Bari-Bari senior, an elderly well-educated and highly respected man used to "entertain" us briefly every week after the Friday prayer. He used to tell us about the past history of Somalia, the struggle of the Somali Youth League (SYL) to gain independence from the European colonizers while also sharing always practical advices on time-tested tricks and tactics to face the present day and future challenges for a successful professional and personal life.

⁸ Via Twitter.

⁹ Somali authorities include not only the government authorities at various levels such as SFG and regional states but also the traditional and religious authorities.

¹⁰ See for example at <http://www.hrw.org/world-report/2015/country-chapters/somalia>

seriously by prioritizing and constantly keeping in mind the condition of the average Somali citizen including millions of them among refugees and internally displaced people (IDPs), who are particularly vulnerable to all manner of maltreatments. Indeed, not only could the political leaders, but also every citizen as well as the media and civil society organizations contribute to this collective effort and responsibility of promoting and protecting the God-given rights of the people. Carelessness and futile attempts to circumventing or outsourcing of one's responsibilities to third parties (e.g. international community) must never be the option for Somalis. While some of the root causes of Somalia's human rights crises as well as the *de facto* perpetrators are clearly internationally-driven agents and agendas, it goes without saying that the main problem lies with Somalis themselves. It follows that the practical solutions for this shameful crisis should come from the Somalis. This principle is what Amb. Yusuf Bari-Bari has been fighting for so hard, for so long. He dreamed of a Somali-owned human rights examination and implementation in Somalia. In this regard, in his speech at the UNHRC, when Somalia has successfully passed the UPR, Amb. Bari-Bari said: *"We pass an important legacy to our future leaders to return [to the UNHRC] in four years' time and we trust that they will have a positive story to tell. May Almighty God bless and protect my beloved country"*.

Seasoned Advocate of Social, Economic and Environmental Justice in Somalia and Beyond

"A humble, dedicated and hardworking diplomat, very much committed to the cause of peace, reconciliation and human rights in Somali". The UN Independent Expert on the situation of human rights in Somalia, Mr. Bahame Nyanduga.

I met with the late Amb. Bari-Bari, for the first time, in a rainy and cold afternoon in the autumn of 1991 in Bologna, Italy. We were both attending a meeting of which agenda was to discuss issues that the local Somali community had faced. In attendance were also some representatives of the local Italian authorities. Few months earlier, I reached Italy to escape the violence of the civil war that had engulfed Somalia. Just like me, at the meeting, there were many other Somali immigrants, including students of the Somali National University (SNU), who had arrived recently from Somalia. The main agenda of the meeting was about issues relating to the integration of immigrants in Italy. Yusuf Bari-Bari, as he was then, and other prominent Somali professionals who had already been living in Italy for a long period of time were there to advocate for fair treatment and better chances for the new Somali immigrants to get access to education and work permits; further, it was to advise the newcomers in regards with the relevant immigration laws and existing possibilities or the lack thereof in the host nation. In the following few years, as I had in the meantime enrolled at the university, I happened to meet occasionally with Bari-Bari in Bologna where I would have often also spent my weekends and other holidays.

Time and again, we had discussed on the dramatic situation in Somalia including the brutal civil war, the systematic violation of not only the universal human rights but also the total disregard of Somalia's own traditional code of conduct in conflict situations¹¹ (or Somalia's own Genève convention as Amb. Bari-Bari used to call the Somali *Xeer* or customary law applying to conflict situations), the massive displacement of the civilian population, the ensuing destitution and the consequent famine (1992), the international profiteers who took advantage of the Somali chaos, the apparently ineffective, if short-lived humanitarian relief, multinational foreign interventions such as the American-led Restore Hope and the subsequent UN peacekeeping missions up until 1995.

¹¹ In a typical traditional Somali clan warfare, the weakest and most vulnerable people such as children, women and elderly as well as peace negotiators (i.e. *ergo*) and religious personalities (i.e. *culumo*) are known as *biri-ma-gaydo* which can be translated as "those spared from the spear" which implies these categories of people should never be harmed.

We did not discuss only the myriad of problems that Somalia had been facing at the time but also potential solutions both at the national and local levels including small-scale community-driven humanitarian response on the part of the Somali diaspora. In the process, I learned to appreciate Yusuf's frustration in regards to what he rightly termed as "*senseless and brutal uncivil war*" for the sake of conquering political and economic power with the ensuing dehumanization and humiliation of millions of Somalis inside and outside Somalia.

Later on, in the second half of 1990s, as Somalia started to slowly move away from the wild, all-out inter-, and intra-clan wars and the terrible consequences of the famine of early 1990s, and within the context of the emerging self-governing zones in the country with certain minimum level of peace and stability, our discussions shifted more towards the need for long-term peace-building and social reconciliation, rehabilitation of public institutions and economic infrastructure as well as possible ways to eradicate the rampant extreme poverty. Bari-Bari had many friends from all walks of the Italian society and beyond, particularly among the politicians, academia and civil society. He had close friends working for example at research institutions including the University of Bologna. Towards the end of 1990s, as doctorate student, I was also working at the Ancona University (Italy).

At one point, we had discussed the possibility of "joining hands" to lobby the Italian universities so that research projects could be carried out in Somalia. The idea was that the proposed feasibility studies could pave the way for the possibility of properly tapping into Somalia's enormous potentialities for renewable energy including abundant solar and wind energy sources to counter the energy poverty in the country. In effect, inadequate and/or lack of access to sustainable and affordable energy was at the time and continues to be one of the major obstacles to improving the living conditions of the local population and to fuel the long-term development process.

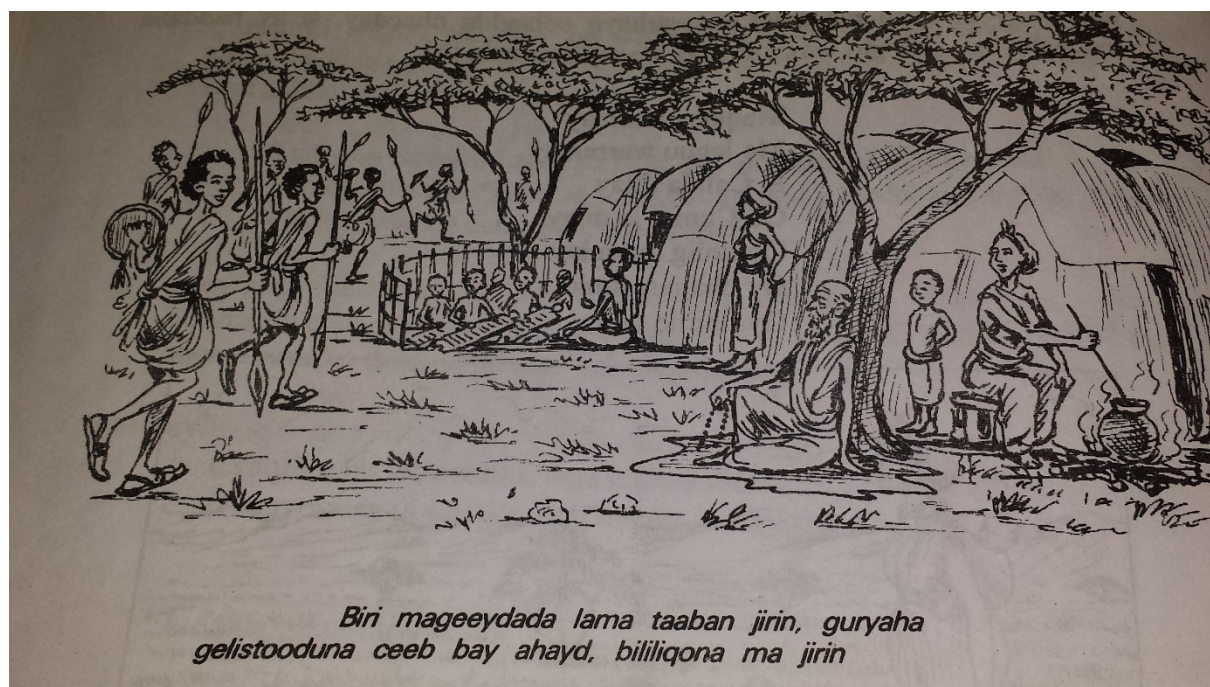


Figure 1 Biri-ma-geydo in the context of traditional armed conflict in Somalia (Source: Tubta Nabadda Soomaaliyed)

Failure of Leadership in the Face of Somalia's Paradoxes

Amb. Bari-Bari was unable to find an inner peace in the face of apparently irreconcilable paradoxes and stark contrasts that were associated with Somalia. On the one hand, a sparsely populated and relatively large country with plenty of natural resources ranging from reportedly massive oil reserves to conspicuous uranium deposits to one of the richest marine resources and fishing grounds in Africa; on the other hand, a country that had "earned" the worst scores on all conventional development indicators, hence with one of the world's highest levels of extreme poverty and dependency on (external) humanitarian aid; a country populated mainly by one single ethnic group whose members, unlike the most countries in Africa, share same language, culture and religion; yet a country whose people were unable to reconcile even at the face of the worst man-made disasters due to which hundreds of thousands of its sons and daughters perished. What went wrong with Somalis and Somalia? Although the post-1991 conflict and statelessness has compounded these problems, it is worth recalling that the situation in Somalia was already alarming prior to the 1991 conflict. To Amb. Bari-Bari, the most evident and plausible root cause of Somalia's misfortunes was a total failure of leadership at all levels.

There was a need for effective leadership at all levels, "someone worthy of the name", and massive civic education campaign to raise public awareness in Somalia on the importance of the common good, public and national interest vis-a-vis narrow individual or clan interest. It is only when the national interest is attended that the individual or communities' collective developmental goals can be also achieved. In this respect, in an email correspondence, Amb. Bari-Bari wrote once: *"As far as I can see, two major issues need to be addressed properly in the years to come: a) our deep-rooted individualistic nomadic culture which is well-forged (sic!) by the harsh natural environment, and b) leadership quality and integrity"*. The leadership crisis to which Somalia succumbed was not limited only to politicians but it had also affected the civil society and its various facets.

Vicious Circle in the Context of Alliance between International Profiteers and Local Mafia

Time and again, we had discussed about other equally troubling issues affecting the Somali people. In fact, devoid of caring and capable state, the fundamental rights of the defenseless Somalis were not violated only by the Somali warlords and their marauding militias but also by powerful nations and their equally merciless multinationals which took advantage of the political and social chaos that had been reigning in the Somalia. In fact, as Somalia descended into brutal civil strife and the central government ceased to exist, various international mafias took over, for instance, the Somali seas with the apparent complacency of international powers. The so-called eco-mafia used Somalia's unprotected long coasts as *de facto* landfill to get rid of all kinds of hazardous toxic and radioactive wastes from the industrialized world. At the same time, other foreign companies had been exploiting intensely Somalia's marine resources through Illegal, Unreported and Unregulated (IUU) pirate fishing. Some of these mafias exploited Somalia in collusion with local "partners" who had been reportedly paid in nature with weapons. Obviously, the weapons were used to kill and displace innocent people, carry on the conflict and, therefore keep the country in its miserable *status quo*. Through this vicious circle put in place by unholy alliance between international profiteers and local criminal organizations including warlords, among other negative consequences, the right to life, right to safe and healthy environment and right to livelihoods and subsistence of the local population had been systematically violated.



Figure 2. Toxic waste dumping by friendly countries as depicted by Somali Artst Amin Amir (Source: www.aminarts.com)

The need to undertake collective efforts to raise adequate public awareness on these pressing issues both inside and outside Somalia has been another long-term common interest and passion with the late Ambassador¹².

Against the aforementioned backdrop, Amb. Bari-Bari has been relentless. Within his vast network of public institutions, politicians, academia and civil society, he had been constantly trying to influence people and institutions (Somalis and non-Somalis alike) to create consensus on and positive attention for Somalia. He never was content with the good speeches in favor of the human rights situation in Somalia in on rare occasions, or “empty” awareness raising campaigns. The Ambassador was an action-oriented man par excellence. Along with the intense advocacy and lobbying activities, he would put forth concrete ideas and project proposals that could practically contribute to the reemergence of his beloved country.

An Action-Oriented Man with a Noble Mission

Up until his passing, Amb. Bari-Bari has been a man with a noble mission: a charitable mission to fight peacefully but aggressively for the rights of his fellow Somali citizens, and to give voice to those who were rendered voiceless by various injustices. As simple as it might sound, Amb. Bari-Bari has been all along advocating for the respect and realization of the God-given human rights of the Somali people at all levels (e.g. local, national and international) so that they could live a dignified life. In reality, as we now know, his quest for justice and human rights had borne fruits beyond Somalia for the benefit of other vulnerable human beings including people who live with Albinism. Indeed, long before he was appointed Somali Ambassador to the UN Human Rights Council, Amb. Bari-Bari made

¹² See for example the link below series of publications (in Somali) and other efforts via media on the issues related to toxic waste dumping and IUU fishing in Somalia: <http://www.somalitalk.com/sun/>

constant advocacy for social, economic and environmental justice in Somalia the centerpiece of his personal mission.

On the other hand, as much as he advocated and lobbied for the realization of the God-given human rights of the Somali people, Amb. Bari-Bari believed that, practically speaking, nice speeches, public awareness raising campaigns and official documents signed off by the authorities (e.g. to rectify international treaties) would **not** bring any meaningful positive change on the ground. He was a staunch defender of the need to win hearts and minds: *“I think nobody, in their right mind could even imagine how for example awareness campaigns (on the respect of human rights) would be effective if not sustained by tangible provision of basic public services to the population, especially to the most needy and vulnerable groups including for example people suffering from mental illnesses and the poorly educated disgruntled youth who could be easily lured to partake in criminal activities including armed violence”*. The implementation of this vital task falls not only under the responsibility of the political leadership at the national (e.g. federal) level but also at the sub-national (e.g. federal member states) and civil society levels including traditional elders and religious leaders.

Toxic Waste Neo-colonization and Human Rights Violations in Somalia

For decades, Somalia has been used as dumping ground for the deadliest sorts of toxic and radioactive wastes shipped from industrialized countries. The permanent environmental disaster and long-term negative consequences for the health and livelihoods of the local population are just beyond any reasonable imagination. As I have mentioned earlier, this issue was one of the areas on which Amb. Bari-Bari has dedicated immense energy and efforts in search of truth and justice for the afflicted victims. As I too was very concerned about this silent disaster in Somalia, I used to exchange views with the Ambassador on the matter particularly when it comes to sensitization of both the affected communities and international opinion. Among many other efforts, in 2005, Amb. Bari-Bari took part in an international mission to Somalia to “survey” Somalia’s coastal areas along the Indian Ocean and the nearby hinterland all the way to Northeastern regions of Puntland. The team included mainly Italian journalists¹³ and one Italian parliamentarian¹⁴. Once again, on the basis of the technical surveys and interviews with key informants including Italian doctors working in Somalia with Italian NGOs, the team has concluded that there was clear indication of not only massive toxic waste dumping, but more importantly the alarming health problems apparently caused by the same.

¹³ The Italian journalists included Mr. Luciano Scalettari from the weekly magazine of the Famiglia Cristiana, a journalist who, along with Mr. Maurizio Torrealta - another Italian investigative journalist from the Italian Public TV RAI Tre, has dedicated a lot of time, energy and attention to the issue of toxic waste dumping in Somalia and the related organized criminality. We should never forget also that other honest Italian journalist like Ms. Ilaria Alpi (RAI Tre) and Mr. Miran Hrovatin were assassinated in Mogadishu on 20th March 1994 while investigating on the same issue, i.e. toxic and radioactive waste dumping in Somalia.

¹⁴ Hon. Mauro Bulgarelli, former MP.

"Indeed the issue of the illegal dumping of toxic waste in our beloved country is the worst problem that seriously affects our generations to come. Therefore, we should seriously prevent its catastrophic side effects some of which are already in front of us (...) but [in this regard] I would like to share with you what I've personally witnessed over the past 20 years in regard to this extremely painful issue.

1) Our beloved country (almost every region) have been (sic!) used as a toxic waste dumping ground from at least early 80's;

2) A very strong commitment from very powerful political figures (both domestic and not) together with some mafia styled companies to "silent" (sic!) whoever wants to proof the existence of this dirty and deadly business in Somalia.

Needless to mention that there is plenty of literature on this subject...which has nothing to do with philanthropy! But as long as we concentrate ourselves on the existing literature.....the much needed solution (effective monitoring and reclaiming) will remain a nightmare".

Amb. Yusuf M. Ismail Bari-Bari.



Figure 2. Amb. Bari-Bari holding an instrument to survey beneath the soil during 2005 mission in Somalia (Facebook, Hic Sunt Leones).

As reported by the *Famiglia Cristiana*¹⁵, Amb. Bari-Bari took part in four (4) international missions to Somalia between 2005 and 2007 in search of truth and justice. According to this account, thanks to Bari-Bari's diplomatic initiative, the Somali President had sent an official request to the Italian Government to jointly investigate and monitor the areas where the toxic waste had been dumped.

In June 2010, as a member of the concerned Somali civil society, I collaborated on this initiative with Amb. Bari-Bari. In fact, the then President of the UN Human Rights Council H. E. Ambassador Alex van Meeuwen (Belgium) had invited me as a panelist at an

interaction debate on the issue of "the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights" that had to take place during the 14th session of the UNHRC. This historic opportunity gave me (and Somalia) a unique chance not only to share with the delegates on such a global forum on such important and painful matter, which entailed heavy loss of life and livelihoods in Somalia, but also with the Council and its member states and observers the existing evidence ¹⁶of the systematic violation of basic human rights of Somalia also by way of highly toxic wastes dumping in Somalia. The advocacy speech at the interactive debate had been appreciated and supported by various groups in the Council such as the EU group, the African

¹⁵ <http://www.famigliacristiana.it/articolo/ultima-missione-di-yusuf.aspx>

¹⁶ The paper can be accessed via this line http://www.somalitalk.com/sun/toxic_waste_dumping_somalia.pdf

group, the OIC and the Arab groups as well as the civil society and the attending NGOs¹⁷. This was first time that the concerned voice of the Somali civil society was internationally heard regarding the nexus between toxic waste dumping and the enjoyment of the human rights; Amb. Bari-Bari was instrumental in the achievement of yet another important milestone along the arduous road of promoting and protecting the human rights of the Somali people.

Mother of all Piracies

More recently, back in 2012, while working with one of the rights-based international aid agencies operating in Somalia, I discussed with Amb. Bari-Bari on possible ways of cooperating with the Somali Mission in Genève for the sake of promoting and advocating for the basic rights of Somali people including right to peace, right to education and right to livelihoods¹⁸. For some time now, local organizations had been cooperating on some practical human-rights-related issues on the ground in Somalia itself, and collaboration and joint advocacy with the Somali mission in Genève is regarded to have the potentiality to create additional synergies to achieve greater results for the Somali people by linking the local problems with global joint advocacy efforts. More specifically, within the thematic area of the right to livelihoods (e.g. right to food and income), we were at the time trying to create an international awareness and sensibility around the savage and illicit exploitation of the Somali marine resources through IUU on the part of the aforementioned international profiteers. Although the internationally-driven IUU has been taking place in Somalia ever since the Somali government imploded in January 1991, this time around, in the midst of the 2011-2012 famine in Somalia, the impact of the problem was far much worse. In effect, while hundreds of thousands of Somalis succumbed to hunger and malnutrition, foreign pirate fishing fleets, including trawlers from the world's wealthiest nations, had been literally pillaging fish/food and income from the mouth of the starving Somalis, and thereby denying their right to life and livelihoods. As humble and cooperative as the Amb. Bari-Bari was, despite tough preliminary discussions¹⁹, he had welcomed the idea of "working with anyone who was seriously aiming at promoting and protecting the basic human rights of the Somali people". He had promised to offer his assistance, influence and network. In fact, Amb. Bari-Bari used to call the IUU phenomenon the "**mother of all piracies**". Meanwhile, given the pressing situation in Somalia, backed by his long experience and background in matters pertaining to advocacy for social justice, both in Somalia and internationally, he was able to skillfully use an "aggressive diplomacy" to push forward the Somali human rights agenda though never abandoning the required diplomatic lexicon and prudence.

On the 19th of November 2009, at the climax of the Somali piracy, Amb. Bari-Bari intervened in EU parliamentarian hearing organized by European People's Party on Somalia with the title ²⁰ "A Political Solution for Somalia: Sharing of Responsibilities". In his long and passionate speech drafted on a 15-pages document, I quote below only few of his many candid statements referring to the IUU in Somalia, with which he judiciously supported with solid facts and figures throughout his speech:

¹⁷ See the feedback these links <https://www.youtube.com/watch?v=ziF0cVtN3eM> and https://www.youtube.com/watch?v=3jHC2T_EmXU

¹⁸ The humanitarian and development agency I represented at the time in Somalia was a rights-based agency with its core business in Somalia rooted in helping Somalis (and other suffering communities around the world) to realize their legitimate rights to peace, education and decent livelihoods.

¹⁹ Ambassador Bari-Bari was initially quite critical when it comes to the "efficiency" of the aid agencies operating in Somalia. Although he acknowledged the existence of good and genuine organizations, he was concerned about what he called "those who were interested in some sort of never ending Somalia project".

²⁰ See <http://stream.eppgroup.eu/Activities/docs/year2010/somalia-en.pdf>

*“These foreign pirate trawlers encroached on the artisanal fishing grounds off the north-eastern coast of Somalia – which is classified as one of the five richest fishing grounds worldwide -, competing with the local fishermen for the abundant rock lobster and high value pelagic fish in the warm, upwelling - the unique bottom-surface counter-current that brings up a lower temperature and plankton -, in the 60-Km deep (sic!) shelf along the tip of the Horn of Africa – the IUU’s ignited major resource conflict with the local fishermen, eventually assuming international crisis proportions (...) the war declared on [the Somali] sea piracy could be seen as noble and just, **but unfortunately the older and mother of all piracies in Somalia – the illegal unreported and unregulated (IUU) foreign fishing piracy - in the Somali seas is ignored.***

“No one in his right frame of mind will condone the evil acts of sea piracy, however, one might also ask why the equally if not more heinous crime of fishing piracy is ignored by the international community? Why the UN resolutions and EU declarations on piracy failed to mention the illegal poaching of Somalia's marine resources”?

Parting Thoughts and Subtle Recommendations

Too many innocent Somali citizens have been unlawfully killed, displaced, robbed, raped, maimed or otherwise dehumanized in the course of the last four decades, particularly in the last 24 years. Among the victims were the best and brightest sons and daughters of Somalia including prominent politicians, academicians, business(wo)men, religious and traditional elders, and members of civil society. Apart from the proportions of the committed despicable crimes against the fallen victims and their families, these were the very people, who could have afforded the nation its finest leadership to reclaim its rightful position amongst “peaceful and prosperous” nations.

Amb. Yusuf Bari-Bari has sacrificed his life for the cause of the God-given human rights of the citizen including right to life, right to food, right to education, right to health and right to freedom from fear. He, like many other fallen champions, has paid the ultimate price, his life, for the cause of affording dignified life and justice for the citizen. He shall be missed dearly, honored by many, and his legacy shall live on. It is now upon the rest of us, starting with the Somali leadership, to ensure that his extreme sacrifices has not been in vain. Perhaps the best way to “take revenge” for Amb. Bari-Bari and his ilk is continue to promote, to protect, and to advocate for God-given human rights of Somali people until such time every citizen can live a dignified life free from fear and want in his own country.

I wish to conclude by formulating a few recommendations for all those whom it might concern including SFG leadership and its judiciary apparatus, Puntland State leadership, and the larger Somali civil society:

- Carry out an in-depth and independent investigation into finding possible motives for his assassination, and the related responsibilities and ensure that the perpetrators are brought to justice;
- Honor his memory and his pioneer work in regards to the realization of human rights in Somalia;
- Take additional measures to protecting the citizens, particularly those with visible public responsibilities, who are known for their commitment to, and struggle for a better and brighter Somalia.

May Allah the Almighty grant Ambassador Yusuf Bari-Bari, and those killed with him, His infinite mercy.