

Old Bosaso City (Bender Qasim)
Elders & Intellectuals Committee,
Bosaso, Puntland State of Somalia
Contacts: see below.

DP World/P&O Ports
5th Floor, JAFZA 17
Jebel Ali Free Zone
PO Box 1700, Dubai – U. A. E
Tel: +97148811110
Email: Info@dpworld.com

Date: 31 August 2017

To: Sheikh Sultan Ahmed Bin Sulayem
(Chairman of P&O Ports / DP World),

Dear Sheikh Sultan Ahmed Bin Sulayem,

Re: Objection & Complaint Letter Concerning the Concession Agreement
for Development of Bosaso Port

Background

On Apr 10, 2017: Puntland State of Somalia and the London-based, Dubai-owned P&O Ports has signed a 30-year concession agreement for the development and management of a multi-purpose port project at Bosaso in the Puntland State of Somalia, at the Gulf of Aden 2000 km north of Mogadishu . The said agreement states that the Port of Bosaso will be expanded and constructed with an initial investment of \$336m split across two phases of \$136m and \$200m.

According to the agreement, the project work, worth \$336 million, will involve construction of a 450m quay along the sea-shore and a 5 hectare back up area (cleared by demolishing the old historic quarters of the city), dredging to a depth of 12m with land reclamation work using dredge spoil. There will also be investment in an IT and Terminal Operating System (TOS), mobile harbor cranes and container handling equipment.

A flawed and unbalanced agreement

The agreement has triggered mixed feelings and bewilderment among the people of Puntland in general and particularly within the residents of the old quarter of Bosaso. The poor people of Puntland who were eagerly waiting the promised development of their poverty-laden country were dismayed by the flawed outcome of agreement, an agreement between two unbalanced parties in area rated number one in the world on the corruption scale, and without a strong government to control. They were infuriated by the weak and unprofessional negotiation on their behalf, the lack of proper representation of the major stakeholders, the clandestine handling of the agreement and a complete sellout of their people's interest, just for the sake of few millions of "signature bonus" of the agreement. Even the approval of Puntland parliament was scandalously 'bought' by openly bribing MPs with US\$ 30,000 each with P&O Ports Money.

The Proposed Demolition of the Old and Historic quarters of Bosaso City

The Project content and the disclosed preliminary design of the ‘expansion’ of the port hardly indicate any substantial expansion of the port into the deep sea. The only result of the Project in its current form is the displacement of 600 families and demolishing the heritage sites of the old historic quarters of the city and turns it into 5 hectares of backup area cleared for parking use. For this reason, we submit here below our major concerns about agreement to P&O Ports.

Our disagreement with the Government of Puntland

We are the descendants of the earliest settlers of the Old Port City of Bosaso (Bender Qasim), and the former rulers of this part of Puntland, where Bosaso had been a major port town for centuries. We hereby submit to your attention of a big disagreement between the Government of Puntland on one side and the community of the old city of Bosaso on the other (especially the Osman Mohamud clan supported by their brethren neighboring clans). The contentious points that the resident community of the areas the old Bosaso city include the following:

1. One of the main reasons for this disagreement, which is projected to spill over into a likely conflict, is that the authorities of Puntland have, without any consultation and without any due consideration for the adverse negative effects of the Development project of the Port of Bosaso, agreed with you to undertake.

We are the main stakeholders of this project, and we have the right to be consulted, as we are the residents and landowner of project site, whose lives and heritage will be adversely or otherwise affected by the implementation of the project. We have also the right to be genuinely represented in the negotiation and the agreement and not to deal with phony representatives who might be looking for short-term windfall.

2. Executing the Project as per their development plans that they have adopted which they intend to hastily implement, would without any doubt obliterate in one go the “Heritage and the rich History of the City” as all the important landmarks of this old city would have to be bulldozed. These include the Homes of the Rulers of the old Puntland Kingdom, the oldest mosques, the oldest “Schools – Islamic Education school as well one for mainstream education in Arabic medium” and the old trading quarter of the city which has retained the Arabic influence through the architecture and the rich food flavours. Above all that, this area has been identified as a rich potential archeological site as we have recently discovered some artifacts of the old Egyptian Pharaohs while digging a sewage sump.

In the process of your Development plan of the Port, unless the Government of Puntland goes back to the drawing board and come up with an alternative Project Plan, 600 homes and businesses must be demolished without the consent of the owners whose families have resided there for centuries.

3. We, the owners of the properties in the old city and whose history and heritage is tightly intertwined with this old quarter of Bosaso, are not prepared in any way to accept this ill-thought destructive Plan, whatever the price. It smacks underhand political and clan cleansing intentions, which will in the process bring about a long-sought identity change of the city of Bosaso.

4. The fact that Project agreement lack proper appreciation for the old quarters of Bosaso city and its rich history, seems that signatories of Puntland side of the agreement have negligently ignored an important part of their responsibilities towards this issue. Otherwise they would have understood the folly of destroying the heritage and the history of the city as well the 600 families' homes and heritage just to replace them with Parking Areas that could easily be procure on either side of the old quarter.
5. Honestly, we urge you to avoid getting caught in the middle of this looming conflict, which in our calculation, could be avoided if they change course and come up with alternative "Project Plan" that doesn't include the demolition of one single property of the old city. We know that is easily, if not ideal to their underhand objectives, achievable as there are large derelict empty spaces on either side that the authorities could easily procure for their projected needs. We hope that you understand that we fully support progress and development, particularly for when that involves our city, as long as that doesn't involve cutting its heart and destroying its heritage. We believe you might have sympathy to our stand to preserve for what is rightly ours and that we believe is irreplaceable.

Problems of P&O Ports Project Design

The P&O Ports proposed design looks unworthy considering the announced huge investment capital and will not answer to the needs of Puntland for an improved and bigger capacity port with wide access roads. The following four points show the short-comings of this design:

- a) The Port extension will be 450m along the sea-shore which large ships can't easily use. There will be a tendency that the proposed Quay will be easily filled by sand and it will require frequent dredging to remove sand regularly.
- b) The proposed capacity of the port will be very limited and it will hardly accommodate two large ships and few dhows at a time.
- c) The port will have limited storage yard and it will require the contractor to demolish and clear out about five hectares of residential area of the old historic city. The **demolition** of the old city will violate our human rights and can create a real conflict, which will not easily go away.
- d) To open wide roads in/out of the port, further demolition will be required

Conclusion

In a good faith and in search of a way out, we hired highly qualified engineers and consultant at our own expense, to come up with an engineering solution and an alternative design.

Ultimately, the engineers have prepared and proposed, with the support of Bosaso city elders, a new port expansion design that fills the gaps of above P&O Ports design and satisfies the aspirations of both Puntland and the investment company. This design has been already submitted to the government Puntland, just to defuse the situation and facilitate a way forward, but the government looks determined to stay on this collision course.

The New design, which is available at your request, is characterized by the following specifications:

- a) The Port extension will be 450m into the deep sea (instead of along seashore) which large ships can easily use. There will less risk that the new deep-sea quay will be filled by sand.
- b) The capacity of the port will be substantially increased, there will be two separate docking quays for ships and dhows. It can hold up to 6 large ships and a great number of dhows at a time
- c) The port will have enough storage area, more than 6 hectares of storage area with land reclamation and backfilling at the eastern side of the port and no demolition of old buildings will be required. By doing this, the communal strife or conflict created by the demolition will be avoided.
- d) A city by-pass highway will be built at eastern seashore (Corniche Rd) which connects to eastern Ring Road of the city.

Furthermore, it is right of the client (in this case, people & government of Puntland) to request changes and amendments in the project designs, and it's the obligations of both investor and contractor to acknowledge it.

Finally, it should be clear to all sides that we, the affected Community, will never accept the demolition of the historic quarter of Bosaso. If our complaint and suggestions fall on deaf ears as has happened so far, this might lead into an open-end conflict.

We would like to thank you for your time and look forward to your urgent response of the matter.

Yours sincerely,

**Contact Persons Representing
Old Bosaso City Elders & Intellectuals Committee:**

- 1- Mr. Kadar Abdi Haji Mire, Tel: +252 90 7728143, email: qadar.a.mire@hotmail.com
(Former Mayor of Bosaso City)
- 2- Eng. Omar Khalid Yusuf Boqor Tel: +447377405491, email: oyusuf14@gmail.com
- 3- Dr. Abdirahman Salah Tel: +447943705362 email: abdirahman_salah@hotmail.com

Copies Sent to:

- 1. President of the Federal Government of Somalia**
- 2. UN Secretary General Representative for Somalia**
- 3. US Ambassador for Somalia**
- 4. EU Ambassador for Somalia**