



Somalia - Researched and compiled by the Refugee Documentation Centre of Ireland on 13 November 2009

Information regarding the treatment of the Bajuni clan in Somalia

The *United Kingdom Home Office Operational Guidance Note for Somalia* states:

“Somalis with no clan affiliation are the most vulnerable to serious human rights violations, including predatory acts by criminal and militias, as well economic, political, cultural and social discrimination. These groups comprise an estimated 22% of the Somali population and include the Bajuni.

The Bajuni are a small independent ethnic community of perhaps 3,000 or 4,000 who are predominantly sailors and fishermen. They live in small communities along the Indian Ocean coastline (including Somalia and Kenya) and on some of the larger offshore islands between Kismayo and Mombasa, Kenya.

The small Bajuni population in Somalia suffered considerably at the hands of Somali militia, principally Marehan militia who tried to force them off the islands. Though Marehan settlers still have effective control of the islands, Bajuni can work for the Marehan as paid labourers. This is an improvement on the period during the 1990s when General Morgan's forces controlled Kismayo and the islands, when the Bajuni were treated by the occupying Somali clans as little more than slave labour. Essentially the plight of the Bajuni is based on the denial of economic access by Somali clans, rather than outright abuse.

Information provided by the Foreign and Commonwealth Office in May 2008 about the fluid country situation following the ousting of the UIC indicates that the risk to personal safety for the vast majority of Somalis, whether affiliated to majority or minority clans, is the same and that there is little detectable difference between some individual circumstances.

In its December 2008 report, the International Crisis Group stated that large swathes of the country are reverting back to a clan style of government and that even during the worst inter-clan feuds, clan elders have always been respected and played a recognised conflict mediation role. Any erosion of the power of clan elders does not mean that they do not wield influence.” (United Kingdom Home Office (March 2009) *Operational Guidance Note: Somalia*, pp.13 – 14)

This Guidance Note also states:

“*Sufficiency of protection.* Both SAACID and UNHCR have recently reported that clan structures are beginning to fracture under the current economic stress and that the situation is complicated and unclear with regard to

whether a person will find safety or protection in a clan's traditional home area. Members of minority groups are able in some circumstances to secure protection from major or sub related clans in some areas (refer HH & others Somalia CG [2008] UKAIT 00022) and clan dynamics/ structures also still exist as the primary entity to which individuals turn for protection (AM and MM Somalia CG [2008]). However, minority groups, such as the Bajuni, that are politically and economically the weakest and are culturally and ethnically distinct from Somali clan families are generally not able to secure protection from any major clan family or related sub-clan.

Internal relocation... In some circumstances internal relocation might be possible for members of the Bajuni. However, the Bajuni are vulnerable to discrimination and exclusion by major clan and sub-clan groups throughout southern/central Somalia,⁶⁴ and internal relocation within these regions is generally not a reasonable option." (Ibid, p.14)

The report continues:

"Conclusion. The Bajuni do not only originate from Somalia but also other countries along the Indian Ocean coast, notably Kenya. A claimant's nationality as well as their ethnicity therefore needs to be carefully examined.

For the vast majority of Somalis clan status should not in itself risk mistreatment and some members of minority groups are able in some circumstances to secure protection from major or sub related clans in some areas (refer HH & others Somalia CG [2008] UKAIT 00022). Clan dynamics/ structures also still exist as the primary entity to which individuals turn for protection (AM and MM Somalia CG [2008]). However, the Bajuni are generally one of the minority groups unable to rely on a patron clans support and vulnerable to discrimination and social exclusion due mainly to them being culturally and ethnically unconnected to any major clan group. For those Bajuni claimants who have demonstrated a reasonable likelihood that they have encountered ill treatment amounting to persecution a grant of asylum is therefore likely to be appropriate." (Ibid, p.16)

The Peoples of Africa – An Ethnohistorical Dictionary states:

"The Bajuni (Tikuu) are a people of mixed descent – Arab, Portuguese and Somali – living along the coast of the Lower Juba Region of Somalia, south of Kismayu, and in coastal Kenya. The Bajuni are a Swahili speaking people. Their population today is approximately 40,000 people, of whom the vast majority are Muslims. Only about 1,000 of them live on the Bajuni islands. They make their living raising coconuts, fishing, and exporting mangrove poles" (Olson, James S. (1996) *The Peoples of Africa – An Ethnohistorical Dictionary*)

Section 5 of a *Danish Immigration Service* report titled *Report on Minority Groups in Somalia*, under the heading 'Groups and sub-groups, geographical distribution' states:

"The Bajuni elders described the Bajuni as a united people that are not divided into sub-groups. Their community was scattered across the Bajuni

islands south of Kismayo, in the city of Kismayo itself and in coastal settlements south of Kismayo to Raskamboni and the border with Kenya. Lee Cassanelli refers to small Bajuni communities in Brava and Mogadishu in addition to the population in Kismayo and the islands.

The elders stated that Kismayo was the original home of the Bajuni people. The name Kismayo translates into English as "top of the well". The Bajuni can trace their origins in Kismayo back to the thirteenth century. Some Bajuni moved to the remote islands and south along the coast towards the border with Kenya when the main Somali clans moved into the Kismayo area in the nineteenth century, although some remained in the Majengo district of Kismayo. Cassanelli comments that most anthropologists believe the Bajuni represent a mixture of Arab, Bantu, Somali and possibly Malay backgrounds.

According to the elders the Bajuni population was distributed in the following locations, running south from Kismayo to the border with Kenya:

- Kismayo (mainly in the Majengo district of the city)
- Nchoni – a coastal settlement
- Fuma Iyu Na Tini – an island
- Koyama – an island
- Chovaye – an island
- Istanbul – a coastal settlement
- Chula – the most populated island
- Ndoa – an island
- Kudai – an island (location of a police station)
- Burkavo – a town
- Raskamboni – a town (location of a former Somali navy base)

According to Perouse de Montclos the Bajuni are locally called tikū, and they are essentially found on the islands of Koyama, Ngumi, Chovayi or Chula and in the city of Kismayo, of which they claim paternity." (Danish Immigration Service (24 September 2000) *Report on Minority Groups in Somalia*)

This report also states:

"The Bajuni elders made it clear that the Bajuni do not consider themselves to be a Benadiri people, although they did acknowledge that they had some links with the Bravanese people who live further along the coast past Kismayo towards Mogadishu. Trading links existed between the Bajuni and the Bravanese before the civil war. The Bajuni traded fish for various commodities with the Bravanese." (Ibid)

This report continues:

"The UNHCR genealogical table of Somali clans and groups (annex 3) shows the Bajuni as a Bantu sub-clan. The delegation did not, however, receive information from any other source that indicated that this was the case." (Ibid)

Another *Danish Immigration Service* report under the heading 'Security and human rights situation', states:

"When asked about the total number of Bajuni in Somalia not currently living on the mainland, Abdalla Bakari was unable to give a specific figure but

estimated that around 6,000 persons reside on the Kismayo coastline and on the four islands. He indicated that life for the Bajuni on the islands has not changed or improved in any way in the past few years. It was stated that clan militias routinely occupy parts of the islands and force the Bajuni to work for them, demanding 50% of the revenue.

Abdalla Bakari spoke at length about the complete lack of opportunities for the Bajuni to better themselves, especially in terms of financial assistance, education and worthwhile employment. He suggested that presently there is no indication that the situation will improve for the Bajuni in the way that it has for the Bravanese/Benadiri, some of whom have had the opportunity to be included in resettlement programmes outside East Africa. Abdalla Bakari likened the position of the Bajuni to that of the Bantus, whom he suggested also suffer from a lack of opportunity or representation." (Danish Immigration Service (17 March 2004) *Human Rights and Security in Central and Southern Somalia: Joint Danish, Finnish, Norwegian and British Fact-Finding Mission to Nairobi, Kenya*, p.38)

An August 2002 *United Nations Office for the Coordination of Humanitarian Affairs (OCHA)* document states:

"The Bajuni are a people related to the coastal people (Waswahili) along the Eastern African Coast. They live in Kismayo and the Islands of Jula, Madoga, Satarani, Raskamboni, Bungabo, Dudey, Koyoma and Jovay (Bajuni Islands). They are a seafaring community. " (United Nations Office for the Coordination of Humanitarian Affairs (OCHA) (1 August 2002) *A study on minorities in Somalia*)

This report also states:

"The tradition seafaring Bajuni community were also subjected to similar abuses of their rights in Kismayo, and the Bajuni Islands. These communities were forced to join government cooperatives such as the Somali Fishing Cooperative, established in Kismayo in 1974. Marehan, Majerten and Dhulbahante people who did not have the traditional culture of fishing established this and other cooperatives. They took over most of the fishing equipment including fishing boats and forced the Bajuni to join the cooperatives. This had and continues to have a serious effect on the most important economic lifeline of the Bajuni community." (Ibid)

A report from *Accord* states:

"...There are other smaller minorities, such as the Ashraf and Shikhal Muslim religious communities, Bajuni fishing people and remote hunter-gatherer groups. What these groups have in common is their vulnerability, as they fall outside Somalia's clan-based structure. They do not benefit from the protections of war-lords and militias. But they are also vulnerable to increased risk of rape, attack, abduction and having their property seized by criminals in an increased atmosphere of lawlessness. Equally, when some semblance of calm does return, they have little chance of gaining compensation for their losses, again because they fall outside the clan structure. An Amnesty International Report in 2005 stated that the majority of over 300,000 internally

displaced persons in several parts of Somalia are members of minority groups. It said: 'They subsist in mainly unregulated settlements in abject conditions, with international relief assistance reportedly often diverted and stolen by members of local clans.' The same report also noted that the international agencies involved in relief distribution were poorly informed about the special risks faced by minorities during times of insecurity. "(Accord (8 May 2009) *Somalia: "a-6722 (ACC-SOM-6722)" Situation of Asharaf (also: Ashraf, Ashraaf, Asheraf) taking into account the situation of women*)"

The *Immigration and Refugee Board of Canada* in a May 1995 Issue Paper, states:

" The Bajuni are a small community of perhaps 3,000 or 4,000 who are predominantly sailors and fishermen. They live in small communities along the Indian Ocean coastline and on some of the larger offshore islands between Kismayu and Mombasa, Kenya. There are also substantial numbers of families living in Kismayu, and smaller numbers in Mogadishu and Brava. Older Bajunis frequently identify themselves by their island of origin (Koyama, Ngumi, Chovayi, Chula, etc.), although most have now resettled on the mainland. Most anthropologists believe the Bajuni represent an admixture of Arab, Bantu, Somali and perhaps Malaysian backgrounds. Many have lighter skin and hair than other Somalis, although local Somalis usually distinguish them by their primary language, kibajuni, which is a dialect of Swahili. Those who live or work in the mainland towns also speak Somali. Only a handful have received a western education.

Bajunis do not seem to have been targeted for personal or political attack during the fighting. Because of their maritime mobility, they have not been in as much danger as other Somali minorities (Menkhaus July 1991). Some even earned money-as much as US\$400 per passenger-transporting refugees from places like Brava and Kismayu to Kenya in their fishing boats. Still, in November 1993 I met many Bajunis who had taken refuge with relatives in the coastal villages of northern Kenya, and hundreds of others who ended up in the Jomvo refugee camp near the Mombasa airport. Most observers regard the Jomvo camp as the least desirable refugee site in Kenya.

Many Bajunis relocate to Kenya because their capacity to market fish and repair their boats in Somalia continues to be threatened by the presence of armed militias, who typically steal their equipment and resell it at exorbitant prices. A former UN official recently told me that a quick impact project that donated nets to help restart a fishing cooperative in Kismayu was handed over to the leaders of the dominant factions in the area. When the fraudulent recipients realized they did not know how to use the nets, they simply cut up the nets of local Bajuni fishermen, thus compelling the latter to buy the donated equipment (Menkhaus n.d.).

In these circumstances, many impoverished Bajuni will not be able to repatriate to Somalia with any promise of security. Their ability to earn a living in Somalia may be at an end. At the same time, with only a handful of educated professionals and overseas residents, the Bajuni are unlikely to have the means or the contacts to emigrate in large numbers." (Immigration

and Refugee Board of Canada (May 1995) *Issue Paper Victimes Et Groupes Vulnerables Dans Le Sud De La Somalie*)

Discussing minority clans, a July 2008 *Feinstein International Center* paper, states:

“Other marginalized groups include the Benadiri, Midgaan, Bajuni, Eyle, Tumul, Yibir, Galgala, characterized by the stigma of their occupational status and grievances of “ritual uncleanness” (Narbeth and McLean 2003) (Feinstein International Center (July 2008) *Targeting in Complex Emergencies: Somalia Country Case Study*, p.10)

An October 2005 report by Abdi Abby states:

“Since independence, minority groups have always suffered at the hands of the major clans, who have dominated the socio-political affairs of Somalia. In Kismayo, with economic activities relating to control of the seaport, airport and other significant commercial concerns all in the hands of the Habregedir and Marehan, the Bantu and Bajuni were relegated to underpaid activities which are not sufficient to allow them to take care of their families. In fact, they were reduced to mere servants.” (Abby, Abdi (October 2005) *Field Research Project on Minorities in Somalia* p. 14)

This report continues:

“Minority groups are estimated to constitute one third of the total population of Somalia. These include Bantu, Bravenese, Bajuni, Rerhamar, Eyle, Galgala, Tumul, Yibir and Gaboye. These groups continue to live in conditions of abject poverty and are made to endure numerous forms of discrimination and social exclusion. It is evident that all minority groups live below the threshold of acceptable living standards.

These situations arose as a result of cultural values that segregate and exclude minority groups from dominant clan societies. These minority groups are considered inferior and are without full civil and legal rights. Therefore, they find themselves in poor social, economic and political conditions.

These and other issues such as systematic exclusion from mainstream government positions resulted in animosity between some minority groups and dominant clans. Upon the demise of the state, the minority groups were hardest hit through brutal reprisals.” (Ibid, pp. 24 - 25)

This report also states:

“Minority groups such as the Bantu, Bravenese, Rerhamar, Bajuni, Eyle, Galgala, Tumul, Yibir, Gaboye, Ogadenis, and Rehanweyn represent one third of the Somali population and have been forcibly displaced from rich valuable agricultural land either through militia attacks or land appropriation policy of the Siad Barre regime. These minority groups are subject to human rights abuses, attacks, discrimination, and exploitation and, as earlier indicated, displacement and land dispossession by militias and other free moving bandits.

Over a considerable period of time, minority groups have gone through greater levels of discrimination and exclusion, branded as inferior and thus forced to become the poorest set of people in Somali society. They do not enjoy equal rights in society nor are they accorded any social, economic and political status.” (Ibid, p. 40)

A March 2008 *Minority Rights Group International* report states:

“There are other smaller minorities, such as the Ashraf and Shikhal Muslim religious communities, Bajuni fishing people and remote hunter-gatherer groups. What these groups have in common is their vulnerability, as they fall outside Somalia’s clan-based structure. They do not benefit from the protections of war-lords and militias. But they are also vulnerable to increased risk of rape, attack, abduction and having their property seized by criminals in an increased atmosphere of lawlessness. Equally, when some semblance of calm does return, they have little chance of gaining compensation for their losses, again because they fall outside the clan structure. An Amnesty International Report in 2005 stated that the majority of over 300,000 internally displaced persons in several parts of Somalia are members of minority groups. It said: ‘They subsist in mainly unregulated settlements in abject conditions, with international relief assistance reportedly often diverted and stolen by members of local clans.’ The same report also noted that the international agencies involved in relief distribution were poorly informed about the special risks faced by minorities during times of insecurity.” (Minority Rights Group International (11 March 2008) *State of the World’s Minorities 2008, Africa*, p. 76)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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