EASO
Country of Origin Information report

South and Central Somalia
Country overview

August 2014
Acknowledgements

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Disclaimer

This report was written according to the EASO COI Report Methodology (2012) (1). The report is based on carefully selected sources of information. All sources used are referenced. All information presented, except for undisputed or obvious facts, has been cross-checked, unless otherwise stated.

The information contained in this report has been researched, evaluated and analysed with utmost care. However, this document does not claim to be exhaustive. If a particular event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

Refugee, refugee camp and similar terminology are used as a generic terminology and not as legally defined in the EU Asylum Acquis and the Geneva Convention.

Neither EASO nor any person acting on its behalf may be held responsible for the use which may be made of the information contained in this report.

Reproduction is authorised, provided the source is acknowledged.

The target audience are caseworkers, COI researchers, policymakers, and decisionmaking authorities.

This report was finalised in July 2014. Any event taking place after this date is not included in this report.

## Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ACLED</td>
<td>Armed Conflict Location &amp; Event Dataset</td>
</tr>
<tr>
<td>AI</td>
<td>Amnesty International</td>
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<td>AMISOM</td>
<td>African Union Mission in Somalia</td>
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<td>ASWJ</td>
<td>Ahlu Sunna wal Jamaa</td>
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<tr>
<td>CEWERU</td>
<td>Conflict Early Warning Early Response Unit Somalia</td>
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<td>CTC</td>
<td>Combating Terrorism Center</td>
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<tr>
<td>DC</td>
<td>District Commissioner</td>
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<td>EC</td>
<td>European Commission</td>
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<td>EU</td>
<td>European Union</td>
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<td>EU NAVFOR Somalia</td>
<td>EU Naval Force Somalia</td>
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<td>EUTM</td>
<td>European Union Training Mission</td>
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<td>FAO</td>
<td>Food and Agriculture Organisation</td>
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<td>FENPS</td>
<td>Formal Education Network for Private Schools</td>
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<tr>
<td>FGM/C</td>
<td>Female Genital Mutilation/Cutting</td>
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<td>FGS</td>
<td>Federal Government of Somalia</td>
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<td>FPENS</td>
<td>Formal Private Education Network in Somalia</td>
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<td>FSNAU</td>
<td>Food Security and Nutrition Analysis Unit</td>
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<td>HRW</td>
<td>Human Rights Watch</td>
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<tr>
<td>ICC-CCS</td>
<td>International Chamber of Commerce – Commercial Crime Services</td>
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<td>ICU</td>
<td>Islamic Court Union</td>
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<td>IDMC</td>
<td>Internal Displacement Monitoring Centre</td>
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<td>IDP</td>
<td>Internally Displaced Person</td>
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<td>IED</td>
<td>Improvised Explosive Device</td>
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<tr>
<td>IGAD</td>
<td>Intergovernmental Authority on Development</td>
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<td>IJA</td>
<td>Interim Jubba Administration</td>
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<tr>
<td>ILGA</td>
<td>International Lesbian Gay Bisexual Trans and Intersex Association</td>
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<tr>
<td>IOM</td>
<td>International Organisation for Migration</td>
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<td>IPS</td>
<td>Inter Press Service News Agency</td>
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<tr>
<td>LGBT</td>
<td>Lesbian Gay Bisexual Transgender</td>
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<td>LPI</td>
<td>Life and Peace Institute</td>
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<tr>
<td>MSF</td>
<td>Médecins sans Frontières</td>
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<tr>
<td>MTS</td>
<td>Money Transfer System</td>
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<tr>
<td>Acronym</td>
<td>Full Name</td>
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<tr>
<td>NISA</td>
<td>National Intelligence and Security Agency</td>
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<td>NOAS</td>
<td>Norwegian Organisation for Asylum Seekers</td>
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<tr>
<td>PSD</td>
<td>Protection Status Determination</td>
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<tr>
<td>RMMS</td>
<td>Regional Mixed Migration Secretariat</td>
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<tr>
<td>RPG</td>
<td>Rocket-Propelled Grenade</td>
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<tr>
<td>SAFE</td>
<td>Schools Association for Formal Education</td>
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<tr>
<td>SEDA</td>
<td>Somali Education Development Association</td>
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<tr>
<td>SEMG</td>
<td>Somalia and Eritrea Monitoring Group</td>
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<tr>
<td>SFG</td>
<td>Somali Federal Government</td>
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<tr>
<td>SNAF</td>
<td>Somali National Armed Forces</td>
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<td>SOFE</td>
<td>School Organisation for Formal Education</td>
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<td>SOFEL</td>
<td>Somali Formal Education Link</td>
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<tr>
<td>SOFEN</td>
<td>Somali Formal Education Network</td>
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<tr>
<td>SPF</td>
<td>Somali Police Force</td>
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<td>SVS</td>
<td>Shabelle Valley State</td>
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<tr>
<td>SWDC</td>
<td>Somali Women Development Center</td>
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<tr>
<td>TFG</td>
<td>Transitional Federal Government</td>
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<tr>
<td>TNG</td>
<td>Transitional National Government</td>
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<tr>
<td>UKBA</td>
<td>United Kingdom Border Agency</td>
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<tr>
<td>UKFCO</td>
<td>United Kingdom Foreign and Commonwealth Office</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UN OCHA</td>
<td>UN Office for the Coordination of Humanitarian Affairs</td>
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<td>UNDP</td>
<td>UN Development Programme</td>
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<tr>
<td>UNDSS</td>
<td>UN Department of Safety &amp; Security</td>
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<tr>
<td>UNGU</td>
<td>UN Guard Unit</td>
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<td>UNHCR</td>
<td>UN High Commissioner for Refugees</td>
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<tr>
<td>UNICEF</td>
<td>UN Children’s Fund</td>
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<tr>
<td>UNITAF</td>
<td>Unified Task Force</td>
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<tr>
<td>UNODC</td>
<td>United Nations Office on Drugs and Crime</td>
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<tr>
<td>UNOSOM</td>
<td>UN Operation in Somalia</td>
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<tr>
<td>UNPOS</td>
<td>UN Political Office for Somalia</td>
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<tr>
<td>UNSOM</td>
<td>UN Mission in Somalia</td>
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<tr>
<td>VBIED</td>
<td>Vehicle-Born Improvised Explosive Device</td>
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<tr>
<td>WFP</td>
<td>World Food Program</td>
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Introduction

This report was drafted by Country of Origin Information (COI) specialists from the COI units or asylum offices listed as co-authors under the Acknowledgements section, together with the European Asylum Support Office (EASO), according to its mandate. It aims to provide information to support COI researchers, decision makers and policymakers active in the national procedures for the assessment of asylum applications from Somali nationals.

Methodology

• Defining the terms of reference

On 15 April 2014, a request for input for the terms of reference was sent to COI representatives of all EU+ countries (1) and UNHCR. On 25 April 2014, during a preparatory meeting, the terms of reference were defined by the writers, based on the input received from 12 countries plus UNHCR.

Detailed descriptions of the situation in Somaliland and Puntland are excluded from the scope of this report. Both regions are mentioned in chapters where deemed necessary.

Also excluded are descriptions of the situation of the Somali diaspora or refugees in neighbouring countries. These topics are very complex, require an exhaustive study of the situation in these countries and do not fall within the scope of this report.

The armed opposition groups (including Al-Shabaab) are dealt with in the respective chapters where mentioning them is relevant (e.g. security situation, human rights situation etc.). The same applies to the African Union Mission in Somalia (AMISOM), which is also mentioned under security services in the first chapter.

• Collecting information

The report presents information collected between 25 April and 11 June 2014. After this, some additional research was done in the review phase on selected topics only. A limited number of specialised paper-based and electronic sources were consulted within the time frame and the scope of the research. Furthermore, a number of contact persons were interviewed. For security reasons, not all contacts were named; the choice had to be made between not interviewing them at all and referring to them as ‘anonymous sources’. Considering the value of the information provided, the latter approach was preferred.

• Quality control

In order to verify whether the writers respected the EASO COI Report Methodology, a review was carried out by COI specialists from the countries listed as reviewers in the Acknowledgements section. All comments made by the reviewers were taken into consideration and most of them were implemented in the final draft of this report.

(1) EU Member States plus Norway and Switzerland.
Map of South and Central Somalia

Source: UN OCHA (2012); Administrative layers from: UNDP Somalia (1998); Road and stream network: FAO SWALIM (1).

(1) UN OCHA, Somalia Administrative Map, 8 May 2012 (http://reliefweb.int/map/somalia/somalia-reference-map-country-a4-8-may-2012) accessed 22 August 2014.
1. General country information

1.1 Geography (4)

1.1.1 Landscape

Somalia is located in eastern Africa (Horn of Africa), bordering the Gulf of Aden and the Indian Ocean. Bordering Somalia are Djibouti, Ethiopia and Kenya. The country’s total area is 637,657 km², with a coastline of 3,025 km. It is flat in the south, with mountains in the north reaching more than 2,000 meters. South-western Somalia is dominated by the country’s two main rivers, the Jubba and the Shabelle. The inter-riverine area is fertile, and is called ‘the bread-basket of Somalia’ (5). Rainfall being sparse, most of Somalia has a semiarid to arid environment.

1.1.2 Climate (6)

The weather is hot throughout the year, except at the higher elevations in the north and along the Indian Ocean coast (average maximum temperatures from 30° to 40° C and average lowest temperatures from 20° C to more than 30° C).

Two wet seasons (April to June and October to November) bring erratic rainfall. Somalis recognise four seasons, two rainy (gu and day) and two dry (jiilal and hagaa). The gu rains begin in April and last until June, The gu season is followed by the hagaa drought (July to September) and hagaa is followed by day rains (October to November). Next comes jiilal (December to March).

1.1.3 Administrative divisions

The territory of Somalia is de facto divided into three distinct administrative areas: Somaliland (a self-declared independent state, not recognised by the international community), Puntland (a self-declared autonomous state of Somalia) and the area south of Puntland, from Mudug region to the south, referred to as South/Central Somalia (7).

Somalia is officially divided into 18 administrative divisions or regions, each known as gobol. The following regions are situated in South/Central Somalia: Bakool, Benadir, Bay, Galgaduud, Gedeo, Hiiraan, Middle Jubba (Jubba Dhexe), Lower Jubba (Jubba Hoose), Mudug, Middle Shabelle (Shabelle Dhexe), Lower Shabelle (Shabelle Hoose) (8). The regions Awdal, Bari, Nugaal, Togdheer, Woqooyi Galbeed and the disputed regions Sanaag and Sool are situated in Somaliland and Puntland.

Regions are divided into districts, subdivided into zones (9).

1.1.4 Cities

1.1.4.1 General

Dwellings in the Somali cities range from simple shacks and huts made from twigs and waste plastic to substantial brick and concrete structures. There are few public buildings outside Mogadishu, but modern commercial office buildings of several storeys high have emerged here and there. The plan is often a disorganised agglomeration,
dissected by the main roads (13). In the large coastal cities, solid constructions of coral limestone or modern bricks can be found. In the provincial and district capitals of the interior, the traditional wooden houses with thatched or corrugated-iron roofs predominate (13).

Most land is privately owned and deadly conflicts sometimes arise over the ownership of land. Public spaces are subject to encroachment or are neglected and unsanitary. Lack of urban management makes the provision of infrastructure and services extremely difficult. Many people, especially IDPs (Internally Displaced Persons), seek better livelihoods and opportunities in the cities, giving rise to urbanisation (13).

In 2011, 37.7% of the population lived in the cities and from 2010 to 2015 the urbanisation rate is estimated to grow 3.79% annually (13).

1.1.4.2 Mogadishu

1.1.4.2.1 History of Mogadishu

Mogadishu is the capital of Somalia. In Somali, Mogadishu is written ‘Muqdisho’ and is also called by the local population ‘Benadir’ or ‘Xamar’ (Hamari). Mogadishu (the name means ‘The seat of the Shah’) is one of the earliest Arab settlements on the east African coast (10th century). The port was of major importance for trade connections with the Arab world, and later with traders from Portugal and Muscat. The city came under the control of the Sultan of Zanzibar in 1871, and in 1905 under Italian rule. After independence (1960), Mogadishu became the capital of Somalia. Since the collapse of the Somali state (1991) and the ongoing civil war, Mogadishu has suffered widespread violence. The city centre was largely destroyed and depopulated in the years 2007-2008. Only after Al-Shabaab left the capital in 2011 could reconstruction start (14).

In 1992, Mogadishu was divided into two main sections, with a ‘green line’ between the warring Hawiye/Abgal and Hawiye/Habr Gedir clans, from north (Karaan, Yaqshiid, Shangaani, Shibs, parts of Boondheere) to south, impeding people from moving freely through the city. It is not known precisely when the green line was removed, but this division was still mentioned in reports from 2008 (14).

1.1.4.2.2 Administrative subdivisions

The city, governed by a mayor - who is also governor of Benadir Region (Gobol) - is divided into 16 districts, successively divided into three local government tiers: waax, laan and tabella (neighbourhoods or ‘villages’, comprising 50 to 250 households). Each district is headed by a District Commissioner (DC), appointed by the Governor and the President of Somalia (16).

Mogadishu’s districts are, from north-east to south-west (17):

Heliwaa (Huruwa) - Karaan – Yaaqshiid - Shibs – Wardhiigley (Wardhingley) - Boondheere - Shangaani (Shingani) - Cabdulcasis (Abdul-aziz) - Xamar Weyne (Hamar Weyne) - Xamar Jabjab (Hamar Jabjab) - Waaberi - Hawl Wadaag - Hodan - Dayniile (Deynile) - Wadjir (Medina) – Dharkenley. A new 17th district, Kahda, is mentioned by some sources but could not be verified (19).
1.1.4.2.3 Population

There are no recently verified population figures for Mogadishu and various sources provide different figures. In 2011, the population of Mogadishu was estimated at 1,554,000 by the United Nations (UN). In 2012, the Federal Government of Somalia (FGS) estimated the population at 2.5 million (16). In February 2014, the Food Security and Nutrition Analysis Unit Somalia (FSNAU) estimated the Mogadishu population at 901,183 (17).

There have been massive displacements in and out of the city. Between 2007 and 2009, an estimated 409,000 people fled the fighting out of Mogadishu to the Afgooye corridor. The population increase in 2011/2012 is mainly due to people from the southern regions fleeing the conflict and the drought in rural southern areas, who used to live mainly in IDP camps in Mogadishu. In May 2013, 369,000 IDPs were counted in Mogadishu (18). The number and size of IDP camps in Mogadishu is decreasing (see section 1.8.2.3.1). While Hodan, Hawl Wadaag and Boondheere still have many IDPs, the majority of IDPs have moved to the districts Dayniile and Wadajir and along the road to Afgooye (19).

1.1.4.2.4 Economy

Mogadishu has a large seaport, an international airport (Aden Adde International Airport), a large number of markets, including a big cattle market in Heliwaa district (Suqa Holaha) and the famous central market, Bakara. Since early times, the population has been living from trade in a large variety of goods, fisheries, and the production of traditional cloth (alindî). There is a flourishing service sector which includes money exchange and money transfer companies and telecommunication, mobile phones and internet providers. The largest market in Mogadishu, Bakara, is a town in itself where everything imaginable can be bought and sold, from food to sophisticated weapons, gold, medicines and the latest technological gadgets (20).

1.1.4.2.5 Reconstruction

Mogadishu had many landmarks such as monuments, universities, theatres, mosques, governmental buildings, a Roman Catholic cathedral (for many years home to IDPs and now demolished) and other prominent structures (21). The oldest districts are built around the old port: Xamar Weyne, Shangaani, Xamar Jabjab, and Cabdulcasiis (22). Most of the infrastructure (including roads, electricity, street lights, sewerage, potable water and garbage collecting systems) was destroyed during the civil war (23).

Since the beginning of 2012, reconstruction and rebuilding activities have accelerated (27). The city has regained a lot of liveliness, although attacks still occur. New hotels, restaurants and shops have opened. There is a Lido beach,
protected by soldiers, where locals dare to swim in the sea again. Many Somalis returning from the diaspora have started businesses in Mogadishu (34). Basic governmental services such as street lighting and rubbish collection have resumed (35).

However, increased attacks by Al-Shabaab since the beginning of 2014 (in particular, spectacular attacks on high-level targets such as the Presidential Palace and Parliament), together with the rise in crime and theft, are affecting the freedom of movement of residents, with shops and offices closing earlier and people feeling less safe (36).

### 1.1.4.2.6 Maps and addresses

The government, together with UN-Habitat, is working on a mapping exercise to register businesses and infrastructure, on urban planning, to manage the influx of returnees, to settle land disputes, to increase tax revenues and to create adequate maps (37). Few streets in Mogadishu have names. Some streets names have changed and do not correspond with those on older maps. Houses do not have numbers. Addresses are usually indicated in relation to (‘behind’, ‘near’) prominent buildings, monuments, etc. In January 2014, the Benadir Administration launched a plan to put up signs on every road and to give each house a number within a year, to increase security and to enable postal delivery (38).

### 1.1.4.3 Kismayo

Kismayo is the capital of Lower Jubba and the most important economic hub for the southern part of Somalia. The city has one of the most important seaports of the country and an airfield, which was refurbished and reopened in the beginning of 2014. It is supplied by agriculture in the fertile Jubba valley and fisheries in the Indian Ocean (39). The city is divided into four districts (Calanleey, Faanoole, Farjano, Shaqaalaha) and has an estimated population of between 167 000 to 183 000 (2013 data) (40).

#### 1.1.4.3.1 Environment and landscape

Kismayo City occupies approximately 5 km² and is 8 meters above sea level (35). For some views on the city, see the images in the 3D virtual representation by the company MetaVR (40).

The low-lying coastal location and poor drainage makes the city vulnerable to recurring floods, such as those caused by heavy rains in May and June 2014 (39).
1.1.4.3.2 The Seaport and industries

The Seaport was built in 1964 and refurbished in 1984. From July to September, the port struggles with bad weather. Waves and monsoons make berthing difficult and the population refers to these months as *kuusi*, meaning ‘no money’. It is a deep-water harbour, protected by breakwaters, but hampered by dangerous coastal reefs. The main function of the port used to be the export of meat and bananas, but more recently, it has been the import and export of goods, charcoal and khat. The port has a 630 metre, four-berth capacity and usually handles 38 vessels per month (2005 data) (38).

In March 2013, the daily labour pay for port workers averaged between SoSH 50 000 to 100 000 ($1 to $2) (39).

In the late 1980s, Kismayo had a meat-tinning factory, a tannery and a modern fish factory. There were also two sugar refineries. But even before the destruction during the Civil and Clan Wars (1980s/1990s), the productivity of the industries was low and irregular. There was a power plant, built in the mid-80s, but this was often out of order. Production of goods is largely undertaken by small workshops in the informal sector (40).

1.1.4.3.3 Facilities

In 2005, Kismayo University was established by a group of former teachers and university lecturers with the support of a local organisation, Towfiq Welfare Society. The university has two campuses, a library, a teaching hospital, a conference hall, prayer facilities, sport facilities and its own transport (41). There is a general hospital in Kismayo, but sometimes patients are left outside because of lack of capacity (42).

In March 2013, there were over 40 IDP camps in the city, with shelters made of polythene, paper, bags, boxes, tents and discarded scrap metal (43).


1.1.4.4 Belet Weyne

Belet Weyne is the capital of Hiiraan region (44). It is a garrison town with several military bases of the Somali National Army and AMISOM (45). The city is divided by the Shabelle River creating east and west bank quarters which are connected by the Liiq liqato bridge (46). The four city districts (47) are Kooshin; Haawotaako; Hawl Wadaag (48); and Bundo Weyn, where there is a market and a government base (49).

Thanks to the fertile Shabelle valley, the city is an important economic hub in Somalia, with a large livestock (camels, cattle, goats) market in the western part, and agriculture production (maize, soybeans, ground nuts, sesame and sunflower seeds, mangos, water melons, papaya, grapefruits and others) serving local and international markets (via the seaports of Berbera and Bossaso). The city is also located on a strategic transport route, which makes it an important transportation hub for inter-regional trade (50).

There is a city hospital and a hospital run by AMISOM (51). There is a football stadium in Belet Weyne, which has been used by the authorities to execute an elder who was sentenced to death by a military court (52). The Bulo-Hubey cemetery is located in the outskirts of the city (53).

1.1.5 Transport infrastructure

There are only 2 900 km of paved roads and the main means of transport for the population are trucks, buses and minibuses. The principal highway is a 1 200 km two-lane paved road from Kismayo via Mogadishu to Hargeysa. In the rainy seasons many rural areas are not accessible by motorised vehicles. As a result, camels, donkeys and cattle are used for transportation. There are no railways in Somalia (54).

Somalia has six airports with paved runways and 55 with unpaved runways (55). In the north-east (Puntland) there is Bossaso - Bender Qasim International Airport (BSA/MCMF), with one passenger terminal and two runways. The airport is served by Daallo Airlines, Djibouti Air and Jubba Airways (56). There are no railways in Somalia (57). From Mogadishu, there are flights to Yemen, Djibouti, Somaliland, UAE, and other countries.

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The Somali government is working on the revival of the national air carrier, Somali Airlines, which ceased operating in April 1992. Since 2012, Turkish Airlines (Istanbul-Mogadishu), and since 2013, Air Uganda (Entebbe-Mogadishu), regularly fly to Somalia (59).

The major seaports are Kismayo and Berbera (Somaliland). Mogadishu Seaport was closed for business until 2006. It is now open and more secure and is experiencing a revival of economic activity. Exports consist largely of fruit and livestock. Imports are mostly pasta and cement. However, the CIA, in its World Factbook, reports that the maritime transport in Somalia is still under threat of piracy with vessels and hostages held for ransom (60).

1.2 Demography

1.2.1 Population

There are no reliable population figures, only differing estimates (or rather extrapolations), since the last census was held in 1975. The CIA World Factbook estimates the total population (including Somaliland, Puntland, Sool and Sanaag) at 10 428 043 in 2014, with an annual growth rate of 1.75 % (61). Reliable population estimates for South and Central Somalia are not available. More than 70 % of the total Somali population is under the age of 30 (62).

1.2.2 Ethnic groups

Given the fact that almost all inhabitants of Somalia speak Somali as their mother tongue, Somalia at a first glance appears to be one of the few ethnically homogenous countries in sub-Saharan Africa. A closer look reveals a different reality. A significant share of the population adheres to several minority groups and the majority population is divided into several clans, which function as sub-ethnicities and constitute the main identity-providing factor within the Somali nation (63).

The clans are grouped in four to six clan families (depending on definition and counting). The nomadic-pastoralist clan families (Darod, Hawiye, Dir and Isaaq, the latter sometimes being considered part of Dir) have the highest position in the Somali clan hierarchy; they are subsumed under the term Samaale. The sedentary Digil and Mirifle/Rahanweyn are also considered ‘noble’ clan families and are called Saab.

These clan families are divided into clans, sub-clans and lineages (64). Socially, the most relevant level within this hierarchical system is the mag or diya paying group, which is obliged to pay compensation (called mag or diya) for acts against customary law (xeer) committed by one of its members against another group (65).

Note: This estimate was derived from an official census taken in 1975 by the Somali Government; population counting in Somalia is complicated by the large number of nomads and by refugee movements in response to famine and clan warfare (July 2014 est.) (66). Reliable population estimates for South and Central Somalia are not available. More than 70 % of the total Somali population is under the age of 30 (62). Socially, the most relevant level within this hierarchical system is the mag or diya paying group, which is obliged to pay compensation (called mag or diya) for acts against customary law (xeer) committed by one of its members against another group (65).
Several minority groups with different backgrounds do not belong to the ‘noble’ majority clans. These are the ethnic and religious minorities and the occupational groups. The ethnic and religious minorities generally have a different origin and, in some cases, even their own languages. The biggest groups are Bantu (Jareer), Benadiri, Sheikhal and Ashraf. The Bantu are farmers living in the fertile valleys of the south. Part of this group has supposedly been living in this area before the Somali populated the region; others were brought as workers in pre-colonial times as well as by the Italian colonialists. ‘Benadiri’ is a common denomination for several unrelated urban minorities living in coastal towns such as Merka, Baraaewe and Mogadishu; they are an ethnic mix of Somalis and several seafaring people such as Arabs, Indians or Portuguese (60).

The occupational groups do not differ culturally and linguistically from the majority clans, but due to practices and occupations perceived as un-Islamic, they are considered impure. Usually denominated Waable, Sab, Midgaan or Madhibaan, and contrary to the majority clans, they cannot trace their ancestry back to the Prophet Mohammed (60).

For more information on clans and ethnic groups, see section 2.

1.2.3 Languages and spelling

1.2.3.1 Languages

Unlike many other African countries, the linguistic situation of Somalia is relatively homogeneous. Somalia’s official language is Somali and it is the unchallenged medium all over the country (60). For most speakers in Somalia, Somali is the native and only language. Somali is also spoken as a native language and as a second language by millions of people in eastern Ethiopia (Ogaden region), north-eastern Kenya and south-eastern Djibouti, i.e. in areas bordering Somalia (60).

In 1972, the Somali language was standardised (60). A variety of north-eastern Somali is promoted as the standard variety. However, speaking the standard (north-eastern) variety is not the norm throughout the country. Most of those who speak Somali do so in their regional dialect, or will at least have a regional slant in their Somali. There is a broad distinction between northern and southern varieties, with the border running roughly across the Mudug region (60). Somali is one of the best documented African languages (60). The broad distinction between northern and southern Somali is well documented and can generally be established through language analysis. Finer distinctions within this broad distinction are possible (60).

Somalis themselves often make a distinction between Maxaa-tiri and Maay-tiri. Maay-tiri refers to regional dialects within this broad distinction are possible (60).

For more information on clans and ethnic groups, see section 2.


Certain minorities in Somalia speak other languages, such as varieties of Swahili (Kibajuni, Chimwiini), Oromo (e.g. af-Garre) and other minority languages such as Mushunguli (\(^76\)).

Related varieties of these minority languages are commonly spoken in neighbouring countries Ethiopia and Kenya. Given the dominant position of the Somali language in all domains in Somalia, some knowledge of Somali may generally be expected among speakers of minority languages (\(^77\)).

### 1.2.3.2 Spelling and pronunciation (\(^78\))

The Somali spelling uses Latin script. Its alphabet contains the following symbols:

\[
\text{a b c d d h e f g h i j k h l m n o qr s t u w x y} \quad \text{\textit{(note: p and v are not used)}}
\]

A sign often used in the Somali language is the apostrophe [''] to indicate the so-called glottal stop, heard, i.e., as a replacement for the [ t ] in ‘button’ and for the hyphen in \textit{uh-oh!}

The letter \(c\) refers to a sound, articulated at the pharynx and often barely audible. It is often used in Somali names: Cali (Ali), Cabdullaah (Abdullah), Cabdulcasiis (Abdulaziz), Cosmaan (Osman), Cumar (Umar). Note that the Somali letter \(c\) is not pronounced as [ s ] or [ k ].

The letter \(x\) is pronounced similar to [ h ], but with the tongue further back. It appears in names like: Muxammad (Muhammad, Axmad (Ahmad), Xasan (Hasan), Xamar (Hamar).

The letter \(q\) is pronounced similar to [ k ], but with the tongue further back (e.g. Qaasim).

### 1.2.4 Religion

The mainstream religion in Somalia is Sunni Islam. Most Somalis belong to the Shafi’ite school of the Sharia. A large majority of the population follow the Sufi tradition, the mystical current in Islam, which has since long been established in Somalia (\(^79\)). Conservative Salafist groups - such as Al-Shabaab - have become prevalent in the past decades (\(^80\)).

The 2012 Provisional Constitution of Somalia acknowledges Islam as the State religion and adds that: ‘No religion other than Islam can be propagated in the country. No law which is not compliant with the general principles and objectives of Sharia can be enacted.’ (\(^81\))

Religious minorities include a very small population of around 1,000 Somali Christians (estimation 2009 (\(^82\))), as well as minorities within Islam, such as the religious clans Ashraf and Shekhal. The Ashraf claim to descend from the Prophet Mohamed’s daughter Fatima and are accorded religious status on that basis. The Sheikhal are lineages with an inherited religious status (\(^83\)).

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\(^{(**)}\) Analysis by the author.


1.3 Short history

1.3.1 From independence to military rule (1960-1970) (84)

26 June 1960: The former British Somaliland Protectorate becomes independent.

1 July 1960: The former Italian Somalia colony becomes independent.

1 July 1960: The former Italian colony merges with Somaliland to form the United Republic of Somalia. Aden Abdullah Osman Daar is elected president.

1967: Abdirashid Ali Shermarke is elected president.

15 October 1969: President Abdirashid Ali Shermarke is assassinated.

21 October 1969: Major-General Muhammad Siyaad Barre assumes power after overthrowing the civilian government.

1.3.2 Civil war (1988-1991) (85)

May 1988: Drawing its support from the Isaaq clan, armed opposition to the regime begins with an offensive in the north. The government responds with an assault on the Isaaq clan, killing some 50 000 people and forcing 650 000 to flee to Ethiopia and Djibouti.

December 1990: Armed uprising erupts in Mogadishu.

27 January 1991: Siyaad Barre is ousted and flees Mogadishu. Clan warlords engage in a power struggle.

18 May 1991: Somaliland declares unilateral independence from the rest of Somalia.

1.3.3 Clan War and State Collapse (86)

December 1991 to March 1992: Clan-based warfare begins. In Mogadishu alone, four months of fighting lead to an estimated 25 000 deaths, 1.5 million people fleeing the country and 2 million internally displaced.

April 1992 to March 1995: Several international interventions – UNOSOM (87) I, UNITAF (88) and UNOSOM II - failed to halt the violence or address the famine.


May to August 2000: peace conference in Arta (Djibouti) led to the creation of a Transitional National Government (TNG) headed by President Abdulkassim Salat Hassan.

April 2001: Somali warlords backed by Ethiopia decline to support TNG.

October 2004: Abdullahi Yusuf is elected Interim President of the Transitional Federal Government (TFG) by a transitional parliament.


(87) UNOSOM: UN Operation in Somalia.

1.3.4 Islamist advance and retreat (89)

March to May 2006: Intense fighting in Mogadishu between Islamic groups and an alliance of Mogadishu-based warlords.

June 2006: The Islamic Courts Union (ICU) defeats the warlord alliance, establishes an administration in Mogadishu and takes over part of southern Somalia.

July-August 2006: Mogadishu’s air and seaports are re-opened for the first time since 1995.


January 2007: The port of Kismayo, the last ICU stronghold, is abandoned by the Islamists.

1.3.5 Failed attempts to restore peace (90)

February 2007: UN authorises an African Union peacekeeping mission to Somalia (AMISOM).

March to October 2007: Fighting in Mogadishu between insurgents and government forces backed by Ethiopian troops. In April 2007, UN estimates that 320 000 Somalis had fled Mogadishu since February.

December 2008: President Abdullahi Yusuf resigns.

January 2009: Ethiopia completes the withdrawal of its troops. Sheikh Sharif Ahmed, a moderate Islamist, is elected TFG president by the new expanded parliament.

1.3.6 Al-Shabaab insurgency (91)

May 2009: Islamist insurgents launch attacks on Mogadishu.

May 2009: Sharia law is introduced. Attacks on the TFG by insurgent fighters, including Al-Shabaab and other groups, spark a new wave of displacement.

June 2009: State of emergency is declared.

October 2009: Al-Shabaab captures the southern port of Kismayo and subsequently large parts of southern Somalia.

January 2010: Al-Shabaab officially confirms that it has joined Al-Qaida’s ‘international jihad’.

July-August 2010: UN declares famine in several regions of Somalia.

August 2011: Al-Shabaab withdraws from Mogadishu.

October 2011: Kenyan army launches an incursion into Somalia after a series of kidnappings by Al-Shabaab inside Kenya involving foreigners.


1.3.7 Al-Shabaab pushed back, but not defeated (February 2012-Today) (96)

February to October 2012: African Union and government forces recapture Afgoye, Baidoa, Kismayo and Wanla Weyn.

August 2012: Inauguration of the new Somali Federal Parliament takes place in Mogadishu (97). Pro-government forces re-capture Merka (south of Mogadishu) from Al-Shabaab.

September 2012: Hassan Sheikh Mohamud, a former political activist, is elected president.

January 2014: Al-Shabaab increases attacks in Mogadishu.

February 2014: Al-Shabaab militants attack the presidential palace in Mogadishu, leaving at least 16 people dead (98).

March 2014: Offensive against Al-Shabaab by government forces and AMISOM leading to six towns (Xudur, Rab Duhure, Ted, Weel Dheyn, Buurdhubo and Buulo Barde) being captured.

1.4 State structure and political landscape

1.4.1 Parliament, government, administration

The eight-year political transition process of Somalia was successfully completed in 2012 as adopted in the ‘Roadmap for Ending the Transition in Somalia’ in 2011 (99). The Provisional Constitution of the Federal Republic of Somalia was adopted by the National Constitutional Assembly on 1 August 2012 (100). In May 2012, traditional clan elders nominated and selected the 275 members of the House of the People of the Federal Parliament. Federal Parliament members took office on 20 August 2012. In September 2012, the Parliament elected Hassan Sheikh Mohamud, a former civil society activist, as president. Former Transitional Federal Government (TFG) President and 2012 presidential candidate, Sheikh Sharif Ahmed, described the presidential vote as fair and conceded defeat (101). On 6 October 2012, President Mohamud appointed Abdi Farah Shirdon (‘Saacid’) as Prime Minister. He and his 10 member Cabinet were endorsed by the Parliament on 13 November 2012 (102). These moves raised new hopes for a reconciliation and reconstruction process (103). On 2 December 2013, the Prime Minister lost a confidence motion in the Somali Federal Parliament; a new cabinet under Prime Minister Abdiweli Sheikh Ahmed was endorsed by Parliament on 22 January 2014 (104).

According to the constitution, Somalia has a federal government. It establishes two levels of government, the Federal Government of Somalia (FGS) and, at regional levels, governments of the Federal Member States and local governments (105).


(99) The Roadmap, destined to establish more permanent political institutions and greater national security and stability in Somalia, was agreed between TFG, the regional Administrations of Puntland and Galmudug, and the Ahlu Sunna wal Jamaa movement, facilitated by the UN Special Representative of the Secretary General for Somalia. The Roadmap was adopted on September 6th 2011. UNPOS, Annex 1, Somalia End of Transition Roadmap, 6 September 2011 (http://unpos.unmissions.org/Portals/49742/07UNPOS%20 %20Roadmap%20(File%20Annex).pdf) accessed 29 May 2014.

(100) Federal Republic of Somalia, Provisional Constitution, adopted on 1 August 2012 (http://unpos.unmissions.org/LinkClick.aspx?fileticket=RkJTOSpoMME=) accessed 29 May 2014.


The CIA World Factbook (2014) provides the following overview on the state structure (102):

‘Executive branch:

Chief of state: President HASSAN SHEIKH Mahamud (since 10 September 2012)

Head of government: Prime Minister ABDIWELLI Sheikh Ahmed (since 21 December 2013); Deputy Prime Minister Ridwan HIRSI Mohamed (since 17 January 2014)

The Cabinet: appointed by the prime minister, approved by the National Parliament; note - new cabinet sworn in 22 January 2014 (consists of 25 members (103), including two women (104))

Legislative branch:

The bicameral National Parliament consists of the House of the People of the Federal Parliament (275 seats, elected by Somali citizens) and the Upper House of the Federal Parliament (54 seats, elected by people of the federal member states).

Note: the inaugural House of the People in September 2012 was appointed by clan elders; as of December 2013, the Upper House has not been formed.

Political parties and leaders: none

Political pressure groups and leaders: numerous clan and sub-clan factions exist both in support and in opposition to the transitional government.’

The government has been developing plans for the establishment of regional administrations in areas recovered from Al-Shabaab. President Mohamud is taking a ‘bottom-up’ approach, whereby local administrations would be formed first and involved in the selection of regional actors. The three-phased governmental plan is to temporarily appoint local parliamentarians into their constituencies that would be gradually replaced by locally selected, and in due course, by locally elected administrations (105).

Upon taking up office, President Mohamud outlined the priorities of the administration in his six-pillar policy framework, including stabilization, peace building and reconciliation, economic recovery, collaborative international relations, the delivery of services to the people and unity and integrity of the country. The Government and Parliament pledged to support this agenda (106). For the following period, a governmental strategy, ‘Vision 2016’, envisages establishment of the Upper House of Parliament by December 2015, the adoption of the new Constitution by March 2016 and national referendum and eventually national elections to take place between March and September 2016 (107).

The UK Foreign and Commonwealth Office notes that: ‘Somalia received considerable international attention during 2013, with the Somalia Conference in London in May, co-hosted by the UK and the Federal Government of Somalia, and the Brussels Conference on Somalia in September, co-hosted by the EU and the Federal Government. These conferences delivered action plans for Somalia’s new armed forces, police forces, justice system and financial management; and in Brussels a New Deal Compact was agreed between Somalia, its regions, its Parliament and the international community. In total, donors pledged over £1.8 billion to support these priorities.’ (108)

(104) The female ministers were appointed for the women and human rights development and general activities and rebuilding. HRW, Here, rape is normal - A Five-Point Plan to Curtail Sexual Violence in Somalia, February 2014 (http://www.hrw.org/sites/default/files/reports/somalia0214_ForUpload.pdf) accessed 29 May 2014, p. 43.
On 27 May 2014, the United Nations (UN), the European Union (EU) and the Intergovernmental Authority on Development (IGAD) issued a joint appeal for a resolution of the political crisis in Somalia. They noted that: ‘the development of a federal system, the constitutional review process and preparation for 2016 elections are behind schedule’. According to the appeal, the progress on state-building has not been as fast as needed (110).

Parliamentarians/lawmakers run a serious risk of targeted assassinations by Islamists. On 21 February 2014, Al-Shabaab attacked the Presidential Palace in Mogadishu (119). At the same time, Al-Shabaab warned officials that they will be targeted at government institutions (111). According to an international organisation, interviewed during a joint fact-finding mission organised by the Danish Immigration Service and the Norwegian Landinfo (November 2013), ‘... al-Shabaab would do anything to destabilize the government and do whatever that could make the government look bad ... It adds that ‘among categories of people targeted by al Shabaab are political front figures like the president.’ (113)

1.4.2 Federalism (Somaliland, Puntland, Jubbaland, Galmudug)

Federalism is accepted as the form of administration best suitable for Somalia, reducing power on the central level and distributing power among the Federal Member States. ‘The Somali Provisional Constitution calls for the establishment of a Boundaries and Federation Commission ‘to support the territorial changes in Somalia in order that it may become a fully-fledged federation of states.’ The constitution also makes provision for an Inter-state Commission to ‘facilitate intergovernmental coordination’ between the Federal Government and Federal Member States, and to ‘resolve any administrative, political or jurisdictional disputes’ between the two. (...) Despite the Constitution’s provision for the establishment of federal states, federalism has been a source of tension between the Federal Government and existing as well as emerging states.’ (113)

There are no official federal member states yet. Somaliland is a ‘self-declared independent republic’, and Puntland is what the UN calls a ‘self-declared autonomous state’ within Somalia (114). ‘It is widely believed that Puntland is the closest to achieving federal state status, and could be a model for other states. Jubaland and Galmudug also have state-building efforts underway, although there is a lot of in-fighting at the local level. Jubaland has two rival talks going on while Galmudug has three or four.’ (113) On 28 August 2013, in Addis Ababa, the Federal Government of Somalia (FGS) reached a long awaited agreement with Ahmed Madobe, creating the Juba Interim Administration (115).

For more information on the federal system as a threat to security, see section 3.1.2.

1.4.3 The Judiciary

The CIA World Factbook (2014) provides the following overview on the judicial branch (113):

‘Highest court(s): the provisional constitution stipulates the establishment of the Constitutional Court (consists of five judges including the chief judge and deputy chief judge).

Note - under the terms of the 2004 Transitional National Charter (TNC), a Supreme Court based in Mogadishu and an Appeal Court were established; yet most regions have reverted to local forms of conflict resolution, either secular, traditional Somali customary law, or sharia Islamic law.

Judge selection and term of office: judges are appointed by the president upon proposal of the Judicial Service Commission, a 9-member judicial and administrative body.

Subordinate courts: federal- and federal member state-level courts; military courts; sharia (Islamic) courts.’

In practice, the judicial system is an amalgam of state law, clan-based customary law (xeer) and Islamic law. (128) Most conflicts and crimes are dealt with through xeer, the clan-based customary law system in which payment of compensation (diya or mag) is central (see paragraph 2.4) (129).

There is no functioning judicial system in Al-Shabaab-controlled areas, where Sharia courts provide justice based on a harsh interpretation of Islamic law (20).

Since 2011, military courts of the Somali armed forces are functioning in Mogadishu and other main towns under FGS authority. They bring to trial not only members of the armed forces, but also ‘alleged members of Al-Shabaab, police and intelligence agents, and ordinary civilians.’ (121)

For more information on access to the justice and the rule of law, see section 4.2.6.

1.4.4 Somali Police Force (SPF)

Different police forces fall under a mix of regional administrations and the government. The SPF falls under the jurisdiction of the Ministry of Interior. Civilian authorities generally do not exercise effective control of security forces.

In southern and central regions outside Al-Shabaab control, the army and allied militias assume police tasks. In Mogadishu, two separate police forces operate, one under the control of the central government and the second one under the Benadir regional administration. By the end of 2013, the SPF, complemented by 363 AMISOM police officers, expanded its presence from seven to all 16 districts of Mogadishu (122). The SPF has increased its workforce by 625 officers to meet the demands of operations in the newly recovered areas, bringing their total number in South/Central Somalia to 5,711 in March 2014 (123).

For more information on the SPF, see section 3.2.3; for access to the law enforcement, see section 4.2.6.

1.4.5 Somali National Armed Forces (SNAF)

SNAF have more than 10,000 troops (124) who do not always share common allegiances, due to loyalties to clans, conflicting interests of local militias and inconsistent payment. The Federal Government has succeeded in integrating members of some militias, such as Ahlu Sunna wal Jamaa (ASWJ), although integrating other militias is much more difficult, such as the Ras Kamboni militia (led by Sheikh Ahmed Mohamed Islam Madobe) (125). Army forces operate alongside the African Union Mission in Somalia (AMISOM) (126). Training for SNAF was provided by the European Union Training Mission (EUTM) for Somalia (127).

For more information on SNAF, see section 3.2.2.

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(133) Some sources, however indicate the number being higher, at approximately 21,000 soldiers. Landinfo/Udlændingsstyrelsen, Update on security and protection issues in Mogadishu and South-Central Somalia, March 2014 (http://landinfo.no/asset/2837/1/2837_1.pdf) accessed 26 May 2014.


1.4.6 AMISOM

The African Union Mission in Somalia (AMISOM) is a regional peace support mission set up by the Peace and Security Council of the African Union with the full support of the United Nations. On 12 November 2013, in its Resolution 2124 (2013), the UN Security Council decided to extend the deployment of AMISOM to 31 October 2014.[128]

In addition, the UN Guard Unit, the 400-strong ‘defensive’ guard force of Ugandan troops, based at the heavily fortified Mogadishu airport, is ‘mandated to protect UN staff and installations’ in the capital[129].

For more information on AMISOM and the United Nations Guard Unit (UNGU), see section 3.2.1.

1.4.7 National Intelligence and Security Agency (NISA)

Somalia’s National Intelligence and Security Agency (NISA) focuses on counterterrorism and serves as the rapid-reaction response force to terrorist attacks in Mogadishu. However, ‘interagency cooperation and information sharing remained inadequate at all levels on counterterrorism issues, although this year’s appointment of a new National Security Advisor and Council helped bridge some of the coordination gaps. Almost all Somali law enforcement actions against terrorists and terrorist groups were reactive in nature.’[130]

For more information on the NISA, see section 3.2.4.

1.5 Education

1.5.1 Literacy and enrolment

According to the UN Development Programme (UNDP), South/Central Somalia has the world’s lowest literacy rate: only 19 per cent[131]. UNICEF data shows that enrolment rates in Somalia are among the lowest in the world. In addition, many children drop out of school early. The Gross Enrolment Rate (GER) for overall Somalia in 2011-2012 was 42 %, implying that 710,860 children out of an estimated 1.7 million of primary school aged children are enrolled in school. While school attendance is 51 per cent in Somaliland and 43 per cent in Puntland, the percentage in South/Central Somalia is lower[132].

According to the World Bank (2014), 22 % of girls and 34 % of boys were enrolled (31 % on average). Secondary school participation is lower with 12 % for boys and 8 % for girls. Girls are less likely to attend school due to household responsibilities and early marriages. Nearly 75 % of women between 15 and 24 years are illiterate – one of the world’s highest levels of female illiteracy[133]. However, according to a governmental radio source, the number of girls enrolled in schools in the Central region Ximan and Xeeb has ‘dramatically increased’ in the past three years, to reach more than 50 % in some schools[134].

Cultural conservatism, household chores and early marriage deprive many girls of school or cause them to drop out of school early. More recently, however, parents, especially mothers, acknowledge the necessity of education and

[129] AFP, UN troops deploy in Somali capital to defend staff, 18 May 2014 (http://reliefweb.int/report/somalia/un‑troops‑deploy‑somali‑capital‑defend‑staff) accessed 30 May 2014.
encourage their daughters to go to school\(^{(135)}\). On 6 September 2013, a large governmental campaign was launched to get more children into schools, the ‘Go 2 School’ initiative\(^{(136)}\). The campaign evoked a reaction from Al-Shabaab in Baraaawe, arguing that the new curriculum would threaten Islamic faith\(^{(137)}\).

### 1.5.2 Curriculum

Since Somalia fell into anarchy in 1991, it has not had a national education curriculum. A large number of private and non-governmental organisations have launched a variety of schools with their own curriculums\(^{(138)}\). The present situation is summarised by the US Department of State as follows:

‘... a traditional system of Koranic schools; primary and secondary schools financed by communities, foreign donors; Islamic charity-run schools; and a number of privately run primary and secondary schools and vocational training institutes. In many areas children did not have access to schools other than Koranic schools.’\(^{(139)}\)

Since the formation of the new FGS in September 2012, steps have been taken to develop a unified national curriculum. An Education Sector Strategic Plan (2012-2016) was developed by the Ministry of Education with support from, amongst others, UNICEF\(^{(140)}\). In May 2013, a coalition representing 1 130 private schools across Somalia presented a new curriculum that would serve as a blueprint for standardising primary and secondary instruction nationwide\(^{(141)}\). The re-launch of governmental universities and schools will be taken up after the national curriculum has been established\(^{(142)}\).

### 1.5.3 Educational institutes and organisations

The language of instruction at primary school may be Arabic, Somali, or English, depending on the supporting organisation. Most secondary schools use either Arabic or English, according to a report from 2008\(^{(143)}\).

A range of international and local organisations (both Islamic and non-religious) have long been active in the education sector. In the period from 1996 to 2009, SAACID\(^{(144)}\), a Somali Non-Governmental Organisation (NGO), had developed a network of primary, secondary and vocational schools in the Benadir and middle Shabelle region which was destroyed in the ongoing battles. SAACID’s current educational activities are focused on 13 free primary schools in Mogadishu, Lower Shabelle and Middle Shabelle. The enrolment of boys and girls in these schools is more or less equal\(^{(145)}\). AMISOM has also been providing education for children and adults since 2010\(^{(146)}\).

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\(^{(136)}\) UNICEF, Massive campaign to get one million Somali children into school to be launched, 6 September 2013 (http://www.unicef.org/somalia/education_13315.html) accessed 1 May 2014.


\(^{(141)}\) The coalition comprises seven organisations: the Formal Private Education Network in Somalia (FPENS), the School Organisation for Formal Education (SOFE), the Somali Formal Education Network (SOFEN), the Somali Formal Education Link (SOFEL), the Schools Association for Formal Education (SAFE), the Formal Education Network for Private Schools (FENPS) and the Somali Education Development Association (SEDA).


\(^{(144)}\) SAACID, or say-eed in Somali, means ‘to help’.


\(^{(146)}\) AMISOM, ‘School days – AMISOM education takes off’, AMISOM Bulletin issue 5, 15 May 2010 (https://www.google.com/url?q=http://amisom-au.org/%3Fwpdmdl%3D3%26d%3D30%26Y%3D19%26l%3Dsa%3Dl%26t%3D3%26r%3Dn%26gws%3D5%26ei%3DrMjrUj43jH6Qy0QX25YC4Dg&ved=0CEQFfJAg&uact=2&sig2=ZGv1v7k7a3G3U8BE4w &usg=AFQjCNExyi1Ftpie-2c0UBRS_zs4enycyqGA) accessed 2 May 2014.
The FGS requires Islamic instruction in schools, and exempts schools owned by non-Muslims. Funding of the education sector is increasingly provided by the Arab world. Externally funded religious schools (madrasas or duqsi) provide cheap basic education and generally follow the Salafist ideology, especially in Al-Shabaab controlled areas (149).

In Mogadishu, some schools use books provided by Saudi Arabia and follow the Saudi curriculum, ‘which advocates and inculcates Wahhabism.’ This is, according to IPS, ‘a far more radical interpretation of Islam than the moderate Sufi school that older generation of Somalis follow’ and might result in a generation of more radical Somali Muslims (148). The Al-Islah Islamic organisation and affiliated groups finance and administer Mogadishu University and many secondary schools in Mogadishu (150). Some parents have concerns about indoctrination by Islamists in such schools (150).

Despite the ongoing conflict in Somalia, the number of higher education institutions has risen enormously, thanks to efforts from local communities, (Islamic and Western) NGOs, and the Somali diaspora. Between 2004 and 2012, 34 higher education institutes were established. There are at least six universities in Mogadishu, according to a researcher of the Heritage Institute for Policy Studies (151). The Somalia Academic Institutions Directory mentions nine universities in Mogadishu and South/Central Somalia (151).

1.5.4 Education under Al-Shabaab

In most districts under Al-Shabaab control, there are few schools (152) which are often dilapidated buildings deprived of adequate sanitation facilities (154).

In February 2011, Al-Shabaab ordered several measures for schools under their control: boys and girls were not allowed to sit in the same classrooms anymore and all lectures had to stop ten minutes before noon, after which time teachers were to inculcate in their students the importance of jihad. In some schools, the use of the English language as the medium of instruction was banned, as was the use of school bells (which according to Al-Shabaab sound like church bells) (155). In the following months, Al-Shabaab banned English teaching altogether and forced teachers to teach in Arabic (156); it banned the teaching of Geography and History and, moreover, used schools to recruit young boys for their struggle (157).

In November 2013, Al-Shabaab cautioned residents of Baraawe that sending their children to school could harm their Islamic faith - arguing that Christian religion would be taught at these schools. According to residents, Al-Shabaab tries to incite the population to defy the governmental plan to improve education nationwide (158).
1.6 Media and (tele-) communication

1.6.1 Media

The most recent overview of media outlets (radio stations, television, newspapers, and websites) is provided by the African Union (AU)/UN (AMISOM) IST Media Observatory project. According to this overview, there are 56 media outlets in South/Central Somalia, of which only five in Central Somalia, reflecting an important regional discrepancy. Another finding is that radio is still by far the most popular medium (169).

Radio: Due to the high level of illiteracy in Somalia, the most popular and effective form of communication is the radio. According to AU/UN IST Media Observatory Project (2014), there are 40 radio stations in South/Central Somalia, of which 26 in Benadir; several others broadcast from the southern and central regions. This source gives an extensive overview of all media (radio, TV, newspapers, and news sites) and adds background information such as coverage and trustworthiness (160).

According to an overview given by Infoasaid (2012), most radio stations are managed by private companies, others by NGOs and government, usually broadcasting in Somali as well as English or another language. Most radio and TV stations also have a website with news (165). Many Somalis obtain news from foreign radio broadcasts, primarily BBC and Voice of America (161). Since 8 March 2013, Somali women have their own community radio: Kasmo FM (163).

TV: South/Central Somalia has one government-run TV station (Somali National TV since April 2011), and a number of private networks (such as Shabelle TV, Universal TV, Somali Channel TV) (164).

Newspapers: AU/UN IST Media Observatory Project (165), ABYZ News Links (166) and World Newspapers (167) provide an overview of the most popular English-language newspapers and news sites.

1.6.2 Telecommunication

Recent information on telecommunication can be found on the website of Cellular News (168). Telecommunication (first fixed-line telephony and internet, later mobile phones, wireless internet and mobile payment) has been one of the economy’s major growth areas since the collapse of the central government in 1991. Telecom prices are the lowest in Africa. Global Internet, Hormuud and Nationlink are amongst the largest telecom and internet providers (169).

The use of mobile phones is thriving among Somalis, especially since mobile internet and mobile payment have been introduced. It is estimated that nearly every Somali has access to a mobile phone, either as owner or via a relative (170). In a 2013 survey, more than seven out of ten Somalis (72.4 %) said they personally owned a mobile phone (171).
Very few Somalis have private internet (via dial-up or satellite), but internet cafés are found everywhere in towns (172). On 9 January 2014, Al-Shabaab banned the use of internet through mobile phones (two months later it banned mobile phones with cameras (173)) and fibre optic cables in areas under their control, on suspicion of ‘working with the enemy’ (174). As a result, 3G networks nationwide were turned off. In April 2014, however, fast fibre optic connections have been rolled out in Mogadishu - outside Al-Shabaab control. This was the first time that videos could be watched via internet (175).

1.6.3 Money transfer

Since 2010, a Mobile Money Transfer System (MMT) called ZAAD (based on the Kenyan M-Pesa and provided by Hormuud) has become a popular and safe method of payment. After registering and uploading money on one’s account, payment via mobile phone (with PIN code) is possible, for example at markets, in taxis, shops, and companies (176).

Up to USD 1.6 billion in remittances are sent annually to Somalia through the most popular and most reliable money transfer system (MTS), called hawala (177). The largest money transfer company is Dahabshiil, which is the only one in Somalia left with a bank account, with Barclays. In June 2013, this bank announced that it was going to close the accounts of hundreds of money transfer businesses, including Africa’s largest, Dahabshiil, for fear of money laundering and funding terrorism. Many (inter)national NGOs using Dahabshiil (such as Oxfam) argued that this would cut off the country completely from remittances, donations and project subsidies (178). On 5 November 2013, Dahabshiil won an injunction at the High Court in the United Kingdom, which was in April 2014 followed by an agreement with Barclays giving Dahabshiil a transition period in order to find alternative banking arrangements (179). The UN Security Council concludes: ‘irrespective of the outcome, the Dahabshiil case serves to highlight the continuing fragility of the Somali money transfer sector and the urgent need to bring existing money transfer operations into compliance with international regulations on the prevention of money-laundering and the financing of counter-terrorism.’ (180)

1.7 Health care

According to the World Bank (2014), ‘access to health services is poor even by Sub-Saharan standards. Life expectancy at birth is 51 years and infant mortality rates are estimated to be 108 deaths per 1 000 live births i.e. one in every ten children dies in the first year (UNICEF). In 2009, there were an estimated 625 health posts and 225 maternal and child health centres in Somalia. Assuming a population of nine million, this amounts to just one health post per 15 200 people. What existing services exist, are provided by the private sector, including pharmacies and drug stores, which may account for high service fees.’ (181)

Somalia’s public healthcare system was largely destroyed during the ongoing civil war. There is no legal framework for health care, no central food and drug administration, and most infrastructures have been destroyed over the years (182).

References:

Many private health care initiatives by Somalis and international NGOs have been set up in recent years, including by Somalis returning from the diaspora (183). Other public health care is provided by humanitarian organisations. The International Committee of the Red Cross (ICRC) has hospitals and mother-and-child clinics all over Somalia (184). AMISOM has clinics in Middle and Lower Shabelle and hospitals in Belet Weyne, Kismayo, and Baidoa (185). However, the withdrawal of Médecins sans Frontières (MSF), on 14 August 2013, has been a big loss for the Somali health care system. MSF provided many services all over South/Central Somalia (Mogadishu, Afgooye, Balcad, Diinsoor, Galkacyo, Jilib, Jowhar, Kismayo, Marere, and Burao), such as free primary health care, malnutrition treatment, maternal health, surgery, and preventive health care (186).

There are no government-run hospitals in Somalia, but international donors, such as Turkey, are supporting the rehabilitation of the health sector (187). There are no hospitals in Al-Shabaab-controlled areas either, and people in need of treatment may die due to restrictions on movement (188). In Mogadishu, there are general hospitals in Keysaney and Medina. A January 2013 UN OCHA map (189) showing health facilities in Mogadishu was considered to be still valid in November 2013, according to interlocutors of a Danish-Norwegian fact-finding mission (November 2013), to the exception of MSF which had left. In Kismayo, there is one hospital (190).

Somalia has one of the highest mental illness rates. According to the World Health Organisation, one in three persons were affected as a result of the decades-long conflict. Mental patients are often chained to trees or left to die. Mental care is provided in Habeeb Hospital, Mogadishu (191).

### 1.8 Socioeconomic and humanitarian situation

#### 1.8.1 Socioeconomic situation

Somalia’s economy has been in recession since the outbreak of the civil war, 23 years ago. According to a World Bank overview (2014), Somalia is among the five least developed countries out of 170 nations, as measured by the 2012 Human Development Index. Per capita GDP is estimated at USD 284 - against a sub-Saharan Africa average of USD 1 300 per capita. 43 % live on less than 1 USD a day (192). One out of every 10 children die before their first birthday, and one out of every 12 women die due to pregnancy related causes. Only 30 % of the people have access to safe water (193).

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Somalia has a large informal economy, based on agriculture and livestock (40 % of GDP), money transfer services, and telecommunications. External (humanitarian) aid and remittances (which make up 35 % of GDP - the highest worldwide (194)) are the key sources of income. Livestock, hides, fish, charcoal, sesame (195) and bananas are Somalia's principal exports, while sugar, sorghum, corn, khat and processed goods are the principal imports (196).

Mogadishu’s main market, Bakara, provides a large variety of goods, from food to electronic gadgets and weapons. Hotels continue to operate, protected by private security militias. Since Al‑Shabaab's retreat from Mogadishu in August 2011, some parts of the city have seen a fast development with new gas stations, supermarkets, restaurants and hotels, and direct international flights. All over Somalia, an advanced system of wireless internet, money transfer services and mobile phones has been developed. Many diaspora Somalis have returned, some temporarily, some for good. Outside Mogadishu, economic growth has yet to take off, depending on the level of security (200).

The UN Independent Expert, Shamsul Bari, remarked in August 2013: ‘After more than 20 tortuous years of armed hostilities, which still continue in some areas, Somalia has reached a turning point. While there is still a long way to go to return to normalcy, there are visible signs of change all around. The palpable improvements in the security situation in Mogadishu and in an increasing number of areas in the country is reflected in the return of an impressive number of people from the diaspora, including businessmen lured by the promises that have been made. Both international and United Nations flights to and from Mogadishu are full. Business activities and construction of buildings are on the rise. Though serious concerns remain about the security situation as a result, for example, of clan infighting in Kismayo and Jubaland, there are clear signs of hope in the air.’ (198)

However, Somalia still faces many challenges in its economic reconstruction, such as good governance, capacity building, legislation and anti-corruption measures (199).

### 1.8.2 Humanitarian situation

Between 2010 and 2012, nearly 260 000 people, half of them children, died because of a severe famine that hit the central provinces of Somalia (200). Although the famine officially ended in February 2012, an estimated 3.7 million Somalis were still in urgent need of humanitarian assistance in June 2012 (201). The underlying causes of the famine were multiple: severe drought and several failed rainy seasons, the ongoing conflict, rapidly rising food prices, the restricted humanitarian access to the population, the ban on World Food Programme and other aid organisations by Al‑Shabaab in 2010 and the absence of adequate alternative aid to the people in Al‑Shabaab areas (202).

According to the September 2013 UN Secretary General report on Somalia, the humanitarian situation had improved. This was ‘a result of improved security in pockets of the country, sustained assistance and favourable weather conditions’ (203). However, as of December 2013, 870 000 people were still unable to meet their basic food requirements without humanitarian assistance and a further 2.3 million only barely met their food needs and relied
on sustained support for other necessities (204). In his March 2014 report, the Secretary General noted that ‘Nearly 860 000 people remain acutely food insecure, and another 2 million people remain on the margins of food insecurity. Acute malnutrition persists, with 203 000 children malnourished, especially in the south, where at least 50 000 children face increased risk of death. Persistent insecurity in parts of the country continued to limit humanitarian access and delivery of essential assistance. Aid workers have increasingly been the targets of arrest and detention by armed groups.’ (205)

1.8.2.1 Humanitarian organisations

For humanitarian organisations to be able to work, they had to negotiate with Al-Shabaab and were obliged to meet Al-Shabaab’s demands. They had to accept severe limitations in order to reach the population in need of life-saving assistance (206). Aid workers in Al-Shabaab areas were attacked, harassed and kidnapped. This hindered their access to people in need (207). See the map on Humanitarian Access (September 2013) (208).

After working for 22 years in Somalia, the international NGO Médecins sans Frontières (MSF) withdrew in August 2013 from Somalia, due to the ongoing insecurity and the impossibility to guarantee minimal safety conditions for patients and staff. Occasionally, local military and political leaders were involved in attacks on staff. ‘In some cases, the same actors - particularly but not exclusively in south central Somalia - with whom MSF must negotiate minimum guarantees to respect its medical humanitarian mission, have played a role in the abuses against MSF staff, either through direct involvement or tacit approval. Their actions and tolerance of this environment effectively cuts off hundreds of thousands of Somali civilians from humanitarian aid’, MSF said (209).

1.8.2.2 Impact of military offensive (210)

The latest military (AMISOM and SNAF) offensive in South/Central Somalia started early March 2014. Due to the offensive, people moved to safer places; often these were temporary, short-term displacements to nearby villages, to avoid conflict zones (211). Bakool, Galgaduud, Gedo, Hiiraan, Lower and Middle Shabelle were the most affected areas. 73 000 people have been on the move since the offensive started (212).

In Mogadishu, increased insecurity and fears of attacks and crime made it very difficult for Somalis and humanitarian organisations to lead somewhat normal lives (213). The military take-over of territories has not immediately led to improved humanitarian access. Military forces took main towns, while Al-Shabaab remained in control of some major roads. The latter (temporarily) blocked the main routes, thus hindering the supply of food, commodities and humanitarian aid, which led to rising food prices. Conditions could worsen, especially if supply routes to the newly accessible areas (in particular Xudur in the Bakool region) remain blocked, including ongoing insecurity along the road from Mogadishu to Baidoa (214).

In May 2014, a joint campaign by 22 humanitarian NGOs warned of a likely new famine, stating that Somalia is ‘at risk of relapse’ and communities are just ‘one shock away from disaster’. The short season deyr rains in the fall of 2013 failed, and the forecast for the long rainy season gu was bad as well. Moreover, the military offensive by

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(210) For more information on military offensives, see part 3.4.
AMISOM and SNAF has led to a greater displacement and to a disturbed planting season (215). With a third of the population still in need of food aid, and international funding lacking, a food crisis is on the verge, according to the joint campaign entitled ‘Risk of relapse’ (216).

In its May 2014 report, the UN Security Council concludes: ‘The humanitarian crisis in Somalia remains among the largest and most complex in the world, with some 30 per cent of the population in need, recent improvements in food security notwithstanding. An estimated 2.9 million people are in need of immediate lifesaving and livelihood support.’ (217)

1.8.2.3 Internally Displaced Persons (IDPs)

As of July 2014, there are an estimated 964 000 IDPs living in South/Central Somalia, including 369 000 in and around Mogadishu (218). Many of these IDPs live in harsh conditions in IDP-camps, where they are at risk of serious human rights abuses, especially women and unaccompanied children. The IDP camps are generally not safe. People live in tents and huts, deprived of light and police protection, and suffer lack of food. Moreover, militias operate in these camps, abusing and robbing people. The militias wear military uniforms, making it is impossible to distinguish them from soldiers (219). Sexual and gender-based violence is widespread, not only by militias but also by drunken individuals who seek easy victims in women and children (220).

The use of child soldiers and forced recruitment into armed groups also occur in the camps. Many IDPs from minority groups lacking clan protection suffer pervasive discrimination (221).

According to Amnesty International, ‘It is not lack of family or clan protection that leads to displacement: hundreds of thousands of IDPs are with their families and reside in settlements with others from their clans. However, as they are outside their area of origin and/or because they are from minority or weaker clans, clan-based protection is not strong enough to protect them. Without clan and family protection, the risk of ending up in an IDP settlements and of suffering numerous human rights abuses and violations is much higher.’ (222)

1.8.2.3.1 IDPs in Mogadishu

In May 2013, 369 000 IDPs were estimated in Mogadishu (223). Human Rights Watch (HRW) reported in January 2014: ‘Tens of thousands of displaced people remain in dire conditions in Mogadishu and are subjected to rape, forced evictions, and clan-based discrimination at the hands of government forces, allied militia, and private individuals including camp managers known as gatekeepers.’ (224) These ‘gatekeepers’ are notorious for their human rights abuses of IDPs, especially women and unaccompanied children. The ‘gatekeepers’ may be owners or tenants of the land where the camp is situated; they are generally from the locally dominant clan. They control people and goods going in and out of the camp, and may even demand a percentage of humanitarian goods from the IDPs (225). Gatekeepers and militias controlling the camps have also stolen food aid intended for IDPs (226).
Since the second half of 2013, forced evictions of thousands of IDPs have occurred in Mogadishu, as a result of an increasing pressure on land and property (227). During 2013, around 17 200 people were evicted. This was done not only by private landowners or gatekeepers, but also by the Mogadishu administration, in attempts to clean up the capital. The relocation plan was halted in 2013 ‘due to the deteriorating insecurity, a lack of landownership benchmarks, and pre-emptive actions by so-called gatekeepers’ (228). The authorities could not find alternative safe locations for the IDPs (229).

IDPs are pushed from the central districts of Mogadishu, both from public and private terrains and buildings. Orphans and extremely vulnerable persons are not spared from evictions (230).

Few alternatives are available for evicted IDPs and mainly depend on personal circumstances and clan affiliation. The majority of the evicted IDPs have moved to the districts Dayniile and Wadajir, KM7, KM11 and other IDP camps along the road to Afgooye (231) as well as to the settlements Sarakusta and Maslah (232).

By December 2013, nearly 50 500 IDPs had been assisted to go back to their home villages, and approximately 13 000 had returned home spontaneously.

Larger-scale returns are not yet foreseen due to the insecurity and the limited livelihood options (233). Eviction figures in Mogadishu dropped significantly from an average of about 1 500/month in the second half of 2013 to about 350/month in the first trimester of 2014 (234). See also part 5.5.2.

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1.9 Documents

1.9.1 General remarks

Since the start of the civil war in 1991, Somalia lacks a centrally organised and functioning administration. Most records have been discontinued and destroyed. The few records not destroyed are in the hands of private individuals or otherwise not retrievable. Consequently, most persons born after 1991 in Somalia have never been registered officially. In December 2013, the FGS launched a new centre for issuing passports and identity cards, which is also recording biometrical data electronically. However, the system has very limited capacities and is so far only available in Mogadishu.

Thus, until recently, there existed neither authorities entitled to issue identity documents, nor records on which these could be based. Somali society is largely paperless. Somalis identify themselves usually by dialect and genealogy. Identity papers are mainly needed when travelling (or seeking asylum) abroad. For many years, they have been issued only by forgers on markets. In 2006, the (transitional) government started also issuing papers, which are largely based on oral declarations and not on information from kept records. These documents therefore lack reliability and value of proof.

1.9.2 Identity documents (ID cards, passports)

All towns and districts issued ID cards prior to 1991.

Until 1991, the Somali government issued a passport which later became known as the ‘green passport’. After the collapse of the Somali government in 1991, Somali embassies, as well as private dealers, continued to print and issue the green passport without official authorisation, since no other passports were available to Somali citizens. Since 2007, the Somali government has stated various times that the ‘green passport’ is no longer valid and banned its use.

In early 2007, the Transitional Federal Government (TFG) launched a new computer-readable passport (produced by Just Solutions Ltd. in the UAE Emirate of Sharjah) containing an electronic
chip and advanced security features. The new (blue) passport was initially issued at a price of USD 100 in Somalia and USD 150 abroad. Due to financial and organisational matters, the issuance of the blue passport was interrupted several times.

In 2010, a new generation of the blue computer-readable passport, produced by Mondial Technology Information, was launched, slightly differing from the first generation. The issuance cost was USD 105 (USD 85 to the Ministry of Interior, 20 USD to the Immigration Office) in 2013. To obtain the passport, applicants had to apply in person at the Immigration Office, where a form had to be filled out and photographs and fingerprints taken. Applicants were asked about their family and clan origin to confirm their identity. Additional documents such as birth certificates were not required. The passport was valid for five years. ID cards were also issued by the Immigration Office simultaneously with the passports. Within Somalia, the ‘blue passport’ and the ID card were issued in Mogadishu, Garowe, Bossaso, north Galkacyo (Puntland) and South Galkacyo (Galmudug). Several embassies (e.g. in Kenya, UAE, Saudi Arabia, Zambia or Ethiopia) issued the documents as well. The ‘blue passport’ used to be printed in the UAE, but as from June 2011 it was printed in Mogadishu.

In December 2013, the government announced a new process for obtaining passports as well as another new generation of (again blue) passports and ID cards, featuring biometrics. The new documents are produced by HID Global. A centre for issuing passports and national identity cards was opened in Mogadishu’s Cabdulcasid district under the authority of the Benadir regional administration. Applicants are first registered electronically. They must provide fingerprints and pictures and undergo a criminal background check. They are issued with an ID card at a cost of USD 12.50 as well as a birth certificate (USD 5). With these two documents issued by the regional authorities and a certificate from the Criminal Investigations Department (CID), a passport can be obtained at a cost of USD 83 at the Immigration and Citizenship Department. Since only Benadir region issues the necessary documents, the passport is currently available in the capital only. Nevertheless, according to the Benadir administration, citizens


[250] IRB Canada, Somalia: Identification documents, including passports and driver’s licenses; whether driver’s licenses are/have been issued, including language of documents (2007-June 2013), 14 June 2013 (http://www.refworld.org/docid/51e44fe64.html) accessed 26 May 2014.


[252] IRB Canada, Somalia: Identification documents, including passports and driver’s licenses; whether driver’s licenses are/have been issued, including language of documents (2007-June 2013), 14 June 2013 (http://www.refworld.org/docid/51e44fe64.html) accessed 26 May 2014.


From other regions are also eligible to get their documents in Mogadishu. After the introduction of the new system there were long delays in the issuance of ID cards due to the high demand (255). Since May 2014, the new passports are also available at the Somali embassies in Djibouti and Kenya (256).

While the newer generation identity documents include elaborate security features which are difficult to counterfeit, information contained in the documents still lacks substance due to the absence of reliable records (257). Until the introduction of a comprehensive record system, identity documents will be largely based on information given orally by the applicants. Fraud is very common (258). Through bribery, networks or connections, it is easy to fraudulently obtain genuine Somali identity documents, be it in Somalia or abroad. These documents can be issued to persons who are not entitled (e.g. foreign citizens) or may contain false identity information (259). For these reasons, most countries do not currently recognise the Somali passport (260).

### 1.9.3 Birth, marriage, divorce and death certificates

The registration centre of Benadir, which was opened in December 2013 (see above), issues birth certificates at a price of USD 5 to residents of Benadir region as well as other regions of Somalia (261). Besides this centre however, there is no comprehensive governmental system for registration of births, marriages, divorces and deaths. Hospitals register births and deaths and occasionally issue certificates. Only a small share of births and deaths occur in hospitals, however (262). Since the collapse of the administration in 1991, local Sharia courts issue marriage and divorce certificates. Yet, there is no central register (263). Somali embassies also issue several types of civil status certificates (birth, marriage, divorce, death etc.) (264).

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Prior to 1991, Somali municipalities issued birth certificates, while marriage and divorce were registered at Sharia courts and death at hospitals (265). Since 1991, traders on Mogadishu’s Bakara Market and on other markets in Somalia have been producing birth and marriage certificates, ID cards and other documents using materials stolen from government offices after the central government collapsed, a system known as Abdallah Shideeye (266).

1.9.4 Other documents

There is no comprehensive land registry system. According to one source, the government issues title deeds (267). Generally, however, land ownership is unregistered and cannot be proven with certificates or other reliable documentation (268). Nevertheless, former officials sell verifications of land ownership (269).

Somali embassies issue ‘Go Home Somali Travel Documents’ allowing Somalis to enter Somalia without being in possession of a passport (270).
2. Clan system and ethnic groups

2.1 Majority Clans

According to a renowned expert on Somalia and professor of anthropology: ‘The clan system is the most important constituent social factor among the nomadic-pastoralist Somalis’ (271). The clans function as sub-ethnicities of the Somali nation. Clan affiliation is the main identity-providing factor within the Somali nation (272). The clan system matters for all functions of society, even for the structure of the government (273). Somalis usually know their exact position within the clan system, including in urban Mogadishu (274).

The clan system is patrilinear and hierarchically structured. It can be differentiated into several levels: clan family, clan, sub-clan (sometimes also sub-sub-clan), primary lineage and mag or diya paying group (275). Clans are led by leaders and elders. On higher levels, these leaders are called suldaan, ugaas or issim. Their role is mainly judicial and representative. Elders (oday) on lower levels (mag paying groups) regulate access to shared resources and are involved in conflict resolution. Due to the absence of functioning state structures in parts of Somalia, the clans and their elders have regained a political function and a substantial influence on the organisation of society. However, clans have no centralised administration or government (276). During the civil war, clan elders increasingly became targets of violence, which eroded their power. Nevertheless, they still have a significant influence on society and politics (277).

The ‘noble’ clan families trace their origin back to a mythical common ancestor called Samaal, who is said to be descended from the Prophet Mohammed. These groups are nomadic pastoralists. The clan family is the highest level of clanship. Its members can count up to 30 generations back to a common ancestor. The four ‘noble’ (Samaale) clan families are the following:

- The Darod are usually divided into three major groups: Ogaden, Marehan and Harti. The Harti are a federation of three clans: the Majeretene are the main clan in Puntland; the Dulbahante and Warsangeli live in the disputed border areas between Puntland and Somaliland. The Ogaden are the most important Somali clan in Ethiopia, but also quite influential in both Jubba regions, while the Marehan are present in South and Central Somalia.

- The Hawiye mainly live in South/Central Somalia. Their most influential sub-divisions are the Abgal and Habr Gedir, which are both dominant in Mogadishu.

- The Dir settle mainly in western Somaliland and in some pockets of South/Central Somalia. The main clans are the Issa, Gadabursi (both in Somaliland and bordering regions of Ethiopia and Djibouti) and the Biyomaal (in southern Somalia).


• The Isaaq are the main clan family in Somaliland. According to some scientists and Somalis, they are considered part of Dir clan family (279).

A further clan family, the Digil and Mirifle/Rahanweyn, trace back their ancestry to Saab, another alleged descendant of Prophét Mohammed. The term ‘Rahanweyn’ is sometimes used to describe a separate clan family, as identical to both Digil/Mirifle. In contrast to the Samaale, the Saab clans are mainly (but not exclusively) sedentary clans working in agriculture (279). They mainly live in the fertile valleys of Shabelle and Juba Rivers and the lands in between (mainly Bay and Bakool regions). The Saab speak Maay-tiri, a dialect quite distinct from Maxaa-tiri, the dialect used by the other clan families (280). Sometimes, the Saab clans are considered as a separate caste below the Samaale because of a more 'mixed' descent. However, there is no systematic discrimination of the Saab and both Saab and Samaale are to be considered 'noble' castes (281), whose members are allowed to carry weapons (282).

Clans are political actors that usually have their own territory (see section 2.4. for clan maps). They derive their identity from a common ancestor, who may be 20 to 30 generations back (283).

In the nomadic clans (but not for Saab), the mag or diya paying group is the most important level for the social organisation of an individual. It consists of a number of families, which are able to pay mag/diya together. Social and political relations between such groups are arranged by customary contracts (xeer). Mag must be paid as a fine for contraventions against the xeer (see chapter 2.5. below for details) (284).

In 2000, the TNG recognised four clan families (Darod, Hawiye, Dir and Digil/Mirifle) introducing the so called ‘4.5 formula’, a clan-based power sharing system. The four clan families (not counting the Isaaq) are equally represented in the Somali parliament. The minorities share half of the representation of a clan (285). With the introduction of the 2012 Somali constitution, the 4.5 formula was officially abolished. Minorities were initially given the same number of ministerial positions as the four major clans. Given the impossibility of general elections clan elders nominated the members of the new parliament in August 2012 (286).

It is very important to notice that the Somali clan system is not an 'exact science'. The clan system is dynamic and political relations between such groups are arranged by customary contracts (xeer). Mag must be paid as a fine for contraventions against the xeer (see chapter 2.5. below for details) (284).


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It is very important to notice that the Somali clan system is not an 'exact science'. The clan system is dynamic and complex. It is constantly fluctuating and changing, even more so since 1991 due to the migration movements caused by the civil war, but also because of lineage splits due to population growth (287). Groups split because of internal


frictions, provided both sides are capable to pay mag (288). Anthropologists and Somalis alike often disagree about the exact genealogies of many groups, such as the Isaaq, who are considered an own clan family by some and a Dir clan by others (289). Furthermore, minorities and occupational groups (see section 2.2. below) have the possibility to enter client relationships with noble clans, which are in some cases so stable that the groups are considered to be a part of the noble clan, with regard to, however, solely external relations (290). The minority group of the Sheikhals, for example, even occupies some Hawiye seats in the Somali parliament (290).

Several clan genealogy charts and maps are available online, the variations and contradictions of which illustrate the dynamics and complexities described above. The most commonly used are Abbink 2009 (292), UNHCR Somalia 2000 (293), World Bank 2005 (294) and U.S. Department of State 2000 (295). For maps, see section 2.4. When listing their family/clan ancestry, Somalis start with themselves and go upwards to the clan family. This listing is known as either abtirsiimo or abtirsiin (literally: ‘the counting of fathers’). Both terms are equivalent and used in the two main versions of Somali language, Maxaa-tiri and Maay-tiri. Somalis can give some generations in their clan line, in some cases up to 25 generations. Children learn their abtirsiimo/abtirsiin primarily from their mother and grandmother. They start learning as early as the age of five. Usually, a child knows his/her abtirsiimo/abtirsiin by heart at the age of eight or nine. Abtirsiimo/abtirsiin is used when one discusses patrimony and ancestors, when majority clans try to dominate minority clans, to praise famous persons in one’s clan and to show that one is related to that person. Abtirsiimo/abtirsiin is also used to find parents and relatives of unaccompanied children (296).

2.2 Minority groups

Somali minorities are diverse, with categories such as ethnic and religious minorities and occupational groups. The ethnic and religious minorities have a different cultural and language background than Somalis from the pastoralist majority clans, while the occupational groups share their background, but practice specific non-pastoralist occupations (see section 2.3) (297). Furthermore, members of majority clans can be considered minorities where they live in an area mainly populated by another majority clan. An example of this phenomenon are the Biyomaal, who belong to the ‘noble’ Dir clan family, who are a minority in the south, where they are suppressed by the Hawiye and Darod (298).

2.2.1 Ethnic minority groups

Most ethnic minorities are descendants of immigrants from eastern and central Africa or from the Arabian Peninsula. Some minorities already settled in Somalia before the arrival of the Somalis (299). There are no reliable data about

their number (301). Estimations range between six per cent and one third of the population (303). They are not clans, but considered as such by major clans. Some ethnic minorities are affiliated with major clans (or sub-clans) and are sometimes even seen as part of them (304).

The main ethnic minorities in Somalia include:

- **The Bantu** (or Jareer) are the largest minority group in Somalia. Traditionally, they are farmers living in the fertile valleys of Jubb and Shabelle rivers. The Bantu groups have different names such as Gosha, Makane, Kabole, Shidile, Reer Shabelle, Mushunguli and Gobaweyne, sometimes depending on the region, like the Mushunguli, who settle in Lower Juba region. Part of the Bantu has supposedly settled in this region before the Somalis populated the region (Shidile, Reer Shabelle, Makane, Kabole); others have been brought as slaves in pre-colonial times as well as by the Italian colonialists from regions which nowadays belong to Tanzania, Mozambique or Malawi. The Gosha are former slaves which fled and hid in the forests. Some of them have been assimilated by major clans (mainly Digil-Mirifle), while others are rather marginalised (305). As a result, some Bantu groups started to arm themselves in self-defence (306). The language used depends on the Bantu community: many Bantus speak Somali (Maay-tiri), but some have retained Bantu languages such as the Mushunguli (Kizigaa) and the Gosha or occasionally Kiswahili (305).

- **Benadiri** is a common denomination for several urban minorities living in Southern coastal towns such as Merka, Barawe and Mogadishu. They are mercantile communities of mixed origin including Somali, Arab (Omani), Indian and Portuguese (306). Benadiri comprise the following communities: Reer Xamar (living in Xamar Weyne and Shangaani Districts of Mogadishu) (306), Shangaani (Shangaani District of Mogadishu), Reer Merka (Merka) and Barewari (Barawe). A part of the Barawani considers itself as belonging to the Tunni clan of the Digil-Mirifle clan family. The Benadiri speak Somali as well as their own dialects of Somali language, in the case of the Barawani a dialect of Kiswahili called Chimini or Af-Barawe. As merchants, they enjoyed a privileged status before 1991. The lack of an armed militia left them without protection in the civil war. Most Benadiri therefore fled to Kenya (308).

- **Sheikhal** (or Sheikhalas) is a common name for lineages with an inherited religious status living dispersedly all over Somalia. The Sheikhal are closely associated with the Hirab clan of the Hawiye clan family, which allowed them...
to gain influence (mainly by commerce) and even enter the Somali parliament (100). As the Ashraf (below), they traditionally played conflict resolution roles and were respected and protected by the clans with whom they lived. In the 1990, they lost this customary protection (100).

• The Ashraf are a religious minority affiliated to (and sometimes considered as) Benadiri living mainly in the coastal regions (Merka, Baraaowe) and, as a clan, with the Digil-Mirifle in the riverine areas of Bay and Bakool (101). They are known for their religiousness, claiming descent of Mohammed’s daughter Fatima and Ali, nephew of the Prophet (111).

• The Bajuni are a fishing community living on the Bajuni Islands in Somalia’s extreme south and in Kismayo. They speak Kibajuni, a Kiswahili dialect (111).

Smaller minorities include the Xamar Hindi (descendants of Indian traders), Eyle (who share Somali language and culture, but claim a Jewish background) and Boni (Aweer), a small kushitic ethnicity in the Somali-Kenyan borderlands (114). It is unclear whether Eyle and Boni are to be considered ethnic minorities or occupational groups (115).

2.2.2 Occupational groups

Occupational groups are at the lowest level of the social hierarchy of Somali society. They do not differ ethnically or culturally from the majority population, but they are traditionally occupied in jobs considered impure or honourable by the majority clans. These occupations, as well as other practices, are also viewed as un-Islamic (haram). In contrast to the majority clans, they cannot trace back their genealogy to Prophet Mohammed (116). Occupational groups generally speak the same standard Somali language as the majority clans with whom they live, while a few have retained a special Somali argot which the majority clan members do not understand (117). The use of these dialects has declined among the younger generation and has by now almost disappeared (111). Their share of the Somali population is unknown. It is estimated at approximately 1% (119).

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These groups are usually denominated Waable, sab (not to be confused with the Saab), Midgaan or Madhibaan. The denominations and their significance differ regionally. They are dispersed all over Somalia. Depending on factors such as occupation and region, different terms are used for the diverse Waable groups (320). Traditional occupations of these groups include hairdresser, blacksmith, metalworker, tanner, shoemaker, potter and carpenter. Waable are also occupied in hunting, herding, agriculture, performing circumcision and midwifery. Urbanisation after the Second World War allowed the Waable to establish themselves in new jobs in the cities, raising their economic significance (321).

The most important occupational groups are the following:

- **Midgaan** (Madhibaan, Gabooye) is a denomination sometimes used as a general term for all occupational groups, although it actually refers to only one group within the Waable. Therefore it is difficult to define the term exactly. Since it is often translated as ‘untouchable’ or ‘outcast’, some Midgaan recently have preferred to be called Madhibaana, which means ‘harmless’. Many other terms are used. Historically hunters, the Midgaan are also associated with tanning, leather processing, shoemaking and many other professions. They live all over Somalia (322).

- The Tumaal are traditionally associated with the occupation of blacksmith. Many Tumaal now work in other professions, while other Waable work as blacksmiths. They live in northern and central Somalia and some urban places in southern Somalia (323).

- The Yibir are a small group said to have a Jewish background, despite practicing Islam and having no knowledge about Jewish traditions. Supernatural powers are attributed to them, and they live mainly in central and northern Somalia and in some urban places in Southern Somalia (324). Traditionally, they are ritual specialists (325).

There are a lot of other minor occupation groups, whose denominations are sometimes overlapping. These include Galgale (around Mogadishu), Gaheyle (in Sanaag) (326), Yahhar (traditionally weavers), Jaaji (fishers in central and

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northern Somalia), Musa Dheryo (327), Guleed Hadde, Hawr Warsame, Habar Yaqub, Madgal and Warabeye (328).
Also Boni and Eyle are sometimes considered occupational groups (329). Some of them have a clan system similar to the majority clans (330).

2.2.3 Discrimination of minority groups

Members of ethnic minority groups are often subject to human rights abuses and discrimination in diverse fields. For human rights issues, see section 4.3.1. The extent of discrimination depends on the minority. Occupational groups generally face more severe discrimination than ethnic minorities, among which there are also significant differences.

- **Social**: Due to prejudicial sociocultural attitudes by majority clans, the minority members are often insulted with derogatory language. Bantus are sometimes referred to as ‘slaves’ (adoon in Somali language) (331). Social interaction with majority clans (greetings, common meals) is limited for occupational groups (332). Intermarriages, particularly between occupational groups and majority clans, are not accepted. This excludes minorities from forms of clan support or advancement through marriage ties (333). Occupational groups usually live in ghetto-like neighbourhoods located in disadvantaged points of the settlement (334).

- **Political**: In the ‘4.5 formula’ (used until 2012), minority groups were underrepresented, making up only half of a major clan’s representation. In the first Federal Government (September 2012), two minority members had been appointed to the 10-member cabinet, the same number of ministerial positions as the major clans (335). The new cabinet (January 2014) consists of 25 ministers, 25 deputy ministers and five ministers of state, of which the number of minority members is unknown. MPs from minority Somali clans voted against the cabinet, feeling ‘they were being sidelined by the new appointments’ (336). Despite being represented in government and parliament, the minorities’ voice is weak and largely unheard (337). In most regions, the predominant clans exclude members of other groups from effective political participation (338).

- **Judicial**: Minority members are often subject to denial of justice. In case of theft of their land, the perpetrators are often not punished (339).

- **Economic**: Due to limited access to education, minority members are weak in the labour market and more often unemployed than members of majority clans. Even in jobs previously associated with occupational groups, majorities are now often favoured over minorities (340). Occupational groups are said not to be allowed to possess ‘noble’ animals such as cows or horses. Land ownership rights are not legally secured. The small land properties

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of the occupational groups are often challenged by majority clans, sometimes successfully. Given the limited land
available, occupational groups are not able to feed bigger cattle droves. Furthermore, they are usually restricted
to their traditional jobs and have no access to work in the public service (341).

After Somalia’s independence, and especially during the Socialist regime of Siyaad Barre, clanism was officially
abrogated, which improved the situation of the groups at the lowest levels of society. Some minority members
ascended to prestigious positions in government, administration and the military. The abolition of clans was only
theoretical, however, and after the collapse of the Somali state in 1991, they resurfaced. Thus, the growing influence
of the clans weakened the position of minorities in society, which also suffered disproportionately from fighting
in their regions (342). Lacking clan protection, they had nowhere to flee within Somalia, forcing many of them to seek
refuge in neighbouring countries (343). They also lost their monopoly on traditional tasks (344).

Al-Shabaab theoretically (but not consequently) abolished clanism, which again put minorities in some regions in
a somewhat better position than before, and led some of them to initially support Al-Shabaab. Since the decline
of Al-Shabaab’s power, this support is dropping again. In areas from which Al-Shabaab has withdrawn, minority
members sometimes face repercussion for having supported Al-Shabaab (345). For more information on this, see
also section 3.5.9.

2.2.4 Client relationships of minority groups

The position of a group within Somali society is mainly defined by its ability to defend itself. As small and poor
groups, minorities usually are in no position to defend and enforce their rights against a majority clan. Therefore,
they often enter a long-term client relation with a majority clan according to Somali customary law (xeer), in which
protection, conflict resolution and marriage rules are regulated (346). This client relation is known as *gaashaanbuur*
(‘pile of shields’). There are different degrees of *gaashaanbuur* depending on the status of the associated group:
neighbour, appendage, followers or pretenders (*sheegat*). The latter is the usual status of occupational groups,
because it allows them to assume the lineage affiliation of their protectors. Sometimes, the majority clan even pays
*mag* for the protected (347).

*Gaashaanbuur* contractors do not become fully-fledged members of their protector clan. Such alliances are voluntary
and can be dissolved by both sides. Consequently, the minorities are no ‘bondsmen’, but are rather to be considered

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‘untouchables’ or ‘pariahs’ in Somali society (348). When in contact with strangers (also abroad), occupational group members do not identify themselves as such, but rather as members of their protector clan, which manages all external contact (i.e. regarding mag payment) of the contracted occupational group (349).

2.3 Clan maps

Several rough maps depicting the distribution of the Somali clan families and some main clans are available online. The most commonly used is the ‘Ethnic Groups’ map (2002) by CIA, available in the Somalia map collection of the Perry-Castañeda Library (350). The same collection also includes a more detailed map from 2012 (351).

Only two maps showing clan distribution on a lower and more precise level (mostly sub-clan) exist, but are not available online: A map by the British anthropologist and expert in Somali clans, Ioan M. Lewis, attached to his 1955 book Peoples of the Horn of Africa: Somali, Afar and Soho (352); and a map by Abdulqaadir Abikar (1999) (353). Both maps are published below in a modified version which is more readable and more clearly laid out than the original.

As mentioned above, the Somali clan system is no an exact science. Even less exact are clan maps. The nomadic lifestyle of many Somalis, the extensive migration movements since 1991 and the disagreements regarding clan genealogies make it virtually impossible to produce a precise map. These discrepancies are clearly visible when comparing the two maps below, for example the distribution of the Hawiye in Southern Somalia. Contrary to what the maps show, for the most part there are no exact and clearly defined borders between clan territories.

It is equally important to notice that the spelling of clan names may vary. The Somali language was codified relatively late, in the 1970s. Nevertheless, even today, Somali lacks a commonly applied and binding orthography. In the maps below, the spellings used by the original authors have been duplicated. The spelling variations between the two authors are reflected in the maps (e.g. Gelimes by Lewis 1955 vs Gilmays by Abikar 1999).

Although there is a long timespan between the publication of these maps (1955 and 1999 respectively), the differences between the maps should not be understood as changes in the Somali clan distribution within this timeframe.

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Map by Lewis (1955) \(^{(354)}\)

Somali clan families (according to Lewis 1955)
- Darod
- Ogaden
- Harti
- Hawiye
- Abgal
- Hebr Gedir
- Dir
- Issaq
- Rahamweyn
- Minorities

Map by Abikar (1999) (355)

2.4 Customary law (Xeer)

The most widespread and commonly used source of justice in present day Somalia is the xeer, the customary law and ‘political contract’ of the clans (363). It is particularly important in rural areas with weak administrations, where clans fulfill many functions of the state. Even in urban areas, xeer is often used for dispute settlement. The relevant level within the clan hierarchy is the mag or diya paying group. Such a group consists of a number of families/lineages of between several hundred and several thousand men. The members of a mag paying group are obliged to support each other in political and judicial responsibilities defined in the xeer contract. This especially means paying and receiving compensation for acts committed by members of one group against another group, for example when somebody has been killed or hurt. This compensation is called mag (in Somali) or diya (in Arabic) and traditionally paid in camels. The mag paying group is a group of male members of a few families/lineages with a (supposed) common ancestor going back eight generations. It is led by elders calledoday. These are responsible for checking if the xeer rules are adhered to (367). In case of contraventions of the xeer, mag is paid by the whole mag paying group of the perpetrator and received by the whole group of the victim, never by individuals (368).

The mag paying group is also responsible to assist members in difficult financial situations (359). Except for the payment of mag, these groups are also responsible for the maintenance of inter-clan harmony, family obligations and resource-utilisation rules (366).

The xeer contracts are only entered between majority clans, while minority groups are excluded (361). However they can enter the xeer system indirectly through a client relation (shegaat) with a majority clan (362). The sedentary agro-pastoralists of the Digil/Mirifle/Rahanweyn clan family pay mag at a higher level in the clan structure: Clans are composed of four to seven jilib which pay mag together (363).

The xeer is predominant in northern Somalia, where it is applied in 80-90 % of the disputes. With the rise of Islamist groups in the South, radical interpretations of the Sharia (Islamic law) have replaced the xeer in some places (360). Especially in the South and in urban areas, traditional leaders (elders) are losing their authority and power. Their influence is undermined by Islamists, warlords and media (360).

The xeer can be in conflict with both international human rights standards and the Sharia (366). It is merely an oral justice system, not formally codified and very fluent and pragmatic (367).

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2.5 Clan protection/support

The term ‘clan protection’ means the ‘facility of an individual to be protected by his clan against violence’ by an aggressor from outside the clan (369). The rights of a group are protected by force, or the threat of force. The ability to defend these rights is essential for the security of an individual, whose mag paying group or clan must be able to pay compensation and fight (370). Protection and vulnerability are therefore closely linked to a clan’s power (371).

Generally (but not always), clan protection functions better than protection by the state or police. Therefore, in case of a crime, Somalis would rather go to their clan than the police (372). Clan protection only works at a very low level in clan hierarchy (sub-sub-clan). Being a Hawiye therefore does not guarantee clan protection in Mogadishu. Affiliation to a Hawiye sub-group which is dominant in Mogadishu is more relevant (373).

The level of functioning of clan protection is subject to disputes. Some factors recently eroded clan protection (such as the emergence of AMISOM, army and police as a security providers, or Al-Shabaab introducing Sharia in place of xeer as a source of law) (374), while other factors led to the improvement of clan protection, such as the withdrawal of Al-Shabaab from some regions and the general lack of administration all over rural Somalia (375). Therefore, clan protection varies regionally and from time to time (376), rendering a general assessment difficult. Furthermore, clan protection depends on a number of factors, which may exist fully or only partially (377).

Whether a person can find redress and be compensated depends on the status of a clan or group within the social hierarchy described above. The strongest are the majority clans, the weakest the Internally Displaced Persons (IDPs). IDPs are sometimes able to arrange a new xeer agreement with their host majority clan, but this is only rarely the case, with majority clan IDPs being in a better position than minorities (378). In camps, IDPs have separate leadership structures, but these are weaker than the clan structures. There is a high share of women and minorities (379) who are particularly vulnerable and in bad positions regarding clan protection. IDPs are often subject to rape, extortion and forced labour (see section 5.3) (379).

The ability of clans and elders to provide protection has, to a certain degree (but nowhere fully), been undermined in regions, where other power factors provide security and protection, such as warlords and their militia, Al-Shabaab or - in Mogadishu - AMISOM and the police. However, the protection mechanism exists all over Somalia, working

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best in rural areas (386). Many clans are no longer armed, which reduces their power (381). Still, vulnerability is closely linked to clan or group affiliation (but not only) (382). In the regions of South/Central Somalia, where Al-Shabaab has been driven away, clan rule has largely been reinstated. This also means that some minorities which had been brought to a powerful position by Al-Shabaab are weak again (386). Due to lawlessness, a worsened security situation and a weaker administration, clan protection is more important in South/Central Somalia than in relatively stable Somaliland and Puntland (384). The lawlessness in South/Central Somalia, however, also led to the introduction of the Sharia as a way to deal with crimes, since the paying of mag may not be considered sufficient and capital punishment is used instead (386).

The clans’ ability to provide protection has diminished in Mogadishu since the Islamic Courts Union (ICU) took over the administration of the capital, but even more so in the past four years. Before the ICU, the city was dominated by warlords and their clan militia. In recent years, however, AMISOM, the Somali Army and Police have tried to take charge of security and safety, while clans no longer protect individuals. Clan elders are still involved in conflict resolution (386), but there is almost no more risk of attacks or persecution due to clan affiliation (387).

According to several sources, clan affiliation has lost importance in terms of protection. Still, affiliation matters, for example to people in power, and for several clans it is still decisive. For members of the Hawiye groups originating from Mogadishu, clan issues do not matter. But for members of other Somali clans, such as Darod, and for IDPs, clan protection remains very important (388). Many militias which have been integrated into the Somali army retain loyalty to their clan (389) or are even still considered clan militia (390). In addition, policemen owe their position largely to clan and family affiliation (391).

In political, social and economic matters, clans are still important, marginalising minorities and IDPs. In all districts of Mogadishu, one clan is dominant, even if the population is mixed. Inhabitants usually live in an area where their clan is located (390). Overall, the most influential clan is Hawiye/Abgal (390). In Mogadishu, clans no longer support


their members in economic/livelihood problems however. Only the nuclear family still fulfills this duty \textsuperscript{[396]} On the other hand, money can compensate for lacking clan ties or protection. Good contacts to wealthy businessmen or politically influential people increase protection \textsuperscript{[395]}, while traditional elders have lost influence \textsuperscript{[394]}.

According to several sources, clan protection in areas controlled by Al-Shabaab is limited, but not in-existent \textsuperscript{[399]}. Depending on circumstances, even in these areas, clans may be able to provide protection. Being member of a majority clan may increase the security of an individual \textsuperscript{[398]}. According to a report by the Swedish Migration Board, however, clan protection does not work in areas controlled by Al-Shabaab \textsuperscript{[399]}.

Al-Shabaab generally tries to limit clan power and control clan elders. Islamists have killed traditional elders who refused to follow their orders and removed elders from power \textsuperscript{[400]}. There are different factions within Al-Shabaab and the faction to which one belongs can be influenced or determined by clan affiliation. Frictions between these factions cause clan affiliations to regain importance \textsuperscript{[401]}.

The influence of clan protection mechanisms also depends on the issue and whether and how Al-Shabaab interferes \textsuperscript{[402]}. In issues concerning ideology, religion or politics, clan protection is not available, while clans retain influence on conflict resolution regarding land or water rights \textsuperscript{[403]}.

Women deprived of a male network, and thus without clan protection, are vulnerable and not safe, even in Mogadishu. The patriarchal clan system and the xeer do not offer protection for women against domestic violence \textsuperscript{[404]}. For more information on the situation of women, see section 4.4.1.
3. Security situation and Al-Shabaab

The following section covers security risks related to the political situation and security forces, and also provides an overview of the security situation in different parts of South/Central Somalia. In addition, this section covers information on Al-Shabaab (strategy, structure, manpower), as well as frequently asked questions regarding recruitment activities, defections, zakat, and daily life in Al-Shabaab areas.

3.1 Political Security Risks

According to Matt Bryden (405), author of numerous articles and reports on Somalia, ‘The stabilisation of Somalia - including the defeat of Al-Shabaab - is primarily a political challenge, not a military one.’ (406) Consequently, if the political situation deteriorates, it may ultimately have a negative impact on the security situation (407).

Currently, one can identify the following political security threats:

- internal crisis in the top leadership of the country
- escalating conflict between regions
- emergence of new political and armed groups
- shifting alliances and personalised politics
- interruption of institution building (408)

Two of these imminent political security threats that might lead to further violence are described below (internal crisis in the top leadership of the country and escalating conflict between regions).

3.1.1 Damul Jadiid and The Federal Government of Somalia (FGS)

The FGS and the President of Somalia, Hassan Sheikh Mohamud, came to power in September 2012. Some commentators note that a small Islamist faction - Damul Jadiid (410) - has 'quietly propelled Hassan Sheikh to the presidency, members of Damul Jadiid have since been appointed to key positions in the administration, from where they appear to be driving government policy' (411). A number of officials were replaced, 'including individuals who were key in making crucial gains towards the end of the transition, particularly in the security sector. This “tabula rasa” approach has had negative consequences.' (411) Shortcomings of the government are attributed to the influence exercised by this faction of the Somali chapter of the Muslim Brotherhood (Al Islah) (411). The new Prime Minister
Abdiweli Sheikh Ahmed cannot freely make political choices. The President himself nominated some of the ministers who are themselves members of Damul Jadiid (414). While Al-Islah always avoided violence, the Damul Jadiid faction joined the fighting by the Islamic Courts Union (ICU) in 2006 (415).

There are reports of ties between Damul Jadiid and Al-Shabaab (415) and their sympathisers or agents within the FGS (416). Damul Jadiid members in the administration - and this includes the President, many ministers, the mayor of Mogadishu as well as many of the District Commissioners (DCs) in the Somali capital - are only partially focused on improving security (415) they are not ‘as tough on Al-Shabaab as their predecessors’ (418). Because of relations between Damul Jadiid and Al-Shabaab, the latter is very well informed and therefore able to move relatively freely within Mogadishu (415).

This is already mirrored by the perception of not only people in town (420) but also by more than 100 Members of Parliament who signed a statement calling on the President to resign (421). The re-hatting of clan militias as government forces and the consequent land-grabbing and predatory behaviour are signs of governmental unwillingness or incompetence and this creates the risk ‘to drive local communities back into Al-Shabaab’s arms’ (415).

Other reports tell of cooperation between Somali National Armed Forces (SNAF) and Al-Shabaab in Jubbaland (416), of weapons in governmental stocks going to Al-Shabaab (415) of the disappearance of several shipments of weapons from the Gulf, Djibouti and Uganda (415). These reports also indicate that there might be a different background than Al-Shabaab terrorism to the recent targeted killings of Somali MPs (421).

(414) RBC Radio/Raxanreeb Online, Analysis on the new 25 cabinet members, 19 January 2014 (http://www.raxanreeb.com/2014/01/somalia-analysis-on-the-new-25-cabinet-members/) accessed 19 May 2014, and: Security Analysis Expert, Austria: interview by the author, 13 May 2014, the expert mentioned the episode of the visit of the Prime Minister to Jubbaland in April 2014 when the president was unwilling to cover expenditures for the trip. The visit was enabled only after donations by the diaspora. One of the efforts by Abdiweli Sheikh Ahmed was to convince warlord Barre Hiralse – who is still stuck with some hundred militia in Gobweyn near Kismayo – to attach himself to the Jubbaland Administration. Hiralse denied doing so. On the other hand, the militia of Hiralse is said to be sponsored by Abdiweli Sheikh Ahmed’s own Interior Minister (Abdullahi Godah Barre) and Minister for National Security (Abdikarim Hussein Guled) – both of them members of Damul Jadiid.


(418) Security Analysis Expert, Austria: interview by the author, 13 May 2014.


According to Matt Bryden: ‘Regardless of the true extent of Damul Jadiid influence on government policy and conduct, its proximity to the levers of power has contributed to the perception that FGS decision-making is determined, at least in part, by an unelected and largely unaccountable interest group.’\(^{(427)}\) Meanwhile, ‘Al-Islah and organisations in its network have retained a capacity to operate in (...) areas under the control of Al-Shabaab’\(^{(428)}\).

### 3.1.2 Federalism

The second political risk - Federalism - could be linked to the first one: ‘Some critics attribute the [FGS’s] assertively centrist approach to governance to Damul Jadiid ideologues.’\(^{(427)}\) The FGS still ‘represents a country that remains as fragmented as ever: a patchwork of authorities and factions, some of them aligned with the federal government, others either suspicious or hostile’\(^{(429)}\).

In theory, Federalism is ‘an intelligent response to the country’s need’\(^{(430)}\) but the question as to which form of federalism will be implemented is generating tensions\(^{(431)}\). There are indications that the question of clan-composition of those newly formed entities is or will be a source of further conflicts\(^{(432)}\). In its report (2014) on key political actors’ views and strategies, the Life and Peace Institute (LPI) underlines that ‘clan divisions pervade the government and its security forces and that clanism remains a central issue’\(^{(433)}\).

The question of Federalism is not really clarified in the constitution that ‘is only provisional and was considered to include a number of unclear and sometimes contradictory formulations’\(^{(434)}\). Thealternatives in implementation are ‘centralised decentralisation’ (FGS) and ‘decentralised decentralisation’\(^{(435)}\). In the issue of Somali federalism lies an ‘enormous escalation potential’, depending on whether it is settled ‘through "lawfare" or warfare’\(^{(436)}\).

This is particularly the case in regard to the South-Western State and whether it should encompass three (Bay, Bakool, Lower Shabelle = SW3) or six (+Gedo, Middle and Lower Juba = SW6) regions\(^{(437)}\). Both creations were made by Digil-Mirifle clan leaders and it seemed to be a somewhat internal clan debate\(^{(438)}\). However, the Dir are supporting SW6 to avoid being trapped in a state with Hawiye dominance\(^{(439)}\). On the other hand, the Darod/Ogaden sub-clan that dominates Jubbaland is not willing to become incorporated, while parts of the Darod/Marehan in Gedo are attempting to distance themselves from Jubbaland\(^{(440)}\).
In addition to these creations, some Digil-Mirifle in Lower Shabelle are opposed to both SW-States and have allied themselves with Hawiye/Abgal in Middle Shabelle to form the Shabelle State. This is strongly opposed by the Dir/Biyomaal in Lower Shabelle (446).

Violence has already sparked, for example when two persons were killed in SW3/SW6 demonstrations in Baidoa or when six pro-SW6 Biyomaal elders were executed in March 2014 (443). ‘The tensions between South-West 3; South-West 6; the Shabelle State and the Independent Juba Administration are only set to grow. Potentially we could see a major outbreak of fighting in Lower Shabelle and Bay regions.’ (444)

3.2 Security Forces

3.2.1 African Union Mission in Somalia (AMISOM) and UN Guard Unit (UNGU)

For a general introduction to AMISOM and UNGU, see section 1.4.6.

AMISOM has three components: Military, Police and Civilian. The bulk of its troops come from six countries: Uganda, Burundi, Djibouti, Kenya, Ethiopia and Sierra Leone (445).

In November 2013 the mandated troop size of AMISOM was raised from 17 731 to a maximum of 22 126 uniformed personnel (446). The AMISOM police component currently has 515 police officers (447), whereas the military component of AMISOM encompasses 21 564 soldiers (448).

AMISOM contributing countries use helicopters in the fight against Al-Shabaab. However, those helicopters are not directly assigned to AMISOM but rather used by Ethiopia and Kenya when needed. Consequently, costs for those operations are not covered by AMISOM and therefore the two countries are not keen to expand their use of air forces (449).

In addition to AMISOM, a 410 strong UN Guard Unit (UNGU) started its duties on 15 May 2014. These troops, bases on Mogadishu airport, will guard UN offices and staff (450).

Due to better cooperation between the UN and AMISOM, the discipline of the latter has drastically improved (451). There are only few reports concerning human rights violations by AMISOM personnel (452). Wherever there is a permanent presence of AMISOM, the human rights situation is substantially better than in other areas in South/Central Somalia (453).
3.2.2 Somali National Armed Forces (SNAF)

For a general introduction to the SNAF, see section 1.4.5.

Currently, the core of the SNAF consists of six brigades, each made up of approximately 1 500 soldiers (464). But not even the Minister for Defence is aware of the total number of SNAF, estimating the number to be approximately 20 000 on the list (465). Different sources estimate that there are about 10 000 to 12 000 officially listed SNAF soldiers, while there are another 7 000 to 9 000 (466) ‘militias not formally integrated into the military’ (467) for example militias in Hiiraan or in Baidoa (468) as well as parts of ASWJ (469).

The African Union, the European Union, the US, Turkey, and other countries assist the SNAF with salaries, weapons and training (466). Turkey alone has sent 40 military experts to Somalia (461) while the EU relocated its EUTM to Mogadishu and started with a train-the-trainer program for SNAF soldiers (462). This program is meant to train and mentor 1 850 SNAF personnel in 2014 (463). However, the SNAF are not adequately experienced and equipped yet and their reconstitution will take at least five years (464). Ammunition is also lacking (465).

The EUTM-trained 5th and 6th Brigades are attached to the Burundian and to the Ugandan AMISOM-contingent and mainly operate on the frontlines (466). These brigades are mixed-clan and well-trained, and rarely are there reports about misbehaviour on their part (467). Since the EUTM stopped training new recruits and is more occupied with command and control issues (468) it is unlikely that more better-trained SNAF units will develop soon. However, there are ongoing activities, for example within the military cooperation agreement with Turkey, that encompasses a plan to rebuild the SNAF (469).

The 1st and 2nd Brigades are deployed in the northern part of the Greater Mogadishu area (up to Balcad). The 4th Brigade is deployed from Daynile up to Afgooye, while the 3rd Brigade is deployed in the area between Mogadishu and Merka (470). All four brigades are mainly or solely composed along clan-lines and significant sections are made up of ex-militias (471).
A special force unit named ‘Danab’ was built, equipped, trained and paid by the US. The unit’s first base is called the ‘old Balli Doogle air base’ and is located near Wanla Weyne. Other bases will be established in Galkacyo and Kismayo.

The wages of rank and file soldiers of the SNAF were raised to USD 160 per month in 2013 and up to USD 200 plus USD 60 for food in 2014. Paying soldiers on time remains a problem. Desertion - one of the main problems in the past - was drastically curbed.

3.2.2.1 Somali National Armed Forces (SNAF) – Issues

Matt Bryden’s overall assessment in relation to Somali forces is, that they ‘remain essentially clan militias, loyal to individual commanders rather than to the government’. The allegiances of SNAF soldiers are mostly ‘split due to clan loyalties, the interests of loosely incorporated local militias, and inconsistent salaries’. ‘Right now we still have more militias instead of trained soldiers.’

Overall, there is a lack of SNAF: ‘The initial AMISOM aim, as evidenced by the liberated parts of the country, seems to have involved liberating areas controlled by Al-Shabaab and then handing these over to the SNAF. However, this no longer appears to be happening, as the SNAF is neither large nor strong enough to hold and protect the areas currently under the control of AMISOM.’ This is also mirrored by a statement of AMISOM spokesperson Colonel Ali Aden Humad: ‘AMISOM trained many Somali soldiers and equipped some. So, the question is where have they gone? When we train them, we turn them over to the government. So, where do they go? Where are they kept?’

According to the Somalia and Eritrea Monitoring Group (SEMG), the FGS is distributing weapons to ‘parallel security forces and clan militias that are not part of the Somali security forces’ along clan and sub-clan lines. One destination of weapons is the Hawiye/Abgal clan, through a brigade that is Abgal-dominated (Middle Shabelle), and Abgal militia forces. The other destination is the Hawiye/Habr Gedir clan through the 3rd Brigade and clan militias. As mentioned below, since clan composition of SNAF units still remains an issue, having mixed-clan units must be a goal because otherwise ‘it will be seen as an occupying army’.

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(485) Sources want to remain anonymous, November 2013.
The SNAF dismissed 700 (487) soldiers in February 2014 because - as the Minister for Defence put it - they ‘were incompetent, inept and unprofessional’ as well as being too ‘clan-centred’ (488). However, given the lack of employment options for those dismissed, some of them might be turning to criminal activities (489).

3.2.3 Somali Police Force (SPF)

For a general introduction to the SPF, see section 1.4.4.

Accurate numbers of members of the SPF are not available. One source estimates approximately 4 000 SPF adding, however, that this might be the number of those ‘on the list’ rather than those really fit for service (490). Another source reports that 6 000 SPF have undergone certified training courses (491) with for example, the Somali Women Development Center (SWDC) (492) and the AMISOM police (493). A UN report of March 2014 numbers the SPF in South/Central Somalia at 5 711 (494). AMISOM is undertaking the training of an additional 1 000 SPF in Baidoa (495). Japan provides financial resources and equipment (496).

A special police unit of more than 600 strong, paid and equipped by the US and based in Mogadishu, are seen on night patrol as well as doing raids or handling common crime (497). This unit is said to be disciplined (498).

According to one source, the police are ‘receiving salaries on a regular basis’ (499). Other sources mention that the government fails to pay the police or maintain proper police stations (500). In addition, the command and control structures are weak and parts of the police are based on clan militia (501). In Mogadishu, the recently installed mayor took command over the police (502).
3.2.4 National Intelligence and Security Agency (NISA)

For a general introduction to the NISA, see section 1.4.7.

As stated by the US Department of State, Somalia’s National Intelligence and Security Agency (NISA) takes the lead in counterterrorism functions and serves as the rapid-reaction response force to terrorist attacks in Mogadishu (502). During 2013, specially trained forces of NISA tackled attacks, for example on the Benadir regional Court and the UN Common Compound (504).

The Alpha Group (Gaashaan) is another force of 600 security personnel based in Mogadishu (505). The unit was specially trained and equipped by the CIA (506) and is attached to the NISA (507). It operates primarily in the Somali capital although raids outside the town can occur (508). This unit is said to be well disciplined (509).

3.3 General Security Situation

According to a Security Council report of May 2014, ‘The security situation in Somalia continues to be volatile.’ (610) A report by the Dutch Ministry of Foreign Affairs indicates that the security situation has been deteriorating since May 2013 (611). ‘The ability of federal, local, and regional authorities to prevent and pre-empt Al-Shabaab terrorist attacks remained limited.’ (612) In addition to that, ‘almost all Somali law enforcement actions against terrorists and terrorist groups were reactive in nature’ (613).

Most areas in South/Central Somalia outside the bigger cities are controlled by Al-Shabaab, while the cities are held by the FGS and its allies (614). According to the United Nations Department of Safety and Security (UNDSS), interviewed during a joint Danish and Norwegian fact-finding mission (November 2013), ‘Wherever there is a presence of Somali security forces they are regularly attacked by Al-Shabaab elements or others.’ (615) In addition, crime rates in areas under control of the SNAF are rising (including abductions, robberies and Gender Based Violence (GBV)) (616).

However, Matt Bryden underlines that ‘the [FGS]’s ‘feel-good factor’ has been underpinned by a marked improvement in security in the streets of Mogadishu, the return of tens of thousands of residents to their homes, a significant
inflow of investment, and the gradual restoration of a sense of normalcy. Most of this progress is due to the efforts of AMISOM (…). But it is also due in part to the growing capabilities of Somali security forces, trained and supported by various foreign partners.”

According to a government official, ‘ninety per cent of al-Shabaab’s [intended] plots have failed’ (518). Security forces undertake successful operations to ensure the security of civilians, for example when AMISOM and Interim Juba Administration (IJA) forces rescued 30 people abducted by Al-Shabaab from Kismayo (519). The security forces regularly carry out large-scale security operations in bigger towns (520) for example on 29 April 2014 in Yaqshid and Heliwaa districts of Mogadishu, when some 200 suspected Al-Shabaab sympathisers were arrested (521).

The FGS’s influence outside Mogadishu is limited and depends to a large extent on AMISOM and international support (522). As stated by Matt Bryden: ‘Security in Mogadishu and other major Somali towns is dependent on the presence of AMISOM forces and is likely to remain so for the foreseeable future.’ (523) However, it has to be emphasised ‘that Al-Shabaab is not able to regain the control of cities that are under control of (…) AMISOM/SNAF.’ (524)

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(520) Security Analysis Department, Weekly Security Reports.


3.4 Areas of Control / Areas of Influence - Anti-Al-Shabaab Forces

It is not possible to determine precisely who is in charge of which area as the situation is ‘rather fluid’ \(^{(525)}\). Therefore, the map provided below should be seen as indicative of areas of control/influence by anti-Al-Shabaab forces \(^{(526)}\).

\[\text{[Map image]}\]


\(^{(526)}\) The map is based on information provided by: Security Analysis Expert, Austria: interview by the author, 13 May 2014; Security Analysis Department, South/ Central Somalia - Areas of Influence [Map], 2 April 2014.
3.4.1 Newly Liberated Areas - ‘Operation Eagle’

Only some months ago, the military options of AMISOM were said to be limited (527). Although the expansion of its troop strength was mandated, this only meant an inclusion of Ethiopian troops already operating on Somali soil. However, the unification of all non-Somali forces in the country facilitated AMISOM returning to the offensive (528). Consequently, in an attempt to further reduce the areas controlled by Al-Shabaab, AMISOM carried out its ‘Operation Eagle’ in March and April 2014. As a result, AMISOM and Somali troops forced Al-Shabaab out of ten (529) cities, such as Wajid and Xudur (Bakool), Buulo Barde and Maxaas (Hiraaan), Ceel Buur and Wabxo (Galguduud), and Qoryooley (Lower Shabelle). Al-Shabaab was expected to fight for its towns but instead destroyed critical infrastructures, put up only some resistance and withdrew intact and without heavy casualties (530).

The newly recovered towns must be seen as ‘islands’ within enemy territory (531). Al-Shabaab tries to isolate those towns (532) blocking or fighting not only military supply convoys but any supply and traffic (533), as well as pinning down AMISOM and SNAF with counterattacks (534). In Xudur, for instance, this tactic causes massive food shortages (535) and a sharp rise in food prices (536).

3.4.1.1 Challenges

In the recently recovered towns mentioned above, lack of administration is an issue (537). As the problem already existed before the offensive, a lack of manpower lead to a power vacuum in newly recovered areas (538). Those areas are described as the most insecure areas because Al-Shabaab blend in the population. Al-Shabaab can still commit attacks and ambushes. Conflicts for control between clans re-ignite (539). According to Matt Bryden, ‘The same grievances that once fostered support for the jihadists spill over into inter-communal tensions as clan elites compete for status, recognition, and representation in the ‘post- Shabaab’ era. Here as well, the [FGS]’s military involvement may be perceived to favour certain groups at the expense of others, exacerbating the situation instead of calming it.’ (540)

‘To be successful in the fight against Al-Shabaab, government forces must not only liberate territories from Al-Shabaab, but also be able to protect and retain those territories once they are freed’ (541), emphasises Professor Abdikarim Daud Nur, from Mogadishu University. However, Minister for Defence, Mohamed Sheikh Hassan Hamud, admits that

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(533) Security Analysis Expert, Austria: interview by the author, 13 May 2014; e.g. relief trucks stopped on their way to Xudur. See: BAMF, Briefing Notes, 24 March 2014 (https://milb.bamf.de/milop/livelink.exe?func=ll&objid=17130028&objAction=Open&nexturl=/milop/livelink.exe?func=ll&objid=17130025&objAction=browse&viewType=1) accessed 16 May 2014, p. 5; another example would be Wajid that was taken on 9 March 2014. However, the first supplies only fought their way through on 16 March. Source: Security Analysis Expert, Austria: interview by the author, 13 May 2014.
SNAF are not in a position to extend authority to all the areas which they captured from Al-Shabaab. He adds that it would be necessary for the Ministries of Interior and National Security to respectively establish administrations for these areas and deploy security forces in these territories (548).

3.4.1.2 Possible further advances

Although all its troops are bound, AMISOM is mapping out another offensive for August 2014 (545). Further advances might be possible on Dienoor (from Qansax Dheere); Jilalaqsi (from Buulo Barde); Baardheere (from Buurhubu or/and Faafax Dhuun); Baraabare (from Qoryooleey and/or Dienoor) (544). Baraabare was named as a primary target for the year 2014 by President Mohamud (545). However, it is unlikely that AMISOM will move forward before it can manage to establish solid logistic bases in Merka and Qoryoole ey districts (546). In other regions, AMISOM/SNAF try to get the support of local clan militias in order to secure further advances - for example, in Galgaduud (544).

Concerning further advances, ‘it will not be helpful to clear Al-Shabaab from the territories it holds, unless the Somali government replaces Al-Shabaab’s administration in those areas with its own administration’ (548). Taking into account traditional hostilities suppressed by Al-Shabaab in areas under its control, it is believed that conflicts will flare up in most of the districts of Lower Shabelle as soon as Al-Shabaab is driven away (549). ‘Operation Eagle’ did not weaken Al-Shabaab itself but rather anti-Al-Shabaab forces and AMISOM, thinning out and overstretching them (550) - not only in terms of manpower - but also in regard to intelligence gathering and equipment support (551).

3.4.2 Lower Jubba (AMISOM Sector II - Kenya) (552) – Interim Jubba Administration

The Interim Jubba Administration (IJA; Gedo, Lower and Middle Jubba) was formed after an agreement with the FGS in August 2013, officially allying itself to Mogadishu (553). The current IJA president, Sheikh Ahmed Mohamed Islam ‘Madobe’, can count on the backing of most Darod clan militias (except some parts of the Marehan sub-clan) (554). Consequently, many have joined the armed forces of the IJA. Not only Madobe’s Raskamboni joined the IJA-forces but also the former Isilo militia (555). The IJA-forces are the only significant security forces left in Lower Jubba and in the southwestern part of Gedo (556). This force is said to have a structure and to function quite well (557). Overall, the IJA has some 3 000 (558) to 5 000 (559) soldiers at hand and is now registering clan militias into its ranks (560).

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(549) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(553) Security Analysis Department, Weekly Security Report, 4 April 2014.
(556) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(564) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(566) Security Analysis Department, Weekly Security Report, 30 May 2014.
AMISOM has garrisons in Kismayo (Kenya, Sierra Leone, Burundi), Afmadow (Sierra Leone, Kenya), Dhobley (Kenya) as well as positions in the area of Tabta, Bilis Qooqaani, and Kaambooni (Kenya) (661). Kismayo, Afmadow and Dhobley are free of Al-Shabaab combat troops (662).

Supply routes in Lower Jubba are secured by a Kenyan AMISOM battalion (1 000 soldiers). In addition, there are some 150 AMISOM troops from Sierra Leone in Afmadow (663). The policing of Afmadow and other bigger towns in the area is left to the armed forces of the IJA. They are said to function quite well and the towns are relatively peaceful (664). However, the rural areas of Afmadow are ‘prone to attacks by Al-Shabaab’ (665). The district of Badhaadhe is said to be mainly controlled by anti-Al-Shabaab forces; however, this district is lacking a functioning administration (666).

However, Al-Shabaab is still present along the coast south of Kismayo as well as in the area between the coast and the road from Kismayo via Badhaadhe to Kenya (667). The considerable Al-Shabaab forces in the areas of Badhaadhe, Buulo Xaaji, Jana Cabdale and Turdho are able to harass and prohibit any traffic on both supply routes to Kismayo (668). The rural territory remains under the control of Al-Shabaab mobile units and Al-Shabaab continues its guerilla warfare in the region (669).

Another player in the area is warlord Barre Hiraale who is left with few men within Al-Shabaab territory to the north-east of Kismayo (Gobweyn area). Al-Shabaab is not ‘happy to have him there’ (670).

3.4.2.1 Kismayo

Some 1 200 to 1 500 soldiers of the IJA are attached to the wider Kismayo area (671). However, the responsible force in relation to security in Kismayo is the police of the IJA (some 400) (672). A police unit of AMISOM will be deployed soon (673). IJA is the only police force allowed to carry weapons within town (674). Carrying weapons is otherwise prohibited in Kismayo (675). Even the armed forces of the IJA are not allowed to come to town armed without prior approval or unless they are invited to take part in security operations (676). These regulations work very well (677).

Another strong force in Kismayo is AMISOM. While a battalion of the Kenyan contingent is manning the two airports and the port, another 700 soldiers from Sierra Leone and 200 from Burundi are boosting AMISOM’s strength (678).

Tensions in town do exist, especially between Marehan and Ogaden (679).

(661) Security Analysis Department, South/Central Somalia - Areas of Influence [Map], 2 April 2014.
(663) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(664) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(669) CEWERU, From the bottom up: Southern Regions – Perspectives through conflict analysis and key political actors’ mapping of Gedo, Middle Juba, Lower Juba, and Lower Shabelle, September 2013 (http://www.cewarn.org/attachments/article/214/Somalia%20CEWERU%20Report%20Final.pdf) accessed 15 May 2014, p. 34.
(672) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(674) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(676) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(678) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
3.4.3 Gedo (AMISOM Sector III - Ethiopia)

In Gedo, there are Ethiopian AMISOM garrisons in Doolow, Luuq, Garbahaarey, as well as positions in the area of Yurkud and Buurduhubo. Kenyan AMISOM garrisons are located in Ceel Waaq, Faafax Dhuun, with possible forward positions in the area of Jungal. Functioning local government structures, supported by Ethiopia, exist in Luuq, Doolow, Bulo Xawo and in Garbahaarey. In Ceel Waaq, they are supported by Kenya.

The question of whether the Gedo Region belongs to Jubbaland (now the Interim Juba Administration) remains uncertain. On the one hand, the troops alongside the Kenyan AMISOM-contingent in Central Gedo have merged with the forces of the IJA and are now under the command of Kismayo. This structure is said to operate well. Yet, there are more incidents of insecurity and clashes where inter- and intra-clan conflicts have re-emerged following the removal of Al-Shabaab. One source of conflict is the long-standing tension between ‘guri’ (original inhabitants) and ‘galki’ (new settler) communities intra-Marehan as well as Marehan vs Rahanweyn, concerning political competition as well as resources. In September 2013, the Conflict Early Warning Early Response Unit Somalia (CEWERU) listed nine active conflicts in Gedo region.

There is a remaining force of 400 to 500 fighters of ASWJ in north-western Gedo and around Bulo Xawo. They are said to be strongly supported by the Dir sub-clans and nominally part of the SNAF. This militia, several clan leaders of the Marehan and the Governor of the region, Mohamed Abdi Kalil, are supporting the six-region-solution that would separate Gedo from Jubbaland. There are internal rifts between the DCs of Bulo Xawo and Luuq. In addition, the DC of Doolow, who is aggressively opposing the governor, is a man of IJA’s president Madobe. Tensions escalated when, for instance, on 14 May 2014, heavy fighting took place in Bulo Xawo between SNAF/ASWJ and supposedly IJA soldiers from Doolow. Ten fighters and six civilians died and many fled their homes.

3.4.4 Gedo and Bakool - Clan Militias

The areas along the border are primarily manned by two clan-militias. Generally, as Al-Shabaab has no popular support in these areas, it is more difficult for them to operate. The situation is described by the UN Department

[^68]: Security Analysis Department, South/Central Somalia - Areas of Influence [Map], 2 April 2014.
[^69]: Security Analysis Department, South/Central Somalia - Areas of Influence [Map], 2 April 2014; Security Analysis Expert, Austria: interview by the author, 13 May 2014.
[^71]: Security Analysis Expert, Austria: interview by the author, 13 May 2014.
[^74]: Security Analysis Expert, Austria: interview by the author, 13 May 2014.
[^80]: Security Analysis Expert, Austria: interview by the author, 13 May 2014.
[^82]: Security Analysis Expert, Austria: interview by the author, 13 May 2014.
[^83]: Security Analysis Expert, Austria: interview by the author, 13 May 2014.
of Safety and Security (UNDSS) as ‘stable with very little Al-Shabaab activity’ ([59]). Nevertheless, Al-Shabaab is able to attack anti-Al-Shabaab forces in the area, for example on 27 May 2014 in the border town Ato (Bakool), resulting in 30 dead and 20 injured ([58]), and again, 8 km off Ato on 1 June 2014, resulting in 46 Al-Shabaab fighters killed ([59]).

The northern parts of the districts of Luuq, Rab Dhuure and Ceel Barde are controlled by a Rahanweyn militia of approximately 1 000 to 1 200 fighters ([60]). Ethiopia has provided uniforms and equipment. It was foreseen to officially attach those militia men to the SNAF (as did happen to their fellow soldiers in Baidoa) ([61]). However, it is unclear if they have been officially attached so far although they were fighting alongside the Ethiopian AMISOM in Operation Eagle’s advance on Xudur and Waajid ([60]) and appear to be referred to as SNAF in the media ([60]).

3.4.5 Bakool (AMISOM Sector III - Ethiopia)

In Bakool, Ethiopian AMISOM garrisons are to be found in Ceel Barde, Waajid, and Xudur ([60]). Concerning recent advances in Bakool, there is a difference between Ceel Barde, which has been under Ethiopian control for a long time, and the towns of Xudur and Waajid, that have only been recovered in March 2014. Those towns are qualified as islands in an area controlled by Al-Shabaab ([60]). The positions of AMISOM/SNAF in those towns are regularly attacked (e.g. Xudur on 28 May 2014) ([60]). In addition, Al-Shabaab is restricting movements and access to supplies to those towns ([60]). Fighting in the area occurs, as happened in Garas near Waajid on 27 May 2014 when at least 27 people were killed in Al-Shabaab/SNAF clashes ([60]).

3.4.6 Bay (AMISOM Sector III - Ethiopia)

There are Ethiopian AMISOM garrisons in Baidoa, Burhakaba, and Qansax Dheere ([60]). Baidoa and its inner and outer perimeter are manned with about 1 000 Ethiopian AMISOM troops and 1 000 SNAF, the latter being formerly Rahanweyn militia ([60]). In addition, some AMISOM police officers and a 200 to 300 strong SPF contingent ([61]), partly trained by UNDP, are present in this area ([61]). The police of Baidoa are assigned to Burhakaba as well ([61]).

Fewer incidents are reported in Baidoa in relation to undisciplined SNAF troops when compared to other cities ([61]). The reason might be that most troops are from the Rahanweyn - the main population group in the town ([61]). Overall, security in Baidoa has improved but Improvised Explosive Device (IED) or hand grenade attacks might occur ([61]).

[67] Security Analysis Department, South/Central Somalia - Areas of Influence [Map], 2 April 2014.
[69] Security Analysis Department, South/Central Somalia - Areas of Influence [Map], 2 April 2014.
Baidoa is under two threats. The first one is the conflict linked to SW6 and SW3. According to one source, there are no relevant standing militias on either side. Another source mentions a militia of the SW3-proponent and former Speaker of Parliament, Sharif Hassan Sheikh Aden already in Baidoa. Demonstrations and shootings already took place and because of the split in the leadership in the region, any mistake can easily increase tensions and lead to the deterioration of the security situation in Baidoa. However, AMISOM does not take sides but tries to separate parties by a policy of pacification through intimidation.

The second threat is Al-Shabaab terror, the group having some popular support in town and hidden elements in the area. In addition, Baidoa remains virtually surrounded with Al-Shabaab defensive positions at Abal and Totiyas and a stronger line from Jilibey to Labaatan Jirow.

3.4.7 The Luuq-Baidoa-Mogadishu Corridor

The towns along the road are under control of AMISOM/SNAF. The Ethiopian AMISOM-contingent is making numerous efforts to secure its supply routes. As a result, the road leading from Luuq to Baidoa is described as relatively secure. The road going further down from Baidoa to Afgooye is described as very insecure. While the road Luuq-Baidoa is affected every few days, the Baidoa-Afgooye road sees incidents more frequently for example ambushes on AMISOM/SNAF convoys on 17 and 19 May 2014 with three AMISOM, one SNAF and a number of Al-Shabaab killed.

Even the road from Afgooye to Mogadishu is affected, for example on 23 May 2014 when a water truck of AMISOM hit a landmine. The insecurity of that area spreads to the roads leading to Afgooye, with different militias, outlaws and SNAF’s 3rd Brigade setting up illegal checkpoints on a random basis, fighting over the best positions, for example intra-SNAF clashes on 25 and 29 April 2014. SPF and NISA have been trying to remove illegal checkpoints (manned by SNAF), resulting in repeated clashes. AMISOM is occasionally clearing checkpoints, but is not able to prevent fighting between clans and SNAF.

Overall, civilians regularly travel along the corridor but in terms of security it is not the safest road because it is not only AMISOM/SNAF that are harassed by Al-Shabaab but civilians as well. In addition, banditry, robbery and extortion at checkpoints occur along the road.
3.4.8 Lower Shabelle (AMISOM Sector I - Uganda)

Ugandan AMISOM garrisons are present in Afgooye, Wanaa Weyne, and Merka (with additional troops from Burundi); additional positions are located in Qoryooley (635). The frontlines are under permanent threats of Al-Shabaab attacks. This mainly affects Qoryooley and the road to Baidoa where Al-Shabaab sets up checkpoints on a regular basis (636). Qoryooley and its surroundings have seen constant attacks and battles including mortar fire (637); for example on 28 May 2014, when seven fighters of Al-Shabaab were killed (638).

The towns of Merka and Afgooye themselves are more secure, as traditional authorities function, and as there are permanent garrisons of AMISOM, SPF and NISA (639). However, Merka is said to have significant Al-Shabaab activities (640). The Afgooye Corridor, quite emptied after returns in 2012, is seeing new influx in the course of evictions of IDPs from Mogadishu (641). Al-Shabaab is visibly present in the corridor (642).

The - nominally ‘freed’ - rural areas of the Afgooye, Merka and Qoryooley districts are severely affected by insecurity (643). The lack of command and control structure in the SNAF, as well as clan divisions, remain key obstacles in the stabilisation of the region (644).

There are tensions and conflicts arising from the farac (new settler) and asal (original inhabitant) issue (645) with dominant clans using social atrocities in order to express and maintain power (646). Lower Shabelle is the most volatile region in South/Central Somalia (647) with the deployed 3rd Brigade not only responsible for failing to secure the area but also for numerous human rights violations (648). About two-thirds of this brigade consists of militias formerly employed by warlord Inda’ade who once conquered large swathes of land in Lower Shabelle from the Biyomaal. In times of the Islamic Courts Union and Al-Shabaab, the Biyomaal took back their land that is now once again threatened by Hawiye - this time in SNAF uniforms (649). Fighting took place, for example in the first weeks of June 2014, affecting Merka, KM 50 and El Wareegow, when approximately 30 people were killed and many others displaced (650).

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(635) Security Analysis Department, South/Central Somalia - Areas of Influence (Map), 2 April 2014.
(645) It is believed, that Asal are: Dir/Biyamal, Rahanweyn/Digil, Benadirri, and Hawiye/Wacdaan; farac are: Hawiye sub-clans (including Habar Gedir, Abgal, Murusade, and Hawadle) from Mogadishu and the central regions. CEWERU, From the bottom up: Southern Regions – Perspectives through conflict analysis and key political actors’ mapping of Gedeo, Middle Juba, Lower Juba, and Lower Shabelle, September 2013 (http://www.cewarn.org/attachments/article/214/Somalia%20CEWERU%20Report%20Final.pdf) accessed 15 May 2014, p. 51.
Al-Shabaab exploits clan dynamics and gains the support of minorities (651). It is unclear if it is always the SNAF that attacks or if Al-Shabaab tries to fuel conflicts (652). The Biyomaal themselves have local agreements with Al-Shabaab and the Biyomaal militia took up the fight against the SNAF, especially in the riverine area from K50 to the south (653). Other marginalised groups are said to plan retaliation against the dominant clans (654).

3.4.9 Benadir and Mogadishu (AMISOM Sector I - Uganda)

There are several garrisons with 4 000 AMISOM (Uganda, Burundi) in Mogadishu (655). Other security forces present in Mogadishu are: 2 000 to 3 000 SPF; special forces (600 police; 600 Alpha Group/NISA - see above); 400 AMISOM police. The latter not only serve as trainers and mentors for the SPF but do normal police work as well (patrolling, guarding etc.) (656).

People have gained confidence in the police (657) and they generally have access to SPF but this is not given for all districts of Mogadishu (658). Problematic districts are Hodan, Wardhigley (659) Heliwa (660) and Yasqshiid (661). The police are not really securing the district of Dayniile (662). Heliwa and Yasqshid, leaving the district at night (663). However, security forces are present in those districts, as for example on 26 May 2014, when SNAF captured an Al-Shabaab man holding a mortar gun and shells in Dayniile (664).

A representative of the local NGO ‘Somali Women Development Center’ (SWDC) indicates that women are free to move around in Mogadishu (except on the Bakara) and that there is no harassment at the checkpoints anymore (665). Other sources state that generally, one can move around in the city (666) but people avoid areas known to be insecure (667). An article (27 May 2014) of the Toronto Star states that ‘for the average Somali, (…) in many ways, life in Mogadishu has never been safer in the last two decades’ (668).

On the contrary, some sources indicate that, since April 2013, security in Mogadishu has declined ‘and there are no signs that an improvement will take place within the coming months’ (669). People used to stay out in the evening

(663) Roble, M.A., ‘Mogadishu’s Dilemma: Who’s in Control?’, Terrorism Monitor Volume 11, Issue 12, Jamestown Foundation, 14 June 2013 (http://www.jamestown.org/single/?t_news%5bpoint%5d=11518x_t_news%5btt_news%5d=410288x_t_news%5bboxback%5d=22&cHash=8ff01a16baa0e7ea7e1bbcc1d6d9bed1) accessed 5 June 2014, p. 6; An international NGO in: Landinfo/Utländingsstyrelsen, Update on security and protection issues in Mogadishu and South-Central Somalia, March 2014 (http://landinfo.no/asset/2837/1/2837_1.pdf) accessed 26 May 2014, p. 9.
(666) A Somali NGO, two international NGOs, and a well-informed journalist: Landinfo/Utländingsstyrelsen, Update on security and protection issues in Mogadishu and South-Central Somalia, March 2014 (http://landinfo.no/asset/2837/1/2837_1.pdf) accessed 26 May 2014.
or went to restaurants. They now tend to stay indoors (679). The trend of rising violence in the city continues with numerous attacks on security forces, assassinations and even mortar attacks (671) for example on 30 May 2014 on Yaqshid (672). Violence is often directed against specific targets (679).

Several larger and more deadly Al-Shabaab attacks in Mogadishu involve follow-up attacks, in which first responders and onlookers are targeted, resulting in more casualties. Al-Shabaab also executes attacks on hard targets in Mogadishu, including international compounds and convoys (674). Recent prominent targets have been the presidential palace (Villa Somalia) on 24 February 2014 (675) and the Somali Parliament on 24 May 2014 (676).

However, by attacking public locations and putting everyone frequenting these places at risk, Al-Shabaab sends a message to the general public (677). According to the UNDSS: ‘Anyone who advocates for a normalisation of daily life in Mogadishu could be at risk.’ (678) On the other hand, many civilian casualties can be attributed to being ‘at the wrong place at the wrong time’ and not to Al-Shabaab deliberately targeting civilians (679).

Since even the so-called secure areas are targeted by Al-Shabaab-attacks (680) on a regular basis, it is not possible to define completely safe areas in the Benadir region (681). Although the Airport-Villa Somalia-Shibis axis is heavily guarded, these areas are targeted (682). Al-Shabaab operates openly in Dayniile, Heliwaa and Yaqshid (683). People in these locations are afraid because, in its ‘nightshift’, Al-Shabaab punishes those who assisted the government during the day (684). When Al-Shabaab ordered residents of Heliwaa to switch off street lights at night as to facilitate their movements, a number of people complied in fear of retaliation (685).

Al-Shabaab, and probably other groups, conducted hit-and-run attacks on AMISOM positions in Dayniile, Heliwaa and Dharkenley (686). Open fighting occurs, for example in Yaqshid on 19 May 2014, when the police station was attacked and fighting went on for hours (687). Attacks also happen at daytime (688).

(683) Security Analysis Expert, Austria: interview with the author, 13 May 2014.
(681) Roble, M.A., ‘Mogadishu’s Dilemma: Who’s in Control?’, Terrorism Monitor Volume 11, Issue 12, Jamestown Foundation, 14 June 2013 (http://www.jamestown. org/single/?tx_ttnews%5Bpointer%5D=11&tx_ttnews%5Btt_news%5D=41022&tx_ttnews%5BbackPid%5D=228&cHash=85f01a5beea05e5e0e1bbebc1dd0bed1) accessed 5 June 2014, p. 6.
(686) Shabelle Media Network, Ministry of Defence carries soldiers as becoming more ‘clan-centered’ after transfers to other regions, 21 May 2014 (http://shabelle.net/?p=21781) accessed 21 May 2014.
Al-Shabaab operates safe houses in Mogadishu where arms and ammunitions are stored. The absence of Al-Shabaab from the Bakara market was of a temporary nature. They have openly moved back in several villages to the north-west of Mogadishu guarantees the ability to attack AMISOM/SNAF traffic. Al-Shabaab operates safe houses in Mogadishu where arms and ammunitions are stored. If Al-Shabaab want to eliminate a specific person, they will do so at almost any time. If Al-Shabaab want to eliminate a specific person, they will do so at almost any time. If Al-Shabaab want to eliminate a specific person, they will do so at almost any time. If Al-Shabaab want to eliminate a specific person, they will do so at almost any time. If Al-Shabaab want to eliminate a specific person, they will do so at almost any time.

3.4.9.1 Targeted Killings

Concerning targeted killings, Al-Shabaab’s strategy of periodically switching targets, which have ranged from prominent political and government figures to security forces and common civilians, likely aims to reinforce the message to Somalis that no one is safe and everyone supporting the FGS is a potential target, even people who are no longer part of the establishment. It is up to the shura to decide which group will be the next target. According to an international organisation, the following categories of people could be at risk: politicians; UN agencies; Turkish NGOs; journalists; Somali returnees, especially those who are visible and do not blend in; people working near AMISOM bases; civil society members; women selling food to soldiers; relatives or girlfriends of government officials; members of security forces; and people working for international organisations. According to UNDP, even judges are at risk of being assassinated. According to some sources, there are no safe places in Mogadishu for targeted persons as Al-Shabaab can hit almost at will. According to UNDSS estimates that Al-Shabaab is responsible for approximately three quarters of targeted killings in Mogadishu.

[696] Security Analysis Weekly Security Report, 23 May 2014; another source said, Al-Shabaab ‘wants to send the signal’ that ‘we won’t forget you.’ Sources want to remain anonymous, November 2013.
3.4.9.2 New City Administration/Militias

In February 2014, the mayor of Mogadishu, Abdirazak Mohamed Nur ‘Tarzan’, was replaced with General Hassan Mohamed Hussein Mungab - former Judge of the SNAF’s Supreme Court (705). This step was initiated by the President, the Prime Minister and the Interior Minister who justified the dismissal in regard to the current security problems (706). Since then, the new Mayor of Mogadishu and Governor of Benadir region dismissed most of the personnel formerly employed (707). Also, all 17 DCs were dismissed one after one (708) - a political cleansing operation to bring the Mogadishu administration in line with the FGS (709). However, a number of problems in Mogadishu were blamed on those former DCs (710) while the district administrations of Mogadishu are said to have been widely infiltrated by Al-Shabaab (711).

A well-informed journalist interviewed during a fact-finding mission (November 2013) declared that ‘Due to the presence of AMISOM, clan-militias do not have any power.’ (721) However, incidents involving clan-militia occur, for example on 14 April 2014, when a militia clashed with SPF in Dayniile (713). According to another source, the former DCs, their (former) personnel, as well as the dismissed administrative personnel are under serious threat by Al-Shabaab (714). The new Mayor took over the command of the police force in Mogadishu from the DCs, and ordered the police to withdraw bodyguards attached to the DCs, thus leaving former officials unprotected (715). On 3 May 2014, former Benadir Administration Secretary Abdisaffi Hilowe’s car was blown up near KM4 (715). On 19 May 2014, former Deputy DC of Xamar Jibjab, Farah Dahir Jim’ale was similarly killed (722).

A result of these dismissals is that most of the militia formerly employed by the DCs currently go unpaid or were dismissed themselves, causing an additional threat (716). Those militias were part of the policing efforts in most of the districts (717) and it is unclear who will replace them (718) or if they will be integrated in the security forces (723). Still, many other individuals, as well as clans, employ their own militia and there are gangs with mafia-like structures (724).

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(709) Security Analysis Expert, Austria: e-mail response, 26 May 2014.
(714) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(715) Sababionline, Former Benadir officials left exposed to al-Shabaab reprisals, 6 May 2014 (http://sababionline.com/en_GB/articles/hoia/articles/features/2014/05/06/feature-01) accessed 16 May 2014.
(716) Sababionline, Former Benadir officials left exposed to al-Shabaab reprisals, 6 May 2014 (http://sababionline.com/en_GB/articles/hoia/articles/features/2014/05/06/feature-01) accessed 16 May 2014.
(718) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
(719) UNDSS in: Landinfo/Udlændingstysrelen, Update on security and protection issues in Mogadishu and South-Central Somalia, March 2014 (http://landinfo.no/asset/2837/1/2837_1.pdf) accessed 26 May 2014, p. 13; according to UNDSS ‘these militias are technically not clan-militias since there is a certain clan mix, but in reality they are clan-based. However, these militias are to be seen as security forces rather than clan militias.’
(720) Security Analysis Expert, Austria: interview by the author, 13 May 2014; according to the expert, each DC was employing between 100 and 400 men.
3.4.10 Middle Shabelle (AMISOM Sector V - Burundi)

AMISOM garrisons are in place in Jowhar and Warsheikh with possible forward positions in the area of Fiidow. The town of Jowhar is described as unproblematic security-wise and relatively stable. The administration is said to be stronger than in other areas (comparable to Belet Weyne). However, clan conflicts in the area surrounding Jowhar are problematic. The ongoing clan conflict between Abgal and Shiidle is an example of this. In the area, the FGS is diverting weapons to the Abgal who are responsible for numerous human rights violations.

Several roadblocks - some manned by SNAF, some by NISA - were reportedly hampering traffic and extorting money, such as on the road from Warsheikh to Ceel Adde. This also led to significant incidents. On 5 April 2014, nine were killed and another seven injured while different SNA groups were fighting over control of a checkpoint in Ceel Adde, east of Mogadishu.

3.4.11 Hiiraan and Galgaduud (AMISOM Sector IV - Burundi/Djibouti)

In the course of Operation Eagle, AMISOM/SNAF could expand their control in Hiiraan region. This is particularly true for the conquest of Buulo Barde in March 2014. The town is now manned by up to 800 Djiboutian AMISOM-soldiers and additional SNAF-troops. In addition AMISOM/SNAF took the town of Maxaas. However, those newly captured towns are islands within Al-Shabaab territory. The main road leading from Belet Weyne to Buulo Barde is described as being under constant threat of Al-Shabaab - especially from the east. The FGS even had to supply Buulo Barde with airlifts.

On the other hand, local clans now openly oppose Al-Shabaab and even fight them, as for example when Al-Shabaab wanted to tax pastoralists approximately 30 km east of Buulo Barde or when local residents captured two sleeping Al-Shabaab fighters 25 km off Maxaas and handed them over to the SNAF.

Security problems might arise with upcoming fights between ASWJ (see below) and SNAF close to the regional borders of Hiiraan and Galgaduud. On 18 May 2014, in the Matabaan area, four were killed and six wounded. Security Analysis Department, 11 April 2014. (http://shabelle.net/?p=21781) accessed 21 May 2014.

The latter is a remnant of the militia of the Shabelle Valley State (SVS) and equipped by Ethiopia. However, it is unclear if it was ‘officially’ included in the SNAF. This SNAF-militia controls the area from Belet Weyne up to the border with Ethiopia.
3.4.11.1 Belet Weyne

Belet Weyne is under control of Djiboutian and Ethiopian AMISOM-contingents and the SNAF. They are manning the inner and outer perimeter \(^{(761)}\). The main force of AMISOM and SNAF left the town during ‘Operation Eagle’, headed towards Buulo Barde. The garrison is manned by one company from Djibouti, two companies from Ethiopia and one SNAF battalion \(^{(764)}\).

There is a functioning SPF in Belet Weyne as well \(^{(765)}\). In addition, there is a police contingent of AMISOM \(^{(766)}\). The Djiboutian contingent of AMISOM is providing mentoring and training schemes for the Somali security forces and has already trained more than 1 200 \(^{(747)}\).

The administration is led by the governor of Hiiraan region who is closely allied with the SFG \(^{(748)}\). The former forces of the SVS are in charge \(^{(749)}\). Belet Weyne is said to be the town where AMISOM and SNAF were most successful in ‘ensuring and providing security’ \(^{(750)}\). AMISOM was even able to mediate between long-time enemies Galja’el (Belet Weyne West; Al-Shabaab support) and Hawadle (Belet Weyne East) \(^{(751)}\).

Terror attacks that take place in Belet Weyne are initiated from within the town \(^{(752)}\) since Al-Shabaab operatives and sympathisers are still present \(^{(753)}\). In the 19 November 2013 attack on a police station, resulting in one SPF and one AMISOM personnel killed \(^{(754)}\), the Vehicle-Born Improvised Explosive Device (VBIED) was assembled within the town \(^{(755)}\).

3.4.11.2 Area of Ahlu Sunna wal Jamaa (ASWJ)

Generally, the area of ASWJ is well under control along the main road and towards the Ethiopian border. Dhusamareb, where a base of the Ethiopian AMISOM contingent is located, is described as a quiet isle by one source \(^{(756)}\). Abudwaq, having an Ethiopian garrison as well, is equally quiet although it is not sure whether this town is aligned with ASWJ or Ximan & Xeeb \(^{(757)}\). However, clan conflicts over grazing rights or water can occur \(^{(758)}\).

ASWJ, militarily supported by Ethiopia, reorganised itself in 2008 to defend Sufi ideology \(^{(759)}\). Today, ASWJ is politically divided \(^{(760)}\) although the administration functions relatively well \(^{(761)}\). However, the group still closes its ranks,


\(^{(744)}\) Security Analysis Expert, Austria: interview by the author, 13 May 2014.


\(^{(746)}\) Security Analysis Expert, Austria: interview by the author, 13 May 2014.


\(^{(748)}\) Security Analysis Expert, Austria: interview by the author, 13 May 2014.


\(^{(752)}\) Security Analysis Expert, Austria: interview by the author, 13 May 2014.


\(^{(756)}\) Security Analysis Expert, Austria: interview by the author, 13 May 2014.

\(^{(757)}\) Security Analysis Expert, Austria: interview by the author, 13 May 2014.


\(^{(761)}\) Security Analysis Expert, Austria: interview by the author, 13 May 2014.

making Al-Shabaab infiltrations very unlikely (76). ‘[Al-Shabaab] is not really posing an imminent security threat to the ASWJ-territory.’ (76) There is hardly any chance for Al-Shabaab operatives to blend in the population of Dhusamareb (76).

Another political issue has important military implications. In March 2013, an agreement was signed between ASWJ and the FGS (76). Among other points, it was agreed to reinstate the SNAF’s 21st Division in Dhusamareb, especially by integrating ASWJ militia (76). Back in September 2013, it was estimated that around 2 800 men would join the Division (76). However, in March 2014, there were only 700 ex-ASWJ militiamen enlisted. ASWJ is currently not willing to attract more of its fighters because of unpaid salaries to the already enlisted ones (76). Consequently, ASWJ even declined to take part in Operation Eagle (76). Only the already integrated 700 soldiers, as well as some 700 men of the Hawiye/Habr Gedir/Suleiman and Hawiye/Habr Gedir/Sa’ad, currently employed by the 21st Division, went ahead with AMISOM to conquer Ceel Buur and Wabxo (76).

3.4.12 Ximan & Xeeb

As the people of Ximan & Xeeb are almost all Hawiye from the Habr Gedir/Suleiman sub-clan, it is very unlikely that the area gets infiltrated or attacked by Al-Shabaab (77). ‘There is no chance for [Al-Shabaab] there.’ (77)

However, there are traditional clan conflicts over grazing rights or water (77). In April 2014, a clan conflict in the area around Gumare killed five people (78). The administration of Ximan & Xeeb organised a reconciliation meeting that facilitated an agreement between the warring clans (78).

In Caadado, there is a magistrate court (76) and there is a rather small police force/militia that does not exceed 400 men and mainly serves Caadado and the main road (77). The road is kept clear from illegal roadblocks or bandits (76). On the other hand, the road and the toll collected from the road can be seen as the major source of income for Ximan & Xeeb (79) whose administration is running out of money (76) and lacks resources. Lack of resources prevents the region from, for example, quickly reacting to water shortages in its capital city of Cadaado (76). Therefore, a merger

(76) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
with Galmudug - ruled out by Ximan & Xeeb back in January 2013 (793) - is getting more likely as an agreement between the two entities was signed in January 2014 (798). At the same time, the President of Ximan & Xeeb, Abdullahi Ali Mohammed Barleh, said that the entity severed its relationship with the Somali government (786). Talks about a Central State continue (790).

3.4.13 Galmudug

The Hawiye/Habr Gedir/Sa’ad-dominated Galmudug administration of former warlord Abdi Hasan Awale ‘Qeybdiid’ has some 1 000 to 1 200 security forces at command (789). These were partly trained with the assistance of UNDP (786). There are several police stations in Galmudug (788). Galmudug is the only administration in Somalia that claims to be secular (789).

On 31 March 2014, Galmudug and Puntland announced the formation of a joint security organisation for Mudug (790). This special police force will include 120 officers from both administrations; 40 are already on duty along the border line in Galkacyo (791). This move could improve the security level throughout the region (792) where clan conflicts and consequent blood feuds - especially between Hawiye/Habr Gedir and Majerteen/Omar Mohamoud (799) - remain a problem (794).

Politically, Galmudug is further exploring the idea of a Hawiye-led Federal Central State for the regions Galgaduud und Mudug. This Central State would include the areas of ASWJ and Ximan & Xeeb. An agreement is not foreseeable (795) and for Galmudug to succeed it needs more territory so as to qualify as a Federal State, but even the actual territory and boundaries are unclear and disputed (796). In this context it should be mentioned that there are ‘many rifts and conflicts between clans and sub-clans in the larger Galgaduud region (e.g. Saad-Saleban, Ayr-Saleban, Marrehan-Saleban, Saleban-Duduble and Marrehan-Ayr’) (797). Related kidnapings and killings happen frequently in Mudug: incidents were reported on 24, 25, 27, and 28 May 2014 (798). In addition, periodically reported extortion and violence at illegal checkpoints are mostly caused by clan militias. On 19 April 2014, two civilians were shot at an illegal checkpoint of Sa’ad militiamen, just south of Galkacyo (799).

Al-Shabaab is seen as ‘only really problematic actor for the Galmudug administration’ (800) and might have a covert presence in Galkacyo (801). But according to one source, Al-Shabaab cannot get support in Galmudug (802) since the local population is willing to support efforts of security forces to hunt down Al-Shabaab (803). However, there are reports of imminent Al-Shabaab terror attacks in Galkacyo, especially against international organisations (804). A group of suspected Al-Shabaab operatives was captured in Galkacyo on 25 March 2014 (805). In addition, in its move northwards, Al-Shabaab is enforcing its structure in the area of Xarardheere and might be a threat to Hobyo (806) where the Galmudug administration and its police have a presence (807). The influence of Galmudug in the coastal area is limited (808).

### 3.5 Al-Shabaab

#### 3.5.1 Areas of Control/Areas of Influence (Mogadishu: see above)

The two main areas of Al-Shabaab military presence are: 1 - the Baraaawe-Jilib-Diinsoor triangle; 2 - to the east of Buulo Barde (aka Buulo Burto); another few hundred areas constitute the Al-Shabaab force in Mudug and Galgaduud (809), with Al-Shabaab reportedly having a presence in Xaradheere (810).

However, this does not imply that all other areas are free of Al-Shabaab military presence (811). The group is said to be present approximately five kilometres outside all major towns in South/Central Somalia (for Al-Shabaab activities in other areas see above) (812).

Important bases or strongholds are: Adan Yaabal (Middle Shabelle); Jilib, Bu’aale and Jamaame (Middle Juba) that contain much of the command and control structure of Al-Shabaab; Baraaawe (Lower Shabelle); Diinsoor and the area around Idale (Bay); and Jalalagiis (Hiiraan) (813). Those strongholds might be threatened by air strikes, such as on 20 May 2014 (Jilib) when approximately 50 died (814) or, again on Jilib, on 24 May 2014 (815).

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(802) Security Analysis Expert, Austria: interview by the author, 13 May 2014.


(804) Security Analysis Department, Weekly Security Report, 30 May 2014.; Concerning the killing of two personnel of the United Nations Office on Drugs and Crime (UNODC) at Galkacyo Airport on 7 April 2014 it is unclear if this was linked to AS-terrorism. One source mentioned that – regarding how the killing took place and who was the target – a criminal background is more likely. Security Analysis Expert, Austria: interview by the author, 13 May 2014.


(811) Security Analysis Expert, Austria: e-mail response, 26 May 2014.


3.5.2 Al-Shabaab after ‘Operation Eagle’

Al-Shabaab has proven resilient and still controls key areas all over South/Central Somalia. The group still has the capacity to mount ambushes, targeted killings, IED attacks or even complex terror attacks. Following the loss of territory in the course of Operation Eagle in March and April 2014, Al-Shabaab was not significantly weakened. According to one source, ‘The loss of towns has not hindered the operational capacity.’

Already in 2013, Roland Marchal stated that setbacks, like killings or desertion of members, do not weaken Al-Shabaab very much anymore ‘because the forms of war have changed: there is no more a frontline as such, the war is nowadays entirely asymmetric and terror tactics more mobilised in urban contexts than ever before.’ Al-Shabaab has been preserving its forces and their ability to fight ‘for a long, asymmetrical struggle’. Godane stated: ‘What we need is not land, but to keep our fighters alive.’ Another Al-Shabaab communicator is citing Mao Zedong: ‘The enemy advances, we retreat; the enemy camps, we harass; the enemy tires, we attack; the enemy retreats, we pursue.’

The territories under control of Al-Shabaab have shrunk, but now Al-Shabaab is a ‘guerrilla force operating all over the place’. The mobility of Al-Shabaab still guarantees the group’s ability to concentrate forces, for example, to attack remote or vulnerable anti-Al-Shabaab garrisons.

‘As such it does not need more than its current estimated force strength of 5 000 to be able to sabotage peace efforts in Somalia and beyond.’ However, the ability of Al-Shabaab’s fighting force to hold contested territory is limited. The loss of all major towns and especially the loss of Kismayo have ensured ‘that the movement never regains its former strength’.

Al Shabaab has less freedom of movement in other areas. This results from some significant changes, such as the loss of the last bridge over the Shabelle in Buulo Barde or the availability of helicopters for Ethiopian and Kenyan AMISOM-troops. It definitely affects Al-Shabaab’s communication lines and consequently its command and control ability as well as logistics and finances. The movement ability of Al-Shabaab leaders is additionally hampered by the threat of drone strikes.

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(87) Sources want to remain anonymous, November 2013.
(93) Security Analysis Expert, Austria: interview by the author, 13 May 2014.
3.5.3 Outlook

Al-Shabaab is likely to continue to fight the FGS and foreign troops (833). The slowing down of the tempo of ‘Operation Eagle’ allows Al-Shabaab to regroup and prepare to strike back (833). Al-Shabaab will probably ‘continue to hold key areas, slowly withdrawing as necessary’ (834).

Assassinations (see above), IED attacks as well as hit-and-run attacks on AMISOM, SNAF and SPF are likely to continue (839). Mogadishu is particularly affected by a number of attacks because Al-Shabaab will probably ‘continue to harass and prevent the FGS from improving its position’ (836).

Al-Shabaab is likely to maintain a significant influence on the population outside of Mogadishu and the other liberated towns until rural areas are secured (837). It might exploit upcoming negative sentiments against AMISOM/SNAF (838).

Al-Shabaab is likely to continue to exploit inter-clan tensions in order to retain areas of control, local recruits and resources. Additionally, Al-Shabaab will lend its support to militias opposed to the FGS (839). Al-Shabaab also pursues its aggressive approach towards the population (840).

A recent statement by Al-Shabaab Governor for Benadir, Sheikh Ali Jabal, mentions the rejection of secular education – a possible reference to Nigeria’s Boko Haram and a threat against schools or educational organisations (841).

3.5.4 Manpower

Estimations of Al-Shabaab’s fighting force differ. An international organisation provides figures ranging between 3 000 and 5 000, plus an additional ability to mobilise clans for given missions (842). The BBC refers to estimations of 5 000 (including so-called ‘pay-as-you-go’ elements ‘who are paid to carry out specific acts such as throwing grenades’) (843). A security analysis expert states that a current assessment is difficult but estimates the number to be approximately 6 000 (844). Another source estimates the Al-Ansar part of the Jaysh Al-Usra (i.e. the indigenous Somalis excluding Mujahirin) to be approximately 6 000 (845). Additionally, there are approximately 1 200 operatives of the Amniyat (cf. infra) (846).

The number of Al-Shabaab’s ‘Foreign Legion’ (Al-Muhajirin) is currently 700, including up to 500 ethnic Somalis from the diaspora and from neighbouring or nearby countries (especially Kenya, Tanzania but also Eritrea, Ethiopia, Uganda, Sudan); and up to 200 fighters from Islamic countries (Pakistan, Bangladesh, Afghanistan, Yemen, Saudi Arabia) and from western countries (including ethnic Somalis; US, UK, northern Europe) (847).
3.5.5 Structure

Al-Shabaab has a centralised structure with a powerful leader, referred to as the ‘Amir’ (since 2008 Ahmed Godane), and a central council (‘Shura’) \(^{848}\). The Shura is said to have dissolved or been suspended some years ago \(^{849}\), with former Al-Shabaab seniors calling Godane a dictator \(^{850}\). However, Al-Shabaab allows for autonomy in decision-making at regional and local levels \(^{851}\). Consequently, the ‘everyday administration of the territories is in the hand of local governors (walli) who can act independently, within certain limits’ \(^{852}\). This decentralisation varies \(^{853}\). To curb clanism, the lower level representatives are regularly rotated \(^{854}\). In addition, due to draconic punishments, discipline within the group is good \(^{855}\).

In addition to the walis, there are other administrative structures with DCs, governors, as well as security and morality police and taxation – all ensuring a strict implementation of Sharia \(^{856}\). But public services are absent \(^{857}\). Access to basic health services is much more constrained in areas controlled by Al-Shabaab \(^{858}\). In addition, ‘western NGOs and the UN were rejected’ and ‘seen as spies and missionaries’ \(^{859}\).

Above all, Al-Shabaab is a fighting force and therefore, most of the activities of its administrations are serving military goals \(^{860}\). The fighting force - the Jaysh Al-Usra - is divided in areas of operation with assigned troops: Lower and Middle Juba; Gedo, Bay, Bakool; Benadir, Lower and Middle Shabelle; Hiiraan, Mudug and Galgaduud; Sanaag and Bari \(^{861}\).
The Amniyat is said to be Godane’s ‘praetorian guard’, answerable directly to him and responsible to identify internal threats. This is the group of Al-Shabaab that maintains a presence in major towns, conducting targeted killings, lobbing of grenades and placing IEDs as well as conducting suicide (‘martyrdom’) operations. The Amniyaad has been developing the experience and skills necessary to wage a long campaign of assassination, intimidation, and terrorist attacks behind enemy lines. The Amniyat is posing a chronic and serious threat – a threat that might survive even the dissolution of Al-Shabaab itself.

3.5.6 Recruitment Activities and Forced Recruitment

Al-Shabaab considers everybody should fight its enemies unless a person has the permission not to fight. Al-Shabaab has the support of certain parts of some clans; of people without any alternative; people who need Al-Shabaab to fight for them; and people who have no leverage in negotiations. ‘Religion is for many of Al-Shabaab’s Fighters merely a convenient excuse.’

Most commonly, recruitment nowadays usually takes place in schools (madrasas), by community leaders or voluntarily. Usually, young men choose to join Al-Shabaab freely often realising the use of coercion only after some time.

Al-Shabaab currently pays its fighters 50 to 100 USD per month, whereas the pay used to be USD 150 to 180 when Al-Shabaab controlled the bigger cities. Recruitment camps are in place in Bay and Bakool. In addition, Al-Shabaab recruits youngsters to throw hand grenades for which they pay them around USD 10.

Sometimes, clans offer recruits to Al-Shabaab. Clan recruitment is done through local leaders and elders. ‘It is known that Al-Shabaab, especially when expanding, fundraising or recruiting, takes the clan factor into account and sometimes negotiates with local clan leaders about the issues at stake.’

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[867] Sources want to remain anonymous, November 2013.


Sometimes Al-Shabaab uses a megaphone to urge men in towns or villages to sign up (879). In February 2014, the group mounted loudspeakers on vehicles and drove through towns telling residents ‘that it was obligatory for them to join the war’ (879). Such recruiting campaigns include sermons as well (880).

Less common are round-ups of recruits when Al-Shabaab passes through a village and picks suitable persons out of the crowd (881). Men who refuse to be enlisted flee from Al-Shabaab territory out of fear of reprisals or forced recruitment (882). Forced recruitment in recent years did backfire on Al-Shabaab with ‘desertions, low morale, and community resentment’ (883). There are no estimations of the amount of forced recruitment (884).

As indicated above, there are still reports of forced recruitment by Al-Shabaab (885). UNHCR reports forced recruitment even in areas not held by Al-Shabaab, for example in Merka (886) while an international NGO stated that forced recruitment only occurs in areas under full control of Al-Shabaab (887) and not in Mogadishu (888). As the number of Al-Shabaab fighters depends on its fortunes of war, at certain times, Al-Shabaab had to rely on forced recruitment. One of these periods was the beginning of 2011 (889). Even now, people are afraid that their children are forcibly recruited, and flee areas. Al-Shabaab stepped up a campaign in villages around Ceel Buur in March 2014 (890). Reports on this campaign indicate that Al-Shabaab tries to brainwash possible recruits (891). A woman reported that her 11 year old son was told he would receive ‘money and a telephone to communicate with us and that he would be taught the advantages of Islam and jihad’ (892). Parents send their youngsters as far away as Mogadishu to prevent further harassment by Al-Shabaab (893).

However, information varies according to different regions and therefore clans.

For instance, recruitment of youths in Middle Juba is widespread. ‘Those that prove their military skills and ideological commitment are promoted. Top-ranking members are motivated by ideology. Low ranking local soldiers usually join for financial reasons or out of anger over the deaths of friends or family members.’ (894)

In Galgaduud, children have been abducted by Al-Shabaab, possibly to conscript them. This happened in Ceel Buur on 10 March 2014: In advance of the AMISOM offensive, ‘Al-Shabaab told parents to remove the children from the town as a way to save them and tricked them into sending their children with several cars driven by Al-Shabaab, which resulted in many parents finding themselves in shock from losing their children.’ (905)

Sometimes children are used as payment where parents cannot provide zakat (906).

In Mogadishu, fewer youngsters want to join Al-Shabaab (907). To cover its need for fighters, Al-Shabaab recruits in Kenya as well, messaging in Swahili and targeting the marginalised (908). There are reports of training camps in the Jubba valley hosting 200-500 east African recruits (909). The Kenyan Muslim Youth Centre and its armed wing ‘Al-Hijra’ are close allies to Al-Shabaab engaging ‘in recruitment, training and the facilitation of travel to Somalia for individuals joining Al-Shabaab’s jihad’ (910).

### 3.5.7 Forced Recruitment of Girls and Women

Evidence of Al-Shabaab recruitment of women or girls is rare (905). One source reports however, that recruitment of girls occurred less but did take place, mainly for domestic work and forced marriages (900).

Young girls and women are abducted for short periods (2 days to 2 weeks) in order to work for Al-Shabaab; others are forced to marry or are abused as sex slaves (911).

On rare occasions, women are used to conduct suicide operations for Al-Shabaab (904).

For more information on forced marriages, see part 4.3.6.2.

### 3.5.8 Deserters

Defections are reported to be on the rise (905). Opinions diverge on the hunting down of simple foot soldiers who defect from Al-Shabaab. Some sources state that simple rank and file deserters of Al-Shabaab are not specifically persecuted but higher ranks may (906) and that none of the 934 persons going through the Serendi Youth Rehabilitation Center (SYRC)

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in Mogadishu since March 2012 was killed after leaving the centre support this argument. The NISA and AMISOM classify former Al-Shabaab fighters according to the risk that they would re-enlist. The 'low risk' former fighters can return home after rehabilitation and 'skills' training, if they want and 'if it is agreeable to the communities'.

However, even if most deserters are unlikely to draw attention, 'it cannot be ruled out that a defector without any special function within Al-Shabaab can be traced' for which finding defectors had become a priority. Some are victims of targeted killings; there are also reports of ex-Al-Shabaab fighters (high rank and foot soldiers) or defectors who joined SNAF/SPF and get killed on a weekly basis, as for instance, on 26 April when a deserter was assassinated in the Wardhigley district of Mogadishu.

Al-Shabaab deserters have the possibility to go to the SYRC that is supported by Norway and Denmark, run by NISA and which operates in Mogadishu and Belet Weyne. Other options for deserters are to join the NISA or go to Puntland or Somaliland that are considered to be relatively safe for deserters and which operates in Mogadishu and Belet Weyne.

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3.5.9 Al-Shabaab and Clans

The majority of the following clans are considered to be pro-Al-Shabaab: Hawiye/Murusade; Hawiye/Duduble; Darod/Marehan; Rahanweyn (926) Hawiye/Galja’el (925).

The majority of these clans are considered to oppose Al-Shabaab: Hawiye/Abgal; Hawiye/Sa’ad (926).

And the following clans are said to be divided 50/50: Darod/Ogaden; Hawiye/Ayr; Hawiye/Saleeban; Hawiye/Hawadle (927) another source indicates that the Hawiye/Ayr and the Darod/Ogaden broke away from Al-Shabaab in their majority (928). However, when Al-Shabaab is in control of an area, elders will at least ‘pretend that they are supportive’ (929).

Overall, members of all major clans can be found with Al-Shabaab (930). The biggest parts of the militia are Rahanweyn, Jareer (931) and Murusade (932).

On the one hand, Al-Shabaab is also a ‘vehicle for minor, unrepresented clans to gain power’ (933). On the other hand, Al-Shabaab is courting support from marginalised and aggrieved sub-clans and minority groups - ‘a tactic which continues to work well for the group’ (934). Al-Shabaab fights alongside clan militias and therefore gains the clan’s support (935).

For members of minority groups, the situation under Al-Shabaab might appear better than when bigger clans were in power (936). Al-Shabaab rejects the traditional law (xeer) and its focus on collective responsibility and pragmatic legal decisions (937). However, Al-Shabaab repression is selective and those who belong to a clan that is considered as anti-Al-Shabaab might have more problems (over-taxation; economic isolation; robbing) (938). Even minority clans ‘are now having second thoughts about Al-Shabaab’ (939).

3.5.10 Daily Life and Popular Support

Formerly, communities under control of Al-Shabaab enjoyed higher levels of law and order than ‘liberated’ areas. But with the loss of territory, this branch of Al-Shabaab weakened (940). Though it might be more peaceful to live

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in Al-Shabaab areas, people in these areas are nonetheless forced to live under Al-Shabaab’s strict rules. To live in Al-Shabaab area ‘it is required to not see, hear and talk about what happens’. To prevent problems, the local population has to permanently adjust itself not to raise suspicions from either side. There are informants everywhere and people take care. If one follows the rules set by Al-Shabaab, the general security situation might be fairly calm.

As Al-Shabaab ‘sees spies everywhere’, any movement can be suspicious – especially movement in and out of Al-Shabaab areas. However, ‘there is always a risk of being accused of being a spy or collaborating with the government’. There is growing internal distrust as well, for example related to the attack of US forces on Barawe. In the aftermath of a US strike that killed a prominent Al-Shabaab official on 26 January 2014, Al-Shabaab reportedly ‘abducted 17 people, including four of its own members’ in their search for spying equipment and spies. On 29 May 2014, three men were accused of spying and killed in Buulo Marer (Lower Shabelle). Three other men were executed for the same reason in Barawe on 2 June 2014.

Al-Shabaab operatives blend in the local population, for example simply by returning to their family and saying that they quit Al-Shabaab. The UN warns that more and more Al-Shabaab fighters are fleeing in the course of the AMISOM/SNAF advances and entering bigger cities, especially Mogadishu. Members of the group use fake passports and uniforms of FGS’s security forces.

Al-Shabaab seeks to trigger fear and therefore uses targeted assassination campaign. ‘You never know where [Al-Shabaab] will strike, and thus people always must look over their shoulder.’ Consequently, people are not only afraid to speak out against Al-Shabaab but also to give hints to security forces.

With its capacity to trigger fear, Al-Shabaab is able to manipulate different sectors. When Al-Shabaab declared a ban on all mobile internet services in Somalia, Hormuud Telecom shut down all mobile internet service on 6 February after specific threats by Al-Shabaab.

(960) UNDSS in: Landinfo/Udlændingsstyrelsen, Update on security and protection issues in Mogadishu and South-Central Somalia, March 2014 (http://landinfo.no/asset/2837/1/2837_1.pdf) accessed 26 May 2014, p. 55; UNDSS adds that selling fruits to SNA could already be enough to get accused.
(961) UNDSS in: Landinfo/Udlændingsstyrelsen, Update on security and protection issues in Mogadishu and South-Central Somalia, March 2014 (http://landinfo.no/asset/2837/1/2837_1.pdf) accessed 26 May 2014, p. 50; see e.g.: Sabahionline (15.10.2013)
(969) Sources want to remain anonymous, November 2013.
(970) Sabahionline, Upfront in Mogadishu violence a wakeup call for citizens, security forces, 1 May 2014 (http://sabahionline.com/en_GB/articles/hoa/articles/features/2014/05/01/feature-01) accessed 6 June 2014.
Overall, the popular support for Al-Shabaab is diminishing (959) — even within for example the Galja’el and the Murusade (960). Al-Shabaab has lost clan support in Gedo (961). The level of violence used by Al-Shabaab, increasing pressure on clans to deliver recruits and resources and the use of corporal punishment and taxation (see below) (962) explain why people turn away from the group; if Al-Shabaab ‘had not been so violent (…) people might prefer it to the government’ (963).

3.5.11 Zakat and other sources of income

The *zakat* is a main source of income for Al-Shabaab, meant originally to be redistributed ‘according to the people’s needs’ (964) supposedly for the poor, but ‘everyone knows this is not so’ (965). Usually, *zakat* is collected via elders or directly by Al-Shabaab (966). The group announces its visit in advance and expects to get paid when it arrives; those who do not pay risk being killed (967).

The height of *zakat* differs. For instance, in Galhareri area, in Galgadud, Al-Shabaab orders small businesses to pay USD 150 per month and medium businesses USD 600 while pastoralists are ordered to provide animals (968). Reports from Ceel Dheere district in Galgaduud indicate that Al-Shabaab also orders communities to collect a given amount. They ordered residents of Ceel Dheere to collect USD 100 000 within a month and when residents were unable to do so, many fled while Al-Shabaab began looting and stealing their livestock (969). In Jilib 16 employees of Hormud Telecom were arrested by Al-Shabaab after the company refused to pay USD 50 000 as ‘money for jihad’ (970).

Tax collected by Al-Shabaab is increasing and there are examples of armed resistance by pastoralists (971).
Al-Shabaab collects protection money not only in areas under its control but also in areas under control of anti-Al-Shabaab, as for example in the case of money paid by some businessmen in Mogadishu, partly due to the networks of the Amniyat. The group is acting increasingly like a mafia in much of the country. Therefore, the main source of Al-Shabaab’s finances today is protection money.

Another source of income is taxation of ground traffic. In Xudur, for example, trucks had to pay up to USD 300 and cars between USD 10 and 20. Exports via Baraaawee are also taxed, thereby turning into sources of income for Al-Shabaab. One export product - said to be one of the major sources for Al-Shabaab - is ivory smuggled from Kenya and worth USD 200,000 to 600,000 per month. Another source of income might be human smuggling, as this is one of the main activities in Eastleigh (Nairobi) and as this area is also known to be ‘a major link in Al-Shabaab’s recruitment and financial network’.

### 3.5.12 Intra-Al-Shabaab Conflicts

The conflicts within Al-Shabaab are fuelled by several factors:

- poor functioning of the administration in the areas under its control
- disagreement over the role of foreigners
- (increased) killing of civilians
- lack of financial resources
- loyalty to Al-Qaida
- clan controversies
- mistrust and lack of communication between the various factions within the organisation.

Godane eliminated moderate elements within the group and replaced them with ‘younger, more jihadi-minded cadre’. This also happened to some elders who were replaced with younger men considered to be more suitable.
After some prominent opponents of Ahmed Godane were executed on 19 June 2013 in Baraaawe, the numbers of foreign Muhajiriin within Al-Shabaab dropped significantly (984). Some 300 to 400 were said to have left Al-Shabaab (985). In contrast to the exodus of other Muhajiriin after Godane’s coup, al Hijra is still closely allied with Al-Shabaab (986).

After the execution of Al-Shabaab leaders as mentioned above, another important senior Al-Shabaab officer went into hiding: Mukhtar Robow ‘Abu Mansur’, who is thought to be either in Bay or Bakool (987). Even if Amir Ahmed Godane is said to have ‘finally succeeded in purging the movement of his most vociferous critics, leaving him (…) as undisputed leader’ (988) internal clashes do occur, as happened in Saakow (Middle Jubba - 2014), where four Al-Shabaab fighters died (989) or in Bay region (990).

### 3.6 Piracy

Circumstances in Somalia have proven to be favourable for the growth of piracy off its shores. In the previous decades, this phenomenon developed as a protective reaction against illegal fishing and toxic waste dumping by foreign vessels in the Somali waters. It evolved into a trans-national business, interwoven with other (criminal) activities and run by Somali pirate networks with clan and political affiliations (991). The pirates need support from the local population for shelter and supplies during the long hostage and ransom-negotiation processes. They use onshore support infrastructure to negotiate ransom and require access to local markets for selling stolen goods. They operate from the mainland, receiving support from villages and clans, and from so-called ‘mothervessels’, ships used as a base (992).

In terms of geography, pirates are dependent on infrastructure, such as roads, ports and villages. The proximity of this infrastructure renders piracy more lucrative. However, for the pirates, ports have to be weakly governed and surveyed. For this reason, major ports such as Kismayo and Mogadishu have not appeared in reports on ships hijacked for ransom. Research has shown that most pirate anchorage were in areas cut off from regional trading routes and harbours and hideouts were located in the most remote parts of Somalia (993).

Socioeconomic factors (poverty, armed violence, lack of educational or employment opportunities, orphanage, displacement, and exposure to disease) make children vulnerable to taking part in piracy-related activities. Most young people join on a ‘voluntary’ basis as a method of improving social and economic status (994).

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(989) Security Analysis Department, Weekly Security Report, 16 May 2014; other clashes with Robow took place at Xudur (22 June 2013) and again in southern Bakool (3 August 2013). See: Muhaydin Ahmed Roble/Jamestown Foundation (9.8.2013) PS
According to the International Chamber of Commerce: ‘Somali pirates tend to be well armed with automatic weapons and RPGs (Rocket-propelled grenade) and sometimes use skiffs launched from mother vessels, which may be hijacked fishing vessels or dhows, to conduct attacks far from the Somali coast.’ Furthermore, in Somali waters, legitimate fishermen may be confused with pirates, because the former tend to protect their nets by aggressively approaching other vessels and some of them may be armed to protect their catch (ICCS-CCS, 2014).

The Somali pirates use physical force and psychological threats against hostages. Examples of the latter include ‘telling seafarers that they had no hope because nobody back home cared about them; allowing the seafarers to speak to their families, then taunting them, abusing them, and firing shots into the air while their family members were on the line; making the hostages sleep in cramped conditions without privacy; forcing hostages to drink water from cans contaminated by diesel oil, chemicals, or other toxic substances; isolating hostages both, on the vessel and, at times, on shore; telling hostages that because negotiations were not going well, the hostages’ organs would be cut out and sold on the open market; threatening to slit the seafarer’s throat and feed their bodies to the sharks.’ A number of hostages have been killed (ICC-CCS, 2014).

Historically, acts of piracy have been perceived as crimes negatively affecting all mankind and currently, in international law, the norms on criminalising and suppressing piracy are part of Customary Law. The 1958 Geneva Convention on the High Seas and the 1982 United Nations Convention on the Law of the Sea (UNCLOS) contain the most important norms.

The international response to the problem has been coordinated via different initiatives: NATO has deployed ‘Allied Protector’ and ‘Ocean Shield’; the ‘Combined Maritime Force - Combined Task Force 151’ is usually referred to as the ‘coalition of the willing’ and is led by the US (Oceans Beyond Piracy, 2014). In December 2008, the EU created the European Naval Force (EU NAVFOR) Somalia – Operation Atalanta, and described Somali piracy as follows: ‘criminals taking control of vessels transiting the High Risk Areas in the Region and extorting ransom money for the crew, the vessel and cargo; this bearing all features of organised crime. Crews held hostage by pirates often face a prolonged period of captivity, the average being five months (145 days) but some hostages have been held for more than four years. Moreover, piracy impacts on international trade and maritime security and on the economic activities and security of countries in the region.’ (EU NAVFOR Somalia, 2014. The EU NAVFOR Somalia comprises approximately 1200 personnel, four to seven Surface Combat Vessels and two to four Maritime Patrol and Reconnaissance Aircraft from different countries. It protects WFP (World Food Program) and AMISOM vessels and contributes to ‘deterrence, prevention and repression of acts of piracy and armed robbery at sea’ (EU NAVFOR Somalia, 2014). Between 2009 and 2013, the EU NAVFOR arrested 149 suspected pirates and transferred them for prosecution. In 2013, four pirate groups were disrupted (EU NAVFOR Somalia, 2014). Somali nationals have also been accused or convicted of pirate activities in other countries, such as Kenya, the Maldives, etc (UNODC, 2014).

Since the peak in 2011 (243 reported attacks), the number of acts of piracy committed by Somali pirates has declined and is now at its lowest point since 2006 (11 attacks in 2013 and even fewer in 2014) (UNODC, 2014).

(995) Rocket-propelled grenade.
4. Human Rights situation

4.1 Legal context

4.1.1 International treaties

Somalia is party to several international Human Rights treaties:

- Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights and the Optional Protocol
- Convention relating to the Status of Refugees and the Protocol
- International Convention on the Elimination of All Forms of Racial Discrimination
- International Convention on the Suppression and Punishment of the Crime of Apartheid

The Convention on the Rights of the Child was signed in 2002 and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was signed in 2005. Yet neither of them has been ratified yet and Somalia is therefore not legally bound by them. In November 2013, the President of Somalia expressed the intention to ratify the Convention. Somalia did not sign the second Optional Protocol on the sale of children, child prostitution and child pornography.

Somalia is not party to other important Human Rights instruments, such as the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention on the Rights of Persons with Disabilities.

4.1.2 National legislation

4.1.2.1 The Provisional Constitution

The Provisional Constitution of the Federal Republic of Somalia expresses the rule of law and gives the Islamic Sharia a higher place in the legal hierarchy than the constitution itself. The fundamental rights and freedoms of the citizens are protected in Articles 10 to 41.

4.1.2.2 National Laws

With the collapse of the government in 1991, the state’s secular law ceased to function in most areas. The Sharia was implemented as national legislation by a Parliament bill in 2009.

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Different law systems are now applied by different communities within Somalia, based on: traditional (xeer) and customary law; Sharia; legislation from the period of independency (before Siyaad Barre); and/or legislation from the rule of Siyaad Barre (1969-1991) (1014).

More recently, some drafts of legislation were prepared which could have an impact on the future human rights situation in Somalia:
- In February 2013, the Ministry of Justice presented a draft law to the Parliament on the establishment of a National Human Rights Commission (amended in May 2013) (1015).
- On 11 July 2013, a draft media law, prepared by Somalia’s Ministry of Information, Post, Telecommunication and Transport, was adopted by the Somali Council of Ministers (1016).

### 4.1.2.3 Citizenship

#### 4.1.2.3.1 Citizenship Law (1962)

Article 2 of the Citizenship Law of 1962 - Acquisition of Citizenship by Operation of Law — stipulates that any person: a) whose father is a Somali citizen; b) who is a Somali residing in the territory of the Somali Republic or abroad and declares to be willing to renounce any status as citizen or subject of a foreign country shall be a Somali Citizen. Article 4 of this Law arranged the Acquisition of Citizenship by Grant to any person who is of age and makes application therefor, provided that: a) he has established his residence in the territory of the Somali Republic for a period of at least seven years; b) he is of good civil and moral conduct; c) he declares to be willing to renounce any status as citizen or subject of a foreign country. Articles 10 and 11 of the Law arranged the renunciation and deprivation of the citizenship (1017). The Immigration and Refugee Board of Canada referred to a publication of Haji (1972), to state: ‘Somalian citizenship is transmitted through the father, which means that the children of a Somali father are considered to be Somalian even if their mother is a foreigner.’ (1018)

Practice in regard to citizenship has varied with time and governments. For example, the requirements of seven years residence and renunciation of other citizenships have not always been applied (1019).

#### 4.1.2.3.2 The Provisional Constitution (2012)

Article 8 of the Provisional Constitution prescribes that the Parliament shall define how to obtain, suspend or lose the Somali citizenship, but also that this cannot happen based on political grounds. The principle of possible dual citizenship is also stated in the article (1020). By the end of 2013, the Parliament had not yet arranged citizenship in a law (1021).

### 4.2 General situation

In its World Report 2014 (year 2013), Human Rights Watch reports that ‘Civilians continue to suffer serious human rights abuses as the new Somali government struggled to extend its control beyond the capital, Mogadishu, and to
some key towns in south-central Somalia in 2013. Parties to Somalia’s long-running armed conflict were responsible for serious violations of international law; abuses include indiscriminate attacks, sexual violence, and arbitrary arrests and detention." (1022)

The armed forces are under the control of the Ministry of Defence; the SPF under the Ministry of Interior, and the other police under different local administrations. Yet, these authorities do not effectively control armed or police forces, whose abuses are mostly not investigated, thus maintaining a culture of impunity (1023).

As regards Al-Shabaab, and according to Human Rights Watch, ‘access to, and information about, Al-Shabaab areas is severely restricted, but credible reports indicate that Al-Shabaab has committed targeted killings, beheadings, and executions, particularly of individuals it accused of spying. Al-Shabaab continues to forcibly recruit adults and children, administer arbitrary justice, and restrict basic rights.’ (1024)

4.2.1 Unlawful deprivation of life

Arbitrary killings by government security forces, militias, Al-Shabaab and other actors were reported. Executions by authorities took place without proper proceedings. Civilians were killed in armed clashes. Pirates killed hostages. In fighting between clans over resources revenge killings occurred. Often no investigations were undertaken (1025).

4.2.2 Disappearances

According to the US Department of State, there were no confirmed reports of politically motivated or other disappearances committed by authorities in 2013. Al-Shabaab, on the other hand, abducted people. In 2013, there was a decrease in the number of piracy incidents compared to previous years, but during these incidents, pirates continued to take hostages (1026).

4.2.3 Arbitrary arrest and detention

Sources reported arbitrary arrests and detention of persons by security forces, militias and Al-Shabaab. The authorities arrested and detained persons accused of terrorism, persons allegedly affiliated to Al-Shabaab and journalists. Legal requirements such as warrants based on sufficient evidence, proper notification of the charges, access to a lawyer and other legal protection were often ignored (1027).

4.2.4 Torture and other cruel, inhumane, degrading treatment and punishments

There are reports of, for example: sexual and gender-based violence in IDP camps; beating of journalists at the hands of government forces, authorities or allied militias. Al-Shabaab imposed cruel punishments such as public execution; or hand and leg amputations (1028).

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In January, the use of the death penalty in Somalia was brought to international attention when images of the public execution of a soldier convicted of killing a child were released online. Somalia’s use of the death penalty continues to be of concern with several reports of public executions being carried out in the presence of children (1029).

4.2.5 Detention and prison conditions

Prison conditions are harsh and life-threatening: overcrowding; poor sanitation; and lack of health care. Malnutrition, spreading diseases, lack of ventilation and lighting were persistent problems (1030).

4.2.6 Access to law enforcement and denial of fair trial

In 2012, an international NGO and a UN agency in Mogadishu declared that civilians could not access law enforcement via the police, because these did not investigate and could not provide protection (1031).

Police forces are functioning ineffectively due to inadequacy, intimidation and corruption (1032). Police officers in Mogadishu often owed their positions largely to clan and familial links rather than to government authorities (1033). In Mogadishu, for example, people ‘seek the assistance of the police force but there is no guarantee that they will be assisted’ (1034).

In practice, the judicial system, an amalgam of state law, clan-based customary law (xeer) and Islamic law, is still not functioning effectively, and is virtually inaccessible for vulnerable groups such as women, IDPs and minorities (1035). Most conflicts and crimes are dealt with through xeer, the clan-based customary law system in which payment of compensation (diya or mag) is central (see paragraph 2.4). In addition to the secular judicial system, Sharia courts provide justice based on Islamic law (1036).

In 2012, a local NGO in Mogadishu explained that ‘marginalised groups have difficulties in getting a fair trial since strength in the sense of numbers and political influence is important in relation to getting a fair trial – if one can talk about fair trial for anyone in the justice system today’ (1037).

In most cases, civilian judges did not dare to try cases, leaving them to military tribunals and traditional or clan justice. The latter often held entire clans or sub-clans responsible for crimes of individuals (1038).

Justice and the rule of law formed part of the FGS’s six-pillar policy outlining their immediate priorities. The government has developed a four-year plan to create an accountable, effective and responsive police service for Somalia; and a two-year justice action plan setting out immediate priorities for assistance (1039).


Since 2011, military courts of the Somali armed forces are functioning in Mogadishu and other main towns under FGS authority. They bring to trial not only members of the armed forces, but also ‘alleged members of Al-Shabaab, police and intelligence agents, and ordinary civilians’. In the absence of civilian courts, the military courts conduct proceedings that do not meet international fair trial standards, according to Human Rights Watch (1040). Military courts have pronounced more than a dozen death sentences in 2013 (on soldiers and non-military personnel), with execution by firing squads (1044).

Somalia’s military courts were exceptionally granted temporary powers to try all abuses committed in areas declared under a state of emergency. However, access to these courts is restricted, making it difficult to confirm whether defendants were tried fairly and were able to prepare a defence. There are further concerns regarding the use of military courts to try civilians (1043). Defendants’ rights, such as access to a legal practitioner, or the right not to incriminate oneself, were often violated (1043). For example, between July and August 2013, in Mogadishu and Belet Weyne, at least six people were sentenced to death and executed by the government’s military court following trials that raised serious concerns regarding proper proceedings (1044).

There is no functioning judicial system in Al-Shabaab-controlled areas. In Sharia courts, generally, defendants are not given the right to defend themselves, produce witnesses, or be represented by an attorney (1045). Sharia courts in Al-Shabaab areas are based on a harsh interpretation of Islamic law (1046).

### 4.3 Specifically targeted groups

#### 4.3.1 Ethnic minorities and occupational groups

Somalia has a number of ethnic minorities and occupational groups (together forming 15 to 30 % of the total population (1045)), many of whom encounter discrimination and violation of human rights. The traditional clan structure formed by the majority clans excludes minorities from political participation, and limits their access to traditional justice (xeer) in cases of abuse or accusations of crime. Minorities are often subject to discrimination in employment, judicial proceedings, and access to public services (1044). Minority groups are militarily weaker than the majority clans, even in places where they outnumber them (1049). They cannot expect redress if their rights are violated (1049).

The US Department of State (year 2013) notes: ‘Minority groups, often lacking armed militias to protect themselves, are disproportionately subjected to killings, torture, rape, kidnapping for ransom, and looting of land and property with impunity by militias and majority clan members. Many minority communities live in deep poverty.’ (1055)

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1047 For a description, see para. 2.2.1.
4.3.1.1 Bantu/Jareer

The Bantu or Jareer live in the areas between the Shabelle and Jubba rivers; Middle Shabelle and Hiiraan; and are mostly farmers. In these areas, the security situation of the population has considerably deteriorated due to armed conflict between AMISOM and Al-Shabaab. Many Bantu/Jareer have moved to IDP-camps. Many youngsters have joined Al-Shabaab, forcibly or voluntarily, for economic or security reasons, or for gaining social status and protection\(^{1065}\). ‘When asked if members of minority clans are at risk of revenge attacks or harassments because of their previous support for Al-Shabaab an international agency (A) stated that this is not the case,’ a Danish/Norwegian fact-finding mission (November 2013) noted\(^{1065}\).

4.3.1.2 Benadiri/Reer Xamar

The Benadiri or Reer Xamar (residents of Xamar/Mogadishu) were mainly business people and traders living along the Benadiri coast (mainly in Mogadishu, Merka and Baraawe). In the beginning of the civil war, they suffered looting, theft and rape because of their supposed wealth. In the 1990s, most Benadiri fled to Kenya with only a few thousands remaining in Somalia with their businesses, paying a clan or private militia for protection\(^{1064}\). Some Benadiri/Reer Xamar in Mogadishu have acquired key positions within the regional Benadiri administration. Thus, they have become less subject to targeted violence committed with impunity\(^{1065}\). As most remaining Benadiri traders are relatively wealthy, they usually manage to buy protection\(^{1066}\), although they also may be subject to extortion and blackmail by majority clan militias\(^{1067}\).

4.3.1.3 Occupational groups

In northern Somalia, the occupational groups called Gabooye, Waable or Midgaan/Madhibaan, also known as Sab in southern Somalia\(^{1056}\), often face discrimination and social stigma due to their occupations (see also paragraph 2.2.3). The human rights situation of these groups, in northern Somalia, where most of the Gabooye live, is considered bad although slightly improving\(^{1058}\). Little is known about the humanitarian conditions in which specific occupational groups in southern Somalia live. According to Minority Rights Group International, there is a ‘more tolerant atmosphere’ for minorities in Somaliland than in the rest of Somalia\(^{1066}\).

4.3.1.4 Mixed marriages between majority clans and minority groups

Interrmarriage between majority clans and minorities is restricted by custom, although in recent years this seems to have become less strict\(^{1064}\). Intermarriages did and do occasionally occur. Yet, there are reports of detrimentral implications, such as forced divorce or (attempted) killing of a spouse (or, in earlier days, the child\(^{1065}\))\(^{1069}\). Social
acceptance varies depending on whether the marriage occurs between a man from a majority clan and a minority woman (which sometimes happens without major problems (1064)); and a woman from a majority clan marrying a minority man, which is socially unacceptable. Children born out of these marriages will become minority group members and will therefore be ‘lost’ for the majority clan. The woman will be excluded from her own family and clan (1065). Furthermore, by marrying a minority woman, a majority clan man will lose protection by his own clan (1066). Children born from a marriage between a majority man and a minority woman will get the father’s clan identity (1067).

4.3.1.5 Women from minority groups

Minority women face multiple discriminations and violations of their rights - as women and as members of a minority group. Minority women, especially in IDP camps, often suffer gender-based violence (rape), domestic violence, robbery and economic discrimination. Crimes against women, especially amongst women from minority groups, are often perpetrated with impunity (1068). Read more about the general situation of women under 4.4.1.

4.3.2 Religious minorities

Religious minorities include a very small population of Somali Christians, as well as ethnic minorities within Islam - Ashraf and Sheikhal. Al-Shabaab, based on its strict interpretation of Islam, is targeting those who follow (Sufi) Somali-Islamic, Christian or traditional African (Bantu/Jareer) religious beliefs and practices. Benadiri, Bantu and Christian minorities are targets of religious persecution by Al-Shabaab (1069). There have been several killings of suspected Christians in 2012 and 2013 in Al-Shabaab controlled areas (1070).

The Ashraf and Sheikhal are usually respected and protected as moderate religious leaders by clans with whom they live. The Sheikhal are closely associated with the Hawiye/Hirab clan (see also section 2.2.1). The Digil/Mirifle Ashraf might be targeted by Al-Shabaab 'partly because the latter do not recognise the religious status of the Ashraf, and partly because they oppose the Shariff Hassan who was the driving force in the 2008 Djibouti agreement together with President Sheikh Shariff' (1071). In 2012, mosques whose clerics refused to call for fighting against the FGS and AMISOM were closed by Al-Shabaab. According to the US Department of State, there were no reports of violations of religious freedom by TFG or FGS in 2012 (1072). No reports were found about recent human rights violations of the Sheikhal and Ashraf.

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(1065) IRB Canada, Somalia: Distinguishing characteristics of the Gabooye (Midigan) people; whether it is possible for a member of the minority clan living in Mogadishu to hide that they are part of the Gabooye from his or her spouse and in-laws, who are members of a majority clan, 7 October 2013 (http://www.cisr-irb.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=454822&plsp=1) accessed 20 May 2014; Landinfo, Respons Somalia: Yrkes- og lavstatusgrupper, 25 July 2013 (http://landinfo.no/asset/2460/1/2460_1.pdf) accessed 10 June 2014, p. 3.

4.3.3 Journalists

Somalia is one of the most dangerous countries in the world for a journalist (1073). The country ranked 176 out of 180 countries in the 2014 Reporters without Borders Press Freedom index (1074).

Journalists are often victims of harassment, intimidation, arrests and killings in Somalia, especially those who are perceived as westernised or working for Western media (1077). Journalists may be targeted by government, government-aligned militia, Al-Shabaab, as well as unknown assailants. According to Reporters without Borders, seven journalists were killed in 2013 while 18 were killed in 2012 (including three in Somaliland and Puntland) (1079). The Committee to Protect Journalists counted four journalists and one media worker killed in 2013 (of whom three in Mogadishu). Seventy Somali journalists have gone into exile between 2008 and 2013 (1073). Impunity for these killings prevails (1079). Despite promises by FGS to investigate attacks on journalists and bring the perpetrators to justice, no such measures were taken (1079).

Several journalists were arrested and badly treated by Somali state officers (1080). For example, from 2013 to 2014, human rights reports mention the following cases:

- On 10 January 2013, police arrested a journalist for interviewing a woman who alleged that security forces had raped her. Both the journalist and the victim were convicted by a court and sentenced to one year in prison on charges of insulting state institutions. Both appealed the judgment, and both were released two months later (1083).
- On 26 October 2013, security forces closed two radio stations belonging to the Shabelle Media Network. Staff and journalists were arrested and evicted from the government-owned building, which served as a safe house for media workers, aside of radio station (1082).
- In February 2014, the Director of Radio Dananan and two other media workers were arrested, after posting pictures of a regional vice-president after he was injured by a bomb. The men were interrogated and allegedly tortured in the National Intelligence and Security Agency (NISA) detention centre on accusation of a critical report on the government (1083).

During its 15th Extraordinary Session held in Banjul, The Gambia, between 7-14 March 2014, the African Commission on Human and Peoples’ Rights (ACHPR) passed a resolution addressing the continual attacks on media workers in Somalia. The ACHPR ‘strongly condemns the serious violations of the right to life committed against journalists and media practitioners’ and appeals for ‘the immediate cessation of harassment and intimidation aimed at independent media organisations’ in Somalia (1084).

4.3.3.1 The draft media law

On 11 July 2013, a draft media law, prepared by Somalia’s Ministry of Information, Post, Telecommunication, and Transport, was adopted by the Somali Council of Ministers. The draft law has been met with wide criticism from international and national agencies and journalists, arguing that it violates freedom of information and encourages
self-censorship. Organisations, such as Reporters without Borders, Article 19, the Somali National Union of Journalists (NUSOJ), and the Office of the High Commissioner for Human Rights (OHCHR), express their concern that the draft legislation ‘contains vague language and extremely broad categories that could easily be used to curtail freedom of expression, for instance requiring media not to contravene or disseminate information that is against Islam, Somali traditions or traditional ethics’ (1088). The proposed law further requires journalists to reveal their sources. When accused of breaking the law, journalists can be suspended from work until a court has ruled in the case (1089).

The President of Somalia maintains that the final draft is still to be finalised, and that the law ‘protects the human right of freedom of speech, journalists’ rights, plurality of media and complies with international law’ (1087). At the moment of the writing of this report, the draft law was still pending.

4.3.3.2 Journalists in Al-Shabaab area

According to Reporters without Borders, Al-Shabaab perceives journalists as their enemy and targets them as ‘unwanted witnesses of terrorist methods.’ In 2013, seven journalists were killed as a result of ‘terrorist attacks blamed with varying degrees of certainty on the Islamist militia Al-Shabaab’ (1088).

Journalists who work for government-related media face a serious risk of targeted killings. Journalists are threatened to be killed if they do not report positively on Al-Shabaab’s attacks. Al-Shabaab also forbids journalists to report news that undermine its interpretation of the Sharia (1089).

In November 2013, Al-Shabaab deprived an entire region of television by seizing satellite dishes, arguing that these transmitted images that did not respect Islam. Information is seen as a threat, according to Reporters without Borders (1090). For that reason, it also banned smart phones with cameras and internet (1091). Earlier, Al-Shabaab forbade residents under their control to listen to western media broadcasts such as BBC and Voice of America (1092).

In January 2014, Al-Shabaab banned internet in areas under its control, for fear of spying (1093). Reporters without Borders qualified this as a gross violation of freedom of information (1094).

4.3.4 Civil servants, (I)NGO workers, activists

According to several human rights reports, humanitarian workers or civilians working for the Somali government, international and national NGOs, UN agencies, or diplomatic missions are at risk of being targets of attacks and killings by Al-Shabaab. Even in government-controlled areas, targeted killings increasingly occur. The perpetrators are frequently unknown, although Al-Shabaab is often believed to be responsible. Al-Shabaab has also killed prominent peace activists, community leaders, clan elders, and their family members, for their roles in peace-building. Furthermore, politicians, lawmakers and judiciary members face a serious risk of targeted killings (1095).


[1094] See also part 3.5.10.


4.3.5 Returnees from Western countries

According to the Netherlands Ministry of Foreign Affairs, Somalis returning from Western countries may be suspected of spying for the SFG or SFG-allied troops. They usually try to avoid going back to Al-Shabaab-controlled areas, even when their clan lives in that area (1096). Somalis returning from the Diaspora can be at risk of targeted attacks by Al-Shabaab, especially ‘those who are visible and do not blend in’ (1097).

UNHCR states: ‘it is very difficult to survive without a support network in Mogadishu. For newcomers to the city, particularly when they do not belong to the clans or nuclear families established in the district in question, or when they originate from an area formerly or presently controlled by an insurgent group, face a precarious existence in the capital. Somalis from the diaspora who have returned to Mogadishu in the course of 2013 are reported to belong to the more affluent sectors of society, with resources and economic and political connections. Many are reported to have a residence status abroad to fall back on in case of need.’ (1098)

4.3.6 Residents in Al-Shabaab-controlled areas

The human rights situation in Al-Shabaab territory has gradually deteriorated. Analysts observed that, in areas where Al-Shabaab has relatively uncontested control over its territory, there are relatively few reports of targeted violence against civilians. In areas where the group is under strain, or does not have full control, an increase in the number of arrests, detention and executions of non-combatants for alleged spying, as well as increased general levels of violence, are reported within the territory under Al-Shabaab’s control (1099).

Al-Shabaab imposes a strict and harsh interpretation of Sharia law in areas under its control, which prohibits the exercise of several forms of human rights, such as freedom of speech, expression, movement, assembly, and religion (1100).

Many rules affect women in particular, such as those ordering them to wear heavy veils, forbidding them to work and travel together with non-related men, speaking and shaking hands with men without a male relative being present (1101). Men have to wear beards and trousers showing their ankles and cannot wear jeans or moustaches (1102).

In November 2013, Al-Shabaab deprived an entire region of television by seizing satellite dishes, arguing that these radio programmes provided by Al-Shabaab are allowed. In addition, the sale and use of cigarettes and khat are forbidden. Gatherings without prior consent by Al-Shabaab are not allowed (1103).

In November 2013, Al-Shabaab deprived an entire region of television by seizing satellite dishes, arguing that these transmitted images that did not respect Islam. Al-Shabaab also banned internet and the use of smart phones with internet (1103) and cameras (1104), for fear of spying. Earlier, Al-Shabaab had forbid residents under their control to listen to international media broadcasts. Activities such as (watching and playing) football and singing are forbidden as well (1105). Listening to music and watching TV, which are considered ‘unislamic’, are also not permitted (1106). Only radio programmes provided by Al-Shabaab are allowed. In addition, the sale and use of cigarettes and khat are forbidden. Gatherings without prior consent by Al-Shabaab are not allowed (1107).

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At schools, mixed classes are banned, as well as school bells (they sound like church bells). In some areas, teaching and speaking English are forbidden, as is teaching geography and history (1108). Children are (often forcibly) recruited at school (1109), and teachers have to comply. In addition, Al-Shabaab imposes payment of high taxations (zakat) (1110) on farmers and pastoralists that food security is threatened and people flee away (1111).

Interlocutors of the Danish-Norwegian fact-finding mission in November 2013 explained ‘that there is always a risk of being accused of being a spy or collaborating with the government. Sometimes people are being accused simply because they have been selling fruit to the SNAF soldiers.’ (1111) In 2013 and 2014, Al-Shabaab has been executing an increasing number of people, accused of spying for and collaborating with Somali national forces and affiliated militias (1111).

Since ‘Al-Shabaab sees spies everywhere’, any movement can be viewed as being suspicious and needs to be justified, in particular if the movement is between Al-Shabaab areas and areas controlled by the government and AMISOM (1114). People must ask for permission to travel within Al-Shabaab controlled areas (1115).

### 4.3.6.1 Punishments

Public whipping, stoning, beheading, and amputation are regularly used as punishment for those who violate Al-Shabaab’s interpretation of Islam. In addition, thousands are imprisoned under inhuman conditions for relatively ‘minor offences’ such as smoking, listening to music, watching or playing football, or not wearing a full-body covering hijab (1116).

Since 2013, in particular, there has been an increase in beheadings, mutilations, abductions, arrests and disappearances. Interlocutors of the Danish/Norwegian fact-finding mission in November 2013 attribute this increase to Godane’s fight for - and affirmation of - his leadership within Al-Shabaab (1117).

#### 4.3.6.2 Forced marriages by Al-Shabaab

In Al-Shabaab areas, the group abducts girls from schools and streets and arranges compulsory marriages between their fighters and young girls (sometimes not older than 12) (1118). Cases of forced marriages with Al-Shabaab fighters were reported - on a limited scale - in parts of Mogadishu as well (UNHCR mentions an incident in Heliwaa). Many families do not dare to refuse (1119).

Boys are (often initially voluntarily (1120)) recruited with the promise of getting married to a girl. Landinfo noted that many fighters belong to minority clans, and marrying a woman from a majority clan is perceived by some of them as an opportunity to raise their status. Moreover, for young Islamists, getting married and having children signifies that they are ready to fight and can function as suicide bombers. Their young wives may not realise that the marriage

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(1109) See also section 3.5.6.

(1110) Somaliareport, Al-Shabaab abuses of civilians continue, 22 June 2012 (http://somaliareport.com/index.php/post/3467/Al-Shabaab_Abuses_of_Civilians_Continue) accessed 29 May 2014; Sabahionline, El Dher residents flee after al-Shabaab imposes hefty tax demand, 6 March 2014 (http://sabahionline.com/en_GB/articles/hoa/articles/features/2014/03/06/feature-01) accessed 29 May 2014. See also para. 3.5.6 and 3.5.11.


may last only a few years\(^{1123}\). Many girls thus end up as single mothers, the fathers of their children being sent to the battlefield without providing any money. Parents who refuse to give their daughters in marriage to Al-Shabaab fighters risk being killed for not supporting Jihad. According to a prominent Somali cleric, these types of forced marriages, without parents’ consent and not aimed at long-lasting relationships, are unlawful in Islam\(^{1122}\).

Landinfo noted that Al-Shabaab introduced a particular version of widow inheritance (\textit{dumaal}). According to Al-Shabaab, all fighters being brothers, they can marry the widows of fallen comrades, if the new husband has the same rank as the deceased. Neither the woman nor her family can oppose such a marriage, unless they have a high-ranking Shabaab officer in the family\(^{1123}\).

### 4.4 Position of vulnerable persons

#### 4.4.1 Women

Somalia is one of the world’s worst places to be a woman (178th place), according to a May 2014 report by Save the Children. Mothers and children face the highest risks of death, and the steepest roads to recovery, in crisis situations that occur in fragile settings. One in 16 women in Somalia is likely to die of maternal causes in the course of her lifetime. Only with regard to the percentage of women participating in the national government are Somali women not in the lowest range (14 \%)\(^{1118}\).

Provisional constitution provides equal rights to women and men\(^{1125}\). In practise, however, women experience serious inequalities. Under Somali customary law, sexual and gender-based violence often remains unpunished. In rape cases, elders used to compel victims to marry their perpetrator\(^{1126}\). Women are not involved in decisions taken by male elders, but depend on a male negotiator, preferably from their diya-paying sub-clan\(^{1127}\). With regard to the right to own and dispose of property independently, customary, societal and cultural barriers limit women in exercising these rights in practice\(^{1118}\).

Women outside Al-Shabaab-controlled areas have more freedom to move, travel, drive cars, work and trade. They can wear their traditional scarf, rather than a full-body veil. Only at the Bakara market in Mogadishu, where Al-Shabaab is present, women have to wear a \textit{niqab} (in which only the eyes are uncovered) to be able to move around\(^{1115}\).

In Al-Shabaab regions, women and girls face serious risks of being abducted by Al-Shabaab and forced into marriages with Shabaab fighters. They can also be forced to work for Al-Shabaab as cleaners, cooks and porters\(^{1110}\). In some cases, girls have been used as suicide bombers as well\(^{1115}\).

For information on forced recruitment of girls and women, see part 3.5.7.

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\(^{1122}\) Save the Children, State of the World’s Mothers Report 2014 - Executive Summary (http://www.savethechildren.org/atf/cf/%7B8f9ef2ebe-10ae-432c-9bd0-df9162eb74d7%7D/SOWM_2014%20_EXEC_SUMMARY.PDF) accessed 29 May 2014.


\(^{1124}\) HRW, Here, rape is normal - A Five-Point Plan to Curb Sexual Violence in Somalia, February 2014 (http://www.hrw.org/sites/default/files/reports/somalial2124_forUpload.pdf) accessed 29 May 2014, p. 34.


4.4.1.1 Sexual and Gender-based violence

The law prohibits any form of violence against women (1132). Yet, sexual violence is pervasive in Somalia and ‘a fact of everyday life for women and girls’ (1133). Perpetrators include government security forces, members of armed opposition groups, militias and private actors. All operate with impunity, according to Amnesty International. Female-headed households (mostly divorced or widowed women with children) in the overcrowded IDP-camps are extremely vulnerable. In 2012 at least 1 700 cases of rape in IDP settlements were reported. Seventy per cent of these were carried out by armed men wearing government uniforms and 30 % of the victims were minors (1134). During the first six months of 2013, 800 cases of sexual and gender-based violence were registered in Mogadishu alone. Many of these acts of violence were committed by ‘men in uniform’, be they militia, soldiers, police or other (1135).

There are few reports of sexual exploitation and abuse by AMISOM. In August 2013, a woman claimed that she was abducted by SNAF soldiers and was then taken to AMISOM soldiers in Maslah Military Camp, Mogadishu, who gang-raped her. A SNAF-AMISOM investigation into the incident has not lead to arrests in 2013 (1136).

The law criminalises rape, providing for penalties of five to 15 years in prison. Sentences from military courts for rape include death, but the law is not enforced (1137). It is extremely difficult for women and children experiencing sexual violence to find justice. Moreover, many survivors of sexual violence do not report their attacks to the police, fearing stigmatisation, new abuse, unwillingness to investigate the case or accusation of adultery (1138).

There is one shelter for rape victims run by the Elman Peace and Human Rights Centre in Mogadishu (1139) and one in Afgooye (1140).

In March 2013, the UN Security Council urged AMISOM to take measures to prevent sexual violence and to investigate claims of sexual abuse (1141). In April 2013, for the first time, President Hassan Sheikh Muhamud acknowledged sexual abuses by the SNAF and announced ‘Those few among the security forces who rape and rob our citizens must be fought and be defeated just like Shabaab’ (1142). On 7 May 2013, FGS and the United Nations signed a joint statement to end violence against women and girls. The UN Working Group on gender-based violence, chaired by UNFPA, developed a 2014-2016 strategy around four key areas: prevention; service provision and response; access to justice and rule of law; and coordination. In May 2014, the Federal Government launched a draft action plan on addressing sexual violence in conflict (1143).

4.4.1.2 Forms of marriage

There are three forms of marriages in Somalia:

- **Arranged marriage**

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• The daughter asks her father for permission to marry a certain man or boy
• Run-away marriage\(^{1144}\)

Arranged marriages are the most common form of marriage. They require the consent of both partners and their parents or caretakers. However, refusing a marriage arranged by her father is very unusual for a young girl because of the strong social pressure\(^{1145}\).

If the daughter has chosen a lover herself, and her father does not give his permission to marry the man of her choice, the couple can decide to elope together. The run-away (secret) marriage, without informing the parents, is becoming more common in Somalia, especially in areas where Al-Shabaab (which opposes the practice) is not present. A distance of 90 to 100 km between the residence of the girls’ father and the place of marriage\(^{1146}\) is required for the union to be valid. The couple cannot live together before informing their families. Usually, this is done when the woman has become pregnant\(^{1147}\).

4.4.1.3 Early marriages

The provisional federal constitution does not specify a minimum age for marriage, but states ‘no marriage shall be legal without the free consent of both the man and the woman, or if either party has not reached the age of maturity. (...) A child is a person under the age of 18.’\(^{1148}\)

However, early marriages are still common. In rural areas, it is not unusual that children are married as early as thirteen\(^{1149}\). According to the US Department of State, parents in rural areas often compel their daughters as young as 12 to marry\(^{1150}\). In towns, children are commonly married when they turn fifteen\(^{1151}\). In 2013, 45 per cent of women between the ages of 20 and 24 were married by age 18, and 8 % were married by age 15. In Al-Shabaab areas, girls as young as 12 have been forcibly married to Al-Shabaab leaders and warriors\(^{1152}\).

4.4.1.4 Female Genital Mutilation/Cutting (FGM/C)

According to the 2012 Provisional Federal Constitution: ‘Female circumcision is a cruel and degrading customary practice, and is tantamount to torture. The circumcision of girls is prohibited.’\(^{1153}\)

However, the FGS does not enforce the law. The practice is widespread throughout Somalia. UNICEF data (2013) indicate that 98 % of women and girls have undergone FGM/C, the majority of whom (63 %) were subjected to infibulation\(^{1154}\), the most severe and most invasive form of FGM/C. In more than 80 % of cases, FGM/C is performed on girls between five and nine years old; in about 10 % between 9 and 14; and in about 7 % between 0 and 4 years old\(^{1155}\).
According to interlocutors of the Swedish fact-finding mission (Lifos) in October 2013, ‘Al Shabaab has banned FGM\(^{1156}\) and, according to consulted sources, FGM does not occur in the areas controlled by Al Shabaab. (…) Girls in areas not controlled by Al Shabaab are still subjected to FGM.’ Lifos adds that, although prevalence is slightly decreasing, most girls all over Somalia still undergo FGM\(^{1157}\).

Women who have not undergone FGM/C are stigmatised in Somali society and have less chance to marry. There are indications that some families abandon infibulation and opt for a lighter form of FGM/C (commonly called sunna), particularly in urban areas, and that FGM/C is slightly less common among girls between the age of 15 and 19 than among women between 45 and 49 years old\(^{1158}\).

4.4.2 Children

Fifteen per cent of children born in Somalia die before their first birthday\(^{1159}\). Children are the most affected by the humanitarian crisis, and were especially affected during the famine that hit the country between 2010 and 2012\(^{1160}\). Acute malnutrition has affected 203 000 Somali children in total, while in the south at least 50 000 children face increased risk of death, due to malnutrition\(^{1161}\).

According to the Provisional Constitution, the age of maturity is reached at 18\(^{1162}\). However, in practice, children from 15 years on are considered mature, for example with regard to marriage (see paragraph 4.4.1.3)\(^{1163}\).

On average children receive less than 2.5 years of formal schooling. Girls’ school enrolment rate is much lower than that of boys, and girls are more often illiterate (see paragraph 1.6)\(^{1164}\).

Child labour is also widespread (50 %). Children are often found in poorly paid jobs, in manual and domestic labour, as in the case of girls working as domestic servants, and boys working as shoe shiners, car washers, or in repair shops\(^{1165}\).

Children’s rights are often violated in Somalia, especially in the conflict-ridden areas. Children have been mutilated, killed, raped, and recruited as soldiers by armed groups\(^{1166}\). Children are often the main victims of indiscriminate shooting and fighting. The number of abandoned, orphaned, separated and displaced children living in the streets has increased enormously since 2008.

In 2012, 4 660 cases of violations against children by armed forces and armed groups were documented, of which 2 058 concerned recruitment and use of children in the armed conflict (2 008 boys and 43 girls). Al-Shabaab was responsible for 1 789 cases of child recruitment in 2012, while the SNAF committed 179 such violations\(^{1167}\). Between November 2013 and April 2014, 447 incidents of grave violations (mostly abductions and recruitment) affecting 436

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\(^{1156}\) This is confirmed by UNICEF in: AP, Female Genital Mutilation Down, 16 April 2013 (http://bigstory.ap.org/article/somalia-female-genital-mutilation-down) accessed 30 May 2014.


\(^{1158}\) Save the Children, State of the World’s Mothers Report 2014 - Executive Summary (http://www.savethechildren.org/attf/cf/%7B9def2ebe2ebe-10ae-432c-9bd0-df9162eb2a74a%7D/SOWM_2014%20EXEC_SUMMARY.PDF) accessed 29 May 2014, p. 79.


\(^{1161}\) Federal Republic of Somalia, Provisional Constitution, adopted on 1 August 2012 (http://unpos.unmissions.org/LinkClick.aspx?fileticket=RkJTOSpoMME=) accessed 30 May 2014.


children (409 boys and 27 girls) were reported to the United Nations. Most violations were committed by Al-Shabaab (57%), followed by the SNAF and allied militias such as ASWJ (31%). The violations concerned recruitment, sexual violence, arbitrary arrest and detention of children (1164).

On 3 July 2012, the United Nations and the Transitional (later Federal) Government signed an action plan to halt and prevent the recruitment and use of children and, on 6 August 2012 they signed another action plan to end the killing and maiming of children (1169).

4.4.2.1 Child soldiers under Al-Shabaab

Most child soldiers are recruited and used by Al-Shabaab (117b), as indicated in the previous section. Children are recruited at schools, play grounds, from the streets and their own houses, and are sometimes as young as eight years (117b). They are also recruited from IDP camps. Some engage voluntarily, lured by money, goods, food or a wife (117b).

Abducted children spend some months at the Al-Shabaab training camps where they are subjected to intense physical training, training in the use of weapons, religious indoctrination, and undergo regular physical punishment. They are often undernourished and have to witness the punishment and execution of other children. Boys are often used as porters, as spies gathering intelligence, or suicide bombers, or to plant roadside bombs and other explosive devices. They are also sent to the frontline as ‘human shield’ to protect adult fighters.

In addition to fighting, boys and girls also carry bullets, water and food into the battlefield, and take wounded and dead bodies away. Girls are generally used as domestic workers and ‘wives’ or for sexual services for Al-Shabaab fighters (117b).

Residents in Al-Shabaab-controlled areas are increasingly expressing their outrage against the use of young children by Al-Shabaab as suicide bombers, thereby risking their lives (117b).

Child soldiers who escape the Shabaab army, for example after refusing to kill people or place bombs, may be threatened to be killed and may have to flee to safer areas (117b).

4.4.2.2 Child soldiers amongst SNAF and AMISOM

Since 2012, a constitutional ban to recruit and use child soldiers has been in place (117b). According to the US State Department (2013), ‘Reports of child soldiers in the national security forces, government-allied militias, and Al-Shabaab continued. (…) There were isolated reports of children used in non-combatant roles by AMISOM forces. (…) To prevent recruitment and use of child soldiers the Somali National Army screened more than 1 000 new troops. In view of the absence of established birth registration systems, it was often difficult to determine the exact age of national security force recruits. (…) The screenings in Bihanga identified no recruits as children.’ (117b)

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Sometimes, FGS detains children allegedly associated with Al-Shabaab, for example in the Mogadishu Central Prison, where children are reported to be kept under dire circumstances, locked up together with adults. On 12 December 2013, the Serendi Rehabilitation Centre for defectors in Mogadishu opened a special wing for children.

### 4.4.2.3 Street children

A large population of homeless children live and work on the streets, but numbers are difficult to estimate. UNICEF estimated that at least 5,000 children lived on the streets in Mogadishu in 2008. In 2011, during the famine which led many rural people to the capital, the number of street children was estimated at more than 11,000. The number is likely to rise even more, as child soldiers are being released as part of the governmental rehabilitation programme. Since the government lacks shelters for street children, former child soldiers may end up in the streets. The situation of street children outside Mogadishu is less documented.

A few private organisations have established orphanages or homeless centres, such as the Somali Orphans, Disabled, Homeless and Children’s Centre, opened in Mogadishu in February 2012. The NGO Kheyre Development and Rehabilitation Organisation (Kedro Creek) shelters street children as well. Many children are orphans; some are ex-child soldiers with drug-related problems. Drugs addictions and war traumas require specialised treatment which small NGOs cannot provide however, thus putting children at risk of being abused and becoming easy targets for militias’ recruitment again.

#### 4.4.3 LGBT

The Provisional Constitution (2012) does not contain articles on homosexual, lesbian, bisexual or transgender persons (LGBT). The only legal text in place is the 1962 Penal Code, Legislative Decree No 5/1962, Article 409, stating that homosexuality is illegal and is punishable by up to three years in prison: ‘Whoever has carnal intercourse with a person of the same sex shall be punished, where the act does not constitute a more serious crime, with imprisonment from three months to three years. Where the act committed is an act of lust different from carnal intercourse, the punishment imposed shall be reduced by one third.’

The legal practice in South/Central Somalia consists of a variety of local customary law (xeer) and Islamic law. In Al-Shabaab-controlled areas, same-sex contacts and acts are punished according to the Sharia by flogging or stoning. On 15 March 2013, Al-Shabaab stoned to death an 18-year-old man in Baraawe, Lower Shabelle Region, for engaging in a homosexual act. One Al-Shabaab official stated that the man had forced a 13-year-old boy to have sex with him. This information could not be corroborated by other sources.

Somali LGBTs living in Kenya express fears of being prosecuted and killed upon their return to Somalia. The same is true for HIV-infected persons, who fear being killed if their disease is known. Al-Shabaab announced ‘their intent to “enforce harsh punishment” against perpetrators of adultery and homosexuality as a means of attracting funding from religious groups and sects.’
With regard to discrimination against LGBT persons, very little information is available. As the US State Department concludes: ‘Society considered sexual orientation a taboo topic, and there was no known public discussion of this problem in any region of the country. There were no known LGBT organisations, and no LGBT events occurred. There were few reports of societal violence or discrimination based on sexual orientation due to severe societal stigma that prevented LGBT individuals from making their sexual orientation publicly known.’ (\footnote{US Department of State, Country Report on Human Rights Practices for 2013 - Somalia, 27 February 2014 (http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dlid=220158) accessed 2 June 2014.})
5. Migration, displacement and internal mobility

Article 21 of the Provisional Constitution protects freedom of movement within the country and the right to leave the country\(^{(1189)}\).

IOM identifies the main migratory issues in Somalia \(^{(1190)}\):

- ‘Forced Migration: due to conflicts and natural disasters, resulting in IDPs and refugee outflows.
- Irregular Migration: due to poverty and limited livelihood options often resulting in victims being trafficked and smuggled.
- Mixed Migration: the use of one migration route by several different groups of migrants including asylum seekers, economic migrants, victims of trafficking and smuggling.
- Traditional and Cross-border Migration: linked to nomadic cross-border movement. It is mainly a survival strategy such as pastoralists looking for pasture and cross-border trade abroad and within the region.’

The Regional Mixed Migration Secretariat (RMMS) refers to the Yemen Mixed Migration Task Force which indicates the main push factors for migrants leaving Somalia: lack of opportunities, insecurity and drought/famine \(^{(1191)}\). Another driver is the traditional search for fresh pastures \(^{(1192)}\).

5.1 Possibility to leave the country

According to IOM, one of the main migration challenges in the horn of Africa is that thousands of migrants from Ethiopia and Somalia continue to attempt to travel to Yemen and beyond, for both economic and security related reasons, thereby submitting their lives to smugglers. The main drivers for the movement are economic and security-related. The 3 300 km long coastline is one of the most dangerous stretches of water because of piracy. Lucrative businesses like piracy, drugs and weapons smuggling are interlinked with human smuggling through the Gulf of Aden \(^{(1193)}\).

The four main migration routes of Somali migrants are the following \(^{(1194)}\):

- Eastern route: via Yemen to Saudi Arabia and possibly further on;
- Northern route: via Egypt (Sinai) to Israel. As from mid-2012, this route has been severely restricted due to Israeli immigration measures;
- Western route: via Sudan to Libya, which can be the country of destination or transit to Europe via the Central Mediterranean route (Malta and Italy);
- Southern route: via Kenya (destination or transit country) to South Africa.

An estimated (January 2014) 600 to 900 Somali migrants per month opt for routes to the north, with Libya and Egypt as main destinations on the one hand, and Yemen and Saudi Arabia on the other hand. In the beginning of 2014, an increase of arrivals on the Yemeni shores (Gulf of Aden) was recorded \(^{(1195)}\). In April 2014, nearly 1 500 Somalis arrived on the Yemeni shores. This number was 6 % lower than in April 2013. Somali migrants originated mainly from


Mogadishu, Merka, Wanla Weyn, Galkacyo, Bossaso, Hiiraan, Borama, Awdal, and Hargeysa and were predominantly from the clans of Hawiye, Digil/Mirifle, Darod, Issaak and Dir. A large number of them had basic education and were farmers, herders, unskilled labourers or traders (1196).

Nairobi is an important destination for Somali migrants. They also move south, led by smugglers, down the eastern corridor of Africa (via Mombasa) towards South Africa. They travel by sea or by land and meet a lot of violence and death on their way due to xenophobic attacks in South Africa and transit countries (1197).

Migrants travelling (2014) from Mogadishu via land over Galkacyo, Garoowe and Hargeysa to reach Lawya Caddo on the border with Djibouti were reported to have paid between USD 30 and USD 120 per person. They subsequently paid between USD 150 and USD 250 to move to the place of embarkation (Obock) and further to Yemen. Migrants travelling from Mogadishu to Berbera by plane and from there to Yemen paid between USD 350 and USD 450 for the entire journey (1198).

Another form of migration is pastoralist movement, which can be cross-border. There are millions of pastoralists in Somalia whose migration can be driven by several factors, such as drought or conflict (1199).

5.2 Possibility to travel within the country

Mogadishu, Belet Weyne and Galkacyo are important transit and departure points for migrants moving up north to Puntland, Somaliland and Djibouti. An important land route is via Galkacyo to Puntland, via Garoowe to Bossaso, or via Laascaanood. Human smugglers facilitate these journeys by offering the use of private vehicles. Many, who cannot afford the smugglers’ services, walk. Migrants have to pass checkpoints and pay bribes on these land routes. They have been increasingly using flights from Mogadishu to Berbera or Hargeysa in order to avoid dangers on the roads (1200).

Illegal checkpoints on the roads are a restriction to free movement. Drivers are stopped and asked for money (1201). There are still government checkpoints in Mogadishu. However, according to one source, they are poorly run and the men arming them only look at passengers of vehicles and rarely check people or luggage in vehicles (1202). Bribing policemen in order to avoid a search of the vehicle and travellers inside is common (1203).

5.3 IDPs

In April 2014, UNHCR estimated the total number of IDPs in Somalia at around 1.1 million, most of whom were situated in South/Central Somalia. Mogadishu counted an estimated 369,000 IDPs as follows: Galgaduud 120,000; Lower Shabelle 103,000; Gedo 77,000; Mudug 71,000; Hiiraan 51,000; Bay 40,000; Lower Jubba 31,000; Middle Jubba 27,000; and Bakool 24,000 (1204).

UNOSAT (the UNITAR Operational Satellite Applications Programme) monitored the IDP settlements in Somalia in the following locations: (1205) north of Galkacyo, Kismayo, Galkacyo, Baidoa, Mogadishu and the Afgoye Corridor.

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(1202) Mubarak, M., ‘Mogadishu security declines as armed forces stretched outside capital’, African Arguments (weblog), 16 April 2014 (http://africanarguments.org/2014/04/16/mogadishu-security‑declines‑as‑armed‑forces‑stretched‑outside‑capital‑by‑mohamed‑mubarak/) accessed 7 June 2014.
In 2012 and 2013, the government forcibly evicted thousands of people from IDP settlements in Mogadishu to improve the security situation and develop the city. No alternative residence places or safety measures were foreseen by the government.\(^{(209)}\)

For more information on the humanitarian situation of IDPs, see section 1.8.2.3.

### 5.4 Refugees

Until 31 May 2014, UNHCR registered 952 000 Somali refugees in the Horn of Africa, Yemen and Egypt. Most of them were registered in Kenya (425 879), Ethiopia (244 956), and Yemen (231 244)\(^{(210)}\). A large part of these refugees (in June 2014: 339 292 individuals) lives in the five camps of Dadaab (Dagahaley, Ifo, Ifo 2, Hagadera and Kambioos) and the Alinjugur camp in Kenya\(^{(210)}\). Most of the Somali refugees in Ethiopia are found in Dolo Ado camp near the Somali border\(^{(210)}\).

### 5.5 Return

Since Mogadishu and other towns and parts of Somalia have been recovered by AMISOM and SNAF, many Somali refugees have permanently or temporarily returned to Somalia and many Somali IDPs have returned to their home area.

While one in six Somalis presently still lives outside the country, host countries ‘are keen to see solutions which will diminish these responsibilities.’\(^{(210)}\)

The most crucial prerequisite is the possibility to return home in safety\(^{(211)}\). The facilitation of large-scale return, according to Laura Hammond\(^{(211)}\), will depend on the expansion of areas under control of the FGS as well as on the expansion of government ability to provide services and protection (especially in rural areas)\(^{(212)}\).

#### 5.5.1 Voluntary Return: Diaspora

Many persons from the diaspora return to Mogadishu\(^{(214)}\). Many of those returnees have permanent residence or citizenship in another country. In addition, many of them are economically relatively independent. If the security situation dictates, they can leave Somalia again\(^{(215)}\).

In general, those who return should first contact their clan and ensure its support\(^{(215)}\). It appears important to have a network in the locality one returns to\(^{(217)}\).

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\(^{(217)}\) Landinfo/Utlandningsstyrelsen, Update on security and protection issues in Mogadishu and South-Central Somalia, March 2014 (http://landinfo.no/asset/2837/1/2837_1.pdf) accessed 26 May 2014, p. 22; see this report for an extensive assessment of the situation of diaspora returnees.


According to Sabahi Online, an Al-Shabaab commander issued a statement that the terrorist group will hunt down returnees as they ‘are the same as the infidels’ ([1218]). Returnees are seen as introducing ‘wrong ideas.’ ([1219]) However, a source says that there is no specific threat for returnees to Mogadishu ([1220]).

To settle in Mogadishu, one needs clan protection (security) and nuclear family (livelihood support) ([1221]). The nuclear family will ensure support if needed ([1222]). The extended family will only provide support for a few days and cannot be seen as a long-term solution for livelihood or accommodation ([1223]). If a person is not from Mogadishu, he/she will need sufficient funds in order to settle in the capital ([1224]). Education, skills and cash grants can also facilitate settlement in Mogadishu. Furthermore, local NGOs can assist new settlers ([1225]).

5.5.2 (Assisted) Voluntary Return: IDPs

UNHCR continues to assist IDP returns from Mogadishu ([1226]). The so-called Return Consortium, led by UNHCR ([1227]) and comprising eight United Nations entities and NGOs (FAO, DRC, IOM, Intersos, Islamic Relief, UNHCR, NRC and WFP) ([1228]), already assisted some 40 000 people to return, mainly from Mogadishu to their places of origin in Bay, Lower Shabelle and Middle Shabelle ([1229]). Additionally, the consortium wants to develop a common approach, including common returns packages and agreements on common procedures (i.e., conducting go-see visits, pre-departure medical checks, etc.) ([1230]). It provides transport to returnees, shelter packages, livelihood packages, and cash payments for food and essential non-food items for at least three months. Customised assistance packages for vulnerable households are available ([1231]).

The Durable Solutions Unit of UNHCR intends to assist about 15 000 voluntarily returning IDP households in 2014. This is a significantly higher number than in 2013 when 11 000 households were assisted while returning to Bay, Lower and Middle Shabelle, Gedo and Hiiraan ([1232]).

In addition to assisted returns, some 14 000 IDPs spontaneously returned to their place of habitual residence in 2013. This number has clearly risen in the first three months of 2014, when 9 070 people spontaneously returned home ([1233]).
Insecurity in the areas, such as the military campaign in early 2014, may hamper returns. Furthermore, many people have lost access to land or property in rural areas and therefore might not be able to support themselves. Availability of farmland appears as one of the main obstacles to return. The return of formerly displaced persons to areas previously occupied by Al-Shabaab continues to cause disputes over land ownership. The fact that Al-Shabaab is still active along roads and routes between cities under governmental control and in many parts of rural South/Central Somalia constitutes another obstacle, as even those who are able to access land might be unable to access relevant trading centres or markets.

An international agency running a return program for IDPs in South/Central Somalia mentioned nonetheless that it ‘has not faced any problems except for the strong spying factor.’

5.5.3 (Assisted) Voluntary Return: Refugees

In 2013 alone, at least 30 000 people, but possibly more than 34 000, crossed over to Somalia, mainly from Kenya and Ethiopia. ‘Many refugees are preparing themselves for the possibility of some form of return.’ It is estimated that as a first step some 10 000 Somali refugees will receive support to return to three pilot areas: Baidoa, Kismayo and Luuq. Logistic arrangements (way stations at the crossing point and at the district capital at areas of return) have been made to support this process.”

On 10 November 2013, a tripartite agreement on voluntary return was signed between Kenya, Somalia and UNHCR. The parties agreed on a six-month pilot project to assist voluntary returnees. It is estimated that as a first step some 10 000 Somali refugees will receive support to return to three pilot areas: Baidoa, Kismayo and Luuq. Logistic arrangements (way stations at the crossing point and at the district capital at areas of return) have been made to support this process.”

completed (1259). Initially focusing on IDP returns, the Return Consortium mentioned above is anticipated to be expanded to refugees (1250). However, volatility in the region, especially in the Baidoa area, could impact durable solutions (1251).

As of 25 March 2014, more than 2 600 persons willing to return to the designated pilot areas have approached the UNHCR Return Help Desk within the Dadaab refugee camp (1252). Laura Hammond stated that: ‘many refugees are preparing themselves for the possibility of some form of return.’ (1253) However, UNHCR emphasises that any assistance provided by the agency is only directed to ‘individuals who, being fully informed of the situation in their places of origin, choose voluntarily to return.’ (1254) As UNHCR emphasises it, the agreement is addressed to ‘Somali individuals who, being fully informed of the situation in their places of origin, choose to return voluntarily.’ (1255) However, criticism focuses on the extent to which information is available to possible returnees as well as on the question of voluntariness in an environment in which Laura Hammond states that optimism is only one driving factor, while growing intolerance and insecurity for Somali refugees in their host country are the others (1256).

There are additional recommendations not to return people to areas where they cannot rely on their nuclear family and on sub-clan support as this could put them in danger (1257). IOM states that it currently applies a ‘policy of no returns to Somalia’ (1250). This policy is justified by the following factors:

- a lack of ability to monitor protection
- a lack of ability to monitor local absorption capacities
- security and stability
- access to areas of return
- access to livelihood and basic services
- access to political and social life
- access to legal advice
- formal agreements between sending and receiving governments (1259)

While signing the above mentioned tripartite agreement (see section 5.5.3), several partners underlined that conditions for large-scale returns are not yet in place (1250). According to the Heritage Institute for Policy Studies ‘the Somali government does not have the absorption capacity needed to receive and resettle significant numbers of refugees from Kenya safely and humanely. The institutions responsible for a task of this scale are either chronically weak or nonexistent.’ (1261)

[1268] Landinfo/Udlændingsstyrelsen, Update on security and protection issues in Mogadishu and South-Central Somalia, March 2014 (http://landinfo.no/asset/2837/1/2837_1.pdf) accessed 26 May 2014, p. 44.
5.5.4 Forced Return

Hardly any countries conduct forced returns to South/Central Somalia. Most of the forced returns were assigned to the Kingdom of Saudi Arabia, (1265) where much effort is put into the enforcement of new laws against irregular migration (1266). In addition, Saudi Arabia has neither ratified the 1951 Refugee Convention nor is there an existing asylum system (1267).

According to UNHCR, 'Since December 2013, over 34 000 Somalis have been deported from different countries to Somalia, often in the context of efforts to address irregular migration and security concerns.' (1268) Most of them were deported from Saudi Arabia (33 605 between December 2013 and May 2014) (1269). Some additional thousand Somalis are expected to be returned soon (1270).

UNHCR states that, 'The majority of deportees are young Somali men and women, although in a number of instances children and elderly people have also been deported. Reports of split families are common. Many of those deported have found themselves in an IDP-like situation in Mogadishu. Amongst the deportees there have been confirmed cases of registered refugees and asylum-seekers.' (1269)

After a terrorist attack took place in Mombasa, on 25 March 2014, the Kenyan Government issued an order requiring some 50 000 refugees (mostly Somali) residing in urban centres to relocate to either Dadaab or Kakuma refugee camps (1270). Following this event, on 2 April, Operation Usalama (1271) began. In this security sweep that lasted several days, some 4 000 persons were detained in Nairobi and Mombasa (1272). Out of those, 82 illegal migrants who, as the Somali ambassador to Kenya put it, 'chose to return', have been deported to Mogadishu in April 2014 (1273). Another 80 followed on 19 May 2014 (1274). Overall, it is reported that, as of 20 May 2014, 359 (1275) Somali nationals ‘have been deported to the motherland.’ (1276)

A number of deportees from Saudi Arabia do not originate from Mogadishu but from elsewhere in South/Central Somalia (1276). The way Saudi Arabia deals with these deportations is criticised by many (1277). Moreover, there is hardly any assistance provided to the returnees in Mogadishu. There are concerns ‘that the deported migrants might exacerbate the already dire situation in Mogadishu.’ (1278)


(1267) HRW, Saudi Arabia: 12,000 Somalis Expelled, 18 February 2014 (http://www.refworld.org/docid/530719344.html) accessed 5 May 2014.


(1272) UN OCHA, Humanitarian Bulletin; Eastern Africa; Issue 34; 8 March and 4 April 2014, 4 April 2014 (http://www.ecoi.net/file_upload/1925_1397556904_hb34.pdf) accessed 6 May 2014, p. 4; a similar order was given as early as December 2012, when the Commissioner of the Department of Refugee Affairs, Badu Katelo, ordered all refugees and asylum seekers to leave urban areas and return to allocated camps. After an injunction by the High Court of Kenya, issued on 22 January 2013, the relocation of refugees to the camps was temporarily halted. See: HIPS, Hasty Repatriation, 2013 (http://www.heritageinstitute.org/hastyrepatriation/) accessed 5 May 2014, p. 7.


IOM and its partners provide some assistance (reception, repatriation, health, psychosocial support, food and clean water, onward transportation) \(^{(1279)}\). Vulnerable cases are being provided accommodation and protection support \(^{(1280)}\).

In this context, UN OCHA notes: ‘Humanitarian partners have underscored that conditions in Somalia are not yet conducive for wide-scale refugee return and mass returns could, in fact, cause instability and worsen humanitarian levels.’ \(^{(1281)}\)

Many EU+ countries still apply a policy that excludes forced returns to South/Central Somalia \(^{(1282)}\). Currently, there is hardly any statistical information available concerning forced returns from EU+ countries to South/Central Somalia, with the exception of the Netherlands. Since 14 December 2012 ‘the (Dutch) Minister for Migration decided that forced returns to Somalia are possible again because Mogadishu is considered an area where stay or transit are no longer an unacceptable risk. (…) The Repatriation and Departure Service returns Somali foreign nationals to the airport in Mogadishu.’ \(^{(1283)}\) In 2013, the number of voluntary returns to Somalia amounted to approximately 50, whereas the number of forced returns was ‘less than 5.’ \(^{(1284)}\)

Only fragmented information is available on forced returns operations by other countries. In September 2013, the ECHR paved the way for a forced return operation to South/Central Somalia by Sweden \(^{(1285)}\). HRW states that ‘some EU member countries returned failed Somali asylum seekers to Mogadishu, contending that apparent improvements in Mogadishu meant they no longer needed protection on human rights grounds’ \(^{(1286)}\). The BBC mentions that both the United Kingdom and Sweden have returned one Somali national to Somalia but does not mention the location where those persons were returned to \(^{(1287)}\).

The UNHCR, under the present circumstances, ‘urges States to refrain from forcibly returning any persons to areas of southern and central Somalia that are affected by military action and/or ensuing displacement, remain fragile and insecure after recent military action, or remain under control of non-State groups’ \(^{(1288)}\).


\(^{(1282)}\) Ad-hoc query made by the authors.

\(^{(1283)}\) Repatriation and Departure Service (The Netherlands), Response by e-mail, 27 May 2014.

\(^{(1284)}\) IND (The Netherlands), Response by e-mail, 27 May 2014.


Annex 1: List of sources

Electronic sources


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Annex 2: Terms of Reference

The report aims at providing basic information on South/Central Somalia and focusing in more detail on topics which are relevant to Protection Status Determination (PSD) procedures. The following elements are to be included in the table of contents:

Acknowledgments
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      • Administrative divisions
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      • Languages
      • Religion
   3. Short history /timeline
   4. State structure
      • Parliament, government, administration
      • Judiciary
      • Military, police, security services
   5. Political landscape
   6. Education
   7. Media and (tele-)communications
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   9. Socioeconomic/humanitarian situation
   10. Documents (incl. legal regulations)
      • Birth, marriage and death certificates
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   • Ethnic minority groups
   • Occupational groups
   • Customary law/xeer
   • Clan protection/support

3. Security situation
4. Human rights situation
   1. Legal context (relevant legislation: constitution, treaties, citizenship etc.)
   2. General situation (arbitrary arrests, detention, torture, disappearances, situation in detention facilities)
   3. Specifically targeted groups (e.g. ethnic/religious minorities, journalists, human rights defenders, Western returnees, civil servants etc.)
   4. Position of vulnerable persons (children, women, LGBTI)

5. Migration and internal mobility
   — Possibility to leave the country
   — Possibilities to travel inside the country
   — IDPs
   — Refugees
   — Return

Annexes

Bibliography/Sources
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