ARC and DCR comments on the EASO Country of Origin Information report: South and Central Somalia Country overview, August 2014 (published in October 2014)

21 November 2014

Asylum Research Consultancy (ARC) and the Dutch Council for Refugees (DCR) welcome the publication of theCountry of Origin Information (COI) report: South and Central Somalia Country overview.

As our previous responses to EASO consultations and comments on EASO Work Plans have indicated, we are particularly interested in the EASO COI methodology and await the formal consultation on its proposed revision early next year.[1]With this in mind,we are pleased to note that the EASO COI report on South and Central Somalia (from now on referred to as the EASO Somalia report) does not 'draw conclusions' (as provided for in the COI Methodology report), or include distinct 'summary' or 'analysis' sections as for example the previous COI report on Afghanistan 'Insurgent strategies — intimidation and targeted violence against Afghans' (December 2012) did.

As active members of the Consultative Forum, we would have welcomed the opportunity to input into the Terms of Reference of the report or to have been able to provide the following comments in advance of the report's final publication, which are based on an initial reading of the report, focusing on 'Chapter 4. Human Rights situation':

Observations and recommendations

- We note that this report was written according to the 2012 EASO COI Report Methodology. A general concern that we have previously raised about that document still applies in relation to:

    Disclaimer
    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.

    It is considered that not citing the sources consulted in cross checking information undermines the transparency of the report. Whilst it may not be necessary to cite all of the sources consulted on a particular issue, it is considered necessary to provide references of corroborative material. This has not been done consistently throughout the report.

- On some of the most important themes (ethnic and religious minority groups, women, return) we did not find any new or revised insights, compared to the December 2013 ambtsbericht (Dutch COI report of December 2013[2]). This is partly due to the extensive use of identical sources in the two reports. We don't see a problem with this *per se*, but welcome the use of recent and

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[1]See ARC and Dutch Council for Refugees (DCR), Comments on the EASO Country of Origin Information report methodology, November 2012
[2]Ministerie van Buitenlandse Zaken, Algemeen ambtsbericht Somalie, December 2013

various sources, and suggest EASO to use a combination of for instance government material, NGO-reports, newspaper articles, interviews etc.

- As corroborative COI is not always cited,in some instances readers are only directed to one report which may result in incomplete information being presented. For example:

> **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).
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> (1026) 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 27 May 2014, p. 3-4.

In comparison, the December 2013 Somalia ambtsbericht states that "also non-Al Shabaab members engage in kidnappings. There were numerous reports of kidnappings of particularly women by members of the national army and the security services".EASO cites only one source, while the ambtsbericht presents four sources, two of which are relevant to South and Central Somalia; the Landinfo/Danish Immigration Service: Security and protection in Mogadishu and South-Central Somalia (May 2013) and Somaliland Sun: Army accused of kidnapping and pimping local girls to foreign troops (11 August 2013).[3]Indeed, there is reference to this issue at section '4.4.1.1 Sexual and Gender‑based violence' in the EASO Somalia report. Other COI available (emphasis added) also indicates that the army is responsible for abductions. For example:

> ➢ [United Nations Security Council Report of the Secretary-General on Somalia, 3 March 2014](#)
> […] Child protection
> 50. In November and December 2013, 386 incidents of grave violations affecting 367 children (359 boys and 19 girls) were reported to the United Nations Country Task Force on Monitoring and Reporting. Overall, most of the violations were committed by Al-Shabaab (57 per cent**), followed by the Army and allied militias (31 per cent), who were the main perpetrators of abductions (99 cases).** Al-Shabaab was responsible for most cases of the recruitment and use of children (196 cases). […]

> ➢ [Human Rights Watch, Somalia: Deeply Flawed Rape Inquiry, 11 November 2013](#)
> Somali authorities should order a new, impartial, and transparent investigation into an alleged gang-rape by African Union (AU) soldiers. The case has been marred by mismanagement, opacity, and the harassment of the female rape survivor and support service providers.
> **A Somali woman told local media on August 9, 2013, that Somali government forces had abducted her the day before in a northern district of the country's capital, Mogadishu.** They handed her over to men she alleged were troops from the African Union Mission in Somalia (AMISOM), based on their physical characteristics and the language they spoke. She said they gang-raped her and then dumped her on the streets. Three months on, the government's investigation into the case has been mismanaged and no findings have been made public. […]

- The information offered in the EASO Somalia report is often quite limited/dense. This seems to be especially the case in 'Chapter 4. Human Rights situation', which appears to be relatively short in comparison with other chapters. As a result, in relation to sub-section '4.2 General situation', the reader is forced to look into the annotated reports for more information on the extent of the violations, the perpetrators, dates and illustrative examples. For example:

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

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[3][Ministerie van Buitenlandse Zaken, Algemeen ambtsbericht Somalie, paragraph 3.3.8, December 2013](#)

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).

(1028) HRW, World Report 2014, Somalia, 21 January 2014 (http://www.hrw.org/world report/2014/country chapters/somalia) accessed 13 May 2014;
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 27 May 2014, p. 4.

By way of comparison, the December 2013 ambtsbericht on Somalia included information on abuse by both Al Shabaab and the Somali National Armed Forces/AMISOM – the latter especially in IDP-camps. The ambtsbericht covered recent examples of these human rights violations, their location and the perpetrator (government or militia) and often also the extent to which the violation occurs.[4] We consider that it would have been useful to provide a similar level of detail in the EASO Somalia report, or at least to have divided the human rights abuses by perpetrator, in order to aid an assessment of whether the state forces are able to provide effective protection.

- With further regards to this point, we consider that it would have been useful for the Chapter on '4.4.1.1 Sexual and Gender‑based violence' to include a distinct sub-section on 'State response to sexual and gender-based violence'. Similarly it would have been useful for the chapter '4.4.1 Women' to address the ability of women to live alone, given the potential relevance of this issue for an assessment of internal relocation. We note that the following information is mentioned in '2.5 Clan protection/support', but not referred to in the section about women: "Women deprived of a male network, and thus without clan protection, are vulnerable and not safe, even in Mogadishu". There is also no reference to the situation of minority clan women in chapter '4.4.1 Women', despite such COI being available at the time of publication e.g.:

  ➢ United Nations Security Council, Conflict-related sexual violence Report of the Secretary-General, 13 March 2014
    […] Somalia
    […] 41. […] The most commonly reported form of sexual violence was rape. Internally displaced persons were particularly vulnerable, often owing to the fact that they have no clan mechanisms to protect and support them. Women from minority clans too were vulnerable. In camps for internally displaced persons, conditions are often unsafe for women and girls because of the proliferation of arms, scarce lighting and limited policing. Continued displacement, including as a result of the forced eviction that took place during 2013 in the Mogadishu area, has increased their vulnerability. […]

  ➢ Human Rights Watch, "Here, Rape is Normal" A Five-Point Plan to Curtail Sexual Violence in Somalia, 13 February 2014
    […] Summary
    […] Sexual violence is pervasive in much of Somalia. Two decades of civil conflict and state collapse have created a large population of displaced persons and other people vulnerable to sexual violence. At the same time it has destroyed the state institutions that are supposed to protect those most at risk. Armed assailants, including members of state security forces, operating with complete impunity, sexually assault, rape, beat, shoot, and stab women and girls inside camps for the displaced and as they walk to market, tend to their fields, or forage for firewood. Members of Somalia's long marginalized minority communities are particularly at risk. […]

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[4] Ministerie van BuitenlandseZaken, Algemeen ambtsbericht Somalie, paragraph 2.3.1 'Mogadishu', 3.3.7 'Mishandeling en foltering', 3.3.8 'Verdwijningen', 3.3.9 'Buitengerechtelijkeexecuties en moorden', December 2013

Somalia's social system, governed in part by a traditional clan system, leaves displaced women and girls from minority groups and less powerful clans especially vulnerable to random violence due to their social isolation and poor living and work opportunities. Women and girls from such groups often have less access to education and are often unaware of and isolated from the justice system and other government institutions and services.[…]

- In relation to the following subsection:

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).

We consider that it would have been useful to separately address the situation in detention facilities administered by the Somali authorities and also by Al-Shabaab. Moreover, no mention is made of torture being committed in detention by the Somali authorities, either in this section nor in section '4.2.4 Torture and other cruel, inhumane, degrading treatment and punishments' despite such COI being available e.g.:

➢ Reporters Without Borders, Three journalists tortured while in detention, 19 August 2014
[…] Reporters Without Borders condemns the closures of Mogadishu-based Radio Shabelle and Sky FM and arrests of 19 journalists and employees on 15 August, and the continuing detention and reported torture of the directors of the two radio stations and their owner. […]
Most of those arrested were released after two days, but the NSA is still holding Shabelle Media Network owner Abdiimalik Yusuf Mohamud, Radio Shabelle editor in chief Ahmed Abdi Hassan and Sky FM director Mohamud Mohamed Dahir, also known by the pseudonym of Mohamed Arab.
They are being held at NSA headquarters in Mogadishu, which is often used in anti-terrorism operations.
Several witnesses, including security officers, say the three men have been badly tortured in an attempt to extract confessions that they were deliberately trying to harm the Somali government. […]

➢ Human Rights Watch, Somalia: Unfair Trials in Military Courts, 22 May 2014
[…] Right Not to Be Compelled to Testify against Oneself
[…] Human Rights Watch was not able to document the use of confessions gathered through torture or coercion as evidence in court. However, we received several credible reports of defendants being mistreated during the pretrial period, notably during detention in NISA facilities. The uncle of a NISA official, who had been arrested for having beaten a civilian in late 2012, said that during his detention his nephew "was beaten—he still has a scar on his face—and beaten on his chest. This was at the 'PS' [a common name for NISA] in Villa Somalia.… They were taken to a room and beaten with sticks and wires." […]

Similarly no mention is made of the lack of water or food provided in detention facilities.

- The style of the report is to present information as fact, rather than to state that it is the particular view of a source/several sources cited. That is, summaries are used which are not referenced, for example:

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

We consider that stating the name of the actual source would enable users to directly access the original source if they required further information on a particular issue and assist the users in conducting source assessment.

- Moreover on 3 October 2014 the EASO Somalia report was circulated to us with the following text:

  > EASO published a Country of Origin Information (COI) Report entitled 'South and Central Somalia: Country Overview'. The report provides a comprehensive overview of facts relevant for the asylum application process of Somali nationals in several EU+ countries (EU Member States plus Norway and Switzerland).

  We caution against presenting COI compilations as an 'overview of facts'; they are compilations of information from various sources, and are not indisputable.

- The report often summarises reports, sometimes several reports in one sentence. Whilst it is appreciated that this makes it more user friendly and the report more succinct, it could be made clearer when direct quotes are used. The report uses 'inverted commas' to indicate the use ofdirect citations, but even when citing full paragraphs the text is not indented, so it makes it difficult to follow whether it is a direct quote or an EASO summary.

- A lack of indentation together with the use of summaries makes it difficult to follow references e.g. one reference is provided at the end of this paragraph, but it is not clear if the reference relates to the whole paragraph or just the last bulleted point:

  2.1 Majority Clans
  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 Majerteen 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 subdivisions 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 (278).

- We note that on occasion the footnotes give extra information from anonymous sources. For example (emphasis added):

  (523) Bryden, M., Somalia Redux? Assessing the New Somali Federal Government, Center for Strategic & International Studies, August 2013
  (http://csis.org/files/publication/130819_Bryden_SomaliaRedux_WEB.pdf) accessed 15 May 2014, p. 15; see also: Lifos, Säkerhetssituationen i södra och centrala Somalia, Rapport från utredningsresa till Nairobi, Kenya i oktober 2013. 20 January 2014
  (http://lifos.migrationsverket.se/dokument?documentAttachmentId=40524) accessed 22 June 2014, p. 6, 11; **another source states: 'If AMISOM leaves, the government will collapse.' Sources want to remain anonymous, November 2013.**
  [...]
  (693) Security Analysis Department, Weekly Security Report, 23 May 2014; **another source said, Al‑Shabaab 'wants to send the signal 'Be sure we won't forget you.'' Sources want to remain anonymous, November 2013.**

  We propose that new information should be included in the main text and not in the footnotes where it can be easily overlooked.

- On occasion the report uses language that relates to judicial assessments i.e. "risk". For example (emphasis added):

   1.4 State structure and political landscape
   1.4.1 Parliament, government, administration
   Parliamentarians/lawmakers run a **serious risk** of targeted assassinations by Islamists. On 21 February2014, Al‑Shabaab attacked the Presidential Palace in Mogadishu (110).

   As we previously mentioned in our comments on the 2014 EASO work plan[5], COI reports should not purport to undertake assessments; that role is for decision making bodies alone.

- It would be useful if the report drew out divergences and agreements in opinions. For example in the following paragraph it is not made clear which sources are in agreement, and only one source is provided in the reference. This is a LandInfo report so potentially it is a compilation of sources, but it would still be useful and would aid source assessments if they were clarified:

   2.5 Clan protection/support
   […] 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

- With regards to the following point of the methodology:

   Methodology
   • Collecting information
   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.

   We note that page 145 of the report lists the anonymous sources; in some cases their role/country is named, in others it just states 'anonymous'. We don't see an issue with this *per se*, but think it would have been helpful if the methodology had a link to this section to make clearer the numbers interviewed, their expertise, when and where interviewed and for what purpose.

- It would aid user friendliness if internal references to other sections were hyperlinked within the report. Currently it just states within text/in a footnote for example 'For more information on military offensives, see part 3.4' which is difficult to follow and can easily be overlooked.

Consultative/review process

   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 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. […]
   • Collecting information

- We would welcome the opportunity if Consultative Forum members were invited to input in to the terms of reference.

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[5] ARC and the Dutch Council for Refugees responded to an EASO invitation for input into their work plan for 2014/2015. This was not made public.

Methodology
• 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.

- Our recommendation on this as was submitted with regards to EASO's 2015 work plan[6] remains:

  We would propose that production or updating of existing EASO COI products should be undertaken in consultation with civil society, especially regarding the Terms of Reference and the proposed methodology (also see our recommendation below on EASO's COI methodology). Quality control mechanisms should be publicly defined and established. It is recommended that EASO sets up a review committee comprising of State COI Unit experts and NGO COI researchers, UNHCR, country experts, academics, and other relevant civil society organisations to review existing and future COI products. In this regard, the structure, working methods and outputs of the UK-based Independent Advisory Group on Country Information (IAGCI) is recommended for consultation. (Please also see our comments on the 2014 Work Programme referring to ECRE's strategy paper[7]).

  We would gladly give our time to such a review committee.

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[6] ARC and the Dutch Council for Refugees responded to an EASO invitation for input into their work plan for 2014/2015. This was not made public.
[7] ECRE, Enhancing Intra-EU Solidarity Tools to improve quality and fundamental rights protection in the Common European Asylum System, January 2013