

Situation in South and Central Somalia (including Mogadishu)

[Explanatory Note](#)

[Sources and databases consulted](#)

[List of Acronyms](#)

CONTENTS [click on title for direct hyperlink to requested section within the report]

| | |
|---|-----------|
| 1. Background information..... | 16 |
| 1.1. Map of South and Central Somalia | 16 |
| 1.2. Map of Mogadishu | 17 |
| 1.3. Overview of political institutions and structures at the federal and regional levels..... | 18 |
| 1.4. Main Political Developments (since 2016) in South and Central Somalia (excl. Mogadishu) ... | 22 |
| 1.5. Main Political Developments (since 2016) in Mogadishu | 29 |
| 1.6. Overview of the humanitarian and socio-economic situation in South and Central Somalia incl. Mogadishu | 29 |
| 1.6.1. Unemployment and poverty..... | 36 |
| 1.6.1.1. Unemployment and poverty in Mogadishu..... | 38 |
| 1.6.2. Famine and food insecurity | 41 |
| 1.6.2.1. Famine and food insecurity in Mogadishu | 46 |
| 1.6.3. Water, sanitation and hygiene..... | 48 |
| 1.6.3.1. Water, sanitation and hygiene in Mogadishu..... | 52 |
| 1.6.4. Health care in South and Central Somalia | 54 |
| 1.6.4.1. Access to health services and medication | 55 |
| 1.6.4.1.1. Access to health services and medication in Mogadishu | 58 |
| 1.6.4.2. Disease outbreaks..... | 60 |
| 1.6.4.2.1 Disease outbreaks in Mogadishu | 64 |
| 1.6.4.3. Access to electricity | 65 |
| 1.6.3.1. Access to electricity in Mogadishu | 67 |
| 1.6.4.4. Access to education | 67 |
| 1.6.4.4.1. Access to education in Mogadishu | 67 |
| 1.6.4.5 Access to shelter | 69 |
| 1.6.4.5.1 Access to shelter in Mogadishu | 71 |
| 1.6.4.6. Forced evictions..... | 72 |
| 1.6.4.6.1 Forced evictions in Mogadishu | 73 |
| 1.6.4.7. Transport infrastructure | 74 |
| 1.6.4.7.1 Transport infrastructure in Mogadishu | 75 |
| 1.7. Impact of the return of Somalis from the diaspora to South and Central Somalia (excl. Mogadishu) | 76 |
| 1.7.1 Impact of the return of Somalis from the diaspora to Mogadishu (particularly from Kenya)..... | 80 |
| 2. Security situation and developments since 2016 in South and Central Somalia (excl. Mogadishu) | 83 |
| 2.1. Overview of the current state of the conflict and current security situation..... | 83 |

| | |
|--|------------|
| 2.2. Overview of actors in control of territory, by region | 89 |
| 2.3. Actors in the conflict operating in South and Central Somalia | 95 |
| 2.3.1. International actors | 95 |
| 2.3.2. Somalia National Armed Forces/Somali National Army (SNAF/SNA) | 95 |
| 2.3.2.1 Counterterrorism special forces: Gaashaan | 96 |
| 2.3.3. African Union Mission in Somalia (AMISOM) | 97 |
| 2.3.4. Ethiopian National Defence Force (ENDF) | 99 |
| 2.3.5. Non-state armed groups | 99 |
| 2.3.5.1. Ahl Sunna Wal-Jama'a (ASWJ) | 100 |
| 2.3.5.2. Clan militias | 102 |
| 2.3.5.3. Islamic State in Iraq and the Levant (Da'esh) (ISIL) | 105 |
| 2.3.6. Al Shabaab [Harakat Al-Shabaab Al-Mujaahidiin] | 108 |
| 2.3.6.1. Ideology | 108 |
| 2.3.6.2. Leadership | 108 |
| 2.3.6.3. Size, membership and structure | 109 |
| 2.3.6.4. Funding | 111 |
| 2.3.6.5. Areas of influence | 112 |
| 2.3.6.6. Capabilities and targets | 115 |
| 2.3.6.7. Affiliates | 119 |
| 2.4. Security situation per region including civilian casualty figures (covering 1 January 2017-17 October 2017) | 120 |
| 2.4.1. Overview of incidents and casualties across South and Central Somalia (excl. Mogadishu) | 121 |
| 2.4.1.1. Landmines and cluster munition | 124 |
| 2.4.2. South Somalia | 124 |
| 2.4.2.1. Lower Jubba and the city of Kismayo | 124 |
| 2.4.2.2. Gedo | 127 |
| 2.4.2.3. Bay and the city of Baidoa | 129 |
| 2.4.2.4. Bakool | 129 |
| 2.4.2.5. Middle Jubba | 130 |
| 2.4.2.6. Lower Shabelle and the city of Marka | 131 |
| 2.4.2.7. Benadir-Mogadishu | 135 |
| 2.4.2.8. Middle Shabelle | 136 |
| 2.4.3. Central Somalia | 137 |
| 2.4.3.1. Hiiraan | 137 |
| 2.4.3.2. Galgaduud | 138 |
| 2.4.3.3. Mudug and the city of Gaalkacyo | 139 |
| 2.5. Overview of the current state of the conflict and current security situation in Mogadishu ... | 142 |
| 2.5.1. Security situation in Mogadishu covering January – 17 th October 2017 | 143 |
| 2.5.2. Overview of actors in control of Mogadishu | 148 |
| 2.5.2.1. Somalia National Armed Forces/Somalia Armed Forces (SNAF/SNA) | 148 |
| 2.5.2.2. AMISOM | 148 |
| 2.5.2.3. Armed groups and clan militias | 149 |
| 2.5.2.4. Al Shabaab | 154 |
| 3. Nature of IHL and human rights violations, by actor | 157 |
| 3.1. International actors | 158 |
| 3.1.1. Airstrikes | 158 |
| 3.2. Somalia National Armed Forces/Somali National Army (SNAF/SNA) | 159 |
| 3.2.1. Targeted killings and disappearances | 160 |
| 3.2.2. Sexual and gender based violence | 161 |
| 3.2.3. Forced and child recruitment | 162 |

| | |
|---|-----|
| 3.1.3.1 Forced recruitment by NISA..... | 164 |
| 3.2.4. Arbitrary arrest and detention including torture allegations | 165 |
| 3.2.4.1. Torture/inhuman and degrading treatment, unlawful detention and rendition: Interim Jubba Administration Minister for Security | 165 |
| 3.2.5. Other violations against children | 165 |
| 3.2.5.1. Killing and maiming of children | 165 |
| 3.2.5.2. Abduction of children | 166 |
| 3.2.5.3. Attacks on schools & use of schools and hospitals for military purposes ... | 166 |
| 3.2.5.4. Denial of humanitarian access to children | 167 |
| 3.2.6. Attacks on humanitarian workers..... | 167 |
| 3.2.7. Civilian casualties | 167 |
| 3.3. AMISOM | 168 |
| 3.3.1. Airstrikes [in areas controlled by Al-Shabaab]..... | 169 |
| 3.3.2. Targeted killings and disappearances..... | 169 |
| 3.3.3. Sexual and gender based violence..... | 169 |
| 3.3.3.1. Sexual and gender based violence in Mogadishu | 172 |
| 3.3.4. Forced and child recruitment | 172 |
| 3.3.5. Other violations against children | 173 |
| 3.3.5.1. Killing and maiming of children | 173 |
| 3.3.5.2. Attacks on schools & use of schools and hospitals for military purposes ... | 174 |
| 3.3.6. Civilian casualties | 174 |
| 3.4. Ethiopian National Defence Force (ENDF) | 176 |
| 3.4.1. Targeted killings and disappearances..... | 176 |
| 3.4.2. Sexual and gender based violence..... | 176 |
| 3.4.3. Forced and child recruitment | 176 |
| 3.4.4. Other violations against children | 176 |
| 3.4.4.1. Killing and maiming of children | 176 |
| 3.5. Non-state armed groups and clan militias, incl. ISIL..... | 177 |
| 3.5.1. Targeted killings and disappearances..... | 177 |
| 3.5.2. Sexual and gender based violence..... | 178 |
| 3.5.3. Forced and child recruitment | 179 |
| 3.5.4. Other violations against children | 181 |
| 3.5.4.1. Killing and maiming of children | 181 |
| 3.5.4.2. Attacks on schools and hospitals..... | 181 |
| 3.5.4.3. Abductions of children..... | 181 |
| 3.5.4.4. Denial of humanitarian access to children | 182 |
| 3.5.5. Attacks on humanitarian workers..... | 182 |
| 3.5.6. Extortion | 183 |
| 3.5.7. Civilian casualties | 183 |
| 3.6. Al Shabaab..... | 183 |
| 3.6.1. Targeted killings and disappearances (incl. public executions)..... | 183 |
| 3.6.1.1. Targeted killings and disappearances in Mogadishu | 186 |
| 3.6.2. Sexual and gender based violence..... | 186 |
| 3.6.2.1. Sexual and gender based violence in Mogadishu | 189 |
| 3.6.3. Forced and child recruitment | 190 |
| 3.6.3.1. Forced recruitment in Mogadishu | 197 |
| 3.6.4. Other violations against children | 197 |
| 3.6.4.1. Killing and maiming of children | 197 |
| 3.6.4.2. Attacks on schools & use of schools and hospitals for military purposes ... | 198 |
| 3.6.4.3 Abductions of children..... | 198 |
| 3.6.5. Torture | 199 |
| 3.6.6. Restrictions on freedom of movement and denial of humanitarian access..... | 199 |

| | |
|---|------------|
| 3.6.6.1. Denial of humanitarian assistance in Mogadishu | 201 |
| 3.6.7 Casualties | 202 |
| 4. Profiles of persons at risk by non-state actors, particularly Al Shabaab | 202 |
| 4.1. Al Shabaab defectors and ISIL sympathisers..... | 202 |
| 4.1.1. Al Shabaab defectors in Mogadishu | 204 |
| 4.2. Government officials..... | 204 |
| 4.2.1 Government officials in Mogadishu..... | 206 |
| 4.3. Persons associated with, or (perceived as) supportive of the SFG and the international community, including AMISOM forces | 208 |
| 4.3.1. Persons associated with, or (perceived as) supportive of the SFG and the international community, including AMISOM forces, in Mogadishu | 213 |
| 4.4. IGOs, NGOs..... | 215 |
| 4.4.1. IGOs, NGOs in Mogadishu..... | 219 |
| 4.5. Journalists | 219 |
| 4.5.1 Journalists in Mogadishu | 221 |
| 4.6. Business people | 222 |
| 4.6.1. Business people in Mogadishu..... | 223 |
| 4.7. Women and children incl. access to education | 223 |
| 4.8. Persons (perceived as) contravening Islamic Sharia and decrees imposed by Al-Shabaab, including converts from Islam, other “apostates” and moderate Islamic scholars who have criticized Al-Shabaab extremism..... | 224 |
| 4.9. Other perceived critics or opponents of Al Shabaab | 226 |
| 4.9.1. Other perceived critics or opponents of Al Shabaab in Mogadishu | 226 |
| 5. Civil and Political Rights..... | 227 |
| 5.1. Freedom of movement | 227 |
| 5.1.1. Freedom of movement in Mogadishu | 235 |
| 5.2. Freedom of expression, association, and assembly..... | 236 |
| 5.2.1. Treatment of perceived Al Shabaab supporters and political opponents..... | 236 |
| 5.2.1.1. Treatment of perceived Al Shabaab supporters and political opponents in Mogadishu | 240 |
| 5.2.2. Treatment of protesters by federal and regional state-actors..... | 241 |
| 5.2.2.1. Treatment of protesters by federal and regional state-actors in Mogadishu | 242 |
| 5.2.3. Treatment of HR defenders and civil society activists by federal and regional state-actors | 242 |
| 5.2.4. Freedom of the media by federal and regional state-actors..... | 245 |
| 5.2.4.1. Freedom of the media by federal and regional state-actors in Mogadishu | 251 |
| 5.3. Freedom of religion..... | 253 |
| 5.3.1. Treatment of Christians | 254 |
| 5.3.1.1. By state actors | 254 |
| 5.3.1.2. By non-state actors | 255 |
| 5.3.1.2.1. Treatment of Christians in Mogadishu | 256 |
| 5.3.2. Treatment of Shi'a minority population | 256 |
| 5.3.2.1. By state actors | 256 |
| 5.3.2.2. By non-state actors | 256 |
| 5.4. Workers’ rights..... | 257 |
| 5.4.1. Forced labour | 257 |
| 5.4.2. Child labour | 257 |
| 5.4.2.1. Child labour in Mogadishu | 260 |
| 5.4.3. Discrimination in employment | 260 |

| | |
|--|------------|
| 6. Rule of Law and Administration of Justice | 261 |
| 6.1. Arbitrary arrest and detention..... | 261 |
| 6.1.1. By the police..... | 262 |
| 6.1.1.1. By the police in Mogadishu..... | 264 |
| 6.1.2. By the National Intelligence and Security Agency (NISA) | 265 |
| 6.1.2.1. By the National Intelligence and Security Agency (NISA) in Mogadishu | 266 |
| 6.2. Corruption in law enforcement agencies | 269 |
| 6.2.1. Corruption in law enforcement agencies in Mogadishu..... | 270 |
| 6.3. Due process and denial of fair trial | 271 |
| 6.3.1. Due process and denial of fair trial in Mogadishu | 274 |
| 6.4. Clan influence on detention and release | 275 |
| 6.4.1. Clan influence on detention and release in Mogadishu | 278 |
| 6.5. The death penalty | 278 |
| 6.5.1. The death penalty in Mogadishu | 280 |
| 6.6. Torture | 281 |
| 6.7. Detention and prison conditions | 283 |
| 6.7.1. Detention and prison conditions in Mogadishu | 285 |
| 6.7.2. Juvenile detention..... | 286 |
| 6.7.2.1. Juvenile detention in Mogadishu..... | 289 |
| 6.8. Non-state unofficial justice apparatuses | 290 |
| 6.8.1. Al Shabaab | 290 |
| 6.8.1.1. Al Shabaab in Mogadishu..... | 291 |
| 6.8.2. Clan based judicial system | 291 |
| 6.8.2.1. Clan based judicial system in Mogadishu | 296 |
| 7. Availability of protection | 297 |
| 7.1. By the Somali state for human rights abuses committed by non-state actors | 297 |
| 7.1.1. State ability and resources to protect | 297 |
| 7.1.1.1 State ability and resources to protect in Mogadishu..... | 307 |
| 7.1.2. State willingness to protect | 310 |
| 7.1.2.1. State willingness to protect in Mogadishu | 314 |
| 7.1.3. State ability and willingness to protect against SGBV in South and Central Somalia (excl. Mogadishu)..... | 315 |
| 7.2. By AMISOM for human rights abuses committed by non-state actors | 320 |
| 7.2.1. AMISOM ability and resources to protect | 321 |
| 7.2.2. AMISOM willingness to protect | 323 |
| 8. Clans..... | 323 |
| 8.1. Overview of the clan structure in South and Central Somalia (excl. Mogadishu) | 323 |
| 8.1.1. Majority clans..... | 331 |
| 8.1.2. Minority clans | 333 |
| 8.2. Overview of the clan structure in Mogadishu | 342 |
| 8.2.1. Majority clans in Mogadishu..... | 343 |
| 8.2.2. Minority clans in Mogadishu..... | 344 |
| 8.3. Clan affiliations..... | 345 |
| 8.3.1. Clan affiliations to SNAF/SNA | 345 |
| 8.3.2. Clan affiliations to AMISOM..... | 347 |
| 8.3.3. Clan affiliations to Al Shabaab | 348 |
| 8.3.4. Clan affiliations to other armed groups..... | 354 |
| 8.3.4.1. Clan affiliations to other armed groups in Mogadishu | 355 |
| 8.4. Treatment of persons belonging to a clan engaged in a blood feud or other conflict | 357 |

| | |
|---|------------|
| 8.5. The role of the clan in providing traditional forms of protection, including material assistance and support..... | 358 |
| 8.5.1. The role of the clan in providing traditional forms of protection, including material assistance and support in Mogadishu | 366 |
| 9. Women and Girls | 369 |
| 9.1. Sexual and Gender Based Violence (SGBV) in South and Central Somalia (excl. Mogadishu) 369 | |
| 9.1.1. SGBV as experienced by IDPs..... | 373 |
| 9.2. SGBV in Mogadishu..... | 376 |
| 9.3. Survivors and persons at risk of (re-)trafficking..... | 377 |
| 9.4. Harmful cultural practices..... | 378 |
| 9.4.1. Under-age and forced marriage | 378 |
| 9.4.2. FGM..... | 380 |
| 10. Children | 383 |
| 10.1. Forced recruitment of children..... | 383 |
| 10.1.1. By government forces..... | 383 |
| 10.1.2. Recruitment and use of children by non-state armed actors..... | 383 |
| 10.2. Access to education | 384 |
| 10.2.1. Al Shabaab's impact on access to education | 389 |
| 10.2.1.1. Al Shabaab's impact on access to education in Mogadishu | 390 |
| 10.3. Violence against children including domestic violence | 390 |
| 11. Security risk for persons belonging to the middle class or professional class | 394 |
| 11.1. Security risk for persons belonging to the middle class or professional class in Mogadishu | 395 |
| 12. Persons of diverse sexual orientation and/or gender identities..... | 396 |
| 12.1. Legislation | 396 |
| 12.2. State attitudes and treatment | 397 |
| 12.3. Societal attitudes and treatment..... | 397 |
| 13. Persons with a mental disability or suffering from mental illness..... | 398 |
| 13.1. Prevalence..... | 398 |
| 13.1.1. Prevalence in Mogadishu..... | 399 |
| 13.2. Availability and access to specialised care..... | 399 |
| 13.2.1. Availability and access to specialised care in Mogadishu | 402 |
| 13.2. Societal treatment | 402 |
| 14. Persons living with HIV | 404 |
| 14.1. Prevalence..... | 404 |
| 14.2. Availability and access to specialised care..... | 404 |
| 14.3. Societal treatment | 405 |
| 14.3.1. Societal treatment in Mogadishu | 405 |
| 15. IDPs in South and Central Somalia incl.Mogadishu | 406 |
| 15.1. Security and HR violations experienced specifically by IDPs | 411 |
| 15.1.1. Security and HR violations experienced specifically by IDPs in Mogadishu | 414 |
| 15.2. Access to documents (birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records etc.) | 416 |
| 15.2.1. Access to documents in Mogadishu | 422 |
| 15.3. Access to and conditions of shelter/camps | 424 |
| 15.3.1. Access to and conditions of shelter/camps in Mogadishu | 427 |

| | |
|---|------------|
| 15.3.2. Forced evictions | 430 |
| 15.3.2.1. Forced evictions in Mogadishu | 433 |
| 15.4. Access to basic services..... | 437 |
| 15.4.1. Access to basic services in Mogadishu..... | 441 |
| 15.4.1.1. Health care..... | 444 |
| 15.4.1.1.1. Health care in Mogadishu | 447 |
| 15.4.1.2. Education | 449 |
| 15.4.1.2.1. Education in Mogadishu | 451 |
| 15.4.1.3. Livelihoods | 453 |
| 15.4.1.3.1. Livelihoods in Mogadishu | 455 |
| 15.4.1.4. Female headed households | 458 |
| 15.4.1.4.1. Female headed households in Mogadishu | 459 |
| 16. Returnees (including refugees and returning IDPs) in South and Central Somalia incl. Mogadishu..... | 460 |
| 16.1. Security and HR violations experienced specifically by Returnees..... | 462 |
| 16.1.1. Security and HR violations experienced specifically by Returnees to Mogadishu | 465 |
| 16.2. Access to documents (birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records etc.) | 467 |
| 16.2.1. Access to documents in Mogadishu | 468 |
| 16.3. Access to and conditions of shelter/access to land | 469 |
| 16.3.1. Access to and conditions of shelter/access to land in Mogadishu | 470 |
| 16.3.2. Forced evictions | 471 |
| 16.3.2.1. Forced evictions in Mogadishu | 472 |
| 16.4. Access to basic services..... | 473 |
| 16.4.1. Access to basic services in Mogadishu..... | 476 |
| 16.4.1.1. Health care..... | 478 |
| 16.4.1.1.1. Health care in Mogadishu | 479 |
| 16.4.2. Education | 480 |
| 16.4.2.1. Education in Mogadishu | 481 |
| 16.4.3. Livelihoods | 482 |
| 16.4.3.1. Livelihoods in Mogadishu | 484 |
| 16.4.4. Female headed households..... | 485 |
| 16.4.4.1. Female headed households in Mogadishu | 486 |
| 16.4.5. Risk of becoming internally displaced in Mogadishu upon return from abroad | 487 |
| 16.5. Trafficking of persons returning from abroad | 487 |
| 17. APPENDIX- Useful sources to consult on the security situation in Somalia | 488 |

Explanatory Note

This report presents country of origin information (COI) on South and Central Somalia, including Mogadishu, up to 17th October 2017 on issues of relevance in refugee status determination for Somali nationals from South and Central Somalia. The report therefore does not address the situation in Jubaland, Somaliland or Puntland. Where city specific information on Mogadishu is unavailable, information has been presented on the administrative region of Banaadir (also Benaadir) which covers the same area of the city of Mogadishu.

The COI presented is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided.

A list of sources and databases consulted is also provided, to enable users to conduct further research and to conduct source assessments. Research focused on **events** after January 2016, particularly those which occurred between January 2017 to 17th October 2017 and all sources were accessed between October and December 2017. It should be borne in mind that the situation in Somalia is volatile and fast-changing and thus the information presented here may have been superseded by more recent events.

Limited COI which pre-dates the cut-off point for research has been included to provide historical context where necessary or to illustrate changes in the security and humanitarian environment and the following sources have been included which post-date the cut-off point given their relevance to the issues addressed in this report:

- ❖ International Crisis Group, [*Managing the Disruptive Aftermath of Somalia's Worst Terror Attack*](#), 20 October 2017
- ❖ BBC, [*Mogadishu bombings: Top Somali officials fired over deadly blasts*](#), 29 October 2017
- ❖ UNOCHA, [*Humanitarian Bulletin: Somalia, 01-30 October 2017*](#), 30 October 2017
- ❖ UN Monitoring Group on Somalia and Eritrea, [*Report on Somalia of the Monitoring Group on Somalia and Eritrea*](#), 2 November 2017
- ❖ Assessment Capacities Project (ACAPS), [*Somalia: Crisis Analysis*](#), Last updated: 13 November 2017, *Control of Territory*
- ❖ Assessment Capacities Project (ACAPS), [*Somalia: Crisis Analysis*](#), Last updated: 27 November 2017, *Security and physical constraints*
- ❖ Assessment Capacities Project (ACAPS), [*Somalia: Crisis Analysis*](#), Last updated: 11 December 2017, *Stakeholders*
- ❖ Small Arms Survey, [*Global Violent Deaths 2017: Time to Decide*](#), December 2017
- ❖ UNHCR Protection & Return Monitoring Network (PRMN), [*Displacements Dashboard, Internal Displacements during November 2017*](#), 15 December 2017

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. **This report is not a substitute for individualised case-specific research and therefore this document should not be submitted in isolation as evidence to refugee decision making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

Sources and databases consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About Us' tab of a source's website.

Search engines/databases

[Asylos's Research Notes](#)

[EASO COI Portal](#)

[European Country of Origin Information Network \(ECOI\)](#)

[Relief Web](#)

[UNHCR Refworld](#)

Government/NGOs/Media/ Research centres/Think Tanks

[28 too Many](#)

[76 Crimes](#)

[Africa Center for Strategic Studies](#)

[Africa Health Workforce Observatory](#)

[Africa Review](#)

[African Arguments](#)

[African Centre for the Constructive Resolution of Disputes \(ACCORD\)](#)

[African Centre for Justice and Peace Studies \(ACJPS\)](#)

[African Studies Centre Leiden](#)

[African Union Mission in Somalia \(AMISOM\)](#)

[Afrol News](#)

[Aidsmap](#)

[Al Jazeera](#)

[All Africa](#)

[Amnesty International](#)

[Anti Trafficking and Labour Exploitation Unit \(ATLEU\)](#)

[Armed Conflict Location & Event Date Project \(ACLED\)](#)

[Article 19](#)

[Assessment Capacities Project](#)

[Association for the Prevention of Torture](#)

[Atlas of Torture](#)

[Avert](#)

[Banadir](#)

[Basic Needs](#)

[Brookings Institution](#)

[Carnegie Endowment for International Peace](#)

[Centers for Disease Control and Prevention](#)

[Centre for Global Mental Health](#)

[Centre for Security Governance](#)

[Centre for Strategic and International Studies](#)

[Child Protection Hub](#)

[Child Rights International Network](#)

[Child Soldiers International](#)

[The Christian Post](#)

[Christian Solidarity Worldwide](#)

[CHR Michelsen Institute](#)

[Combatting Terrorism Center](#)

[Committee to Protect Journalists](#)
[Conciliation Resources](#)
[Council on Foreign Relations](#)
[Danish Demining Group](#)
[Dayniile](#)
[Death Penalty Worldwide \(Cornell Law School\)](#)
[Defence for Children](#)
[Devex](#)
[Doctors Without Borders](#)
[East and Horn of Africa Human Rights Defenders Project](#)
[Edge Media Network](#)
[Education International](#)
[Eldis](#)
[Enough Project](#)
[Equal Rights Trust](#)
[Foreign Affairs \(published by Council on Foreign Relations\)](#)
[Freedom House](#)
[Fund for Peace – Fragile States Index 2017](#)
[Garowe Online](#)
[Gay Star News](#)
[Global Aids Program Henry J. Kaiser Family Foundation](#)
[Global Coalition to Protect Education from Attack](#)
[The Global Forum on MSM and HIV](#)
[Global Fund for Peace](#)
[Global Gayz](#)
[The Global Forum on MSM and HIV](#)
[Global Initiative on Psychiatry](#)
[Government Social Development Humanitarian Conflict \(GSDRC\)](#)
[Hands off Cain](#)
[Heidelberg Institute for International Conflict Research](#)
[The Heritage Institute for Policy Studies](#)
[Hiiraan Online](#)
[HIV Insite](#)
[Hot Peach Pages](#)
[Human Rights Watch](#)
[ILO](#)
[Immigration and Refugee Board of Canada](#)
[Institute for Economics & Peace – Global Peace Index 2017](#)
[Institute for Human Rights and Development in Africa](#)
[Institute for the Study of War](#)
[Institute for War and Peace Reporting](#)
[Inter-African Committees on Traditional Practices](#)
[Internal Displacement Monitoring Centre](#)
[International Alert](#)
[International Bar Association](#)
[International Centre for Prison Studies](#)
[International Committee for the Development of Peoples](#)
[International Commission of Jurists](#)
[International Committee of the Red Cross \(ICRC\)](#)
[International Crisis Group](#)
[International Federation for Human Rights](#)
[International Federation of Journalists](#)

[International Freedom of Expression Exchange](#)
[International Gay and Lesbian Human Rights Commission](#)
[International Institute for Strategic Studies](#)
[International Lesbian, Gay, Bisexual and Trans and Intersex Association](#)
[International Monetary Fund \(IMF\)](#)
[International Refugee Rights Initiative](#)
[International Rehabilitation Council for Torture Victims](#)
[International Rescue Committee](#)
[Inter Press Service](#)
[IPI Global Observatory](#)
[IRIN news](#)
[IRIN 'Health'](#)
[Jamestown Foundation](#)
[Jowhar](#)
[Kaleidoscope Trust](#)
[Landmine & Cluster Munition Monitor](#)
[Long War Journal](#)
[Mareeg](#)
[Medecins Sans Frontieres – Access Campaign](#)
[Medecins Sans Frontieres/Doctors Without Borders](#)
[Mental Disability Advocacy Center](#)
[Minority Rights Group International](#)
[National Consortium for the Study of Terrorism and Responses to Terrorism \(START\)](#)
[National Union of Somalia Journalists](#)
[Oakland Institute](#)
[OECD's Social Institutions & Gender Index](#)
[Open Society Foundations](#)
[Orchid Project](#)
[Organization for Refuge, Asylum & Migration \(ORAM\)](#)
[Overseas Development Institute \(ODI\)](#)
[Oxfam](#)
[Peace Women](#)
[Penal Reform International](#)
[Physicians for Human Rights](#)
[Pink News](#)
[Radio Dalsan \(Mogadishu\)](#)
[Radio Free Europe/Radio Liberty](#)
[Refugees International](#)
[Reporters Without Borders](#)
[Reuters Africa](#)
[Rift Valley Institute](#)
[Right to Education](#)
[Saferworld](#)
[Save the Children](#)
[Sexual Rights Initiative](#)
[Shabelle News](#)
[Small Arms Survey](#)
[IAAAP Somalia Accountability Programme](#)
[Stop FGM Now](#)
[Strategic Initiative for Women in the Horn of Africa \(SIHA\)](#)
[Terrorism Research & Analysis Consortium](#)
[Their World](#)

[Transparency International](#)
[UK Foreign and Commonwealth Office – 2016 Human Rights report](#)
[UNAIDS](#)
[United Nations Assistance Mission in Somalia](#)
[United Nations Children’s Fund \(UNICEF\)](#)
[United Nations Committee Against Torture](#)
[United Nations Committee on Economic, Social and Cultural Rights](#)
[United Nations Committee on the Elimination of Discrimination Against Women](#)
[United Nations Committee on Enforced Disappearances](#)
[United Nations Committee on the Rights of the Child](#)
[United Nations Development Programme \(UNDP\)](#)
[United Nations High Commissioner for Refugees \(UNHCR\)](#)
[United Nations Human Rights Council](#)
[United Nations Human Settlements Programme \(UNHABITAT\)](#)
[United Nations Monitoring Group on Somalia and Eritrea \[\[Mandate\]\(#\) and \[reports\]\(#\)\]](#)
[United Nations News Centre](#)
[United Nations Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#)
[United Nations Office on Drugs and Crime \(UNODC\)](#)
[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#)
[United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict](#)
[United Nations Political Office for Somalia \(UNPOS\)](#)
[United Nations Population Fund \(UNPFPA\)](#)
[UNHCR led Protection & Return Monitoring Network \(PRMN\)](#)
[United Nations Secretary General](#)
[United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)
[United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions](#)
[United Nations Special Rapporteur on extreme poverty and human rights](#)
[United Nations Special Rapporteur on freedom of religion or belief](#)
[United Nations Special Rapporteur on the Independence of Judges and Lawyers](#)
[United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)
[United Nations Special Rapporteur on the right to education](#)
[United Nations Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health](#)
[United Nations Special Rapporteur on the sale of children, child prostitution and child pornography](#)
[United Nations Special Rapporteur on the situation of human rights defenders](#)
[United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)
[United Nations Special Rapporteur on trafficking in persons, especially in women and children](#)
[United Nations Special Rapporteur on violence against women, its causes and consequences](#)
[United Nations Women](#)
[United Nations World Food Programme \(WFP\)](#)
[United States Congressional Research Service](#)
[United States Commission on Religious Freedom](#)
[United States Department of State](#)
[United States Institute of Peace](#)
[Uppsala Universitet – UCDP Conflict Encyclopedia](#)
[Walk Free Foundation > The 2016 Global Slavery Index](#)
[Watchlist on Children and Armed Conflict](#)
[World Health Organisation](#)

[World Organisation Against Torture \(OMCT\)](#)

[World Prison Brief](#)

[Women Living Under Muslim Laws](#)

[Women News Network \(WNN\)](#)

[Women's Refugee Commission](#)

[Women Under Siege Project](#)

[World Bank](#)

[World Watch Monitor](#)

List of Acronyms

| | |
|----------------|---|
| ACAPS | Assessment Capacities Project |
| ACLED | Armed Conflict Location & Event Data Project |
| AMISOM | African Union Mission to Somalia |
| AQAP | Al-Qaida in the Arabian Peninsula |
| ART | Antiretroviral Therapy |
| ASWJ | Ahlu Sunna Wal Jama |
| AWD | Acute Watery Diarrhoea |
| CIA | Central Intelligence Agency |
| CTC | Cholera Treatment Centre |
| ENDF | Ethiopian National Defense Forces |
| FGS | Federal Government of Somalia |
| FSNAU | Food Security and Nutrition Analysis Unit - Somalia |
| GAM | Global Acute Malnutrition |
| HLP | Housing, Land, and Property |
| IAWG | Inter-Agency Working Group on Disaster Preparedness for East and Central Africa |
| ICRC | International Committee of the Red Cross |
| IDP | Internally Displaced Person |
| IED | Improvised Explosive Device |
| IJA | Interim Juba Administration |
| INGO | International Non-Government Organisation |
| IOM | International Organization for Migration |
| IS/ISIL | Islamic State/ Islamic State of Iraq and the Levant |
| ISWA | Interim South West Administration |
| JSS | Jubbaland State of Somalia |
| KI | Key Informant |
| MOE | Ministry of Education |
| NDP | National Development Plan |
| NFI | Non Food Items |
| NGO | Non-Government Organisation |
| NISA | National Intelligence and Security Agency |
| Norad | Norwegian Agency for Development Cooperation |
| NRC | Norwegian Refugee Council |
| PFC | Provisional Federal Constitution |
| PMTCT | Prevention of Mother-to-Child Transmission |
| PRMN | Protection and Return Monitoring Network |
| SAM | Severe Acute Malnutrition |
| S/C | South and Central |
| SCZ | South-Central Zone |
| SEMG | Somalia and Eritrea Monitoring Group |
| SFG | Somalia Federal Government |
| SGBV | Sexual and Gender Based Violence |
| SNA | Somalia National Army |
| SNAF | Somalia National Armed Forces |
| SWALIM | Somalia Water and Land Information Management |
| UNDP | United Nations Development Programme |
| UNICEF | UN Children's Fund |
| UNHCR | United Nations High Commissioner for Refugees |
| UNOCHA | United Nations Office for the Coordination of Humanitarian Affairs |
| UNSOM | United Nations Assistance Mission in Somalia |
| USAID | US Agency for International Development |

| | |
|--------------|---|
| VBIED | Vehicle-borne improvised explosive device |
| WASH | Water, Sanitation, and Hygiene |
| WFP | World Food Programme |
| WHO | World Health Organization |

1. Background information

1.1. Map of South and Central Somalia

The Norwegian Agency for Development Cooperation (Norad) provided the following map as part of its May 2017 'Country Evaluation Brief', showing the various regions that comprise South and Central Somalia as well as the States that are part of each regional administration¹:

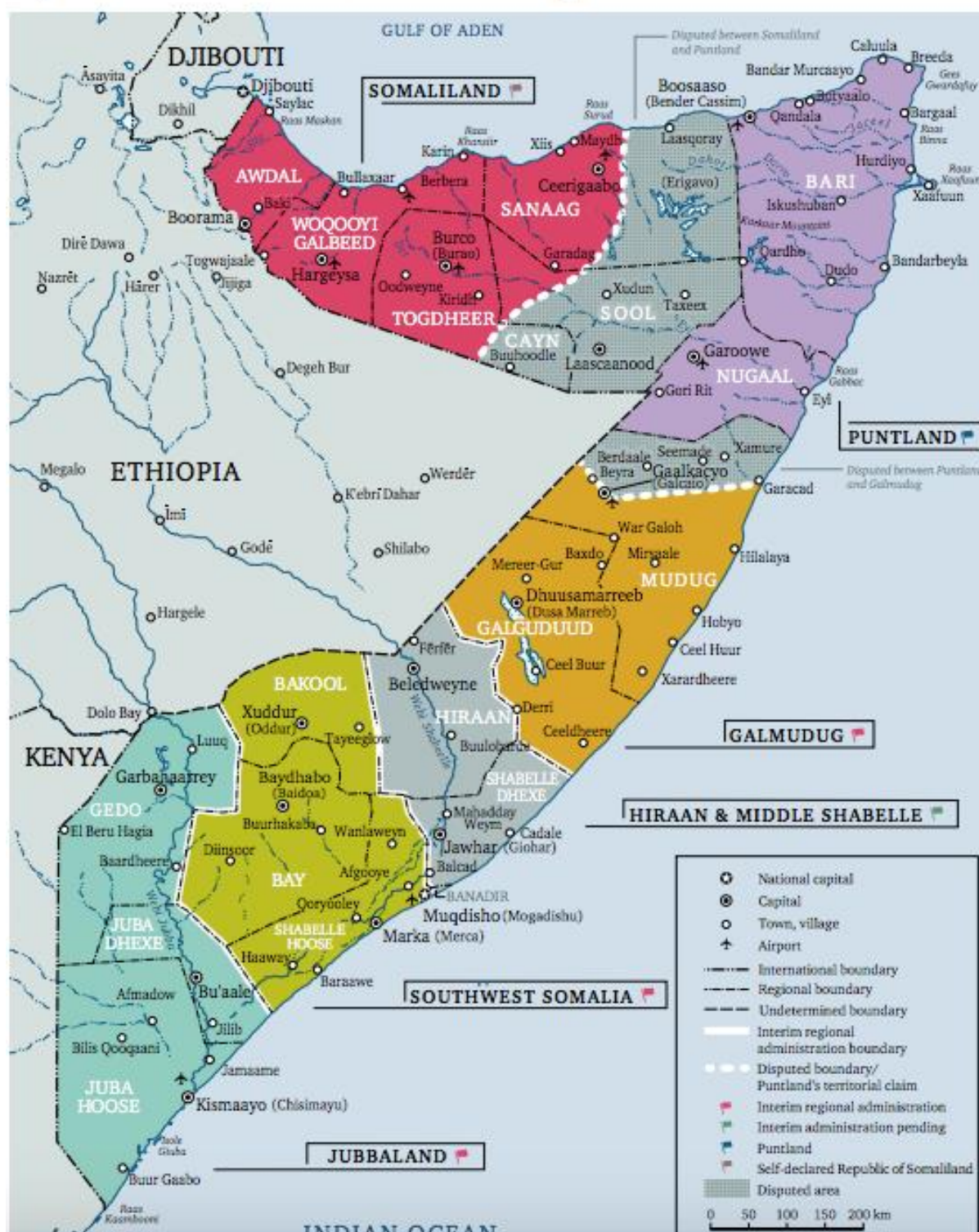


A more detailed map showing the Federal Member States was included in a 2015 publication by Chatham House²:

¹ Norwegian Agency for Development Coordination (Norad), [Evaluation Department, Country Evaluation Brief: Somalia](#), May 2017, Main findings, p. 5

² We are grateful to Chatham House, the Royal Institute of International Affairs, for permission to reproduce the map originally published in Mosley, J. (2015), [Somalia's Federal Future: Layered Agendas, Risks and Opportunities](#), September 2015, *Map of Somalia: Federal Member State and Interim Regional Administrations*, p. 2

Map of Somalia: Federal Member State and Interim Regional Administrations



Note: Map reproduced with the permission of Chatham House, the Royal Institute of International Affairs.

1.2. Map of Mogadishu

Moga-Guide has published a useful and interactive city map, of Mogadishu illustrating the various districts that make up the city, which can be accessed [here](#).³

³ Moga-Guide, [Main Map of Mogadishu](#), Undated [Last accessed: 15 December 2017]

1.3. Overview of political institutions and structures at the federal and regional levels

Federal government structure

On the official website of the Government of Somalia the following information is provided as to the structure of the Somali government:

The Executive Branch

The executive branch of the Somali Federal Government consists of the President, Prime Minister and Cabinet Ministers.

The President, the Head of State and Chief Public Representative, holds significant constitutional authority, which includes for example, determining who will be assigned the role of Prime Minister.

The Somali Federal Constitution – which provides the legal foundation for the existence of the Federal Government – grants the President the power to serve as the Commander in Chief of the armed forces, if necessary declare a state of war and emergency, and appoint the Chief Justice of the Supreme Court and the Chief Judge of the Constitutional Court. In consultation with the Prime Minister and the Cabinet, the President can also appoint Somali ambassadors, receive foreign ambassadors, and appoint or dismiss army commanders.

The Prime Minister, head of the government and de-facto leader, is responsible for overseeing the administration of all affairs in the country. Subject to parliamentary approval, they can appoint deputy prime ministers, ministers, state ministers, and deputy ministers.

Their responsibilities include, but are not limited to: the preparation of the federal budget; the drafting of new laws (and presenting them to parliament for approval); the development of national policies for reconstruction; and entering bilateral and multilateral agreements with foreign states and non-state organisations. The Prime Minister is elected for a full term of four years and can only be dismissed if Parliament elects a successor in a vote of no confidence.

Cabinet Ministers are a critical organ of the Somali Federal Government, according to Article 97 of the Constitution, they hold most executive powers of the Somali government, and all policies must be approved by them.⁴

With regards to the Federal Parliament, the website provided the following:

The Federal Parliament of Somalia consists of an Upper House and a Lower House (House of the People). The Lower House comprises 275 MPs, while the Upper House is capped at 54 representatives. The Upper House of the Senate was established for the first time following the 2016 elections.

The Federal Parliament enacts federal legislation (except laws related to the annual budget) and each member has the right to initiate legislation, as does the cabinet. Parliament serves as the **legislative branch** of government, with the power and authority to make Somali laws.

The judicial system of Somalia consists of the federal member state courts, federal government courts, and the constitutional courts. It should be wholly independent, however this is not currently the case. As the constitutional and justice court of Somalia are yet to be fully established, the **executive branch** has a significant influence over exercising judicial functions.⁵

The following additional information was provided on the Speaker of the Federal parliament and the names and Speakers of a range of sub-committees:

The FPS is currently led by the Speaker, Professor Mohamed Osman Jawari, who is assisted by first and second deputies, Deputy Speaker Abdiwali Ibrahim Sheikh Mudey and Second Deputy Speaker Mahad Abdalla Awad. The FPS has 14 different sub-committees who work separately on their issue of focus and share information with the House through the Speaker:

- Human Rights, Gender and Humanitarian – Chairperson Sagal Bihi
- Truth Reconciliation and Restitution – Mohamed Abdi 'Gandi'
- Foreign Affairs – Abdulqadir Osoble

⁴ Wakiil, [How Government Works](#), Undated [Last accessed: 7 December 2017]

⁵ Wakiil, [How Government Works](#), Undated [Last accessed: 7 December 2017]

- Internal Affairs, Regional Administration and Security – Fawsiya M. Sheikh
- Roads, Ports, Airports, Energy and Transport – Abdifatah Ismail Dahir
- Rules of Procedure, Ethics, Discipline and Immunity – Mohamud Moalim Yahye
- Environment and Natural Resources – Abdullahi Godah Barre
- Agriculture and Rural Development – Mohamed Omar Ali
- Finance, Planning and International Cooperation – Ali Abdi Osman
- Economic Development, commerce and Industrialisation – Mohamud Benebene
- Social Services – Ali Osman Hersi
- Information, Culture, Post and Telecommunication – Khalid Ma’ow
- Defence – Hussein Arab
- Justice and Religious Endowment – Shafi Shekhuna Maye⁶

Regional administrations (excluding Somaliland and Puntland)

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 the following background information was provided:

The eight-year political transition in Somalia concluded on 1 August 2012 following the adoption of the Provisional Federal Constitution and the establishment of the Federal Parliament and Government on 20 August [2012]. One of the major aspects of state-building was the envisaged establishment of a federal system through the creation of regional states. On 28 August 2013, the Interim Jubba Administration was formed, followed by the Interim South-West Administration, the Galmudug Interim Administration and the HirShabelle Interim Administration. The establishment of the Galmudug Interim Administration led to clashes with Puntland and between pro-Federal Government forces and Ahl al-Sunna wal-Jama’a, resulting in civilian casualties.⁷

Stephanie Hancock, Human Rights Watch’s Senior Media Officer, observed in May 2016 that “over the past two years, Somalia’s new government, with the support of its partners, has been trying to establish federal states. The whole map of Somalia is currently being re-drawn, with new boundaries and states, and that is creating friction between Al-Shabaab, the government, and regional clan members and militia all vying for power”.⁸

In its annual report covering 2016, the U.S. Department of State observed that “The Interim Galmudug Administration (IGA), Interim Juba Administration (IJA), and Interim South West Administration (ISWA) did not fully control their jurisdictions”.⁹ There are 90 administrative districts in Somalia.¹⁰

A letter from the UN Secretary-General addressed to the President of the UN Security Council dated May 2017 noted with regards to federalism in Somalia that “A federal state map now exists in Somalia, with the formation of administrations in Jubbaland, South-West, Galmudug and HirShabelle. These, together with Puntland, form the existing and emerging federal member states of Somalia. The status of the federal capital remains unresolved. The “Somaliland” issue has yet to

⁶ Wakiil, [How Parliament Works](#), Undated [Last accessed: 7 December 2017]

⁷ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, II., A. Political and security developments, para. 4, p. 2

⁸ Stephnaie Hancock – Human Rights Watch, Interview: Scared. Silenced. Shot. The life of a Somali journalist, 3 May 2016

⁹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Executive Summary

¹⁰ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 90, footnote 60

be settled, and dialogue between the Federal Government in Mogadishu and “Somaliland” authorities should be revived”.¹¹

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea found that relations between the Federal Government and the country’s regional administrations “have been strained by the Government’s apparent backtracking on commitments to devolve power to the regions under a new national security architecture and by a continuing lack of consensus regarding aspects of resource governance. Meanwhile, regional administrations have continued negotiating unilaterally with foreign entities regarding ports, military installations and natural resources”.¹²

Galmudug State

In July 2014 the state formation process begun with the official signing of the ‘Central Regions State Formation Agreement’ combining Galgaduud and Mudug regions “to unite and form an inclusive regional administration”.¹³ July 2014 saw the election of the then President and in June 2015 the completion of the establishment of Galmudug Regional Assembly which concluded the state formation process.¹⁴

In its report on Somalia covering the period 1st May to 31st August 2016, the UN Secretary-General reported that Ahl al-Sunna wal-Jama’a (ASWJ), a non-state armed group, renewed its commitment to negotiations with the Federal Government to facilitate the implementation of the electoral process in Dhuusamarreeb, the agreed future capital of the emerging federal member state. However, the negotiations have yet to begin, and the [federal] electoral process is expected to take place in Cadaado, the interim capital [in December 2016]”.¹⁵

The UN Secretary-General reported in May 2017 that “The Galmudug State Assembly initiated an impeachment procedure against the State President, Abdikarim Hussein Guled, with 54 Assembly members approving the motion on 10 January [2017]. Although the attempt failed, President Guled announced his resignation on 25 February [2017], citing health reasons. The changes in the federal and state-level leaderships could offer an opportunity to renew reconciliation efforts with Ahl al-Sunna wal-Jama’a, which occupies the official capital of the State, Dhuusamarreeb”.¹⁶

On 30th May 2017 Ahmed Ducaale Geellee “Xaaf” was inaugurated as the new President of Galmudug.¹⁷

For information on the security situation see [2.4.3.2. Galgaduud](#) and [2.4.3.3. Mudug and the city of Gaalkacyo](#).

For further information on the non-state armed group ASWJ see [2.3.5.1. Ahl Sunna Wal-Jama’a \(ASWJ\)](#).

¹¹ UN Security Council, [Letter dated 5 May 2017 from the Secretary-General addressed to the President of the Security Council](#), 5 May 2017, pages 2/3

¹² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Summary, p. 6

¹³ [Central Regions State Formation Agreement \(Mudug and Galgaduud\)](#), 30 July 2014, 1. Forward

¹⁴ UN Assistance Mission in Somalia, [UN SPECIAL REPRESENTATIVE COMMENDS THE COMPLETION OF THE ESTABLISHMENT OF GALMUDUG REGIONAL ASSEMBLY](#), 28 June 2015

¹⁵ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, II. Political and security overview, A. Political developments, para. 7, p. 2

¹⁶ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, A. Political developments, para 10, p. 2

¹⁷ UN Assistance Mission in Somalia (UNSOM), [SRSG KEATING WELCOMES INAUGURATION OF PRESIDENT OF GALMUDUG](#), 30 May 2017

HirShabelle State

The UN Secretary-General in his report covering the period 1 September to 31 December 2016 remarked that “The federal state creation process was completed upon the merger of the Hiraan and Shabelle Dhexe regions into the new HirShabelle Interim Administration on 9 October [2016]. Jawhar was designated as the capital of the new state; the newly established State Assembly then elected a regional president, vice -president, speaker and deputy speaker. After intense engagement by the Federal Government and the Intergovernmental Authority on Development (IGAD), most clan elders who had earlier opposed the process agreed to join it, with the exception of the leader of the Habar Gidir-Hawadle subclan”.¹⁸

On 22 October 2016 the newly-formed State of HirShabelle was formed¹⁹, together with the formation of the HirShabelle Assembly and the election of HirShabelle’s then president Ali Abdullahi Osoble²⁰.

The UN Secretary-General reported in May 2017 that “On 20 February [2017], the President of the HirShabelle Interim Administration, Ali Abdulahi Osoble, appointed a Cabinet comprising 52 ministers. While his attempt to balance clan interests faced initial resistance, the Cabinet was eventually approved by the HirShabelle Parliament on 11 March [2017]”.²¹

The International Crisis Group’s ‘CrisisWatch’ reported that in August 2017 “Hir-Shabelle state parliament [...] passed vote of no confidence in State President Ali Abdullahi Osoble amid accusations of constitutional violations and incompetence; latter rejected vote and MPs supporting him same day passed vote of no confidence in parliament speaker, legality of second vote questioned because not held in parliament”.²²

On 17th September 2017 Mohamed Abdi Ware was elected as President of HirShabelle by the regional assembly.²³

For information on the security situation see [2.4.3.1. Hiiraan](#) and [2.4.2.8. Middle Shabelle](#).

Jubaland

For a more historical perspective on the history and formation of Jubaland see Saferworld, [Forging Jubaland: Community perspectives on federalism, governance and reconciliation](#), 22 April 2016.

As way of background, “In 2013 the FGS and Jubaland delegates signed an agreement that resulted in the FGS’s formal recognition of the newly formed IJA [Interim Jubaland Administration]. Ahmed Mohamed Islam ‘Madobe’ was selected as president in a 2013 conference of elders and representatives” according to the latest annual report by the US Department of State.²⁴

¹⁸ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 January 2017, II. Political and security overview, A. Political developments, para. 4, p. 2

¹⁹ UN Assistance Mission in Somalia, [UN SPECIAL ENVOY FOR SOMALIA PRAISES THE FORMATION OF HIRSHABELLE STATE](#), 22 October 2016

²⁰ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 3. Freedom to Participate in the Political Process

²¹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, A. Political developments, para 7, p. 2

²² International Crisis Group, [CrisisWatch: Somalia](#), August 2017

²³ UN Assistance Mission in Somalia (UNSOM), [INTERNATIONAL PARTNERS WELCOME ORDERLY ELECTION OF MOHAMED ABDI WARE AS NEW PRESIDENT OF HIRSHABELLE STATE](#), 17 September 2017

²⁴ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 3. Freedom to Participate in the Political Process

In its report on Somalia covering the period 1st May to 31st August 2016, the UN Secretary-General reported that “Following the conclusion of a reconciliation process with the Marehan clan, the President of the Interim Jubba Administration, Sheikh Ahmed Islam ‘Madobe’, announced the formation of a 34-member cabinet, including one female minister, which was approved subsequently by the Jubba Regional Assembly”.²⁵

For information on the security situation see [2.4.2.1. Lower Jubba and the city of Kismayo](#), [2.4.2.2. Gedo](#) and [2.4.2.5. Middle Jubba](#).

Interim South-West Administration (ISWA)

As way of background, “The ISWA state parliament was formed in December 2015 following the 2014 state formation conference, which voted to elect Sharif Hassan Sheikh Adam as the interim region’s first president” according to the 2016 annual report from the US Department of State.²⁶

In its report on Somalia covering the period 1st May to 31st August 2016, the UN Secretary-General reported that “In the Interim South-West Administration, tensions between the Bimaal and Habar Gidir clans in Marka, Shabelle Hoose, continued to impede the consolidation of State authority. The Federal Government engaged in a renewed reconciliation effort between the two clans; however, prospects for talks were impeded by the temporary seizure by Al-Shabaab of parts of Marka on 11 July [2016]”.²⁷

In the May 2017 UN Secretary-General report on Somalia the President of the Interim South-West Administration was named as “President, Sharif Hassan Sheikh Adan”.²⁸

For information on the security situation see [2.4.2.3. Bay and the city of Baidoa](#), [2.4.2.4. Bakool](#) and [2.4.2.6. Lower Shabelle and the city of Marka](#).

1.4. Main Political Developments (since 2016) in South and Central Somalia (excl. Mogadishu)

General observations

A research report by the Danish Demining Group, published in August 2017, assessing the impact on Somalia of Somali returnees from the Kenyan Dadaab refugee camp provided the following overview of the political context:

Farmajo inherits a dysfunctional, failed state which competes with a range of armed sub-state and non-state actors for influence. The FGS during 2012-2016 was characterized by four years of political paralysis and in-fighting. The capacity of the civil service he will preside over is very limited. The government provides very few services, has only a limited capacity to influence politics beyond the capital, and is unable to control its own security sector, which answers to clan military commanders.

²⁵ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, II. Political and security overview, A. Political developments, para. 6, p. 2

²⁶ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 3. Freedom to Participate in the Political Process

²⁷ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, II. Political and security overview, A. Political developments, para. 8, p. 2

²⁸ UN Secretary-general, [Report of the Secretary-General on Somalia](#), 9 May 2017, II., A. Political developments, para. 9, p. 2

Corruption has been a problem of such vast proportions that the country is fairly described as a kleptocracy [...]

Most core functions of the state – provision of security, basic health and education services, provision of power, justice – are either privatised or are provided by customary clan authorities or religious leaders.²⁹

Specific developments

Constitutional reform

➤ June 2016: Extension of the Provisional Federal Constitution

On 15th June 2016 the then Federal Parliament amended the Provisional Federal Constitution by extending its validity until 2020.³⁰ An English translation of the 'Provision Constitution' as adopted on 1st August 2012 can be accessed [here](#)³¹.

➤ April 2017: Constitutional Review

According to reporting by the UN Secretary-General, "A Joint Constitutional Review Parliamentary Committee was established in April [2017] and the Federal Minister of Constitutional Affairs held broad consultations with counterparts from federal member states and civil society on key issues. On 19 May, the Federal Minister of Constitutional Affairs presented a preliminary comprehensive master plan to the international community to complete the review within two years".³²

Parliamentary & Presidential elections (September 2016 – February 2017)

African Arguments explained in a September 2016 report that "Somalia's initial plan had been to hold a popular one person-one vote election this year, which would have been the country's first since 1967. In 1969, military general Siad Barre deposed the elected government and then ruled the country for two decades before his regime collapsed and civil war broke out in 1991. Following a transitional period after the conflict, many hoped Somalia would be ready for a direct election this year, but that prospect has been delayed up to 2020 due to ongoing insecurity. That means that in the coming weeks Somalia will instead engage in an indirect electoral process in which the political appointments will be made by clan-based electoral colleges".³³

➤ December 2016: New Federal Parliament inaugurated

As at 31st December 2016 "43 members of the 54-seat upper house and 258 members of the 275-seat lower house had been elected. The new Federal Parliament was inaugurated on 27 December in a joint session of the two houses".³⁴

²⁹ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 1. Security Context, pages 10/11

³⁰ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, II. Political and security overview, A. Political developments, para. 4, p. 1

³¹ The Federal Republic of Somalia, [Provisional Constitution](#), Adopted 1 August 2012

³² UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, II., A. Political developments, para. 6, p. 2

³³ African Arguments, [Al-Shabaab steps up attacks in run up to the Somalia elections](#), 19 September 2016

³⁴ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 January 2017, II. Political and security overview, A. Political developments, para. 2, p. 1

According to the UN Secretary-General report published in May 2017, the break-down of seats for the tenth Federal Parliament is as follows:

the House of the People maintains 275 clanbased seats, while the new 54-member Upper House consists of members elected by their respective State Assemblies. Women constitute 24 per cent of the House of the People, a significant increase from the 14 per cent of the previous Parliament. Overall, more than 50 per cent of the Members of Parliament are new. About 18 per cent of the elected Members are under 35 years old.³⁵

For a list of all senators and members of the Federal parliament see [here](#).³⁶

- *January 2017: Announcement of speakers for the Federal Parliament and the new Upper House*

On 11th January 2017 Mohamed Sheikh Osman Jawari was re-elected Speaker of the House of the People, while Abdi Hashi Abdullahi was elected Speaker of the new Upper House on 22nd January 2017.³⁷

- *February 2017: Presidential election*

In February 2017, Somalia's new president, Mohamed Abdullahi Farmajo, popularly known as "Farmaajo", was sworn in after winning (indirect) elections the same month, reported the International Refugee Rights Initiative.³⁸ A short biography of Mohamed Abdullahi Farmajo can be found by Strategic Intelligence Service [here](#) and by Africa News [here](#).

The UN Secretary-General noted that the election was held in accordance with "the interim rules of procedure adopted during the first joint session of Parliament on 27 December 2016. Twenty-one candidates contested the presidency, while 328 parliamentarians voted in a secret ballot. It was the first time in Somali history that a bicameral legislature elected a Federal President".³⁹

- *Review of the election process*

Covering 2016, the UN Monitoring Group on Somalia and Eritrea raised its concern about "a distinct lack of political space in Somalia in the period preceding the 2016 transition [...] Civil society has been largely excluded from the process. Pro-democracy organizations, Somali media networks, and opposition groups have reported attempts to stymie political debate" and the Group "received multiple reports of increasing use of intimidation tactics by the National Intelligence and Security Agency (NISA)".⁴⁰

³⁵ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, A. Political developments, para 5, p. 1

³⁶ See wakiil, [Senators and members of the Federal Parliament](#), Undated [Last accessed: 7 December 2017]

³⁷ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, A. Political developments, para 2, p. 1

³⁸ International Refugee Rights Initiative, ["They Say They're Not Here to Protect Us": Civilian Perspectives on the African Union Mission in Somalia](#), May 2017, Background, p. 8

³⁹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, III. Support for peacebuilding and state-building efforts, B. Inclusive politics, para. 25, pages 4 and 5

⁴⁰ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 3.2: 2016 transition challenges, paras. 19, 20 and 21, pages 90 and 91

The Preliminary report of the Domestic Election Observer Mission (DEOM) concluded that “the 2016 indirect electoral process was largely completed in a peaceful manner but marred by a number of irregularities and incidents that resulted in the overall process falling short of the DEOG’s Standards for Free and Fair 2016 Indirect Elections. However, while concluding that the electoral process fell short of expectations, the DEOM recognises the challenging circumstances in which this exercise was delivered”.⁴¹ The full report can be accessed [here](#).

The UN Secretary-General in his report covering the period 1 September to 31 December 2016 remarked that “Overall, and notwithstanding delays and cases of malpractice, including bribery and intimidation of delegates, the electoral process was more peaceful and inclusive than in 2012”.⁴² In his May 2017 report the UN Secretary-General noted that with regards to the parliamentary election “The electoral process was far from perfect and reflected the absence of institutional and accountability systems and the prevalence of corrupt practices”.⁴³

Somalia’s Auditor General was quoted as stating in November 2016 that “Somalia’s ongoing parliamentary elections have no credibility because [sic] of vote buying, fraud, intimidation and violence”.⁴⁴ Similarly, the UN, African Union, EU, Inter-Governmental Authority on Development, Ethiopia, Italy, Sweden, the UK and the USA called jointly upon members of the National Leadership Forum to “use their authority and influence to prevent abusive and unfair electoral practices. These include the harassment and intimidation of candidates, the manipulation of delegate and candidate lists, and the use of security forces and other government resources to favor one parliamentary candidate over another”.⁴⁵

The UN Monitoring Group on Somalia and Eritrea reported that it had received numerous reports of “electoral malpractice throughout the electoral process, beginning with the parliamentary selection process and continuing until the presidential elections in February 2017”.⁴⁶ With regards to the parliamentary electoral process the Group documented the following instances “of attempts to manipulate the outcome”:

- (a) The gatekeeping of regional electoral processes by State Indirect Election Implementation Teams;
- (b) Fraudulent alterations to lists of electoral colleges;
- (c) The bribery of clan elders and members of electoral colleges;
- (d) The threat and use.⁴⁷

With regards to the presidential election the Group received “reports from multiple independent sources regarding the exchange of large sums of money between certain presidential candidates and Members of Parliament in the period immediately preceding the presidential elections of 8 February 2017”.⁴⁸

⁴¹ Saferworld, [Somalia’s 2016 Electoral Process: Preliminary report of the Domestic Election Observer Mission](#), Executive summary, p. i

⁴² UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 January 2017, II. Political and security overview, A. Political developments, para. 3, p. 1

⁴³ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, IV. Observations, para. 91, p. 15

⁴⁴ Voice of America, [Somalia Elections Not Credible, Country’s Auditor General Says](#), 19 November 2016

⁴⁵ United Nations Assistance Mission in Somalia (UNSOM), [Joint Press Statement, International Community Urges Decisive Action to Address Instances of Electoral Process Abuse](#), 20 November 2016

⁴⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., G. Electoral misconduct, para. 96, p. 28

⁴⁷ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., G. Electoral misconduct, para. 98, p. 28

⁴⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., G. Electoral misconduct, para. 100, p. 29

The EU Election Expert Mission's final report on the 'limited elections for parliament and president' found with regards to the parliamentary election that:

The deadlines for delegate nomination, candidate registration, polling for parliamentary and presidential elections were postponed multiple times. The delayed and uneven progress of the election timeline may be characteristic of the Somali environment, but it also exposed the limitations of the SIEITs and FIEIT's ability to coordinate efforts across all states.

There was no formally established campaign period and the general conditions of insecurity, intimidation and limited transportation infrastructure constrained importantly the exercise of freedoms of movement, assembly and expression for delegates and candidates. A significant number of candidates nevertheless participated in the process.

Provisions to ensure transparency and accountability in the process were minimal. In the absence of regulations governing political finance or use of state resources for campaign purposes, the exchange of money reportedly played a role in every step of the process. Moreover, incidents of intimidation and disinformation were also reported throughout the process with competing attempts to manipulate delegate lists, challenge or replace clan elders, and to influence the polling process.⁴⁹

For further information on the treatment of perceived political opponents, see [5. Civil and Political Rights](#).

➤ March 2017: Announcement of new cabinet

Reuters reported on the following positions within the newly named 26-strong cabinet:

- Prime Minister: Hassan Ali Khaire
- Finance Minister: Abdirahman Duale Beyle
- Foreign Minister: Yusuf Garaad Omar
- Interior Minister: Abdi Farah Juha⁵⁰

A full list can be consulted [here](#).

The UN Independent Expert on the situation of human rights in Somalia noted in his report covering September 2016 to mid-2017 that "The new federal cabinet includes six female ministers in charge of key portfolios: commerce and the port authority, education, health, women and human rights development, youth and sport, and humanitarian and disaster management".⁵¹

New heads of the security services, defence minister and chief of defence forces

The UN Secretary-General reported that the new President appointed in April 2017 "new heads of the security services, including the National Intelligence and Security Agency, the Somali National Army, the police force and the Custodial Corps, as well as a new Mayor of Mogadishu, who also serves as Governor of Banadir".⁵²

⁴⁹ EU Election Expert Mission, [Somalia 2016-2017 Limited Election Process, Final report](#), February 2017, 2. Executive Summary, p. 3

⁵⁰ Reuters, [Somalia's new prime minister names 26-minister cabinet](#), 21 March 2017

⁵¹ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, III., B. Women's participation in public affairs, para. 12, p. 6

⁵² UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, B. Security developments, para. 17, p. 3

The International Crisis Group's 'CrisisWatch' reported that "State media 12 Oct [2017] reported the resignation of defence minister and chief of defence forces without giving explanation".⁵³ Following the October 2017 Mogadishu attack which killed over 350 people, the cabinet removed Police chief Abdihakin Dahir Saiid and the director of national intelligence, Abdillahi Mohamed Sanbaloosh from office.⁵⁴

Independent Human Rights Commission

On 14th August 2016 then Somali President H.E. Hassan Sheikh Mohamud signed into law a bill establishing an Independent Human Rights Commission consisting of nine members (three of which must be women and "1 member from the disable community"⁵⁵), reported Dalsan Radio.⁵⁶ In July 2017 Somalia launched the first phase of the Commission's selection process, establishing a technical selection panel (TSP) tasked with implementing the selection, interviewing and vetting process of candidates.⁵⁷

Additional information on the timeframe for the selection process of Commissioners can be found [here](#).

National Development Plan (NDP)

In November 2016 the Federal Government of Somalia (FGS) launched the first draft of the first National Development Plan (NDP), which is going to succeed the 'New Deal Compact for Somalia'.⁵⁸ It will cover three fiscal years (2017-2019) and is compliant with the Sustainable Development Goals (SDGs) and the Interim Poverty Reduction Paper (iPRSP), both global frameworks for poverty alleviation and economic growth.⁵⁹ According to Abdi Aynte, Minister of Planning and International Cooperation, the "overarching objectives of the NDP are:

- a) To quantitatively reduce abject poverty by reviving key economic sectors such as livestock, farming, fishing, ICT, finance and banking
- b) To repair vital infrastructure, starting with clean energy and water, economic beltways, ports and airports
- c) To qualitatively strengthen state capacity by reforming and streamlining the public administration sector
- d) To sustain political inclusivity, accelerate security sector reform and strengthen the rule of law across federal and state levels".⁶⁰

The full version of the NDP can be accessed [here](#).

⁵³ International Crisis Group, [CrisisWatch: Somalia](#), October 2017

⁵⁴ BBC, [Mogadishu bombings: Top Somali officials fired over deadly blasts](#), 29 October 2017

⁵⁵ Federal Republic of Somalia, Ministry of Women and Human Rights Development, [Factsheet on the establishment of the National Independent Human Rights Commission](#), Undated [last accessed: 2 November 2017]

⁵⁶ Dalsan Radio, [Somalia: President Signs Human Rights Commission Bill](#), 14 August 2016

⁵⁷ Xinhua Net, [Somalia seeks to set up independent human rights commission](#), 10 July 2017

⁵⁸ Somalia – Ministry of Planning, Investment & Economic Development, [Somalia Launches First National Development Plan in 30 Years](#), 3 November 2016

⁵⁹ Somalia – Ministry of Planning, Investment & Economic Development, [Somalia Launches First National Development Plan in 30 Years](#), 3 November 2016

⁶⁰ Somalia – Ministry of Planning, Investment & Economic Development, [Somalia Launches First National Development Plan in 30 Years](#), 3 November 2016

60-day amnesty for Al-Shabaab militants

The BBC reported in April 2017 that new President Mohamed Abdullahi Farmajo “offered al-Shabab militants a 60-day amnesty amid a declaration of war on the group”.⁶¹

London Somalia Conference

On 11th May 2017 the London Conference on Somalia took place, co-chaired by the UK, the Federal Republic of Somalia, the UN and the African Union, and attended by 42 “friends and partners of Somalia”.⁶² According to BBC News reporting “world powers agreed plans [...] to support and train Somalia’s army and police to take over duties currently performed by the African Union”.⁶³ According to reporting by the UN Secretary-General, “the Federal Government committed to holding universal elections in 2021 and to developing the electoral law by the end of 2018”.⁶⁴

The official ‘Communique’ can be accessed [here](#).

For further information, see 7. Availability of protection, [7.1. By the Somali state against human rights abuses committed by non-state actors](#).

Extension of the United Nations Assistance Mission in Somalia (UNSOM)

The UN Security Council Resolution 2358 (2017) adopted by the Security Council on 14th June 2017 extended UNSOM’s mandate until 31 March 2018 in order to provide “strategic policy advice on the political process, reconciliation, peacebuilding, state building and security sector reform”.⁶⁵

Previous UN Security Resolutions in 2016 and 2017 in relation to extending UNSOM’s mandate were as follows:

- 23 March 2017: UN Security Council Resolution [2346 \(2017\)](#)
- 24 March 2016: UN Security Council Resolution [2275 \(2016\)](#)

Extension of AMISOM deployment until 31 May 2018

The UN Security Council Resolution 2372 (2017) adopted by the Security Council on 30th August 2017 extended AMISOM’s deployment until 31 May 2018 and reduced “the level of uniformed AMISOM personnel to a maximum level of 21,626 by 31 December 2017, to include a minimum of 1,040 AMISOM police personnel including five Formed Police Units, with a further reduction of uniformed personnel to 20,626 by 30 October 2018, unless the Security Council decides to accelerate the pace of the reduction, taking into account the capabilities of the Somali security forces thus far”.⁶⁶

Previous UN Security Resolutions in 2016 and 2017 in relation to extending AMISOM’s deployment were as follows:

- 26 May 2017: UN Security Council Resolution [2355 \(2017\)](#)

⁶¹ BBC, [Al-Shabab fighters offered amnesty as new Somali president declares war](#), 6 April 2017

⁶² London Conference Somalia, [Communique](#), 11 May 2017

⁶³ BBC News, [Somalia signs security pact with backers at London talks](#), 11 May 2017

⁶⁴ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., B. Support for universal elections, para. 19, p. 4

⁶⁵ UN Security Council, Resolution 2358 (2017) [Adopted by the Security Council at its 8035th meeting, on 30 August 2017](#), 14 June 2017 paras. 1 and 2

⁶⁶ UN Security Council, Resolution 2372 (2017) [Adopted by the Security Council at its 8035th meeting, on 30 August 2017](#), 30 August 2017 para. 5

- 7 July 2016: UN Security Council Resolution [2297 \(2016\)](#)
- 27 May 2016: UN Security Council Resolution [2289 \(2016\)](#)

For additional information on AMISOM see [2.3.3. African Union Mission in Somalia \(AMISOM\)](#), 3. *Nature of IHL and human rights violations, by actor*, [3.3. AMISOM](#), and 7. *Availability of protection*, [7.2. By AMISOM for human rights abuses committed by non-state actors](#).

1.5. Main Political Developments (since 2016) in Mogadishu

The UN Independent Expert on the situation of human rights in Somalia observed in his report following his mission to Somalia in April 2016 regarding the state-building and status of Mogadishu that:

The status of Mogadishu as a separate State has yet to be determined. Before the collapse of the Siad Barre regime, Mogadishu, the national capital, was also known for being multi-clan city. Owing precisely to its role as the federal capital, its substantial contribution to the economy of the federal State, its complex clan structure and the fact that it is now claimed by the Banadir clan, the status of Mogadishu is today one of the most contentious issues of the constitutional review process. The Independent Expert was informed that the State-building process was ongoing. Besides the regional States that already exist, there are plans to form the State of Hiraan/Middle Shabelle, which are now being finalized.⁶⁷

A research report by the Danish Demining Group, published in August 2017, assessing the impact on Somalia of Somali returnees from the Kenyan Dadaab refugee camp provided the following political context:

The federal government and Banadir regional administration have both struggled to establish authority over Mogadishu's seventeen districts, which are under the control of district commissioners, some of whom operate their districts as fiefdoms. The new Mayor of Mogadishu is making moves to consolidate security sector operations in the city and reduce the autonomy of district commissioners, but it is too soon to tell if this initiative will succeed.⁶⁸

In April 2017 the Mayor of Mogadishu and Governor of Banadir regional administration, Thabit Abdi Mohamed, was elected.⁶⁹

1.6. Overview of the humanitarian and socio-economic situation in South and Central Somalia incl. Mogadishu

South and Central Somalia (excl. Mogadishu)

Note that the information included here is applicable to all residents in South and Central Somalia. For IDP specific information, see [15. IDPs in South and Central Somalia incl. Mogadishu](#) and for returnee specific information, see [16. Returnees \(including refugees and returning IDPs\) in South and Central Somalia incl. Mogadishu](#).

⁶⁷ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, III., A. *State-building and status of Mogadishu*, para. 16, p. 6

⁶⁸ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 1. *Security Context*, pages 10/11

⁶⁹ Garowe Online, [Somalia: Newly appointed Mayor of Mogadishu arrived \[sic\] the capital](#), 13 April 2017

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) annual report covering 2016 provided an overview of the humanitarian situation in Somalia noting that “The humanitarian situation in Somalia remained fragile with spikes in food insecurity, a surging AWD [Acute Watery Diarrhoea] /cholera outbreak and internal displacements throughout 2016. The key drivers of humanitarian needs were the underlying vulnerability due to protracted crisis, limited access to basic services, conflict, insecurity and climatic shocks. The number of people in need of humanitarian assistance increased from 3.9 million reported in February 2016, to 5.5 million people by the end of 2016, representing close to half of the country’s population. This was attributed to prolonged drought conditions in most parts of Somalia”.⁷⁰

The International Committee of the Red Cross (ICRC) annual report of June 2017 [covering 2016] noted with regards to Somalia that “The humanitarian situation remained serious: massive displacement, food insecurity (owing to climate shocks and competition over scarce resources) and precarious access to basic services. Civilians and weapon bearers injured during conflict and other situations of violence, and/or natural disasters, had limited access to specialized care. Most international humanitarian agencies were unable to operate, particularly in the southern and central regions. Widespread insecurity and the blurring of front lines continued to hinder the delivery of aid to vulnerable communities, particularly in areas under the control of armed groups”.⁷¹

In his January 2017 report, the Secretary-General in Somalia detailed the humanitarian situation in the period 1 September to 31 December 2016: “The humanitarian situation deteriorated during the reporting period and is set to worsen as drought conditions extend beyond Puntland and “Somaliland” to areas in the south, such as Gedo and Juba Hoose. A continued lack of social safety nets and basic services increases the country’s vulnerability and the potential for a broader crisis. The situation is expected to worsen because the current deyr rainy season has not yielded the expected level of rainfall”.⁷²

The August 2016 report of the Secretary General of the UN General Assembly noted that “In southern and central Somalia, humanitarian access remained limited owing to roadblocks and checkpoints established by non-State armed groups. Security escorts were required owing to security incidents and threats made against aid workers”.⁷³

The Norwegian Refugee Council similarly noted in its annual report covering 2016 that “Humanitarian access remained difficult with high levels of insecurity in most districts of southern and central Somalia. This impeded needs assessments, delivering humanitarian supplies and response monitoring”.⁷⁴

A Common Statement released by WFP [World Food Programme]/FEWSNET [Famine Early Warning Systems Network] /FAO [Food and Agriculture Organization of the United Nations] /JRC [European Commission's Joint Research Centre] in February 2017 noted that “As a result of the drought, the January ‘Deyr’ harvest estimates provided by FEWS NET and the Food Security and Nutrition Analysis Unit - Somalia (FSNAU) indicate extremely low levels of crop production in Southern and Central Somalia (75% below the 5-year average). The drought is already producing severe water and pasture

⁷⁰ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia Humanitarian Fund \(SHF\) 2016 Annual Report](#), September 2017, p. 7

⁷¹ International Committee of the Red Cross (ICRC), [Annual Report 2016](#), 06 June 2017, p. 189

⁷² UN Security Council, [Report of the Secretary General on Somalia](#), 9 January 2017, paragraph 53

⁷³ UN General Assembly, [Assistance to refugees, returnees and displaced persons in Africa](#), 23 August 2016, paragraph 57

⁷⁴ Norwegian Refugee Council (NRC), [Eastern Africa & Yemen Annual Report 2016](#), 4 July 2017, p. 6

shortages in pastoral regions, including southern and central areas, Puntland and parts of Somaliland”.⁷⁵

UNOCHA noted in February 2017 on the impact of drought to South and Central Somalia:

Since January, more than 12,500 people have migrated within Jubbaland, to other regions or crossed into Ethiopia in search of life-saving and livelihood opportunities. According to the IOM’s [International Organization for Migration] displacement tracking matrix (DTM) programme, approximately 1,500 households (7,500 individuals) have been displaced from the Bakool region to Luuq, Gedo region, over a four week period (January 2017). An estimated 800 households (4,000 individuals) are reported to have been displaced into Doolow during the same period alone. Between 4-24 January, an additional 950 households reported arriving into Doolow IDP camps. In Kismayo, DTM team has confirmed a new influx of over 500 households in January 2017. This migration has raised the number of IDPs in Jubbaland to 161,000. Some 81,000 of these moved to Afmadow, Dhobley and Kismayo.⁷⁶

In a March 2017 report the Danish Refugee Council noted with regards to the situation in South and Central Somalia that:

Humanitarian access continues to be a challenge, in particular in southern and central Somalia. Towns taken over by AMISOM [African Union Mission in Somalia] continue to be isolated with limited road access. From July to October 2016, nonstate armed actors took control of eight locations [sic] in Bakool, Galgaduug and Hiraa regions of Somalia following the departure of international troops. The takeover by non-state armed groups exposed civilians to significant protection risks and further reduced humanitarian access in areas that were already hard to reach. The locations include Rab Dhuure, Bur Dhuxelne, Garas Weyne and Tayeeglow in Bakool region; Budbud and Galcad in Galgaduud region; Moqokori, Ceel Cali and Halgan in Hiraa region.⁷⁷

In a May 2017 report UNHCR described the drought induced displacement in Somalia stating that

Between November 2016 and March 2017, more than 615,000 people in Somalia have been internally displaced by drought, including 377,000 displaced in the first three months of 2017. Some 126,000 have moved to the capital Mogadishu in Banadir region, and 136,000 have headed to Baidoa in the country’s south-west Bay region. The remaining newly-displaced people have moved to Togdheer, Sool, Bari, Kismayo (Lower Juba), Galkayo (Mudug), Middle Juba and other regions, including across borders. In 2017, more than 4,500 Somalis fleeing drought have been registered in Melkadida, Ethiopia; approximately 75 per cent of children among these new arrivals are affected by acute malnutrition.⁷⁸

The same report further noted that “The situation of displacement in and around Somalia is complex and dynamic. In addition to those being internally displaced due to conflict and famine, Somalia is also experiencing the return of refugees, mainly from Kenya (60,800 Somali refugees have returned from Kenya since December 2013) and Yemen (30,600 Somalis have returned since March 2015). At

⁷⁵ Common Statement WFP/FEWSNET/FAO/JRC, [Persistent drought in Somalia leads to major food security crisis](#), February 2017, p. 1

⁷⁶ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Operational Plan for famine prevention \(Jan-Jun 2017\)](#), 17 February 2017, p. 4

⁷⁷ Danish Refugee Council (DRC), [South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups](#), March 2017, 1/2017, p. 34

⁷⁸ United Nations High Commissioner for Refugees (UNHCR), [Somalia Situation 2017 – Supplementary Appeal January – December 2017](#), May 2017, p. 6 and 7

the same time, the risk of large numbers of Somalis leaving the country as refugees to seek protection and safety remains high”.⁷⁹

In its Humanitarian Response Plan Revision dating May 2017 UNOCHA offered an overview of the main changes registered in humanitarian needs in 2017 in Somalia noting that:

Several consecutive seasons of poor rainfall have led to acute water shortages, large-scale crop failure and a sharp rise in food prices. This, coupled with access limitations and poor forecasts for the Gu rains (April-June), prompted FSNAU [Food Security and Nutrition Analysis Unit] and the Famine Early Warning Systems Network (FEWS NET) to issue a famine warning in mid-January. Results from assessments conducted in the worst affected areas in April 2017 by the FSNAU, indicate a deteriorating food security situation, particularly among rural pastoral populations of Sool, Sanaag, Bari, Nugaal regions and agropastoral populations of Bay region, as well as among IDPs in Baidoa and Mogadishu.⁸⁰

The May 2017 report of the Secretary General on Somalia [covering the first four months of the year] stated:

The humanitarian situation deteriorated at an alarming pace and the risk of famine continues in 2017. On 28 February, the President of the Federal Republic convened a high-level round table on drought response and declared a national disaster, urging international and national stakeholders to redouble efforts to avert a catastrophe. The communique issued at the end of the meeting announced the adoption of a policy of zero tolerance for any diversion of humanitarian assistance and included a pledge to take firm action against anyone engaging in such corrupt practices. It also highlighted the vital role of the private sector in supporting the delivery of humanitarian supplies. ‘...Prices of staple food surged in January, and declining livestock prices and increasing cereal prices have sharply depleted terms of trade for pastoralists, according to the Food and Agriculture Organization of the United Nations.’⁸¹

A September 2017 Food Security and Nutrition Analysis Unit (FSNAU) report noted on the evolution of the humanitarian situation in Somalia in 2017:

Data from UNHCR indicates the displacement of nearly 1 074 000 people across Somalia between January and July 2017, mainly due to drought related reasons (75%), conflict and insecurity (14%), and evictions from Government and private properties (9%). Although drought-related displacement has affected all regions of Somalia, a majority of the people displaced due to drought are in Bay and Bandir Regions. There are also substantial drought-related displaced in Sool, Sanaag and Togdheer Regions in the North and Mudug, Bakool and Gedo regions in central and southern parts of the country (Figure 1). Displacement due to insecurity is mostly concentrated in Lower Shabelle, Banadir, Middle Shabelle and Galgaduud Regions. Most of the displacement due to evictions has occurred in Banadir region (Mogadishu).⁸²

The second Somalia Economic Update published by the World Bank Group in July 2017 described the economic situation in Somalia noting that “Following four consecutive seasons of poor rainfall and low river water levels in large swaths of the country, a severe food crisis has hit in 2017. The drought has led to near total crop failures and reduced rural employment opportunities, widespread shortage of water and pasture, and consequent increases in livestock deaths, which have in turn

⁷⁹ United Nations High Commissioner for Refugees (UNHCR), [Somalia Situation 2017 – Supplementary Appeal January – December 2017](#), May 2017, p. 7

⁸⁰ United Nations Office for the Coordination of Humanitarian Affairs, [Somalia: Humanitarian Response Plan Revision - May 2017](#), 10 May 2017, p. 6

⁸¹ UN Security Council, [Report of the Secretary General on Somalia](#), 9 May 2017, paragraphs 69 and 70

⁸² Food Security and Nutrition Analysis Unit (FSNAU), [Release of the Quarterly Food Security and Nutrition Special Brief - September 2017](#), 28 September 2017, p. 4

stretched the country's coping mechanisms to the brink. Food access diminished rapidly among poor households as staple food prices rose sharply and livestock prices dropped significantly as people engaged in forced sales to cope with the effects of the drought".⁸³

The same report further stated on the economic impact of the drought that "According to a preliminary Rapid Drought Needs Assessment (RDNA) by World Bank staff, which is based on a triangulation of secondary data through remote-sensing techniques, the drought has led to: livestock-related losses of between US\$1.3 billion and US\$1.7 billion for the period of the drought; crop production losses of up to US\$60 million during the period of the drought; and depletion of nominally functional water resources, over 50 percent of which are located within highly drought stressed areas".⁸⁴

Humanitarian response in South and Central Somalia (excl. Mogadishu)

A May 2017 report by the International Crisis Group noted on the humanitarian response to the situation in Somalia that:

Donors and humanitarian agencies, including the UN, were better prepared and quicker to respond to warnings of impending famine in early 2017. Since January, the UN estimates that the Somalia humanitarian appeal received "unprecedented levels of funding", with close to \$600 million raised in direct donations or pledges. In early March, the UN launched an \$825 million appeal. Although precise figures remain unclear, the overall funding gap has substantially narrowed in recent weeks, thanks notably to significant pledges from the UK, Japan and Germany. Turkey and UAE likewise significantly upped their aid operations, typically conducted outside the UN aid system.⁸⁵

Reuters reported in June 2017 that "In an unprecedented move, the World Bank is giving \$50 million to the International Committee of the Red Cross (ICRC) and the U.N. Food and Agriculture Organization to distribute emergency food, water and cash in Somalia".⁸⁶

The September 2017 report of the Secretary General on Somalia provided an overview of the humanitarian response in Somalia noting that:

Donors had provided \$870.1 million as at 13 August, enabling a massive, scaled-up response. About 3 million people have been reached through food security interventions, many of them through cash programming. In order to address malnutrition and disease outbreaks, 225 nutrition centres and 104 acute watery diarrhoea/cholera treatment facilities were established. Some 3.5 million people have been provided with access to safe water in 2017 thus far. Over 18.5 million heads of livestock have been treated against diseases, benefiting 2.8 million people.

Under the revised 2017 humanitarian response plan, \$1.5 billion is being sought in order to reach 5.5 million people in 2017. However, clusters have scaled back due to a lack of funding. These include clusters on water; sanitation and hygiene; education; providing children with a safe space and access to food and water, which is key to stopping acute watery diarrhoea/cholera; and interventions for women and girls who are victims of gender-based violence, which is especially relevant for internally displaced persons.⁸⁷

⁸³ World Bank, [Somalia Economic Update - Mobilizing Domestic Revenue to Rebuild Somalia](#), July 2017, Executive Summary

⁸⁴ World Bank, [Somalia Economic Update - Mobilizing Domestic Revenue to Rebuild Somalia](#), July 2017, Executive Summary

⁸⁵ International Crisis Group, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, p. 7 and 8

⁸⁶ Reuters, [Record hunger in Horn of Africa pushes development banks to step in](#), 13 June 2017

⁸⁷ UN Security Council, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 75 and 76

Mogadishu

Note that the information included here is applicable to all residents in Mogadishu. For IDP specific information, see [15. IDPs in South and Central Somalia incl. Mogadishu](#) and for returnee specific information, see [16. Returnees \(including refugees and returning IDPs\) in South and Central Somalia incl. Mogadishu](#).

An August 2016 report by the United Nations Office Coordination Humanitarian Affairs (UNOCHA) provided the following overview of the humanitarian situation in Mogadishu:

The ongoing evictions, continued military offensive and increased food insecurity in pockets of southern Somalia will increase the number of displacements and further aggravate the humanitarian crisis in Mogadishu where worrying humanitarian indicators continue to be reported. Slightly more than a third of the population in emergency and crisis are found in Banadir where the current malnutrition rates indicate a sustained serious level of acute malnutrition since Deyr 2014/15 with Global Acute Malnutrition (GAM) and Severe Acute Malnutrition (SAM) prevalence of 14.7 per cent and 3.5 per cent respectively. Results of Gu 2016 assessment of IDP's in Mogadishu registered Crude and under five death rates of 0.33 /10 000/day and 0.99 /10 000/day respectively in the Mogadishu IDPs, an improvement from the reported serious level of under- five death rates (1.50/10 000/day) in Deyr 2015 and (1.36) in Gu 2015 assessments⁸⁸ with the main causes of under-five deaths being fever, diarrhoea and acute respiratory infection.⁸⁸

A September 2016 UN press release detailing the humanitarian situation in Mogadishu stated that “Mogadishu hosts some 400,000 internally displaced Somalis in over 400 settlements, more than 36 per cent of the estimated 1.1 million people who remain in protracted displacement across Somalia. These displaced people lack adequate access to food, shelter and basic services, and also face the most serious protection-related risks, such as physical attacks, gender-based violence — particularly rape, sexual exploitation and abuse — and restrictions on movement. The displaced make up 68 per cent of acutely food insecure people in Somalia”.⁸⁹

The UN News Service reported in a September 2016 article on the UN humanitarian assistance provided in Mogadishu that “To strengthen protection services to internally displaced people in the Somali capital, Mogadishu, the Somalia Humanitarian Fund recently released \$7 million to scale up life-saving and life sustaining assistance. According to a statement released today the new funding will provide support for education, food security, health, nutrition, protection, shelter, and water and sanitation activities in the Daynille and Kaxda districts near Mogadishu. These two settlements host the majority of the more than 120,000 displaced people”.⁹⁰

UNICEF stated in a 2016 report that “The population living in the capital Mogadishu enjoys variable access to governance, security and basic services, with dramatic differences by district and neighbourhood. A combination of government forces, clan paramilitaries, private security and troops of the African Union Mission in Somalia (AMISOM) creates reasonably strong security in some areas, while others are plagued by threats of violence. Government capacity to provide basic regulation is very weak, as evidenced by endemic and serious disputes over high-value urban land. Most social services are delivered by either the private sector or by NGOs, some fee-based and others free”.⁹¹

⁸⁸ United Nations Office Coordination Humanitarian Affairs (UNOCHA), [\\$7 million reserve allocation strategy - support for IDPs in Mogadishu](#), August 2016, p. 1

⁸⁹ United Nations, [US\\$7 million to boost humanitarian assistance for internally displaced Somalis](#), 9 September 2016

⁹⁰ UN News Service, [UN emergency fund releases \\$7 million to strengthen protection for Somalis](#), 9 September 2016

⁹¹ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 14

UNOCHA noted in its humanitarian needs overview report for Somalia dating December 2016 that “Mogadishu hosts the largest concentration of IDPs with nearly 400,000 living in 486 settlements, which paints a grim picture of structural inequality, social marginalization and discrimination. While the situation may vary from location to location, the internal displacement profiling in Mogadishu suggests that these factors are among the hindrances to durable solutions. IDPs face elevated protection risk exposure as the settlements that they reside in are often ungoverned, or governed by arbitrary gatekeepers, overcrowded and with limited access to protective shelter, safe water and sanitation facilities as well as other basic needs. Forced evictions, the lack of social protection and land tenure rights that accompanies displacement further adds to IDPs’ exposure to protection concerns”.⁹²

The US Department of State annual report on Somalia (covering 2016) noted that “Government forces and aligned militia looted and collaborated in the diversion of humanitarian aid from intended beneficiaries in Mogadishu”.⁹³

A May 2017 report published by the International Crisis Group stated that “Some 6.2 million people are in dire need of assistance and nearly 600,000 have been displaced since November 2016. The bulk live in makeshift camps in Baidoa and Mogadishu and are increasingly desperate. Overcrowding and poor sanitation incubates infectious diseases like cholera and measles. In some of the camps, ‘gatekeepers’ masquerading as ‘camp elders’ are beginning to obstruct aid deliveries and extort bribes. Hundreds of thousands of victims of previous displacements also live precariously in cities and bigger towns”.⁹⁴

In an August 2017 report Refugees International described the situation of IDPs in Baidoa and Mogadishu noting that “More than 800,000 people have been forced to flee in order to reach lifesaving assistance. Many of these internally displaced persons (IDPs) have gone to urban centers that are under the control of the government and African Union peacekeeping forces. In cities like Mogadishu and Baidoa, the humanitarian community is struggling to keep pace with thousands of new arrivals in a challenging operating environment. Many of the displaced are currently living in squalid conditions where they not only lack adequate food, nutrition, water, shelter, and healthcare, but also are exposed to risks that threaten their health and physical safety, including sexual and gender-based violence (GBV)”.⁹⁵

The International Organization for Migration reported in October 2017 that “Mogadishu hosts the largest estimated protracted internally displaced population in Somalia, mainly living in informal IDP sites across the city. According to the Joint IDP Profiling Service (JIPS) 2016 profiling activity, findings show that during the last three years, the majority of IDPs have shifted from more central districts in Mogadishu to districts in the periphery of the city, which stands in contrast to previous studies carried out in Mogadishu. Moreover, people continue to move into the city from other parts of the country, while others are forced to move from within the city to its outskirts. DTM’s [Displacement Tracking Matrix] October 2017 data collection focusing on the greater Mogadishu area (covering Daynile, Dharkenley, Wadajir, Hodan, Kahda, Xamar Jabjab, Waaberi identified a total of 545,000 individuals in over 840 IDP sites”.⁹⁶

⁹² United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Somalia Humanitarian Needs Overview](#), 28 November 2016, p. 21

⁹³ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Internally Displaced Persons*

⁹⁴ International Crisis Group, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, p. 3

⁹⁵ Refugees International, [On the Edge of Disaster: Somalis forced to flee drought and near famine conditions](#), August 2017, p. 2

⁹⁶ International Organization for Migration IOM), [Displacement Situation Report – Mogadishu, Banadir Region](#), October 2017

1.6.1. Unemployment and poverty

For information on IDP unemployment, see [15.4.1.3. Livelihoods](#), and for returnee unemployment, see [16.4.3 Livelihoods](#).

The National Development Plan for 2017-2019 for Somalia, published in December 2016 noted that “The socio-economic situation of the country is very poor. Poverty cuts across sectors, location, group and gender, and its forms and causes vary. [...] Approximately, 69% of Somalia’s population lives below the poverty line. Poverty in Somalia is more pronounced in the IDP camps estimated to be 88% followed by rural areas with 75% and urban areas with areas 67%.”⁹⁷

The same source further described the socio-economic situation at regional level stating that “the Southern part of Somalia is comparatively poorer and suffers from unstable economic conditions and fragile security conditions. The southern part of Somalia, where conflict and confusions reign supreme, is subjected to food shortages and suffers from lack of proper infrastructure”.⁹⁸

In a 2016 report the UN Children's Fund (UNICEF) noted on the economic situation in South Central Somalia:

Economic prospects are poorest in South Central Somalia, despite lower overall unemployment and better natural resources. Southern and central regions suffer from an incidence of poverty of 89 per cent, compared with 75 per cent in Puntland and 72 per cent in Somaliland. The most severe concentrations of poverty are in the agricultural, inter-riverine areas, and are linked to a combination of marginal livelihoods, chronic conflict and displacement, as well as to the social marginalization of low-status farming communities. Even though the southern and central regions are currently poorest, they are seen as having the country’s greatest economic potential. The seaport cities of Mogadishu and Kismayo could dramatically expand commercial traffic, and the irrigable river valleys have untapped potential for cash cropping.⁹⁹

The National Development Plan for 2017-2019 for Somalia, published in December 2016 described the livelihood profile of Somalia stating that “Somalia is dominated by two livelihood systems, pastoralism and agro-pastoralism. A small proportion of the riverine population along the Juba and the Shebelle rivers depends on settled agriculture. Fishing only represents a very small livelihood activity, despite Somalia having one of the longest coastlines in Africa. In urban centers, trading activities dominate”.¹⁰⁰

The UN Children's Fund (UNICEF) stated in a 2016 report that “In southern and central Somalia, loss of livelihoods and food insecurity due to conflict or drought results in parents either going away to earn a living elsewhere or sending children away to live with others or for child labour. Some families also send their children to live in IDP camps to improve their access to basic services”.¹⁰¹

A February 2016 International Organization for Migration (IOM) study focusing on urban youth, looking at three main cities in South Central: Mogadishu, Kismayo and Baidoa found out that “14.3 per cent of the youth surveyed (or 30% of the active youth) reported to being unemployed, with a higher proportion of unemployed youth in Baidoa (24%) than in Kismayo (13%) and Mogadishu (6%). 72 per cent of the unemployed youth were actively looking for a job (shaqodoon), whereas the other

⁹⁷ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 1

⁹⁸ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 1

⁹⁹ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 16

¹⁰⁰ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 3

¹⁰¹ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 78

27 per cent reported feeling discouraged”.¹⁰² The same report further noted that “The average income for employed youth was around USD 190 a month. 31 35 per cent lived under the poverty line (USD 2 a day) and 25 per cent were in a state of extreme poverty (under USD 1.25 a day). [...] Salaries were higher in Mogadishu where nearly 10 per cent made more than USD 400 a week, against 1 per cent in Kismayo and none in Baidoa. None of the respondents aged between 14 and 19 made more than USD 50 a week, whereas nearly 20 per cent of the 26–30 age bracket did”.¹⁰³

The same study noted with regards to youth unemployment that “Youth unemployment is perceived as a major issue by both youth and employers. According to a UNDP [United Nations Development Programme] estimate, 67 per cent of Somali youth are unemployed (including both men and women), and 74 per cent of female youth in Somalia are without a job. Employers, stakeholders and youth who were interviewed during this study in Mogadishu, Kismayo and Baidoa estimated youth unemployment to be closer to 80 per cent or 90 per cent. Within our sample of youth in Mogadishu, Kismayo and Baidoa, only 14.3 per cent stated that they were currently unemployed, or 30 per cent of the active youth interviewed”.¹⁰⁴

The IOM study further described the difficulties in accessing employment: “When asked about the main obstacles to finding a job, unemployed youth (especially those in Baidoa) insisted that it was down to external factors – lack of job opportunities (54%), lack of information about jobs (31%) – as opposed to factors related to the possible weakness of their profile – lack of experience (20%), lack of skills (16%). These perceptions reflect universal dissatisfaction with the job market amongst youth with different levels of education and suggest that youth see themselves as victims of a difficult situation.”¹⁰⁵

A high-frequency survey conducted in Somalia in 2016 by the World Bank noted that:

Poverty is widespread with every second Somali living in poverty in 2016 before the onset of the current shock. Poverty, defined as having a total consumption expenditure lower than the international poverty line of US\$1.90 at 2011 PPP [Purchasing Power Parity], also varies considerably across the Somali population, ranging from 26 to 70 percent. Regional differences in poverty between the North East (27 percent) and the North West (50 percent) are much larger than urban/rural variation (45/52 percent). In urban areas, poverty ranges from 26 (North East) to 57 percent (Mogadishu). In rural areas, poverty ranges from 34 percent (North East) to 61 percent (North West). Poverty incidence is highest in IDP settlements where seven out of ten people are poor, while more than 1.1 million Somalis, roughly 9 percent of the population, considered internally displaced.¹⁰⁶

The September 2016 report of the UN Secretary-General on Somalia similarly stated that “Preliminary results from a high-frequency survey conducted in Somalia in 2016, undertaken with support from the World Bank, indicate that approximately 69 per cent of Somalia’s population lives below the poverty line (below \$1.90 per day, in terms of 2011 purchasing power parity) [...] Chronic poverty is exacerbated by a lack of economic activity, population displacement and large-scale food insecurity, caused in part by recurring drought and other adverse weather conditions”.¹⁰⁷ The same

¹⁰² International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 12

¹⁰³ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 38

¹⁰⁴ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 41

¹⁰⁵ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 42

¹⁰⁶ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 7 and 8

¹⁰⁷ UN Security Council, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 39

report further noted that “More than half of Somalia’s labour force (15 to 64 years of age) is looking for work; unemployment is highest in settlements for internally displaced persons. Women often fall outside the labour force and work in the household. Somalia has a predominantly young population; 75 per cent of Somalis are below 29 years of age. Somali youth, between 15 and 24 years of age, are better educated but more likely to be unemployed”.¹⁰⁸

According to a May 2017 Organisation for Economic Co-operation and Development (OECD) report “The unemployment rate for the country (as a percentage of the economically active population) is estimated at 47.4%. Even more glaring is the estimated youth unemployment rate of 67%, one of the highest in the world”.¹⁰⁹ The same report further noted that “About 70% of its population of roughly 12 million are under the age of 30. Living in a country with an estimated youth unemployment rate of 67%, one of the highest in the world, young Somalis see few prospects for the future. High levels of unemployment have increased their vulnerability to militant groups and criminal activities”.¹¹⁰

Additional information on the National Development Plan (NDP) can be found in section [1.4. Main Political Developments \(since 2016\) in South and Central Somalia \(excl. Mogadishu\)](#).

1.6.1.1. Unemployment and poverty in Mogadishu

For information on IDP unemployment in Mogadishu see [15.4.1.3.1. Livelihoods in Mogadishu](#), and for returnee unemployment, see [16.4.3.1. Livelihoods in Mogadishu](#).

A February 2016 International Organization for Migration (IOM) study focusing on urban youth, looking at three main cities in South Central: Mogadishu, Kismayo and Baidoa observed that “14.3 per cent of the youth surveyed (or 30% of the active youth) reported to being unemployed, with a higher proportion of unemployed youth in Baidoa (24%) than in Kismayo (13%) and Mogadishu (6%). 72 per cent of the unemployed youth were actively looking for a job (shaqodoon), whereas the other 27 per cent reported feeling discouraged”.¹¹¹

The same source reported on the economic situation in Somalia in general that “The Somali economy has shown positive developments over the last three years, since the end of AS’s [Al Shabaab] occupation of the main cities in South Central and the establishment of a government authority in Mogadishu. Companies have opened or reopened, and several private actors called this period a “revival”. Constraints on development are, of course, numerous, and job creation has not been as high as it needed to be in order to offer comfortable and stable positions to the youth workforce. It remains that the majority of stakeholders, in the private, public and aid sectors, are optimistic and share a hope that the situation will continue to improve”.¹¹² According to the findings of the IOM survey “The average income for employed youth was around USD 190 a month. 31 35 per cent lived under the poverty line (USD 2 a day) and 25 per cent were in a state of extreme poverty (under USD 1.25 a day) [...] Salaries were higher in Mogadishu where nearly 10 per cent made more than USD 400 a week, against 1 per cent in Kismayo and none in Baidoa. None of the

¹⁰⁸ UN Security Council, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 40

¹⁰⁹ Organisation for Economic Co-operation and Development (OECD), [Somalia African Economic Outlook 2017, 24 May 2017](#), p. 11

¹¹⁰ Organisation for Economic Co-operation and Development (OECD), [Somalia African Economic Outlook 2017, 24 May 2017](#), p. 2

¹¹¹ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 12

¹¹² International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 51

respondents aged between 14 and 19 made more than USD 50 a week, whereas nearly 20 per cent of the 26–30 age bracket did”.¹¹³

The same study noted with regards to youth unemployment that “Youth unemployment is perceived as a major issue by both youth and employers. According to a UNDP [United Nations Development Programme] estimate, 67 per cent of Somali youth are unemployed (including both men and women), and 74 per cent of female youth in Somalia are without a job. Employers, stakeholders and youth who were interviewed during this study in Mogadishu, Kismayo and Baidoa estimated youth unemployment to be closer to 80 per cent or 90 per cent. Within our sample of youth in Mogadishu, Kismayo and Baidoa, only 14.3 per cent stated that they were currently unemployed, or 30 per cent of the active youth interviewed”.¹¹⁴

According to the results of a high frequency survey conducted by the World Bank in 2016 in Somalia:

Poverty is widespread with every second Somali living in poverty in 2016 before the onset of the current shock. Poverty, defined as having a total consumption expenditure lower than the international poverty line of US\$1.90 at 2011 PPP, also varies considerably across the Somali population, ranging from 26 to 70 percent. Regional differences in poverty between the North East (27 percent) and the North West (50 percent) are much larger than urban/rural variation (45/52 percent). In urban areas, poverty ranges from 26 (North East) to 57 percent (Mogadishu). In rural areas, poverty ranges from 34 percent (North East) to 61 percent (North West). Poverty incidence is highest in IDP settlements where seven out of ten people are poor, while more than 1.1 million Somalis, roughly 9 percent of the population, considered internally displaced.¹¹⁵

The same source noted with regards to poverty levels in Mogadishu that “1 in 2 people in North West and 57 percent in Mogadishu are below the poverty line, making it about twice as likely to be poor there than in North East at 26 percent”.¹¹⁶

Assessing the level of remittances received by Somalis from abroad, the World Bank noted that “Every fifth Somali household received remittances in the last 12 months, but the likelihood of receipt varies from 7 to 32 percent across regions, leaving vulnerable populations, especially IDP settlements, relatively excluded. Mogadishu and the rural North East regions have the highest incidence of households receiving remittances (both 32 percent), followed by urban households in the North West (24 percent) and North East regions (23 percent), and rural North West region (13 percent). Households in IDP settlements are least likely to receive remittances at 7 percent, more than 50 below average”.¹¹⁷

Landinfo, the Norwegian Country of Origin Information Centre assessed the unemployment situation in Mogadishu in an April 2016 report and found that:

In a report from World Bank from October 2015, *Transition amid Risks* (World Bank 2015, p. 4) it is stated that around two thirds of Somalis in the age group 14-29 are unemployed. Equivalent estimates are also used in other overviews. These divergent figures indicate that we cannot say with

¹¹³ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 38

¹¹⁴ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 41

¹¹⁵ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 7 and 8

¹¹⁶ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 25

¹¹⁷ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 55

certainty how high the unemployment rate is in Mogadishu. We can nevertheless assume that the actual unemployment rate is higher than the respondents stated in the survey from IOM [International Organization for Migration]. The report itself adds nuances to the picture by pointing to what they call «underdeployment», which either means that the person does not work full time or otherwise has underutilised capacity. In addition, it is noted that some of those who claim to be working, perform tasks in informal or familial contexts, which probably does not strictly constitute a job position in statistical terms. At the same time, it must be assumed that employment opportunities are better in Mogadishu than in most other parts of Somalia, including for this group of youth without education and work experience.¹¹⁸

The same report described the main sources of income for Somalis as:

Day labour is the most important source of income for the groups surveyed (BRCIS 2015). For men this primarily means work in transport, such as dockers at the port, or labourers at a construction site. For women it is paid housework. Another important source of income for these groups is small transaction of goods, particularly agricultural products. In addition, they receive food and other benefits from aid organisations. Looking at the findings in light of estimates that around 30% of Somalia's population receives support in the form of remittances from abroad, it is an interesting finding of the survey that remittances from abroad seem to play a smaller role for this particular group than for the general population in Mogadishu. The survey shows that just over 2 % of respondents listed remittances as a source of income, and none of them listed remittances as their main source of income.¹¹⁹

The same report further stated with regards to recruitment opportunities that "Few jobs are advertised publicly in Mogadishu. According to the IOM [International Organization for Migration] report (2016, p. 61) many employers prefer to recruit through networks of family, clan members and acquaintances. An important reason for this is security concerns, where the most important thing is that an employee can be trusted. This attitude must be viewed in light of both the turbulent years the country has had and the traditional division of the population into clans with strong internal solidarity and suspicion of other clans. This approach is particularly used by small employers to fill jobs that require simple skills and which involve liability for values of various kinds".¹²⁰

In a report dating November 2016, Landinfo, the Norwegian Country of Origin Information Centre described the economic situation of persons living in settlements in Mogadishu:

Sources A, C, E, F and G believed that neither clan affiliation nor place of origin is decisive as to whether a person ends up in a settlement. The vital factor is whether the person in question has the means to obtain a residence and live outside of the settlements. This can be made possible through a person's own income or through help from relatives inside or outside of Somalia. The family network in Mogadishu is thus not necessarily key to whether a person can establish himself or herself outside of the settlements or whether he or she ends up in a settlement. Undoubtedly, kinship (clan) has great significance in Somalia, and Somalis generally try very hard to help relatives. Also sources C, E, F and G emphasized that the willingness to help relatives normally is there, both on the paternal and maternal sides. However, the sources explained that lack of resources can limit the ability to help. In this regard, the sources pointed out that a major proportion of the population in Mogadishu and Somalia are generally very poor, and hence it is not a given that all people have the resources to allow relatives to live with them or to provide financial support over time. Source E stated that even people

¹¹⁸ Norway: Landinfo - Country of Origin Information Centre, [Somalia: Relevant social and economic conditions upon return to Mogadishu](#), 1 April 2016, p. 11 and 12

¹¹⁹ Norway: Landinfo - Country of Origin Information Centre, [Somalia: Relevant social and economic conditions upon return to Mogadishu](#), 1 April 2016, p. 10

¹²⁰ Norway: Landinfo - Country of Origin Information Centre, [Somalia: Relevant social and economic conditions upon return to Mogadishu](#), 1 April 2016, p. 13

from Mogadishu with affiliation to the Hawiye clans, which dominate the city, live in the settlements.¹²¹

An August 2016 Africa Renewal article reported on the economic situation in Mogadishu that “The impact of renewed economic activity is easy to discern in Mogadishu, the country’s capital, where eye-catching office buildings and residential apartments are replacing bullet-riddled, dilapidated structures. Once a no-go area for commercial airlines, Mogadishu is now receiving daily flights again. Restaurants, taxi companies, employment agencies, dry cleaners, gyms, real estate offices and fast food courts are springing up throughout the capital and in other cities in the country”.¹²²

In April 2017 the Africa Review cited the Mayor of Mogadishu, Yussuf Hussein Jimale, as stating that his main challenge “is to increase employment opportunities and training for the youth so that they are not susceptible to Al Shabaab ideology.”.¹²³

A May 2017 article by the Guardian reported on Mogadishu that “Hundreds of thousands have moved to the city in recent years, many driven from their villages by the last famine in 2011. Most live in vast settlements, surviving on aid and odd jobs. Conditions are tough, and there are concerns that with huge numbers of young, unemployed, rootless men, such camps are fertile ground for extremism”.¹²⁴

The World Bank reported in a September 2017 article that “Mogadishu is one of the fastest urbanizing cities in the world, largely driven by its improving security situation, economic prospects and displacement”.¹²⁵

1.6.2. Famine and food insecurity

For an infographic on the displacements as a result of famine by region, see section [15. IDPs in South and Central Somalia incl. Mogadishu](#).

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) annual report of September 2017 [covering 2016] noted that “The levels of acute malnutrition increased during the year. The number of acutely malnourished children under the age of five increased to 363,000, including 71,000 children who were severely malnourished, from 304,700 acutely and 58,300 severely malnourished children in February 2016”.¹²⁶

A Food Security Information Network report dating March 2017 noted with regards to the food security situation in South and Central Somalia during 2016 that:

In central and southern regions - where tight supply is compounded by trade disruptions - maize and sorghum prices increased, particularly compared to last year. Urban population are likely to face rising food insecurity caused by worsening drought conditions and a consequent increase in staple food prices that will lower food access.

¹²¹ Norway: Landinfo - Country of Origin Information Centre, [Somalia: The settlements in Mogadishu](#), 11 November 2016, p. 3

¹²² Africa Renewal, [Somalia rising from the ashes](#), April 2016

¹²³ Africa Review, [Diaspora now investing in Mogadishu as security improves](#), 1 April 2017

¹²⁴ The Guardian, [Three tales of Mogadishu: violence, a booming economy ... and now famine](#), 15 May 2017

¹²⁵ World Bank, [Somali Authorities Make Urban Resilience a Priority](#), 7 September 2017

¹²⁶ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia Humanitarian Fund \(SHF\) 2016 Annual Report](#), September 2017, p. 7

[...] The agro-pastoral livelihoods of the Mudug and Galgadud regions in central Somalia have experienced near complete crop failure. The 2016 Gu cereal production in central and southern areas was 50 percent below the long-term average (1995 –2015) and 20 percent below the five-year average (2011–2015). The Deyr season cereal harvest was 70 percent below the long-term (1995–2015) average and 75 percent below the five-year average (2011–2015).¹²⁷

USAID reported in July 2016 that “The areas most likely to be affected by the rain shortfalls include Bay and Lower Shabelle regions, which account for between 70 and 80 percent of southern Somalia’s total cereal production during normal harvest seasons. FSNAU [UN Food Security and Nutritional Analysis Unit for Somalia] projects that a poor post-gu harvest could result in further deterioration of food security conditions, particularly in areas of central and southern Somalia”.¹²⁸

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) noted in July 2016 with regards to the food security situation in southern and central Somalia that:

The food security situation for southern and central Somalia is increasingly worrying. [...] The 2016 Gu harvest is expected to be 30 to 50 per cent below average in southern Somalia. The shortfall is in part, due to poor rains, moisture stress, pest infestation and the damage caused by the floods in the riverine areas of Hiraan and Middle Shabelle regions. Some of the areas projected to receive below average harvests like Bay and Lower Shabelle, often account for 80 per cent of the cereal production in southern regions. The next Deyr rainy season (October–December) is also likely to be below average in most parts of the country in the likely event of a La Niña. Hiraan and Middle Shabelle regions where floods affected nearly 70,000 people and the coastal areas are expected to be the most affected, according to FSNAU.¹²⁹

USAID reported in September 2016 that “As of September, low-income and vulnerable households in parts of central, northern, and southern Somalia had exhausted food stocks and were facing Crisis levels of acute food insecurity”.¹³⁰

UNOCHA reported in November 2016 with regards to the impact of the drought in Somalia that:

In Gedo region, locally significant poor Gu rains and poor Deyr rains in October coupled with conflict have affected nearly 76,000 people, including 3,000 who left their homes in search of water, according to the inter-agency assessment report conducted in September 2016. An estimated 89 per cent of the pastoralists have lost at least one animal, while 77 per cent of animal deaths are attributed to the drought. Over 18 per cent of people living in Belet-Xaawo, Doolow and Luuq have been receiving cash assistance over the past 12 months while 43 per cent accessed cash through borrowing. Some 89 per cent of households have reduced meals to two per day while seven per cent have reduced to one meal. General acute malnutrition has worsened with over 95 per cent of those interviewed indicating eroding nutrition levels, with rates highest amongst internally displaced persons (IDPs) in Doolow, as well as in north Gedo riverine and agropastoral areas.¹³¹

An Assessment Capacities Project (ACAPS) report dating February 2017 described the food situation in Somalia noting that “As of February, an estimated 363,000 children under five were moderately and 71,000 severely malnourished. This is a 12% increase in moderately and a 24% increase in

¹²⁷ Food Security Information Network (FSIN), [Global Report on Food Crises 2017](#), 31 March 2017, p. 33

¹²⁸ US Agency for International Development (USAID), [Somalia - Complex Emergency, Fact Sheet #3, Fiscal Year \(FY\) 2016, 1 July 2016](#), p. 2

¹²⁹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia, July 2016](#), 28 July 2016, p. 2

¹³⁰ US Agency for International Development (USAID), [Somalia – Complex Emergency, Fact Sheet 4, Fiscal Year 2016](#), 30 September 2016, p. 3

¹³¹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Consequences of Drought in Somalia 2016 - As of 17 November 2016](#), 17 November 2016, p. 4

severely malnourished children since August 2016. Critical global acute malnutrition (GAM) rates (15-30%) were observed in Banadir, Bay, Gedo, Galgadud, Mudug, Nugal, Bari, Sanaag, Sool, and Togdheer regions in January, with deterioration into Critical rates of GAM likely in Awdal, Bakool, Middle Shabelle, and Lower Shabelle regions by April".¹³²

The Food Security and Nutrition Analysis Unit (FSNAU) reported in an assessment of the food security situation in Somalia dating February 2017 that "In the south, the Bay High-Potential Agropastoral and the Bay/Bakool Low Potential Agropastoral livelihood zones are of highest concern. Poor households in these areas had little to no harvests, typically their main source of food for consumption and income from sales. In addition, poor households have few livestock and are especially reliant on wage labor, an income source that can decline quickly during severe droughts. Distress migration out of rural areas of Bay towards IDP settlements in Baidoa and Mogadishu has already been reported".¹³³

An IHH report dating March 2017 stated that "Bay, Lower Shabelle, Jubbaland, Putland and part of Somaliland are mostly effected areas from the current famine. IDP camps have emerged in certain locations including Mogadishu. It is estimated that more than 250 thousand people already left their homes to search food during the last four months. As Somalia government declared human death already began due to food shortage".¹³⁴

In a March 2017 article the International Committee of the Red Cross (ICRC) reported that "Mothers with visibly malnourished children are streaming to the stabilization centre at Kismayo General Hospital, one of the few places in south and central Somalia to treat malnutrition. In February 369 new patients were admitted, 40 percent more than February 2016. In December, 414 new patients were admitted, a monthly record for the centre, which opened in 2013".¹³⁵

According to a June 2017 World Bank report "Food security in the region has been deteriorating due to poor rainfall between October, 2016, and March, 2017. With expected rain levels staying below average in the April to June 2017 season, more than 6 million people will remain acutely food insecure. Geographically, the drought is most severely affecting the southern pre-war regions of Bay and Bakool, as well as rangeland in the North East, leading to crop loss and livestock deaths. Output is expected to decline by 10.6 percent in 2017. In combination with high prices for staple foods, households' purchasing power is compromised. More than a quarter of a million people have already been internally displaced as a consequence of the drought".¹³⁶

A June 2017 report by USAID noted that "Humanitarian access constraints have hindered emergency food and safety net activities in parts of Bakool, Bay, Lower Shabelle, Middle Juba, and Middle Shabelle. [...] Many roads to Bakool and Bay, in particular, remain blocked by al-Shabaab elements and other armed actors, local media report".¹³⁷

¹³² Assessment Capacities Project (ACAPS), [ACAPS Briefing Note - Somalia: Food Security and Nutrition Crisis \(24 February 2017\)](#), 24 February 2017, p. 3

¹³³ Food Security and Nutrition Analysis Unit (FSNAU), [Joint FEWS NET-FSNAU Somalia Alert](#), 16 January 2017, p. 2

¹³⁴ IHH, [IHH Somalia Report \(1996-2017\)](#), 29 March 2017, p. 2

¹³⁵ International Committee of the Red Cross (ICRC), [Somalia: Nutrition centre sees big increase in malnourished children](#), 06 March 2017

¹³⁶ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 6

¹³⁷ US Agency for International Development (USAID), [Horn of Africa – Complex Emergency, Factsheet 6, Fiscal Year 2017](#), 23 June 2017, p. 2

UNOCHA stated in June 2017 report that “In Somalia, seasonally adjusted prices for the first quarter of 2017 rose (+27% sorghum; +20% maize) compared to the previous quarter as yields from the January to February harvest were half of what was predicted. Prices skyrocketed for sorghum in Banadir (+60%), Bay (+68%), Bakool (+42%) and Hiraan (+50%) where severe rainfall deficits continue to shrink agricultural resources to emergency levels”.¹³⁸

The Famine Early Warning System Network reported in July 2017 with regards to food security in South and Central Somalia that:

In central and northeastern pastoral areas, food insecurity remains severe and households face food consumption gaps. Rice prices are stable and ToT [terms of trade] are near average, but pastoralists have few saleable livestock after losing a large proportion of their herd to death and distress selling. In addition to limited income from livestock sales, households also lack access to typical levels of milk given that few to no births took place during the Gu season. [...] Food security is slightly better in pastoral areas of the south, where households lost fewer livestock and have greater access to income to purchase cereal. Humanitarian assistance is also significant in many of these areas, helping to maintain Stressed (IPC Phase 2!) outcomes. The exception to this is Southern Inland Pastoral livelihood zone in Bakool, where large-scale livestock losses did occur and households face difficulty selling sufficient livestock to meet their basic needs, and are in Crisis (IPC Phase 3!) in the presence of humanitarian assistance.¹³⁹

In a July 2017 report the Famine Early Warning System Network provided the following food security outlook on Somalia:

‘Critical’ levels of global acute malnutrition (GAM) are present in most areas, driven by lower than normal food access, increased waterborne illness during the rainy season, and poor access to health services. SMART surveys conducted by Concern, Save the Children, and ACF in May/June in Afgoye of Lower Shabelle, Baidoa of Bay, El Barde of Bakool, Wanlaweyn of Lower Shabelle, and Mogadishu, reported ‘Critical’ (>15%) levels of GAM (WHZ). In El Barde of Bakool, the GAM (WHZ) prevalence was 30.7 percent (26.0-35.8) and the SAM (WHZ) was 8.3% (6.0-11.4), a very high and concerning prevalence. Additional SMART surveys conducted by FSNAU [Food Security and Nutrition Analysis Unit] in June also indicate ‘Critical’ levels of acute malnutrition in 9 out of 12 IDP settlements. High disease incidence is contributing to acute malnutrition. Between January 1 and June 18 over 53,000 cases of cholera and 10,000 cases of measles have been reported.¹⁴⁰

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa noted that “Rural southern Somalia in particular is a zone of chronic food insecurity and malnutrition and almost non-existent basic services. As harsh as conditions are in Dadaab refugee camp, the reality is that the camp has been a significant step up for the poorest Somalis from rural southern Somalia”.¹⁴¹

The same source noted on the situation of food security that “Two hotspots for extreme food insecurity exist, in northeast Somalia and in Bay region and southern areas of Bakool region (see Map 6). Both of those areas are now categorized as Phase 4, or emergency levels – one level before famine.”¹⁴²

¹³⁸ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Regional Outlook for the Horn of Africa and the Great Lakes Region: Recommendations for Humanitarian Action and Resilience Response](#), April-June 2017, p. 13

¹³⁹ Famine Early Warning System Network (FEWSN), [Somalia Food Security Outlook, June 2017 to January 2018](#), 14 July 2017, p. 5

¹⁴⁰ Famine Early Warning System Network (FEWSN), [Somalia Food Security Outlook, June 2017 to January 2018](#), 14 July 2017, p. 5

¹⁴¹ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 13

¹⁴² Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 13

A September 2017 update on Somalia by USAID stated that “Despite modest improvements in recent years, malnutrition rates in Somalia remain among the highest in the world, and ongoing insecurity in the country—particularly in areas that lack established local authorities and where alShabaab is present—contributes to the complex emergency. Sustained life-saving assistance, coupled with interventions aimed at building resilience, is critical to help vulnerable households meet basic needs, reduce malnutrition, and protect livelihoods. An estimated 6.2 million people in Somalia require humanitarian assistance through December 2017”.¹⁴³

UNOCHA reported in September 2017 that “Malnutrition has reached emergency levels in a number of locations in southern and central Somalia, primarily, though not exclusively among displaced populations, according to the latest FSNAU [The Food Security and Nutrition Analysis Unit – Somalia] results. At the time of the survey in June and July, there were 388,000 acutely malnourished children across Somalia, in need of critical nutrition support, including life-saving treatment for more than 87,000 severely malnourished children”.¹⁴⁴

A September 2017 Food Security and Nutrition Analysis Unit (FSNAU) report provided the following overview of the food security outlook in Central Somalia noting that:

In the post-Gu 2017, the food security situation in all central livelihoods has deteriorated when compared to the post-Deyr 2016, owing to poor rainfall performance which negatively affected crop and livestock production, as well as due to declining incomes. In July 2017 analysis, all rural livelihoods were classified as in Emergency (IPC Phase 4). In the most likely scenario, the area classification is projected to remain in Emergency (IPC Phase 4) in all livelihood zones between August and December 2017, with the exception of Hawd Pastoral livelihood zone, which is expected to improve to Crisis (IPC Phase 3). The deteriorated food security situation in all livelihood zones of the central regions is mainly attributed to at least two consecutive seasons of poor rainfall performance (Deyr 2016 and Gu 2017) which resulted in severe shortage of pasture and water, leading to significant loss of livestock, limited access to own production (milk and meat), and increased indebtedness.¹⁴⁵

The same source further reported on the food security outlook in Southern Somalia that:

The food security situation in most rural livelihood zones in southern Somalia continued to deteriorate through mid-2017. Poor harvests at the end of 2016, limited access to alternative income sources, limited livestock holdings, and rising food prices have led to severe food insecurity and forced substantial displacement of rural populations towards IDP settlements (Baidoa, Mogadishu and Dollow) as well as urban centers. Between April and June, agropastoral livelihood zones in Bay, Bakool and Hiran Regions were in Emergency (IPC Phase 4) and Southern Agropastoral livelihood zone of Gedo, Middle and Lower Juba and Juba Cattle Pastoral livelihood zone of Middle and Lower Juba and Southern Rainfed Maize Agropastoral were in Crisis (IPC Phase 3). However, 2017 Gu rains, which were average to above average in localized areas and sustained humanitarian assistance have contributed to some improvement in the food security situation in some areas. In the projected period (August-December 2017), given the forecasted available at the time of near average to below-average Deyr 2017 rains, it was projected that food security outcomes in most areas would remain similar or improve slightly.¹⁴⁶

¹⁴³ US Agency for International Development (USAID), [*Horn of Africa - Complex Emergency, Fact Sheet #11, Fiscal Year 2017*](#), 30 September 2017, p. 5

¹⁴⁴ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [*Somalia: Drought Response - Situation Report No. 16*](#), 14 September 2017, p. 1

¹⁴⁵ Food Security and Nutrition Analysis Unit (FSNAU), [*Release of the Quarterly Food Security and Nutrition Special Brief - September 2017*](#), 28 September 2017, p. 10

¹⁴⁶ Food Security and Nutrition Analysis Unit (FSNAU), [*Release of the Quarterly Food Security and Nutrition Special Brief - September 2017*](#), 28 September 2017, p. 10

The findings of the FSNAU 2016 Post Gu Seasonal Food Security And Nutrition Assessment In Somalia, published October 2017 noted that "In central and southern Somalia, cereal production 49% below long-term average and 20% below five-year average as a result of poor rainfall; seasonal employment among the poor has also been adversely affected".¹⁴⁷

1.6.2.1. Famine and food insecurity in Mogadishu

In July 2016 the Food Security and Nutrition Analysis Unit (FSNAU) noted in their findings from 2016 Gu season nutrition surveys among Internally Displaced Persons (IDPs) in Somalia that "In Mogadishu, the current malnutrition prevalence was categorized as serious. Nevertheless, continuous arrival of new IDPs as a result of the on-going Government eviction plans, limited interventions in the Afgoye corridor, high morbidity, low immunization coverage (< 40 %), outbreak of unconfirmed Chikungunya (clinical signs like dengue fever) might further worsen the current nutritional situation".¹⁴⁸

The same source noted with regards to Mogadishu IDPs that "Results of Gu 2016 assessment of IDP's in Mogadishu registered a GAM [Global Acute Malnutrition] prevalence of 14.7 percent and SAM [Severe Acute Malnutrition] prevalence of 3.5 percent which indicate a sustained serious level of acute malnutrition since Deyr 2014/15 (Figure 8)".¹⁴⁹

The FSNAU reported in March 2017 that "Food security has also declined in most southern urban areas, due to rising food prices alongside declining income. Income from casual labor and petty trade declined in all southern regions except Middle Shabelle. The largest declines were in Mogadishu and Bakool where the wage rate in February dropped 25-30 percent below the five-year average".¹⁵⁰

The United Nations Assistance Mission in Somalia (UNSOM) reported in an article dating March 2017 on the famine in Banadir region "Forty-seven children have died from hunger-related ailments in Banaadir Hospital in the Somali capital over the last two months, according to the head of the hospital's pediatric unit, Dr. Luul Mohamud Mohamed. At least 1,200 children were treated for severe malnutrition at the medical facility in the same period. "Support is coming late and these drought affected populations already have diarrhoea, they have malnutrition and are already losing lives," Dr. Luul said.¹⁵¹ The same source further noted that "Across the city, in the Mogadishu district of Hodan, a local non-governmental organization called the Somali Relief and Rehabilitation Development Organization runs a wet feeding centre, where vulnerable children and the elderly receive free food [...] The number of people seeking meals at the centre has increased substantially in the last few months, as demonstrated by the long queues of hungry children and old people forming outside the facility in search of food".¹⁵²

¹⁴⁷ Food Security and Nutrition Analysis Unit (FSNAU), [The 2016 Post Gu Seasonal Food Security And Nutrition Assessment In Somalia: Major Findings and Recommendations](#), 11 October 2017, p. 3

¹⁴⁸ Food Security and Nutrition Analysis Unit (FSNAU), [Preliminary findings from 2016 Gu season nutrition surveys among Internally Displaced Persons \(IDPs\) in Somalia](#), 5 July 2016, p. 3

¹⁴⁹ Food Security and Nutrition Analysis Unit (FSNAU), [Preliminary findings from 2016 Gu season nutrition surveys among Internally Displaced Persons \(IDPs\) in Somalia](#), 5 July 2016, p. 5

¹⁵⁰ Food Security and Nutrition Analysis Unit (FSNAU), [Somalia Food Security Outlook – February to September 2017](#), 15 March 2017, p. 6

¹⁵¹ United Nations Assistance Mission in Somalia (UNSOM), [47 Children Die From Hunger-Related Diseases in Mogadishu Hospital as Youngsters Bear Brunt of Drought](#), 9 March 2017

¹⁵² United Nations Assistance Mission in Somalia (UNSOM), [47 Children Die From Hunger-Related Diseases in Mogadishu Hospital as Youngsters Bear Brunt of Drought](#), 9 March 2017

The Independent reported in March 2017 that “Thousands have been arriving in Somalia's capital Mogadishu over recent days in search of food aid, with 7,000 internally displaced people having recently checked into one feeding centre”.¹⁵³

UNOCHA's humanitarian response plan for Somalia dating May 2017 stated that “The nutrition situation has deteriorated more rapidly than projected. Preliminary results from the FSNAU's [Food Security and Nutrition Analysis Unit] assessments conducted in specific locations (IPC Phase 3 and 4) in April 2017 indicate critical levels of acute malnutrition among rural pastoral populations of Sool, Sanaag, Bari, Nugaal regions and agropastoral populations of Bay region, as well as among IDPs in Baidoa and Mogadishu”.¹⁵⁴

An April 2017 survey conducted by FSNAU found that “Global Acute Malnutrition (GAM) has increased among Baidoa IDPs as well as Mogdishu IDPs since Deyr 2016/17. The increase is statistically significant among IDPs in Baidoa. Jilaal 2017 GAM prevalence rates are considered Critical (15-30%) in both Baidoa and Mogadishu”.¹⁵⁵ The same report further noted on malnutrition levels that “There has been slight changes in Severe Acute Malnutrition (SAM) among IDPs in Baidoa and Mogadishu since Deyr 2016/17. However, these changes are not statistically significant. Both during Deyr 2016/7 and Jilaal 2017, SAM prevalence rates are considered Serious (2.5-4%) in Baidoa IDPs and Critical (4-6%) among Mogadishu IDPs”.¹⁵⁶

With regards to food consumption the same source noted that “Based on food consumption score, food security situation has deteriorated in Banadir since Deyr 2016 (proportion of households with Poor food consumption has increased from 4 percent to 20”.¹⁵⁷

The April 2017 FSNAU survey further stated on the impact of drought on households that “The proportion of households in Crisis and Emergency (IPC Phases 3 & 4) has increased since Deyr 2016/17 both in Baidoa and Banadir: from 80% to 97% among Baidoa IDPs from 50% to 75% among Banadir (Mogadishu) IDPs. The proportion of households in Emergency or higher has increased from 28% to 46% in Baidoa and from 4 to 26% in Banadir”.¹⁵⁸

UNOCHA reported in May 2017 on the nutrition situation stating that “The nutrition situation in Banadir and Bakool regions are of critical concern with more than 20,200 beneficiaries admitted at the Outpatient Therapeutic Programme/Stabilisation Centres (OTP/SC) since the beginning of the year; a significant increase compared to the same period in 2016, which was 13,097 people. A GAM [Global Acute Malnutrition] rate of 22 per cent and SAM [Severe Acute Malnutrition] rates of 5.04 per cent have been recorded among children in Xudir and Elbarde districts, Bakool region”.¹⁵⁹ The same source further reported that “The nutrition situation in Banadir and Bakool regions is reportedly critical. Nutrition actors report that admission trends in Benadir have increased sharply,

¹⁵³ The Independent, [More than 100 people starve to death in 48 hours in drought-hit region of Somalia, government warns](#), 4 March 2017

¹⁵⁴ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Humanitarian Response Plan Revision](#), 10 May 2017, p. 7

¹⁵⁵ Food Security and Nutrition Analysis Unit (FSNAU), [2017 Jilaal Impact Household Survey Results April 2017](#), 29 May 2017, p. 2

¹⁵⁶ Food Security and Nutrition Analysis Unit (FSNAU), [2017 Jilaal Impact Household Survey Results April 2017](#), 29 May 2017, p. 3

¹⁵⁷ Food Security and Nutrition Analysis Unit (FSNAU), [2017 Jilaal Impact Household Survey Results April 2017](#), 29 May 2017, p. 6

¹⁵⁸ Food Security and Nutrition Analysis Unit (FSNAU), [2017 Jilaal Impact Household Survey Results April 2017](#), 29 May 2017, p. 10

¹⁵⁹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought response, Situation Report No. 10 \(as of 31 May 2017\)](#), 31 May 2017, p. 7

with April recording the highest admissions. In total, there are 20,243 beneficiaries admitted to the Outpatient Therapeutic Programme/Stabilisation Centres (OTP/SC) since the beginning of the year. This is higher than the admission for the same period in 2016, which was 13,097 people. The deaths in the period have almost tripled from 58 deaths same time 2016 to 134 deaths in 2017. About 75 per cent (131 deaths) of the deaths occurred in the OTP while three deaths occurred in the stabilisation centres”.¹⁶⁰

In June 2017 UNOCHA reported that “In Somalia, seasonally adjusted prices for the first quarter of 2017 rose (+27% sorghum; +20% maize) compared to the previous quarter as yields from the January to February harvest were half of what was predicted. Prices skyrocketed for sorghum in Banadir (+60%), Bay (+68%), Bakool (+42%) and Hiraan (+50%) where severe rainfall deficits continue to shrink agricultural resources to emergency levels”.¹⁶¹

The findings of the FSNAU 2016 Post Gu Seasonal Food Security And Nutrition Assessment In Somalia, published October 2017 noted that “Banadir (32.5%), Hiran (8.4%), Awdal (7.2%) and Woqoyi Galbeed (6.9%) regions have the largest number of people in Crisis and Emergency across Somalia. They account for 55 percent of the Total Banadir (24.1%), Lower Shabelle (9%), Bari (8.5%) and Togdheer (7.4%) Regions have the largest number of people in need across Somalia. They account for nearly 50 percent of the Total”.¹⁶²

1.6.3. Water, sanitation and hygiene

The National Development Plan for Somalia 2017-2019 provided the following overview on the situation of water, sanitation and hygiene in the country:

According to the results of the recent UNICEF WASH [Water, Sanitation, and Hygiene] KAP [Knowledge, Attitudes and Practices] Survey in 2015, access to piped water stands at 35%. However many of the urban & peri-urban poor (including IDPs) rely on small-scale water vendors who provide low quality water at a high price so that poor people pay up to five times more for water. [...] The need for sanitation can be seen throughout the country. According to the WASH KAP survey in 2015, majority of Somali people don't have hand washing facilities at home. Less than half (44%) has a general hand washing facility. Although 44% of the households have a hand-washing facility only 10% of them have water and soap whilst 4% have a combination of water, soap and drainage. Further, access to sanitation facilities stands at 34%. Access to hand-washing facility near the toilet area is very low and stands 12% whereas access to water near the toilet area is as extremely low as 3% nationally. Access to latrines with slabs stands at 8%. Defecation in open air stands at 59%; whereas majority of nomads defecate in an open air or in the bush.¹⁶³

According to the results of a high frequency survey conducted by the World Bank in 2016 in Somalia “Only 58 percent and 10 percent of Somalis have access to an improved source of water and improved sanitation respectively, compared to an average 69 and 25 percent in low-income Sub-Saharan countries”.¹⁶⁴

¹⁶⁰ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought response, Situation Report No. 10 \(as of 31 May 2017\)](#), 31 May 2017, p. 5

¹⁶¹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Regional Outlook for the Horn of Africa and the Great Lakes Region: Recommendations for Humanitarian Action and Resilience Response](#), April-June 2017, p. 13

¹⁶² Food Security and Nutrition Analysis Unit (FSNAU), [The 2016 Post Gu Seasonal Food Security And Nutrition Assessment In Somalia: Major Findings and Recommendations](#), 11 October 2017, p. 9

¹⁶³ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 117

¹⁶⁴ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 7

UNOCHA noted in a March 2016 report that “There are concerns on the rapid deterioration of the water situation in Belet Weyne in Middle Shabelle region due to the rapid reduction of water levels in River Shabelle. The water levels are at their lowest levels in decades, according to SWALIM [Somalia Water and Land Information Management Project]. Already, WASH [Water Sanitation, and Hygiene] cluster partners are raising alerts on the possibility of AWD [Acute Watery Diarrhoea]/cholera outbreaks due to water scarcity”.¹⁶⁵

The US Agency for International Development (USAID) reported in April 2016 that “Water levels in the Shabelle River—running from the Ethiopian highlands through central and southern Somalia—decreased to their lowest points on record in recent weeks as a result of below-normal rainfall in the upper areas of the Shabelle Basin during recent months, according to a USAID-supported Somalia Water and Land Information Management (SWALIM) report. The drop in water has limited human and animal water use, and humanitarian actors have warned of increased risk for acute watery diarrhea or cholera cases, especially in Middle Shabelle. By late March, areas of the river basin began receiving some rain, and SWALIM anticipates that the river’s water level should increase as a result of anticipated additional rainfall starting in early April”.¹⁶⁶

An April 2016 UNOCHA report noted on the water shortage that “A critical water shortage in Belet Weyne, Bullo Burto, and Jalalaqsi in Hiraa region and Jowhar in Middle Shabelle region had forced people to rely on unsafe water sources. Increased cases of acute watery diarrhoea (AWD) were reported as well as livestock deaths and deterioration of pasture. Bay, Hiraa, Lower Juba, Middle Juba, Lower Shabelle and Middle Shabelle were the most affected regions. Already, 10 out of 13 laboratory samples collected from AWD cases in Lower Jubba tested positive for cholera, according to World Health Organization”.¹⁶⁷

A July 2016 USAID report noted on the outbreak of cholera in the first half of 2016 as result of limited access to safe water: “Between January and June 23, health actors recorded more than 10,000 cholera cases, including nearly 450 deaths, across Somalia, representing a significant increase compared to the cholera cases recorded in 2015, according to the UN. The majority of cases occurred in Banadir, Bay, Hiraa, Lower Juba, Lower Shabelle, Middle Juba, and Middle Shabelle regions, where affected communities have limited access to safe drinking water and face interrupted access to health care services, according to local health officials”.¹⁶⁸

The UNOCHA report of August 2016 stated that “WASH [Water Sanitation, and Hygiene] facilities were recently damaged by floods experienced in several parts of Somalia especially in Hiraa region and need rehabilitation as well as rebuilding of collapsed structures. [...] Some 34,000 people received hygiene kits to avert water-borne disease outbreaks in response to AWD [Acute Watery Diarrhoea] /Cholera and drought in Banadir, Bay and Middle Shabelle regions”.¹⁶⁹

A September 2016 report published by the African Development Bank Group noted that “It is estimated that only 31 percent of the population in the north-west of the country has access to safe

¹⁶⁵ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia March 2016](#), 23 March 2016, p. 1 and 2

¹⁶⁶ US Agency for International Development (USAID), [Somalia - Complex Emergency; Fact Sheet #2, Fiscal Year \(FY\) 2016](#), 1 April 2016, p. 3

¹⁶⁷ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia, April 2016](#), 25 April 2016, p. 2 and 3

¹⁶⁸ United States Agency for Aid and Development (USAID), [Somalia Complex Emergency, Factsheet 3, Fiscal Year 2016](#), 1 July 2016, p. 3

¹⁶⁹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Dashboard, August 2016](#), 29 September 2016, p. 3

drinking water compared to 19 percent in the north-east and only 20 percent in southern part of the country (UNICEF/WHO 2014). In urban towns such as Mogadishu, only 35 percent of the population has access to safe drinking water while in rural areas this is as low as 10 per cent”.¹⁷⁰

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) report published in November 2016 described the situation in **Jubaland**:

On 28 September, due to a worsening drought situation, the Jubaland authorities appealed for urgent humanitarian interventions in areas near Afmadow, Badhaadhe and Kismayo districts. Based on a WASH [Water Sanitation, and Hygiene] assessment in Afmadow town, an estimated 90,000 people, consisting of 14,750 households, including 800 newly arrived IDP households, have limited access to water as a result of the drought. The town depends mostly on one borehole and 35 unprotected shallow wells, of which 30 have run dry because of a lack of rainfall. Of the water available, high salinity rates, exposure to household waste and a lack of storage capacity further limit quality and access.¹⁷¹

UNOCHA reported in November 2016 with regards to the impact of the drought in **Gedo** region that “An estimated 90 per cent of villages assessed rely on unsafe water sources for drinking and domestic purposes while most of the respondents travel between 15 and 35 km to source safe water. Some 74 per cent of households reported the absence of any sanitation facilities, which could help reignite the AWD [Acute Watery Diarrhoea]/ cholera outbreak faced earlier in the year, which was brought under control through interventions by partners”.¹⁷²

The humanitarian response plan for Somalia, dating December 2016 noted on the situation regarding water, sanitation and hygiene that “Poor access to safe drinking water and lack of adequate sanitation facilities coupled with poor hygienic practices are major threats for the survival and development of children in Somalia. In 2015, only 55 per cent of Somalis have access to safe drinking water whilst 63 per cent have access to safe means of excreta disposal. Open defecation stands at 44 per cent for rural areas and 29 per cent overall (urban and rural). Large portions of the population are at persistent risk of waterborne diseases like acute watery diarrhoea (AWD)/cholera and polio, as well as natural disasters (floods and drought) and manmade disasters”.¹⁷³

In its humanitarian response plan for Somalia, dating December 2016 the United Nations Office for the Coordination of Humanitarian Affairs noted with regards to access to water and sanitation in Somalia that “WASH [Water Sanitation, and Hygiene] vulnerability analysis, based on AWD [Acute Watery Diarrhoea] /cholera risk, flood risk, drought risk and access to water and sanitation was completed in July 2016. The analysis shows that in addition to a steep degradation of the situation in comparison to 2015, most districts in Bay, Bakool, Gedo, Hiraan, Middle and Lower Juba, Lower Shabelle, Banadir, and to a certain extent Middle Shabelle and Galgaduud regions, can be considered as areas of high and/or very high vulnerability and should be prioritized in the framework of WASH response”.¹⁷⁴

¹⁷⁰ African Development Bank Group, [Improving Access to Water and Sanitation in Rural Somalia](#), September 2016, p. 9

¹⁷¹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Consequences of Drought in Somalia 2016 - As of 17 November 2016](#), 17 November 2016, p. 4 and 5

¹⁷² United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Consequences of Drought in Somalia 2016 - As of 17 November 2016](#), 17 November 2016, p. 4

¹⁷³ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 40

¹⁷⁴ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 40

An Inter-Agency Working Group on Disaster Preparedness for East and Central Africa report, dating January 2017 stated that “Fears are growing about the spread of water-borne diseases after cholera outbreaks were reported in 25 districts of Somalia late last year”.¹⁷⁵

An Inter-Agency Working Group on Disaster Preparedness for East and Central Africa report, dating January 2017 made an assessment on the situation of water sources in Somalia stating that “Over the coming months, more and more water sources are set to dry up, leaving those that remain congested and over-stressed. The decline in water levels has been matched by a steep rise in prices; since June 2016, the cost of water has gone from \$5 a barrel (200 litres) to \$15 a barrel”.¹⁷⁶

In February 2017 USAID reported that “WASH [Water Sanitation, and Hygiene] actors have reported an increased incidence of acute watery diarrhea cases in parts of central and southern Somalia since late 2016, particularly in areas with reduced rainfall and limited access to clean water. Health authorities and response agencies, including USAID/OFDA partners, have scaled up hygiene programs, water trucking, and other WASH assistance in drought-affected areas, particularly those where partners are increasingly citing a need for emergency water supplies”.¹⁷⁷

The World Food Programme noted in a report dating February 2017 that “Throughout the country, there is widespread shortage of water and pasture, resulting in increases in livestock deaths, and rapidly diminishing access to food among poor households. Prices of local food staples have risen sharply while livestock prices have decreased significantly. In the southern regions of Bay and Bakool and Gedo, these conditions are prompting migration into urban centres in Gedo region, Mogadishu and Ethiopia”.¹⁷⁸

In March 2017 the Famine Early Warning System Network reported that “The scarcity of safe drinking water has led to an outbreak of AWD [Acute Watery Diarrhoea] / cholera. According to WHO [World Health Organization], there have been 10,571 cases reported and 269 deaths since January 2017. Nearly half of all cases were reported in Bay, and the majority of these cases were in Baidoa town where crowding of newly displaced households is likely exacerbating the outbreak”.¹⁷⁹

An April 2017 UN Children's Fund (UNICEF) report noted that “In Central and Southern regions an estimated 90% of schools do not have access to safe drinking water”.¹⁸⁰

The Famine Early Warning System Network report dating July 2017 noted on the availability of water resources that:

In southern regions, rainfall totals were well below average in Bakool, Middle Shabelle, northern Bay, and northern Lower Shabelle. In all other districts, rainfall was average, but erratically distributed across time. Hagaa rainfall, which is received in southern Bay and southern coastal districts from late June through August, began in mid-June and has so far been above average. As a result of erratically distributed rainfall, the availability of pasture and water varies throughout the country.

¹⁷⁵ Inter-Agency Working Group on Disaster Preparedness for East and Central Africa (IAWG), [*Lesson learned? An urgent call for action in the Horn of Africa, January 2017*](#), 20 January 2017, p. 4

¹⁷⁶ Inter-Agency Working Group on Disaster Preparedness for East and Central Africa (IAWG), [*Lesson learned? An urgent call for action in the Horn of Africa, January 2017*](#), 20 January 2017, p. 4

¹⁷⁷ United States Agency for International Development (USAID), [*Horn of Africa – Complex Emergency, Factsheet 1, Fiscal Year 2017*](#), 3 February 2017, p. 3

¹⁷⁸ World Food Programme, [*Somalia: Drought Response Situation Report 1*](#), 23 February 2017, p. 1

¹⁷⁹ Famine Early Warning System Network (FEWSN), [*Somalia: Somalia Food Security Outlook, February to September 2017*](#), 15 March 2017, p. 1

¹⁸⁰ UN Children's Fund (UNICEF), [*Somalia Education Cluster - Keeping children safe: Drought #4*](#), April 2017, p. 1

[...] In central regions, conditions are normal in Dhusamareeb and Abuduwaq, but significantly below average in all other areas. In southern regions, pasture and water resources are average in most of Bay, Middle Juba, Lower Juba, southern Gedo, and Southern Inland Pastoral of Hiraan.¹⁸¹

1.6.3.1. Water, sanitation and hygiene in Mogadishu

A September 2016 report published by the African Development Bank Group noted that “It is estimated that only 31 percent of the population in the north-west of the country has access to safe drinking water compared to 19 percent in the north-east and only 20 percent in southern part of the country (UNICEF/WHO 2014). In urban towns such as Mogadishu, only 35 percent of the population has access to safe drinking water while in rural areas this is as low as 10 per cent”.¹⁸²

According to the results of a high frequency survey conducted by the World Bank in 2016 in Somalia “About 14, 12 and 11 percent of people living in North East, Mogadishu, and North West respectively, have access to an improved sanitation system”.¹⁸³

A 2016 UN Children's Fund (UNICEF) report on Somalia noted that “In many urban areas, including Mogadishu, water is frequently supplied from privately owned shallow wells. These are usually not protected and the shallow groundwater means the contamination from latrines and open defecation is very high. Some disinfection of water supplies is carried out in Mogadishu but this is not reliable enough to control contamination. More than half the water points in Mogadishu are considered to pose a high risk of disease transmission based on the sanitary conditions around the water point”.¹⁸⁴

A June 2016 update of the Global Shelter Cluster reported on the effect of flooding that occurred in Mogadishu stating that “Heavy rains caused in some Mogadishu water reserves in Wadajir, warta nabada, Boondhere, Hodan, Hamar jajab districts, to overflow leading to flooding to near IDPs and Vulnerable host community. An estimated 930 people have been affected by the flooding both are IDPs and Host communities, but IDPs are highest affected by the rain, the IDPs are displaced inside Mogadishu and other regions including lower Shebelle, Hiran, Bay, Bakol, while some of drought/flood affected still live with relatives in nearby areas. The IDP Shelters or plastic sheets were floating and latrines were destroyed by the rain, so that sanitation conditions are reportedly very poor and fears situation may worsen, with possibility of high risk to breakout of diarrhoea, malaria, skin diseases and respiratory diseases”.¹⁸⁵

The same report further described the impact of the flooding on IDP settlements in Mogadishu:

The Mogadishu rain affected 23 internally displaced people's settlements and vulnerable host communities in Mogadishu from different districts include Hodan, Waberi, Daynile, Dharkenley, Hamarwayne, Hamar jajab, Warta Nabada, Boondhee, Yakshid, Karan, Huriwaa and wadajir. An observation conducted by SWDC [Somali Women Development Centre] Field workers to determine number of people affected and lost in above districts.¹⁸⁶

[...] Sanitation and Hygiene had also deteriorated in the IDP camps. There were too many people using few latrines and now the rains have destroyed some of the latrines. So that an urgent need for

¹⁸¹ Famine Early Warning System Network (FEWSN), [Somalia Food Security Outlook, June 2017 to January 2018](#), 14 July 2017, p. 2

¹⁸² African Development Bank Group, [Improving Access to Water and Sanitation in Rural Somalia](#), September 2016, p. 9

¹⁸³ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 41

¹⁸⁴ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 53

¹⁸⁵ Global Shelter Cluster, [Effect of The Rain Update in Mogadishu](#), 17 June 2016, p. 2

¹⁸⁶ Global Shelter Cluster, [Effect of The Rain Update in Mogadishu](#), 17 June 2016, p. 2

intervention on the sanitation side. Water, sanitation, hygiene, health and shelter have been cited as urgent needs in IDPs mentioned above.¹⁸⁷

In a report published in March 2017 the Regional Durable Solutions Secretariat (ReDSS) provided the following overview of access to water in Mogadishu stating that “With regard to water, in Mogadishu there are 126 privately owned boreholes. The price of water from these boreholes ranges from USD 0.8 to 1.5 per cubic metre. In addition, there are 12 privately run shallows wells. Both boreholes and wells have water treatment processes in place”.¹⁸⁸

The March 2017 Regional Durable Solutions Secretariat (ReDSS) report also provided an overview of access to water in Banadir IDP settlements stating that “In IDP settlements including KM13-15 Sarkust, Tabelaha Sheik Ibrahim, Jacadda Shabelle and Waydow, water is provided free of cost by humanitarian organizations, namely NRC [Norwegian Refugee Council], Concern Worldwide, ARC [American Refugee Committee], Danish Refugee Council (DRC), Save the Children International (SCI), Islamic Relief (IR) and the International Organization of Migration (IOM). In Mogadishu there is also a waste collection system, which is run by private companies”.¹⁸⁹ The same report describes the access to sanitation for IDPs and refugee returnees in Banadir region stating that “With regard to sanitation, the protection assessment from DRC [Danish Refugee Council] in Mogadishu, Kismayo and Dhobley shows that interviewed IDPs have less access to toilets with piped sewer system, toilets with septic tank, or flush toilets than local residents (2% of IDPs compared to 20% of local residents) (DRC 2016). Returnees appear to have a lower access than local residents (8% compared to 20%). However, this figure has to be taken with caution, since it is not clear whether surveyed returnees are representative of the entire returnee population or only poorer returnees who live nearby IDPs settlements”.¹⁹⁰ The same source further noted with regards to IDP access to water, sanitation and hygiene facilities that “Consulted stakeholders in Mogadishu felt that access to water, sanitation and level of hygiene is not adequate in IDP settlements. They pointed out that IDPs have less access to water than the rest of the population also because their limited capacity to buy water from private providers”.¹⁹¹

UNOCHA reported in May 2017 that “Inadequate access to water, shelter and latrines are putting girls and women at risk of sexual violence in IDP camps in the outskirts of Mogadishu”.¹⁹² The same source further noted that “On 27 May, 12 Integrated Emergency Response Teams (IERTs) were deployed to Banadir. These teams are providing lifesaving Health, WASH [Water, Sanitation, and Hygiene] and Nutrition services in IDPs and cholera hotspot districts such as Mogadishu and along the Afgooye corridor”.¹⁹³

¹⁸⁷ Global Shelter Cluster, [Effect of The Rain Update in Mogadishu](#), 17 June 2016, p. 2

¹⁸⁸ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Banadir region](#), March 2017, p. 27

¹⁸⁹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Banadir region](#), March 2017, p. 27

¹⁹⁰ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Banadir region](#), March 2017, p. 27

¹⁹¹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Banadir region](#), March 2017, p. 27

¹⁹² UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought response, Situation Report No. 10 \(as of 31 May 2017\)](#), 31 May 2017, p. 8

¹⁹³ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought response, Situation Report No. 10 \(as of 31 May 2017\)](#), 31 May 2017, p. 5

1.6.4. Health care in South and Central Somalia

For information on IDP access to health care, see [15.4.1.1. Healthcare](#) and for returnee access to healthcare see [16.4.1.1. Healthcare](#).

The National Development Plan for 2017-2019 for Somalia, published in December 2016 provides the following overview of the main health problems encountered in Somalia:

Communicable diseases, reproductive health and under-nutrition conditions constitute the largest contribution to morbidity and mortality. One in 18 women has a lifetime risk of death during pregnancy.

[...] Pneumonia and diarrhea are among the major killer diseases in children under-five. Polio transmission has been interrupted in 2015, but routine immunization coverage remains very low as only 46% of children received 3 doses of pentavalent vaccine and 43% measles in 2015. Malaria is endemic in some parts of the country and there were more than 610,000 malaria cases in 2014. Tuberculosis is highly prevalent with 30,000 new cases every year, of which fewer than half are detected. The HIV epidemic is growing with a prevalence rate of about 1%, and higher prevalence among high-risk groups.¹⁹⁴

In a 2016 report the UN Children's Fund (UNICEF) described the health system in Somalia noting that "In Somalia there are broadly three categories of health service providers: the government public sector; the private formal sector using modern medicine; and traditional and complementary medical practitioners (TCMPs). There is a Health Management Information System (HMIS), supported by international organizations, which collects information about health services provided – but only for the public sector. A high proportion of health services are provided by the private health sector and about these there is limited information. The majority of government health services are actually provided by UNICEF".¹⁹⁵

The same source further reported that "Public health facilities include hospitals, maternal and child health centres and Health Posts. Those not supported by donors are likely to be dysfunctional – to offer limited facilities, unresponsive staff or to be frequently closed. However, those public facilities supported by donors implement their Reproductive, Maternal, Newborn and Child Health (RMNCH) and nutrition services mainly under the umbrella of the Joint Health and Nutrition Programme (JHNP). Thus they have standards covering the quality of medicines and the training of staff as well as providing public health messaging and communication. In rural areas, public health facilities have more geographic coverage, and cost less, than private facilities. Therefore public facilities tend to be favoured by the poor in both rural and urban areas, including pastoralists and IDPs. Studies report that public health facilities are often underutilized".¹⁹⁶

The UN Children's Fund stated in a July 2017 report on Somalia that "The Somali people, particularly women and children have some of the worst health indicators in the world. Despite modest improvements in maternal and child mortality rates over the past five years, inequity among communities means that some children and mothers are disproportionately exposed to avoidable and treatable diseases. The under-5 mortality rate of 137 per 1,000 live births is the third highest in the world. Neonatal deaths (in the first 28 days of life) are among the world's highest: 732 of 100,000 live births. Somali women face a higher lifetime risk of maternal death – one in 22 – than women in all but two other countries".¹⁹⁷

¹⁹⁴ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 104 and 105

¹⁹⁵ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 22

¹⁹⁶ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 30

¹⁹⁷ UN Children's Fund (UNICEF), [Country programme document Somalia](#), 18 July 2017, paragraph 5

1.6.4.1. Access to health services and medication

Landinfo, described the healthcare services in South and Central Somalia in an August 2014 report:

Access to healthcare services in rural areas and in other larger cities in South and Central Somalia varies depending on the security situation and on those administrating or controlling the area in question. However, most of the cities do not have functioning hospitals, and the hospitals that are functional, are run by international aid organisations and can therefore only provide basic services. In cities such as Baidoa and Galkayo, the hospitals lack even the most basic equipment. Hospitals in other parts of the country lack equipment, medicines and qualified physicians (Australian Doctors for Africa 2012; interviews with international organisations in Nairobi and Mogadishu, November 2013). For instance, the hospital in Baidoa treats on average 60 patients a day, but is meant to serve one million people, and in emergency situations the shortage of medicines is a significant problem (Warsame 2014; Bass 2013).¹⁹⁸

The National Development Plan for 2017-2019 for Somalia, published in December 2016 described the health facilities in the country as follows:

There are about 106 hospitals/ referral health centers, 391 MCH/Health centers and 620 health posts. The total number of available human resources for health is 9,856 in 2014 including 621 physicians, 2,653 registered nurses, 636 registered midwives, and 198 'Marwo Caafimaad (FHWs)'. WHO's [World Health Organization] minimum threshold for health worker-to-population ratio indicates that around 30 00019 skilled health workers are required in the country. There are 47 medical, nursing and midwifery training programmes which need to be strengthened and regulated while ensuring quality standards.

Alongside the public health care system, a private health care system exist which is growing very fast but remain un-regulated. The private health care system includes general practitioners and specialists based in a private clinic or hospital and a vast network of pharmacies whereas there are only few certified pharmacists in the country. NGOs are the main service providers mainly contracted out through humanitarian or development health programmes and play a crucial role in the service provision.¹⁹⁹

On access to health services the UN Children's Fund stated in a 2016 report that "Due to the insecurity, especially in the southern and central regions, along with the poor road and transport infrastructure, there is limited regular supervision and monitoring to manage and oversee the quality of the public health system. Donor-supported health programmes have become reliant on third-party monitoring to ensure the supervision of hard-to-reach areas".²⁰⁰

The Assessment Capacities Project (ACAPS) provided the following overview on healthcare availability and access in Somalia:

Essential and lifesaving medical services in Somalia are insufficient and overstretched. Around 3.3 million people are lacking essential health services, mostly in south-central Somalia where humanitarian access is limited due to insecurity, high tolls on roads, and electricity and fuel shortages. The most affected states include Southwest, Galmudug, and Jubbaland. As of June 2017, Al Shabaab has banned humanitarian assistance in areas they control, particularly in south central areas of the

¹⁹⁸ Norway: Landinfo - Country of Origin Information Centre, [Somalia: Medical treatment and medication](#), 14 August 2014, p. 12 and 14

¹⁹⁹ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 104 and 105

²⁰⁰ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 30

country. These are the areas hardest hit by the cholera outbreak. The ban has left thousands without access to healthcare.

The long travel distances to health centres often mean children are not taken for vaccination, despite a high level of awareness on the importance of immunisation.²⁰¹

Poor sanitation practices and limited water sources during drought lead to frequent cholera outbreaks in Somalia.²⁰²

UNOCHA reported in December 2016 that “The dire situation of the health services in the country is expected to worsen with the soon expiration of major sector and development programmes like GAVI HSS, supporting expanded programme on immunization and the Joint-Health and Nutrition Programme (JHNP), which was the country’s largest health sector development program financing the roll out of essential package of health services in nine regions across the country”.²⁰³

The UN Secretary-General on children and armed conflict in Somalia noted in his December 2016 report that covered 2012 to 2016:

A total of 235 incidents of attacks on schools and hospitals were verified. Lack of access to conflict-affected regions hampered the verification of reported incidents. While data on attacks on schools and hospitals, their military use and arrests of teachers on security grounds are normally accounted for separately, the country task force on monitoring and reporting was unable to provide disaggregated data, given the extended reporting period. The numbers presented therefore also include cases of military use of schools and hospitals and arrests of teachers on security grounds [...]

Between 2012 and 2016, 40 incidents of attacks on hospitals were verified. They comprised cases of damage to clinics and health-care centres during fighting, looting of medical supplies and equipment and military use of hospitals. While 30 per cent of incidents were verified in 2012 (12), a downward trend was noted in 2013 (11), 2014 (5) and 2015 (5). The numbers spiked during the first six months of 2016 (seven), exceeding those verified in 2014 and 2015, respectively.²⁰⁴

UNOCHA reported in February 2017 that “On health, **Galmudud** has poor access to basic health services delivery. This is particularly in south Mudug and North Galgadud where essential packages were not rolled out. Measles outbreak is now reported from parts of Galgadud region”.²⁰⁵

A September 2017 World Health Organization report noted on the availability of health care services in **Bay and Bakool regions** as follows:

Health partners estimate that primary health care services in the two regions of Bay and Bakool can be accessed by just over 0.5 million people, out of a total population of approximately 1.5 million. Insecurity places major limitations on provision of health services. Services are currently being provided out of 31 health posts, 48 health centres, 2 hospitals with 14 IERTs [Integrated Emergency Response Teams] providing mobile services. Only 1 cholera treatment facility in Elberde town now remains open. The area has recently seen a very significant decline in cholera cases. Health system barriers are wide-ranging and considerable. Knowledge attitude and practices amongst the population often do not protect health. In these regions, as in many others, beliefs exist that some

²⁰¹ Assessment Capacities Project (ACAPS), [Healthcare Availability and Access](#), updated 02 August 2017

²⁰² Assessment Capacities Project (ACAPS), [Healthcare Availability and Access](#), updated 02 August 2017

²⁰³ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 32

²⁰⁴ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., E. Attacks on schools and hospitals, paras. 49 and 54, p. 12

²⁰⁵ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Operational Plan for famine prevention \(Jan-Jun 2017\)](#), 17 February 2017, p. 5

illnesses such as measles do not require attention whilst those with cholera are advised to avoid fluids in order to limit diarrhoea.²⁰⁶

The same source further noted with regards to access to healthcare in the **Middle Shabelle** region: "Healthcare provision for almost 700,000 who live in the region (MIDDLE SHABELLE) is limited to 22 facilities across 7 districts. Areas of two districts of Aden Yabal and Runirgod are inaccessible in parts due to insecurity. Parts of other districts including Warsheikh and Adale are accessible, yet underserved in terms of numbers of functioning health services. Where clinics are open, quality of service delivery is a major concern".²⁰⁷

The World Health Organization reported in September 2017 on the status of Acute Watery Diarrhoea (AWD)/Cholera cases: "Over the past two weeks there has been a significant decrease in the number of AWD/Cholera cases reported in all regions. Active transmission of AWD/cholera is observed in **Banadir and Lower Jubba regions** that have had an influx of refugees due to insecurity in these regions. [...] It is important to note that the number of AWD/Cholera cases in regions where oral cholera vaccination campaign was implemented have also decreased. Active transmission of AWD cases is still reported in Dharkenley, Hodan and Wadajir districts of Banadir region".²⁰⁸

The World Health Organization noted in an October 2017 bulletin that "In **South West State** there are approximately 52 partners supporting 115 health facilities which serve a population of 1,931,886".²⁰⁹

The same source further described the main challenges in accessing healthcare in **South West State** as follows: "Insecurity places major limitations on provision of health services. A large proportion of the south west state population do not have access to immunization and regular outreach services due to insecurity and vaccination ban by insurgents in some districts. Despite the drop in cases of AWD [Acute Watery Diarrhoea], there remains a risk of resurgence as a result of the expected October rains. Health system barriers are wide-ranging and considerable. Access due to insecurity remains a challenge with several towns and districts accessible only by air. Additionally conflict driven displacement remains a challenge in accessing health services".²¹⁰

The same source reported on the situation in **Galmudug** that "Overall, there are 8 international partners in Galmudug supporting 91 facilities. These health facilities are serving an estimated population of 582,000. Additionally there 3 CTC [Cholera Treatment Center] and 2 CTU which remain functional in Galkacyo and Dhusamareeb districts after the closing of a number of facilities due to a drop in cholera cases".²¹¹

On the situation of health care services in **Lower Juba** region the same report noted that "Provision of health services by the MoH [Ministry of Health] and 10 partners for the approximately 500,000 people living in the region is focused around Kismayo, Afmadow and Badhadhe districts. Inaccessible areas include Jamame district and parts of Afmadow and Badhadhe districts. In Afmadow district, coverage is concentrated around Dhobley and surrounding villages whilst in Badhadhe district, it is concentrated around Hosingo. Support through partners is being provided to the main hospital in

²⁰⁶ World Health Organization (WHO), [Health Cluster Bulletin July 2017](#), 17 August 2017, p. 3

²⁰⁷ World Health Organization (WHO), [Health Cluster Bulletin July 2017](#), 17 August 2017, p. 4

²⁰⁸ World Health Organization (WHO), [Week 38 AWD/Cholera Sitrep](#), 25 September 2017, p. 2

²⁰⁹ World Health Organization (WHO), [Health Cluster Bulletin August 2017 \(Issued September 29\)](#), 10 October 2017, p. 3

²¹⁰ World Health Organization (WHO), [Health Cluster Bulletin September 2017 \(Issued 19 October\)](#), 27 October 2017, p. 3

²¹¹ World Health Organization (WHO), [Health Cluster Bulletin August 2017 \(Issued September 29\)](#), 10 October 2017, p. 3

Kismayo, a further hospital in the region, 2 health centres as well as a further 13 health facilities, also TB centres”.²¹²

An overview of the healthcare services in **Middle Shabelle** region was provided in an October 2017 World Health Organization report:

Healthcare provision for almost 700,000 who live in the region is limited to 22 facilities across 7 districts. Areas of two districts of Aden Yabal and Runirgod are inaccessible in parts due to insecurity. Parts of other districts including Warsheikh and Adale are accessible, yet underserved in terms of numbers of functioning health facilities. Where clinics are open, quality of service delivery is a major concern. This is due to a wide range of factors including availability of supplies and human resources. A total of 12 IERTs are being operated in the region to extend services to remote or underserved populations. Population movement into towns e.g. Jowhar and Bal’ad continues to be driven by the drought. Cases of cholera have declined significantly with only the Jowhar CTC [Cholera Treatment Center] still open, whilst no outbreaks of cholera in new areas have been reported during July. Diarrheal diseases, malnutrition and measles continue to account for much morbidity and mortality, especially amongst children whilst large numbers of measles cases continue to be reported.²¹³

1.6.4.1.1. Access to health services and medication in Mogadishu

For information on IDP access to health care, see [15.4.1.1.1. Healthcare](#) and for returnee access to healthcare see [16.4.1.1.1. Healthcare](#).

Landinfo described the healthcare services in Mogadishu in an August 2014 report:

The capital has far more healthcare services than other Somali cities and communities. This is partly due to the presence of several international aid organisations and partly due to investments made in private clinics by returning Somalis. These establishments are made possible because of the improved security situation over the past few years, and although daily grenade attacks and assassinations in various districts naturally contribute to fear and greater vigilance, this does not prevent residents from seeking out the existing healthcare services. In the daytime, people can normally make their way to hospitals and health centres. After nightfall, however, road blocks and crime restrict freedom of movement. Suicide attacks and larger bombings occur irregularly, and these situations also affect civilians. Large numbers of casualties naturally lay claim to substantial resources at the city’s hospitals, and in emergency situations such as these, other aspects of patient treatment may be given lower priority.²¹⁴

A qualitative study using unstructured interviews was conducted in Mogadishu from August to November 2016 by Risk Management and Healthcare Policy journal and described the main challenges of the private health system in Mogadishu “Our findings show that the private health care system in Mogadishu is not only unregulated but also expensive, with the cost of health care often unaffordable for the majority of the country’s citizens. There is evidence of prescription of inappropriate treatment, tendency to conduct unnecessary laboratory tests, excessive use of higher diagnostic technologies and overcharging – including the widespread practice of further appointments for follow-up – which inflates the costs. The study also found poor patient–provider relationship and widespread distrust of the private health care system”.²¹⁵

²¹² World Health Organization (WHO), [Health Cluster Bulletin August 2017 \(Issued September 29\)](#), 10 October 2017, p. 4

²¹³ World Health Organization (WHO), [Health Cluster Bulletin August 2017 \(Issued September 29\)](#), 10 October 2017, p. 3 and 4

²¹⁴ Landinfo, [Somalia: Medical treatment and medication](#), 14 August 2014, p. 12 and 13

²¹⁵ Risk Management and Healthcare Policy, [Beneficiaries of conflict: a qualitative study of people’s trust in the private health care system in Mogadishu, Somalia](#), 01 August 2017

In report published March 2017 the Regional Durable Solutions Secretariat (ReDSS) provided the following overview of the access to healthcare in Mogadishu:

In Mogadishu there are 61 referral hospitals, of which 50 are private and 11 are public (the main public hospitals are the “Erdogan” hospital, supported by the Turkish government, and Zam-Zam Egyptian hospital. There are 91 health centres, of which 74 are privately owned and 17 are supported by local NGOs. The protection assessment from DRC [Danish Refugee Council] finds out that “main public hospitals (39.2%), local NGO dispensaries (25.4%), and private pharmacies (17.7%) are the main healthcare facilities visited by the assessed households” (DRC 2016). The assessment analysis reveals that “returnees and IDPs rely more on local NGOs dispensaries and hospitals compared to local residents, while local residents depend more on private pharmacies” (ibid.). The assessment survey shows that “residents of Mogadishu use more of local NGO hospitals and dispensaries as compared to their counterparts in Kismayo and Dhobley” (ibid.). In terms of time take in accessing health facilities, 70.6% of the respondents spend less than thirty minutes, while the rest spend more than thirty minutes (ibid.).²¹⁶

In an April 2017 article the World Health Organization described the availability of cholera treatment in Banadir noting that “The Banadir region is composed of 17 districts hosting 1 million people. Yet there is only one CTC [cholera treatment centre] in the region providing cholera care services. The Banadir Hospital CTC regularly receives patients from all over the region, and often from Middle and Lower Shebelle regions as well. The CTC presently hosts up to 45 patients daily and 150 per week, mostly women and children. Multiple doctors attend to weak and malnourished patients who generally stay for up to 3 days, during which time they receive nutritional supplements, rehydration treatments and antibiotics. Due to the quality of services and care provided, mortality rates are comparatively low, but still there are gaps in case management and infection-control practices”.²¹⁷

Al Jazeera reported in a March 2017 article that “In Mogadishu, where we travel next, we find a city trying to get on its feet. It is where thousands of people who need healthcare are coming because they can't get any aid in some outlying areas”.²¹⁸

In an article dating March 2017 the United Nations Assistance Mission in Somalia (UNSOM) described the situation in a hospital in Banadir “A visit to the pediatric wing of Banaadir hospital revealed overcrowded wards with critically ill children clinging to life, as their parents wait for any medical intervention”.²¹⁹

A World Health Organization article dating May 2017 reported on the health services provided for measles victims “The World Health Organization with the Federal Government of Somalia and UNICEF [UN Children’s Fund] launched a preventative measles vaccination campaign yesterday targeting 125 000 children aged 6 to 59 months from communities of internally displaced persons (IDPs) in Banadir and Afgoye [...] The measles vaccination campaign is being implemented in Danyile, Dharkenley, Hodan, Kaxda and the Afgoye corridor, and will provide children with a dose of vaccine as well as Vitamin A and medication for intestinal worm infection to further improve the health of the children”.²²⁰

²¹⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Banadir region](#), March 2017, p. 28

²¹⁷ World Health Organization (WHO), [WHO emergency response team visits cholera patients at Banadir Hospital](#), 6 April 2017

²¹⁸ Al Jazeera, [Famine stalks Somalia again](#), 7 March 2017

²¹⁹ United Nations Assistance Mission in Somalia (UNSOM), [47 Children Die From Hunger-Related Diseases in Mogadishu Hospital as Youngsters Bear Brunt of Drought](#), 9 March 2017

²²⁰ World Health Organization (WHO), [Measles vaccination campaign launched in Mogadishu](#), 21 May 2017

A June 2017 report by the US Agency for International Development (USAID) noted on the response to cholera outbreak in Southern Somalia that “Health actors remain particularly concerned about southeastern Banadir Region, where Somalia’s capital city of Mogadishu is located and 460 cholera cases and 11 related deaths were recorded from June 5–11 alone. The Health Cluster convened an emergency coordination meeting in Mogadishu on June 12 to discuss the cholera outbreak in Banadir and develop an action plan. In the coming weeks, health and WASH [Water, Sanitation, and Hygiene] actors plan to establish additional cholera treatment facilities, scale up health promotion campaigns, expand case identification and referral services, and improve treatment of water sources at the community and households levels”.²²¹

1.6.4.2. Disease outbreaks

Measles

In a November 2016 article the UN Children’s Fund reported on the outbreak of measles in Kismayo, Southern Somalia stating that “The cholera treatment centre at Kismayo General Hospital, the biggest hospital in Kismayo hadn’t had any patients since the last round of outbreak was brought under control. But lately it has again been inundated with patients. This time, it is measles. To date, 352 measles cases have been officially recorded, 250 of which are children under-five”.²²²

An October 2017 report by the World Health Organization outlined the main disease outbreaks during the year noting that “2017 has seen two major communicable disease outbreaks take place across Somalia – measles and cholera. For the period through to the end of August, more than 77,000 cases of cholera/AWD [Acute Watery Diarrhoea] and 16,000 cases of measles have been reported”.²²³

The same source further noted that “Measles is now the leading cause of morbidity and mortality amongst Baidoa IDPs with ongoing transmission of measles despite the mass vaccination campaign conducted in April 2017”.²²⁴

In its Humanitarian Bulletin dating July 2017, UNOCHA reported that “The number of suspected measles cases reported by July is alarmingly and significantly higher compared to cases in 2016. A total of 5,657 measles cases were reported last year. Some 13,428 suspected cases of measles have been reported from January to 16 July 2017. Banadir, Togdheer, Hiraaan, Lower Shabelle, Mudug and Bari regions of central Puntland, and Somaliland are regions reporting the highest numbers of cases.”²²⁵

A joint statement issued by the World Health Organization (WHO) and the Federal Ministry of Health of Somalia in August 2017 called for support on addressing the measles outbreak in Somalia stating that

²²¹ US Agency for International Development (USAID), [Horn of Africa – Complex Emergency, Factsheet 6, Fiscal Year 2017](#), 23 June 2017, p. 3

²²² UN Children’s Fund (UNICEF), [Measles outbreak challenges an already overwhelmed hospital in Kismayo](#), 24 November 2016

²²³ World Health Organization (WHO), [Health Cluster Bulletin August 2017 \(Issued September 29\)](#), 10 October 2017, p. 2

²²⁴ World Health Organization (WHO), [Health Cluster Bulletin August 2017 \(Issued September 29\)](#), 10 October 2017, p. 3

²²⁵ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia July 2017](#), 31 July 2017, p. 4

Somalia is also facing its worst measles outbreak in 4 years, with over 14 823 suspected cases reported in 2017 (as of 31 July), compared to 5000–10 000 cases per year since 2014. The situation is especially critical for millions of under-vaccinated, weak and hungry children who are more susceptible to contracting infectious diseases. More than 80% of those affected by the current outbreak are children under 10 year of age.

In early 2017, WHO and partners, in collaboration with national health authorities, vaccinated almost 600 000 children aged 6 months to 5 years for measles in hard-to-reach and hotspot areas across the country. Despite these efforts, the transmission of measles continues, compounded by the ongoing pre-famine situation, continued mass displacement, and undernourished children living in unhygienic conditions.²²⁶

The Food Security and Nutrition Assessment Unit (FSNAU) reported in September 2017 with regards to disease outbreaks in Somalia that “according to WHO [World Health Organization] and the Federal Ministry of Health, a measles outbreak is reported (the worst in four years), with over 14 800 suspected cases reported between January and July 2017. If not brought under control, the outbreak could exacerbate acute malnutrition and mortality, especially among children”.²²⁷

Acute watery diarrhoea (AWD)/Cholera

A January 2016 report published by the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) stated that “An increase in cases of acute watery diarrhoea (AWD) has been reported in Baidoa, Bay region and Kismayo, Lower Juba region since December 2015. Reports from the Health Cluster indicate that 462 and 521 new cases of AWD were reported in Baidoa and Kismayo, respectively, between 1 December 2015 and 4 January 2016. However, in January 2016, the number of new cases have dropped considerably due to strengthened and timely response by the Health and WASH [Water Sanitation, and Hygiene] clusters”.²²⁸

UNOCHA reported in May 2016 that “A major spike in cases of acute watery diarrhoea (AWD) and cholera in southern and central Somalia is of serious concern. Over 7,000 AWD/cholera cases have been reported in the first quarter of 2016, a significant increase from the 5,257 cases reported in all of 2015. The data collected from 247 routine sentinel surveillance health facilities indicates that more than half were children under the age of five. Of the 300 deaths reported, 40 per cent were among children under five. Banadir, Bay, Hiraan, Lower Juba, Lower Shabelle, Middle Juba and Middle Shabelle are the most affected regions”.²²⁹

In June 2016 UNOCHA provided an update on the outbreak of acute watery diarrhoea / cholera in the first half of 2016 noting that “Since January 2016, more than 10,000 cases of AWD [Acute Watery Diarrhoea]/cholera have been reported in southern and central Somalia. The number of reported cases of AWD/cholera in the first half of 2016 alone is 140 per cent higher than those reported for the whole of 2015. Based on information and data from previous years, the World Health Organization (WHO) projects that cases could increase in the next six months. According to WHO/Health Cluster AWD/cholera cases have been confirmed in 11 districts in Banadir, Bay, Hiraan, Lower Juba, Lower Shabelle, Middle Juba and Middle Shabelle”.²³⁰

²²⁶ World Health Organization (WHO), [WHO and Federal Ministry of Health of Somalia call for urgent support to address measles outbreak in Somalia](#), 16 August 2017

²²⁷ Food Security and Nutrition Assessment Unit (FSNAU), [Release of the Quarterly Food Security and Nutrition Special Brief - September 2017](#), 28 September 2017, p. 2

²²⁸ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia January 2016](#), 26 January 2016, p. 2

²²⁹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia, May 2016](#), 30 May 2016, p. 1

²³⁰ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia, June 2016](#), 23 June 2016, p. 2

A September 2016 UN Security Council report similarly noted that “An outbreak of acute watery diarrhoea/cholera continued in southern and central Somalia. More than 12,500 cases, over half of them children under 5 years of age, have been reported since the start of 2016, an alarming increase from the 5,257 cases reported in 2015”.²³¹

The UN Human Rights Council report on Somalia dating September 2016 stated that “The Independent Expert learned that, in the first half of 2016, some 8,000 cases of acute watery diarrhoea and cholera were reported in south-central Somalia, of which about 59 per cent of cases were children under 5 years of age. A total of 437 deaths were reported”.²³²

An October 2017 report by the World Health Organization outlined the main disease outbreaks during the year noting that “2017 has seen two major communicable disease outbreaks take place across Somalia – measles and cholera. For the period through to the end of August, more than 77,000 cases of cholera/AWD [Acute Watery Diarrhoea] and 16,000 cases of measles have been reported”.²³³

A February 2017 report published by UNOCHA provided the following overview of disease outbreaks in 2016 noting that “Somalia experienced a major AWD [Acute Watery Diarrhoea] /Cholera outbreak in 2016 which was brought under control, but again started spreading in November 2016, with more than 3,100 cases and 42 deaths recorded in the first four weeks of 2017 alone. The outbreak is currently spreading to new villages and districts, in particular along the Shabelle River, with the drought and subsequent water shortage and malnutrition exacerbating the spread of the outbreak”.²³⁴

The Assessment Capacities Project (ACAPS) report dating February 2017 described the cholera outbreak in Somalia stating that “A cholera outbreak that started in late October 2016 has deteriorated since the start of the jilaal dry season due to water shortages leading to contamination in south-central Somalia and Puntland. Between 1 January and 13 February 4,026 cholera cases were recorded, with 57 deaths and a case fatality rate (CFR) of 1.5%. 913 of those cases were recorded between 6 and 13 February. Most districts reporting the cholera cases are along the Shabelle River, which has dried up in some areas. The outbreak is affecting Banadir, Hiiraan, Lower Shabelle, Middle Shabelle, Mudug, Lower Juba, Bay, Bakool, and Bari”.²³⁵

UNOCHA noted in a February 2017 report that “In Jubbaland, lack of safe water and poor hygiene and sanitation has resulted in AWD [Acute Watery Diarrhoea] /Cholera. [...] In addition, epidemic outbreaks such measles and AWD/Cholera were also reported from Lower Jubba and parts of Gedo”.²³⁶

The Federal Office for Migration and Asylum of Germany reported in April 2017 that “According to information provided by the ministry of health, at least 407 Somalis have died from drought and

²³¹ UN Security Council, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 63

²³² UN Human Rights Council, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, paragraph 82

²³³ World Health Organization (WHO), [Health Cluster Bulletin August 2017 \(Issued September 29\)](#), 10 October 2017, p. 2

²³⁴ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Operational Plan for famine prevention \(Jan-Jun 2017\)](#), 17 February 2017, p. 4

²³⁵ Assessment Capacities Project (ACAPS), [ACAPS Briefing Note - Somalia: Food Security and Nutrition Crisis](#), 24 February 2017, p. 3

²³⁶ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Operational Plan for famine prevention \(Jan-Jun 2017\)](#), 17 February 2017, p. 4

cholera since February. Currently, more than 18,000 people are treated in hospitals. The most affected regions are Bay, Bakool, Middle and Lower Shabelle, the ministry said”.²³⁷

A May 2017 World Health Organization report provided an overview of the AWD [Acute Watery Diarrhoea] /Cholera outbreak in 2017 noting that

The overall trend shows that the AWD/Cholera outbreak is not slowing down. The outbreak is spreading to new villages and districts. There are cholera alerts being reported from Galgaduud, Gedo, Togdheer, Bakol, Middle Juba regions and other inaccessible areas. Verification of these alerts is becoming a major challenge due to insecurity. The severe drought and its consequences (including water scarcity, food insecurity and malnutrition) are major contributing factors to the ongoing cholera outbreak.

[...] A cumulative 42,721 suspected AWD/cholera cases and 715 deaths (CFR=1.7%) have been recorded from 41 districts across 14 regions since the beginning of 2017. The trend of cholera cases recorded in the past 19 weeks shows a significant increase when compared to cases reported during the same period last year (refer to epidemic curve below). It is important to note that the current cholera cases were a spill-over from last year's major cholera outbreak, which recorded 15,619 cases and 548 deaths. Last year's outbreak was one of the largest and longest which the country has experienced in the last five years.²³⁸

A July 2017 report by the Famine Early Warning System Network 2017 stated that “Disease outbreaks remain of high concern and are aggravated by the crowding of displaced populations. Over 14,000 cases of AWD [Acute Watery Diarrhoea]/cholera and 213 deaths have been reported in Bay between November 2016 and May 2017, and 3,580 cases and 154 deaths were reported in Bakool”.²³⁹

The World Health Organization noted in an August 2017 report that “By April 2017, Somalia's cholera epidemic had totalled more than 20,000 cases and almost 500 deaths had been reported. More than 50% of the cases had arisen in Bay region. Outbreaks in the 5 regions of Bay, Bakool, Gedo, Benadir and Lower Shabelle accounted for more than 90% of cases. The health system in these areas had limited reach, with much of the pre-existing health provision concentrated in urban and periurban areas. Disease was most heavily impacting upon rural populations and IDPs within towns and cities”.²⁴⁰

The Food Security and Nutrition Assessment Unit (FSNAU) reported in September 2017 with regards to disease outbreaks in Somalia that “The Acute Watery Diarrhea (AWD)/cholera outbreak that peaked in April and contributed to increased malnutrition and mortality in parts of southern Somalia has started to subside with fewer AWD cases and deaths reported since August 2017”.²⁴¹

UNOCHA similarly reported in its Humanitarian Bulletin dating September 2017 that “There has been a gradual reduction in the number of new AWD/Cholera cases in all regions of Somalia since August. No cholera related deaths have been reported across this same period in any region across Somalia”.²⁴²

²³⁷ Germany: Federal Office for Migration and Asylum, [Information Centre Asylum and Migration Briefing Notes \(10 April 2017\)](#), 10 April 2017, p. 3

²³⁸ World Health Organization, [Situation report for Acute Watery Diarrhoea/Cholera](#), 28 May 2017, p. 2

²³⁹ Famine Early Warning System Network (FEWSN), [Somalia Food Security Outlook, June 2017 to January 2018](#), 14 July 2017, p. 9

²⁴⁰ World Health Organization (WHO), [Health Cluster Bulletin July 2017](#), 17 August 2017, p. 2

²⁴¹ Food Security and Nutrition Assessment Unit (FSNAU), [Release of the Quarterly Food Security and Nutrition Special Brief - September 2017](#), 28 September 2017, p. 2

²⁴² UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia September 2017](#), 26 September 2017, p. 3

1.6.4.2.1 Disease outbreaks in Mogadishu

Measles

The Assessment Capacities Project (ACAPS) provided the following overview on the measles outbreak in Somalia in 2017 stating that “Since the beginning of the year, 15,223 suspected cases of measles have been reported in Somalia compared to 5,657 in the whole of 2016. Cases have been reported across the country, with large numbers reported in Mogadishu, Lower Shabelle, Togdheer, Sool, and Woqooyi Galbeed regions. 66% of measles cases were children under five years old. Poor vaccination levels and high rates of malnutrition across the country aggravate the outbreak”.²⁴³

A World Health Organization article dating May 2017 reported that “Since the beginning of the year, Somalia has recorded 7694 suspected cases of measles, of which 1989 cases (26%) were reported from Banadir region. The high number of measles cases can be attributed to the pre-famine conditions and drought-driven displacement of populations from rural to urban areas across the country”.²⁴⁴

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in May 2017 that “Health partners recorded 703 cases of measles in the week ending 28 May; almost double of the average (n=455) cases reported in the past 20 weeks. This is the highest number of cases reported since 2014. Banadir, Hiran, Lower Shabelle, Togdhere and Woqooyi Galbeed regions have the highest number of reported cases”.²⁴⁵

In its Humanitarian Bulletin dated July 2017 the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported that “The number of suspected measles cases reported by July is alarmingly and significantly higher compared to cases in 2016. A total of 5,657 measles cases were reported last year. Some 13,428 suspected cases of measles have been reported from January to 16 July 2017. Banadir, Togdheer, Hiraan, Lower Shabelle, Mudug and Bari regions of central Puntland, and Somaliland are regions reporting the highest numbers of cases.”²⁴⁶

In September 2017 the International Organization for Migration (IOM) reported on the status of the disease outbreaks that “Although the cholera outbreak which started in November appears to be coming to an end, the measles outbreak has reached 17,233 cases since January with over 4522 cases (26%) in Banadir alone. This is nearly three times the entire 2016 caseload. More than 80 per cent of those affected by the current outbreak are children under age 10”.²⁴⁷

Acute Watery Diarrhoea (AWD)/cholera

AllAfrica reported in March 2017 that “Some 600 internally displaced people at a camp in Mogadishu facing a possible outbreak of water borne disease as they have to share four toilets. The camp is located at Far Libaah in Tareedisho neighborhood on the outskirts of Mogadishu. According to an IDP the situation has worsened lately as more starving people arrive. We have enough food and people have donated clothes but we didn’t have toilets. More people are arriving everyday “a mother who identified herself as Nadiifo told Radio Dalsan”.²⁴⁸

²⁴³ Assessment Capacities Project (ACAPS), [Somalia Crisis Analysis](#), updated 29 August 2017, *Measles*

²⁴⁴ World Health Organization (WHO), [Measles vaccination campaign launched in Mogadishu](#), 21 May 2017

²⁴⁵ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought response, Situation Report No. 10 \(as of 31 May 2017\)](#), 31 May 2017, p. 2

²⁴⁶ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia July 2017](#), 31 July 2017, p. 4

²⁴⁷ International Organization for Migration (IOM), [Humanitarian Response January – September 2017](#), 19 September 2017, p. 2

²⁴⁸ allAfrica, [Somalia: Outbreak of Diseases Looms As 600 IDPs Fleeing Starvation Forced to Share 4 Toilets](#), 15 March 2017

IRIN News reported in April 2017 on the cholera outbreak “This is Somalia’s worst cholera outbreak in five years. So far, 71,663 cases have been counted, including more than 1,098 deaths, according to Doctor Ghulam Popal, the World Health Organization representative. In July, when Hussein was admitted, 5,840 cases of acute watery diarrhoea were reported at Bandir Hospital alone”.²⁴⁹

The World Health Organization reported in September 2017 on the status of Acute Watery Diarrhoea (AWD)/Cholera cases stating that “Over the past two weeks there has been a significant decrease in the number of AWD/Cholera cases reported in all regions. Active transmission of AWD/cholera is observed in Banadir and Lower Jubba regions that have had an influx of refugees due to insecurity in these regions. The number of new AWD/Cholera cases in all regions are summarised in table 1 below. It is important to note that the number of AWD/Cholera cases in regions where oral cholera vaccination campaign was implemented have also decreased. Active transmission of AWD cases is still reported in Dharkenley, Hodan and Wadajir districts of Banadir region”.²⁵⁰

UNOCHA reported in its ‘Humanitarian Bulletin’ of September 2017 that “There has been a gradual reduction in the number of new AWD/Cholera cases in all regions of Somalia since August. No cholera related deaths have been reported across this same period in any region across Somalia”.²⁵¹

1.6.4.3. Access to electricity

An African Development Bank Group 2015 report described the situation of the energy sector in Somalia stating that “The extremely limited access of Somalis to modern energy, especially electricity, is a problem affecting the quality of life and constraining productivity. Public supply of electricity in cities is limited in quantity, quality and reliability, and dogged by drops in tension (voltage) and frequent failures”.²⁵²

The National Development Plan 2017-2019 published in December 2016 stated that “The limited availability, reliability and the high cost of energy are major constraints on economic growth in Somalia. The energy mix in Somalia is reliant upon locally available charcoal and firewood as the core sources of energy, meeting nearly 80 to 90% of the energy needs of the whole country and resulting in excessive exploitation of these primary sources”.²⁵³

A February 2016 International Organization for Migration (IOM) study focusing on urban youth, looking at three main cities in South Central: Mogadishu, Kismayo and Baidoa noted that “The electricity sector is controlled by a cartel, a system inherited from the civil war and privileges gained by former warlords. This results in the sector being highly inefficient and overpriced – the price of electricity in Somalia is among the highest in the world”.²⁵⁴

Al Jazeera reported in an April 2016 article on the availability and price of electricity in Somalia: “The East African country of some 10 million people has electricity that is among the most expensive in

²⁴⁹ IRIN News, [Somalia’s impossible fight against cholera](#), 1 August 2017

²⁵⁰ World Health Organization (WHO), [Week 38 AWD/Cholera Sitrep](#), 25 September 2017, p. 2

²⁵¹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia September 2017](#), 26 September 2017, p. 3

²⁵² African Development Bank Group, [Somalia - Energy Sector Needs Assessment and Investment Programme](#), November 2015, Executive Summary XVI

²⁵³ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 140

²⁵⁴ International Organization for Migration, [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 57

the world. A kilowatt of electricity in the Somali capital can cost as much as \$1 an hour. That is five times more expensive than in neighbouring Kenya and 10 times more than in the United States [...] Electricity is a luxury that thousands of families in the city can only dream of. Many households in the Horn of Africa country depend on remittances from relatives living abroad and cannot afford the expensive electricity”.²⁵⁵

A Shuraako report published in May 2016 offered the following overview of access to electricity in Somalia:

The Somali region suffers from three major problems related to broad-based electrification that are only now beginning to be addressed: lack of access, high costs, and low reliability. Only a fraction of households and businesses in the country have access to electricity, and that access varies widely by region and by settlement pattern. Although reliable statistical information about energy in the Somali region is generally unavailable and extremely unreliable, the World Bank estimates that 32.7% of Somalis have access to electricity, which is up from 29.1% just last year. With the United Nations Population Fund (UNFPA) 2014 population report citing a total of 2,076,677 households, the figure for electricity access should be about 679,073 connections for the whole region. However, other estimations do not give as rosy a picture. The 2014 African Energy Outlook estimates that less than a quarter of the population has access to electricity. Even worse, a recent energy needs assessment by the AfDB [African Development Bank] based on firm-level reportage of electricity statistics provides a grand total figure of 270,000 connections (households and businesses) in the Somali region with access to electricity. If the overall population is 12.3 million, this leaves only 13% of Somalis with access to electricity. Therefore, the range of possible connections is between 13% and 32.7% access to electricity based on current best estimates.²⁵⁶

The same report further noted that “Electrification in rural areas is nearly nonexistent, though some off-grid renewable energy solutions will be discussed below. In urban areas, electrification varies significantly by region. Recent optimistic estimates for Mogadishu and Hargeisa are 60% and 68% of the population, respectively, while smaller cities, like Merka, have only 23% connected to electrical services. Estimates of access to electricity are probably overstated in areas with higher numbers of internally displaced people who are harder to track. Indeed, according to the authors of a recent study billed as the “first population study” of Mogadishu in twenty-five years, the city’s electrification rate is only 46%”.²⁵⁷

On the access to electricity the National Development Plan 2017-2019 noted that “Overall, the total installed and operational generating capacity in Somalia is estimated to be 80 to 85 MW and an estimated 250,000 connections. Drops in voltage are frequent and supply is limited to 5 to 6 hours per day. The low tension (480/220 V) over sometimes long distances leads to tension and technical losses with most small generators reporting 40% to 50% power loss”.²⁵⁸

The same source noted on the state of the energy sector in Somalia that “Due to the lack of investment, the volatile security situation and the absence of public resources and public oversight, the potential to cultivate electricity and expand electricity infrastructure systems and markets has been hampered over the past two decades”.²⁵⁹

²⁵⁵ Al Jazeera, [The expensive luxury of electricity in Somalia](#), 3 April 2016

²⁵⁶ Shuraako, [Powering Progress II: The Potential of Renewable Energy in Somaliland, Puntland, and South Central Somalia](#), 9 May 2016, p. 4

²⁵⁷ Shuraako, [Powering Progress II: The Potential of Renewable Energy in Somaliland, Puntland, and South Central Somalia](#), 9 May 2016, p. 4

²⁵⁸ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 141

²⁵⁹ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 141

UNOCHA reported in June 2017 that “There is an urgent need or provision of lighting including solar/hand torches to displaced people in the newly established IDP settlements”.²⁶⁰

1.6.3.1. Access to electricity in Mogadishu

A February 2016 International Organization for Migration (IOM) study focusing on urban youth, looking at three main cities in South Central: Mogadishu, Kismayo and Baidoa noted that “The electricity sector is controlled by a cartel, a system inherited from the civil war and privileges gained by former warlords. This results in the sector being highly inefficient and overpriced – the price of electricity in Somalia is among the highest in the world”.²⁶¹

Al Jazeera reported in an April 2016 article on the availability and price of electricity in Somalia: “The East African country of some 10 million people has electricity that is among the most expensive in the world. A kilowatt of electricity in the Somali capital can cost as much as \$1 an hour. That is five times more expensive than in neighbouring Kenya and 10 times more than in the United States [...] Electricity is a luxury that thousands of families in the city can only dream of. Many households in the Horn of Africa country depend on remittances from relatives living abroad and cannot afford the expensive electricity”.²⁶²

A Shuraako report published in May 2016 noted that “In urban areas, electrification varies significantly by region. Recent optimistic estimates for Mogadishu and Hargeisa are 60% and 68% of the population, respectively, while smaller cities, like Merka, have only 23% connected to electrical services. Estimates of access to electricity are probably overstated in areas with higher numbers of internally displaced people who are harder to track. Indeed, according to the authors of a recent study billed as the “first population study” of Mogadishu in twenty-five years, the city’s electrification rate is only 46%”.²⁶³

1.6.4.4. Access to education

See section 10. *Children*, [10.2 Access to education](#).

1.6.4.4.1. Access to education in Mogadishu

For IDP access to education, see [15.4.1.2.1. Education in Mogadishu](#) and for returnee access to education see [16.4.2.1. Education in Mogadishu](#).

A February 2016 International Organization for Migration (IOM) study focusing on urban youth, looking at three main cities in South Central: Mogadishu, Kismayo and Baidoa found out that “A quarter of the youth (14–30) surveyed have no education [...]”.²⁶⁴ The same source noted with regards to schooling conditions in Mogadishu that “The Mogadishu-based think tank Heritage

²⁶⁰ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [SHF Reserve – Integrated Response allocation strategy](#), 12 June 2017, p. 10

²⁶¹ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 57

²⁶² Al Jazeera, [The expensive luxury of electricity in Somalia](#), 3 April 2016

²⁶³ Shuraako, [Powering Progress II: The Potential of Renewable Energy in Somaliland, Puntland, and South Central Somalia](#), 9 May 2016, p. 4

²⁶⁴ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 27

Institute for Policy Studies (HIPS) recently released a report about the conditions of schooling in the capital. It found that schools in Mogadishu do not rely on the same curriculum (for example, number of years per cycle, subjects taught), and that there are at least 10 systems in use (from Kenya, India, Pakistan, the UAE, Saudi Arabia, Yemen). English and Somali are the preferred languages of teaching, but some institutions also deliver courses in Arabic, and new schools funded by Turkey teach in Turkish. Quality of teaching is generally poor and most teachers do not have to demonstrate preliminary qualifications. These dynamics imply that youth with primary/secondary level education are likely to be less educated than one would expect”.²⁶⁵

The IOM study further described the situation of higher education in Somalia as follows:

According to representatives from higher education institutes and universities in the three cities, the general population of students is on the increase. The survey found that students in higher education are usually men (56%), younger than 25 (92%) and single (87.2%). The most educated respondents were more represented in the capital: 34 per cent of the respondents in Mogadishu held a license (or bachelor's degree), against 6 per cent in Kismayo and Baidoa. The greater number of students in Mogadishu suggests a more pronounced interest for higher education in the capital, but can also be attributed to the fact that higher education offerings in Mogadishu are more diversified and reputed to be of better quality. Students from main cities in South Central move to Mogadishu to attend university, while students from districts neighbouring Kismayo and Baidoa tend to move to regional capitals for university.²⁶⁶

Regarding universities in Somalia the IOM study noted that “Many new institutes and universities have opened in Somalia since 2011, and all of them are private – except for the Somali National University (located in Mogadishu and free of charge). The size of these establishments varies, from small institutes in Baidoa and Kismayo, with an average of 100 students, to larger universities in Mogadishu, like Benadir that welcomes over 5,000 people. These institutions rarely carry an entrance exam; on the contrary, they seek to attract as many students as possible. This means that the education level of the student population can be very heterogenous and some may be not prepared enough for higher studies”.²⁶⁷

A high frequency survey conducted by the World Bank in 2016 in Somalia noted with regards to school enrolment in Mogadishu that “6 in 10 children are enrolled in school in North East and North West, compared to only 4 in Mogadishu and IDP Settlements. Households living in North East spend on education more than 50 percent and more than 100 percent than households in North West and Mogadishu, respectively”.²⁶⁸

The same source further noted that “Uneducated youth were more numerous in Baidoa (30%) and Kismayo (27%) than in Mogadishu (14%), which may be due to an earlier liberation from AS [Al Shabaab] control (2011) in the latter city. Moreover, because of earlier and easier access, aid organizations have been more active in supporting schooling in Mogadishu and economic conditions are also generally thought to be better in the capital, which alleviates some of the financial obstacles to education there”.²⁶⁹

²⁶⁵ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 30

²⁶⁶ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 30 and 31

²⁶⁷ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 31

²⁶⁸ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 34

²⁶⁹ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 28

In report published March 2017 the Regional Durable Solutions Secretariat (ReDSS) provided the following overview of access to education in Mogadishu:

In Mogadishu there are 102 Early Childhood Development (ECD) centres (there is registration fee around 5-10 USD and monthly fee of USD 15-25 half day and 40-50 full day). There are approximately 250 primary schools, of which 222 are private and 28 are supported by local and international NGOs (there is a registration fee of 5-7 USD and monthly fee of about 7-25 USD, the quality of the schools varies). It is estimated that there are at least 200 secondary schools, of which 30 supported by international NGOs and the remaining are privately run. (Most secondary schools charge fees between 15-40 USD per month). There are 100 tertiary institutions of which 20 are public and 80 are privately run. The majority of the schools use English and Arabic as the language of instruction. Mogadishu has different education “umbrellas”, which have their own policies and different curricula. The Ministry of Education (MoE) is gradually taking over from education umbrellas and has conducted unified national examinations in Benadir region in the 2015 and 2016 school years. Vocational training in Mogadishu is available for a fee from KAASHIF, WARDI, SOCWE, SOMCET, KANAVA, GABALDAYE and many others in Benadir region. Some NGOs provide financial support to some of the students.²⁷⁰

In April 2017 the Africa Review cited the Mayor of Mogadishu, Yussuf Hussein Jimale, as stating that “The Mogadishu University opened its doors three years ago after remaining closed for over 20 years”.²⁷¹ Theirworld reported in July 2017 that “In the capital Mogadishu, Somalian high school students had been able to sit their final exams for the first time in years - because security was placed around the exam sites to prevent attacks by Al Shabaab militants”.²⁷²

1.6.4.5 Access to shelter

For information specific to the situation of IDPs, see [15.3. Access to and conditions of shelter/camps](#) and for information specific to returnees, see [16.3 Access to and conditions of shelter/access to land](#).

The National Development Plan for 2017-2019 for Somalia provided the following overview on housing in Somalia:

Access to adequate housing is a challenge growing fast with Somalia’s high urbanization rate. 1,106,751 or 9% of the population or 14.7% of households are IDPs of which most live in camps and informal settlements. An increasing number of urban dwellers, especially the most poor and vulnerable groups (not only IDPs, but also women-headed households, refugee returnees, persons with disabilities and youth) are living in precarious conditions, addressing their housing needs informally, lacking access to basic services, isolated from livelihood opportunities and vulnerable to forced evictions or homelessness. Somalia’s public and private housing stock has after more than 20 years of conflict been largely destroyed. Adequate housing is not affordable to IDPs and the urban poor, and affordable housing is not adequate. Protracted internal displacement situations exist in all regions, most of them in urban areas.²⁷³

The annual report covering 2016 published by the Norwegian Refugee Council (NRC) noted that “Although Protection Reporting and Monitoring Network’s reported some improvements, shelter needs remained high with over 77,000 people newly displaced by droughts by the end of the year, on top of 300,000 conflict-related internally displaced people. Shelter programming provided

²⁷⁰ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 28 and 29

²⁷¹ Africa Review, [Diaspora now investing in Mogadishu as security improves](#), 1 April 2017

²⁷² Theirworld, [Courage of children who ignore conflict and threats to take their school exams](#), 14 July 2017

²⁷³ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 139

emergency assistance to some 14,000 newly displaced people affected by drought, conflict or evictions. NRC provided culturally appropriate owner-driven transitional shelters to stabilised settlements with improved temporary land tenure of 5-10 years in Puntland, Somaliland and South and Central Somalia. This reached close to 10,000 people almost half of whom were women and girls. As part of the cross-border return programme from Kenya, NRC supported the shelter of 450 returnee, IDP and host community families in Baidoa, Dollow, Galkayo, Garowe, Kismayo and Luuq".²⁷⁴

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) noted in its humanitarian needs overview report for Somalia dating December 2016 that "Urban migration has furthermore aggravated the situation in IDP settlement and sustainable solutions cannot be achieved without addressing the problematic issue of housing, land, and property (HLP). The fact that local authorities in some regions like Lower Juba and Puntland are setting aside some land is a positive development giving the opportunity to provide durable solutions to IDPs".²⁷⁵

The same source further reported that "Additional protection concerns related to housing, land and property include land grabbing, encroachment, multiple land claims, insecure land tenure, boundary disputes, demolitions, illegal land claims, squatters, illegal occupations, illegal land transactions (fees/ sales) and fraud, poor land administration, lack of land management systems, limited access to justice, poor legal and policy frameworks and weak structures".²⁷⁶

The National Development Plan for 2017-2019 for Somalia noted with regards to access to shelter for IDPs that "The majority of IDPs settle in informal and unplanned settlements with inadequate housing, regularly at risk of forced eviction and in deplorable and impoverished living conditions. Most settlements are controlled and dominated by gatekeepers. The urban dimension of the protracted nature of displacement is evident and in many instances IDP settlements have turned into urban slums and sites of urban impoverishment, where economic migrants, returnees, refugees and urban poor have joined IDPs. While protracted displacement is a rather static situation, newly displaced persons regularly join existing IDP settlements adding further pressure on the community".²⁷⁷

The Guardian reported in an October 2016 article on the difficulties in accessing shelter in Kismayo, southern Somalia:

The Kismayo area is already sheltering some 40,000 people displaced internally by conflict between al-Shabaab militants and the western-backed African Union and Somali national forces, and the services available are barely adequate to support a vulnerable local population.

[...] Outside Kismayo, some 16,000 newly arrived refugees are camped in overcrowded and unsanitary conditions in shelters that they built themselves, with little access to medical care and no schools. Camps have few decent running water sources or latrines, leaving thousands of people at risk of disease.²⁷⁸

The September 2017 report of the Independent Expert on the situation of human rights in Somalia stated that "The drought has led to a massive displacement of people; 714,000 persons have been

²⁷⁴ Norwegian Refugee Council (NRC), [Eastern Africa & Yemen Annual Report 2016](#), 4 July 2017, p. 6 and 7

²⁷⁵ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Somalia Humanitarian Needs Overview](#), 28 November 2016, p. 24

²⁷⁶ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Somalia Humanitarian Needs Overview](#), 28 November 2016, p. 22

²⁷⁷ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 139

²⁷⁸ The Guardian, [Kenya accused of 'dumping' Somali refugees back over the border with no support](#), 20 October 2016

displaced since November 2016, adding to the 1.1 million who were already internally displaced. That figure includes 158,000 persons in Baidoa and 154,000 in Mogadishu who have been newly displaced since the start of the crisis. All settlements of internally displaced persons are reported to lack adequate shelter and critical non-food items”.²⁷⁹

1.6.4.5.1 Access to shelter in Mogadishu

For information specific to the situation of IDPs, see [15.3. Access to and conditions of shelter/camps in Mogadishu](#) and for information specific to returnees, see [16.3 Access to and conditions of shelter/access to land in Mogadishu](#).

The National Development Plan for 2017-2019 for Somalia, published in December 2016 noted that “The main challenges Banaadir region is confronted with are – apart from the security issues – similar to any fast growing urban center. The large influx of people leads to stress on the housing market, the social service sector as well the economic sector. While economic investment in Mogadishu is providing (new) employment, it is not enough to keep pace with the population growth”.²⁸⁰

Landinfo, the Norwegian Country of Origin Information Centre described the situation of settlements in Mogadishu in a report dating November 2016 as follows:

A significant proportion of the population in Mogadishu, including internally displaced people, live in so-called settlements. The settlements are not homogenous, but are often areas characterized by a lack of infrastructure and where residents have few rights connected to utilization of land. The sources Landinfo met during an information gathering mission to Mogadishu in January 2016, agreed that it was difficult to quantify how many people live in the settlements. A study conducted by UNHCR, Somali authorities and various non-governmental organisations (hereafter called the UNHCR study), estimates that in September and October 2015 there were 464,486 people in 80,657 separate households in 486 settlements in Mogadishu. According to an estimate prepared by the UN Population Fund and Somali authorities, approximately 1.65 million people, again including internally displaced people, live in the city. This means that approximately 30% of Mogadishu’s population lives in the settlements. The settlements are dispersed throughout Mogadishu, however the majority are localised in the outlying city districts of Daynile and Kahda.²⁸¹

In a September 2017 report UNHCR provided the following overview of informal settlements in Mogadishu:

Prior to the drought of 2016, 408,000 lived in informal settlements. Newly displaced have settled in the peripheries of Mogadishu from end of 2016 to date, bringing the overall IDP urban population of Mogadishu above half a million. Patterns of displacement within the urban and peri-urban areas of Mogadishu have highly been influenced by forced evictions. In 2012, most of the settlements were concentrated in Hodan, Wadajir and Darkhenly districts. From 2013, the clearing of unexploded ordinances in Daynile made land available. Forced evictions that occurred from 2013 to 2015 have pushed IDP households from km 6/7 of the Afgoye corridor until km 14 and in new areas in Kaxda district. From 2015, to date protection partners have recorded approximately 150,000 individuals being forcibly evicted in Southern Somalia every year. Over 95% of them are evicted in Mogadishu.

²⁷⁹ UN Human Rights Council (formerly UN Commission on Human Rights), [Report of the Independent Expert on the situation of human rights in Somalia \[A/HRC/36/62\]](#), 6 September 2017, paragraph 52

²⁸⁰ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 187

²⁸¹ Norway: Landinfo – Country of Origin Information Centre, [Somalia: The settlements in Mogadishu](#), 11 November 2016, p. 1

Under these circumstances, finding an appropriate and sustainable shelter for Mogadishu IDPs has proved very difficult.²⁸²

1.6.4.6. Forced evictions

For information specific to IDPs see [15.3.2. Forced evictions](#) and for information specific to returnees, see [16.3.2. Evictions](#).

A Global Protection Cluster report covering the period between July and September 2016 stated that “In the month of August, 2,787 HHs [Households] were reported to have been forcefully evicted in South Central, Somaliland and Puntland. The majority (2,743 households) were evicted in South Central, while 44 households were evicted in Somaliland and there were no cases monitored in Puntland. August 2016 ranked as one of the periods with the highest figures of forced evictions monitored and recorded since January 2016”.²⁸³

The October 2016 UN Human Rights Council report noted that “The forced eviction of vulnerable populations from informal settlements continued, not only in Mogadishu but also in other urban centres, including North Galkayo and Kismayo: more than 46,000 people had been displaced by the middle of the year. Frequently occurring in the context of corrupt and unlawful transfer of land and property, evictions often also coincided with the commission of other violations against civilians (see annex 4.6). In July 2016, in paragraph 39 of its resolution 2297 (2016), the Security Council expressed concern regarding the increase in forced evictions of vulnerable populations, stressing that such evictions should be carried out in compliance with national and international frameworks”.²⁸⁴

UNHCR reported in December 2016 that “Eviction still remains a major cause of concern in South Central Somalia with a total of 15,055 individuals being forcefully evicted from their homes in Kaxda (5,466), Dayniile (4,680), Hodan (4,389) and Bu’aale (400)”.²⁸⁵

In the Somalia Protection Cluster annual report for 2016, UNHCR reported on the increase in forced evictions:

During 2016, over 146,000 persons; a 12 and 78 per cent increase than in the previous two years respectively, were forcible evicted in major towns in southern and central Somalia, and over 15,000 persons more in towns in Puntland and Somaliland. Forced evictions were the second main cause of displacement in 2016 following conflict and insecurity. This frequently violent phenomenon dismantles the great efforts that IDPs have made over considerable time, in an attempt to achieve some level of stability necessary to their integration. Toward the end of 2016, a spike in the recorded number of forced evictions was noticed.²⁸⁶

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) stated in its Humanitarian Needs Overview report for 2017 [covering 2016] that “Forced evictions still remain a persistent feature of the urban protection environment with 12,548 households, comprising of 74,486 individuals, having been evicted throughout the country between January and July. The vast majority

²⁸² UN High Commissioner for Refugees (UNHCR), [Somalia Factsheet September 2017](#), 21 September 2017, p. 2

²⁸³ Global Protection Cluster, [Protection July to September 2016](#), September 2016, p. 2

²⁸⁴ UN Security Council, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia \[S/2016/919\]](#), 31 October 2016, E. Forced Displacement, Paragraph 108

²⁸⁵ UN High Commissioner for Refugees (UNHCR), [Somalia: Displacements recorded by the Protection & Return Monitoring Network; Reports verified: 1-31 Dec 2016](#), 31 December 2016

²⁸⁶ United Nations High Commissioner for Refugees (UNHCR), [Somalia Protection Cluster, Annual Report 2016](#), 07 Apr 2017, p. 3

of forced evictions occur in southern and central regions of Somalia (10,320 households; 63,125 individuals)”²⁸⁷

The Assessment Capacities Project (ACAPS) provides an overview on forced evictions in Somalia during 2017 (emphasis added):

Between January and September 2017, over 100,000 people were affected by evictions, with most cases being recorded in **Mogadishu and Baidoa, Bay** region. This constitutes a 15% increase in forced evictions in comparison to the same period in 2016. Private landowners evicted more than 1,000 IDPs from settlements in Baidoa from 14-21 of September. In the first week of August, over 5,000 people were evicted in Baidoa. Forced evictions of IDPs surged in 2015, with 130,000 displaced across the country, as an appreciation in land value drove land-grabbing. The evictions are often carried out with little or no notice. Furthermore, evictions trigger additional risks. In their search for shelter, evicted IDPs have been forced to relocate into overcrowded settlements or became homeless, and the violation of children's rights such as education has been observed. Evictions disrupt IDPs' livelihoods and coping abilities.²⁸⁸

1.6.4.6.1 Forced evictions in Mogadishu

For information specific to IDPs see [15.3.2.1. Forced evictions in Mogadishu](#) and for information specific to returnees, see [16.3.2.1. Evictions in Mogadishu](#).

Amnesty International reported in its annual report on Somalia (covering 2016) that “Forced evictions of IDPs and the urban poor remained a major problem, especially in Mogadishu. The government and private landowners forcibly evicted nearly 31,000 people in Deynile, Dharkeinly, Hamar Weyne, Heliwa, Hodan, Kaxda and Wardhigley districts of Mogadishu in the first half of the year. Over 14,000 people were forcibly evicted in January alone. The majority of those evicted moved to insecure and isolated locations on the outskirts of the capital, where social services were limited or non-existent and living conditions were deplorable”²⁸⁹.

The US Department of State annual report on Somalia (covering 2016) stated that “From January to August, authorities forcibly evicted approximately 91,000 persons, mostly IDPs; more than 78,000 were relocated to the south central part of the country, primarily Mogadishu. Insecure land tenure and limited land title verification contributed to the scale of forced evictions”²⁹⁰.

The Global Protection Cluster reported in April 2016 that “During the first quarter of 2016, the NRC [Norwegian Refugee Council] eviction tracker recorded the forced eviction of 31’450 persons from Hodan, Dharkeinly, Deynile, Kaxda, Wardhigley, Heliwa and Hamar Weyne districts of Mogadishu. Over 14’000 persons have been forcibly evicted in January alone. Despite the fact that most evictions have been unlawful, there have been some good practices from the Ministry of Health, Ministry of Finance and United Nations Development Program’s approach to evictions in Mogadishu. These preventative and remedial responses could be replicated in other areas to ensure evictions are lawfully conducted and evictees afforded appropriate support”²⁹¹.

²⁸⁷ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Somalia Humanitarian Needs Overview](#), 28 November 2016, p. 22

²⁸⁸ Assessment Capacities Project (ACAPS), [Somalia Crisis Analysis](#), updated 27 September 2017, *Forced Evictions*

²⁸⁹ Amnesty International (AI), [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017, *Housing rights – forced eviction*

²⁹⁰ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Internally Displaced Persons*

²⁹¹ Global Protection Cluster, [Forced evictions in Somalia on the rise](#), April 2016

A Global Protection Cluster report covering the period between July and September 2016 stated that “In Mogadishu alone, 41 settlements and host communities were reported to have been evicted by private landlords and government officials for commercial purposes or for the establishment of new housing units. The majority of the evictees fled to settlements in the area between K11-K20 in Mogadishu. The reported cases received an average eviction notice of seven days which was oral in nature”.²⁹²

The Global Protection Cluster reported in November 2016 that “Just over 6,800 households consisting around 41,500 individuals, predominantly IDPs, were forcefully removed from their homes between October and November. Amid ongoing refugee returns and widespread tenure insecurity, this trend is likely to continue into 2017. While NRC [Norwegian Refugee Council] will continue to monitor, document and report incidents of forced evictions in order to ensure that the subject receives appropriate attention and support, a more direct prevention approach is being envisioned, effective 2017, as part of a broader HLP [House, Land and Property] sub-cluster strategy to address forced evictions”.²⁹³

1.6.4.7. Transport infrastructure

For information on restrictions on freedom of movement in South and Central Somalia, see [5.1. Freedom of movement](#).

Roads

The National Development Plan for 2017-2019 for Somalia described the country’s road network as follows: “The 21,933km long road network in Somalia is in poor to very poor condition. 90% of the primary roads have deteriorated and are well past their designed life-span. With a huge maintenance backlog, there is a significant need for reconstructing or resurfacing these existing paved roads throughout all of Somalia. Within the country, only 2,860 km (13%) of a total 21,830 km of roads are paved. The rest of the network is earthen or gravel. [...] Overall in Somalia, approximately 80% of the population living in settlements, towns and cities resides in only 10 large cities; this is 50 per cent of the total Somali population”.²⁹⁴

Transparency Solutions publishing a study to map the political economy of road blocks in South Central Somalia in 2016 and focusing on the existing roadblocks on the road between Beletweyne in Hiran State and Mogadishu found that:

- **Road infrastructure is almost non-existent and is severely hampering economic development.** Roads, as they exist in Somalia, are mostly tracks, littered with potholes even where they were once tarmac. When combined with a hostile terrain and a propensity for natural disasters, (most commonly drought and flooding), as well as additional problems of roadblocks, road journeys become a perilous undertaking [...].²⁹⁵

Airports

A report from the Danish Immigration Service’s fact-finding mission to Nairobi, Kenya and Mogadishu dating September 2015 provided an overview of the transport infrastructure in South Central Somalia noting that “There are commercial flights between several cities in S/C

²⁹² Global Protection Cluster, [Protection July to September 2016](#), September 2016, p. 2

²⁹³ Global Protection Cluster, [Factsheet \(Military Withdrawal\)](#), November 2016, p. 2

²⁹⁴ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 136

²⁹⁵ Transparency Solutions, [Beyond isbaaro: Reclaiming Somalia’s haunted roads](#), 2016, Summary, Key findings, p. 6

[South/Central] Somalia but the connections and schedules are changing sporadically. One source mentioned that as of May 2015 there were flights from Mogadishu to Belet Weyne, Baidoa and possibly also Kismayo. UNHCR Somalia stated that Baidoa and Kismayo airports are used by a number of commercial airlines. However, according to UNHCR Somalia the general population in S/C Somalia would not be able to afford to take flights when travelling between cities. On the contrary, one source stated that travelling by flight is the most common means of transportation for ordinary people in S/C Somalia, even despite the higher cost involved”.²⁹⁶

With regards to availability of air travel, a Landinfo report dating April 2016 noted that “There are a number of airstrips in Southern Somalia, but few of them are open to commercial traffic. From Mogadishu it is possible to fly to the cities of Baidoa (USD 110, 40 minutes), Beled Weyne (USD 115, 1 hour) and Kismayo (USD 120, 40 minutes). The routes are operated by Blue Sky Air (n.d.) and other local airlines (source A, e-mail 22 February 2016). Flight destinations/schedules may be extended”.²⁹⁷

The National Development Plan for 2017-2019 for Somalia described the air transport infrastructure as: “Somalia has an estimated number of 60 airstrips, airfields and airports evenly spread across the country and developed since independence mainly for military strategic reasons. There are 7 major feeder airports, and 23 other important airstrips. The 6 main airports include Mogadishu, Berbera, Hargeisa, Bossaso (recently upgraded), Garowe and Kismayu. Almost all other major urban centres also maintain at least one airstrip that is capable of handling a small aircraft”.²⁹⁸

Seaports

With regards to seaports the National Development Plan for 2017-2019 noted that “Somalia’s strategic location at the Horn of Africa on the Suez Canal shipping route and the longest country coastline (3,025 km) in Africa offers a great advantage to port operators. Despite the long shoreline Somalia has only four deep-water ports. Built in the 1980s, these four major operational ports are situated in the economic centres of Mogadishu, Berbera, Kismayu and Bossaso, with only Mogadishu and Berbera handling significant volumes of traffic. All these ports were originally under the control of the Somali Ports Authority, which no longer exists”.²⁹⁹

1.6.4.7.1 Transport infrastructure in Mogadishu

For information on restrictions on freedom of movement, see [5.1.1. Freedom of movement in Mogadishu](#).

Airports

The National Development Plan for 2017-2019 for Somalia described the air transport infrastructure stating that “The 6 main airports include Mogadishu, Berbera, Hargeisa, Bossaso (recently upgraded), Garowe and Kismayu”.³⁰⁰

A report from the Danish Immigration Service’s fact finding mission to Nairobi, Kenya and Mogadishu dating September 2015 provided an overview of the transport infrastructure in South Central Somalia noting that “There are commercial flights between several cities in S/C

²⁹⁶ Danish Immigration Service (DIS), [Country of Origin Information for Use in the Asylum Determination Process; Report from the Danish Immigration Service’s fact finding mission to Nairobi, Kenya and Mogadishu, Somalia; 2-12 May 2015](#), September 2015, p. 18

²⁹⁷ Norway: Landinfo - Country of Origin Information Centre, [Somalia: Practical issues and security challenges associated with travels in Southern Somalia](#), 4 April 2016, p. 8

²⁹⁸ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 138

²⁹⁹ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 137

³⁰⁰ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 138

[South/Central] Somalia but the connections and schedules are changing sporadically. One source mentioned that as of May 2015 there were flights from Mogadishu to Belet Weyne, Baidoa and possibly also Kismayo [...] However, according to UNHCR Somalia the general population in S/C Somalia would not be able to afford to take flights when travelling between cities. On the contrary, one source stated that travelling by flight is the most common means of transportation for ordinary people in S/C Somalia, even despite the higher cost involved”.³⁰¹

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Roads

In April 2017 the Africa Review cited the Mayor of Mogadishu, Yussuf Hussein Jimale, as stating that “we have completed tarmacking 17 kilometres of roads in the city and are currently working on two more”.³⁰³

Seaports

With regards to seaports the National Development Plan for 2017-2019 noted that “Built in the 1980s, [...] four major operational ports are situated in the economic centres of Mogadishu, Berbera, Kismayu and Bossaso, with only Mogadishu and Berbera handling significant volumes of traffic. All these ports were originally under the control of the Somali Ports Authority, which no longer exists”.³⁰⁴

1.7. Impact of the return of Somalis from the diaspora to South and Central Somalia (excl. Mogadishu)

For further information on returnees see [16. Returnees \(including refugees and returning IDPs\) in South and Central Somalia incl. Mogadishu.](#)

The UN News Service reported in January 2016 on the impact of the Somali diaspora on the economy that “Somalia has a large diaspora living abroad after decades of chaos and civil strife in the country. They are estimated to send at least \$1.2 billion remittances per year to relatives in Somalia, which represent at least one fifth of the country's gross domestic product (GDP) and are more than the total amount of foreign aid that Somalia receives”.³⁰⁵

In September 2016 Human Rights Watch reported on the return of Somali asylum seekers and refugees from Kenya that “On August 29, returns were suspended because local authorities in Jubaland, an interim regional administration in Somalia bordering Kenya to which many of the refugees are returning, said they could not sufficiently assist returning refugees. Negotiations to

³⁰¹ Danish Immigration Service (DIS), [Country of Origin Information for Use in the Asylum Determination Process; Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia; 2-12 May 2015](#), September 2015, p. 18

³⁰² Norway: Landinfo - Country of Origin Information Centre, [Somalia: Practical issues and security challenges associated with travels in Southern Somalia](#), 4 April 2016, p. 8

³⁰³ Africa Review, [Diaspora now investing in Mogadishu as security improves](#), 1 April 2017

³⁰⁴ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 137

³⁰⁵ UN News Service, [Counter-terrorism measures threaten remittances sent to Somali diaspora – UN rights experts](#), 18 January 2016

resume the repatriations are ongoing. "UNHCR is aware that south-central Somalia is in no way conducive to large-scale refugee returns," Frelick [refugee rights director at Human Rights Watch] said. "UNHCR should not facilitate any returns until Kenya says those afraid to go home can stay in Kenya and UNHCR provides refugees with accurate information about what they will face when they go home""³⁰⁶.

A November 2016 Refugees International (RI) report documenting the situation of Somali refugees returning from Kenya to Kismayo similarly noted that "The Jubaland authorities suspended the reception of returning refugees to Kismayo, citing 'severe humanitarian challenges.' Indeed, a local government official told RI that there is an urgent need for shelter, medical facilities, and education programs to accommodate the returnees. He said, 'It's like Kenya and the UN are dumping refugees in Kismayo.' He also cited the lack of employment and livelihood opportunities available and worries that non-state armed groups might attempt to forcibly recruit returnees".³⁰⁷

The same source further stated on the sustainability of returns that "It is clear that, in addition to the involuntary nature of the repatriation program, large-scale returns are unlikely to be sustainable and the whole process could cause more harm than good by adding to the existing humanitarian caseload in Somalia and straining the fragile stability and development gains in certain areas of Somalia. If local communities and governments in Somalia are not in an adequate position to receive, absorb, and reintegrate returnees, returns will not be durable. And durability requires development and security to take hold in Somalia to the point where returnees are not dependent on humanitarian aid after six months or are forced to flee again because of violence".³⁰⁸

Amnesty International further reported on the decision of the Jubaland authorities to suspend returns:

In August 2016, authorities in Somalia's Lower Juba State halted the return of 1,100 Somalis due to lack of humanitarian assistance. Among the concerns raised by the authorities were the unplanned nature of the returns threatening to exacerbate an already volatile security situation, in addition to the return package being insufficient to allow returnees to fully integrate, and the likelihood of most returnees going to already overstretched and under-resourced IDP camps. At the time of writing, the Jubaland administration were still not receiving road convoys of returnees. In order to get around this and continue the return process to other areas, UNHCR organized bi-weekly flights to Baidoa until further notice. Closed door meetings between Ahmed Madobe, the president of Jubaland state, and a UNHCR delegation took place on 16 October, where the president said repatriation would resume, however a timeframe was not provided for this. In his address the president of Jubaland also reiterated his concern about refugees returning without a proper plan to sustain themselves.³⁰⁹

UNHCR reported in September 2016 that "Insecurity in large parts of southern and central Somalia persisted, making prospects for the large-scale return of 1 million Somali refugees a daunting challenge. Since efforts to facilitate voluntary repatriation began in December 2014, increased stability and availability of basic services in some areas of origin made the return of more than 30,000 Somali refugees possible".³¹⁰

³⁰⁶ Human Rights Watch (HRW), [Kenya: Involuntary Refugee Returns to Somalia](#), 14 September 2016

³⁰⁷ Refugees International (RI), [Refugee Returns from Kenya to Somalia: "This is about fear... not about choice"](#), 4 November 2016, p. 7

³⁰⁸ Refugees International (RI), [Refugee Returns from Kenya to Somalia: "This is about fear... not about choice"](#), 4 November 2016, p. 7

³⁰⁹ Amnesty International (AI), [Kenya: Nowhere Else To Go: Forced Returns of Somali Refugees From Dabab Refugee Camp, Kenya](#), 14 November 2016, p. 23

³¹⁰ UN High Commissioner for Refugees (UNHCR), [Update on UNHCR's operations in Africa](#), 23 September 2016, p. 2

A Danish Refugee Council report based on a fact-finding mission to Kenya conducted in December 2016 stated “An NGO working in Somalia mentioned that there have been conflicts over resources in Kismayo and an UN source concurred that 35,000 refugees returning from Kenya has put additional pressure on resources. An anonymous source mentioned that absorptions problems related to the return programme of refugees from Kenya are affecting the local government’s ability to provide security. The return program was temporarily suspended from 29 August 2016 to 16 October 2016 due to limited capacity of the Jubaland authorities to absorb the returnees, but as of December 2016 the process had been restarted”.³¹¹

An ACAPS Briefing Note published in January 2017 noted that “Returnees from Dadaab face similar conditions to the IDP population in Bay, Bakool, and Gedo. They continue to be returned to Bay, Baidoa, and Gedo despite limitation on institutional capacity, both governmental and non-governmental to receive this population. 4,300 were returned to Baidoa in 2016 up to December 16”.³¹²

The International Monetary Fund noted in a report dating February 2017 on the economic impact of the return of Somali refugees that “The imminent return of Somali refugees from Kenya is expected to have a significant impact on the Somali economy and the authorities’ capacity to provide basic social and economic services. As recently announced by the Kenyan authorities, the country’s largest Somali refugee camp will be closed in May 2017, which will result in the repatriation of more 400,000 refugees. This raises concerns about potential risks including increased unemployment and poverty. To mitigate the associated risks, political consensus and support by the international community will be critical”.³¹³

The same report further stated on the financial impact of returnees that “The Somali National Task Force on Repatriation estimated the Somali refugees’ repatriation cost at \$200 million. Without the support of international donors, a sustainable and durable solution to this refugee crisis which could require some contingent fiscal costs for the FGS [Federal Government of Somalia] will not be manageable”.³¹⁴

The Danish Refugee Council March 2017 report also stated with regards to Somalis returning to Jubaland that “The return of more than 35,000 refugees from the Dadaab camps in Kenya has created an issue of absorption problems, especially in the Jubaland regions. The Jubaland administration stopped the acceptance of returnees from 29 August 2016 to 16 October 2016. Returnees find limited basic services (medical, school, basic sanitarian services) in Somalia. Some returnees join IDP camps. The absorption problems also affect the social cohesion in society, where conflicts over scarce resources can break out between returnees and host communities. Some refugees return back to Kenya due to various reasons: Violence, drought, and lack of basic services”.³¹⁵

A June 2017 AMISOM report noted that “There is [an] unreported undercurrent amongst local Somalis, mainly the youth, who allege that not all Diaspora returnees are contributing to the country positively. These Somali youth are also claiming that Diaspora returnees are favored in the job

³¹¹ Danish Refugee Council (DRC), [*South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups*](#), March 2017, 1/2017, p. 14 and 15

³¹² ACAPS, [*Somalia: Drought*](#), 31 January 2017, *Crisis Impact*, p. 3

³¹³ International Monetary Fund, [*Somalia: 2016 article iv consultation, press release; staff report; and statement by the executive director for Somalia*](#), 27 February 2017, p. 4

³¹⁴ International Monetary Fund, [*Somalia: 2016 article iv consultation, press release; staff report; and statement by the executive director for Somalia*](#), 27 February 2017, p. 25

³¹⁵ Danish Refugee Council (DRC), [*South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups*](#), March 2017, 1/2017, p. 55 and 56

market and are taking jobs away from the locals. This is creating frustration among the locals who stayed behind and did not have the same opportunity for education and work experience as the Diaspora returnees”.³¹⁶

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa, assessed the impact of returnees from Kenya to Southern Somalia stating that:

The anticipated return of up to 250,000 Somali refugees from Kenya into southern Somalia in 2017 or later is not expected to trigger or exacerbate large-scale communal or political conflict in the short term. But in the longer term the return will intensify pressure on some very dangerous and unresolved fault-lines in Somalia, related to land, identity, rights, and demography.

The impact of the returnees will be felt almost entirely in a few urban centres of southern Somalia, as few of the returnees will settle in rural areas from which they originally came. Their return will accelerate an already dramatic rate of urbanisation in contemporary Somalia, and highlight sensitive, unresolved conflict issues related to claims on Somalia’s cities.³¹⁷

The same source noted on the impact of returnees in Kismayo, Southern Somalia that “Kismayo will feel the general impact of the returnees more than any other location, as the total number of returnees – expected at 80-90,000 – could nearly double the city’s current population. This will increase demand for basic consumer goods, land, potable water, and access to basic services like education and health care. As of June 2017, an estimated 57,000 returnees have arrived in the city, including 24,000 in the first half of 2017.”³¹⁸

The report further evaluated the effects of large scale returns to the economy and demographic structure of Kismayo noting that “Local businesses and landowners are likely to benefit from the influx of newcomers; poorer households will suffer from increased prices of land, rent, and possibly basic consumer goods. The returnee arrival could eventually transform clan demographics in Kismayo, creating a situation in which the empowered Darood clan-family could be outnumbered by the weaker Digil-Mirifle and Bantu”.³¹⁹

With regards to the level of state preparation for returning Somalis the same report stated that “Of all the major areas of return in Somalia, Jubbaland authorities have been most engaged in preparing for the returnees, including allocation of a large stretch of government land on the outskirts of the city for a new “village” where at least some returnees will be provided lots of land and homes. The most likely source of tensions, based on our survey data, is between existing IDPs and returnees in Kismayo. Local authorities, especially clan elders, are also concerned about the possibility of communal tensions arising from what may be perceived as disproportionate assistance going to returnees in a context of considerable hardship among local IDPs and the host community”.³²⁰

On the impact of Somalis returning to Baidoa the August 2017 Danish Demining Group report noted that “Baidoa is the least problematic location for the returnees. Returnees heading to Baidoa are all from the local clan-family in the area, the Digil-Mirifle, and so will be treated as full-fledged citizens, not outsiders or guests with limited rights. The main concern expressed by Interim South West Administration (ISWA) officials and clan elders is that the timing of the returnees is exceptionally poor and an unmanageable burden, due to the impact of the drought and the spike in numbers of destitute rural dwellers now moving into Baidoa”.³²¹

³¹⁶ AMISOM, [Somali Diaspora returnees; Homeland Community Relations](#), 28 June 2017, Introduction, p. 3

³¹⁷ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 27

³¹⁸ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 2

³¹⁹ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 2

³²⁰ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 2

³²¹ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 3

The Danish Demining Group report also noted that clan membership of returnees could shift the demographic balance in major Somali cities:

The fact that most of the returnees are Digil-Mirifle and/or Bantu, and are returning mainly to Kismayo and Mogadishu, accelerates a major demographic shift with long-term implications for Somalia. The DigilMirifle constitute most of the very large population of IDPs already in Mogadishu and Kismayo, and the returnees will expand those numbers further. This will throw into question the prerogatives claimed by politically dominant clans in those cities, especially if and when universal elections are held. The Digil-Mirifle could come to possess demographic numbers that pose a challenge to dominant clans in those cities. Chauvinistic elements in the dominant clans could press for forced evictions of Digil-Mirifle and Somali Bantu to their “home territories”.³²²

1.7.1 Impact of the return of Somalis from the diaspora to Mogadishu (particularly from Kenya)

For further information on returnees see [16. Returnees \(including refugees and returning IDPs\) in South and Central Somalia incl. Mogadishu](#).

The Rift Valley Institute observed in its March 2017 report that “There is no accurate information available on the numbers of Somalis returning to Mogadishu, nor is there a precise count of the urban population. Various indicators do support the widely held belief that there has been a surge in diaspora returns to the city in recent years”.³²³

Al Arabiya reported on 3 January 2016 about the involvement of Somali diaspora in new housing developments in Mogadishu:

Somalia’s elegant colonial villas were left in ruins by two decades of street fighting among warlords, and the seaside capital Mogadishu was dubbed the most dangerous city in the world. ‘But now new housing estates are being built amid an economic boom as diaspora Somalis return and newly wealthy businessmen capitalize on the relative peace in the city Some seven kilometers (four miles) outside Mogadishu in a formerly largely rural area, new homes are springing up, with almost 50 houses now ready on an estate, builders say... ‘Those returning to Somalia - including investors wanting to start new business in their homeland - say the Daru Salaam estate offers them a more secure place to live. “I came back to this city to buy a new home in Daru Salaam neighborhood... the houses are well built,” said Abdiqadar Jimale Roble, 34, who grew up in Sweden from the age of 12 after Somalia spiraled into civil war in the early 1990s. “I have been out of Somalia for long time but I came back because everybody needs his country -and the country is making much progress,” Roble added. “I had to take part in that progress, and everybody should have a house in his country.”’³²⁴

Landinfo, the Norwegian Country of Origin Information Centre, noted in a report dating April 2016 on the profile of Somali returnees from the diaspora to Mogadishu that:

According to a study done in collaboration between Heritage and PRIO (Peace Research Institute Oslo) those from this group who return have various reasons to do so, and some prefer to return to the country they came from after a period. Common to most is that they have a good education from the country they lived in (Horst 2015). Some are idealistic and want to help rebuild the country as teachers, doctors or engineers, some primarily want to build a CV and might have trouble getting a job in the country where they live, while others have commercial motives. There are also those who

³²² Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 27

³²³ The Rift Valley Institute, [Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city](#), 9 March 2017, *Diaspora return*, p. 54

³²⁴ Al Arabiya English, [Somalia housing boom as Mogadishu emerges from ashes of war](#), 3 January 2016

come to invest and start businesses. Somali authorities regard this group as a resource and a special office has been established in the Somali Foreign Ministry to manage contact with this group; Department of Diaspora Affairs (Heritage 2014).³²⁵

Regarding the treatment received by returnees in Mogadishu the same report stated that “Perceptions among most people in Mogadishu are somewhat more mixed. A not uncommon attitude is that these returnees come and avail themselves of the situation, taking jobs away from those who stayed behind and got through all the difficult years in the city. In addition, many of those who have acquired a higher education from educational institutions in Mogadishu are valued lower than those who have graduated abroad. This difference is reinforced by the fact that many from the diaspora live in areas with higher security than other places in town and that they often interact with each other like a small, exclusive elite”.³²⁶

The September 2016 report of the UN Secretary General on Somalia noted on the impact of refugee returns from Kenya in general that “Access to basic services in Somalia continues to be severely constrained and is likely to be further affected by any mass refugee returns from the Dadaab camp in Kenya”.³²⁷

An article of 10 January 2017 by Andrew Harding and published by Hurst noted that “The Somali diaspora is starting to return to help rebuild Mogadishu after years of violence in and around the capital”.³²⁸ He spoke to a women’s rights activist who originally left Somalia with her family in 1992, but had now returned “Ilham explained how she and other educated members of the diaspora were determined to come back to Mogadishu ‘with a different mindset.’ They had grown up in stable western democracies, able to appreciate the value of institutions, and were anxious now to prove that politics in Somalia could be done differently, free of corruption and clan divisions. [...] ‘If you can help a nation to stand on its feet, why not?’ [...] she’s got a new job as a political advisor at the United Nations office beside the airport, and she’s thinking of bringing her family from London to nearby Nairobi, Kenya. “It’s not safe enough to move them back here yet. But maybe next year”.³²⁹

The International Monetary Fund noted in a report on Somalia dating February 2017 that “The imminent return of Somali refugees from Kenya is expected to have a significant impact on the Somali economy and the authorities’ capacity to provide basic social and economic services. As recently announced by the Kenyan authorities, the country’s largest Somali refugee camp will be closed in May 2017, which will result in the repatriation of more 400,000 refugees. This raises concerns about potential risks including increased unemployment and poverty. To mitigate the associated risks, political consensus and support by the international community will be critical”.³³⁰

The Rift Valley Institute observed in its March 2017 report that on land ownership that “The situation awaiting diaspora returnees intending to reclaim property also varies, though more often than not the current occupants of the properties in question will challenge claims of ownership, and a lengthy and expensive process of arbitration will ensue. Outrage at the circumstances is often shared by both parties. Given the length of time many diaspora Somalis have been absent, it is not

³²⁵ Norway: Landinfo - Country of Origin Information Centre, [Somalia: Relevant social and economic conditions upon return to Mogadishu](#), 1 April 2016, p. 8

³²⁶ Norway: Landinfo - Country of Origin Information Centre, [Somalia: Relevant social and economic conditions upon return to Mogadishu](#), 1 April 2016, p. 8

³²⁷ UN Security Council, [Report of the Secretary-General on Somalia \[S/2016/763\]](#), 6 September 2016, Paragraph 44

³²⁸ Hurst, [Somalia’s Diaspora are slowly returning to Mogadishu](#), 10 January 2017

³²⁹ Hurst, [Somalia’s Diaspora are slowly returning to Mogadishu](#), 10 January 2017

³³⁰ International Monetary Fund (IMF), [Somalia: 2016 article iv consultation, press release; staff report; and statement by the executive director for Somalia](#), 27 February 2017, p. 4

uncommon for properties to have been sold by the occupants that had seized the land following the collapse of the government to new tenants. New occupants feel a sense of entitlement to the properties in which they have resided for many years, especially if considerable investments have been made or if families may have been raised there”.³³¹ Additional, more detailed information, on the associated problems for diaspora returnees and land ownership can be found in the following report:

- ❖ The Rift Valley Institute, [*Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city*](#), 9 March 2017, *Diaspora return*, p. 54- 63

The Regional Durable Solutions Secretariat (ReDSS) stated in a March 2017 report on Benadir region that “In 2017 the continued return of refugees to Somalia, coupled with the increased number of IDPs within Somalia, will continue to test the limited absorption capacity of host communities. As it did in 2016, it will continue to put stress on the limited access to basic services, shelter and livelihoods opportunities and will risk exacerbate protection concerns, and social cohesion between communities”.³³² The same source further assessed the challenges regarding reintegration of returnees in Mogadishu:

With regard to the reintegration of refugee returnees, it is likely that the current drought will affect the reintegration pattern of those refugees who recently left Dadaab to return to Mogadishu, and the decision of those who in 2016 expressed their intention to return but are now pondering whether returning to Mogadishu would be the right decision. However, this does not mean that agencies and donors that have been actively involved in the return and reintegration process should step back. The risk that destitute refugee returnees will join the already large number of IDPs in the outskirts of the city is high. The outcome of this situation will heavily depend on whether the federal government and the member states, the Somali civil society and business community and the international community will be able to unlock effective solutions for refugee returnees, IDPs and displacement-affected communities.³³³

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa, assessed the impact of returnees from Kenya to Southern Somalia and stated that “The return is occurring in a challenging and non-permissive environment in southern Somalia. Al Shabaab continues to hold the rural areas where most of the refugees are originally from, and harasses, blocks, or taxes the flow of commerce to some towns held by the government. Terrorism attacks, especially in Mogadishu, are commonplace. Southern Somalia is not currently plagued by large-scale communal or political violence, but much of the region remains chronically insecure”.³³⁴ The same report further observed that “Mogadishu is sufficiently large that it can absorb the returnees without the kind of dramatic impact it is likely to have on Kismayo’s land values and access to services and jobs”.³³⁵

The Danish Demining Group report also assessed the impact of returnees on the security situation in Mogadishu “The returnees relocating to Mogadishu are too small in number to affect conflict and violence dynamics in the capital in any appreciable way. If chronically mistreated and marginalised, returnee youth could be attracted to Al Shabaab recruitment. This is of particular importance in the Afgoye corridor, an “exurb” of Mogadishu along the highway from Mogadishu to Afgoye. This area

³³¹ The Rift Valley Institute, [*Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city*](#), 9 March 2017, *Diaspora return*, pages 54/55

³³² The Regional Durable Solutions Secretariat (ReDSS), [*Durable Solutions Framework - Local Integration Focus: Benadir region*](#), March 2017, p. 9

³³³ The Regional Durable Solutions Secretariat (ReDSS), [*Durable Solutions Framework - Local Integration Focus: Benadir region*](#), March 2017, p. 10

³³⁴ Danish Demining Group, [*Dabaab Returnee Conflict Assessment*](#), August 2017, p. 27

³³⁵ Danish Demining Group, [*Dabbab Returnee Conflict Assessment*](#), August 2017, p. 23

became a concentration of a large number of IDP camps in the 2007-08 fighting in Mogadishu, and today is a site for a growing number of IDPs and poor who cannot afford housing costs in Mogadishu. The Afgoye corridor is also known for being an area where Al Shabaab is active, especially at night”.³³⁶

The Danish Demining Group report also noted that clan membership of returnees could shift the demographic balance in major Somali cities:

The fact that most of the returnees are Digil-Mirifle and/or Bantu, and are returning mainly to Kismayo and Mogadishu, accelerates a major demographic shift with long-term implications for Somalia. The DigilMirifle constitute most of the very large population of IDPs already in Mogadishu and Kismayo, and the returnees will expand those numbers further. This will throw into question the prerogatives claimed by politically dominant clans in those cities, especially if and when universal elections are held. The Digil-Mirifle could come to possess demographic numbers that pose a challenge to dominant clans in those cities. Chauvinistic elements in the dominant clans could press for forced evictions of Digil-Mirifle and Somali Bantu to their “home territories”.³³⁷

2. Security situation and developments since 2016 in South and Central Somalia (excl. Mogadishu)

For a list of sources to consult on the security situation in Somalia see [17. APPENDIX- Useful sources to consult on the security situation in Somalia.](#)

2.1. Overview of the current state of the conflict and current security situation

Contextual background

A research report by the Danish Demining Group, published in August 2017, assessing the impact on Somalia of Somali returnees from the Kenyan Dadaab refugee camp summarised that “Southern Somalia is not in a state of civil war, but suffers from chronic levels of insecurity and violence. One obvious reason is the lack of capacity of government authorities at the central or regional level to provide reliable security and rule of law. Armed non-state actors – various clan militias, Al Shabaab, private security forces, gangs, and paramilitary groups formally hatted to the government but acting independently of any governmental authority – all possess the ability to employ violence to whatever ends they seek. This ‘not war not peace’ situation is one that Somali civilians have learned to cope with. Adapting to such a highly insecure environment requires possession of extensive and up-to-date knowledge about armed groups, their behaviour, and their areas of activity”.³³⁸ The same report divided the types of armed violence Somalia is experiencing into the following three categories [emphasis added in original]:

Terror attacks. Terror attacks by Al Shabaab in 2012-2013 ranged between 5 and 22 per month, none producing more than a handful of casualties. But they increased significantly thereafter, averaging 81 per month in 2015, peaking in March 2016 at 116 attacks.

Al Shabaab’s attacks have increased in lethality as well as frequency. Though most of its daily attacks are low-level – typically grenade or mortar attacks, assassinations, or use of improvised explosive devices – it has since 2014 launched “complex terror attacks” at a rate one to three per month. These attacks usually involve a vehicle borne improvised explosive device at the gate of the intended target, followed by an attack within the compound by gunmen. These attacks have targeted both hard

³³⁶ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 24

³³⁷ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 27

³³⁸ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Context of armed conflict and political violence*, p. 19

targets, such as Villa Somalia and the Mogadishu International Airport, as well as softer targets, principally hotels and restaurants popular with Somali politicians and foreign guests. Civilian casualties are common in these attacks, but returnees and IDPs are not specifically targeted.

The number of major terror attacks conducted by Al Shabaab fell off somewhat in mid-2016, possibly as a result of intense pressure and setbacks the group has faced at the hands of stepped up counter-terrorism operations by both Somalia forces and external military actors. It has been under intense pressure in its stronghold, the Jubba river valley, thanks to “Operation Jubba Corridor.” It has been hit with heavy losses by US aerial strikes in support of Somali armed forces and AMISOM [...]

Communal clashes. Clashes involving rival clan militias remain the single most common form of armed conflict in Somalia, typically comprising 35% to 40% of total security incident per month.⁸⁰ Most of these clashes are localised, and typically are driven by land disputes, spiralling revenge killings that elders have been unable to mediate, or resource disputes (employment, checkpoints, etc.). The more dangerous tend to be those that are manipulated by political elites and have their origins in contestation over political authority and control of major sources of rent and revenue. Most of these are now in rural areas; communal clashes on a significant scale have been relatively uncommon in major urban areas where returnees are most likely to relocate [...]

Criminal violence. Criminal violence in Somalia gets far less attention than communal, political, and terrorism related violence, but is the third most common source of security incidents nationally and has trended upward in recent years. Crime and criminal violence appears to be related to exceptionally high rate of urban youth unemployment. Spikes in crimes rates are occurring alongside a worrisome rise in gang formation and activity in parts of the country. Though the gangs have generally not yet been drawn into politically-instigated violence, their proliferation renders Somalia more susceptible to political or communal violence, and has led to a sharp increase in rape, street violence, and armed robbery.³³⁹

With regards to the question ‘Who Fights?’, ACLED remarked that between January 2015 and October 2016:

Somalia’s conflict continues to be dictated by Al Shabaab who are engaged in 30% of all violent occurrences from 2015 to October 2016 (see Figure 9). In contrast, state forces are engaged in two thirds of the activity of Al Shabaab. Al Shabaab has considerably strengthened over the past two years, dominating new spaces in Mudug and beyond as they seek to expand their base and accommodate multiple local affiliates and their respective contests. In contrast, state forces have poor permanent presence across much of the state, and have reduced capacity in the past two years, gauged by the increase in direct attacks by non-state agents on state bodies and institutions (e.g. such as the increase of attacks in Galgadud).³⁴⁰

With regards to the remaining fifty per cent of conflict that occurs throughout Somalia the same report noted:

Conflict in Somalia can be best characterized as occurring over four distinct scales and environments where the focus is on who is fighting with whom, and the risks to both state and civilians as a result.

To that end, the four categories of

- (1) the attacks from and on the state,
- (2) violence against civilians,
- (3) intra-opposition contests and
- (4) local security contests.

The first type of violence in Somalia involves all branches of the state in their contests with other opposition groups and with each other- that violence is 44% of all occurrences since January 2015. It is primarily concentrated in attempts to secure Banaadir and its surroundings, but as of April 2016, decreased substantially. [...]

³³⁹ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Context of armed conflict and political violence*, pages 19/20

³⁴⁰ ACLED, [Conflict Trends Report No. 52; Real-Time Analysis of African Political Violence](#), October 2016, *Somalia*, p. 9

There is some reason to believe that the competition between local and regional power holders is the reason for a high, consistent and varied rate of 'intra-opposition' fighting, involving militias belonging to politicians, governors, local power holders, large clan leaders and others. This violence alone accounts for 24% of all recent acts. Smaller clans and their internal disputes with neighbours and clans of similar size are widespread, but account for a small amount of violence (approximately 5%).

Finally, threats to civilians are separate attacks that all of the above engage in. This violence is one third of all reported events, and closely follows the spatial and temporal dynamics of violence towards and with the state. In short, in areas where groups are fighting the state, they (and the state) are also engaged in civilian attacks. Contests that do not involve the state may result in high insecurity for civilians, but at a lesser rate than regime competition attacks [...] the majority of contests between armed actors occurs on main roads across Somalia - this indicates high and ongoing competition for all spaces as state forces do not adequately control and hold main areas.³⁴¹

According to UNICEF's 2016 Situation Analysis on Children in Somalia:

For some local actors, chronic insecurity has been good for business and has generated viable livelihoods. Clan militia have been a source of informal employment for young men; private security firms profit from the commoditization of security; and powerful individuals in and out of government derive their power and wealth from control of militias that thrive in an environment of high insecurity. The political economy that has developed around violence means that some have a vested interest in perpetuating conditions of insecurity; this is part of the 'conflict trap' (a cycle of conflict, underdevelopment and failed governance identified by the World Bank in its World Development Report 2011) that Somalis are struggling to escape.³⁴²

The Danish Demining Group report further provided the following useful overview of the 'structural drivers of armed conflict' in southern Somalia [emphasis added]:

1. Ethnic mobilisation. Clans can be mobilised to fight over pastoral resources in rural areas. More often, elite competition over political positions, control of state rents, and business are the drivers of clan mobilisation for conflict. In some cases these political elites are in distant cities or foreign capitals, leading Somalis to refer to this as "remote control war."

2. Political exclusion/marginalisation. When clans and communities are cut out of or marginalised in political settlements over resources and power, this increases the odds of recourse to spoiler behaviour, including political violence. Southern Somalia is replete with cases of ethno-hegemony at the regional or city level, producing grievances that are easily tapped – especially by Al Shabaab, which frequently forges tactical alliances with aggrieved or marginalised lineages. The claim of looma dhama – "not inclusive" – is often a prelude to conflict. Exclusion and clan hegemony over valuable urban centres is a particularly sensitive issue, as is the wider question of rights and citizenship in newly created federal states.

3. Resource scarcity. Even when elite compacts are relatively fair, resources are extremely scarce in impoverished Somalia, and communal competition for access and control of resources intense. In rural areas, this expresses itself in clashes over rangeland and water, and is intensified in periods of severe drought. In urban settings, it can include violent disputes over contracts, jobs, business competition, checkpoints, and lucrative political posts. Foreign aid is often a target of this competition.

4. Land. One of the most dangerous flashpoints of conflict across all of Somalia is contested claims on valuable urban land. Titling systems were flawed and corrupt before the civil war; records have been lost since the war; and 25 years of state collapse, land-grabbing, buying and selling, and the rise of a political economy of bogus land claims have created systemic tensions and confusion over land ownership. The exceptionally high value of some pockets of urban real estate dramatically increases the stakes in laying and maintaining claim to land. Land disputes are a leading cause of homicide in cities. The influx of returnees in large numbers to urban centres will aggravate this conflict issue. IDP camps where many returnees will end up are vulnerable to forced relocation, and the possibility of

³⁴¹ ACLED, [Conflict Trends Report No. 52; Real-Time Analysis of African Political Violence](#), October 2016, *Somalia*, pages 9 and 10

³⁴² UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Country Context* p.14

violent resistance, as the land on which the IDP camps are built increases in value. This has already begun in Mogadishu and is likely to intensify there and expand to Kismayo in the future.

5. State fragility. The state's very limited capacity to enforce law and order and provide basic security to its citizens is a major source of vulnerability to political violence and armed conflict. The ubiquity of armed non-state actors in Somalia is a consequence of state weakness, and is both a source of protection for some and added insecurity for others.

6. Borders. Somalia's newly created regional federal states involve a number of disputed borders that have been flashpoints of armed clashes.

7. Federalism. The federal nature of the FGS remains contested and renders parts of the country more vulnerable to armed violence. One of the more dangerous aspects of federalism is the prospect of gradual expansion of federal state authority into areas where the federal state is not fully accepted. At present, the very weakness of most of the newly created federal states reduces risk of conflict over their claims of authority.

8. Unemployment and demographics. As noted above, Somalia is experiencing exceptionally high fertility rates, high urbanisation rates, and high urban unemployment. The combination is a recipe for youth frustration and renders young adult males susceptible to recruitment into a variety of armed groups, from gangs to clan militias to jihadi movements. Refugee returnees will only add to this population of frustrated urban youth unless major economic expansion and job creation occurs.³⁴³

2016

As way of background trend, ACLED's analysis on the 'violence against civilians' between January 2015 and October 2016 is useful here:

Between January 2015 and October 2016, anti-civilian violence in Somalia made up approximately 23% of all recorded violent events; and 14% of associated reported fatalities. As a proportional share of overall violence, anticivilian violence events have shown a steady trend since the beginning of 2015, with June 2016 being the most violent month for civilians [...] Approximately 13% of anti-civilian violence events, and 13% of associated reported fatalities, involved remote violence technologies. Since January 2015, political militias (including unidentified armed groups) have been responsible for the largest share of anti-civilian violence events (approximately 44%), followed by rebel forces (Al Shabaab, 26%), and communal militias (14%). In terms of associated reported fatalities, Al Shabaab has been responsible for the largest share (37%).

But violence against civilians in Somalia varies considerably: regions including Mudug, Banaadir, Bari and Middle Juba all have considerably higher than average rates of civilian targeting by administrative district (+20%, +5%, +15%, +12%, respectively), while surrounding regions, and those bordering both Kenya and Ethiopia have lower reported rates.³⁴⁴

Reflecting on the violence in Somalia in 2016 and comparing it to that in Nigeria, South Sudan and Libya, ACLED remarked that "Of those crises, Somalia remains the most active, followed by Nigeria, South Sudan and Libya, respectively. Somalia has almost three times the violence of the other states, who each have approximately 740 armed, organized events in 2016. In effect, Somalia's violence is equal to the combined violence of Libya, South Sudan and Nigeria. Yet the fatality ratios suggest a different story: while Somalia has the highest total number of reported fatalities, Nigeria has the highest ratio at over 6 fatalities per event, compared to 2.5 per event in Somalia, 4.5 for South Sudan and close to 4 per event in Libya".³⁴⁵

With regards to Somalia specifically ACLED observed that Somalia in 2016:

witnessed an increase in both conflict events and reported fatalities over the previous year. Increased deaths are largely due to lethal clashes between insurgent group Al Shabaab and state forces, or

³⁴³ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 1. *Security Context*, p. 10

³⁴⁴ ACLED, [Conflict Trends Report No. 52; Real-Time Analysis of African Political Violence](#), October 2016, *Somalia*, pages 8 and 9

³⁴⁵ ACLED, [Conflict Trends Report No. 55; Real-Time Analysis of African Political Violence](#), February 2017, *Overview of Continental Trends*, p. 3

external militaries active in Somalia. The number of fatalities resulting from clashes between Al Shabaab and external forces – including forces from the African Union Mission In Somalia (AMISOM) and the militaries of Kenya and the United States – increased by 48% in 2016. High profile and high impact attacks by Al Shabaab include the attack on Ethiopian/AMISOM forces at a base at Halgan in June and a battle with Kenyan forces in October [2016] which resulted in 140 casualties. Clashes between state and rebel forces resulted in a fatality spike of 41% in 2016. Al Shabaab's continued attacks on government troops and external stabilisation forces reflects the group's vow to disrupt the parliamentary election process [...].³⁴⁶

Similarly, the Small Arms Survey found that "Somalia was the only country that recorded a substantial increase (36 per cent) in direct conflict deaths from 2015 to 2016" compared to Afghanistan, Iraq, Libya, Nigeria, Pakistan, Sri Lanka, South Sudan, Sudan, Syria, and Yemen.³⁴⁷

The UN Monitoring Group on Somalia and Eritrea found that in 2016 "Contrary to prevailing narratives of successful counter-insurgency and counter-terrorism efforts, the Monitoring Group assesses that the security situation has not improved in Somalia during the current mandate".³⁴⁸

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, remarked that the security situation in Somalia "remained highly volatile, with continued attacks by Al-Shabaab on the Somali security forces, government officials and" AMISOM, as well as inter-clan clashes.³⁴⁹

The Global Peace Index compiled by the Institute for Economics & Peace found that during 2016 Somalia ranked 158 out of 163 countries³⁵⁰ and observed that Somalia ranked amongst the five least peaceful countries since the inception of the index, "reflecting the intractable nature" of the conflict³⁵¹. Similarly, the Fund for Peace's 'Fragile States Index Annual Report 2017' placed Somalia at second place, after South Sudan, for being one of the most fragile states.³⁵²

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the overall security situation that "It was explained that S/C Somalia has been a highly insecure context for many years. The current security situation is characterised by armed conflict between AMISOM/SNA and allied forces, and al-Shabaab. This includes airstrikes in rural areas targeting al-Shabaab, but also causing displacement; and a considerable number of terror attacks in urban areas with AMISOM/SNA presence. In general, four sources highlighted that the security situation and conflicts of S/C Somalia should not be simplified to a black and white conflict between AMISOM/SNA and al-Shabaab as the situation and the role of the various actors are more complex and ambiguous. The security situation is also affected by flood, drought, land disputes, and clan violence, all of which cause displacement".³⁵³

³⁴⁶ ACLED, [Conflict Trends Report No. 55; Real-Time Analysis of African Political Violence](#), February 2017, *Conflict Trends Summaries, Somalia*, p. 8

³⁴⁷ Small Arms Survey, [Global Violent Deaths 2017: Time to Decide](#), December 2017, *Violent deaths in 2016: the most-affected countries*, p. 24

³⁴⁸ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, *Summary*, p. 3

³⁴⁹ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, *Somalia*, para. 133, p. 20

³⁵⁰ Institute for Economics & Peace, [Global Peace Index 2017](#), 1 June 2017

³⁵¹ Institute for Economics & Peace, [Global Peace Index 2017](#), 1 June 2017, *Results*, p. 13

³⁵² The Fund for Peace, [Fragile States Index Annual Report 2017](#), 10 May 2017, *pages 7 and 11*

³⁵³ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 *The overall security situation*, p. 7

2017

The UN Independent Expert on the situation of human rights in Somalia noted in his report covering September 2016 to mid-2017 regarding the security situation “AMISOM troops and the Somali National Army have liberated large parts of Somali territory, and progress has been made in enhancing command and control within AMISOM. The Independent Expert learned that, because of recent political developments, Al-Shabaab is likely to be concentrating tactically on Mogadishu, in order to enhance terrorist attacks, in particular attacks on soft targets such as hotels and markets”.³⁵⁴

Reporting on the first half of 2017 ACLED remarked that “Insurgent activity continues to drive overall conflict levels in Somalia. Activity remains high in the first half of 2017, with over 2,500 fatalities since the beginning of the year. The risk to civilians in continues to be severe, and particularly so in Mogadishu [...] While maintaining a heavy presence in southern regions, an increasing number of al-Shabaab’s efforts have begun to move north where fatalities peaked in June following an attack on Puntland forces at Af-Urur [...] Throughout May and June, US drone strikes against al-Shabaab leadership personnel increased over the lull in the beginning of the year. Bolstered by AMISOM air forces, similar operations are focused in Lower Shabelle, and activity in Bari began in mid-June”.³⁵⁵

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) based on “DFAT’s on-the-ground knowledge and discussions with a range of sources” remarked that:

The security situation in Somalia is highly volatile and security incidents and crime are a common feature of everyday life. Somalia is ranked first of 178 countries on the 2016 Fragile States Index and seventh on the 2016 Global Terrorism Index. Inter-communal violence is the major destabilising factor in Somalia, including armed conflict between clans or warlords. Other factors include: protracted conflict, severe humanitarian conditions, widespread corruption, piracy, border disputes with Ethiopia and Kenya, and the presence of al-Shabaab and other Islamist groups (including those linked to ISIL—the Islamic State of Iraq and the Levant aka Daesh). All contribute to an unstable and unpredictable security environment.³⁵⁶

Published in September 2017 ACLED found in its monthly ‘Conflict Trends’ report that “Somalia continues to be the most conflict-affected country in Africa in 2017 with 1,537 organized violent events”.³⁵⁷ Reporting on the security situation in September 2017 ACLED provided the following summary:

Conflict levels in Somalia remain high. September 2017 saw 225 separate events with over 400 fatalities. The al Shabaab insurgency continues to be the driving force of this violence, accounting for 54% of September activity. The majority of fatalities over the period occurred in a series of al Shabaab offensives in Gedo, Lower Shabelle and the Jubaland regions.³⁵⁸

³⁵⁴ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, III., B. Women’s participation in public affairs, para. 12, p. 6

³⁵⁵ ACLED, [Conflict Trends Report No. 60; Real-Time Analysis of African Political Violence](#), July 2017, *Conflict Summaries, Somalia*, p. 2

³⁵⁶ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, 1. Purpose and Scope, para. 1.4, p. 3 and *Security Situation*, para. 2.25, p. 8.

³⁵⁷ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017, *Special Focus Topic: Somalia*, p. 8

³⁵⁸ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017, *Conflict Summaries, Somalia*, p. 2

With regards to reported fatalities the same report noted that “Somalia has also incurred the most reported fatalities thus far this year (3,287 reported fatalities). While battles continue to result in the most reported fatalities (56% of all reported fatalities this year), the proportion of reported fatalities stemming from battles has decreased in recent years. But reported fatalities stemming from both remote violence as well as violence against civilians have both increased during this time – with Al Shabaab being the primary perpetrator of both of these types of violence”.³⁵⁹ In relation to actors involved in causing this high number of reported fatalities, ACLED recorded that “A number of clan militias – specifically, the Habar Gedir Clan Militia, Jejele Clan Militia, and Darood-Marehan Sub-Clan Militia – have been more lethal toward civilians this year [than Al Shabaab], meaning that more civilians are reportedly killed as a result of each of their attacks. While the rate of violence against civilians carried out by clan militias has remained relatively constant over time, the lethality of this violence has been increasing [...] In fact, the majority of new conflict actors in Somalia during the past year are clan militias, active in a variety of areas”.³⁶⁰

2.2. Overview of actors in control of territory, by region

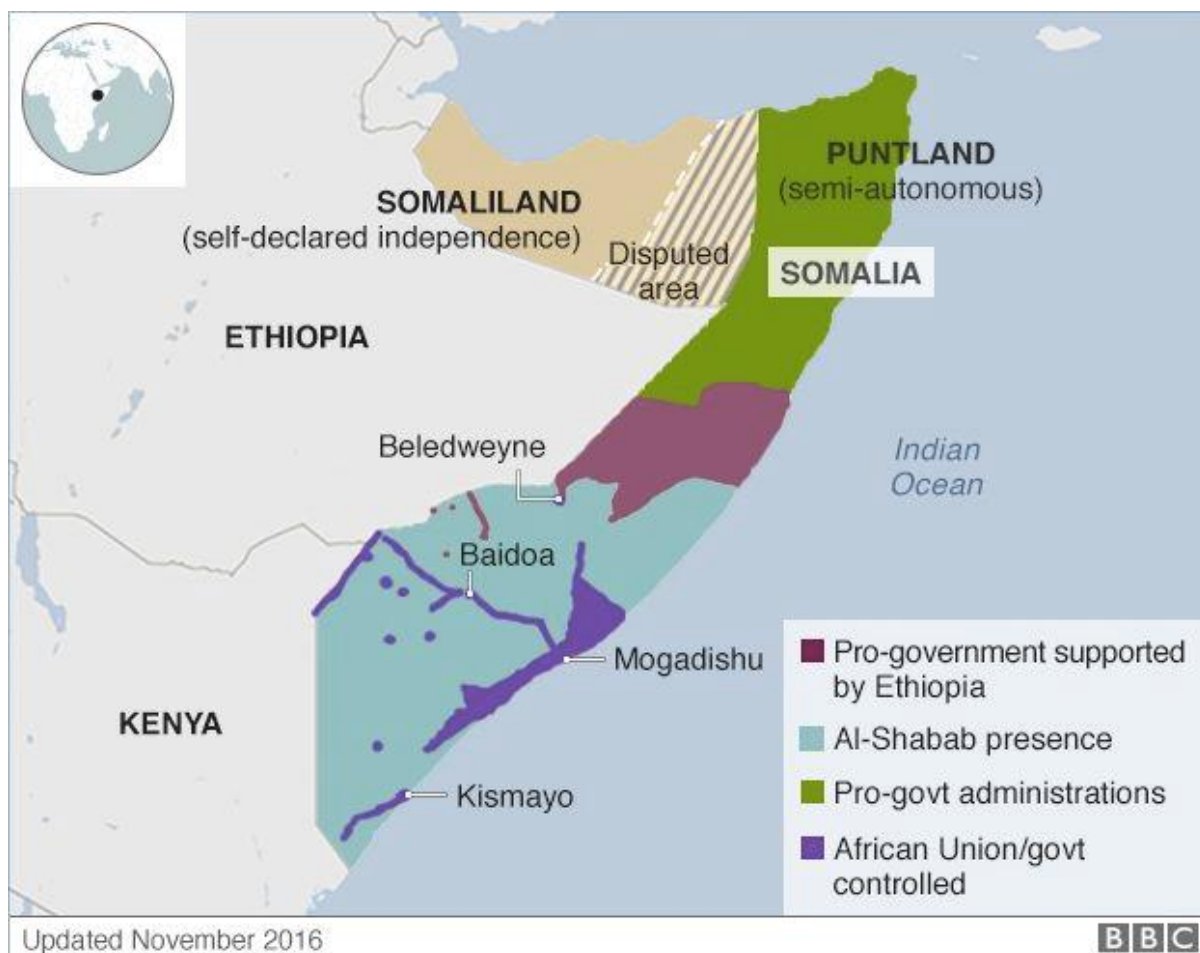
For information on Al Shabaab controlled territory, see [2.3.6.5. Areas of influence](#).

BBC News published the following map, which was last updated in November 2016, outlining the actors in control of Somalia (Somaliland and Puntland) by region³⁶¹:

³⁵⁹ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017, *Special Focus Topic: Somalia*, p. 8

³⁶⁰ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017, *Special Focus Topic: Somalia*, pages 8 and 9

³⁶¹ BBC News, [Somalia: Suicide car bomber targets Mogadishu restaurant](#), 15 June 2017



The Danish Demining Group used data from the above referred to BBC map to create a more detailed map outlining the areas of control across Somalia, including Somaliland and Puntland, which can be access [here](#).³⁶²

In August 2017 Political Geography Now, a team of specialist cartographers, published a very useful map outlining the approximate territorial control by actor, which can be viewed [here](#).

The Norwegian Country of Origin Information Centre, Landinfo, an independent body within the Norwegian Immigration Authorities, concluded in November 2016 that [emphasis added]:

Most district cities in Southern Somalia are currently held by the authorities. Government areas constitute separate enclaves or «islands». **Al-Shabaab** has maintained power in some district cities, but has largely been **forced out in rural areas**. The authorities are dependent on assistance from AMISOM to seize and maintain control of areas. Al-Shabaab is not able to hold areas if AMISOM decides to seize them, but AMISOM has a limited number of soldiers and is vulnerable because the soldiers are dispersed over a large area, and the supply lines are long. On occasion, this has caused AMISOM to withdrawn from areas. Areas which AMISOM withdraws from are immediately seized by al-Shabaab. However al-Shabaab has limited resources and it is unlikely that al-Shabaab is able to seize major cities such as Mogadishu, Kismayo, Baidoa and Belet Weyne.³⁶³

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division

³⁶² Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Annex, Map 1*, p. 38

³⁶³ Landinfo, [Somalia: Power relations in Southern Somalia](#), 10 November 2016

stated with regards to the overall security situation that: “Several sources agreed that **AMISOM/SNA** has some degree of military control of most **urban centres**, and **al-Shabaab** is in control of, or at least has influence over, **most rural areas in S/C Somalia** and has a hidden presence in most urban centres. Two sources mentioned that due to al-Shabaab’s military gains during the second half of 2016, AMISOM had restructured its presence by abandoning smaller bases in order to consolidate at larger bases. It is difficult to make a clear demarcation of what areas are under the control of what group, and there exists grey areas of mixed or unknown control. A UN source added that it does not make much sense to talk about AMISOM/SNA being in ‘effective control’ of a given city. The control situation is more nuanced and according to a Somalia Country Director of a humanitarian agency, al-Shabaab can infiltrate and move around in cities at night, which during the day are controlled by AMISOM/SNA”.³⁶⁴

In August 2017 Political Geography Now, a team of specialist cartographers, noted that with regards to who controls what area of Somalia:

Forces serving the Federal Government of Somalia - mainly the African Union Mission in Somalia (AMISOM) and the less-powerful Somali National Army - now control most of the major towns and cities in south and central Somalia. Pro-government press releases, and some third-party maps, often extend this to imply that the federal government controls most of Somalia's south.

However, candid assessments from people on the ground, supported by detailed analysis of local journalism, consistently tell a different story: that the Al Qaeda-affiliated Al Shabaab rebels have free rein right up to the outskirts of major cities, and still rule supreme over many remote villages.

Labeling all these sparsely-populated rural areas as "Al Shabaab controlled" might be an exaggeration, since the group likely doesn't actively patrol or administer every one of them, and is unlikely to stand its ground when well-armed pro-government forces pass through.

But the pro-government alliance clearly isn't asserting control there either, so we've concluded that "mixed, lawless, or unclear control" (golden yellow on the map) is the most accurate way to label these areas. In more isolated areas where pro-government forces dare tread only as part of a major military offensive, Al Shabaab might be considered more properly in control, and we've marked these in red according to our best estimates.

Similar areas of mixed control exist between autonomous administrations in northern and central Somalia, and in turn between them and pockets of Al Shabaab and "Islamic State" (IS) activity. Uncertainty also plays a role, with even some larger towns switching hands frequently, or news media failing to report on smaller territorial changes.³⁶⁵

A research report by the Danish Demining Group published in August 2017 reported that [emphasis added] “All of the **Jubba valley** from Jamaame district to Saakow is in the hands of **Al Shabaab**. The valley is currently the site of the only towns of any size that the group has had sustained control of since 2013 – Jamaame, Kamsuma, Jilib, Buale, and Saakow”.³⁶⁶

With regards to the **Gedo region**, the same report noted:

All major towns in Gedo region are under the control of anti-Shabaab, nominally pro-JSS [Jubbaland State of Somalia] and pro-FGS authority. The western border areas of Gedo are patrolled by Kenyan AMISOM forces, and the northern border areas patrolled by Ethiopian AMISOM forces. Despite this heavy military presence, or perhaps because of it, the region is beset by chronic armed violence. Al Shabaab is very active in the region, launching lethal attacks against Kenyan forces and pro-

³⁶⁴ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 The overall security situation, p. 7

³⁶⁵ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Why So Little Government Control?*

³⁶⁶ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Regional Patterns of Armed Violence and Tensions*, p. 22

government targets, as well as crossborder attacks. Assassinations are common as well. Finally, the region is the site of numerous, deep, unresolved clan and sub-clan conflicts. These include Garre-Marehan contestation over business and territory in El Wak, Marehan-Digil Mirifle contestation over territory from Luuq to Bardhere on the east bank, and intra-Marehan sub-clan tensions over power and resources.³⁶⁷

The Danish Demining Group further noted in relation to the cities of **Baidoa** and **Bakool** in the **Bay region** [emphasis added]:

Baidoa, provisional capital of ISWA, is the intended site of return for 24,000 of the refugees. Almost all of those refugees were originally rural dwellers in farming areas of Bay and Bakool, and almost all are from the Digil-Mirifle clan-family, which predominates in those two regions. The security situation in this zone varies considerably between the main urban areas controlled by the ISWA and protected by Ethiopian AMISOM forces, and the countryside, which is under the loose control of Al Shabaab.

1. Baidoa. **Baidoa city** is under the control of ISWA security and AMISOM, and has been a relatively safe city over the past few years. Communal violence has been rare, and violent crime is generally low. Al Shabaab has successfully launched some terrorist attacks in the city but these have not occurred on a scale or frequency as in Mogadishu. Political assassinations, either by Al Shabaab or others, have taken place. Returnees to Baidoa are all members of the local Digil-Mirifle clan-family and so enjoy added protection on that count [...]

2. Other **urban areas of Bay and Bakool**. A number of provincial towns - such as Dinsoor, Rahole, Wajid, and Hoddur - have been recovered from Al Shabaab by ISWA and AMISOM forces, but nearly all are encircled by territory in Al Shabaab's control and so constitute enclave towns. Al Shabaab imposes a "soft blockade" on most of them – allowing some traffic to get through, with goods and people taxed and closely inspected. Other towns face a hard blockade in which goods and people can only get through by air or with use of AMISOM armed convoys. As a result, goods flowing between countryside and the towns is very limited. This makes it very difficult to sustain livelihoods in these towns, and has sharply limited the number of returnees willing to relocate there. A few towns have been largely emptied of adult males by Al-Shabaab, leaving a population of elderly, women and children. All of the towns are also subject to periodic Al Shabaab attacks.

3. **Countryside**. Almost all of the countryside of Bay and Bakool is beyond the control of ISWA and is either controlled or patrolled by Al Shabaab. This area is the site of chronic armed clashes involving Al Shabaab, AMISOM forces, and ISWA security forces. Ambushes or convoys on connector roads are common. Al Shabaab inflicts harsh punishment on villagers who attempt to move agricultural goods into blockade towns, and executes clan elders and others they suspect of colluding with the ISWA, FGS, or AMISOM. Pastoralists and farmers are taxed as well. In a couple of locations, sub-clans have taken up arms against Al Shabaab in anger at the taxation of their livestock herds, leading to a cycle of killings.³⁶⁸

With special reference to **Marka**, **Lower Shabelle**, the same report noted that:

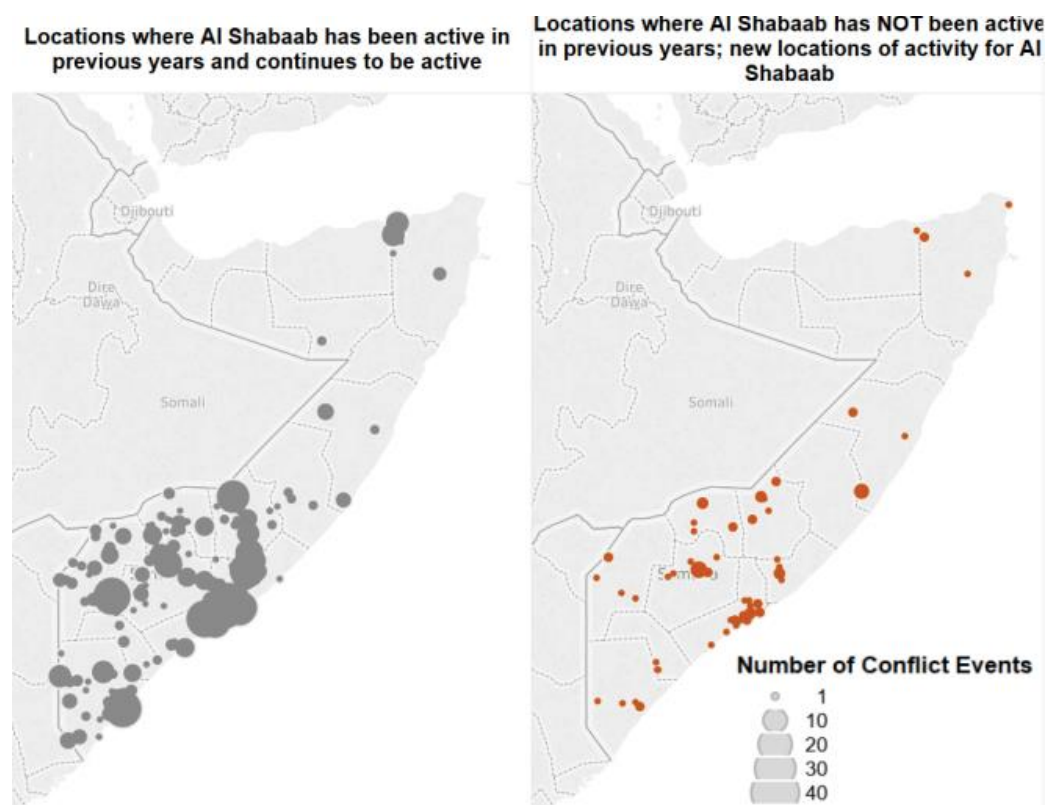
the southern port city of Marka (Merca) is also usually claimed as a government-controlled town. An AMISOM contingent is stationed on the outskirts and makes shows of force within the city center, often after well-publicized (alleged) takeovers by Al Shabaab. However, a December 2016 Danish government report - based on interviews with the leader of a humanitarian organization in Somalia and other local sources - concluded that control of the city was in fact "disputed and uncertain", even describing it as "a mix between Al Shabaab control and a vacuum of power."³⁶⁹

³⁶⁷ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Regional Patterns of Armed Violence and Tensions*, p. 22

³⁶⁸ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Regional Patterns of Armed Violence and Tensions*, pages 22/23

³⁶⁹ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Mogadishu and Marka: Government or Al Shabaab?*

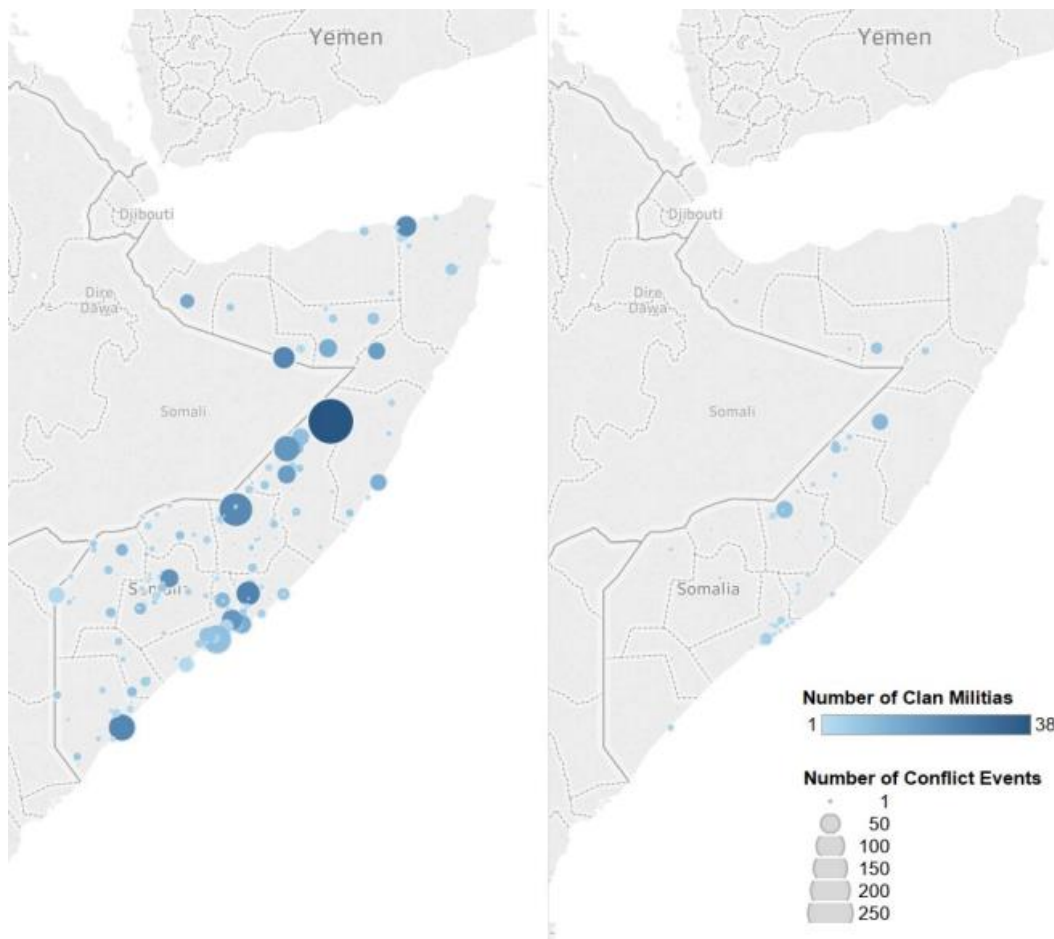
Published in September 2017 ACLED provided the following maps answering the question ‘To Where is Al Shabaab Expanding in Somalia?’³⁷⁰:



The same report also published the following map with regards to ‘Clan Militia Activity in Locations in which Al Shabaab is now [September 2017] active’³⁷¹:

³⁷⁰ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017, *Special Focus Topic: Somalia*, p. 10

³⁷¹ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017, *Special Focus Topic: Somalia*, p. 11



Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea found that Al Shabaab “remains in control of much of the **Juba Valley**, including the towns of Jilib, Jamame and Bu’ale, allowing the group to maintain taxation on farms in the area, a major source of its revenue. Even around urban centres throughout southern and central Somalia occupied by national or regional security forces and/or AMISOM, Al-Shabaab continues to maintain control over the countryside and major supply routes, enabling the group to cut off provisions to large segments of the population”.³⁷²

The same report further found that “The militant group Harakaat al-Shabaab al-Mujaahidiin (Al-Shabaab) remains the most immediate threat to the peace, security and stability of Somalia. Major offensive operations by the African Union Mission in Somalia (AMISOM) and the Somali National Army against Al-Shabaab have stalled since July 2015, which marked the last phase of Operation Juba Corridor. Consequently, the group remains in control of much of the Juba Valley, including the towns of Jilib, Jamame and Bu’ale, allowing the group to maintain taxation on farms in the area, a major source of its revenue. Even around urban centres throughout southern and central Somalia occupied by national or regional security forces and/or AMISOM, Al-Shabaab continues to maintain control over the countryside and major supply routes, enabling the group to cut off provisions to large segments of the population”.³⁷³

³⁷² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., A. Harakaat al-Shabaab al-Mujaahidiin, para. 9, p. 9

³⁷³ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., A. Harakaat al-Shabaab al-Mujaahidiin, para. 9, p. 9

The same report further noted that “In March 2017, the United States issued a directive classifying large swathes of southern Somalia as a war zone, allowing the expansion of ground and air combat operations”.³⁷⁴

2.3. Actors in the conflict operating in South and Central Somalia

2.3.1. International actors

For information on the nature of human rights violations committed by these actors see [3.1. *International actors*](#).

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 the following background is provided as to the international actors involved in Somalia:

While Ethiopian and Kenyan troops were rehatted into AMISOM in 2012 and 2014, respectively, both continued to also operate bilaterally in Somalia, outside of AMISOM command.

Towards the end of the reporting period [1 April 2010 – 31 July 2016], the United States of America also intensified its operations against Al-Shabaab in Somalia, including through air and drone strikes.³⁷⁵

With regards to the involvement of international actors in Somalia, Saferworld provided the following overview in its January 2016 Briefing:

In Somalia, international actors have failed to underpin their military assertiveness with a coherent long-term peace strategy. Despite international processes to set common objectives such as the New Deal, international actors lack a unified purpose beyond the military defeat of al-Shabaab, which is viewed as a source of global terror and the foremost threat to Somalia’s long-term peace. The primary focus on combating al-Shabaab belies the reality that international actors have a range of competing security-related objectives that frequently work at cross-purposes. In support of their own national security interests both Kenya and Ethiopia have sought to back sub-national actors that are more loyal to them than to the Federal Government of Somalia (FGS). In contrast, the US, UK and EU have backed sub-national actors that are more closely tied to the FGS, but have struggled to coordinate their military efforts. Looking further afield, Turkey and Arab actors have tried to gain influence with the FGS by providing military assistance and training, but again coordination with other actors has been lacking. The lack of unity amongst international actors has decreased their focus on other – more important – drivers of conflict.³⁷⁶

For information on airstrikes see [3.1.1. *Airstrikes*](#).

2.3.2. Somalia National Armed Forces/Somali National Army (SNAF/SNA)

For information on the nature of human rights violations committed by this actor see [3.2. *Somalia National Armed Forces/Somali National Army \(SNAF/SNA\)*](#).

³⁷⁴ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., A. *Harakat al-Shabaab al-Mujahidiin*, para. 10, p. 9

³⁷⁵ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, II., B. *Parties to the conflict, International forces*, paras. 10 and 11, p. 4

³⁷⁶ Saferworld, [A new war on terror or a new search for peace? Learning the lessons of Afghanistan, Somalia and Yemen](#), January 2016, *Focusing strategy on achieving peace – and relying less on military approaches*, p. 2

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 the following background is provided as to who is meant with ‘Federal Government of Somalia security forces’:

As specified in the Provisional Federal Constitution, the Federal Government of Somalia security forces are composed of its national army, intelligence services and police and prison forces. Additionally, various entities operated in different combinations in support of the Somali National Army, including clan militias and regional security forces. The integration of militia and regional forces into the Somali National Army progressed in the reporting period 1 April 2010 – 31 July 2016], albeit slowly. The lack of a precise overview of the composition, structure and deployment of the Somali National Army, frequent changes in allegiance by militias and the complexity of interactions among clan militias, the Somali National Army and regional forces rendered the identification of perpetrators difficult.³⁷⁷

The Assessment Capacities Project (ACAPS) noted that “The Somali National Army (SNA) consists of 12,000 active personnel and 24,000 reservists [figures from a February 2017 article]”.³⁷⁸

Also see [8.3.1 Clan affiliations to SNAF/SNA](#).

2.3.2.1 Counterterrorism special forces: Gaashaan

A news article published in The Drive in March 2017 about the size of Gaashaan noted that “NISA [National Intelligence and Security Agency] is in charge of the country’s premier anti-terror units, most notably *Danab*, meaning ‘lightning,’ a reportedly battalion-size elite special operations force, part of the agency’s larger rapid reaction arm called *Gaashaan*, or ‘shield.’”³⁷⁹

Back in 2014 and relying on various sources, the European Asylum Support Office’s (EASO’s) country report on Somalia noted that “The Alpha Group (Gaashaan) is another force of 600 security personnel based in Mogadishu. The unit was specially trained and equipped by the CIA and is attached to the NISA. It operates primarily in the Somali capital although raids outside the town can occur. This unit is said to be well disciplined”.³⁸⁰ An April 2016 paper published by the Centre for Security Governance reported in relation to a 150-person strong counterterrorism special forces unit housed within Somali National Intelligence Agency and named ‘Gaashaan’ that:

The training and support of Gaashaan has been done both by a small presence of US special forces and by private contractors such as Bancroft and Dyncorps [...] Gaashaan has been by far the most effective and professional Somali security force to date, and is seen by some observers as the “skeleton” on which to build a genuine Somali national army [...] But it has not been immune to the wider political problems of civilian command and control that plague all of the rest of the Somali security sector.³⁸¹

The Strategic Times further described the structure of the force as follows:

³⁷⁷ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, II., B. Parties to the conflict, Federal Government of Somalia security forces, para. 6, p.3

³⁷⁸ Assessment Capacities Project (ACAPS), [Somalia: Crisis Analysis](#), Last updated: 11 December 2017, Stakeholders

³⁷⁹ The Drive, [America is Expanding its Secretive War in Somalia](#), 31 March 2017

³⁸⁰ European Asylum Support Office (EASO), [South and Central Somalia Country overview](#), August 2014, 1.4.7, p. 27

³⁸¹ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Government SSR and International Aid*, p. 35

Danab not only carries out Special Forces operations but also has the duty to side by side collect intelligence regarding the movement of the Islamic militants. The country's premier intelligence agency, the Puntland Intelligence Agency has been jolted by the instability due to a long civil war and creme layer of the PuntLand Intelligence have been deputed to the Danab Force, which forms the ALPHA team of Danab which has the sole duty of Intelligence collection and Reconnaissance. The CIA also came out with a statement stating that the ALPHA team has been trained under the supervision of CIA personnels and the Danab's ALPHA team carries out its activities very smoothly like sneaking into a terrorist camp and taking away their mobiles, laptops and documents in order to get intell.³⁸²

With regards to the current status of the force the same article noted in February 2017 that "The force now patrols the streets of Mogadishu and flushes out any Al-Shabab militants if found in the city. They have now mastered in Urban Warfare and intelligence collection which evidence while they regularly carry out operations inside the city. Danab commandos have also swelled in number and they are currently stationed at the Mogadishu International Airport which is called the 'Aden Adde airport [sic]'"³⁸³.

2.3.3. African Union Mission in Somalia (AMISOM)

For information on the nature of human rights violations see [3.3. AMISOM](#).

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 the following background is provided with regards to AMISOM:

AMISOM was deployed to Somalia in March 2007 to, inter alia, reduce the threat posed by Al-Shabaab and other armed groups. At the time of writing, in December 2016, its military component comprised troops from Burundi, Djibouti, Ethiopia, Kenya and Uganda. While Ethiopian and Kenyan troops were rehatted into AMISOM in 2012 and 2014, respectively, both continued to also operate bilaterally in Somalia, outside of AMISOM command.³⁸⁴

France 24 reported in October 2016 that Ethiopia has been withdrawing its troops, which had been assisting AMISOM, due to "problems with internationally-funded peacekeeping and with AMISOM's efforts in battling al-Qaeda-linked militants in Somalia"³⁸⁵.

The Assessment Capacities Project (ACAPS) noted that "As of the end of June 2017, 4,300 Ethiopian soldiers had withdrawn from Somalia. AMISOM stands to lose another 6,000 Ugandan soldiers by the end of 2017. The withdrawal of Ethiopian troops has dealt a major blow to AMISOM's mission as they were the most experienced of the peacekeeping force. A weakening of the AMISOM peacekeeping force allows Al Shabaab and other Islamist militants to gain momentum and territory during battles"³⁸⁶.

On 30th August 2017 the UN Security Council unanimously extended AMISOM's mandate until 31 May 2018 and approved a "reduction of its unformed personnel to a maximum 21,626 by 31

³⁸² Kushal Sinha, [The Strategic Times, Somali Special Forces: The Danab Commandos](#), 23 February, 2017,

³⁸³ Kushal Sinha, [The Strategic Times, Somali Special Forces: The Danab Commandos](#), 23 February, 2017,

³⁸⁴ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, II., B. Parties to the conflict, International forces, para. 10, p. 4

³⁸⁵ France 24, [Ethiopian troop withdrawal from Somalia exposes peacekeeping problems](#), 16 December 2016

³⁸⁶ Assessment Capacities Project (ACAPS), [Somalia: Crisis Analysis](#), Last updated: 11 December 2017, Stakeholders

December 2017 amid a transition of responsibilities to Somali security forces”.³⁸⁷ [Resolution 2372 \(2017\)](#) decided that the downsizing would include “a minimum of 1,040 AMISOM police personnel and five Formed Police Units. A further reduction to 20,626 uniformed personnel by 30 October 2018 would follow, unless the Council decided to accelerate that pace, taking into account the capabilities of Somali security forces”.³⁸⁸ [The current maximum deployment was 22,126 uniformed personnel, as set out in Resolution 2355 (2017)³⁸⁹]. According to IRIN, “AMISOM [...] is expected to be fully out of the country by December 2020, handing over to the SNA, which will probably number just 20,000.”³⁹⁰

According to the text of the resolution AMISOM’s strategic objectives would be to “enable the gradual handover of its security responsibility to Somali security forces, to reduce the threat posed by Al-Shabaab and other armed opposition groups, and to assist Somali security forces in providing security for Somalia’s political process and peacebuilding efforts”.³⁹¹

With regards to AMISOM’s priority tasks, the UN Security Council decided that these would be “among other efforts, to conduct targeted offensive operations against Al-Shabaab and other armed opposition groups, including jointly with the Somali security forces, and to mentor the latter in cooperation with the United Nations Assistance Mission in Somalia (UNSOM) and in line with the National Security Architecture. It would reconfigure, as security conditions allowed, in favour of police personnel, and receive defectors on a transitory basis”.³⁹²

AMISOM links with Al-Shabaab

A May 2017 report by the International Refugee Rights Initiative recorded that there had been some unconfirmed allegations from interviewees that AMISOM was in fact working with Al-Shabaab “One interviewee said: ‘We have seen them sell weapons on the black market to Al-Shabaab. There is a relationship between them.’ Six other Somalis confirmed to IRRI that AMISOM had illegally sold weapons’.”³⁹³

Similarly, in July 2017 The Jamestown Foundation noted that “Al-Shabaab has boasted about the fact that it has informants in every government ministry and within AMISOM itself. This is evidenced by the fact that al-Shabaab has repeatedly been able to attack secure sites in the Somali capital of Mogadishu and, with increasing regularity, heavily defended AMISOM bases”.³⁹⁴

Also see [8.3.2 Clan affiliations to AMISOM](#).

³⁸⁷ UN, [Unanimously Adopting Resolution 2372 \(2017\), Security Council Extends Mandate of African Union Mission in Somalia, Authorizes Troop Reduction](#), 30 August 2017

³⁸⁸ UN, [Unanimously Adopting Resolution 2372 \(2017\), Security Council Extends Mandate of African Union Mission in Somalia, Authorizes Troop Reduction](#), 30 August 2017

³⁸⁹ UN, [Unanimously Adopting Resolution 2372 \(2017\), Security Council Extends Mandate of African Union Mission in Somalia, Authorizes Troop Reduction](#), 30 August 2017

³⁹⁰ IRIN, [Countdown to AMISOM withdrawal: Is Somalia ready?](#) 28 February 2017

³⁹¹ UN, [Unanimously Adopting Resolution 2372 \(2017\), Security Council Extends Mandate of African Union Mission in Somalia, Authorizes Troop Reduction](#), 30 August 2017

³⁹² UN, [Unanimously Adopting Resolution 2372 \(2017\), Security Council Extends Mandate of African Union Mission in Somalia, Authorizes Troop Reduction](#), 30 August 2017

³⁹³ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, *Abuses & Misconduct*, p. 25

³⁹⁴ The Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab](#), 28 July 2017

2.3.4. Ethiopian National Defence Force (ENDF)

For information on the nature of human rights violations see [3.4. Ethiopian National Defence Force \(ENDF\)](#).

According to reporting by France 24 in October 2016 the last 600 of Ethiopia's non-AMISOM troops still in Somalia will be pulled out after Somalia's ongoing parliamentary election.³⁹⁵

In October 2016 BBC News noted that "Ethiopian troops fighting militant Islamist group al-Shabab have withdrawn from a key military base in central Somalia's Hiran region" notably el-Ali village.³⁹⁶

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the Ethiopian National Defense Forces (ENDF) that: "During the second half of 2016 Ethiopian bilateral troops (ENDF) withdrew from the following locations: Tayeeglow, Garas Weyne, Rab Duuure, and Buur Dhuxunle (Bakool); Ceel Cali, Halgan, and Moqokori (Hiraan); and Galcad and Bulbud (Galgaduud). In all cases, al-Shabaab has immediately moved in and taken control. According to a UN source, civilians in these areas have reportedly been subjected to retribution attacks, including torture, forced recruitment, and killings. A Somali NGO concurred that the retaliation has been against persons accused of collaborating with the Ethiopian troops".³⁹⁷

According to Political Geography Now, a team of specialist cartographers, on 3rd April 2017 "Government-allied Ethiopian troops abandoned Elbur town in the Galgudud region, with Al Shabaab taking control of it soon after".³⁹⁸

2.3.5. Non-state armed groups

For information on the nature of human rights violations committed by these actors see [3.5. Non-state armed groups and clan militia, incl. ISIL](#).

According to ACLED, 128 armed organized groups were active in Somalia in 2016.³⁹⁹ The Terrorism Research & Analysis Consortium (TRAC) lists some of these groups with some background information and against a fee provides further information – see [here](#).⁴⁰⁰

Published in September 2017 ACLED found in its 'Special Focus Topic: Somalia' as part of its monthly 'Conflict Trends' report that "Unidentified armed groups (UAGs) also continue to be very active in Somalia. Thus far this year [2017] they have been second only to Al Shabaab. UAGs' activity against civilians, including remote violence against civilians, is particularly high. It is very likely that UAGs may be carrying out violence on behalf of others, such as Al Shabaab".⁴⁰¹

³⁹⁵ France 24, [Ethiopian troop withdrawal from Somalia exposes peacekeeping problems](#), 16 December 2016

³⁹⁶ BBC News, [Ethiopia withdraws from Somalia el-Ali in Hiran region](#), 11 October 2016

³⁹⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, *Retaliation*, p. 8

³⁹⁸ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

³⁹⁹ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017, *Special Focus Topic: Al Shabaab and Boko Haram: Patterns of Violence*, p. 14

⁴⁰⁰ See Terrorism Research & Analysis Consortium (TRAC), [Groups](#), Undated [Last accessed: 7 December 2017]

⁴⁰¹ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017, *Special Focus Topic: Somalia*, p. 9

An April 2016 paper published by the Centre for Security Governance argued that:

Somali non-state armed groups are stronger than nascent state security forces, and they intersect freely with the national army and police, blurring the line between state and non-state actors. By hatting themselves as part of the formal security sector, armed non-state actors enjoy access to state resources even as they ignore civilian chains of command and continue to pursue the parochial agendas of their leaders. Their current relationship with the formal security sector is thus not so much integration as it is penetration [...]

non-state security providers will remain a central feature of the Somali political landscape into the foreseeable future, and the Somali state will be forced to negotiate messy and fluid partnerships with these actors. In these negotiated partnerships, the central government has a few advantages — control of foreign aid and some customs revenue, and externally recognized juridical sovereignty, which can be parleyed into other sources of influence. But the non-state security providers enjoy greater on-the-ground power across most of the country; higher levels of local legitimacy, loyalty and support; the capacity to tax local populations in areas they claim to control; an ability to penetrate the government and exploit its resources without answering to it; and the ability to withdraw their support from the government at will.⁴⁰²

The same source further observed that “Somali non-state armed groups are stronger than nascent state security forces, and they intersect freely with the national army and police, blurring the line between state and non-state actors. By hatting themselves as part of the formal security sector, armed non-state actors enjoy access to state resources even as they ignore civilian chains of command and continue to pursue the parochial agendas of their leaders. Their current relationship with the formal security sector is thus not so much integration as it is penetration”.⁴⁰³

With regards to the question ‘who currently provides security to Somali individuals, households and firms, and what drives their behaviour’, the April 2016 report by the Center for Security Governance reported that the “answer varies greatly by location”, but that South-Central Somalia “has neither seen the rise of a modestly functional government with the ability to provide some level of security, nor has it had the benefit of a robust social compact between clan elders to keep the peace. Conflict and land loss have polarized clan relations to a much greater degree in the south, armed groups are much more numerous and powerful, and although clan elders have been able to reassert some authority since 1991, they do not have the ability to manage conflict as effectively as can their northern cohorts. As a result, the south has been a prime market for non-state security provision. It has also been a place where access to security has been most uneven”.⁴⁰⁴

2.3.5.1. Ahl Sunna Wal-Jama’a (ASWJ)

For information on the nature of human rights violations committed by this actor see [3.5. Non-state armed groups and clan militia, incl. ISIL](#).

The ‘Uppsala Conflict Data (UCDP)’ compiled by the Uppsala University provides some background on the various inter-clan conflicts and can be accessed [here](#).⁴⁰⁵

⁴⁰² Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Executive Summary*, pages 6 and 7

⁴⁰³ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Introduction*, p. 7

⁴⁰⁴ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, p. 15 and 21

⁴⁰⁵ See Uppsala University, Uppsala Conflict Data (UCDP), [Somalia](#), Undated [Last accessed: 7 December 2017]

The Terrorism Research & Analysis Consortium (TRAC) provided the following background summary on this group:

Operating in both Pakistan and Somalia, Ahlu Sunna Wal Jama (ASWJ) is a Sunni paramilitary group created in 1991 to protect Sufis Muslims in Somalia. Pakistan In [sic] Pakistan ASWJ advocates for Shi'ites to be legally declared non-Muslim and has a violent offshoot that targets Shi'ite mosques. ASWJ was formed after the government of former president General (retd) Pervez Musharraf banned a handful of religious parties, including the Sipah-e-Sahaba Pakistan (SSP) in 2002. Since that time ASWJ has operated covertly with SSP's off-shoot, another strongly anti-Shia group, Lashkar-e-Jhangvi (LeJ). Areas of Operation Karachi headquarters of the ASWJ are located in Siddiq-e-Akbar mosque Somalia Ahlu Sunna Wal Jama (ASWJ) [sic] is a Sufi paramilitary group created in 1991 to protect Sufis Muslims in Somalia. The group is comprised of former warlords and religious clerics who claim they have been persecuted by Al Shabab, which has desecrated Sufi shrines and... [sic]

Ahle Sunnat Wal Jamaat (ASWJ), also known as Sipah-e-Sahaba, The Companions of the Prophet, Sipah-e-Sahaba Deobandi (ASWJ-D) is an active group formed c. 2002.⁴⁰⁶

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 the following background is also provided on this Somali militia group:

Ahl al-Sunna wal-Jama'a is a Somali militia that controls parts of Galmudug, including its capital Dhuusamarreeb. It joined forces with the Transitional Federal Government in 2010 to fight Al-Shabaab, presumably in exchange for positions in the Government. Not all members supported the move, and discord emerged. More recently, Ahl al-Sunna wal-Jama'a factions boycotted the creation of the Galmudug Interim Administration and clashes erupted.⁴⁰⁷

The Assessment Capacities Project (ACAPS) noted that "ASWJ is a Somali militia group made up of moderate Sufi Muslims that formed in 1991, seeking to prevent the influence of Wahhabism and its imposition of strict Sharia law. Their primary enemy are jihadist groups, namely Al Shabaab. Their focus of operations against Al Shabaab is in the Galmudug region. Despite fighting against a common enemy, ASWJ has an uneasy relationship with Somalia's Transitional Federal Government. ASWJ and Galmudug forces, along with Al Shabaab, routinely compete for control of the Galmudug region, but ASWJ has majority control of the region and implements its own tax collection system. On 6 December 2017, ASWJ and the Galmudug government signed a power-sharing agreement intended to end the conflict between them. Continued political marginalisation has also seen ASWJ increasingly take action towards greater independence. ASWJ were being consulted by the national government during the 2016/17 elections and were committed to implementing the electoral process in the city of Dhuusamarreeb. However, they protested against the corrupt process and proceeded to elect their own parliament in Galmudug in January 2017. ASWJ pledged their support for newly elected President Farmaajo in February".⁴⁰⁸

According to Political Geography Now, a team of specialist cartographers, on 11th February 2017 "It was announced that the pro-government ASWJ militia would be integrated into the Somali National Army 'soon after the elections', due to the group's good relations with newly-elected President

⁴⁰⁶ Terrorism Research & Analysis Consortium (TRAC), [Ahle Sunnat Wal Jamaat \(ASWJ\)](#), Undated [Last accessed: 7 December 2017]

⁴⁰⁷ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, II., B. Parties to the conflict, Armed groups, para. 9, p. 4

⁴⁰⁸ Assessment Capacities Project (ACAPS), [Somalia: Crisis Analysis](#), Last updated: 11 December 2017, Stakeholders

Farmajo”.⁴⁰⁹ However, on 25th April 2017 “Federal government-brokered talks to integrate the ASWJ militia into Galmudug state ended without an agreement”.⁴¹⁰

For information on the security situation in Galmudug see [2.4.3.2. Galgaduud](#) and [2.4.3.3. Mudug and the city of Gaalkacyo](#).

2.3.5.2. Clan militias

For information on the nature of human rights violations committed by this actor see [3.5. Non-state armed groups and clan militia, incl. ISIL](#).

Contextual background on intercommunal conflict and interclan conflict

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service’s Country of Origin Information Division stated with regards to clan violence and the use of clan militias:

The security situation is dynamic and displacement and casualties in S/C Somalia do not necessarily relate to al-Shabaab. Businessmen with their own militias and other clan militias are also involved in the assassinations and many of these are erroneously ascribed to al-Shabaab and al-Shabaab may claim responsibility for attacks it has not been involved in. Clan violence due to e.g. disputes over land, blood revenge or political control is widespread. Intra and inter-clan armed clashes continue with limited success of reconciliation efforts. According to a Somalia Country Director of a humanitarian agency, clan violence is regarded as a higher risk for civilians than violence carried out by al-Shabaab. The same source highlighted that Somalia, in general, is an extremely violent society, and that the population is used to resort to violence as a response to disputes within both the private and public sphere. Disputes easily escalate into violence, and it is not unusual that business agreements or recruitment of employees escalate into violence and/or death threats. This high level of social violence affects the civilian population throughout S/C Somalia, where social violence has worsened due to the lack of rule of law”.⁴¹¹

A May 2017 International Crisis Group report noted that “Parts of the country remain trapped in unresolved interclan conflicts. These tensions are typically exacerbated in times of drought when massive numbers of people and livestock move across traditional clan “boundaries” in search of water and pasture. Pre-existing clan disputes tend to resurface, sometimes resulting in sporadic, low-level clashes among clan militias. This is particularly true in Sool and Sanaag regions (northern Somalia) as well as Hiiraan, Galgaduud, Mudug Lower and Middle Shabelle in south-central Somalia. A series of clashes in the contested town of Gaalkacyo in north-central Somalia in the last two years triggered a massive displacement, with estimates ranging between 75,000 and 100,000, and a humanitarian crisis”.⁴¹² The same source further reported that:

Clan grievances and conflicts often occur in areas marked by contested sub- national boundaries and in territories better endowed with resources such as water and infrastructure (mostly roads, as well as airports and harbours). In the past, traditional elders brokered temporary local truces among warring clans. Some new federal member states have since reduced the elders’ role in a bid to control

⁴⁰⁹ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁴¹⁰ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁴¹¹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, *Clan violence*, p. 9

⁴¹² International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. C. *Clan Conflicts: Insecurity, Checkpoints and Access Denial* p.5

local reconciliation and peacebuilding efforts (and to attract donor funding for such endeavours), but without replicating the credible or effective mechanisms required to manage conflicts over resources, especially water wells and reservoirs. In many instances, predatory/criminal clan militias as well as rogue security elements belonging to the federal states exploit these localised conflicts, erecting checkpoints on major routes to serve as “toll stations” as a means of extracting money.⁴¹³

According to reporting by the UN Secretary-General covering the period 1 May to 22 August 2017, “Competition over resources depleted by the drought intensified clan conflicts, resulting in 175 civilian casualties, compared with 77 in the previous reporting period. The majority were the result of conflicts between Gaaljecel and Jejele clan militias in HirShabelle and between the Duduble and Cayr clans in the Galguduud region”.⁴¹⁴

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea found that “Intercommunal conflict, often exacerbated by the involvement of national and regional forces and Al-Shabaab, caused significant civilian harm”.⁴¹⁵ The same source further explained that “the complexity of two long-running intercommunal conflicts, in Lower Shabelle and in Galkayo, has increased as broader regional, federal and/or international dynamics have evolved. Both conflicts, in which Al-Shabaab has become increasingly embedded, continue to represent a threat to broader peace and security and the long-term stability of Somalia”.⁴¹⁶

Clan militias

An April 2016 paper published by the Centre for Security Governance provided the following brief overview with regards to clan militias and clan paramilitaries:

Clan militias

Clans retain an ability to mobilize fighters at short notice. Most of the population is armed and if one’s lineage is under attack civilian “reservists” can be called into action immediately. This category of actor provides security to fellow clan members, but only on a situational basis. As one local observer concluded, “primary security for Somalis is still the clan”. [...]

Of all of the categories of non-state armed groups, clan paramilitaries are the most complex and confusing, as they can manifest themselves as both state and non-state security providers. Clan paramilitaries are typically composed of more or less full-time fighting forces — full time in the sense that the fighters are earning a living through some combination of service involving the bearing of arms. They are organized around and represent the interests of a single clan, although some may have small contingents of members from other clans. During the first 15 years of state collapse in Somalia (1990–2004), clan paramilitaries were organized around the leadership of a militia leader or warlord, and generally by a factional name. Since the establishment of a federal government and numerous federal states, most clan paramilitaries are hatted as part of the formal security sector. The government provides training to these soldiers, but lacks the capacity to vet them and keep track of them, leading to high rates of absenteeism, moonlighting, defections and ghost soldiers (Jorgic, 2015). The UN Monitoring Group notes that the federal government is unable to provide reliable estimates of the numbers of its own armed forces (UN Monitoring Group, 2015: 39). [...]

While special forces are cross-clan and answer directly to the Somali government, the Somali police and SNA are at present comprised mainly of personnel answering to clan commanders and pursuing clannish agendas. [...] Most of the six brigades of the SNA are closely identified with a single clan, which can become deeply problematic when deployed to areas where that clan has claims or

⁴¹³ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. C. *Clan Conflicts: Insecurity, Checkpoints and Access Denial* p.6

⁴¹⁴ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., E., 1. *Human rights*, para. 47, p. 8

⁴¹⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Summary*, p. 7

⁴¹⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., C. *Intercommunal conflict*, para. 43, p. 16

aspirations to control valuable land. The Third Brigade, for instance, is a Hawiye/HabarGedir dominated force, and is deployed in the prized Lower Shebelle region, where it is ostensibly fighting to liberate territory from Al Shabaab, but where in reality it is mainly used to advance Habar Gedir claims on farmland against rival local claims such as the Biimaal clan. In 2013, an “almost full blown war” exploded in the Lower Shabelle region between locals (some of whom were members of the local police force) and the Third Brigade (Mubarak, 2014). What appeared superficially to be an inexplicable battle within the Somali security sector was in fact a thinly disguised clan war over authority in the Lower Shebelle region (Bahal, 2013; AllAfrica, 2014). A similar situation has occurred in the Middle Shabelle region, producing equally destabilizing results. There, a Hawiye/ Abgal clan brigade is waging war against a minority clan, the Shidle, for control of valuable riverine land. Al Shabaab is easily exploiting these abuses, recruiting from among communities fighting the clan-based FGS brigades. [...]

Clan paramilitaries have not only penetrated the army and police; they also work as the armed units answering to district commissioners (DCs), a dynamic described below.⁴¹⁷

Similarly, the African Centre for the Constructive Resolution of Disputes (ACCORD) noted in its August 2016 publication on ‘civil militia groups’ in Somalia that “The failure, collapse and eventual disintegration of the Somali state since 1991 facilitated the emergence of civil militia groups, often aligned to various political clan groupings. These militia groups operate under the pretext of providing security to their clansmen and, in the process, have created what scholars describe as a security dilemma, where clans arm themselves in anticipation of attacks by rival clans”.⁴¹⁸ The same source further elaborated that “these divided clan-militia groups lack the capacity to reunite the country and create a central government. The groups are sustained and supported by their clansmen, who depend on them for protection and political support in a situation of anarchy. Similarly, these groups are also dependent on their clansmen for the supply of new militia recruits. The interdependency between militia leaders and clan elders, therefore, has created an intractable situation and a significant challenge to conflict resolution in Somalia”.⁴¹⁹

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 the following background is provided as to clan militia:

Various regional forces, mostly composed of clan-based militias, aligned themselves with the emerging federal states and interim administrations, including the Interim Jubba Administration, Galmudug Interim Administration and Interim South-West Administration forces. In addition, Puntland and “Somaliland” maintained their own security forces.⁴²⁰

Published in September 2017 ACLED found in its ‘Special Focus Topic: Somalia’ as part of its monthly ‘Conflict Trends’ report that “A number of clan militias – specifically, the Habar Gedir Clan Militia, Jejele Clan Militia, and Darood-Marehan Sub-Clan Militia – have been more lethal toward civilians this year [2017, than Al Shabaab], meaning that more civilians are reportedly killed as a result of each of their attacks. While the rate of violence against civilians carried out by clan militias has remained relatively constant over time, the lethality of this violence has been increasing [...] In fact,

⁴¹⁷ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, pages 21-23

⁴¹⁸ African Centre for the Constructive Resolution of Disputes (ACCORD), [Understanding Civil Militia Groups in Somalia](#), 16 August 2016, *Introduction*

⁴¹⁹ African Centre for the Constructive Resolution of Disputes (ACCORD), [Understanding Civil Militia Groups in Somalia](#), 16 August 2016, *Conclusion*

⁴²⁰ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, II., B. Parties to the conflict, Regional forces, para. 7, p.3

the majority of new conflict actors in Somalia during the past year are clan militias, active in a variety of areas".⁴²¹

Covering 2017 the UN Monitoring Group on Somalia and Eritrea remarked that "The drought sparked violent contests between clan groups over access to water and grazing. Between 1 May and 22 August 2017 alone, clan conflict caused at least 175 civilian casualties. Assessment of the impact of clan militia violence was complicated by the fact that militias often operated as elements of federal or regional forces, and vice versa, or in some cases fought alongside Al-Shabaab".⁴²²

Clan elders

An April 2016 paper published by the Centre for Security Governance provided the following insight with regards to the importance of clan elders and customary law:

The capacity of clan elders to maintain peace and security varies considerably across different locations in Somalia. In Mogadishu, their authority is relatively weak, mainly because they face so many powerful armed actors over which they exercise little leverage. Clan elders continue to play a role at the neighbourhood level, negotiating disputes and preventing conflicts from spiralling out of control, but not for handling wider armed security threats. But clan elders working with district commissioners enjoy a real role in maintaining security. Each neighbourhood or ITAL table has a leader elder, or gudoomiye, who is paid by the DC. These elders are said to wield real local power, controlling hubs of information gathering, serving as the eyes and ears of the DC. In general, the authority of clan elders has waxed and waned according to circumstances across southern Somalia, but has never recovered to levels enjoyed in the pre-war period.⁴²³

For further information, see [6.8.2 Clan based judicial system](#) for South and Central Somalia, and [6.8.2.1. Clan based judicial system in Mogadishu](#).

2.3.5.3. Islamic State in Iraq and the Levant (Da'esh) (ISIL)

For information on the nature of human rights violations committed by this actor see [3.5. Non-state armed groups and clan militia, incl. ISIL](#).

For a list containing the names of the leadership of the ISIL faction operating in Somalia see the UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Annex 2.2: Leadership of the ISIL faction*, p. 68

The Terrorism Research & Analysis Consortium (TRAC) provided the following background summary:

The Islamic State in Somalia (ISS) was formed in October 2015 under the leadership [sic] Abdulqadr Mumin, a former al-Shabaab commander. In May of 2016 a different group formed named Jahba East Africa (Islamic State / IS Somalia, Kenya, Tanzania and Uganda / ISISSKTU) centered around a medical student named Mohammed Abdi Ali, the group who captured the port town of Qandala on 26 October 2016 is [sic] different set of militants [...] third possible Regional IS group It [sic] also should be noted that on 14 September [2016] al Shabaab's leader in Kenya, Ahmed Iman Ali, pledged to the

⁴²¹ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017, *Special Focus Topic: Somalia*, pages 8 and 9

⁴²² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., B. *Federal and regional forces, clan militias and other criminal elements*, para. 187, p. 44

⁴²³ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, p. 31

Islamic State. It is unclear how many members followed in his defection or if he will fold into ISS or ISSKTU or create his own franchise [...].⁴²⁴

The UN Secretary-General reported in his September 2016 report about the emergence of two ISIL cells in Somalia:

Member States have observed the emergence of two ISIL cells in Somalia. The first operates in the Bari mountains of the Puntland region. This group is led by Abdulqader Mu'min, a former Al-Shabaab leader who switched allegiance to ISIL in 2015. The strength of this cell is estimated by Member States at around 300 fighters, who receive financial and logistical support from ISIL in Yemen. One Member State reported that a weapons shipment had been delivered by sea from Yemen early in 2016. Member States reported that ISIL fighters in Somalia were posting photographs of arms smuggled from Yemen on social media. Although ISIL in Yemen is aiding the new ISIL faction in Somalia, the aid is deemed to be insufficient by Somali ISIL fighters. According to the assessment of several Member States, support is limited because ISIL in Yemen needs to focus its resources on Yemen in order to tackle competition from Al-Qaida in the Arabian Peninsula.

Member States noted that the second ISIL-aligned group, Jabha East Africa, was operating in southern Somalia in the Raas Kaambooni area. In April 2016, the group announced its allegiance to ISIL, criticizing Al-Shabaab and its links to Al-Qaida and calling upon East Africans to leave Al-Shabaab and to view joining ISIL as an opportunity to wage terrorism more widely. Member States pointed out that the strength of that ISIL-aligned group could not yet be accurately determined.⁴²⁵

The same source further noted that "Member States consider that ISIL faces strong resistance in Somalia from Al-Shabaab, which sees ISIL as a new competing faction and has already killed some of its own former members who had defected to ISIL. Member States also noted that around 50 Al-Shabaab defectors had travelled to Yemen in February 2016 and that 17 had joined ISIL in Libya".⁴²⁶

More detailed background information on the emergence of two 'new' Islamic State affiliates in Somalia can be found in a Combating Terrorism Center report [here](#).

According to a March 2017 Jamestown Foundation report, "The IS presence in southern Somalia remains limited. Al-Shabaab is without question the dominant militant Salafist organization in Somalia. However, al-Shabaab, particularly in 2015, did experience a number of defections to IS. One of these was Abdul Qadir Mumin, a mid-level al-Shabaab operative who pledged baya to Abu Bakr al-Baghdadi in October 2015 (see Militant Leadership Monitor, October 5, 2016; Somalia Newsroom, October 24, 2015). [...] Mumin's men likely number no more than 100 and lack the ability to take on even small contingents of the Puntland Defense Forces. However, IS does have the ability to launch hit-and-run attacks. This was evidenced by an IS-orchestrated attack on a hotel in Bossaso that resulted in the deaths of four guards and two IS fighters (Somalia Review, February 10). The attack, which occurred as Somalia was preparing to hold its long-delayed presidential election, was the first major attack on a civilian target in Bossaso".⁴²⁷

⁴²⁴ Terrorism Research & Analysis Consortium (TRAC), [Islamic State in Somalia - \(Abnaa ul-Calipha / ISS / ISISS\)](#), Undated [Last accessed: 7 December 2017]

⁴²⁵ UN Secretary-General, [Third report of the Secretary-General on the threat posed by ISIL \(Da'esh\) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat](#), 30 September 2016, III. Evolving threat posed by ISIL, B. Threat to Yemen and East Africa, paras. 26 and 27, pages 6 and 7

⁴²⁶ UN Secretary-General, [Third report of the Secretary-General on the threat posed by ISIL \(Da'esh\) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat](#), 30 September 2016, III. Evolving threat posed by ISIL, B. Threat to Yemen and East Africa, para. 28, p. 7

⁴²⁷ Jamestown Foundation, [Al-Shabaab: Why Somalia's al-Qaeda Affiliate Wants Puntland](#), 10 March 2017

In its May 2017 report by the UN Secretary-General on the threat posed by ISIL since January 2016, it was reported that:

In 2015, when ISIL established its presence in Somalia, it faced resistance from Al-Shabaab. This led to the execution of more than 30 ISIL sympathizers and leaders [...] As a result, ISIL members began operating in covert cells to avoid detection. However, measures put in place by Member States helped to disrupt their movement by dismantling an ISIL network of facilitators and recruiters. These efforts contributed to the slow growth and even reduction of ISIL members in Somalia. By the end of 2016, ISIL outreach had become more public and aggressive as its operatives had begun to express their opinions openly [...]

According to several Member States, ISIL plans to enhance its presence in Somalia by taking over the existing Al-Shabaab networks and attracting more fighters, including those unable to travel to conflict zones and those relocating from the conflict in the Syrian Arab Republic, Iraq and Libya. ISIL in Somalia is reliant on external funding, mainly from supporters outside Somalia and the ISIL affiliate in Yemen.⁴²⁸

An August 2017 letter from the Chair of a UN Security Council Committee ‘concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities’ reported that ISIL affiliates operate in Puntland and parts of southern Somalia and “ISIL factions in Somalia continue to evolve as recognizable terrorist actors, likely to conduct attacks in Somalia and neighbouring States to attract local and international attention”.⁴²⁹ It further noted that:

Despite Al-Shabaab efforts to eliminate ISIL supporters [...] increased activities, plans and propaganda have been reported by some Member States. The number of ISIL members is estimated to be between 300 and 400, mainly comprising Somalis and foreign terrorist fighters from East African countries. Around 70 per cent of ISIL fighters are Al-Shabaab defectors. Sheikh Abdikadir (not listed) leads a faction of about 200 fighters, which continues to operate from Golis and the Galgalo Mountains and, more recently, from Boosaaso in Puntland. Abu Naaman (not listed) leads another ISIL faction in Jubaland in southern Somalia with about 100 to 150 fighters. These factions are dispersed throughout southern Somalia and include new recruits and defectors from Al-Shabaab who joined ISIL a few years ago and have since regrouped. [...]

ISIL in Somalia is dependent on support from sympathizers within Somalia and affiliates in Yemen and Libya.⁴³⁰

The January 2017 letter from the same source referenced above had reported that “A Member State reported that Al-Shabaab had thus far eliminated most ISIL sympathizers in the cell in southern Somalia and those left were in communication with ISIL fighters based in Puntland and were seeking to join them, whereas some had dispersed to other locations”.⁴³¹

⁴²⁸ UN Secretary-General, *Fifth report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat*, 31 May 2017, III. Evolving global threat posed by ISIL, paras. 25 and 26, p. 6

⁴²⁹ UN, *Letter dated 7 August 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council*, 7 August 2017, paragraph 48

⁴³⁰ UN, *Letter dated 7 August 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council*, 7 August 2017, paragraphs 48 and 49

⁴³¹ UN, *Letter dated 11 January 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council*, 13 January 2017, paragraph 49

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea found that ISIL's faction, "largely confined to Bari region in north-east Puntland, has grown in numbers and is attracting an increasingly broad range of recruits. The ISIL faction briefly took control of the town of Qandala, on the north coast of Puntland, and carried out its first suicide attack, in Bosaso. While its capacity has remained limited, an influx of foreign fighters fleeing military pressure in Iraq, the Syrian Arab Republic and elsewhere could present a significant threat to the region".⁴³² The same source further noted that its size "has grown significantly in strength [in 2017], and may, at the time of writing, consist of as many as 200 fighters".⁴³³

2.3.6. Al Shabaab [Harakat Al-Shabaab Al-Mujaahidiin⁴³⁴]

2.3.6.1. Ideology

The U.S. Commission on International Religious Freedom explains that Al Shabaab's stated goals "are to turn Somalia into an Islamic state; build a greater Somalia, including areas in neighboring countries with large ethnically Somali populations; and spread its strict version of Islam".⁴³⁵ According to the Counter Extremism Project "Al-Shabab's ideology is typically described as a brand of Salafism and Wahhabism that supports takfir, the excommunication of apostates or unbelievers".⁴³⁶

2.3.6.2. Leadership

According to the undated website of the Counter Extremism Project, "Al-Shabab is a hierarchical organization led by its emir ("prince" or "commander") Ahmad Umar".⁴³⁷

The U.S. Department of State explained that "Ahmed Diriye (also known as Ahmed Umar Abu Ubaidah⁴³⁸) became the leader of al-Shabaab following the death of the group's former leader, Ahmed Abdi Godane, in September 2014. Prior to replacing Godane, Diriye served in several positions within al-Shabaab, including as Godane's assistant, the deputy governor of Lower Juba region in 2008, and al-Shabaab's governor of Bay and Bakool regions in 2009. By 2013, he was a senior adviser to Godane, and served in al-Shabaab's "Interior Department," where he oversaw the group's domestic activity. He shares Godane's vision for al-Shabaab's terrorist attacks in Somalia as an element of al-Qa'ida's greater global aspirations".⁴³⁹

⁴³² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Summary*, p. 6

⁴³³ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *II., B. Islamic State of Iraq and the Levant faction in Somalia*, para. 32, p. 14

⁴³⁴ UN, [Letter dated 7 August 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da'esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 7 August 2017, *paragraph 30*

For a full list of aliases the organisation is known by, see:

Global Security, [Al Shabaab \(Al-Shabab\)](#), undated [accessed 8 November 2017]

⁴³⁵ US Commission on International Religious Freedom, [2017 Annual Report; 2017 Country Reports: Other Countries and Regions Monitored: Somalia](#), 26 April 2017

⁴³⁶ Counter Extremism Project, [Al-Shabab](#), undated [accessed 13 November 2017]

⁴³⁷ Counter Extremism Project, [Al-Shabab](#), undated [accessed 13 November 2017]

⁴³⁸ Counter Extremism Project, [Ahmed Umar Abu Ubaida](#), undated [accessed 13 November 2017]

⁴³⁹ U.S. Department of State, [Terrorist Designations of Ahmed Diriye and Mahad Karate](#), 21 April 2015

Africa Review reported that in August 2017, Al Shabaab confirmed that its senior operative Sheikh Ali Mohamed Hussein alias Ali Jabal, director of operations in Mogadishu had been killed in a US airstrike.⁴⁴⁰

With regards to high level defections, the same source detailed that in June 2017 top Al Shabaab commander Bishar Mumin Afrah surrendered to the SNA.⁴⁴¹ Furthermore, the September 2017 report of the UN Secretary-General on Somalia detailed that “In a significant development, the former Al-Shabaab leader Mukhtar Robow Abu Mansoor defected to the Federal Government on 13 August. Robow separated from Al-Shabaab in 2013 and was subsequently targeted by the group”.⁴⁴²

2.3.6.3. Size, membership and structure

For information on Al Shabaab recruitment, see 3. *Nature of IHL and human rights violations, by actor*, 3.6. *Al Shabaab*, [3.6.3 Forced and child recruitment](#) and [3.6.3.1. Forced recruitment in Mogadishu](#).

The undated website of the Counter Extremism Project explained “Answering to Umar are a set of regional commanders who manage the group’s presence in southern Somalia and Mogadishu, Bay and Bokool, Puntland and Somaliland, and Juba Valley”.⁴⁴³ It further noted that:

Umar has also appointed a Shura council of 10 members who oversee al-Shabab’s regional commanders. The council establishes al-Shabab’s policy, which is expected to be followed by local administrations within the group’s territory. Aiding the Shura council are junior leaders who are in charge of al-Shabab’s media branch, law enforcement, and military operations. The group’s media branch, al-Kataib (The Brigade), is responsible for producing video recruitment and propaganda content which is then disseminated for international audiences.

The leader of al-Shabab’s military operations, previously Abdullahi Haji Da’ud, oversees two separate branches, the Jaysh Al-’Usr (army of hardship) and the Jaysh Al-Hisbah (army of morality). Led by regional military leaders, the Jaysh Al-’Usr serves as the group’s major external military apparatus. The Jaysh Al-Hisbah functions as the group’s religious police force, enforcing sharia in areas of al-Shabab’s control.⁴⁴⁴

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission to Somalia cited interlocutors as stating that “Al-Shabaab is estimated to consist of 5,000-9,000 armed fighters, who are able to move across regions to engage in combat, but in order to grasp the strength and capacity of al-Shabaab as an organisation it is important to understand how al-Shabaab operates and that the organisation is more than its fighters. Al-Shabaab has an extensive network of sympathisers, informants/spies, and other collaborators throughout Somalia and several sources considered al-Shabaab to be everywhere in S/C Somalia. The presence of al-Shabaab can be felt throughout society and al-Shabaab is assumed to have infiltrated Somali government institutions, the police force, and SNA, and according to a UN source even the international airport in Mogadishu is regarded as infiltrated. Al-Shabaab has a rather sophisticated intelligence wing (Amniyat)”.⁴⁴⁵

⁴⁴⁰ Africa Review, [Shabaab confirm killing of official in US airstrike](#), 21 August 2017

⁴⁴¹ Africa Review, [Top Al-Shabaab commander surrenders](#), 1 June 2017

⁴⁴² UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 14

⁴⁴³ Counter Extremism Project, [Al-Shabab](#), undated [accessed 13 November 2017]

⁴⁴⁴ Counter Extremism Project, [Al-Shabab](#), undated [accessed 13 November 2017]

⁴⁴⁵ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.2. *The extent of al-Shabaab control and presence p.10*

In an August 2016 article, The Jamestown Foundation reported that Al Shabaab claimed to have established a new (so-called) Islamic police, or *Hisba*.⁴⁴⁶ It further noted:

The Hisba officers were first sighted in Jilib, the most populous town in Somalia's Middle Juba region and currently the group's political and military headquarters, on August 9 [2016]. Photographs released by the group through its mouthpiece Radio Andalus showed men in uniform with ID cards and branded vehicles on patrol in the city (Hiraan Online, August 9). From Jilib, al-Shabaab hopes to deploy the force across the areas it controls, including Juba, Gedo, Lower Shabelle, Middle Shabelle, Bay and Bakool, Hiraan, and Galgudud in southern Somalia. [...]

According to the group, the force will be unarmed, but it will work as part of the commission for the promotion of virtue and prevention of vice and seek to "encourage" morality among Somali citizens. The Hisba will carry out its work under the group's strict interpretation of sharia. Its main task is providing moral guidance in line with Islamic teachings, and al-Shabaab has made clear the new force can be expected to arrest and even behead those engaging in the consumption and sale of alcohol. The group has also made clear the force will carry out harsh punishments including cutting-off men's penises as a punishment for adultery, stoning to death promiscuous women, and amputating the hands of those caught stealing. Those wearing Western clothes regarded un-Islamic will also be detained. It will also protect the quality of food, medicine, and clothing in the market (Zipo, August 10).⁴⁴⁷

In a July 2017 report, the Jamestown Foundation explained that "In the wake of its withdrawal from Mogadishu and the subsequent loss of the revenue generating port of Kismayo, al-Shabaab was forced to restructure itself. Rather than focusing its efforts on set piece battles with the better-armed AMISOM forces and on holding and governing territory, al-Shabaab prioritized organizational security and lower risk operations against its foes. Both of these priorities fostered and fueled the development of the Amniyat, al-Shabaab's intelligence apparatus".⁴⁴⁸ The same source went on to note "The Amniyat has gone on to set up a countrywide network of operatives and informants. Al-Shabaab has boasted about the fact that it has informants in every government ministry and within AMISOM itself. This is evidenced by the fact that al-Shabaab has repeatedly been able to attack secure sites in the Somali capital of Mogadishu and, with increasing regularity, heavily defended AIMISOM bases (The New Arab, March 21; BBC, January 27). Many of these attacks are coordinated and timed in a way that points to its ability to conduct persistent surveillance of targets".⁴⁴⁹ Moreover, "The Amniyat is also tasked with collecting intelligence on Somalia's fluid and fraught clan dynamics. Such intelligence allows al-Shabaab to safeguard and grow its influence in Somalia".⁴⁵⁰

An August 2017 letter from the Chair of a UN Security Council Committee 'concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities' reported that "The East Africa region faces terrorist threats from both the Al-Qaida affiliate Al-Shabaab and ISIL affiliates operating in Puntland and parts of southern Somalia. Al-Shabaab, which has approximately 6,000 to 9,000 members, presents the greatest threat. Several Member States observed that Al-Shabaab has adequate finances, weapons and fighters at its disposal. It also controls some territory and has a well- managed and efficient organizational structure".⁴⁵¹

⁴⁴⁶ The Jamestown Foundation, [Al-Shabaab Aims for 'Hearts and Minds' With Establishment of Islamic Police Force](#), 19 August 2016

⁴⁴⁷ The Jamestown Foundation, [Al-Shabaab Aims for 'Hearts and Minds' With Establishment of Islamic Police Force](#), 19 August 2016

⁴⁴⁸ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

⁴⁴⁹ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

⁴⁵⁰ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

⁴⁵¹ UN, [Letter dated 7 August 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da'esh\), Al-Qaida](#)

For information on the treatment of defectors, see [4.1. Al Shabaab defectors and ISIL sympathisers](#) and [4.1.1 Al Shabaab defectors in Mogadishu](#).

2.3.6.4. Funding

A July 2016 letter from the Chair of a UN Security Council Committee ‘concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities’ reported that “Member States reported that the forced collection of “zakat” from local Somalis, trafficking in commodities such as charcoal, extortion from businesses and international organizations, and looting of storehouses with relief goods remained major sources of the group’s financing”.⁴⁵²

In an August 2016 report the Jamestown Foundation detailed that “Al-Shabaab’s major sources of income include taxation and extortion in the areas and towns it controls. With territorial control came control of commerce, illegal charcoal export, and import of contrabands through the seaports. Relief agencies working in Somalia have also been targets in the group’s extortion rackets. Al-Shabaab also receives contributions through the *hawalas* (an informal system of transferring money) and support of groups following a similar Islamist ideology, such as, al-Qaeda”.⁴⁵³ The September 2016 report of the UN Monitoring Group on Somalia and Eritrea described that “Reliance by Al-Shabaab on revenue from taxing the illicit sugar trade, agricultural production and livestock has increased during the current mandate, in particular as revenue from charcoal has declined”.⁴⁵⁴ The August 2017 letter from the Chair of the UN Security Council Committee further noted that “Al-Shabaab continues to fund its operations from forced zakat ‘taxation’, levies at checkpoints and road blocks, covert businesses and donations from supporters and sympathizers in Somalia, Europe and the Middle East. A Member State reported that, in 2016, Al-Shabaab generated more than \$50 million. In addition, several Member States observed that Al-Shabaab possesses sufficient weaponry, which has been acquired from the black market, illegal shipments from Yemen and seizures from AMISOM bases”.⁴⁵⁵

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “Over the course of the present mandate, Al-Shabaab continued to impose taxation on the business community in Somalia [...]. Interviews conducted by the Monitoring Group indicate that, in Mogadishu, Al-Shabaab monthly taxation varied from \$10 paid by market traders to as much as \$70,000 paid by major companies. [...] During the previous mandate, the Monitoring Group noted Al-Shabaab’s increasing reliance on financing from the taxation of agricultural production, livestock and trade. [...] Al-Shabaab also continues to tax goods at checkpoints along major supply routes, particularly imports and exports along routes to major ports, including goods destined for Kenya. Large trucks are usually taxed \$1,000, with receipts issued by Al-Shabaab to prevent double taxation

[and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 7 August 2017, paragraph 45

⁴⁵² UN, [Letter dated 19 July 2016 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da’esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 19 July 2016, paragraph 40

⁴⁵³ Jamestown Foundation, [Al-Shabaab Leader’s First Audio Message Suggests Morale Is Low Among Somali Militants; Terrorism Monitor Volume: 14 Issue: 16](#), 05 August 2016

⁴⁵⁴ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 83

⁴⁵⁵ UN, [Letter dated 7 August 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da’esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 7 August 2017, paragraph 47

at subsequent checkpoints. [...] Al-Shabaab justifies taxation of agricultural production and livestock as zakat, a customary religious tax on wealth and property typically collected on an annual basis. The group's efforts to collect zakat have become increasingly aggressive in terms of the quantity of goods confiscated, the frequency of collection and the coercive methods employed".⁴⁵⁶

2.3.6.5. Areas of influence

Also see [2.2 Overview of actors in control of territory, by region.](#)

In an August 2016 article, The Jamestown Foundation noted that Jilib "the most populous town in Somalia's Middle Juba region [...] became al-Shabaab's de-facto base in 2015, after the group was forced out of Bardheere, its operation and logistical headquarters, and Dinsoor, its political center, by AMISOM troops".⁴⁵⁷

The annual 2016 U.S Department of State report on International Religious Freedom stated that "Al-Shabaab retained control of some towns and rural areas, from which it regrouped to strike into urban areas using a wide variety of tactics. The group recaptured towns, including Tiyeeglow, El-Alif, and Halgan, after Ethiopian forces withdrew from areas in southwestern and central Somalia".⁴⁵⁸ According to Amnesty International, "By the end of 2016, al-Shabaab still controlled many rural areas, especially in Bay, Gedo, Lower Shabelle and Middle Juba regions".⁴⁵⁹

The January 2017 report of the UN Secretary-General on Somalia considered that "Al-Shabaab made some territorial gains following the withdrawal of Ethiopian and Somali forces from Muqakoori, Ceel Cali and Halgen, Hiraaan region, on 15 September and 11 and 23 October. The group also regained control of Tayeeglow, Bakool region, following the withdrawal on 26 October of Ethiopian and Somali troops. Somali forces sought to recover the town on 15 November, but did not succeed. In Bay region, Somali forces twice lost Gooftu Guduu Shabelle to Al-Shabaab, on 1 and 23 November, but regained control of the town with the support of AMISOM on 7 December".⁴⁶⁰

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted that "Several sources agreed that [...] al-Shabaab is in control of, or at least has influence over, most rural areas in S/C [South/Central] Somalia and has a hidden presence in most urban centres".⁴⁶¹ Furthermore, "It is difficult to make a clear demarcation of what areas are under the control of what group, and there exists grey areas of mixed or unknown control. A UN source added that it does not make much sense to talk about AMISOM/SNA being in 'effective control' of a given city. The control situation is more nuanced and according to a Somalia Country Director of a humanitarian agency, al-

⁴⁵⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 28-31

⁴⁵⁷ The Jamestown Foundation, [Al-Shabaab Aims for 'Hearts and Minds' With Establishment of Islamic Police Force](#), 19 August 2016

⁴⁵⁸ US Department of State, [2016 Report on International Religious Freedom - Somalia](#), 15 August 2017, *Abuses by Foreign Forces and Nonstate Actors*

⁴⁵⁹ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

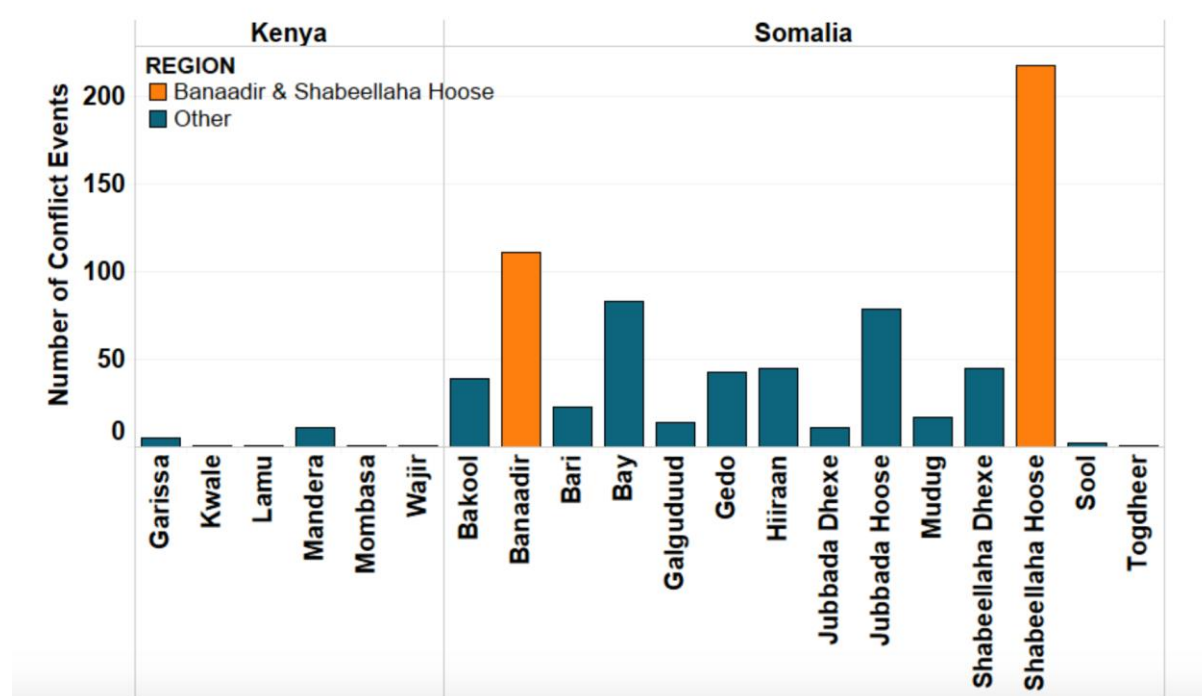
⁴⁶⁰ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 9

⁴⁶¹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 The overall security situation p.7

Shabaab can infiltrate and move around in cities at night, which during the day are controlled by AMISOM/SNA”.⁴⁶²

An April 2017 International Crisis Group commentary described that “Al-Shabaab remains a resilient force that undertakes suicide bombings, targeted assassinations, ambushes and sweeps across south-central Somalia”.⁴⁶³ According to the Jamestown Foundation reporting in April 2017, “Al-Shabaab’s aid deliveries also form part of an altered strategy for the group, brought on by the success of AMISOM troops in forcing the militants out of strategic ports and cities. Instead, al-Shabaab has moved its focus to the control of smaller towns and villages in rural areas”.⁴⁶⁴

A May 2017 ACLED report recorded that “Since September 2016, the primary locations for violent activity involving al-Shabaab have been in the population centres of Mogadishu as well as areas in the immediate south-west along the southern tail of the Shebelle River. Over the past several months, these two areas alone account for over 40 percent of all violent al-Shabaab activity in the region”.⁴⁶⁵ See the following ACLED graph of the ‘Number of Conflict Events Involving al-Shabaab by District/Region in Kenya and Somalia, from September 2016 - May 2017’⁴⁶⁶:



The same May 2017 ACLED report further noted:

Despite significant human and territorial loss at Kolbiyow in late January (The Guardian, 27 January 2017), Somali government, Jubaland and AMISOM forces have made several territorial gains against al Shabaab in the south, particularly in Bay, Lower Shabelle and Jubba Valley regions [...] Progress in

⁴⁶² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 The overall security situation p.7

⁴⁶³ International Crisis Group, [Somalia: Transforming Hope into Stability](#), 30 April 2017

⁴⁶⁴ Jamestown Foundation, [Al-Shabaab Plays on Aid Distribution Role to Win Over Desperate Somalis; Terrorism Monitor Volume: 15 Issue: 7](#), 07 April 2017

⁴⁶⁵ ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017

⁴⁶⁶ ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017

these regions is largely due to several small-arms military raids on bases, armouries, or villages that have in past fallen under insurgent control.⁴⁶⁷

The May 2017 report of the UN Secretary-General on Somalia noted that “On 6 April, the President instructed the Somali security forces to prepare for a new offensive against Al-Shabaab and called on Al-Shabaab fighters to surrender within 60 days to be granted amnesty. [...] Against this backdrop, Al-Shabaab continued attacking government facilities and civilians in Mogadishu. [...] Al-Shabaab guerrilla warfare continued in rural areas of central and southern Somalia”.⁴⁶⁸

According to a July 2017 ACLED report, “While maintaining a heavy presence in southern regions, an increasing number of al-Shabaab’s efforts have begun to move north where fatalities peaked in June following an attack on Puntland forces at Af-Urur”.⁴⁶⁹

An August 2017 Refugees International report noted that “Al-Shabaab controls (or at least has influence over) much of the rural area of south central Somalia that has been hardest hit by the drought and where humanitarian access is extremely limited”.⁴⁷⁰ A September 2017 ACLED ‘Special Focus’ report on Somalia reported Al Shabaab’s “continued geographic expansion into new locations, including a number of new locations in Shabeellaha Hoose, [...] putting more civilians at greater risk”.⁴⁷¹

The September 2017 report of the UN Secretary-General on Somalia noted that “Al-Shabaab guerrilla warfare continued in rural areas of central and southern Somalia. Attacks on Somali and AMISOM forces along logistics routes were regularly reported. [...] Joint military operations by Somali security forces and AMISOM, supported by the United States of America, against Al-Shabaab bases were also reported, including a brief takeover of Barrire and Janaale settlements, before these were retaken by Al-Shabaab”.⁴⁷²

Similarly, the November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “Over the course of the mandate, little if any progress has been made to mitigate that threat. Al-Shabaab maintains control over a large proportion of rural territory, and remains in control of certain urban centres in southern and central Somalia”.⁴⁷³ The same source further described that:

Major offensive operations by the African Union Mission in Somalia (AMISOM) and the Somali National Army against Al-Shabaab have stalled since July 2015, which marked the last phase of Operation Juba Corridor. Consequently, the group remains in control of much of the Juba Valley, including the towns of Jilib, Jamame and Bu’ale, allowing the group to maintain taxation on farms in the area, a major source of its revenue. Even around urban centres throughout southern and central Somalia occupied by national or regional security forces and/or AMISOM, Al-Shabaab continues to maintain control over the countryside and major supply routes, enabling the group to cut off provisions to large segments of the population.⁴⁷⁴

⁴⁶⁷ ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017

⁴⁶⁸ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraphs 16 and 19

⁴⁶⁹ ACLED, [Conflict Trends Report No. 60; Real-Time Analysis of African Political Violence](#), July 2017

⁴⁷⁰ Refugees International, [On the Edge of Disaster; Somalis forced to flee drought and near famine conditions](#), August 2017, Background p.5

⁴⁷¹ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017

⁴⁷² UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 13

⁴⁷³ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Summary p.6

⁴⁷⁴ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 9

2.3.6.6. Capabilities and targets

This section should be read alongside section [4. Profiles of persons at risk by non-state actors, particularly Al Shabaab](#).

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea considered that “Harakat al-Shabaab al-Mujaahidiin (Al-Shabaab) remains the most immediate threat to peace and security in Somalia. Contrary to prevailing narratives of successful counter-insurgency and counter-terrorism efforts, the Monitoring Group assesses that the security situation has not improved in Somalia during the current mandate”.⁴⁷⁵ It further noted that “Complex attacks against ‘soft’ civilian targets, such as hotels and restaurants, increased during the mandate, especially in Mogadishu, Baidoa and North Galkayo, resulting in a significant number of casualties”.⁴⁷⁶ Moreover, “According to those consulted, there has been no major evolution in the nature of the explosives which Al-Shabaab employs in its IED operations. It is rather the size of the IED, the increasing scope of the method of delivery, and the choice of target which are creating stronger and more violent explosions”.⁴⁷⁷

It should be noted that as explained by the Combatting Terrorism Center in an April 2016 report “The vast majority of al-Shabaab’s military operations and attacks are not on civilian soft targets. The group focuses instead on carrying out waves of hit-and-run, small-unit attacks on opposing forces as well as carrying out well-planned, coordinated assaults on AMISOM, SFG, and opposing militia bases and positions. This marks not so much an adoption of new tactics by al-Shabaab but rather a return to its 2007-2008 guerilla roots”.⁴⁷⁸

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted “According to a UN source, al-Shabaab has set up blockades around most towns where AMISOM/SNA is in military control. At night al-Shabaab is able to move around in urban centres that during the day is controlled by AMISOM/SNA while AMISOM/SNA stay in their barracks. Al-Shabaab can carry out hit-and-run attacks and assassinations everywhere, including inside Mogadishu. According to an international organisation al-Shabaab’s strategy is usually not to engage in direct military confrontation with AMISOM/SNA but instead engage in asymmetric warfare”.⁴⁷⁹

According to the U.S. Department of State Report on Terrorism for 2016 “Al-Shabaab experienced increased defection rates and weakened leadership in 2016, yet retained the capacity to conduct asymmetric attacks throughout Somalia. The group executed attacks against harder targets in Mogadishu, including the Mogadishu International Airport (MIA), the Presidential Palace, and popular hotels with security guard forces. In the run-up to the oft-delayed electoral process, al-Shabaab increased the frequency of assassinations of government personnel, many of whom were associated with AMISOM, Somali security services, and the federal government”.⁴⁸⁰ It further noted that “Al-Shabaab used a range of asymmetric tactics to execute its targeted campaign against

⁴⁷⁵ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Summary p.3

⁴⁷⁶ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.1: Al-Shabaab violence against civilians: large scale IED attacks p.146 paragraph 3

⁴⁷⁷ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 96

⁴⁷⁸ Combatting Terrorism Center, [The Resilience of Al-Shabaab](#), 22 April 2016

⁴⁷⁹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.2. The extent of al-Shabaab control and presence p.10

⁴⁸⁰ US Department of State, [Country Report on Terrorism 2016 - Chapter 2 - Somalia](#), 19 July 2017

AMISOM and Somali security forces, members of parliament, and other government personnel, as well as popular gathering places, such as hotels, restaurants, and cafes. The group managed to launch several attacks per month in 2016 using suicide bombers, vehicle-borne improvised explosive devices (VBIEDs), ambush-style raids, assassinations, and mortar attacks".⁴⁸¹

A July 2016 letter from the Chair of a UN Security Council Committee 'concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities' reported that "Al-Shabaab continues to reiterate its intent to conduct more attacks against the AMISOM troop-contributing countries (as seen in the attack in January 2016 against Burundian and Kenyan troops and the attack in June 2016 against Ethiopian troops), Canada, the United Kingdom of Great Britain and Northern Ireland and the United States of America, in addition to the interests of other Member States in the region. For example, it claimed responsibility for an attack on a Daallo Airlines flight after its intended target, Turkish Airlines, cancelled its flight to Mogadishu on the planned day".⁴⁸² The same source noted that "According to Member States, Al-Shabaab possesses a sizeable arsenal of weapons and ammunition, some of which have been captured from AMISOM troops during recent attacks. This has boosted the group's strength considerably".⁴⁸³

Reporting on the situation in 2016 Amnesty International noted, "al-Shabaab rejected all forms of election, intensified attacks and called on followers to attack polling venues and kill clan elders, government officials and MPs taking part in the elections".⁴⁸⁴ ACLED observed in February 2017 that "Al Shabaab's continued attacks on government troops and external stabilisation forces reflects the group's vow to disrupt the parliamentary election process".⁴⁸⁵

African Arguments reported that in the lead up to Somalia's October 2016 elections, there was in "upsurge in attacks" by Al Shabaab and considered that "it is not just the group's resolve that has enabled it to launch so many complex and successful attacks over the past months. Other factors have contributed to this shift".⁴⁸⁶ It further detailed:

The first is that political campaigning seems to have acted as a distraction. Many officials, including those in the security apparatus, face uncertainty over their future given that they are political appointees, and several appear to be preoccupied in their attempts to influence the selection process. This has led to greater gaps in the security system that al-Shabaab has been all too keen to exploit.

A second factor in al-Shabaab's change of tactics has been the intensification of US drone strikes, which have become a nightmare for the group over the past two years. This year alone, at least two hundred fighters, including some senior leaders and intelligence chiefs, have been killed in drone attacks. Meanwhile, with drones flying over their traditional havens in Shabelle and Jubba regions, morale has dropped. A by-product of this threat, however, is that al-Shabaab has redeployed large numbers of its fighters to Mogadishu where there is greater safety from drones. This move back to urban areas has been possible due to the lack of concerted ground offensives alongside the US

⁴⁸¹ US Department of State, [Country Report on Terrorism 2016 - Chapter 2 - Somalia](#), 19 July 2017

⁴⁸² UN, [Letter dated 19 July 2016 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da'esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 19 July 2016, paragraph 39

⁴⁸³ UN, [Letter dated 19 July 2016 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da'esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 19 July 2016, paragraph 40

⁴⁸⁴ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

⁴⁸⁵ ACLED, [Conflict Trends Report No. 55; Real-Time Analysis of African Political Violence](#), February 2017

⁴⁸⁶ African Arguments, [Al-Shabaab steps up attacks in run up to the Somalia elections](#), 19 September 2016

airstrikes. Last month, al-Shabaab fighters successfully attacked military bases housing government and African Union troops (AMISOM) south west of Mogadishu.

A third factor in al-Shabaab's upsurge of attacks is it the fact that the group has managed to greatly build up its arsenal with newly-acquired weapons and ammunition. It has overrun three military bases in the past two years and looted heavy weaponry including military vehicles, mortars, missiles, and ammo.

In addition, the militants have received explosives and weapons from Yemen, which has helped it launch its most complex and effective vehicle-borne improvised explosive device attacks so far. According to an officer with Somalia's intelligence agency, this military build-up has increased both the group's morale and capabilities.

Finally, the group's resurgence could also be linked to the fact its fairly new leader is still working to establish a reputation as someone who can deliver impressive victories on the battlefield, two years after his predecessor was killed in a US air strike.⁴⁸⁷

ACLED observed in February 2017 that "Al Shabaab's continued attacks on government troops and external stabilisation forces reflects the group's vow to disrupt the parliamentary election process".⁴⁸⁸

The January 2017 report of the UN Secretary-General on Somalia considered that "In central and southern Somalia, Al-Shabaab continued to engage in guerrilla warfare and occasionally deployed fighters to carry out complex attacks".⁴⁸⁹ An April 2017 International Crisis Group commentary described that "Al-Shabaab remains a resilient force that undertakes suicide bombings, targeted assassinations, ambushes and sweeps across south-central Somalia".⁴⁹⁰

According to a March 2017 Jamestown Foundation report, "In addition to well-planned attacks on military targets, al-Shabaab continues to attack civilian targets across southern Somalia. The group has carried out multiple car bombings of hotels and markets and continues to assassinate journalists, government officials and members of the military and security services".⁴⁹¹

The Jamestown Foundation reported in April 2017 that "Al-Shabaab has made clear that it opposes the new president. In February, Sheikh Hassan Yakub Ali, the al-Shabaab governor for Galmudug region, warned of sustained attacks over the course of Farmajo's four-year term. In a strongly worded speech on an al-Shabaab media, the hardliner described the new president as an American, rather than a Somali patriot. Labelling Farmajo as worse than any other Somalia President, he warned that any individual or clan who collaborated with him would be severely punished (see Militant Leadership Monitor, April 5; Kismayo24, February 19)".⁴⁹²

The May 2017 report of the UN Secretary-General on Somalia observed that "Despite ongoing efforts by AMISOM and Somali security forces, Al-Shabaab remains a potent threat. It has shown resilience and adaptability, recovering from challenges and drawbacks while maintaining a united core in spite of internal squabbles and fracturing. The group's tactical evolution and growing level of sophistication in its execution of complex terrorist operations in urban and rural settings are a testament to that. Al-Shabaab has also exploited the drought to promote its own propaganda objectives".⁴⁹³

⁴⁸⁷ African Arguments, [Al-Shabaab steps up attacks in run up to the Somalia elections](#), 19 September 2016

⁴⁸⁸ ACLED, [Conflict Trends Report No. 55; Real-Time Analysis of African Political Violence](#), February 2017

⁴⁸⁹ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 8

⁴⁹⁰ International Crisis Group, [Somalia: Transforming Hope into Stability](#), 30 April 2017

⁴⁹¹ Jamestown Foundation, [Al-Shabaab: Why Somalia's al-Qaeda Affiliate Wants Puntland](#), 10 March 2017

⁴⁹² Jamestown Foundation, [Al-Shabaab Plays on Aid Distribution Role to Win Over Desperate Somalis; Terrorism Monitor Volume: 15 Issue: 7](#), 07 April 2017

⁴⁹³ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraphs 102

A May 2017 ACLED report noted:

Prominent and deadly tactics of the sect's violence in this area have come in the way of large IEDs or explosive-laden vehicles placed in crowded open air-markets markets, hotels, or military checkpoints. Often, these tactics have been used in coordination with other methods, such as organized raids following the initial explosion. Generally, these attacks tend to have a specific and strategic human target, which could include senior military officers or politicians, which was the case in at Wehliye. In more remote areas, al-Shabaab tends to target AMISOM supply convoys and armed patrols with buried IEDs and other mines. In similar tactic to urban settings, the attackers may lay in wait for the initial blast, and then engage their target in the ensuing confusion. This strategy of attack is often used in the Lower Shabelle, along the Marka – Afgooye – Mogadishu corridor.⁴⁹⁴

In a July 2017 report, the Jamestown Foundation considered that "Over the last 12 months, al-Shabaab has markedly increased the tempo and sophistication of its attacks on a range of soft and hard targets in Somalia, the semi-autonomous region of Puntland and in southeast Kenya. The al-Qaeda affiliate is re-taking territory it once controlled in southern and central Somalia while threatening Puntland and southeast Kenya by moving more operatives into those regions (al-Jazeera, June 8; The Star, July 16). The resurgence coincides with the 2016 withdrawal of a significant number of Ethiopian National Defense Forces (ENDF) and a planned drawdown of troops with the African Union Mission in Somalia (AMISOM) (African Arguments, October 27, 2016)".⁴⁹⁵

The August 2017 letter from the Chair of a UN Security Council Committee noted with regards to Al Shabaab's capabilities that:

The frequency and severity of attacks by Al-Shabaab in Somalia and in neighbouring States demonstrate its enhanced operational and technical capability to conduct attacks. Since 2016, Al-Shabaab's bomb-making capabilities have improved, as it has used mainly heavy trucks as vehicle-borne improvised explosive devices and acquired training in the assembly and deployment of improvised explosive devices. Consequently, since 2015, Al-Shabaab has conducted 10 attacks on the African Union Mission in Somalia (AMISOM) and Somali National Army bases, several attacks on hotels and Government facilities and officials in Mogadishu, and multiple cross-border attacks into Kenya and other neighbouring countries. According to Member States, Al-Shabaab twice attempted to use laptop explosive devices, first in an attack on a Daallo Airlines plane in February 2016, then at Beledweyne Airport in March 2016, where a laptop detonated during luggage screening.⁴⁹⁶

A September 2017 Armed Conflict Location & Event Data Project (ACLED) 'Special Focus' report on Somalia reported that "Remote violence carried out by Al Shabaab against civilians this year – especially violence involving IEDs – has increased the number of reported fatalities. [...] This could point to a shift in strategic tactics by the group. This is coupled with Al Shabaab's continued geographic expansion into new locations, including a number of new locations in Shabeellaha Hoose, [...] putting more civilians at greater risk".⁴⁹⁷

According to an October 2017 report from the same source "Al Shabaab has had, over its active period, a relatively low rate of civilian targeting, when compared to other groups in similar positions [...]. (That being said, for many years, ACLED analysts have suspected that Al Shabaab employs unidentified armed groups to kill civilians for them, and to perpetrate many of the less popular acts

⁴⁹⁴ ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017

⁴⁹⁵ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

⁴⁹⁶ UN, [Letter dated 7 August 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da'esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 7 August 2017, paragraph 46

⁴⁹⁷ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017

which take place in the insurgency.) Rather than target civilians, their strategy is to be the Al Shabaab that is simultaneously the business innovator, the local militia, the job creator, the dealmaker, the negotiator and the parallel government (read: taxing force)".⁴⁹⁸ To illustrate, as reported by the Jamestown Foundation in April 2017, "With a severe drought unfolding across Somalia, al-Shabaab militants have turned to distributing food aid in the country's southern battlegrounds in a new strategy aimed at bringing locals on side. [...] The militants claim to have distributed aid in several regions: Bay, Bakol, Mudug, Hiraan and Galguduung. Al-Shabaab has launched drought committees in these regions to coordinate relief, and the group has dug canals to help farmers to access water for irrigation".⁴⁹⁹

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that "On 2 January 2017, in Mogadishu, Al-Shabaab detonated what was likely the largest improvised explosive device in the group's history. Laboratory analysis of the blast revealed traces of potassium nitrate, suggesting that Al-Shabaab may have begun to manufacture home-made explosives".⁵⁰⁰ Furthermore, "Al-Shabaab was responsible for the greatest number of civilian casualties during the mandate, as a result of large-scale attacks on civilian targets and the imposition of violent punishments on individuals and communities. [...] the erosion of Al-Shabaab's leadership has historically had little effect on the group's ability to carry out both asymmetric and conventional attacks within Somalia. [...] Al-Shabaab also continues to present an occasional conventional military threat to AMISOM and national/regional security forces. On 27 January, Al-Shabaab fighters stormed a Kenyan Defence Forces base at Kulbiyow, which straddles the border between Kenya and the Lower Juba region in Somalia, resulting in the deaths of at least 67 Kenyan Defence Forces soldiers. It was the first large-scale conventional assault against an AMISOM troop-contributing country base since a failed attack on an Ethiopian National Defence Forces contingent at Halgan, Hiran region, on 9 June 2016".⁵⁰¹

2.3.6.7. Affiliates

This section should be read alongside [8.3.3 Clan affiliations to Al Shabaab](#).

The 2017 U.S. Commission on International Religious Freedom report explained that "Since 2015, al-Shabaab has experienced divisions over whether it should pledge its allegiance to al-Qaeda or to the Islamic State of Iraq and the Syria (ISIS). The larger al-Qaeda-linked al-Shabaab faction has assassinated or 'arrested' individuals who have pledged allegiance to ISIS".⁵⁰² For further information, see [2.3.5.3. Islamic State in Iraq and the Levant \(Da'esh\) \(ISIL\)](#).

As International Crisis Group explained in a February 2016 report, "The group often styles itself as a mediator in local conflicts, where international, regional and Somali forces are frequently seen as partisan".⁵⁰³ Similarly, Human Rights Watch reporting on inter-clan conflict in Lower Shabelle region in late May 2017 noted that "Al-Shabab's partial retreat and the start of the federal state-building process across Somalia have brought tensions in the region to the forefront, primarily between the

⁴⁹⁸ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017

⁴⁹⁹ Jamestown Foundation, [Al-Shabaab Plays on Aid Distribution Role to Win Over Desperate Somalis; Terrorism Monitor Volume: 15 Issue: 7](#), 07 April 2017

⁵⁰⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Summary* p.6

⁵⁰¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Summary* p.7 and paragraphs 10 and 13

⁵⁰² US Commission on International Religious Freedom, [2017 Annual Report; 2017 Country Reports: Other Countries and Regions Monitored: Somalia](#), 26 April 2017

⁵⁰³ International Crisis Group, [Somalia: Why is Al-Shabaab Still A Potent Threat?](#) 11 February 2016

powerful Biyomaal and Habar Gidir clans. Somali government forces and Al-Shabab have also fought against and supported these clan militias, with alliances shifting frequently. Al-Shabab has often presented itself as a mediator within the local conflict and dynamics”.⁵⁰⁴ According to the U.S. Department of State Report on Terrorism for 2016 “Al Shabaab leveraged clan politics and disputes to fuel noncooperation and distrust among local communities toward security forces operating in these areas”.⁵⁰⁵

According to a March 2017 Jamestown Foundation report, “Al-Shabaab and AQAP [Al-Qaida in the Arabian Peninsula] have long maintained ties with one another and have benefited from an exchange of expertise in the areas in which they excel. For example, AQAP has learned a great deal from al-Shabaab about how to set up and manage an effective intelligence wing. Al-Shabaab’s Amniyat intelligence apparatus is formidable and has proved critical to al-Shabaab’s ability to control its membership and plan and carry out attacks in urban areas. In turn, over the last two years, AQAP has developed a wealth of experience with more advanced weapons systems and their use in set piece battles. Al-Shabaab can, and likely will, benefit both from this expertise and from increased access to more advanced weaponry”.⁵⁰⁶

The August 2017 letter from the Chair of the UN Security Council Committee further noted “Member States emphasized that it relied on financial, logistical and ideological guidance from AQAP [Al-Qaida in the Arabian Peninsula]”.⁵⁰⁷

A September 2017 Armed Conflict Location & Event Data Project (ACLED) ‘Special Focus’ report on Somalia reported that “As Al Shabaab expands into new locations, the number of clan militias active in those same locales is impacted. This suggests a relationship between clan militias and Al Shabaab — namely that Al Shabaab may in fact be a ‘brand’ under which numerous clan militias may fight. This is not to say that there is no centralized Al Shabaab; in fact, Al Shabaab has indeed been successful in usurping groups, as can be seen when clan militia activity has stopped in certain locations into which Al Shabaab has recently expanded. Specifically, when looking at the locations in which Al Shabaab is newly active this year, the number of distinct, active clan militias has decreased in many of these locations during this same time”.⁵⁰⁸ The same source also reported on a series of high level Al Shabaab defections which “could suggest that the group may be splintering. Some have pointed to this possibility, noting increased mistrust among its members leading to the emergence of splinter cells — some swearing allegiance to ISIS while others remaining affiliated to Al Qaeda”.⁵⁰⁹

For further information, see [8.3.3 Clan affiliations to Al Shabaab](#).

2.4. Security situation per region including civilian casualty figures (covering 1 January 2017-17 October 2017)

For a list of sources to consult on the security situation in Somalia see [17. APPENDIX- Useful sources to consult on the security situation in Somalia](#).

⁵⁰⁴ Human Rights Watch, [Somalia: Al-Shabab Forces Burn Villages](#), 26 July 2017

⁵⁰⁵ US Department of State, [Country Report on Terrorism 2016 - Chapter 2 - Somalia](#), 19 July 2017

⁵⁰⁶ Jamestown Foundation, [Al-Shabaab: Why Somalia’s al-Qaeda Affiliate Wants Puntland](#), 10 March 2017

⁵⁰⁷ UN, [Letter dated 11 January 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da’esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 13 January 2017, paragraph 49

⁵⁰⁸ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017

⁵⁰⁹ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017

For an overview of actors in control of territory see [2.2. Overview of actors in control of territory, by region](#).

[Note that the reference to particular incidents should be seen as illustrative and in no way as indicative of the full scale of violence in one particular area]

For a comprehensive dataset of ‘conflict and protest data’, which is collected and published on a weekly basis consult the Armed Conflict Location & Event Data Project’s (ACLED) “[2017 Realtime Complete All Africa File](#)”. For example, for the reporting period of this particular report (1 January – 17 October 2017) it lists 2,177 incidents, which are categorised according to nature of violence (e.g. battle; riots/protests; violence against civilians), actors involved in the incident, location in Somalia (village, city, town and region), as well as the source of information.

2.4.1. Overview of incidents and casualties across South and Central Somalia (excl. Mogadishu)

A graph included in the UN Monitoring Group on Somalia and Eritrea’s report covering 2017 and which can be viewed [here](#), provides a useful overview of the nature of violence experienced in Somalia between October 2016 and August 2017.⁵¹⁰

Note that with regards to fatality numbers, ACLED argues that they are the:

most biased, poorly reported component of conflict data, making them, overall, the most susceptible to error. They are often debated and can vary widely. With exceptions, such as events where unarmed civilians are killed, there is no way to reliably discern which armed, organized group kills more or fewer members of the group(s) they fight using ACLED data. There are incentives for conflict actors to over- or underreport fatality numbers. In some cases, over-reporting of fatalities may be done as an attempt to appear strong to opposition, while in others, fatalities perpetrated by state forces may be under-reported and those by rebels over-reported, in order to minimize international backlash against the state involved. There may also be a systematic violence bias in mainstream news reports where fatalities are over-reported in order to increase media attention. There are contexts, too, in which fatalities may be under-reported as a function of the difficulties of collecting information in the midst of conflict.⁵¹¹

In a ‘Special Focus Topic’ comparing Al Shabaab’s and Boko Haram’s patterns of violence ACLED argued that with regards to conflict-related death to civilians for 2016 “While far fewer civilians were reportedly killed in Somalia versus Nigeria last year (894 versus 2,086, respectively), when accounting for the fact that the population of Nigeria is almost 13 times larger than Somalia, this difference is not so stark. In fact, the one-in-a-million (or micromort) risk of conflict-related death to civilians in Somalia in 2016 [at the hands of any armed actor] was 0.17 – which is over 5 times higher than that seen in Nigeria, suggesting that the average civilian is at higher risk of conflict-related death in Somalia than in Nigeria”.⁵¹²

In April 2017 the UN Special Representatives of the UN Secretary-General in Somalia, Ronald Keating, “strongly condemned the recent spate of terrorist incidents that have caused carnage among Somali communities. In the past ten days, at least a dozen attacks have been claimed by or

⁵¹⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.4: ACLED statistics, p. 146

⁵¹¹ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017, *Special Focus Topic: Al Shabaab and Boko Haram: Patterns of Violence*, pages 11/12

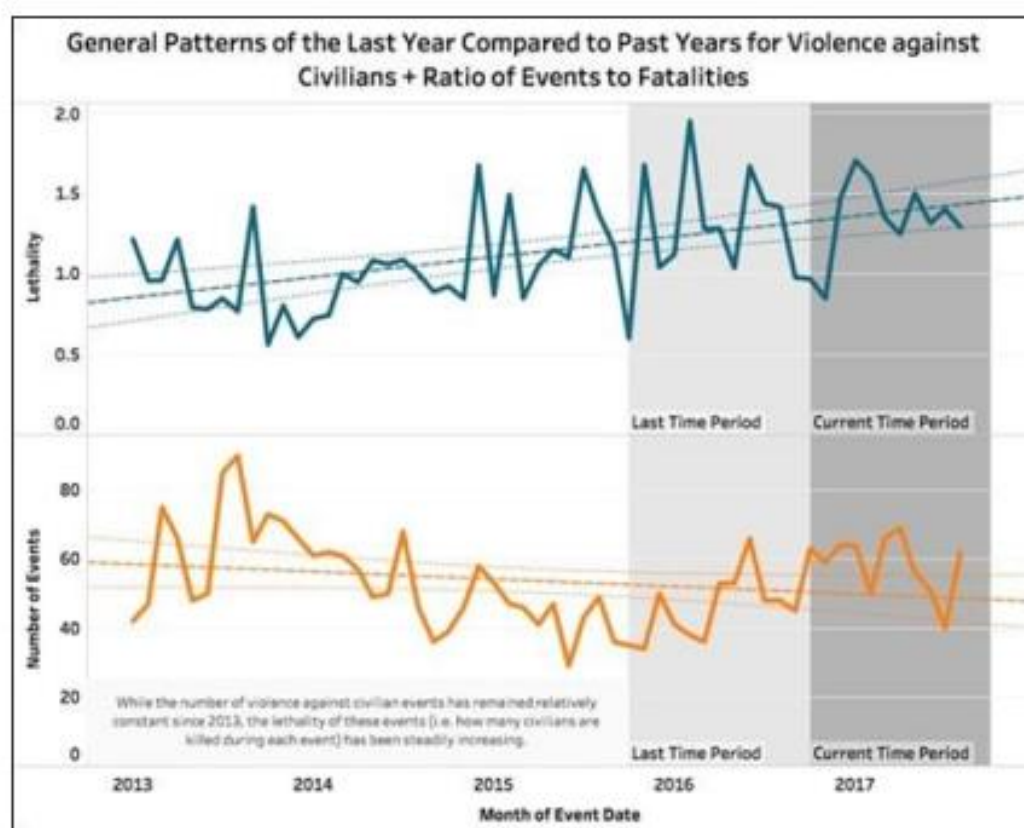
⁵¹² ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017, *Special Focus Topic: Al Shabaab and Boko Haram: Patterns of Violence*, p. 14

attributed to Al-Shabaab and resulted in 28 civilian deaths and 31 injured. These were launched in civilian areas, turning restaurants, markets and minibuses into scenes of bloodshed and suffering [...] Al-Shabaab has demonstrated its intent and capacity to conduct large-scale violence with a clear intent to cause mass casualties. So far in 2017, 337 people were killed or injured by 87 IED incidents. The vast majority of which resulted in civilian deaths and injuries. Civilian casualties from IEDs have increased by over 50% since this time in 2015”.⁵¹³

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea documented that:

While the overall number of incidents involving improvised explosive devices, whether deployed by Al-Shabaab or others, has been on a slight upward trend since 2014, between 1 January 2016 and mid-August 2017 the United Nations assessed that 533 improvised explosive device incidents had caused 1,432 civilian casualties, including 931 deaths.⁵¹⁴

The same report included a graph produced by ACLED on ‘General Patterns of the Last Year Compared to Past Years for Violence against Civilians + Ratio of Events to Fatalities’, which can be viewed [here](#) at page 146.⁵¹⁵

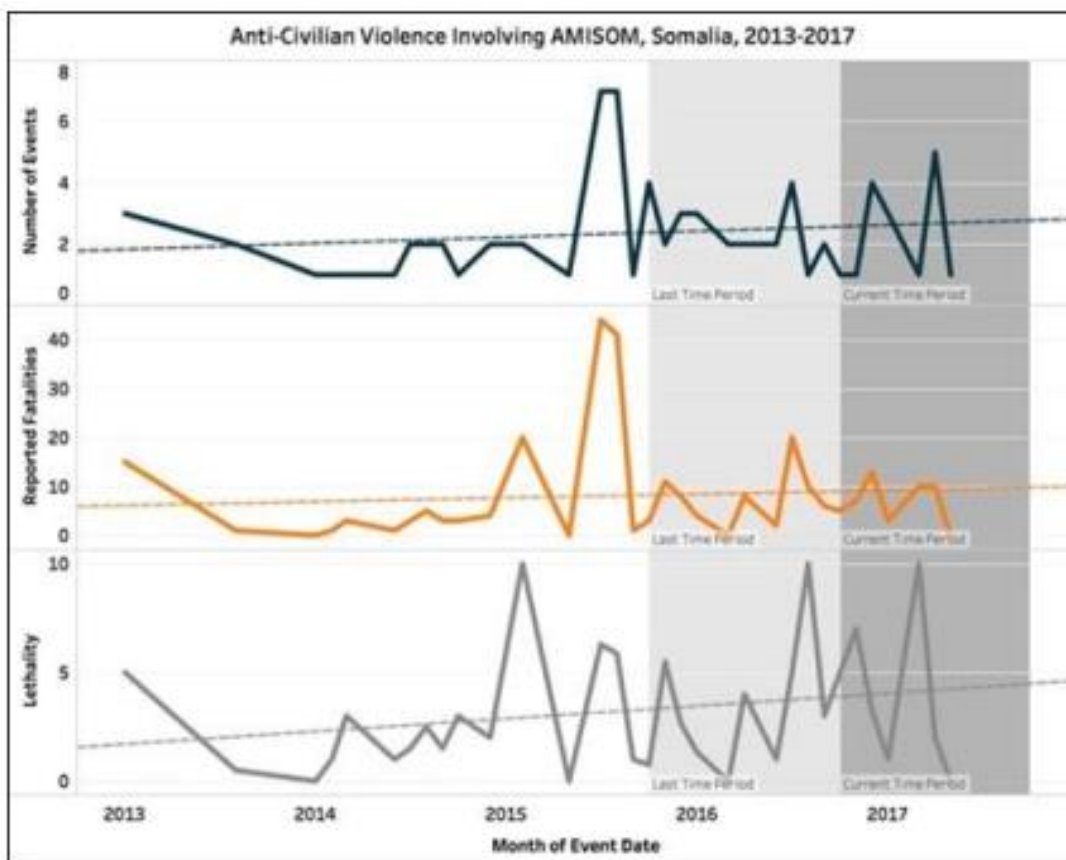
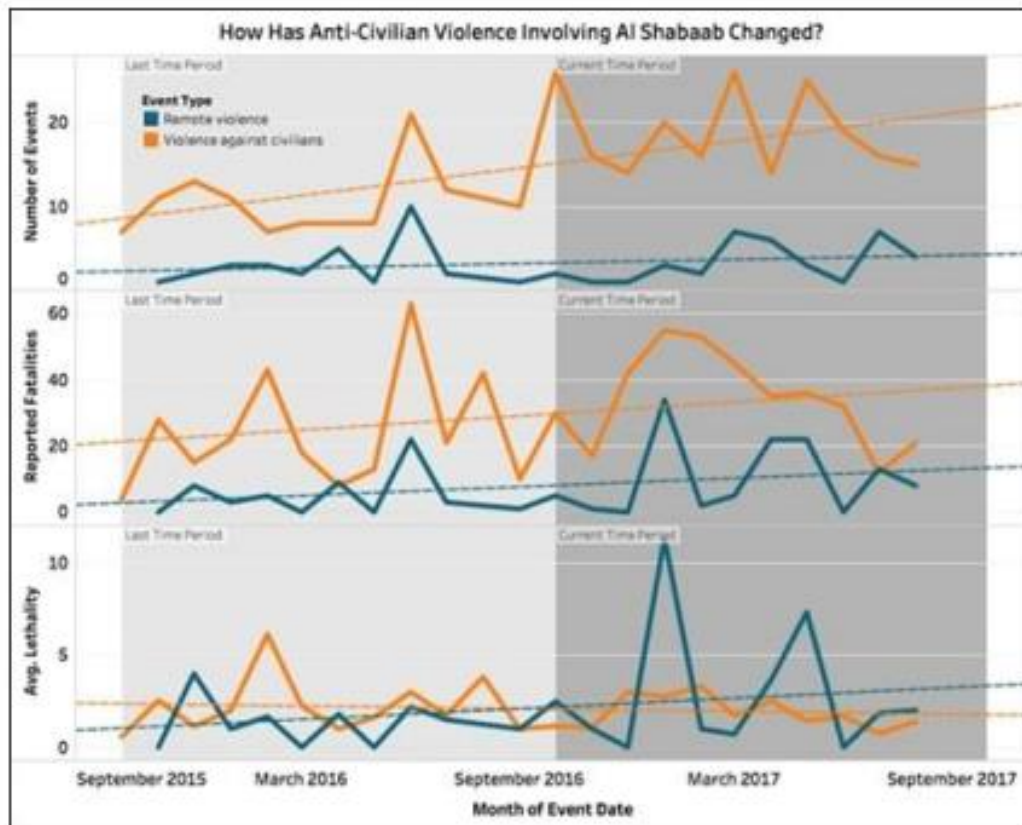


It also included two graphs on anti-civilian violence involving Al Shabaab and AMISOM respectively, which can be viewed on page 148 [here](#).⁵¹⁶

⁵¹³ UN Assistance Mission in Somalia (UNSOM), [SRSG KEATING CONDEMNS INCREASED ATTACKS AGAINST CIVILIANS](#), 11 April 2017

⁵¹⁴ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., B. Federal and regional forces, clan militias and other criminal elements, para. 189, p. 44

⁵¹⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.4: ACLED statistics, p. 146



⁵¹⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.4: ACLED statistics, p. 148

2.4.1.1. Landmines and cluster munition

Data published by Landmine & Cluster Munition noted the following with regards to casualties as a result of landmines & cluster munitions during 2016:

| Casualties Overview | |
|-------------------------------------|--|
| All known casualties by end 2016 | 3,170 mine/explosive remnants of war (ERW) casualties (1,250 killed; 1,568 injured; and 352 unknown) |
| Casualties occurring in 2016 | 22 (2015: 56) |
| 2016 casualties by survival outcome | 1 killed; 16 injured, 5 survival outcomes unknown (2015: 21 killed; 35 injured) |
| 2016 casualties by device type | 16 ERW, 1 unspecified mine, 5 undifferentiated mines/ERW |

The UN Mine Action Service (UNMAS) recorded 22 casualties as a result of 14 incidents in the Somali Republic (excluding Somaliland) for 2016. Detailed data was available for only 17 casualties, of those, one was killed and 16 were injured. More than 76% were male. More than three-quarters (76%) of all casualties were children (10 boys and three girls), while adult casualties were comprised of three men and one woman. All were civilians.

Casualties were reported in the following regions: Bay, Galgaduud, Gedo, Hiran, Lower Juba, Mudug, and Nugaal.

The 22 casualties reported for 2016 represented less than 40% of the 56 casualties reported for 2015. The total for 2016 also marked a 74% decrease on the 84 casualties reported in 2014. However, due to the lack of accurate and consistent casualty data across the years, differences between annual reported casualty statistics do not necessarily represent trends.

The Monitor identified 3,170 mine/ERW casualties in Somalia (excluding Somaliland) between 1999 and the end of 2016. Of these, 1,250 people were killed, 1,568 were injured, and for the remaining 352 casualties it was unknown if they survived their injuries.

Cluster munition casualties

The number of cluster munition casualties in Somalia is not known. In a 2014 statement to the Convention on Cluster Munitions, Somalia recognized that there are cluster munition victims in Somalia living in severe conditions with mostly unmet needs.⁵¹⁷

2.4.2. South Somalia

2.4.2.1. Lower Jubba and the city of Kismayo

Lower Jubba

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the security situation in Lower Jubba "In Lower Juba the control can be regarded as shared between the Jubaland administration and al-Shabaab, with al-Shabaab in full control of all rural areas and the Jubaland administration in control of some urban centres. An independent organisation noted that the clan conflicts in Lower Juba, in general, have calmed down but that the security situation is still regarded as fragile".⁵¹⁸

⁵¹⁷ Landmine & Cluster Munition Monitor, [Somalia: Casualties](#), Last updated: 13 July 2017

⁵¹⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Information on the security situation in selected cities/regions, Lower and Middle Juba, including Kismayo, p. 14

With regards to the security situation in the city of Badhaadhe the same report observed that “According to two sources, the city of Badhaadhe is under al-Shabaab control and according to an anonymous source Jamaame is also under al-Shabaab control. Afmadow urban centre is under AMISOM/SNA control and is relatively safe, but the outskirts are dominated by al-Shabaab, and five kilometres out of town al-Shabaab is in full control”.⁵¹⁹ According to Political Geography Now, a team of specialist cartographers, on 24th January 2017 “Jubaland forces, supported by AMISOM, captured the Al Shabaab stronghold of Badhadhe in the Lower Jubba region. However, within hours, Al Shabaab had retaken the town”.⁵²⁰

On 27th January 2017 “Al-Shabaab fighters stormed a Kenyan Defence Forces base at Kulbiyow, which straddles the border between Kenya and the Lower Juba region in Somalia, resulting in the deaths of at least 67 Kenyan Defence Forces soldiers. It was the first large -scale conventional assault against an AMISOM troop-contributing country base since a failed attack on an Ethiopian National Defence Forces contingent at Halgan, Hiran region, on 9 June 2016” reported the UN Monitoring Group on Somalia and Eritrea.⁵²¹

ACLED’s special report focusing on ‘Al-Shabaab and Insurgent Activity in Somalia and Kenya’ published in May 2017 reported that “Despite significant human and territorial loss at Kolbiyow in late January [2017] [...] Somali government, Jubaland and AMISOM forces have made several territorial gains against al Shabaab in the south, particularly in Bay, Lower Shabelle and Jubba Valley regions [...] Progress in these regions is largely due to several small-arms military raids on bases, armouries, or villages that have in past fallen under insurgent control”.⁵²²

A research report by the Danish Demining Group published in August 2017 reported that “All of the Jubba valley from Jamaame district to Saakow is in the hands of Al Shabaab [...] Al Shabaab keeps a firm grip on armed mobilisation in the valley, so communal tensions that may exist are generally kept bottled up. Criminal violence is difficult to track due to lack of access to the valley, but is believed to be very low. Al Shabaab has a reputation for managing land disputes, one of the most common sources of insecurity in high value irrigable riverine area, with professionalism and firmness”.⁵²³ However, with regards to the pastoral hinterland of lower and middle Jubba region “Most of the main towns in this area are under the nominal authority of the JSS [Jubaland State of Somalia] but are largely left to local clan authorities to govern. Al Shabaab units move freely through this territory, taxes commerce on the main roads leading to Kenya, launches ambushes on AMISOM convoys, and occasionally takes towns and settlements. Many of the clashes pitting AMISOM and JSS darawish forces against Al Shabaab have taken place in this setting, and many of the US air strikes against Al Shabaab have occurred in this zone as well”.⁵²⁴

⁵¹⁹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. *Information on the security situation in selected cities/regions, Lower and Middle Juba, including Kismayo*, p. 15

⁵²⁰ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁵²¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., A. *Harakaat al-Shabaab al-Mujaahidiin*, para. 13, p. 10

⁵²² ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017, *Al-Shabaab and Insurgent Activity in Somalia and Kenya*, p. 3

⁵²³ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Regional Patterns of Armed Violence and Tensions*, p. 22

⁵²⁴ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Regional Patterns of Armed Violence and Tensions*, p. 22

Reporting on the security situation in September 2017 ACLED provided the following summary “the United States has continued to carry out air strikes against the militants’ leadership. A commander known as Abdirrahman Jarat was targeted and killed in Lower Juba on 1 September [2017] [...]”.⁵²⁵

Kismayo (capital)

As way of background, a research report by the Danish Demining Group published in August 2017 reported that “Since the take-over of the city by the Ras Kamboni militia in 2013, and the ensuing rise of the Jubbaland state administration, the city has enjoyed improved security. The city’s security reflects a “victor’s peace” by one clan, but it has been a relatively generous victor’s peace, in which other clans have been allowed to reside and resume business, take positions in the local administration, and enjoy representation in the regional government. Political stability in Kismayo involves a delicate political balancing act by the authorities to keep a potentially fractious group of clan constituencies minimally satisfied with the status quo”.⁵²⁶

According to Robert Muggah, global security expert and research director at the think tank Igarape Institute and as published in the Business Insider in September 2016, out of 66 cities worldwide dealing with “rapid urbanization, high unemployment, and a risk of natural disaster and violence” that can lead to their physical or economic collapse, the city of Kismaayo was listed at no 19.⁵²⁷

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service’s Country of Origin Information Division stated with regards to the security situation in the city of Kismayo “Kismayo urban centre is regarded as AMISOM/SNA controlled and an international organisation and an anonymous source considered the city of Kismayo a relatively safe place. The international organisation added that as of December 2016 there have been no attacks in Kismayo for some time. One of the sources stressed that the security situation is, however, fragile, especially for persons not from Kismayo. The same source stated that local civilians can move freely and carry out their day-to-day activities. Two sources explained that the local administration and AMISOM in Kismayo is seen as being successful in controlling the urban centre. According to an anonymous source, al-Shabaab is present in the outskirts of Kismayo urban centre and is in full control outside the city. The road to and from the airport, which is located outside the city centre is therefore exposed”.⁵²⁸

According to Political Geography Now, a team of specialist cartographers, on 8th January 2017 “Al Shabaab recaptured the Bulo Gadud district, near Kismayo, after losing several villages in the area the previous week”.⁵²⁹

The International Crisis Group’s ‘CrisisWatch’ reported that “Bombing at police station in Kismayo in south 5 June killed at least one officer”.⁵³⁰

⁵²⁵ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017, *Conflict Summaries, Somalia*, p. 2

⁵²⁶ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Executive Summary, Kismayo*, p. 2

⁵²⁷ Business Insider, [The 20 cities most likely to fall apart, according to a global security expert](#), 19 September 2017

⁵²⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. *Information on the security situation in selected cities/regions, Lower and Middle Juba, including Kismayo*, p. 14

⁵²⁹ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁵³⁰ International Crisis Group, [CrisisWatch: Somalia](#), June 2017

On 8th October 2017 Somalia Media Monitoring reported that “At least two people were killed and another one injured when two groups fought over land [...] The shooting occurred in Dalhiiska area in Kismayo”.⁵³¹

2.4.2.2. Gedo

As International Crisis Group explained in a February 2016 report, “Al-Shabaab has not been defeated politically and socially in the south-western region of Gedo. To simplify a many-layered context, local communities, belonging predominantly to the Marehan-Darod clan, are caught between an Interim Juba Administration which they did not fight for and which is led by a rival clan based in distant Kismayo; Kenyan and Ethiopian AMISOM contingents who have different priorities and local clients; and a federal government that can’t project beyond its mostly Hawiye-clan heartlands. The El-Adde communities have little reason to intercept Al-Shabaab sympathisers and fighters, let alone confront them militarily”.⁵³²

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service’s Country of Origin Information Division stated with regards to the security situation in Gedo “Several actors, including AMISOM, SNA, al-Shabaab, and local militias, are influencing the security situation in Gedo and according to a Somali NGO all of these actors have had a negative impact on the situation for the civilian population. The urban centres of Garbahaarey, Baardheere, and Luuq are under AMISOM control. An NGO working in Somalia mentioned Doolow, Luuq, and Belet Xaawo as AMISOM/SNA controlled but added that the outskirts are partly controlled by al-Shabaab. According to a Somali NGO al-Shabaab controls no big towns but all rural areas and roads in the region. According to an international organisation it is safe to travel by road between Garbahaarey and Doolow, but travelling south from Garbahaarey is more difficult and dangerous”.⁵³³

Reporting on activities in June 2017 2017 ACLED remarked that “Al-Shabaab insurgents continue to be active in the eastern counties [of Kenya] bordering Somalia. These attacks are generally close to the Somali border and are concentrated in Mandera County in the extreme north east [of Kenya] [...] The majority of recent attacks are IED or other explosions, typically targeting civilians or local police. When attacking the Mandera area, al-Shabaab typically launches raids from the adjacent Somali town of Bula Hawo, and often returns back to Somalia the same day”.⁵³⁴

On 11 September 2017, a Somalia official reported to the BBC that al-Shabaab militants had attacked a Somali military base and police station in Beled Hawa town, Gedo province, near the border with Kenya with an explosives-packed vehicle and then stormed it on foot, killing eight soldiers, wounding dozens of civilians and blowing up a police station and phone mast.⁵³⁵ Reportedly, Al-Shabab said it had killed 30 soldiers in attack.⁵³⁶ According to the BBC Somali service, “The assault shows that al-

⁵³¹ Somalia Media Monitoring, [Two Killed In Kismayo Land Clash Shooting as Regional Leaders Arrived for a Meeting](#), 8 October 2017

⁵³² International Crisis Group, [Somalia: Why is Al-Shabaab Still A Potent Threat?](#) 11 February 2016

⁵³³ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Information on the security situation in selected cities/regions, Gedo, pages 15/16

⁵³⁴ ACLED, [Conflict Trends Report No. 60; Real-Time Analysis of African Political Violence](#), July 2017, Kenya, *Al Shabaab*, p. 8

⁵³⁵ BBC, [Al-Shabab fighters storm military base in Somalia](#), 11 September 2017

⁵³⁶ BBC, [Al-Shabab fighters storm military base in Somalia](#), 11 September 2017

Shabab remains a dangerous force, despite losing territory to the AU force and some of its top commanders being killed in US air strikes”.⁵³⁷

Reporting on the security situation in September 2017 ACLED provided the following summary:

The majority of fatalities over the period occurred in a series of al Shabaab offensives in Gedo, Lower Shabelle and the Jubaland regions. The largest of these attacks occurred on 11 – 12 September and resulted in an estimated 26 fatalities and the temporary capture of Belet Hawo. Following this incident, Kenyan Air Forces launched a series of air strikes against al Shabaab locations in the area, causing 37 civilian and combatant fatalities.⁵³⁸

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea received “allegations from a variety of security and government sources that Abdinur [Abdirashid Hassan Abdinur, the Interim Jubba Administration (IJA) Minister of Security] manipulated the security environment and Gedo armed actors — from local militia to SNA and Al-Shabaab — to further his ability to maintain power in the area, in a manner which impacted the short and long term security situation in the area”.⁵³⁹ The same source explained further:

On 11 September 2017, there was a major attack on Belet Hawo by Al-Shabaab. The attack involved a large number of fighters east of the town using a vehicle-borne improvised explosive device (VBIED) to assault an IJA forces base under the command of Abdinur’s militia leader Jamal Hassan. The local administration and soldiers fled towards Kenya and Al-Shabaab took over the town, burning administration offices, carrying out a number of assassinations, and releasing prisoners at Belet Hawo police station. The fighting and flight of the forces and administration across the border and the arrival of Al-Shabaab into the town prompted shelling from the Kenyan Defence Forces. At least three civilians were killed and over eight injured as a result of the military activity. The circumstances of the attack on Belet Hawo by Al-Shabaab on 11 September 2017 indicated that local support for Al-Shabaab had increased. Members of the local community with whom the SEMG spoke partly attributed this evolution to Abdinur’s treatment of the population under his control, suggesting that Al-Shabaab had exploited this frustration. After the attack on the forces military base on 11 September, local Marehan/Hawrarsame militia — which had been the focus of attacks by Abdinur’s forces in August 2016 — were invited by Al-Shabaab to loot the camp. Eight of the 13 prisoners released from the Belet Hawo police station were Marehan/Ali Dhere, the majority clan in Belet Hawo. One of those who gave a speech to the population during the brief Al-Shabaab takeover, was a man who had previously been detained without charge for a year at Belet Hawo police station, and reportedly tortured. He had been released after protracted negotiations with his family and subsequently re-joined Al-Shabaab.⁵⁴⁰

For additional information on torture, unlawful detention and rendition allegations against Jubbaland’s Minister for Security see [3.2.4.1. Torture/inhuman and degrading treatment, unlawful detention and rendition: Interim Jubba Administration Minister for Security](#).

⁵³⁷ BBC, [Al-Shabab fighters storm military base in Somalia](#), 11 September 2017

⁵³⁸ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017, *Conflict Summaries, Somalia*, p. 2

⁵³⁹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.3: Update: Abdirashid Hassan Abdinur — obstruction of humanitarian assistance and targeting of civilians, para. 16, p. 144

⁵⁴⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.3: Update: Abdirashid Hassan Abdinur — obstruction of humanitarian assistance and targeting of civilians, paras. 17 and 18, p. 144

2.4.2.3. Bay and the city of Baidoa

In February 2016 at least 30 people were killed in twin bomb attacks claimed by Al-Shabaab at a busy traffic junction and nearby restaurant in the city of Baidoa, the Strategic Initiative for Women in the Horn of Africa (SIHA) reported.⁵⁴¹

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the security situation in Bay "Most urban centres, including Dinsoor and Baidoa, are controlled by AMISOM/SNA/ISWA and an independent organisation compared the situation in Baidoa to Kismayo, however more insecure. An anonymous source deemed the urban centre of Baidoa relatively safe. Rural areas, including Dinsoor district and the outskirts and hinterlands of Baidoa, are controlled by al-Shabaab. According to a Somali NGO, AMISOM is officially in control of Dinsoor but the NGO regarded al-Shabaab as being in de facto control of the elders of the community. The NGO did not regard Dinsoor as safe".⁵⁴²

According to Political Geography Now, a team of specialist cartographers, on 5th May 2017 "Al Shabaab captured the town of Gofgadud, about 30 kilometers north of Baidoa, following clashes that left 17 Somali soldiers dead. The town had apparently been reported taken by Al Shabaab on four separate occasions in 2016, often after underpaid troops vacated the area. However, some of the reports may refer instead to another village, Gofgadud Shabelow, about 25km southwest of Baidoa".⁵⁴³ On 27th May 2017 the same report noted that "AMISOM and Somali government forces reportedly moved back into Gofgadud".⁵⁴⁴

The International Crisis Group's 'CrisisWatch' reported that "following withdrawal of AMISOM troops from Leego in Bay region 120km north west of Mogadishu 4 Aug, Al-Shabaab seized town same day, reportedly cutting road access from Mogadishu to Bay and Bakool regions".⁵⁴⁵

A research report by the Danish Demining Group published in August 2017 reported that "Baidoa city has not been the site of significant political or communal violence and is relatively stable".⁵⁴⁶

2.4.2.4. Bakool

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the security situation in Bay "Tayeeglow, Raadbhuure, and Ceel Cali are under al-Shabaab control. The urban centres of Xudur, Ceel Barde, and Waajid are under ENDF control. According to an international organisation, Waajid is, however, under al-Shabaab control. The

⁵⁴¹ Strategic Initiative for Women in the Horn of Africa (SIHA), [Female Suicide Bomb Attack and Car Bombing in Baidoa, Somalia](#), 28 February 2016

⁵⁴² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Information on the security situation in selected cities/regions, Bay, p. 16

⁵⁴³ Political Geopgraphy Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁵⁴⁴ Political Geopgraphy Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁵⁴⁵ International Crisis Group, [CrisisWatch: Somalia](#), August 2017

⁵⁴⁶ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Executive Summary, Kismayo, pages 2/3*

withdrawal of ENDF in the second half of 2016 has made further room for al-Shabaab taking control in the region”.⁵⁴⁷

In August 2017 the UN Office for the Coordination of Humanitarian Assistance (UNOCHA) reported in its ‘Humanitarian Bulletin’ that “Heavy fighting in Abal village in Xudur in Bakool [...] led to the displacement of over 120 people”.⁵⁴⁸

2.4.2.5. Middle Jubba

As a background, the UN Monitoring Group on Somalia and Eritrea found that in 2016:

The Ogaden (Darod)-dominated Interim Jubba Administration made tangible progress in incorporating Marehan (Darod) representatives into its newly established regional assembly and cabinet of ministers following a relatively successful reconciliation process in March 2015. It remains, however, the only aspiring federal member state Administration with an entire region — Middle Juba — still, as at the time of writing [late 2016], firmly under the control of Al-Shabaab. Overly reliant on diminishing funds from the illicit trade in charcoal to maintain political stability and pay its regional Ras Kamboni security forces, the Administration may soon face increasing challenges in Kismayo, one of the country’s historically most contested cities, if it cannot diversify its revenue portfolio or secure greater external support.⁵⁴⁹

According to Political Geography Now, a team of specialist cartographers, on 2nd March 2017 “In one of the deadliest assaults on Al Shabaab, AMISOM and Somali forces attacked one of the group’s camps 31 km northwest of Afmadow, killing at least 57 Al Shabaab members”.⁵⁵⁰

A research report by the Danish Demining Group published in August 2017 reported that “All of the Jubba valley from Jamaame district to Saakow is in the hands of Al Shabaab [...] Al Shabaab keeps a firm grip on armed mobilisation in the valley, so communal tensions that may exist are generally kept bottled up. Criminal violence is difficult to track due to lack of access to the valley, but is believed to be very low. Al Shabaab has a reputation for managing land disputes, one of the most common sources of insecurity in high value irrigable riverine area, with professionalism and firmness”.⁵⁵¹ However, with regards to the pastoral hinterland of lower and middle Jubba region “Most of the main towns in this area are under the nominal authority of the JSS, but are largely left to local clan authorities to govern. Al Shabaab units move freely through this territory, taxes commerce on the main roads leading to Kenya, launches ambushes on AMISOM convoys, and occasionally takes towns and settlements. Many of the clashes pitting AMISOM and JSS darawish forces against Al Shabaab have taken place in this setting, and many of the US air strikes against Al Shabaab have occurred in this zone as well”.⁵⁵²

⁵⁴⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. *Information on the security situation in selected cities/regions, Bakool*, p. 16

⁵⁴⁸ UNOCHA, [Humanitarian Bulletin: Somalia, August 2017](#), 31 August 2017, *Military withdrawals and conflict continue to expose civilians to reprisals*, p. 2

⁵⁴⁹ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, II., C. Spoiler politics, para. 61, p. 21

⁵⁵⁰ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁵⁵¹ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Regional Patterns of Armed Violence and Tensions*, p. 22

⁵⁵² Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Regional Patterns of Armed Violence and Tensions*, p. 22

2.4.2.6. Lower Shabelle and the city of Marka

Lower Shabelle

As way of background, following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the security situation in Lower Shabelle:

According to three sources, Lower Shabelle is characterised by clan conflicts and resource based conflicts and according to an anonymous source, there is a diverse array of actors in Lower Shabelle including alShabaab, SNA, clan militias, and AMISOM. According to two sources the areas of Marka, Qoryooley, and Afgoye, have been particularly hard hit by violent incidents, which one of the sources regarded as being more linked to inter-clan land disputes than to al-Shabaab. An NGO working in Somalia stated that al-Shabaab has few activities in Lower Shabelle. Lower Shabelle has seen an increase in armed clashes with 35,000 displaced as a result. According to an anonymous source al-Shabaab military operations have displaced 6,000 from Marka and Afgoye districts. According to a Somalia Country Director of a humanitarian agency, Sablaale and Kurtunwarey are under alShabaab control and the urban centres of Afgoye and Qoryooley are under AMISOM control.⁵⁵³

The UN Monitoring Group on Somalia and Eritrea found that in 2016:

The Interim South-West Administration has consolidated power in Baidoa, but the city remains largely isolated from the rest of the region, and the Administration has little, if any, grip on the endemic conflict in the Lower Shabelle region [...] The failure to satisfactorily assimilate Aulihan (Ogaden/Da rod) communities into the newly established regional assembly resulted in the declaration of an independent "Upper Bakool" state. Attempts by an Intergovernmental Authority on Development delegation led by Mohamed Abdi Affey to repair relations in August 2016 were unsuccessful, and the breakaway region continues to assert its independence, albeit likely only in an attempt to eventually secure greater representation in the Interim South-West Administration.⁵⁵⁴

Puntlandes reported in October 2016 about the formation of an organization called 'Lower Shebelle People's Guard (LSPG)', created by the Lower Shebelle community of Somalia, both in the Diaspora and inside the country, established "for the sole purpose of protecting the common interest of the lower Shebelle community, who desperately need to safeguard their people, territory and its resources. The formation of the Lower Shebelle People's Guard is so critical to the survival of fragile people who have been subjected to harsh occupation by Al shabaab".⁵⁵⁵ The same source explained further that the LSPG was created due to the inability of the Federal Government of Somalia or the Interim South West Administration (ISWA) to "end these devastation conditions, which the people of Shebelle live under on a daily basis" and has the "credit and support of all community leaders of Lower Shebelle region, especially the traditional and religious elders, politicians, diaspora community, educators and civil society groups, women and youth groups, business people, and farmers".⁵⁵⁶

With regards to clan conflict leveraged by the Somali National Army, regional forces, and Al Shabaab, the UN Monitoring Group on Somalia and Eritrea found that in 2016 "In Lower Shabelle civilians

⁵⁵³ Danish Immigration Service, [*South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016*](#), 8 March 2017, 1.3. Information on the security situation in selected cities/regions, Lower and Middle Shabelle, including Marka, p. 13

⁵⁵⁴ UN Monitoring Group on Somalia and Eritrea, [*Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia*](#), 28 September 2016, II., C. Spoiler politics, para. 60, p. 21

⁵⁵⁵ Puntlandes, [*Announcement of Lower Shebelle People's Guard \(LSPG\)*](#), 9 October 2016

⁵⁵⁶ Puntlandes, [*Announcement of Lower Shebelle People's Guard \(LSPG\)*](#), 9 October 2016

were often the victims of attacks within the long-running conflict between Haber Gedir and Biimaal militia. Although militia on all sides attacked civilians (killing, sexual and gender-based violence), Haber Gedir militia were regularly supported by personnel and assets of the SNA, resulting in a disproportionate impact on civilians from Bantu, Biimaal, Galedi, Rahenweyne and other communities. Al-Shabaab played an opportunistic and complicating role, offering and soliciting support from both sides while also, sporadically, acting as peace negotiator”.⁵⁵⁷ More specific information on the clan conflict during 2016 between Bar Gedir and Biymal with reference to individual violent attacks can be found [here](#)⁵⁵⁸.

With regards to the displacement situation in Lower Shabelle, UNHCR’s ‘Somalia Flash Report’ observed that “The Lower Shabelle displacement situation is complex with recurrent clan clashes and numerous military operations linked to state and non-state actors affecting large numbers of civilians. The Protection and Return Monitoring Network (PRMN) has recorded more than 237,000 displaced individuals from Lower Shabelle in the period January to July 2017 of which more than 87,000 displaced due to conflict and insecurity”.⁵⁵⁹

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea found that “Long-running tensions in Galkayo and Lower Shabelle escalated into open armed conflict, resulting in the displacement of more than 180,000 civilians”.⁵⁶⁰ It further noted in relation to this conflict that it was an “Intercommunal conflict [...] exacerbated by the involvement of national and regional forces and Al-Shabaab”.⁵⁶¹ The following from the same report provides some useful background content going back to 2014 and up to August 2017:

Since 2014, the Monitoring Group has documented how entrenched intercommunal conflict in Lower Shabelle, particularly among the Haber Gedir, Biimaal and Digil clans, was complicated by the comparative dominance of the Haber Gedir clan in local and federal political and security structures, and increasingly by the involvement of Al-Shabaab.

Under President Hassan Sheikh Mohamud, the extension of State power in Lower Shabelle, and by extension international support, was allied with Haber Gedir networks. Not only did elements of the Hawiye-dominated Somali National Army participate in large-scale attacks on Biimaal and Digil communities in Lower Shabelle but, on some occasions, it did so in joint operations with Al-Shabaab [...]. At the same time, Al-Shabaab was also building alliances with local communities in opposition to the Government, presenting itself as a protector from an illegitimate and predatory State.

By late 2016, Al-Shabaab’s allegiances in the region were more firmly established. Spurred by Al-Shabaab’s temporary takeover of Marka in February 2016, supported to various degrees by Haber Gedir militia and elements of the Somali National Army, the Biimaal switched their allegiance to AMISOM and anti-Al-Shabaab forces [...]. Haber Gedir networks in the region turned to Al-Shabaab and consolidated their alliance. By October 2016, Al-Shabaab had commenced large-scale burning and looting of Biimaal villages, escalating its attacks in May 2017.

In August [2017], open conflict erupted between Biimaal and Haber Gedir militias and Al-Shabaab over control of Marka [...].⁵⁶²

⁵⁵⁷ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.5: *Clan conflict leveraged by the Somali National Army (SNA), regional forces, and Al Shabaab*, para. 45, pages 160/162

⁵⁵⁸ Heidelberg Institute for International Conflict Research, [Conflict Barometer 2016](#), 24 February 2017, *Sub-Saharan Africa, Somalia (Habr Gedir-Biymal/Lower Shabelle)*, p. 83

⁵⁵⁹ UNHCR, [Somalia: Flash Report PRMN Displacement Update](#), 10 August 2017, *Clan conflict in Marka, Lower Shabelle. IDPs in Baidoa face mass forced evictions*

⁵⁶⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Summary*, p. 7

⁵⁶¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Summary*, p. 7

⁵⁶² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., C. *Intercommunal conflict*, paras. 44 and 45, p. 16

ACLED's special report focusing on 'Al-Shabaab and Insurgent Activity in Somalia and Kenya' published in May 2017 reported that "Despite significant human and territorial loss at Kolbiyow in late January [2017] [...] Somali government, Jubaland and AMISOM forces have made several territorial gains against al Shabaab in the south, particularly in Bay, Lower Shabelle and Jubba Valley regions [...] Progress in these regions is largely due to several small-arms military raids on bases, armouries, or villages that have in past fallen under insurgent control".⁵⁶³

With regards to specific locations of violence involving Al Shabaab ACLED's special report focusing on 'Al-Shabaab and Insurgent Activity in Somalia and Kenya' published in May 2017 reported that "Since September 2016, the primary locations for violent activity involving al-Shabaab have been in the population centres of Mogadishu as well as areas in the immediate south-west along the southern tail of the Shabelle River. Over the past several months [in 2017], these two areas alone account for over 40 percent of all violent al-Shabaab activity in the region [...] Prominent and deadly tactics of the sect's violence in this area have come in the way of large IEDs or explosive-laden vehicles placed in crowded open air-markets markets, hotels, or military checkpoints. Often, these tactics have been used in coordination with other methods, such as organized raids following the initial explosion".⁵⁶⁴

The International Crisis Group's 'CrisisWatch' reported that "Al-Shabaab 10 June took control of Buufow village, Lower Shabelle cutting off road access to Mogadishu".⁵⁶⁵

Reporting on May and June 2017 ACLED remarked that "US drone strikes against al-Shabaab leadership personnel increased over the lull in the beginning of the year. Bolstered by AMISOM air forces, similar operations are focused in Lower Shabelle".⁵⁶⁶

According to Political Geography Now, a team of specialist cartographers, on 30th July 2017 "Al Shabaab ambushed AMISOM troops in the Lower Shabelle region, with the fighters claiming they had the bodies of 39 soldiers in their possession. The deputy governor of the region said government forces had carried the bodies of 23 AMISOM soldiers and a Somali soldier from the scene of the ambush. Uganda itself claimed only 12 Ugandan soldiers were killed".⁵⁶⁷

The Africa Review documented that on 4 August 2017 "Al Shabaab retook Leego in the Lower Shabelle region after African Union troops (Amisom) withdrew from the town. Ibrahim Adam Najah, the governor of Lower Shabelle in the south of the country, told local media that the militants took over the town minutes after the Amisom soldiers left".⁵⁶⁸ The August 2017 'Humanitarian Bulletin' by the UN Office for the Coordination of Humanitarian Assistance (UNOCHA) reported further on this incident that:

According to local authorities, more than 2,000 people were displaced from Leego in Lower Shabelle to areas in Wanla Weyne, Afgooye corridor and Mogadishu, following the take-over of the town by non-state armed actors on 4 August after the withdrawal of state and regional forces. While some commercial transporters can still conditionally access the Mogadishu-Baidoa-Dollow main supply

⁵⁶³ ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017, *Al-Shabaab and Insurgent Activity in Somalia and Kenya*, p. 3

⁵⁶⁴ ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017, *Al-Shabaab and Insurgent Activity in Somalia and Kenya*, pages 2 and 3

⁵⁶⁵ International Crisis Group, [CrisisWatch: Somalia](#), June 2017

⁵⁶⁶ ACLED, [Conflict Trends Report No. 60; Real-Time Analysis of African Political Violence](#), July 2017, *Conflict Summaries, Somalia*, p. 2

⁵⁶⁷ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁵⁶⁸ Africa Review, [Somali governor shot dead in Mogadishu](#), 5 August 2017

route, it remains inaccessible to humanitarians. The non-state armed actors occupied the town's health facility, confiscated humanitarian supplies and equipment, and arrested and temporarily detained two humanitarian workers who were running a health facility in the town.

Thousands of people were also displaced from parts of Lower Shabelle including parts of the Marka due to clan conflict; and areas in Golweyne and Janale in Marka, and Bariire in Agooye due to the ongoing military operations. Notably, more than 10,000 people fled from Danow, Majabto and Masahallah villages in Golweyne to nearby villages in Marka and Qoryooley districts, while some moved as far as Afgooye.⁵⁶⁹

Reporting on the security situation in September 2017 ACLED provided the following summary "the United States has continued to carry out air strikes against the militants' leadership [...] four other strikes throughout the month targeted unidentified personnel in the Lower Shabelle region".⁵⁷⁰

The Assessment Capacities Project (ACAPS) noted that "In October [2017], Al Shabaab seized Rasadaay, near the strategically important port town Barawe, and Bariire, which is close to Mogadishu, both located in Lower Shabelle".⁵⁷¹

Marka

According to Robert Muggah, global security expert and research director at the think tank Igarape Institute and as published in the Business Insider in September 2016, out of 66 cities dealing with "rapid urbanization, high unemployment, and a risk of natural disaster and violence" that can lead to their physical or economic collapse, the city of Merca was listed at no 18.⁵⁷²

As way of background, following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the security situation in Lower Shabelle:

The control of Marka is disputed and uncertain. According to a Somalia Country Director of a humanitarian agency the control of Marka has shifted hands a number of times in recent years. In 2013 AMISOM took over control, but al-Shabaab had an extensive presence in the surrounding rural areas. Since 2013 frequent take-overs by respectively al-Shabaab and AMISOM/SNA have taken place. In the autumn of 2016 AMISOM/SNA forces left positions due to lack of payment and clan tensions within military ranks. AMISOM later returned to a base at the outskirts of the city, but only to parade the urban centre during daytime and is not assessed to be in any effective control. As of December 2016, al-Shabaab has a permanent presence in the city, but does not have a strong control and has not set up a local administration. The current control of Marka is a mix between al-Shabaab control and a vacuum of power.⁵⁷³

Reporting on Al Shabaab's temporary reoccupation of Marka in February 2016, International Crisis Group explained "The situation in Lower Shabelle that allowed Al-Shabaab to take control of the centre of Marka has its own specific dynamics, but again local communities are caught between

⁵⁶⁹ UNOCHA, [Humanitarian Bulletin: Somalia, August 2017](#), 31 August 2017, *Military withdrawals and conflict continue to expose civilians to reprisals*, p. 2

⁵⁷⁰ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017, *Conflict Summaries, Somalia*, p. 2

⁵⁷¹ Assessment Capacities Project (ACAPS), [Somalia: Crisis Analysis](#), Last updated: 13 November 2017, *Control of Territory*

⁵⁷² Business Insider, [The 20 cities most likely to fall apart, according to a global security expert](#), 19 September 2017

⁵⁷³ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. *Information on the security situation in selected cities/regions, Lower and Middle Shabelle, including Marka, pages 13/14*

various conflicting forces. The Interim South West State of Somalia was disputed from the start in Marka and environs, and did not resolve the competition between the most powerful clans, namely Habr Gedir-Hawiye and Bimal-Dir, who at different times have found it politically advantageous to fight for and with Al-Shabaab, the Somali National Army and AMISOM".⁵⁷⁴

In the month of May 2017 UNHCR's 'Somalia Flash Report' reported that "Intense fighting erupted on 21 May 2017 in Marka and Afgoye districts, Lower Shabelle region, between forces of the Interim South West Administration and Al Shabaab, eventually spreading to multiple outlying districts over the course of three days, including Awdheegle and Qoryoley. Approximately 100 houses were torched to ashes (and livestock either killed or taken) within the Marka area as part of the violence. Villages and towns most affected include Negadi weyne, Bulo sheikh abukar, Cambanane, Sagaaroole, Bulo-cadey, and Km 60".⁵⁷⁵

With regards to violence recorded in Lower Shabelle in the month of July 2017, UNHCR's 'Somalia Flash Report' observed that "during July so far some 1900 individuals including 900 individuals from Marka and Kurtuwarey districts have fled towards Mogadishu. Some of the displaced initially settled in Xoosh village, Dharkenley district, but have since established two new settlements on the outskirts of Mogadishu, namely Al-Rahma and Al-Farah".⁵⁷⁶

With regards to the clan conflicts mentioned above, UNHCR's 'Somalia Flash Report' of 10th August 2017 reported that "Fresh fighting erupted between Biyamal and Habar-Gidir clans in and around Marka town, Lower Shabelle on 1 August 2017 leading to displacement of 9,600 individuals [...] Information from the field indicates that each clan has sought to assert their control over specific villages within Marka and that there are currently four operational entities each having control over a certain village: i) Biyamal clan ii) Habar-Gidir clan iii) Al Shabaab (AS) iv) Somalia Federal Government/ Interim South West Administration /AMISOM. While talks are taking place at various levels, tensions have not subsided. The fighting has mainly taken place at Bul-Jaan and Bay-Ras villages of Marka while the majority of those displaced have sought refuge in Ceel-Jaale village (7 KM outside Marka town) and Ceel-Haji where AMISOM has an operational base".⁵⁷⁷

2.4.2.7. Benadir-Mogadishu

According to Political Geography Now, a team of specialist cartographers, on 23-24 January 2017 "Al Shabaab temporarily captured large parts of the town of Afgooye, near Mogadishu, before its attack was repelled. The next day, a bomb planted by the group exploded at a base on the southern side of Afgooye, killing seven policemen".⁵⁷⁸ On 19th August 2017 the same source noted that "AMISOM and Somali government forces captured an Al Shabaab stronghold just west of Afgooye, near Mogadishu. A week later, controversy arose after ten civilians, including three children, were reportedly killed by a US-backed raid on the same town".⁵⁷⁹

⁵⁷⁴ International Crisis Group, [Somalia: Why is Al-Shabaab Still A Potent Threat?](#) 11 February 2016

⁵⁷⁵ UNHCR, [Somalia: Flash Report PRMN Displacement Update](#), 27 May 2017

⁵⁷⁶ UNHCR, [Somalia: Flash Report PRMN Displacement Update](#), 10 August 2017

⁵⁷⁷ UNHCR, [Somalia: Flash Report PRMN Displacement Update](#), 10 August 2017, *Clan conflict in Marka, Lower Shabelle. IDPs in Baidoa face mass forced evictions*

⁵⁷⁸ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁵⁷⁹ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

2.4.2.8. Middle Shabelle

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the security situation in Middle Shabelle "The urban centres of Jowhar, Balcad, and other larger urban centres in Middle Shabelle are under AMISOM control but the control is unstable and al-Shabaab controls the rural areas".⁵⁸⁰

The UN Monitoring Group on Somalia and Eritrea reported that in April 2017 "the villages of Jameeco-Misra, Kulmis-Yarrow and Maqdas were the site of armed conflict between Hawyie/Abgal/Wacbudan/Eli and Jareer/Shiidle/Bare militia, augmented by elements of the Somali National Army (SNA). The battle resulted in the displacement of almost all the inhabitants of the villages and the burning of homes and assets. As of 10 September, most of the community were still displaced".⁵⁸¹ Further information on the background to, the impact of, and the aftermath of the conflict can be found in the same report: UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.1: *Destruction of Shiidle villages near Balad, Middle Shabelle*, pages 133-135.

In May 2017 Al Shabaab beheaded two Somali military soldiers in rebel-held town Mahaday in Middle Shabelle.⁵⁸²

According to reporting by the UN Secretary-General, "On 7 June [2017], an AMISOM defensive base in the Mahaday district, Shabelle Dhexe region, came under heavy fire by Al-Shabaab".⁵⁸³

The International Crisis Group's 'CrisisWatch' reported that "Insurgents launched attacks at Biyo Ade and Jalaqsi, Middle Shabelle 12-13 June, death toll unknown".⁵⁸⁴

With regards to clan violence, UNHCR's 'Somalia Flash Report' of 10th August 2017 described that "some 190 households (1,140 individuals) in Middle Shabelle were forced to flee their homes and seek refuge in other parts of the region due to armed clashes between two Abgaal sub-clan militia in Adale district. PRMN partners monitored arrivals in several towns within Middle Shabelle, including Rage Ceelle, Illig Adobe, Bakaaroole and Warshiikh. The fighting in Middle Shabelle was reportedly triggered by a localized dispute over customary land ownership and boundaries between two sub-clans. The federal government has since deployed security forces to contain the violence and initiate negotiations".⁵⁸⁵

⁵⁸⁰ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. *Information on the security situation in selected cities/regions, Lower and Middle Shabelle, including Marka*, p. 14

⁵⁸¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.1: *Destruction of Shiidle villages near Balad, Middle Shabelle*, para. 1, p. 133

⁵⁸² Garowe Online, [Somalia: Militants beheads government soldiers in Mahaday](#), 6 May 2017

⁵⁸³ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, II., B. Security developments, para. 12, p. 3

⁵⁸⁴ International Crisis Group, [CrisisWatch: Somalia](#), June 2017

⁵⁸⁵ UNHCR, [Somalia: Flash Report PRMN Displacement Update](#), 10 August 2017

2.4.3. Central Somalia

2.4.3.1. Hiiraan

More specific information on the clan conflict during 2016 between Hawadle and Surre with reference to individual violent attacks can be found in a Heidelberg Institute for International Conflict Research report [here](#).

According to source collation from the Assessment Capacities Project (ACAPS) in May 2016 “Non-state armed actors continue to impose bans on commercial activities in some areas in Hiraan region, thereby disrupting the delivery of humanitarian supplies and basic commercial commodities (OCHA 26/01/2016; OCHA 30/12/2015). Al Shabaab has control over parts of Hiraan and often conduct attacks in areas under SNA/AMISOM control. The city of Beledweyne is under SNA/AMISOM control. Fighting with Al Shabaab and attacks often occur in the area. Ethiopian militias are present in the area as part of AMISOM”.⁵⁸⁶ The same source further noted that “Heavy fighting is ongoing as of 17 May [2016] between two rival clan militias in Beledweyne. Several people have been reported wounded”.⁵⁸⁷

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service’s Country of Origin Information Division stated with regards to the security situation in the city of Badhaadhe “According to an NGO working in Somalia, al-Shabaab is less active now than before in Hiraan but the region has been affected by fighting between sub-clans. Al-Shabaab has activities within the cities and restricts travel between cities. The control of Belet Weyne city is divided by the Shabelle River with the western part affected significantly by clan fights between the Hawiye sub-clans Jajeleh and Galje’el and the eastern part predominantly controlled by a Hawadle sub-clan. AMISOM is present in both parts but al-Shabaab has significant freedom of movement in the western part of the city, exploiting the abovementioned clan conflict. On the eastern side of the river, al-Shabaab activities are limited. According to a Somalia Country Director of a humanitarian agency Cell Cali, Halgan, Muqakoor, and Adan Yabaal are under al-Shabaab control and the urban centres of Bulo Burte, Jalalaqsi, and Beled Weyne are under AMISOM control”.⁵⁸⁸

According to reporting by the UN Secretary-General, “On 11 May [2017], one civilian was injured after Al-Shabaab fighters ambushed an Ethiopian military convoy returning from Halgen to Beledweyne in the Hiraan region. On 18 May [2017], Al-Shabaab attacked Ethiopian positions in Halgen”.⁵⁸⁹ The same report further noted that in June 2017 “In Banyaley, Hiraan region, at least 50 persons were killed in clashes over water and grazing rights in June, before engagement by the HirShabelle Interim Administration with clan elders resulted in a ceasefire agreement”.⁵⁹⁰

⁵⁸⁶ Assessment Capacities Project (ACAPS), [Somalia: Displacement in Gaalkacyo](#), 20 October 2016, *Crisis impact*, p. 2

⁵⁸⁷ Assessment Capacities Project (ACAPS), [Somalia: Displacement in Gaalkacyo](#), 20 October 2016, *Crisis impact*, p. 3

⁵⁸⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. *Information on the security situation in selected cities/regions, Hiraan*, p. 15

⁵⁸⁹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, II., B. *Security developments*, para. 12, p. 3

⁵⁹⁰ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., C.. *Prevention and resolution of conflict*, para. 25, p. 5

The International Crisis Group's 'CrisisWatch' reported that "Al-Shabaab claimed 9 Sept suicide bombing that left six Hiraaan regional administration officials dead in Beledweyne city".⁵⁹¹

2.4.3.2. Galgaduud

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the security situation in Bay "The security situation in Galgaduud is very blurred with several actors involved Galmudug regional forces (GIA), al-Shabaab, and Ahlu Sunna Wal Jama (ASWJ). According to a Somalia Country Director of a humanitarian agency GIA has weak links to the federal government in Mogadishu and according to an NGO working in Somalia, ASWJ is a government allied militia but the loyalty is not without reservations. According to a Somalia Country Director of a humanitarian agency Ceel Dheer and Galcad are under alShabaab control and Dhuusamarreeb is under the control of ASWJ supported by ENDF".⁵⁹²

The UN Secretary-General reported that in the period between 1st January and 30th April 2017 "The Galmudug and HirShabelle Interim Administrations experienced increased insecurity due to clan conflict, political tensions, and Al-Shabaab activities. On 11 January [2017], six people died and eight were injured in clashes between clan militias in Abudwak. On 17 January [2017], two soldiers were killed and three wounded in an exchange of gunfire between Galmudug police and security forces in Cadaado. On 21 January [2017], a hand grenade attack killed the Jawhar Police Division Commander".⁵⁹³

The February 2017 'Humanitarian Bulletin' published by the UN Office for the Coordination of Humanitarian Assistance (UNOCHA) described how "the majority of the residents of Ceel Buur in Galgaduud have moved out of the town due to crippling sanctions imposed by non-state armed actors. The town is no longer accessible by road or air. Further movements of humanitarian and basic commercial supplies between north and south Gaalkacyo continue to be impacted by the road blockade instituted by the authorities. Although humanitarian organizations are now moving supplies through alternative off-roads, they are not only long but are insecure, costly and could be inaccessible during the rainy season".⁵⁹⁴

According to Political Geography Now, a team of specialist cartographers, on 3rd April 2017 "Government-allied Ethiopian troops abandoned Elbur town in the Galgudud region, with Al Shabaab taking control of it soon after".⁵⁹⁵

According to reporting by the UN Secretary-General, "On 12 May [2017], seven people were killed in a land dispute near Dhuusamarreeb, Galgaduud region [...] On 28 May [2017], four persons were

⁵⁹¹ International Crisis Group, [CrisisWatch: Somalia](#), September 2017

⁵⁹² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Information on the security situation in selected cities/regions, Galgaduud, p. 16

⁵⁹³ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, B. Security developments, para. 18, p. 3

⁵⁹⁴ UNOCHA, [Humanitarian Bulletin: Somalia, February 2017](#), 7 March 2017, Access challenges hamper effective response, p. 5

⁵⁹⁵ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, Timeline of Events in Somalia (2013-2017)

killed and seven others injured after an armed man opened gunfire indiscriminately at a food distribution site in Caabudwaaq, Galguduud region”.⁵⁹⁶

In July 2017 “at least 27 people were killed and more than 13,800 displaced” in Herale district when “Ahlu Sunna wal Jama’a dispatched troops to Herale town prior to a planned visit by Interim Galmudug Administration President Ahmed Duale Gelle “Haaf” to the area. By late August [2017] the conflict had intensified with battles taking place in the outskirts of Dhusamareb between Ahlu Sunna wal Jama’a and Interim Galmudug Administration forces, reportedly exacerbated by elements of Somali National Army sector 21 and National Intelligence and Security Agency forces based in Adado” reported the UN Monitoring Group on Somalia and Eritrea.⁵⁹⁷

The International Crisis Group’s ‘CrisisWatch’ reported that “militants [...] killed Galgaduud region governor” on 11th August 2017.⁵⁹⁸

Political Geography Now reported on 23rd August 2017 that “Tensions were reportedly high along the road from Adado to Dhusamareb, as Galmudug forces and ASWJ fighters jockeyed for control of the area”.⁵⁹⁹

2.4.3.3. Mudug and the city of Gaalkacyo

Mudug region

The Assessment Capacities Project (ACAPS) observed in October 2016 that “Al-Shabaab has considerably strengthened, dominating new spaces in Mudug and beyond, as they seek to expand their base”.⁶⁰⁰

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service’s Country of Origin Information Division stated with regards to the security situation in Bay “Mudug is marked by fighting between al-Shabaab and local forces. Gaalkacyo has been the scene of armed clashes between Puntland and GIA, which have led to massive displacements, including displacement of IDP camps (secondary displacement). However, as of December 2016, fragile peace exists”.⁶⁰¹

According to Political Geography Now, a team of specialist cartographers, between 21 and 23 February 2017 “Al Shabaab captured two towns from Galmudug state forces in the southern part of the Mudug region: El Hur on the coast and Amara farther inland”.⁶⁰²

⁵⁹⁶ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, II., B. Security developments, para. 12, p. 3

⁵⁹⁷ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., C. Intercommunal conflict, para. 50, p. 18

⁵⁹⁸ International Crisis Group, [CrisisWatch: Somalia](#), August 2017

⁵⁹⁹ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁶⁰⁰ Assessment Capacities Project (ACAPS), [Somalia: Displacement in Gaalkacyo](#), 20 October 2016, *Aggravating factors*, p. 3

⁶⁰¹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Information on the security situation in selected cities/regions, Mudug, p. 16

⁶⁰² Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

Gaalkacyo

In December 2016 The Heritage Institute for Policy Studies (HIPS) published a report focusing on the conflict in the city of Gaalkacyo and remarked that “Gaalkacyo has been a divided city since 1993, however, the renewed conflict is fundamentally driven by a struggle for land and resources and was triggered by the implementation of the federal system”.⁶⁰³ The same source further stated that the following factors contributed to the continuation of the conflict, namely “The lack of genuine reconciliation, two administrations within the city, negative perceptions of each other among the two communities, weak central authority, and unhelpful media coverage”.⁶⁰⁴

In March 2016 a suicide bombing attack in the city of Gaalkacyo killed seven people including two children.⁶⁰⁵ According to reporting by the UN Assistance Mission in Somalia, “Al-Shabaab claimed responsibility for the incident, which targeted a senior official in the Finance Ministry of the Puntland government”.⁶⁰⁶

In August 2016 a twin explosion took place in the city of Gaalkacyo, capital of Mudug State killing at least 12 people and injuring over 25 reported the Special Representative of the UN Secretary General.⁶⁰⁷ The same press statement further reported that “Al-Shabaab militants claimed responsibility for the attack carried out in two vehicles laden with explosives that targeted a municipal government building near a crowded market. Among the victims were schoolchildren who died in the second blast”.⁶⁰⁸

In October 2016 violent conflict broke out in Gaalkacyo leaving “at least 45 people dead and 162 people injured” and displacing more than 85,000 of the city’s residents HIPS reported.⁶⁰⁹ The Assessment Capacities Project (ACAPS) observed that of those IDPs “at least 60%” were IDPs facing secondary displacement.⁶¹⁰ Following two ceasefire agreements in November 2016 a two-kilometer-wide buffer zone between the two fighting sides, the Puntland and Galmudug administrations, stationed in the city, was established together with an “18-member joint committee of Puntland and Galmudug [...] with the responsibility of ensuring the implementation of the ceasefire and the building of confidence between the two sides. An international ceasefire team led by IGAD [Inter-Governmental Authority on Development] and supported by the UN was also deployed to Gaalkacyo to work with the joint committee and monitor the implementation”.⁶¹¹

⁶⁰³ The Heritage Institute for Policy Studies (HIPS), [Gaalkacyo Conflict: Drivers, Contributors and Potential Solutions](#), December 2016, *Executive Summary*, p. 1

⁶⁰⁴ The Heritage Institute for Policy Studies (HIPS), [Gaalkacyo Conflict: Drivers, Contributors and Potential Solutions](#), December 2016, *Executive Summary*, p. 1

⁶⁰⁵ UN Assistance Mission in Somalia (UNSOM), [SRSG KEATING CONDEMNS SUICIDE BOMBING IN GAALKACYO AND SHOOTING IN MOGADISHU](#), 31 March 2016

⁶⁰⁶ UN Assistance Mission in Somalia (UNSOM), [SRSG KEATING CONDEMNS SUICIDE BOMBING IN GAALKACYO AND SHOOTING IN MOGADISHU](#), 31 March 2016

⁶⁰⁷ UN Assistance Mission in Somalia (UNSOM), [SRSG KEATING CONDEMNS TERRORIST ATTACK IN GAALKACYO](#), 21 August 2016

⁶⁰⁸ UN Assistance Mission in Somalia (UNSOM), [SRSG KEATING CONDEMNS TERRORIST ATTACK IN GAALKACYO](#), 21 August 2016

⁶⁰⁹ The Heritage Institute for Policy Studies (HIPS), [Gaalkacyo Conflict: Drivers, Contributors and Potential Solutions](#), December 2016, *Background*, p. 2

⁶¹⁰ Assessment Capacities Project (ACAPS), [Somalia: Displacement in Gaalkacyo](#), 20 October 2016, *Crisis overview*, p. 1

⁶¹¹ The Heritage Institute for Policy Studies (HIPS), [Gaalkacyo Conflict: Drivers, Contributors and Potential Solutions](#), December 2016, *Background*, p. 2

In December 2016 violence broke out in Gaalkacyo killing at least three people and several others injured, prompting the Special Representative of the UN Secretary General to call on all parties to honor the ceasefire agreement amidst concern over renewed violence.⁶¹²

The International Crisis Group's CrisisWatch' reported that on 8th March 2017 Al-Shabaab "set off [a] radio controlled bomb in Galkayo, Mudug region that killed MP".⁶¹³

According to reporting by the UN Secretary-General covering the period 1 May to 22 August 2017, "Tensions over access to water and grazing lands escalated during the reporting period owing to uneven rainfall across the regions. A series of killings in Gaalkacyo prompted the formation of a joint ceasefire committee, which included ministers from both Puntland and Galmudug. On 22 June, the committee reached an agreement to promote peaceful coexistence".⁶¹⁴

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea found that "Long-running tensions in Galkayo and Lower Shabelle escalated into open armed conflict, resulting in the displacement of more than 180,000 civilians".⁶¹⁵ It further noted in relation to this conflict that it was an "Intercommunal conflict [...] exacerbated by the involvement of national and regional forces and Al-Shabaab".⁶¹⁶ The following from the same report provides some useful background content going back to 1993 and up to the present day:

The root of the conflict in Galkayo is the long-running tension between rival clans, primarily Darod/Majeerteen and Hawiye/Haber Gedir, which was tempered for more than 20 years by an agreement brokered in 1993. The culmination of the federalization process in 2015, however, introduced new actors to the dynamic, and raised the stakes: "former clan-dominated areas evolved into clan-based states that now compete no longer just for access to pasture, water and other local resources, but also for claims to territory, political legitimacy and the control of national assets". The two phases of open conflict in Galkayo in 2015 and 2016 saw heavily militarized administrations, the Interim Galmudug Administration and Puntland, facing off against each other alongside allied clan militias and elements of national security forces. The failure of repeated negotiations between the two sides enabled Al-Shabaab to insert itself as an active spoiler, further exacerbating mistrust between the parties and contributing directly to the violence. Al-Shabaab benefitted from its engagement, increasing its presence and influence in Puntland and Galmudug and consolidating control of elements of regional political and military structures. Meanwhile the leadership of the Interim Galmudug Administration and Puntland, which had twice entered into the conflict in one year, suffered no censure.⁶¹⁷

More information on the root and contributing causes of the conflict can be found here: The Heritage Institute for Policy Studies (HIPS), [Gaalkacyo Conflict: Drivers, Contributors and Potential Solutions](#), December 2016. For a description of the origins and drivers of the Galkayo conflict that occurred between 7 October to 18 November 2016, its impact on civilians and the steps under way to mitigate further violence see UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of](#)

⁶¹² UN News Centre, [Amid renewed violence in Somalia's Gaalkacyo, UN envoy urges respect for ceasefire agreement](#), 24 December 2016

⁶¹³ International Crisis Group, [CrisisWatch: Somalia](#), March 2017

⁶¹⁴ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., C.. Prevention and resolution of conflict, para. 25, p. 5

⁶¹⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Summary, p. 7

⁶¹⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Summary, p. 7

⁶¹⁷ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., C. Intercommunal conflict, paras. 46 and 47, p. 16

[the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 3.1: *Galkayo conflict: 7 October to 18 November 2016*, pages 73-80

2.5. Overview of the current state of the conflict and current security situation in Mogadishu

For a list of sources to consult on the security situation in Somalia see [17. APPENDIX- Useful sources to consult on the security situation in Somalia](#).

An April 2016 paper published by the Centre for Security Governance noted that in Mogadishu there is a:

[...] high variation in security and insecurity by district and neighbourhood. Some parts of the city enjoy much higher levels of security than others; at present, six of the 16 districts are seen by locals as safe, and are in consequence overcrowded with residents and businesses. There are multiple reasons for the pockets of security, including the presence of AMISOM and government security forces, the presence of large private business security forces, and clear and uncontested demarcations of clan boundaries. Safer neighbourhoods and districts have attracted Somalis from a wide range of clans, producing more cosmopolitan clusters in safer zones of the city. The concentration of business investments in safer areas of the city has had a mutually reinforcing effect on security, as the businesses' private security generally enhances security, and, as noted earlier, even creates a security "umbrella" in the neighbourhood that free riders enjoy. Property values are the key sensitive indicator of neighbourhood and district security, with enormous gaps between the price of lots in safer zones and unsafe areas. Ironically, the very success of some neighbourhoods to maintain reasonable safety levels has produced traffic gridlock on main roads that can expose individuals to ambushes from which they cannot escape.⁶¹⁸

The UN Monitoring Group on Somalia and Eritrea reported that in 2016 "There were six prominent Mogadishu hotel attacks during the current mandate: Sahafi Hotel (1 November 2015); Beach View Hotel (22 January 2016); SYL Hotel (26 February and 30 August 2016); Ambassador Hotel (1 June 2016); and Naso Hablod Hotel (25 June 2016). The attacks claimed a combined total of some 120 lives, including three parliamentarians and the Minister of Environment, Buri Hamza".⁶¹⁹

As way of background, following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service's Country of Origin Information Division stated with regards to the security situation in Mogadishu:

Mogadishu is to some extent under the control of AMISOM/SNA and al-Shabaab has no military camps in Mogadishu. The city is, however, under constant threat as al-Shabaab has reach inside Mogadishu, and the city is by several sources considered as infiltrated by al-Shabaab, including Mogadishu International Airport and Villa Somalia. A Somalia Country Director of a humanitarian agency deemed the security situation in Mogadishu significantly improved compared to the 1990's but added that in the last five years the picture is more blurred. [...] According to a UN source there are certain neighbourhoods where the government has little or no presence and during the night half of Mogadishu is not controlled by the government. It is not specified which armed actor there is in control of what neighbourhood during the night but the outskirts of Mogadishu are regarded as being controlled by al-Shabaab. Several sources mentioned that despite al Shabaab not having military presence in Mogadishu, al-Shabaab is still collecting tax and delivering verdicts in some legal disputes

⁶¹⁸ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Protection dynamics and non-state security providers*, p. 33

⁶¹⁹ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, II., A. *Harakat al-Shabaab al-Mujaahidiin*, para. 25, p. 14

[...] For the civilian population the highest risk is being in the wrong place at the wrong time and become collateral damage [...] Several sources mentioned that politically motivated clan violence and criminal violence are other factors contributing to the violence in Mogadishu. According to a Somalia Country Director of a humanitarian agency, Mogadishu is dominated by the Hawiye clan but there are neighbourhoods in Mogadishu, which is dominated by other major clans, for instance Darood. The same source explained that if a Darood member should leave his/her neighbourhood, he/she would be in a fragile position. According to an anonymous source and a Western source, Mogadishu has many different clans and the Western source added that it was not unusual to see Somalis of westernised appearance in Mogadishu. The high level of violence is especially difficult for persons from minority clans and IDP's as they are regarded extremely vulnerable due to the lack of effective clan protection. According to an anonymous source, single women without a network in Mogadishu are particularly exposed.

A Somalia Country Director of a humanitarian agency added that an important businessman has his own militia and that many attacks in Mogadishu are business related, hence not carried out by al-Shabaab, even if claimed so. According to one anonymous source, Mogadishu is characterised by generalised violence, and civilians, even if not targeted, are at risk of being affected by generalised violence. The anonymous source explained that civilians are normally not a target, but the violence can hit anyone who is in the wrong place at the wrong time. A UN source deemed Mogadishu more developed than other regions. At the same time a Somalia Country Director of a humanitarian agency assessed that Mogadishu would fall within days if AMISOM left the city".⁶²⁰

The UN Independent Expert on the situation of human rights in Somalia noted in his report covering September 2016 to mid-2017 regarding the security situation: "AMISOM troops and the Somali National Army have liberated large parts of Somali territory, and progress has been made in enhancing command and control within AMISOM. The Independent Expert learned that, because of recent political developments, Al-Shabaab is likely to be concentrating tactically on Mogadishu, in order to enhance terrorist attacks, in particular attacks on soft targets such as hotels and markets".⁶²¹

2.5.1. Security situation in Mogadishu covering January – 17th October 2017

Reporting on the first half of 2017 ACLED remarked that "Insurgent activity continues to drive overall conflict levels in Somalia. Activity remains high in the first half of 2017, with over 2,500 fatalities since the beginning of the year. The risk to civilians in continues to be severe, and particularly so in Mogadishu. Throughout the month of June and first weeks of July al-Shabaab carried out assassination campaigns against government ministers in the capital. Al-Shabaab dispersed leaflets advising bystanders to avoid government buildings".⁶²²

With regards to specific locations of violence involving Al Shabaab ACLED's special report focusing on 'Al-Shabaab and Insurgent Activity in Somalia and Kenya' published in May 2017 reported that "Since September 2016, the primary locations for violent activity involving al-Shabaab have been in the population centres of Mogadishu as well as areas in the immediate south-west along the southern tail of the Shebelle River. Over the past several months [in 2017], these two areas alone account for over 40 percent of all violent al-Shabaab activity in the region [...] Prominent and deadly tactics of the sect's violence in this area have come in the way of large IEDs or explosive-laden vehicles placed

⁶²⁰ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Information on the security situation in selected cities/regions, Mogadishu, pages 11-13

⁶²¹ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, III., B. Women's participation in public affairs, para. 12, p. 6

⁶²² ACLED, [Conflict Trends Report No. 60; Real-Time Analysis of African Political Violence](#), July 2017, Conflict Summaries, Somalia, p. 2

in crowded open air-markets markets, hotels, or military checkpoints. Often, these tactics have been used in coordination with other methods, such as organized raids following the initial explosion”.⁶²³

A research report by the Danish Demining Group published in August 2017 providing an analysis on armed violence and tension in Mogadishu and the Afgoye Corridor remarked that:

Greater Mogadishu or Benadir region is the site of the highest rates of armed insecurity in the country, and has held that distinction for years. But not all parts of the city are equally insecure, and not all residents face the same level of security threats. Heliwaa and Yaqshiid districts on the northern edge of the city have generally suffered from the greatest number of armed incidents, in part because those areas of the city remain poorly governed, and are contested between the FGS and Al Shabaab networks. Other districts in the capital such as Waberi are more secure from violent crime but, because they are home to international agency compounds, government buildings, and popular hotels and restaurants, tend to bear the brunt of periodic terror attacks [...]

Areas of the city where returnees are most likely to cluster – IDP camps – are generally in better-protected neighbourhoods, and IDP camps are not targets of Al Shabaab terror attacks. Armed criminality, ranging from armed robbery to assault to assassination, is a major source of insecurity in much of Mogadishu. Some of these crimes are committed by security forces. Vulnerability to this type of violence depends in large part on social status – residents from strong clans, and with enough assets to provide private security for themselves, are generally more secure. Poor residents from weak clans are much more susceptible to armed robbery and assault; if they are female, they are even more vulnerable.⁶²⁴

Reporting on the security situation in September 2017 ACLED provided the following summary:

Mogadishu and its environs continue to be a focus of targeted attacks and assassinations by al Shabaab, primarily against government figures and other civilians. Unique to Mogadishu, vehicle-laden explosives are common in the city, as well as attacks against government and AMISOM checkpoints.⁶²⁵

According to Robert Muggah, global security expert and research director at the think tank Igarape Institute and as published in the Business Insider in September 2016, out of 66 cities worldwide dealing with “rapid urbanization, high unemployment, and a risk of natural disaster and violence” that can lead to their physical or economic collapse, Mogadishu was listed at no 20.⁶²⁶

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea found that Al Shabaab “continues to carry out regular complex attacks in Mogadishu, typically by deploying a vehicle-borne improvised explosive device followed by an assault by four to five so-called suicide gunmen, against hotels and restaurants frequented by Federal Government officials and members of the security forces. Since the beginning of the current mandate, the group has carried out three such attacks in Mogadishu: on Dayah Hotel on 25 January 2017, at Café Italian on 8 May and on Posh Hotel and the adjacent Pizza House restaurant on 14 June. At least 77 people were killed. In addition, on 2 January 2017, Al-Shabaab detonated a vehicle-borne improvised explosive device at a National Intelligence

⁶²³ ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017, *Al-Shabaab and Insurgent Activity in Somalia and Kenya*, pages 2 and 3

⁶²⁴ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., *Regional Patterns of Armed Violence and Tensions*, p. 23

⁶²⁵ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017, *Conflict Summaries, Somalia*, p. 2

⁶²⁶ Business Insider, [The 20 cities most likely to fall apart, according to a global security expert](#), 19 September 2017

and Security Agency checkpoint at the Medina Gate of the Adan Abdulle International Airport complex in Mogadishu”.⁶²⁷

According to Political Geography Now, a team of specialist cartographers, on 11th March 2017 “Al Shabaab briefly captured a military base eight kilometers southwest of Mogadishu, before its fighters were pushed back in fighting that left four dead on both sides”.⁶²⁸

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) based on “DFAT’s on-the-ground knowledge and discussions with a range of sources” remarked that “Due to high rates of poverty and widespread impunity, crime, including violent robbery, kidnapping and personal violence is a serious issue, particularly in Mogadishu”.⁶²⁹

According to reporting by the UN Secretary-General covering the period 1 May to 22 August 2017 “The security situation in Mogadishu remains volatile notwithstanding some improvements as a result of initiatives taken by the Federal Government in conjunction with the Banadir Regional Administration. In particular, the formation of a Mogadishu stabilization force led to a decrease in the number of Al-Shabaab attacks in Mogadishu during and after Ramadan compared with previous years: from 269 in 2015 and 255 in 2016 to 208 in 2017. However, notwithstanding the decline in overall security incidents during Ramadan, a higher number of casualties from attacks involving vehicle-borne improvised explosive devices was recorded compared with 2016”.⁶³⁰ The same report further noted that “The security risk levels for the AMISOM-protected area at Mogadishu International Airport have remained high since the last assessment in May 2017. UNSOS continues to implement recommended risk mitigation measures to improve safety and protection for all United Nations personnel within the airport”.⁶³¹

A research report by the Danish Demining Group published in August 2017 reported that “Mogadishu and its immediate environs are the site of chronic low level insecurity punctuated by periodic major terrorist attacks. The attacks, mainly targeting international and government installations and hotels and restaurants frequented by government officials, do not constitute a major threat to returnees and IDPs, who generally live far from these sites. Returnees and IDPs are, however, very vulnerable to criminal violence and predation by uncontrolled security forces”.⁶³²

Non-exhaustive list of car bombings and other complex security incidents in reverse chronological order in 2017 up to 17th October 2017

14 October: “a truck bomb struck the KM5 junction in Soobe, one of the busiest areas in Mogadishu, resulting in what is considered the deadliest single attack Somalia has faced in decades. According to

⁶²⁷ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., A. *Harakaat al-Shabaab al-Mujaahidiin*, paras. 11 and 12, p. 10

⁶²⁸ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁶²⁹ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Security Situation*, para. 2.27, p. 8.

⁶³⁰ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, II., B. *Security developments*, para. 11, p. 3

⁶³¹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, VI. *United Nations presence in Somalia*, para. 86, p. 14

⁶³² Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Executive Summary*, Kismayo, p. 2

Government estimates as of 16 October, 358 people were killed, while 56 remain missing and 228 were injured”.⁶³³

28 September: “Unclaimed car bombing 28 Sept killed at least five in Mogadishu’s Hamarweyne district”.⁶³⁴

11 August: “militants claimed suicide bombing that killed one soldier”.⁶³⁵

30 July: “suspected Al-Shabaab suicide car bomb killed ten, mostly civilians”.⁶³⁶

4 July: “a total of nine mortar shells [including those fired on 12 June 2017 – see below] targeted the African Union Mission in Somalia (AMISOM) bases at Mogadishu Stadium and Villa Somalia, killing one soldier and injuring two others”.⁶³⁷

1 July: “In Mogadishu area, Al-Shabaab claimed IED explosions that killed two civilians in Elasha district 20km north east of capital”.⁶³⁸

22 June: “an explosive-laden minibus detonated at the entrance gate of the Wadajir District Commission, causing 17 deaths and 30 injuries. Al-Shabaab claimed responsibility”.⁶³⁹

20 June: “a vehicle-borne improvised explosive device detonated in front of a police station, followed by a secondary explosion targeting first responders, resulting in several deaths and injuries”.⁶⁴⁰ According to Political Geography Now, a team of specialist cartographers, 15 people died.⁶⁴¹

15 June: “attack on a pizza restaurant and an adjacent hotel in Mogadishu that reportedly killed at least 19 people [...] Al-Shabaab has claimed responsibility for the attack, which was triggered by a suicide car bomber and targeted customers who frequent the Pizza House restaurant and adjacent Posh Hotel. Five militants who seized control of the restaurant were subsequently killed by Somali security forces”.⁶⁴² According to Political Geography Now, a team of specialist cartographers, 31 people died and nearly 40 were wounded.⁶⁴³

⁶³³ UNOCHA, [Humanitarian Bulletin: Somalia, 01-30 October 2017](#), 30 October 2017, *Mogadishu bomb attack kills 358 people*, p. 1

⁶³⁴ International Crisis Group, [CrisisWatch: Somalia](#), September 2017

⁶³⁵ International Crisis Group, [CrisisWatch: Somalia](#), August 2017

⁶³⁶ International Crisis Group, [CrisisWatch: Somalia](#), July 2017

⁶³⁷ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, *II., B. Security developments*, para. 11, p. 3

⁶³⁸ International Crisis Group, [CrisisWatch: Somalia](#), July 2017

⁶³⁹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, *II., B. Security developments*, para. 11, p. 3

⁶⁴⁰ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, *II., B. Security developments*, para. 11, p. 3

⁶⁴¹ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

⁶⁴² UN News Centre, [UN envoy strongly condemns attack on popular restaurant in Somali capital](#), 15 June 2017

⁶⁴³ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, *Timeline of Events in Somalia (2013-2017)*

12 June: “a total of nine mortar shells [including those fired on 4 July 2017 – see above] targeted the African Union Mission in Somalia (AMISOM) bases at Mogadishu Stadium and Villa Somalia, killing one soldier and injuring two others”.⁶⁴⁴

8 and 24th May: “Al-Shabaab claimed car bombings [...] that killed at least thirteen people”.⁶⁴⁵

8, 15 and 17 May: An “explosive-laden vehicles killed at least 11 people and injured many more”.⁶⁴⁶ According to the International Crisis Group “suspected Al-Shabaab 7 April fired mortars on homes killing three and near International Airport 16 April killing at least two, security forces same day reportedly killed two perpetrators”.⁶⁴⁷

9 and 10 April: “four terrorist attacks in the city killed at least 12 national army soldiers and 18 civilians, injuring many more. Al-Shabaab claimed responsibility for a car bombing on 9 April near the Ministry of Defence, reportedly targeting the new Commander of the Army, and a suicide attack at the former Jazeera Training Centre on 10 April”.⁶⁴⁸

5 April: “unclaimed car bomb 5 April killed at least seven”.⁶⁴⁹

21 March: “car bombing at a checkpoint near the National Theatre [...] resulted in over 10 fatalities and more injured [...] Al-Shabaab claimed responsibility”.⁶⁵⁰

13 March: “two explosive-laden vehicles detonated near the former Jazeera Training Centre and in front of the Wehliye Hotel, killing 18 people and injuring others [...] Al-Shabaab claimed responsibility”.⁶⁵¹

19 & 22 February: “a car bomb in a market area killed at least 34 people and injured 50. On 22 February, three mortar rounds impacted the same area, injuring four civilians”.⁶⁵² International Crisis Group’s ‘CrisisWatch’ reported that “officials blamed Al-Shabaab”.⁶⁵³

16 February: “Al-Shabaab fired mortars on presidential palace [...] day of presidential handover, killing two children”.⁶⁵⁴

25 January: “four assailants launched a complex attack on the Daya Hotel, resulting in 38 fatalities and more than 50 injured”.⁶⁵⁵

⁶⁴⁴ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, II., B. Security developments, para. 11, p. 3

⁶⁴⁵ International Crisis Group, [CrisisWatch: Somalia](#), May 2017

⁶⁴⁶ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, II., B. Security developments, para. 11, p. 3

⁶⁴⁷ International Crisis Group, [CrisisWatch: Somalia](#), April 2017

⁶⁴⁸ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, B. Security developments, para 17, p. 3

⁶⁴⁹ International Crisis Group, [CrisisWatch: Somalia](#), April 2017

⁶⁵⁰ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, B. Security developments, para 16, p. 3

⁶⁵¹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, B. Security developments, para 16, p. 3

⁶⁵² UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, B. Security developments, para 16, p. 3

⁶⁵³ International Crisis Group, [CrisisWatch: Somalia](#), February 2017

⁶⁵⁴ International Crisis Group, [CrisisWatch: Somalia](#), February 2017

⁶⁵⁵ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, B. Security developments, para 15, p. 3

3 January: Al Shabaab “claimed car bombing near UN compound [...] that injured four guards”.⁶⁵⁶

2 January: “two explosive -laden vehicles detonated near the Mogadishu International Airport, killing 16 people and injuring 23”.⁶⁵⁷ With regards to this particular explosion, the UN Monitoring Group on Somalia and Eritrea remarked that this was Al Shabaab’s “largest improvised explosive device in the group’s history. Laboratory analysis of the blast revealed traces of potassium nitrate, suggesting that Al-Shabaab may have begun to manufacture home-made explosives”.⁶⁵⁸

2.5.2. Overview of actors in control of Mogadishu

In August 2017 Political Geography Now, a team of specialist cartographers, noted that with regards to who controls Mogadishu:

In Mogadishu, the national capital, Al Shabaab regularly proves that it's able to easily infiltrate the city and launch devastating attacks. But because the city has a mostly-unopposed civilian administration run by the Federal Government of Somalia, and because pro-government forces are clearly the dominant military force, we've still marked it on the map as government-controlled.⁶⁵⁹

2.5.2.1. Somalia National Armed Forces/Somalia Armed Forces (SNAF/SNA)

For information on the nature of human rights violations committed by this actor see [3.2. Somalia National Armed Forces/Somali National Army \(SNAF/SNA\)](#).

With regards to SNA composition and strength in Mogadishu the September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented “Over a quarter of the nearly 22,000 troops the FGS reports to be serving the SNA are stationed in or on the outskirts of Mogadishu yet there are—as far as the Monitoring Group can ascertain—no permanent barracks in the city, nor regular roll calls besides when salary or stipend payments are being distributed”.⁶⁶⁰

2.5.2.2. AMISOM

For information on the nature of human rights violations see [3.3. AMISOM](#).

In a December 2016 article the Africa Review explained that “Mogadishu city — which was liberated from Al Shabaab in August 2011— is currently being guarded by the 5,400 Somali SPF, with assistance from the African Union Mission for Somalia (Amisom). Amisom hopes that SPF will be fully functional by the time African peacekeepers leave Somalia in 2020.”.⁶⁶¹

⁶⁵⁶ International Crisis Group, [CrisisWatch: Somalia](#), January 2017

⁶⁵⁷ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, II. Political and security overview, B. Security developments, para 15, p. 3

⁶⁵⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Summary, p. 6

⁶⁵⁹ Political Geography Now, [Somalia Control Map & Timeline – August 2017](#), 25 August 2017, Mogadishu and Marka: Government or Al Shabaab?

⁶⁶⁰ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 2.1: Somali National Army composition and strength, p.74

⁶⁶¹ Africa Review, [Somalia police could soon ‘stand on its own’](#), 28 December 2016

In July 2017 the UN published the findings of its joint review mission with the African Union between 10 and 29 May 2017. The report found with that “The police sector has seen considerable progress. The diligent efforts of AMISOM in supporting the Somali police through vetting, recruitment, training and mentoring assistance are showing impressive results in Mogadishu and in two Federal Member States. UNSOM continues to provide critical assistance for the implementation of the new policing model through policy advice on establishing institutional policing structures”.⁶⁶²

2.5.2.3. Armed groups and clan militias

For information on the nature of human rights violations committed by these actors see [3.5. Non-state armed groups and clan militias incl. ISIL](#).

An April 2016 paper published by the Centre for Security Governance provided the following brief overview with regards to clan militias and clan paramilitaries operating in Mogadishu:

Critically, Mogadishu today is dominated by the various clans of the Hawiye clan family. Although other clans can and do reside and do business in the capital, only the Hawiye clans can mobilize large clan-based militia at short notice. Non-Hawiye residents are required to make arrangements with Hawiye-dominated armed groups for their security.

Clan paramilitaries [...]

In Mogadishu, the formal security sector includes the six brigades of the SNA; the National Intelligence and Security Agency; the police force; and special forces, such as Danab and the Alpha Group, which are trained and funded by US and other military and intelligence agencies (Somalia Report, 2012; Shephard, 2014). The FGS’s goal is to build up an army of 28,000 soldiers.⁶⁶³

Clan elders

An April 2016 paper published by the Centre for Security Governance provided the following insight with regards to the importance of clan elders and customary law in Mogadishu:

The capacity of clan elders to maintain peace and security varies considerably across different locations in Somalia. In Mogadishu, their authority is relatively weak, mainly because they face so many powerful armed actors over which they exercise little leverage. Clan elders continue to play a role at the neighbourhood level, negotiating disputes and preventing conflicts from spiralling out of control, but not for handling wider armed security threats. But clan elders working with district commissioners enjoy a real role in maintaining security. Each neighbourhood or ITAL tabelle has a leader elder, or gudoomiye, who is paid by the DC. These elders are said to wield real local power, controlling hubs of information gathering, serving as the eyes and ears of the DC. In general, the authority of clan elders has waxed and waned according to circumstances across southern Somalia, but has never recovered to levels enjoyed in the pre-war period.⁶⁶⁴

District Commissioner militias

An April 2016 paper published by the Centre for Security Governance provided the following overview with regards to District Commissioners (DCs) militias:

DC militias

⁶⁶² UN, [Letter dated 25 July 2017 from the Secretary-General addressed to the President of the Security Council](#), 31 July 2017, p.2

⁶⁶³ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, pages 21/22

⁶⁶⁴ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, p. 31

The role of DCs and their informal security forces are one of the most important, and complex, sources of non-state or quasi-state security provision in the capital. Technically, DCs, mayors, and other government officials do not have the legal right to command armed groups.

In reality, most of the 16 DCs of Mogadishu have carved out fiefdoms using clan-based militias, drawn from a combination of army or police personnel and gunmen from their clan. Some of the DCs constitute contemporary manifestations of the warlords of the 1990s, laying claim to exclusive control over the territory in the districts, operating mafia-like protection and extortion rackets there, ignoring the FGS, and blocking the formal security sector from operating within the district. [...]

The armed groups answering to DCs are part of the formal security sector inasmuch as some are members of the police or army, but because they are working for DCs in an extralegal fashion, they can also be understood as non-state armed actors. Because they can and do maintain a certain degree of order and protection within the district, they are also eligible for consideration as non-state security providers. The ascent of DCs and their armed groups as the most powerful non-state (or quasi-state) security providers in Mogadishu has been one of the most vexing state-building problems in the capital and has preoccupied leadership of the FGS. It has been the topic of an ongoing power struggle between the central government, individual strongmen and their clans. Successive mayors, including most famously Mayor Hassan Mohammed Hussein “Mungab” and Mayor Mohamed Nur “Tarzan,” have sought to disband DC militias and even had several of the most notorious DCs temporarily arrested. To date they have had only modest success. When he resigned from his position, Mayor Tarzan said dealing with DCs was a nightmare, as each “acted like his own President.” The success or failure of the government’s efforts to bring DC paramilitaries under control will be critical to the fate of the FGS [...]

Most of the DCs in Mogadishu from 2005 until recently were appointed by the government but with the direct backing of a strongman from their clan. This meant that some DCs served as fronts for militia kingpins who used the DCs to maintain the status quo. Dismissal of those figurehead DCs by the government has been possible, but their replacements generally inherit the same sub-clan gunmen and relations with the militia commander. The most recent, and extensive, set of DC replacements introduced a new generation of young, inexperienced DCs into the political arena. With few instruments of authority and control, many had little choice but to accept a subordinate role to the previous DC and/or his militia benefactor. In one notable case, the new DC was a relative of the old DC and took up residence with him. In another, the mayor provided funds for him to raise his own militia (including two battlewagons) independent of the former DC, a move which succeeded in marginalizing the ousted DC but which only perpetuated the problem of extra-legal armed groups serving district commissioners.

Unlike the clan paramilitaries that have penetrated the SNA, which are deployed into the territory of other clans, the DC paramilitaries tend to stay within their district, which is understood to be the “domain” of their clan or sub-clan — a location where the clan expects to dominate or even monopolize rents, employment and politics. In a number of cases, these districts are cosmopolitan, in the sense that members of any clan can live there and enjoy a degree of protection from the DC militia. In other districts, only members of the dominant clan reside there. In both cases, the DC militias do provide a certain level of protection, and come under a degree of command and control by the DC or the clan militia commander. While they are seen by the federal government and its supporters as dangerous sources of resistance to state building, they are viewed in more ambiguous terms by local residents. Like mafia protection rackets elsewhere, these armed groups provide protection for those who pay or are lineage members, and as such earn a modicum of “performance legitimacy” from communities as a result.⁶⁶⁵

Business security guards

An April 2016 paper published by the Centre for Security Governance provided the following overview with regards to Business security guards:

Somali businesses cannot rely on weak and corrupt police forces to protect valuable assets, and so from the outset of state collapse have forged arrangements with non-state security providers. The most common arrangement is direct employment of their own private security forces or guards. This

⁶⁶⁵ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, pages 24/25

is done both to protect assets and in response to pressure from kinsmen to provide employment. Security forces directly employed by businesses tend to be among the most effective and loyal sources of security, but are very limited as a public provider of security. These units can be as small as a few gunmen or as large as 300–400 fighting men. While the amount of security varies with the ebbs and flows of insecurity in the city, larger businesses have, in some cases, had to devote up to 50 percent of their hiring to security (Mushtag, 2008).

Patterns of usage of private security vary by type of business. Businesses with fixed assets (such as a hotel) in a clan stronghold typically only hire security guards from their own clan. This practice also helps to ensure the loyalty of the guards, as the clan views its businesspeople as important assets to protect. Betrayal of the business interest would be seen as betrayal of the entire clan.[...]

Firms that require movement of people and assets across clan lines form multi-clan security forces that allow them to tailor the composition of each security detail by clan affiliation, in effect using the armed guards as *ITAL abbaan*. Transport companies that move goods and trucks over long distances and across many clan territories will sometimes off-load and on-load security teams at clan “green lines”; in some cases they may even off-load goods onto a new truck, one owned by a businessperson from the local clan. Where security and clan relations are more routinized, trucks are lightly protected, and payment of taxes at checkpoints is all that is required for safe passage.

The most complex and generally effective form of privatized security occurs in Mogadishu’s sprawling Bakara market, a massive area of retail shops, warehouses and wholesalers, and the heart of commercial traffic across the entire eastern Horn of Africa. Security is paramount given the enormous volume of goods and money changing hands in Bakara. While Bakara market has at times been the epicentre of armed violence — most notably during the 2007-2008 Ethiopian occupation of the capital — the area has enjoyed a surprising level of security over the years. The security there is ensured by private business security units working for individual companies. They operate side by side, across clan lines, and rarely fight one another. This same pattern exists in areas of the city where a high concentration of large businesses are located, such as the K-4 area. There, business security groups near to one another have developed informal arrangements to mobilize in support of one another in the event of an incident. They share information and coordinate patrols. These understandings have, according to one local analyst, developed into a culture of obligation. “Business militia have an obligation to help neighbours — it would be shameful if they didn’t,” he observed. This phenomenon in effect creates security umbrellas in some neighbourhoods, allowing residents and other small businesses there to be “free riders” on the security afforded by the nearby presence of large business security details. Not surprisingly, the value of real estate in the “security umbrella” zones is far greater than elsewhere in the city.⁶⁶⁶

Personal protection units

An April 2016 paper published by the Centre for Security Governance provided the following overview with regards to personal protection units:

Most high-profile individuals in Mogadishu — MPs, top businesspeople and other VIPs — possess personal security escorts, typically composed of a posse of individuals with close family connections whose loyalty is unquestioned. They provide armed protection for these VIPs at their residence, office and in public, especially while on the road, where ambushes are frequent on Mogadishu’s heavily congested roads. MPs who lack the personal finances to pay for personal security stay in hotels where security is considered good (Said, 2014). [...]

MPs are now assigned special police, but reportedly prefer to rely on private guards. The most common practice is to approach the police for 10 or so private guards from one’s own clan and pay them directly. Even top government officials, such as the mayor of Mogadishu and the FGS president, rely on private protection consisting of close relatives (Harding, 2012). Some Somali diaspora interviewed for this study reported that they felt safer not using private security as that tended to attract unwanted attention and made them more vulnerable than when they moved through the city discreetly.⁶⁶⁷

⁶⁶⁶ Centre for Security Governance — Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, pages 26/27

⁶⁶⁷ Centre for Security Governance — Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, pages 27/28

Local private security companies (PSCs)

An April 2016 paper published by the Centre for Security Governance provided the following overview with regards to local private security companies:

Most international attention on private security companies (PSCs) operating in Somalia has been devoted to international firms, a controversial subject discussed below. But the high demand for personal security in Mogadishu has also led to a boom in the creation of private local security firms, run both by long-time residents and returning Somali diaspora members. Indeed, while reliable figures are not available, it is widely believed that private security is one of the fastest-growing sources of employment in Mogadishu, and a generally lucrative business. [...] The total number of Somali-owned PSCs is a matter of debate. At one point the government claimed it had registered 126, but the Ministry of National Security clarified that only 24 are operational. Many other small and informal security companies are believed to operate unregistered.

Not all of the local PSCs are equally competent — interviewees complained that some hire jittery, unreliable guards who can create rather than prevent security incidents, especially in traffic. Although they are not permitted to hire government security forces, they routinely do, as soldiers actively seek opportunities to supplement their income.

PSC security personnel are also required by law to wear distinctive uniforms, but in practice their guards often continue to wear their military uniforms. Importantly, the hiring of personnel from the army and police is not a case of “moonlighting” on a second job — it involves high rates of absenteeism from posts in the army and police. The scale of diversion of personnel from their security sector positions to private security is, moreover, enormous. One survey concluded that about 50 percent of all security sector personnel also worked in some capacity in private security (Saferworld, 2012: 2). [...]

Despite intense competition between local and international security companies in Mogadishu, PSCs do not have a record of creating security incidents to undermine one another. They have, however, been accused of creating general insecurity as a means of perpetuating conditions that require their services.⁶⁶⁸

International private security companies (PSCs)

An April 2016 paper published by the Centre for Security Governance provided the following overview with regards to international private security companies:

Mogadishu features several types of international private security firms, offering protection services mainly to international clients. They typically rely on Somali armed personnel, although some hire foreign security personnel as well. Some are protection services that bundle both protected guest houses and armed vehicle escorts. Others, such as PBI2, are multi-purpose, offering an array of services including security provision, risk analysis, business consulting and project management. Still others, such as Bancroft and Dyncorps, specialize in training and support of national security forces, and are used as sub-contractors by third party defence and intelligence agencies. Some of the most highvisibility and controversial international PSCs have been brought in on large lucrative contracts by the national government or regional states such as Puntland to assist with the revival of the coast guard or with anti-piracy efforts. Some have been accused by the UN Monitoring Group of violating the UN Arms Embargo on Somalia (UN Monitoring, 2012: 235).⁶⁶⁹

Neighbourhood watch groups

An April 2016 paper published by the Centre for Security Governance provided the following overview with regards to neighbourhood watch groups:

⁶⁶⁸ Centre for Security Governance — Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, pages 28/29

⁶⁶⁹ Centre for Security Governance — Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, p. 29

At one time — prior to 2006 — neighborhood watch groups were an important source of non-state security in Mogadishu [...] Some local observers contend that neighbourhood watch groups are no longer popular in Mogadishu because it is too dangerous to be seen in public with an open weapon. Instead, residents tend to cluster in neighbourhoods where their sub-clan is predominant, which affords a degree of security and protection to those with memberships in the more powerful lineages in the city. But others argue that neighbourhood watch groups are more active than they appear. “The city’s police force is not up to the task of protecting citizens,” concludes a 2012 Saferworld study, “so communities have taken matters into their own hands and organised neighbourhood vigilante groups. Armed with weapons including AK47s, the vigilantes can be seen at night behind barricades and fortified positions on the winding, narrow dirt roads leading into densely populated residential areas. In return, they are fed and paid by wealthy members of the community” (Saferworld, 2012: 7). Saferworld’s assessment was shared by at least some of those interviewed for this research, who contended that neighbourhoods are again organizing their own security and buying guns. [...] Interviewees were in agreement that in other cities in Somalia, such as Garowe, neighbourhood watch groups remain robust.⁶⁷⁰

A September 2016 IPI Global Observatory report described the “neighbourhood watch” scheme operating in Mogadishu:

Designed to mobilize communities, it consists of a structured approach to gathering intelligence at the local level. The scheme appoints community representatives responsible for recording sightings of suspicious individuals, vehicles, and weapons, with the resultant information fed to a team that collates and analyses the information to create a picture of security-relevant activities, before passing intelligence to agencies such as the Somali Police Force, Ministry of Internal Security (MOIS), and National Intelligence Agency (NISA). The process links the police force’s Community Policing and Public Relations Division, the city’s district commissioners, and the Benadir Regional Administration.⁶⁷¹

The same source further recorded that “Reporting from the scheme shows that in November 2015 there were 44 arrests attributable to neighborhood watch sources, 49 weapons seized, 41 suspicious persons identified, and 17 suspicious vehicle reports resulting in actionable intelligence. March 2016 figures show that 2,152 public complaints were received, resulting in 1,492 cases being solved. In the first three months of 2016, 58% of complainants were women, 34% were children, 6% were elderly men and women, and 2% men”.⁶⁷²

IDP gatekeepers

An April 2016 paper published by the Centre for Security Governance provided the following overview with regards to IDP gatekeepers:

One of the most ambiguous sources of non-state security are the “gatekeepers” of large internally displaced persons (IDP) camps in Mogadishu. Called “black cats” by the Somalis, these individuals preside over a lucrative industry providing space for shelter and protection for IDPs. They sometimes buy up land and then actively seek out IDPs to fill up camps, which then attract humanitarian aid, of which the camp managers take a sizable cut. The gatekeepers claim to provide security in the IDP settlements either through their connections to powerful clan militia or their area, or by employing their own militia, often including police and soldiers. The actual amount of security provided by the black cats and their security forces varies, however; they are also widely cited as major sources of predation on and assault of the IDPs, especially rape (Tana Copenhagen, 2013: 34). “The gatekeepers who control the camps are themselves very abusive,” concludes David Mephram of Human Rights

⁶⁷⁰ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, p. 31

⁶⁷¹ IPI Global Observatory, [Can Neighborhood Watch Ease Somalia’s Insecurity?](#) 29 September 2016

⁶⁷² IPI Global Observatory, [Can Neighborhood Watch Ease Somalia’s Insecurity?](#) 29 September 2016

Watch. Human Rights Watch and others argue that the gatekeepers also prevent the IDPs from leaving, essentially holding them hostage as bait for humanitarian aid (Human Rights Watch 2013).⁶⁷³

An article published by Devex on the concern expressed by humanitarian groups to gain access to IDPs found that whilst Al-Shabaab remains the “biggest impediment” a “less visible obstacle, centers around “gatekeepers,” self-appointed middlemen who serve as negotiators between IDPs and the humanitarian sector”.⁶⁷⁴ According to the same article “Gatekeepers, also referred to as mukuel mathow, or “black cats,” can include landowners, district officials or businessmen who control access to land used by IDPs, creating makeshift camps that they manage, in exchange for some kind of payment, whether it be cash or a portion of the aid received by IDPs. They dilute aid flows, determining who receives it, and can restrict access of entry and departure to the camps. Sometimes, they provide services such as security, latrines and water trucks [...] Some gatekeepers go as far as to send trucks into drought-stricken areas to collect desperate people and transport them to their property in urban areas, where they then appeal to the humanitarian sector for aid”.⁶⁷⁵

In March 2017 Tana Copenhagen, a consultancy, observed that these gatekeepers “fundamentally lack accountability, both upwards to the government and downwards to the IDPs, and have, therefore, been considered impossible to engage with without compromising the authority of the state and the security of the IDPs”.⁶⁷⁶ The same report however noted that this assessment is now being challenged through the DFID-funded project ‘Making Gatekeepers Accountable’, which aims to “improve the accountability of gatekeepers, and thereby increase the protection of IDPs, through training of selected gatekeepers, increased transparency, and a formal certification process recognising settlements (and gatekeepers) that are making efforts to recognise and adhere to the rights and protection needs of IDPs in their settlements. So far, the project has proved to be a success albeit with some challenges and dilemmas”.⁶⁷⁷

The Tana Copenhagen report further noted that it is estimated that there are roughly 130-140 gatekeepers in Mogadishu, with each Gatekeeper potentially managing one or more settlements.⁶⁷⁸ The report also commented that “Regardless of the negative perception that many people have of gatekeepers, they have proven to be a remarkably resilient governance structure in Somali society. IDPs both fear and respect gatekeepers, recognising them as legitimate service providers who often have been the IDPs’ only source of assistance during difficult times”.⁶⁷⁹

For further information, see [15. IDPs in South and Central Somalia incl. Mogadishu](#).

2.5.2.4. Al Shabaab

This section should be read alongside section [4. Profiles of persons at risk by non-state actors, particularly Al Shabaab](#).

⁶⁷³ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, *Contemporary actor and interest inventory, South-Central Somalia*, p. 32

⁶⁷⁴ Devex, [The 'Gatekeepers' to providing aid in Somalia](#), 23 August 2017

⁶⁷⁵ Devex, [The 'Gatekeepers' to providing aid in Somalia](#), 23 August 2017

⁶⁷⁶ Tana Copenhagen, [Engaging the Gatekeepers: using informal governance resources in Mogadishu](#), Updated: 6 March 2017, *Summary*, p. 5

⁶⁷⁷ Tana Copenhagen, [Engaging the Gatekeepers: using informal governance resources in Mogadishu](#), Updated: 6 March 2017, *Summary*, p. 5

⁶⁷⁸ Tana Copenhagen, [Engaging the Gatekeepers: using informal governance resources in Mogadishu](#), Updated: 6 March 2017, *Introduction*, p. 6

⁶⁷⁹ Tana Copenhagen, [Engaging the Gatekeepers: using informal governance resources in Mogadishu](#), Updated: 6 March 2017, *Introduction*, p. 6

For information on Al Shabaab responsibility for attacks in Mogadishu, see [2.5.1. Security situation in Mogadishu \(covering January – 17th October 2017\)](#).

A July 2016 letter from the Chair of a UN Security Council Committee ‘concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities’ reported that “Al-Shabaab (SOe.001) maintained its allegiance to Al-Qaida, with the group adopting aggressive tactics against the African Union Mission in Somalia (AMISOM). Member States highlighted that, after establishing new safe havens, Al Shabaab had escalated its campaign of suicide bombings in Mogadishu targeting government infrastructure and civilian targets”.⁶⁸⁰

African Arguments reported that in the lead up to Somalia’s October 2016 elections, there was an “upsurge in attacks” by Al Shabaab and considered that “al-Shabaab has redeployed large numbers of its fighters to Mogadishu where there is greater safety from drones. This move back to urban areas has been possible due to the lack of concerted ground offensives alongside the US airstrikes. Last month, al-Shabaab fighters successfully attacked military bases housing government and African Union troops (AMISOM) south west of Mogadishu”.⁶⁸¹

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “Mogadishu is to some extent under the control of AMISOM/SNA and al-Shabaab has no military camps in Mogadishu. The city is, however, under constant threat as al-Shabaab has reach inside Mogadishu, and the city is by several sources considered as infiltrated by al-Shabaab, including Mogadishu International Airport and Villa Somalia”.⁶⁸² The same source noted with regards to the nature of Al Shabaab attacks in Mogadishu that:

A Somalia Country Director of a humanitarian agency deemed the security situation in Mogadishu significantly improved compared to the 1990’s but added that in the last five years the picture is more blurred. There was a peak in security incidents in 2013, and the number has been falling since. The source assessed that the decline in the number of incidents is linked to a shift in tactics by al-Shabaab from quantity to quality. Previously, a lot of smaller attacks took place, for instance detonating hand grenades. Now, larger explosions are carried out, and the city has seen a rise in large scale attacks and complex attacks, for instance at market places or hotels. The same source considered the improvements in the security situation as fragile. An NGO working in Somalia similarly underlined a change of tactics in the attacks observed, as Mogadishu has been more affected by IED’s the last year compared to previous years and more complex attacks are taking place. A UN source mentioned that inside Mogadishu the number of attacks in the second half of 2016 has doubled compared to the first half of 2016.

According to a UN source there are certain neighbourhoods where the government has little or no presence and during the night half of Mogadishu is not controlled by the government. It is not specified which armed actor there is in control of what neighbourhood during the night but the outskirts of Mogadishu are regarded as being controlled by al-Shabaab.⁶⁸³

Reporting on the situation in 2016 Amnesty International noted, “Al-Shabaab carried out indiscriminate and lethal attacks in heavily guarded areas of Mogadishu and other towns, killing or

⁶⁸⁰ UN, [Letter dated 19 July 2016 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da’esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 19 July 2016, paragraph 39

⁶⁸¹ African Arguments, [Al-Shabaab steps up attacks in run up to the Somalia elections](#), 19 September 2016

⁶⁸² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3, Mogadishu p.11-12

⁶⁸³ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3, Mogadishu p.11

injuring hundreds of civilians. High-profile targets remained vulnerable to such attacks. It was difficult to establish the total number of civilians killed because there was no reliable casualty tracking system”.⁶⁸⁴

The annual Human Rights Watch report covering events in 2016 similarly noted that “Al-Shabab regularly targets civilians and civilian structures, with an increase in attacks on schools, hotels, and restaurants in Mogadishu, resulting in numerous casualties”.⁶⁸⁵

The January 2017 report of the UN Secretary-General on Somalia considered that “In Mogadishu, Al-Shabaab stepped up the use of car bombings with the intention of perpetuating a sense of insecurity among the public during the electoral period”.⁶⁸⁶ The May 2017 report from the same source noted that “Al-Shabaab continued attacking government facilities and civilians in Mogadishu”.⁶⁸⁷

A May 2017 ACLED report recorded that “Since September 2016, the primary locations for violent activity involving al-Shabaab have been in the population centres of Mogadishu as well as areas in the immediate south-west along the southern tail of the Shebelle River. Over the past several months, these two areas alone account for over 40 percent of all violent al-Shabaab activity in the region”.⁶⁸⁸

In a July 2017 report, the Jamestown Foundation explained that “In the wake of its withdrawal from Mogadishu and the subsequent loss of the revenue generating port of Kismayo, al-Shabaab was forced to restructure itself. Rather than focusing its efforts on set piece battles with the better-armed AMISOM forces and on holding and governing territory, al-Shabaab prioritized organizational security and lower risk operations against its foes. Both of these priorities fostered and fueled the development of the Amniyat, al-Shabaab’s intelligence apparatus”.⁶⁸⁹ The same source went on to note “The Amniyat has gone on to set up a countrywide network of operatives and informants. Al-Shabaab has boasted about the fact that it has informants in every government ministry and within AMISOM itself. This is evidenced by the fact that al-Shabaab has repeatedly been able to attack secure sites in the Somali capital of Mogadishu and, with increasing regularity, heavily defended AIMISOM bases (The New Arab, March 21; BBC, January 27). Many of these attacks are coordinated and timed in a way that points to its ability to conduct persistent surveillance of targets”.⁶⁹⁰

The September 2017 report of the UN Secretary-General on Somalia recorded that “The effectiveness of the ongoing stabilization operations in Mogadishu has compelled Al-Shabaab to rely increasingly on improvised explosive devices, which are a major concern, not least because of their impact on civilians”.⁶⁹¹ The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia noted that Al Shabaab “has continued its deadly attacks on civilians and its campaign of bombing civilian targets, such as hotels and markets. [...] because of recent political

⁶⁸⁴ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

⁶⁸⁵ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

⁶⁸⁶ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 7

⁶⁸⁷ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraphs 16 and 19

⁶⁸⁸ ACLED, [Conflict Trends Report No. 58; Real-Time Analysis of African Political Violence](#), May 2017

⁶⁸⁹ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

⁶⁹⁰ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

⁶⁹¹ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 11

developments, Al-Shabaab is likely to be concentrating tactically on Mogadishu, in order to enhance terrorist attacks, in particular attacks on soft targets such as hotels and markets.”.⁶⁹²

An October 2017 ACLED report noted that “Mogadishu and its environs continue to be a focus of targeted attacks and assassinations by al Shabaab, primarily against government figures and other civilians. Unique to Mogadishu, vehicle-laden explosives are common in the city, as well as attacks against government and AMISOM checkpoints”.⁶⁹³

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “On 2 January 2017, in Mogadishu, Al-Shabaab detonated what was likely the largest improvised explosive device in the group’s history. Laboratory analysis of the blast revealed traces of potassium nitrate, suggesting that Al-Shabaab may have begun to manufacture home-made explosives”.⁶⁹⁴

The same report found that “Al-Shabaab continues to carry out regular complex attacks in Mogadishu, typically by deploying a vehicle-borne improvised explosive device followed by an assault by four to five so-called suicide gunmen, against hotels and restaurants frequented by Federal Government officials and members of the security forces. Since the beginning of the current mandate, the group has carried out three such attacks in Mogadishu: on Dayah Hotel on 25 January 2017, at Café Italian on 8 May and on Posh Hotel and the adjacent Pizza House restaurant on 14 June. At least 77 people were killed. In addition, on 2 January 2017, Al-Shabaab detonated a vehicle-borne improvised explosive device at a National Intelligence and Security Agency checkpoint at the Medina Gate of the Adan Abdulle International Airport complex in Mogadishu. Estimated at as much as 1,200 kg TNT equivalence, it was likely the largest explosive device by weight ever employed by the group”.⁶⁹⁵

On 14 October 2017 twin bombings in Mogadishu which killed over 350 people marked “the deadliest attack in Somalia since 2007”, according to the International Crisis Group.⁶⁹⁶ The same source reported in 20 October 2017 that “Al-Shabaab, an Islamist insurgency, was almost certainly behind the attack, but has not claimed responsibility”.⁶⁹⁷ However, on 29 October 2017 Reuters reported that Al Shabaab had claimed responsibility.⁶⁹⁸

3. Nature of IHL and human rights violations, by actor

The UN Monitoring Group on Somalia and Eritrea found that in 2016:

Trends in violations of international humanitarian law suffered by civilians during the previous mandate were accentuated during the current mandate, especially in terms of the intensity and scope of Al-Shabaab attacks, violence against civilians by international forces (including as a result of the use

⁶⁹² UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 18

⁶⁹³ ACLED, [Conflict Trends Report No. 62; Real-Time Analysis of African Political Violence](#), October 2017

⁶⁹⁴ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Summary p.6

⁶⁹⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 11 and 12

⁶⁹⁶ International Crisis Group, [Managing the Disruptive Aftermath of Somalia’s Worst Terror Attack](#), 20 October 2017, III. *Fighting among Security Forces*

⁶⁹⁷ International Crisis Group, [Managing the Disruptive Aftermath of Somalia’s Worst Terror Attack](#), 20 October 2017, III. *Fighting among Security Forces*

⁶⁹⁸ Reuters, [At least 29 dead after Islamist attack on Somali hotel](#), 29 October 2017

of aerial weaponry) and the impact of armed conflict associated with political and inter-clan disputes frequently involving federal and regional forces and local militias.⁶⁹⁹

Covering 2017 the UN Monitoring Group on Somalia and Eritrea noted with regards to violations of international humanitarian law involving targeting of civilians that “Although absolute levels of violence against civilians have remained generally constant since 2013, the proliferation of armed actors and the deployment of more destructive methods of warfare increased the lethality (i.e., the number of fatalities per event) of attacks against civilians during the mandate”.⁷⁰⁰

3.1. International actors

3.1.1. Airstrikes

With regards to airstrikes, Saferworld noted in its January 2016 Briefing:

Efforts to recover territory from al-Shabaab have been accompanied by international airstrikes and targeted killings. However, the successful targeting of al-Shabaab’s leadership has not diminished its capacity to carry out highprofile attacks. In addition, targeted killings have led to civilian casualties and hardened the resolve of al-Shabaab’s leadership, arguably undermining efforts to resolve the conflict.⁷⁰¹

The UN Monitoring Group on Somalia and Eritrea found that in 2016:

The use of [international] air strikes against both civilian and military targets increased during the current mandate, especially in Gedo, Hiran, Lower Shabelle, Middle Juba and Lower Juba, resulting in civilian casualties, loss of livelihoods and displacement [...] In the wake of some of these strikes, it was reported that unexploded ordnance was harvested by Al-Shabaab for use in the manufacture of improvised explosive devices [...] Civilian casualties were also documented following ground offensives by international forces, some of which amount to violations of international law either as a result of direct targeting, or indiscriminate or disproportionate responses to actual or perceived threats by Al-Shabaab.⁷⁰²

Covering the year 2017 up to its publication date of November 2017 the UN Monitoring Group on Somalia and Eritrea recorded that “In March 2017, the United States issued a directive classifying large swathes of southern Somalia as a war zone, allowing the expansion of ground and air combat operations. Between June and mid-September, the United States carried out 9 publicly acknowledged aerial strikes in Somalia, compared with 13 throughout the entirety of 2016. The strikes resulted in the confirmed deaths of at least three mid- to high-level Al-Shabaab commanders. However, as noted in previous Monitoring Group reports [...] the erosion of Al-Shabaab’s leadership has historically has had little effect on the group’s ability to carry out both asymmetric and conventional attacks within Somalia”.⁷⁰³

⁶⁹⁹ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Summary, p. 3

⁷⁰⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V. Violations of international humanitarian law involving targeting of civilians, para. 179, p. 42

⁷⁰¹ Saferworld, [A new war on terror or a new search for peace? Learning the lessons of Afghanistan, Somalia and Yemen](#), January 2016, Focusing strategy on achieving peace – and relying less on military approaches, p. 3

⁷⁰² UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, IV., C. International forces, paras. 104 and 105, p. 34

⁷⁰³ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, II., A. Harakat al-Shabaab al-Mujaahidiin, para. 10, p. 9

The Group further observed that by 31 August 2017 it had received reports relating to “32 airstrikes conducted by Kenya, the United States and unidentified forces in 2017. There was evidence of enhanced targeting: community representatives from the Juba Valley informed the Group that the impact of airstrikes on civilians had reduced since 2016”.⁷⁰⁴

Foundation for Defense of Democracies’s (FDD) Long War Journal recorded 37 airstrikes against Al-Shabaab or the Islamic Courts since 2006 to August 2017 by the US, but noted that “The number of US military operations in Somalia may well be higher, however, it has been difficult to track strikes against Shabaab as there are multiple actors involved in targeting the group, including Kenyan and Ethiopian sources. The US military has not released statements for every encounter. Additionally, for a long period of time, Iranian news outlets muddled the waters by attributing nearly every action against Shabaab in southern Somalia as a US drone strike. Verifiable press reporting has also been inconsistent”.⁷⁰⁵

In August 2017, Radio Shabelle reported on a US raid had targeted villagers who were thought to be linked to Al-Shabaab:

The U.S. Africa command, Africom, has acknowledged that U.S. forces participated in a ground operation in support of Somali troops in the village of Bariire last week, and says it is investigating reports of civilian deaths. [...] Last week’s raid took place in an area that had been occupied by al Shabaab Islamist militants but was recaptured by government forces earlier in August. Residents from the Habar Gidir clan, a powerful group spread across southcentral Somalia, said some villagers had weapons, but only to protect themselves from a rival clan. They said the villagers had nothing to do with militants, who had been driven away before the government forces and U.S. troops launched their raid on Friday. “It was after morning prayers when I heard gunshots. I jumped over a wall made of iron sheets and the boy went out through the small gate,” said Muktar Moalim Abdi, 47, whose 13-year-old nephew was killed in the raid, about 50 km (30 miles) from the capital. “They told me the boy was shot as he tried to take cover under the banana trees,” said Abdi, one of 10 relatives of the victims that spoke to Reuters along with three witnesses of the raid itself. Their statements give the most detailed public account yet of last week’s raid. The relatives and witnesses were not able to say conclusively whether U.S. forces present during the raid had opened fire, or whether all the shooting was carried out by the Somalis that the Americans were accompanying. The Somali government’s initial account described those killed as Islamist fighters, although within hours it issued another statement acknowledging that civilians had reportedly been killed. A government commission set up to investigate is due to report on Thursday. Somali officials have meanwhile declined to comment further.⁷⁰⁶

An article published by Africa Review in October 2017 highlighted that “Air strikes by the Kenyan Defence Forces killed or injured [...] 11 children in Somalia, whilst “One additional child casualty was linked to a US air attack”.⁷⁰⁷

3.2. Somalia National Armed Forces/Somali National Army (SNAF/SNA)

For background information on the SNAF see [2.3.2. Somalia National Armed Forces/ Somali National Army \(SNAF/SNA\)](#).

⁷⁰⁴ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., C. African Union Mission in Somalia and international forces, para. 193, p. 45

⁷⁰⁵ Foundation for Defense of Democracies’s (FDD) Long War Journal, [AFRICOM targets Shabaab twice in southern Somalia](#), 11 August 2017

⁷⁰⁶ Radio Shabelle , [US Troops risk inflaming clan conflict](#), 31 August 2017

⁷⁰⁷ Africa Review, [UN holds Amisom to account over child casualties](#), 7 October 2017

The report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 observed the difficulties in identifying the exact perpetrators of human rights violations “The lack of a precise overview of the composition, structure and deployment of the Somali National Army, frequent changes in allegiance by militias and the complexity of interactions among clan militias, the Somali National Army and regional forces rendered the identification of perpetrators difficult”.⁷⁰⁸

In its 10-point report on human rights priorities for the new government, Human Rights Watch reported in May 2017 that “Throughout Somalia’s armed conflict, Human Rights Watch has documented serious abuses by Somali security forces, including the army, police, intelligence agencies, and government-affiliated militia. These include indiscriminate attacks, murder, rape, torture, arbitrary arrest and detention, and looting. Impunity for abuses has been widespread. Providing accountability, including by establishing vetting and oversight mechanisms to remove abusive commanders and new and current personnel, as well as by strengthening national and international avenues for redress, should be central to Somalia’s security sector reform plans now being discussed”.⁷⁰⁹

With special reference to Somalia’s National Intelligence and Security Agency (NISA), the report highlighted that “NISA has conducted mass security sweeps despite having no legal mandate to arrest or detain. NISA holds detainees for prolonged periods without charge, and obstructs or curtails key due process rights, including access to legal counsel and family visits. [...] We [Human Rights Watch] have documented NISA torture and other ill-treatment of terrorism suspects to extract confessions”.⁷¹⁰

3.2.1. Targeted killings and disappearances

For additional information on specific profiles see [5.2. Freedom of expression, association, and assembly](#).

In its annual report covering 2016, the U.S. Department of State observed that “Government security forces and allied militias, other persons wearing uniforms, regional security forces [...] committed arbitrary or unlawful killings. Government and regional authorities executed persons without due process”.⁷¹¹

According to reporting by the UN Secretary-General covering on 3 May 2017 “the Federal Minister of Public Works, Abbas Abdullahi Sheikh Siraji, was shot and killed by security personnel”.⁷¹² The International Crisis Group’s ‘CrisisWatch’ noted in relation to the same incident that security forces were “allegedly mistaking him for insurgent”.⁷¹³

⁷⁰⁸ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, II., B. Parties to the conflict, Federal Government of Somalia security forces, para. 6, p.3

⁷⁰⁹ Human Rights Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

⁷¹⁰ Human Rights Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

⁷¹¹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 1., a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

⁷¹² UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., E., 1. Human rights, para. 48, p. 8

⁷¹³ International Crisis Group, [CrisisWatch: Somalia](#), May 2017

3.2.2. Sexual and gender based violence

For more general information on the prevalence of SGBV in Somalia see [9.1. Sexual and Gender Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#) and link to [7.1.3 State ability and willingness to protect against SGBV in South and Central Somalia \(excl. Mogadishu\)](#).

For general information on the practice of SGBV in Mogadishu, see [9.2. SGBV in Mogadishu](#).

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others rape and other forms of sexual violence against children between 2012 and 2016 found that:

Twenty-seven per cent of the cases were verified in 2012 (211), with a downward trend in 2013 (154) and 2014 (76). The numbers spiked in 2015 (174) and in the first half of 2016 (165). Unknown armed elements were responsible for almost half the cases (344), followed by the Somali National Army (284), Al-Shabaab (124), Ahl al-Sunna wal-Jama'a (12) and regional forces (11)⁷¹⁴ [...] The scale of sexual violence affecting children is believed to be underrepresented owing to fear of stigmatization and reprisals and to the lack of adequate support services for survivors.⁷¹⁴

Moreover, it was recorded by the same source that rape and forced marriage often occurred in the context of abductions "For example, on 16 June 2016, a 16-year-old girl was abducted from her house and gang-raped by five Somali National Army soldiers in Quracle village, Bakool region. It was reported that the rape was an act of retaliation because her parents had accepted an Al-Shabaab member's marriage proposal. She was stabbed with a knife in her breast and transferred to Mogadishu for treatment. While the case had been reported to local authorities, no action had been taken at the time of writing".⁷¹⁵

In its report on Somalia covering the period 1st January to 30th April 2016, the UN Secretary-General reported that "One case of rape involving the Somali security forces was documented".⁷¹⁶

In its annual report covering 2016, the U.S. Department of State observed that "Government forces, allied militias, men wearing uniforms, and AMISOM troops used excessive force, including torture, and raped women and girls, including IDPs. While the army arrested some security force members accused of such abuse, impunity was the norm".⁷¹⁷

The UN Secretary-General report on conflict-related sexual violence covering the period January to December 2016 found that "Between January and September 2016, the United Nations verified information on conflict-related sexual violence against 200 girls and 1 boy" of which 59 were attributed to the Somalia National Army.⁷¹⁸ In the last quarter of 2016 "the United Nations Assistance Mission in Somalia documented 14 incidents of conflict-related sexual violence, including five gang rapes, allegedly committed by Al-Shabaab, the Interim SouthWest Administration of the

⁷¹⁴ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., D. Rape and other forms of sexual violence, para. 44, p. 11

⁷¹⁵ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., D. Rape and other forms of sexual violence, para. 47, p. 11

⁷¹⁶ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, III., F. Cross-cutting issues, Human rights, para. 50, p. 10

⁷¹⁷ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 1., g. Abuses in Internal Conflicts

⁷¹⁸ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, Somalia, para. 55, p. 16

Puntland Army, and the Somali national police. The perpetrators were prosecuted in two of those cases, while in three others the suspects were released owing to clan pressure or lack of evidence. Al-Shabaab responded to the rape of a boy by one of its fighters by summarily stoning the perpetrator to death”.⁷¹⁹

The same source reported further with regards to forced marriage of women and girls to militants and found 13 documented incidents involving Al-Shabaab, Ahl Sunna Wal-Jama'a, and soldiers of the Somali National Army.⁷²⁰ An emerging trend during the reporting period involved “the authorities subjecting the relatives and wives of alleged Al-Shabaab members to collective punishment, including extrajudicial executions, sexual violence and arbitrary arrests. The authorities justify such treatment on the grounds that the relatives of Al-Shabaab members support the insurgency by providing information and thus constitute a threat”.⁷²¹

The UN Secretary-General report ‘Children and armed conflict’ of 24 August 2017, covering the period January to December 2016, recorded 81 cases of sexual violence affecting children, mainly girls attributable to the Somali National Army.⁷²²

3.2.3. Forced and child recruitment

The December 2016 report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that “During the reporting period, the country task force on monitoring and reporting verified the recruitment and use of 6,163 children (5,933 boys; 230 girls); more than 30 per cent of those cases were verified in 2012 (2,051). While a downward trend was noted for 2013 (1,293) and 2014 (824), the numbers increased in 2015 (903). A significant increase was documented in the first half of 2016 (1,092), which represented more cases of recruitment and use than for the years of 2014 and 2015. A recurrent pattern of child recruitment and use by the Somali National Army and armed groups was observed during the reporting period. The main perpetrator was Al-Shabaab, with 70 per cent of verified cases (4,313), followed by the Somali National Army (920) [...]”.⁷²³ The same source further reported with regards to SNA’s recruitment of children:

Recruitment and use by the Somali National Army were verified throughout the reporting period, with 179 cases in 2012, 209 in 2013, 197 in 2014 and 218 in 2015. During the first half of 2016, 117 children were recruited and used by the Somali National Army.

Notwithstanding an action plan signed in 2012, the Somali National Army continued to recruit and use children for various tasks, including manning checkpoints and as bodyguards. For instance, on 2 June 2014, a 16-year-old boy was sighted wearing a Somali National Army uniform and carrying a gun in Balcad district, Shabelle Dhexe region. On 3 January 2016, in Diinsoor town, three teenage boys dressed in Somali National Army uniforms were seen with soldiers guarding a senior government official. Two of the boys were carrying guns and were observed on several occasions patrolling and conducting security checks.

⁷¹⁹ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, *Somalia*, para. 55, p. 16

⁷²⁰ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, *Somalia*, para. 56, p. 17

⁷²¹ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, *Somalia*, para. 56, p. 17

⁷²² UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, *Somalia*, *Grave violations*, para. 138, p. 135

⁷²³ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 15

Information was also received on children being used as spies by the Somali National Army and the National Intelligence and Security Agency. That has put children in increased danger, as illustrated by executions by Al-Shabaab of children suspected of spying for the Somali National Army or AMISOM. Further information is provided in the sections on detention and killing and maiming.

While many children were believed to have joined the Somali National Army because of lack of livelihood opportunities and extreme poverty, others were abducted for recruitment purposes. For instance, on 2 February 2016, a 14-year-old boy was abducted by Somali National Army forces in Baardheere town, Gedo region and brought to a military camp where he received military training. [...] In 2015, the Galmudug Interim Administration forces recruited and used 17 children and the Interim Jubba Administration forces recruited and used 3 children. Numbers spiked in 2016, with 155 children recruited and used by Interim Jubba Administration forces (81) representing half the cases, followed by Galmudug Interim Administration forces (74).⁷²⁴

The report of the Secretary-General on Children and Armed Conflict recorded that in Somalia during 2016, “The number of children recruited and used doubled (1,915) compared with 2015 as a result of a twofold increase in cases attributed to Al-Shabaab (1,206). [...] Children were also recruited and used by the Somali National Army (182)”.⁷²⁵

The annual U.S. Department of Labor report covering events in 2016 documented that “During the reporting period, the SNA recruited children for use in armed conflict, even though General Order No. 1 prohibits military personnel from recruiting and employing child soldiers. [...] The SNA issued a general staff order in 2016 stating that children under age 18 may not enlist; however, research found no information that the FGS investigated or prosecuted SNA officials who recruited or used child soldiers”.⁷²⁶

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “During the current mandate, there was an overall rise in the number of instances of recruitment and use of child soldiers verified by the United Nations [...] With regard to SNA, the United Nations verified 218 cases of recruitment and use of children in 2015, compared with 197 in 2014. In September 2016, however, the Chief of Defence Forces assured the Monitoring Group that, with the introduction of biometric registration, there were no child combatants in SNA”.⁷²⁷

According to a November 2016 Amnesty International report, “The abduction and recruitment of children is widespread in Somalia, with the majority of cases attributed to Al-Shabaab. Child recruitment is also carried out by the Somali National Army [...]”.⁷²⁸ The annual report covering 2016 from the same source recorded that “Somalia is a party to the UN Convention on the Rights of the Child but the federal government had yet to implement the two action plans it signed in 2012 to end the recruitment and use of child soldiers, as well as the killing and maiming of children”.⁷²⁹

The 2017 U.S. Department of State Trafficking in Persons Report explained that “During the year, there were continued reports of the Somali National Army (SNA) [...] using child soldiers. The efforts of the FGS to end the recruitment and use of child soldiers were focused solely on the SNA. The

⁷²⁴ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 23-26 and 29

⁷²⁵ UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/72/361-S/2017/821\]](#), 24 August 2017, paragraph 134

⁷²⁶ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

⁷²⁷ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 106

⁷²⁸ Amnesty International, [Nowhere Else To Go: Forced returns of Somali refugees from Dadaab refugee camp, Kenya \[AFR 32/5118/2016\]](#), 14 November 2016, 1. Executive Summary p.5

⁷²⁹ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

government's implementation of the 2012 action plan to end the recruitment and use of children by the SNA remained incomplete. The work of the six military officer focal points named in 2015 was limited during the current reporting year. Nevertheless, in 2016, the SNA's Child Protection Unit reported that it conducted awareness campaigns in Mogadishu, Guul Wadaysha, and at the Siyad Army Base on the importance of preventing child recruitment into the security forces. Authorities handed over children separated from armed groups to an international organization for care. The UN continued to report concerns about the arrest and detention of some children allegedly associated with al-Shabaab by Puntland forces. Most Somalis lacked birth certificates, and without an established birth registration system or standardized method for recruitment, verifying claims of child soldiering remained difficult".⁷³⁰

The annual Human Rights Watch report covering events in 2016 noted that "In September, the US imposed partial military sanctions on Somalia due to its continued recruitment and use of child soldiers, barring commercial arms sales and several other categories of military assistance for the 2017 fiscal year".⁷³¹

Human Rights Watch reported in May 2017 that "All Somali parties to the conflict have used children under 18 in their forces in violation of international law, including government forces, despite public commitments not to do so. The government should establish effective measures to systematically screen the ages of all recruits, including former regional forces and militia members, and cease trying children implicated in crimes before the military courts, which do not apply juvenile justice standards".⁷³²

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that "There was a steady, but low, number of incidents of child recruitment and use by the SNA and regional forces verified by UN protection monitors throughout the mandate. In May 2017, the SEMG received information relating to, and photographs of, an eleven-year-old child on duty with the ISWA Darawish in Baidoa town. He was dressed in full army uniform, holding an AK-pattern rifle, and smoking a cigarette. In July two ISWA child soldiers, 16 and 17 years old, were captured and executed by Al-Shabaab in Ideedi village outside of Berdale town".⁷³³

3.1.3.1 Forced recruitment by NISA

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that "On 8 May 2016 a story in The Washington Post exposed the practice of using former child soldiers as intelligence assets by the National Intelligence and Security Agency (NISA). The Director of NISA, Gen. Abdirahman Turyare was quoted in the article acknowledging the practice, and even suggesting it was ongoing—although only for children held as 'high value' ex-combatants. He was subsequently removed from his post. In the first six months of 2016 there were at least 250 children detained on security related charges, primarily by FGS security forces".⁷³⁴

The Africa Review reported that in May 2016 Somalia formed a committee to probe the claims that NISA had used children as spies.⁷³⁵ No further information was found on the work of this committee.

⁷³⁰ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

⁷³¹ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

⁷³² Human Rights Watch, [Human Rights Priorities for Somalia's New Government](#), 2 May 2017

⁷³³ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraph 27 p. 140

⁷³⁴ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.2: Al-Shabaab: recruitment and use of children, paragraph 13 p. 147

⁷³⁵ Africa Review, [Somalia to probe 'Washington Post' child spies claims](#), 9 May 2016

3.2.4. Arbitrary arrest and detention including torture allegations

For further information on arbitrary arrest perpetrated by NISA, see: [6.1.2 By the National Intelligence and Security Agency \(NISA\)](#).

For further information detention and prison conditions see [6.6. Torture](#) and [6.7 Detention and prison conditions](#).

In its annual report covering 2016, the U.S. Department of State observed that “NISA agents routinely conducted mass security sweeps despite having no legal mandate to arrest or detain. NISA held detainees for prolonged periods without following due process and mistreated suspects during interrogations”.⁷³⁶

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) noted that “It is alleged that authorities, including Somalia’s National Intelligence Security Agency (NISA), arbitrarily arrest and detain individuals, often justifying it by accusing individuals of links to al-Shabaab”.⁷³⁷

3.2.4.1. Torture/inhuman and degrading treatment, unlawful detention and rendition: Interim Jubba Administration Minister for Security

Covering 2017 the UN Monitoring Group on Somalia and Eritrea remarked that it “continued to collect compelling evidence and allegations relating to the responsibility of Abdirahshid Hassan Abdinur, the Interim Jubba Administration Minister for Security, for acts of torture, inhuman and degrading treatment, unlawful detention and unlawful rendition of individuals”.⁷³⁸ Further information on the evidence gathered so far by the Group on:

- Obstruction of humanitarian assistance
- Violations of international law involving targeting of civilians
- Incidents involving targeting of civilians during the mandate

can be found in Annex 11.3 of their report: UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Annex 11.3: Update: Abdirashid Hassan Abdinur — obstruction of humanitarian assistance and targeting of civilians*, pages 141-144.

3.2.5. Other violations against children

3.2.5.1. Killing and maiming of children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others the killing and maiming of children between 2012 and 2016 found that:

⁷³⁶ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Section 1., c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

⁷³⁷ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Arbitrary Arrest and Detention*, para. 4.11, p. 19

⁷³⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *V., B. Federal and regional forces, clan militias and other criminal elements*, para. 191, p. 44

Between 2012 and 2016, the country task force on monitoring and reporting verified the killing and maiming of 3,406 children, comprising 732 in 2012, 731 in 2013, 538 in 2014 and 753 in 2015. In the first half of 2016, 652 children were killed and maimed (500 boys; 152 girls). After a decrease in 2014, the numbers increased again in 2015 (753), which represented 22 per cent of the total number of verified cases of killing and maiming. Unknown armed elements were responsible for 43 per cent of the total number of violations (1,505), followed by the Somali National Army (949), Al-Shabaab (758), AMISOM (108), regional security forces (30), 1 Ahl al-Sunna wal-Jama'a (14), the Kenyan Defence Forces (32) and the Ethiopian National Defence Forces (5) operating outside AMISOM command, unidentified air forces (4) and United States forces (1). Obtaining information on incidents, including disaggregated data on fatalities, remained a challenge owing to security limitations [...]

The majority of child casualties were the result of crossfire, sometimes during joint Somali National Army/AMISOM operations, mortar shelling, improvised explosive device attacks and incidents involving explosive remnants of war. Targeted attacks against the Somali National Army, AMISOM and Federal Government of Somalia officials and increasing asymmetric attacks against soft targets also led to child casualties.⁷³⁹

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded that 146 children were killed and maimed by the Somali national Army.⁷⁴⁰

3.2.5.2. Abduction of children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others abductions of children between 2012 and 2016 found that:

Between 2014 and 2016, 1,023 abductions of children were verified. The numbers spiked in 2015 (523) compared with 2014 (133). In the first six months of 2016 alone, 367 abductions were verified. Over 85 per cent of abductions were attributed to Al-Shabaab (873), followed by unknown armed elements (123), the Somali National Army (25) and Ahl al-Sunna wal-Jama'a (2) [...] Abductions were also linked to rape, sexual violence and forced marriage.⁷⁴¹

3.2.5.3. Attacks on schools & use of schools and hospitals for military purposes

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded 9 attacks on schools by the Somali National Army and one school and one hospital were used for military purposes too.⁷⁴²

⁷³⁹ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., C. Killing and maiming, paras. 39 and 40, p. 9/10

⁷⁴⁰ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 134, p. 134

⁷⁴¹ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., F. Abudctions, paras. 57 and 58, p. 13

⁷⁴² UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 139, p. 135

3.2.5.4. Denial of humanitarian access to children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others the denial of humanitarian access to children between 2012 and 2016 found that:

The country task force on monitoring and reporting verified 76 incidents of denial of humanitarian access, affecting the delivery of assistance to children. Humanitarian access was particularly challenging throughout 2012, with the number of incidents being more than double the number (31) in each of the following years (10 incidents in 2013, 15 in 2014 and 12 in 2015). Eight cases were verified in the first half of 2016. The majority of incidents were perpetrated by the Somali National Army (24), Al-Shabaab (24) and unknown armed elements (24), followed by Ahl al-Sunna wal-Jama'a, Puntland, Galmudug Interim Administration and Interim Jubba Administration forces (1 each). Humanitarian access was seriously restricted by ongoing military operations and a highly volatile security environment [...] In an incident on 23 June 2016, Somali National Army soldiers opened fire at a food distribution site in Wajer, Banadir region, after they were informed that only identified recipients were entitled to receive food. At least five children were injured.⁷⁴³

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded 2 cases where children were denied humanitarian access by the Somali National Army.⁷⁴⁴

3.2.6. Attacks on humanitarian workers

Covering 2016, the UN Monitoring Group on Somalia and Eritrea reported that "Federal and regional authorities were also the origin of threats and attacks on humanitarian workers during the mandate. The SEMG documented and verified two cases of unlawful arrest and detention of staff working on humanitarian issues by security forces of IJA in Kismayo during the mandate".⁷⁴⁵

3.2.7. Civilian casualties

For a general overview of civilian casualties see [2.4.1 Overview of incidents and casualties across South and Central Somalia \(excl. Mogadishu\)](#).

In its report on Somalia covering the period 1st January to 30th April 2016, the UN Secretary-General reported that "Operations by security forces resulted in 105 reported civilian casualties. Of those casualties, 28 deaths and 45 injuries were attributed to the Somali security forces, 3 deaths to AMISOM and 29 deaths to air strikes by the Kenyan military operating bilaterally. In addition, two civilians were reportedly injured by United States helicopter air strikes".⁷⁴⁶

⁷⁴³ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., G. Denial of humanitarian access, para. 60, pages 13/14

⁷⁴⁴ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 141, p. 135

⁷⁴⁵ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 6.2: Attacks on humanitarian workers, para. 22, p. 136

⁷⁴⁶ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, III., F. Cross-cutting issues, Human rights, para. 50, p. 10

In its report on Somalia covering the period 1st May to 31st August 2016, the UN Secretary-General reported that “Operations by security forces resulted in 83 civilian casualties, of which 16 deaths and 31 injuries were attributed to the Somali security forces”.⁷⁴⁷

The UN Secretary-General in his report covering the period 1 September to 31 December 2016 observed that “Reported civilian casualties totalled 623, comprising 260 deaths and 363 injuries. Security operations generated 242 civilian casualties, of which 55 deaths and 120 injuries were attributed to the Somali security forces and 37 deaths and 12 injuries to AMISOM”.⁷⁴⁸

During the period 1st January to 30th April 2017, the UN Secretary-General’s report recorded that “security forces were responsible for 150 civilian casualties, of which 54 deaths and 35 injuries were attributed to Somali security forces”.⁷⁴⁹

According to reporting by the UN Secretary-General covering the period 1 May to 22 August 2017, 41 incidents were attributed to state security forces.⁷⁵⁰

The International Crisis Group’s ‘CrisisWatch’ reported that “U.S.-backed security forces killed ten civilians in operation against suspected militants near Bariire in Lower Shabelle 25 Aug 2017”.⁷⁵¹

Covering 2017 the UN Monitoring Group on Somalia and Eritrea remarked that “In a continuation of the positive trend noted by the Monitoring Group in 2016, Federal Government forces did not engage in large-scale attacks on civilians. Nevertheless, between 1 January and 30 June 2017, the United Nations identified the Somali National Army as responsible for 129 civilian casualties, including 76 deaths: 42 of these casualties related to illegal checkpoint and extortion operations. Regional forces were responsible, however, for the majority of the conflict-related civilian casualties investigated by the Monitoring Group”.⁷⁵²

3.3. AMISOM

For background information on AMISOM see [2.3.3. African Union Mission in Somalia \(AMISOM\)](#).

The May 2017 report published by the International Refugee Rights Initiative (IRRI) focusing on ‘Civilian Perspectives on the African Union Mission in Somalia’ based on 64 interviews conducted with Somali citizens found that “many interviewees testified about abuses committed by AMISOM forces, including sexual violence, arbitrary detention, incidents leading to the deaths of civilians and the discrimination against Somalis working for the mission. IRRI was unable to independently verify most of those allegations, but observed a strong deterioration of the perception of the mission by victims of abuses or their families. This was further reinforced by a perception that no credible

⁷⁴⁷ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, III., F. Cross-cutting issues, Human rights, para. 48, p. 10

⁷⁴⁸ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 January 2017, III. Support for peacebuilding and state-building efforts, F. Cross-cutting issues, Human rights, para. 42, p. 9

⁷⁴⁹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, III. Support for peacebuilding and state-building efforts, F. Cross-cutting issues, 2. Human rights, para. 54, p. 9

⁷⁵⁰ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., E., 1. Human rights, para. 46, p. 8

⁷⁵¹ International Crisis Group, [CrisisWatch: Somalia](#), August 2017

⁷⁵² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., B. Federal and regional forces, clan militias and other criminal elements, paras. 185 and 186, p. 43

investigations had taken place and that no perpetrators had been brought to justice. While several mechanisms were set up to deal with such abuses, it seems that there was a lack of awareness of these mechanisms among those affected”.⁷⁵³

3.3.1. Airstrikes [in areas controlled by Al-Shabaab]

For airstrikes committed by international actors see [3.1.1. Airstrikes](#).

The UN Monitoring Group on Somalia and Eritrea found that in 2016 “The most significant development during the mandate with respect to the conduct of international forces which affected civilians was the increase in the use of aerial weaponry by the African Union Mission in Somalia (AMISOM)’s strategic partners, whether delivered by drone, helicopter or fighter aircraft. More broadly the use of remote violence against civilians—including both air strikes and IED and related attacks—is on the rise”.⁷⁵⁴ The same report further noted that “It has been difficult to assess the civilian toll from these operations, not least as the locations where the strikes have been directed are largely in areas under Al-Shabaab control. Nevertheless the SEMG was able to determine that in some areas which have been the subject of repeated strikes, the attacks have created fear in local populations, generated significant displacements and impacted livelihoods. Often coming in the wake of Al-Shabaab attacks on anti-AlShabaab forces elsewhere, air strikes which targeted civilian areas were perceived by some as a form of collective punishment”.⁷⁵⁵

3.3.2. Targeted killings and disappearances

The UN Monitoring Group on Somalia and Eritrea found that in 2016 “There were a range of incidents in which AMISOM was accused of killing civilians, whether through the indiscriminate and/or disproportionate use of force in response to an attack on their forces, or the commission of deliberate acts of retaliation or punishment. Two were the subject of public acknowledgement by AMISOM”.⁷⁵⁶

3.3.3. Sexual and gender based violence

For more general information on the prevalence of SGBV in Somalia see [9.1. Sexual and Gender Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#) and link to [7.1.3 State ability and willingness to protect against SGBV in South and Central Somalia \(excl. Mogadishu\)](#).

⁷⁵³ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, *Executive Summary*, pages 4 and 5.

⁷⁵⁴ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.7: Violations committed against civilians as a result of the increasing use of airstrikes, para. 69, p. 169

⁷⁵⁵ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.7: Violations committed against civilians as a result of the increasing use of airstrikes, para. 71, p. 169

⁷⁵⁶ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.6: Violations committed against civilians by international forces, para. 54, p. 164

In September 2014 Human Rights Watch published a report documenting the sexual exploitation and abuse of Somali women and girls on two AMISOM bases in Somalia's capital, Mogadishu, since 2013. The report can be accessed [here](#)⁷⁵⁷.

The 2017 U.S. Department of State Trafficking in Persons Report explained that "In 2014, an international NGO released a report documenting cases of sexual abuse and exploitation, including trafficking, of Somali women and girls by Ugandan and Burundian African Union Mission in Somalia (AMISOM) personnel. An African Union investigation into the allegations concluded there was evidence of sexual exploitation, abuse, and trafficking by AMISOM personnel".⁷⁵⁸

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016, it documented with regards to rape and other forms of sexual violence against children between 2012 and 2016 that:

The rape of five girls was attributed to AMISOM (contingents of Ethiopia (three), Uganda (one) and Djibouti (one)). The scale of sexual violence affecting children is believed to be underrepresented owing to fear of stigmatization and reprisals and to the lack of adequate support services for survivors.⁷⁵⁹

In its annual report covering 2016, the U.S. Department of State observed that "Government forces, allied militias, men wearing uniforms, and AMISOM troops used excessive force, including torture, and raped women and girls, including IDPs. While the army arrested some security force members accused of such abuse, impunity was the norm".⁷⁶⁰ The same source explicitly stated that "AMISOM troops committed sexual abuse and exploitation, including rape".⁷⁶¹

With regards to allegations of sexual abuse by AMISOM soldiers, the Special Representative of the Chairperson of the African Union Commission informed the UN Independent Expert on the situation of human rights in Somalia during his mission to Somalia in April 2016 that "AMISOM had taken a number of measures to prevent sexual exploitation and abuse. The camps had been sealed against any unnecessary interaction with the civilian population. Businesses had been removed from within the camps, thus reducing contacts between civilians and soldiers. A toll-free hotline managed by Somali non-governmental organizations to receive allegations of cases of sexual exploitation and abuse had been set up. Since the measures had been taken, no new allegations of sexual exploitation and abuse had been reported".⁷⁶²

In its report on Somalia covering the period 1st May to 31st August 2016, the UN Secretary-General reported that "On 7 May, two girls aged 15 and 17 years were allegedly raped by 14 AMISOM

⁷⁵⁷ Human Rights Watch, ["The Power These Men Have Over Us: Sexual Exploitation and Abuse by African Union Forces in Somalia"](#), 8 September 2014

⁷⁵⁸ US Department of State, ["Trafficking in Persons Report 2017 - Country Narratives - Somalia"](#), 27 June 2017

⁷⁵⁹ UN Secretary-General on children and armed conflict in Somalia, ["Report of the Secretary-General on children and armed conflict in Somalia"](#), 22 December 2016, III., D. Rape and other forms of sexual violence, para. 44, p. 11

⁷⁶⁰ US Department of State, ["Country Report on Human Rights Practices 2016 - Somalia"](#), 03 March 2017, Section 1., g. Abuses in Internal Conflicts

⁷⁶¹ US Department of State, ["Country Report on Human Rights Practices 2016 - Somalia"](#), 03 March 2017, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

⁷⁶² UN Independent Expert on the situation of human rights in Somalia, ["Report of the Independent Expert on the situation of human rights in Somalia"](#), 15 September 2016, XV. African Union Mission in Somalia, para. 86, p. 18

soldiers in Galguduud region. AMISOM investigated the case but stated that it was not possible to corroborate the facts sufficiently to justify convening a board of inquiry.”⁷⁶³

The UN Secretary-General report ‘Children and armed conflict’ of 24 August 2017, covering the period January to December 2016, recorded 3 cases of sexual violence affecting children, mainly girls, attributable to AMISOM.⁷⁶⁴

In its 10-point report on human rights priorities for the new government, Human Rights Watch highlighted in May 2017 that “Human Rights Watch in 2014 reported on cases of sexual exploitation and abuse of Somali women and girls in Mogadishu by AMISOM troops from Uganda and Burundi. In 2016, the UN reported allegations of 14 AMISOM soldiers in the Galgudud region gang-raping two girls. Each country contributing troops to AMISOM has exclusive jurisdiction over their own forces in Somalia. However, these countries have not committed the time, resources, and political will needed for credible investigations. In addition, troop-contributing countries have failed to share information about allegations and investigations with AMISOM leadership, other stakeholders, and the victims themselves”.⁷⁶⁵

A May 2017 report published by the International Refugee Rights Initiative based on 64 interviews conducted with Somali citizens found that “allegations of sexual exploitation, in particular, were mentioned by many of those interviewed”.⁷⁶⁶ The report recorded “As one man reported “They [AMISOM peacekeepers] have raped women and have forced many to sleep with them, in exchange for things they need. I do think these cases are true”. A woman added “there are girls who have been tricked [into sexual relations]. They have been told they will get jobs and are then forced to sleep with the troops”. A Somali human rights defender confirmed these rumours to IRRI “Some girls have been taken to Uganda and are in a dire situation now. A few girls have been infected with HIV. Sexual and gender-based violence and exploitation are common”.⁷⁶⁷

The UN Independent Expert on the situation of human rights in Somalia noted in his report covering September 2016 to mid-2017 that the Head of AMISOM explained during the Independent Experts’ mission in May 2017 that “much progress had been made in reducing incidents of sexual exploitation and abuse. All businesses operated by Somali civilians had been moved out of the AMISOM compound, and the garrison’s perimeter wall had been reinforced in order to minimize contact between troops and civilians. Measures had been put in place to build confidence among the civilian population, such as connecting civilians to AMISOM electricity and water supplies. AMISOM was implementing a zero-tolerance policy on sexual exploitation and abuse as part of pre-deployment training. It had recruited a conduct and discipline officer to deal with sexual exploitation and abuse as and when it occurred. Only one case had been reported in 2016; upon investigation, no evidence of sexual exploitation or abuse had been found. After receiving the allegation, the Board could not find the alleged victim, nor the hospital where she had supposedly been treated. In

⁷⁶³ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, III., F. Cross-cutting issues, *Prevention of sexual violence*, para. 59, p. 11

⁷⁶⁴ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, *Somalia, Grave violations*, para. 138, p. 135

⁷⁶⁵ Human Rights Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

⁷⁶⁶ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, *Abuses & Misconduct*, p. 23

⁷⁶⁷ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, *Abuses & Misconduct*, p. 23/24

another reported case, it had been found, upon investigation, that the troops involved had not been AMISOM personnel”.⁷⁶⁸

3.3.3.1. Sexual and gender based violence in Mogadishu

For general information on the practice of SGBV in Mogadishu, see [9.2. SGBV in Mogadishu](#).

Human Rights Watch’s submission to the UN Human Rights Council for its consideration of Somalia in January 2016 highlighted that “some soldiers deployed as part of AMISOM had sexually exploited and assaulted women and girls in their bases in Mogadishu. In some cases, women and girls had been offered humanitarian assistance, medicine and food in exchange for sex. Few women had filed complaints due to the fear of reprisals and the absence of effective and safe complaints mechanisms”.⁷⁶⁹

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others rape and other forms of sexual violence against children between 2012 and 2016 found that: “Continued fighting and insecurity made children, especially girls, vulnerable to sexual violence, including forced marriage. Girls in internally displaced person camps were particularly at risk [...] On 13 June 2016, a 15 -year-old girl was raped by a Somali National Army member in Alla Magan internally displaced person camp, Mogadishu, on her way to a latrine. The case was reported to the police but, as at December 2016, no action had been taken”.⁷⁷⁰

3.3.4. Forced and child recruitment

The December 2016 report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that “During the reporting period, the country task force on monitoring and reporting verified the recruitment and use of 6,163 children (5,933 boys; 230 girls); more than 30 per cent of those cases were verified in 2012 (2,051). While a downward trend was noted for 2013 (1,293) and 2014 (824), the numbers increased in 2015 (903). A significant increase was documented in the first half of 2016 (1,092), which represented more cases of recruitment and use than for the years of 2014 and 2015. The use of 40 children by AMISOM in support roles was also verified [...] The country task force on monitoring and reporting verified the use of children by AMISOM, namely, 4 in 2012, 14 in 2013, 5 in 2014 and 17 in the first half of 2016. Children were used in support functions and to man checkpoints. For instance, on 8 July 2014, two boys aged 14 and 16 were used in Dhuusamarreeb district by AMISOM forces to collect firewood and prepare meals”.⁷⁷¹

The report of the Secretary-General on Children and Armed Conflict recorded that in Somalia during 2016 “The number of children recruited and used doubled (1,915) compared with 2015 as a result of

⁷⁶⁸ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, IX. African union Mission in Somalia, para. 79, p. 17

⁷⁶⁹ UN Human Rights Council, [Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 \(c\) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21](#), 6 November 2015, C., 2. Right to life, liberty and security of the person, para. 31, p. 5

⁷⁷⁰ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., D. Rape and other forms of sexual violence, para. 45, p. 11

⁷⁷¹ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 15 and 30

a twofold increase in cases attributed to Al-Shabaab (1,206). [...] The use of 17 children by AMISOM was documented [in the first half of 2016]”.⁷⁷²

The 2017 U.S. Department of State Trafficking in Persons Report explained that “In 2014, an international NGO released a report documenting cases of sexual abuse and exploitation, including trafficking, of Somali women and girls by Ugandan and Burundian African Union Mission in Somalia (AMISOM) personnel. An African Union investigation into the allegations concluded there was evidence of sexual exploitation, abuse, and trafficking by AMISOM personnel”.⁷⁷³

In February 2017 AMISOM reported that together with the Somalia National Army it was “putting in place measures to prevent the recruitment and use of child soldiers in armed conflict, due to increasing cases that are becoming a security challenge in the horn of Africa country. In conjunction with the British Peace Support Team- East Africa (BPST-EA) and the Dallaire Initiative (DI), AMISOM is conducting a ten-day Training of Trainers (TOT) course for members of the Federal Government of Somalia (FGS) and selected AMISOM officials, to equip them with requisite skills to become rescuers of child soldiers in Somalia”.⁷⁷⁴

3.3.5. Other violations against children

3.3.5.1. Killing and maiming of children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others the killing and maiming of children between 2012 and 2016 found that:

Between 2012 and 2016, the country task force on monitoring and reporting verified the killing and maiming of 3,406 children, comprising 732 in 2012, 731 in 2013, 538 in 2014 and 753 in 2015. In the first half of 2016, 652 children were killed and maimed (500 boys; 152 girls). After a decrease in 2014, the numbers increased again in 2015 (753), which represented 22 per cent of the total number of verified cases of killing and maiming. Unknown armed elements were responsible for 43 per cent of the total number of violations (1,505), followed by the Somali National Army (949), Al-Shabaab (758), AMISOM (108), regional security forces (30), 1 Ahl al-Sunna wal-Jama'a (14), the Kenyan Defence Forces (32) and the Ethiopian National Defence Forces (5) operating outside AMISOM command, unidentified air forces (4) and United States forces (1). Obtaining information on incidents, including disaggregated data on fatalities, remained a challenge owing to security limitations [...]

The majority of child casualties were the result of crossfire, sometimes during joint Somali National Army/AMISOM operations, mortar shelling, improvised explosive device attacks and incidents involving explosive remnants of war. Targeted attacks against the Somali National Army, AMISOM and Federal Government of Somalia officials and increasing asymmetric attacks against soft targets also led to child casualties.⁷⁷⁵

The same report further highlighted that:

A total of 108 cases of killing and maiming were attributed to AMISOM: 21 in 2013, 18 in 2014, 52 in 2015 and 17 in the first half of 2016. They occurred primarily in the context of operations against Al-Shabaab or in indiscriminate fire responding to attacks. The spike in 2015 is believed to be linked to

⁷⁷² UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/72/361-S/2017/821\]](#), 24 August 2017, paragraph 134

⁷⁷³ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

⁷⁷⁴ AMISOM, [AU Mission in Somalia seeks an end to the use of child soldiers in armed conflict](#), 7 February 2017

⁷⁷⁵ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., C. Killing and maiming, paras. 39 and 40, p. 9/10

Operation Juba Corridor. For example, eight children were killed in two incidents in Marka district, Shabelle Hoose region, in July 2015. On 19 December, a 17-year-old boy and a 14-year-old girl were killed when AMISOM forces opened fire indiscriminately, after their convoy was targeted by a bomb between Golweyn village and Mareer town, Shabelle Hoose region.⁷⁷⁶

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded 42 child casualties which primarily occurred in operations by AMISOM against Al-Shabaab or in indiscriminate fire responding to attacks.⁷⁷⁷

3.3.5.2. Attacks on schools & use of schools and hospitals for military purposes

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded 1 attack on schools as well as one school and one hospital used by AMISOM for military purposes.⁷⁷⁸

3.3.6. Civilian casualties

For a general overview of civilian casualties see [2.4.1 Overview of incidents and casualties across South and Central Somalia \(excl. Mogadishu\)](#).

In its report on Somalia covering the period 1st January to 30th April 2016, the UN Secretary-General reported that "Operations by security forces resulted in 105 reported civilian casualties. Of those casualties, 28 deaths and 45 injuries were attributed to the Somali security forces, 3 deaths to AMISOM and 29 deaths to air strikes by the Kenyan military operating bilaterally. In addition, two civilians were reportedly injured by United States helicopter air strikes".⁷⁷⁹

For example in early April 2016 "a vehicle carrying civilians had been attacked in Bura Maleh [...] because AMISOM soldiers had mistaken the vehicle's failure to stop at a checkpoint, despite the warnings given, as an attack by Al-Shabaab" the UN Independent Expert on the situation of human rights in Somalia was informed during his mission to Somalia in April 2016.⁷⁸⁰

In its report on Somalia covering the period 1st May to 31st August 2016, the UN Secretary-General reported that "Operations by security forces resulted in 83 civilian casualties, of which 16 deaths and 31 injuries were attributed to the Somali security forces; 5 deaths and 9 injuries to AMISOM".⁷⁸¹

The UN Secretary-General in his report covering the period 1 September to 31 December 2016 observed that "Reported civilian casualties totalled 623, comprising 260 deaths and 363 injuries. Security operations generated 242 civilian casualties, of which 55 deaths and 120 injuries were

⁷⁷⁶ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., C. Killing and maiming, para. 42, p. 10

⁷⁷⁷ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 134, p. 134

⁷⁷⁸ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 139, p. 135

⁷⁷⁹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, III., F. Cross-cutting issues, Human rights, para. 50, p. 10

⁷⁸⁰ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016XV. African Union Mission in Somalia, para. 85, p. 18

⁷⁸¹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, III., F. Cross-cutting issues, Human rights, para. 48, p. 10

attributed to the Somali security forces and 37 deaths and 12 injuries to AMISOM. UNSOM continued to engage with AMISOM on reported allegations of violations of human rights and humanitarian law, including the incident of 17 July [2016] that left 14 civilians dead and 3 others injured in Wardinle, near Baidoa, which was attributed to AMISOM (Ethiopian) troops. AMISOM is finalizing its investigation".⁷⁸²

In its 10-point report on human rights priorities for the new government, Human Rights Watch highlighted in May 2017 that "Human Rights Watch and the UN have documented numerous abuses by African Union forces in Somalia (AMISOM) and other foreign forces, including unlawful killings of civilians and sexual exploitation and abuse. For example, in July 2016 AMISOM's Ethiopian contingent killed 14 civilians in the Bay region. AMISOM committed to investigating the incident and conducted a board of inquiry. Its findings are unknown".⁷⁸³

A May 2017 report published by the International Refugee Rights Initiative based on 64 interviews conducted with Somali citizens found that there was "frequent mention of misconduct by AMISOM resulting in the deaths of civilians".⁷⁸⁴ The report recorded: "One incident that was repeatedly brought up, particularly by interviewees from Marka, was the killing of six men by Ugandan troops at a wedding in July 2015. A youth activist told IRRi: "In Marka, they killed innocent people celebrating a wedding. They [also] have run over many people with their convoys. You can't say every time it is an accident." Human Rights Watch documented this incident in 2014 and reported on AMISOM's failure to investigate or compensate the victims of another incident that took place in."⁷⁸⁵

During the period 1st January to 30th April 2017, the UN Secretary-General's report recorded that "security forces were responsible for 150 civilian casualties", of which 20 deaths and 41 injuries were attributed to AMISOM".⁷⁸⁶

According to reporting by the UN Secretary-General covering the period 1 May to 22 August 2017, 12 incidents were attributed to AMISOM.⁷⁸⁷

Covering 2017 the UN Monitoring Group on Somalia and Eritrea remarked that "Eighty-eight civilian deaths were attributed to AMISOM by the United Nations between January 2016 and June 2017. Although AMISOM was responsible for only 4 per cent of all incidents involving civilian harm in 2016, frustration with the lack of communication on investigations and an opaque process for paying amends contributed to the perception that international forces were responsible for greater levels of violence. This undermined the mission of AMISOM and its strategic partners".⁷⁸⁸

⁷⁸² UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 January 2017, III. Support for peacebuilding and state-building efforts, F. Cross-cutting issues, Human rights, para. 42, p. 9

⁷⁸³ Human Rights Watch, [Human Rights Priorities for Somalia's New Government](#), 2 May 2017

⁷⁸⁴ International Refugee Rights Initiative, ["They Say They're Not Here to Protect Us": Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, Abuses & Misconduct, p. 24

⁷⁸⁵ International Refugee Rights Initiative, ["They Say They're Not Here to Protect Us": Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, Abuses & Misconduct, p. 24. The Human Rights Watch report mentioned here can be accessed following this link: Human Rights Watch, ["The Power These Men Have Over Us - Sexual Exploitation and Abuse by African Union Forces in Somalia"](#), 8 September 2014

⁷⁸⁶ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, III. Support for peacebuilding and state-building efforts, F. Cross-cutting issues, 2. Human rights, para. 54, p. 9

⁷⁸⁷ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., E., 1. Human rights, para. 46, p. 8

⁷⁸⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., C. African Union Mission in Somalia and international forces, para. 194, p. 45

3.4. Ethiopian National Defence Force (ENDF)

For background information on the ENDF see [2.3.4. Ethiopian National Defence Force \(ENDF\)](#).

3.4.1. Targeted killings and disappearances

No specific information was located in the sources consulted and within the set time frame for research.

3.4.2. Sexual and gender based violence

For more general information on the prevalence of SGBV in Somalia see [9.1. Sexual and Gender Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#) and link to [7.1.3 State ability and willingness to protect against SGBV in South and Central Somalia \(excl. Mogadishu\)](#).

For general information on the practice of SGBV in Mogadishu, see [9.2. SGBV in Mogadishu](#).

No specific information was located in the sources consulted and within the set time frame for research.

3.4.3. Forced and child recruitment

No specific information was located in the sources consulted and within the set time frame for research.

3.4.4. Other violations against children

3.4.4.1. Killing and maiming of children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others the killing and maiming of children between 2012 and 2016 found that:

Between 2012 and 2016, the country task force on monitoring and reporting verified the killing and maiming of 3,406 children, comprising 732 in 2012, 731 in 2013, 538 in 2014 and 753 in 2015. In the first half of 2016, 652 children were killed and maimed (500 boys; 152 girls). After a decrease in 2014, the numbers increased again in 2015 (753), which represented 22 per cent of the total number of verified cases of killing and maiming. Unknown armed elements were responsible for 43 per cent of the total number of violations (1,505), followed by the Somali National Army (949), Al-Shabaab (758), AMISOM (108), regional security forces (30), 1 Ahl al-Sunna wal-Jama'a (14), the Kenyan Defence Forces (32) and the Ethiopian National Defence Forces (5) operating outside AMISOM command, unidentified air forces (4) and United States forces (1). Obtaining information on incidents, including disaggregated data on fatalities, remained a challenge owing to security limitations [...]

The majority of child casualties were the result of crossfire, sometimes during joint Somali National Army/AMISOM operations, mortar shelling, improvised explosive device attacks and incidents involving explosive remnants of war. Targeted attacks against the Somali National Army, AMISOM and Federal Government of Somalia officials and increasing asymmetric attacks against soft targets also led to child casualties.⁷⁸⁹

⁷⁸⁹ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., C. Killing and maiming, paras. 39 and 40, p. 9/10

The same source further noted that “Children were also victims of air strikes by the Ethiopian National Defence Forces and the Kenyan Defence Forces, operating outside AMISOM command and control, and United States forces”.⁷⁹⁰

3.5. Non-state armed groups and clan militias, incl. ISIL

For background information on non-state armed groups in Somalia see 2.3.5. Non-state armed groups; [2.3.5.1. Ahl Sunna Wal-Jama's \(ASWJ\)](#); [2.3.5.2. Clan militias](#); and [2.3.5.3. Islamic State in Iraq and the Levant \(Da'esh\) \(ISIL\)](#).

3.5.1. Targeted killings and disappearances

In its annual report covering 2016, the U.S. Department of State observed that “Unidentified gunmen also killed persons with impunity, including members of parliament, judges, National Intelligence and Security Agency (NISA) agents, Somali National Army (SNA) soldiers, and other government officials, as well as journalists, traditional elders, and international organization workers”.⁷⁹¹

Personal disputes

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) noted that “Anecdotally, assassinations are a common way to settle disputes in Somalia, even in personal matters, and can be arranged for as little as 50 USD”.⁷⁹²

Covering 2017 the UN Monitoring Group on Somalia and Eritrea remarked that “The assassination of individuals with connections to the 2016/17 electoral process emerged as a new pattern of violence after 8 February 2017, particularly in Mogadishu. The varying methods used, and the fact that Al-Shabaab claimed responsibility for only 8 of 90 killings in the first three months of 2017, suggested motivations more personal than political, although not necessarily unrelated to the elections”.⁷⁹³

Participants in the 2016 electoral process

According to reporting by the UN Secretary-General covering the period 1 May to 22 August 2017, “Twelve targeted assassinations of participants in the 2016 electoral process were recorded [...] seven were attributed to unknown assailants”.⁷⁹⁴

Covering 2017 the UN Monitoring Group on Somalia and Eritrea remarked that “The assassination of individuals with connections to the 2016/17 electoral process emerged as a new pattern of violence after 8 February 2017, particularly in Mogadishu. The varying methods used, and the fact that Al-

⁷⁹⁰ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., C. Killing and maiming, para. 43, p. 10

⁷⁹¹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 1., a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

⁷⁹² Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, Extra-Judicial Killings, para. 4.3, p. 17

⁷⁹³ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., A. Al-Shabaab and the Islamic State of Iraq and the Levant, para. 190, p. 44

⁷⁹⁴ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., E., 1. Human rights, para. 48, p. 8

Shabaab claimed responsibility for only 8 of 90 killings in the first three months of 2017, suggested motivations more personal than political, although not necessarily unrelated to the elections”.⁷⁹⁵

ISIL – beheading civilians

Covering 2017 the UN Monitoring Group on Somalia and Eritrea remarked that “Generally focused on military targets since its inception, the Somalia ISIL faction changed course during the mandate: beheading civilians and causing the displacement of more than 22,000 people during the takeover of Qandala in late October 2016; and conducting assassinations, burning homes and looting livestock”.⁷⁹⁶

3.5.2. Sexual and gender based violence

For more general information on the prevalence of SGBV in Somalia see [9.1. Sexual and Gender Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#) and link to [7.1.3 State ability and willingness to protect against SGBV in South and Central Somalia \(excl. Mogadishu\)](#).

For general information on the practice of SGBV in Mogadishu, see [9.2. SGBV in Mogadishu](#).

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others rape and other forms of sexual violence against children between 2012 and 2016 found that:

Twenty-seven per cent of the cases were verified in 2012 (211), with a downward trend in 2013 (154) and 2014 (76). The numbers spiked in 2015 (174) and in the first half of 2016 (165). Unknown armed elements were responsible for almost half the cases (344), followed by the Somali National Army (284), Al-Shabaab (124), Ahl al-Sunna wal-Jama’a (12) and regional forces (11) [...] The scale of sexual violence affecting children is believed to be underrepresented owing to fear of stigmatization and reprisals and to the lack of adequate support services for survivors.⁷⁹⁷

According to UNICEF’s 2016 Situation Analysis on Children in Somalia “armed groups detain, kill, maim, rape and sexually abuse children. Rape and sexual assault are widespread problems though, because of the strong stigma attached to rape in Somali culture, most incidents go unreported. Prosecutions and convictions for rape and other forms of sexual violence are extremely rare, and there is a climate of impunity. If parents are aware of the rape, customary law is the general means of recourse but girls and women do not have a voice in such forums”.⁷⁹⁸

The UN Secretary-General report on conflict-related sexual violence covering the period January to December 2016 found that “Between January and September 2016, the United Nations verified information on conflict-related sexual violence against 200 girls and 1 boy” of which 60 were attributed to clan militia, 55 to unknown armed elements and 3 to Ahl al-Sunna wal-Jama’a.⁷⁹⁹ The same source reported further with regards to forced marriage of women and girls to militants and

⁷⁹⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., A. Al-Shabaab and the Islamic State of Iraq and the Levant, para. 190, p. 44

⁷⁹⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., A. Al-Shabaab and the Islamic State of Iraq and the Levant, para. 182, p. 43

⁷⁹⁷ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., D. Rape and other forms of sexual violence, para. 44, p. 11

⁷⁹⁸ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, Child protection p.8

⁷⁹⁹ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, Somalia, para. 55, p. 16

found 13 documented incidents involving Al-Shabaab, Ahl Sunna Wal-Jama'a, and soldiers of the Somali National Army.⁸⁰⁰

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded 96 cases of sexual violence affecting children, mainly girls, attributable to unknown armed elements, 94 cases to clan militias, and 3 to Ahl al-Sunna wal-Jama'a.⁸⁰¹

3.5.3. Forced and child recruitment

The December 2016 report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that "During the reporting period, the country task force on monitoring and reporting verified the recruitment and use of 6,163 children (5,933 boys; 230 girls); more than 30 per cent of those cases were verified in 2012 (2,051). While a downward trend was noted for 2013 (1,293) and 2014 (824), the numbers increased in 2015 (903). A significant increase was documented in the first half of 2016 (1,092), which represented more cases of recruitment and use than for the years of 2014 and 2015. A recurrent pattern of child recruitment and use by the Somali National Army and armed groups was observed during the reporting period. The main perpetrator was Al-Shabaab, with 70 per cent of verified cases (4,313), followed by the Somali National Army (920), Ahl al-Sunna wal-Jama'a (346), regional security forces (193)¹ and unknown armed elements (351)".⁸⁰² The same source further reported with regards to Ahl al-Sunna wal-Jama'a's recruitment of children:

The majority of cases of recruitment and use by Ahl al-Sunna wal-Jama'a were verified in 2013 (111) and 2014 (109). Numbers decreased in 2015 (40). During the first half of 2016, 35 cases were verified. Child recruitment and use by Ahl al-Sunna wal-Jama'a were concentrated in the Gedo, Hiraan and Galguduud regions, its main areas of operations.

At the beginning of 2015, children were reportedly used during fighting between Ahl al-Sunna wal-Jama'a factions and the Somali National Army to control Guri Ceel town, Galguduud region. For instance, on 24 February 2015, four boys were seen heading to the Ahl al-Sunna wal-Jama'a base in Caabudwaaq town, Galguduud region. The boys reported that they had been called in to support the group in fighting the Somali National Army. Ahl al-Sunna wal-Jama'a also resorted to abductions for recruitment purposes. For instance, on 19 November 2014, a 15-year-old boy was abducted by Ahl al-Sunna wal-Jama'a in Jamaame East district, Juba Hoose region, and reportedly underwent military training.⁸⁰³

The report of the Secretary-General on Children and Armed Conflict recorded that during 2016 "The number of children recruited and used doubled (1,915) compared with 2015 as a result of a twofold increase in cases attributed to Al-Shabaab (1,206). [...] Children were also recruited and used by clan militias (447), [...] and Ahl al-Sunna wal-Jama'a (78)".⁸⁰⁴

According to UNICEF's 2016 Situation Analysis on Children in Somalia "In some areas families feel obliged to send their children to serve in clan militias. Some parents, and even children themselves,

⁸⁰⁰ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, *Somalia*, para. 56, p. 17

⁸⁰¹ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, *Somalia, Grave violations*, para. 138, p. 135

⁸⁰² UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 15

⁸⁰³ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 27-28

⁸⁰⁴ UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/72/361-S/2017/821\]](#), 24 August 2017, paragraph 134

consider recruitment as a source of income and a means of escaping poverty. [...] Children are offered small amounts of money, mobile phones or food as incentives to join the armed groups. Children living alone in IDP camps become easy targets for recruitment by armed groups. [...] Living in a state of insecurity attracts some children to join an armed force that will protect their community. Minority groups, who suffer discrimination from dominant clans, may be attracted to join armed groups that defend their communities. When children or their families have suffered from violence and abuse at the hands of other people, they may also be attracted to the idea of joining an armed group to exact revenge”.⁸⁰⁵

According to a November 2016 Amnesty International report, “The abduction and recruitment of children is widespread in Somalia, with the majority of cases attributed to Al-Shabaab. Child recruitment is also carried out by [...] clan militias. [...] Minority groups including the Somali Bantu also face marginalization and are targets for forced recruitment by the armed group Al-Shabaab”.⁸⁰⁶

The annual U.S. Department of Labor report covering events in 2016 documented that “Research found that the Ahlu Sunnah Wal Jama’a militia, which to date has not yet integrated into the Somali National Army (SNA), recruited children; Somalia’s numerous clan militias also used child soldiers”.⁸⁰⁷

An August 2017 letter from the Chair of a UN Security Council Committee ‘concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities’ reported “ISIL in Somalia is recruiting mainly from the ranks of Al-Shabaab and is urging foreign terrorist fighters fleeing conflict zones in other regions and those unable to travel there to consider Puntland as an alternative. In some instances, organized crime networks are collaborating with terrorist recruiters. One Member State indicated that some traffickers operating in Baidoa, Mogadishu, Beledweyne and Boosaaso are collaborating with terrorist recruiters. Similarly, another Member State assessed that a kidnap-for-ransom group named “Magafe” operates in Libya and is collaborating with ISIL in Somalia”.⁸⁰⁸

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “The ISIL faction has demonstrated increasingly sophisticated recruitment methods, largely targeted at disaffected members of Al-Shabaab in southern Somalia. For instance, two former ISIL fighters interviewed by the Monitoring Group reported that they had received airplane tickets from Mogadishu to Galkayo, which enabled them to avoid the numerous armed checkpoints that road travel from southern Somalia to Puntland would have entailed”.⁸⁰⁹ The same source further noted that “Clan militia were also implicated in child recruitment, intensifying during periods where they were deployed to participate in large-scale violence — including alongside federal and regional forces — particularly in Galkayo and Lower Shabelle towards the end of 2016.⁵³ After Al-Shabaab and the SNA, Ahlu Sunna wal Jama’a (ASWJ) was the entity with the highest number of child recruitment and use violations”.⁸¹⁰

⁸⁰⁵ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Child protection* p.8 and *Children associated with armed conflict* p.79

⁸⁰⁶ Amnesty International, [Nowhere Else To Go: Forced returns of Somali refugees from Dadaab refugee camp, Kenya \[AFR 32/5118/2016\]](#), 14 November 2016, 1. *Executive Summary* p.5

⁸⁰⁷ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

⁸⁰⁸ UN, [Letter dated 7 August 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da’esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 7 August 2017, paragraph 51

⁸⁰⁹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 38

⁸¹⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: *Child recruitment and use*, paragraph 28 p. 140

3.5.4. Other violations against children

3.5.4.1. Killing and maiming of children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others the killing and maiming of children between 2012 and 2016 found that:

Between 2012 and 2016, the country task force on monitoring and reporting verified the killing and maiming of 3,406 children, comprising 732 in 2012, 731 in 2013, 538 in 2014 and 753 in 2015. In the first half of 2016, 652 children were killed and maimed (500 boys; 152 girls). After a decrease in 2014, the numbers increased again in 2015 (753), which represented 22 per cent of the total number of verified cases of killing and maiming. Unknown armed elements were responsible for 43 per cent of the total number of violations (1,505), followed by the Somali National Army (949), Al-Shabaab (758), AMISOM (108), regional security forces (30), 1 Ahl al-Sunna wal-Jama'a (14), the Kenyan Defence Forces (32) and the Ethiopian National Defence Forces (5) operating outside AMISOM command, unidentified air forces (4) and United States forces (1). Obtaining information on incidents, including disaggregated data on fatalities, remained a challenge owing to security limitations [...]

The majority of child casualties were the result of crossfire, sometimes during joint Somali National Army/AMISOM operations, mortar shelling, improvised explosive device attacks and incidents involving explosive remnants of war. Targeted attacks against the Somali National Army, AMISOM and Federal Government of Somalia officials and increasing asymmetric attacks against soft targets also led to child casualties.⁸¹¹

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded that 482 children were killed and maimed by unknown armed elements, 143 by clan militias, and 1 by Ahl al-Sunna wal-Jama'a.⁸¹²

3.5.4.2. Attacks on schools and hospitals

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded 2 attacks each on schools by Ahl al-Sunna wal-Jama'a and clan militias, as well as 4 attacks against hospitals attributable to clan militias.⁸¹³

3.5.4.3. Abductions of children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others abductions of children between 2012 and 2016 found that:

Between 2014 and 2016, 1,023 abductions of children were verified. The numbers spiked in 2015 (523) compared with 2014 (133). In the first six months of 2016 alone, 367 abductions were verified.

⁸¹¹ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., C. Killing and maiming, paras. 39 and 40, p. 9/10

⁸¹² UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 134, p. 134

⁸¹³ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 138, p. 135

Over 85 per cent of abductions were attributed to Al-Shabaab (873), followed by unknown armed elements (123), the Somali National Army (25) and Ahl al-Sunna wal-Jama'a (2) [...] Abductions were also linked to rape, sexual violence and forced marriage.⁸¹⁴

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded 113 cases of child abductions by clan militia.⁸¹⁵

3.5.4.4. Denial of humanitarian access to children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others the denial of humanitarian access to children between 2012 and 2016 found that:

The country task force on monitoring and reporting verified 76 incidents of denial of humanitarian access, affecting the delivery of assistance to children. Humanitarian access was particularly challenging throughout 2012, with the number of incidents being more than double the number (31) in each of the following years (10 incidents in 2013, 15 in 2014 and 12 in 2015). Eight cases were verified in the first half of 2016. The majority of incidents were perpetrated by the Somali National Army (24), Al-Shabaab (24) and unknown armed elements (24), followed by Ahl al-Sunna wal-Jama'a, Puntland, Galmudug Interim Administration and Interim Jubba Administration forces (1 each). Humanitarian access was seriously restricted by ongoing military operations and a highly volatile security environment.⁸¹⁶

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded 10 cases where children were denied humanitarian access by clan militias.⁸¹⁷

3.5.5. Attacks on humanitarian workers

Covering 2016, the UN Monitoring Group on Somalia and Eritrea reported that "Violence meted out to humanitarian workers by local militia as a result of contracting disputes around the business elements of managing humanitarian aid were also noted. One security expert told the SEMG that risks relating to operations, human resources and day-to-day contracting and management, harboured the most frequent threats to NGOs".⁸¹⁸

⁸¹⁴ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., F. Abductions, paras. 57 and 58, p. 13

⁸¹⁵ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 140, p. 135

⁸¹⁶ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., G. Denial of humanitarian access, para. 60, pages 13/14

⁸¹⁷ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 141, p. 135

⁸¹⁸ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 6.2: Attacks on humanitarian workers, para. 23, p. 136

3.5.6. Extortion

A May 2017 International Crisis Group report stated that “Al-Shabaab is not the only armed group to erect roadblocks in order to extort money from drivers. Clan militias and government soldiers also routinely engage in this behaviour”.⁸¹⁹

3.5.7. Civilian casualties

For a general overview of civilian casualties see [2.4.1 Overview of incidents and casualties across South and Central Somalia \(excl. Mogadishu\)](#).

In its report on Somalia covering the period 1st January to 30th April 2016, the UN Secretary-General reported that “Civilian casualties attributed to Al-Shabaab or unidentified individuals totalled 121 deaths and 230 injuries”.⁸²⁰

3.6. Al Shabaab

3.6.1. Targeted killings and disappearances (incl. public executions)

The information included here only provides a brief overview, for further information see 2.3.5 *Al Shabaab*, [2.3.6.6 Capabilities and Targets](#) and for illustrative examples of targeted killings by profile, see section [4. Profiles of persons at risk by non-state actors, particularly Al Shabaab](#).

For information on Al Shabaab justice apparatus, see [6.8.1. Al Shabaab](#) and [6.8.1.1. Al Shabaab in Mogadishu](#).

In its annual report covering 2016, the U.S. Department of State observed that “Al-Shabaab committed politically motivated killings that targeted civilians affiliated with the government and attacks on humanitarian NGO employees, UN staff, and diplomatic missions. Al-Shabaab often used suicide attacks, mortar attacks, and improvised explosive devices (IEDs). It also killed prominent peace activists, community leaders, clan elders, and their family members for their roles in peace building, and it beheaded persons accused of spying for and collaborating with Somali national forces and affiliated militias. [...] From January to September, al-Shabaab abducted 152 persons, 80 of whom it subsequently released”.⁸²¹

Reporting on the situation in 2016 Amnesty International noted, “al-Shabaab continued to torture and extrajudicially kill people they accused of spying or not conforming to its interpretation of Islamic law. The group killed people in public, including by beheading and stoning, and carried out amputations and floggings, especially in areas from which AMISOM had withdrawn”.⁸²²

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “During the current mandate, numerous targeted killings were either claimed by or attributed to Al-

⁸¹⁹ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* Footnote 8 p.3

⁸²⁰ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 6 September 2016, III., F. *Cross-cutting issues, Human rights*, para. 50, p. 10

⁸²¹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.g. *Abuses in Internal Conflicts*

⁸²² Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

Shabaab. [...] Al-Shabaab frequently used abduction as a means of controlling the population, whether relating to State collaboration, punishment of a community or maintenance of taxes”.⁸²³

The UN Secretary-General on Somalia reported that “Twelve targeted assassinations of participants in the 2016 electoral process were recorded. Al-Shabaab claimed responsibility for four of them and seven were attributed to unknown assailants”.⁸²⁴

The December 2016 Report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that:

Between 2014 and 2016, 1,023 abductions of children were verified. The numbers spiked in 2015 (523) compared with 2014 (133). In the first six months of 2016 alone, 367 abductions were verified. Over 85 per cent of abductions were attributed to Al-Shabaab (873), followed by unknown armed elements (123), the Somali National Army (25) and Ahl al-Sunna wal-Jama’a (2). Abductions were used primarily as a tactic for recruitment, with a spike in 2015 corresponding to the launch of Operation Juba Corridor. For instance, on 14 July 2015, while playing and watching football, 13 boys aged between 14 and 17 were abducted by Al-Shabaab in Aadan Yabaal town, Shabelle Dhexe region. Several of the children captured in March 2016 by the Puntland authorities reported that they had been abducted by Al-Shabaab in southern and central Somalia and brought to Puntland by boat.⁸²⁵

The report of the Secretary-General on Children and Armed Conflict covering 2016 noted that “The number of abductions spiked compared with 2015: 950 children were abducted, 87 per cent of them by Al-Shabaab (827) and most of the others by clan militias (113). Of the cases involving Al-Shabaab, 548 children were abducted for recruitment purposes”.⁸²⁶

With further regards to estimates of the number of Al Shabaab executions and abductions, the May 2016 report of the UN Secretary-General on Somalia documented that in the reporting period (from 1 January to 30 April 2016) “Civilian casualties attributed to Al-Shabaab or unidentified individuals totalled 121 deaths and 230 injuries. Thirty-two abductions were suspected to have been carried out by Al-Shabaab, which released 50 captives on 3 April”.⁸²⁷

According to the September 2016 report from the same source, “Civilian casualties attributed to Al-Shabaab or unidentified persons totalled 98 deaths and 116 injuries. A total of 44 people were abducted by Al-Shabaab, 10 of whom were later released. The attacks represent an increase of 51 per cent from the previous period, due largely to 162 Al-Shabaab attacks in June”.⁸²⁸

The January 2017 report of the UN Secretary-General on Somalia recorded that “Civilian casualties attributed to Al-Shabaab or unidentified persons totalled 91 deaths and 126 injuries. A total of 46 people were abducted by Al-Shabaab, 35 of whom were later released. The attacks represent an increase of 1.4 per cent from the previous reporting period”.⁸²⁹

⁸²³ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraphs 95 and 97

⁸²⁴ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 48

⁸²⁵ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 57-58

⁸²⁶ UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/72/361-S/2017/821\]](#), 24 August 2017, paragraph 140

⁸²⁷ UN, [Report of the Secretary-General on Somalia](#), 9 May 2016, paragraph 50

⁸²⁸ UN, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 49

⁸²⁹ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 44

The May 2017 report of the UN Secretary-General on Somalia noted that “Civilian casualties attributed to Al-Shabaab or unidentified persons totalled 134 deaths and 200 injuries, a 46.5 per cent increase from the previous reporting period. Al-Shabaab abducted 36 persons, 15 of whom were later released”.⁸³⁰ The same source further noted that “Fourteen killings of individuals participating in the electoral process were documented, three of which were claimed by Al-Shabaab and 11 attributed to unknown assailants. One of the incidents in the Lower Shabelle region involved the public execution on 20 March of an elder captured by Al-Shabaab, reportedly because of his participation in the electoral process in Baidoa”.⁸³¹

In a July 2017 report, the Jamestown Foundation explained that “In addition to being able to attack secure compounds, al-Shabaab, via its Amniyat operatives, routinely intimidates, recruits — often via threats to family members — and assassinates members of the Somali government, its security services, journalists and non-compliant business owners (Garowe Online, July 1; Garowe Online, July 6)”.⁸³²

The September 2017 report covering the period from 1 May to 22 August 2017 recorded “A total of 582 civilian casualties were recorded during the reporting period, half of which (265 casualties) were caused by incidents perpetrated by Al-Shabaab”.⁸³³ The same source further documented that “in several instances, elders, imams and teachers who failed to hand over children were abducted. [...] the abduction of 100 clan elders in Galmudug is alarming”.⁸³⁴

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “Al-Shabaab intensified its use of violence to collectively coerce or punish communities in areas under its control. As pressure on resources rose during the drought, the group burned villages and abducted and beheaded elders to enforce taxation demands. In June 2017, Al-Shabaab also began a campaign of abduction of children, elders and teachers to compel communities to provide children for its ranks”.⁸³⁵ The same source further explained that:

A new phenomenon which emerged during the current mandate, however, was the use of violence to collectively punish members of a community resisting child recruitment, either by refusing to hand over children or sending them out of the area.

A series of incidents in El Bur in Galgaduud in June and July provide a snapshot of the intense nature of these practices. El Bur has been highly contested between Al-Shabaab and anti-Al-Shabaab forces: Ethiopian National Defence Forces (ENDF) withdrew in March 2017. In May, it was reported that 70 families had fled the area to protect their children from forced recruitment. On 21 June, Al-Shabaab ordered local elders to prepare 150 children between 9 and 17 years old to be handed over to the group for training after Ramadan. When the children were not delivered as demanded, 45 elders were rounded up by Al-Shabaab. They were later released on condition that the community provide 150 children for the group. Between 26 and 30 July, Al-Shabaab abducted 300 children between 6 and 17 years old from Elqoxle, Hamarjadid, Gondey, Goni and Hindhere villages and took them to the Ali’Jimale centre madrasa.

Alongside this new phenomenon of abductions of community and family members, the rate of direct abduction of children by armed actors in Somalia more than tripled. Al-Shabaab alone accounted for

⁸³⁰ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 55

⁸³¹ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 58

⁸³² Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

⁸³³ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 46

⁸³⁴ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 48 and 55

⁸³⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 181

364 such cases recorded by UN protection monitors in the second quarter of 2017. As reported in 2016, many of these abductions took place in schools.⁸³⁶

For information on total casualties attributed to Al Shabaab, see [2.3.6.6. Capabilities and Targets](#) and [3.6.7 Casualties](#).

3.6.1.1. Targeted killings and disappearances in Mogadishu

For illustrative examples of these incidents by profile, see [4. Profiles of persons at risk by non-state actors, particularly Al Shabaab](#).

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted that "As the capital Mogadishu is characterised by the presence of many high value targets, most assassinations and attacks (IED's, shootings, and car bombs) in Somalia, take place in Mogadishu. [...] A UN source added that civilians perceived to be associated with the government and the international community are seen by al-Shabaab as legitimate targets".⁸³⁷

3.6.2. Sexual and gender based violence

For more general information on the prevalence of SGBV in Somalia see [9.1. Sexual and Gender Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#) and link to [7.1.3 State ability and willingness to protect against SGBV in South and Central Somalia \(excl. Mogadishu\)](#).

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others rape and other forms of sexual violence against children between 2012 and 2016 found that:

Twenty-seven per cent of the cases were verified in 2012 (211), with a downward trend in 2013 (154) and 2014 (76). The numbers spiked in 2015 (174) and in the first half of 2016 (165). Unknown armed elements were responsible for almost half the cases (344), followed by the Somali National Army (284), Al-Shabaab (124), Ahl al-Sunna wal-Jama'a (12) and regional forces (11)¹ [...] The scale of sexual violence affecting children is believed to be underrepresented owing to fear of stigmatization and reprisals and to the lack of adequate support services for survivors.⁸³⁸

The same report further noted with regards to girls performing domestic chores in particular: "Girls were also at risk while performing domestic chores. For instance, on 12 March 2016, a 17-year-old girl was raped by an Al-Shabaab element on her way to the market in Banadir Jadiid village, Juba Dhexe region".⁸³⁹ Moreover, it was recorded by the same source that rape often occurred in the

⁸³⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraph 16-18 p.139

⁸³⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Information on the security situation in selected cities/regions, Mogadishu p.12

⁸³⁸ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., D. Rape and other forms of sexual violence, para. 44, p. 11

⁸³⁹ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., D. Rape and other forms of sexual violence, para. 46, p. 11

context of abductions “In an incident involving Al-Shabaab on 22 July 2016, a 16-year-old boy was abducted by two Al-Shabaab elements in Ceel Guduud village, Gedo region, and sodomized”.⁸⁴⁰

In a June 2016 briefing on a ‘Wave of Targeted Killings of Women’, the Strategic Initiative for Women in the Horn of Africa (SIHA) contended that “The targeted killings seem to add a new layer to Al-Shabaab’s agenda, targeting those who contribute to the economy, working with government or are active in politics, and some publicly outspoken against Al-Shabaab. What stands out is that all women targeted are affiliated with organizations, efforts and roles that are contributing towards the transformation of Somalia. These contributions women bring onto the table, to stability and sustainable peace are being undermined by those militant ideologies and patriarchal society structures, subordinating women and subjecting them to violence and discrimination”.⁸⁴¹

The Report of the Secretary-General on conflict-related sexual violence covering the period from January to December 2016 recorded that “Widespread sexual violence continues to be a feature of protracted conflict in Somalia. Internally displaced women and girls and members of minority clans remain the most vulnerable, owing to a lack of preventive measures, limited access to justice and weak clan protection. [...] Between January and September 2016, the United Nations verified information on conflict-related sexual violence against 200 girls and 1 boy. The violations were attributed to [...] Al-Shabaab (21) [...] In the last quarter of 2016, the United Nations Assistance Mission in Somalia documented 14 incidents of conflict-related sexual violence, including five gang rapes, allegedly committed by Al-Shabaab, the Interim South- West Administration of the Puntland Army, and the Somali national police”.⁸⁴²

The same source further noted that “The pattern of forced marriage of women and girls to militants persisted in 2016, with 13 incidents documented involving Al-Shabaab, Ahl Sunna Wal-Jama’a, and soldiers of the Somali National Army”.⁸⁴³

In its annual report covering 2016, the U.S. Department of State observed that “Al-Shabaab also committed sexual violence, including through forced marriages. Al-Shabaab sentenced persons to death for rape. [...] In areas under its control, al-Shabaab arranged compulsory marriages between its soldiers and young girls and used the lure of marriage as a recruitment tool. There were no known efforts by the government or regional authorities to prevent early and forced marriage”.⁸⁴⁴

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “According to several sources, al-Shabaab does recruit women. Women are mostly recruited to al-Shabaab for logistical tasks, housekeeping, sexual exploitation, as mobilisers of other women, and as wives to al-Shabaab fighters”.⁸⁴⁵

The same report cited interlocutors as noting with regards to the situation in areas with AMISOM/SNA presence that “Women as a generic category are not considered al-Shabaab targets.

⁸⁴⁰ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., D. Rape and other forms of sexual violence, para. 47, p. 11

⁸⁴¹ Strategic Initiative for Women in the Horn of Africa, [Somalia – Gendered Killings SIHA Briefing on the latest wave of targeted killings of women](#), 21 June 2016

⁸⁴² UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 55

⁸⁴³ UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 56

⁸⁴⁴ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 6. Women

⁸⁴⁵ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3.3 Women in al-Shabaab p.22

One source found that there is not a big distinction between men and women when it comes to risk of being targeted by al-Shabaab. It depends on their profile. An independent organisation assessed that, in general, women are less likely than men to be targeted by al-Shabaab in areas with AMISOM/SNA presence".⁸⁴⁶ The same source further noted with regards to the situation in areas with AMISOM/SNA presence that "An independent organisation knew of reports of forced marriages, but the information had not been verified, and the source was not aware of any recent incidents of forced marriage. Similarly, an anonymous source was not aware of any incidents of forced marriage to al-Shabaab fighters in urban centres. The source, however, would not exclude the possibility".⁸⁴⁷

Furthermore, "Women in general are not considered a target group in al-Shabaab areas. [...] Just as men, women need to play by the rules of al-Shabaab. [...] However, an anonymous source especially mentioned the lack of rights for women and a Western source added that especially women would have to conform to al-Shabaab norms".⁸⁴⁸

According to the September 2016 Report of the UN Independent Expert on the situation of human rights in Somalia, "In the view of the Minister for Justice, the large number of reported cases of violence against women had been exaggerated by civil society, and pointed out to the Independent Expert that most of the cases had been reported in areas occupied by Al-Shabaab, to which the Government has no access. The Minister added that, in any case, most of the reports had been received. He stated that the Ministry had established mobile courts to ensure access to justice for victims. The Independent Expert was also informed that the Government was currently integrating the formal justice system with the traditional and religious systems".⁸⁴⁹

The 2017 U.S. Department of State Trafficking in Persons Report explained that "As in prior reporting periods, certain marginalized ethnic minorities—Somali Bantus and Midgaan—continue to face greater risk of sex and labor trafficking, as do IDPs and people living in areas under al-Shabaab control. [...] According to an international organization, traffickers employed deception as the predominant recruitment method over threat or force, as utilized in years past. Traffickers and smugglers reportedly take advantage of the vulnerability of IDP women and children, mostly from southern and central Somalia, at times using false promises of lucrative jobs in Europe and North America. [...] Traffickers reportedly subject Somali children fleeing al-Shabaab and seeking refuge in Kenya to forced labor or sexual exploitation. Trucks transporting goods from Kenya to Somalia sometimes return to Kenya with young girls and women; traffickers procure these young girls and women and exploit them in brothels in Nairobi or Mombasa or send them to destinations outside Kenya".⁸⁵⁰

⁸⁴⁶ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.5. Women p.19

⁸⁴⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.5. Women p.19

⁸⁴⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 4.4. Women p.24-25

⁸⁴⁹ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 34

⁸⁵⁰ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “The role of women and girls in Al-Shabaab became an increasing focus of international actors during the mandate”.⁸⁵¹ It further noted that:

A study conducted on behalf of UN Women identified that “women’s recruitment and self-radicalising levels [we]re increasing” with young women from the Horn of Africa attracted into becoming ‘Jihadi brides’ in Somalia. At the same time the practice of forced marriage of local Somali women and girls continued, with one source in Bakool describing how Al-Shabaab viewed its madrasa system as a channel for identifying wives for its fighters.

There was also an evolution of the role of women in Al-Shabaab towards more operational tasks. Security sources in Mogadishu and Baidoa, noted that women — and occasionally girls — frequently transported weapons in and out of operation areas. In Bay and Bakool informants were adamant, however, that girls were not given weapons training but were instructed in security and intelligence gathering, including target surveillance.⁸⁵²

3.6.2.1. Sexual and gender based violence in Mogadishu

For general information on the practice of SGBV in Mogadishu, see [9.2. SGBV in Mogadishu](#).

In a June 2016 briefing on a ‘Wave of Targeted Killings of Women’, the Strategic Initiative for Women in the Horn of Africa contended that “The targeted killings seem to add a new layer to Al-Shabaab’s agenda, targeting those who contribute to the economy, working with government or are active in politics, and some publicly outspoken against Al-Shabaab. What stands out is that all women targeted are affiliated with organizations, efforts and roles that are contributing towards the transformation of Somalia. These contributions women bring onto the table, to stability and sustainable peace are being undermined by those militant ideologies and patriarchal society structures, subordinating women and subjecting them to violence and discrimination”.⁸⁵³ The same source documented the following incidents in Mogadishu:

13th June 2016, Zainab Muhudin Mogadishu, Somalia

On the evening of 13th June 2016, unidentified gunmen killed Zainab Muhudin, in Mogadishu’s Shibis district as witnesses and government officials said Zainab Muhudin was a renowned woman in the district and involved in politics. The attackers managed to escape. Mogadishu security officials said. Zainab Muhudin’s killing is the latest of a number of killings of women within the past months.

Sagal Salad Osman, 5th June 2016, Mogadishu, Somalia

Somali journalist Sagal Osman a university student of Computer Science at Plasma University, who was working for state-run radio called “Radio Mogadishu was killed few minutes after she went for a meeting preparing for her final examination at the University campus, on 5th June around 3.30pm. Sagal was standing outside the front gate of the university with her friends, when three armed men attacked her with pistols. She sustained fatal injuries. The perpetrators managed to escape.

17th April 2016, Fowsiya Hassan Elm, Mogadishu, Somalia

On 17th April, unidentified gunmen have shot and killed a cleaning lady working for UNHCR in Mogadishu, while wounding another woman. Eyewitnesses said pistol-wielding men on a motorbike have executed Fowsiya Hassan Elmi, a mother of five children. The rickshaw she was travelling was sprayed with bullets. The attack took place in Mogadishu’s Dharkenley district as the woman and her

⁸⁵¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraphs 23-25 p. 140

⁸⁵² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraphs 23-24 p. 140

⁸⁵³ Strategic Initiative for Women in the Horn of Africa, [Somalia – Gendered Killings SIHA Briefing on the latest wave of targeted killings of women](#), 21 June 2016

sister who worked as cleaner at UNHCR office were heading to her workplace in Mogadishu. The killers have managed to escape from the scene before security forces arrived.⁸⁵⁴

3.6.3. Forced and child recruitment

The December 2016 report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that “During the reporting period, the country task force on monitoring and reporting verified the recruitment and use of 6,163 children (5,933 boys; 230 girls); more than 30 per cent of those cases were verified in 2012 (2,051). While a downward trend was noted for 2013 (1,293) and 2014 (824), the numbers increased in 2015 (903). A significant increase was documented in the first half of 2016 (1,092), which represented more cases of recruitment and use than for the years of 2014 and 2015. [...] The main perpetrator was Al-Shabaab, with 70 per cent of verified cases (4,313)”.⁸⁵⁵ The same source further reported with regards to Al Shabaab recruitment of children:

Approximately 40 per cent of the 4,313 cases of recruitment and use by Al-Shabaab were verified in 2012 (1,789), followed by a decrease in 2013 (908) and 2014 (437). An increase was documented in 2015, with 555 cases, which continued steadily in the first half of 2016 (624).

A recurrent pattern of recruitment and use by Al-Shabaab was observed during the reporting period, in particular to reinforce or replenish its ranks following losses during joint AMISOM and Somali National Army operations or ahead of new offensives against the armed group. It is estimated that more than half of Al-Shabaab may comprise children. [...]

Children were trained and used in combat, with some as young as age 9 reportedly taught to use weapons and sent to the front lines. Children were used in operations that included the use of explosive devices (see S/2015/801), in addition to support roles, such as carrying ammunitions or performing domestic chores. They were also used as spies. For instance, a 14-year-old boy captured by AMISOM in May 2015 reported that he had been recruited in February 2015 by Al-Shabaab with three other children in Shonqolow village, Gedo region, and trained for three months with at least 40 other children aged between 13 and 17. On 1 August 2015, Al-Shabaab reportedly opened a training camp in Hagarey village, Galguduud region, where the presence of 60 boys aged between 9 and 15 was reported.

Al-Shabaab recruited children primarily in rural areas of southern and central Somalia. Schools, madrasas, mosques and religious events were frequent recruitment locations. Reports were received of madrasas having been established for the purpose of recruitment, particularly in Juba Hoose and Juba Dhexe regions (see S/2014/726). Teachers were often coerced into enlisting pupils. For instance, on 16 February 2014, in Waajid district, Bakool region, four boys were recruited by Al-Shabaab, the latter threatening to kill teachers if their students did not enlist. It was also reported that children were recruited from madrasas in refugee camps in Kenya (see S/2015/801).

Poverty and lack of opportunities provided incentives for recruitment by Al-Shabaab. Some of the children captured in March 2016 by Puntland authorities reported that they had been approached by Al-Shabaab with the promise of education and livelihoods. In other cases, children were used to pressure their peers to join Al-Shabaab. Information received in October 2016 pointed to an increasing focus by Al-Shabaab on the recruitment of children below the age of 15, whom it considered easier to manipulate.

Large numbers of children were abducted by Al-Shabaab for recruitment purposes. For instance, between 3 and 13 December 2015, some 150 children were reportedly abducted. Among those children, the country task force on monitoring and reporting verified information involving 26 boys, aged between 13 and 16, who had been abducted from madrasas and taken to recruitment camps in the Bay region following a refusal by parents to “make their children available” to join Al-Shabaab.

⁸⁵⁴ Strategic Initiative for Women in the Horn of Africa, [Somalia – Gendered Killings SIHA Briefing on the latest wave of targeted killings of women](#), 21 June 2016

⁸⁵⁵ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 15

Reports were also received of entire villages being forced to give up their children and young boys disappearing en masse from Al-Shabaab madrasas (see *ibid.*).

Children recruited and used by Al-Shabaab were victims of or were exposed to other grave violations, including killing and maiming, during military operations and air strikes targeting Al-Shabaab and subjected to arrest and detention by Somalia security forces during military or search operations.⁸⁵⁶

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “During the current mandate, there was an overall rise in the number of instances of recruitment and use of child soldiers verified by the United Nations, in particular by Al-Shabaab in Lower Juba, Middle Juba, Lower Shabelle and Bakool, including ahead of the group’s failed assault in Puntland in March 2016. More than 100 children, some as young as 11 years of age, were captured by Puntland and Galmudug Interim Administration forces during the incursion”.⁸⁵⁷ The same source further noted with regards to Al Shabaab recruitment that:

Al-Shabaab used increasing force in its recruitment of children this year. During the first three months of 2016 alone there were 268 incidents of child abduction verified by the UN and its partners, the majority of which were attributed to Al-Shabaab. Against the background of this aggressive general recruitment drive (primarily in Bay, Lower Shabelle, and Middle Juba), evidence collected by the SEMG points to an increasing focus by Al-Shabaab on the recruitment of very young children, particularly prior to, and after, Al-Shabaab’s failed attack on Puntland. From the patterns observed, Al-Shabaab appears to be filling immediate operational needs to deploy large numbers of relatively untrained foot soldiers, but also to be implementing a longer-term strategy to build a cadre of loyal fighters indoctrinated from a young age. [...]

Al-Shabaab’s failed attack on Puntland and Galmudug particularly exposed the expanding pattern of Al-Shabaab recruitment and use of very young children. When the kinetic operations ended, the Puntland and Interim Galmudug administrations found themselves with over a hundred children in their custody who had been separated from Al-Shabaab—some as young as 11.³²⁴ The children had in the main been hastily trained: among the children captured in Puntland, few of them had spent more than one year with Al-Shabaab, one had spent only one month with the group before being deployed.⁸⁵⁸

In a July 2016 Voice of America interview, Susannah Price, UNICEF chief of communication, stated that the recruitment and use of young children as soldiers was documented at surprisingly high numbers, “This is a very, very ... disturbing situation. [...] Indeed, there could be up to 5,000 child soldiers. We know that al-Shabab has a recruiting campaign for children sometimes involving persuasion. They may be giving money or food sometimes. The children in the [displaced persons] camps are an easy target”.⁸⁵⁹

According to the September 2016 Report of the UN Independent Expert on the situation of human rights in Somalia “Children are recruited by armed groups, in particular Al-Shabaab, mainly in Lower and Middle Jubba, in Gedo and the Lower and Middle Shabelle, where Al-Shabaab targets Somali Bantu youth and children as young as 10 years of age. More than 90 children have been captured, of whom about 66 remain in detention, while 43 have been transferred to rehabilitation facilities in Mogadishu. A few have been sentenced to death in Puntland”.⁸⁶⁰

⁸⁵⁶ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 16-22

⁸⁵⁷ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 106

⁸⁵⁸ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.2: Al-Shabaab: recruitment and use of children, paragraphs 8 and 9 p. 147

⁸⁵⁹ Voice of America, [Number of Child Soldiers in Somalia May Top 5,000](#), UN Reports

⁸⁶⁰ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 83

In its annual report covering 2016, the U.S. Department of State observed that “The number recruited during the first half of the year equaled the total number recruited throughout 2015, demonstrating an increase in al-Shabaab recruitment. [...] Al-Shabaab continued to recruit and force children to participate in direct hostilities, including suicide attacks. Al-Shabaab raided schools, madrassas, and mosques to recruit children. Children in al-Shabaab training camps were subjected to grueling physical training, inadequate diet, weapons training, physical punishment, and religious training. The training also included forcing children to punish and execute other children. Al-Shabaab used children in combat, including placing them in front of other fighters to serve as human shields and suicide bombers. In addition, al-Shabaab used children in support roles, such as carrying ammunition, water, and food; removing injured and dead militants; gathering intelligence; and serving as guards. The organization sometimes used children to plant roadside bombs and other explosive devices. The Somali press frequently carried accounts of al-Shabaab indoctrinating children at schools and forcibly recruiting students into its ranks”.⁸⁶¹

The report of the Secretary-General on Children and Armed Conflict recorded that during 2016 “The number of children recruited and used doubled (1,915) compared with 2015 as a result of a twofold increase in cases attributed to Al-Shabaab (1,206). In September, Al-Shabaab compelled elders in the Galguduud region to persuade children to join the group, leading to the recruitment of 100 boys”.⁸⁶²

The annual U.S. Department of Labor report covering events in 2016 documented that “In 2016, al-Shabaab forcibly recruited children as young as age 10 for use in armed conflict. Children planted explosive devices, acted as human shields, conducted assassinations and suicide attacks, gathered intelligence, and provided domestic service; girls were forced into sexual servitude”.⁸⁶³

The annual Human Rights Watch report covering events in 2016 noted with regards to Al-Shabab abuses that “the armed group continues to administer arbitrary justice, forcibly recruits children, and severely restricts basic rights in areas under its control. Some young men and boys who returned from Kenya’s refugee camps to Al-Shabab-controlled areas, including Buale and Sakoow, have faced pressure to join Al-Shabab”.⁸⁶⁴

In a September 2016 Research Memo, the Immigration and Refugee Board of Canada cited a Doctoral candidate as stating that “Al Shabaab ‘targets clans randomly’ for purposes of recruitment and to extract resources The same source also stated, without providing details, that there were incidents of Degodia people being harassed by Al Shabaab for recruitment purposes, and that those Degodia that are targeted for recruitment and resources are mainly those living along the border with Kenya”.⁸⁶⁵

The 2017 U.S. Department of State Trafficking in Persons Report explained that “During the year, there were continued reports of [...] al-Shabaab using child soldiers”.⁸⁶⁶ It further noted that:

⁸⁶¹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.g. *Abuses in Internal Conflicts*

⁸⁶² UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/72/361-S/2017/821\]](#), 24 August 2017, paragraph 134

⁸⁶³ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

⁸⁶⁴ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

⁸⁶⁵ Immigration and Refugee Board of Canada, [Somalia: Information on the Degodia clan, including distinguishing features, locations, occupations and position in the clan hierarchy; treatment \(2014-August 2016\) \[SOM105605.E\]](#), 02 September 2016

⁸⁶⁶ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

Throughout areas beyond state control, al-Shabaab frequently recruited children for use by its militias, typically through abduction, deception, or compelling elders to hand over minors, and increasingly through fear from public executions of children alleged to be deserters or spies. The terrorist group forced recruitment at mosques, Quranic schools, and facilities for neglected children. Al-Shabaab used children for combat and other support functions in southern and central Somalia, including for planting roadside bombs and other explosive devices, serving as human shields during incursions, carrying out assassinations and suicide attacks, providing intelligence, serving as guards, and working in domestic service. Al-Shabaab also forcibly recruited young girls and exploited them in sexual servitude.⁸⁶⁷

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted with regards to the Al Shabaab recruitment process that "There is limited available data on the recruitment process to al-Shabaab, and the process is complex and should be regarded as a continuum of voluntary and forced, with combinations of incentives and propaganda in-between. Three sources mentioned that the youth in Somalia have few possibilities regarding education and employment, which is an important factor when trying to understand recruitment to al-Shabaab. Al-Shabaab mostly recruits new members through incentives such as salary, social status, and even the promise of a wife in areas under its control. A UN source estimated that 50% of the low profile defectors, who has been through the rehabilitation centres, joined al-Shabaab due to economic reasons".⁸⁶⁸

The same source further noted that "Al-Shabaab is in principle against clannism and a UN source indicated that al-Shabaab deliberately recruits from minority clans and appoints people from minority clans to administrative posts. Furthermore, people from minority clans might join al-Shabaab due to a wish for revenge over majority clans. This might be a reason why, according to a UN source, al-Shabaab recruits new members following inter-clan fighting".⁸⁶⁹ For further information, see [8.3.3. Clan affiliations to Al Shabaab](#).

Furthermore, the same source explained that "As a generic example of a likely recruitment process one source explained that al-Shabaab will inform the elders of a given area that a specific number of youth must join al-Shabaab, e.g. in defending the town, concurrent with preaching its interpretation of jihad. If the elders refuse to supply the demanded recruits, al-Shabaab will use force. A UN source and a Somalia Country Director of a humanitarian agency provided similar examples".⁸⁷⁰ Moreover:

A Somalia Country Director of a humanitarian agency explained that the consequence of refusing recruitment will fall upon the clan. If a person refuses to be recruited – or a local community refuses to bring the demanded number of boys and men – it can lead to violent confrontations between al-Shabaab and the clan in question. A UN source mentioned that if al-Shabaab is to accept that a person refuses to be recruited, some kind of compensation is required. If a person refuses to compensate al-Shabaab, he will have to flee otherwise al-Shabaab will locate him and execute him. An independent organisation and an anonymous source concurred that refusing to join al-Shabaab can have serious consequences. Persons, who refuse, can be killed, and the killing can take place as a public execution.

⁸⁶⁷ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

⁸⁶⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3. *Recruitment to al-Shabaab, 3.1 The Recruitment process p.20*

⁸⁶⁹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3. *Recruitment to al-Shabaab, 3.1 The Recruitment process p.20*

⁸⁷⁰ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3. *Recruitment to al-Shabaab, 3.1 The Recruitment process p.21*

The independent organisation considered it to be a part of an overall al-Shabaab strategy in order to install fear in the population and to state examples for future recruits.⁸⁷¹

In February 2017 AMISOM reported that “Available statistics also show that 70-percent of the children in armed conflict in Somalia are recruited by Al-Shabaab. ‘Al-Shabaab used child soldiers to reinforce and replenish their ranks following successful AMISOM and SNA operations against them,’ Col. Leahey explains. He said children as young as 9 years of age, are taught how to use weapons and sent to the frontline to use explosives, carry ammunition and to perform domestic chores”.⁸⁷²

A May 2017 Human Rights Watch report noted that “Al-Shabab and other armed groups continue to use children in their forces for combat, as ‘wives,’ and for other unlawful purposes”.⁸⁷³ In a May 2017 article the BBC cited one woman as stating “Al-Shabab is harvesting the boys and men we left behind on our parched land, offering them a few dollars and a meal. [...] Against their will, our children and husbands have become the jihadists' new army”.⁸⁷⁴

The May 2017 report of the UN Secretary-General on Somalia noted that “Continued abductions by Al-Shabaab for recruitment purposes were reported, and there was an alarming incident of “graduation” of 167 boys, aged between 10 and 13, from a training centre in Lower Shabelle region”.⁸⁷⁵

Voice of America reported that in August 2017, cited Adale the town's district commissioner, Muse Mohamed Ahmed as stating “Al-Shabab has a large number of old fighters, so they want to recruit children to bolster its ranks. They have started abducting children from local schools, and those who do not want to join them have decided to flee to the government-controlled areas”.⁸⁷⁶ He estimated that more than 500 children have fled villages and towns in central Somalia, mainly in the Galgudud, Hirran and Middle Shabelle areas”.⁸⁷⁷

An August 2017 Danish Demining Group report on the return of Somalis from Dadaab refugee camp in Somalia considered that “The risk of some returnee youth being recruited into Al Shabaab is real. Predatory or abusive behaviour by members of host communities against the returnees, played out along clan lines, will create grievances easily tapped by Al Shabaab. [...] In the long-term, the existence of a large population of Digil-Mirifle and Bantu crowded in slums and IDP camps and treated as an underclass will constitute a dangerous underlying source of conflict and an easy recruiting tool for Al Shabaab. [...] Returnees traveling by land from Dadaab to Kismayo are especially vulnerable to forced conscription, as all vehicles are stopped at Al Shabaab checkpoints on the route. Some are intentionally avoiding that route to get to Kismayo. But Al Shabaab is in a position to forcibly conscript returnee youth in Mogadishu, too, especially in the IDP camps along Afgoye road, where government forces have tenuous control by day but where Al Shabaab moves freely at night. If youth returnees face prolonged unemployment and harassment or predation by government security forces and clan paramilitaries in their area of return, they may also freely opt to join Al Shabaab as a source of employment or resistance or both”.⁸⁷⁸

⁸⁷¹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3. *Recruitment to al-Shabaab, 3.1 The Recruitment process p.21*

⁸⁷² AMISOM, [AU Mission in Somalia seeks an end to the use of child soldiers in armed conflict](#), 7 February 2017

⁸⁷³ Human Right Watch, [Human Rights Priorities for Somalia's New Government](#), 2 May 2017

⁸⁷⁴ BBC, [How do you solve a problem like Somalia?](#) 11 May 2017

⁸⁷⁵ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 64

⁸⁷⁶ Voice of America, [Somali Children Flee Al-Shabab Recruitment](#), 7 August 2017

⁸⁷⁷ Voice of America, [Somali Children Flee Al-Shabab Recruitment](#), 7 August 2017

⁸⁷⁸ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Executive Summary p.2 and Impact of Conflict Dynamics on Returnees p.35*

The September 2017 report of the UN Secretary-General on Somalia reported that “On 10 June, UNSOM launched a weekly radio campaign to encourage defections by young males in Mogadishu, Baidoa and Kismaayo who are vulnerable to Al-Shabaab recruitment”.⁸⁷⁹ The same source further noted that “The Somalia country task force on monitoring and reporting verified 245 incidents of grave violations affecting 485 children (124 girls and 361 boys). Al-Shabaab is expanding its recruitment campaign in Galmudug by compelling children to attend Al-Shabaab-managed madrasas reportedly used to indoctrinate and train them as fighters. In several instances, elders, imams and teachers who failed to hand over children were abducted. [...] The forced recruitment by Al-Shabaab of over 200 children and the abduction of 100 clan elders in Galmudug is alarming”.⁸⁸⁰

In a September 2017 article on the humanitarian crisis in the region, the Center for Strategic and International Studies reported that “The Islamic State, al Shabaab, and other terrorist groups routinely use food as a recruitment tool”.⁸⁸¹

A September 2017 Voice of America article detailed that “Al-Shabab militants have launched what appears to be a forced recruitment campaign in Somalia's southwestern regions of Bay and Bakool, according to Somali officials. The group, which controls large parts of both regions, is pressuring leaders of local villages to make sure teenagers join its ranks, according to the governor of Bay region, Ali Wardhere Doyow. [...] Doyow said many families and their children have fled their villages to larger towns in the Bay region, including Baidoa, Dinsor and Bardale”.⁸⁸² The article also cited Abdishakur Yaqub Ibrahim, a regional lawmaker who lives in Baidoa, as stating that “They told the elders that if a family has two sons, they will draft one as a militant; if they have three, they will take two of them. [...] They are saying they will educate the children, but they are going to turn them into bombs.”⁸⁸³

In September 2017 UNDP issued a study on ‘Drivers, Incentives and the Tipping Point for Recruitment’ in Africa, “drawn from an unprecedented number of interviews with former recruits from multiple violent extremist groups spanning the continent”.⁸⁸⁴ Among the findings of the study, it was noted that

Individuals who later join violent extremist groups are found in this research to be particularly deprived in educational terms. [...] The findings also clearly differentiate between perceptions about religion and its significance as a reason for joining violent extremist groups, and actual religious literacy. [...] The grievances associated with growing up in contexts where multidimensional poverty is high and far deeper than national averages, with the lived reality of unemployment and underemployment, render ‘economic factors’ a major source of frustration identified by those who joined violent extremist groups. [...] Employment is the single most frequently cited ‘immediate need’ faced at the time of joining.

[...] disaffection with government is highest by significant margins among the Journey to Extremism respondents who were recruited by violent extremist groups across several key indicators. These include: belief that government only looks after the interests of a few; low level of trust in government authorities; and experience, or willingness to report experience, of bribe-paying. Grievances against security actors, as well as politicians, are particularly marked, with an average of 78 percent rating low levels of trust in the police, politicians and military. [...] A striking 71 percent

⁸⁷⁹ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 38

⁸⁸⁰ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 55 and 96

⁸⁸¹ Center for Strategic and International Studies, [The Four Famines: The Alarm Bells Are Ringing, But Who Is Listening?](#) 6 September 2017

⁸⁸² Voice of America, [Somali Teenagers Flee Al-Shabab Recruitment Campaign](#), 27 September 2017

⁸⁸³ Voice of America, [Somali Teenagers Flee Al-Shabab Recruitment Campaign](#), 27 September 2017

⁸⁸⁴ UNDP, [Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment](#), 7 September 2017, Executive Summary p.4

pointed to ‘government action’, including ‘killing of a family member or friend’ or ‘arrest of a family member or friend’, as the incident that prompted them to join. [...] Emotions of ‘hope/excitement’ and ‘being part of something bigger’ were high among those who joined, indicating the ‘pull’ of opportunity for radical change and rebellion against the status quo of circumstances that is presented by violent extremism. Despite the highly personal aspects of the journey to extremism, local community social networks were also influential.⁸⁸⁵

In August 2017 UNSOM published a study into ‘Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia’.⁸⁸⁶ The study found that “Respondents identified youth aged 10–15 years as Al-Shabaab’s primary recruitment targets” and identified five main tactics that Al-Shabaab uses to recruit people into their organisation:

- Direct recruitment of groups like women, unemployed youth and other vulnerable populations. Social and economic incentives are often utilised to entice recruits.
- Forced recruitment including abduction, threats and forcing parents to give up one son.
- Third-party recruitment using friends and relatives (peer pressure).
- Media publicity, using propaganda messaging on social media, radio and the Internet.
- Religious persuasion, based on preaching from religious leaders and radicalised madrasa teachers.⁸⁸⁷

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “Although the last three months of 2016 saw the number of recorded incidents of child recruitment and use drop by 50 per cent, the recruitment of children by Al-Shabaab escalated sharply in late June 2017, particularly in Galgadud, Hiran and Mudug regions. Al-Shabaab’s campaign was reinforced by the abduction of elders, teachers and family members, causing families to flee or send their children out of the area to safety”.⁸⁸⁸ The same source further noted that:

By July 2017, however, the trend was reversing. In June 2017, in Hiran, Galgadud and Mudug regions, Al-Shabaab began a new round of aggressive child recruitment, accompanied by a campaign of threats and violence against local communities. On 7 August, the District Commissioner of Adale in Middle Shabelle region announced that over 500 children had arrived into the town having fled forced recruitment in Galgudud, Hiran and Middle Shabelle. It was too early to assess in September 2017 whether these large-scale recruitment efforts were being undertaken by Al-Shabaab in anticipation of planned anti-Al-Shabaab offensives in the Juba valley: it is possible that Al-Shabaab intended to avoid alienating families on whom it relied for support during operations, and reduce desertion, by planning to deploy children from other areas in those encounters.[...]

The arrival of the drought in 2016 created a fertile environment for child recruitment in Al-Shabaab areas. In districts around Hudur, local officials described how families were forced to leave children behind when they fled to government-held areas for humanitarian assistance. When supplies dwindled, children were turned to Al-Shabaab for help: in Tiye glow district, several boys who had defected from Al-Shabaab in early 2017 were forced to re-join the group.

As an inducement to recruitment, Al-Shabaab in parts of Bay region promised children that they would receive food, clothes, education — including IT training and driving skills — and health services. For older boys, Al-Shabaab undertook to pay dowry when the time came for them to marry. In some cases, boys were told that they would not have to fight.

Pressure was also brought to bear collectively on communities. In three locations in Al-Shabaab’s Bay heartland — Rama Cadeey, Bulu Fulay and Bush Madine — the group called a meeting at the height of

⁸⁸⁵ UNDP, [Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment](#), 7 September 2017, *Executive Summary* p.5

⁸⁸⁶ UNSOM, [Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia](#), 14 August 2017

⁸⁸⁷ UNSOM, [Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia](#), 14 August 2017, *D. Al Shabaab recruitment and messaging* p.14

⁸⁸⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *paragraph 198*

the drought and demanded that 300 children be sent to its madrasa. Families who initially refused were fined \$50 per child when they were eventually forced to attend.⁸⁸⁹

The same source also recorded that “In Bakool, Lower Shabelle, and Middle Juba regions, Al-Shabaab reinforced its child recruitment education strategy by providing clan elders with specialized religious and ideological training. Reflecting Al-Shabaab’s increasing use of clan as a vehicle for tracking and ensuring allegiance, in Awdheegle in July, Al-Shabaab issued identity cards with a clan marker to elders who had received training.³⁹ Elders were subsequently instructed to ensure each community obeyed the group’s stipulations on recruitment: one to three boys, proportional to the number of children in each family — although guns could be provided in lieu”.⁸⁹⁰

3.6.3.1. Forced recruitment in Mogadishu

An August 2017 Danish Demining Group report on the return of Somalis from Dadaab refugee camp in Somalia considered that “Al Shabaab is in a position to forcibly conscript returnee youth in Mogadishu, too, especially in the IDP camps along Afgoye road, where government forces have tenuous control by day but where Al Shabaab moves freely at night. If youth returnees face prolonged unemployment and harassment or predation by government security forces and clan paramilitaries in their area of return, they may also freely opt to join Al Shabaab as a source of employment or resistance or both”.⁸⁹¹

The September 2017 report of the UN Secretary-General on Somalia reported that “On 10 June, UNSOM launched a weekly radio campaign to encourage defections by young males in Mogadishu, Baidoa and Kismaayo who are vulnerable to Al-Shabaab recruitment”.⁸⁹²

3.6.4. Other violations against children

3.6.4.1. Killing and maiming of children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others the killing and maiming of children between 2012 and 2016 found that:

Between 2012 and 2016, the country task force on monitoring and reporting verified the killing and maiming of 3,406 children, comprising 732 in 2012, 731 in 2013, 538 in 2014 and 753 in 2015. In the first half of 2016, 652 children were killed and maimed (500 boys; 152 girls). After a decrease in 2014, the numbers increased again in 2015 (753), which represented 22 per cent of the total number of verified cases of killing and maiming. Unknown armed elements were responsible for 43 per cent of the total number of violations (1,505), followed by the Somali National Army (949), Al-Shabaab (758), AMISOM (108), regional security forces (30), 1 Ahl al-Sunna wal-Jama’a (14), the Kenyan Defence Forces (32) and the Ethiopian National Defence Forces (5) operating outside AMISOM command, unidentified air forces (4) and United States forces (1). Obtaining information on incidents, including disaggregated data on fatalities, remained a challenge owing to security limitations [...]

⁸⁸⁹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraphs 4-7 p. 138

⁸⁹⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraph 12 p. 138

⁸⁹¹ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Impact of Conflict Dynamics on Returnees* p.35

⁸⁹² UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 38

The majority of child casualties were the result of crossfire, sometimes during joint Somali National Army/AMISOM operations, mortar shelling, improvised explosive device attacks and incidents involving explosive remnants of war. Targeted attacks against the Somali National Army, AMISOM and Federal Government of Somalia officials and increasing asymmetric attacks against soft targets also led to child casualties.⁸⁹³

The UN Secretary-General report 'Children and armed conflict' of 24 August 2017, covering the period January to December 2016, recorded that 1,221 children were killed and maimed, of which 290 were perpetrated by Al Shabaab.⁸⁹⁴

3.6.4.2. Attacks on schools & use of schools and hospitals for military purposes

The report of the Secretary-General on Children and Armed Conflict covering 2016 noted that "Attacks on 46 schools [...] were verified. Attacks on schools were attributed to Al-Shabaab (31) [...]".⁸⁹⁵ The December 2016 Report of the Secretary-General on children and armed conflict in Somalia summarised that:

Schools were destroyed and looted during confrontations between parties to the conflict. Education personnel were threatened, killed and detained. For instance, on 25 February 2016, one madrasa was destroyed in Caga Dhiig village, Banadir region, after being hit by Al-Shabaab mortar shells targeting the presidential palace. Three boys were killed and two boys and a girl were maimed.

In addition, Al-Shabaab disrupted the learning of hundreds of children and distributed jihadist booklets. For example, on 27 October 2014, Al-Shabaab elements raided a Koranic school in Aadan Yabaal district, Shabelle Dhexe region, and gave a lecture, which disrupted the learning of 125 students. As mentioned above, Al-Shabaab also used schools for recruitment.⁸⁹⁶

In a July 2017 article, Human Rights Watch reported that "Schools and universities in Somalia have been used as military bases, both by AMISOM forces and the al-Shabaab militants they are fighting. This has led to the damage and destruction of vital education institutions by turning them into military targets. Students have been injured and killed in attacks on schools that were being used by fighters".⁸⁹⁷

3.6.4.3 Abductions of children

In the report by the UN Secretary-General on children and armed conflict in Somalia published in December 2016 and documenting amongst others abductions of children between 2012 and 2016 found that:

Between 2014 and 2016, 1,023 abductions of children were verified. The numbers spiked in 2015 (523) compared with 2014 (133). In the first six months of 2016 alone, 367 abductions were verified. Over 85 per cent of abductions were attributed to Al-Shabaab (873) [...]

⁸⁹³ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., C. Killing and maiming, paras. 39 and 40, p. 9/10

⁸⁹⁴ UN Secretary-General, [Children and armed conflict, Report of the Secretary-General](#), 24 August 2017, Somalia, Grave violations, para. 134,

⁸⁹⁵ UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/72/361-S/2017/821\]](#), 24 August 2017, paragraph 139

⁸⁹⁶ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 51-53

⁸⁹⁷ Human Rights Watch, [African Union Troops Vacate Base in Somali University](#), 12 July 2017

Abductions were also linked to rape, sexual violence and forced marriage.⁸⁹⁸

3.6.5. Torture

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “On multiple occasions during the mandate, international forces withdrew with little warning from areas in Bakool, Galgadud, Hiran and Lower Shabelle. Al-Shabaab immediately returned, subjecting local communities to killing, torture, abductions, the destruction of humanitarian aid and forced recruitment”.⁸⁹⁹

For treatment in Al Shabaab-run detention facilities, see 6.8. *Non-state unofficial justice apparatuses*, [6.8.1. Al Shabaab](#) and [6.8.1.1. Al Shabaab in Mogadishu](#).

3.6.6. Restrictions on freedom of movement and denial of humanitarian access

The annual Human Rights Watch report covering events in 2016 noted that “Al-Shabab controls and carries out attacks along many supply routes and imposes blockades on towns captured by AMISOM and government forces, restricting movement of goods and assistance”.⁹⁰⁰

In its annual report covering 2016, the U.S. Department of State similarly observed that “Armed groups, particularly al-Shabaab but also government forces and militia, deliberately restricted the passage of relief supplies and other items indispensable to the survival of the civilian population as well as access by humanitarian organizations, particularly in the southern and central regions. [...] Al-Shabaab also seized relief supplies. For example, on April 13 [2016], al-Shabaab seized a truck transporting WFP food commodities near El Wak. WFP halted critical activities outside El Wak, including the treatment of acute malnutrition, until the driver, truck, and commodities were released. [...] Al-Shabaab blocked humanitarian access to 28 districts in southern and central Somalia, including critical transportation routes to areas liberated by AMISOM. Human Rights Watch reported al-Shabaab imposed blockades around Hudur, Bullo-Burte, Elbur, Qoryoley, and other towns that had been liberated by AMISOM and Somali government forces, severely restricting the movement of goods, assistance, and persons. Al-Shabaab restricted medical care, including by impeding civilian travel to other areas to receive care, destroying medications provided by humanitarian agencies, and closing medical clinics. [...] Al-Shabaab forced persons in their camps to move to the countryside, reportedly to raise cash crops for the organization”.⁹⁰¹

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea described that “by the beginning of 2016, humanitarian partners still faced severe challenges with regard to physical access to 28 districts in southern and central Somalia. Al-Shabaab created the main obstacles through its economic blockades, especially in Bakool, Bay, Gedo and Hiran, besieging towns and areas controlled by anti-Al-Shabaab forces and preventing the movement of goods and people, including humanitarian personnel and supplies”.⁹⁰²

⁸⁹⁸ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., F. *Abductions*, paras. 57 and 58, p. 13

⁸⁹⁹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 192

⁹⁰⁰ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

⁹⁰¹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.g. *Abuses in Internal Conflicts* and 7.b. *Prohibition of Forced or Compulsory Labor*

⁹⁰² UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 90

A May 2017 International Crisis Group report stated that Al Shabaab “runs ‘security checkpoints’ on major routes [According to the UN, the most affected roads are Mogadishu-Baidoa-Dollow, Mogadishu-Afgooye- Marka-Barawe-Kismayo and Mogadishu-Balcad-Jowhar-Belet Weyne-Galkacyo]; and uses a variety of coercive tactics to prevent people from leaving and block access to aid agencies”.⁹⁰³ The same source further explained that:

In February and March 2017, large numbers of drought-stricken families began spontaneously leaving areas Al-Shabaab controlled in Bay and Bakool, as well as the Shabelle and Juba river valleys in search of relief assistance in federal and state government-controlled territory. This raised speculation that the militant group might be softening its uncompromising attitude toward foreign aid, perhaps because of the gravity of the situation and criticism it endured when it blocked Western food aid during the 2011 famine. These assumptions proved misplaced. Al-Shabaab blocked the exodus through coercion and by providing its own relief to hungry communities, arguably because of its heightened sense of insecurity and vulnerability – a realisation that mass depopulation might expose it to aerial and ground attacks.⁹⁰⁴

The May 2017 report of the UN Secretary-General on Somalia noted that “Al-Shabaab continues to restrict access to those in need of assistance and aid to populations in areas under its control. It is unacceptable that humanitarian assistance, particularly for women and children, is disrupted or denied as a means of conflict”.⁹⁰⁵ In the same report he commented that “I am especially concerned about the group’s willingness to resort to violent means to hinder relief activities targeting civilians and aid workers, including the United Nations”.⁹⁰⁶ For further information, see section 4. *Profiles of persons at risk by non-state actors, particularly Al Shabaab*, [4.4. IGOs, NGOs](#) and [4.4.1. IGOs, NGOs in Mogadishu](#).

An August 2017 Refugees International report noted that “Al-Shabaab controls (or at least has influence over) much of the rural area of south central Somalia that has been hardest hit by the drought and where humanitarian access is extremely limited. Deeply concerning are recent reports that Al-Shabaab has begun preventing some people from leaving their home areas until they are on the brink of starvation. RI interviews with IDPs indicated that, in certain areas, Al-Shabaab has been restricting outward movement. One IDP mother who had fled her home area in the Bay region with her seven children told RI, “Al-Shabaab didn’t want us to leave. We had to escape during the middle of the night.” According to another IDP with whom RI spoke, “Al-Shabaab said we could not go to Baidoa. So we told them we were only going to a nearby village. But then when we got there, we kept going”.⁹⁰⁷

The September 2017 report covering the period from 1 May to 22 August 2017 recorded “Road access challenges, accompanied by illegal taxation and abuse of travellers, continue in many areas. During the second quarter of 2017, non-state armed actors intensified blockades in Diinsoor, Wajid and Xuddur in the Gedo and Bakool regions, which lie at the epicentre of the crisis, impacting the availability of key commodities”.⁹⁰⁸

⁹⁰³ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.3

⁹⁰⁴ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.3

⁹⁰⁵ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 98

⁹⁰⁶ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 102

⁹⁰⁷ Refugees International, [On the Edge of Disaster; Somalis forced to flee drought and near famine conditions](#), August 2017, Background p.5

⁹⁰⁸ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 78

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found with regards to Al Shabaab obstruction of humanitarian access “The issue by the United Nations of a pre-famine alert on 2 February 2017 triggered a major escalation in humanitarian activity in Somalia. While local non-governmental organizations and communities shouldered the burden and risk of delivering essential inputs, new conflict cycles, intensified anti-Al-Shabaab operations and impassable supply routes hampered access. Al-Shabaab was adept at disrupting and manipulating humanitarian activity both within and outside its recognized areas of control”.⁹⁰⁹ The same source further reported:

In 2011, Al-Shabaab’s denial of humanitarian access contributed significantly to the 260,000 deaths that resulted from the famine in Somalia. In contrast, during the current mandate, Al-Shabaab mounted a well-publicized drought response, setting up regional drought committees and activating its Al-Xhasan humanitarian wing. In March 2017, the group conducted a series of high-profile food and water distributions in the regions of Bay, Bakool, Galgadud, Hiran, Lower Shabelle and Mudug. At the same time, however, Al-Shabaab’s other policies exacerbated the situations of populations in need, both within and outside their areas of control. These included:

- (a) A continued ban in most areas on the formal humanitarian sector, aggressively enforced by the seizure and destruction of food aid and the punishment of those who accepted humanitarian aid;
- (b) The increased taxation of community assets, harvest yield and humanitarian aid (including cash based-transfers), often extracted with violence;
- (c) A surge in arrests and abductions of humanitarian workers and of elders attempting to negotiate humanitarian access;
- (d) A rise in checkpoint fees and continued blockades of transport of commercial and humanitarian goods to areas under government control.

[...] Al-Shabaab allowed limited freedom of movement to those who sought to leave their strongholds to access aid. Return home, however, was not always guaranteed. The Monitoring Group documented how displaced families in Lower Shabelle paid taxes through mobile money transfers to maintain their land titles. In some places in Bay region, \$15 and a portion of the harvest was the price of returning home to cultivate after the arrival of the Gu rains.⁹¹⁰

The same source also reported that “Illegal checkpoints controlled by federal and regional forces, clan militias and Al-Shabaab impeded the passage of aid and drove up the cost of commercial goods. This in turn affected the value of humanitarian assistance: over 80 per cent of food aid for the drought response was in the form of cash or vouchers. An assessment of main transit routes in central and southern Somalia by one humanitarian organization in August 2017 identified 82 fee-paying checkpoints, 20 of which were controlled by Al-Shabaab. The majority of the rest were controlled by the Somali National Army, in addition to five others where the Army shared revenue with Interim South-West Administration forces”.⁹¹¹

Also see [5.1. Freedom of movement](#).

3.6.6.1. Denial of humanitarian assistance in Mogadishu

A May 2017 International Crisis Group report stated that Al Shabaab “runs ‘security checkpoints’ on major routes [According to the UN, the most affected roads are Mogadishu-Baidoa-Dollow, Mogadishu-Afgooye- Marka-Barawe-Kismayo and Mogadishu-Balcad-Jowhar-Belet Weyne-

⁹⁰⁹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 159

⁹¹⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 160-162

⁹¹¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 166

Galkacyo]; and uses a variety of coercive tactics to prevent people from leaving and block access to aid agencies”.⁹¹²

3.6.7 Casualties

For a general overview of civilian casualties see [2.4.1 Overview of incidents and casualties across South and Central Somalia \(excl. Mogadishu\)](#).

In October 2017 the Africa Center for Strategic Studies reported that “Al Shabaab has been involved in over half of all violent events related to militant Islamist groups in Africa in the first three quarters of 2017 (987 of 1,827 total). The 2,745 reported fatalities linked to al Shabaab thus far in 2017 is on track to match the average annual number of fatalities involving al Shabaab since 2014: 3,536”.⁹¹³ In an earlier report the same source recorded that in the first half of 2017, “Al Shabaab is also associated with more violent events than any other militant Islamist group in Africa during this period (610). [...] Al Shabaab involvement in violent episodes increased from 576 in the first half of 2016 to 610 in 2017”.⁹¹⁴

For further information, see the graph presented on page X entitled ‘How Has Anti-Civilian Violence Involving Al Shabaab Changed?’

4. Profiles of persons at risk by non-state actors, particularly Al Shabaab

The information included in this section details the profiles of *individuals* that are targeted by Al Shabaab for execution. For general information on the targets of Al Shabaab’s complex attacks, see section [2.3.6. Al Shabaab](#) and for examples of these incidents by region, see [2.4. Security situation per region \(covering January – 17 October 2017\)](#).

For general information on the targets of Al Shabaab’s complex attacks in Mogadishu, see section [2.5.2.4. Al Shabaab](#) and for examples of these incidents by region, see [2.5.1. Security situation in Mogadishu \(covering January – 17 October 2017\)](#).

As a note of caution, it should be understood that as detailed in the Danish Immigration Service’s report of its December 2016 Fact Finding Mission “al-Shabaab may claim responsibility for attacks it has not been involved in”.⁹¹⁵

4.1. Al Shabaab defectors and ISIL sympathisers

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission to Somalia noted with regards to Al Shabaab defectors in areas with AMISOM/SNA presence that:

Al-Shabaab defectors are also considered a prime target for al-Shabaab, as they are regarded as having sensitive information about al-Shabaab. One source added that even a cook might have

⁹¹² International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.3

⁹¹³ Africa Center for Strategic Studies, [Al Shabaab Remains Virulent as ISIS Shifts to Egypt](#), 18 October 2017

⁹¹⁴ Africa Center for Strategic Studies, [Setbacks and Realignments: The Continuing Evolution of Militant Islamist Groups in Africa](#), 20 July 2017

⁹¹⁵ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 *Security situation, Clan Violence* p.9

sensitive information, and the source did not distinguish between high and low profile members of al-Shabaab. When asked if a defector could relocate safely to urban centres with AMISOM presence, for instance to Mogadishu, several sources pointed out that al-Shabaab has informants everywhere, including in Mogadishu, and would be able to find a defector.

Sources explained that when al-Shabaab tries to track down a defector they use clan networks and bio-data collected by al-Shabaab on each individual member. Bio-data in this context is the father's name, grandfather's name, great grandfather's name, mother's name, name of village etc.

A defector who is tracked down will likely be killed. A Somali NGO assessed that no genuine safety for al-Shabaab defectors could be found in Somalia, and a defector would only be safe if able to raise enough money to flee abroad, e.g. to Kenya. High profiled al-Shabaab members might successfully turn themselves over to the government in exchange for information, but such defection would have to be well arranged. The average al-Shabaab defector will risk being killed by government forces.⁹¹⁶

According to a March 2017 Jamestown Foundation report, "The uptick in activity by IS in Puntland will not have gone unnoticed by al-Shabaab's leadership. They acted decisively in 2015 and in 2016 to counter the threat IS posed by tasking the group's intelligence wing, the Amniyat, with tracking, infiltrating and killing those who had defected from al-Shabaab".⁹¹⁷

A July 2016 letter from the Chair of a UN Security Council Committee 'concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities' reported that "As ISIL seeks to make inroads into the region, Al-Shabaab has warned its members against defection and detained and killed perceived ISIL sympathizers within its own ranks".⁹¹⁸ A January 2017 letter from the same source reported that "Al-Shabaab leaders continue to implement stringent measures against defectors and ISIL sympathizers".⁹¹⁹

The September 2017 report of the UN Secretary-General on Somalia reported that "Four rehabilitation transition centres for disengaged Al-Shabaab fighters operate in Baidoa, Beledweyne, Kismaayo and Mogadishu. The Kismaayo centre became operational in June with the admission of the first group of 26 disengaged Al-Shabaab fighters".⁹²⁰

A September 2017 Armed Conflict Location & Event Data Project (ACLED) 'Special Focus' report on Somalia reported that "Recently, a series of high-level Al Shabaab defections have been reported (Somali Update, 13 August 2017), with many defectors living in Mogadishu while enjoying state protection. This blanket protection "[does] little to deter future atrocities while simultaneously undermining reconciliation efforts" (Ismail, 31 August 2017)".⁹²¹

⁹¹⁶ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.2 Al-Shabaab defectors p.17

⁹¹⁷ Jamestown Foundation, [Al-Shabaab: Why Somalia's al-Qaeda Affiliate Wants Puntland](#), 10 March 2017

⁹¹⁸ UN, [Letter dated 19 July 2016 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da'esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 19 July 2016, paragraph 40

⁹¹⁹ UN, [Letter dated 11 January 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da'esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 13 January 2017, paragraph 49

⁹²⁰ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 37

⁹²¹ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017

4.1.1. Al Shabaab defectors in Mogadishu

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted with regards to Al Shabaab defectors in Mogadishu that:

Al-Shabaab defectors are also considered a prime target for al-Shabaab, as they are regarded as having sensitive information about al-Shabaab. One source added that even a cook might have sensitive information, and the source did not distinguish between high and low profile members of al-Shabaab. When asked if a defector could relocate safely to urban centres with AMISOM presence, for instance to Mogadishu, several sources pointed out that al-Shabaab has informants everywhere, including in Mogadishu, and would be able to find a defector.

Sources explained that when al-Shabaab tries to track down a defector they use clan networks and bio-data collected by al-Shabaab on each individual member. Bio-data in this context is the father's name, grandfather's name, great grandfather's name, mother's name, name of village etc.

A defector who is tracked down will likely be killed. A Somali NGO assessed that no genuine safety for al-Shabaab defectors could be found in Somalia, and a defector would only be safe if able to raise enough money to flee abroad, e.g. to Kenya. High profiled al-Shabaab members might successfully turn themselves over to the government in exchange for information, but such defection would have to be well arranged. The average al-Shabaab defector will risk being killed by government forces.⁹²²

A September 2017 Armed Conflict Location & Event Data Project (ACLED) 'Special Focus' report on Somalia reported that "Recently, a series of high-level Al Shabaab defections have been reported (Somali Update, 13 August 2017), with many defectors living in Mogadishu while enjoying state protection. This blanket protection "[does] little to deter future atrocities while simultaneously undermining reconciliation efforts" (Ismail, 31 August 2017)".⁹²³

4.2. Government officials

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that "Targeted killings of civilians by Al-Shabaab included government officials, civil servants, parliamentarians [...]".⁹²⁴

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted with regards to the situation in areas with AMISOM/SNA presence that "Most sources agreed that the main al-Shabaab targets are federal state officials, high-ranking politicians, clan leaders supporting the federal government, AMISOM, and SNA".⁹²⁵

The annual 2016 U.S Department of State report on 2016 Report on International Religious Freedom stated that "During the year, al-Shabaab was responsible for the killings of civilians, government officials, members of parliament, Somali national armed forces and police, and troops from contributing countries of the African Union Mission in Somalia (AMISOM). [...] Al-Shabaab forces

⁹²² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.2 Al-Shabaab defectors p.17

⁹²³ ACLED, [Conflict Trends Report No. 61; Real-Time Analysis of African Political Violence](#), September 2017

⁹²⁴ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Summary p.5

⁹²⁵ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.1. Targets within FGS, AMISOM/SNA, and international organisations p.17

targeted and killed federal government officials and their allies, calling them non-Muslims or apostates".⁹²⁶

Radio Dalsan (Mogadishu) reported in November 2016 that "Delegates in the ongoing Somalia elections have demanded for government protection after allegedly receiving death threats from the Somali militant group Al shabaab".⁹²⁷ It further noted that:

In an ex[c]lusive by Radio Dalsan's investigative team several delegates interviewed claimed that their lives were in danger and that they feared being targeted by Al shabaab

"I fear for my life now. I have received death threats from Al shabaab through a text message" Abdirazak Hussein a delegate told Radio Dalsan.

A second delegate Rahma Awad who voted as a delegate in the South West capital of Baidoa confirmed similar threats to Radio Dalsan

"I am not feeling safe anymore in this country with this threats" Awad a Salon manager in Mogadishu told Radio Dalsan upon her return to the capital

"I am worried that we have become soft targets for the militants after the election" Hussein a delegate from the Hirshabelle capital Jowhar said

Hussein is a student at the University of Mogadishu and is among the 14025 delegates electing Somali Mps to a two chamber legislature comprising of 115 Mps for the Lower House of Commons and 54 Senators.⁹²⁸

A report from the German Federal Office for Migration and Refugees recorded that in November 2016 "Suspected Al-Shabaab fighters also carried out an assassination attempt on the head of the administration of the town of Elasha Biyaha near Mogadishu, killing a security guard".⁹²⁹

International Crisis Group's 'Crisis Watch' recorded that Al Shabaab assassinated two senior officials in Bosaso on the 20 and 26 December 2016 and that on 18 February 2017, Al-Shabaab assassinated a National Intelligence and Security Agency general.⁹³⁰

The German Federal Office for Migration and Refugees noted "On 22 May 2017, extremists threw a grenade at a police station in Jowhar (Middle Shabelle region). Apparently the attackers targeted a government official, who survived the blast; according to al-Shabaab, several security guards lost their lives".⁹³¹

A further report from the same organisation noted that "Al-Shabaab declared itself responsible for the death of an official of the Ministry of Finance who was assassinated on 09 July 2017".⁹³²

International Crisis Group's 'Crisis Watch' recorded that "Al-Shabaab made good on promise to assassinate Electoral College delegates, killing over twenty in June including in Mogadishu, Hiir-Shabelle state, Galmudug Interim Administration and Interim South West Administration".⁹³³

Similarly, in July 2017 Radio Dalsan (Mogadishu) reported that "Following a spate of assassinations some electoral delegates who elected the MPs in the last election have joined the government

⁹²⁶ US Department of State, [2016 Report on International Religious Freedom - Somalia](#), 15 August 2017

⁹²⁷ Radio Dalsan (Mogadishu), ["Al Shabaab Is Threatening Our Lives" Somalia Election Delegates Claim](#), 24 November 2016

⁹²⁸ Radio Dalsan (Mogadishu), ["Al Shabaab Is Threatening Our Lives" Somalia Election Delegates Claim](#), 24 November 2016

⁹²⁹ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 14 November 2016

⁹³⁰ International Crisis Group, [Crisis Watch Somalia](#), February 2017

⁹³¹ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 29 May 2017

⁹³² Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 17 July 2017

⁹³³ International Crisis Group, [Crisis Watch Somalia](#), June 2017

armed forces. Some of delegates who refused to give their names to the reporters stated that since Al-Shabaab is out there to kill them, it is only reasonable for them to join the army".⁹³⁴

The September 2017 report of the UN Secretary-General on Somalia reported that "Twelve targeted assassinations of participants in the 2016 electoral process were recorded. Al-Shabaab claimed responsibility for four of them and seven were attributed to unknown assailants. In one incident, the Federal Minister of Public Works, Abbas Abdullahi Sheikh Siraji, was shot and killed by security personnel on 3 May".⁹³⁵

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that "The assassination of individuals with connections to the 2016/17 electoral process emerged as a new pattern of violence after 8 February 2017, particularly in Mogadishu. The varying methods used, and the fact that Al-Shabaab claimed responsibility for only 8 of 90 killings in the first three months of 2017, suggested motivations more personal than political, although not necessarily unrelated to the elections".⁹³⁶

4.2.1 Government officials in Mogadishu

According to the German Federal Office for Migration and Refugees, "On 27 April [2016], suspected al-Shabaab fighters shelled the house of a member of parliament in the Hodan district of Mogadishu, injuring several members of the security forces".⁹³⁷ A further report from the same source noted that "In an attack on the minister for internal security a body guard was killed and three were injured on 03 August 2016, while the minister escaped unharmed".⁹³⁸

Another report from the German Federal Office for Migration and Refugees recorded that on 29 September 2016 "a member of the ministry of justice was shot dead after visiting a mosque in the city district of Waberi" and on 1 October 2016, "A suicide attack with a car bomb outside the Blue Sky restaurant, which is popular with members of the Somali secret service, claimed at least four lives".⁹³⁹ Furthermore, in November 2016 "Suspected Al-Shabaab fighters also carried out an assassination attempt on the head of the administration of the town of Elasha Biyaha near Mogadishu, killing a security guard".⁹⁴⁰

Radio Dalsan (Mogadishu) reported in November 2016 that "Delegates in the ongoing Somalia elections have demanded for government protection after allegedly receiving death threats from the Somali militant group Al shabaab".⁹⁴¹ It further cited Hussein, a delegate from the Hirshabelle capital Jowhar as stating "I am worried that we have become soft targets for the militants after the election" and explained that "Hussein is a student at the University of Mogadishu and is among the 14025 delegates electing Somali Mps to a two chamber legislature comprising of 115 Mps for the Lower House of Commons and 54 Senators".⁹⁴²

⁹³⁴ Radio Dalsan (Mogadishu), [Ex Electoral Delegates Join SNA For Own Security](#), 19 July 2017

⁹³⁵ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 48

⁹³⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 190

⁹³⁷ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 2 May 2016

⁹³⁸ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 8 August 2016

⁹³⁹ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 4 October 2016

⁹⁴⁰ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 14 November 2016

⁹⁴¹ Radio Dalsan (Mogadishu), ["Al Shabaab Is Threatening Our Lives" Somalia Election Delegates Claim](#), 24 November 2016

⁹⁴² Radio Dalsan (Mogadishu), ["Al Shabaab Is Threatening Our Lives" Somalia Election Delegates Claim](#), 24 November 2016

Garowe Online reported on the February 2017 killing of Mohamed Omar Hagafey, a former Himan and Heeb administration spokesman in Mogadishu.⁹⁴³ Al Shabaab assassins were reported to have killed Mohamed Omar, a senior National Intelligence and Security Agency official in Waberi district, Mogadishu.⁹⁴⁴

Radio Dalsan (Mogadishu) documented that on 18 February 2017, “A car carrying the Deputy Head of Intelligence Hassan Dheere was on Saturday sprayed with bullets and the driver shot dead. Dheere was injured in the attack. The Incident took place in Hamarweyne district of Mogadishu not far from the Presidential residence the Villa Somalia. Alshabaab has claimed responsibility for the attack and has warned that it will continue to target spies and government officials”.⁹⁴⁵

Garowe Online reported in February 2017 that Somalia senator Osman Mohamud Dufle narrowly escaped an assassination attempt outside his clinic in the Hodan district of Mogadishu.⁹⁴⁶

On 9 March 2017 Garowe Online reported that the local official of Yaqshid district in Mogadishu had been shot dead by Al Shabaab gunmen outside a mosque near his house in the Sahan neighbourhood.⁹⁴⁷ On 21 March 2017 the same source recorded that Al Shabaab shot and killed an elder identified as Muheydin Amadi in Yashqiid district, which it described as “the latest in [a] series of targeted killings against Somalia clan elders [who] participated in the electoral process to pick the new MPs of Federal Parliament”.⁹⁴⁸ The same source similarly noted that in April 2017 a member of Somalia’s Federal Parliament, Capt Mohamed Hussien, survived an assassination attempt which targeted him with a remote controlled roadside bomb near his home.⁹⁴⁹

In April 2017 Radio Dalsan (Mogadishu) reported that Somali Federal Parliament Member of Parliament Mohamud Abuukate was injured when a car he was driving in was hit by an IED in Mogadishu.⁹⁵⁰

A May 2017 report from the same source noted that Halima Elmi Yussuf, a Galmudug electorate delegate, was shot dead in Mogadishu, months after seeking government protection. Reportedly, “There was no official reaction from the government regarding the request by the delegates seeking protection [sic]”.⁹⁵¹ Also in May 2017 Garowe Online recorded that suspected Al Shabaab assassins had killed a prominent Somali elder and Southwest electoral delegate Abdulkadir Sheikh Hussein Farey as he left his house in Mogadishu’s Waberi district.⁹⁵² Moreover, on 25 May 2017 gunmen believed to be linked to Al Shabaab killed Hajira Abdi, one of the Southwest electoral delegates as she left her house near the former U.S. Embassy in Wadajir district.⁹⁵³

On 1 June 2017 Garowe Online documented that al Shabaab killed Colonel Abdullahi Elmi Nur, the head of the ambulance service for the Somalia military in front of his house in Mogadishu’s Wadajir district.⁹⁵⁴

⁹⁴³ Garowe Online, [Somalia, Two officials killed in drive-by shooting in the capital](#), 18 February 2017

⁹⁴⁴ Garowe Online, [Somalia: Intelligence official shot dead outside mosque in Mogadishu](#), 25 February 2017

⁹⁴⁵ Radio Dalsan (Mogadishu), [Somalia: Spy Boss Escapes Assassination As Driver Shot Dead](#), 18 February 2017

⁹⁴⁶ Garowe Online, [Somalia: A Senator narrowly escapes death in Mogadishu](#), 1 February 2017

⁹⁴⁷ Garowe Online, [Somalia: Gunmen kill official in the capital Mogadishu](#), 9 March 2017

⁹⁴⁸ Garowe Online, [Somalia: Al Shabaab attacks Defense HQ in Mogadishu, two elders killed](#), 21 March 2017

⁹⁴⁹ Garowe Online, [Somalia: Federal lawmaker survives assassination attempt in Mogadishu](#), 29 April 2017

⁹⁵⁰ Radio Dalsan (Mogadishu), [Somalia: MP Injured in Mogadishu Bombing](#), 29 April 2017

⁹⁵¹ Radio Dalsan (Mogadishu), [Al-Shabaab Increases Assassination Of The Electoral Delegates](#), 26 May 2017

⁹⁵² Garowe Online, [Somalia: Gunmen kill prominent elder in the capital Mogadishu](#), 10 May 2017

⁹⁵³ Garowe Online, [Somalia: A delegate involved in the electoral process shot dead in Mogadishu](#), 25 May 2017

⁹⁵⁴ Garowe Online, [Somalia: Militants claim killing senior military officer in Mogadishu](#), 1 June 2017

A further report from the same organisation noted that “On 05 July 2017 al-Shabaab assassinated a government official in Waberi district with a booby trap”.⁹⁵⁵ Moreover, “Al-Shabaab declared itself responsible for the death of an official of the Ministry of Finance who was assassinated on 09 July 2017”.⁹⁵⁶

The Africa Review documented that on 30 July 2017 “Al Shabaab militants have shot dead the governor of Galgaduud and his brother in the Somali capital Mogadishu. Mohamed Dahir Elmi, the governor of the central Somalia region, and his sibling were gunned down in Yakshid, a northern suburb of the capital”.⁹⁵⁷

In July 2017 Radio Dalsan (Mogadishu) reported that “Following a spate of assassinations some electoral delegates who elected the MPs in the last election have joined the government armed forces. Some of delegates who refused to give their names to the reporters stated that since Al-Shabaab is out there to kill them, it is only reasonable for them to join the army. [...] Al-Shabaab has previously threaten to kill anyone who took part in election. Many of the delegates who were killed in Mogadishu city, among them were elderly individuals who were part of the election process”.⁹⁵⁸ Similarly, International Crisis Group’s Crisis Watch recorded in June 2017 that “Al-Shabaab made good on promise to assassinate Electoral College delegates, killing over twenty in June including in Mogadishu, Hiir-Shabelle state, Galmudug Interim Administration and Interim South West Administration”.⁹⁵⁹

4.3. Persons associated with, or (perceived as) supportive of the SFG and the international community, including AMISOM forces

It should be noted that as explained by the Combatting Terrorism Center in an April 2016 report, “Large-scale attacks on soft targets such as hotels and restaurants have been a particularly important part of al-Shabaab’s military and political strategies since the beginning of renewed AMISOM-led offensives in 2011. Attacks on soft targets are usually justified through claims that SFG, African Union, or international officials frequent the attacked locations. In some cases, such as the Sahafi Hotel in central Mogadishu, the targeted location was known as a popular gathering place for SFG, AMISOM, and foreign government personnel and contractors”.⁹⁶⁰

In July 2016 the Jamestown Foundation noted that al-Shabaab leader Sheikh Ahmad Umar Abu Ubaidah released his first audio message for almost two years in which he described AMISOM “as an occupying force, invaders and ‘Christian crusaders’ that Somalis had accepted only after being ‘deceived’ by the international community into believing it was a peacekeeping force. He added that the troops aim was to plunder Somalia resources”.⁹⁶¹

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “During the current mandate, numerous targeted killings were either claimed by or attributed to Al-Shabaab. Victims included government officials and civil servants (from the district to the federal levels), international agency staff, including from the United Nations, civil society activists and

⁹⁵⁵ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 10 July 2017

⁹⁵⁶ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 17 July 2017

⁹⁵⁷ Africa Review, [Somali governor shot dead in Mogadishu](#), 5 August 2017

⁹⁵⁸ Radio Dalsan (Mogadishu), [Ex Electoral Delegates Join SNA For Own Security](#), 19 July 2017

⁹⁵⁹ International Crisis Group, [Crisis Watch Somalia](#), June 2017

⁹⁶⁰ Combatting Terrorism Center, [The Resilience of Al-Shabaab](#), 22 April 2016

⁹⁶¹ Jamestown Foundation, [Al-Shabaab Leader’s First Audio Message Suggests Morale Is Low Among Somali Militants; Terrorism Monitor Volume: 14 Issue: 16](#), 05 August 2016

journalists. In a statement issued on 30 December 2015, Al-Shabaab declared that security officials and civil servants would be specifically targeted in future attacks. In later statements it specifically threatened parliamentarians and individuals participating in the elections in 2016, together with United Nations and Western actors supporting the process. [...] Al-Shabaab also executed civilians suspected of having ‘collaborated’ with its enemies, especially in the wake of a cycle of AMISOM and SNA withdrawals”.⁹⁶²

In September 2016 a traditional elder was shot and killed in the Hiran regional capital of Beledweyne by suspected Al Shabaab members, with police apprehending eight suspects.⁹⁶³ Garowe online noted that according to unconfirmed reports, he was killed for taking part in an army offensive on the Al Shabaab stronghold of Luq-Jelow.⁹⁶⁴

The December 2016 Report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that “The country task force on monitoring and reporting documented public executions by Al-Shabaab of children suspected of spying, carried out to instil fear in communities. For instance, on 21 March 2015, a 16-year-old boy suspected of being a Government spy was beheaded by Al-Shabaab. In the first three months of 2016, 21 children, including 3 girls, were executed by Al-Shabaab on suspicion of spying. On 15 March 2016, in Heegan village, Juba Dhexe region, a 17-year-old boy accused of spying for the Interim Jubba Administration was executed by a firing squad, after which his body was taken around town as an example”.⁹⁶⁵

The report of the Secretary-General on Children and Armed Conflict covering 2016 noted that “A total of 1,121 children were killed and maimed by unknown armed elements(482), Al-Shabaab (290) [...] Among the children killed by Al-Shabaab, at least 30 were publicly executed on suspicion of spying”.⁹⁶⁶

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted with regards to the situation in areas with AMISOM/SNA presence that “Most sources agreed that the main al-Shabaab targets are federal state officials, high-ranking politicians, clan leaders supporting the federal government, AMISOM, and SNA. A UN source mentioned that al- Shabaab may also target cleaning staff and other low-ranking staff at government and AMISOM facilities. UN staff and staff of international organisations at all levels are also a target. A UN source elaborated that anybody identified to be under a contract with the UN i.e. travelling regularly by the road to the airport of Mogadishu – and therefore assumed to be working there – can be a target”.⁹⁶⁷ The same report also noted that “Anyone linked to AMISOM/SNA/ENDF/KDF, FGS, and international organisations would also become a target in al-Shabaab controlled areas”.⁹⁶⁸

⁹⁶² UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraphs 95 and 97

⁹⁶³ Garowe Online, [Somalia: Police apprehend elder’s killers in Beledweyne](#), 1 September 2016

⁹⁶⁴ Garowe Online, [Somalia: Police apprehend elder’s killers in Beledweyne](#), 1 September 2016

⁹⁶⁵ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 41

⁹⁶⁶ UN General Assembly, [Children and armed conflict: Report of the Secretary-General \[A/72/361–S/2017/821\]](#), 24 August 2017, paragraph 137

⁹⁶⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.1. Targets within FGS, AMISOM/SNA, and international organisations p.17

⁹⁶⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 4.1. Target profiles in areas under the control of al-Shabaab p.23

The annual 2016 U.S Department of State report on 2016 Report on International Religious Freedom stated that “During the year, al-Shabaab was responsible for the killings of civilians, government officials, members of parliament, Somali national armed forces and police, and troops from contributing countries of the African Union Mission in Somalia (AMISOM)”.⁹⁶⁹ The same source further noted that:

Al-Shabaab forces targeted and killed federal government officials and their allies, calling them non-Muslims or apostates. On July 27 [2016], al-Shabaab militants targeted an AMISOM base in Mogadishu, killing at least 13 people, nine of whom were UN security personnel. Al-Shabaab spokesperson Abdulaziz Abu Muscab said the group targeted the base as a symbol of foreign forces’ occupation of their Muslim country. Al-Shabaab continued its campaign to characterize the AMISOM peacekeeping forces as “Christians” intent on invading and occupying the country. In January al-Shabaab took credit for the attack on the El Adde base, in which more than 140 mostly Christian, Kenyan soldiers serving under AMISOM died. The attackers stated “the attack [was a] message to the Kenyan Government that... invasion of Muslim lands...by the Kenyan crusaders will not be without severe consequences.”⁹⁷⁰

The annual Human Rights Watch report covering events in 2016 noted that “Al-Shabab committed targeted killings, beheadings, and executions, particularly of those accused of spying and collaborating with the government”.⁹⁷¹

The German Federal Office for Migration and Refugees reported that “An al-Shabaab court in the village Eel Warre near the town Bullo-Barde (Hiiran region) sentenced a man to death on 16 February 2016. He had been accused of acting as a spy for the Somali government and AMISOM. The sentence was carried out by shooting”.⁹⁷²

Amnesty International recorded that “On 20 May [2016], al-Shabaab beheaded three men in Buur Hakaba district in Bay region after accusing them of spying for the federal government”.⁹⁷³

In May 2016 Armed Politics recorded that Al Shabaab executed four elders by firing squad in Aadan Yabal in Middle Shabelle “for allegedly ‘collaborating’ with Somali and Ethiopian troops in the region”.⁹⁷⁴

According to the German Federal Office for Migration and Refugees, “On 11 June 2[0]16, al-Shabaab stated to have executed four men for alleged espionage in the village of Bulofay (Bay region). Apparently, the victims included a man who allegedly had supported the US forces in their attack against Islamist leader Ahmed Godane in September 2014. Also, al-Shabaab communicated that two Kenyan citizens were executed for alleged cooperation with several Western secret services in the Middle Juba region”.⁹⁷⁵

The Africa Review reported that in June 2016 that “Reports from Middle Juba region in Southern Somalia indicate that three men who served as jihadists were executed by the Al-Qaeda linked Al-Shabaab on Friday. The three were accused and convicted of spying for the United States’ Central Intelligence Agency (CIA) and for the Somali government. Two of those executed at a square in Jilib

⁹⁶⁹ US Department of State, [2016 Report on International Religious Freedom - Somalia](#), 15 August 2017

⁹⁷⁰ US Department of State, [2016 Report on International Religious Freedom - Somalia](#), 15 August 2017

⁹⁷¹ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

⁹⁷² Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 22 February 2017

⁹⁷³ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

⁹⁷⁴ Armed Politics, [Al Shabaab executes four elders for spying for Somali troops and AU peacekeepers](#), 15 May 2016

⁹⁷⁵ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 13 June 2016

town, about 410 km south of the Somali capital Mogadishu, were said to be Kenyans while the third man was a Somali. No names were given. An Al-Shabaab court reportedly found them guilty of working as undercover agents and faced a firing squad consisting of hooded men. Hundreds of residents including women and children were called to witness the event. 'Anyone found guilty of spying for western intelligence agencies will be executed like this,' said an Al-Shabaab official who spoke as the men were put to death'. [...] In a similar occasion, Al-Shabaab militants executed four Somali men at Bullo Fulay in Bay region, about 260 southwest of Mogadishu, also for spying for foreign agencies, especially the US's CIA".⁹⁷⁶

According to the German Federal Office for Migration and Refugees, "Fighters of al-Shabaab detained seven clan elders in the village of Berhani (Lower Juba region) on 01 August 2016 accusing them of cooperating with the Somali military and AMISOM".⁹⁷⁷

Human Rights Watch recorded that "On 17 August [2016], al-Shabaab publicly killed a man by firing squad in Biyoley settlement, near Baidoa, after accusing him of spying for the federal government".⁹⁷⁸

A report from the German Federal Office for Migration and Refugees detailed that in September 2016 "An al-Shabaab spokesman warned clan elders of attacks against polling stations in the advent of the upcoming parliamentary and presidential elections. He said that al-Shabaab would undermine the elections, because they served a foreign agenda".⁹⁷⁹

According to Radio Dalsan (Mogadishu), on 9 October 2016, in El-Ade town, along the Hiiraan region of central of Somalia, Al Shabaab executed four men including elders, accused of collaborating with the Ethiopian and Somali army.⁹⁸⁰

Garowe Online reported on 13 October 2016 that Al Shabaab executed two men in Jilib town, Middle Juba region on charges of spying for British and Kenyan intelligence agencies.⁹⁸¹

On 22 October 2016 the same source documented that in Saakow district, Middle Jubba Al Shabaab had claimed it had publicly executed three men by firing squad, accused of spying for the Kenyan military, serving with AMISOM and the American Central Intelligence Agency, and threatened other informants that they would face similar punishments.⁹⁸²

The News of Africa reported in November 2016 that "Somalia's Al-Shabaab activists have beheaded five civilians, whom they blamed for "spying" for the Somali government and Ethiopian troops, in Tiye glow town of the southwestern Bakool district, a MP said".⁹⁸³

The German Federal Office for Migration and Refugees recorded that "Al-Shabaab members killed two election delegates near Harardhere (Mudug region)" on 13 December 2016".⁹⁸⁴ Garowe Online

⁹⁷⁶ Africa Review, [Al-Shabaab execute alleged 'Kenyan spies' in Southern Somalia](#), 11 June 2016

⁹⁷⁷ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 8 August 2016

⁹⁷⁸ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

⁹⁷⁹ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 26 September 2016

⁹⁸⁰ Radio Dalsan (Mogadishu), [Somalia: Alshabab Beheads Four People Including Elders Accused of Spying](#), 12 October 2016

⁹⁸¹ Garowe Online, [Somalia: Al Shabaab executes two men for spying](#), 13 October 2016

⁹⁸² Garowe Online, [Al Shabaab executes 3 men accused of spying](#), 22 October 2016

⁹⁸³ News of Africa, [5 Civilians in Somalia Beheaded By Al-Shabaab After AMISOM Withdrawal](#), 2 November 2016

⁹⁸⁴ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 19 December 2016

reported that on 29 December 2016 gunmen shot and killed a Somali elder who was among the electoral delegates who picked the Federal MPs of the new Somalia parliament in Adado town, the interim seat of Galmudug state.⁹⁸⁵

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted that "During the second half of 2016 Ethiopian bilateral troops (ENDF) withdrew from the following locations: Tayeeglow, Garas Weyne, Rab Duuure, and Buur Dhuxunle (Bakool); Ceel Cali, Halgan, and Moqokori (Hiraan); and Galcad and Bulbud (Galgaduud). In all cases, al-Shabaab has immediately moved in and taken control. According to a UN source, civilians in these areas have reportedly been subjected to retribution attacks, including torture, forced recruitment, and killings. A Somali NGO concurred that the retaliation has been against persons accused of collaborating with the Ethiopian troops. The pattern of retaliation is not restricted to these cases of ENDF withdrawals. An independent organisation and a Somali NGO explained that it also applies whenever AMISOM/SNA withdraws and whenever AMISOM/SNA/ENDF takes over an area from al-Shabaab".⁹⁸⁶ The same source further cited interlocutors as stating that "Travelling between AMISOM/SNA and al-Shabaab areas entails the risk of falling under suspicion from both sides of being affiliated with the enemy. Such suspicion can lead to punishment, kidnapping and interrogation, or killing".⁹⁸⁷

The Report of the Secretary-General on conflict-related sexual violence covering the period from January to December 2016 recorded that "The withdrawal of foreign military assets in the Bakool, Galmudug and Hiraan regions displaced at least 5,000 people and exposed those who remained to retribution at the hands of Al-Shabaab".⁹⁸⁸

On 10 January 2017 Reuters Africa reported that a man had been executed in Buale having been found guilty of spying for Ethiopian troops.⁹⁸⁹

Garowe Online reported that in January 2017, Al Shabaab publicly executed an 80 year old senior official in Jilib town in Middle Jubba region, whom it accused of assisting Kenyan defense forces to kill Al Shabaab leaders.⁹⁹⁰

The German Federal Office for Migration and Refugees observed that "Al-Shabaab executed three men it had accused of spying on behalf of the United States Central Intelligence Agency (CIA) and other intelligence agencies in Kenya and Somalia in Yaaq Baraw (Bay Region) on 26 January 2017. Three men had been executed on 10 January 2017 in Buale (Middle Region) Juba also on charges of espionage".⁹⁹¹ Furthermore, "Members of al-Shabaab executed four men in Jamame district (Lower Juba Region) on 5 February 2017 whom they accused of spying for the US, Kenya and the Somali government".⁹⁹²

Human Rights Watch reported that Al Shabaab "burned numerous homes in raids on villages in Somalia's Lower Shabelle region in late May 2017. [...] Al-Shabab fighters abducted civilians, stole

⁹⁸⁵ Garowe Online, [Somalia: Gunmen shoot dead an Elder involved in election](#), 29 December 2016

⁹⁸⁶ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 The overall security situation p.8

⁹⁸⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 The overall security situation p.10

⁹⁸⁸ UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 56

⁹⁸⁹ Reuters Africa, [Somali Islamists kill man and teenager for gay sex, another man for spying](#), 10 January 2017

⁹⁹⁰ Garowe Online, [Somalia: Al Shabaab group publicly executes an official in Southern Somalia](#), 2 January 2017

⁹⁹¹ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 30 January 2017

⁹⁹² Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 13 February 2017

livestock, and committed arson in attacks that caused more than 15,000 people to flee their homes. 'Abdi', whose real name as with others interviewed is not being used for his protection, told Human Rights Watch that he fled his village, Ceel Waregow: 'Al-Shabab accused us of being murtads [infidels] and accused us of joining the government. Some of our elders have talked to Al-Shabab and told them that those without guns should be spared. Initially they used to tax us, take livestock and money, but now they are burning our homes'. The United Nations reported that Al-Shabab abducted approximately 70 people, including women and children, from KM-50 village during fighting between May 21 and 23".⁹⁹³

A May 2017 International Crisis Group report stated that "those found with Western-donated food and items risk arrest. In one such incident in the town of Waajid (Bay Region), in April, Al-Shabaab detained a group of people transporting relief food on donkey carts, burned the food and issued an edict warning against accepting handouts from 'crusaders and apostates' (a reference to foreigners and the Somali government). The fate of those who were arrested remains unknown".⁹⁹⁴

A report from the German Federal Office for Migration and Refugees noted that "On 04 July 2017 al-Shabaab executed two of its foreign fighters accused of espionage for western governments in Jilib (Middle Juba region). Reportedly the victims had been Indian nationals and the executions were linked to the air raid in Kunya Barrow on 02 July 2017".⁹⁹⁵

On 12 August 2017 Garowe Online recorded that two men had been executed by firing squad in Jamame district in Lower Jubba region, having been found guilty of espionage charges and collaborating with Jubbaland state forces in the region.⁹⁹⁶ On 13 August Radio Shabelle reported that an Al Shabaab statement claimed to have executed an alleged spy for Ethiopia in Far-Libah near Beledweyne town, Hiran region.⁹⁹⁷

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that "The principal targets of its operations remain AMISOM peacekeepers and officials belonging to the Federal Government of Somalia or regional administrations, whom Al-Shabaab considers to be apostates".⁹⁹⁸ The same source further noted that "Possibly in response to the growing prominence of ISIL, Al-Shabaab imposed more violent punishments, including amputations, beheading and stoning, on those found guilty of spying, desertion or breaches of sharia law".⁹⁹⁹

4.3.1. Persons associated with, or (perceived as) supportive of the SFG and the international community, including AMISOM forces, in Mogadishu

It should be noted that as explained by the Combatting Terrorism Center in an April 2016 report, "Large-scale attacks on soft targets such as hotels and restaurants have been a particularly important part of al-Shabaab's military and political strategies since the beginning of renewed AMISOM-led offensives in 2011. Attacks on soft targets are usually justified through claims that SFG, African Union, or international officials frequent the attacked locations. In some cases, such as the

⁹⁹³ Human Rights Watch, [Somalia: Al-Shabab Forces Burn Villages](#), 26 July 2017

⁹⁹⁴ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.4

⁹⁹⁵ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 10 July 2017

⁹⁹⁶ Garowe Online, [Al Shabaab publicly executes two men accused of spying](#), 12 August 2017

⁹⁹⁷ Radio Shabelle, [Al Shabaab Says It Killed Ethiopian Spy Agent In Somalia](#), 13 August 2017

⁹⁹⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 10

⁹⁹⁹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 183

Sahafi Hotel in central Mogadishu, the targeted location was known as a popular gathering place for SFG, AMISOM, and foreign government personnel and contractors”.¹⁰⁰⁰

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “Most sources agreed that the main al-Shabaab targets are federal state officials, high-ranking politicians, clan leaders supporting the federal government, AMISOM, and SNA. A UN source mentioned that al-Shabaab may also target cleaning staff and other low-ranking staff at government and AMISOM facilities. UN staff and staff of international organisations at all levels are also a target. A UN source elaborated that anybody identified to be under a contract with the UN i.e. travelling regularly by the road to the airport of Mogadishu – and therefore assumed to be working there – can be a target”.¹⁰⁰¹

The annual 2016 U.S Department of State report on 2016 Report on International Religious Freedom stated that “Al-Shabaab forces targeted and killed federal government officials and their allies, calling them non-Muslims or apostates. On July 27 [2016], al-Shabaab militants targeted an AMISOM base in Mogadishu, killing at least 13 people, nine of whom were UN security personnel. Al-Shabaab spokesperson Abdulaziz Abu Muscab said the group targeted the base as a symbol of foreign forces’ occupation of their Muslim country.”¹⁰⁰²

The 2017 U.S. Commission on International Religious Freedom report explained that “In Mogadishu, al-Shabaab bombings killed Somali government officials, international representatives, and Somali civilians. The group assassinated federal government officials and their allies whom it viewed as non-Muslims or apostates”.¹⁰⁰³

Africa Review recorded that in September 2016 General Mohamed Jimale Goobale and at least six of his bodyguards were killed by a suicide car bomb in Mogadishu.¹⁰⁰⁴ The General had reported survived several previous assassination attempts.¹⁰⁰⁵

According to ACLED, “Throughout the month of June [2017] and first weeks of July [2017] al-Shabaab carried out assassination campaigns against government ministers in the capital. Al-Shabaab dispersed leaflets advising bystanders to avoid government buildings”.¹⁰⁰⁶

A report from the German Federal Office for Migration and Refugees noted that “On 11 July 2017 al-Shabaab booby trapped an AMISOM convoy in the Heliwa district of Mogadishu. The extremists also claimed responsibility for another attack in Mogadishu's Yaqshid district to which a soldier fell victim on 12 July 2017. The car bombing of an AMISOM convoy in Sinka Dher near Mogadishu claimed an unknown number of victims. Al-Shabaab maintained that they killed staff of the US security firm Bancroft”.¹⁰⁰⁷

¹⁰⁰⁰ Combatting Terrorism Center, [The Resilience of Al-Shabaab](#), 22 April 2016

¹⁰⁰¹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.1. Targets within FGS, AMISOM/SNA, and international organisations p.17

¹⁰⁰² US Department of State, [2016 Report on International Religious Freedom - Somalia](#), 15 August 2017

¹⁰⁰³ US Commission on International Religious Freedom, [2017 Annual Report; 2017 Country Reports: Other Countries and Regions Monitored: Somalia](#), 26 April 2017

¹⁰⁰⁴ Africa Review, [Somalia general killed by Al-Shabab suicide car bomber](#), 19 September 2016

¹⁰⁰⁵ Africa Review, [Somalia general killed by Al-Shabab suicide car bomber](#), 19 September 2016

¹⁰⁰⁶ ACLED, [Conflict Trends Report No. 60; Real-Time Analysis of African Political Violence](#), July 2017

¹⁰⁰⁷ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 17 July 2017

4.4. IGOs, NGOs

For information on state treatment of NGO workers and human rights activists, see [5.2.3 Treatment of HR defenders and civil society activists by federal and regional state-actors](#).

For information on the treatment of humanitarian workers by the Somalia National Armed Forces, see [3.2.6. Attacks on humanitarian workers](#) and for their treatment by non-state armed groups and clan militias see [3.5.5. Attacks on humanitarian workers](#).

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “Targeted killings of civilians by Al-Shabaab included [...] international agency staff, civil society activists [...]”.¹⁰⁰⁸ It further noted that “there was an absolute rise in the number of security incidents affecting humanitarian workers since the previous mandate, heightening the danger for humanitarian operations overall. [...] Although they faced daily attacks, threats and harassment from all the parties to the conflict and political and government actors, most attacks against humanitarian workers conducted with deadly intent and outcome were carried out by Al-Shabaab”.¹⁰⁰⁹ Moreover “Al-Shabaab attacked medical staff, medical facilities and related humanitarian assets throughout the mandate. [...] UN installations housing humanitarian workers were particularly a target. Not only were there at least nine attacks during the year which affected UN compounds, there were numerous instances of suspected surveillance of UN facilities. National staff of UN and international humanitarian and development agencies were particularly subject to phone threats and harassment. In many cases victims receiving phone calls or text messages were unsure of the real origin of the threat”.¹⁰¹⁰ The same source recorded the following incidents in 2016:

On 30 March 2016, two Turkish, and three Somali, doctors at the Deva hospital in Mogadishu were killed alongside one other colleague when their vehicle was attacked.²⁴¹ In late June 2016, another ambulance was stolen from Belet Hawo hospital in Gedo region, allegedly because it had been used previously to assist wounded SNA personnel, a practice Al-Shabaab had reportedly warned against.²⁴² Mortars attributed to Al-Shabaab hit the Baidoa hospital on 6 August 2016 killing one civilian and injuring five. In another case a medical doctor working for an international entity was arrested by Al-Shabaab for 28 days and forced to cease his employment. Incidents in which Al-Shabaab abducted humanitarian workers during the reporting period were all safely—and swiftly—brought to an end through local intervention.¹⁰¹¹

The Assessment Capacities Project (ACAPS) recorded that “165 violent incidents against humanitarian workers were reported in 2016 including 14 killed, 16 injured and 25 detained. These numbers represent an 18% increase in the overall number of incidents compared to 2015, despite a marked reduction of humanitarian presence in the country”.¹⁰¹²

In its annual report covering 2016, the U.S. Department of State observed that “Al-Shabaab continued to abduct persons, including humanitarian workers. [...] Humanitarian workers regularly faced checkpoints, roadblocks, extortion, car-jacking, and bureaucratic obstacles. Humanitarian organizations were often treated with suspicion and extorted. In the first six months of the year,

¹⁰⁰⁸ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Summary p.5

¹⁰⁰⁹ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 92

¹⁰¹⁰ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 6.2: Attacks on humanitarian workers p.136

¹⁰¹¹ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 6.2: Attacks on humanitarian workers p.136

¹⁰¹² ACAPS - Assessment Capacities Project, [ACAPS Briefing Note - Somalia: Food Security and Nutrition Crisis](#), 24 February 2017

according to the United Nations, more than 80 security-related incidents with direct effect on humanitarian organizations occurred, including the deaths of five aid workers, injuring of eight, arrest of 10, abduction of three, and physical assault on five. [...] International aid organizations evacuated their staff or halted food distribution and other aid-related activities in al-Shabaab-controlled areas due to killings, extortion, threats, harassment, expulsions, and prohibitions by al-Shabaab. On March 15 [2016], for example, unidentified gunmen kidnapped three aid workers in the southwest. International aid agencies continued to rely on Somali staff and local organizations to deliver relief assistance, particularly in remote rural areas”.¹⁰¹³ Furthermore, “Security concerns constrained NGOs’ ability to operate in southern and central areas. On June 8, for example, unknown gunmen in Galkayo town shot and killed the head of an NGO”.¹⁰¹⁴

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted with regards to the situation in areas with AMISOM/SNA presence that “human rights activists and employees of NGO’s might also be targeted depending on their activities and how distinct they criticise al-Shabaab. A Somali NGO elaborated that it would depend on the context of each case. Al-Shabaab can potentially target everyone in these categories, but that does not mean that any person with such profile automatically is a target. It will depend on the circumstances. The source made reference to the fact that, in general, aid workers from NGO’s are a target to al-Shabaab, but if an approval from al-Shabaab is obtained, the staff members of an approved NGO will not be targeted. However, the source stressed that NGO’s affiliated with the US are a general target”.¹⁰¹⁵

The UNOCHA Humanitarian Bulletin covering April 2017 recorded that “Humanitarian organizations and civilians continue to experience challenging access constraints, including safety and security concerns as well as road access challenges, particularly along major access roads in southern and central Somalia. With operations being scaled up significantly throughout the country, the number of violent incidents against humanitarian personnel and assets also increased in April 2017, especially in hard-to-reach areas. In April 2017 more than 30 violent incidents affected humanitarian organisations. This is a steep increase compared to the 35 incidents that were recorded during the first three months of the year. As of 27 April, 13 humanitarian workers had been abducted by non-state armed actors during the month of April, the highest number recorded in one month since the 2011 famine response. The affected personnel are all frontline responders”.¹⁰¹⁶

The annual 2016 U.S Department of State report on 2016 Report on International Religious Freedom stated that “Al-Shabaab continued to harass secular and faith-based humanitarian aid organizations, threatening the lives of their personnel and accusing them of seeking to convert Somalis to Christianity”.¹⁰¹⁷

In April 2017 the BBC reported that four aid workers doing work paid for by the World Health Organization (WHO) were abducted by Al Shabaab in the town of Luuq in the southwestern Gedo province.¹⁰¹⁸

¹⁰¹³ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.b. *Disappearance and 1.g. Abuses in Internal Conflicts*

¹⁰¹⁴ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

¹⁰¹⁵ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.3. *Journalists, human rights activists and NGO’s p.18*

¹⁰¹⁶ UNOCHA, [Humanitarian Bulletin April 2017](#), 4 May 2017

¹⁰¹⁷ US Department of State, [2016 Report on International Religious Freedom - Somalia](#), 15 August 2017, *Abuses by Foreign Forces and Nonstate Actors*

¹⁰¹⁸ BBC, [Somalia al-Shabab Islamist militants kidnap aid workers](#), 4 April 2017

An April 2017 report from the German Federal Office for Migration and Refugees noted that “A booby trap attack targeting a convoy of aid workers (from Red Crescent Dubai and the Somali government, among others) has injured several individuals west of Mogadishu. The United Arab Emirates have condemned the attack. Rejecting the presence of aid organisations in the country, al-Shabaab tries to position itself as aid provider for the Somali population”.¹⁰¹⁹

The May 2017 report of the UN Secretary-General documented that “Insecurity continued to impede access to people in need, mainly in southern and central Somalia. More than 35 violent incidents affected humanitarian organizations from January to March 2017 leading to two deaths, six injuries, five abductions and three arrests of humanitarian workers. Humanitarian supplies were looted in parts of “Somaliland”, HirShabelle and South-West states. Discussions are ongoing with authorities to address the looting of aid”.¹⁰²⁰

A May 2017 International Crisis Group (ICG) report assessed that “Al-Shabaab’s complex and fraught relationship with humanitarian agencies operating in south-central Somalia was not always hostile”.¹⁰²¹ It further explained that:

Prior to the 2011 famine, a few of its top commanders, notably Mukhtar Robow, cultivated cordial ties with relief agencies, granted them limited access after payment of “fees” and used their influence to secure release of abducted aid workers.

But the 2011 famine coincided with two significant setbacks for Al-Shabaab: first, a major AMISOM offensive as a result of which the movement lost key urban strongholds in rapid succession; second, increased U.S. attacks using drones and special operations forces targeting its top leadership. An increasingly paranoid Al-Shabaab severed links to relief agencies and banned foreign aid agencies and their local partners from its territory, accusing them of espionage.¹⁰²²

The ICG report further noted that “Today, Al-Shabaab continues to hold drought victims hostage by blocking international organisations, the Somalia Federal Government and local NGOs from delivering aid, even though territories under Al-Shabaab’s control in south-central Somalia are among the most severely affected. Worse, those found with Western-donated food and items risk arrest”.¹⁰²³ Furthermore, “Nor have expectations that Al-Shabaab might be more charitable toward Muslim relief agencies been borne out. Its hostility vis-à-vis international aid efforts no longer distinguishes between Western and Muslim NGOs; the group deems Turkish and United Arab Emirates (UAE) personnel and facilities legitimate targets. As long as there is no dramatic deterioration in the coming months and it can keep a lid on the hunger crisis through its own parallel aid and coercion, and as long as no mass deaths occur under its watch, Al-Shabaab will likely continue to rebuff calls for dialogue to grant access to humanitarian agencies”.¹⁰²⁴

The UNOCHA Humanitarian Bulletin covering June 2017 recorded that:

¹⁰¹⁹ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 24 April 2017

¹⁰²⁰ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 73

¹⁰²¹ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.4

¹⁰²² International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.4

¹⁰²³ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.4

¹⁰²⁴ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.5

Humanitarian organizations faced rising violence during the first half of 2017 compared to the same period in 2016. The upsurge is mainly due to an increase in targeted attacks against humanitarian organizations by non- state armed actors, and increased violence at aid distribution sites.

Between January and June, over 90 violent incidents impacted humanitarian personnel, facilities and assets leading to the death of four humanitarian workers, injury of nine, arrests and temporary detention of six and abduction of 13. Seven humanitarian workers have so far been expelled from Somalia by authorities within the first half of the year. There has also been an increase in the number of violent armed incidents associated with relief aid distributions. By the end of June, nearly 30 incidents that accounted for the death of 32 civilians and injury of 38 others had been recorded across the country, the majority of which were associated with food distribution conducted by local authorities. There are ongoing dialogue and advocacy efforts with relevant authorities and actors to put in place mitigation measures. The possibility of providing training to the security forces charged with safeguarding relief supplies and crowd control during distributions is also being explored. Meanwhile, following a particularly violent incident in Baidoa that left nearly 20 people, including civilians and security personnel dead and more than 20 others injured, the authorities of South West State announced they will coordinate aid distribution more closely with humanitarian partners. [sic]¹⁰²⁵

A further report from the German Federal Office for Migration and Refugees noted that “On 15 July 2017 al-Shabaab abducted seven staff members of a local relief organization in the village of Garsata near Baido (Bay region). It is said that the extremists are demanding USD20,000 as ransom for their hostages. Four Somali workers of another NGO were abducted near Beledweyne (Hiiraan region) on 21 July 2017”.¹⁰²⁶

In July 2017 Hiiraan Online reported that Al Shabaab imposed a ban on humanitarian assistance in areas they control, and ‘told people they will be punished – possibly executed as spies – if they have any contact with humanitarian agencies’.¹⁰²⁷

In August 2017 UNOCHA reported that “According to local authorities, more than 2,000 people were displaced from Leego in Lower Shabelle to areas in Wanla Weyne, Afgooye corridor and Mogadishu, following the take-over of the town by non-state armed actors on 4 August after the withdrawal of state and regional forces. While some commercial transporters can still conditionally access the Mogadishu-Baidoa–Dollow main supply route, it remains inaccessible to humanitarians. The non-state armed actors occupied the town’s health facility, confiscated humanitarian supplies and equipment, and arrested and temporarily detained two humanitarian workers who were running a health facility in the town”.¹⁰²⁸ The same source further noted that “The number of humanitarian workers abducted by non-state armed actors for ransom is on the increase, with the majority seized along the main access roads. Between January and August, 25 humanitarian workers were abducted; 19 were released following successful negotiations by clan elders, six remain in detention”.¹⁰²⁹

The September 2017 UN report of the Secretary-General covering the period from 1 May to 22 August 2017 noted that “Humanitarian operators faced an increase in attacks by non-state armed actors and increased violence at aid distribution sites. In June, over 90 violent incidents affected humanitarian personnel, facilities and assets; 4 humanitarian workers were killed, 9 were injured, 6

¹⁰²⁵ UNOCHA, [Humanitarian Bulletin June 2017](#), 5 July 2017

¹⁰²⁶ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 24 July 2017

¹⁰²⁷ Hiiraan Online, [Al-Shabaab militants ban starving Somalis from accessing aid](#), 27 July 2017

¹⁰²⁸ UN Office for the Coordination of Humanitarian Affairs, [Humanitarian Bulletin Somalia, August 2017](#), 31 August 2017

¹⁰²⁹ UN Office for the Coordination of Humanitarian Affairs, [Humanitarian Bulletin Somalia, August 2017](#), 31 August 2017

were arrested or placed in temporary detention and 13 were abducted. Three humanitarian workers were expelled by the authorities”.¹⁰³⁰

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found “Since 2016, there has been a sharp increase in attacks on and the coercion of humanitarian workers, and greater violence during humanitarian aid distributions. As the need for humanitarian assistance accelerated, humanitarian workers took new risks, expanding engagements in areas controlled by Al-Shabaab. Al-Shabaab used the opportunity to arrest and fine humanitarian workers in situations where there was any variation in agreed activities, extorting money, vehicles and sometimes weapons from their affiliated clans. By 15 September, 27 humanitarian workers had been abducted by Al-Shabaab during 2017, with 6 still captive as of the time of writing. Al-Shabaab arrested and tortured humanitarian workers when it recaptured territory”.¹⁰³¹

4.4.1. IGOs, NGOs in Mogadishu

For information on state treatment of NGO workers and human rights activists, see [5.2.3 Treatment of HR defenders and civil society activists by federal and regional state-actors](#).

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “Targeted killings of civilians by Al-Shabaab included [...] international agency staff, civil society activists [...]”.¹⁰³² The same source further noted that “there was an absolute rise in the number of security incidents affecting humanitarian workers since the previous mandate, heightening the danger for humanitarian operations overall. [...] Although they faced daily attacks, threats and harassment from all the parties to the conflict and political and government actors, most attacks against humanitarian workers conducted with deadly intent and outcome were carried out by Al-Shabaab”.¹⁰³³ With regards to Mogadishu the source documented that, “Al-Shabaab attacked medical staff, medical facilities and related humanitarian assets throughout the mandate. [...] On 30 March 2016, two Turkish, and three Somali, doctors at the Deva hospital in Mogadishu were killed alongside one other colleague when their vehicle was attacked. [...] On 14 December a UN High Commissioner for Refugees (UNHCR) national staff member was shot and killed alongside a staff member from a UNHCR partner NGO while travelling in a car in Mogadishu”.¹⁰³⁴

4.5. Journalists

For information on state treatment of journalists, see [5.2.4 Freedom of the media by federal and regional state-actors](#).

In October 2016 the Committee to Protect Journalists issued its 2016 Global Impunity Index, highlighting countries where killers of journalists go free and contended that “The worst country for

¹⁰³⁰ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 78

¹⁰³¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 172-174

¹⁰³² UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Summary p.5

¹⁰³³ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 92

¹⁰³⁴ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 6.2: Attacks on humanitarian workers p.136

the second year in a row is Somalia, where the militant group al-Shabaab is suspected in the majority of media murders, followed by Iraq and Syria".¹⁰³⁵

A May 2016 Human Rights Watch report summarised that "The Islamist armed group Al-Shabab has repeatedly threatened and attacked journalists, often treating them as an extension of their fight against the Somali government and foreign forces in the country. Al-Shabab's statements and own media outlets often refer to journalists as legitimate targets. They refer to journalists working for state-run media as 'officers' and 'spies' of the government or foreign forces and those working for private outlets as 'puppets.' At the same time, Al-Shabab appears acutely aware of the power of the media, sees the media as an important propaganda platform, and seeks to pressure journalists into covering their statements or to not report on stories that depict them in a negative light, often using threats of violence".¹⁰³⁶ The same source further documented that:

Several journalists told Human Rights Watch that they received death threats from individuals they knew or believed to be from Al-Shabab following attempted killings or Al-Shabab bombings. [...]

Journalists working for state-run media told Human Rights Watch that they receive regular threats from Al-Shabab. [...]

Al-Shabab or purported Al-Shabab members seek to influence coverage of their activities and security incidents. That pressure comes at times comes through ostensible appeals to journalistic "balance."

[...] Several journalists told Human Rights Watch that they received threats from Al-Shabab after reporting stories depicting Al-Shabab's local administrations in a negative light. [...]

Al-Shabab also continues to try to limit content.¹⁰³⁷

In a May 2016 article that followed this publication Human Rights Watch noted that "In Somalia's central region, a Sufi militia group controls two key towns, but the government wants to create a federal state there. Several journalists got phone calls from militia leaders telling them not to report on this process at all; it would be seen as legitimizing a political process they do not support. Journalists who ignored the militia's orders were arrested by militia forces, and their radio stations temporarily shut down. The director of a radio station that is still closed told us there's no point going back on air because 'we can't report on critical issues'".¹⁰³⁸

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that "Targeted killings of civilians by Al-Shabaab included [...] journalists".¹⁰³⁹ The annual Human Rights Watch report covering events in 2016 noted that "Al-Shabab continues to threaten and target journalists in government-controlled areas and bans independent media from reporting in areas it controls".¹⁰⁴⁰

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted with regards to the situation in areas with AMISOM/SNA presence that "journalists [...] might also be

¹⁰³⁵ Committee to Protect Journalists, [Getting Away With Murder: 2016 Global Impunity Index](#), 27 October 2016

¹⁰³⁶ Human Rights Watch, ["Like Fish in Poisonous Waters" Attacks on Media Freedom in Somalia](#), 3 May 2016, III. *Al-Shabab Abuses against Journalists* p.48

¹⁰³⁷ Human Rights Watch, ["Like Fish in Poisonous Waters" Attacks on Media Freedom in Somalia](#), 3 May 2016, III. *Al-Shabab Abuses against Journalists* p.49-51

¹⁰³⁸ Human Rights Watch, [Interview: Scared. Silenced. Shot. The life of a Somali journalist](#), 3 May 2016, Summary p.2

¹⁰³⁹ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Summary p.5

¹⁰⁴⁰ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

targeted depending on their activities and how distinct they criticise al-Shabaab. A Somali NGO elaborated that it would depend on the context of each case”.¹⁰⁴¹

The organisation Article 19 stated in a September 2016 report that “We condemn Al-Shabaab and other militias’ blocking of radio signals and prohibitions on individuals listening to certain radio stations”.¹⁰⁴² Similarly, in its annual report covering 2016, Amnesty International observed that “Al-Shabaab continued to suppress the media and retained a ban on the internet in areas under its control”.¹⁰⁴³

Furthermore, the 2016 U.S. Department of State report observed that “Al-Shabaab also reportedly killed journalists. For example, on June 5 [2016], gunmen suspected of belonging to al-Shabaab shot and killed a female journalist working for state-run station Radio Mogadishu. [...] Al-Shabaab and unknown gunmen killed five journalists and harassed and threatened others. Journalists reported al-Shabaab threatened to kill them if they did not report positively on antigovernment attacks. [...] Al-Shabaab banned journalists from reporting news that undermined Islamic law as interpreted by al-Shabaab and forbade persons in areas under its control from listening to international media outlets [...] Al-Shabaab prohibited companies from providing access to the internet and forced telecommunication companies to shut data services in al-Shabaab-controlled areas”.¹⁰⁴⁴

According to a May 2017 Human Rights Watch article, “Federal and regional authorities and Al-Shabab continue to target members of the media via harassment, intimidation, physical assaults, and even killings”.¹⁰⁴⁵ The same source further indicated in a July 2017 report that “The Islamist armed group Al-Shabab also targets journalists for reporting deemed unfavorable. Not surprisingly, journalists often self-censor on key issues of public interest, including security and governance, to stay safe”.¹⁰⁴⁶

The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia noted that:

Al-Shabaab killed some 22 journalists and injured 25 others while the journalists were carrying out their duties. Many of the problems and attacks that journalists face result from reporting on issues related to security, corruption and politics.¹⁰⁴⁷

4.5.1 Journalists in Mogadishu

Al Shabaab did not claim responsibility for any attacks against journalists in Mogadishu in the reporting period. However, the following unattributed incidents in Mogadishu were reported to have the ‘hallmark’ of Al Shabaab attacks:

¹⁰⁴¹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.3. *Journalists, human rights activists and NGO’s* p.18

¹⁰⁴² Article 19, [UN HRC: Interactive Dialogue with the Independent Expert on Somalia](#), 28 September 2016

¹⁰⁴³ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

¹⁰⁴⁴ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.a. *Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings and 2.a. a. Freedom of Speech and Press*

¹⁰⁴⁵ Human Rights Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

¹⁰⁴⁶ Human Rights Watch, [Review of Somalia’s Media Law Falls Short](#), 18 July 2017

¹⁰⁴⁷ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 32

The organisation Article 19 recorded that on 6 June 2016, “Sagal Salad Osman, who worked for state-owned Radio Mogadishu, was shot by gunmen in the capital’s Hodon district, near the Plasma University. ARTICLE19’s partner organisations in Somali said unknown people sprayed bullets on Sagal before fleeing the scene. Authorities launched investigations media reports said”.¹⁰⁴⁸ Reporting on the same incident, the Committee to Protect Journalists stated that “The motive for the murder was not immediately apparent, and no one immediately claimed responsibility for the attack, according to news reports. Members of the state-run media are often threatened and attacked by militants in the region, including Al-Shabaab, CPJ research shows. CPJ could not immediately determine if Sagal had received threats prior to [the] attack”.¹⁰⁴⁹

In September 2016 Reporters Without Borders noted that it was “outraged by radio journalist Abdiaziz Mohamed Ali’s execution-style murder”, further reporting that “Aged 35, Abdiaziz Mohamed Ali produced and presented a morning news programme on Radio Shabelle, a Mogadishu-based independent radio station. Men on a motorcycle gunned him down in the capital’s Yaqshid district as he was on his way to visit his parents. [...] The police said the murder was carried out by two gunmen who got away. No one has claimed his death”.¹⁰⁵⁰

In April 2017 Reporters Without Borders documented that TV journalist Hanad Ali Guled’s who works for the privately owned Goobjoog Television was kidnapped in Mogadishu “by masked gunmen on 2 April and was found the next day in a field 30 km south of Mogadishu, bearing the marks of torture and unable to talk”.¹⁰⁵¹

4.6. Business people

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted with regards to the situation in areas with AMISOM/SNA presence that “Some sources mentioned that small business owners, for instance persons selling tea outside government buildings, are not seen or targeted as government collaborators. However, the sources added that due to the fact that AMISOM/SNA frequents the area, such persons risk becoming collateral damage. Another source mentioned that al-Shabaab has declared that anyone in proximity to government and AMISOM buildings are legitimate targets, and al-Shabaab has advised civilians to stay away from government and AMISOM buildings. Two sources pointed out that businessmen perceived to be collaborating with or supporting the federal government are targets, but businessmen who do not work with the government and pay their taxes to al-Shabaab are not considered a target”.¹⁰⁵²

The same source also noted with regards to the security situation that “Businessmen with their own militias and other clan militias are also involved in the assassinations and many of these are erroneously ascribed to al-Shabaab” and “According to a Somalia Country Director of a humanitarian agency [...] Disputes easily escalate into violence, and it is not unusual that business agreements or recruitment of employees escalate into violence and/or death threats”.¹⁰⁵³

¹⁰⁴⁸ Article 19, [Newsletter: Freedom of Expression in Eastern Africa](#), 10 August 2016

¹⁰⁴⁹ Committee to Protect Journalists, [Journalist shot and killed in Mogadishu](#), 6 June 2016

¹⁰⁵⁰ Reporters Without Borders, [Somalia: Another journalist gunned down in Mogadishu](#), 28 September 2016

¹⁰⁵¹ Reporters Without Borders, [Somali journalist kidnapped and tortured, impunity continues](#), 6 April 2017

¹⁰⁵² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.4 Business people’s p.19

¹⁰⁵³ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 Security situation, Clan Violence p.9

A report from the German Federal Office for Migration and Refugees recorded that on 28 March 2016, “suspected al-Shabaab members shot dead a Somali-Canadian business man inside a mosque”.¹⁰⁵⁴ A further report from the same source documented that in September 2016 “There was an assassination attempt with a car bomb on a well-known businessman, probably authored by al-Shabaab”.¹⁰⁵⁵ A motivation was not provided for either incident.

In a July 2017 report, the Jamestown Foundation explained that “The Aminyat [Al Shabaab intelligence wing] often imprisons or executes individuals who work against the group, those who refuse to pay its taxes [...]”.¹⁰⁵⁶

A report from the German Federal Office for Migration and Refugees noted that Al-Shabaab “On 07 July 2017 al-Shabaab fighters “killed a prominent businessman”¹⁰⁵⁷, but again did not detail why they had been targeted.

4.6.1. Business people in Mogadishu

A report from the German Federal Office for Migration and Refugees noted that “A total of five civilians were killed and about ten injured in several attacks by al-Shabaab in Mogadishu on 01 and 02 July 2017. One of the victims was a businessman who had been targeted by a car bomb”.¹⁰⁵⁸

4.7. Women and children incl. access to education

See also section [3.6.4. Other violations against children](#), especially [3.6.4.2. Attacks on schools & use of schools and hospitals for military purposes](#).

For information on sexual and gender-based violence and forced recruitment perpetrated by Al Shabaab see:

[3.5.2. Sexual and gender based violence](#)

[3.5.3. Forced and child recruitment](#)

The following additional abuses may also be relevant to women and children in Al Shabaab-controlled areas:

[5.4.2. Child labour](#)

[6.7.2. Juvenile detention](#)

[9.1. Sexual and Gender Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#)

[9.3. Survivors and persons at risk of \(re-\) trafficking](#)

[9.4.1. Under-age and forced marriage](#)

[9.4.2. FGM](#)

[10.2. Access to education](#)

[10.3. Violence against children including domestic violence](#)

¹⁰⁵⁴ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 4 April 2016

¹⁰⁵⁵ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 12 September 2016

¹⁰⁵⁶ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

¹⁰⁵⁷ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 10 July 2017

¹⁰⁵⁸ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 10 July 2017

For information on sexual and gender-based violence and forced recruitment perpetrated by Al Shabaab in Mogadishu see:

3.5.2. [*Sexual and gender based violence*](#)

3.5.3. [*Forced and child recruitment*](#)

The following additional abuses may also be relevant to women and children in Al Shabaab-controlled areas of Mogadishu:

[*5.4.2.1. Child labour in Mogadishu*](#)

[*6.7.2.1. Juvenile detention in Mogadishu*](#)

[*9.2. SGBV in Mogadishu*](#)

[*10.2.1.1. Al Shabaab impact on access to education in Mogadishu*](#)

4.8. Persons (perceived as) contravening Islamic Sharia and decrees imposed by Al-Shabaab, including converts from Islam, other “apostates” and moderate Islamic scholars who have criticized Al-Shabaab extremism

Also see section [*5.3. Freedom of religion*](#).

The annual 2016 U.S Department of State report on 2016 Report on International Religious Freedom stated that “The terrorist group al-Shabaab killed, maimed, or harassed persons suspected of converting from Islam or those who failed to adhere to the group’s religious edicts”.¹⁰⁵⁹ It further noted that “Al-Shabaab continued to threaten to execute anyone suspected of converting to Christianity. In the areas it controlled, al-Shabaab continued to ban cinemas, television, music, the internet, and watching sporting events. It prohibited the sale of khat (a popular stimulant drug), smoking, and behavior it characterized as un-Islamic, such as shaving beards. It also enforced a strict requirement that women wear full veils”.¹⁰⁶⁰

In an August 2016 article, The Jamestown Foundation noted that Al Shabaab claims to have established a new (so-called) Islamic police, or Hisba.¹⁰⁶¹ It further noted

The Hisba officers were first sighted in Jilib, the most populous town in Somalia’s Middle Juba region and currently the group’s political and military headquarters, on August 9 [2016]. Photographs released by the group through its mouthpiece Radio Andalus showed men in uniform with ID cards and branded vehicles on patrol in the city (Hiraan Online, August 9). From Jilib, al-Shabaab hopes to deploy the force across the areas it controls, including Juba, Gedo, Lower Shabelle, Middle Shabelle, Bay and Bakool, Hiraan, and Galgudud in southern Somalia. [...]

According to the group, the force will be unarmed, but it will work as part of the commission for the promotion of virtue and prevention of vice and seek to “encourage” morality among Somali citizens.

The Hisba will carry out its work under the group’s strict interpretation of sharia. Its main task is providing moral guidance in line with Islamic teachings, and al-Shabaab has made clear the new force can be expected to arrest and even behead those engaging in the consumption and sale of alcohol. The group has also made clear the force will carry out harsh punishments including cutting-off men’s penises as a punishment for adultery, stoning to death promiscuous women, and amputating the hands of those caught stealing. Those wearing Western clothes regarded un-Islamic will also be

¹⁰⁵⁹ US Department of State, [*2016 Report on International Religious Freedom - Somalia*](#), 15 August 2017

¹⁰⁶⁰ US Department of State, [*2016 Report on International Religious Freedom - Somalia*](#), 15 August 2017, *Abuses by Foreign Forces and Nonstate Actors*

¹⁰⁶¹ The Jamestown Foundation, [*Al-Shabaab Aims for ‘Hearts and Minds’ With Establishment of Islamic Police Force*](#), 19 August 2016

detained. It will also protect the quality of food, medicine, and clothing in the market (Zipo, August 10).¹⁰⁶²

In its annual report covering 2016, the U.S. Department of State observed that “Al-Shabaab detained persons in areas under its control in the southern and central regions. Those detained were incarcerated under inhuman conditions for relatively minor “offenses,” such as smoking, having illicit content on cell phones, listening to music, watching or playing soccer, wearing a brassiere, or not wearing a hijab”.¹⁰⁶³ Furthermore, “Adultery in al-Shabaab-controlled areas was punishable by death; unlike in prior years, there were no reports of women being stoned to death for adultery”.¹⁰⁶⁴

Similarly, the 2017 U.S. Commission on International Religious Freedom report noted that Al-Shabaab continued to brutally enforce its extremist interpretation of Islamic law and moral codes. Clerics told USCIRF staff that al-Shabaab has attempted to assassinate them and continues to threaten them for their denunciation of the extremists’ religious teachings”.¹⁰⁶⁵

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “In general, people under al-Shabaab rule must follow the al-Shabaab way of life (“play by the rules of al-Shabaab”), otherwise they would be at risk. Severe sanctions can be carried out against civilians who do not obey to the rules and ideology of al-Shabaab. For instance, not dressing or behaving in accordance with al-Shabaab rules can lead to arrest and corporal punishment. Two sources explained that so-called un-Islamic conduct could include soccer, basketball, listening to music, and smoking cigarettes. An anonymous source found that living under the strict Sharia regime of al-Shabaab cannot be seen as a safe way to live for civilians, who do not want that kind of regime. A Somali NGO found that in the rural areas, there is little difference between al-Shabaab’s rules, and the already existing traditional norms, and exemplified that the dress code for women is the same under al-Shabaab as under other actors. The source added, however, that al-Shabaab is more brutal and ideological. A Western source concurred that even though al-Shabaab’s interpretation of Islam is strict it is not completely foreign to Somalis”.¹⁰⁶⁶

In May 2017 the BBC reported that “Dayow Mohamed Hassan, 44, was buried neck-deep and pelted to death with stones by al-Shabab fighters. He was convicted of being in an adulterous relationship with a woman and impregnating her, despite having two wives, an official said”.¹⁰⁶⁷

An August 2017 Danish Demining Group report on the return of Somalis from Dadaab refugee camp in Somalia considered that “Of those who have returned to Al Shabaab controlled area and then ed, at least a few have had family members killed as suspected spies, while others encountered more mundane problems related to livelihoods”.¹⁰⁶⁸

¹⁰⁶² The Jamestown Foundation, [Al-Shabaab Aims for ‘Hearts and Minds’ With Establishment of Islamic Police Force](#), 19 August 2016

¹⁰⁶³ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.c. *Prison and Detention Center Conditions*

¹⁰⁶⁴ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 6 *Women*

¹⁰⁶⁵ US Commission on International Religious Freedom, [2017 Annual Report; 2017 Country Reports: Other Countries and Regions Monitored: Somalia](#), 26 April 2017

¹⁰⁶⁶ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 4.1. *Target profiles in areas under the control of al-Shabaab p.23*

¹⁰⁶⁷ BBC, [Somalia’s al-Shabab stones man to death for adultery](#), 29 May 2017

¹⁰⁶⁸ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Executive Summary p.4*

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “Possibly in response to the growing prominence of ISIL, Al-Shabaab imposed more violent punishments, including amputations, beheading and stoning, on those found guilty of spying, desertion or breaches of sharia law”.¹⁰⁶⁹

4.9. Other perceived critics or opponents of Al Shabaab

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “With regards to mandatory participation in public executions and similar events, two sources pointed out that within al-Shabaab territory, persons will have to follow the will of al-Shabaab. Persons can be forced to attend public executions, but that does not mean that they condone the act. One of the sources added that by not attending, a person can fall under suspicion of opposing al-Shabaab. Another source explained that public executions are probably mandatory to some extent, but whether or not an absence will be noted, depends on the size of the community”.¹⁰⁷⁰

The same source also cited an International Organisation as stating that “To refuse to join al-Shabaab can have serious consequences. Persons, who refuse, can be killed. Killing of persons refusing to join al-Shabaab can take place as a public execution. This is seen as a part of an overall al-Shabaab strategy in order to install fear in the population and to state examples for future recruits”.¹⁰⁷¹ For further information, see 3.6. *Al Shabaab*, [3.6.3 Forced and child recruitment](#).

Amnesty International recorded that “On 19 January [2016], al-Shabaab killed a man in Kurtuway district after accusing him of witchcraft”.¹⁰⁷²

In a July 2017 report, the Jamestown Foundation explained that “The Aminyat [Al Shabaab intelligence wing]often imprisons or executes individuals who work against the group, [...] and even clan elders who refuse to acknowledge its authority. Within al-Shabaab itself, those fighters and commanders who take bribes, embezzle funds or who do not follow orders are also subject to harsh punishments, including summary execution”.¹⁰⁷³

A report from the German Federal Office for Migration and Refugees noted that “On 17 July 2017 al-Shabaab executed one of its foreign fighters. He was a Kenyan who reportedly complained to a commander of the extremists about al-Shabaab's tactics in eastern Kenya”.¹⁰⁷⁴

4.9.1. Other perceived critics or opponents of Al Shabaab in Mogadishu

A report from the German Federal Office for Migration and Refugees noted that “Two suspected Al-Shabaab members killed a local elder as he was leaving the mosque in the Mogadishu district of

¹⁰⁶⁹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 183

¹⁰⁷⁰ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 4.5 Public executions p.25

¹⁰⁷¹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 49. Forced recruitment to al-Shabaab p.52

¹⁰⁷² Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

¹⁰⁷³ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

¹⁰⁷⁴ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 24 July 2017

Wadajir” although no reasons for the incident was given.¹⁰⁷⁵ A further report from the same source documented that “On 07 July 2017 al-Shabaab fighters shot a clan elder outside of Mogadishu”.¹⁰⁷⁶ Similarly however, no motivation was provided for the attack.

5. Civil and Political Rights

5.1. Freedom of movement

For further information on Al Shabaab restricting movement, see [3.6.6. Restrictions on freedom of movement and denial of humanitarian access.](#)

For general information on transport infrastructure see [1.6.4.7. Transport infrastructure.](#)

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in a January 2016 bulletin that “Overall, road access remained severely constrained in 28 districts in southern and central Somalia and in Buuhoodle district in the north. While there was progress in negotiating access to areas such as Xudur in Bakool, humanitarian organizations were only able to access Baidoa (Bay), Bulo Burte (Hiraan), Garbahaarey (Gedo) and Wajid (Bakool) by air. The high levels of insecurity and, at times, bureaucratic impediments in some areas limited humanitarian access and disrupted humanitarian operations. Attacks and threats against humanitarians increased”.¹⁰⁷⁷

The Norwegian Country of Origin Information Centre, Landinfo, an independent body within the Norwegian Immigration Authorities, concluded in April 2016 with regards to the practical and safety aspects related to public travel by minibus from Mogadishu to various places in southern Somalia:

It is possible to travel to most places in southern Somalia. The risks involved in travelling are primarily related to potential reactions at various checkpoints. Drivers will as far as possible seek to minimize risk by adapting the itinerary or postpone the trip. The likelihood of encountering a checkpoint manned by government forces or al-Shabaab can still be high. For most Somalis the primary risk at such checkpoints is to be suspected of belonging to the enemy, a suspicion which may cause serious reactions. Travellers thus try to avoid arousing suspicion by keeping a low profile and blending in with fellow travellers.¹⁰⁷⁸

The report referred to four categories of checkpoints, dependent on the actors who man them and the context in which these actors operate:

Bandits

Bandits are primarily looking to rob travellers. Travellers may also be exposed to violence in this context. According to source A clan affiliation provides little protection against bandits (meeting in Mogadishu, January 2016). According to source A there is a widespread perception amongst drivers and travellers that the incidence of banditry is less prevalent in al-Shabaab-controlled areas. This is in line with previous information from the Somalia expert Stig Jarle Hansen (2013, p. 85) that al-Shabaab managed to limit the incidence of banditry in areas under their control.

Clan militias

Clan conflicts flare up at irregular intervals in Southern Somalia. Such conflicts typically concern control over grazing land, water sources and other resources. When the conflicts become so

¹⁰⁷⁵ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 7 November 2016

¹⁰⁷⁶ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 10 July 2017

¹⁰⁷⁷ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia, January 2016](#), 26 January 2016, p. 4

¹⁰⁷⁸ Landinfo, [Somalia: Practical issues and security challenges associated with travels in Southern Somalia](#), 4 April 2016, Summary, p. 3

acrimonious that clan members take up arms, according to source A (meeting in Mogadishu, January 2016) it is legitimate to kill members of the opposing clan. This primarily affects combat-age men. Women, children and older people should traditionally be spared, but this is not necessarily done in practice [...]

According to source A there is a widespread perception amongst drivers and travellers that such violent conflicts primarily occur in areas where al-Shabaab is no longer in power [...]

Government Forces

Vehicles must usually pass a regular checkpoint manned by government forces to drive in and/or out of government areas (source A, meeting in Mogadishu, January 2016). According to source A the actual checks/controls at such posts are often inadequate (e-mail 23 February 2016). The source pointed out that government forces are paid irregularly and therefore largely use checkpoints to get paid from travellers. The travellers may still be asked to explain where they are going and why. In this context travellers may also be asked to call a reference who can confirm what they have reported. As Landinfo understands it people who are suspected of being al-Shabaab members risk being arrested. If the suspicion is maintained, the suspect may be brought before a court and ultimately sentenced to death or imprisonment of varying durations, up to life (Landinfo 2015b, p. 4). [...]

Al-Shabaab

The sources Landinfo met during a fact-finding mission to Mogadishu in January 2016 agreed that al-Shabaab generally has a lot of influence along highways, including in areas between cities that the government has taken. This is supported by al-Shabaab conducting ambushes against government forces along the roads (see for example Goobjoog News 2016) and disrupting supplies and trade to areas that the government has taken (see for example Radio Ergo 2016a and 2016b; Shabelle News 2016).

However Landinfo is not aware that al-Shabaab prevents travel. Information from source A, including that it is possible to travel more or less anywhere in Southern Somalia, including al-Shabaab areas (see table 1), underscores this. Source A also explained that drivers must pay fees to al-Shabaab to drive to or through al-Shabaab areas. The fees are normally only paid once per trip from Mogadishu to a given destination. The fees are probably payable before departure from Mogadishu, but this is unclear. The driver usually receives some kind of receipt which shows that the fee is paid. This serves as a pass at al-Shabaab checkpoints.

Al-Shabaab has limited manpower and so cannot be present everywhere. The degree to which they have a presence in various areas may thus vary and Landinfo does not have an exhaustive overview of this. The general picture is that al-Shabaab may have a presence in and around areas that the government has taken. Source B, a very well-informed representative of an international organisation, substantiated this by explaining that al-Shabaab can largely stop and check vehicles along the highways between government-controlled cities (meeting in Mogadishu, January 2016). This also applies to major roads that are frequented relatively often by AMISOM. The source explained that al-Shabaab themselves operate some checkpoints along such roads that are more or less static. Al-Shabaab disappears from the road when an AMISOM column approaches, but reestablishes the checkpoint once the column has passed. Therefore it seems to Landinfo that there is a real possibility of travellers meeting al-Shabaab between cities that have been taken by the government.

Source A explained that many Somalis are afraid of al-Shabaab, but that this does not mean that they have real reason to fear reactions from them. As mentioned earlier the source pointed out that there is a widespread perception amongst drivers and travellers that the chance of being exposed to crime and clan-related violence is less in al-Shabaab areas. Having been in a Western country is in itself unproblematic in meeting with al-Shabaab, according to source A. In this context the source pointed to the fact that many al-Shabaab members themselves have a background from and/or family in the West. However Western behaviour and dresscode, such as having your shirt tucked inside your trousers, is sanctioned by al-Shabaab. According to source A the punishment for this is usually lashes. This is in line with information that al-Shabaab implements strict rules of dress and lifestyle, including that women must wear niqab (see for example BBC 2014).¹⁰⁷⁹

¹⁰⁷⁹ Landinfo, [*Somalia: Practical issues and security challenges associated with travels in Southern Somalia*](#), 4 April 2016, 3. *Security Challenges*, pages 8-10

Lifos, part of the Swedish Migration Agency, published a report on 16 June 2016 compiled during their fact-finding mission to Nairobi in Kenya and Mogadishu and Gaalkacyo in Somalia from 9 to 18 March 2016. The report is in Swedish, but has an extensive English summary from which the following is taken: “To travel by road, in the rural areas is hazardous, particularly in South and Central Somalia. The travelers risk being abused at checkpoints, regardless of if it is Al Shabaab, SNAF [Somali National Armed Forces] or any other government friendly militia or criminals manning the checkpoint. Lifos notices that someone who belongs to any of the groups vulnerable in the Somali society in general, also is at the biggest risk to be abused when travelling by road. Lifos observes that Somalis travel by road, but assesses, by the compiled information in talks in Somalia, that these are no pleasure trips. Before travelling by road, the risks are thoroughly balanced against the necessity of the trip”.¹⁰⁸⁰

UNOCHA noted in October 2016 with regards to road access in South and Central Somalia:

Roadblocks and checkpoints in southern and central Somalia manned by armed actors continue to severely hamper the delivery of humanitarian assistance. Non-state armed actors have continued to implement economic ban in areas in the Bakool, Bay, Gedo and Hiraa regions affecting transfer of humanitarian supplies and basic commercial commodities. The proliferations of checkpoints manned by armed actors also continue to restrict road access along major access routes and to affect transfer of both humanitarian and commercial supplies. Overall road access still remains severely constrained in 27 districts in southern and central Somalia, and in the contested Buuhoodle district in the north. As in previous years, the three main roads most affected remain Belet Weyne-Bulo Burto-Mogadishu, Mogadishu-Baidoa-Doolow and Mogadishu-Baraawe-Kismayo.¹⁰⁸¹

A December 2016 UNHCR report similarly noted that “Access constraints continue to impede humanitarian partners’ ability to timely reach people in need. Interruptions of humanitarian operations have been experienced in, Bay, Bakool, Hiraa, Galgaduud, Gedo, Lower Juba, Lower Shabelle and Sanaag regions. Ground-level transport has been significantly hampered, leaving the humanitarian sector with limited options to deliver lifesaving cargo to displaced people across the country. Air services are the most viable option to deliver relief to locations that cannot be accessed by road, conduct assessment missions and identify the needs in the affected regions”.¹⁰⁸²

Covering 2016, the UN Monitoring Group on Somalia and Eritrea raised its concern that “The operation of illegal checkpoints on main supply routes (MSRs) by state and non-state armed actors intensified in scope, number and nature during the mandate, affecting movement of population and basic commodities and constituting one of the most problematic obstacles to humanitarian access. Spurred by a range of factors, from lack of payment of security forces, to the proliferation of armed groups with putative claims to official status, and weak or absent command and control, the level of extortion and violence at these checkpoints rendered some key MSRs [main supply routes] practically impassable”.¹⁰⁸³

Transparency Solutions published a study mapping the political economy of road blocks in South Central Somalia in 2016 focused on the existing roadblocks on the road between Beletweyne in Hiraa State and Mogadishu which found that:

¹⁰⁸⁰ Lifos, [Somalia - a summary analysis of the security situation, the judiciary and the situation of civilians](#), 16 June 2016, p. 9

¹⁰⁸¹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Somalia Humanitarian Needs Overview](#), 28 November 2016, p. 9

¹⁰⁸² United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 34

¹⁰⁸³ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 6.1: Access to humanitarian assistance, para. 1, p. 131

- **Roadblocks are restricting the ability of people, goods and aid to move safely and freely by road, and are impeding progress towards the longterm stability and reconstruction of Somalia.**
The current political economy of roadblocks is a complex one with competing and conflicting interests, power struggles, corruption and crime all converging within a challenging and hostile physical environment.
- **All three political power networks in Somalia use roadblocks for purposes of territorial control and revenue generation.**
The State, Al-Shabaab (AS) and clan-militia groups, to varying degrees, place personal or political interests over national interests.
- **Roadblocks foster a culture of corruption across all three power networks.**
This includes those under state control where there is evidence to suggest that poor resourcing and lack of capacity exacerbates corruption. Regional and local authorities, for example, are increasingly financially dependent on the revenue roadblocks generate but, with an absence of any fiscal or management systems, a small number of powerful individuals control this revenue.
- **Money is found to be a stronger driver for those operating roadblocks than security.**
On this one route alone, it is estimated that state-run roadblocks generate an annual revenue of more than \$10m and that Al-Shabaab are likely to be taking \$3m each year from people passing through roadblocks under their control.
- **Roadblocks contribute to insecurity.**
Road users are subjected to crimes and human rights abuses which regularly take place at roadblocks, ranging from low-level harassment, through intimidation and threats, to extreme violence including rape and killings. Significantly, majority of these occur at nonstate controlled roadblocks. Experience and/or fear of crime and human rights abuses severely restricts freedom of movement in respect of people, trade and humanitarian aid.
- **Some evidence suggests roadblocks are becoming safer under state control.**
Most recent serious crimes, as recorded from the interviews from this study, are largely attributable to clan- militia run roadblocks.
- **Al-Shabaab roadblocks are well organised and comparatively safe.**
For those who feel able to pass through AS-controlled territories passing through AlShabaab roadblocks is their preferred route because it is efficient, quicker and, once initial screenings have been completed, is relatively safe.
- **Roadblocks are often the site of armed conflicts.**
The FGS, with the support of its allies, is continuing to gain ground in securing roadblocks. However, there remains a substantial number of roadblocks in the hands of Al-Shabaab and clan-militia groups. They are often the centre of conflict where bloody armed clashes between these competing power networks are fought out. A brokering business of roadblocks has developed with road-users reliant on 'maqalas' (brokers) who act as intermediaries between each of the power groups to facilitate safe passage for a price.
- **Roadblocks contribute to a widening social inequality.**
Many road-users are excluded from travelling through Al-Shabaab or clan-militia roadblocks because of their personal profiles, due to the jobs they do, or because of past trauma. Those who can afford to do so, choose to fly. Consequently, for the most part only the poorest and often the most vulnerable in society undertake long distance travel by road and only then, when necessary.
- **Road infrastructure is almost non-existent and is severely hampering economic development.**
Roads, as they exist in Somalia, are mostly tracks, littered with potholes even where they were once tarmac. When combined with a hostile terrain and a propensity for natural disasters, (most commonly drought and flooding), as well as additional problems of roadblocks, road journeys become a perilous undertaking [...]
- **Roadblocks have a disproportionately negative effect on society, particularly people's daily life.**
Many are excluded from travelling, because of their clan affiliations or because they are a potential target for AlShabaab. Everyone, whether they use the road or not, bear the cost of higher prices for goods and services because of the high costs of transportation [...]
- FGS efforts under the leadership of President Hassan have liberated many districts in Mogadishu from the violence and corruption of roadblocks, transforming them into more effective control posts with an emphasis on security [...]

- **Unemployment is one of the main drivers of illegal roadblocks.** This is undoubtedly the case with clan militia, many of whom are desperate young men with families to feed, no skills and no visible opportunities. Al-Shabaab continue to exploit these young men who are more susceptible to radicalisation and recruitment.
- **There is significant public support for the FGS to legitimise roadblocks and to run them efficiently and effectively.** The overwhelming majority of respondents were certain in their view that roadblocks should be the responsibility of the state but equally there was recognition that this was not yet the case. There was also doubt around the ability of the state to achieve full and effective control. There is a groundswell of support for the FGS to introduce a new era of safe, affordable and accountable roadblocks as part of the transition to stability.¹⁰⁸⁴

The annual Human Rights Watch report covering events in 2016 noted that “Al-Shabab controls and carries out attacks along many supply routes and imposes blockades on towns captured by AMISOM and government forces, restricting movement of goods and assistance”.¹⁰⁸⁵

In its annual report covering 2016, the U.S. Department of State similarly observed that “Armed groups, particularly al-Shabaab but also government forces and militia, deliberately restricted the passage of relief supplies and other items indispensable to the survival of the civilian population as well as access by humanitarian organizations, particularly in the southern and central regions. [...] Al-Shabaab also seized relief supplies. For example, on April 13 [2016], al-Shabaab seized a truck transporting WFP food commodities near El Wak. WFP halted critical activities outside El Wak, including the treatment of acute malnutrition, until the driver, truck, and commodities were released. [...] Al-Shabaab blocked humanitarian access to 28 districts in southern and central Somalia, including critical transportation routes to areas liberated by AMISOM. Human Rights Watch reported al-Shabaab imposed blockades around Hudur, Bullo-Burte, Elbur, Qoryoley, and other towns that had been liberated by AMISOM and Somali government forces, severely restricting the movement of goods, assistance, and persons. Al-Shabaab restricted medical care, including by impeding civilian travel to other areas to receive care, destroying medications provided by humanitarian agencies, and closing medical clinics. [...] Al-Shabaab forced persons in their camps to move to the countryside, reportedly to raise cash crops for the organization”.¹⁰⁸⁶

The same source further noted with regards to ‘in-country movement’ that:

Checkpoints operated by government forces, allied groups, armed militias, clan factions, and al-Shabaab inhibited movement and exposed citizens to looting, extortion, harassment, and violence. Roadblocks manned by armed actors and attacks on humanitarian personnel severely restricted movement and the delivery of aid in southern and central sectors of the country.¹⁰⁸⁷

Following its joint mission to Nairobi, Kenya, in December 2016, the final mission report by the Danish Refugee Council and the Danish Immigration Service’s Country of Origin Information Division stated with regards to road safety:

In general, travelling by road in S/C Somalia is not easy and is regarded as risky and expensive.³⁸ Main roads in S/C Somalia are only partly controlled by AMISOM/SNA and in some areas al-Shabaab is in full control of the roads. According to a UN source, al-Shabaab controls most of the main supply

¹⁰⁸⁴ Transparency Solutions, [Beyond isbaaro: Reclaiming Somalia’s haunted roads](#), 2016, Summary, Key findings, pages 5/6

¹⁰⁸⁵ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

¹⁰⁸⁶ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.g. Abuses in Internal Conflicts and 7.b. Prohibition of Forced or Compulsory Labor

¹⁰⁸⁷ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 2., d. Freedom of Movement, Internally Displaced Persons, protection of Refugees, and Stateless Persons

routes in S/C Somalia. Al-Shabaab, and in certain areas also other armed actors, have checkpoints throughout S/C Somalia and public transportation vehicles will be stopped and passengers questioned and/or taxed.

Day-to-day activities and business life for civilians, however, continue underneath the conflicts and travelling for locals is considered less problematic compared to profiled persons.

Travelling between AMISOM/SNA and alShabaab areas entails the risk of falling under suspicion from both sides of being affiliated with the enemy.

Such suspicion can lead to punishment, kidnapping and interrogation, or killing.

For AMISOM/SNA, the lack of security on roads restricts the movement of goods on main supply routes. Therefore, AMISOM/SNA continues to airlift troops and some of the key life sustenance items. Especially the main supply routes from Mogadishu to Baidoa and Belet Weyne, respectively, are affected by alShabaab attacks.

According to a Somalia Country Director of a humanitarian agency, the roads from Mogadishu to Beled Weyne, Baidoa, and Kismayo, respectively, are partly controlled by AMISOM".¹⁰⁸⁸

According to the Assessment Capacities Project (ACAPS) reporting with regards to humanitarian constraints in February 2017, "roadblocks by various armed groups are widespread in south central Somalia especially, with up to USD 4,000 charged for access to certain areas. Unexploded bombs are present in localised areas of south central Somalia".¹⁰⁸⁹ Similarly, the February 2017 'Humanitarian Bulletin' published by the UN Office for the Coordination of Humanitarian Assistance (UNOCHA) described how movement restrictions due to increased illegal checkpoints and related extortions and harassments continued to impact the freedom of movement of civilians, humanitarian and commercial supplies along the Mogadishu-Afgooye-Wanla Weyne-Baidoa-Dollow main access road.¹⁰⁹⁰ The same report further recorded that "Movements along the Mogadishu–Wanla Weyne and Dollow–Baidoa road have also been severely impacted due to increased number of non-static checkpoints manned by state and non-state armed actors, increased patrols and vehicle inspections by non-state armed actors [...] Car hijackings and passenger kidnappings have become common. On average, the impacted passengers or their relatives have had to pay a minimum of \$100 per person to secure their release".¹⁰⁹¹

In April 2017 the UN Office for the Coordination of Humanitarian Assistance (UNOCHA) reported in its 'Humanitarian Bulletin' that "Humanitarian organizations and civilians continue to experience challenging access constraints, including safety and security concerns as well as road access challenges, particularly along major access roads in southern and central Somalia".¹⁰⁹²

A May 2017 International Crisis Group report stated that Al Shabaab "runs 'security checkpoints' on major routes [According to the UN, the most affected roads are Mogadishu-Baidoa-Dollow, Mogadishu-Afgooye- Marka-Barawe-Kismayo and Mogadishu-Balcad-Jowhar-Belet Weyne-Galkacyo]; and uses a variety of coercive tactics to prevent people from leaving and block access to aid agencies".¹⁰⁹³ The same source further explained that:

In February and March 2017, large numbers of drought-stricken families began spontaneously leaving areas Al-Shabaab controlled in Bay and Bakool, as well as the Shabelle and Juba river valleys in search

¹⁰⁸⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, *Road safety*, p. 9

¹⁰⁸⁹ ACAPS, [ACAPS Briefing Note - Somalia: Food Security and Nutrition Crisis](#), 24 February 2017

¹⁰⁹⁰ UNOCHA, [Humanitarian Bulletin: Somalia, February 2017](#), 7 March 2017, *Access challenges hamper effective response*, p. 4

¹⁰⁹¹ UNOCHA, [Humanitarian Bulletin: Somalia, February 2017](#), 7 March 2017, *Access challenges hamper effective response*, p. 4/5

¹⁰⁹² UNOCHA, [Humanitarian Bulletin: Somalia, April 2017](#), 4 May 2017, *Access challenges on the rise*, p. 5

¹⁰⁹³ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.3

of relief assistance in federal and state government-controlled territory. This raised speculation that the militant group might be softening its uncompromising attitude toward foreign aid, perhaps because of the gravity of the situation and criticism it endured when it blocked Western food aid during the 2011 famine. These assumptions proved misplaced. Al-Shabaab blocked the exodus through coercion and by providing its own relief to hungry communities, arguably because of its heightened sense of insecurity and vulnerability – a realisation that mass depopulation might expose it to aerial and ground attacks.¹⁰⁹⁴

The May 2017 report of the UN Secretary-General on Somalia noted that “Al-Shabaab continues to restrict access to those in need of assistance and aid to populations in areas under its control. It is unacceptable that humanitarian assistance, particularly for women and children, is disrupted or denied as a means of conflict”.¹⁰⁹⁵ In the same report he commented that “I am especially concerned about the group’s willingness to resort to violent means to hinder relief activities targeting civilians and aid workers, including the United Nations”.¹⁰⁹⁶ For further information, see 4. *People at risk by non-state actors, particularly in areas controlled by Al Shabaab*, [4.4. IGOs, NGOs](#).

The German Federal Office for Migration and Refugees noted in May 2017 that “During the last two months, Somali security forces have cleared about 26 road blocks installed by al-Shabab in Middle and Lower Shabelle regions, most of them in War Sheikh district (Middle Shabelle), about 55 km northeast of Mogadishu. The security authorities have announced similar operations in Bay region along the main road between Mogadishu and Baidoa. These road blocks are used by the extremists to extort money from travellers, to interrupt troop movements and also to obstruct the distribution of aid to the population”.¹⁰⁹⁷

In a May 2017 article the BBC cited Sharif Hassan Sheikh Aden, president of South West State as stating that in Baidoa “The militants have closed all the roads so we cannot deliver help to those who need it most”.¹⁰⁹⁸

According to reporting by the UN Secretary-General covering 1 May to 22 August 2017, “Al-Shabaab guerrilla warfare continued in rural areas of central and southern Somalia. Attacks on Somali and AMISOM forces along logistics routes were regularly reported”.¹⁰⁹⁹

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) noted that “The security conditions in south-central Somalia hinder freedom of movement. While urban centres may be controlled by the Federal Government or protected by the Somali National Army, AMISOM or regional militia, moving between areas often requires traversing al-Shabaab controlled areas and roads. AlShabaab ‘taxes’ those that move through areas under its control, extorting money and goods at checkpoints”.¹¹⁰⁰

An ACAPS crisis analysis on Somalia stated in August 2017 that “Some major towns where Al Shabaab controls all surrounding territory are only accessible by plane. The three main roads most affected in Somalia are Beledweyne–Burlo–Burte–Mogadishu, Mogadishu–Baidoa–Doolow and

¹⁰⁹⁴ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. *Al-Shabaab Checkpoints and Access Denial* p.3

¹⁰⁹⁵ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 98

¹⁰⁹⁶ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 102

¹⁰⁹⁷ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 29 May 2017, *Somalia, Clashes*, p. 4

¹⁰⁹⁸ BBC, [How do you solve a problem like Somalia?](#) 11 May 2017

¹⁰⁹⁹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, II., B. *Security developments*, para. 13, p. 3

¹¹⁰⁰ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Internal Relocation*, para. 5.14, p. 23

Mogadishu–Barawe–Kismayo”.¹¹⁰¹ Similarly, Voice of America reported early August 2017 on Al Shabaab retaking the strategic town of Leego in Lower Shabelle, 120 kilometers from Mogadishu, noting that “Al-Shabab’s capture of Leego effectively cuts off Mogadishu from these regions, making air travel the only means to get there”.¹¹⁰²

An August 2017 Refugees International report noted that “Al-Shabaab controls (or at least has influence over) much of the rural area of south central Somalia that has been hardest hit by the drought and where humanitarian access is extremely limited. Deeply concerning are recent reports that Al-Shabaab has begun preventing some people from leaving their home areas until they are on the brink of starvation. RI interviews with IDPs indicated that, in certain areas, Al-Shabaab has been restricting outward movement. One IDP mother who had fled her home area in the Bay region with her seven children told RI, “Al-Shabaab didn’t want us to leave. We had to escape during the middle of the night.” According to another IDP with whom RI spoke, “Al-Shabaab said we could not go to Baidoa. So we told them we were only going to a nearby village. But then when we got there, we kept going”.¹¹⁰³

In August 2017 the UN Office for the Coordination of Humanitarian Assistance (UNOCHA) reported in its ‘Humanitarian Bulletin’ that “Movement of civilians and essential humanitarian and commercial supplies continued to be negatively impacted by the blockades imposed by non-state armed actors in parts of Bakool, Bay, Gedo, Hiraan and Lower Shabelle regions. Although local authorities continued to carry out road clearance operations including removal of illegal checkpoints, extortion at checkpoints and attacks and violations against civilians plying main access routes in southern and central Somalia including vehicle jacking, abduction and improvised explosive device (IED) attacks continued to hinder movements along these routes”.¹¹⁰⁴ The same source provided a useful map outlining the ‘Static Checkpoints in Southern and Central Somalia’ as of August 2017, which can be accessed [here](#).¹¹⁰⁵

The September 2017 report of the UN Secretary-General on Somalia reported that in southern Somalia “most roads are inaccessible owing to the terrorist threat”.¹¹⁰⁶

The UN Monitoring Group on Somalia and Eritrea reported that “Illegal checkpoints controlled by federal and regional forces, clan militias and Al-Shabaab impeded the passage of aid and drove up the cost of commercial goods. This in turn affected the value of humanitarian assistance: over 80 per cent of food aid for the drought response was in the form of cash or vouchers [...] An assessment of main transit routes in central and southern Somalia by one humanitarian organization in August 2017 identified 82 fee-paying checkpoints, 20 of which were controlled by Al-Shabaab. The majority of the rest were controlled by the Somali National Army, in addition to five others where the Army shared revenue with Interim South-West Administration forces”.¹¹⁰⁷ The same source further noted that:

¹¹⁰¹ Assessment Capacities Project (ACAPS), [Somalia Crisis Analysis](#), *Access of Relief Actors to Affected Populations*, updated 02 August 2017

¹¹⁰² Voice of America, [Al-Shabab Militants Kill Provincial Governor in Mogadishu](#), 5 August 2017

¹¹⁰³ Refugees International, [On the Edge of Disaster; Somalis forced to flee drought and near famine conditions](#), August 2017, *Background* p.5

¹¹⁰⁴ UNOCHA, [Humanitarian Bulletin: Somalia, August 2017](#), 31 August 2017, *Military withdrawals and conflict continue to expose civilians to reprisals*, p. 2

¹¹⁰⁵ UNOCHA, [Humanitarian Bulletin: Somalia, August 2017](#), 31 August 2017, *Military withdrawals and conflict continue to expose civilians to reprisals*, p. 3

¹¹⁰⁶ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 38

¹¹⁰⁷ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, IV., C. Major supply routes, paras. 166 and 167, p. 40

Local authorities and armed actors took advantage of the drought response by tripling checkpoint fees in some areas. In April 2017, 60 trucks were blockaded at Wanlaweyne, Lower Shabelle region, when Federal Government security forces attempted to force commercial trucker to pay “arrears” for the times they had used the alternative Al-Shabaab-controlled route to Baidoa. Transporters in many places preferred Al-Shabaab routes where payments were honoured, receipts were issued and the violence associated with the security forces was avoided [...]

Efforts by AMISOM, the Interim Galmudug Administration and the Federal Government in the second quarter of 2017 to secure supply routes were moderately successful, although in some cases the problem was simply displaced, as mobile checkpoints replaced static checkpoints.¹¹⁰⁸

The Assessment Capacities Project (ACAPS) noted that “There are severe physical access challenges in 28 districts in south-central Somalia due to armed conflict. An increase in road access challenges continues to be reported along the Mogadishu-Afgooye route. The Mogadishu-Afgooye-Wanlaweyn-Burhadkaba-Baidoa road is currently inaccessible due to Al Shabaab activity, forcing humanitarian organisations to access Baidoa by plane. Access is further constrained by the presence of mines and ERW. Armed actors and militias including Al Shabaab continue to implement blockades in Lower Shabelle, Bakool, Bay, Gedo and Hiiraan regions. Since July 2017, non-state armed actors intensified blockades on Diinsoor, Wajid and parts of Xudur. Ceel Buur in Galgaduud is inaccessible due to sanctions imposed by non-state armed groups. Conflict between Al Shabaab and the Puntland authorities in Bari, Nugal, and Mudug has also limited humanitarian access”.¹¹⁰⁹

5.1.1. Freedom of movement in Mogadishu

For general information on transport infrastructure see [1.6.4.7.1. Transport infrastructure in Mogadishu](#).

Transparency Solutions publishing a study to map the political economy of road blocks in South Central Somalia in 2016 and focusing on the existing roadblocks on the road between Beletweyne in Hiran State and Mogadishu found that:

- FGS efforts under the leadership of President Hassan have liberated many districts in Mogadishu from the violence and corruption of roadblocks, transforming them into more effective control posts with an emphasis on security [...].¹¹¹⁰

A May 2017 International Crisis Group report stated that Al Shabaab “runs ‘security checkpoints’ on major routes [According to the UN, the most affected roads are Mogadishu-Baidoa-Dollow, Mogadishu-Afgooye- Marka-Barawe-Kismayo and Mogadishu-Balcad-Jowhar-Belet Weyne-Galkacyo]; and uses a variety of coercive tactics to prevent people from leaving and block access to aid agencies”.¹¹¹¹

¹¹⁰⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, IV., C. Major supply routes, para. 168, p. 40

¹¹⁰⁹ Assessment Capacities Project (ACAPS), [Somalia: Crisis Analysis](#), Last updated: 27 November 2017, *Security and physical constraints*

¹¹¹⁰ Transparency Solutions, [Beyond isbaaro: Reclaiming Somalia’s haunted roads](#), 2016, Summary, Key findings, p. 6

¹¹¹¹ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, II. B. Al-Shabaab Checkpoints and Access Denial p.3

5.2. Freedom of expression, association, and assembly

For an overview of relevant domestic legislative instruments pertaining to freedom of expression, association and assembly in Somalia, see:

- ❖ Human Rights Watch, [*“Like Fish in Poisonous Waters” Attacks on Media Freedom in Somalia*](#), 3 May 2016, VII. *Applicable Legal Framework*
- ❖ UNSOM and OHCHR, [*Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia’s Political Transition*](#), August 2016, I. *International and National Legal Frameworks on the Rights to Freedom of Opinion and Expression*

5.2.1. Treatment of perceived Al Shabaab supporters and political opponents

In its annual report covering 2016, the U.S. Department of State observed that “The government sometimes kept high-profile prisoners associated with al-Shabaab in safe houses before officially charging them. [...] Government and regional authorities arbitrarily arrested and detained numerous persons, including persons accused of terrorism and supporting al-Shabaab. Authorities frequently used allegations of al-Shabaab affiliation to justify arbitrary arrests. [...] Government and regional authorities harassed relatives of al-Shabaab members”.¹¹¹²

The same source also noted that “The number of persons detained during the year for politically motivated reasons was unknown. Government and regional authorities arrested journalists as well as other persons critical of authorities. [...] Individuals in government-controlled areas risked reprisal for criticizing government officials, particularly for alleged official corruption or suggestions that officials were unable to manage security matters”.¹¹¹³

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “A UN source mentioned that e.g. extrajudicial killings and forced displacement are also taking place in government controlled areas. The same UN source added that family members of al-Shabaab fighters are perceived to pose a threat and therefore consequently forced to leave government controlled areas. As an example, the source mentioned that a mother to an al-Shabaab fighter was executed in the summer of 2015 allegedly for this reason only. The source mentioned five other episodes regarding sanctions against al-Shabaab family members by the government/AMISOM,30 and underlined that these examples should not be considered exhaustive”.¹¹¹⁴ The same source further noted that “In Kismayo the local authorities have carried out a large number of random arrests of persons under suspicion of being supporters of al-Shabaab. Persons, who travel from an al-Shabaab area into Kismayo are under risk of such accusations and arrest and are likely to face problems. A UN source mentioned that Jubaland authorities regard family members of al-Shabaab as collaborating with al-Shabaab just by the fact that they are related. An anonymous source assessed that a main reason why the Jubaland authorities have been able to keep Kismayo relatively safe is a

¹¹¹² US Department of State, [*Country Report on Human Rights Practices 2016 - Somalia*](#), 03 March 2017, 2a. *Freedom of Speech and Press*

¹¹¹³ US Department of State, [*Country Report on Human Rights Practices 2016 - Somalia*](#), 03 March 2017, 1.d. *Arrest Procedures and Treatment of Detainees and 1.f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence*

¹¹¹⁴ Danish Immigration Service, [*South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016*](#), 8 March 2017, 1.1 *The overall security situation p.8*

rather strict control of new arrivals in the city through an extended network of informants. Newcomers, including returnees, are perceived as a potential threat”.¹¹¹⁵

Amnesty International’s annual report covering events in 2016 recorded that “The government curtailed freedom of expression of those who criticized its policies”.¹¹¹⁶

The May 2016 report of the UN Secretary-General on Somalia documented that a “total of 900 people were arrested, most of them arbitrarily, in various parts of Somalia for association with Al-Shabaab. Of those arrested, 613 were released, while 287 remained in detention pending further investigation, including 68 juveniles forcefully enrolled by Al-Shabaab”.¹¹¹⁷

According to an August 2016 joint UNSOM and OHCHR report, “It is of particular concern that political leaders, activists, journalists and media owners arrested by NISA are detained in the NISA Godka Jiliow detention centre, where Al Shabaab suspects are also detained, and with no judicial oversight”.¹¹¹⁸

The September 2016 report of the UN Secretary-General on Somalia noted that “Notwithstanding important commitments made by the Somali authorities in the past few years to protect children, the detention of children for their association with Al-Shabaab remains an ongoing concern”.¹¹¹⁹

The September Report of the Monitoring Group on Somalia and Eritrea noted that it was “concerned by a distinct lack of political space in Somalia in the period preceding the 2016 transition. [...] Civil society has been largely excluded from the process. Pro-democracy organizations, Somali media networks, and opposition groups have reported attempts to stymie political debate. Compounding perceptions that the FGS was growing increasingly intolerant of dissent, President Hassan Sheikh provoked an angry backlash among his opponents when, during a speech made at a mosque while marking Eid-al-Fitr on 7 July 2016, he branded the government’s critics to be the second enemy of Somalia after Al -Shabaab”.¹¹²⁰ The same source further noted:

The Monitoring Group received multiple reports of increasing use of intimidation tactics by the National Intelligence and Security Agency (NISA). On 14 July 2016, NISA raided the Makka Al-Mukarama Hotel where two prominent Hawiye elders, Abukar Geney (Haber Gedir) and Abdullahi Gedi Shador (Abgaal/Wa’esli) had organised a meeting with other Hawiye elders to discuss the transition. NISA claimed to be intercepting a vehicle-based improvised explosive device (VBIED), and hotel owners in Mogadishu were subsequently called upon by the Ministry of Internal Security to inform the FGS of any political gatherings they intend to host for the sake of security.¹³² On 18 July 2016, in a declaration made by a newly established National Citizens Platform, multiple prominent opposition figures, including at least three presidential candidates, announced their disavowal at the

¹¹¹⁵ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Lower and Middle Juba, including Kismayo p.14

¹¹¹⁶ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

¹¹¹⁷ UN, [Report of the Secretary-General on Somalia](#), 9 May 2016, paragraph 54

¹¹¹⁸ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, *Political Assembly and Demonstrations*, paragraphs 68-70

¹¹¹⁹ UN, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 93

¹¹²⁰ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, *Annex 3.2: 2016 transition challenges paras 19-20 p.90*

FGS decision “banning public meetings of members of political associations and political parties in public spaces.”¹¹²¹

According to the September 2016 Report of the UN Independent Expert on the situation of human rights in Somalia, “Some youths stated that, when they expressed critical views, they were either branded as members of Al-Shabaab or ostracized”.¹¹²²

The report of the Secretary-General on Children and Armed Conflict covering 2016 noted that “Regarding detention, 386 children were held by the Government for their alleged association with Al-Shabaab. As mentioned in my report on children and armed conflict in Somalia (S/2016/1098), children were captured or arrested during military and security operations, including mass security sweeps or house searches. In May [2016], the Galmudug Interim Administration handed over to child protection actors 44 children allegedly associated with Al-Shabaab whom the group had captured in March. In October, the Puntland authorities also handed over 26 children from twelve to fourteen years old”.¹¹²³

The December 2016 Report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that “Notwithstanding the standard operating procedures, the deprivation of liberty of children by security actors remained a major concern, with the country task force on monitoring and reporting verifying the detention of at least 931 children by the Somali National Army, the National Intelligence and Security Agency and regional security forces between January 2014 and July 2016. Children were captured and detained for their alleged association with Al-Shabaab during military and security operations, including in mass security sweeps or house searches. Information indicating that children had been detained based on the suspicion of family members’ association with Al-Shabaab was received. The country task force on monitoring and reporting also documented cases of deprivation of liberty of children by Al-Shabaab”.¹¹²⁴ The same source further noted that:

Detention was also utilized as a tactic for gathering intelligence, with children being used as informants and spies by the National Intelligence and Security Agency and the Somali National Army. In July 2016, during a meeting with the ministerial committee mandated to investigate allegations of children having been used by the National Intelligence and Security Agency as informants, my Special Representative for Children and Armed Conflict was given the committee’s final report. It indicated that children had been used by the Agency between 2012 and 2014 to identify members of Al-Shabaab through “finger pointing”. That was confirmed by children who had been detained in Serendi and whom my Special Representative met in 2014 and 2016. The practice has put children in severe danger, as illustrated by executions by Al-Shabaab of children suspected of being spies. Children used for gathering intelligence are also extremely vulnerable to retaliation from their own communities and their reintegration is compromised.¹¹²⁵

The Report of the UN Secretary-General on conflict-related sexual violence covering the period from January to December 2016 recorded that “An emerging trend during the reporting period involved the authorities subjecting the relatives and wives of alleged Al-Shabaab members to collective

¹¹²¹ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 3.2: 2016 transition challenges para 21 p.90

¹¹²² UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 18

¹¹²³ UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/72/361–S/2017/821\]](#), 24 August 2017, paragraph 135

¹¹²⁴ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 32

¹¹²⁵ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 33-38

punishment, including extrajudicial executions, sexual violence and arbitrary arrests. The authorities justify such treatment on the grounds that the relatives of Al-Shabaab members support the insurgency by providing information and thus constitute a threat. A similar phenomenon is affecting children separated from Al-Shabaab, as reported by the Monitoring Group on Somalia and Eritrea (see S/2016/919), which documented allegations of sexual abuse against detainees at the Mogadishu Serendi camp, including in the context of intelligence-gathering".¹¹²⁶

The January 2017 report of the UN Secretary-General on Somalia noted that "46 incidents of unlawful detention involving 92 children on security grounds and for alleged association with Al-Shabaab were documented".¹¹²⁷ The same source further noted that "Overall, and notwithstanding delays and cases of malpractice, including bribery and intimidation of delegates, the electoral process was more peaceful and inclusive than in 2012".¹¹²⁸

The May 2017 report of the UN Secretary-General on Somalia considered that "Infringement upon the freedom of expression continues to be of concern; there is continuing harassment of journalists, politicians and human rights defenders because of their criticism of government authorities. Freedom of expression is an essential foundation of a democratic society and a free media helps to foster dialogue, peace and good governance, key imperatives for the new Somali Government".¹¹²⁹

Human Rights Watch similarly noted in a May 2017 report that "NISA has arbitrarily detained journalists and political activists for apparent politically motivated reasons. We have documented NISA torture and other ill-treatment of terrorism suspects to extract confessions. [...] Civilian prosecutors have at times failed to intervene to protect the rights of individuals whom NISA has arrested in its clampdown on critical reporting and speech".¹¹³⁰

The German Federal Office for Migration and Refugees noted that "On 22 May 2017, Somali security forces and AMISOM units searched the houses and shops of suspects in Hodan and Wadajir districts and arrested dozens of suspected al-Shabaab fighters. Apparently, the searched buildings were used for the planning of attacks during upcoming Ramadan".¹¹³¹

The BBC reported in July 2017 that "Somali authorities have arrested seven head teachers who they accuse of meeting al-Shabab militants. They are said to have discussed changing the curriculum at private schools to favour the Islamist group's ideology".¹¹³²

In September 2017 the UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict noted that "In Somalia, the detention of children for their alleged association with Al-Shabaab (AS) remains a major concern, explained Leopold Kouassi, Senior Child Protection Adviser with the UN Mission in Somalia (UNSOM). 'But enhanced engagement by the United Nations led to the transfer of 64 children from the former Serendi rehabilitation program for ex-AS fighters to child protection actors in 2015, as well as the release of 110 children from detention centers and prisons in 2016 and 2017,' he added".¹¹³³

¹¹²⁶ UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 56

¹¹²⁷ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 48

¹¹²⁸ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 3

¹¹²⁹ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 104

¹¹³⁰ Human Rights Watch, [Human Rights Priorities for Somalia's New Government](#), 2 May 2017

¹¹³¹ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 29 May 2017

¹¹³² BBC, [Somali schoolteachers arrested for 'al-Shabab meetings'](#), 12 July 2017

¹¹³³ UN Office of the SRSG for Children and Armed Conflict, [Protecting Children in Armed Conflict: Voices from the field](#), 21 September 2017

The September 2017 report of the UN Secretary-General on Somalia reported that “The Independent Expert on the situation of human rights in Somalia conducted a 10-day visit to Mogadishu, Garoowe and Hargeya in May. He met with representatives of UNSOM, AMISOM, the Federal Government and civil society organizations [during which he] encouraged authorities to address [...] the rehabilitation of juveniles arrested and accused of being affiliated with Al-Shabaab”.¹¹³⁴

For further information on the detention of minors, see [6.7.2. Juvenile detention](#).

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea documented multiple instances of attempts to manipulate the outcome of the parliamentary electoral process, including

- (a) The gatekeeping of regional electoral processes by State Indirect Election Implementation Teams;
- (b) Fraudulent alterations to lists of electoral colleges;
- (c) The bribery of clan elders and members of electoral colleges;
- (d) The threat and use of violence aimed at candidates, clan elders and members of electoral colleges.¹¹³⁵

The same source further documented that “The Independent Electoral Dispute Resolution Mechanism, established in late September 2016 following pressure from the international community, received 98 formal complaints. An internal report of the Mechanism, compiled on 21 November, summarized 39 specific cases. It subsequently annulled the outcomes for 11 seats on 14 December. On 27 December, however, the National Leadership Forum overruled the Mechanism, ordering re-elections in just five of these cases, in which all suspended candidates were permitted to enter and subsequently emerged victorious for a second time. The Monitoring Group received reports from multiple independent sources regarding the exchange of large sums of money between certain presidential candidates and Members of Parliament in the period immediately preceding the presidential elections of 8 February 2017. Several of the presidential candidates, including the incumbent President and Prime Minister at the time, were alleged to have offered up to \$50,000 to various Members of Parliament to vote in their favour”.¹¹³⁶

5.2.1.1. Treatment of perceived Al Shabaab supporters and political opponents in Mogadishu

The UN Independent Expert on the situation of human rights in Somalia was informed during his mission to Somalia in April 2016 regarding the National Intelligence and Security Agency and its treatment of disarmed combatants and allegations of ill-treatment of former combatants at the Serendi detention facility in Mogadishu, where children recruited by Al Shabaab were also held, that:

The Agency, as an intelligence and security organ of the State, does not possess the powers of arrest and detention. The Independent Expert had received allegations that the Agency routinely conducted mass arrests during its operations and that it did not respect minimum human rights guarantees, such as by holding detainees for prolonged periods without judicial review. The Director General emphasized that the Agency operated within the legal framework under very difficult conditions, and that Al-Shabaab attacked and killed civilians constantly without any regard for their human rights. Although the Agency faced suicide bombers on a daily basis, it also worked for the rehabilitation of

¹¹³⁴ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 51

¹¹³⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 98

¹¹³⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 99-101

captured fighters, including children. Its main focus was to protect the country; not to kill the fighters, but to reintegrate them into society.¹¹³⁷

The Report of the Secretary-General on conflict-related sexual violence covering the period from January to December 2016 recorded that “An emerging trend during the reporting period involved the authorities subjecting the relatives and wives of alleged Al-Shabaab members to collective punishment, including extrajudicial executions, sexual violence and arbitrary arrests. The authorities justify such treatment on the grounds that the relatives of Al-Shabaab members support the insurgency by providing information and thus constitute a threat. A similar phenomenon is affecting children separated from Al-Shabaab, as reported by the Monitoring Group on Somalia and Eritrea (see S/2016/919), which documented allegations of sexual abuse against detainees at the Mogadishu Serendi camp, including in the context of intelligence-gathering. Reported threats of sexual assault in settings such as the Mogadishu central prison and facilities overseen by the National Intelligence and Security Agency were also received by the United Nations”.¹¹³⁸

5.2.2. Treatment of protesters by federal and regional state-actors

In its annual report covering 2016, the U.S. Department of State observed that “The federal provisional constitution provides for freedom of assembly, but the government limited this right. A general lack of security effectively limited this right as well. Federal and regional authorities killed protesters. The federal Ministry of Internal Security continued to require its approval for all public gatherings, citing security concerns, such as the risk of attack by al-Shabaab suicide bombers. Suppression of opposition meetings and gatherings increased during the election cycle, which began in August and continued at year’s end. [...] Federal and regional forces killed protesters. For example, on March 26, police fired on civilians protesting the state formation process for Hiiraan and Middle Shabelle Regions in Beledweyne, killing one civilian and injuring four”.¹¹³⁹

According to an August 2016 joint UNSOM and OHCHR report, “The right to hold peaceful demonstrations and protests without prior authorization is routinely denied by formerly the Federal Ministry of Interior and now the Ministry of Internal Security, which requires the organizers of public gatherings to obtain its prior approval, citing security concerns, notably the possible infiltration of such gatherings by Al Shabaab. Most of the demonstrations in Mogadishu have been organized by the Banadir Regional Authority, either in support of Government initiatives or against Al Shabaab attacks, as well as by the Banadir Political Reformation Council, which has demanded greater political representation. Episodes of heavy-handed repression of public protests or expressions of dissent in different parts of the country have been observed”.¹¹⁴⁰

The same source documented the following incidents:

On 22 February 2016, the deputy Chairperson of the Banaadiri Political Reformation Council was arbitrarily arrested by NISA following a public gathering of their supporters in Mogadishu to advocate for the right of the Banadiri Community. He was released after three days, following advocacy by

¹¹³⁷ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, VI., A. National Intelligence and Security Agency, and the treatment of disarmed combatants, para. 50, p. 12

¹¹³⁸ UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 56

¹¹³⁹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings and 2.b. Freedom of Peaceful Assembly and Association

¹¹⁴⁰ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, Political Assembly and Demonstrations, paragraphs 58-59

UNSOM and the subsequent intervention of the Federal Ministry of Women Affairs and Human Rights.

On 26 March 2016, three people were wounded after police opened fire on anti-FGS demonstrators in Beledweyne, Hiraan region, during a visit by the Federal President. As in other cases, it is unclear if an investigation was initiated. In April and May 2016, Jubbaland security forces arrested and detained 11 women, some of whom were beaten. The arrests were in reaction to the women protesting against the Jubbaland authorities' unlawful allocation of public land used by the women to an unidentified international partner.

On 9 July 2016, contrary to the Federal Constitution, the Ministry of Internal Security banned public meetings organized in the hotels in Mogadishu if no prior notice was given to the Ministry. On 14 and 15 July 2016, NISA stopped two separate political meetings organized by two different clans in hotels in Mogadishu to discuss upcoming elections and nominations of the members of the parliament. In one case, NISA claimed that they had to evacuate the hotel for security reasons, while hotel managers declared that there was no security threat. Some elders who attended one of the meetings reported that they had received phone calls from NISA officers before the meeting to dissuade them to attend. In the other case, NISA argued that the organizers had not obtained permission to hold a political meeting. On 14 July 2016, NISA intervened in another hotel in Mogadishu, only to find that it was hosting a wedding ceremony.¹¹⁴¹

5.2.2.1. Treatment of protesters by federal and regional state-actors in Mogadishu

In its annual report covering 2016, the U.S. Department of State observed that "On July 9, the minister of internal security released a letter banning all meetings in Mogadishu hotels without prior approval from the ministry. On September 19, Mogadishu mayor Yusuf Hassan Jimale stated that opposition demonstrations would not be allowed in the capital due to security concerns; authorities did not impose any such restrictions on progovernment demonstrations".¹¹⁴²

5.2.3. Treatment of HR defenders and civil society activists by federal and regional state-actors

For information on the treatment of civil society and humanitarian workers by Al-Shabaab, see: section 4. *Profiles of persons at risk by non-state actors, particularly Al Shabaab*, [4.4. IGOs, NGOs](#).

For information on the treatment of humanitarian workers by the Somalia National Armed Forces, see [3.2.6. Attacks on humanitarian workers](#) and for their treatment by non-state armed groups and clan militias see [3.5.5. Attacks on humanitarian workers](#).

The Assessment Capacities Project (ACAPS) recorded that "165 violent incidents against humanitarian workers were reported in 2016 including 14 killed, 16 injured and 25 detained. These numbers represent an 18% increase in the overall number of incidents compared to 2015, despite a marked reduction of humanitarian presence in the country".¹¹⁴³

UNOCHA recorded that "In 2016, bureaucratic impediments increased due to the absence of a centralized regulatory framework for NGOs and international organizations, disruptions, delays, intrusion in humanitarian facilities, arrests and detention of humanitarian workers and occasional

¹¹⁴¹ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, *Political Assembly and Demonstrations*, paragraphs 58-59

¹¹⁴² US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 2.b. *Freedom of Peaceful Assembly and Association*

¹¹⁴³ ACAPS - Assessment Capacities Project, [ACAPS Briefing Note - Somalia: Food Security and Nutrition Crisis](#), 24 February 2017

temporary suspensions of humanitarian programmes. At least 94 incidents were registered by aid agencies. The majority of the incidents were related to multiple registration and reporting requirements, arbitrary taxation, and contractual arrangements and procedures. More than 50 of the impediments were successfully resolved through dialogue and negotiations with authorities mainly in southern and central Somalia and Puntland. The humanitarian community will continue to advocate with the authorities to expedite the processes to put in place a fixed regulatory framework for NGOs and international organizations".¹¹⁴⁴

In May 2016 the OHCHR reported that "A group of four United Nations human rights experts* today urged the Government of Somalia to halt the continuous acts of intimidation and reprisals against members and leaders of two Somali trade unions, and to stop interfering in the unions' internal affairs and activities. [...] Since 2011, members and leaders of the Federation of Somali Trade Unions (FESTU) and the National Union of Somali Journalists (NUSOJ) have been threatened and intimidated by both anonymous persons and by State officials. [...] Additionally, the human rights experts expressed serious concerns about acts of reprisals against Mr. Osman, that have followed the intervention of the International Labour Organization (ILO) urging the Somali authorities to comply with their international obligation regarding trade unions' rights. They were alarmed at a complaint against him, dated 29 February 2016, accusing him of cooperating with international organizations and trying to harm the reputation of the Somali government".¹¹⁴⁵

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea [SEMG] documented that "there was an absolute rise in the number of security incidents affecting humanitarian workers since the previous mandate, heightening the danger for humanitarian operations overall" and that "although they faced daily attacks, threats and harassment from all the parties to the conflict and political and government actors, most attacks against humanitarian workers conducted with deadly intent and outcome were carried out by Al-Shabaab".¹¹⁴⁶

The same source further noted with regards to state treatment that "Federal and regional authorities were also the origin of threats and attacks on humanitarian workers during the mandate. The SEMG documented and verified two cases of unlawful arrest and detention of staff working on humanitarian issues by security forces of IJA in Kismayo during the mandate. [...] Violence meted out to humanitarian workers by local militia as a result of contracting disputes around the business elements of managing humanitarian aid were also noted. One security expert told the SEMG that risks relating to operations, human resources and day-to-day contracting and management, harboured the most frequent threats to NGOs. The SEMG also received information on incidents of disorder and violence during aid distributions which threatened the safety of humanitarian workers and halted operations across Somalia, including, on average, three incidents a month in the northern part of Somalia during 2016".¹¹⁴⁷

The same source further noted that "The Monitoring Group is concerned by a distinct lack of political space in Somalia in the period preceding the 2016 transition. [...] Civil society has been largely excluded from the process. Pro-democracy organizations, Somali media networks, and opposition groups have reported attempts to stymie political debate".¹¹⁴⁸

¹¹⁴⁴ UNOCHA, [Humanitarian Bulletin January 2017](#), 3 February 2017

¹¹⁴⁵ OHCHR, [Somalia: UN rights experts raise alarm at growing persecution against trade unionists](#), 4 May 2016

¹¹⁴⁶ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 92

¹¹⁴⁷ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 6.2: Attacks on humanitarian workers p.136-7

¹¹⁴⁸ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 3.2: 2016 transition challenges paras 19-20 p.90

The September 2016 report of the UN Secretary-General stated “I am seriously concerned by recent threats and intimidation directed against candidates, civil society, women’s leaders and activists, and journalists in the context of the electoral process. I call on all federal and regional authorities to ensure the protection of human rights, particularly with respect to freedom of expression and participation in the political process”.¹¹⁴⁹

According to the September 2016 Report of the UN Independent Expert on the situation of human rights in Somalia “During his meeting with civil society organizations, however, the Independent Expert heard representatives of women, persons with disabilities and youth complain about restrictions on freedom of expression and opinion, the ongoing insecurity and poor relations between the Government and civil society. They complained about the very restrictive operating environment, reporting how they adopted a low profile when engaging with government authorities. The organizations had requested support from the international community for their participation in the upcoming elections 2016, to help to prevent their exclusion, as was the case in 2012. They reiterated the lack of financial and logistical support to operate, and the need for election monitoring training. Their freedom of movement had been restricted by insecurity and threats”.¹¹⁵⁰

In its annual report covering 2016, the U.S. Department of State observed that “A number of local and international human rights groups operated in areas outside al-Shabaab-controlled territory, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views, although they also harassed NGOs. Security concerns constrained NGOs’ ability to operate in southern and central areas. On June 8, for example, unknown gunmen in Galkayo town shot and killed the head of an NGO [...]. Authorities sometimes harassed or did not cooperate with NGOs. For example, in matters related to official corruption, the government regularly dismissed the findings of international and local NGOs as well as of internal auditors. The provisional federal constitution calls for the formation of an independent national human rights commission and a truth and reconciliation commission within 45 days and 30 days, respectively, of the formation of the Council of Ministers in 2012. On August 14, the FGS president signed the human rights commission bill into law, although commissioners had not been appointed by year’s end. No action on the proposed truth and reconciliation commission had been taken by year’s end”.¹¹⁵¹

The May 2017 report of the UN Secretary-General recorded that “one human rights defender was charged with a criminal offence for collecting signatures demanding an end to police impunity”.¹¹⁵² The same source further noted that “Infringement upon the freedom of expression continues to be of concern; there is continuing harassment of journalists, politicians and human rights defenders because of their criticism of government authorities”.¹¹⁵³

The September 2017 UN report of the Secretary-General covering the period from 1 May to 22 August 2017 recorded that “Civil society plays a key role in delivering services across the humanitarian, development and peacebuilding spectrum in Somalia. However, its work is often hampered by inadequate regulatory frameworks, bureaucratic obstacles and inconsistencies in rules

¹¹⁴⁹ UN, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 85

¹¹⁵⁰ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 18

¹¹⁵¹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

¹¹⁵² UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 58

¹¹⁵³ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 104

and regulations at different levels of government. In order to support the development of a comprehensive regulatory framework for non-governmental organizations, the Federal Government is working on new legislation to codify best practices, with the support of the United Nations and international partners and in close coordination with non-governmental organizations".¹¹⁵⁴

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found with regards to bureaucratic obstacles to humanitarian access "Between January and August 2017, the Office for the Coordination of Humanitarian Affairs of the Secretariat recorded 62 instances of bureaucratic impediment to humanitarian operations. In the absence of a clear framework regulating humanitarian action obstructive practices, designed to hinder and divert humanitarian assistance, continued".¹¹⁵⁵ It further detailed that this included:

- (a) The taxation of humanitarian supplies;
- (b) The imposition of irregular registration, project monitoring, contract review and staff-vetting procedures and fees;
- (c) Demands to render and be paid for "security assistance" and the withdrawal of security assistance in order to force negotiations;
- (d) The intermittent prohibition by Puntland on humanitarian access by land from Somaliland.

164. Federal and regional authorities also impeded humanitarian work by expelling national and international humanitarian workers from their areas of control. In at least three cases examined by the Monitoring Group during the mandate, the expulsion masked an intent to impede the organizations' lawful activities, extort resources or facilitate the settling of a private score.¹¹⁵⁶

5.2.4. Freedom of the media by federal and regional state-actors

For information on Al Shabaab treatment of the media, see: section 4. *Profiles of persons at risk by non-state actors, particularly Al Shabaab*, [4.5. Journalists](#).

In Reporters Without Borders' 2017 World Press Freedom Index, Somalia is ranked 167 out of 180 countries.¹¹⁵⁷

The UN Independent Expert on the situation of human rights in Somalia explained that "The media law was adopted by Cabinet in December 2015, and became law on 10 January 2016. Prior to its adoption, media stakeholders expressed their concern at its failure to comply with international human rights standards. Some of the concerns were taken into consideration, while others, such as those on the composition and the independence of the Media Commission, and the requirements for qualification or eligibility to practice journalism, were rejected, a decision that has been contested by media stakeholders".¹¹⁵⁸

According to an August 2016 joint UNSOM and OHCHR report, "Gaps in legislation pose challenges in the exercise of freedom of expression and allow intelligence agencies to infringe upon it, in particular NISA, which operates outside the legal framework despite being bound by the Federal Constitution and the Criminal Procedure Code. [...] Unlike NISA, the police have not, until recently, played a visible role in interfering with the right to freedom of expression in South and Central

¹¹⁵⁴ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 63

¹¹⁵⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 163

¹¹⁵⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 163-164

¹¹⁵⁷ Reporters Without Borders, [2017 World Press Freedom Index](#), 2017

¹¹⁵⁸ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 53

regions in Somalia. [...] It is of particular concern that political leaders, activists, journalists and media owners arrested by NISA are detained in the NISA Godka Jiliow detention centre, where Al Shabaab suspects are also detained, and with no judicial oversight".¹¹⁵⁹ Furthermore, "NISA appears to arrest and detain media workers, close media houses, and confiscate equipment when media report on issues that are critical of the Government, such as corruption or perceived State failure. [...] The restrictions imposed by NISA compromise journalists and media workers' impartiality, but also creates a risk for those who comply, as they may be perceived by Al Shabaab as taking sides with the Government".¹¹⁶⁰ The same source further documented:

From January 2014 to July 2016, UNSOM recorded 120 cases of arbitrary arrest and detention of journalists and media workers, owners of media houses and publishers: 60 in "Somaliland" and 60 in Somalia. The period of detention ranged from 24 hours to several months, without charges. In most cases, the police opened files and negotiations would take place between journalists and media workers and officials; subsequently the majority of cases would be unofficially closed and the journalists and media workers released.¹¹⁶¹ Other incidents include raids and bans on radio and TV stations, the suspension of web-based news, and confiscation of newspapers.

100. These figures illustrate a hostile environment for journalists and media workers, compromising the enjoyment of the freedom of expression.[...]

While violations such as killings, beatings, harassment, arbitrary arrests and illegal detention, lack of due process or fair trial, guarantees and closure of media outlets generally receive wide press coverage and are publicly and privately raised by journalists, media workers, media associations and human rights defenders, there is little response from the authorities to investigate the cases and to prosecute perpetrators. Rather, those detained are generally released after intense bilateral advocacy by concerned Government officials, clan elders, or the international community. Genuine accountability can only be achieved if there is a systematic and official response to impunity by ensuring that effective investigations and prosecutions take place and punishments are duly enforced.¹¹⁶²

In May 2016 Human Rights Watch issued a report on 'Attacks on Media Freedom in Somalia'. The report contended that "The federal government and regional authorities have used a wide range of tactics to compel journalists to cover key issues in a way authorities deem acceptable. These include arbitrary arrests and forced closures of media outlets, threats, harassment, and occasionally the filing of criminal charges. Federal and regional authorities have temporarily closed 10 media outlets in 2014 and 2015. Intelligence service and security force officials have imposed bans on reporting specific issues, such as statements by Al-Shabab, and clamped down on media outlets that don't comply with these orders. At the same time, threats, attacks and even killings go uninvestigated and unprosecuted".¹¹⁶³ The same source further noted that "Female journalists in Somalia face additional challenges. Along with the threats, intimidation, and violence faced by many journalists in Somalia, female journalists must contend with social and cultural restrictions, discrimination among their peers and targeted threats from Al-Shabab, which seeks to curtail women's participation in public affairs through violence".¹¹⁶⁴

¹¹⁵⁹ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, *Political Assembly and Demonstrations*, paragraphs 68-70

¹¹⁶⁰ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, *Political Assembly and Demonstrations*, paragraphs 80-83

¹¹⁶¹ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, *Political Assembly and Demonstrations*, paragraphs 98-101

¹¹⁶² Human Rights Watch, ["Like Fish in Poisonous Waters" Attacks on Media Freedom in Somalia](#), 3 May 2016 *Summary* p.2

¹¹⁶³ Human Rights Watch, ["Like Fish in Poisonous Waters" Attacks on Media Freedom in Somalia](#), 3 May 2016, *Summary* p.3

In a May 2016 article following the release of this publication Human Rights Watch further noted that “Journalists who rebroadcast international radio stations like the BBC Somali service and Voice of America talking about the group have been arrested. One reporter said that if their radio station is broadcasting a live news feed from the BBC and it’s clear Al-Shabaab is about to be mentioned, they have to cut straight to advertisements”.¹¹⁶⁴

The September 2016 report from the Independent Expert on the situation of human rights in Somalia noted that “According to UNSOM, there are 41 radio stations operating across the country, 20 newspapers and 12 Somali-language television stations, five of which operate from the United Kingdom. The State owns four radio stations, four television stations and a newspaper. Somali journalists and media owners across the country are organized in different associations, such as the Media Association of Puntland and the Somaliland Journalists Association, and other groupings, such as the Women in Journalism Association and the Somali Independent Media Houses Association, which advocate for freedom of expression and the free exercise of the profession. The role played by the media in Somalia is critical and indispensable as Somalia builds peace and democracy and consolidates the State”.¹¹⁶⁵

Reporters Without Borders explained that during 2016 “Freedom of information in Somalia suffers from corruption, political violence, and the central government’s extreme weakness. [...] Those who refuse to censor themselves are [...] exposed to arbitrary detention or the closure of their media outlet by the authorities. Two journalists were killed because of their profession in 2016 and several others were killed in terrorist attacks targeting the intellectual elite in general. The editor of Xog Ogaal, one of Somalia’s leading dailies, was arrested in October 2016 in a blatant act of harassment by the authorities”.¹¹⁶⁶

In its annual report covering 2016, the U.S. Department of State observed that “Government and regional authorities temporarily closed media outlets, citing as reasons defamation or offending the president and other national leaders. [...] NISA arrested 16 journalists in Mogadishu, Beledweyne, Jowhar, and Kismayo during the year. Most were released without charge or after paying a fine. [...] Journalists engaged in rigorous self-censorship to avoid reprisals. On August 30, the governor of Hiiraan Region, Yusuf Ahmed Hagar, warned journalists in Beledweyne against reporting on the activities of politicians whose campaigns were not ‘authorized’ by the government and threatened consequences for those who failed to comply. [...] Authorities restricted access to the internet, but there were no credible reports that the government monitored private online communications without appropriate legal authority. [...] Federal and regional authorities used excessive force against journalists, demonstrators, and detainees, which resulted in deaths and injuries. [...] There was widespread interference in the judicial process, and government officials regularly intervened to influence cases, particularly those involving journalists”.¹¹⁶⁷

The organisation Article 19 documented that “On 22 April 2016, Mr. Muusejaambiir, Chairman of the newspaper Xogogaal was arrested alongside two other journalists. They were not informed of the reasons for their arrest and charges were not brought”.¹¹⁶⁸ The same source reported in September 2016 that “we additionally condemn actions taken by the government to force the closure of media outlets. This includes the 27 April 2016 closure of critical newspaper “Codka-Shacabaa” (Voice of the

¹¹⁶⁴ Human Rights Watch, [Interview: Scared. Silenced. Shot. The life of a Somali journalist](#), 3 May 2016

¹¹⁶⁵ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 53

¹¹⁶⁶ Reporters Without Borders, [2017 Somalia profile](#), 2017

¹¹⁶⁷ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 2a. *Freedom of Speech and Press and 1.c Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and 1.e. e. Denial of Fair Public Trial*

¹¹⁶⁸ Article 19, [UN HRC: Interactive Dialogue with the Independent Expert on Somalia](#), 28 September 2016

people) and 30 June 2016 closure of radio station Daljir for interviewing the recently sacked Governor of Bari Administrative Region".¹¹⁶⁹

Amnesty International recorded that "On 9 July [2016], police raided the premises of City FM [a radio station in the Middle Shabelle region¹¹⁷⁰], shut down the radio station and arrested the editor-in-chief, Abdishakur Abdullahi Ahmed, and deputy editor-in-chief, Abdirahman Hussein Omar Wadani. They also confiscated radio equipment. On 13 August [2016], police in Beledweyn region detained a freelance journalist, Ali Dahir Herow".¹¹⁷¹

In October 2016, Reporters Without Borders noted that Al-Jazeera's correspondent in Somalia, Hamza Mohamed, and two cameramen, were detained by the National Intelligence and Security Agency (NISA) and their equipment seized.¹¹⁷² Reportedly, "They were arrested on their return from a trip outside the capital, during which they were suspected of visiting territory controlled by the rebel Islamist group Al-Shabaab in order to interview senior Al-Shabaab leaders".¹¹⁷³

Also in October 2016, Human Rights Watch documented that:

The National Intelligence and Security Agency (NISA) released Abdi Adan Guled, the editor of Xog-Ogaal, one of the country's oldest newspapers. Abdi had been detained for three days without access to legal counsel or a hearing in court. The very same day, however, I learned that Hamza Mohamed, an Al Jazeera reporter, was arrested along with three colleagues. The four were only released today. NISA justifies these arrests on national security grounds, accusing the media of providing a propaganda platform for the armed Islamist group Al-Shabab. More often than not the apparent goal is to silence legitimate reporting on key issues of public concern. In Abdi's case, interrogators took issue with an October edition of the paper that reported on Al-Shabab reprisal killings in El-Ali after Ethiopian troops stationed there had withdrawn from the town.¹¹⁷⁴

In November 2016 the International Federation of Journalists reported that "Mahad Ali Mohamed who was working for Radio Codka Mudug (Voice of Mudug Radio) was seriously wounded in the head [...] after a stray bullet hit him as he was leaving his house for work and he was rushed to Galkayo Hospital where he succumbed to the wound he sustained and was pronounced dead".¹¹⁷⁵

In March 2017 a Human Rights Watch 'Dispatches' article noted that "Somalia remains an incredibly dangerous place to be a journalist. Since 2014, at least 13 journalists have been killed in targeted attacks or while on reporting assignments. At least six journalists have survived assassination attempts. But only one survivor of the several I have spoken to was ever interviewed by the police afterwards, and none were aware of anyone being prosecuted for the attempts on their lives. While previous Somali governments regularly condemned attacks on journalists, credible investigations never materialized".¹¹⁷⁶

¹¹⁶⁹ Article 19, [UN HRC: Interactive Dialogue with the Independent Expert on Somalia](#), 28 September 2016

¹¹⁷⁰ International Federation of Journalists, [Somalia: Journalists arrested, radio station closed in crackdown on media freedom](#), 11 July 2016

¹¹⁷¹ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

¹¹⁷² Reporters Without Borders, [Somalia: Al-Jazeera reporter, two cameramen held after trip outside Mogadishu](#), 19 October 2016

¹¹⁷³ Reporters Without Borders, [Somalia: Al-Jazeera reporter, two cameramen held after trip outside Mogadishu](#), 19 October 2016

¹¹⁷⁴ Human Rights Watch, [Media Freedom Under Attack in Somalia](#), 20 October 2016

¹¹⁷⁵ International Federation of Journalists, [IFJ mourns death of Radio Journalist in Central Somalia](#), 8 November 2016

¹¹⁷⁶ Human Rights Watch, [Somali Journalist Seriously Wounded by Car Bomb](#), 13 March 2017

Reporters Without Borders indicated that “the Universal TV channel was suspended on 5 March [2017] for broadcasting false reports alleged to have threatened the stability and peace of the region after it referred to overseas trips by the president”.¹¹⁷⁷

In May 2017 the International Federation of Journalists (IFJ) “voiced serious concerns over ‘farcical’ attempts to prosecute the head of its affiliate, the National Union of Somali Journalists (NUSOJ), after he spoke out against government policies on press freedom and journalists’ rights”.¹¹⁷⁸ He had been summoned to respond to accusations of “organizing on 3 May a commemoration of world press freedom without authorisation from the Ministry of Information” “issuing on 6 May an abusive statement, as NUSOJ, which offended and defamed the Minister of Information of the Federal Government of Somalia, and was widely disseminated”.¹¹⁷⁹ The IFJ considered that “These farcical accusations were formulated to instill fear and use intimidation through the Attorney General’s office”.¹¹⁸⁰

According to a May 2017 Human Rights Watch article, “Federal and regional authorities and Al-Shabab continue to target members of the media via harassment, intimidation, physical assaults, and even killings”.¹¹⁸¹ Furthermore:

Federal government and regional authorities, including NISA and police forces, have used a wide range of tactics to compel journalists to cover issues in a way that authorities deem acceptable. They have regularly justified restrictions on the basis of purported national security threats that appear to be attempts by authorities to obstruct legitimate reporting on key security and political developments. The tactics used are without legal basis, and place journalists at significant risk of reprisals.

Somali authorities rarely investigate complaints filed by journalists or cases of killings or physical assaults on journalists or prosecute perpetrators. The previous administration only prosecuted a handful of attacks attributed to Al-Shabab, relying on the NISA and military courts; Human Rights Watch identified due process violations in these trials that undermined the defendants’ rights to a fair trial.

Human Rights Watch is not aware of any instance in recent years in which a government official or security force member was disciplined or charged for abuses against journalists, despite significant evidence of their participation in such attacks.

While the 2016 Federal media law has some positive provisions, restrictions on media in the law are overbroad and vague. They include restrictions on “propaganda against the dignity of a citizen, individuals or government institutions,” and allow significant room for problematic interpretation by authorities that are likely to prompt further self-censorship by journalists. The country’s criminal code, which is under review, contains vague provisions that render free speech a criminal offense, including defamation, “offending the honor and prestige of the head of state,” “publication or circulation of false, exaggerated or tendentious news,” and contempt against the nation, state or flag.¹¹⁸²

AMISOM reported in May 2017 that “The National Union of Somali Journalists (NUSOJ) is working closely with the Federal Government to amend the current media law. Media practitioners in Somalia had expressed their displeasure with the law passed by parliament late 2015, saying it infringes on their independence and the right to freedom of expression. One of the laws the

¹¹⁷⁷ Reporters Without Borders, [Predators of press freedom use fake news as a censorship tool](#), 16 March 2017

¹¹⁷⁸ International Federation of Journalists, [Somalia: IFJ condemns “farcical” threatened prosecution of journalists’ leader](#), 31 May 2017

¹¹⁷⁹ International Federation of Journalists, [Somalia: IFJ condemns “farcical” threatened prosecution of journalists’ leader](#), 31 May 2017

¹¹⁸⁰ International Federation of Journalists, [Somalia: IFJ condemns “farcical” threatened prosecution of journalists’ leader](#), 31 May 2017

¹¹⁸¹ Human Rights Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

¹¹⁸² Human Rights Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

umbrella union for journalists was up in arms against, demands that practicing journalists in Somalia possess university degrees and also disclose their sources when asked to do so by those in authority. [...] However, after a series of consultations between the new administration and NUSOJ it was agreed that the controversial sections of the law be reviewed and proposals forwarded to Parliament for amendment".¹¹⁸³

In a July 2017 article, Human Right Watch contended that "When Somalia's new minister of information took office in March, he promised to review the country's restrictive media law, raising hopes of fostering a better environment for journalists and free expression in the country. Those hopes have largely been dashed".¹¹⁸⁴ The Human Rights Watch article further noted that:

While amendments to the law have partially addressed some concerns raised by Somali media organizations – including by reducing the heavy fines imposed on journalists for violating the law's restrictions, and no longer making a journalism degree a requirement to practice journalism – the law still hands authorities a big stick to keep the media under control.

The law maintains vague and overbroad restrictions, including prohibiting "propaganda against the dignity of a citizen, individuals or government institutions," and "dissemination of false information." This leaves lots of room for interpretation by authorities – in response, journalists unclear of where the lines are drawn are likely to self-censor even more.

International and regional legal standards place a high value upon uninhibited expression concerning public persons and state institutions, and discourage open-ended and ill-defined provisions that risk chilling the media. Similar articles persist in Somalia's 1963 criminal code, also under review.

But journalists continue to be arrested, and on occasion charged, under such outdated provisions. [...] The amended media law does not provide for parliamentary oversight of nominations for a new media regulatory body. It also maintains watered-down but still substantive requirements for entry into the journalism profession – there should be none.¹¹⁸⁵

Similarly, the Committee to Protect Journalists similarly reported in August 2017 that "On July 13, Somalia's Cabinet approved proposed changes to the country's national media law as part of a review to overhaul the regulatory framework under which journalists currently work. But Somali journalists and local media rights groups have criticized the government for not doing enough to provide journalists with a less restrictive environment".¹¹⁸⁶ The same source noted that:

CPJ spoke with Ahmedweli Hussein, chief editor of the privately owned station Goobjoog Radio, about the impact he thinks the revised law will have on Somalia's press. Ahmedweli said that he thinks the government ignored most of the recommendations made by the press during the consultation period. Under the revisions, which still need parliamentary approval, libel fines will be lowered from US\$3,000 to US\$1,500 and a requirement that journalists have journalism degrees before being registered by the Somali Media Commission, an ostensibly independent body whose members will be selected by the Information Minister, will be scrapped. However, penalties of up to US\$1,500 will be imposed on those convicted of "fake news" and journalists wanting to cover the president's office will need to have at least two years' experience to obtain the necessary press card.

Ahmedweli said that requiring journalists to have two years' experience to obtain a press card will act as a barrier to entry into the profession. He added that parts of the proposed law that ban "fake news" are vague and could be used by authorities to restrict media freedom.¹¹⁸⁷

¹¹⁸³ AMISOM, [Somali journalists and Federal Government in talks to amend media law](#), 4 May 2017

¹¹⁸⁴ Human Rights Watch, [Review of Somalia's Media Law Falls Short](#), 18 July 2017

¹¹⁸⁵ Human Rights Watch, [Review of Somalia's Media Law Falls Short](#), 18 July 2017

¹¹⁸⁶ Committee to Protect Journalists, [Q&A: Somali editor says efforts to make media law less restrictive don't go far enough](#), 2 August 2017

¹¹⁸⁷ Committee to Protect Journalists, [Q&A: Somali editor says efforts to make media law less restrictive don't go far enough](#), 2 August 2017

The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia noted that “The new Government continued to face challenges regarding the exercise of freedom of expression and opinion, particularly because of the 2016 media legislation. Safety and security are major concerns for journalists operating in Somalia. One year after the law came into force, the media commission has yet to become operational. The differences between the Government and media professionals, which should be addressed under article 15 of the media law, therefore remain unresolved because of the failure to establish the media commission”.¹¹⁸⁸

The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia covering the period September 2016-September 2017 further noted that:

The Independent Expert learned about cases of detention without trial, police brutality, intimidation of journalists, the overall insecurity facing journalists, the hostile operating environment and other violations of the right to freedom of expression and media rights across Somalia. Between August 2016 and February 2017, the Independent Expert was informed that 55 journalists were arbitrarily arrested and illegally detained and five media outlets were closed. Of those 55 violations, 26 took place in Somaliland, 14 in the Interim South West Administration, 7 in Mogadishu, 4 in Jubbaland, 3 in Hirshabelle and 1 in Galmudug. The majority of the detainees were released without charge or, when charges were pressed, they were dropped for lack of evidence. Al-Shabaab killed some 22 journalists and injured 25 others while the journalists were carrying out their duties. Many of the problems and attacks that journalists face result from reporting on issues related to security, corruption and politics. [...] The annual report of the National Union for 2016 details some 20 cases of violations recorded since the new leadership assumed office, including the killing of journalists Sagal Salad Osman in June 2016 and Abdiaziz Mohamed Ali (Haji) in September 2016, by unknown armed men.¹¹⁸⁹

5.2.4.1. Freedom of the media by federal and regional state-actors in Mogadishu

For information on Al Shabaab treatment of the media, see: section 4. *Profiles of persons at risk by non-state actors, particularly Al Shabaab*, [4.5.1. Journalists in Mogadishu](#).

The organisation Article 19 reported that on 29 January 2016, “Abdirisak Omar Ahmed, a freelance journalist and contributor to privately-owned Somali-language news website Xogmaal, was held without charges following his arrest by Somalia's National Intelligence and Security Agency in December 2015 near the Jubba Hotel, in the Shanghani district of Mogadishu, according to ARTICLE 19's partner organisation, National Union of Somalia Journalists (NUSOJ)”.¹¹⁹⁰

In a May 2016 article Human Rights Watch noted that “in Mogadishu, intelligence services have put an outright ban on journalists reporting any statement by Al-Shabaab. Journalists who rebroadcast international radio stations like the BBC Somali service and Voice of America talking about the group have been arrested. One reporter said that if their radio station is broadcasting a live news feed from the BBC and it's clear Al-Shabaab is about to be mentioned, they have to cut straight to advertisements”.¹¹⁹¹ The same source further noted that “Since 2014, four journalists have been killed in apparent targeted attacks, and in Mogadishu, at least six more have survived assassination attempts. Most of them have been shot, others have been targeted with car bombs. But only one survivor we spoke to was ever interviewed by police afterwards. There's simply no appetite or

¹¹⁸⁸ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 31

¹¹⁸⁹ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraphs 32-33

¹¹⁹⁰ Article 19, [Newsletter: Freedom of Expression in Eastern Africa](#), 4 February 2016

¹¹⁹¹ Human Rights Watch, [Interview: Scared. Silenced. Shot. The life of a Somali journalist](#), 3 May 2016

interest in investigating. [...] No government official is known to have been prosecuted or disciplined for threatening or attacking journalists".¹¹⁹²

The organisation Article 19 recorded that on 6 June 2016, "Sagal Salad Osman, who worked for state-owned Radio Mogadishu, was shot by gunmen in the capital's Hodon district, near the Plasma University. ARTICLE19's partner organisations in Somali said unknown people sprayed bullets on Sagal before fleeing the scene. Authorities launched investigations media reports said".¹¹⁹³ Reporting on the same incident, the Committee to Protect Journalists stated that "The motive for the murder was not immediately apparent, and no one immediately claimed responsibility for the attack, according to news reports. Members of the state-run media are often threatened and attacked by militants in the region, including Al-Shabaab, CPJ research shows. CPJ could not immediately determine if Sagal had received threats prior to [the] attack".¹¹⁹⁴

In September 2016 Reporters Without Borders noted that it was "outraged by radio journalist Abdiiaziz Mohamed Ali's execution-style murder", further reporting that "Aged 35, Abdiiaziz Mohamed Ali produced and presented a morning news programme on Radio Shabelle, a Mogadishu-based independent radio station. Men on a motorcycle gunned him down in the capital's Yaqshid district as he was on his way to visit his parents. [...] The police said the murder was carried out by two gunmen who got away. No one has claimed his death".¹¹⁹⁵

Reporters Without Borders reported that "The editor of Xog Ogaal, one of Somalia's leading dailies, Guled was arrested during a raid by members of the National Intelligence Service Agency (NISA) on the newspaper's Mogadishu headquarters on the evening of 15 October [2016]. The newspaper's manager said it is not known why Guled was arrested. He has been held by the NISA ever since. The NISA agents seized computers, cameras, archives and other material during the raid, since when no issue of the newspaper has been produced".¹¹⁹⁶

In its annual report covering 2016, the U.S. Department of State observed that "Government and regional authorities temporarily closed media outlets, citing as reasons defamation or offending the president and other national leaders. [...] NISA arrested 16 journalists in Mogadishu, Beledweyne, Jowhar, and Kismayo during the year. Most were released without charge or after paying a fine".¹¹⁹⁷

In April 2017 Reporters Without Borders documented that TV journalist Hanad Ali Guled's who works for the privately owned Goobjoog Television was kidnapped in Mogadishu "by masked gunmen on 2 April and was found the next day in a field 30 km south of Mogadishu, bearing the marks of torture and unable to talk".¹¹⁹⁸ The same source further noted that "Shortly before his abduction, Guled received threats in connection with Media for Aid, a programme he recently co-founded with the aim of providing information to rural residents hit by a drought. Violence against media personnel is unfortunately only too common in Somalia. Abdihamid Mohamed Osman, a Universal TV technician also known as Karazai, narrowly escaped being killed by the explosion of a bomb placed under his car in the Mogadishu district of Hamarwayne on 12 March".¹¹⁹⁹ Furthermore

¹¹⁹² Human Rights Watch, [Interview: Scared. Silenced. Shot. The life of a Somali journalist](#), 3 May 2016

¹¹⁹³ Article 19, [Newsletter: Freedom of Expression in Eastern Africa](#), 10 August 2016

¹¹⁹⁴ Committee to Protect Journalists, [Journalist shot and killed in Mogadishu](#), 6 June 2016

¹¹⁹⁵ Reporters Without Borders, [Somalia: Another journalist gunned down in Mogadishu](#), 28 September 2016

¹¹⁹⁶ Reporters Without Borders, [Somalia: Leading Mogadishu daily's editor arrested](#), 17 October 2016

¹¹⁹⁷ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 2a. *Freedom of Speech and Press and 1.c Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and 1.e. e. Denial of Fair Public Trial*

¹¹⁹⁸ Reporters Without Borders, [Somali journalist kidnapped and tortured, impunity continues](#), 6 April 2017

¹¹⁹⁹ Reporters Without Borders, [Somali journalist kidnapped and tortured, impunity continues](#), 6 April 2017

“In reality, the investigations into attacks of this kind almost never lead to the identification of those responsible, and it is this impunity that encourages more violence against journalists”.¹²⁰⁰

The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia covering the period September 2016-September 2017 noted that

The Independent Expert learned about cases of detention without trial, police brutality, intimidation of journalists, the overall insecurity facing journalists, the hostile operating environment and other violations of the right to freedom of expression and media rights across Somalia. Between August 2016 and February 2017, the Independent Expert was informed that 55 journalists were arbitrarily arrested and illegally detained and five media outlets were closed. Of those 55 violations, 26 took place in Somaliland, 14 in the Interim South West Administration, 7 in Mogadishu, 4 in Jubbaland, 3 in Hirshabelle and 1 in Galmudug. The majority of the detainees were released without charge or, when charges were pressed, they were dropped for lack of evidence. Al-Shabaab killed some 22 journalists and injured 25 others while the journalists were carrying out their duties. Many of the problems and attacks that journalists face result from reporting on issues related to security, corruption and politics.¹²⁰¹

5.3. Freedom of religion

The US Department of State 2016 Report on International Religious Freedom stated:

The provisional federal constitution (PFC) provides for the right of individuals to practice their religion, makes Islam the state religion, prohibits the propagation of any religion other than Islam, and stipulates all laws must comply with the general principles of sharia. The federal government was unable to implement the PFC beyond greater Mogadishu; other areas of the country were outside its control. [...]

The terrorist group al-Shabaab killed, maimed, or harassed persons suspected of converting from Islam or those who failed to adhere to the group’s religious edicts. [...] There was strong societal pressure to adhere to Sunni Islamic traditions. Conversion from Islam to another religion remained socially unacceptable in all areas. Those suspected of conversion faced harassment by members of their community.” In relation to religious populations of Somalia, the report continues “The U.S. government estimates the total population at 10.8 million (July 2016 estimate). According to the federal Ministry of Religious Affairs, more than 99 percent of the Somali population is Sunni Muslim. Members of other religious groups combined constitute less than 1 percent of the population, and include a small Christian community, a small Sufi community, and an unknown number of Shia Muslims.¹²⁰²

The report gives further detail:

The PFC provides for the right of individuals to practice their religion, but prohibits the propagation of any religion other than Islam. It states all citizens, regardless of religion, have equal rights and duties before the law, but establishes Islam as the state religion and requires laws to comply with sharia principles. No exemptions from application of sharia legal principles exist for non-Muslims. The PFC does not explicitly prohibit Muslims from converting to other religions. [...]

Other regional administrations, including the IJA, ISWA, and IGA, have constitutions identifying Islam as the official religion. These constitutions stipulate all laws must comply with the general principles of sharia. The IGA and ISWA have not enacted laws directly addressing religious freedom.

¹²⁰⁰Reporters Without Borders, [Somali journalist kidnapped and tortured, impunity continues](#), 6 April 2017

¹²⁰¹ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 32

¹²⁰² US Department of State [International Religious Freedom Report](#) 2016: Somalia, 15 August 2017

The Penal Code developed in 1962 generally remains valid in all regions of the country. It does not prohibit conversion from Islam to another religion, but criminalizes blasphemy and “defamation of Islam,” which carry penalties of up to two years in prison. [...]

The judiciary in most areas relies on *xeer* (traditional and customary law), sharia, and the Penal Code. Each community individually regulates and enforces religious expression, often inconsistently. The Ministry of Religious Affairs (MRA) has legal authority to register religious groups. Guidance on how to register or what is required is inconsistent. The ministry has no ability to enforce such requirements outside of Mogadishu. [...] All other regional administrations require places of worship and religious schools to obtain permission to operate from local authorities.

The federal Ministry of Education has the mandate to regulate religious instruction throughout the country. Federal and regional authorities require Islamic instruction in all schools, public or private, except those operated by non-Muslims. The federal government is reviewing and taking steps to standardize the national curriculum, in part to regulate Islamic instruction. Non-Muslim students attending public schools may request an exemption from Islamic instruction, but according to federal and regional authorities, there were no such requests. Federal and regional governments maintained bans on the propagation of religions other than Islam, but there were no reports of enforcement. According to federal and regional government officials, there were no cases of individuals charged with apostasy, blasphemy, or defamation of Islam. The government reportedly did not strictly enforce the registration requirement for religious groups opening schools for lay or religious instruction. Many religious groups did not register, but some religious groups said that the government did not pursue adverse actions against them. [...]

Federal and regional governments maintained bans on the propagation of religions other than Islam, but there were no reports of enforcement. According to federal and regional government officials, there were no cases of individuals charged with apostasy, blasphemy, or defamation of Islam.

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5.3.1. Treatment of Christians

5.3.1.1. By state actors

The US Commission on International Religious Freedom annual report for 2017 explained that “Religious minorities, including Christians and Shi’a Muslims, constitute less than 1 percent of the country’s population”.¹²⁰⁴

The US Department of State 2016 Report on International Religious Freedom considered that “Christians and members of other non-Muslim religious groups were reportedly unable to practice their religion openly out of fear of harassment across most of the country. The small Christian community continued to keep a low profile with regard to religious beliefs and practices. Other non-Islamic groups likely also refrained from openly practicing their religion. There were no public places of worship for non-Muslims in other parts of the country [outside Somaliland]”.¹²⁰⁵

The US Commission on International Religious Freedom annual report for 2017 further stated that “Although conversion is currently legal in Somalia, it is not accepted socially. Proselytism is banned and also is socially unacceptable. The few Christians in Somalia worship secretly in house churches. [...] The Somali central government also discriminates against Christians. Although the Somali Minister of Religious Affairs told USCIRF staff during a trip to Mogadishu in October that foreign Christians were acceptable, he dismissed the possibility that Somalis could be Christian. In previous reporting periods, the Ministry of Religious Affairs tried to ban Christmas celebrations in the country,

¹²⁰³ US Department of State [International Religious Freedom Report](#) 2016: Somalia, 15 August 2017

¹²⁰⁴ U.S. Commission on International Religious Freedom [Annual Report 2017](#), Somalia, 24 April 2017

¹²⁰⁵ US Department of State [International Religious Freedom Report](#) 2016: Somalia, 15 August 2017

calling them contrary to Islamic culture”.¹²⁰⁶ The same report continued “[t]he Somali government continues to review the provisional constitution, which includes a number of provisions inconsistent with religious freedom. The constitution explicitly prohibits apostasy and names the Qur’an and the Sunna as the main sources of the law within the country. The provisional constitution stipulates that the judicial system would rely on Islamic, traditional, and customary law. In Somalia, governmental and societal religious intolerance contributes to that country’s poor religious freedom record. [...] Somalis are almost universally Sunni Muslims. Religious minorities, including Christians and Shi’a Muslims, constitute less than 1 percent of the country’s population”.¹²⁰⁷

5.3.1.2. By non-state actors

The US Department of State 2016 Report on International Religious Freedom stated that “Al-Shabaab continued to threaten to execute anyone suspected of converting to Christianity. [...] Al-Shabaab continued to harass secular and faith-based humanitarian aid organizations, threatening the lives of their personnel and accusing them of seeking to convert Somalis to Christianity. A high-level Catholic Church official, who helped reopened the Catholic church in Hargeisa in October, said ‘there is no way of having a presence in Mogadishu...all pastoral work is done secretly’. Fear of reprisals from al-Shabaab often prevented religious groups from operating freely [...] Al-Shabaab continued its campaign to characterize the AMISOM peacekeeping forces as ‘Christians’ intent on invading and occupying the country. In January al-Shabaab took credit for the attack on the El Adde base, in which more than 140 mostly Christian, Kenyan soldiers serving under AMISOM died. The attackers stated ‘the attack [was a] message to the Kenyan Government that ... invasion of Muslim lands ...by the Kenyan crusaders will not be without severe consequences’”.¹²⁰⁸

The US Commission on International Religious Freedom (USCIRF) annual report for 2017 stated “Members of Somalia’s extremely small and low-profile Christian expatriate and Christian convert Somali community are vulnerable to societal persecution [...] Only one church exists in Somalia: St. Anthony Padua in Hargeisa, Somaliland’s capital. Somali clerics and al-Shabaab have stated that Christianity, Christians, and churches are antithetical to Somalia. Unlike previous reporting periods, there were no reports that al-Shabaab killed Christian converts. [...] Clerics told USCIRF staff that al-Shabaab has attempted to assassinate them and continues to threaten them for their denunciation of the extremists’ religious teachings”.¹²⁰⁹

Morning Star, a non-profit Christian organization reported on 6 March 2017 that “Islamic extremists in Somalia identified as Al Shabaab rebels last month shot to death an underground Christian woman and her son and seriously wounded her husband [...] The family was asleep at their home at dawn in Afgoi, about 30 kilometers (19 miles) west of Mogadishu, when at least four armed men attacked them on or around Feb. 10 shouting the jihadist slogan, ‘Allah Akbar [God is greater],’ and, ‘We cannot allow the defiling of our religion with a foreign, Western religion,’ said family head Suleiman Abdiwahab. The 38-year-old secret Christian, a convert from Islam, is recovering from gunshot wounds to his chest near the right shoulder. ‘The gunmen fired several shots, then destroyed the door with a big metallic object and then were able enter into the house,’ Abdiwahab told Morning Star News. ‘They randomly shot at everyone.’ The assailants killed his wife, 35-year-old convert Faduma Osman, and the couple’s 11-year-old son, Ahmed Suleiman. The couple’s two daughters, 13 and 7, and their 9-year-old son were able to escape out a backdoor and have found safe shelter in another town, sources said. Neighbors found the three shot family members lying in

¹²⁰⁶ U.S. Commission on International Religious Freedom [Annual Report 2017](#), Somalia, 24 April 2017

¹²⁰⁷ U.S. Commission on International Religious Freedom [Annual Report 2017](#), Somalia, 24 April 2017

¹²⁰⁸ US Department of State International Religious Freedom [Report for 2016](#): Somalia, 15 August 2017

¹²⁰⁹ U.S. Commission on International Religious Freedom [Annual Report 2017](#), Somalia, 24 April 2017

their blood. Discovering Abdiwahab still alive, they took him to a local hospital, and he was later transferred to Mogadishu for specialized treatment, he said. Afgoi is located in Somalia's Lower Shebelle Region".¹²¹⁰

Also see [*4.8. Persons \(perceived as\) contravening Islamic Sharia and decrees imposed by Al-Shabaab, including converts from Islam, other "apostates" and moderate Islamic scholars who have criticized Al-Shabaab extremism.*](#)

5.3.1.2.1. Treatment of Christians in Mogadishu

The US Department of State 2016 Report on International Religious Freedom stated that "A high-level Catholic Church official, who helped reopened the Catholic church in Hargeisa in October, said 'there is no way of having a presence in Mogadishu. [...] all pastoral work is done secretly'".¹²¹¹

5.3.2. Treatment of Shi'a minority population

5.3.2.1. By state actors

The US Commission on International Religious Freedom annual report for 2017 explained that "Somalis are almost universally Sunni Muslims. Religious minorities, including Christians and Shi'a Muslims, constitute less than 1 percent of the country's population".¹²¹²

The US Department of State 2016 Report on International Religious Freedom considered that "Christians and members of other non-Muslim religious groups were reportedly unable to practice their religion openly out of fear of harassment across most of the country".¹²¹³

5.3.2.2. By non-state actors

The US Department of State 2016 Report on International Religious Freedom stated that "Al-Shabaab continued to impose violently its own interpretation of Islamic law and practices on other Muslims. [...] Fear of reprisals from al-Shabaab often prevented religious groups from operating freely. Al-Shabaab reportedly threatened to close mosques in areas it controlled if the mosques' teachings did not conform to the group's interpretation of Islam".¹²¹⁴ The same report stated "There reportedly continued to be strong societal pressure to adhere to Sunni Islam traditions. Conversion from Islam to another religion remained socially unacceptable, and individuals suspected of conversion and their families were reportedly subject to harassment from members of their local communities. Christians and members of other non-Muslim religious groups were reportedly unable to practice their religion openly out of fear of harassment across most of the country".¹²¹⁵

Also see [*4.8. Persons \(perceived as\) contravening Islamic Sharia and decrees imposed by Al-Shabaab, including converts from Islam, other "apostates" and moderate Islamic scholars who have criticized Al-Shabaab extremism.*](#)

¹²¹⁰ Morning Star [*Islamic Extremists in Somalia Kill Secret Christian, Her Son, Wound Husband, Sources Say*](#) 6 March 2017

¹²¹¹ US Department of State International Religious Freedom [Report for 2016](#): Somalia, 15 August 2017

¹²¹² U.S. Commission on International Religious Freedom [Annual Report 2017](#), Somalia, 24 April 2017

¹²¹³ US Department of State [International Religious Freedom Report](#) 2016: Somalia, 15 August 2017

¹²¹⁴ US Department of State International Religious Freedom [Report for 2016](#): Somalia, 15 August 2017

¹²¹⁵ US Department of State International Religious Freedom [Report for 2016](#): Somalia, 15 August 2017

5.4. Workers' rights

5.4.1. Forced labour

Articles 455 and 464 of the Penal Code prohibit forced labour in Somalia.¹²¹⁶

However, the Walk Free Foundation's 2016 Global Slavery Index recorded that Somalia is the joint top ranked country in Africa in terms of estimated percentage of population in modern slavery, at 1.13%, equivalent to an estimated 121,900 people.¹²¹⁷ The same source further explained that "Somalia [...] faced severe political instability and internal violence, including losing control of areas within their borders, consequently reducing their capacity to combat modern slavery. In Somalia, the government only controlled the capital of Mogadishu and a small number of surrounding areas. Consequently, reliable data on the steps taken by the government to combat modern slavery was unavailable".¹²¹⁸ No information was available on the number of survivors supported.¹²¹⁹

According to the U.S. Department of State's 2016 report:

The provisional federal constitution prohibits slavery, servitude, trafficking, or forced labor for any purpose. Authorities did not effectively enforce the law. Under the pre-1991 penal code, applicable at the federal and regional levels, the penalty for slavery is imprisonment for five to 20 years. The penalty for using forced labor is imprisonment for six months to five years. Although the penalties appeared sufficiently stringent, they were rarely enforced. There were no known efforts by the government to prevent or eliminate forced labor in the country. The Ministry of Labor did not have an inspectorate and did not conduct any labor-related inspections.

Forced labor occurred. Children and minority clan members were reportedly used as porters to transport the mild narcotic khat (or "miraa"); in farming and animal herding; in crushing stones; and in construction. Al-Shabaab forced persons in their camps to move to the countryside, reportedly to raise cash crops for the organization.¹²²⁰

The 2017 U.S. Department of State Trafficking in Persons Report explained that "Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. [...] No government entity provided funding to agencies for labor inspections, and no inspectors were employed to enforce labor laws. Authorities across Somalia did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. [...] As in prior reporting periods, certain marginalized ethnic minorities—Somali Bantus and Midgaan—continue to face greater risk of sex and labor trafficking, as do IDPs and people living in areas under al-Shabaab control".¹²²¹

5.4.2. Child labour

This section should also be read against the information presented in this report on forced recruitment, see [10.1. Forced recruitment of children](#). For other forced labour perpetrated by Al Shabaab see also [3.5.2. Sexual and gender based violence](#).

¹²¹⁶ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

¹²¹⁷ The Walk Free Foundation, (an initiative of The Minderoo Foundation Pty Ltd ATF The Minderoo Foundation Trust), [Global Slavery Index 2016](#), 2016, *Sub-Saharan Africa* p.2

¹²¹⁸ The Walk Free Foundation, (an initiative of The Minderoo Foundation Pty Ltd ATF The Minderoo Foundation Trust), [Global Slavery Index 2016](#), 2016, *Sub-Saharan Africa* p.6

¹²¹⁹ The Walk Free Foundation, (an initiative of The Minderoo Foundation Pty Ltd ATF The Minderoo Foundation Trust), [Global Slavery Index 2016](#), 2016, *Sub-Saharan Africa* p.7

¹²²⁰ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 7.b. *Prohibition of Forced or Compulsory Labor*

¹²²¹ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

According to UNICEF's 2016 Situation Analysis on Children in Somalia, "About half of Somali children aged between 5 and 14 engage in child labour. The rate is higher for rural than for urban children, and higher for older than for younger children within that age group. The rate is also lower for children of educated mothers and wealthier households. The incidence of child labour is somewhat higher for girls than for boys".¹²²²

The same source further noted that:

Many studies reference the hard working lives of children in Somalia. In pastoralist families, typically children aged between five and nine take care of small animals around the house. After the age of 10, boys take on herding duties, sometimes with grazing areas far from home, while girls are given domestic chores including fetching water and firewood. In agro- pastoralist families, children of a similar age have farm duties. Child labour is increasing in areas facing water scarcity, and where stock is switching to smaller animals. Children in IDP settlements are usually out of school and working as domestic labourers, farm workers, and some are recruited to armed groups. In large cities like Mogadishu it is the norm for children to contribute to household income, with girls mainly working as house- helps or in markets and often being exploited by their employers. Especially in female-headed households, girls are expected to take on homemaker duties while mothers are working.¹²²³

According to the September 2016 Report of the UN Independent Expert on the situation of human rights in Somalia, "Children continue to suffer as a result of the conflict, and the lack of economic development and basic social services. [...] Orphaned children are employed as domestic servants, are poorly paid and work long hours or are involved in informal activities, such as street vending or washing cars. The accession by the State to the Convention on the Rights of the Child is a welcome development for the protection of children's rights in Somalia".¹²²⁴

The annual U.S. Department of Labor report covering events in 2016 documented that "Children in Somalia perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in armed conflict".¹²²⁵ It documented these as follows:

Agriculture: Farming, activities unknown; Herding livestock; Fishing, including cleaning.

Industry: Construction, including digging; Mining and quarrying, including breaking rock for gravel

Services: Street work, including shining shoes, washing cars, conducting minibuses, selling cigarettes, and selling and transporting khat (a legal, amphetamine-like stimulant); Working as maids in hotels; Domestic work; voluntary recruitment of children by state armed groups for use in armed conflict

Categorical Worst Forms of Child Labor

Forced recruitment of children by non-state armed groups for use in armed conflict;

Forced labor in domestic work, agriculture, herding livestock, breaking rocks for gravel, selling or transporting khat, begging, and construction work, each sometimes as a result of human trafficking;

Commercial sexual exploitation, sometimes as a result of human trafficking.¹²²⁶

With regards to the legal framework and enforcement of laws the report considered that "The FGS has established laws and regulations related to child labor, including its worst forms. However, gaps exist in Somalia's legal framework to adequately protect children from child labor".¹²²⁷ The same source further explained:

¹²²² UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Child labour* p.77

¹²²³ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Child orphans and children separated from their families* p.77

¹²²⁴ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 83

¹²²⁵ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

¹²²⁶ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

¹²²⁷ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

The Provisional Constitution does not provide a minimum age for employment. However, the pre-1991 Labour Code establishes 15 as the minimum age. Additionally, although the Labour Code establishes a minimum age of 12 years for light work and describes the conditions under which light work may be undertaken, it neither determines the activities in which light work may be permitted nor prescribes the number of hours per week for light work.

The Labour Code allows the Secretary of State to prescribe the types of work that are prohibited to children under age 18; however, legislation that comprehensively prohibits hazardous occupations and activities for children does not appear to exist.

Laws related to the commercial sexual exploitation of children are not sufficient, as using, procuring, and offering a child for prostitution, pornography, and pornographic performances are not criminally prohibited. The Penal Code requires extensive updating. Many fines in the Code equal less than \$1 today, which does not serve as an effective deterrent. Furthermore, it appears that under Article 405, children involved in prostitution would not be protected from criminal charges. [...]

In 2016, the FGS did not employ labor inspectors and conducted no inspections. [...]

In 2016, the Somali National Police remained understaffed, undertrained, and lacked the capacity to investigate or enforce laws on the worst forms of child labor. [...]

Although the FGS has established a Child Protection Unit and Human Trafficking Task Forces, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms. [...]

Although the FGS implemented programs to address child soldiers, research found no evidence that it carried out programs to assist children in other forms of child labor, including its worst forms. Furthermore, existing programs fail to address the scope of children in armed conflict.¹²²⁸

The 2017 U.S. Department of State Trafficking in Persons Report explained that “Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. [...] Due to poverty and an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may become victims of forced labor or sex trafficking. While many children work within their own households or family businesses, some children may be forced into labor in agriculture, domestic work, herding livestock, selling or portering khat, crushing stones, or in the construction industry”.¹²²⁹

Reporting on an “upsurge in forced evictions” UNOCHA noted in its August 2017 Bulletin that “Negative coping strategies have been observed, including violations of basic rights of children, notably access to education and hazardous forms of child labour”.¹²³⁰

The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia noted that “The drought is blocking access to those critical basic services and has a significant negative impact on education and child protection. Children are increasingly dropping out of school as families rely on negative coping strategies, including enlisting children to search for water and food”.¹²³¹

The International Labour Organisation does not have statistics available on child labour in employment.¹²³²

¹²²⁸ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

¹²²⁹ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

¹²³⁰ UN Office for the Coordination of Humanitarian Affairs, [Humanitarian Bulletin Somalia, August 2017](#), 31 August 2017

¹²³¹ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 53

¹²³² International Labour Organisation, [Somalia: Child labour](#), undated [accessed 7 December 2017]

5.4.2.1. Child labour in Mogadishu

In a June 2017 'Their World' article issued on the World Day Against Labour, 'Their World' Global Youth Ambassador from Somalia reported that "Child labour is a human rights abuse. My country Somalia is one of the worst countries for child labour - children face difficulties in getting access to basic services, such as shelter, food, healthcare and education. It means that the future of our children is at risk if we do not make efforts together to stop abuses and give them their rights. It's normal to see everywhere in Somalia - especially in the capital Mogadishu - children doing various work like washing cars and shining shoes. These children may be exposed to many dangers including explosions and vehicle accidents. When you interview them and ask them the factors that caused them to work instead of going to school, they reply they are from poor families who can't pay school fees. [...] I met Abdifitah Ahmed Nor, who is 10 years old, this World Day against Child Labour. He told me that he came to Mogadishu this week after a long journey. "My mother, my brothers and I fled from Baidoa because of droughts. [...] Days we were walking and then we got a car to take us to Mogadishu. [...] We are now living in an IDP (internally displaced persons) camp located on the outskirts of Mogadishu".¹²³³ The same source further noted that "He added that his mother begged for some money to buy brushes and today, June 12, is the first day he is working as a shoe cleaner".¹²³⁴

5.4.3. Discrimination in employment

The International Labour Organisation does not have statistics available on discrimination in employment.¹²³⁵

According to the U.S. Department of State's 2016 report, "The law and regulations prohibit discrimination regarding race, sex, disability, political opinion, color, language, or social status, but the government did not effectively enforce those laws and regulations. The labor code requires equal pay for equal work. According to the 1972 labor code, penalties included imprisonment up to six months and/or a fine of not more than 1,000 Somalia shillings (less than two dollars). Penalties were not sufficient to deter violations. The law does not prohibit discrimination on the basis of religion, age, national origin, social origin, sexual orientation or gender identity, or HIV-positive status or other communicable diseases".¹²³⁶ With regards to women's access to employment the same report stated "While the law requires equal pay for equal work, this did not always occur. Women were underrepresented in both the formal public and private sectors because of cultural norms and girls' low educational level. Women were not subject to discrimination in owning or managing businesses except in al-Shabaab-controlled areas. While generally visible in micro- and small enterprises, women were relegated to lower-level positions in larger companies. The exclusion of women was more pronounced in al-Shabaab-controlled areas, where women's participation in economic activities was perceived as anti-Islamic".¹²³⁷

The same source further noted with regards to acceptable conditions of work that:

¹²³³ Their World, ["Today, World Day Against Child Labour, is this 10-year-old boy's first day working as a shoe cleaner"](#), 12 June 2017

¹²³⁴ Their World, ["Today, World Day Against Child Labour, is this 10-year-old boy's first day working as a shoe cleaner"](#), 12 June 2017

¹²³⁵ International Labour Organisation, [Somalia: Non-discrimination at work](#), undated [accessed 7 December 2017]

¹²³⁶ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *d. Discrimination with Respect to Employment and Occupation*

¹²³⁷ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 6. *Women*

There was no national minimum wage. According to the World Bank, 52 percent of the population covered by the Somali High Frequency Survey Wave One lived in poverty.

The labor code provides for a standard workweek of 48 hours and at least nine paid national holidays and 15 days' annual leave, requires premium pay for overtime, and limits overtime to a maximum of 12 hours per week. The law sets occupational health and safety standards. The law does not specifically address whether workers can remove themselves from situations that endanger health or safety without jeopardy to their employment.

There was no organized effort to monitor working conditions. The Ministry of Labor was responsible at the federal level for enforcement, although it was not effective.

Wages and working conditions were established largely through arrangements based on supply, demand, and the influence of workers' clans. There was no information on the existence or status of foreign or migrant workers in the country. Most workers worked in the informal sector.

Authorities did not have the capacity to protect workers who wished to remove themselves from situations that endangered their health or safety, although no such cases were reported.¹²³⁸

According to UNICEF's 2016 Situation Analysis on Children in Somalia "Unemployment levels in urban Somalia are exceptionally high – as much as 54 per cent nationally. The informal sector is the main source of income after remittances, and is especially important for women and children. Much of the informal sector consists of street-vending".¹²³⁹

Save the Children Similarly reported in an August 2016 Fact Sheet that "Somalia has one of the highest youth unemployment rates in the world with two out of every three young Somali employment seekers not being able to find work. Even within the country, the youth (15-29 years) have much higher unemployment rate (67%) than the working age (15- 65 years) population (47%).¹ Among the youth, female have even higher unemployment rate than the male (74% vs. 61%). These are extremely high unemployment rates, especially considering high labour force participation rate (66%) among the youth population".¹²⁴⁰

6. Rule of Law and Administration of Justice

6.1. Arbitrary arrest and detention

For information on profile-specific arbitrary arrest and detention, see the relevant subsections within [5. Civil and Political Rights](#).

For information on profile-specific arbitrary arrest and detention in Mogadishu, see the relevant subsections within [5. Civil and Political Rights](#).

The Somalia government's National Development Plan for 2017-2019 for Somalia, published in December 2016 provided an overview of the Somali judicial system: "While during the conflict the judiciary sector was completely annihilated, today, Somalia has a nascent functioning judicial authority. Facing the consequences of the anarchy of the past decades leaving a barely existent central Somali justice system, rebuilding the justice system is compounded by Somalia's complicated history of multiple legal systems that overlap with and sometimes contradict each other: secular statutory law, sharia (Islamic law), and xeer (customary or clan law). What currently operates in the

¹²³⁸ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 7.e. *Acceptable Conditions of Work*

¹²³⁹ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Country Context* p.14

¹²⁴⁰ Save the Children, [Vocational Training for Youth Employment: Comparing Cost-effectiveness of Apprenticeship vs. Formal Training?](#) August 2016

judicial realm is a patchwork of statutory, xeer, and sharia law that needs to be coordinated and fully codified”.¹²⁴¹

The US Department of State annual report on Somalia (covering 2016) described the arrest procedures and their implementation:

The provisional federal constitution provides for arrested persons to be brought before judicial authorities within 48 hours. The law requires warrants based on sufficient evidence and issued by authorized officials for the apprehension of suspects. The law also provides that arrestees receive prompt notification of the charges against them and judicial determinations, prompt access to a lawyer and family members, and other legal protections. Adherence to these safeguards was rare. The FGS [Federal Government of Somalia] made arrests without warrants and detained individuals arbitrarily. The government sometimes kept high-profile prisoners associated with al-Shabaab in safe houses before officially charging them. The law provides for bail, although authorities did not always respect this provision. Authorities rarely provided indigent persons a lawyer. The government held suspects under house arrest, particularly high-ranking defectors from al-Shabaab with strong clan connections. Security force members and corrupt judicial officers, politicians, and clan elders used their influence to have detainees released.¹²⁴²

An August 2016 United Nations report on freedom of expression in Somalia noted that “From January 2014 to July 2016, UNSOM [United Nations Assistance Mission on Somalia] recorded 120 cases of arbitrary arrest and detention of journalists and media workers, owners of media houses and publishers: 60 in “Somaliland” and 60 in Somalia. The period of detention ranged from 24 hours to several months, without charges”.¹²⁴³

Human Rights Watch reported in a September 2016 article that “Under Somali law, NISA [National Intelligence and Security Agency] is not legally empowered to detain anyone. Yet they do, often for prolonged periods and without judicial review”.¹²⁴⁴

The report of the Independent Expert on the situation of human rights in Somalia dating September 2017 stated that “The Independent Expert learned about cases of detention without trial, police brutality, intimidation of journalists, the overall insecurity facing journalists, the hostile operating environment and other violations of the right to freedom of expression and media rights across Somalia. Between August 2016 and February 2017, the Independent Expert was informed that 55 journalists were arbitrarily arrested and illegally detained and five media outlets were closed. Of those 55 violations, 26 took place in Somaliland, 14 in the Interim South West Administration, 7 in Mogadishu, 4 in Jubbaland, 3 in Hirshabelle and 1 in Galmudug. The majority of the detainees were released without charge or, when charges were pressed, they were dropped for lack of evidence”.¹²⁴⁵

6.1.1. By the police

The US Department of State annual report on Somalia (covering 2016) noted on arbitrary arrests made by the authorities: “Government and regional authorities arbitrarily arrested and detained

¹²⁴¹ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 24

¹²⁴² US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, [Arrest Procedures and Treatment of Detainees](#)

¹²⁴³ United Nations Assistance Mission on Somalia (UNSOM); UN Office of the High Commissioner for Human Rights (OHCHR), [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, p. 26

¹²⁴⁴ Human Rights Watch (HRW), [Five Wrongfully Detained in Somalia Now Free](#), 13 September 2016

¹²⁴⁵ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 32

numerous persons, including persons accused of terrorism and supporting al-Shabaab. Authorities frequently used allegations of al-Shabaab affiliation to justify arbitrary arrests. Government, regional authorities, and clan militias arbitrarily arrested journalists. Government forces conducted operations to arrest youths they perceived as suspicious without executing warrants”.¹²⁴⁶

An August 2016 United Nations report on freedom of expression in Somalia noted that “In April and May 2016, Jubbaland security forces arrested and detained 11 women, some of whom were beaten. The arrests were in reaction to the women protesting against the Jubbaland authorities’ unlawful allocation of public land used by the women to an unidentified international partner”.¹²⁴⁷

An October 2016 UN Security Council report described the arbitrary arrest and detention of five men suspected of being members of Al Shabbab in the Middle Shabelle region:

On 11 April 2016, five young Bantu/Shiidle men, all farmers from Daifa or Baroweyne villages in Middle Shabelle, were arrested and detained by a unit of the Somali National Army (SNA). Accused of being members of Al-Shabaab, the five men were first detained for two days at Jowhar Airport military base, subsequently held for seven days at Jowhar Police Station, and finally transferred for 43 days to National Intelligence and Security Agency (NISA) facilities. All five men were regularly beaten and denied water during their detention. Two of the men were particularly signalled out for torture by two named SNA commanders: one man had his finger nails pulled while both were severely beaten with butt of a rifle and had boiling hot water poured on the wounds. According to testimonies received by the SEMG [Somalia and Eritrea Monitoring Group], the SNA officers involved in the violation wanted to appropriate the properties of the men, and used the accusation of affiliation with Al-Shabaab as a pretext for their detention. After more than seven weeks in detention, the men were finally freed by the now deceased commander of NISA in Jowhar, Abdiweli Ibrahim Mohamed and cleared of all allegations.¹²⁴⁸

The same source documented arbitrary arrests against humanitarian workers noting that “Federal and regional authorities were also the origin of threats and attacks on humanitarian workers during the mandate. The SEMG [Somalia and Eritrea Monitoring Group] documented and verified two cases of unlawful arrest and detention of staff working on humanitarian issues by security forces of IJA [Interim Jubba Administration] in Kismayo during the mandate”.¹²⁴⁹

The National Union of Somali Journalists (NUSOJ) reported in November 2016 on the arbitrary arrest of a journalist in Galkayo, Galmudug state “The arrest of Ahmed Khalif Geedi who worked for Kulmiye Radio, came after the journalist reported an overnight shooting in the heart of the city. NUSOJ is concerned about the arrest of the journalist without due process and asks Galmudug leaders to release the journalist unconditionally. [...] The officers in charge of the Police station where the journalist is detained confirmed that Ahmed Khalif Geedi was arrested after the order was given by senior officials from Galmudug state”.¹²⁵⁰

¹²⁴⁶ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Arrest Procedures and Treatment of Detainees*

¹²⁴⁷ United Nations Assistance Mission on Somalia (UNSOM); UN Office of the High Commissioner for Human Rights (OHCHR), [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, p. 16

¹²⁴⁸ UN Security Council, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia \[S/2016/919\]](#), 31 October 2016, *Detention and torture by Somali National Army (SNA) officers in Jowhar*, p 151

¹²⁴⁹ UN Security Council, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia \[S/2016/919\]](#), 31 October 2016, FGS, *regional and other entities*, paragraph 22

¹²⁵⁰ National Union of Somali Journalists (NUSOJ), [NUSOJ condemns the arbitrary arrest of a journalist in Galkayo](#), 19 November 2016

A Danish Refugee Council report based on a fact-finding mission to Kenya conducted in December 2016 noted that “In Kismayo the local authorities have carried out a large number of random arrests of persons under suspicion of being supporters of al-Shabaab. Persons, who are traveling from/originating from al-Shabaab areas and coming into Kismayo, are under risk of such accusations and arrest”.¹²⁵¹

In a report published January 2017 the National Union of Somali Journalists noted the arrests of Somali journalists during 2016 “Media professionals were subject to pragmatic tactics as such arbitrary arrests, harassment, threats and intimidations, in an attempt: To curb the media freedoms. To intimidate the media professionals and the media. These were tactics largely employed by the Federal Government and its regional authorities in Puntland, Interim Jubba Administration and Somaliland and, Ahlu Sunna Waljama’a and members of the Shabab. Over 50 journalists were arrested without charges during 2016, 19 media professionals were wounded and five media houses were raided. While, threats against the journalists remain the norm”.¹²⁵²

In an April 2017 article Dayniile cited a National Union of Somali Journalists report on the arbitrary arrest of a journalist in Dhusamareeb, Galguduud region:

The National Union of Somali Journalists (NUSOJ) condemns in the strongest terms possible – the arrest of a Somali journalist on Friday, 01 April 2017 by Ahlu Sunna Waljama (Regional Administration in the Central Somalia) in the town of Dhusamareeb on Friday night and called for the group to immediately release the detained journalist and create a friendly and secure environment for journalists where they can operate without fear or reprisals.

It is not clear yet the reason behind the arrest of Abdullahi WarsameRooble who worked for Kulmiye Radio and Galgaduud radio since local administration didn’t so far comment it but the journalist spent overnight in prison in Galgaduud where he is still detained.

NUSOJ is concerned about the arrest of the journalist without due process and asks Ahlusunna Waljama leaders to release the journalist unconditionally.¹²⁵³

The (NUSOJ) reported in May 2017 on the arbitrary arrest of a journalist in Hirshabelle region:

The National Union of Somali Journalists (NUSOJ) condemns in the strongest terms the arrest of a Somali journalist on Friday afternoon, May 5, 2017 in the town of Jowhar, the capital of Hirshabeelle regional state, located around 90 km North of the Somali capital Mogadishu. Ismail Abdulle Sabriye who works for London based Somali TV (Universal) was arrested by the police after receiving arrest order from Hirshabeelle President’s office.

Hirshabeelle Information Minister Mr Mahad Hassan Osman whom the National Union of Somali journalists talked on the phone to clarify the reason behind the detention of the journalist confirmed that Ismail was detained by the police after being accused that the journalist misinterpreted the remarks of President who held a press conference in Jowhar on Thursday, May 4 2017 after returning from Mogadishu.¹²⁵⁴

6.1.1.1. By the police in Mogadishu

AllAfrica reported in a July 2017 article on the arrest and release of two journalists in Mogadishu:

¹²⁵¹ Danish Immigration Service, *South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016*, 8 March 2017, p. 37

¹²⁵² National Union of Somali Journalists (NUSOJ), *Somali Journalists: Under Arbitrary Arrests, Harassment Intimidation and Threats*, 21 January 2017, p. 6

¹²⁵³ Dayniile, *NUSOJ condemns the arbitrary arrest of a journalist in Dhusamareeb*, 01 April 2017

¹²⁵⁴ National Union of Somali Journalists (NUSOJ), *NUSOJ condemns the arbitrary arrest of a journalist in Jowhar*, 5 May 2017

Somali Police Force has apologized for detention of two journalists in the capital Mogadishu three days ago. Rahma Yusuf Jimale and Ahmed Yusuf Suleyman were arrested from Banaadir Stadium on Friday afternoon while they were there to report the inter-state football tournament that has kicked off in Mogadishu last week.

The two were accused of trying to sneak explosive devices inside Konis stadium where the President was around to officially kick off the inter regional state annual tournament.

They were released on Friday after three days in custody. The police apologized for the arrest saying it was the mistake of sniffer dogs adding that the officers (dogs) were tired and didn't submit the correction information at the time.¹²⁵⁵

6.1.2. By the National Intelligence and Security Agency (NISA)

An August 2016 United Nations report on freedom of expression in Somalia described the role of the National Intelligence and Security Agency and its practices:

While NISA was created by the FGS [Federal Government of Somalia] in January 2013, it was not established by law or Presidential decree and its powers and obligations are therefore not defined. Nevertheless, as a security institution, NISA is bound by the Federal Constitution, which provides that the security services must be accountable, comply with the rule of law, and are subject to civilian control. However, arrest and detentions conducted by NISA routinely disregard these protections as well as guarantees under international human rights law, including access to legal representation and to family visits, and the right to be presented before judicial authorities. It is of particular concern that political leaders, activists, journalists and media owners arrested by NISA are detained in the NISA Godka Jiliow detention centre, where Al Shabaab suspects are also detained, and with no judicial oversight.¹²⁵⁶

The US Department of State annual report on Somalia (covering 2016) stated that “NISA [National Intelligence and Security Agency] agents routinely conducted mass security sweeps despite having no legal mandate to arrest or detain. NISA held detainees for prolonged periods without following due process and mistreated suspects during interrogations”.¹²⁵⁷

The same source further noted that “The FGS [Federal Government of Somalia] regularly relied on NISA [National Intelligence and Security Agency] forces to perform police work, often calling on them to arrest and detain civilians without warrants”.¹²⁵⁸

The National Union of Somali Journalists reported in November 2016 on the arbitrary arrest of three journalists in Kismayo, Jubbaland state:

National Union of Somali Journalists (NUSOJ) condemns – in the strongest terms possible – the arrest of three Somali journalists on Saturday, 12 November, 2016 in Kismayo, the capital of Jubbaland regional state, located around 500 km South of the Somali capital Mogadishu. The arrest of Omar Yasin Omar, Masud Abdullahi Aden and Sakariye Abdulkadir was ordered from Jubbaland Information Ministry as all three journalists were taken from their stations by members of the Regional Intelligence Service. The media workers are now being held at an Intelligence Detention Center in Kismayo.

¹²⁵⁵ AllAfrica, [Somalia: Police Says Sorry to Journalists for 'Sniffer Dog Mistake'](#), 18 July 2016

¹²⁵⁶ United Nations Assistance Mission on Somalia (UNSOM); UN Office of the High Commissioner for Human Rights (OHCHR), [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, p. 18 and 19

¹²⁵⁷ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

¹²⁵⁸ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Role of the Police and Security Apparatus*

The arrest of the journalists was confirmed by Jubbaland Minister of Information and the head of Jubbaland Intelligence Department who accused journalists of posting social media what they called issues endangering the general security of the region.¹²⁵⁹

The National Union of Somali Journalists reported in February 2017 on the arbitrary arrest of a journalist in Beledwein, Hiran region:

The National Union of Somali Journalists (NUSOJ) condemns – in the strongest terms possible – the arrest of a VOA journalist on Sunday afternoon, February 26, 2017 in Beledwein, the capital of Hiran region, located around 340 km North of Mogadishu.

The arrest of Hussien Hassan Dhaqane was ordered from the Governor of Hiiraan region's office, Ali Jeyte as Hussien was first called from regional headquarter where he was later informed his detention. Dhaqane is now arrested in an intelligence detention center in Lama Galaay a former military barrack where he was taken to.

It is not yet clear the reason behind the arrest of VOA reporter Hussien Hassan Dhaqane in Beledwein but close colleagues in Beledweyne told the National Union of Somalia Journalists (NUSOJ) that they believe his detention is over Dhaqane's last report he filed to VOA on Sunday morning edition 26 February 2017 in which interviewed some members of Hirshabeelle parliament who alleged the President of Hirshabeelle state Ali Abdullahi Osole of neglecting duties and misconducts.¹²⁶⁰

Human Rights Watch noted in a statement dating May 2017 that "NISA has arbitrarily detained journalists and political activists for apparent politically motivated reasons. We have documented NISA torture and other ill-treatment of terrorism suspects to extract confessions".¹²⁶¹

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) noted that "It is alleged that authorities, including Somalia's National Intelligence Security Agency (NISA), arbitrarily arrest and detain individuals, often justifying it by accusing individuals of links to al-Shabaab."¹²⁶² The same report further reported that NISA "generally focuses on counter-terrorism activities but the central government often uses NISA to perform regular police work" with "NISA is widely viewed as the most capable arm of the Somali security services but reports have been made that allege that at times, NISA acts outside its legal mandate and uses harsh interrogation tactics".¹²⁶³

6.1.2.1. By the National Intelligence and Security Agency (NISA) in Mogadishu

The Committee to Protect Journalists (CPJ) reported in a January 2016 article on the arrest of a journalist in Mogadishu "Somalia's National Intelligence and Security Agency arrested Abdirisak, a freelancer who wrote for the privately owned, Somali-language, news website *Xogmaal*, on the morning of December 17, near the Jubba Hotel in the Shanghali district of Mogadishu, according to a statement by the government-recognized National Union of Somalia Journalists (NUSOJ). "Somali authorities have held Abdirisak Omar Ahmed incommunicado for 20 days without presenting a shred of evidence he broke the law. That is 20 days too long," said CPJ Africa Program

¹²⁵⁹ National Union of Somali Journalists (NUSOJ), [NUSOJ condemns journalist arrest in Kismayo](#), 12 November 2016

¹²⁶⁰ National Union of Somali Journalists (NUSOJ), [NUSOJ condemns the arrest of VOA reporter in Beledwein, Somalia](#), 26 February 2017

¹²⁶¹ Human Rights Watch (HRW), [Human Rights Priorities for Somalia's New Government](#), 02 May 2017, *Intelligence, Police*

¹²⁶² Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Arbitrary Arrest and Detention*, para. 4.11, p. 19

¹²⁶³ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *National Intelligence and Security Agency*, para. 5.7, p. 22

Coordinator Sue Valentine. "If Abdirisak is accused of committing a crime, authorities should disclose those charges immediately. Otherwise, they should release him now"¹²⁶⁴.

An August 2016 United Nations report on freedom of expression in Somalia described the arrest of the deputy Chairperson of the Banaadiri Political Reformation Council in Mogadishu: "On 22 February 2016, the deputy Chairperson of the Banaadiri Political Reformation Council was arbitrarily arrested by NISA following a public gathering of their supporters in Mogadishu to advocate for the right of the Banadiri Community. He was released after three days, following advocacy by UNSOM [United Nations Assistance Mission on Somalia] and the subsequent intervention of the Federal Ministry of Women Affairs and Human Rights"¹²⁶⁵.

The September 2016 report of the Independent Expert on the situation of human rights in Somalia noted on the arrest and detention of children recruited by Al Shabaab in Mogadishu:

The Independent Expert held a meeting with the Director General of the National Intelligence and Security Agency to follow up on allegations of ill-treatment of disengaged combatants at the Serendi detention facility in Mogadishu, where children recruited by Al-Shabaab were also held. The Agency, as an intelligence and security organ of the State, does not possess the powers of arrest and detention. The Independent Expert had received allegations that the Agency routinely conducted mass arrests during its operations and that it did not respect minimum human rights guarantees, such as by holding detainees for prolonged periods without judicial review. The Director General emphasized that the Agency operated within the legal framework under very difficult conditions, and that Al-Shabaab attacked and killed civilians constantly without any regard for their human rights.¹²⁶⁶

An October 2016 UN Security Council described the case of political activist and blogger arrested and detained by security forces in Mogadishu:

Between March and May 2015 Ali Yare (Haber Gedir/Ayr), a well-known political activist and blogger, received a series of threats from government actors, on phone and on social media in relation to his political writings. Mr Ali Yare described to the SEMG [Somalia and Eritrea Monitoring Group] how in March 2015 he was brought to a meeting with President Hasan Sheikh who personally warned him about his conduct in the presence of the Minister for Interior and Federal Affairs and other officials. In late May 2015 Mr Ali Yare was arrested twice and questioned by the security services about his political activities and ordered to attend and sign-in regularly at the station. He was informed in particular that the President was "unhappy" with his engagement in the formation of the Interim Galmudug Administration (IGA) including his role as campaign manager for the IGA Presidential aspirant, Ambassador Ahmed Abdelsalam Adan. Indeed, in the weeks preceding his detention Mr Ali Yare had been prevented from flying to Adado on four occasions when he presented himself at Mogadishu airport. Finally on 11 June 2015 Mr Ali Yare was arrested from his home by NISA personnel, assaulted and blindfolded and taken to the Madahtoyo NISA investigation facility at Villa Somalia.¹²⁶⁷

In an October 2016 article Reporters Without Borders reported on the arrest of a newspaper editor in Mogadishu:

¹²⁶⁴ Committee to Protect Journalists, [Somalia intelligence agency detains journalist for weeks](#), 6 January 2016

¹²⁶⁵ United Nations Assistance Mission on Somalia (UNSOM); UN Office of the High Commissioner for Human Rights (OHCHR), [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, p. 15 and 16

¹²⁶⁶ UN Human Rights Council, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, paragraph 50

¹²⁶⁷ UN Security Council, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia \[S/2016/919\]](#), 31 October 2016, *The case of Ali Abdi Wardhere (Ali Ali Yare)*, p 153 and 154

Reporters Without Borders condemns newspaper editor Abdi Aden Guled's arrest two days ago and calls for his immediate release.

The editor of Xog Ogaal, one of Somalia's leading dailies, Guled was arrested during a raid by members of the National Intelligence Service Agency (NISA) on the newspaper's Mogadishu headquarters on the evening of 15 October.

The newspaper's manager said it is not known why Guled was arrested. He has been held by the NISA ever since.

The NISA agents seized computers, cameras, archives and other material during the raid, since when no issue of the newspaper has been produced. One of Somalia's most widely read dailies, it has been publishing since the 1991 civil war.

The raid followed the newspaper's publication of photos of a massacre of civilians in El-Ali, in the central region of Hiran, by members of the Islamist rebel group Al-Shabaab. Fighting is currently taking place between Al-Shabaab and government forces in this region.

A source in the security services said it was a senior government official who had ordered Guled's arrest.¹²⁶⁸

In a report published February 2017 the European Commission similarly described the arbitrary arrest of the editor in chief of Xog Ogaal in Mogadishu stating that "On 15 October, Somalia's National Intelligence and Security Agency (NISA) shut down Xog Ogaal, the oldest and leading daily newspaper in Mogadishu, and detained without charge its editor-in-chief Abdi Adan Guled. The National Union of Somali Journalists and others demanded his release and condemned the act as state security harassment in an increasing climate of intimidation. Guled was released without charge on 18 October".¹²⁶⁹

AfricaNews reported in October 2016 on the case of an Al Jazeera journalist who has been arrested and released by the security forces in Mogadishu:

Arrested Al Jazeera journalist, Hamza Mohamed, has been released after 48 hours of detention by Somali security services in the capital Mogadishu.

The television channel confirmed the release of the British journalist who was arrested on Tuesday while on a one-week work trip in Somalia.

Hamza Mohamed was arrested together with his cameraman, driver and fixer. Somali authorities confirmed to Al Jazeera that all of them have been released.

The Somali authorities were condemned for Hamza's arrest by the international community and media bodies.

Reporters Without Borders (RSF) said in a statement on Wednesday that Hamza and his team were suspected of travelling to territories controlled by Islamist group Al Shabaab to conduct interviews with its leaders.¹²⁷⁰

Human Rights Watch reported in its annual report on Somalia (covering 2016) on the arrest and detention of five members of Mogadishu-based policy center by the National Intelligence and Security Agency (NISA): "On July 21, NISA agents arrested five members of a policy center, Mogadishu Center for Research and Studies, held them without charges or legal counsel until September 6, before releasing them".¹²⁷¹

A July 2017 article published by the Horn Observer reported on the arrest of a renowned photographer by the National Intelligence and Security Agency (NISA):

¹²⁶⁸ Reporters Without Borders, [Somalia: Leading Mogadishu daily's editor arrested](#), 17 October 2016

¹²⁶⁹ European Commission, [Somalia 2016-2017; limited election process; EU election expert mission; final report; Framework Contract Beneficiaries, LOT 7 Specific Contract N° 2016/377703/1; 13 September 2016 – 16 February 2017](#), February 2017, p. 27

¹²⁷⁰ Africa News, [Al Jazeera journalist and crew released after arrest in Somalia](#), 20 October 2016

¹²⁷¹ Human Rights Watch (HRW), [World Report 2017 - Somalia](#), 12 January 2017, *Abuses by Government and Allied Forces*

The National Intelligence and Security Agency (NISA) arrested a renowned photographer Mukhtar Nuur who is spending the third day in a detention center manned by group, the media watchdog said. The arrest of the photographer was ordered by Abdalla Abdalla, the deputy chief of NISA, according to Media Association for Puntland (MAP) who called for the immediate release of the journalist. It is not yet known reasons behind the arrest and the security agencies did not publicly comment on the arrest.

Mukhtar Nuur is a photographer known for submitting the beauty of the country through photography. He previously worked at the UAE embassy in Mogadishu as a photographer, translator and video shooter.¹²⁷²

6.2. Corruption in law enforcement agencies

According to UNICEF's 2016 Situation Analysis on Children in Somalia "Corruption has been a particularly grave impediment to delivery of basic services, and to essential government regulation of for-profit and non-profit service providers. It is fuelled in part by the fact that control of government coffers – and the foreign aid and taxes that flow into those coffers – remain a principal route to private enrichment in Somalia, where accountability remains very poor".¹²⁷³

An August 2016 United Nations report on freedom of expression in Somalia noted that "The independence of the judicial system is also a serious concern. The legal framework, both at federal and sub-federal levels, does not comply with international standards; for example, regarding the mode of judicial appointments. The judiciary has been shaped by clan-based politics that continue to define society. In this context, judges are expected to favour their clan and base their decisions on political considerations rather than the law, which undermines public trust in justice institutions. Due to weak or non-existent oversight mechanisms, corruption and judicial misconduct is rife".¹²⁷⁴

The US Department of State annual report on Somalia (covering 2016) noted that "Police were generally ineffective and lacked sufficient equipment and training. [...] There were reports of police engaging in corrupt practices. [...] Security force members and corrupt judicial officers, politicians, and clan elders used their influence to have detainees released".¹²⁷⁵

With regards to judicial corruption the same source stated that "The judiciary was subject to influence and corruption and was strongly influenced by clan-based politics. Authorities did not respect court orders. Civilian judges often feared trying cases, leaving military courts to try the majority of civilian cases".¹²⁷⁶

A January 2017 report on Somalia published by the World Bank stated that "Reports of poor performance, corruption, and abuse are common for both the formal and informal police organizations — an unsurprising fact given the varied threats, militarized environment, and general lack of training and accountability mechanisms".¹²⁷⁷

¹²⁷² Horn Observer, [Somalia: NISA detains a Somali Photographer in Mogadishu](#), 29 July 2017

¹²⁷³ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Institutional and governmental context* p.13

¹²⁷⁴ United Nations Assistance Mission on Somalia (UNSOM); UN Office of the High Commissioner for Human Rights (OHCHR), [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, p. 22

¹²⁷⁵ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Role of Police and Security Apparatus and Arrest Procedures and Treatment of Detainees*

¹²⁷⁶ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Denial of Fair Public Trial*

¹²⁷⁷ World Bank, [Somalia - Security and justice sector public expenditure review, 31 January 2017](#), p. 38

International Crisis Group reported in a February 2017 article that “Present rates of corruption – in Transparency International’s 2016 ranking corruption was perceived to be worse in Somalia than in any other country”.¹²⁷⁸

A Marqaati report on accountability in Somalia during 2016 stated that “Security forces take part in criminality in order to support their livelihood, further eroding public trust in the government. Extortion, robbery, murder, and torture are some of the more than 500 reports marqaati has received, mostly concerning the security forces”.¹²⁷⁹

The Marqaati report noted on corruption within the National Intelligence and Security Agency that “After the military, the Somali National Intelligence and Security Agency constitutes the second most corrupt organ of the security apparatus”.¹²⁸⁰

The same source reported on corruption within the structures of the Ministry of Interior stating that “marqaati received 232 cases of corruption reports, 47% of the total complaints in 2016, from the Ministry of Interior. The majority of corruption reports that we have received concerning the Police fall into two categories: 1. “Laaluush” – harassing civilian vehicles into paying cash, ranging from \$0.5 USD to \$5 USD, and cargo trucks up to \$50. 2. Creating illegal “isbaaro” or checkpoints that facilitates Laalush”.¹²⁸¹

Regarding the Ministry of Defense the same report noted that “Corruption occurring from the Ministry of Defense is alarming, systematic and organized. Out of the 228 reports from the Ministry, 97% are concerned with foot soldiers dressed in the Somalia National Army dress code robbing people at gunpoint. Corruption in the military makes up for 26% of the total report cases which is more than some ministries alone such as the Ministry of Justice and Internal Security. The most common type of corruption which breaks the law is looting under the pretext of searching residences in neighbourhoods for security reasons”.¹²⁸²

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “Despite limited improvements in public financial management, federal institutions remain incapable of addressing pervasive corruption. Mechanisms established to review Government contracts have continued to be circumvented, and the lack of transparency regarding company ownership leaves all Government contracts open to concerns of nepotism. Government ministries continue to bypass the Treasury Single Account at the Central Bank of Somalia, avoiding oversight of their revenues by the Federal Government’s fiscal authorities”.¹²⁸³

6.2.1. Corruption in law enforcement agencies in Mogadishu

A Marqaati report on accountability in Somalia during 2016 stated that “The use of extortion by the Somali Police Force and Traffic Police is common in Mogadishu at checkpoints. Whilst they use legal cover to continue with their illicit work, checkpoints rarely check suspected cars for weapons and explosives, or check that vehicles are complying with tax rules”.¹²⁸⁴

¹²⁷⁸ International Crisis Group, [Somalia: New Leadership, Persistent Problems](#), 28 February 2017, *Cracks in the Security Forces Play into Al-Shabaab’s Hands*

¹²⁷⁹ Marqaati, [Somalia State of Accountability 2016](#), 7 February 2017, p. 2

¹²⁸⁰ Marqaati, [Somalia State of Accountability 2016](#), 7 February 2017, p. 11

¹²⁸¹ Marqaati, [Somalia State of Accountability 2016](#), 7 February 2017, p. 8

¹²⁸² Marqaati, [Somalia State of Accountability 2016](#), 7 February 2017, p. 9

¹²⁸³ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Summary* p.7

¹²⁸⁴ Marqaati, [Somalia State of Accountability 2016](#), 7 February 2017, p. 9

The US Department of State annual report on Somalia (covering 2016) noted that “Police were generally ineffective and lacked sufficient equipment and training. In Mogadishu, for example, police lacked sufficient vehicles to transfer prisoners from cells to courts or to medical facilities. There were reports of police engaging in corrupt practices”.¹²⁸⁵

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “The misappropriation and misuse of public land in Mogadishu is ongoing, despite pledges from the previous administration to address the problem. The printing of counterfeit Somali currency in Puntland continues to undermine economic stability and has prompted outbreaks of civil unrest”.¹²⁸⁶

6.3. Due process and denial of fair trial

The US Department of State annual report on Somalia (covering 2016) stated with regards to the judicial system in Somalia:

The provisional federal constitution states, “The judiciary is independent of the legislative and executive branches of government.” The civilian judicial system, however, remained largely nonfunctional across the country. Some regions established local courts that depended on the dominant local clan and associated factions for their authority. The judiciary in most areas relied on some combination of traditional and customary law, sharia, and formal law. The judiciary was subject to influence and corruption and was strongly influenced by clan-based politics. Authorities did not respect court orders. Civilian judges often feared trying cases, leaving military courts to try the majority of civilian case.¹²⁸⁷

The same report noted with regards to areas controlled by Al Shabaab that “There was no functioning formal judicial system in al-Shabaab-controlled areas. In sharia courts defendants generally did not defend themselves, present witnesses, or have an attorney represent them”.¹²⁸⁸

According to the September 2016 of the UN Secretary-General, “UNSOM continued to support discussions among federal and regional stakeholders on Somalia’s future justice and corrections model with a view to adopting a sustainable, harmonized model. The discussions are at an early stage, even as emerging federal member states take steps to establish their own justice institutions, which may create complications. In addition, judges are not being paid owing to insufficient budgeting, which undermines efforts to strengthen justice institutions. The United Nations is supporting the development of a national policy for traditional justice dispute resolution mechanisms, as well as mobile courts, as a means to expand affordable justice services in the emerging federal member states”.¹²⁸⁹

The 2016 U.S. Department of State report noted with regards to the use of military courts in the trial of civilians “Military courts tried civilians. Defendants in military courts rarely had legal representation or the right to appeal. Authorities sometimes executed those sentenced to death within days of the court’s verdict. [...] Some government officials continued to claim that a 2011

¹²⁸⁵ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Role of Police and Security Apparatus*

¹²⁸⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Summary p.7*

¹²⁸⁷ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Denial of Fair Public Trial*

¹²⁸⁸ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Trial Procedures*

¹²⁸⁹ UN, [Report of the Secretary-General on Somalia](#), 6 September 2016, *paragraph 32*

state of emergency decree gave military courts jurisdiction over crimes, including those committed by civilians, in parts of Mogadishu from which al-Shabaab had retreated. There was no clear government policy indicating whether this decree remained in effect”.¹²⁹⁰

Human Rights Watch further noted on the use of military courts in the trial of civilians in a statement dating May 2017 that “Despite public statements promising justice reform, the previous administration relied heavily on the country’s military court to try national security-related cases. The military court continues to try cases that are not within its jurisdiction, including terrorism-related offenses, and cases against civilians, contrary to international law and the provisional constitution. Proceedings fall short of international fair trial standards, including full access to a defense and prompt trials. Security and terrorism-related cases that NISA [National Intelligence and Security Agency] investigates are forwarded to this court”.¹²⁹¹

Washington Post reported in a May 2016 article on the practice of detaining former Al Shabaab recruits and using them as spies: “Another boy, Abdullah, said he was 13 when he joined al-Shabab. By then, the majority of his classmates in a small town in southern Somalia had been recruited. The group’s members didn’t seem to him like terrorists. They offered protection from rival clans and other al-Shabab members. After about two years of fighting with al-Shabab, Abdullah had had enough. He called an uncle and told him that he planned to defect. The uncle called intelligence agents to pick him up. Abdullah assumed they would interrogate him for a few days before sending him to a rehabilitation center or releasing him. But the agents kept Abdullah in their custody for more than two years, he said”.¹²⁹²

The December 2016 Report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that “Traditional justice mechanisms were often preferred and led to financial settlements between families, at times in violation of victims’ rights and without the enforcement of any other form of punishment against perpetrators”.¹²⁹³

An August 2016 United Nations report on freedom of expression in Somalia described the treatment of Al Shabaab suspects by the National Intelligence and Security Agency:

In February 2016, NISA [National Intelligence and Security Agency] used the media, including the Somali National TV, to diffuse documentaries showing Al Shabaab suspects confessing their crimes while in NISA custody. Televised confessions raise serious concerns: the lack of validity of such confessions in the absence of due process, the use of confession as primary evidence to condemn the defendant during subsequent court proceedings, but foremost, the ability of the detainees in situation of incommunicado detention to decline to confess and the possible use of torture to force them to do so. For instance, Hassan Hanafi, a journalist accused of Al Shabaab affiliation, was in NISA custody for 15 months without a trial before he appeared on one of these TV documentaries on 5 February 2016, confessing his implication in the killing of at least four journalists in 2008 and 2010.¹²⁹⁴

¹²⁹⁰ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Trial Procedures*

¹²⁹¹ Human Rights Watch (HRW), [Human Rights Priorities for Somalia’s New Government](#), 02 May 2017, *More Effective Justice Reform*

¹²⁹² Washington Post, [U.S.-funded Somali intelligence agency has been using kids as spies](#), 7 May 2016

¹²⁹³ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 14

¹²⁹⁴ United Nations Assistance Mission on Somalia (UNSOM); UN Office of the High Commissioner for Human Rights (OHCHR), [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia’s Political Transition](#), August 2016, p. 21

The December 2016 report of the Secretary-General on children and armed conflict in Somalia noted with regards to judicial proceedings for detained children “The lack of habeas corpus and due process for children deprived of their liberty has been an acute concern. Children were held for periods ranging from a few days to several years without legal redress”.¹²⁹⁵

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “According to the [...] UN source, the government has no effective legal system and a Somalia Country Director of a humanitarian agency characterised the official court system of Somalia a non-functioning. Al-Shabaab’s courts are according to four sources regarded as less corrupt, cheaper, and efficient”.¹²⁹⁶

Reporting on the situation in 2016 Amnesty International noted, “Few executions were reported, but the Military Court did sentence people to death in proceedings that fell short of international fair trial standards”.¹²⁹⁷

In a January 2017 report, the Special Representative of the UN Secretary-General for Children and Armed Conflict noted on the judicial standards used in the trial of the of children detained by security forces in Somalia on national security charges that “For children brought before a court, there were concerns about the lack of application of juvenile justice standards and the adherence to international obligations.”¹²⁹⁸

Human Rights Watch noted in a statement dating May 2017 that “NISA [National Intelligence and Security Agency] has conducted mass security sweeps despite having no legal mandate to arrest or detain. NISA holds detainees for prolonged periods without charge, and obstructs or curtails key due process rights, including access to legal counsel and family visits”.¹²⁹⁹

The September 2017 report of the UN Secretary-General on Somalia reported that “The Federal Minister of Justice continued to consult with the state ministers of justice in order to reach a political agreement on the proposed justice and corrections model for Somalia. The first comprehensive training curriculum for judges, prosecutors and court clerks was launched in Mogadishu on 17 July to lay the groundwork for an independent, capable and accountable judiciary. As part of the programme, 350 court personnel from all over Somalia will be trained by the end of 2017”.¹³⁰⁰

The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia noted that “The Minister of Justice argued that, while the justice system functions well under normal conditions, human rights are poorly observed in times of frequent armed attacks and terrorism. He urged the Independent Expert and the Council to recognize that Somalia was in a state of war and that full respect for the rule of law was a work in progress. He stressed that human rights were enshrined in the Constitution. The Minister stressed the importance of establishing a constitutional court in Somalia in order to resolve conflicts between the Federal State and the

¹²⁹⁵ UN Security Council, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 33

¹²⁹⁶ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 The overall security situation p.10

¹²⁹⁷ Amnesty International, [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017

¹²⁹⁸ Office of the Special Representative of the UN Secretary-General for Children and Armed Conflict, [Somalia: New Report Details Troubling Violations Against Children](#), 17 January 2017

¹²⁹⁹ Human Rights Watch (HRW), [Human Rights Priorities for Somalia’s New Government](#), 02 May 2017, *Intelligence, Police*

¹³⁰⁰ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 43 and 44

regional states. The court would also be essential for the stabilization of the country and would contribute to the State's ability to respect, protect and fulfil human rights. He requested support in terms of human and material resources, ranging from training for judges to the creation of infrastructure for the courts".¹³⁰¹

6.3.1. Due process and denial of fair trial in Mogadishu

A May 2016 Human Rights Watch report documenting the attacks on media freedom in Somalia documented cases of persons judged and sentenced to death for their alleged involvement in the killing of a Mogadishu based journalist

On January 5, 2016, SNTV broadcast a program again narrated by SNTV journalist Abdiaziz Mohamud Guled that included lengthy interviews with two alleged suspects, Abdirisak Mohamed Barrow and Hassan Noor Ali Farah, confessing to their involvement in Hindiya Haji Mohamed's killing. Human Rights Watch was not able to confirm if the two suspects had ever been in court prior to appearing on TV or whether the filmed confessions were ever used as evidence in court. The broadcasting of defendants' alleged confessions suggests coercion and is an evident due process violation. On February 25, 2016, the military court sentenced six individuals in connection with Hindiya's killing. Those sentenced included the two suspects who appeared on the SNTV documentary, Abdirisak Mohamed Barrow, who was accused of planting the car bomb in Hindiya's car, was sentenced to death and three others, including Hassan Noor, were sentenced to life in prison. On appeal, Abdirisak's sentence was upheld while Hassan Noor's sentence was converted to the death penalty. According to a journalist reporting at a press conference following the appeal, the head of the court, Liban Ali Yarow, stated that upon reviewing the evidence, he found the court of first instance's decision too lenient. However, the basis for an appeal under the military criminal procedure code is limited to procedural flaws or errors of law in the sentencing. The two were executed by firing squad on April 9, 2016.¹³⁰²

Human Rights Watch reported in September 2016 on the case of the five members of Mogadishu-based policy center by the National Intelligence and Security Agency

Somalia's intelligence agency held five staff members of a Mogadishu-based policy center for almost a month. Their experiences – including no access to lawyers and no formal charges – show the agency's complete disregard for basic due process. The five were finally released last week, on September 6. On July 21, agents of the National Intelligence and Security Agency (NISA) arrested the men at the offices of the Mogadishu Center for Research and Studies, which focuses on political analysis and commentary primarily for an Arabic-speaking audience. NISA held Abdiwahab Ali Mumin, the center's chairman, along with employees Abdirahman Ibrahim Abdi, Shafie Abdulaziz, Mohamed Said Mire, and Abdirahim Musa without charge. Under Somali law, NISA is not legally empowered to detain anyone. Yet they do, often for prolonged periods and without judicial review. Like many people detained by NISA, the five were denied access to legal counsel.¹³⁰³

The US Department of State annual report on Somalia (covering 2016) stated with regards to the use of military courts in the trial of civilians "Military courts tried civilians. Defendants in military courts rarely had legal representation or the right to appeal. Authorities sometimes executed those sentenced to death within days of the court's verdict (see section 1.a.). Some government officials continued to claim that a 2011 state of emergency decree gave military courts jurisdiction over

¹³⁰¹ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 47

¹³⁰² Human Rights Watch (HRW), ['Like Fish in Poisonous Waters': Attacks on Media Freedom in Somalia](#), May 2016, p. 57 and 58

¹³⁰³ Human Rights Watch (HRW), [Five Wrongfully Detained in Somalia Now Free](#), 13 September 2016

crimes, including those committed by civilians, in parts of Mogadishu from which al-Shabaab had retreated. There was no clear government policy indicating whether this decree remained in effect”.¹³⁰⁴

Human Rights Watch reported in its annual report on Somalia (covering 2016) that “The military court in Mogadishu continues to try cases that are not legally within its jurisdiction and in proceedings falling short of international fair trial standards”.¹³⁰⁵

A January 2017 report on Somalia published by the World Bank stated that “The Military Court has been active within Mogadishu and around southern Somalia through a mobile unit. The Military Courts are authorized by presidential decree to try Al-Shabaab fighters, as well as any crimes occurring in state of emergency areas vacated by Al-Shabaab. Military prosecutors and judges reportedly have little if any legal or judicial training, and are known for their rapid decisions and executions”.¹³⁰⁶

A March 2017 UN Security Council report on Somalia noted that “Following UNSOM [United Nations Assistance Mission on Somalia] advocacy with the Director General of the Ministry of Internal Security on 26 March, the National Intelligence and Security Agency released a detainee held in custody without charge since 25 October 2016, first by AMISOM [African Union Mission in Somalia] in Beledweyne and then by the Security Agency in Mogadishu”.¹³⁰⁷

The September 2017 report of the UN Secretary-General on Somalia reported that “The Federal Minister of Justice continued to consult with the state ministers of justice in order to reach a political agreement on the proposed justice and corrections model for Somalia. The first comprehensive training curriculum for judges, prosecutors and court clerks was launched in Mogadishu on 17 July to lay the groundwork for an independent, capable and accountable judiciary. As part of the programme, 350 court personnel from all over Somalia will be trained by the end of 2017”.¹³⁰⁸

6.4. Clan influence on detention and release

This section should be read against [6.8.2. Clan based judicial system](#) and [8.5. The role of the clan in providing traditional forms of protection, including material assistance and support](#).

An International Alert report on Somalia dated October 2015 documented the role of clans in the Somali legal system:

The Somali legal system is a mixture of systems, which comprises of statutory law, customary law (Xeer) and Sharia law. Although Sharia law is not applied in statutory courts, it is integrated into customary law where it is also not adhered to strictly. While formal laws define crimes and punishment, their application is continuously negotiated through the customary power dynamics and their upholders. In practice, the primacy of Xeer is accepted and is the most accessible, used and preferred system for dispute resolution. The state also perpetuates the Xeer supremacy when its

¹³⁰⁴ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Trial Procedures*

¹³⁰⁵ Human Rights Watch (HRW), [World Report 2017 - Somalia](#), 12 January 2017, *Abuses by Government and Allied Forces*

¹³⁰⁶ World Bank, [Somalia - Security and justice sector public expenditure review](#), 31 January 2017, p. 108

¹³⁰⁷ UN Security Council, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 58

¹³⁰⁸ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraphs 43 and 44

officers – police, prosecutors and judges – refer cases back to clan elders, who still remain the most powerful force behind justice and access to it.¹³⁰⁹

The same report noted on clan influence in legal proceedings “There is a lack of judicial independence in such an overlapping system where regular interference by clan elders in legal proceedings is accepted (through Xeer) or where the judiciary refers cases back to the customary system. This is open to abuse especially in cases of sexual abuse where women are normally pressured to settle through customary law and where compensation is negotiated by the elders and male members of their families – father, husband, uncle and brother”.¹³¹⁰

The Bertelsmann Stiftung’s Transformation Index (BTI) 2016 ‘Somalia Country Report’ covering the period covers the period from 1 February 2013 to 31 January 2015 reported that “Somalia has no unitary judicial system, but relies on a combination of secular law, traditional law (xeer) and Shariah law. Under the traditional system, clan elders mediate conflicts, negotiate peace agreements and, if necessary, agree on compensation payments within and between clans. Although traditional and Shariah law were fused over the centuries, the influence of Shariah on inter-clan relations was not very pronounced. Islamic law primarily regulates family and personal issues (marriage, divorce, inheritance). In urban areas, Shariah has gained considerable influence in the last decade, including in areas of criminal law. However, Shariah courts are not free from tribal politics and judgments are often influenced by clan considerations”.¹³¹¹

Lifos, the Swedish Migration Agency’s expert institution for legal and country of origin information, similarly noted in a June 2016 report “The clans still have a strong influence all over Somalia, and can in practice overrule a sentence from a court. The exception is cases concerning Al Shabaab or the security of the state. It is important to remember that every judge belongs to a clan, and that corruption is widespread”.¹³¹²

The US Department of State annual report on Somalia (covering 2016) also noted on clan influence in the judicial system “Traditional clan elders mediated conflicts throughout the country. Clans frequently used and applied traditional justice practices swiftly. Traditional judgments sometimes held entire clans or subclans responsible for alleged violations by individuals”.¹³¹³

The same report further stated that “Security force members and corrupt judicial officers, politicians, and clan elders used their influence to have detainees released”.¹³¹⁴

The Report of the Secretary-General on conflict-related sexual violence covering the period from January to December 2016 recorded that “In the last quarter of 2016, the United Nations Assistance Mission in Somalia documented 14 incidents of conflict-related sexual violence, including five gang rapes, allegedly committed by Al-Shabaab, the Interim South- West Administration of the Puntland

¹³⁰⁹ International Alert, [The Complexity of Sexual and Gender-Based Violence. Insights from Mogadishu and South Central Somalia](#), October 2015, p. 22

¹³¹⁰ International Alert, [The Complexity of Sexual and Gender-Based Violence. Insights from Mogadishu and South Central Somalia](#), October 2015, p. 22

¹³¹¹ Bertelsmann Stiftung’s Transformation Index (BTI) ‘[Somalia Country Report](#)’, 2016

¹³¹² Lifos, [Somalia - a summary analysis of the security situation, the judiciary and the situation of civilians](#), 16 June 2016, p. 8

¹³¹³ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, [Denial of Fair Public Trial](#)

¹³¹⁴ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, [Arrest Procedures and Treatment of Detainees](#)

Army, and the Somali national police. The perpetrators were prosecuted in two of those cases, while in three others the suspects were released owing to clan pressure or lack of evidence”.¹³¹⁵

Human Rights Watch noted in a May 2017 report that “Civilian courts have reportedly been marred by clan politics, corruption, and lack of oversight of the prosecution”.¹³¹⁶

In August 2017 UNOCHA reported that “According to local authorities, more than 2,000 people were displaced from Leego in Lower Shabelle to areas in Wanla Weyne, Afgooye corridor and Mogadishu, following the take-over of the town by non-state armed actors on 4 August after the withdrawal of state and regional forces. While some commercial transporters can still conditionally access the Mogadishu-Baidoa–Dollow main supply route, it remains inaccessible to humanitarians. The non-state armed actors occupied the town’s health facility, confiscated humanitarian supplies and equipment, and arrested and temporarily detained two humanitarian workers who were running a health facility in the town”.¹³¹⁷ The same source further noted that “The number of humanitarian workers abducted by non-state armed actors for ransom is on the increase, with the majority seized along the main access roads. Between January and August, 25 humanitarian workers were abducted; 19 were released following successful negotiations by clan elders, six remain in detention”.¹³¹⁸

A January 2017 report on Somalia published by the World Bank stated that “In southern and central Somalia, the capacity and performance of governance structures remained especially limited. This mix of informal and formal is particularly pronounced in the justice sector where local communities reverted to traditional clan-based arbitration—the customary Somali *xeer*—and/or local forms of law enforcement through Sharia courts. Such courts obtained their financial backing through businessmen and clan-based militias achieving substantial order, authority, and legitimacy in specific areas and at certain times”.¹³¹⁹

The same source noted with regards to clan influence in resolving judicial disputes that “The formal court system is perceived as expensive, inaccessible and prone to manipulation, with Somalis relying primarily on traditional or clan-based forums to resolve disputes (*xeer*). Traditional elders are usually the key authorities for any kind of conflict resolution or justice service, relying primarily on the authority of their clan or militia to enforce their judgments. This appears to be true even within urban areas where there is a choice of using the formal court system, while outside urban areas the lack of courts means that there is little choice of forum”.¹³²⁰

IAAAP Somalia Accountability Programme stated in a September 2017 report that “Women and people from minority clans, experience weak accountability from the clan-based justice system. Both the formal and informal justice systems are skewed towards the interests of the rich and those in positions of power. In addition to women being excluded from participating in the *xeer* system, there is a general perception that the outcome of *xeer* trials is unpredictable and favours the rich and powerful (PRIO, 2016)”.¹³²¹

¹³¹⁵ UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 55

¹³¹⁶ Human Rights Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

¹³¹⁷ UN Office for the Coordination of Humanitarian Affairs, [Humanitarian Bulletin Somalia, August 2017](#), 31 August 2017

¹³¹⁸ UN Office for the Coordination of Humanitarian Affairs, [Humanitarian Bulletin Somalia, August 2017](#), 31 August 2017

¹³¹⁹ World Bank, [Somalia - Security and justice sector public expenditure review](#), 31 January 2017, p. 7

¹³²⁰ World Bank, [Somalia - Security and justice sector public expenditure review](#), 31 January 2017, p. 7

¹³²¹ IAAAP Somalia Accountability Programme, [Gender Equality and Social Inclusion Learning Brief](#), September 2017, p. 8

6.4.1. Clan influence on detention and release in Mogadishu

This section should be read against [6.8.2.1. Clan based judicial system in Mogadishu](#) and [8.5.1. The role of the clan in providing traditional forms of protection, including material assistance and support in Mogadishu](#).

A January 2017 report on Somalia published by the World Bank stated that “In Benadir Region, a study revealed that payments required to process a case go far beyond the legally mandated court fees, and court users report that judicial decisions are often subject to political and economic pressures. A real or perceived lack of judicial independence, including a clan-based appointment process, limits the ability of those who do not fall under the protection of a dominant clan and vulnerable or marginalized groups (such as women or internally displaced persons) to access an impartial tribunal within the formal court structure, although the same comment may be made about their ability to find justice within the customary system”.¹³²²

6.5. The death penalty

Human Rights Watch reported in its annual report on Somalia (covering 2016) that “According to the UN, at least 64 death sentences were issued in 2016. The majority of these were handed down in Puntland, following a large-scale Al-Shabab offensive in Puntland and Galmudug, when a military court sentenced 43 people to death for their association with Al-Shabab in June. According to the UN, 12 of those on death row are believed to be children”.¹³²³

In its report on Death Sentences and Executions for 2016 Amnesty International stated that “In Somalia, 14 people were executed: seven of these executions were carried out under the authority of the Federal Government of Somalia; six executions were carried out in Somaliland; and one execution was carried out in Puntland. There were 60 death sentences imposed – seven under the authority of the Federal Government of Somalia, eight in Somaliland and 45 in Puntland. At the end of the year, at least 100 people were under sentence of death in the country”.¹³²⁴

By comparison, the 2016 U.S. Department of State report observed that “Federal and regional authorities sometimes executed those sentenced to death within days of the court’s verdict, particularly in cases where defendants directly confessed their membership in al-Shabaab before the courts or in televised videos. National figures on executions were unreliable, but the UN Mission to Somalia (UNSOM) tracked 20 executions across the country during the year, including four of alleged members of al-Shabaab, 11 of armed forces members, and five of civilians”.¹³²⁵

A UK Foreign and Commonwealth Office report on Somalia covering the period from July to December 2016 stated that “Broader access to Justice in Somalia remains a concern, and Somalia continues to apply the death penalty. In November, a military court sentenced 2 Islamic State fighters to death but these sentences have not yet been carried out”.¹³²⁶

¹³²² World Bank, [Somalia - Security and justice sector public expenditure review](#), 31 January 2017, p. 38

¹³²³ Human Rights Watch (HRW), [World Report 2017 - Somalia](#), 12 January 2017, *Abuses by Government and Allied Forces*

¹³²⁴ Amnesty International (AI), [Death Sentences and Executions 2016](#), 11 April 2017, p. 39

¹³²⁵ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.a. *Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings*

¹³²⁶ FCO - UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2015 - Human Rights Priority Country update report: July to December 2016 - Somalia](#), 08 February 2017, *Somalia*

Amnesty International reported in its annual report on Somalia (covering 2016) that “Somalia continued to use the death penalty despite its support for the UN General Assembly resolution on a moratorium on the death penalty. Few executions were reported, but the Military Court did sentence people to death in proceedings that fell short of international fair trial standards. Among those sentenced to death was a former journalist accused of helping al-Shabaab to kill five fellow reporters”.¹³²⁷

An August 2016 United Nations report on freedom of expression in Somalia noted on the situation of journalists sentenced to death in Somalia:

Since January 2015, only 10 of the 48 journalists, media workers, and senior management staff of media outlets arrested were brought before a court. Nine were sentenced to imprisonment and to high penalties, while 38 were released without charges. Of the 10 prosecuted, one journalist was sentenced to death on the grounds of Al Shabaab affiliation and his involvement in the killings of other journalists in 2014 and 2015. His death sentence, confirmed by the High Military Court in Mogadishu on 26 March 2016, was mainly based on a video confession that was done while in NISA [National Intelligence and Security Agency] custody and broadcasted by the Somali National TV. He was not brought before a court at the time and was executed by firing squad on 11 April 2016.¹³²⁸

In June 2017 the BBC reported that “The Somali soldier who shot dead the country's youngest-ever cabinet minister last month has been sentenced to death by firing squad. Abas Abdullahi Siraji was in his car near the presidential palace in Mogadishu when he was killed by Ahmed Abdullahi Abdi, who reportedly mistook him for a militant Islamist. [...] The military court which sentenced the soldier said he can appeal”.¹³²⁹

In August 2017 Hands Off Cain reported on the High Court of Somali military decision to uphold the death sentence for an Al Shabaab member convicted of killing a cleric in Baidoa:

The High Court of Somali military has turned down appeal by al-Shabaab assassins convicted of killing a known cleric in the southern town of Baidoa in last June, Garowe Online reports. The Court upheld an earlier ruling which found guilty Mohamed Aden Ali "Borow", Samow Ali Aden and Hassan Abdullahi Ibrahim, for killing Sheikh Aden Madeer at a Mosque in Baidoa town during the holy month of Ramadan.

[...] According to a statement released by the Court, Barow has been sentenced to death penalty, while the other two accomplices given life imprisonment sentences for involvement in the assassination.

The First Degree Court found the al-Shabaab members guilty in June, but the defendants appealed the ruling. The death penalty against the convicted Barow will be executed soon, said the judge. Relatives of the slain cleric have welcome the Court's decision against the three militants, who shot dead Sheikh Madeer outside Warish mosque in Baidoa, after Tarawih prayers in last Ramadan.¹³³⁰

The September 2017 report of the UN Secretary-General on Somalia reported that “Nine executions were carried out following death penalty convictions, accounting for almost half of the executions reported in all of 2016. Half of the executions that have taken place thus far in 2017 were in Puntland, and convictions were related to terrorism activities”.¹³³¹

¹³²⁷ Amnesty International (AI), [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017, *Death Penalty*

¹³²⁸ United Nations Assistance Mission on Somalia (UNSOM); UN Office of the High Commissioner for Human Rights (OHCHR), [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, p. 23

¹³²⁹ BBC, [Somali soldier who killed minister Siraji gets death sentence](#), 19 June

¹³³⁰ Hands Off Cain, [Somalia: Higher Court Sentences Death, Life Imprisonment to Cleric's Killers](#), 10 August 2017

¹³³¹ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 50

The September 2017 report of the Independent Expert on the situation of human rights in Somalia stated that “The Attorney General stated that executions were no longer conducted in public, unless authorization was given by the Ministry of Justice. The Government was working with the regional states to enforce that rule. While there were currently 82 cases where the death penalty had been imposed, the Attorney General was working on alternative punishments and on the ratification of the second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty”.¹³³²

6.5.1. The death penalty in Mogadishu

The European Union condemned the use of death penalty in Somalia, including a reported execution carried out in Mogadishu in January 2016: “The Heads of Missions of the European Union and Member States strongly and unequivocally oppose the death penalty in any circumstances. It is a serious violation of human rights and human dignity and cannot be used as an instrument for justice. In this context, we are deeply concerned by reports of at least 4 executions in Somaliland on 11 January and by the authorities renewed use of the death penalty. We are similarly concerned with reports of an execution in Mogadishu on 3 January”.¹³³³

A May 2016 Human Rights Watch documenting the attacks on media freedom in Somalia described cases of persons sentenced to death for their alleged involvement in the killing of a Mogadishu based journalist

On January 5, 2016, SNTV broadcast a program again narrated by SNTV journalist Abdiaziz Mohamud Guled that included lengthy interviews with two alleged suspects, Abdirisak Mohamed Barrow and Hassan Noor Ali Farah, confessing to their involvement in Hindiya Haji Mohamed’s killing. Human Rights Watch was not able to confirm if the two suspects had ever been in court prior to appearing on TV or whether the filmed confessions were ever used as evidence in court. The broadcasting of defendants’ alleged confessions suggests coercion and is an evident due process violation. On February 25, 2016, the military court sentenced six individuals in connection with Hindiya’s killing. Those sentenced included the two suspects who appeared on the SNTV documentary, Abdirisak Mohamed Barrow, who was accused of planting the car bomb in Hindiya’s car, was sentenced to death and three others, including Hassan Noor, were sentenced to life in prison. On appeal, Abdirisak’s sentence was upheld while Hassan Noor’s sentence was converted to the death penalty. According to a journalist reporting at a press conference following the appeal, the head of the court, Liban Ali Yarow, stated that upon reviewing the evidence, he found the court of first instance’s decision too lenient. However, the basis for an appeal under the military criminal procedure code is limited to procedural flaws or errors of law in the sentencing. The two were executed by firing squad on April 9, 2016.¹³³⁴

The same report further described the sentencing to death of Hassan Hanafi Haji for involvement in the killing of five journalists

On February 3, 2016, the military court sentenced Hassan Hanafi Haji (commonly referred to as Hanafi), a journalist who worked for Al-Shabab’s Radio Andalus, for being a member of Al-Shabab and

¹³³² UN Human Rights Council (formerly UN Commission on Human Rights), [Report of the Independent Expert on the situation of human rights in Somalia \[A/HRC/36/62\]](#), 6 September 2017, paragraph 46

¹³³³ European Union, [Heads of Missions of the European Union and Member States condemn executions carried out in Mogadishu on 3 January and Dararwayne and Mandera \(Somaliland\) on 11 January 2016](#), 13 January 2016

¹³³⁴ Human Rights Watch (HRW), [‘Like Fish in Poisonous Waters’: Attacks on Media Freedom in Somalia](#), May 2016, p. 57 and 58

for his alleged involvement in the killings of five journalists, killed between 2007 and 2010. The sentence was upheld on appeal. Hanafi was executed by firing squad on April 11, 2016. According to witnesses present during the trial, Hanafi confessed to being involved in the killing of Radio Mogadishu journalist, Sheikh Noor Mohamed, but denied his involvement in other killings. Three journalists testified at the hearing, and focused on death threats they or others had allegedly received from Hanafi. According to a credible source, Hanafi only met the lawyers representing him on the day of his sentencing, and solely for a few hours, and had not been brought before a court before that time. Before his trial, on February 5, 2016, SNTV broadcast a program narrated by SNTV journalist Abdiaziz Mohamud Guled (known as "Africa"), that included lengthy interviews with Hanafi. According to media reports, Hanafi had been arrested in Kenya in August 2014 and extradited to Somalia in December of that year.¹³³⁵

Hands Off Cain reported in a May 2017 article that "A Somali military court has executed a man who was accused to be involved in a car bomb attack at garden market in Waberi district in Mogadishu. Addressing reporters at the scene of the execution, a military court official said they executed Mr. Abdulqadir Abdi Hassan by firing squad in Mogadishu. Mr. Hassan was the driver of the exploded vehicle the court told the reporters. Hassan has been in police custody since the day of the explosion. The Market was bomb on 27th November 2016 killing 15 people while injuring 20 others who were most civilians".¹³³⁶

Xinhua reported in July 2017 on the sentencing to death of a soldier for the murder of Abass Siraj, a former Federal Minister of Public Works and Reconstruction of Somalia

Somalia military court in Somalia on Monday sentenced a soldier to death for killing the country's minister of public works and reconstruction in May.

The military appeals court upheld an earlier ruling in June which found guilty constable Ahmed Abdullahi Aidid for killing Abbas Sheikh Siraji, the country's youngest minister by a bullet.

"Having heard from the appellant and the state prosecutor, I hereby agree with the lower court that Constable Ahmed Abdullahi Abdi Aidid is guilty of killing the minister in May," a military judge said in his ruling.

A lower court found the military officer attached to then auditor general Nur Farah guilty in June 19 but the defendant appealed the ruling.

The court sitting in Mogadishu Monday said the officer killed the minister using an AK-47 gun firing two bullet at him.¹³³⁷

6.6. Torture

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that "On 11 April 2016, five young Bantu/Shiidle men, all farmers from Daifa or Baroweyne villages in Middle Shabelle, were arrested and detained by a unit of the Somali National Army (SNA). Accused of being members of Al-Shabaab, the five men were first detained for two days at Jowhar Airport military base, subsequently held for seven days at Jowhar Police Station, and finally transferred for 43 days to National Intelligence and Security Agency (NISA) facilities. All five men were regularly beaten and denied water during their detention. Two of the men were particularly signalled out for torture by two named SNA commanders: one man had his finger nails pulled while both were severely beaten with butt of a rifle and had boiling hot water poured on the wounds.³⁴⁷ According to testimonies received by the SEMG, the SNA officers involved in the violation wanted to appropriate the properties of the men, and used the accusation of affiliation with Al-Shabaab as a

¹³³⁵ Human Rights Watch (HRW), *'Like Fish in Poisonous Waters': Attacks on Media Freedom in Somalia*, May 2016, p. 57

¹³³⁶ Hands Off Cain, *Somalia: Military Court Executes Man Involved in Mogadishu Market Explosion*, 23 May 2017

¹³³⁷ Xinhua, *Somali military court sentences soldier to death*, 31 July 2017

pretext for their detention. After more than seven weeks in detention, the men were finally freed by the now deceased commander of NISA in Jowhar, Abdiweli Ibrahim Mohamed and cleared of all allegations.”¹³³⁸

An August 2016 United Nations report on freedom of expression in Somalia described the treatment of Al Shabaab suspects by the National Intelligence and Security Agency:

In February 2016, NISA [National Intelligence and Security Agency] used the media, including the Somali National TV, to diffuse documentaries showing Al Shabaab suspects confessing their crimes while in NISA custody. Televised confessions raise serious concerns: the lack of validity of such confessions in the absence of due process, the use of confession as primary evidence to condemn the defendant during subsequent court proceedings, but foremost, the ability of the detainees in situation of incommunicado detention to decline to confess and the possible use of torture to force them to do so.¹³³⁹

A Marqaati report on accountability in Somalia during 2016 stated that “Security forces take part in criminality in order to support their livelihood, further eroding public trust in the government. Extortion, robbery, murder, and torture are some of the more than 500 reports marqaati has received, mostly concerning the security forces”.¹³⁴⁰

The US Department of State annual report on Somalia (covering 2016) reported that “The provisional federal constitution prohibits torture and inhuman treatment. Nevertheless, torture and other cruel, inhuman, or degrading treatment or punishment occurred. The UN Monitoring Group on Somalia and Eritrea (SEMG) reported it received allegations that NISA officials committed torture. Government forces, allied militia, other men wearing uniforms, and AMISOM troops committed sexual violence, including rape. [...] Federal and regional authorities used excessive force against journalists, demonstrators, and detainees, which resulted in deaths and injuries. NISA agents routinely conducted mass security sweeps despite having no legal mandate to arrest or detain. NISA held detainees for prolonged periods without following due process and mistreated suspects during interrogations”.¹³⁴¹

Human Rights Watch noted in a May 2017 report that “NISA has arbitrarily detained journalists and political activists for apparent politically motivated reasons. We have documented NISA torture and other ill-treatment of terrorism suspects to extract confessions”.¹³⁴²

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “Despite the commitment by the Federal Government to a moratorium dating back to 2011, use of the death penalty by federal and regional authorities rose sharply during the mandate, particularly in Puntland. In some cases, the procedures leading to convictions lacked fundamental due process guarantees, including in situations where the accused was unable to rely on clan protection. The Monitoring Group received credible allegations of the use of torture to attain confessions, in breach of

¹³³⁸ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.3: Violations committed by Federal Government of Somalia (FGS) security forces against civilians held in detention p.151

¹³³⁹ United Nations Assistance Mission on Somalia (UNSOM); UN Office of the High Commissioner for Human Rights (OHCHR), [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, p. 21

¹³⁴⁰ Marqaati, [Somalia State of Accountability 2016](#), 7 February 2017, p. 2

¹³⁴¹ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Prison and Detention Center Conditions*

¹³⁴² Human Rights Watch, [Human Rights Priorities for Somalia's New Government](#), 2 May 2017

international law”.¹³⁴³ Furthermore, “The Monitoring Group continued to collect compelling evidence and allegations relating to the responsibility of Abdirahshid Hassan Abdinur, the Interim Jubba Administration Minister for Security, for acts of torture, inhuman and degrading treatment, unlawful detention and unlawful rendition of individuals”.¹³⁴⁴

6.7. Detention and prison conditions

The US Department of State annual report on Somalia (covering 2016) described the prison conditions in the country stating that “Prison conditions in most areas of the country remained harsh due to poor sanitation and hygiene, inadequate food and water, and lack of medical care”.¹³⁴⁵

The same source further described the main problems with regards to prison conditions: “Overcrowding in urban prisons--particularly following large security incidents involving arrests--sometimes occurred. Authorities sometimes held juveniles and adults, due in part to the belief that juveniles were safer when housed with members of their own subclan. Prison authorities often did not separate pretrial detainees from convicted prisoners, particularly in the southern and central regions. [...] Authorities generally required the families of inmates to pay the cost of health services; inmates without family or clan support had limited access to such services. Disease outbreaks, such as tuberculosis and cholera, continued to occur, particularly in overcrowded prisons, such as Mogadishu. Such outbreaks could be life threatening during the rainy season. [...] Information on deaths rates in prisons and pretrial detention centers was unavailable”.¹³⁴⁶

The US Department of State report further described the administration of prisons in Somalia

Apart from Central Mogadishu, Garowe, and Hargeisa Prisons, which tracked prisoners and their status, recordkeeping generally was inadequate. Most prisons did not have ombudsmen.

Federal law does not specifically allow prisoners to submit complaints to judicial authorities without censorship. Somaliland law, however, allows prisoners to submit complaints to judicial authorities without censorship, and prisoners reportedly submitted such complaints.

Prisoners in Central Mogadishu, Garowe, and Hargeisa Prisons had adequate access to visitors and religious observance; infrastructure limitations in other prisons throughout the country impeded such activities. Many prisoners relied on visitors to provide supplemental food and water.¹³⁴⁷

The same source assessed the independent monitoring of prisons in Somalia stating that “Somaliland authorities and government authorities in Puntland and Mogadishu permitted prison monitoring by independent nongovernmental observers during the year. Representatives from the UN Office on Drugs and Crime visited prisons in Bosaso, Garowe, and Hargeisa several times. UNSOM [United Nations Assistance Mission on Somalia] representatives, other UN organizations, and humanitarian institutions visited a few prisons throughout the country. Geographic

¹³⁴³ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 188

¹³⁴⁴ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 191

¹³⁴⁵ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Prison and Detention Center Conditions*

¹³⁴⁶ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Prison and Detention Center Conditions*

¹³⁴⁷ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Prison and Detention Center Conditions*

inaccessibility and insecurity impeded such monitoring in territory controlled by al-Shabaab or in remote areas where traditional authorities controlled holding areas”.¹³⁴⁸

The September 2016 report of the Independent Expert on the situation of human rights in Somalia cited the Deputy Prime Minister of Somalia who “acknowledged that detention conditions in prisons were poor and that it was not always possible to separate juvenile and adult inmates”.¹³⁴⁹

The same report also stated that “The Independent Expert was informed that conditions of detention in prisons had improved following the steps to reduce overcrowding and ensure greater availability of medicine, water and bedding”.¹³⁵⁰

The Mogadishu Center for Research and Studies reported in June 2016 on the decision of the president of Jubaland to pardon inmates serving jail terms in Kismayo “The President of Jubaland said that his administration will pardon dozens of inmates while marking the beginning of Ramadan. The inmates who are to be pardoned are currently serving jail terms in the central prison in Kismayo ranging from three months to five years for various offences including civil misconduct. [...] Kismayo has highly overcrowded prisons with poor facilities that has caught the attention of human rights activists”.¹³⁵¹

In a January 2017 report on Somalia, the World Bank stated with regards to the prison system that “While the corrections sector has received some international support, including technical advisory and training services for custodial staff, prison infrastructure assessments, and infrastructure build and repair (primarily at Mogadishu Central Prison), it is faced with extremely challenging conditions. According to various reports, prisons are generally very old and the conditions extremely harsh. Underfunding means that prisons are unable to feed, clothe or meet other needs of the prisoners, leading to overcrowding, poor sanitation, and lack of health care, among other human rights concerns”.¹³⁵²

The same report further stated that “Prisoner data remains sparse and unreliable. Data for eleven of the functioning prisons indicates a total of 2,625 prisoners, with some estimates that around 22 percent are in pre-trial detention. Statistics for the remaining prisons are unavailable”.¹³⁵³

Radio Dalsan reported in a January 2017 article on the killing of an Al Shabaab militant in a prison in Hiran region: “A man said to be the son of a top Al shabaab commander was on Sunday shot dead by a soldier in a prison in Mahaas district of Hiran region, a government official told Radio Dalsan. The killing is said to be a revenge attack by the soldier whose father was assassinated by Alshabaab in the same region according to Mumin Mohamed Halen the DC Mahaas District who spoke to Radio Dalsan by phone. The deceased man has been identified as Hirey and is said to be related to the soldier who shot him dead. Harey whose father is a top commander of Alshabaab in Moqoqori

¹³⁴⁸ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Prison and Detention Center Conditions*

¹³⁴⁹ UN Human Rights Council, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, *paragraph 47*

¹³⁵⁰ UN Human Rights Council, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, *paragraph 31*

¹³⁵¹ Mogadishu Center for Research and Studies, [Jubaland President To Pardon Dozens of Prisoners From Jail In Kismayo](#), 8 June 2016

¹³⁵² World Bank, [Somalia - Security and justice sector public expenditure review](#), 31 January 2017, p. 50

¹³⁵³ World Bank, [Somalia - Security and justice sector public expenditure review](#), 31 January 2017, p. 51

district in Hiran region had been imprisoned on suspicion of being a fighter in the militant group. The soldier behind the prison killing is been held awaiting prosecution".¹³⁵⁴

The September 2017 report of the UN Secretary-General on Somalia reported that "Three prisoners reportedly died while in custody owing to poor detention conditions and lack of medical care".¹³⁵⁵

6.7.1. Detention and prison conditions in Mogadishu

The US Department of State annual report on Somalia (covering 2016) noted on prison conditions in Mogadishu that "Conditions were better in Central Mogadishu Prison, but overcrowding was a problem".¹³⁵⁶ The same source further stated that "Only inmates in Central Mogadishu Prison, Garowe Prison, and Hargeisa Prison had daily access to showers, sanitary facilities, adequate food and water, and outdoor exercise. Disease outbreaks, such as tuberculosis and cholera, continued to occur, particularly in overcrowded prisons, such as Mogadishu. Such outbreaks could be life threatening during the rainy season".¹³⁵⁷

The US Department of State report also noted on Improvements made to Central Mogadishu Prison: "Building on improvements at Central Mogadishu Prison that started with the 2015 appointment of a new federal custodial corps commissioner, authorities relocated juvenile, nonviolent, and female prisoners to a renovated wing of the prison with less overcrowding and better access to running water, toilets, and modest educational and vocational programs. Independent monitors visited Central Mogadishu, Garowe, and Hargeisa Prisons and confirmed improved access and conditions".¹³⁵⁸

An October 2016 UN Security Council report described the treatment by the National Intelligence and Security Agency (NISA) of a man held in detention in Mogadishu:

In late May 2016 a video was widely circulated on Somali social media which purported to be footage taken of two officials of the Mogadishu based NISA interrogating Hussein Hirsi, an official of the Yaqshid district administration, on his links with Al-Shabaab and a named businessman. The NISA officers are shown beating and insulting the prisoner in what appears to be a "safe house", an unofficial detention facility. One of the senior officers is heard saying to Mr Hirsi: "if you refuse to tell what we want from you, your life is not more valuable than others we kill every day." The SEMG has identified the two principal officials visible in the video: it is understood that one individual was placed under house arrest for a period of time but is now back in a senior position in NISA the other has sought asylum in a European state. Later a video statement from Abdikamil Shukri Moallim, a spokesman of Ministry of Security, was circulated on social media where he indicates that reforms have been made following the release of the footage and that the government formed an independent committee aimed to investigate these allegations against NISA. The SEMG [Somalia and Eritrea Monitoring Group] requested information from the FGS about this committee and steps taken to address the allegations embodied in the video but did not receive a reply.¹³⁵⁹

¹³⁵⁴ Radio Dalsan, [Alshabaab Top Leader Son Killed In Revenge Attack In A Hiraan Region Prison](#), 15 January 2017

¹³⁵⁵ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 50

¹³⁵⁶ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Prison and Detention Center Conditions*

¹³⁵⁷ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Prison and Detention Center Conditions*

¹³⁵⁸ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Prison and Detention Center Conditions*

¹³⁵⁹ UN Security Council, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia \[S/2016/919\]](#), 31 October 2016, *Publicly available information*, p 154 and 155

The same source described the treatment received by an activist and blogger, detained in Mogadishu by the security forces: “During the first period of his detention Mr Ali Yare was regularly blindfolded, taken from his cell, slapped, pushed down on the ground, interrogated and threatened with death. He stated that he was accused of wide variety of illegal activities, including undermining the state and killings (at a time when he was a child). He was not permitted access to a lawyer but members of his family were allowed to visit briefly on 19 June 2016. After about ten days in detention, Mr Ali Yare states that he was taken to the location of the Supreme Court but ultimately not permitted to enter the facility, remaining in the courtyard. When the principal official returned to the vehicle, however, it was implied that an order had been obtained extending his detention but Mr Ali Yare was not provided with any details”.¹³⁶⁰

The United Nations Office on Drugs and Crime reported in February 2016 on the construction of the Mogadishu Court and Police Complex (MPCC):

The foundation stone for the future Mogadishu Prison and Court Complex (MPCC) was laid at a ceremony in the Somali capital yesterday that spotlighted the construction of a state-of-the-art facility designed specifically to handle terrorism and other high-security cases.

[...] The MPCC project is a key component of UNODC's Global Maritime Crime Programme, which was originally launched in 2009 to provide support for the trials of piracy suspects in East Africa.

"Through this important project, we are helping the people of Somalia rebuild much needed institutions that respect and promote the rule of law and tackle damaging terrorism and organized crime," said Yury Fedotov, UNODC Executive Director. "Lawyers and judges will be able to hear trials in a safe and secure environment, and those awaiting trial for the most serious crimes will have a protective and humane environment that upholds their fundamental human rights."

The first phase of construction is already underway and is expected to finish at some point next year. Plans for the initial phase call for the building of two courthouses, accommodation for judges and a high-security cell block that can house up to 200 inmates. Trials of high-risk suspects are projected to begin by the middle of 2017. The provision of accommodation for suspects and inmates near secure courthouse facilities will reduce the need to transport prisoners through Mogadishu, which exposes them - and corrections officers - to risks of violent attack.¹³⁶¹

6.7.2. Juvenile detention

According to UNICEF's 2016 Situation Analysis on Children in Somalia “Presently there is only one prison in Somalia (Mandera Prison in Somaliland) that separates children from adults. All other children in custody in Somalia are currently held with adults. Placing children in jail with adults is highly detrimental to their physical and emotional well-being and could have lifelong negative impacts”.¹³⁶²

The annual Human Rights Watch report covering events in 2016 noted that “Security forces continue to arbitrarily detain and recruit children. Media reported that NISA used children in their custody as informants to identify Al-Shabab members. According to the UN, a government investigation later corroborated the allegations”.¹³⁶³

¹³⁶⁰ UN Security Council, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia \[S/2016/919\]](#), 31 October 2016, *The case of Ali Abdi Wardhere (Ali Ali Yare)*, p. 154

¹³⁶¹ United Nations Office on Drugs and Crime, [Foundation stone laid in ceremony at future Mogadishu Prison and Court Complex](#), 19 February 2016

¹³⁶² UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Juvenile justice and children in conflict with the law* p.83

¹³⁶³ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “The SEMG [Somalia and Eritrea Monitoring Group] reported to the Council in 2015 that it had received credible testimony on the victimisation and use of former child soldiers or children separated from armed groups and detained by the authorities at the Mogadishu Serendi camp, including for intelligence gathering, in breach of international law. During the current mandate the SEMG also received allegations from sources with direct knowledge of the facility, of sexual and physical abuse of the children and adults in previous years at the camp”.¹³⁶⁴

The report of the Secretary-General on Children and Armed Conflict covering 2016 noted that “Regarding detention, 386 children were held by the Government for their alleged association with Al-Shabaab. As mentioned in my report on children and armed conflict in Somalia (S/2016/1098), children were captured or arrested during military and security operations, including mass security sweeps or house searches. In May, the Galmudug Interim Administration handed over to child protection actors 44 children allegedly associated with Al-Shabaab whom the group had captured in March. In October, the Puntland authorities also handed over 26 children from twelve to fourteen years old”.¹³⁶⁵

Washington Post reported in a May 2016 article on the practice of detaining former child soldiers and using them as spies

One Somali security official confirmed that “hundreds” of children remain in NISA [National Intelligence and Security Agency] facilities and are used as intelligence assets. He spoke on the condition of anonymity because he was not authorized to speak on the topic. In Galkayo, in central Somalia, about 30 former child combatants have been kept in a one-room building since being captured in late March and have faced NISA interrogations, according to several relief workers.

[...]

During their years as informants, the boys said, they sometimes were used in operations in Mogadishu and sometimes in towns hours away. Somali agents never told the boys when they would be released from detention, the children said.¹³⁶⁶

An October 2016 UN Security Council report noted on detention of children during the year stating that “In the first six months of 2016 there were at least 250 children detained on security related charges, primarily by FGS [Federal Government of Somalia] security forces.”¹³⁶⁷

The December 2016 Report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that “Notwithstanding the standard operating procedures, the deprivation of liberty of children by security actors remained a major concern, with the country task force on monitoring and reporting verifying the detention of at least 931 children by the Somali National Army, the National Intelligence and Security Agency and regional security forces between January 2014 and July 2016. Children were captured and detained for their alleged association with Al-Shabaab during military and security operations, including in mass security sweeps or house searches. Information indicating that children had been detained based on the suspicion of family members’ association with Al-Shabaab was received. The country

¹³⁶⁴ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.2: *Al-Shabaab: recruitment and use of children*, paragraph 13 p. 147

¹³⁶⁵ UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/72/361–S/2017/821\]](#), 24 August 2017, paragraph 135

¹³⁶⁶ Washington Post, [U.S.-funded Somali intelligence agency has been using kids as spies](#), 7 May 2016

¹³⁶⁷ UN Security Council, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia \[S/2016/919\]](#), 31 October 2016, *Detention and use of children separated from Al-Shabaab*, paragraph 13

task force on monitoring and reporting also documented cases of deprivation of liberty of children by Al-Shabaab”.¹³⁶⁸

The same source further noted “The lack of habeas corpus and due process for children deprived of their liberty has been an acute concern. Children were held for periods ranging from a few days to several years without legal redress. [...] Detention was also utilized as a tactic for gathering intelligence, with children being used as informants and spies by the National Intelligence and Security Agency and the Somali National Army. [...] Reports of rape and ill-treatment of children in detention were received. [...] Children were also detained by AMISOM. For example, in 2015, 24 boys were detained and later released for alleged association with Al-Shabaab”.¹³⁶⁹ Furthermore,

When children were brought before a court, concerns were raised about the use of military tribunals, the lack of application of juvenile justice standards and adherence to international obligations, including the age of majority, which is fixed at age 15 in Puntland. For instance, in March 2016, 66 children from southern and central Somalia, brought by Al-Shabaab to Puntland, were captured and imprisoned. On 16 June, a military court in Garoowe sentenced 12 of the children to death for their association with Al-Shabaab. They were transferred to Boosaaso prison and held together with adults. Twenty-eight other children, aged between 15 and 17 years, were sentenced on 17 September by a military court to between 10 and 20 years of imprisonment. The 26 children aged 12 to 14 years were released after being imprisoned for seven months. The United Nations continued to advocate for the children’s protection; further details are provided in the last section of the report.¹³⁷⁰

In July 2016 the UN Special Representative for Children and Armed Conflict visited Somalia when she “discussed with relevant authorities concerns about the detention of children for association with Al-Shabaab and recent allegations that the National Intelligence and Security Agency of Somalia had used children in its custody as informants”.¹³⁷¹

In its update covering July –December 2016 the UK Foreign and Commonwealth Office reported that “While provisions are made to protect children’s rights in federal law, the lack of a juvenile justice system and clear legal framework and procedure for dealing with the young, alongside differing levels of protection in regional states, means children are often tried and treated as adults”.¹³⁷²

The January 2017 report of the UN Secretary-General on Somalia noted that “46 incidents of unlawful detention involving 92 children on security grounds and for alleged association with Al-Shabaab were documented”.¹³⁷³

In a January 2017 report the Special Representative of the UN Secretary-General for Children and Armed Conflict detailed the situation of children detained by security forces in Somalia:

The detention of children by security forces on national security charges was another grave concern. The UN verified the detention of at least 931 children between 2014 and July 2016. The lack of due process for children deprived of their liberty has been an acute concern. Detention was also used as a tactic to run intelligence operations and counterterrorism activities with children used as spies.

¹³⁶⁸ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 32

¹³⁶⁹ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 33-38

¹³⁷⁰ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 37

¹³⁷¹ UN, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 57

¹³⁷² UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2015 - Human Rights Priority Country update report: July to December 2016 - Somalia](#), 8 February 2017

¹³⁷³ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 48

“The scale of children’s detention on national security charges, as well as their use for intelligence purposes while detained, is extremely troubling and creates additional dangers for the boys and girls of Somalia,” said Leila Zerrougui. “Children suspected of association with Al-Shabaab should be primarily considered as victims with their best interest and international protection standards used as guiding principles.”

For children brought before a court, there were concerns about the lack of application of juvenile justice standards and the adherence to international obligations.¹³⁷⁴

The May 2017 report of the UN Secretary-General on Somalia noted that “On 26 January, a military court in Boosaaso reversed the death sentences of 10 children for their alleged association with Al-Shabaab and issued 20-year prison terms instead”.¹³⁷⁵

A May 2017 Human Rights Watch report noted that “Children have been prosecuted for security offenses in Somalia by military courts that do not meet international juvenile justice standards”¹³⁷⁶

An August 2017 UN General Assembly report on Children in armed conflict stated with regards to Somalia that “Regarding detention, 386 children were held by the Government for their alleged association with Al-Shabaab. As mentioned in my report on children and armed conflict in Somalia (S/2016/1098), children were captured or arrested during military and security operations, including mass security sweeps or house searches. In May, the Galmudug Interim Administration handed over to child protection actors 44 children allegedly associated with Al-Shabaab whom the group had captured in March. In October, the Puntland authorities also handed over 26 children from twelve to fourteen years old”.¹³⁷⁷

6.7.2.1. Juvenile detention in Mogadishu

The September 2016 Report of the UN Independent Expert on the situation of human rights in Somalia noted that “The Independent Expert held a meeting with the Director General of the National Intelligence and Security Agency to follow up on allegations of ill-treatment of disengaged combatants at the Serendi detention facility in Mogadishu, where children recruited by Al-Shabaab were also held. The Agency, as an intelligence and security organ of the State, does not possess the powers of arrest and detention. The Independent Expert had received allegations that the Agency routinely conducted mass arrests during its operations and that it did not respect minimum human rights guarantees, such as by holding detainees for prolonged periods without judicial review. The Director General emphasized that the Agency operated within the legal framework under very difficult conditions, and that Al-Shabaab attacked and killed civilians constantly without any regard for their human rights. Although the Agency faced suicide bombers on a daily basis, it also worked for the rehabilitation of captured fighters, including children. Its main focus was to protect the country; not to kill the fighters, but to reintegrate them into society”.¹³⁷⁸

The December 2016 report of the Secretary-General on children and armed conflict in Somalia described the treatment received by children detained in Serendi Rehabilitation Centre in Mogadishu

¹³⁷⁴ Office of the Special Representative of the UN Secretary-General for Children and Armed Conflict, [Somalia: New Report Details Troubling Violations Against Children](#), 17 January 2017

¹³⁷⁵ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 66

¹³⁷⁶ Human Right Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

¹³⁷⁷ UN General Assembly, [Children and armed conflict: Report of the Secretary-General \[A/72/361–S/2017/821\]](#), 24 August 2017, p. 20, paragraph 135

¹³⁷⁸ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 50

Reports of rape and ill-treatment of children in detention were received. Eleven cases of girls raped after being arrested were documented in 2013. In February 2014, in Beledweyne district, an 8-year-old girl was raped in custody by Somali National Army elements before being released the following day. The children whom my Special Representative talked to during her visit in July 2016 also mentioned ill-treatment and repeated rape in Serendi. In that regard, the ministerial committee's report confirmed that the conditions in which children and adults were kept in Serendi had created an environment conducive to systematic human rights violations. That information was corroborated by the most recent report of the Monitoring Group on Somalia and Eritrea (S/2016/919).¹³⁷⁹

6.8. Non-state unofficial justice apparatuses

6.8.1. Al Shabaab

In its annual report covering 2016, the U.S. Department of State observed that "There was no functioning formal judicial system in al-Shabaab-controlled areas. In sharia courts defendants generally did not defend themselves, present witnesses, or have an attorney represent them".¹³⁸⁰ In an August 2016 article for example, the Jamestown Foundation noted that Jilib "In regions where the government has no administrative control (such as Jilib), al-Shabaab continues to conduct its sharia courts, run schools, manage a taxation system, and install its own governors".¹³⁸¹

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted that "Al-Shabaab is regarded to have a relatively well-functioning administration in areas under its control. Al-Shabaab systematically collects taxes (zakat) throughout S/C Somalia, including in Mogadishu. Tax collectors from al-Shabaab are known, but are regarded as untouchable. According to two sources, the taxation system of al-Shabaab is considered fairer than the government's but if a businessman would refuse to pay tax he will be threatened to do so. Al-Shabaab also administers an unknown number of Sharia courts and their de facto jurisdiction is, according to a UN source and an international organisation, not restricted to areas under its control. As an example, a UN source mentioned that even in Mogadishu certain people go to al-Shabaab courts in Lower Shabelle, when the federal government's courts do not deliver fair verdicts, and added that rulings of al-Shabaab are respected in Mogadishu and those who oppose fear for their lives. According to the same UN source, the government has no effective legal system and a Somalia Country Director of a humanitarian agency characterised the official court system of Somalia a non-functioning. Al-Shabaab's courts are according to four sources regarded as less corrupt, cheaper, and efficient".¹³⁸²

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that Al-Shabaab "sought to project itself as a legitimate arbiter of law and order, purporting to conduct its own investigations into violations committed by other forces, disarming clan militias and convening peace negotiations".¹³⁸³

¹³⁷⁹ UN Security Council, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 36

¹³⁸⁰ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.e. Trial Procedures

¹³⁸¹ The Jamestown Foundation, [Al-Shabaab Aims for 'Hearts and Minds' With Establishment of Islamic Police Force](#), 19 August 2016

¹³⁸² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 The overall security situation p.10

¹³⁸³ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 98

The Report of the Secretary-General on conflict-related sexual violence covering the period from January to December 2016 recorded that “Al-Shabaab responded to the rape of a boy by one of its fighters by summarily stoning the perpetrator to death”.¹³⁸⁴

Human Rights Watch reporting on Al Shabaab raids on villages in Somalia’s Lower Shabelle region in late May 2017 noted that “Witnesses said the Al-Shabab fighters abducted dozens of civilians. Human Rights Watch was not able to confirm the exact number, but spoke to four men from Merka district who said they were among dozens of men, many elders, taken into custody at the time of the raids. They said they were held in makeshift facilities in the Al-Shabab-controlled town of Mubarak for between six days and three weeks. They said they were given no opportunity to contest their detention before an impartial Al-Shabab authority. Former detainees said that water and food were scarce and that the guards only gave them food once a day. A middle-aged detainee, Rago Walaal Hilowle, died of dehydration caused by diarrhea while in captivity, the former detainees said. Witnesses said that masked guards denied him medical assistance when he fell ill and that he was left to die in a cell”.¹³⁸⁵

In its annual report covering 2016, the U.S. Department of State observed that “Prisons in territory controlled by al-Shabaab and in remote areas where traditional authorities controlled holding areas were generally inaccessible to international observers. Prison conditions in such areas were believed to be harsh and at times life threatening”.¹³⁸⁶

6.8.1.1. Al Shabaab in Mogadishu

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “Several sources mentioned that despite al-Shabaab not having military presence in Mogadishu, al-Shabaab is still collecting tax and delivering verdicts in some legal disputes”.¹³⁸⁷ The same source further noted that “As an example, a UN source mentioned that even in Mogadishu certain people go to al-Shabaab courts in Lower Shabelle, when the federal government’s courts do not deliver fair verdicts, and added that rulings of al-Shabaab are respected in Mogadishu and those who oppose fear for their lives. According to the same UN source, the government has no effective legal system and a Somalia Country Director of a humanitarian agency characterised the official court system of Somalia a non-functioning. Al-Shabaab’s courts are according to four sources regarded as less corrupt, cheaper, and efficient”.¹³⁸⁸

6.8.2. Clan based judicial system

This section should be read against [8.5. The role of the clan in providing traditional forms of protection, including material assistance and support](#) and [7.1.3. State ability and willingness to protect against SGBV in South and Central Somalia \(excl. Mogadishu\)](#).

¹³⁸⁴ UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 55

¹³⁸⁵ Human Rights Watch, [Somalia: Al-Shabab Forces Burn Villages](#), 26 July 2017

¹³⁸⁶ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.c. *Prison and Detention Center Conditions*

¹³⁸⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3, *Mogadishu p.11*

¹³⁸⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.1 *The overall security situation p.10*

A 2009 Austrian Red Cross (ACCORD) Report on a Lecture by Joakim Gundel stated:

The Somali traditional 'political contract' consists of customary laws – referred to in Somali as *xeer* – through which “members of a mag-paying group are obliged to support each other in political and jural responsibilities, especially in paying and receiving compensation for acts committed by members of one group against another - even over vast distances, since it is the kinship that bonds them. It is the responsibility of the elders (oday) of the mag-paying groups to oversee that the terms of the *xeer* are honoured”. They are historically based on precedents, hence, unlike fixed law, they are constantly capable of evolving, with future decisions based on ones made in the past. Today the *xeer* are particularly important in rural areas where the presence of modern political institutions is weak. They are however also applied in urban areas with local administrations and even here the *xeer*, instituted through traditional elders, is usually the first recourse in dispute management, settlement and reconciliation among both ordinary citizens and between business people. [...] In Southern Somalia with increasing pre-dominance of radical Islamic groups, strict versions of Sharia are increasingly applied as the ruling law rather than the traditional *xeer*. However, while the *xeer* is simultaneously a force for justice and social cohesion, it may also conflict with both international human rights standards and Islamic Sharia law. In general, the collective responsibility imposed on mag-groups by the *xeer* is seen as removing responsibility from individual perpetrators of crimes.¹³⁸⁹

The same report continued “In the juridico-political authority structure of the clan system there are different levels of elders. Highest-level elders are often referred to as *Suldaan*, *Ugaas* or similar [...] and have a mainly judicial role and symbolically represent the clan members while lacking actual political power. The lower level of elders usually represents the blood compensation (mag-paying) group. Even today, these elders keep track of the whereabouts of their family members so that in case a group is obliged to pay blood compensation, they can find their members in order to have them pay their share. ‘Since the civil war in 1990 the traditional authorities have regained considerable importance, especially in creating peace, security and law and order after the state collapsed. Their primary role is still the regulation of access to shared resources such as grazing areas and water. The role of the clan elders in this can not be overstated, as they are simultaneously act as legislators, executors and judges. Decision-making is led by the male clan elders on the basis of consensus – factors which both subordinate the interests of individuals to the interests of the clans, and severely marginalise women in decision-making’ (see Gundel, 2006, iv)”.¹³⁹⁰

A Minority Rights Group International report from January 2015 noted that “Clan relationship is regulated by the Somali customary law, *xeer*. This is particularly important in view of the absence of well-functioning modern state structures in Somalia and a well functioning judiciary system. In most of the southern Somali regions it is the customary law that is utilised to regulate social relations. The clans use deeply ingrained customary law – or *xeer* – to govern their communities. Besides determining one’s origin, social standing and economic status, clannism permeates nearly every aspect of decision making and power sharing in the country. [...] *Xeer* also governs the relationship between minority and majority communities, but does not always provide the same level of protection to minorities as majority clans”.¹³⁹¹

A February 2016 Norwegian Refugee Council report noted that:

Xeer is the set of rules and obligations developed between traditional elders to mediate conflicts and maintain peaceful relationships amongst Somalia’s clans, and has the capacity to change and evolve

¹³⁸⁹ Austrian Red Cross Report on a Lecture by Joakim Gundel *Clans in Somalia* [_](#) May 2009 2.2 Customary Law: *Xeer* p.9

¹³⁹⁰ Austrian Red Cross Report on a Lecture by Joakim Gundel [Clans in Somalia](#), May 2009 2.3. Traditional authorities / juridico-political structure

¹³⁹¹ Minority Rights Group International [‘No One Cries for Them: The Predicament Facing Somalia’s Minority Women’](#), January 2015

based on the circumstances and needs of a particular time and place. However, Somalia is a largely male-dominated society, and women do not have equal political rights with men. They have little to no role in forming and interpreting customary law, which continues to include many discriminatory practices such as: *dumaal* (where a widow is forced to marry a male relative of her deceased husband), *higsiiian* (where a widower is given the right to marry his deceased wife's sister) and *godobtir* (the forced marriage of a girl into another clan as part of a compensation payment or inter-clan peace settlement).¹³⁹²

The 2016 Centre for Security Governance study of 'Non-State Security Providers and Political Formation in Somalia' by Ken Menkhaus stated that "customary law (*xeer*) in Somalia is inextricably nested in clan identity. Customary law is brokered between clans, and applied by clan elders. Blood compensation (*diya*), the cornerstone of customary law, is based on the collective responsibilities of *diya*-paying groups, low levels of lineage affiliation comprising 600 to 6,000 of one's closest kin. This form of law, based on collective responsibility for crimes committed and compensational rather than punitive justice, is imperfect but remains an important source of legal and physical protection in Somali society".¹³⁹³ The same report continued "Attitudes toward customary law are [...] mixed — some Somalis see it as anachronistic, extra-legal, biased against women, dispensed by venal and sometimes illiterate elders, and, depending on political persuasion, either illiberal or un-Islamic. Others argue customary law is the only trusted and legitimate form of dispute resolution and order in the country, and that without it Somalia would fall into true anarchy. What often goes unacknowledged is the relationship between clan militias and customary law. In the event *xeer* fails to resolve a dispute, a clan's ability to threaten or exact revenge is a powerful incentive for lineages to respect and utilize customary law. *Xeer* and the threat of armed violence are two sides of the same coin".¹³⁹⁴

In its 2016 report 'Culture, context and mental health of Somali refugees' UNHCR stated:

Somali customary law (*xeer/heer*) is an oral system of pre-Islamic origin and is often practiced for resolving social problems, for example when conflicts arise between families. When a problem has occurred, the elders (*xeer beegti*) come together to find an agreement between the parties involved. Cases are heard at the lowest and most genealogically recent level of the clan that is possible. The solution usually includes compensation to restore social order. *Diya* or *mag* (which literally means 'blood money') is a compensation paid in cases of death, physical harm, theft or defamation. Payment for a crime or mistake by an individual is made by a person's entire *diya* group that is held collectively responsible for the deeds of its members. The system can be seen as a social contract to hold in check occasional conflicts that may arise between individuals and communities. This traditional, customary law still plays a significant role in Somali society, despite being increasingly replaced by western style systems.¹³⁹⁵

The September 2016 report to the UN Human Rights Council from the the UN Independent Expert on the situation of human rights in Somalia documented that:

Xeer continues to play a significant role in the administration of traditional justice in Somalia. In a meeting held with the Independent Expert on 18 April 2016 in Kismayo, traditional elders stated that it had played a key role in maintaining cohesion in Somali society, particularly during the years of conflict. The absence of such legal structures as police stations, courts and correction facilities — destroyed during more than two decades of conflict and only slowly being rebuilt — has allowed Xeer

¹³⁹² Norwegian Refugee Council, [Housing, Land and Property Rights for Somalia's Urban Displaced Women](#), 15 February 2016, 2.4 Customary Law ("*Xeer*") p.34

¹³⁹³ Centre for Security Governance Papers Ken Menkhaus [Non-State Security Providers and Political Formation in Somalia](#), April 2016 p.9 and 10

¹³⁹⁴ Centre for Security Governance Papers Ken Menkhaus [Non-State Security Providers and Political Formation in Somalia](#), April 2016 p.9 and 10

¹³⁹⁵ UNHCR, [Culture, context and mental health of Somali refugees](#), 2016 *Xeer and diya* p.16

to continue to play its traditional role. Traditionally, it has been applied in the settlement of inter-clan disputes over land, pasture and water, and kept the peace between clans and subclans. Xeer is widely trusted, although some of its weaknesses need to be addressed.

Traditional elders adjudicate different types of cases, including cases of rape and other forms of sexual and gender-based violence. During a meeting with the Independent Expert, clan elders in Kismayo stated that they were forced to perform such functions owing to the absence of formal administrative structures in their local area. They acknowledged that they might have violated women's rights when rendering decisions under customary justice because of their lack of knowledge of human rights.

The Independent Expert met traditional elders and Islamic scholars from the faculty of law at both Kismayo and Jubba Universities in order to gain an insight into their views on women's rights and how they could be protected, and the role of women in the forthcoming elections. They informed him that the constitutional, electoral and State-building processes were being driven by external agendas rather than by national consensus.¹³⁹⁶

The US Department of State 2016 report on Human Rights Practices stated "The civilian judicial system [...] remained largely nonfunctional across the country. Some regions established local courts that depended on the dominant local clan and associated factions for their authority [...] Traditional clan elders mediated conflicts throughout the country. Clans frequently used and applied traditional justice practices swiftly. Traditional judgments sometimes held entire clans or subclans responsible for alleged violations by individuals".¹³⁹⁷ The same report stated "Some regions established local courts that depended on the dominant local clan and associated factions for their authority. The judiciary in most areas relied on some combination of traditional and customary law, sharia, and formal law. The judiciary was subject to influence and corruption and was strongly influenced by clan-based politics. Authorities did not respect court orders. Civilian judges often feared trying cases, leaving military courts to try the majority of civilian cases".¹³⁹⁸

In February 2017 the Rift Valley report from a meeting on Jubaland stated "The use of clan as a primary vehicle for political engagement is problematic, and is an obstacle in the reconciliation process when communities feel that traditional leaders sometimes escalate tensions and create grievances purposefully. Interventions by elders are often guided by the mantra 'not justice but a solution', in which an immediate mitigation of the conflict is sought rather than justice and a long term solution. This has created a climate of continuous and long-standing grievances, aggravated by the absence of enforcement. The state security apparatus does not always act with neutrality. A positive shift in enforcement was witnessed when President Madobe ordered the execution twelve soldiers from his own clan who had committed a murder. Although an isolated incident, this response is touted by many citizens as an example of proper implementation of justice".¹³⁹⁹

A further study by the Rift Valley Institute published in March 2017 stated "How law and order—including human rights— natural resources, and moral and social order are managed varies widely across Somalia [...] In spite of the presence or absence of established or contested authority, there is still reference to, and in many places dependence on, clan-based traditional systems of governance."¹⁴⁰⁰

¹³⁹⁶ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraphs 65-67

¹³⁹⁷ United States Department of State, 2016 [Country Reports on Human Rights Practices Somalia](#), 2 March 2017

¹³⁹⁸ United States State Department, 2016 [Country Reports on Human Rights Practices Somalia](#), 3 March 2017 *Denial of fair public trial*

¹³⁹⁹ Rift Valley Institute, [Forging Jubaland Community perspectives on federalism, governance and reconciliation](#), February 2017

¹⁴⁰⁰ Rift Valley Institute Briefing Paper 2 By Judith Gardner And Judyel-Bushra Somalia: A state of male power, insecurity and inequality [Findings from the inception study on the impact of war on Somali men](#), March 2017 *Centrality of clan membership and identity post- 1991*

A press release by AMISOM of March 2017 reported a conference to discuss social inclusion, quoting the Deputy Special Representative of the Chairperson of African Union Commission (DSRCC) for Somalia, Lydia Wanyoto as stating “The clan structure continues to exclude women and minority groups from significant political participation and employment; limits their access to justice where abuse has been perpetrated against them, denies them their right to development, education and sustainable livelihoods”.¹⁴⁰¹

The current, undated Assessment Capacities Project website states “Clans govern their communities through customary law, independent of modern state structures. One of the most important sources of individual protection is the threat of retaliation by sub-clans in response to an assault on a clan member. Individuals from weaker clans and low-caste groups have limited access to justice mechanisms. They commonly rely on the support of stronger clans for redress of their own grievances. Retaliatory attacks can lead to cycles of revenge killings and cause instability. The role of clan elders is to intervene in conflict, create ceasefires, represent their clan lineage in negotiations with other clans, and resolve internal disputes”.¹⁴⁰²

In its 2017 report “Land Matters in Mogadishu” Rift Valley Institute traced the history of *xeer* and noted:

There are three primary processes of *xeer* namely, negotiation, mediation and arbitration. While negotiation commonly serves as a starting point, ‘mediation is most suitable in a situation where the parties’ responsibilities are clear but misunderstanding is rife and communication has broken down or is non-existent. It is generally aimed at easing tension and inducing the parties to agree to face-to-face negotiation.’ In arbitration, meanwhile, ‘the opposing parties present their cases to a neutral third party. Unlike mediators, arbitrators have the power to propose solutions after hearing proofs and arguments from each party. Under arbitration, each party can choose its own arbitrating panel members, but the parties will have to commit to comply with the panel’s recommendations, which can be binding and enforceable. [...]

There is no central, objective implementation agency of traditional justice, so the size and strength of one clan militia relative to another may again determine whether consensus is enforceable or not. The collective nature of *xeer* inextricably ties it to clan. Indeed, the primary function of *xeer* has historically been to manage and foster relations between different clan lineages. The actions of the individual reflect on the group, and compensation is usually made by the group on behalf of the individual. An inherent contradiction exists, therefore, in the application of collective justice in the management of private property, the ownership of which is so intrinsically tied to individual, as opposed to collective, liberty. It appears that *xeer* works more effectively between some groups—especially clans that live next to each other or regularly interact with each other—than others. In other words, dispute mediation is more effective between some clans than others.¹⁴⁰³

The Swiss State Secretariat for Migration (SEM) report ‘Somalia Clans and Minorities’ of May 2017 stated “Customary law, in which deterrence and compensation payments play an important role, is often applied. The system can be likened to a social and accident insurance in which the main player is the *Jilib*, i.e. the *mag* or *diya* (compensation) paying group. The system exists throughout the cultural region of the Somalis and offers a certain degree of (legal) protection, depending on region, clan and status. Somalis and offers a certain degree of (legal) protection, depending on region, clan and status”.¹⁴⁰⁴

¹⁴⁰¹ AMISOM, [Somalia holds high-level conference on social inclusion](#), 28 March 2017

¹⁴⁰² Assessment Capacities Project ACAPS, [Somalia Country Profile](#), 12 August 2016

¹⁴⁰³ Rift Valley Institute, [Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city](#), 2017 *Traditional justice mechanisms: Xeer and shari’a* p.64-65

¹⁴⁰⁴ The Swiss State Secretariat for Migration (SEM) report [Focus Somalia Clans und Minderheiten](#), May 2017, *Main findings*

In a press release in May 2017, OHCHR reported on the visit by Independent Expert on the situation of human rights in Somalia, Bahame Tom Mukirya Nyanduga, stating “During his eleven-day visit, the Independent Expert also enquired about the role of traditional elders in the Somalia justice system, where Traditional Dispute Resolution remains strong because of the institutional weakness of formal judicial institutions. He recommended the Federal Government of Somalia, the Federal Member States, and Somaliland “to undertake a comprehensive review of the traditional dispute resolution frameworks in order to ensure that traditional elders protect the rights of women, in particular from rape and other sexual and gender-based violence cases”.¹⁴⁰⁵

In a September 2017 report to the UN Human Rights Council the Independent Expert on Somalia stated “Following the consultations, it has become clear that there are divergent views about the xeer system of traditional dispute resolution. There are those who reject it as outmoded, anachronistic and paternalistic and think that it does not allow women victims of sexual and gender-based violence to participate in the process of obtaining redress. Others are of the view that traditional leaders and elders inadvertently found themselves dealing with sexual and gender-based violence cases when the State collapsed. There was unanimous agreement that, in order for the formal justice system to handle those cases, some prerequisites must be put in place, including capacity-building, reform of the current justice system and strengthening of other capacities relating to institution-building. There is also a need to establish a system for referring criminal cases involving sexual and gender-based violence to the formal justice system”.¹⁴⁰⁶

The IAAAP Somalia Accountability Programme reported in its September 2017 brief on Somalia that “There is a general perception that the outcome of xeer trials favour the rich and powerful and are more often focused on maintaining a balance between clan relations than on justice. Responsibility for a crime is determined by whether a victim’s family is powerful enough to press charges and whether violations are enforced at lower levels. It is problematic that clan elders, who are all male, are the leaders responsible for negotiating criminal cases where the victims are women, such as rape and domestic violence”.¹⁴⁰⁷ The same report continued “In addition to women being excluded from participating in the xeer system, there is a general perception that the outcome of xeer trials is unpredictable and favours the rich and powerful. While the clan is an insurance system, women do not contribute and are not paid compensation. Whether a clan takes responsibility for a crime is decided by whether the victim’s family is powerful enough to press charges and whether the violations committed against xeer are enforced by the lower levels of the lineage-system (i.e. the diya-paying group)”.¹⁴⁰⁸

6.8.2.1. Clan based judicial system in Mogadishu

This section should be read against [8.5.1. The role of the clan in providing traditional forms of protection, including material assistance and support in Mogadishu.](#)

In its 2017 report “Land Matters in Mogadishu” Rift Valley Institute traced the history of xeer in Mogadishu:

¹⁴⁰⁵ OHCHR [UN rights expert urges the international community to support Somalia on all fronts](#) 26 May 2017

¹⁴⁰⁶ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 58

¹⁴⁰⁷ IAAAP Somalia Accountability Programme Learning brief, [Gender equality, social inclusion and pathways to accountability in Somalia](#), September 2017

¹⁴⁰⁸ IAAAP Somalia Accountability Programme Learning brief, [Gender equality, social inclusion and pathways to accountability in Somalia](#), September 2017

When Siyad Barre's government collapsed in the 1990s, certain clans associated with it were forced to flee Mogadishu, abandoning their property. Smaller clans and minorities, unable to arm or defend themselves against violence, were also disproportionately affected by land appropriation. Clan demographics in Mogadishu over two decades later are widely recognized to be quite different from what they were, at least up until the early 1980s. The segregation of clans into specific neighbourhoods and the domination of certain clans over others—when compared to the pre-conflict context—is more pronounced. As a result, *xeer* does not always serve the interest of Mogadishu's smaller clans and minorities, who find it harder to reach a satisfactory enforceable consensus. Indeed, for a consensus to be enforceable it requires either a common acceptance of elders' recommendations by both parties to a dispute or the presence of an implementing agency, most commonly in the form of a clan militia. There is no central, objective implementation agency of traditional justice, so the size and strength of one clan militia relative to another may again determine whether consensus is enforceable or not. The collective nature of *xeer* inextricably ties it to clan. Indeed, the primary function of *xeer* has historically been to manage and foster relations between different clan lineages. The actions of the individual reflect on the group, and compensation is usually made by the group on behalf of the individual. An inherent contradiction exists, therefore, in the application of collective justice in the management of private property, the ownership of which is so intrinsically tied to individual, as opposed to collective, liberty. It appears that *xeer* works more effectively between some groups—especially clans that live next to each other or regularly interact with each other—than others. In other words, dispute mediation is more effective between some clans than others.¹⁴⁰⁹

7. Availability of protection

7.1. By the Somali state for human rights abuses committed by non-state actors

7.1.1. State ability and resources to protect

Note – reports often refer to the all-encompassing terminology 'Somali security forces' without differentiating between the Somali National Armed Forces/Somali National Army (SNAF/SNA) and the Somali police force. Where possible information referring to a specific force has been presented accordingly under the relevant headings below:

Somali police force

For human rights abuses perpetrated by the police, see [5. Civil and Political Rights](#).

According to an August 2016 joint UNSOM and OHCHR report, "The 2015 Heegan Plan provides a framework for the re-establishment of basic policing services throughout Somalia, and is complemented by the new policing model agreed upon in March 2016 and endorsed by the National Consultative Forum in June 2016. The new model is based on a federal system of policing, supplemented by State policing institutions, with a Federal level centralized command and control. It is anticipated that the model will promote improved policing responses to a range of human rights violations, including restrictions on the rights to freedom of expression and to political participation. However, since the modalities of the model are yet to be finalized, law enforcement during the 2016 elections will be largely undertaken by other security forces, particularly SNA and NISA. This will require considerable strengthening of law enforcement capabilities for those security forces who will be engaged during the electoral process".¹⁴¹⁰

¹⁴⁰⁹ Rift Valley Institute, [Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city](#), 2017 *Traditional justice mechanisms: Xeer and shari'a* p.64-65

¹⁴¹⁰ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, paragraphs 68-69

In a December 2016 article the Africa Review explained that “The Somalia Police Force, which like all government institutions was incapacitated by a civil war that lasted decades, is looking to stand on its own feet, but challenges abound. The force has been receiving training and financial support from the African peacekeepers and international partners. So far, 7,000 police officers countrywide have been trained”.¹⁴¹¹ Furthermore, “When SPF was reconstituted, most of the people who served in the former force were incorporated in the service. This presents another challenge because most of them are way beyond the retirement age. The SPF also lacks sufficient numbers especially in the five newly-established state administrations. Besides, there is a need for co-ordinated support in terms of equipment and infrastructure”.¹⁴¹²

In its annual report covering 2016, the U.S. Department of State observed that “The provisional federal constitution states that [...] the national federal and state police are responsible for protecting lives, property, peace, and security. [...] Police were generally ineffective and lacked sufficient equipment and training”.¹⁴¹³ The same source further noted that:

AMISOM and the SNA worked to maintain order in areas of the southern and central regions. The FGS regularly relied on NISA forces to perform police work, often calling on them to arrest and detain civilians without warrants. Some towns and rural areas in the southern and central regions remained under the control of al-Shabaab and affiliated militias. The Ministry of Defense is responsible for controlling the armed forces. Police forces fall under a mix of local and regional administrations and the government. The national police force remained under the jurisdiction of the Ministry of Internal Security, while regional authorities maintained police forces under their areas’ interior or security ministries. Civilian authorities did not maintain effective control of security forces. Security forces abused civilians and often failed to prevent or respond to societal violence.¹⁴¹⁴

According to the U.S. Department of State Report on Terrorism for 2016:

The Somali Police Force (SPF) continued to conduct security investigations and operations targeting known locations of weapons caches in private homes and businesses, often in coordination with other Somali security services and AMISOM. In 2016, the United States made considerable contributions toward the development and capacity building of the law enforcement sector. Somali law enforcement capacities have improved markedly with U.S. mentoring and training initiatives launched in prior years, but additional training is needed to enhance basic police investigation skills and interagency coordination.

The U.S.-funded SPF Joint Investigative Team (JIT) responded to more than 100 terrorist incidents, during which they collected evidence, maintained the integrity of the evidence by following chain of custody protocols, and ensured a safe hand-over of the evidentiary materials to the Criminal Investigative Division (CID) for further processing. NISA, Somalia’s lead counterterrorism organization, also began coordinating with the JIT during responses to critical incidents. While the SPF made measurable gains to manage terrorist incidents, the judicial system remained weak and underdeveloped, suffering from limited capacity, technical expertise, and poor interagency coordination.¹⁴¹⁵

The 2017 U.S. Department of State Trafficking in Persons Report explained that “the government had minimal capacity to address most crime, including human trafficking, and thereby demonstrated negligible efforts in all regions on prosecution, protection, and prevention. Some federal and

¹⁴¹¹ Africa Review, [Somalia police could soon ‘stand on its own’](#), 28 December 2016

¹⁴¹² Africa Review, [Somalia police could soon ‘stand on its own’](#), 28 December 2016

¹⁴¹³ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 1., d. Arbitrary Arrest or Detention

¹⁴¹⁴ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 1.d. Role of the Police and Security Apparatus

¹⁴¹⁵ US Department of State, [Country Report on Terrorism 2016 - Chapter 2 - Somalia](#), 19 July 2017

regional armed forces were not paid regularly, and police across Somalia lacked proper investigatory capacity to deal with trafficking cases”.¹⁴¹⁶

The May 2017 report of the UN Secretary-General on Somalia stated that “Implementation of the new federal policing model continued to gather momentum in the federal member states, including the establishment of technical committees responsible for developing policing strategies for 2017-2025, focusing on the deployment of sufficient trained police personnel to deliver basic policing services. Key priorities include increasing the police presence and its visibility at the state level and developing the capacity to deliver policing services to local communities”.¹⁴¹⁷

In July 2017 the UN published the findings of its joint review mission with the African Union between 10 and 29 May 2017. The report found with that “The police sector has seen considerable progress. The diligent efforts of AMISOM in supporting the Somali police through vetting, recruitment, training and mentoring assistance are showing impressive results in Mogadishu and in two Federal Member States. UNSOM continues to provide critical assistance for the implementation of the new policing model through policy advice on establishing institutional policing structures”.¹⁴¹⁸

The September 2017 report of the UN Secretary-General on Somalia reported that “The Independent Expert on the situation of human rights in Somalia conducted a 10-day visit to Mogadishu, Garoowe and Hargeya in May. He met with representatives of UNSOM, AMISOM, the Federal Government and civil society organizations and urged continued support towards reforming the police, the judiciary and other rule of law institutions to ensure better compliance with human rights standards”.¹⁴¹⁹

Somali National Armed Forces/Somali National Army (SNAF/SNA)

For background information, see 2.3. *Actors in the conflict operating in South and Central Somalia*, [2.3.2 Somalia National Armed Forces/ Somali National Army \(SNAF/SNA\)](#) and for information on human rights abuses committed by the SNAF/SNA, see 3. *Nature of IHL and human rights violations, by actor*, [3.2. Somalia National Armed Forces/Somalia National Army \(SNAF/SNA\)](#). Also see [8.3.1 Clan affiliations to SNAF/SNA](#).

In February 2016 The Heritage Institute For Policy Studies (HIPS) remarked that “AMISOM’s principal local partner, the Somali National Army (SNA), has not developed according to plan. Among the SNA’s most pressing problems are destructive clan dynamics; numerous technical and infrastructural limitations; and problems related to command and control and political leadership”.¹⁴²⁰

In its annual report covering 2016, the U.S. Department of State observed that “The Ministry of Defense’s control over the army remained tenuous but improved somewhat with the support of international partners. At year’s end the army consisted of between 11,000 and 14,000 soldiers, according to estimates by international organizations. The bulk of forces were located in Middle Shabelle and Lower Shabelle regions, as well as in the ISWA and IJA. The Ministry of Defense exerted some control over forces in the greater Mogadishu area, extending as far south as Lower Shabelle Region, west to Baidoa, Bay Region, and north to Jowhar, Middle Shabelle Region. Army forces and

¹⁴¹⁶ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

¹⁴¹⁷ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 32

¹⁴¹⁸ UN, [Letter dated 25 July 2017 from the Secretary-General addressed to the President of the Security Council](#), 31 July 2017, p.2

¹⁴¹⁹ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 51

¹⁴²⁰ The Heritage Foundation for Policy Studies, [Exit Strategy Challenges for the AU Mission in Somalia](#), February 2016, *Introduction*, p. 5

progovernment militia sometimes operated alongside AMISOM in areas where AMISOM was deployed".¹⁴²¹

Moreover, the U.S. Department of State's annual report on Terrorism covering 2016 found that:

Despite major security gains against ISIS cells in Puntland and al-Shabaab safe havens in southern Somalia, AMISOM, the Somali National Army (SNA), and other allied militias were unable to degrade al-Shabaab's ability to plan and execute attacks. Al-Shabaab leveraged clan politics and disputes to fuel noncooperation and distrust among local communities toward security forces operating in these areas. They also exploited poor economic conditions to recruit new fighters. These vulnerabilities helped to undermine AMISOM and SNA territorial gains. Federal, local, and regional security authorities lacked sufficient capacity and efficient command and control to prevent most al-Shabaab attacks.¹⁴²²

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea considered that "Harakat al-Shabaab al-Mujaahidiin (Al-Shabaab) remains the most immediate threat to peace and security in Somalia. Contrary to prevailing narratives of successful counter-insurgency and counter-terrorism efforts, the Monitoring Group assesses that the security situation has not improved in Somalia during the current mandate".¹⁴²³ The same source further noted:

The process of integration of regional forces into SNA has been slow and poorly managed. Up to 1,350 troops in Kismayo, Lower Juba, were officially integrated during the previous mandate but remain, at the time of writing, equipped with only 100 weapons by the Federal Government and are therefore unlikely to be able to participate in the forthcoming Juba Valley offensive. Impetus for the integration process from the Federal Government has been lacking, amid accusations that weapon deliveries are reaching only units from particular clans.

Without the current level of international support to the security sector, SNA would probably collapse. Nonetheless, and notwithstanding some efforts to address the problem, the Monitoring Group has found during the current mandate that international support for SNA lacks coordination. Evidence collected by the Group further suggests extensive misappropriation of food rations supplied to SNA in bulk by certain donors. Lastly, the Group is concerned that, without due consideration regarding clan composition, combined with efforts to ensure sufficient oversight of troops, training programmes may be inadvertently contributing to potential threats to peace and security.

The Monitoring Group is concerned that, without substantive reform and careful consideration given to its overarching structure and composition, SNA could itself present a threat to peace, security and stability in Somalia.¹⁴²⁴

With regards to SNA composition and strength the same source documented:

The FGS has yet to provide "full and accurate information on the structure, composition, strength and disposition of its security forces, including the status of regional and militia forces" despite its obligations pursuant to resolution 2093 (2013) and most recently reiterated in resolution 2244 (2015) to do so every six months. [...]

Beyond Mogadishu, the extent to which individuals on SNA payrolls serve a tangible national force varies over time and place, in line with local conflict dynamics, the current level of threat, and regularity of reimbursement. The introduction of biometric databases [...] has reduced the prevalence of 'ghost soldiers'. However, at any one time a significant proportion of the SNA serves in a freelance capacity, 'on call' to varying degrees if required though always ready to collect salary or stipend

¹⁴²¹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 1., d. Arbitrary Arrest or Detention

¹⁴²² U.S. Department of State, [Country Reports on Terrorism 2016: Africa](#), 15 July 2017, Somalia

¹⁴²³ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Summary p.3

¹⁴²⁴ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraphs 52-54

payments when available. Based on multiple factors, including the estimated time in which a soldier has been 'on duty', commanding officers will often assume a proportion of such payments. Given the nature of its current *modus operandi*, neither the SNA leadership, nor the Ministry of Defense, nor the Office of the National Security Advisor (NSA) are able to accurately determine the number of active troops serving within its national security forces at any one time. Their ability to accurately report on the status of "regional and militia forces" depends entirely on their ability to extract accurate information from regional administrations with whom relations vary, and all of which face similar challenges determining the status of their own regional forces to those described above.¹⁴²⁵

The same source further noted that "The FGS continued to struggle to make salary payments to the SNA over the course of this mandate, despite public announcements made by President Hassan Sheikh suggesting otherwise".¹⁴²⁶

According to the September 2016 Report of the UN Independent Expert on the situation of human rights in Somalia:

In spite of the progress made against the insurgency, Al-Shabaab was able to mount daring attacks, including on AMISOM military installations, killing several soldiers, stealing weaponry and retaking lost territory. The failure to secure territory is attributed to the lack of adequate police deployment in the recovered territory [...] and the poor morale in the ranks of the Somalia National Army, largely due to inadequate salaries or lack of payment to soldiers.

The failure to consolidate a police presence in the recovered territories was also attributed to the lack of harmonization and coordination in police training by the parties supporting recovery efforts in Somalia. The Independent Expert commends the Federal Government for its endorsement of the Federal Policing Model, and calls for consultations on and support for its implementation.¹⁴²⁷

According to the September 2016 of the UN Secretary-General, "The development of Somali security institutions, in particular, is crucial and needs to be accelerated, especially in the light of the drawdown of AMISOM envisaged to commence by the end of 2018. I remain concerned about the non payment of regular salaries to Somali security personnel. I welcome the endorsement by the National Leadership Forum of the national security policy and the new policing model, and urge all stakeholders to build on these national frameworks to create an effective and efficient security sector capable of providing security to the Somali people against internal and external threats. Without sustained and coherent support, determination and speedy progress on a comprehensive security effort, Somalia will remain vulnerable, and its gains subject to potential reversal".¹⁴²⁸

According to IRIN's February 2017 article "the Somali National Army is a force beset with problems, particularly over corruption, capacity and its acceptance in regions beyond Mogadishu. At the moment, there are doubts it will be able to stand up to a degraded, but still dangerous, insurgency".¹⁴²⁹

In February 2017 the European Commission issued its report on the EU Election Expert Mission which stated that "AMISOM's planned withdrawal in 2018 however poses a major challenge to Somalia's national security forces and it is difficult to assess the impact of the withdrawal. However,

¹⁴²⁵ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 2.1: Somali National Army composition and strength, p.74

¹⁴²⁶ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 2.2: Somali National Army salaries, stipends and arrears p.75

¹⁴²⁷ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraphs 48 and 49

¹⁴²⁸ UN, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 91

¹⁴²⁹ IRIN, [Countdown to AMISOM withdrawal: Is Somalia ready?](#), 28 February 2017

overall security sector reform should in any case be a priority for Somalia. Security forces could receive additional training on human rights and the provision of security to civilians in the context of elections”.¹⁴³⁰

A February 2017 International Crisis Group article considered that “The Somali National Army (SNA) is undermined by infighting over control of checkpoints (where soldiers can extort money) which has given Al-Shabaab opportunities to retake territory, most recently in Buulo Gaduud in the south west and War-Sheekh in the south east on 7 January. A wave of SNA defections to Al-Shabaab, lured by the group’s money and reassured by its pledge not to kill defectors, has buoyed the jihadists’ numbers and morale”.¹⁴³¹

In a May 2017 report, the International Crisis Group contended that:

The government has drafted a national security strategy barely three months after coming into office. President Farmajo has staked his reputation on reform and upgrade of the Somali National Army. There are positive signs: recruitment and clan diversity within the army and police are improving; forces belonging to the federal states increasingly are being offered training placements and the army’s competence and combat effectiveness generally are improving. Yet the proliferation of parallel bilateral training programs has inadvertently created a number of challenges. Skill levels among the troops are inconsistent; some units are better paid and equipped than others, provoking frictions and undermining cohesion; structures designed to achieve greater coordination between national and federal state troops are deficient; and, despite attempts to ameliorate troop integration, unit cohesion, loyalty and morale, they remain far from optimal. All of which is compounded by old problems – indiscipline, perceived clan bias, desertions, corruption, including pilfering of fuel, equipment and ammunition, as well as a weak command chain.¹⁴³²

In July 2017 Radio Dalsan (Mogadishu) reported that “Following a spate of assassinations some electoral delegates who elected the MPs in the last election have joined the government armed forces. Some of delegates who refused to give their names to the reporters stated that since Al-Shabaab is out there to kill them, it is only reasonable for them to join the army”.¹⁴³³

Following African Union’s announcement in July 2017 of withdrawing AMISOM forces in the coming four years, mainly due to funding shortfalls, Deutsche Welle commented that “questions remain whether both the size and quality of the Somali army forces will be able to provide sustained security in the country without continued international support. The army is riven by clan rivalries and international military training is poorly-coordinated”.¹⁴³⁴

In a July 2017 report, the Jamestown Foundation considered that “The partial withdrawal of the EDNF and the proposed drawdown of AMISOM forces have contributed to al-Shabaab’s ability to go on the offensive (IRIN, February 28). There is no doubt that the presence of relatively well-trained EDNF troops helped keep al-Shabaab from overtly taking control of villages and towns. However, the EDNF, AMISOM and the Somalia National Army (SNA) have struggled to consistently provide security for Somalis in the areas outside of select villages, towns and strategic roadways. In much of Somalia, especially in those areas under the nominal control of the Somali federal government, banditry, kidnapping and extortion are rife. The Somali National Army (SNA) remains poorly trained and is

¹⁴³⁰ European Commission, [Somalia 2016-2017; limited election process; EU election expert mission; final report; Framework Contract Beneficiaries, LOT 7 Specific Contract N° 2016/377703/1; 13 September 2016 – 16 February 2017](#), February 2017, D. Election Security p.21

¹⁴³¹ International Crisis Group, [Somalia: New Leadership, Persistent Problems](#), 28 February 2017

¹⁴³² International Crisis Group, [The London Conference and Prospects for Peace and Stability in Somalia](#), 10 May 2017

¹⁴³³ Radio Dalsan (Mogadishu), [Ex Electoral Delegates Join SNA For Own Security](#), 19 July 2017

¹⁴³⁴ Deutsche Welle, [African Union to withdraw troops from Somalia by 2020](#), 7 July 2017

plagued by corruption and clan rivalries. AMISOM — which is plagued by issues of corruption — and the SNA have largely failed to fill the security vacuum (Daily Nation, July 24)”¹⁴³⁵

In July 2017 the UN published the findings of its joint review mission with the African Union between 10 and 29 May 2017. The report found with regards to the security sector that “In the security sector, significant progress has been achieved, in particular over the last months. The 16 April 2017 agreement on the main principles of a national security architecture revived hope for accelerating security sector reform and, with it, advancing the prospects for sustainable peace and security in Somalia. In the agreed-upon national security architecture the new federal policing model, agreed upon in May 2016, was confirmed. The new architecture and the new policing model constitute key building blocks in establishing effective and accountable governance structures in the security sector”¹⁴³⁶

An August 2017 Danish Demining Group report on the return of Somalis from Dadaab refugee camp in Somalia considered that “the FGS is still very much a failed state. Formal security forces are only able to provide basic protection to communities in a handful of locations. For most Somalis, protection is provided through clan affiliation and the deterrent effect of the threat of revenge attacks, by paid private security, and/or by recourse to customary or Islamic law administered by clan elders and clerics”¹⁴³⁷

The September 2017 report of the UN Secretary-General on Somalia reported that “The African Union-United Nations joint review of AMISOM identified the operational readiness assessment of the Somali national army as a prerequisite to determine its current capacity and capabilities, as well as an opportunity to identify future gaps for the transition of responsibility for security from AMISOM to the national army. With the support of the United Nations, the African Union and international partners, the Ministry of Defence and the national army are taking the lead in the exercise, which is expected to start in August and be completed before December”¹⁴³⁸

Somali security forces – army and police

According to an August 2016 joint UNSOM and OHCHR report, “Since 2012, little reform was undertaken in the security sector in Somalia, in particular in Mogadishu, Jubbaland, and ISWA. The Guulwade Plan is the framework for strengthening the Somali National Army (SNA), with the objective of transferring the primacy of security within the State to the civilian police, to improve law enforcement generally”¹⁴³⁹ The same source further noted “While militia integration is in process, parallel armed groups and security militias operate outside the control of both the FGS and the SNA, undermining their authority and limiting their ownership and management of national security. In the areas not controlled by the authorities and the security forces, there is limited oversight of how Somalis enjoy human rights in general”¹⁴⁴⁰

The annual Human Rights Watch report covering events in 2016 noted that “Protection of the most vulnerable communities is largely non-existent”¹⁴⁴¹

¹⁴³⁵ Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15](#), 28 July 2017

¹⁴³⁶ UN, [Letter dated 25 July 2017 from the Secretary-General addressed to the President of the Security Council](#), 31 July 2017

¹⁴³⁷ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Security context* p.10

¹⁴³⁸ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, *paragraph 32*

¹⁴³⁹ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, *paragraph 65*

¹⁴⁴⁰ UNSOM and OHCHR, [Report on the Right to Freedom of Expression: Striving to Widen Democratic Space in Somalia's Political Transition](#), August 2016, *paragraph 66*

¹⁴⁴¹ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

In its annual report covering 2016, the U.S. Department of State observed that “impunity generally remained the norm. Government authorities took minimal steps to prosecute and punish officials who committed violations, particularly military and police officials accused of committing rape, killings, clan violence, and extortion of civilians”.¹⁴⁴² The same report further noted “Security forces abused civilians and often failed to prevent or respond to societal violence”.¹⁴⁴³

The UN Secretary-General in his report covering the period 1 September to 31 December 2016 remarked that “Delays in regular salary payments to Somali security personnel remain a key concern and a major incentive for personnel to desert or, worse, defect. Salary arrears are currently estimated at between 6 and 13 months for soldiers and 15 months for police officers. Donor-funded stipends, however, are paid regularly to the national army, the federal police and 1,000 regional police officers in Baidoa and Kismaayo”.¹⁴⁴⁴

According to UNICEF’s 2016 Situation Analysis on Children in Somalia “Across Somalia, government capacity falls along a spectrum ranging from modest to non-existent, depending on the location and the issue-area. Throughout the country, civil service expertise in ministries is weak, ministerial turnover high, absenteeism due to very low or irregularly paid salaries endemic, and corruption a major impediment. In short, governance is very poorly institutionalized”.¹⁴⁴⁵

African Arguments reported that in the lead up to Somalia’s October 2016 elections, there was in “upsurge in attacks” by Al Shabaab and that “The Somali security forces have shown courage, but they are under-resourced and under-equipped. Meanwhile, the 22,000-strong AMISOM force remains disorganised, overwhelmed and overstretched. Both forces lack certain key capabilities, especially in terms of air power and reconnaissance”.¹⁴⁴⁶

Norad reported in March 2017 that “While there has been progress on the security front since 2012 there is still a long way to go. Over half of all international assistance covers the costs of operating African Union-backed AMISOM, with much smaller amounts for capacity building for the army and police. The total security assistance of \$1.5 billion a year in 2014-2015 is more than the total of humanitarian and development aid combined. Most of this does not qualify as Official Development Assistance as defined by the DAC. Very little has been dedicated to developing Federal Government of Somalia (FGS) institutions, and even less has been under the direction of FGS (World Bank, 2017). Other donor concerns with support to security include: support for police receives less attention than other security institutions, there is limited coordination between security efforts and work on economic recovery and stabilisation, and the affordability of the government’s plans for the army and the police is questionable”.¹⁴⁴⁷

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) based on “DFAT’s on-the-ground knowledge and discussions with a range of sources” remarked that:

¹⁴⁴² US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Executive Summary*

¹⁴⁴³ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Section 1., d. Arbitrary Arrest or Detention*

¹⁴⁴⁴ Un Secretary-General, [Report of the Secretary-General on Somalia](#), 9 January 2017, *III> Support for peacebuilding and state-building efforts, C. Rule of law and security institutions, para. 26, p. 6*

¹⁴⁴⁵ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Country Context p.13*

¹⁴⁴⁶ African Arguments, [Al-Shabaab steps up attacks in run up to the Somalia elections](#), 19 September 2016

¹⁴⁴⁷ Norwegian Agency for Development Cooperation (Norad), [Somalia Evaluation Brief](#), March 2017, *Security p.21-22*

The Federal Government of Somalia does not always pay the salaries of its security forces personnel, which contributes to low morale, absenteeism (and in some cases defection to al-Shabaab) and ultimately, a lack of capacity to prevent or respond to security incidents. AMISOM forces struggle to respond to the security environment and have been widely criticised.¹⁴⁴⁸

The report further concluded that “DFAT assesses that, in practice, the formal justice and security institutions in Somalia do not have the ability to provide effective protection for the majority of the community and, in some cases, state actors such as the Somali National Army (SNA) and the police are the perpetrators of human rights abuses. Civilian authorities do not have sufficient control of the security forces and impunity and corruption is widespread in Somalia, with very limited access to avenues of redress. The majority clans rely on their own militia and alliances with other clans for protection”.¹⁴⁴⁹ DFAT further assessed that “both the armed forces and the police (national and regional) in Somalia are generally ineffective, ill-trained and highly susceptible to corruption”.¹⁴⁵⁰

The May 2017 report of the UN Secretary-General on Somalia stated that “The agreement reached on 16 April by Somali leaders at both the federal and state level on the architecture and accountability of Somali security forces should lay the ground for the development of the Somali security sector. These developments provide a strong basis for strengthening the Federal State and enable further progress towards peace, security and stability. I commend the Somali federal and state authorities for these important achievements”.¹⁴⁵¹

A research report by the Danish Demining Group, published in August 2017, assessing the impact on Somalia of Somali returnees from the Kenyan Dadaab refugee camp reported that “The FGS is still very much a failed state. Formal security forces are only able to provide basic protection to communities in a handful of locations. For most Somalis, protection is provided through clan affiliation and the deterrent effect of the threat of revenge attacks, by paid private security, and/or by recourse to customary or Islamic law administered by clan elders and clerics. The commoditisation of security means poor Somalis are much more vulnerable to threats of predation and assault”.¹⁴⁵² The same source further noted that “National and regional security forces vary in professionalism. In some locations, the security sector is largely unpaid, poorly controlled, and predatory, and hence distrusted by the population. Their predatory behaviour includes extortion, theft, and sexual assault. Far from serving as a source of protection, they are a threat to IDPs, returnees, and other socially vulnerable groups. In other locations, local security is relatively good, and returnees face lower threats of violence and predation”.¹⁴⁵³

The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia noted that “In his report to the Council in September 2016, the Independent Expert reported that the Federal Government was committed to improving the human rights situation in the country by deploying human rights advisers in every ministry, the National Intelligence and Security Agency, the police and the military [...]. However, little has been achieved in that regard.

¹⁴⁴⁸ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Security Situation*, para. 2.27, p. 8.

¹⁴⁴⁹ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *State Protection*, para. 5.1, p. 21.

¹⁴⁵⁰ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Armed Forces and Police*, para. 5.6, p. 22.

¹⁴⁵¹ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 90

¹⁴⁵² Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 1. Security Context, p. 10

¹⁴⁵³ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 1. Security Context, p. 10

The Independent Expert was informed that capacity- building for justice and rule-of-law professionals was urgently needed”.¹⁴⁵⁴

In early October 2017 Xinhua Net reported that the authorities had launched a strategy to help prevent and counter violent extremism, known as 'Strand 4', part of the National Security Architecture.¹⁴⁵⁵ The same source cited the Special Representative of the UN Secretary-General for Somalia, Michael Keating as noting “If we only focus on the military aspect on insecurity we will not succeed. I am just thrilled that we have come together to look at how prevention and countering of violent extremism can help address some of these issues”.

Following the October 2017 Mogadishu attack which killed over 350 people, the cabinet removed Police chief Abdihakin Dahir Saïid and the director of national intelligence, Abdillahi Mohamed Sanbaloosh from office.¹⁴⁵⁶ The Africa Review reported that “The removal of the officials comes soon after the abrupt resignation of Somalia's Defence minister and army chief on October 12, both of whom quit without explanation just two days before the massive truck bombing”.¹⁴⁵⁷

The International Crisis Group contended that this attack illustrates “the challenges he [the President] faces: not just Al-Shabaab’s resilience, but chronically weak security forces; escalating friction between the government and federal states, which the Saudi-Qatar spat has worsened; and longstanding clan disputes, all of which Al-Shabaab exploits”.¹⁴⁵⁸

International Crisis Group reported in October 2017 following the attack that “The Somali army and other branches of the security services have been under considerable recent strain. Rising factionalism and clan tensions triggered skirmishes in September [2017], when a Somali army unit and elements of the newly-established Mogadishu Stabilisation Unit engaged in a firefight that left six soldiers dead. Such clashes often involve competition for control of turf, checkpoints and other sources of revenue. They undermine morale and cohesion in the security forces, erode the military’s effectiveness and make it more likely that troops or factions collude with the enemy. The defence and army chiefs recent resignations, as well as the army’s retreat from parts of the Shabelle Valley, may have been related to such problems”.¹⁴⁵⁹

With regards to current priorities for the government the same source stated that “Reforming and cleaning up the security sector is another imperative. Unless the Somali leadership prioritises such efforts, the significant external investment in that sector will fail. Present rates of corruption fuel insecurity”.¹⁴⁶⁰

In early October 2017 the Africa Review reported that Somali President Mohamed Abdullahi Farmajo had asked the Sudanese government to help Somalia combat Al-Shabaab.¹⁴⁶¹

¹⁴⁵⁴ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 32

¹⁴⁵⁵ Xinhua Net, [Somalia launches strategy to curb violent extremism](#), 8 October 2017

¹⁴⁵⁶ BBC, [Mogadishu bombings: Top Somali officials fired over deadly blasts](#), 29 October 2017

¹⁴⁵⁷ Africa Review, [Somali security chiefs sacked as blast toll rises](#), 9 October 2017

¹⁴⁵⁸ International Crisis Group, [Managing the Disruptive Aftermath of Somalia’s Worst Terror Attack](#), 20 October 2017

¹⁴⁵⁹ International Crisis Group, [Managing the Disruptive Aftermath of Somalia’s Worst Terror Attack](#), 20 October 2017, III. *Infighting among Security Forces*

¹⁴⁶⁰ International Crisis Group, [Managing the Disruptive Aftermath of Somalia’s Worst Terror Attack](#), 20 October 2017, V. *Priorities for the Government*

¹⁴⁶¹ Africa Review, [Somali president asks Khartoum to help fight Al-Shabaab](#), 5 October 2017

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found with regards to security sector reform:

As the withdrawal of AMISOM troops from southern and central Somalia over the next two to five years appears increasingly likely, concerns regarding the ability of Somali forces to sustain and strengthen security gains made over past decade have grown.¹⁴⁶²

Jubbaland

A research report by the Danish Demining Group published in August 2017 reported that “The Jubbaland security forces and its intelligence agency are effective and feared, and have kept the city [Kismayo] largely safe from Al Shabaab terror attacks. This has come at a cost of free and open political discourse”.¹⁴⁶³ The same source remarked that “In a 2016 survey of public attitudes in Jubbaland, Saferworld found that ‘66 per cent of survey participants stated that security had improved since 2013 and 68 per cent attributed this directly to the Jubbaland Administration. Security was the one area that even those critical of the Jubbaland Administration identified as a positive contribution that the new FMS had brought about’. The presence of Kenyan AMISOM forces, and US military support, has also made it more difficult for Al Shabaab to launch major attacks against the city and kept the group on the defensive in the Jubba areas”.¹⁴⁶⁴

7.1.1.1 State ability and resources to protect in Mogadishu

Also see [6.2. Corruption in law enforcement agencies](#).

An April 2016 paper published by the Centre for Security Governance explained that “In Mogadishu, the formal security sector includes the six brigades of the SNA; the National Intelligence and Security Agency; the police force; and special forces, such as Danab and the Alpha Group, which are trained and funded by US and other military and intelligence agencies (Somalia Report, 2012; Shephard, 2014). The FGS’s goal is to build up an army of 28,000 soldiers”.¹⁴⁶⁵ The same source further observed that “While special forces are cross-clan and answer directly to the Somali government, the Somali police and SNA are at present comprised mainly of personnel answering to clan commanders and pursuing clannish agendas”.¹⁴⁶⁶

According to UNICEF’s 2016 Situation Analysis on Children in Somalia “The population living in the capital Mogadishu enjoys variable access to governance, security and basic services, with dramatic differences by district and neighbourhood. A combination of government forces, clan paramilitaries, private security and troops of the African Union Mission in Somalia (AMISOM) creates reasonably strong security in some areas, while others are plagued by threats of violence. Government capacity to provide basic regulation is very weak, as evidenced by endemic and serious disputes over high-value urban land. Most social services are delivered by either the private sector or by NGOs, some fee-based and others free.”.¹⁴⁶⁷

¹⁴⁶² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 98

¹⁴⁶³ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, Executive Summary, Kismayo, p. 2

¹⁴⁶⁴ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, 2., Regional Patterns of Armed Violence and Tensions, p. 20

¹⁴⁶⁵ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, Contemporary actor and interest inventory, South-Central Somalia, pages 21/22

¹⁴⁶⁶ Centre for Security Governance – Ken Menkhaus, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, Contemporary actor and interest inventory, South-Central Somalia, p.23

¹⁴⁶⁷ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, Country Context p.14

Police force in Mogadishu

In a December 2016 article the Africa Review explained that “Mogadishu city — which was liberated from Al Shabaab in August 2011— is currently being guarded by the 5,400 Somali SPF, with assistance from the African Union Mission for Somalia (Amisom). Amisom hopes that SPF will be fully functional by the time African peacekeepers leave Somalia in 2020.”¹⁴⁶⁸

In its annual report covering 2016, the U.S. Department of State observed that “The provisional federal constitution states that [...] the national federal and state police are responsible for protecting lives, property, peace, and security. [...] Police were generally ineffective and lacked sufficient equipment and training. In Mogadishu, for example, police lacked sufficient vehicles to transfer prisoners from cells to courts or to medical facilities. [...] The federal police force maintained its presence in all 17 districts of the capital. AMISOM-formed police units complemented local and FGS policing efforts in Mogadishu. These police officers provided mentoring and advisory support on basic police duties, respect for human rights, crime prevention strategies, community policing, and search procedures. More than 300 AMISOM police officers worked alongside the formed units to provide training to national police”.¹⁴⁶⁹

A June 2016 Immigration and Refugee Board of Canada Research Memo cited a number of experts with regards to the capacity of the Somalia Police Force (SPF) to investigate:

In correspondence with the Research Directorate, a PhD candidate at the Institute of Islamic Studies at McGill University, whose research focuses on militancy and political violence including Al-Shabaab activities in Somalia, stated that while AMISOM has been providing capacity training to the police, in reality the [SPF] ... require[s] close support (financial, supply, and military/armed) from international forces inside the country, such as AMISOM forces and [Federal Government of Somalia]-aligned militias, as well as from external actors operating inside Somalia against Al-Shabaab. (PhD candidate 3 June 2016)

In her article on police force development in Somalia, published in *Stability: International Journal of Security & Development*, Dr. Hills states that “many general-duties officers are unfit, elderly, illiterate or unable to understand the basic principles of international-style policing” (2014, 3). In correspondence with the Research Directorate, an assistant professor of political science at the University of Toronto, who specialises in international security and failed states and has written on the situation in Somalia, stated that “many policemen [in Mogadishu] are actually militiamen and gangsters, who have simply been given uniforms and the occasional police salary” (2 June 2016). [...]

In her article on police work in Mogadishu, Dr. Hills states that “Mogadishu is a dangerous city in which even minimal forms of police work are challenging” (2016, 397). The Assistant Professor stated that it is “erroneous” to assume that police in Mogadishu are capable of conducting investigations, adding that neither the Somali police nor AMISOM units maintain complete control of the city, which “is an active and evolving war front” (2 June 2016).

In correspondence with the Research Directorate, Dr. Hills noted that the police in Mogadishu do not have the capacity to investigate killings committed by Al-Shabaab (Hills 1 June 2016). Sources report that the SPF's Criminal Investigation Division (CID) is responsible for conducting investigations of killings committed by terrorists in Mogadishu (Criminologist 6 June 2016; PhD candidate 3 June 2016). However, according to the PhD candidate,

[i]n theory, the CID is responsible for handling cases of individual citizens who are being targeted by Al-Shabab or criminal elements ... but in reality its capabilities remain rather limited and its main focus currently seems to be on more large-scale investigations alongside AMISOM police and military forces against Al-Shabab, particularly in the capital ... [This] means that individual citizens targeted specifically by Al-Shabab will have limited recourse to official law enforcement bodies. (6 June 2016)

¹⁴⁶⁸ Africa Review, [Somalia police could soon ‘stand on its own’](#), 28 December 2016

¹⁴⁶⁹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 1., d. Arbitrary Arrest or Detention

In its quarterly report for the period of April - June 2015 on the implementation of the Civilian Police Project [1] in Somalia, the United Nations Development Programme (UNDP) states that the SPF "has no intelligence unit, which hampers the fight against Al-Shabaab" (UN n.d.a., 3). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. [...]

According to a Project Manager at the UNDP in Somalia, interviewed in November 2013 by a Danish-Norwegian fact finding mission to Mogadishu, "each police station keeps a so-called 'occurrence book' in which all reported crimes are registered. There is no central registration of crimes committed" (Denmark and Norway Mar. 2014, 36). The report further states that, according to an unnamed international NGO, "police stations in the various districts of Mogadishu are recording crimes. They keep hand written books, but whether these books are consistent or not are impossible to say. Most likely there is [no] central registry or data files" (ibid.).

According to Dr. Hills, in Somalia, the reporting of crimes is not common, neither among the population nor the police, and the police do not have procedures for writing reports on crime (1 June 2016). In correspondence with the Research Directorate, a criminologist and international consultant who also acted as an expert for a UNDP police development project in Somalia, stated that the SPF has been developing standard operating procedures, but that "it will take time" before they become operational in practice (6 June 2016). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.¹⁴⁷⁰

In July 2017 the UN published the findings of its joint review mission with the African Union between 10 and 29 May 2017. The report found with that "The police sector has seen considerable progress. The diligent efforts of AMISOM in supporting the Somali police through vetting, recruitment, training and mentoring assistance are showing impressive results in Mogadishu and in two Federal Member States. UNSOM continues to provide critical assistance for the implementation of the new policing model through policy advice on establishing institutional policing structures".¹⁴⁷¹

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) noted that "in Mogadishu there are two police forces operating, one under the control of the central government and the other under the control of the Benadir Regional Administration (which has responsibility for Mogadishu)".¹⁴⁷²

For human rights abuses perpetrated by the police, see [5. Civil and Political Rights](#).

SNA in Mogadishu

With regards to SNA composition and strength in Mogadishu the September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented:

Within Mogadishu many individuals on SNA payrolls are concurrently employed by private security firms or serve FGS or Benadir Regional Administration (BRA) officials, members of parliament (MPs) or the business community. Such individuals may or may not be called upon to serve in active units if needs arise. Over a quarter of the nearly 22,000 troops the FGS reports to be serving the SNA are stationed in or on the outskirts of Mogadishu yet there are—as far as the Monitoring Group can

¹⁴⁷⁰ Immigration and Refugee Board of Canada, [Somalia: Whether police investigate killings committed by Al-Shabaab \[Al-Shabab\] in Mogadishu, including whether police reports are written; procedures to obtain a copy of a police report \(2014-June 2016\)](#), 14 June 2016

¹⁴⁷¹ UN, [Letter dated 25 July 2017 from the Secretary-General addressed to the President of the Security Council](#), 31 July 2017, p.2

¹⁴⁷² Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Armed Forces and Police*, para. 5.3, p. 21

ascertain—no permanent barracks in the city, nor regular roll calls besides when salary or stipend payments are being distributed.¹⁴⁷³

A September 2017 Armed Conflict Location & Event Data Project (ACLED) ‘Special Focus’ report on Somalia reported that “Recently, a series of high-level Al Shabaab defections have been reported (Somali Update, 13 August 2017), with many defectors living in Mogadishu while enjoying state protection. This blanket protection “[does] little to deter future atrocities while simultaneously undermining reconciliation efforts” (Ismail, 31 August 2017)”.¹⁴⁷⁴

Following the October 2017 Mogadishu attack which killed over 350 people, the cabinet removed Police chief Abdihakin Dahir Saaid and the director of national intelligence, Abdillahi Mohamed Sanbalooosh from office.¹⁴⁷⁵ The Africa Review reported that “The removal of the officials comes soon after the abrupt resignation of Somalia's Defence minister and army chief on October 12, both of whom quit without explanation just two days before the massive truck bombing”.¹⁴⁷⁶

International Crisis Group reported in October 2017 following the attack that “The Somali army and other branches of the security services have been under considerable recent strain. Rising factionalism and clan tensions triggered skirmishes in September [2017], when a Somali army unit and elements of the newly-established Mogadishu Stabilisation Unit engaged in a firefight that left six soldiers dead. Such clashes often involve competition for control of turf, checkpoints and other sources of revenue. They undermine morale and cohesion in the security forces, erode the military's effectiveness and make it more likely that troops or factions collude with the enemy. The defence and army chiefs recent resignations, as well as the army's retreat from parts of the Shabelle Valley, may have been related to such problems”.¹⁴⁷⁷

Looking back at 2017 before the major attack on Mogadishu in October 2017 the same source observed that:

Until the tragic attacks, Mogadishu's overall security this year had seen gradual if modest improvements. Assassinations and car bombings have been less frequent and deadly than in past years (of which 2016 was the deadliest) and Somali security forces have foiled several attempted vehicle-borne improvised explosive device attacks. Better training, vehicle checks and patrols on major urban roads have almost certainly helped. But the endemic wrangles between official security forces appear to have allowed insurgents an opening to mount a major attack.¹⁴⁷⁸

For information on human rights abuses committed by the SNA, see 3. Nature of IHL and human rights violations, by actor, [3.2. Somalia National Armed Forces/Somalia National Army \(SNAF/SNA\)](#).

7.1.2. State willingness to protect

This section should be read against [6.2. Corruption in law enforcement agencies](#).

¹⁴⁷³ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 2.1: *Somali National Army composition and strength*, p.74

¹⁴⁷⁴ ACLED, [Conflict Trends Report No. 61: Real-Time Analysis of African Political Violence](#), September 2017

¹⁴⁷⁵ BBC, [Mogadishu bombings: Top Somali officials fired over deadly blasts](#), 29 October 2017

¹⁴⁷⁶ Africa Review, [Somali security chiefs sacked as blast toll rises](#), 9 October 2017

¹⁴⁷⁷ International Crisis Group, [Managing the Disruptive Aftermath of Somalia's Worst Terror Attack](#), 20 October 2017, III. *Infighting among Security Forces*

¹⁴⁷⁸ International Crisis Group, [Managing the Disruptive Aftermath of Somalia's Worst Terror Attack](#), 20 October 2017, III. *Infighting among Security Forces*

Note – reports often refer to the all-encompassing terminology ‘Somali security forces’ without differentiating between the Somali National Armed Forces/Somali National Army (SNAF/SNA) and the Somali police force. Where possible information referring to a specific force has been presented accordingly under the relevant headings below:

Somali police force

In its annual report covering 2016, the U.S. Department of State observed that “There were reports of police engaging in corrupt practices”.¹⁴⁷⁹

Human Rights Watch reported in a May 2017 article that “While previous Somali governments regularly condemned attacks on journalists, credible investigations never materialized. Human Rights Watch found that between 2014 and 2016, the federal government only investigated and prosecuted attacks on journalists blamed on the Islamist armed group Al-Shabab. No government official is known to have been disciplined – much less prosecuted – for attacks, threats, mistreatment, or the unlawful detention of journalists, despite evidence that this is happening”.¹⁴⁸⁰

The same source further noted that “In attacks allegedly carried out by Al-Shabab, the government relied on the National Intelligence and Security Agency (NISA) to investigate – an agency that has no law enforcement mandate and stands accused of mistreating detainees and relying on confessions as its main source of evidence. Moreover, the handful of prosecutions that the NISA brought took place before the country’s military court, whose trials do not meet international standards”.¹⁴⁸¹

In its 10-point report on human rights priorities for the new government, Human Rights Watch highlighted in May 2017 that “only recently has attention been paid to building the capacity of the police and criminal investigation department to carry out thorough, effective, and rights-respecting investigations. Police forces continue to be implicated in serious abuses against Somalia’s most vulnerable citizens. [...] Establishing competent and accountable police forces capable of providing basic security and redress, including to the most vulnerable citizens, is critical”.¹⁴⁸²

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) noted that “Members of the police force often gain their positions on the basis of clan links and tend to offer more loyalty to their clan and familial affiliations, than to the government”.¹⁴⁸³

Somali National Armed Forces/Somali National Army (SNAF/SNA)

For background information, see 2.3. *Actors in the conflict operating in South and Central Somalia*, [2.3.2 Somalia National Armed Forces/ Somali National Army \(SNAF/SNA\)](#) and for information on human rights abuses committed by the SNA, see 3. *Nature of IHL and human rights violations, by actor*, [3.2. Somalia National Armed Forces/Somalia National Army \(SNAF/SNA\)](#).

In February 2016 The Heritage Institute For Policy Studies (HIPS) remarked that “protracted wrangling among Somalia’s politicians has made it impossible to build capable, inclusive and professional national security forces. Such forces are a critical part of reducing the threat posed by

¹⁴⁷⁹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 1., d. *Arbitrary Arrest or Detention*

¹⁴⁸⁰ Human Rights Watch, [Somali Journalist Seriously Wounded by Car Bomb](#), 13 March 2017

¹⁴⁸¹ Human Rights Watch, [Somali Journalist Seriously Wounded by Car Bomb](#), 13 March 2017

¹⁴⁸² Human Rights Watch, [Human Rights Priorities for Somalia’s New Government](#), 2 May 2017

¹⁴⁸³ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Armed Forces and Police*, para. 5.3, p. 21

al-Shabaab. Today, the Somali National Army is in no position to take the leading role in the fight against al-Shabaab”.¹⁴⁸⁴

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea reported with regards to the security sector:

Although the Federal Government has committed itself to undertaking substantive security sector reform, continuing problems of corruption, mismanagement and financial constraints have compromised the effectiveness of the Somali National Army. The efforts to address the issue notwithstanding, the process of identifying and registering troops, including the elimination of so-called “ghost soldiers” on the payroll, remains incomplete. Investigations by the Monitoring Group have also revealed significant inconsistencies in accounting for the payment of salaries. The continuing lack of regular salary payments has contributed to an increase in withdrawals from strategic positions throughout southern and central Somalia and the subsequent, albeit temporary in some instances, return of Al-Shabaab. The Group’s investigations have also revealed the likely misappropriation of rations and supplies intended for soldiers through a contract between the Federal Government and a private company. Support provided to the military by Member States has also likely been subject to misappropriation, in particular when the goods have been provided in bulk and through third party contractors rather than directly to troops.¹⁴⁸⁵

African Arguments reported that in the lead up to Somalia’s October 2016 elections, there was in “upsurge in attacks” by Al Shabaab.¹⁴⁸⁶ Among the reasons for this it claimed that “political campaigning seems to have acted as a distraction. Many officials, including those in the security apparatus, face uncertainty over their future given that they are political appointees, and several appear to be preoccupied in their attempts to influence the selection process. This has led to greater gaps in the security system that al-Shabaab has been all too keen to exploit”.¹⁴⁸⁷

According to the September 2016 report of the UN Secretary-General, “The delay in the regular payment of salaries for security personnel continues to be a major concern. Salaries are estimated to be between 6 and 13 months in arrears for the national armed forces and up to 15 months for the police. The Federal Government claims to have made significant progress in closing the arrears gap; however, there is limited empirical evidence to support this claim”.¹⁴⁸⁸

The January 2017 report of the UN Secretary-General on Somalia noted that “Delays in regular salary payments to Somali security personnel remain a key concern and a major incentive for personnel to desert or, worse, defect. Salary arrears are currently estimated at between 6 and 13 months for soldiers and 15 months for police officers. Donor-funded stipends, however, are paid regularly to the national army, the federal police and 1,000 regional police officers in Baidoa and Kismaayo”.¹⁴⁸⁹

Muhammad Fraser-Rahim, Africa programs officer at United States Institute of Peace, observed in April 2016 that “The government of Somalia over the past two years has carried out its most successful campaigns of degrading al-Shabaab and its senior leader’s capabilities, and the terrorist group is on its heels more than ever. Yet the Somali military and security services are still heavily dependent on international and regional expertise and are in no way capable in doing it alone. In

¹⁴⁸⁴ The Heritage Foundation for Policy Studies, [Exit Strategy Challenges for the AU Mission in Somalia](#), February 2016, *Key Findings*, p. 3

¹⁴⁸⁵ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, *Summary* p.4

¹⁴⁸⁶ African Arguments, [Al-Shabaab steps up attacks in run up to the Somalia elections](#), 19 September 2016

¹⁴⁸⁷ African Arguments, [Al-Shabaab steps up attacks in run up to the Somalia elections](#), 19 September 2016

¹⁴⁸⁸ UN, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 34

¹⁴⁸⁹ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 26

addition, donor fatigue and ongoing frustration amongst the international community over what is seen as a culture of corruption remain at their highest levels”.¹⁴⁹⁰

Somali security forces-army and police

The UN Monitoring Group on Somalia and Eritrea found that in 2016:

Although large scale attacks on civilians were not committed by FGS forces during the mandate, there continued to be systematic compromise of the legitimacy of the security forces in the eyes of local communities, in particular through the abuse of state power to advance clan, political or economic interests. This contributed to undermining the effectiveness and legitimacy of the FGS security forces, and peace and security generally.¹⁴⁹¹

According to a February 2017 BBC article, “the big failure of federalism so far has been security, and the inability of the central government to form a national army or police force that is trusted across the country and can effectively counter the threat of militant group al-Shabab”.¹⁴⁹² The same source cited director Matt Bryden as stating “The fight against al-Shabab is really about building state structures and government [...] The regional forces and the clan militia are doing the heavy lifting. It's not being done by Somali national army or federal police, and there's a need to adjust the international investment in the security sector to align it with reality”.¹⁴⁹³

The 2017 U.S. Department of State Trafficking in Persons Report explained that “an NGO reported officials in upper echelons of certain state governments are beneficiaries of trafficking rings in Somalia, thereby hampering efforts to effectively address complicity”.¹⁴⁹⁴

DFAT assessed in a June 2017 report that “both the armed forces and the police (national and regional) in Somalia are generally ineffective, ill-trained and highly susceptible to corruption”.¹⁴⁹⁵

A letter from the UN Secretary-General addressed to the President of the UN Security Council dated May 2017 noted that “State weakness has generally been treated as a problem that is due to a lack of resources and capacity, but the reality is that the enduring challenges facing Somalia are inherently political [...] Another significant impediment to progress is corruption and the existence of powerful political and business syndicates whose interests are served by the status quo and the perpetuation of weak rule of law, feeble State capacity and a war economy. This, together with the lack of a revenue base to sustain its functions, contributes to the Government’s lack of capacity with respect to service delivery and accountability to the population”.¹⁴⁹⁶

The May 2017 report published by the International Refugee Rights Initiative based on 64 interviews conducted with Somali citizens found that many people interviewed “held the opinion that the Somali security services are better placed than AMISOM to provide security”, yet most were generally critical about the national army “not only about its capacity but also about its

¹⁴⁹⁰ Muhammad Fraser-Rahim in African Arguments, [Somalia is still fragile, but fragile is progress](#), 14 April 2016

¹⁴⁹¹ UN Monitoring Group on Somalia and Eritrea, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, Annex 7.3: Violations committed by Federal Government of Somalia (FGS) security forces against civilians held in detention, para. 17, p. 150

¹⁴⁹² BBC, [Somalia's 'Mr Cheese' president has a lot on his plate](#), 9 February 2017

¹⁴⁹³ BBC, [Somalia's 'Mr Cheese' president has a lot on his plate](#), 9 February 2017

¹⁴⁹⁴ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

¹⁴⁹⁵ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, Armed Forced and Police, para. 5.6, p. 22.

¹⁴⁹⁶ UN Security Council, [Letter dated 5 May 2017 from the Secretary-General addressed to the President of the Security Council](#), 5 May 2017, pages 3 and 4

inclusiveness”.¹⁴⁹⁷ However, IRIN commented in February 2017 that “the Somali government has been unable to consolidate the territorial gains made by the AU troops, including providing much-needed services and security to the people”.¹⁴⁹⁸ The same article further noted that “Somalia is a federal state with its autonomous regions in uneasy alliance with Mogadishu and at times testy relations with each other. These regional forces have greater local acceptance than the SNA”.¹⁴⁹⁹

The August 2017 report by the Danish Demining Group considered that “National and regional security forces vary in professionalism. In some locations, the security sector is largely unpaid, poorly controlled, and predatory, and hence distrusted by the population. Their predatory behaviour includes extortion, theft, and sexual assault. Far from serving as a source of protection, they are a threat to IDPs, returnees, and other socially vulnerable groups. In other locations, local security is relatively good, and returnees face lower threats of violence and predation”.¹⁵⁰⁰

7.1.2.1. State willingness to protect in Mogadishu

This section should be read against [6.2. Corruption in law enforcement agencies](#).

Radio Dalsan (Mogadishu) reported in November 2016 that “Delegates in the ongoing Somalia elections have demanded for government protection after allegedly receiving death threats from the Somali militant group Al shabaab”.¹⁵⁰¹ It further cited Hussein, a delegate from the Hirshabelle capital Jowhar as stating “I am worried that we have become soft targets for the militants after the election” and explained that “Hussein is a student at the University of Mogadishu and is among the 14025 delegates electing Somali Mps to a two chamber legislature comprising of 115 Mps for the Lower House of Commons and 54 Senators”.¹⁵⁰² A May 2017 report from the same source noted that Halima Elmi Yussuf, a Galmudug electorate delegate, was shot dead in Mogadishu, months after seeking government protection. Reportedly, “There was no official reaction from the government regarding the request by the delegates seeking protection [sic]”.¹⁵⁰³

In July 2017 the UN published the findings of its joint review mission with the African Union between 10 and 29 May 2017. The report found with that “The police sector has seen considerable progress. The diligent efforts of AMISOM in supporting the Somali police through vetting, recruitment, training and mentoring assistance are showing impressive results in Mogadishu and in two Federal Member States. UNSOM continues to provide critical assistance for the implementation of the new policing model through policy advice on establishing institutional policing structures”.¹⁵⁰⁴

In July 2017 Radio Dalsan (Mogadishu) reported that “Following a spate of assassinations some electoral delegates who elected the MPs in the last election have joined the government armed forces. Some of delegates who refused to give their names to the reporters stated that since Al-

¹⁴⁹⁷ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, *Executive Summary*, p. 4 and *Supporting Somali Troops*, p. 30

¹⁴⁹⁸ IRIN, [Countdown to AMISOM withdrawal: Is Somalia ready?](#), 28 February 2017

¹⁴⁹⁹ IRIN, [Countdown to AMISOM withdrawal: Is Somalia ready?](#), 28 February 2017

¹⁵⁰⁰ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Security context* p.10

¹⁵⁰¹ Radio Dalsan (Mogadishu), [“Al Shabaab Is Threatening Our Lives” Somalia Election Delegates Claim](#), 24 November 2016

¹⁵⁰² Radio Dalsan (Mogadishu), [“Al Shabaab Is Threatening Our Lives” Somalia Election Delegates Claim](#), 24 November 2016

¹⁵⁰³ Radio Dalsan (Mogadishu), [Al-Shabaab Increases Assassination Of The Electoral Delegates](#), 26 May 2017

¹⁵⁰⁴ UN, [Letter dated 25 July 2017 from the Secretary-General addressed to the President of the Security Council](#), 31 July 2017, p.2

Shabaab is out there to kill them, it is only reasonable for them to join the army. [...] Al-Shabaab has previously threaten to kill anyone who took part in election. Many of the delegates who were killed in Mogadishu city, among them were elderly individuals who were part of the election process”.¹⁵⁰⁵

An August 2017 Danish Demining Group report on the return of Somalis from Dadaab refugee camp in Somalia considered that “Security in Mogadishu has generally been commoditised, with residents paying for protection in one form or another. A proposed drawdown of AMISOM forces in coming years will have disproportionate impact on Mogadishu, and could facilitate expansion of direct Al Shabaab control into parts of the city”.¹⁵⁰⁶

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found with regards to security sector reform:

The Somali security sector received prominent attention in the lead-up to and during the London Conference on Somalia held on 11 May 2017, resulting in the signing of a Security Pact by representatives of the Federal Government and the international community at the conference. The Security Pact set out a political agreement between the Federal Government and regional administrations on a new national architecture for Somali forces,¹¹⁰ a plan for staged Somali security sector reform and commitments from international partners to support this process. Opposition to the plans have been voiced by a variety of actors, including senior representatives of the Federal Government and the Somali National Army, particularly with regard to the decentralization of command from Mogadishu and the increase of the authority of regional administrations.¹⁵⁰⁷

7.1.3 State ability and willingness to protect against SGBV in South and Central Somalia (excl. Mogadishu)

For information on non-state unofficial justice apparatuses see [6.8. Non-state unofficial justice apparatuses](#).

For an overview of the prevalence of SGBV in Somalia see [9.1. Sexual and Gender Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#) and [9.1.1. SGBV as experienced by IDPs](#).

According to an October 2015 research report on sexual and gender-based violence in Mogadishu and South Central Somalia by International Alert [note that field research was conducted in November and December 2014] and reporting on the limited access to justice for SGBV victims, the report found that:

Victims are often reluctant to come forward to disclose their experiences and report incidents of GBV to the relevant authorities, because of social norms encouraging silence around such events. The unfavourable interaction between a weak statutory justice system and a strong customary system leaves victims of SGBV without justice. The judicial system suffers from interference by elders in cases of SGBV, where they prefer to deal with such cases under customary law.

Customarily, issues of sexual violence are seen as communal crimes and not crimes against individuals. Survivors of SGBV are normally represented by their male family members and compensation is paid to the diya paying group, which is the male lineage. This traditional settlement does not ensure justice for the survivors and propagates violent acts against women; it deprives them of financial support, while they are suffering violent trauma.

¹⁵⁰⁵ Radio Dalsan (Mogadishu), [Ex Electoral Delegates Join SNA For Own Security](#), 19 July 2017

¹⁵⁰⁶ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Executive Summary* p.2

¹⁵⁰⁷ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 155-156

The formal judicial system is not strongly established in Somalia. Survivors encounter challenges in obtaining justice for cases of SGBV. One major challenge is the preference of the courts and elders to refer back to the elders to settle the incident to the benefit of the male members of the family. Secondly, the process of gathering evidence of a sexual assault is complicated, with only one hospital in Mogadishu authorised to carry out medical examinations of SGBV survivors. Moreover, the cost of the legal proceeding and the imprisonment of the perpetrator falls back on the survivor and her family. All these challenges contribute to limited access to justice for women survivors.¹⁵⁰⁸

With regards to state interventions in SGBV cases, the same report highlighted that “The government has treated a few cases of rape very seriously and some perpetrators have been sentenced, while a number of alleged perpetrators are awaiting trial”.¹⁵⁰⁹

The UN’s Population Fund (UNFPA) described in its annual report covering 2016 the following challenges regarding assisting victims of gender based violence:

- Protracted displacement of IDPs that makes them more susceptible and vulnerable to GBV.
- Limited technical capacity of service providers in the referral system to provide quality services, mainly due to high staff turn-over.
- Limited existence of shelters and safe spaces, which would pose further risks of violence to the survivors.
- Limited knowledge and stigma about GBV among communities, which hinder identification, reporting and referral of GBV cases.
- Social norms that do not recognize some forms of GBV, for instance, intimate partner violence, as human rights violation and/or public issue.
- Weak legislative framework and access to justice, which remains as a challenge for GBV survivors to seek justice and allows prevalence of impunity.
- Fear of retaliation from the known perpetrators and use of community resolution mechanisms which most often does not offer the survivors justice, which further hampers reporting of GBV cases.
- GBV prevention and response are not necessarily prioritized within immediate emergency response and contingency planning.¹⁵¹⁰

In its annual report covering 2016, the U.S. Department of State reported that “The law criminalizes rape, providing penalties of five to 15 years in prison for violations. Military court sentences for rape included death. The government did not effectively enforce the law. There are no laws against spousal violence, including rape, although on May 27, the Council of Ministers approved a national gender policy that gives the state the right to sue anyone convicted of committing gender-based violence, such as the killing or rape of a woman”.¹⁵¹¹

The same source further observed that “Women feared reporting rape due to possible reprisals. Police were reluctant to investigate and sometimes asked survivors to do the investigatory work for their own cases. Traditional approaches to dealing with rape tended to ignore the survivor’s situation and instead sought resolution or compensation for rape through a negotiation between clan members of the perpetrator and survivor. Some survivors were forced to marry perpetrators. For the most part, authorities rarely used formal structures to address rape. Survivors suffered from

¹⁵⁰⁸ International Alert, [*THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia*](#), October 2015, 5.3. *Limited access to justice for victims*, p. 39

¹⁵⁰⁹ International Alert, [*THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia*](#), October 2015, 7.2. *State interventions*, p. 49

¹⁵¹⁰ UN Population Fund (UNFPA), [*UNFPA Somalia Gender Annual Report: Jan –Dec 2016*](#), Undated [Last accessed: 28 November 2017], *Challenges*, pages 8/9

¹⁵¹¹ US Department of State, [*Country Report on Human Rights Practices 2016 - Somalia*](#), 03 March 2017, *Section 6. Discrimination, Societal Abuses, and Trafficking in Persons*

subsequent discrimination based on the attribution of ‘impurity’”.¹⁵¹² Moreover, “For the most part, authorities rarely used formal structures to address rape. Survivors suffered from subsequent discrimination based on the attribution of ‘impurity’”.¹⁵¹³

The UN Secretary-General report on conflict-related sexual violence covering the period January to December 2016 found that “Internally displaced women and girls and members of minority clans remain the most vulnerable, owing to a lack of preventive measures, limited access to justice and weak clan protection”.¹⁵¹⁴

The same source further noted that “A protocol for the clinical management of rape is in place to enhance the quality of care and 17 ‘one-stop centres’ have been established across the country. The protocol includes referrals to safe houses, which provided temporary protection to 61 survivors during the first half of 2016. Other efforts to address sexual violence include the provision of free legal services and the establishment of mobile courts. Despite these improvements, obtaining convictions remains a challenge: families tend to withdraw complaints in favour of reaching settlements outside the formal system, which benefits clans rather than survivors. In response, the Government has developed a traditional dispute resolution policy to encourage sexual violence cases to be brought before the courts. The establishment in 2016 of the Women and Child Protection Unit within the police, in line with a new approach that aims to bolster gender balance and capacity, is another positive development”.¹⁵¹⁵

A Joint Submission by a number of regional and national human rights organisations with a special focus on Somalia submitted to the UN Human Rights Council for its consideration of Somalia in January 2016 highlighted that “none of the existing legal systems in Somalia addressed gender-based violence (GBV). Different legal systems operated alongside each other, with none of the systems (common law and customary law) providing sufficient legal redress for GBV survivors”.¹⁵¹⁶

The annual Human Rights Watch report covering events in 2016 noted that “While the full scope of sexual violence in Somalia remains unknown, internally displaced women and girls are particularly vulnerable to rape by armed men, including government soldiers and militia. Protection of the most vulnerable communities is largely non-existent. AMISOM took measures to strengthen its capacity to follow up on sexual exploitation and abuse. However, this capacity remains at the headquarters’ level with restricted reach within the missions’ sectors thus limiting its ability to investigate abuses”.¹⁵¹⁷

The UN Independent Expert on the situation of human rights in Somalia was informed during his mission to Somalia in April 2016 regarding violence against women:

¹⁵¹² US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

¹⁵¹³ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

¹⁵¹⁴ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, Somalia, para. 54, p. 16

¹⁵¹⁵ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, Somalia, para. 57, p. 17

¹⁵¹⁶ UN Human Rights Council, [Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 \(c\) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21](#), 6 November 2015, C., 2. Right to life, liberty and security of the person, para. 29, p. 4

¹⁵¹⁷ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017

In the view of the Minister for Justice, the large number of reported cases of violence against women had been exaggerated by civil society, and pointed out to the Independent Expert that most of the cases had been reported in areas occupied by Al-Shabaab, to which the Government has no access. The Minister added that, in any case, most of the reports had been received. He stated that the Ministry had established mobile courts to ensure access to justice for victims. The Independent Expert was also informed that the Government was currently integrating the formal justice system with the traditional and religious systems.¹⁵¹⁸

It further emerged that “Prosecution of such cases [violence against women] may be problematic because of lack of evidence”.¹⁵¹⁹ The same source reported on the following steps being undertaken by a range of actors to counter the current status quo: “The Government is building capacity to use forensics for the identification of the so-called “men in uniform” responsible for rape and for concealing their identity. The Government is also establishing referral centres for the counselling of victims of sexual and gender-based violence. UN-Women is working to build the capacity of the gender unit, including by creating an organization chart and defining job descriptions and case management processes. The United Nations Development Programme (UNDP) is building the capacity of the police and the judiciary to deal with cases of violence against women; in Puntland, Somaliland and Jubbaland, it has set up mobile courts, which are being replicated also elsewhere in south-central Somalia. Traditional elders are being trained on mediation skills and report to a legal aid network on resolved cases”.¹⁵²⁰

With special regards to **Jubbaland**, the report highlighted that:

In Jubbaland, the Minister for Gender, Family Affairs and Human Rights lamented the weakness of penal laws and the lack of police, judiciary and correctional services infrastructure, which resulted in the forced release of perpetrators of rape. Some of the main challenges to women’s participation in public affairs include the high rate of illiteracy among women and their perception that they can only perform traditional roles at home. The Minister indeed constantly urged women throughout Somalia to unite and work beyond their clan identity.¹⁵²¹

In June 2016 Foreign Policy noted that the current Somali law on sexual violence “is based on the colonial-era penal code that dates back to the 1930s. Under this legislation, rape is not considered a crime against an individual like murder or assault. Instead it falls into a lesser category of ‘crime against morality’ along with homosexuality and bestiality. There are no clear guidelines for prosecution, and no legal repercussions if the police elect not to investigate a reported sexual assault. Gang rape, child marriage, and sexual harassment are not acknowledged in the law”.¹⁵²²

In April 2017 News Deeply reported that “In Somalia, the prosecution needs to prove that penetration occurred in order to secure a conviction. Getting a medical certificate that attests to this can prove difficult. Until recently, there was only one doctor, at one hospital in the capital, who was legally empowered to give out such certificates. (Human Right Watch researcher Laetitia Bader, who spoke to the country’s attorney general, says courts now accept records from other hospitals.)”.¹⁵²³

¹⁵¹⁸ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, III., B. Equality and non-discrimination, para. 34, p. 9

¹⁵¹⁹ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, III., C. Violence against women, para. 42, p. 10

¹⁵²⁰ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, III., C. Violence against women, para. 42, p. 10

¹⁵²¹ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, III., C. Violence against women, para. 43, p. 11

¹⁵²² Foreign Policy, [Somalia’s Uphill Battle to Criminalize Sexual Violence](#), 7 June 2016

¹⁵²³ News Deeply, [In Somalia, New Law Could Finally Give Rape Survivors a Voice](#), 27 April 2017

The same source further noted that “A bill to address sexual assault more comprehensively is currently wending its way to parliament. The proposed legislation will place more weight on survivor testimony and less emphasis on the doctor’s certificate”.¹⁵²⁴ In his report covering September 2016 to mid-2017 the UN Independent Expert on the situation of human rights in Somalia noted regarding legislation to combat sexual violence against women that “There have been delays in the adoption of the sexual offences legislation at the federal level”.¹⁵²⁵

The same source also highlighted with regards to numbers of victims that “Statistics about rape in Somalia vary wildly, and the lack of infrastructure, combined with the rarity of reporting, means there is no way to get a firm grasp on its scope. The Somalia Protection Cluster, a consortium of NGOs working in the country, recorded 1,599 cases of gender-based violence between September 2016 and February 2017”.¹⁵²⁶

A letter from the UN Secretary-General addressed to the President of the UN Security Council dated May 2017 noted with regards to the widespread nature of sexual violence that “Internally displaced women and girls and members of minority clans remain the most vulnerable. The limited legal framework, weak rule of law and human rights protection systems and lack of legitimate institutions contribute to a high level of impunity for violations”.¹⁵²⁷

Following his visit to Somalia in May 2017, the UN Independent Expert on the situation of human rights in Somalia, Bahame Tom Mukirya Nyanduga, recommended that the Federal Government of Somalia, the Federal Member States, and Somaliland “undertake a comprehensive review of the traditional dispute resolution frameworks in order to ensure that traditional elders protect the rights of women, in particular from rape and other sexual and gender-based violence cases”.¹⁵²⁸ Already back in April 2016 the previous UN Independent Expert on the situation of human rights in Somalia, Bahame Tom Nyanduga, had called on the Government to “enhance the capacity of the judiciary and police force in handling cases of sexual and gender-based violence, and to prohibit the handling of such cases by traditional clan elders”.¹⁵²⁹ The press release further reported that “Nyanduga noted that the Xeer Somali traditional dispute resolution system continues to play a key role in the country, given that rule of law institutions are still being established. However, he was concerned to learn that traditional elders adjudicate sexual and gender-based violence cases, such as rape, due to the absence of a fully functioning criminal justice system in many parts of Somalia”.¹⁵³⁰

The International Crisis Group described in its May 2017 report that “the government has deployed additional police and special gender protection personnel to the camps. But more is needed. In particular, parliament ought to pass more stringent laws criminalising rape and ending the

¹⁵²⁴ News Deeply, [In Somalia, New Law Could Finally Give Rape Survivors a Voice](#), 27 April 2017

¹⁵²⁵ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, IV. *Progress made in the implementation of previous recommendations: cooperation with human rights mechanisms*, para. 25, p. 8

¹⁵²⁶ News Deeply, [In Somalia, New Law Could Finally Give Rape Survivors a Voice](#), 27 April 2017

¹⁵²⁷ UN Security Council, [Letter dated 5 May 2017 from the Secretary-General addressed to the President of the Security Council](#), 5 May 2017, p. 3

¹⁵²⁸ UN Human Rights Office of the High Commissioner, [UN rights expert urges the international community to support Somalia on all fronts](#), 26 May 2017

¹⁵²⁹ UN Human Rights Office of the High Commissioner, [Somalia: Sexual violence must be subject to criminal justice, not traditional Xeer systems, says UN expert](#), 25 April 2016

¹⁵³⁰ UN Human Rights Office of the High Commissioner, [Somalia: Sexual violence must be subject to criminal justice, not traditional Xeer systems, says UN expert](#), 25 April 2016

traditional practice (derived from *xeer* customs) of settling rape cases through clan negotiations that typically entail providing compensation to the victim, often in the form of a marriage offer”.¹⁵³¹

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) noted that “UN Women reported that the Somali National Army and the national police operate within a patronage system that rewards loyalties, resulting in unequal access to their services, which often disadvantages women. Women also have less access to independent financial resources, which are required in the pluralistic justice system in Somalia”.¹⁵³²

The same report further noted that “There are few support mechanisms available to women, particularly to women who are internally displaced or do not have clan connections [...] Women without family and clan connections are more vulnerable to gender-based violence and have less access to justice than women who come from majority clans”.¹⁵³³

DFAT found that “there is a lack of accountability in relation to sexual exploitation not only in relation to AMISOM forces, but all perpetrators, and many cases would go unreported”.¹⁵³⁴

Moreover, with regards to services available the DFAT reported that “Support to women who are victims of violence is not widely available in Somalia. There is only one rape crisis centre in Mogadishu. Some international organisations provide support, through third parties. In 2016, UNICEF provided comprehensive gender-based violence (GBV) services reaching 4,200 GBV survivors (over 90 per cent female) with psychosocial support, clinical assistance, security and legal aid”.¹⁵³⁵

Also in June 2017 AMISOM reported that it held “a two-day awareness campaign on sexual and gender-based violence in the internally displaced people’s (IDP) camps in Baidoa, the administrative capital of the South West State”.¹⁵³⁶ The same source noted that

‘We face challenges when female victims of torture and rape come to us,’ Farhiyo Ahmed Mohamed, a Gender Officer with the Somali Police Force said. She expressed concern that traditional beliefs jeopardized efforts to find justice for victims of sexual violence, as such efforts were impeded by clan leaders who prefer traditional justice mechanisms, to settle disputes.

‘The elders want to resolve the cases traditionally. Yet we want to take cases to court so that victims can get legal redress,’ she explained.¹⁵³⁷

7.2. By AMISOM for human rights abuses committed by non-state actors

For background information on AMISOM see [2.3.3. African Union Mission in Somalia \(AMISOM\)](#) and for human rights abuses committed by this actor see [3.3. AMISOM](#).

¹⁵³¹ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, III. B. Violence against Women, p. 7

¹⁵³² Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Violence against women*, para. 3.24, p. 14

¹⁵³³ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Women*, para. 3.23, p. 14 and *Violence against women*, para. 3.24, p. 14

¹⁵³⁴ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Violence against women*, para. 3.25, p. 14

¹⁵³⁵ Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Violence against women*, para. 3.27, p. 14

¹⁵³⁶ AMISOM, [AMISOM and Somali Police hold awareness campaign against sexual and gender-based violence in internally displaced camps](#), 1 June 2017

¹⁵³⁷ AMISOM, [AMISOM and Somali Police hold awareness campaign against sexual and gender-based violence in internally displaced camps](#), 1 June 2017

7.2.1. AMISOM ability and resources to protect

In February 2016 The Heritage Institute For Policy Studies (HIPS) remarked that AMISOM's international partners have failed to provide the mission with "vital capabilities, including the 12 military helicopters authorized in 2012" and the "growing influence of Somalia's neighboring states within AMISOM has damaged the mission's reputation among Somalis" both of which have "not only further endangered AMISOM personnel" but have also "undermined the mission's effectiveness and the prospects of stabilizing Somalia".¹⁵³⁸

African Arguments reported that in the lead up to Somalia's October 2016 elections, there was in "upsurge in attacks" by Al Shabaab and that "The Somali security forces have shown courage, but they are under-resourced and under-equipped. Meanwhile, the 22,000-strong AMISOM force remains disorganised, overwhelmed and overstretched. Both forces lack certain key capabilities, especially in terms of air power and reconnaissance. [...] Despite repeatedly claiming that they will avert any disruption of the elections, the Somali government and AMISOM seem to have run out of strategies and options. Since the beginning of the year, there have been talks of launching a joint offensive to dislodge the militants from remaining strongholds, but so far nothing has materialised and al-Shabaab continues to strike Mogadishu, the nerve centre of government operations and activities, with impunity. Somalia's army is not yet ready to fight its own battles. AMISOM is accused of lacking consistency and coordination between its various operations. And US airstrikes seem to focus on militants believed to pose the greatest external threats rather than those who pose the greatest threats to Somali national security".¹⁵³⁹

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that following a January 2016 attack against a Kenyan military company station in El Adde, at an AMISOM forward operating base near the border with Kenya in the Gedo region "the attack highlighted the lack of coordination between countries contributing troops to AMISOM and the fractured nature of the AMISOM command and control mechanism" and "The lack of effective intelligence gathering and the absence of engagement with local communities on the part of AMISOM both contributed to the effectiveness of the attack".¹⁵⁴⁰

According to IRIN's reporting in February 2017 "Central to Somalia's security is the 22,000-strong AMISOM multinational force. It has been in Somalia for a decade, battling al-Shabab and helping slowly expand state authority".¹⁵⁴¹ However, the same article noted that "The challenge for AMISOM is that exiting Somalia with some honour hinges on several factors beyond its control. Crucially, it relies on international funding, and not enough has been forthcoming [...] AMISOM draws its main fighting forces from Uganda, Ethiopia, Kenya and Burundi. Allowances for the troops are paid by the EU, and logistical support – from food to medical supplies – is provided by the UN. The attack helicopters it desperately needs have not been available. There is also now trouble in the ranks of the troop-contributing nations, which have threatened to withdraw ever since the EU cut the monthly allowance paid to soldiers by 20 percent in January 2016, from \$1,028 to \$822".¹⁵⁴² In short the article argued "AMISOM does not have the manpower or equipment to comprehensively

¹⁵³⁸ The Heritage Foundation for Policy Studies, [Exit Strategy Challenges for the AU Mission in Somalia](#), February 2016, *Executive Summary*, p. 1

¹⁵³⁹ African Arguments, [Al-Shabaab steps up attacks in run up to the Somalia elections](#), 19 September 2016

¹⁵⁴⁰ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, II., A. Harakat al-Shabaab al-Mujaahidiin, paras. 15, 19 and 20 pages 11/12

¹⁵⁴¹ IRIN, [Countdown to AMISOM withdrawal: Is Somalia ready?](#), 28 February 2017

¹⁵⁴² IRIN, [Countdown to AMISOM withdrawal: Is Somalia ready?](#), 28 February 2017

defeat al-Shabab, yet cannot secure additional funding until it demonstrates greater battlefield success”.¹⁵⁴³

In May 2017 the UN Secretary-General found that “the United Nations contingent-owned equipment system has struggled to meet the requirements of contingents deployed to the African Union Mission in Somalia (AMISOM) engaged in combat operations. On average, the equipment deployed by AMISOM contingents is subject to greater wear and tear and has a much higher likelihood of loss or damage due to hostile action than that deployed to United Nations peacekeeping missions. It follows, therefore, that the African Union should develop personnel and contingent-owned equipment reimbursement systems applicable for its peace support operations”.¹⁵⁴⁴

The May 2017 report published by the International Refugee Rights Initiative based on 64 interviews conducted with Somali citizens found that many people interviewed had a “lack of understanding” as to AMISOM’s mandate and a general “distrust of the foreign presence that AMISOM represents, but specifically highlighted concerns with several national contingents, in particular Ethiopia and Kenya”.¹⁵⁴⁵ In addition, some interviewees referred to “direct attacks on AMISOM troops by Al-Shabaab to show AMISOM’s limited results on security” with one interviewee stating ‘This year alone [up to October 2016], they [AMISOM] have had their bases attacked two or three times and lost 50 to 100 troops each time. All the more reason they should work towards defeating AlShabaab but it is not happening’”.¹⁵⁴⁶

The same report further highlighted that “many people in Somalia hold views that are critical towards the peacekeeping mission”, with a common observation being that AMISOM fails to “sustain its gains against Al-Shabaab” by a “lack of follow-up when their town was taken over by AMISOM” resulting in the town “shifting hands multiple times between Al-Shabaab and AMISOM/government forces, accompanied by reprisals by Al-Shabaab against civilians accused of collaborating with the latter”.¹⁵⁴⁷ However, the International Refugee Rights Initiative commented that “In recent years, AMISOM has been credited with some successes, including pushing Al-Shabaab out of Mogadishu in 2011, though they continue to be able to perpetrate attacks within Mogadishu, and substantially reducing the area outside Mogadishu that Al-Shabaab controls”.¹⁵⁴⁸

According to the International Refugee Rights Initiative, AMISOM is mandated to “enable the handing over of responsibilities to the national security services, and to conduct joint operations with the Somali military”.¹⁵⁴⁹ In July 2017 the African Union announced that it was planning to pull out all of its 22,000 troops from Somalia and hand over security to local forces in less than four years, Deutsche Welle reported.¹⁵⁵⁰ In its exit plan, as reported in the same article, the African Union

¹⁵⁴³ IRIN, [Countdown to AMISOM withdrawal: Is Somalia ready?](#), 28 February 2017

¹⁵⁴⁴ UN Secretary-General, [Report of the Secretary-General on options for authorization and support for African union peace support operations](#), 26 May 2017, IV. Financing of peace support operations, A. Considerations with regards to financial support to peace support operations, para. 28, p. 9/10

¹⁵⁴⁵ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, Executive Summary, p. 4

¹⁵⁴⁶ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, Assessing the Mission, p. 16

¹⁵⁴⁷ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, Executive Summary, p. 4

¹⁵⁴⁸ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, Assessing the Mission, p. 17

¹⁵⁴⁹ International Refugee Rights Initiative, [“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia](#), 31 May 2017, Executive Summary, p. 4

¹⁵⁵⁰ Deutsche Welle, [African Union to withdraw troops from Somalia by 2020](#), 7 July 2017

said that it would “stagger the withdrawal [of AMISOM] starting in October 2018, “gradually transferring security responsibilities to ‘a capable, inclusive and effective Somali national army’”.¹⁵⁵¹

For further information, see:

- ❖ UN, [*Letter dated 25 July 2017 from the Secretary-General addressed to the President of the Security Council*](#), 31 July 2017, *Annex II Report of the Chairperson of the African Union Commission on the African Union-United Nations joint review of the African Union Mission in Somalia*

7.2.2. AMISOM willingness to protect

In February 2016 The Heritage Institute For Policy Studies (HIPS) remarked that “The frontline states, especially Ethiopia and Kenya, have repeatedly pursued counterproductive policies in Somalia that sought to retain their influence over local and national dynamics. Such policies undermine local perceptions of AMISOM as an impartial force and provide fuel for al-Shabaab’s propaganda”.¹⁵⁵²

The May 2017 report published by the International Refugee Rights Initiative based on 64 interviews conducted with Somali citizens found that “The majority of interviewees expressed their discontent with the results achieved by AMISOM, especially its failure to protect civilians against attacks by Al-Shabaab and other armed groups. Its limited results were contrasted with its decade-long presence in the country”.¹⁵⁵³ Other citizens, however, “acknowledged the positive achievements by the mission and the difficult context in which it has to carry out its mandate. While large swathes of the territory are still vulnerable to attacks by Al-Shabaab and other violence, important security gains have been made. Over the years, AMISOM troops have made serious sacrifices”.¹⁵⁵⁴

Covering 2017 the UN Monitoring Group on Somalia and Eritrea remarked that “On multiple occasions during the mandate, international forces withdrew with little warning from areas in Bakool, Galgadud, Hiran and Lower Shabelle. Al-Shabaab immediately returned, subjecting local communities to killing, torture, abductions, the destruction of humanitarian aid and forced recruitment. The aftermath of these withdrawals, and the cyclical loss and recapture of key locations also undermined the willingness of communities to support the anti-Al-Shabaab coalition”.¹⁵⁵⁵

Also see [8.3.2 Clan affiliations to AMISOM](#).

8. Clans

8.1. Overview of the clan structure in South and Central Somalia (excl. Mogadishu)

An Austrian Red Cross (ACCORD) report based on a Lecture by Joakim Gundel on Clans in Somalia from 2009 explained:

¹⁵⁵¹ Deutsche Welle, [*African Union to withdraw troops from Somalia by 2020*](#), 7 July 2017

¹⁵⁵² The Heritage Foundation for Policy Studies, [*Exit Strategy Challenges for the AU Mission in Somalia*](#), February 2016, *Key Findings*, p. 3

¹⁵⁵³ International Refugee Rights Initiative, [*“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia*](#), 31 May 2017, *Executive Summary*, p. 4

¹⁵⁵⁴ International Refugee Rights Initiative, [*“They Say They’re Not Here to Protect Us”: Civilian perspectives on the African Union Mission in Somalia*](#), 31 May 2017, *Executive Summary*, p. 4

¹⁵⁵⁵ UN Monitoring Group on Somalia and Eritrea, [*Report on Somalia of the Monitoring Group on Somalia and Eritrea*](#), 2 November 2017, V., C. *African Union Mission in Somalia and international forces*, para. 192, pages 44 and 45

The key to an understanding of the political constitution of the Somali society lies in kinship and its specific kind of social contract, for “[a]s long as the Somalis are dependent on their kinship lineage for security and protection, responsibilities, duties, rights and liabilities will continue to be perceived along collective rather than individual terms. Hence, the clan will remain collectively responsible for actions of its individual members, and rights of women and children will continuously be seen in the context of the interests of maintaining the strength of the male-based clans” (Gundel, November 2006, p. iii). The Somali kinship structure is based on an agnatic (patrilineal) lineage type – known as clan. Genealogies define the belonging of kinsmen to certain clans, according to the ancestor from whom they stem. The social contract defines the terms of the collective unity within and between the agnatic clans. A general description of the Somali traditional structures can analytically be divided into three core elements: 1) Their traditional social structure: The segmentary lineage system or clan structure; 2) Their customary laws – the xeer; 3) Their traditional authorities or juridico-political structure.¹⁵⁵⁶

The same report continues “The clan-system is the most important constituent social factor among the nomadic-pastoralist Somalis” and this “segmentary lineage system can be differentiated into categories of clan- Many of the lineages are to large extents also social constructions. Even though Somalis may claim being able to track perhaps 20 or 25 levels back in their families, they are usually not exactly correct for more than 13 or 14 layers back”. [...] “The clan (often 20 generations) can act as a corporate political unit, and do tend to have some territorial exclusiveness, following their regular seasonal movements for pasture and semi-permanent settlements. Clan-members derive their identity from their common agnatic descent rather than the sense of territorial belonging. The clan is in other words the upper limit of political action, has some territorial properties, and is often led by a clan-head, but remains without centralised administration or government. The most distinct descent group within the clan is the 'primary lineage', defined as the lineage to which a person describes himself as a member (most often between 6 and 10 generations). Marriage is usually outside the primary lineage, and links them together, which functions to reduce the otherwise endless feuds between primary lineages”.¹⁵⁵⁷

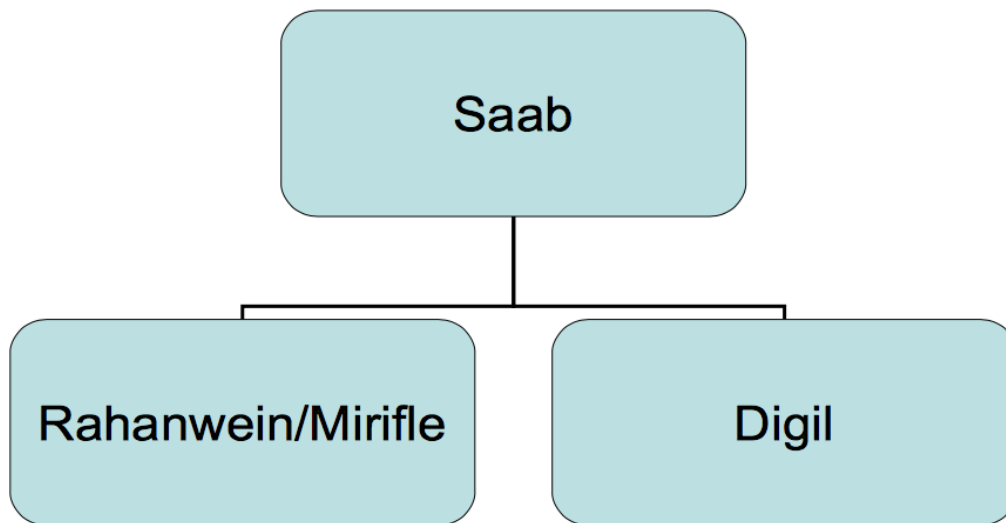
The ACCORD report provided the following two diagrams based on Dr Grundel’s lecture¹⁵⁵⁸ to illustrate the clan structure in Somalia:

¹⁵⁵⁶ Austrian Red Cross Report on a Lecture by Joakim Gundel [Clans in Somalia](#), May 2009 2. *Somali traditional structures* p. 7

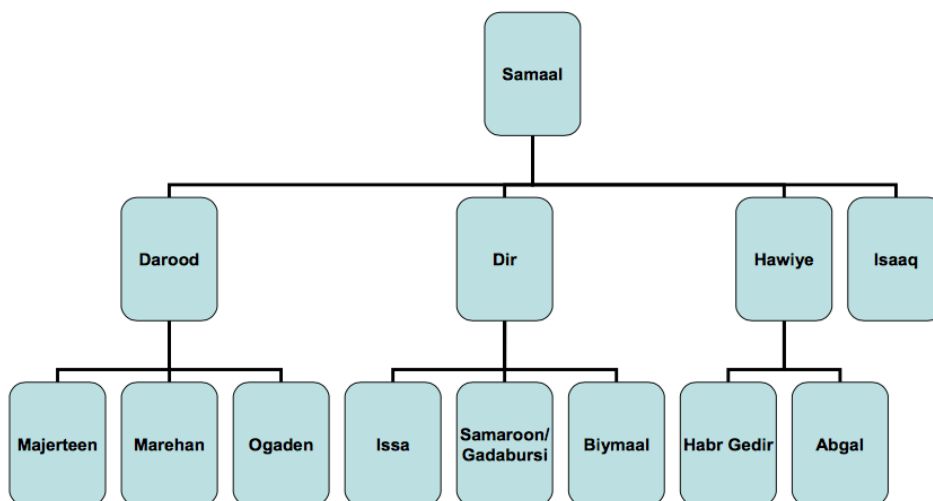
¹⁵⁵⁷ Austrian Red Cross Report on a Lecture by Joakim Gundel [Clans in Somalia](#), May 2009 *Somali traditional structures* 2.1. *Segmentary lineage system / clan structure*

¹⁵⁵⁸ Austrian Red Cross Report on a Lecture by Joakim Gundel [Clans in Somalia](#), May 2009 *Somali traditional structures* Figure 3 and Figure 4 p.28

The Agropastoralists

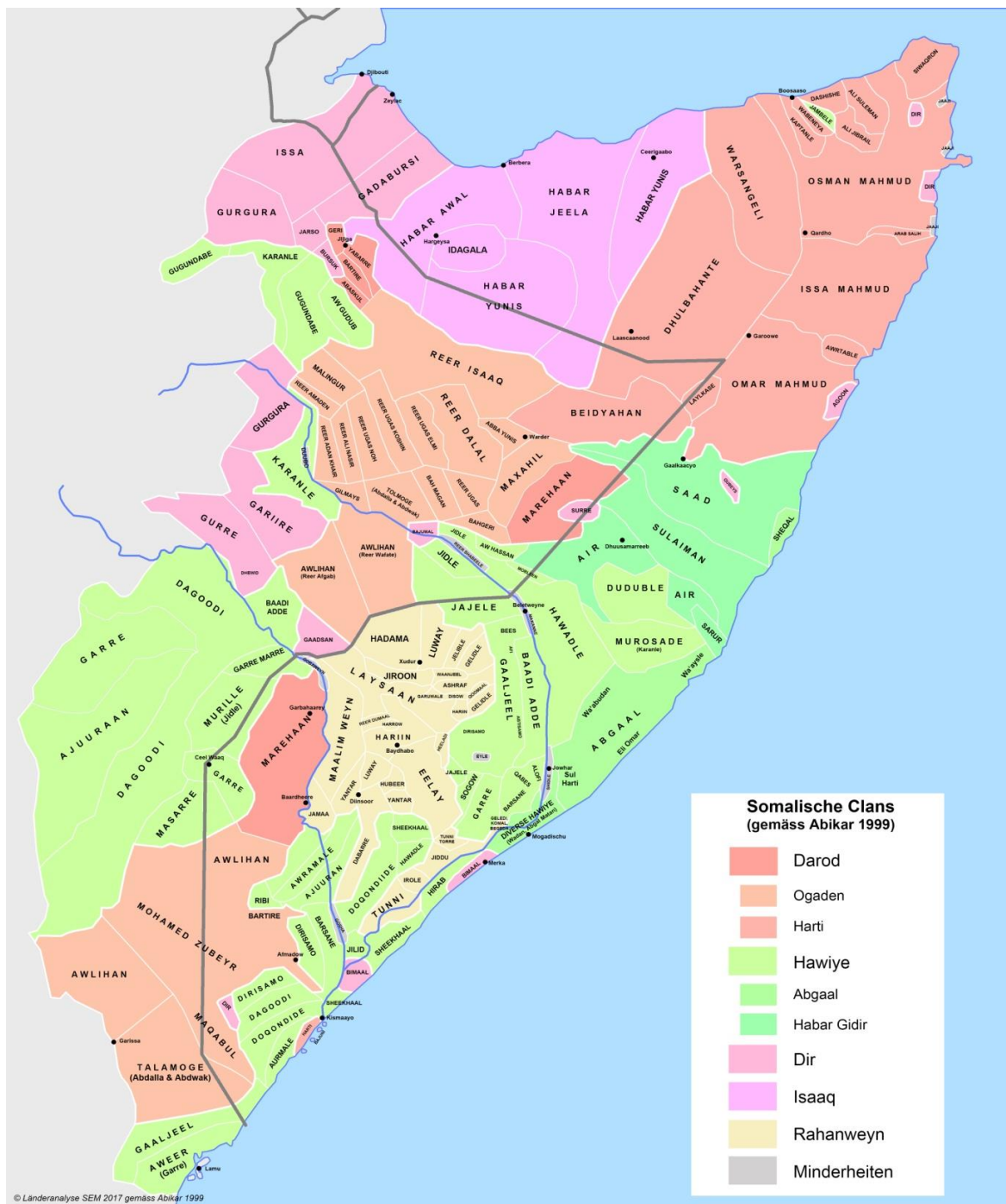


Most Important Nomadic Political Clan Groups



The Swiss State Secretariat for Migration provided the following map of clans in Somalia, relying on information from 1999:¹⁵⁵⁹

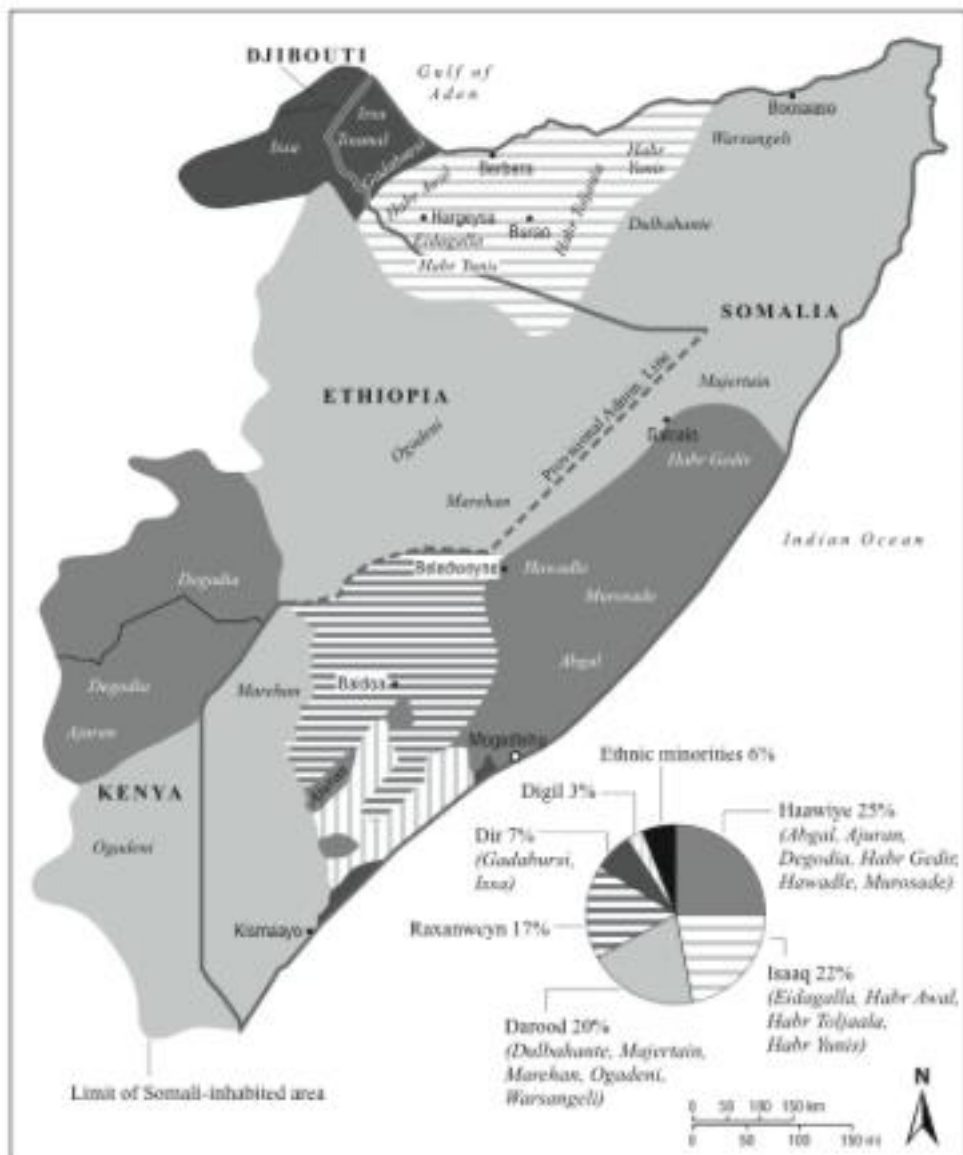
¹⁵⁵⁹ Swiss State Secretariat for Migration (SEM), [Somalia Clans](#), 2017 (data from 1999)



Dr. Seth D. Kaplan explained in a January 2012 *Fragile States* article that “The Somali population—some 13 to 14 million people, including Somalis living in neighboring states—is divided into four major clans and a number of minority groups (see map below). Each of these major clans consists of subclans and extended family networks that join or split in a fluid process of “constant decomposition and recomposition”.¹⁵⁶⁰ The same source provided the following map¹⁵⁶¹:

¹⁵⁶⁰ *Fragile States* (Dr Seth D. Kaplan), [Somalia's Complex Clan Dynamics](#), 10 January 2012

¹⁵⁶¹ *Fragile States* (Dr Seth D. Kaplan), [Somalia's Complex Clan Dynamics](#), 10 January 2012



The June 2013 Government Social Development Humanitarian Conflict report summarized the functioning of clan structure in Somalia:

Majority clans have exerted dominance over minority groups. Particular aspects of minority exclusion and abuse include: limited access to justice; denial of rights to education and livelihoods; hate speech; and the prevention and punishment of intermarriage with members of majority clans. Clan chieftdom can be hereditary, or chiefs can be elected by a council comprised of heads of tribal sections. Chiefs can have religious or political roles. All adult men are classed as elders and given the right to speak at council. Respect is attached to age and seniority in lineage. The minority *Reewin* and *Bantu* were disproportionately affected during the 2011 Somali famine. Their vulnerability to fluctuations in agricultural production was increased due to violence and targeted looting by majority clans, and their inability to tap into internationalised clan networks. Men of religion, or *Wadaad*, have a role in resolving conflict between different clan groups their task is to encourage parties to resolve issues, rather than settle disputes themselves or judge between disputants. Somali transnational networks have been effective at supporting relief and development activities. Examples include clan-based associations, women's groups, mosques, and professional associations.¹⁵⁶²

¹⁵⁶² Government Social Development Humanitarian Conflict GSDHC Róisín Hinds '[Somali networks: structures of clan and society](#)', 5 June 2013

In its 2016 report “Culture, context and mental health of Somali refugees”, UNHCR stated:

A key organisation principle in Somali social structure is a division in lineage, in which membership is determined through the father. This leads to a ‘segmented’ system of descent, in which genealogical lines meet at the top in one single male ancestor. Groups with a perceived common descent are often referred to as ‘clans’, ‘sub-clans’ etc., but the terminology in English does not fully correspond with the Somali term ‘*qabiil*’. The Somali word for patrilineal descent or kinship is ‘*tol*’, so when Somali people who do not know each other meet, the first question is often not ‘*where are you from*’ but ‘*who are you from*’: ‘*Qolo maa tahay?*’ (Literally: ‘*Who are your paternal kinsmen?*’). Knowing one’s descent is important because it validates membership of a ‘clan’, and is a driving factor for both cooperation and opposition between groups. People rely on their clansmen for support and protection and, in return, have an obligation to support their own kinsmen when they need support and protection. All Somali people belong to a *diya*-paying group whose members, between a few hundred to a few thousand men, are obliged to support each other and to pay and receive ‘blood compensation’ (‘*diya*’ or ‘*mag*’ in the Somali context – literally ‘blood money’). For outsiders, the working of the clan system is often difficult to grasp because it marks ‘invisible differences’ between otherwise very similar people. The clan system can lead to changing alliances and temporary coalitions that may cause any one person, at anytime, to stand in opposition to another. Further, this division is not primarily geographic, and it is, therefore, common to find a variety of sub-clans within the same area. However, while Somalis have had internal conflicts throughout history, they have also adhered to an overarching identity as Somalis in confrontations with outsiders. When the country became independent, people developed some sense of national identity as citizens of Somalia, but the civil war deeply affected this sense of identity. Currently, many Somalis feel a stronger sense of belonging to their clan or sub-clan rather than the broader Somali society. The importance of clan and lineage is not easy to publicly acknowledge; however, it does have a significant impact on both community relationships and mental health. Health workers need to avoid getting caught up in clan dynamics or being perceived as ‘taking sides’ by their Somali clients. In fact, despite its changing role, clan identities continue to play an essential role in the life of many Somali, including those in diaspora. For example, for Somali refugees in Egypt, belonging to a clan is a primary determining factor for access to informal support within the Somali community. Various clan based groups have their own informal leaders and clan members feel responsible for each other. Community support continues to be organised around clans, with new or vulnerable refugees mainly finding protection through clan members and not through the more general Somali population. While this can have positive psychosocial aspects, the social organization through clans can also have negative consequences in that those who do not belong to one of the major clans are more vulnerable to marginalisation and violence.¹⁵⁶³

The Rift Valley Institute study from 2016 warned about the dangers of over reliance on clan structure for political processes in Somalia, stating:

One of the most problematic extraversion strategies in peace and statebuilding is the appropriation, both by Somali political leaders and the international community, of fixed definitions of clan identity as a parameter for power-sharing. In the flux and confusion that so often characterizes interactions between competing armed and political groups in Somalia, the word ‘clan’ is often assumed to be the fundamental category that informs Somali political life. The international community often fails to account for the ‘diversity of local social groups’, instead treating clans as ‘fixed entities’, and thus ‘contribut[ing] to the proliferation of clan and sub-clan identities’ [...] The suggestion that the fragmentation of Somali society along clan lineages is primarily the result of colonial anthropologists and foreign interventions appears far-fetched. International statebuilding and extraversion, however, certainly contribute to the spread, entrenchment and reproduction of political representation based on a problematic notion of fixed clan identities. Faction leaders, politicians, elders and businesspeople use their family ties not only to mobilize support internally but they also appropriate the idea of clan as the predominant criterion for determining power-sharing and representation in statebuilding. The adoption of the famous 4.5 formula, during the formation of the first TNG in August 2000, marks the

¹⁵⁶³ UNHCR, [Culture, context and mental health of Somali refugees](#), 2016 *Clans and Lineage*. 15-16

highpoint of this appropriation strategy by which kinship is made productive by interaction with external stabilizers. Considered to be a pragmatic way of attaining power-sharing among Somalis, the 4.5 formula encouraged the nomination of officials who—apart from being members of particular clan networks—often had little political clout or personal credibility and lacked a track record of actual political achievements. Precisely because state-centric stabilization entails a centralization of power, it encourages the proliferation and hardening of clan lineage identity that is instrumentally appropriated by elites who seek to increase their role in bargaining processes. Consequently, the politicized use and abuse of the idea of clan in post-1991 Somalia is not merely the result of local tradition or culture, as primordialists suggest, but has been co-produced by extraversion under conditions of external stabilization.¹⁵⁶⁴

In an article about the challenges facing Somali youth of 25 August 2016, Mareeg news states “As the years of prosperity had run on and a major civil war escalated in the early 90s, it was the youth who were leading the frontlines once again. The nation split into clan fragments and Somali youth had again seen themselves now being pushed as foot soldiers. Manpower was crucial for all clans with militias starting to form throughout the country. Militia groups needed soldiers and a destructive ideology was set upon to the youth forcefully or with promised incentives to support their clan. Meanwhile behind the scenes, it was the older generation who were gaining power and wealth on the back of the youth”.¹⁵⁶⁵ The same article enumerates the challenges Somali Youth and includes “Clan loyalty more greater [sic] than youth solidarity”.¹⁵⁶⁶

The Council on Foreign Relations reported in February 2017 that “Coping with clan divisions will be the new president’s first challenge. It will be difficult for him to persuade the Hawiyes, the largest clan and one of the rival groups of the Darod clan from which he hails, that he will govern impartially. And even if he does that, he will have trouble overcoming clan cleavages sufficiently to push through at least some badly needed governance improvements and reforms. [...] The 2012 election of the outgoing president, Mohamud, was celebrated at the time as a major step forward in overcoming pernicious clan politics. Hailing from the dominant Hawiye clan, he was seen as an impartial academic who understood the need for good governance. Ultimately, however, he was unable to translate his mandate into performance-based legitimacy. During his time in office, he increasingly resorted to both clan politics and patronage and nepotism. [...] Somalia’s formal legal federalism and its implementation, including the establishment of new federal states, is one of the main achievements of the past four years. The upper house of the Parliament is now made up of representatives from these states. The hope was that such devolution would lead to a more peaceful Somalia, but the new ruling elites of the states are not necessarily more accountable to their people than politicians in Mogadishu. Meanwhile, the shape of the new states continues to be contested, sometimes violently, by clan and regional groups within the new states and among the states as well. The balance of power among the states and between the states and the federal government will remain a work in progress”.¹⁵⁶⁷

A Study by the Rift Valley Institute of male power, insecurity and inequality in Somalia published in March 2017 stated “After the Somali state collapsed, however, clan became the defining discourse and framework for interaction between men, to a degree that had not been seen since before the Siyad Barre regime. Many respondents talk about how a man’s relationship with his clan has a bearing on every sphere of their social life, and how this offers opportunities and poses challenges. For example, young men in Las Canood spoke in terms such as ‘I am the clan, the clan is me’ and ‘you must wear your clan like your shoes’—you do not go out without it. Elders in Mogadishu noted that along with a man’s other (normative) gender responsibilities, he should ‘defend and fight for

¹⁵⁶⁴ Rift Valley Institute Tobias Hagmann ‘*Stabilization, Extraversion and Political Settlements in Somalia*’, 2016

¹⁵⁶⁵ Mareeg News, *Somali Youth Challenges and Actions Forward*, 25 August 2016

¹⁵⁶⁶ Mareeg News, *Somali Youth Challenges and Actions Forward*, 25 August 2016

¹⁵⁶⁷ Council on Foreign Relations, Foreign Affairs *Securing Somalia - The Challenges Awaiting Its New President*, 20 February 2017

the interests of the clan ... protect [its] dignity and promote its reputation’”.¹⁵⁶⁸ The report continued “The study’s findings show that though many traditional elders remain in position, their clansmen nominate new, influential men alongside or above them. These new men typically come from the diaspora or business community, or have gained their resources as warlords. Unlike the traditional titled elders, these new leaders bring economic capital and promise to use their position to harvest resources for the clan. Respondents explain that such manoeuvrings have not only resulted in the proliferation of titled elders but a dilution of respect for elder-authority. Those in power may have positions but they lack the credentials to make them effective *Suldaans* or *Malaqis*. [...] However, due to the lack of alternative ways to find work, it has become important to have fellow clansmen in leadership positions”.¹⁵⁶⁹

The Swiss State Secretariat for Migration (SEM) report ‘Somalia Clans and Minorities’ of May 2017 stated “Somali society is organised in ancestral groups, usually known as ‘clans’. These clans are typically divided into sub-clans, sub-clans divided into even smaller sub-divisions, and so on, down to the family nucleus. While these various levels have different names in academic literature, they are all called *Qabiil* or *Qoolo* in the Somali language. Those belonging to the ‘noble’ clans can trace their ancestry back to the legendary founding fathers of the Somali nation and the prophet Muhammad. Most minor clans cannot claim such ancestry. Near every Somali can trace his or her lineage. There are two ways of doing this; either by starting with the highest level in the clan system (i.e. the clan family) and tracing down the lineage, or by starting with one’s own father and tracing one’s own lineage back (*Abtirsiimo*). Both methods meet in the middle. However, these days many Somalis are not able to memorise every generation in their lineage and only know a few of their ancestors and approximately what clan they belong to. When two Somalis meet for the first time, they seldom inquire directly about their respective clan, but first try and deduce this information from the other’s dialect and region of origin. Explicit questions are only necessary to define exact clan membership. The literature on this topic contains various maps and bloodlines of the clan system. These publications agree essentially, but not completely, on the higher clan levels. At the lower clan levels there are some discrepancies between sources. There are several reasons for this, including the differences between the self and outside perception of the groups. Country Analysis SEM is not aware of the existence of an authoritative account of the clan system and of clan territories”.¹⁵⁷⁰

The August 2017 report by the Danish Demining Group on the situation for returnees from the Dadaab refugee camp in Kenya stated: “Knowing which clans the refugees are identified with is critical for anticipating the impact of their return inside Somalia, as well as their levels of protection or vulnerability once repatriated. Unfortunately, this vital piece of information is a matter of some uncertainty and debate. This is in part because direct survey questions about clan identity are sensitive and subject to manipulation. In some situations, Somalis are disinclined to self-report clan identity out of a sense of nationalism or fear the information will be misused. In other cases, especially when population numbers are likely to be associated in some way with increased access to representation or resource allocation, attempts will be made to inflate one’s clan’s numbers”.¹⁵⁷¹

¹⁵⁶⁸ Rift Valley Institute, Briefing Paper 2 2017 By Judith Gardner And Judyel-Bushra Somalia: A state of male power, insecurity and inequality [Findings from the inception study on the impact of war on Somali men](#) March 2017 *Centrality of clan membership and identity post- 1991*

¹⁵⁶⁹ Rift Valley Institute, Briefing Paper 2 2017 By Judith Gardner And Judyel-Bushra Somalia: A state of male power, insecurity and inequality [Findings from the inception study on the impact of war on Somali men](#) March 2017 *Centrality of clan membership and identity post- 1991*

¹⁵⁷⁰ Swiss State Secretariat for Migration (SEM), [Focus Somalia Clans und Minderheiten](#) May 2017, *Main findings*

¹⁵⁷¹ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017 *Regional and Social Economic Origins of the Somali Refugees, page 8*

8.1.1. Majority clans

The Austrian Red Cross (ACCORD) report based on a Lecture by Joakim Gundel on Clans in Somalia from 2009 provides the following information on clans (emphasis added):

Nomadic groups

Darood: The Darood are commonly divided into three major groups referred to as Ogaden, Marehan, and Harti. The Harti are composed of the Majerteen who now are found in Puntland mainly, and the Dulbahante and Warsangeli who mainly live within the borders of Somaliland. Puntland almost entirely overlaps with the Majerteen clan family. The Marehan inhabit South-Central Somalia, where they are dominant in Gedo region. The Ogaden can be found in Southern Somalia where, over the last years, they have gained increased control of Lower and Middle Juba, as well as in Ethiopia and Kenya. Since the Darood are present in the North, in South-Central Somalia as well as inside Ethiopia, and Kenya, they can be considered the strongest pan-Somali nationalists.

Hawiye: As to the Hawiye, the two most important and commonly used sub-divisions are the Habar Gedir and the Abgal. The Hawiye can be found in central and southern Somalia, and particularly its Abgal and Habr Gedir groups are dominant in Mogadishu. The Hawiye are not as present in the other areas, and would generally be content with control over South Central Somalia.

Dir: The Dir include groups such as Issa, Gadabursi, and Biymaal. Dir groups live in Somaliland as well as in South-Central Somalia.

Isaaq: As mentioned above, in the case of the Isaaq, there is a controversy as to whether they constitute a clan family of their own. This is being affirmed by the Isaaq themselves, while southern Somalis and the Majerteen claim that Isaaq are part of the Dir. The Isaaq have cousin links to the Dir groups such as the Biymaal, Issa and Gadabursi. Isaaq are the primary inhabitants of Somaliland (although its current president is from the Gadabursi group).

Agro-pastoralist groups: The Somali agro-pastoralists refer to themselves as originating from Saab [...] and encompass the two groups of Mirifle and Digil, as well as the Rahanweyn who sometimes refer to be identical with Mirifle and Digil. The agro-pastoralist clan structure is considerably different from that of the nomadic groups. As far as the Rahanweyn are concerned, they do not trace their genealogy as far backwards as the nomads and “the segmentation at the larger units of the clan is one of the important features that make the Rahanweyn social organisation different. Their clans are composed of 4-7 jilib that pays diya together. Hence, the diya-paying group structure of the Rahanweyn is different as they pay diya collectively at a much higher level in their lineage structure than the pastoralists do.” [...] These differences are due to the fact that these groups do not practice transhumance migration in the same way as nomads, but agriculture. They also keep camels as a last resort strategy for severe droughts, in which case they may also migrate, however this needs to be distinguished from nomadic ways of migration. Hence their basis is location, and their home state is more important for their identity than the clan. Their structure of elders are considerably more hierarchical and tightly related to the villages and home states. Politically, since 1999, the Rahanweyn clans have increasingly gained control of their ‘own’ regions of Bay and Bakool in the inter-riverine area between the Juba and Shabelle rivers in Southern Somalia. While traditionally, the Rahanweyn were traditionally peaceful people and not involved in the original civil war, they have now established their own army and seek to control their own areas (where Al-Shabaab is predominant today). However, they generally do not appear to be concerned with controlling other areas”.¹⁵⁷²

The same report further states “The Biymaal are part of the Dir clan group. Due to this, the Biymaal cannot be considered to be a minority, despite having been suppressed by the Hawiye whom they have been fighting mainly in Lower Shabelle and Middle and Lower Juba areas, as well as by the Ogaden / Darood clans.”¹⁵⁷³ The report also lists a number of ‘Minority and other groups with affiliations to major clans’. See subsequent section [8.1.2 Minority clans](#) for further information.

The June 2013 Government Social Development Humanitarian Conflict report states: “The Somali majority belong to four patrilineal clan families: the *Darod*, *Hawiye*, *Dir*, and *Rahanweyn*. These are

¹⁵⁷² Austrian Red Cross Report on a Lecture by Joakim Gundel, [Clans in Somalia](#), May 2009 *Nomadic Groups*

¹⁵⁷³ Austrian Red Cross Report on a Lecture by Joakim Gundel, [Clans in Somalia](#), May 2009 *Nomadic Groups*

divided into sub-clans, which can be divided further, illustrating the complexity of the clan system".¹⁵⁷⁴

According to an October 2015 report on sexual and gender-based violence in Mogadishu and South Central Somalia by International Alert, "The major clans and sub-clans group themselves through clan bonds, formed to safeguard the mutual interests and protect the members of these alliances. Such alliances are comprised exclusively of male members (including infant boys from birth age) from each sub-clan, and are also called a diya group. The function of Diya groups is to provide social protection services for all lineage members (male and female) against any wrongdoings from other lineages or clans. The social contract of Diya groups is an orally binding contract that explicitly states the rights and duties of all members of the group; it also accounts for the paying or receiving of Diya compensation in the event of wrongdoing within the sub-clan, or between sub-clans. This means that male members of each Diya group are responsible for the collective payment or receipt of compensation for human rights violations made by them or against another clan/sub-clan".¹⁵⁷⁵

The current, undated Assessment Capacities Project website states "There are four major clan families (Darood, Hawiye, Isaaq, and Sab), divided into numerous clans and subclans, and a number of minority groups that fall outside of the dominant clan families. The Darood mainly inhabit northeastern Somalia, the Hawiye are dominant along the middle reaches of the Shabelle and in south and central Somalia, and the Isaaq live mainly in central and western regions of the north. All three speak the Mahaatiri dialect. The Digil and Rahanweyn, together known as the Sab, are mainly agropastoralists living in the area between the rivers in the south and speak Maay dialect. Other clan families include the Ogaden, who live across the Ethiopia-Kenya border area, and the Dir, who live in the northwest but are also dispersed across the south".¹⁵⁷⁶

The International Crisis Group's February 2017 report states "[President] Farmajo tapped into a growing antipathy to the dominance of the Abgal, a Hawiye sub-clan that gave the country its last two presidents. Frustration among other clans was also directed at the implicit agreement between the Abgal/Hawiye and Majerteen/Darod clans that allowed them to control and share both the presidential and prime ministerial seats. Farmajo's victory was also helped by former President Hassan Sheikh's decision to support the re-election of Mohamed Osman Jawari of the Digil/Mirifle clan as parliamentary speaker cost him the Digil/Mirifle vote. This tactical support was intended to scupper Sharif Hassan Sheikh Adan's presidential campaign, since it is an unwritten rule that the president and speaker cannot hail from the same clan. This fuelled Digil/Mirifle resentment, who ended up coming together during the presidential election rounds to vote against Hassan Sheikh. A further immediate impediment to Farmajo's proposed domestic agenda stems from the entrenched elites. Clan leaderships comprise a form of a very corrupt "deep state" that often operate against the interests of the people. [...] Meaningful progress will be unlikely unless these factions are controlled through a mixture of co-option and coercion".¹⁵⁷⁷

A November 2017 annex to a letter from the chair of the UN Security Council Committee highlighted information about clans in the lower Shabelle region noting that "The Shiidle, who farm in the riverine areas around Jowhar and Balad, are a Jareer clan indigenous to the region. Their rivals for power are the primarily pastoralist Abgal who have traditionally held sway in government and security positions, both at the district and regional level. [...] Almost all the humanitarian entities

¹⁵⁷⁴ Government Social Development Humanitarian Conflict GSDHC Róisín Hinds, [Somali networks: structures of clan and society](#), 5 June 2013

¹⁵⁷⁵ International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, 2.2. *Unequal clan system and social exclusion of minority groups*, p. 17

¹⁵⁷⁶ Assessment Capacities Project ACAPS, [Somalia Country Profile](#), 12 August 2016

¹⁵⁷⁷ International Crisis Group (ICG), [The Regional Risks to Somalia's Moment of Hope](#), 22 February 2017

operating in the area, whether local or international, are staffed at senior level on the ground by Abgal, although there are some exceptions. The Abgal are also the dominant clan in the Somali National Army (SNA) contingents based around Jowhar and Balad, monopolizing the instruments of Government force. [...] Among the historically marginalized communities living on the east side of Dolow across the river are the Dir/Surre/Fiqi Mohamed and Jareer/Gabaweyne. The Surre are a minority due to geography, as they are a Dir sub-clan in a Darod/Marehan dominated area. The Gabaweyne are marginalized due to their exclusion from the lineages of the four dominant clans. The Surre have had some access to external support through diaspora and business ties, but the Gabaweyne have few links to power and resources. The latter have also been the continuous target of land-grabbing and displacement since the 1990s from the riverine areas where they once formed the majority population".¹⁵⁷⁸

The August 2017 report by the Danish Demining Group described the Digil-Mirifle clan family thus "One of the four main clan-families in Somalia, the Digil-Mirifle have historically been viewed as weak and low-status because of the clan's association with sedentary agriculture and agro-pastoralism in the inter-riverine region. The clan's territory was repeatedly overrun and occupied by Darood and Hawiye militias in 1991-92, and most of the victims of 1991-92 and 2011 famines were Digil-Mirifle. Most of the IDPs in Mogadishu and Kismayo are Digil-Mirifle. The group speaks a distinct dialect, Af-Maay. The relative position of the Digil-Mirifle in national politics has improved significantly since 1995, but they are still a more vulnerable group as IDPs and returnees outside of their home areas".¹⁵⁷⁹

8.1.2. Minority clans

The Austrian Red Cross (ACCORD) report based on a Lecture by Joakim Gundel on Clans in Somalia from 2009 stated "[I]t is important to realise that the traditional structures of the Rahanweyn, the minorities, and the people of Bantu and Arabic descent are often very different from the nomadic culture. Without any in-depth studies that describe the agro-pastoralist, sedentary and coastal cultures, there is a risk of reproducing the mistake of extrapolating the nomadic traditional structures upon these cultures. Unfortunately, it is primarily the segmentary clan system representing the nomadic-pastoralist people that are described in the main literature on Somalia".¹⁵⁸⁰

The same report continued (emphasis added):

Minorities are not clans, although this is what the Somali Nomadic clans call them because they want to assimilate them into their structure. Among the minorities, one can find the 'outcaste' groups, or bondsmen known collectively as sab, as well as groups of ethnic Bantu descent and the coastal groups, including those of Arabic descent such as the Bajunis and Barawanis. Minorities are not counted and their languages and cultures are neither accepted nor respected. It should be first noted that being a minority does not reveal whether or not one is at risk of becoming targeted. Secondly, in terms of their size, the notion of "minorities" is sometimes misleading. Many minorities, such as Bantus, are in many places in South Central Somalia in fact local majorities. However, they are being oppressed by the militarily stronger nomadic clans. Globally, in the Somali context, they are a minority, because they are not overall dominant. The sab are an exception to this, as they are in numbers a clear-cut minority due to the fact that, unlike the Bantus, who live in certain locations,

¹⁵⁷⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, p.128

¹⁵⁷⁹ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Introduction: social context*

¹⁵⁸⁰ Austrian Red Cross Report on a Lecture by Joakim Gundel, [Clans in Somalia](#), May 2009 *Somali traditional structures* p. 7

they are scattered over many places. Thirdly, one can observe the reverse situation in the case of clan groups (such as the Biymaal) who in some areas live in pockets of groups and thus can be referred to as “minorities” on the local level with some justification, but not on the global Somali level due to the fact that they belong to a strong clan-family. Hence generally they can leave the area where they constitute a “minority” and receive protection where their clan is a majority (even though the notion of being “dominant” nowhere means full control, as there are always several clans, and “minorities” present in South Central Somalia). However, this often means that these groups – listed below under groups that are “not minorities” – are obliged to leave their local areas where they probably have been living for generations. This being said, it should be noted that such generalised knowledge and information on clans and minorities is of very limited use when it comes to assessing an individual’s risk. This is particularly true in asylum procedures, where decisions made on basis of generalizations of the conditions of certain groups can lead to asylum decisions made on false premises. It must therefore be emphasised that all asylum cases should be treated as individual cases, where each asylum seekers case is treated uniquely in terms of the degree of individual persecution and risks according to the principles of international refugee law.

Sab: The *sab* are traditionally bondsmen of the pastoralist clan groups and they can only have relations with the Somali through an *abbaan* (Somali patron). Internally the *sab* may have segmented lineage systems along the Somali pattern. Inter-marriage is not allowed nor accepted between these minorities/sub-minorities and the “noble” nomadic clans. The *sab* are traditionally denied the right to own land or livestock, to participate in the local businesses, market economy, or politics.

The *sab* practice various but despised professional skills. Hence *sab* often refer to groups identified in terms of their occupation. They protect themselves by keeping their own affairs secret, this being their only power to resist the dominance of the Somali nomads, as this creates a dependency of the latter on these groups when it comes to house construction and various kinds of handicraft. They speak a language of their own, although it is disappearing. *Sab* include the following groups:

Gabooye/Midgan: In the North, the Gabooye are composed of the Tumaal (blacksmiths), Midgan (shoemakers, hunters and gatherers, poison makers, and hairdressers), and Yibr (see below for details). Groups which belong to Gabooye/Midgan include the Madhibaan, Muuse Dhariyo, Howleh, Hawraar Same, and Habar Yaquup. These groups are also found scattered in Southern Somalia.

Yibr: The Yibr or Yibro (some find Yibro is a mispronunciation) live along the coast in Mogadishu and in Bosasso, Borama, and Burco. In the South, they are described as being distinct from Gabooye. The Yibr are often claimed to be descendants of early Hebrews who settled in the Horn of Africa. According to Virginia Luling, the ‘Hebrew’ idea is not an anti-Semitic invention by others, but was and is maintained by the Yibr themselves, who have found in this a way of dignifying their outcast status. However, while this Hebrew descendancy is disputed, it is not entirely baseless. [...] Members of Yibr used to have mythological functions in society (and do not involve themselves in other tasks in traditional Somali society): They collected the Samanyo (a birth gift) from new-born babies and newly-married girls in exchange for giving them a good fortune. Historically, the Yibr enjoyed some protection before independence through this superstitious practice that prevailed about them, and which is now no longer widely practiced. After independence they suffered from the banning of the Samanyo custom and other related traditions by the government. With the presence of radical Islamic groups like Al-Shabaab with strong anti-Jewish attitudes, the Yibr who claim historical descent from the Hebrews have been increasingly suspected by Somalis with a radical Islamic orientation. Therefore members of the Yibr may be targeted in South Central Somalia, despite the fact that they are Muslims today. Further *sab* groups present in the South are the Yahhar, Galgalo (woodcarvers), Boon, and Eyle.

Ethnic minority groups:

Bantus (Jareer): The Bantus mainly live in the southern areas with a concentration of agriculture. Depending on the location, the Bantu people are called different names such as Gosha, Makane, Shiidle, Reer Shabelle, or Mushungli. They speak the Bantu language while some also speak Arabic and Swahili. In general, Somali nomadic clans seek to assimilate minority groups to control them. However, particularly in the case of the Bantus (whom the ‘noble’ nomadic clans aim to exploit for the cultivation of the fertile lands), there is a wide perception amongst many of the nomadic clans that they are too different to be assimilated and therefore must be marginalised, which led to a situation of impunity of attacks against Bantu groups. This situation has changed over time, partly due to the fact that Bantu groups have started to organise and arm themselves. Therefore, in certain locations, Bantu groups have gained strength and are able to fend for themselves.

Coastal groups:

These groups include the Benadiri, the Barawani, the Bajuni, and the Jaaji (or Reer Maanyo) and live along the coast. The Barawani and Bajuni are of Arabic descent [...]

Minority and other groups with affiliations to major clans

Rer Hamar: As the Rer Hamar belong to Benadiri, they can be regarded as minorities in terms of language and culture. They live in the central parts of Mogadishu, in Hamarweyne and Shangani, where they own property. The Rer Hamar, who mainly are of Arabic descent, is not exactly a homogenous ethnic group, but a reference made to the early urban people of Hamar and Shangani Districts of Mogadishu, which are the old historical parts of Mogadishu. There are at least two main 'lineages', namely the 'Gibil Cad' and 'Gibil Madow' (the latter being mixed with Somali descent). In this context, for instance, I have been told that among the Benadiri, there is a small group known as 'Qalimoshube' (part of Gibil Madow) who are discriminated by the other Benadiri 'Rer Hamar' due to their darker skin and occupations.

Biymaal: The Biymaal are part of the Dir clan group. Due to this, the Biymaal cannot be considered to be a minority, despite having been suppressed by the Hawiye whom they have been fighting mainly in Lower Shabelle and Middle and Lower Juba areas, as well as by the Ogaden / Darood clans.

Sheikhal (Sheikhash): The Sheikhal (or Sheikhash) are the common name for lineages with an inherited religious status. [...] Because of their religious status they usually have privileged access to all parts of Somalia. [...] Most of the Sheikhal are currently associated with the Hirab section of the Hawiye which is an interesting example of how a 'weak' clan politically may change its clan affiliation to achieve influence, protection, and strength. [...]

Asharaf: The Asharaf are frequently categorised as a minority. Concerning the Asharaf, my point and reference is mainly to the Digil-Mirifle Asharaf and not the Benadiri Asharaf. There are also other Asharaf living with other Somali clans in various locations in Somalia. The Asharaf are generally considered a religious people and teachers of religion of a particular descent from the daughter of the prophet Muhammad, Fatima. Most often they live integrated with the people they have settled with, i.e. Digil-Mirifle or Benadiri, and are usually protected by the people they live with as far as they are seen as being related to the Prophet, hence they maintain a special religious status. The point is that they are not targeted as a minority as such, but may suffer the same problems as their 'host' clans – thus Benadiri Asharaf have been targeted together with Benadiri people during the early civil war. Today, one of the top ministers and allies of Sheikh Shariff, Sharif Hassan, is an Asharaf. At present, the Digil-Mirifle/Asharaf may be targeted by the al-Shabaab Islamist group partly because the latter do not recognise the religious status of the Asharaf, and partly because they oppose the Shariff Hassan who was the driving force in the 2008 Djibouti agreement together with President Sheikh Shariff.

Garre: The Garre are often considered as part of the Digil / Rahanweyn group, but are sometimes also described as being distinct as a group of its own.

Bagadi / Iroole: The Bagadi / Iroole are part of Digil / Rahanweyn in Lower Shabelle, where the local clan composition further includes Biymaal and Benadiri groups. As a function of the civil war, the Digil groups, despite not being a minority, were suppressed by the Hawiye, along with the other groups. When Al-Shabaab recently moved in and took over this area, they did so on the basis of supporting the Digil and the Biymaal and other groups who until then had been suppressed by the Hawiye.

Ajuraan: The Ajuraan are often seen as part of the Hawiye.

Abgaal: The Abgaal, who also belong to Hawiye, constitute one of the most dominant and strongest clans.

Tunueg: The Tunueg are part of Digil.

Tunni: The Tunni are also part of Digil.¹⁵⁸¹

The June 2013 Government Social Development Humanitarian Conflict report states: "Minorities are comprised of three distinct social groups: the *Bantu*, *Benadiri*, and 'occupational groups'. The latter can be classified into a further three groups: *Midgan* or *Gaboye*, who are traditionally hunters and leatherworkers; *Tumal*, traditionally blacksmiths; and *Tibro*, traditionally 'ritual specialists'. [...] The minority *Reewin* and *Bantu* were disproportionately affected during the 2011 Somali famine. Their

¹⁵⁸¹ Austrian Red Cross Report on a Lecture by Joakim Gundel [Clans in Somalia](#) May 2009 *Somali traditional structures* p. 7

vulnerability to fluctuations in agricultural production was increased due to violence and targeted looting by majority clans, and their inability to tap into internationalised clan networks".¹⁵⁸²

According to an October 2015 report on sexual and gender-based violence in Mogadishu and South Central Somalia by International Alert, "While it is hard to find consensus in Somalia on the definition of minority groups, they usually include the population who fall outside the four major (or so-called noble) clans: Darod, Hawiye, Dir and Digil-Mirifle (also known as Rahanweyne). Each of these major clans consists of sub-clans (Jilib) and extended family networks. In contrast to these four clans and their respective sub-clans, minority groups are diverse and not always easily differentiated, although can be broadly broken down into the following two categories: ethnic minorities, which include Bantu, Gosha, Banadiri, Reer Xamar, Asharaf, Bravanese and Beizani; and occupational minorities, which include Gaboye, Eylo, Yibir and Tumal. The minority groups are smaller in number compared to majority clans, although there are currently no reliable population statistics for Somalia due to the years of chaos and war".¹⁵⁸³ The same report further noted with regards to social contracts and protection alliances that unlike the majority clans, minority clans do not have such contracts or alliances but instead in some cases "rely on majority clans for protection through sheegad ('adoption'), whereby minority groups would provide some service or compensation in exchange for protection by their majority clan patrons".¹⁵⁸⁴

In its 2016 report "Culture, context and mental health of Somali refugees", UNHCR stated:

Somali people [...] are an ethnically and culturally homogeneous group, distinguished by a shared common ancestry, a strong 'clan' system, a single language ('Somali'), an Islamic (Sunni) heritage and an agro-pastoral tradition. Somalis are traditionally nomadic herders or farmers, and are organised in patrilineal clans (through the line of the father) that provide safety, support and resources to clan members. The Somali language is the bearer of a strong oral tradition. It was converted into written form in 1972 (using Latin script) and has subsequently become the official language of government and instruction. However, many Somalis continue to rely on oral tradition today. Frequently, Somalis also speak Arabic (due in part to the religious influence of Islam), as well as Swahili, French, Italian and English. The overwhelming majority of the inhabitants of Somalia are ethnic Somali, alongside groups who are not part of the Somali genealogical clans, but have been living in Somalia for centuries. The largest group in this population consists of the 'Somali Bantu' (Reer Baare / Jareer), a term used to denote various distinct groups of Bantu descent, who live primarily in farming villages along the river banks in the south. Other minorities include Brawanese and Benadiri / Reer Xamar, who are of mixed Arab, Persian and Somali descent, living mainly in coastal towns and involved in commercial activities, and the Bajuni fishing communities on the southern coast and islands. There are also minority groups who used to be seen as 'occupational castes', consisting of leatherworkers, such as shoemakers (called Kaba-tole, Midgan or Gaboye) and metal craftsmen or blacksmiths (Tumal).¹⁵⁸⁵

In relation to the Bantu minority UNHCR stated in its 2016 report 'Culture, context and mental health of Somali refugees' that "The origins of the Bantu minority groups in Somalia are not entirely clear. Some may be descendants of migrant groups or slaves. Although there have been Bantu in Somalia for at least two hundred years, they are often viewed as foreigners and have a marginal position within Somali society. Some Bantu are well integrated into Somali society, while others maintain a distinct cultural and linguistic profile. It is only since the humanitarian crisis in 1991 that the various groups of Bantu descent have become collectively known

¹⁵⁸² Government Social Development Humanitarian Conflict GSDHC Róisín Hinds, [Somali networks: structures of clan and society](#), 5 June 2013

¹⁵⁸³ International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, 2.2. *Unequal clan system and social exclusion of minority groups*, p. 17

¹⁵⁸⁴ International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, 2.2. *Unequal clan system and social exclusion of minority groups*, p. 17

¹⁵⁸⁵ UNHCR, [Culture, context and mental health of Somali refugees](#), 2016 p.12

by the term '*Somali Bantu*' and have adopted this as an ethnic identity. Others prefer different, distinct terms, such as *Reer Baare* and *Jareer*. These terms are often value ridden and their use is sometimes indicative of political stances or affiliations".¹⁵⁸⁶

In December 2016, UNSOM reported about an MP elected from a clan minority "Though Mr. Jimale is one of the old faces making a comeback to Parliament, as one of the representatives of Galmudug state, he considers his re-election special. The legislator hails from the Tumaal, meaning the blacksmiths, a minority clan that had been marginalized for many years and only allowed to marry among themselves. 'Minorities have been allowed to elect their Members of Parliament for seats in various regions. The acceptance of the participation of the minorities in the electoral process is itself democracy. My special thanks message goes to the Federal Government of Somalia and all regional states leaders for accepting minorities to vote in their regions,' observes Jimale. Apart from the Tumaal, other minority clans allocated seats are Musa-Dhari, Yibro, Yaxar and Madhibaan among others. The inclusivity of the process, he says, also brought together people from all walks of life, making it possible for members of minority tribes to be elected to Parliament".¹⁵⁸⁷

The US Department of State Report for 2016 on Human Rights Practices stated that "In most areas, the predominant clan excluded members of other groups from effective participation in governing institutions and subjected them to discrimination in employment, judicial proceedings, and access to public services. Minority groups included the Bantu (the largest minority group), Banadiri, Reer Hamar, Brawanese, Swahili, Tumaal, Yibir, Yaxar, Madhiban, Hawrarsame, Muse Dheryo, Faqayaqub, and Gabooye. Minority groups, often lacking armed militias, continued to be disproportionately subjected to killings, torture, rape, kidnapping for ransom, and looting of land and property with impunity by faction militias and majority clan members, often with the acquiescence of federal and local authorities. Many minority communities continued to live in deep poverty and to suffer from numerous forms of discrimination and exclusion. Representatives of minority clans in the federal parliament were targeted by unknown assailants, whom minority clan members alleged were paid by majority clan members. Somali returnees and IDPs from minority clans suffered discrimination, since they often lacked powerful clan connections and protection".¹⁵⁸⁸ The same report discussed the issue of political representation in Somalia noting that "Civil society, minority clans, and Puntland authorities called for the abolition of the "4.5 formula" by which political representation was divided among the four major clans, with the minority clans combined as the remaining "0.5" share. This system allocated to minority clans a fixed and low number of slots in the federal parliament".¹⁵⁸⁹

In February 2017 Mareeg news published an article outlining the role of minority clans in political life in Somalia:

A peculiar feature of the post-1991 political landscape in Somalia is the relegation of a segment of the Somali society to a third-class citizenship status. In the power-sharing mechanism, this segment of the Somali society then known as "*others*" is now known as the Fifth Clan (a token upgrading from 0.50) in the infamous 4.5 power-sharing formula). The Fifth Clan is made up of clans considered to be minorities not because they are outnumbered by other four major clans but because they did not have armed militias aligned to the clan-based opposition groups in 1980s and early 1990s. Unarmed Somali clans were an alliance until the Djibouti-sponsored reconciliation conference in 2000 hived off almost one-third of this alliance and subsumed them under clans that prided themselves on having a

¹⁵⁸⁶ UNHCR, [Culture, context and mental health of Somali refugees](#), 2016 p.12 footnote 2

¹⁵⁸⁷ UNSOM, [MP Yusuf Jimale lauds inclusion of minorities in the Somali electoral process](#), 30 December 2016

¹⁵⁸⁸ United States Department of State, [2016 Country Reports on Human Rights Practices Somalia](#), 2 March 2017

¹⁵⁸⁹ United States Department of State, [2016 Country Reports on Human Rights Practices Somalia](#), 2 March 2017 *Participation of Women and Minorities*

role in overthrowing the military dictatorship in 1991. This reconfiguration of political identity did not boost the influence of clans that were not allowed to participate in the 1991 reconciliation conference organised by Djibouti. Representatives from United Somali Congress, Somali National Movement, Somali Patriotic Movement and Somali Democratic Movement were invited to play a role in reconciliation efforts. Political marginalisation of Somali minorities took a turn for the worse when federal member states became institutionalised. The four major clans in the current power-sharing formula have a federal state, but the Fifth Clan does not. In the Somali online media, news analyses on the forthcoming Somali presidential election are taking two kingmakers into account: MPs hailing from Somaliland and the Southwest State. Missing in the analysis is the MPs of the Fifth Clan, who constitute 20% of the new Somali Federal Parliament. Any presidential candidate who includes in his/her political programme an agenda to raise the political and representation profile of the Fifth Clan will have a better chance to be elected the President of the Federal Republic of Somalia. President Hassan Sheikh Mohamud, who is campaigning under the motto “ *An incomplete job can be finished by the person who started it* ” has woefully performed when it comes to protecting the rights of members of the Fifth Clan. There is no reason to believe that his political incompetence about Somali minorities will be rectified if he is re-elected. Somali minority clans are suffering both in Lower Shabelle and Middle Shabelle regions. There has not been a discernible progress in protecting rights of minority clans in inter-riverine areas. Introducing a pro-minority political agenda is not enough. An action plan based on benchmarks on achieving equality-based, nationwide programmes will inspire confidence in any pro-minority presidential candidate. Somali minorities are stateless – a clan without a federal member state. Their stateless status impinges on the life chances of the Fifth Clan members. Politicians value the input of Fifth Clan MPs to renew political legitimacy for federal political institutions, but there is consensus on how to de-institutionalise the low political and citizenship status of the Fifth Clan. The Somali presidential election is the best opportunity to make voices of minority clans heard. By forming a pre-election caucus and meeting with presidential candidates, MPs of the Fifth can commit any elected president to an equality-based political programme that emphasises the political rights of minority clans. MPs of the Fifth Clan should end the silence on the suffering of Somali minorities.¹⁵⁹⁰

The IAAAP Somalia Accountability Programme reported in its September 2017 brief on Somalia that “Those from minority clans are typically absent from decision-making positions and are not effectively represented at local and national levels. Prevailing acceptance of kinship and patronage in Somali society means that leaders’ duties and responsibilities are owed to one’s group rather than the whole community”.¹⁵⁹¹ The brief continued “Minority clans (such as the Gabooye, Midgaan, the Bantus, and Benadiri) are also excluded from decision making and are not effectively represented in national and local government. Such groups are typically absent from city councils and other decision-making positions. Party nomination processes are largely non-transparent, with favouritism and clan interests interfering with the constitutional candidate selection. Prevailing acceptance of kinship and patronage in society is inevitably exclusionary: the duties and responsibilities of leaders are owed exclusively to one’s group rather than the community as a whole”.¹⁵⁹²

The Assessment Capacities Project website states “Minority Somali clans, such as Gaboye, Tumul, Yibir, Jaji and Yahar, as well as minority ethnic, religious, or occupational groups have a history of marginalisation: not only are they neglected by the state, but they also suffer from lack of clan protection”.¹⁵⁹³

The Immigration and Refugee Board of Canada reported in 2016 in response to the question as to whether the Arab Salah is a minority group in Somalia, that “[T]he Arab Salah [also called Arab Salax,

¹⁵⁹⁰ Mareeg News, [The Fifth Clan and the Somali Presidential election](#), 3 February 2017

¹⁵⁹¹ IAAAP Somalia Accountability Programme Learning brief [Gender equality, social inclusion and pathways to accountability in Somalia](#), September 2017

¹⁵⁹² IAAAP Somalia Accountability Programme Learning brief [Gender equality, social inclusion and pathways to accountability in Somalia](#), September 2017

¹⁵⁹³ Assessment Capitalism Project ACAPS, [Somalia Country Profile](#), last updated 16 August 2016

Arab Saleh, Meheri, Mehri] ethnic group is a sub-clan of the non-Harti Darod [Darood, Daroud, Daarood]... US-based Somali news website Somalia Report indicates that there is an Arab Salah population in Galmudug, a regional state in central Somalia [...] Similarly, in correspondence with the Research Directorate, a Doctoral candidate at Oxford University who studies Somali history, state, and society, and has conducted fieldwork in Somalia, stated that the Arab Salah are associated with the Darod clan (31 July 2016). However, in correspondence with the Research Directorate, a researcher from Minority Rights Group International (MRG) who works on Somalia stated that Arab Salah is considered to be a "minority" group by the MRG (18 Aug. 2016)".¹⁵⁹⁴

In his September 2016 report the UN Independent Expert on Somalia stated that "Somalia has several minorities – the Gaboye, the Bajoun and the Bantu – and groups identified on the basis of their trades, such as blacksmiths and potters. The Bantu, the largest minority, are found mainly in the Lower Jubba area, and engage in agriculture. Many Bantus have fled the agricultural area in the Lower Jubba basin to other safer regions in south-central Somalia because of the attacks conducted by Al-Shabaab and the conflict, the drought and the inter-clan fighting over pasture lands. Minority ethnic groups do not have adequate representation under the 4.5 formula. [...] in Somalia. Minority clans are subject to marginalization because they are not fully integrated into the clan-based political system or into other aspects of socioeconomic life in Somali society. Minorities in Somalia do not benefit from the clan protection system. [...] The Attorney General conceded that minorities did not have adequate representation in governance structures because they are poor and have to form alliances with powerful clans for their protection. According to senior State leaders, the new political framework being negotiated recognizes the need to increase participation of minorities in political structures at the local and federal levels".¹⁵⁹⁵

In its report from November 2016 Amnesty International stated "Somalia is home to a number of minority groups including the Bantu, Rerhamar and Baravnese, Bajuni, Gaboye, Tumul, Yibir and Galagala. These groups face discrimination in Somalia and are often excluded from accessing land and essential services due to their identity as an ethnic minority in a society with dominant clan structures. The UN Independent Expert on Somalia stated that many Somali Bantu, which is the largest minority group, have fled areas where they are from due to drought, inter-clan fighting and attacks by Al-Shabaab. The UN Independent Expert on Somalia's report also states that child recruitment by "Al-Shabaab targets Somali Bantu youth and children as young as 10 years of age."

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The same report described how Amnesty International had spoken to several refugees from the Somali Bantu community who are living in Dadaab, including community leaders, who expressed concern about returning due to fear of discrimination based on their ethnicity: "One man, Issa, went back to Somalia twice in 2014 and 2015 as part of the official UN organized "go and see" visits. He told Amnesty International that he went to Baidoa, Kismayo and Mogadishu, and saw no representation of minority groups in local NGOs, youth leagues, social community services or other aspects of community programmes available for returnees. He also visited 13 IDP camps where he said the majority of people living there were from minority groups; however, the camps were managed by the Somali majority group and therefore minority groups did not get assistance. Amnesty International is concerned that the Tripartite Agreement does not specifically provide for the issues facing people with disabilities or those from ethnic minorities. The refugees Amnesty International spoke to clearly said that they did not want to return and that there is no question of a

¹⁵⁹⁴ Immigration and Refugee Board of Canada, - Somalia [Information on the Arab Salah ethnic group, including location, clan lineage and affiliation, including whether the clan is a minority](#), 24 August 2016

¹⁵⁹⁵ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016 paragraph

¹⁵⁹⁶ Amnesty International, [Nowhere Else To Go: Forced returns of Somali refugees from Dadaab refugee camp](#), Kenya [AFR 32/5118/2016], 14 November 2016, *Discrimination against Minority Groups* p.26

voluntary return. However, they have no information on what happens to them if the camp closes. Based on interviews carried out by Amnesty International in Dadaab, and information from NGOs and the UN Independent Expert's report, the risks they face are real, and return to Somalia is not a viable option. People with disabilities and ethnic minorities are not the only vulnerable groups of Somalia refugees in Dadaab. However, the lack of any appropriate plan that takes account of such groups underscores the serious human rights risks associated with the plan to close Dadaab or significantly reduce the population, and to return people to Somalia".¹⁵⁹⁷

The United States State Department 'Country Reports on Human Rights Practices for 2016' stated that "In most areas, the predominant clan excluded members of other groups from effective participation in governing institutions and subjected them to discrimination in employment, judicial proceedings, and access to public services. Minority groups included the Bantu (the largest minority group), Banadiri, Reer Hamar, Brawanese, Swahili, Tumul, Yibir, Yaxar, Madhiban, Hawrarsame, Muse Dheryo, Faqayaqub, and Gabooye. Minority groups, often lacking armed militias, continued to be disproportionately subjected to killings, torture, rape, kidnapping for ransom, and looting of land and property with impunity by faction militias and majority clan members, often with the acquiescence of federal and local authorities. Many minority communities continued to live in deep poverty and to suffer from numerous forms of discrimination and exclusion. Representatives of minority clans in the federal parliament were targeted by unknown assailants, whom minority clan members alleged were paid by majority clan members. Somali returnees and IDPs from minority clans suffered discrimination, since they often lacked powerful clan connections and protection".¹⁵⁹⁸ The same report stated "Forced labor occurred. Children and minority clan members were reportedly used as porters to transport the mild narcotic khat (or "miraa"); in farming and animal herding; in crushing stones; and in construction".¹⁵⁹⁹

An AMISOM press release of March 2017 reported on a conference organized in Mogadishu which proposed "to include provisions in the constitution to help protect the rights of minorities and bar any form of discrimination".¹⁶⁰⁰ Other recommendations included "changing the electoral system from the 4.5 clan based system to 5 to pave way for universal suffrage; establishing a social development fund for minorities; setting aside a date to annually honour minority groups; incorporating the history and civilization of the minorities in the education syllabus and setting aside resources for the economic empowerment of minorities".¹⁶⁰¹

The Swiss Confederation report 'Somalia Clans and Minorities' of May 2017 stated "'Minorities' are defined as those groups that are weaker than the 'noble' clans in terms of numbers. These minorities include groups of non-ethnic Somali origin, groups that traditionally practice occupations considered 'unclean', and members of noble clans that do not live in their clan's territory or are numerically small. Since the protection of a group depends on its size, minorities tend to be marginalised, whereby the extent of its marginalisation varies according to the group. In the last few years the situation of minorities has improved in society, with the exception of mixed marriages between members of a minority and noble clan, which remains a taboo although there are

¹⁵⁹⁷ Amnesty International, [Nowhere Else To Go: Forced returns of Somali refugees from Dadaab refugee camp](#), Kenya [AFR 32/5118/2016], 14 November 2016, *Discrimination against Minority Groups* p.26

¹⁵⁹⁸ United States State Department, ['Country Reports on Human Rights Practices for 2016'](#), 3 March 2017 *Somalia*, section 6

¹⁵⁹⁹ United States State Department, ['Country Reports on Human Rights Practices for 2016'](#), 3 March 2017 *Somalia*, section 7 p.40

¹⁶⁰⁰ AMISOM, [Minorities in Somalia urge Government to implement laws barring social discrimination](#), 30 March 2017

¹⁶⁰¹ AMISOM, [Minorities in Somalia urge Government to implement laws barring social discrimination](#), 30 March 2017

exceptions and regional differences. With regard to education and the economy, the occupational groups in particular continue to be at a disadvantage”.¹⁶⁰²

An August 2017 report by Refugees International (RI) stated “Improving the protection response to newly-arrived drought-affected IDPs must start with an analysis of clan and ethnic power dynamics as it relates to vulnerabilities and aid delivery. As one aid official told RI, ‘Droughts do not affect people equally.’ [...] Evidence from the 2011 famine and its aftermath indicates that most of its victims were from traditionally weaker clans and minority ethnic groups, including members of the Rahanweyn clan and Somali Bantus. Their areas of displacement are likely to maintain fewer connections to host community support compared to those that have strong local clan and family connections. ... [M]inority groups are vulnerable to marginalization through the very distribution of aid that is so urgently needed. As RI previously reported, most IDP sites, particularly in Mogadishu (and ones that are both new and old), are controlled by gatekeepers – individuals or groups of individuals connected to landowners, government officials and/or militia leaders who manage access to IDP sites and demand as “rent” a portion of aid that IDPs receive. As analyses from Human Rights Watch and Tufts University explain, an added dimension is that gatekeepers are often connected to a region’s most dominant clan and have served to exploit displaced people from less dominant groups”.¹⁶⁰³

The August 2017 report by the Danish Demining Group stated: “Social stratification in southern Somalia has multiple dimensions”, and includes:

- The Somali Bantu. This group occupies the lowest rung of Somali society and has been most prone to abuse and denial of access to resources. They are physically identified by hair type (“hard hair” or *jareer*) and most though not all are descendants of East African slaves held in the 19th century on Somali plantations in the Lower Shabelle. Some Bantu have been adopted into Somali lineages – mainly Digil- Mirifle clans - while others maintain identities outside of the Somali family. Those in Somali lineages may be afforded somewhat better rights and access but are still highly vulnerable. They constitute the poorest social group in Somalia. Areas of return in the Jubba Valley are heavily populated by the Somali Bantu. In Jubbaland, the Somali Bantu have recently fissured into smaller tribal groupings, as part of a bid to demand greater representation and resource access for each tribe. At least for now, this trend is having the effect of reducing enthusiasm for the generic group designation of “Somali Bantu.” It has also led to a proliferation of new, rival tribal “Sultans” among the Somali Bantu.
- Coastal non-ethnic Somali citizens. The Bajuni, Barawan, and Benadiri populations are associated with the Swahili and Indian Ocean littoral communities that have populated coastal East African port cities for well over one thousand years. They are culturally and linguistically distinct from Somalis, and are not part of a Somali lineage. These groups were heavily targeted for looting and assault in the 1991-92 civil war, and though in more recent times they have negotiated protection arrangements with more powerful Somali clans, they have limited ability to claim political rights and access to resources. This group’s engagement with coastal commerce, and their familial links to populations in coastal Kenya and beyond, affords them more wealth as a group than many Somalis, but not political power.
- Low-caste sub-clans. Within each Somali clan exist low-status lineages, usually associated with certain forms of manual labour (hair-cutting, pottery-making, smithing), that are deemed unacceptable to other Somalis. These groups go by various names, including yibir, midgaan, and tumal. Their access to resources allocation within the clan is variable.¹⁶⁰⁴

¹⁶⁰² Swiss State Secretariat for Migration (SEM), [Focus Somalia Clans und Minderheiten](#), May 2017, *Main findings*

¹⁶⁰³ Refugees International, [On The Edge of Disaster Somalis Forced To Flee Drought and Near Famine Conditions](#), 21 August 2017

¹⁶⁰⁴ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Introduction: social context*

8.2. Overview of the clan structure in Mogadishu

A Landinfo report of April 2016 based on research carried out in January 2016 stated in relation to Mogadishu that “Mogadishu is a cosmopolitan city in the sense that it houses most population groups and clans in Somalia. However, the Hawiye clans, and particularly the Abgaal clan, have dominated the city politically since 1991. Traditionally the various clans have been located in different parts of the city. In general this continues to be the case, although there are signs that the various groups mix more (well informed local source conversation in Mogadishu 19 January 2016)”.¹⁶⁰⁵

In its 2017 report “Land Matters in Mogadishu” Rift Valley Institute gave an overview of clan developments in Mogadishu from the civil war onwards:

The events leading up to, and immediately following the collapse of Siyad Barre’s regime are well documented and do not need to be repeated at length. Various rebel movements had contributed to the downfall of the government in 1991 but then failed to reach an agreement on power sharing and a political transition. Instead, southern Somalia became the site of protracted state collapse, a vicious, clan-based civil war between the rival clan militias that overthrew Barre, massive population displacement, the outflow of close to one million Somali refugees to neighbouring countries, the rise of a war economy and a famine that claimed 250,000 lives. Mogadishu was at the centre of this crisis. In the first months of 1991, victorious clan militias looted government and embassy buildings in the capital. They also turned on members of rival clans. The result was a period of massive and chaotic dislocation in early 1991, in which millions of Somalis fled their homes to reach territory controlled by their clan. This flight to safety occurred in multiple directions, and affected all clans. It was Mogadishu—the most cosmopolitan urban centre of the country—that saw the largest exodus, which had a disproportionate impact on the Darood clan family, vulnerable minority groups such as the Reer Hamar, and other non-Hawiye clans. As non-Hawiye clan members fled Mogadishu, members of the now dominant Hawiye clans poured in from the countryside, occupying vacant government buildings and abandoned private residences in the city. One academic work has described this pivotal moment as the ‘clan cleansing’ of Mogadishu.¹⁰⁰ Whether the city was intentionally cleansed in a bid to appropriate real estate from fleeing residents or was a result of spontaneous flight for safety, the net result was the same. By mid-1991, Mogadishu was demographically and militarily dominated by one clan family, the Hawiye. From this point, heavy fighting between rival Hawiye clans, the Abgaal and Habar Gedir clans, led to the destruction of much of the city centre and the establishment of a green line separating northern and southern Mogadishu. It was not long, however, before non-Hawiye populations began to gradually return to Mogadishu, a trend that accelerated during the 1993–1995 UNOSOM (United Nations Operation in Somalia) peace operation. Return was initially easier for members of militarily less powerful clans. Members of other clans had to make careful calculations and seek protection from relatives or business partners of the locally more powerful Hawiye clans. They returned as guests, with constrained rights. They joined an existing influx of destitute rural dwellers who had left their homes during the 1991–1992 famine, composed mainly of members of the Digil-Mirifle clan family—the Mirifle lineages especially became better known as Rahanweyn—and farming minority groups such as the Somali Bantu

From 1992, Mogadishu was divided into three broad zones of influence, divisions that persisted at least until the mid-2000s. The northern part, encompassing Kaaraan, Yaaqshiid, Shangani, Shibis, and parts of Bondheere districts, was dominated by the Mudulood Hawiye clan confederation, and particularly the Abgaal clan under the leadership of Ali Mahdi. The district of Wadajir was also an Abgaal enclave in the far south of the city under the control of warlord Muuse Suudi Yalahow until he moved to northern Mogadishu to ‘play a greater role in Abgaal politics.’ Between Wadajir and northern Mogadishu was the rest of south Mogadishu, significantly more diverse, but dominated politically and militarily by the Habar Gedir clan, and in particular by General Mohamed Farah Aided until his death in 1996. These clan dynamics were largely sustained by the two main access routes to the city, with the Balcad Road in northern Mogadishu leading into the Abgaal-dominated Middle

¹⁶⁰⁵ LANDINFO Report [Somalia: Relevant social and economic conditions upon return to Mogadishu](#), 1 April 2016 population and composition p.7

Shabeele Region and the Afgooye Road in southern Mogadishu leading into the clan-diverse Lower Shabeele region, which the Habar Gedir clan dominated militarily during this period.¹⁶⁰⁶

The August 2017 report by the Danish Demining Group on the effect of returnees to Somalia from Dadaab refugee camp in Kenya stated: “Somalia’s current political order has never resolved fundamental debates over identity and territory in the country. Right by blood – membership in a clan – dominates discourse over who may live and claim access to protection and resources in Somalia’s major cities. In Kismayo and Mogadishu, this means that the returnees of Digil-Mirifle and Bantu identity will be exchanging refugee status in Kenya for status as ‘guests’ with limited rights in their own country”.¹⁶⁰⁷ The same report stated “The Federal Government and Benadir regional administration have both struggled to establish authority over Mogadishu’s seventeen districts, which are under the control of district commissioners, some of whom operate their districts as fiefdoms [...] Most core functions of the state – provision of security, basic health and education services, provision of power, justice – are either privatised or are provided by customary clan authorities or religious leaders”.¹⁶⁰⁸

8.2.1. Majority clans in Mogadishu

In its April 2016 report Landinfo stated “Mogadishu is a cosmopolitan city in the sense that it houses most population groups and clans in Somalia. However, the Hawiye clans, and particularly the Abgal clan, have dominated the city politically since 1991. Traditionally the various clans have been located in different parts of the city. In general this continues to be the case, although there are signs that the various groups mix more (well-informed local source, conversation in Mogadishu 19 January 2016)”.¹⁶⁰⁹

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “According to a Somalia Country Director of a humanitarian agency, Mogadishu is dominated by the Hawiye clan but there are neighbourhoods in Mogadishu, which is dominated by other major clans, for instance Darood. The same source explained that if a Darood member should leave his/her neighbourhood, he/she would be in a fragile position”.¹⁶¹⁰

A 2016 study by the Centre for Security Governance (CSG) stated “Mogadishu today is dominated by the various clans of the Hawiye clan family. Although other clans can and do reside and do business in the capital, only the Hawiye clans can mobilize large clan-based militia at short notice. Non-Hawiye residents are required to make arrangements with Hawiye-dominated armed groups for their security”.¹⁶¹¹

The August 2017 report by the Danish Demining Group described the Digil-Mirifle clan family as “[o]ne of the four main clan-families in Somalia, the Digil-Mirifle have historically been viewed as weak and low-status because of the clan’s association with sedentary agriculture and agro-pastoralism in the inter-riverine region. The clan’s territory was repeatedly overrun and occupied by

¹⁶⁰⁶ ¹⁶⁰⁶ Rift Valley Institute, [Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city](#), 2017 3. *City in conflict* p.42-43

¹⁶⁰⁷ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Executive summary*

¹⁶⁰⁸ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Introduction: political context*

¹⁶⁰⁹ Landinfo, Somalia: [Relevant Social And Economic Conditions Upon Return To Mogadishu](#) – 1 April 2016 3.1 page 7

¹⁶¹⁰ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3, Mogadishu p.12

¹⁶¹¹ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#), April 2016

Darood and Hawiye militias in 1991-92, and most of the victims of 1991-92 and 2011 famines were Digil-Mirifle. Most of the IDPs in Mogadishu and Kismayo are Digil-Mirifle. The group speaks a distinct dialect, Af-Maay. The relative position of the Digil-Mirifle in national politics has improved significantly since 1995, but they are still a more vulnerable group as IDPs and returnees outside of their home areas”.¹⁶¹²

The same report also stated “In the case of Mogadishu [...] a dominant discourse among some Hawiye clan-family members is that the capital is a Hawiye city [...] These are very contested narratives – other clans make historical claims to these urban areas, while still others argue that rights should be extended based on other logics – *Ku dhasheey* (rights by birth), or rights by national citizenship (i.e. the nationalist position that all Somalis should enjoy full rights anywhere they choose to live in the country). The problem with the *U dhasheey* discourse that dominates Somali politics today is that the IDPs are very unlikely to return to rural areas of southern Somalia. They are very likely to constitute a permanent fixture in Somalia’s main cities, whether the host community likes it or not. If they are permanently denied full citizenship rights in these cities, and continue to be labelled as IDPs indefinitely to justify that exclusionist position, Somalia’s main urban areas risk looking uncomfortably similar to apartheid South Africa’s townships, where slum-dwellers are used as a pool of cheap labour, are defined along ethnic or tribal lines, and are assigned citizenship and rights in a distant homeland”.¹⁶¹³

8.2.2. Minority clans in Mogadishu

The 2009 ACCORD report listed minority clans which have links to majority clans and stated with regards to Rer Hamar:

As the Rer Hamar belong to Benadiri, they can be regarded as minorities in terms of language and culture. They live in the central parts of Mogadishu, in Hamarweyne and Shangani, where they own property. The Rer Hamar, who mainly are of Arabic descent, is not exactly a homogenous ethnic group, but a reference made to the early urban people of Hamar and Shangani Districts of Mogadishu, which are the old historical parts of Mogadishu. There are at least two main ‘lineages’, namely the ‘Gibil Cad’ and ‘Gibil Madow’ (the latter being mixed with Somali descent). In this context, for instance, I have been told that among the Benadiri, there is a small group known as ‘Qalimoshube’ (part of Gibil Madow) who are discriminated by the other Benadiri ‘Rer Hamar’ due to their darker skin and occupations. Today the Rer Hamar are ‘not without power’, and manage to play a part in the political game with the major clans and are rarely targeted by other clans. The observation is based on the changed context in Mogadishu that has taken place over the past 8 years, within which the ‘Rer Hamar’ community no longer is subject to the kind of targeted violence committed with impunity by the major warring clans that was the case during the early civil war years where they were targeted partly due to their influence and positions in the past Somali government and because they lost any protection given to them with the collapse of the institutions of rule of law in 1990. This does not mean that the Rer Hamar community no longer is subject to discrimination”.¹⁶¹⁴

The August 2017 report by the Danish Demining Group on the effect of returnees to Somalia from Dadaab refugee camp in Kenya stated “Many of the returning refugees are members of the Digil-Mirifle clan and/or are Somali Bantu from Lower Jubba, Middle Jubba, of Bay regions. They are socially and politically weak groups. They pose little immediate threat to existing power relations in cities such as Kismayo and Mogadishu, which are dominated by more powerful clan-families (the Darood clan-family in Kismayo, the Hawiye clan family in Mogadishu). But the returnees will be more

¹⁶¹² Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Introduction: social context*

¹⁶¹³ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Refugees, IDPs and Identity Politics*, p.17

¹⁶¹⁴ Austrian Red Cross, Report on a Lecture by Joakim Gundel [Clans in Somalia](#), May 2009 *Somali traditional structures*

vulnerable to predation”.¹⁶¹⁵ The same report stated “The returnees will accelerate a major demographic shift in Mogadishu and Kismayo, increasing the percentage of Digil-Mirifle and Somali Bantu residents. Chauvinistic elements in the dominant clans could press for forced evictions of Digil-Mirifle and Somali Bantu to their ‘home territories’”.¹⁶¹⁶ The report continued “Mogadishu currently houses an exceptionally high number of IDPs – about 369,000 – of whom nearly half are Digil Mirifle and/or Bantu. Because of high costs of rent and land, most of the returnees will end up locating into one of the more than 1,000 IDP settlements in and around the city”.¹⁶¹⁷

8.3. Clan affiliations

8.3.1. Clan affiliations to SNAF/SNA

For background information on the SNAF/SNA see [2.3.2. Somalia National Armed Forces/ Somali National Army \(SNAF/SNA\)](#) and for human rights abuses committed by this actor, see [3.2. Somalia National Armed Forces/ Somali National Army \(SNAF/SNA\)](#).

The Mogadishu based Heritage Institute for Policy Studies reported in February 2016 that “The SNA’s [...] problem is related to clan dynamics. [...] the SNA remained largely a collection of militias that owed their principal allegiance to individual commanders and clans and regional formations rather than the federal government. Indeed, as a consequence, it is also important to recall that many of the weapons belong to the clans rather than the federal government. In addition, fighters loyal to the various IRAs [interim regional administration] were not integrated into the SNA. Nor was it apparent how and when this would happen and which fighters should count as part of the 10,900 identified in the Guulwade Plan as working with AMISOM”.¹⁶¹⁸

The 2016 Centre for Security Governance report stated:

While special forces are cross-clan and answer directly to the Somali government, the Somali police and SNA are at present comprised mainly of personnel answering to clan commanders and pursuing clannish agendas. The US State Department 2014 Report on Human Rights sums up the situation succinctly, observing that “civilian authorities generally did not maintain effective control of security forces”. Most of the six brigades of the SNA are closely identified with a single clan, which can become deeply problematic when deployed to areas where that clan has claims or aspirations to control valuable land. The Third Brigade, for instance, is a Hawiye/Habar- Gedir dominated force, and is deployed in the prized Lower Shebelle region, where it is ostensibly fighting to liberate territory from Al Shabaab, but where in reality it is mainly used to advance Habar Gedir claims on farmland against rival local claims such as the Biimaal clan. In 2013, an “almost full blown war” exploded in the Lower Shabelle region between locals (some of whom were members of the local police force) and the Third Brigade. What appeared superficially to be an inexplicable battle within the Somali security sector was in fact a thinly disguised clan war over authority in the Lower Shebelle region. A similar situation has occurred in the Middle Shabelle region, producing equally destabilizing results. There, a Hawiye/ Abgal clan brigade is waging war against a minority clan, the Shidle, for control of valuable riverine land. Al Shabaab is easily exploiting these abuses, recruiting from among communities fighting the clan-based FGS brigades. In an assessment of the extent to which clan militia have thoroughly penetrated the SNA, the UN Monitoring Group offered this sober description: “The complexity of the situation entails a combination of the alleged role of senior army officers and soldiers in the violence, leakages of arms to clan-based militias, use of misappropriated resources to fuel the conflict, business interests in capturing land and other resources and political agendas seeking to influence the federal state-formation process.” Somali government officials have at times

¹⁶¹⁵ Danish Demining Group, Dadaab [Returnee Conflict Assessment](#) August 2017, *Executive summary*

¹⁶¹⁶ Danish Demining Group, Dadaab [Returnee Conflict Assessment](#) August 2017, *Executive summary*

¹⁶¹⁷ Danish Demining Group, Dadaab [Returnee Conflict Assessment](#) August 2017, *Mogadishu p.30*

¹⁶¹⁸ Heritage Institute for Policy Studies, [Exit Strategy challenges for the AU Mission in Somalia](#), February 2016

acknowledged the problem. Defense Minister Abdihakim Haji Mohamud Fiqi recently [2015] stated that “transforming a clan-based militia into a national defense force” was the military's biggest challenge. Powerful clan interests in maintaining quasi-autonomous clan paramilitaries have prevented the government from taking effective action to remedy this problem. Meanwhile, the risks of external support to an army composed of autonomous clan paramilitaries promoting the interests of their own lineage while threatening the interests of other clans are high. “In today’s Somali army,” one local analyst concluded, “clan loyalties trump national identity; without this being rectified by rehabilitating and decommissioning clan militias, continuing to arm the Somali army is akin to fueling clan wars”. But this is easier said than done.¹⁶¹⁹

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “The clan-based composition of most SNA units continues to compromise their impartiality, especially in districts with complex intercommunal relations. In its final report for 2015 (S/2015/801, annex 6), the Monitoring Group documented opportunistic alliances made by particular units with regional clan militias and/or Al-Shabaab during periods of conflict. During the current mandate, the Group has received multiple reports, from the Lower Shabelle, Hiran and Mudug regions, of similar incidents in which elements of SNA have perpetuated rather than prevented local conflicts”.¹⁶²⁰ The same source noted that “Insecurity and fragmented authority created fertile ground for inter - clan conflicts, often manipulated or supported for political ends, directly or indirectly by international, Federal or regional security forces—or by Al-Shabaab, including in Galgadud, Hiran, Sool and Sanaag, and Lower Shabelle”.¹⁶²¹ The report continued (emphasis added):

Civilians are caught in a violent web of impunity in Lower Shabelle in which they often become political tools of the warring parties. The killing of six small children and their grandmother near Marka encapsulates many of these paralysing dynamics. On 18 April 2016 at Essow village southwest of Marka seven members of one family, an elderly woman Khadija Noor Mohammed and her six grandchildren [...] were shot dead and then burned in their home. The SEMG interviewed members of the family, two of whom survived the incident by hiding in the surrounding bush. Other neighbours had fled when the community received a telephone warning that militia were approaching the hamlet. The relatives described how the mother of the five children had grabbed her eldest son (13) at the advance of the militia and fled, trusting that the smaller children and elderly grandmother would not be harmed. Later she and her neighbours reportedly heard Grandmother Khadija cry out and name her attacker: Nur Awale, the son of a prominent elder, and leader of a unit of Haber Gedir(Saleban) militia based at Shalmabot. Seven homes in the hamlet were burned and the animals shot after which the militia departed, stealing maize, clothes and money they had found. **Members of the community asserted that the action would not have occurred without sanction of the local SNA Commander Nur Jiddow with whom Nur Awale’s militia were frequently co-located.** Shortly after the killings Al-Shabaab officials arrived at the scene and collected bullet casings. They also took pictures of the bodies and of the funeral ceremony. Later Al-Shabaab arrested four of those alleged to have participated in burning down the homes, but they were ultimately released without charge further to clan pressure. In the days following the killings a series of revenge attacks and clashes between Haber Gedir and Biimaal militia ensued. Seven people were killed, including children. The then Al-Shabaab Governor of Lower Shabelle, Mohamed Abu Abdalla, subsequently organized a reconciliation conference between the parties which ended with an ‘agreement’ in Janale on 28 April 2016. Meanwhile no investigations into the incident were conducted by Federal or regional or local authorities. Both Biimaal elders living in Somalia and abroad reported receiving threats from members of the Haber Gedir community further to their speaking out about the case.¹⁶²²

¹⁶¹⁹ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#), April 2016

¹⁶²⁰ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 51

¹⁶²¹ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, p.160

¹⁶²² UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, p.160, p.160

The International Crisis Group reported on the London Peace Conference for Somalia in May 2017, stating “President Farmajo has staked his reputation on reform and upgrade of the Somali National Army. There are positive signs: recruitment and clan diversity within the army and police are improving; forces belonging to the federal states increasingly are being offered training placements and the army's competence and combat effectiveness generally are improving. Yet the proliferation of parallel bilateral training programs has inadvertently created a number of challenges. Skill levels among the troops are inconsistent; some units are better paid and equipped than others, provoking frictions and undermining cohesion; structures designed to achieve greater coordination between national and federal state troops are deficient; and, despite attempts to ameliorate troop integration, unit cohesion, loyalty and morale, they remain far from optimal. All of which is compounded by old problems – indiscipline, perceived clan bias, desertions, corruption, including pilfering of fuel, equipment and ammunition, as well as a weak command chain”.¹⁶²³

A Mareeg News article noted in October 2017 “This national defence policy is powder keg due to the contested nature of the Somali Army made up of clan militias with a single, nominal commander based in Mogadishu”.¹⁶²⁴

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “The Abgal are also the dominant clan in the Somali National Army (SNA) contingents based around Jowhar and Balad, monopolizing the instruments of Government force. [...] in April 2017, over 5,000 Jareer/Shiidle/Bare were displaced from three villages near Balad further to Abgal militia attacks, supported by elements of the SNA”.¹⁶²⁵

8.3.2. Clan affiliations to AMISOM

For background information on AMISOM see [2.3.3. African Union Mission in Somalia \(AMISOM\)](#) and for human rights abuses committed by this actor, see [3.3. AMISOM](#).

In an article of 25 January 2016, Mareeg news stated “Advocates of Kenya’s invasion of Somalia argue that had it not been for the Kenyan forces, Kismayu would still be in the control of Al-Shabaab. This may be true, but after having captured Kismayu why didn’t the Kenyan forces retreat, as they promised to do, and hand over the port to Amisom? Why did they insist on staying on re-hatted as Amisom? By staying on, Kenya seems like an occupying, rather than a liberating, force. Kenya also needs to review its cosy relationship with the Jubbaland administration of its ally Ahmed Madobe, whose Ogaden clan has been blamed for excluding other clans, including minority clans such as the Somali Bantus, from political leadership. There is also widespread speculation that the Kenyan Somali political elite, which is largely from the Ogaden clan, could be manipulating events taking place in Jubbaland to ensure that political leadership in the region is dominated by the Ogaden”.¹⁶²⁶

An April 2016 Centre for Security Guidance report stated “In the Jubba region of southern Somalia, the Kenyan military, hatted as part of the AMISOM force, works closely with the Ras Kamboni militia, a clan-based paramilitary that is in practice autonomous from the Somali federal government. Ethiopian forces, also part of the AMISOM mission, work in tandem with a number of clan paramilitaries nominally linked to the government. The privileged relationship that these armed

¹⁶²³ International Crisis Group, [The London Conference and Prospects for Peace and Stability in Somalia](#), 10 May 2017

¹⁶²⁴ Mareeg News, [What Galkayo War Means to Somalia](#), 27 October 2017

¹⁶²⁵ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 10.1: Marginalized communities and humanitarian access, paragraph 3 p.127

¹⁶²⁶ Mareeg News, [Somalia: Waqing a Secretive War Runs the Risk of Turning Somalia into Iraq](#), 25 January 2016

groups have with external patrons risks reinforcing their interest in perpetuating a weak state with a dysfunctional security sector”.¹⁶²⁷

Reporting on Al Shabaab’s temporary reoccupation of Marka in February 2016, International Crisis Group explained “The situation in Lower Shabelle that allowed Al-Shabaab to take control of the centre of Marka has its own specific dynamics, but again local communities are caught between various conflicting forces. The Interim South West State of Somalia was disputed from the start in Marka and environs, and did not resolve the competition between the most powerful clans, namely Habr Gedir-Hawiye and Bimal-Dir, who at different times have found it politically advantageous to fight for and with Al-Shabaab, the Somali National Army and AMISOM”.¹⁶²⁸

Human Rights Watch reporting on inter-clan conflict in Lower Shabelle region in late May 2017 described that “The Biyomaal clan militia was initially allied with Al-Shabab, but has increasingly shifted allegiance toward AMISOM, which is based near Biyomaal strongholds”.¹⁶²⁹

In July 2017 The Jamestown Foundation reported that Al-Shabaab has boasted about the fact that it has “informants in every government ministry and within AMISOM itself. This is evidenced by the fact that al-Shabaab has repeatedly been able to attack secure sites in the Somali capital of Mogadishu and, with increasing regularity, heavily defended AMISOM bases”.¹⁶³⁰

International Crisis Group’s Crisis Watch reported in October 2017 “Ethiopia’s deployment to Somalia of the auxiliary (Ogaden) clan militias – from its own federal Somali National Regional State – has also led to clashes with non-Ogadeni Somali clans in the shared border regions. In the medium term, with better-armed federal entities and clans taking the fight to Al-Shabaab, AMISOM may be faced with more conventional tasks of inter-communal peacekeeping, tasks for which governments and electorates in the troop contributing countries may have little appetite”.¹⁶³¹

8.3.3. Clan affiliations to Al Shabaab

For information on Al Shabaab treatment of clans perceived to support the government, see [4.3. Persons associated with, or \(perceived as\) supportive of the SFG and the international community, including AMISOM forces](#) and for other motivation for ill-treatment of clans see [4.9. Other perceived critics or opponents of Al Shabaab](#).

For information on Al Shabaab targeting particular clans for recruitment, see 3.6. *Al Shabaab*, [3.6.3. Forced and child recruitment](#).

Reporting on Al Shabaab’s temporary reoccupation of Marka in February 2016, International Crisis Group explained “The situation in Lower Shabelle that allowed Al-Shabaab to take control of the centre of Marka has its own specific dynamics, but again local communities are caught between various conflicting forces. The Interim South West State of Somalia was disputed from the start in Marka and environs, and did not resolve the competition between the most powerful clans, namely Habr Gedir-Hawiye and Bimal-Dir, who at different times have found it politically advantageous to fight for and with Al-Shabaab, the Somali National Army and AMISOM”.¹⁶³²

¹⁶²⁷ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#), April 2016

¹⁶²⁸ International Crisis Group, [Somalia: Why is Al-Shabaab Still A Potent Threat?](#) 11 February 2016

¹⁶²⁹ Human Rights Watch, [Somalia: Al-Shabab Forces Burn Villages](#), 26 July 2017

¹⁶³⁰ The Jamestown Foundation, [Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab](#), 28 July 2017

¹⁶³¹ International Crisis Group Crisis Watch, [Managing the disruptive aftermath of Somalia’s worst terror attack](#) 20 October 2017, *The Clan Resistance and Islamic State Encroachment*

¹⁶³² International Crisis Group, [Somalia: Why is Al-Shabaab Still A Potent Threat?](#) 11 February 2016

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that “As Al-Shabaab expanded its operations territorially, internally displaced persons, refugees and others, whether for clan reasons or otherwise, perceived as associated with Al-Shabaab, sometimes bore the brunt of community anger in the wake of attacks. In North Galkayo, for example, traditionally good relations between internally displaced persons and host communities — and efforts by some government officials to urge restraint — did not prevent the killings of internally displaced persons, refugees and outsiders in the wake of a wave of assassinations attributed to Al-Shabaab”.¹⁶³³

In a September 2016 Research Memo, the Immigration and Refugee Board of Canada reported that “In 2014, the governor of Mandera County was quoted by IRIN as stating that he claimed to have “information showing that the Degodia clan sought the assistance of Al Shabaab” during a clan conflict and that Al Shabaab was involved in launching attacks in Mandera”.¹⁶³⁴ A further research memo from the same source noted that “Sources indicate that in April 2013, Al Shabaab attacked a court in Mogadishu (Radio Andalus 8 Jan. 2015; UN 17 Jan. 2014, 5). The UN reported that the incident occurred at the Banadir High Court and resulted in the deaths of four legal professionals (ibid.). According to a 2015 broadcast by Al Shabaab’s station, Radio Andalus, the April 2013 attack killed more than 36 people and wounded 26 more (8 Jan. 2016). The same source states that a member of the Ajuran clan was part of the “elite” fighters that carried out the attack for Al Shabaab (ibid.)”.¹⁶³⁵

In a query response on power relations in Southern Somalia of 10 November 2016, LANDINFO stated “Al-Shabaab’s power also varies depending on local clan relationships, and some clans resist them. In February 2016, for example, the Abgal clan militias forced al-Shabaab out of a number of areas in Middle Shabelle”.¹⁶³⁶

In January 2017 Global Observatory published an article by senior researcher at Sahan Research, Ilya Gridneff stating “This week’s deadly al-Shabaab attacks on a Mogadishu hotel and Kenyan troops attached to an African Union peacekeeping mission are a reminder that the militant group’s influence across Somalia owes much more to its strategy of capitalizing on clan and political grievances than to the appeal of its jihadist ideology. [...] The hotel violence was a direct attack against Somalia’s political process, with elders and recently elected MPs—mainly of the Rahanweyn clan, more specifically their Digil-Mirifle sub-clans—based there and conducting election-related meetings with various dealmakers and high-profile officials. [...] Al-Shabaab’s new strategy, which has steadily morphed into a kind of ‘composite insurgency’, is that the group appropriates and exploits clans and sub-clans’ grievances for its own purposes”.¹⁶³⁷ The same source further explained that:

¹⁶³³ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 99

¹⁶³⁴ Immigration and Refugee Board of Canada, [Somalia: Information on the Degodia clan, including distinguishing features, locations, occupations and position in the clan hierarchy; treatment \(2014-August 2016\) \[SOM105605.E\]](#), 02 September 2016

¹⁶³⁵ Immigration and Refugee Board of Canada: Somalia, [Information on the Ajuran clan, including location, clan affiliation, and whether the clan is a minority; treatment of members; reports of armed clashes with the Oqaden clan; reports of targeting of members of the Ajuran by Al Shabaab \(2014-July 2016\) \[SOM105590.E\]](#), 31 August 2016

¹⁶³⁶ LANDINFO, [Query response Somalia: Power relations in Southern Somalia](#), 10 November 2016

¹⁶³⁷ Global Observatory, [Ilya Gridneff Al-Shabaab Strategy Shifts Toward Clans as Presidential Election Looms](#), 27 January 2017

The result is a patchwork of different communities that support, tolerate, or collude with the group to varying degrees but for largely parochial reasons and lacking in any meaningful common purpose. Although al-Shabaab's rank and file are from all clans, as well as foreign fighters, they have always skillfully appropriated local grievances, aligning with marginalized communities. A recent [January 2017] [...] Al Jazeera interview with group spokesman Sheikh Ali Dheere, posted on the Somali site Dalsoor and YouTube, confirmed this new approach. Dheere's explicit acknowledgement of the role of clan in Somali society exposed al-Shabaab's fresh thinking. It also pre-positioned the jihadists as an insurgent "safety net" for clans that feel cheated or disenfranchised by the outcome of Somalia's ongoing electoral process. His comments on clan, which he characterized as a necessary part of Somali life consistent with the teachings of the Prophet Mohammed, and a social support network, were the interview's most significant statements. In the past, al-Shabaab has officially tried to cast itself as a movement that transcends the clan system, and that following Islam is the one true path. In recent years, however, this fiction has become increasingly difficult to sustain. As Stig Jarle Hansen, associate professor at the University of Life Sciences in Oslo and author of *al-Shabaab in Somalia*, told me: "There is a contradiction in Shabaab. If you want to survive in Somalia you need to play the clan game, and Shabaab is doing it. The problem is, they have to pretend that they don't because of their Islamist credentials," he said. As al-Shabaab's fight became asymmetric, the group embraced clans as a centerpiece of its strategy. The tactical acceptance, or manipulating and opportunistic support, of clan differences and associated political grievances across Somalia has become vital to survival as territory has been lost due to military intervention from the likes of Kenya and Ethiopia. The group's military wing, the Jaysh al-Usra, routinely calls upon the support of friendly clan militias that it refers to as al-Ansar, meaning "the helpers." The announcement, in October 2016, that it had established a "congress of clan leaders" represented a particularly remarkable volte-face on past strategy. At the same time, al-Shabaab has engaged in increasingly overt intimidation of specific clans, employing alternating cycles of violence and negotiation to maneuver them into the jihadist fold. Its forces have inflicted collective punishment against these clans: killing community members, confiscating livestock, and threatening forced displacement unless they come to the bargaining table. To avoid punishment, clan elders must swear allegiance to al-Shabaab and their fighters must enlist in the jihadist cause".¹⁶³⁸

The Danish Immigration Service's report of its December 2016 Fact Finding Mission stated:

Al-Shabaab started as a group mainly composed of members of the dominant clans. Today, al-Shabaab is increasingly composed of minority clans. According to the source the minority clans felt mistreated during the civil war, and currently they are being marginalised in the political process where political representation is distributed according to clan. Joining al-Shabaab is a way of getting revenge and counterbalancing their political marginalisation. Support for al-Shabaab is usually not ideological but more often about clan disputes. Al-Shabaab can be used to take revenge. According to the source, al-Shabaab has a very sophisticated intelligence wing (*Amniyat*), and al-Shabaab has a good number of inactive supporters in both Somaliland and Somalia.¹⁶³⁹

The same report stated "Al-Shabaab is in principle against clannism and a UN source indicated that al-Shabaab deliberately recruits from minority clans and appoints people from minority clans to administrative posts. Furthermore, people from minority clans might join al-Shabaab due to a wish for revenge over majority clans. This might be a reason why, according to a UN source, al-Shabaab recruits new members following inter-clan fighting".¹⁶⁴⁰ The report continued:

¹⁶³⁸ Global Observatory, [Ilya Gridneff 'Al-Shabaab Strategy Shifts Toward Clans as Presidential Election Looms'](#) 27 January 2017

¹⁶³⁹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 36. *The extent of al-Shabaab control and presence, including the hinterlands*, p.47

¹⁶⁴⁰ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3.1 *The recruitment process* p. 21

As a generic example of a likely recruitment process one source explained that al-Shabaab will inform the elders of a given area that a specific number of youth must join al-Shabaab, e.g. in defending the town, concurrent with preaching its interpretation of jihad. If the elders refuse to supply the demanded recruits, al-Shabaab will use force. A Somalia Country Director of a humanitarian agency explained that the consequence of refusing recruitment will fall upon the clan. If a person refuses to be recruited – or a local community refuses to bring the demanded number of boys and men – it can lead to violent confrontations between al-Shabaab and the clan in question. A UN source mentioned that if al-Shabaab is to accept that a person refuses to be recruited, some kind of compensation is required. If a person refuses to compensate al-Shabaab, he will have to flee otherwise al-Shabaab will locate him and execute him. [...]

Al-Shabaab started as a group mainly composed of members of the dominant clans. Today, al-Shabaab is increasingly composed of minority clans. According to the source the minority clans felt mistreated during the civil war, and currently they are being marginalised in the political process where political representation is distributed according to clan. Joining al-Shabaab is a way of getting revenge and counterbalancing their political marginalisation. Support for al-Shabaab is usually not ideological but more often about clan disputes. Al-Shabaab can be used to take revenge. According to the source, al-Shabaab has a very sophisticated intelligence wing (*Amniyat*), and al-Shabaab has a good number of inactive supporters in both Somaliland and Somalia.¹⁶⁴¹

The report further stated “Sources explained that when al-Shabaab tries to track down a defector they use clan networks and bio-data collected by al-Shabaab on each individual member. Bio-data in this context is the father’s name, grandfather’s name, great grandfather’s name, mother’s name, name of village etc. A defector who is tracked down will likely be killed. A Somali NGO assessed that no genuine safety for al-Shabaab defectors could be found in Somalia, and a defector would only be safe if able to raise enough money to flee abroad, e.g. to Kenya”.¹⁶⁴²

The same report continued “In addition, elders in the local communities in areas that al-Shabaab takes over can also be regarded as members of al-Shabaab as al-Shabaab will use them, more or less willingly, to rule the area. When al-Shabaab recruits they can request the elders of a local community to bring a number of boys and young men to protect the village. Al-Shabaab can also bring boys and young men to military camps in order to use them in combat elsewhere. The source assessed the latter case as potential forced recruitment. There has been an increased pressure from al-Shabaab on local communities for recruits. [...] The consequence of refusing recruitment will fall upon the clan. If a person refuses to be recruited - or a local community refuses to bring the demanded number of boys and men – it can lead to violent confrontations between al-Shabaab and the clan in question”.¹⁶⁴³ Further, the report stated “Refusing to pay tax (*zakat*) can lead to violent confrontations between al-Shabaab and clans/local communities”.¹⁶⁴⁴

The Council of Foreign Relations’ publication Foreign Affairs reported in February 2017 “Al Shabab is adroit at exploiting clan cleavages and local feelings of marginalization. Its ability to present itself as above clan politics fueled the group’s rise and continues to give it traction. Last year, the group overran the strategic city of Marka, where the local population has been dissatisfied with being

¹⁶⁴¹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3.1 The recruitment process, p. 22

¹⁶⁴² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.2 Al-Shabaab defectors p. 18

¹⁶⁴³ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 21. Forced recruitment to Al-Shabaab p.41

¹⁶⁴⁴ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 22. Possible al-Shabaab targets in areas under the control of al-Shabaab p.42

administered by the government of the new South West State. Similarly, in Juba State, al Shabab has injected itself in disputes in areas bordering Ethiopia and Kenya and in the southern reaches of the state. The military forces of the new states are essentially clan-based militias and are even more exclusionary and narrowly parochial than the still predominantly clan-based Somali National Army".¹⁶⁴⁵

International Crisis Group stated in February 2017 "Al-Shabaab still holds territory in the south and centre but discontent is rife among the population, especially in the Juba valley, where the group's coercive collection of zakat tax has angered residents. In Middle Shabelle and Hiraan regions in the centre, local clan militias have mobilised and had some success in disrupting Al-Shabaab's operations. Deep fragmentation among Somali clans makes them incapable of an organised large-scale revolt. Some could ally against Al-Shabaab but they would have to use great care as arming clans hastily and indiscriminately would risk more instability".¹⁶⁴⁶

The UNHCR Flash report of May 2017 reported "Recent waves of displacement in the Lower Shabelle region are being occasioned by other factors linked to generalized insecurity. Approximately 70 individuals, adults and children combined – mostly women, were abducted by Al Shabaab from Km 50 village between 21 and 23 May and taken to Mubarak due to heightened tensions between members of the Biyamaal clan and the militant group".¹⁶⁴⁷

Human Rights Watch reporting on inter-clan conflict in Lower Shabelle region in late May 2017 described that "The Biyomaal clan militia was initially allied with Al-Shabab, but has increasingly shifted allegiance toward AMISOM, which is based near Biyomaal strongholds. Since September 2016, tensions and fighting between the Biyomaal and Al-Shabab have escalated".¹⁶⁴⁸ Furthermore, "The recent attacks in Lower Shabelle appear in part to be Al-Shabab's response to shifting community alliances in the region. Human Rights Watch was not able to determine Al-Shabab command structures during the May attacks, including possible involvement of specific clans within Al-Shabab and clan militia".¹⁶⁴⁹

In a July 2017 report, the Jamestown Foundation explained that following defeats in 2011-2012, al-Shabaab reshaped its organizational structure. Then leader Godane "cleverly adopted a structure that outwardly modeled the de-centralized and non-hierarchical structure of Somalia's clans. [...] Al-Shabaab's commanders and sub-commanders were allowed — and indeed encouraged — to engage in clan politics. Al-Shabaab's leadership considers this as an 'above but part of' strategy. The group's senior leaders and, to a lesser degree, its regional commanders remained above the often messy and at times bloody machinations of rival clans and sub-clans, allowing al-Shabaab's senior leadership to act as arbiters in conflicts. This outcome was not accidental and has allowed al-Shabaab to build a considerable amount of goodwill in parts of Somalia".¹⁶⁵⁰

In August 2017 UNSOM published a study into 'Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia'.¹⁶⁵¹ The study found that "Respondents also noted the

¹⁶⁴⁵ Council on Foreign Relations, Foreign Affairs [Securing Somalia The Challenges Awaiting Its New President](#), 20 February 2017

¹⁶⁴⁶ International Crisis Group, [Somalia: New Leadership, Persistent Problems](#), 28 February 2017

¹⁶⁴⁷ UNHCR Flash report PRMN [Somalia Displacement Update](#) 27 May 2017

¹⁶⁴⁸ Human Rights Watch, [Somalia: Al-Shabab Forces Burn Villages](#), 26 July 2017

¹⁶⁴⁹ Human Rights Watch, [Somalia: Al-Shabab Forces Burn Villages](#), 26 July 2017

¹⁶⁵⁰ Jamestown Foundation, 'Reclaiming Lost Ground in Somalia: The Enduring Threat of al-Shabaab; Terrorism Monitor Volume: 15 Issue: 15', 28 July 2017

¹⁶⁵¹ UNSOM, [Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia](#), 14 August 2017

vulnerability to recruitment of people in communities marked by inter-clan strife. Al-Shabaab may offer protection from an enemy clan, or even work to eliminate clannism in certain areas”.¹⁶⁵²

An August 2017 report by the Danish Demining Group exploring the expected impact of the return of up to 260,000 Somali refugees from Dadaab refugee camp in Kenya stated “The returnee arrival could eventually transform clan demographics in Kismayo, creating a situation in which the empowered Darood clan-family could be outnumbered by the weaker Digil-Mirifle and Bantu. The mainly Digil-Mirifle and Bantu returnees will join an existing population of Digil-Mirifle and Bantu in Kismayo, which constitute a large IDP population residing in over 40 IDP camps, all crowded slums with temporary or sub-standard housing. In the long-term, the existence of a large population of Digil-Mirifle and Bantu crowded in slums and IDP camps and treated as an underclass will constitute a dangerous underlying source of conflict and an easy recruiting tool for Al Shabaab”.¹⁶⁵³

Armed Conflict Location and Event Data Project (ACLED)’s publication Conflict Trends in September 2017 reported “While Al Shabaab of Somalia falls high on the list of most lethal conflict actors against civilians in Somalia, they do not top the list. A number of clan militias –specifically, the Habar Gedir Clan Militia, Jejele Clan Militia, and Darood-Marehan Sub-Clan Militia –have been more lethal toward civilians this year, meaning that more civilians are reportedly killed as a result of each of their attacks. While the rate of violence against civilians carried out by clan militias has remained relatively constant over time, the lethality of this violence has been increasing. As Al Shabaab expands into new locations, the number of clan militias active in those same locales is impacted. This suggests a relationship between clan militias and Al Shabaab - namely that Al Shabaab may in fact be a ‘brand’ under which numerous clan militias may fight. In fact, the majority of new conflict actors in Somalia during the past year are clan militias, active in a variety of areas. Unidentified armed groups (UAGs) also continue to be very active in Somalia. Thus far this year they have been second only to Al Shabaab. UAGs’ activity against civilians, including remote violence against civilians, is particularly high. It is very likely that UAGs may be carrying out violence on behalf of others, such as Al Shabaab. Specifically, when looking at the locations in which Al Shabaab is newly active this year, the number of distinct, active clan militias has decreased in many of these locations during this same time”.¹⁶⁵⁴

International Crisis Group’s Crisis Watch reported in October 2017 on events from 2016 stated “Another important strike against Al-Shabaab came from some Somali clans, a reversal of Al Shabaab’s usually deft management of clan relations. In February 2016, Abgal clan militias forced the group out of several locations in the Middle Shabelle region following resistance against alms (zakat) demands; Gugundhabe “Ma’awis Lei” clan militias did the same in Hiiraan, as did the original clan-based Sufi-inspired anti-Al-Shabaab militia Ahlu Sunna Wal Jama’a in Gedo (with the help of Ethiopian forces). The now more substantive federal states and interim administrations have also used their clan-based militias. In March 2016, for example, Al-Shabaab units were caught between the Somali National Army, Puntland’s “Darwiish” forces and Galmudug Interim Administration militias as they attempted to enter the Mudug region and its port town of Gara’ad. The heavy presence of neighbouring states in the newer federal entities of Jubaland, South West State and Galmudug can look like a partisan foreign occupation, especially where they are still internally disputed. Al-Shabaab can easily appeal to disgruntled Somali clans by charging that foreigners are

¹⁶⁵² UNSOM, [Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia](#), 14 August 2017, *D. Al Shabaab recruitment and messaging* p.12

¹⁶⁵³ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Executive summary*

¹⁶⁵⁴ Armed Conflict Location and Event Data Project (ACLED) Conflict Trends (No. 61) [Real-Time Analysis of African Political Violence](#), September 2017

manipulating internal affairs, then portray its role as Muslim resistance to non-Muslim powers, and implicitly, the defender of Somalia's sovereignty".¹⁶⁵⁵

A November 2017 letter from the chair of the UN Security Council Committee "By late 2016, Al-Shabaab's allegiances in the region [Lower Shabelle] were more firmly established. Spurred by Al-Shabaab's temporary takeover of Marka in February 2016, supported to various degrees by Haber Gedir militia and elements of the Somali National Army, the Biimaal switched their allegiance to AMISOM and anti-Al-Shabaab forces. Haber Gedir networks in the region turned to Al-Shabaab and consolidated their alliance. By October 2016, Al-Shabaab had commenced large-scale burning and looting of Biimaal villages, escalating its attacks in May 2017. In August, open conflict erupted between Biimaal and Haber Gedir militias and Al-Shabaab over control of Marka. [...] The role of Al-Shabaab in interclan and interstate violence became more overt. In Lower Shabelle, both Al-Shabaab and anti-Al-Shabaab forces strengthened their alliances with the opposing sides in the long-running conflict over resources and control of territory between Haber Gedir and Biimaal (and Digil) clans. In a series of attacks beginning in October 2016 and escalating again in May and August 2017, Al-Shabaab burned villages and killed and abducted civilians from Biimaal and Digil communities".¹⁶⁵⁶

8.3.4. Clan affiliations to other armed groups

Also see [2.3.5. Non-state armed groups and clan militias](#) and for human rights abuses committed by these actors, see [3.5. Non-state armed groups and clan militias, incl. ISIL](#).

Anti-Tribalism movement asked in November 2016 "[H]ow did Daesh end up in Somalia in the first place? The answer can be found in the tribalism that plagues Somali society. Terrorists look for areas of tension and instability where they can plant their seed. Tribalism can provide just the conditions they're looking for. In the words of a regional president in Somalia, Ahmed Madobe Islam, "We will never win [...] as long as tribalism exists amongst ourselves. [...] We need new young educated men who are free from tribalism to lead the war against terror groups. The terror group he was referring to there is al-Shabaab. It was this group's presence and the power struggles within it that opened the door to Daesh. A British citizen, Abdiqadir Mumin was a prominent cleric for al-Shabaab. But despite his lack of field experience, he had ambitions to be a commander. His way to achieve that was to take control of a splinter group and pledge its allegiance to Daesh's so-called Caliphate. We can see clearly how tribalism allowed a local terror group to flourish, which in turn was exploited by Daesh".¹⁶⁵⁷

A January 2017 letter from the Chair of a UN Security Council Committee 'concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities' reported that "Member States assess that recruitment into ISIL is influenced by Somali clan dynamics, with members of the Darod clan being more sympathetic to ISIL and forming the bulk of

¹⁶⁵⁵ International Crisis Group Crisis Watch, [Managing the disruptive aftermath of Somalia's worst terror attack](#), 20 October 2017 *The Clan Resistance and Islamic State Encroachment*

¹⁶⁵⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, para 45

¹⁶⁵⁷ Anti-Tribalism movement, [Daesh in Somalia: a Message from Qandala](#), 4 November 2016

its membership”.¹⁶⁵⁸ Sheikh Abdiqadir Mumin who leads the ISIL cell in Puntland belongs to the Marjerteen subclan, which is part of the Darod clan.¹⁶⁵⁹

In October 2017 International Crisis Group stated “The IS factor is the latest playing into a number of internal divisions that are arguably more deadly to Al-Shabaab than the military forces pitted against it. The March 2016 losses in Mudug were the result of Al-Shabaab’s botched attempts to move fighters toward their Golis mountain stronghold between Puntland and Somaliland as the group tried to eliminate a dissident faction that had declared allegiance to the so-called IS. The IS factor is the latest playing into a number of longstanding internal divisions – including reports of internal criticism of the current Emir Ahmed Diriye “Abu Ubaidah” – that are arguably more deadly to Al-Shabaab than the military forces pitted against it. The prominent Sheikh Abdulqadir Mumim’s October 2015 pledge of loyalty (ba’ya) to IS was the most high-profile of at least four different pro-IS dissident factions across Somalia, which Al-Shabaab’s amniyat security wing ruthlessly began to exterminate in November 2015”.¹⁶⁶⁰

A November 2017 letter from the chair of the UN Security Council Committee stated “The ISIL faction has demonstrated increasingly sophisticated recruitment methods, largely targeted at disaffected members of Al-Shabaab in southern Somalia. For instance, two former ISIL fighters interviewed by the Monitoring Group reported that they had received airplane tickets from Mogadishu to Galkayo, which enabled them to avoid the numerous armed checkpoints that road travel from southern Somalia to Puntland would have entailed. As a result of more proactive recruitment, the ISIL faction has moved beyond a movement dominated by the Darod/Majeerteen/Ali Saleeban sub-clan, and its fighters now represent a cross-section of clans from across Somalia”.¹⁶⁶¹

8.3.4.1. Clan affiliations to other armed groups in Mogadishu

The Centre for Security Governance (CSG) April 2016 report stated that “The role of DCs [District commissioners] and their informal security forces are one of the most important, and complex, sources of non-state or quasi-state security provision in the capital”.¹⁶⁶² The report further explained that:

Technically, DCs, mayors, and other government officials do not have the legal right to command armed groups. In reality, most of the 16 DCs of Mogadishu have carved out fiefdoms using clan-based militias, drawn from a combination of army or police personnel and gunmen from their clan. Some of the DCs constitute contemporary manifestations of the warlords of the 1990s, laying claim to exclusive control over the territory in the districts, operating mafia-like protection and extortion rackets there, ignoring the FGS, and blocking the formal security sector from operating within the district. The more powerful DCs, such as Ahmed Dirie of the strategically important Wadajir district,

¹⁶⁵⁸ UN, [Letter dated 11 January 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da’esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 13 January 2017, paragraph 49

¹⁶⁵⁹ UN, [Letter dated 11 January 2017 from the Chair of the Security Council Committee pursuant to resolutions 1267 \(1999\), 1989 \(2011\) and 2253 \(2015\) concerning Islamic State in Iraq and the Levant \(Da’esh\), Al-Qaida and associated individuals, groups, undertakings and entities addressed to the President of the Security Council](#), 13 January 2017, paragraph 50, footnote 66

¹⁶⁶⁰ International Crisis Group Watch, [Managing the disruptive aftermath of Somalia’s worst terror attack](#), 20 October 2017 *The Clan Resistance and Islamic State Encroachment*

¹⁶⁶¹ UN Security Council [Letter from the Chair of the Security Council Committee](#) concerning Somalia and Eritrea 2 November 2017, para.38

¹⁶⁶² Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#), April 2016 page 21

have even sought to control the hiring and rental contracts of international organizations working and residing in their districts, and have tried to force NGOs to hire their gunmen as security guards. [...] The armed groups answering to DCs are part of the formal security sector in as much as some are members of the police or army, but because they are working for DCs in an extralegal fashion, they can also be understood as non-state armed actors. Because they can and do maintain a certain degree of order and protection within the district, they are also eligible for consideration as non-state security providers. The ascent of DCs and their armed groups as the most powerful non-state (or quasi-state) security providers in Mogadishu has been one of the most vexing state-building problems in the capital and has preoccupied leadership of the FGS. It has been the topic of an ongoing power struggle between the central government, individual strongmen and their clans. Successive mayors, including most famously Mayor Hassan Mohammed Hussein “Mungab” and Mayor Mohamed Nur “Tarzan,” have sought to disband DC militias and even had several of the most notorious DCs temporarily arrested. To date they have had only modest success. When he resigned from his position, Mayor Tarzan said dealing with DCs was a nightmare, as each “acted like his own President.”[...] As one news analysis recounts, “many of the district commissioners in Mogadishu are actually warlords with substantial militias, raising fears of a reprise of the terrifying years from the early 1990s until 2006, when warlords divided Mogadishu block by block with roadblocks manned by trigger-happy militiamen” Most of the DCs in Mogadishu from 2005 until recently were appointed by the government but with the direct backing of a strongman from their clan. This meant that some DCs served as fronts for militia kingpins who used the DCs to maintain the status quo. Dismissal of those figurehead DCs by the government has been possible, but their replacements generally inherit the same sub-clan gunmen and relations with the militia commander. The most recent, and extensive, set of DC replacements introduced a new generation of young, inexperienced DCs into the political arena. With few instruments of authority and control, many had little choice but to accept a subordinate role to the previous DC and/or his militia benefactor. In one notable case, the new DC was a relative of the old DC and took up residence with him. In another, the mayor provided funds for him to raise his own militia (including two battlegroups) independent of the former DC, a move which succeeded in marginalizing the ousted DC but which only perpetuated the problem of extra-legal armed groups serving district commissioners.

Unlike the clan paramilitaries that have penetrated the SNA, which are deployed into the territory of other clans, the DC paramilitaries tend to stay within their district, which is understood to be the “domain” of their clan or sub-clan — a location where the clan expects to dominate or even monopolize rents, employment and politics. In a number of cases, these districts are cosmopolitan, in the sense that members of any clan can live there and enjoy a degree of protection from the DC militia. In other districts, only members of the dominant clan reside there. In both cases, the DC militias do provide a certain level of protection, and come under a degree of command and control by the DC or the clan militia commander. While they are seen by the federal government and its supporters as dangerous sources of resistance to state building, they are viewed in more ambiguous terms by local residents. Like mafia protection rackets elsewhere, these armed groups provide protection for those who pay or are lineage members, and as such earn a modicum of “performance legitimacy” from communities as a result. This stands in contrast to low levels of trust for the formal police, who routinely demand bribes from victims of crimes as a precondition for action, and release suspects if relatives pay cash. The commissioners’ interests are to protect and promote their clan’s interests, profiteer from the affordances their position allows and, for the more ambitious among them, use their perch as commander of a district to consolidate their claim as the leading political figure in their clan. To that end, all of the DCs have an interest in maintaining a reasonable level of security in their districts, if they are capable of achieving it.¹⁶⁶³

The same report also stated:

One of the most ambiguous sources of non-state security are the “gatekeepers” of large internally displaced persons (IDP) camps in Mogadishu. Called “black cats” by the Somalis, these individuals preside over a lucrative industry providing space for shelter and protection for IDPs. They sometimes buy up land and then actively seek out IDPs to fill up camps, which then attract humanitarian aid, of

¹⁶⁶³ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#) April 2016 page 21

which the camp managers take a sizable cut. The gatekeepers claim to provide security in the IDP settlements either through their connections to powerful clan militia or their area, or by employing their own militia, often including police and soldiers.¹⁶⁶⁴

8.4. Treatment of persons belonging to a clan engaged in a blood feud or other conflict

This section should be read against [6.8.2. Clan based judicial system](#) and [8.5. The role of the clan in providing traditional forms of protection, including material assistance and support](#).

A 2009 Austrian Red Cross (ACCORD) Report on a Lecture by Joakim Gundel stated:

One aspect of the Somali tradition is that the rights of groups effectively are protected by force, or threat of force. Tenure of rights thus ultimately depends on the ability to defend them, by coercion if necessary. This is also the case for individual security, which rests upon the individual's mag-paying group's ability to fight, and the solidarity between the mag-groups of the wider clan and their fighting capability. They must therefore both be able to retaliate and pay compensation. Hence, the lack of impartial enforcement mechanisms becomes apparent in cases when a judgment is passed that favours a militarily weak clan, and a militarily strong clan then openly refuses to comply with it. As a result, Somali minority groups are heavily discriminated against through xeer application. Revenge killings, resulting from perceived acts of humiliation, can cross clan borders, as clan elders would use their internal ways of communication to have some clan's members intercept the perpetrators during their flight. Even if revenge cannot be carried out right away, it will happen, even 40 years in the future. Revenge killings are usually directed against the perceived perpetrator. However, in cases where a clan refuses or fails to hand over the perpetrator, revenge may alternatively target other members of his clan, in which case the revenge-seeking clan would attempt to get hold of a person whose loss will harm the perpetrator's clan the most. As to the question whether or not women, children and elders may become targets of revenge killings, it should be noted that in the Somali culture, these groups are spared from the spear (Birimageydo) and are therefore in principle not allowed to be touched. However, it is difficult to ascertain from what age a person would be considered an adult and thus become a possible target. But, since it is the males who protect their families, in situations where all the older males in the family have died and are hence not available, particularly in the South, one can observe 12 to 14-year-old boys who take over the household. In such a case, it can occur that such a male minor becomes a target.¹⁶⁶⁵

The 2016 Centre for Security Governance report describes how "Clans quickly mobilize to defend their own members and, if customary law breaks down, exact revenge on rival clans that have committed a crime against one of their own. This can have a powerful deterrent effect on potential acts of political violence or crime. Members of more powerful lineages enjoy greater protection than do members of weak or low-status clans, which often endure violence and predation their clan can do little about".¹⁶⁶⁶

The Danish Immigration Service's report of its December 2016 Fact Finding Mission stated "The principle of compensation and revenge has a preventive effect as criminal acts could entail involving the whole family or clan in clan disputes. In such clan conflicts large areas might be a no go area to a person just because of his/her clan origin. Members of minority clans are in a particular vulnerable position as minority clans typically do not have their own militias. [...] Disputes easily escalate into

¹⁶⁶⁴ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#) April 2016 *IDP gatekeepers*, p.32

¹⁶⁶⁵ Austrian Red Cross Report on a Lecture by Joakim Gundel [Clans in Somalia](#) May 2009 7. Clan Protection 7.1. Background: power structures and revenge killings

¹⁶⁶⁶ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#), April 2016

violence, and it is not unusual that business agreements or recruitment of employees escalate into violence and/or death threats. This high level of social violence affects the civilian population throughout S/C Somalia, where social violence has exacerbated due to the lack of rule of law. In this situation the most vulnerable groups are women and minority clans and accordingly, women from minority clans are in a particularly vulnerable position”.¹⁶⁶⁷

The US Department of State’s 2016 Report on Human Rights Practices reported that “Fighting among clans and subclans, particularly over water and land resources, occurred throughout the year, particularly in Merka, Galkayo, and Hiiraan Regions. Revenge killings occurred. [...] Clan-based political violence involved revenge killings and attacks on civilian settlements”.¹⁶⁶⁸

According to the German Federal Office for Migration and Refugees, “A clan elder was killed in the village of Arbiska near Mogadishu on 05 August 2016, the assassins are assumed to have been al-Shabaab fighters. The murder victim played an important role in the reconciliation process of the local clans”.¹⁶⁶⁹

8.5. The role of the clan in providing traditional forms of protection, including material assistance and support

The 2009 Austrian Red Cross (ACCORD) Report on a Lecture by Joakim Gundel stated with regards to clan protection that:

In the Somali tradition, weak and scattered clans who are driven to seek protection from the stronger clans can enter a protection status with them. The protecting clans naturally expect something in return. Such alliances based on contractual agreements between weak and strong clans are known as gaashaanbuur, meaning “pile of shields”. Hence, minorities can seek protection by attachment to stronger lineages by joining a gaashaanbuur coalition. There exist varying degrees of adoption and incorporation within stronger lineages. These range in degree of dependent status with associated inferiority from neighbour (deris), appendage (saar - parasitic creepers), followers (soo raac), to pretenders (sheegad - those who claim to be what they are not.) In the case of sheegad, the weak group may assume the lineage affiliation of its protectors and may claim a common agnatic origin. The Somali family to which the sab are attached protects them vis à vis other Somali and are responsible for any damage inflicted on them. The extent to which the sab presently have managed to set up their own independent map-paying groups needs to be investigated further. The lesson is that adoption of weak clans does occur, and it is possible to move the stronger clans into compromise with their traditional position. When this happens, the stronger clans may even pay mag for the adoptives”.¹⁶⁷⁰

The report continued:

It is a traditional code in Somali culture that when a person comes to your house and seeks protection, one is obliged to protect this person. Thus failing to protect a person is considered dishonourable, signifying that one did not live up to his obligations. However, in the light of the massive displacements of recent times, the numbers of people have become too large for the local host clans to service this traditional obligation – which has increased their vulnerability. In this context, it should be noted in particular that women and children are at the bottom in all the social hierarchies. Women from minority clans or other groups not part of the main nomadic local clans are

¹⁶⁶⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups. Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017 p. 34

¹⁶⁶⁸ [United States Department of State, 2016 Country Reports on Human Rights Practices Somalia](#), 2 March 2017, *Other conflict related abuse*

¹⁶⁶⁹ Federal Office for Migration and Refugees (Germany), [Briefing Notes](#), 8 August 2016

¹⁶⁷⁰ Austrian Red Cross Report on a Lecture by Joakim Gundel [Clans in Somalia](#), May 2009, *Forms of Clan Protection*

in particularly bad positions, even the more if they belong to a minority in an IDP camp. Due to this destruction of the social fabric and state structures, there is a high level of lack of law and order. There are many young men who are often armed (or have access to arms) who abuse the situation of big IDP camps and feel free to harass IDPs, rape women, force people into certain kinds of labour, extort money etc. As these men usually originate from the host clans, they are in a position of impunity. The only possible way of bringing change into such a situation can be found in entering a new xeer agreement between the elders of the host clans and those representing the IDPs and the other clan communities, in which the host clan promises to protect them against this kind of abuse. However, members of the sub-minorities or the Rahanweyn will in this context stand weaker compared to those who belong to one of the bigger nomadic clans, one of the reasons for this being that the nomadic clans have a clear xeer between them. Particularly in South Central Somalia, where these traditional structures are not sufficient due to prevailing lawlessness, Sharia, as it was practiced by the Islamic Courts, is being brought forward, as the common perception is that the only possible way to deal with high levels of crime and freelance gangs is by implementing a harsh rule and exerting severe punishments. Hence there are clans in the South which claim that it is not sufficient to pay the diya compensation (usually, in the Somali tradition, one is obliged to pay the 100 camels per person who has been killed), but the “wrongdoer” has to be killed as a punishment.¹⁶⁷¹

A fact finding report by the Norwegian Organization for Asylum Seekers (NOAS) from 2014 stated that “According to one clan leader, the clan cannot offer protection from al-Shabaab in areas under the movement’s control. Targeted persons would also be at risk in government-controlled areas. INGO (D) stated that returning to an area where one’s clan is based would improve the chances of protection. The clan may be able to give advice on what to do and information about al-Shabaab’s activities. A person might feel safer, but clan-based protection is no guarantee of safety. INGO (D) stated that if a person returned to an area where he does not have strong connections, protection would not be the same and this would increase the risk of persecution. INGO (D) believed that if someone defected from al-Shabaab, other family members within the movement might alert the defector if they come after him. The source stated that al-Shabaab members were equally likely to turn against defectors out of loyalty to the movement. Knut Holm [Immigration Attaché at the Royal Norwegian Embassy in Kenya] stated that although clan-affiliation to a certain degree positively affects access to protection, clans are unable to protect someone from being punished by al-Shabaab. Holm believed that there is a higher risk for persons who return to areas where the government is weak and where their clan is strongly connected to al-Shabaab”.¹⁶⁷²

In 2014 Minority Rights Group International stated: “For minority groups such as Bantu and others, the clan system offers little protection or opportunity, and instead has led to exclusion from mainstream social and political life. Hate speech against minority communities, focused on their appearance and different customs, has enhanced their vulnerability to attacks and other forms of discrimination”.¹⁶⁷³

A Minority Rights Group International report from January 2015 noted: “In the best case, the clan may provide a social security welfare system for its members – but at its worst it leads to conflict, bloodshed, and xenophobia. Xeer also governs the relationship between minority and majority communities, but does not always provide the same level of protection to minorities as majority clans”.¹⁶⁷⁴

¹⁶⁷¹ Austrian Red Cross Report on a Lecture by Joakim Gundel, [Clans in Somalia](#), May 2009 *Forms of Clan Protection – Clan protection in the light of the current conflict*

¹⁶⁷² Norwegian Organization for Asylum Seekers fact finding report, [Persecution and Protection in Somalia](#) 2014, *Clan protection* p.40

¹⁶⁷³ Minority Rights Group International, [State of the World's Minorities and Indigenous Peoples 2014](#), Somalia, p57

¹⁶⁷⁴ A Minority Rights Group International [No One Cries for Them: The Predicament Facing Somalia's Minority Women](#) January 2015, p.9

A March 2016 research study carried out by the Somali Centre for Research and Policy Analysis, *Causes of Displacement and Protection Gaps in Somalia* stated that “Somali clan membership is an essential protection source and a factor in accessing to social assistance there is very inadequate clan protection for the minorities since it at times functions better than the police. On many cases residents have inclined to flee to areas which they could get social acceptance and support to build new livelihoods”.¹⁶⁷⁵

The Centre for Security Governance 2016 report stated that “Clans quickly mobilize to defend their own members and, if customary law breaks down, exact revenge on rival clans that have committed a crime against one of their own. This can have a powerful deterrent effect on potential acts of political violence or crime. Members of more powerful lineages enjoy greater protection than do members of weak or low-status clans, which often endure violence and predation their clan can do little about”.¹⁶⁷⁶ The report continues: “lineage identity involves powerful obligations to assist fellow members in times of need or crisis. Clan and sub-clans thus constitute critical forms of social insurance that provide members with varying degrees of protection against severe deprivation. As with physical protection, weak, poor and low-status lineages are less able to play this role for their members, whose vulnerabilities are much greater as a result”.¹⁶⁷⁷

The same report further noted that “populations in south-central Somalia have enjoyed much less physical security over the past 25 years, a pattern that generally holds true today. South-central Somalia has neither seen the rise of a modestly functional government with the ability to provide some level of security, nor has it had the benefit of a robust social compact between clan elders to keep the peace. Conflict and land loss have polarized clan relations to a much greater degree in the south, armed groups are much more numerous and powerful, and although clan elders have been able to reassert some authority since 1991, they do not have the ability to manage conflict as effectively as can their northern cohorts. As a result, the south has been a prime market for non-state security provision. It has also been a place where access to security has been most uneven”.¹⁶⁷⁸ The report continued “In urban settings, neighbourhood watch groups and patrols were formed as part of an alliance between residents and the very gunmen who had preyed on them. These informal security arrangements had obvious benefits for residents, but were also preferred by the gunmen, who earned a living from a more respectable and less risky job as security patrols rather than as looters. These and other security regimes that emerged within a year or two of the start of the civil war constituted an intriguing gray area between extortion and taxation, between mafioso protection racket and nascent police force. The country has remained trapped in this gray area ever since”.¹⁶⁷⁹

The September 2016 report of the UN Monitoring Group on Somalia and Eritrea documented that Al-Shabaab “As Al-Shabaab expanded its operations territorially, internally displaced persons, refugees and others, whether for clan reasons or otherwise, perceived as associated with Al-Shabaab, sometimes bore the brunt of community anger in the wake of attacks. In North Galkayo, for example, traditionally good relations between internally displaced persons and host communities

¹⁶⁷⁵ Somali Centre for Research and Policy Analysis, [*Causes of Displacement and Protection Gaps in Somalia*](#), March 2016, p. 6

¹⁶⁷⁶ Centre for Security Governance, [*Non-State Security Providers and Political Formation in Somalia*](#), April 2016

¹⁶⁷⁷ Centre for Security Governance, [*Non-State Security Providers and Political Formation in Somalia*](#), April 2016

¹⁶⁷⁸ Centre for Security Governance, [*Non-State Security Providers and Political Formation in Somalia*](#), April 2016

¹⁶⁷⁹ Centre for Security Governance, [*Non-State Security Providers and Political Formation in Somalia*](#), April 2016

— and efforts by some government officials to urge restraint — did not prevent the killings of internally displaced persons, refugees and outsiders in the wake of a wave of assassinations attributed to Al-Shabaab”.¹⁶⁸⁰

The September 2016 report of the Independent Expert on the situation of human rights in Somalia noted on the rights of ethnic minorities:

Somalia has several minorities – the Gaboye, the Bajoun and the Bantu – and groups identified on the basis of their trades, such as blacksmiths and potters. The Bantu, the largest minority, are found mainly in the Lower Jubba area, and engage in agriculture. Many Bantus have fled the agricultural area in the Lower Jubba basin to other safer regions in south-central Somalia because of the attacks conducted by Al-Shabaab and the conflict, the drought and the inter-clan fighting over pasture lands. Minority ethnic groups do not have adequate representation under the 4.5 formula [...] in Somalia. Minority clans are subject to marginalization because they are not fully integrated into the clan-based political system or into other aspects of socioeconomic life in Somali society. Minorities in Somalia do not benefit from the clan protection system.

The Attorney General conceded that minorities did not have adequate representation in governance structures because they are poor and have to form alliances with powerful clans for their protection. According to senior State leaders, the new political framework being negotiated recognizes the need to increase participation of minorities in political structures at the local and federal levels.¹⁶⁸¹

According to UNICEF’s 2016 Situation Analysis on Children in Somalia “Social protection mechanisms have a long history in Somalia, and though generally effective, these mechanisms can come under stress from repeated crises, and may be particularly ineffective in the case of community-wide shocks. They can also lack elements of consistency and predictability that are necessary for households to take informed risks, and may also exclude particularly disadvantaged groups, such as minority clans”.¹⁶⁸² The report continued “Weak government capacity across most of Somalia is linked to variable but generally high and chronic levels of insecurity. [...] In response, Somali households and communities rely on a range of non-state actors and institutions to secure for themselves protection and services that local and national governments are not always in a position to provide. These include: customary law mediated by clan elders; the protection and safety net provided by one’s lineage; hybrid governance arrangements involving coalition of municipal authorities, elders, clergy, women’s groups and business leaders; local committees assigned to oversee basic services; neighbourhood watch groups; and private security forces. [...] Importantly, both insecurity and state failure create conditions that serve the interests of some constituencies and leaders, some of whom actively seek to perpetuate conditions of chronic disorder and armed violence”.¹⁶⁸³ The same report stated “Even in areas where the FGS is present, its ability to provide basic security and social services is very limited. In some areas the presence of government security forces is associated with declining local security due to poor discipline and control of forces that often act as autonomous clan militia. Much of the population continues to rely on traditional authorities for basic governance and on their clan for protection. Social services are primarily in the hands of local NGOs and local committees, with support from external partners”.¹⁶⁸⁴

The report further stated:

¹⁶⁸⁰ UN, [Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2244 \(2015\): Somalia](#), 28 September 2016, paragraph 99

¹⁶⁸¹ UN Human Rights Council, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, paragraphs 79-80

¹⁶⁸² UNICEF, [Situation Analysis of Children in Somalia 2016](#), Social protection p.9

¹⁶⁸³ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, Country Context p.14

¹⁶⁸⁴ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, Country Context p.15

The vast majority of Somalia's inhabitants share a common culture with a strong sense of affiliation to lineage or clan. Somali agnatic kinship is fluid; mobilization of specific clan or sub-clan identity can depend on the situation at hand. Clannism, and exploitation of clan identity by political leaders, is often seen as a divisive factor in the country. Clannism divides Somalis horizontally, or across communal lines, and the ability of stronger clans to control land, power and access to resources has been a recurring driver of conflict. But clannism also exacerbates vertical stratification in Somali society, by reinforcing inequality of access to protection and resources. Within each of the four large clan-families – the Dir, Darood, Hawiye and Digil-Miri e – clans and sub-clans vary considerably in their power, prestige and numbers. Low-status lineages within these major clans, sometimes associated with undesirable occupations, have less access to resources and collective aid, and hence are more likely to suffer in times of scarcity. In addition, Somali society includes a sizeable group of 'minorities' – Somali citizens whose ethnic identity falls outside the Somali clan system, and who are thus considered 'Somali' politically but not ethnically. These groups include the coastal population of the Benadiri, Bajuni and Barawans, whose heritage is more closely linked to the Swahili coast, and the Somali Bantu people, who have historically lived as farmers in riverine areas of southern Somalia. Collectively, the minority groups make up the '.5' in the controversial '4.5 formula' that allocates seats in government proportionately along clan lines. These minority groups, especially the Somali Bantu, have historically faced serious levels of discrimination and abuse in Somalia, enjoy the least protection from armed violence, and are often a difficult group to access with basic social services and humanitarian aid, as aid targeting them can easily be diverted by stronger groups. Members of powerful clans and sub-clans are, all things being equal, better able to access protection, shelter and services for their children, thanks to their richer store of 'social capital'. Households associated with weak or low-status groups have fewer means of claiming jobs, land and aid, and face a higher risk of losing assets to predatory groups such as criminal gangs, clan paramilitaries and uncontrolled security forces. Households from clans considered 'guests' (including IDPs) in a dominant clan's area also enjoy fewer rights to access resources. This was powerfully exposed during the 2011 famine. Children from low-status social groups are at very high risk.¹⁶⁸⁵

The UNICEF report continued "IDPs mainly belong to minorities or minority clans, suffer discrimination, and have fewer informal social protection mechanisms. Most of the IDPs who arrived in Mogadishu as a result of the 2011 famine are from the Digle and Mirifle clans or the Bantu minority from the Bay, Bakool and Shabelle regions, and they were fleeing not just drought but also discrimination by majority clans. Although there are social support ties within these IDP communities, they are less internationalized than the majority clans, and benefit little from remittances. [...] in the context of protracted state failure, clan and ethnic identity have grown even more important as determinants of rights and access to protection and resources. Members of powerful communal groups are better able to access protection, shelter and services for their children, thanks to their richer store of 'social capital'.¹⁶⁸⁶

In its December 2016 query response on low status groups, or occupational groups, Landinfo stated:

[T]he various occupational groups have traditionally been associated with members of the noble clans in a mutually dependent relationship, where the occupational groups are granted protection, and their protectors (and the local community) benefit from the occupational group's skills. But members of the occupational groups are not fully members of the host clan, and they must demand compensation (diya, maq) through the host clan. In conflict situations, and particularly when the resources in the local community are scarce, naturally the relationship between the parties may be weakened. The host does not necessarily feel the same obligation towards those who are not full members of the clan compared with their own relatives in times of need. But when conditions stabilise, the relationship between the parties allegedly functions as it did before the crisis arose. Members of the Midgan clans who move will usually align themselves with representatives of clans who can give them protection in the new location, preferably clans they have been associated with

¹⁶⁸⁵ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Identity context* p.17

¹⁶⁸⁶ UNICEF, [Situation Analysis of Children in Somalia 2016](#), *Internally Displaced Persons (IDPs) and Minorities* p.18

before [...]. This is also true for other Somalis if they move to a new place in or out of Somalia: You look for members of your own clan, because you feel safe amongst your own. This dependence is not reflected in daily life. Midgan do not pay for protection, and do not have specific duties. It is only in situations where Midgan need protection that the relationship is expressed. Then they will contact a representative of the protector clan to ask for help and as part of this the Midgan must contribute something, depending on what the case concerns[...]. [M]embers of the occupational groups do not seem to be significantly more vulnerable to abuses than other Somalis.¹⁶⁸⁷

The Rift Valley Institute March 2017 study concluded “First, the clan still provides the primary mechanisms for managing and mitigating conflict. Second, while equality is still held up as a principle of Somali social organization and a key component of peace, this does not represent the current reality in Somalia. Traditional norms of clan leadership and traits of masculinity or *raganimo* are increasingly irrelevant in present day clan politics despite still carrying cultural weight. Third, there is an increasing need to reconcile the growing material and political inequality between men and the perception of an overwhelmingly patriarchal society, not least since this has implications on the relative position of women and families. It would seem that the problem of structural male disempowerment and inequality may be of equal importance to the drive towards female empowerment, in working towards peace, stability and development”.¹⁶⁸⁸

The March 2017 Danish Immigration Service report based on interviews in Nairobi, Kenya, 3 to 10 December 2016 stated “The existence of a clan network can offer an individual including a single woman, a level of protection. However, due to both the current security and humanitarian situation it is becoming more difficult for the clans to protect their members. Persons belonging to minority clans can be subjected to forced labour, forced recruitment, child rights violations, and evictions, including in Mogadishu. When asked if this applies to all members of minority clans or those in a particular fragile situation e.g. IDP’s, the source replied that both groups were at risk, but persons in a particular fragile situation are more susceptible to the above mentioned risks”.¹⁶⁸⁹

The Report of the Secretary-General on conflict-related sexual violence covering the period from January to December 2016 recorded that “Widespread sexual violence continues to be a feature of protracted conflict in Somalia. Internally displaced women and girls and members of minority clans remain the most vulnerable, owing to a lack of preventive measures, limited access to justice and weak clan protection”.¹⁶⁹⁰

The Independent Expert on human rights in Somalia reported in September 2017 that on a visit in May 2017 to Somalia he had “also met representatives of civil society organizations, who told him about the lack of protection for members of minority clans in general, and women victims of rape from those clans in particular”.¹⁶⁹¹

Centre for Country of Origin Information and Analysis’ (Lifos) Thematic report on “Women in Somalia – Pregnancies and Children out of Wedlock” of 1 June 2017 stated “A woman who lacks clan protection is more likely to be raped, which is often the case regarding internally displaced persons,

¹⁶⁸⁷ LANDINFO Query response [Somalia: Low status groups](#) 12 December 2016 p.7

¹⁶⁸⁸ Rift Valley Institute, Briefing Paper Somalia: A State Of Male Power, Insecurity And Inequality By Judith Gardner And Judyel-Bushra [Findings From The Inception Study On The Impact Of War On Somali Men](#), 2 March 2017 *Conclusions*

¹⁶⁸⁹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017 *Clan violence p.10*

¹⁶⁹⁰ UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 55

¹⁶⁹¹ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, para.65

and persons from minority groups".¹⁶⁹² The report continued "Lifos notes that while the close family may choose to support the woman who has become pregnant out of wedlock that still does not correspond to the value of real clan protection. The clan protection will be lost for the woman if she is disregarded by the Clan Elders." ¹⁶⁹³ The Lifos report further stated:

Clan protection is in many cases the only kind of protection that exists for an individual in Somalia. Clan affiliation and family ties are inherited to a child from its father, which automatically excludes children with an unknown father from clan protection. Since a child inherits its father, the child is also disinherited. [...]

Clan is of the highest importance when looking to understand the Somali society. Clan protection and negotiation is the base of a person's security. Children born out of wedlock lack clan affiliation and consequently are at risk. Women who become pregnant out of wedlock risk disownment, why they might also lose clan affiliation and protection.¹⁶⁹⁴

In August 2017 UNSOM published a study into 'Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia'.¹⁶⁹⁵ The study found that "Respondents also noted the vulnerability to recruitment of people in communities marked by inter-clan strife. Al-Shabaab may offer protection from an enemy clan, or even work to eliminate clannism in certain areas".¹⁶⁹⁶

The 2017 U.S. Department of State Trafficking in Persons Report explained that "the government had minimal capacity to address most crime, including human trafficking, and thereby demonstrated negligible efforts in all regions on prosecution, protection, and prevention. Some federal and regional armed forces were not paid regularly, and police across Somalia lacked proper investigatory capacity to deal with trafficking cases".¹⁶⁹⁷

Furthermore "For most Somalis, protection is provided through clan affiliation and the deterrent effect of the threat of revenge attacks, by paid private security, and/or by recourse to customary or Islamic law administered by clan elders and clerics. [...] Members of weak or low-status clans enjoy less protection, especially when living as a minority or as guests in territory dominated by a more powerful clan".¹⁶⁹⁸

The same report continued:

Displaced persons from major clans tend to find accommodation with extended kin, and after a time are simply considered residents of the cities in which they settle. By contrast, Somalis from poorer, weaker social groups - such as the Digil-Mirifle and the Somali Bantu - constitute the bulk of total IDPs in southern Somalia. They are much more likely to cluster in IDP camps in cities such as Mogadishu and Kismayo, where they are making up a larger and growing percentage of the total urban population. They continue to be identified locally, and continue to self-identify as IDPs even after residing in these cities for over a decade. The displaced self-identify as IDPs because the label offers some hope of being targeted for humanitarian aid. Aid agencies identify them as IDPs as a way to target assistance to a group that is widely considered to be among the most vulnerable in Somalia. Local host communities apply the label to them for very different reasons - as a way to mark them as

¹⁶⁹² Centre for Country of Origin Information and Analysis Thematic report: [Women in Somalia – Pregnancies and Children out of Wedlock](#) 1 June 2017 *Sexual and gender-based violence* p.6

¹⁶⁹³ Centre for Country of Origin Information and Analysis Thematic report: [Women in Somalia – Pregnancies and Children out of Wedlock](#) 1 June 2017 *Pregnancy out of wedlock* p.14

¹⁶⁹⁴ Centre for Country of Origin Information and Analysis Thematic report: [Women in Somalia – Pregnancies and Children out of Wedlock](#) 1 June 2017 *Stigma and Security* p.18 and *Lifos' Conclusions* p.20

¹⁶⁹⁵ UNSOM, [Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia](#), 14 August 2017

¹⁶⁹⁶ UNSOM, [Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia](#), 14 August 2017, *D. Al Shabaab recruitment and messaging* p.12

¹⁶⁹⁷ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

¹⁶⁹⁸ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Security context* p.10

guests, or *galti*, not *degan*, or residents. As IDPs, they are viewed as possessing rights to resource access and political rights in their “home” regional state, not in the host city. The dominant political discourse in Somalia on land, right, and identity privileges the notion of *U dhasheey*, or rights by blood (*jus sanguinis*). That is, cities and territory in Somalia are viewed by many as “belonging” to one clan; others may live there, but on negotiated terms, with limited claims to resources and power.¹⁶⁹⁹

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “As beneficiary populations, marginalized groups often have little power to negotiate effectively for their needs. Members of marginalized groups are also generally missing from the architecture of humanitarian response, including control and staffing of UN humanitarian entities and international and local non- governmental organizations (NGOs). It is too early to assess the humanitarian response to the 2016-2017 drought and its impact on marginalized communities and exclusion. In the interim, the SEMG compiled snapshots of three marginalized communities. Each experience of humanitarian obstruction reflects a different facet of marginalization in Somalia, and a different approach to challenging it”.¹⁷⁰⁰

The same source further noted with regards to the three marginalized communities (emphasis added):

The **Shiidle**, who farm in the riverine areas around Jowhar and Balad, are a Jareer clan indigenous to the region. Their rivals for power are the primarily pastoralist Abgal who have traditionally held sway in government and security positions, both at the district and regional level.⁵ In terms of control of humanitarian operations, in 2017, the position of humanitarian coordinator was moved from under the authority of the District Commissioner — usually Shiidle — to the Regional Governor — Abgal — reaffirming the dominant interest. Almost all the humanitarian entities operating in the area, whether local or international, are staffed at senior level on the ground by Abgal, although there are some exceptions. The Abgal are also the dominant clan in the Somali National Army (SNA) contingents based around Jowhar and Balad, monopolizing the instruments of Government force.

[...] in April 2017, over 5,000 Jareer/Shiidle/Bare were displaced from three villages near Balad further to Abgal militia attacks, supported by elements of the SNA. [...]

In May, an internal UN report seen by the SEMG noted that AMISOM was concerned that 16,600 people at its forward operating base at Bula Rahma — also sometimes called Towfiq — were in desperate need of protection and assistance as the local administration had been actively blocking anyone who tried to assist them. The change of governorship of the HirShabelle Interim Administration (HIA) in February 2017 facilitated some relaxation of the de facto ban on assistance: in mid 2017, the community reported that a humanitarian agency had registered 700 families for a cash input and remitted one payment of \$200 to 300 families in July 2017.

More broadly, due to their lack of representation in the humanitarian structures, the Shiidle were generally less able to negotiate with humanitarian agencies to ensure that aid reached the ground, and to challenge diversion. Nevertheless, in mid-2017, elders in four Shiidle villages refused to participate in a cash for work scheme, as the organization involved was offering only \$1.5 per meter of water channel dug as opposed to the \$3 which was paid to other communities. [...]

Among the historically marginalized communities living on the east side of Dolow across the river are the **Dir/Surre/Fiqi Mohamed and Jareer/Gabaweyne**. The Surre are a minority due to geography, as they are a Dir sub-clan in a Darod/Marehan dominated area. The Gabaweyne are marginalized due to their exclusion from the lineages of the four dominant clans. The Surre have had some access to external support through diaspora and business ties, but the Gabaweyne have few links to power and resources. The latter have also been the continuous target of land-grabbing and displacement since the 1990s from the riverine areas where they once formed the majority population.

The local administration and NGOs with an interest in denying or manipulating humanitarian inputs, restricted access to the area through a variety of means: denial of travel permission on security

¹⁶⁹⁹ Danish Demining Group, [Dadaab Returnee Conflict Assessment](#), August 2017, *Refugees, IDPs and Identity Politics*, p.16

¹⁷⁰⁰ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraphs 28-31

grounds; arrest of humanitarian workers who sought to present proposals relating to provision to the area; classification of sub-villages — resided in by the minority but dominant clan — as the main village, in order to attract services and support; and control of NGOs to manipulate humanitarian access and restrict monitoring. At the same time, where access was permitted, local communities found themselves in a weak negotiating position, unable to demand effective project delivery and prevent diversion. [...]

The **Madiban community** is one of Somalia's minority clans. They are found throughout Somalia, but particularly in the north, and suffer severe discrimination on grounds of caste exclusion. There are no statistics available on the population of Madiban in Somalia: in Galkayo and its surrounding villages, Madiban claim that they make up as many as 35 per cent of the area's residents.

With most humanitarian entities are controlled by dominant clans in Galkayo — almost exclusively Darod/Majeerteen in north Galkayo — the community had always found itself both sidelined from access to humanitarian assistance, and discriminated against in the main camps. As the drought created pressure on all communities in late 2016 Madiban IDPs arriving into the town began to be simply turned away by those in control of the settlements. With the support of a few members in diaspora, the Madihan host community in Galkayo organized and managed to purchase a plot of land on which to settle the arriving IDPs. Danwadaag camp was founded in October 2016, and by August 2017, over 700 families were living there.¹⁷⁰¹

The same source also found that “Despite the commitment by the Federal Government to a moratorium dating back to 2011, use of the death penalty by federal and regional authorities rose sharply during the mandate, particularly in Puntland. In some cases, the procedures leading to convictions lacked fundamental due process guarantees, including in situations where the accused was unable to rely on clan protection”.¹⁷⁰²

8.5.1. The role of the clan in providing traditional forms of protection, including material assistance and support in Mogadishu

A fact finding report by the Norwegian Organization for Asylum Seekers (NOAS) from 2014 stated “NGO (B) stated it could be difficult to get clan protection in Mogadishu. It was remarked that the capital is very expensive and many districts are deemed unsafe. [...] Amnesty believed that those who fulfil the following three criteria could access clan protection in Mogadishu: being a member of a dominant clan, being from Mogadishu and having close family connections. The source did not find it possible to say exactly who will get clan protection and whether all who fulfil the criteria would get protection. The source added that men have a much greater chance of accessing protection than women”.¹⁷⁰³

The Landinfo report of April 2016 based on research carried out in January 2016 outlined other forms of support from clans in Mogadishu, stating “Few jobs are advertised publicly in Mogadishu. According to the IOM report (2016) many employers prefer to recruit through networks of family, clan members and acquaintances. An important reason for this is security concerns, where the most important thing is that an employee can be trusted. This attitude must be viewed in light of both the turbulent years the country has had and the traditional division of the population into clans with

¹⁷⁰¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *Annex 10.1: Marginalized communities and humanitarian access, paragraphs 3- 16 p.127-130*

¹⁷⁰² UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, *paragraph 188*

¹⁷⁰³ Norwegian Organization for Asylum Seekers fact finding report, [Persecution and Protection in Somalia](#), 2014 *Clan protection*

strong internal solidarity and suspicion of other clans”.¹⁷⁰⁴ The report continued “Security concerns and a general lack of trust between people impacts on the rental market. If the landlord does not know the person who wants to rent, or the family of the person, the landlord will ask for references who can vouch for them. This need to trust people in one’s surroundings means that most of the city’s residents live in districts where members of their own family and clan live”.¹⁷⁰⁵ The same report stated “[i]t is unusual to borrow money from a bank to finance the purchase of a house or other types of capital goods for personal use. Financing of such purchases usually comes from contributions from family members or other close clan members”.¹⁷⁰⁶

The 2016 Centre for Security Governance report lists different types of armed groups operating in and around Mogadishu:

Clan militias: Clans retain an ability to mobilize fighters at short notice. Most of the population is armed and if one’s lineage is under attack civilian “reservists” can be called into action immediately. This category of actor provides security to fellow clan members, but only on a situational basis. As one local observer concluded, “primary security for Somalis is still the clan” [...]

Clan paramilitaries: Of all of the categories of non-state armed groups, clan paramilitaries are the most complex and confusing, as they can manifest themselves as both state and non-state security providers. Clan paramilitaries are typically composed of more or less full-time fighting forces — full time in the sense that the fighters are earning a living through some combination of service involving the bearing of arms. They are organized around and represent the interests of a single clan, although some may have small contingents of members from other clans.[...] Since the establishment of a federal government and numerous federal states, most clan paramilitaries are hatted as part of the formal security sector. The government provides training to these soldiers, but lacks the capacity to vet them and keep track of them, leading to high rates of absenteeism, moonlighting, defections and ghost soldiers. The UN Monitoring Group notes that the federal government is unable to provide reliable estimates of the numbers of its own armed forces. [...] In Mogadishu, the formal security sector includes the six brigades of the SNA; the National Intelligence and Security Agency; the police force; and special forces, such as Danab and the Alpha Group, which are trained and funded by US and other military and intelligence agencies. The FGS’s goal is to build up an army of 28,000 soldiers. As of 2015, 13,829 soldiers and 5,134 Somali police personnel were biometrically registered, although that is not a reliable proxy for the number of soldiers in active service”.¹⁷⁰⁷

The report indicated with regards to clan elders’ ability to provide protection:

The capacity of clan elders to maintain peace and security varies considerably across different locations in Somalia. In Mogadishu, their authority is relatively weak, mainly because they face so many powerful armed actors over which they exercise little leverage. Clan elders continue to play a role at the neighbourhood level, negotiating disputes and preventing conflicts from spiralling out of control, but not for handling wider armed security threats.⁴³ But clan elders working with district commissioners enjoy a real role in maintaining security. Each neighbourhood or ITAL table has a leader elder, or gudoomiye, who is paid by the DC. These elders are said to wield real local power, controlling hubs of information gathering, serving as the eyes and ears of the DC.⁴⁴ In general, the

¹⁷⁰⁴ LANDINFO Report Somalia: [Relevant Social And Economic Conditions Upon Return To Mogadishu](#), 1 April 2016 5.4.1 page 13

¹⁷⁰⁵ LANDINFO Report Somalia: [Relevant Social And Economic Conditions Upon Return To Mogadishu](#), 1 April 2016 Housing Market p.16

¹⁷⁰⁶ LANDINFO Report Somalia: [Relevant Social And Economic Conditions Upon Return To Mogadishu](#), 1 April 2016 Remittances From Abroad And Banks p.16

¹⁷⁰⁷ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#) April 2016 South Central Somalia, Clan militias p.21

authority of clan elders has waxed and waned according to circumstances across southern Somalia, but has never recovered to levels enjoyed in the pre-war period.¹⁷⁰⁸

The same report describes how “Somali businesses cannot rely on weak and corrupt police forces to protect valuable assets, and so from the outset of state collapse have forged arrangements with non-state security providers”.¹⁷⁰⁹ It further noted that:

The most common arrangement is direct employment of their own private security forces or guards. [...] Security forces directly employed by businesses tend to be among the most effective and loyal sources of security, but are very limited as a public provider of security. These units can be as small as a few gunmen or as large as 300–400 fighting men. While the amount of security varies with the ebbs and flows of insecurity in the city, larger businesses have, in some cases, had to devote up to 50 percent of their hiring to security. Patterns of usage of private security vary by type of business. Businesses with fixed assets (such as a hotel) in a clan stronghold typically only hire security guards from their own clan. This practice also helps to ensure the loyalty of the guards, as the clan views its businesspeople as important assets to protect. Betrayal of the business interest would be seen as betrayal of the entire clan. El Ma’an seaport, for instance, is a major private investment located north of Mogadishu in an area dominated by a single sub-clan. As a result, the entire port is said to be protected by business security forces from one sub-clan, the Abgal/Harti/Warsengeli. [...] Where security and clan relations are more routinized, trucks are lightly protected, and payment of taxes at checkpoints is all that is required for safe passage [...] Smaller businesses, including local NGOs, are more likely to hire security guards on retainer, to keep costs down and maximize flexibility. They will match the salaries offered by the national army to a soldier who will then go absent from his security sector job for the duration of the contracted task — typically guarding convoys in the city, one of the more dangerous security tasks in Mogadishu.¹⁷¹⁰

The same report further contended that “No armed group in Mogadishu enjoys a good reputation among residents as a source of protection. On the contrary, almost all are viewed by locals with fear”.¹⁷¹¹

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted that “A Somalia Country Director of a humanitarian agency added that an important businessman has his own militia and that many attacks in Mogadishu are business related, hence not carried out by al-Shabaab, even if claimed so”.¹⁷¹² The same report further stated that “Several sources mentioned that politically motivated clan violence and criminal violence are other factors contributing to the violence in Mogadishu. According to a Somalia Country Director of a humanitarian agency, Mogadishu is dominated by the Hawiye clan but there are neighbourhoods in Mogadishu, which is dominated by other major clans, for instance Darood. The same source explained that if a Darood member should leave his/her neighbourhood, he/she would be in a fragile position. According to an anonymous source and a Western source, Mogadishu has many different clans and the Western source added that it was not unusual to see Somalis of westernized appearance in Mogadishu. The high level of violence is especially difficult for persons from minority clans and IDP’s as they are

¹⁷⁰⁸ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#) April 2016 *Elders and Customary Law* p.31

¹⁷⁰⁹ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, p.27

¹⁷¹⁰ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, p.27

¹⁷¹¹ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#), April 2016, p.34

¹⁷¹² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3, Mogadishu p.13

regarded extremely vulnerable due to the lack of effective clan protection. According to an anonymous source, single women without a network in Mogadishu are particularly exposed".¹⁷¹³

The Crisis Group Africa Briefing from May 2017 stated "Clan grievances and conflicts often occur in areas marked by contested subnational boundaries and in territories better endowed with resources such as water and infrastructure. [...] In the past, traditional elders brokered temporary local truces among warring clans. Some new federal member states have since reduced the elders' role in a bid to control local reconciliation and peacebuilding efforts (and to attract donor funding for such endeavours), but without replicating the credible or effective mechanisms required to manage conflicts over resources, especially water wells and reservoirs. In many instances, predatory/criminal clan militias as well as rogue security elements belonging to the federal states exploit these localised conflicts, erecting checkpoints on major routes to serve as "toll stations" as a means of extracting money. Many Somali actors prey on IDPs and others who lack protection from powerful clans, in effect profiting from conditions of acute need and helping perpetuate them".¹⁷¹⁴

In August 2017, Devex reported on obstacles to delivery of humanitarian aid in Somalia "Gatekeepers, also referred to as mukuel mathow, or "black cats," can include landowners, district officials or businessmen who control access to land used by IDPs, creating makeshift camps that they manage, in exchange for some kind of payment, whether it be cash or a portion of the aid received by IDPs. They dilute aid flows, determining who receives it, and can restrict access of entry and departure to the camps. Sometimes, they provide services such as security, latrines and water trucks. [...] Gatekeepers are often connected to dominant clans in a region, exploiting displaced people from minority groups, according to a report released Tuesday from Refugees International [...] Despite the frustrations involved with the gatekeeper structure, there is also recognition in the humanitarian sector of the pivotal services that some of these gatekeepers provide to IDPs. In the absence of government-run camps, gatekeepers provide access to land and sometimes private militias for security. "Gatekeepers provide a level of service and security that no other actor is able to provide in places like Mogadishu," said Abdurahman Sharif, director of the Somalia NGO Consortium".¹⁷¹⁵

9. Women and Girls

9.1. Sexual and Gender Based Violence (SGBV) in South and Central Somalia (excl. Mogadishu)

For information on SGBV against IDPs see [9.1.1. SGBV as experienced by IDPS](#).

For information on the specific actors committing SGBV see

- [3.2.2. Sexual and gender based violence](#) [SNAF/SNA]
- [3.3.3. Sexual and gender based violence](#) [AMISOM]
- [3.4.2. Sexual and gender based violence](#) [ENDF]
- [3.5.2. Sexual and gender based violence](#) [Non-state armed groups; clan militias; ISIL]
- [3.6.2. Sexual and gender based violence](#) [Al Shabaab]

¹⁷¹³ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, *clan violence*

¹⁷¹⁴ Crisis Group Africa Instruments of Pain (III): [Conflict and Famine in Somalia](#) Briefing N°125 Nairobi/Brussels, 9 May 2017 B. *Al-Shabaab Checkpoints and Access Denial*

¹⁷¹⁵ Devex, [The Gatekeepers to providing aid in Somalia](#), 23 August 2017

For information state protection for SGBV see [7.1.3. State ability and willingness to protect against SGBV in South and Central Somalia \(excl. Mogadishu\)](#).

For a historical perspective on SGBV from the pre-war period, during the 20-year armed conflict and the post-conflict period see

- ❖ International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, 4. *Locating SGBV within the continuum of violence in Somalia*, pages 27 - 31.

Similarly, see also Human Rights Watch's February 2014 report documenting "women's experiences of sexual violence since the 2012 inauguration of the new Federal Government of Somalia. The report covers women's experiences in Mogadishu and the surrounding Benadir district":

- ❖ Human Rights Watch, ["Here, Rape is Normal": A Five-Point Plan to Curtail Sexual Violence in Somalia](#), 13 February 2014

According to an October 2015 research report on sexual and gender-based violence in Mogadishu and South Central Somalia by International Alert [note that field research was conducted in November and December 2014] and explaining the legal dimension operating in Somalia, the report explained:

There exist wide differences between and among Somali communities and international standards on their understanding and perceptions of SGBV. This is partly explained by the fact that the notion of SGBV is located at the intersection of the three legal systems in force in Somalia, namely statutory, customary and Sharia. The contradictions and lack of harmonisation between the three systems make it difficult not only to have a common understanding of SGBV issues, but also to address them properly. Under statutory law, the recognition and legal definitions of SGBV have evolved over time. The penal code criminalises rape and other forms of sexual violence. However, the crimes are too narrowly defined in accordance with international law standards of protection from SGBV. This leaves wide gaps in the legislation that ensure the continued relevance of customary law (Xeer), which is the most accessible, used and preferred legal system. Under customary law, sexual crime is not perceived as a violation of an individual's bodily integrity, but rather as an issue of morality and honour and a crime committed first and foremost against the family, clan or community.¹⁷¹⁶

[Note – for a more detailed discussion on Somalia's three legal systems in relation to SGBV see International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, 3.2.2. *SGBV and the statutory law*, 3.2.3. *SGBV and customary law*, 3.2.4. *SGBV and Sharia law*, pages 22-25]

The same report further found that there are wide range of forms of SGBV in Somalia:

Some of them, such as physical and sexual violence, including rape, abduction and killing/murder, are prohibited by customary law. They are against the traditional cultural and social norms and the code of conduct that dictates the ways people live and interact with each other. However, the rules of conduct allow some forms of physical violence that are regarded as disciplinary methods available to parents (male and female), guardians (male and female) and men. This is the case, for example, of intimate partner violence (IPV), domestic violence, and physical, emotional and psychological violence against children, both male and female. Customs offer limited interference with respect to these types of SGBV, which are considered a family affair.¹⁷¹⁷

¹⁷¹⁶ International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, *Executive Summary*, p. 7

¹⁷¹⁷ International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, *Executive Summary*, p. 8

The research further identified “a range of cultural and socio-economic factors that underpin and perpetuate the occurrence of SGBV such as social norms and stereotypes, illiteracy, poverty, family breakdown and unemployment, among other things. However, due to the unequal and discriminatory nature of the clan system, minority women face double discrimination on account of both their gender and minority status. Women and girls from minority groups and clans are the most affected by incidents of SGBV”.¹⁷¹⁸

UNICEF reported that “In 2016, UNICEF and partners maintained comprehensive services that have reached 4,898 gender-based violence (GBV) survivors (1,482 girls, 3,073 women, 307 boys and 36 men), including psychosocial support, clinical assistance, security and legal aid based on needs and requests made by survivors themselves. UNICEF and partners also identified and documented 1,496 unaccompanied and separated children (855 boys and 641 girls), and supported them with reunification, interim care services, access to basic services and psychosocial support. Service provision in the main towns is supplemented by an extensive network of community based child protection and GBV referral mechanisms which are providing primary clinical and psychosocial care where possible and supporting referrals to various child protection services. In 2016, UNICEF’ and community based child protection partners have provided services to 3,279 men and boys and 5,015 girls and women. UNICEF also implemented extensive targeted prevention programmes reaching approximately 25,485 people in 2016”.¹⁷¹⁹

According to UNICEF’s 2016 Situation Analysis on Children in Somalia:

About three quarters of Somali women between the ages of 15 and 49 surveyed considered their husbands justified in beating them for any of five specific reasons. The proportion of women believing this was significantly lower if they were formerly married rather than currently married, lived in an urban rather than rural area, or were from a wealthier household.

The Somalia Protection Cluster has a Gender Based Violence Information Management System (GBVIMS), but the reported figures are thought grossly to under- estimate the incidence of such violence. Various reports and studies shed light on the problem and indicate that it is widespread. Boys can be raped or sexually assaulted but the overwhelming majority of attacks reported are on girls. Girls are typically raped or assaulted in the following contexts: returning home from market in the evening; fetching water or firewood; engaging in open defecation after dark; in the workplace. Assaults can, however, also occur at home. Girls from female-headed IDP households are particularly prone to rape and sexual assault. Incidents of sexual violence are reported to have increased in recent years in areas of the country affected by drought and conflict. Besides the physical damage sustained in attacks, survivors of rape suffer profound psychosocial impacts.

There is a strong stigma attached to rape in Somali culture. The victims feel fear, shame and loss of dignity. If they report the incident, they risk abuse, stigmatization, isolation and retaliation and most attacks therefore go unreported. The main sources of support for victims of sexual violence are health workers and mothers. Prosecutions and convictions for rape and other forms of sexual violence are extremely rare, and there is a climate of impunity. If parents are aware of the rape, customary law is the general means of recourse but girls and women do not have a voice in such forums. The rapist’s family gives compensation to the survivor’s family and/or the girl may be forced to marry her rapist.

The current context in Somalia, with weak rule of law and lack of legislation and mechanisms for addressing GBV, allow such abuses to continue with total impunity. Security challenges affect legal services across Somalia, but particularly in southern and central regions, where survivors, lawyers, witnesses, journalists and family members have been threatened, harassed and arrested for reporting GBV offences. Legal-aid providers taking on such cases regularly receive death threats towards their staff. Fear of reprisals against staff, survivors, witnesses and medical personnel rise if the perpetrators

¹⁷¹⁸ International Alert, [*THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia*](#), October 2015, *Executive Summary*, p. 8

¹⁷¹⁹ UNICEF, [*UNICEF Somalia Humanitarian Situation Report #11, December 2016/January 2017*](#), 31 January 2017

are from the security forces. It is not surprising that survivors are hesitant to report cases of GBV. The lack of women in the justice sector is also detrimental to survivors reporting cases or pursuing prosecution. In Somalia there is a clear link between the number of women in senior positions in the Criminal Investigation Department (CID) of the police as well as the Attorney General's office and the increase in reporting, investigations, prosecutions and convictions of perpetrators. Many negative practices have developed within the legal systems of each region that adversely affect the ability of survivors of GBV to access the formal legal system. In many cases, these negative practices have become accepted as policy, though in reality these practices are not in line with existing policy. These practices and a lack of understanding amongst legal-aid providers and other justice actors about what law and policy provides represents major challenges in all regions.

There are also enormous social, cultural and religious barriers in reporting GBV cases. Survivors are often reluctant to pursue prosecution or civil cases against the perpetrator due to the social stigma associated with rape. In rural and remote areas across Somalia the customary law (xeer) is used to resolve the majority of disputes. In GBV cases, the decisions reached are rarely survivor-centred. The FSG is in the process of finalizing a 'Sexual Offences Bill'.¹⁷²⁰

The UN Independent Expert on the situation of human rights in Somalia summarised in his report following his mission to Somalia in April 2016 that:

Violence against women continues in Somalia, and has been exacerbated by the conflict. In 2015, an information management system found that trends in sexual gender-based violence continued to be a critical protection concern. Reports revealed that 94 per cent of the survivors of sexual or gender-based violence were female. Some 74 per cent of survivors are internally displaced persons, a figure confirming their extreme vulnerability and need for additional protection. Women and girls from minority clans are especially vulnerable. Victims are exposed to assault, rape, sexual violence, female genital mutilation/cutting and forced marriages. One contributing factor is the lack of awareness of many women, particularly those living in rural areas, of their rights.¹⁷²¹

With regards to access to survivors of sexual violence the same report noted that:

Access to survivors of sexual violence is itself a challenge, as is the inability of victims to report attacks and to identify perpetrators. Victims often have no access to health services, which could otherwise help in the prevention of sexually transmitted diseases and HIV/AIDS after rape attacks. They also often fail to report rape out of fear of stigmatization or of countering religious or cultural norms. Another impediment to reporting cases of sexual violence are traditional practices requiring the perpetrator and the survivor's family to settle the matter outside the formal judicial system, with the exclusion of the victim. This practice exacerbates the violation of the rights of victims or survivors in that they do not obtain justice, it fuels impunity for sexual violence crimes and discourages victims and survivors from reporting cases. Even though civil society organizations advocate for the rights of women across Somalia, sexual and gender-based violence continues.¹⁷²²

The International Crisis Group described in its May 2017 report that "Somalia ranks as one of the most inhospitable country for women, a situation compounded by hunger, conflict and mass displacement. In the wake of the drought, and while precise data is lacking, reports suggest rape and other forms of sexual violence are widespread".¹⁷²³

In June 2017 the Swedish Migration Agency's expert institution for legal and country of origin information (Lifos) observed in its thematic report on 'women in Somalia' that "It is generally

¹⁷²⁰ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Gender-based violence (GBV)*, p.81-82

¹⁷²¹ UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, III., C. Violence against women, para. 37, p. 9

¹⁷²² UN Independent Expert on the situation of human rights in Somalia, [Report of the Independent Expert on the situation of human rights in Somalia](#), 15 September 2016, III., C. Violence against women, para. 38, p. 10

¹⁷²³ International Crisis Group report, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, III. B. Violence against Women, p. 7

difficult to come across data on the prevalence of sexual and gender-based violence in Somalia. Lifos notes that a reason for this could be that the low rate of reporting makes the numbers somewhat irrelevant. Instead, the occurrence of sexual and gender-based violence is sometimes described in words, as by the Swedish Ministry for Foreign Affairs, which writes that the rate of sexual violence is ‘alarming’, and US Department of State, which writes that sexual and gender-based violence is ‘pervasive’.¹⁷²⁴

9.1.1. SGBV as experienced by IDPs

For information on the general prevalence of SGBV see [9.1. Sexual and Gender Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#).

For information on the specific actors committing SGBV see

- [3.2.2. Sexual and gender based violence](#) [SNAF/SNA]
- [3.3.3. Sexual and gender based violence](#) [AMISOM]
- [3.4.2. Sexual and gender based violence](#) [ENDF]
- [3.5.2. Sexual and gender based violence](#) [Non-state armed groups; clan militias; ISIL]
- [3.6.2. Sexual and gender based violence](#) [Al Shabaab]

For information state protection for SGBV see [7.1.3. State ability and willingness to protect against SGBV in South and Central Somalia \(excl. Mogadishu\)](#).

According to an October 2015 research report on sexual and gender-based violence in Mogadishu and South Central Somalia by International Alert [note that field research was conducted in November and December 2014] and reporting on minority women, the report found that:

Minority women stated that their claims as rape survivors often result in punitive actions – such as belligerence, arbitrary arrest and eviction from IDP camps by host communities as well as local and federal authorities. There is resignation and fear that the authorities or police would not help survivors, and the threat of secondary victimisation – against themselves and their male relatives – has led to silence as a coping mechanism in the community.¹⁷²⁵

The UN Secretary-General report on conflict-related sexual violence covering the period January to December 2016 found that “Internally displaced women and girls and members of minority clans remain the most vulnerable, owing to a lack of preventive measures, limited access to justice and weak clan protection”.¹⁷²⁶

The UN’s Population Fund (UNFPA) noted in its annual report covering 2016 that “according to the GBV Information Management System (GBVIMS) data for January to December 2016, 74% of the GBV survivors are IDPs and 99% are female”.¹⁷²⁷ The same report further noted that “critical gaps remain in the provision of life saving humanitarian responses including medical, legal, psychosocial

¹⁷²⁴ Lifos, [Thematic report: Women in Somalia – Pregnancies and children out of wedlock](#), 1 June 2017, 3. *Sexual and gender-based violence*, pages 5/6

¹⁷²⁵ International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, 7.1. *Community-level coping mechanisms*, p. 47

¹⁷²⁶ UN Secretary-General, Report of the Secretary-General on conflict-related sexual violence, 15 April 2017, *Somalia*, para. 54, p. 16

¹⁷²⁷ UN Population Fund (UNFPA), [UNFPA Somalia Gender Annual Report: Jan –Dec 2016](#), Undated [Last accessed: 28 November 2017], *GBV Service Provision*, p. 1

services and material and livelihood assistance in order to address the immediate needs of the GBV survivors”.¹⁷²⁸

During the period 1st January to 30th April 2017, the UN Secretary-General’s report recorded “Twenty-eight cases of conflict-related sexual violence [...] an increase over the 13 cases reported during the previous reporting period. This is likely to be related to the displacement of populations due to the drought and lack of access to humanitarian assistance. Women and children are particularly vulnerable, and the number of reports of sexual violence in internally displaced person camps has increased”.¹⁷²⁹ The same source remarked that “The vulnerability of women and girls in particular has been exacerbated by increased displacement of populations from rural to urban areas”.¹⁷³⁰

Similarly, the UNOCHA Humanitarian Bulletin covering April 2017 recorded that “With more than 620,000 people displaced from their homes due to drought, serious concerns are raised by humanitarian partners over increased reports of gender-based violence and other protection violations, including abduction of children and other grave violations against children. Cases of gender-based violence are frequently reported to have been perpetrated while traveling or crossing illegal checkpoints to the cities in search of aid. The lack of protective shelter, safe water and sanitation facilities as well as other basic needs in the displacement settlements further increase the exposure of the most vulnerable to protection risks. The influx, particularly in and around Mogadishu and Baidoa, is overwhelming providers of services for GBV victims and further scale-up of services are urgently required”.¹⁷³¹

According to reporting by the UN Secretary-General covering the period 1 May to 22 August 2017 “Sexual violence remains a significant protection concern, mostly affecting displaced women and girls living in settlements for internally displaced persons. The settlements are easy targets for perpetrators of sexual violence because there is limited physical and police protection. A total of 71 cases of sexual violence were reported, of which 67 involved girls”.¹⁷³² The UN Secretary-General specifically highlighted his concern with regards to “the growing number of cases of sexual violence, and especially about emerging patterns that indicate that many sexual assaults take place in settlements for internally displaced persons. Fearing reprisal, many survivors do not report being sexually assaulted, and, while the provision of medical services to survivors appears to have improved, it remains an area of major concern”.¹⁷³³

Refugee International described in its August 2017 report that “the conditions in many of the new IDP sites, as noted above, create an unsafe environment especially for women and girls, with shelters located very close together and virtually no lighting or latrines, let alone latrines with locks. According to a number of UN agency staff, in addition to domestic partner violence, perpetrators can come and go from IDP sites as they please, and when they are apprehended, they are rarely held accountable. According to RI interviews with agency staff working to combat GBV, incidents of GBV in Baidoa have increased precipitously – including alleged assault and rape by members of the

¹⁷²⁸ UN Population Fund (UNFPA), [UNFPA Somalia Gender Annual Report: Jan –Dec 2016](#), Undated [Last accessed: 28 November 2017], *GBV Service Provision*, pages 1/2

¹⁷²⁹ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, III. *Support for peacebuilding and state-building efforts*, F. *Cross-cutting issues*, 2. *Human rights*, para. 57, p. 9

¹⁷³⁰ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 9 May 2017, III. *Support for peacebuilding and state-building efforts*, F. *Cross-cutting issues*, 5. *Prevention of sexual violence*, para. 67, p. 11

¹⁷³¹ UNOCHA, [Humanitarian Bulletin April 2017](#), 4 May 2017

¹⁷³² UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, III., E., 4. *Prevention of sexual violence*, para. 57, p. 9

¹⁷³³ UN Secretary-General, [Report of the Secretary-General on Somalia](#), 5 September 2017, VII. *Observations*, para. 97, p. 16

security sector. According to one aid official, 'Rape is happening on a regular basis in the IDP sites, but no one is talking about it'.¹⁷³⁴

To illustrate the situation from January to 17th October 2017 relevant *'Situation Reports' published by the UN Population Fund's (UNFPA)* have been included below:

Covering 20th March to 3rd April 2017 the report noted that "The Protection Cluster has reported an increase in incidents of rape and other forms of sexual and gender based violence among newly arriving IDPs; an average of five cases is reported per week. The number is likely to be higher due to under reporting".¹⁷³⁵

The 'Situation Report' published on 18th April 2017 noted that "Recent reports show that 84 percent of GBV survivors are IDPs. This is shocking and given the amount of displacement that the famine is causing, we need to highlight this linkage".¹⁷³⁶

Covering 17 to 24th April 2017 the report noted that "In the past three months, reported cases have been on the rise particularly rape, sexual assault and physical violence mainly due to the high influx of displaced people [...] According to the Gender-Based Violence Information Management System (GBVIMS) incidence reports of September 2016 to March 2017, about 3,200 incidents were recorded in the drought-affected regions".¹⁷³⁷

In its 'Situation Report' covering 25th April to 2nd May 2017 UNFPA reported that "Gender-based violence (GBV) remains rampant in Somalia, mostly affecting women and girls and increasing their vulnerability as follows:

- Nomadic movement: For example, the rape cases reported in Bossaso and surrounding villages were said to have been among nomadic women and girls, who migrated to the East region where they are not familiar with the area and clan. About 13 of them suffered gang rape in April alone. This has been a common trend across all the regions.
- Lower economic status of women: Livelihoods diminishes due to the loss of livestock by nomadic populations in the drought. Limited employment for young people and men and women both in the host communities and IDPs is exposing them to risk of violence. The male youths are becoming aggressive, out of frustration and equally violating girls, with an emerging trend of gang rapes.
- Workload on women and girls: considering that food security is also dependent on clean water and firewood, this is placing extra burden of women and girls who are primarily tasked with the collection of water and firewood, exposing them to more risks.¹⁷³⁸

The 'Situation Report' covering 10 to 17th May 2017 noted that "Grave violations against women and girls are on the rise, particularly in areas with high concentration of newly displaced persons such as Baidoa and Mogadishu".¹⁷³⁹ In its earlier 'Situation Report' covering 3 to 10th May 2017 the same

¹⁷³⁴ Refugees International, [*On the edge of disaster: Somalis forced to flee drought and near famine conditions*](#), August 2017, *Unmitigated Violence against Women and Girls*, p. 10

¹⁷³⁵ UN Population Fun (UNFPA), [*UNFPA Situation Report: 20th March to 3rd April 2017*](#), 3 April 2017, 1. *Situation overview including Security Issues*, p. 1

¹⁷³⁶ UN Population Fun (UNFPA), [*UNFPA Situation Report: 10th April to 17th April 2017*](#), 18 April 2017, 1. *Situation overview including Security Issues, Protection*, p. 2

¹⁷³⁷ UN Population Fun (UNFPA), [*UNFPA Situation Report: 17th April to 24th April 2017*](#), 24 April 2017, 1. *Situation overview including Security Issues, Protection*, p. 2

¹⁷³⁸ UN Population Fun (UNFPA), [*UNFPA Situation Report: 25th April to 2nd May 2017*](#), 1 May 2017, 1. *Situation overview including Security Issues, Protection*, p. 2

¹⁷³⁹ UN Population Fun (UNFPA), [*UNFPA Situation Report: 10th May to 17th May 2017*](#), 17 May 2017, 1. *Situation overview including Security Issues, Protection*, p. 2

organisation reported that “Cases of gender-based violence are frequently reported to have been perpetrated while travelling or crossing illegal checkpoints to the cities in search of aid. The lack of protective shelter, safe water and sanitation facilities as well as other basic needs in the displacement settlements further increase the exposure of the most vulnerable to protection risks. The influx, particularly in and around Mogadishu and Baidoa, is overwhelming providers of services for GBV victims or survivors and further scale up of services is urgently required”.¹⁷⁴⁰

9.2. SGBV in Mogadishu

For SGBV perpetrated against IDPs see [15.1 Security and HR violations experienced specifically by IDPs](#) and [15.4.1.4. Female headed households](#) and for SGBV perpetrated against returnees see [16.1. Security and HR violations experienced specifically by returnees](#) and [16.4.4 Female headed households](#).

For SGBV perpetrated by AMISOM, see [3.3.3.1. Sexual and gender based violence](#).

For SGBV perpetrated by Al Shabaab, see [3.6.2.1. Sexual and gender based violence](#).

According to an October 2015 research report on sexual and gender-based violence in Mogadishu and South Central Somalia by International Alert [note that field research was conducted in November and December 2014] and reporting on minority women, the report found that:

Minority women stated that their claims as rape survivors often result in punitive actions – such as belligerence, arbitrary arrest and eviction from IDP camps by host communities as well as local and federal authorities. There is resignation and fear that the authorities or police would not help survivors, and the threat of secondary victimisation – against themselves and their male relatives – has led to silence as a coping mechanism in the community.¹⁷⁴¹

In its annual report covering 2016, the U.S. Department of State similarly observed that “Although statistics on cases of gender-based violence in Mogadishu were unreliable, international and local NGOs characterized such violence as pervasive. Government forces, militia members, and men wearing uniforms raped women and girls. While the army arrested some security force members accused of such rapes, impunity was the norm”.¹⁷⁴²

The UNOCHA Humanitarian Bulletin covering April 2017 recorded that “With more than 620,000 people displaced from their homes due to drought, serious concerns are raised by humanitarian partners over increased reports of gender-based violence and other protection violations, including abduction of children and other grave violations against children. Cases of gender-based violence are frequently reported to have been perpetrated while traveling or crossing illegal checkpoints to the cities in search of aid. The lack of protective shelter, safe water and sanitation facilities as well as other basic needs in the displacement settlements further increase the exposure of the most vulnerable to protection risks. The influx, particularly in and around Mogadishu and Baidoa, is overwhelming providers of services for GBV victims and further scale-up of services are urgently required”.¹⁷⁴³

¹⁷⁴⁰ UN Population Fund (UNFPA), [UNFPA Situation Report: 3rd May to 10th May 2017](#), 10 May 2017, 1. Situation overview including Security Issues, Protection, p. 2

¹⁷⁴¹ International Alert, [THE COMPLEXITY OF SEXUAL AND GENDER-BASED VIOLENCE: Insights from Mogadishu and South Central Somalia](#), October 2015, 7.1. Community-level coping mechanisms, p. 47

¹⁷⁴² US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

¹⁷⁴³ UNOCHA, [Humanitarian Bulletin April 2017](#), 4 May 2017

The 'Situation Report' covering 10 to 17th May 2017 noted that "Grave violations against women and girls are on the rise, particularly in areas with high concentration of newly displaced persons such as Baidoa and Mogadishu".¹⁷⁴⁴

9.3. Survivors and persons at risk of (re-)trafficking

Among the sources consulted within the reporting period limited information was found on survivors and persons at risk of (re-) trafficking in South and Central Somalia. This section therefore also includes more general information on trafficking.

The Special Rapporteur on trafficking in persons, especially women and children noted in an August 2016 report that "Sudanese and Somali refugees and asylum seekers fleeing conflict, including numerous unaccompanied children, have been kidnapped or lured from refugee camps or while travelling, sold and subsequently held captive in Libya or in the Sinai desert for purposes of exploitation through extortion".¹⁷⁴⁵

The Trafficking in Persons Report 2017 published by the US Department of State noted that "Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. Victims are primarily from Somalia's southern and central regions and subjected to trafficking within the country, especially in Puntland and Somaliland in the north".¹⁷⁴⁶

The same report further stated that "Traffickers and smugglers reportedly take advantage of the vulnerability of IDP women and children, mostly from southern and central Somalia, at times using false promises of lucrative jobs in Europe and North America. Traffickers transport Somali women, sometimes via Djibouti, to the Middle East, where they frequently endure domestic servitude or forced prostitution".¹⁷⁴⁷

Regarding the risk of trafficking for women, the US Department of State reported that "Women and girl migrants working in the informal economy were particularly vulnerable to trafficking. Reports document an uptick in middle-class Somali citizens attempting to migrate to Europe, which increased their vulnerability to trafficking. An international organization reported that youth aged 18 to 35 from south-central Somalia, driven by pressure to seek employment opportunities abroad, are the most vulnerable to trafficking".¹⁷⁴⁸

The same source reported on the authorities' response to trafficking that "No governmental entity had systematic procedures to identify or refer trafficking victims. Information on FGS [Federal Government of Somalia] efforts to protect trafficking victims was unavailable. The FGS and Somaliland authorities did not provide protective services to trafficking victims and relied fully on

¹⁷⁴⁴ UN Population Fund (UNFPA), [UNFPA Situation Report: 10th May to 17th May 2017](#), 17 May 2017, 1. *Situation overview including Security Issues, Protection*, p. 2

¹⁷⁴⁵ UN Special Rapporteur on trafficking in persons, especially women and children, [Report of the Special Rapporteur on trafficking in persons, especially women and children](#), 05 August 2016, paragraph 22

¹⁷⁴⁶ US Department of State (USDOS), [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017, *Trafficking Profile*

¹⁷⁴⁷ United States Department of State (USDOS), [2017 Trafficking in Persons Report - Somalia](#), 27 June 2017, *Trafficking Profile*

¹⁷⁴⁸ United States Department of State (USDOS), [2017 Trafficking in Persons Report - Somalia](#), 27 June 2017, *Trafficking Profile*

international organizations and NGOs to provide victim assistance, including food, clothing, shelter, legal support, medical aid, counseling, and reintegration services”.¹⁷⁴⁹

The Trafficking in Persons Report 2017 further observed that “Authorities across Somalia demonstrated minimal efforts to prevent trafficking during the year”¹⁷⁵⁰ and that “The FGS [Federal Government of Somalia] did not provide financial or in-kind support to organizations assisting victims. [...] There were no legal alternatives to the removal of foreign trafficking victims from Somalia to countries where they may face hardship or retribution”.¹⁷⁵¹

In a report on child labor dating September 2017 the US Department of Labor noted that “Internally displaced persons, including children, are vulnerable to human trafficking for sexual and labor exploitation. Trucks transporting goods to Somalia return to Kenya with girls who are trafficked for commercial sexual exploitation in brothels in Kenya and destinations outside of Kenya”.¹⁷⁵²

9.4. Harmful cultural practices

9.4.1. Under-age and forced marriage

For information on Al Shabaab perpetrated forced marriage see 3.6. *Al Shabaab*, [3.6.2. Sexual and gender based violence](#).

In a 2016 report UNHCR explained with regards to the ‘family’ in Somalia that:

The (extended) family plays a crucial role in support and social care, and family honour and loyalty are deeply valued. This is also largely true for the Somali family in diaspora. In Somalia, approximately one-fifth of the population lives in polygamous household situations, with wives having their own residences. It is commonly acknowledged that the first wife of a husband is often distressed when her husband decides to marry another woman. Marriages are often arranged, and are traditionally considered to have strong political and economic value. Many Somalis highly value the Islamic prescriptions regarding the family:

- 1) marriage is a religious duty and social necessity;
- 2) sex outside marriage is prohibited;
- 3) the husband is obliged to provide for his wife;
- 4) the wife’s obligation is to obey her husband; and
- 5) there is an obligation for the family to be kind to one’s relatives and have concern for their wellbeing.

When a woman marries a man of another clan, she is absorbed by that clan, although she retains connection with her own family and keeps legal ties to her original clan. This protects the basic rights of the woman and safeguards her interests. Throughout history, cross-clan marriages were used to create bonds between clans, but during and after the civil war marriage within the clan and sub-clan became the preferred choice in order to reduce the chance of falling victim to inter-clan conflicts. [...] Early marriage is relatively common in Somalia, and in refugee camps poor families have been reported to marry their daughters to wealthy and older men in order to escape their impoverished economic situation.¹⁷⁵³

¹⁷⁴⁹ US Department of State (USDOS), [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017, *Government Efforts*

¹⁷⁵⁰ US Department of State (USDOS), [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017, *Government Efforts*

¹⁷⁵¹ US Department of State (USDOS), [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017, *Government Efforts*

¹⁷⁵² US Department of Labor, [2016 Findings on the Worst Forms of Child Labor - Somalia](#), 30 September 2017, p. 2

¹⁷⁵³ UNHCR, [Culture, context and mental health of Somali refugees](#), 2016, *Family and gender relations* p.17

According to UNICEF's 2016 Situation Analysis on Children in Somalia "About 1 in 10 Somali marriages occurs before the girl is 15 years old, and about half before they are 18. Rates of child marriage tend to be high where poverty, birth and death rates are also high; where civil conflict is commonplace; and where there are lower overall levels of development, including schooling, health care and employment. Neither political nor religious leaders see protecting girls from child marriage as a priority".¹⁷⁵⁴

The April 2016 Report of the UN Secretary-General on conflict-related sexual violence noted that "in Somalia, 'restitution' through marriage is widely accepted by victims' families in order to avoid 'shame'".¹⁷⁵⁵

In its annual report covering 2016, the U.S. Department of State observed that "The provisional federal constitution requires both marriage partners to have reached the 'age of maturity' and defines a child as a person less than 18 years old. It notes marriage requires the free consent of both the man and woman to be legal. Early marriages frequently occurred; 45 percent of women between the ages of 20 and 24 were married by age 18 and 8 percent were married by the age of 15. In rural areas, parents often compelled daughters as young as 12 to marry. In areas under its control, al-Shabaab arranged compulsory marriages between its soldiers and young girls and used the lure of marriage as a recruitment tool. There were no known efforts by the government or regional authorities to prevent early and forced marriage".¹⁷⁵⁶

The same source further noted that "Al-Shabaab also committed sexual violence, including through forced marriages. Al-Shabaab sentenced persons to death for rape. [...] In areas under its control, al-Shabaab arranged compulsory marriages between its soldiers and young girls and used the lure of marriage as a recruitment tool. There were no known efforts by the government or regional authorities to prevent early and forced marriage".¹⁷⁵⁷

The December 2016 Report of the Secretary-General on children and armed conflict in Somalia which covers the period from 1 April 2010 to 31 July 2016 summarised that "Continued fighting and insecurity made children, especially girls, vulnerable to sexual violence, including forced marriage. Girls in internally displaced person camps were particularly at risk. [...] Rape and forced marriage often occurred in the context of abductions. For example, on 16 June 2016, a 16-year-old girl was abducted from her house and gang-raped by five Somali National Army soldiers in Quracle village, Bakool region. It was reported that the rape was an act of retaliation because her parents had accepted an Al-Shabaab member's marriage proposal".¹⁷⁵⁸

In a September 2017 Fact Sheet, Save the Children noted that "Child marriage is among the extreme forms of violation of child rights affecting adolescent girls. The ongoing humanitarian crisis has exacerbated poverty, insecurity and access to education, factors which drive child marriage. Recent figures, however, show decline in the prevalence of child marriage. Percentage of girls aged 15-19 years who have ever been married in the country have declined from 25 in 2006 to around 10 in

¹⁷⁵⁴ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Child protection* p.8

¹⁷⁵⁵ UN Security Council, [Report of the Secretary-General on conflict-related sexual violence; Report of the Secretary-General \[S/2016/361\]](#), 20 April 2016 paragraph 10

¹⁷⁵⁶ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 6. Children

¹⁷⁵⁷ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 6. Women

¹⁷⁵⁸ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 45 and 47

2016. The south and central parts of the country still registers relatively higher prevalence of child marriage”.¹⁷⁵⁹

9.4.2. FGM

UNICEF recorded that Somalia is the country with the highest percentage of girls and women aged 15 to 49 years who have undergone FGM/C, 2004–2015, at 98%.¹⁷⁶⁰ Somalia also has one of the lowest percentages of girls and women aged 15 to 49 years who have heard about FGM/C and think the practice should end, 2004–2015, at 33%.¹⁷⁶¹ According to UNICEF’s 2016 Situation Analysis on Children in Somalia “Female genital mutilation (FGM) remains a near universal cultural practice in Somalia, despite efforts to end the practice by some health professionals, civic groups, clergy and aid agencies. For the entire population of young girls, FGM constitutes a major health risk”.¹⁷⁶² The same source further noted that:

There is no significant difference between urban and rural populations or between different wealth quintiles and education levels. In the past, the vast majority of women underwent the most extreme form of FGM (infibulation) but, at least for Somaliland and Puntland, the proportion undergoing this most extreme form of the practice appears to be dropping. Although FGM is performed mainly by traditional circumcisers, studies report that nurses or doctors, in clinics or hospitals, are increasingly performing FGM – a process known as medicalization of FGM. This is thought to be particularly favoured amongst more educated and wealthier families who consider it safer to have the procedure performed by medical professionals.¹⁷⁶³

The organisation 28 Too Many reported on its undated current webpage with regards to prevalence that according to the 2006 Multiple Indicator and Cluster Survey from 2006:

The zone with the highest FGM prevalence among women aged 15-49 is Central South, at 99.2%. The other zones are North West (94.4%) and North East (98.1%). Women aged 15-49 who live in rural areas are only slightly more likely (98.4%) to undergo FGM than those who live in urban areas (97.1%), and the lowest prevalence of FGM is among women in the highest wealth quintile. Women aged 15-49 who live in rural areas are more likely to believe that the practice of FGM should continue (71.8%) than those who live in urban areas (53.8%).¹⁷⁶⁴

The same source also explained that the 2011 MICS survey only gathered data from the north-east (Somaliland).¹⁷⁶⁵

In a 2016 report UNHCR explained with regards to the practice of FGM in Somalia that:

The term ‘female genital mutilation’ (FGM) (sometimes referred to as ‘female genital cutting’) refers to all procedures involving partial or total removal of the external female genitalia for non-medical reasons. Most women in Somalia (around 80-95%) have undergone this traditional practice. The form that is most widely practiced is infibulation: removing the external genitalia and stitching or narrowing of the vaginal opening. The UN considers this the worst form of FGM. The practice is called ‘gudniin’ in Somali, which refers to both female and male practices of FGM/ circumcision. It is often done within the privacy of their homes and usually performed by traditional circumcisers (guddaay).

¹⁷⁵⁹ Save the Children, [Early Child Marriage in Somalia: Is it a Challenged Social Norm?](#) Fact Sheet No.7, September 2017

¹⁷⁶⁰ UNICEF, [UNICEF’S DATA WORK ON FGM/C](#), 2016

¹⁷⁶¹ UNICEF, [UNICEF’S DATA WORK ON FGM/C](#), 2016

¹⁷⁶² UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Social and cultural context* p.18

¹⁷⁶³ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Female Genital Mutilation (FGM)* p.79

¹⁷⁶⁴ 28 Too Many, [Somalia profile](#), undated [accessed 7 December 2017]

¹⁷⁶⁵ 28 Too Many, [Somalia profile](#), undated [accessed 7 December 2017]

However, increasingly, it is also performed by professional health providers. Many Somalis are deeply convinced that the procedure is required for hygienic reasons and to maintain chastity of women. Gudniin is considered a form of purification (xalaalayn or halalayn) and women who have not undergone it are perceived as physically and spiritually unclean. Additionally, it is considered important to ensure virginity until marriage, to ensure that the woman's children belong to her husband. Somali girls usually undergo the practice between the ages of four to ten. Many parents often choose this practice for their daughters out of fear of stigmatising attitudes within the Somali community against women who have not undergone the procedure, and a perceived negative impact on their daughters' chances of marriage. Also, parents may fear their daughters may become overly sexualised.

In Somalia and in Somali refugee camps, FGM is being combatted through large-scale programmes financed by international donors, and attitudes are slowly changing.¹⁷⁶⁶

In July 2016 AMISOM cited Somalia's Attorney General Ahmed Ali Dahir as stating "We need to specifically fight FGM. We need an enabling law. Let us harmonize our demands with the law. We should be specific about FGM and not mix it up with circumcision in general".¹⁷⁶⁷ The same source also reported that "The Attorney General emphasized that Somalia needed to develop homegrown solutions to eradicate retrogressive practices; arguing that adopting policies from outside Somalia may be counterproductive in the fight against female genital mutilation".¹⁷⁶⁸ It further cited deputy Minister of Women and Human Rights Ms. Mumina Sheikh Omar as indicating that "The Constitution bars circumcision in general but does not specify which type. Since the Constitution we have in place is still provisional, the Sharia takes precedence. Let us follow Sharia law but you can discuss and give us your views," the deputy minister told participants at the forum".¹⁷⁶⁹

According to the September 2016 Report of the UN Independent Expert on the situation of human rights in Somalia, "With regard to female genital mutilation, the Minister for Women and Human Rights Development reported that the Government had adopted a policy against this practice, although a specific law thereon had not yet been passed".¹⁷⁷⁰

In its annual report covering 2016, the U.S. Department of State observed that "Although the provisional federal constitution describes female circumcision as cruel and degrading, equates it with torture, and prohibits the circumcision of girls, FGM/C was almost universally practiced throughout the country. UNICEF reported that 98 percent of women and girls had undergone FGM/C and that the majority were subjected to infibulation--the most severe form--which involves cutting and sewing the genitalia. At least 80 percent of Somali girls who have undergone FGM/C had the procedure performed when they were between the ages of five and 14. International and local NGOs conducted education awareness programs on the dangers of FGM/C, but there were no reliable statistics to measure their success. In March the prime minister expressed support for an international campaign, led by activist group Avaaz, to encourage the country to adopt a zero tolerance approach to FGM/C. The campaign collected more than 1.3 million signatures".¹⁷⁷¹

¹⁷⁶⁶ UNHCR, [Culture, context and mental health of Somali refugees](#), 2016, *Female Genital Mutilation*

¹⁷⁶⁷ AMISOM, [Somali Government Reaffirms Its Commitment to Fighting Female Genital Mutilation](#), 27 July 2016

¹⁷⁶⁸ AMISOM, [Somali Government Reaffirms Its Commitment to Fighting Female Genital Mutilation](#), 27 July 2016

¹⁷⁶⁹ AMISOM, [Somali Government Reaffirms Its Commitment to Fighting Female Genital Mutilation](#), 27 July 2016

¹⁷⁷⁰ UN, [Report of the Independent Expert on the situation of human rights in Somalia*](#), 15 September 2016 paragraph 38

¹⁷⁷¹ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Section 6. Children

In its annual report documenting activities in 2016 UNICEF noted that “Advocacy and policy dialogue efforts on Female Genital Mutilation/Cutting (FGM/C) resulted in over 5,200 community dialogues being conducted and over 1,000 religious leaders being engaged to end FGM/C. The involvement of anti-FGM/C champions, such as former traditional birth attendants who used to perform FGM/C, fostered strong advocates against the practice. Prominent personalities, including the First Lady of Puntland, also helped bring to light the issue of FGM/C, facilitating more open discussion with community members and their leaders. Strengthening the government’s capacity for service delivery, regulation and policy development enhanced the protective environment for women and children”.¹⁷⁷²

An August 2017 UNFPA newsletter detailed that “July, August and September are something of a “cutting season” for many girls around the world, when the break from school means they have time to undergo, and recover from, FGM. Though there is little formally collected data, experts say that FGM is commonly practiced during the school vacation period in parts of Guinea, Nigeria and Somalia. In some cases, girls even travel from abroad to undergo the procedure. And in some places, it is a precursor to child marriage, which may also take place during school holidays”.¹⁷⁷³

In a September 2017 Fact Sheet, Save the Children presented results from a survey conducted in February-March of 2017 covering 2,581 respondents: 430 community leaders, 1,118 female and 1,033 male adults sampled from 55 communities in 11 districts.¹⁷⁷⁴ The Fact Sheet recorded that:

We find that 90% of adolescent girls have been cut, compared to commonly cited 98% FGM/C rate in the country. Since most of the girls undergo cuts at the age of 10-14, the fact that 90% of the 15-17 years old girls are circumcised indicates a decline in overall rate of FGM/C in these districts. The proportion of girls who have undergone the extreme form of cut (*pharonic*) is also on the decline, with 28% of the circumcised girls having undergone this type FGM/C. However, *sunnah kabir* has become the most common type of FGM/C. *Sunnah saker*, also known as “little cut” is also on the rise (Figure 1). There is major variation in the prevalence of different types of FGM/C across districts, and prevalence of the types is largely determined at community level.

The shift from *pharonic* to *sunnah* will pose major challenge to achieving the goal of zero tolerance of FGM/C in the country. In terms of the reasons given by the respondents on why they circumcised their daughters, *pharonic* cut is primarily justified as ‘culture’ whereas *sunnah* is practiced for ‘religious reasons’ [...]. Moreover, the respondents think *pharonic* circumcision can have several bad health consequences whereas about 80% of the respondents think there is no bad health effect on girls undergoing *sunnah*.

Consistent with the type of FGM/C practiced, majority of the respondents (55%) expressed their preference of continuing *sunnah*, and one third of the respondents are in favour of *pharonic* circumcision [...]. Very few respondents (only 6%) being against all form of FGM is somewhat in contrast to most people reporting that FGM/C is not mandatory religious practice or not permitted by law, which is explained by the fact that they disconnect *sunnah* from FGM/C.¹⁷⁷⁵

With regards to the prospect of abandoning FGM/C the same source noted that:

From social norm perspective, abandonment of FGM/C will require changing individuals’ beliefs that others in their community have also changed their perceptions and practice.

Consistent with social norm theory, we find that respondents’ beliefs about how many of their fellow community members are against FGM/C determine their own preference and practice. For example, respondents who think majority of women of their community are against FGM/C, are 17

¹⁷⁷² UNICEF, [Somalia Annual report 2016](#), 2016

¹⁷⁷³ UNFPA, [Somalia newsletter](#), August 2017, *Cutting Season: When School Holidays mean FGM*

¹⁷⁷⁴ Save the Children, [Changing Social Norms in Somalia: Exploring the Role of Community Perception in FGM/C Fact Sheet No.6](#), September 2017

¹⁷⁷⁵ Save the Children, [Changing Social Norms in Somalia: Exploring the Role of Community Perception in FGM/C Fact Sheet No.6](#), September 2017

percentage points less likely to express an intention to circumcise their uncut daughters compared to the rest of the women of their community [...]. Similarly, these respondents are also 5 percentage points less likely to have circumcised their daughter (aged 10 and above). These correlations are much stronger with beliefs about women members' perception than men member of the community indicating stronger role of women in shaping preference for FGM/C.¹⁷⁷⁶

10. Children

This section should be read in conjunction with the other issues of relevance to children documented elsewhere in this report including:

[5.4.2. Child labour](#)

3.6. *Al Shabaab*, [3.6.2. Sexual and gender based violence](#)

[6.7.2. Juvenile detention](#)

[9.3. Survivors and persons at risk of \(re-\) trafficking](#)

[9.4.1. Under-age and forced marriage](#)

[9.4.2. FGM](#)

10.1. Forced recruitment of children

10.1.1. By government forces

See the information presented above on:

3. Nature of IHL and human rights violations, by actor

3.2. SNAF/SNA

[3.2.3. Forced and child recruitment](#)

3.3. AMISOM

[3.3.4. Forced and child recruitment](#)

3.4. Ethiopian National Defence Force (ENDF)

[3.4.3. Forced and child recruitment](#)

10.1.2. Recruitment and use of children by non-state armed actors

See the information presented above on:

3.5. Non state armed groups and clan militias

[3.5.3. Forced and child recruitment](#)

3.6. Al Shabaab

[3.6.3. Forced and child recruitment](#)

For information on Al Shabaab forced recruitment in Mogadishu, see [3.6.3.1. Forced recruitment in Mogadishu](#).

¹⁷⁷⁶ Save the Children, [Changing Social Norms in Somalia: Exploring the Role of Community Perception in FGM/C Fact Sheet No.6](#), September 2017

10.2. Access to education

For IDP access to education, see [15.4.1.2. Education](#) and for returnee access to education see [16.4.2. Education](#).

The National Development Plan for 2017-2019 for Somalia noted that “As a result of this state of strife, civil war and lack of consistent good governance within the education sector, the overall adult literacy rate, which according to the 1975 population census was 54 percent, dropped to 40 percent according to PESS [Population Estimate Survey for Somalia] 2014 data. In terms of adult literacy Somalia has the third-lowest literacy rate among ten sub Saharan neighboring counties”.¹⁷⁷⁷

The UN Secretary-General on children and armed conflict in Somalia noted in his December 2016 report that covered 2012 to 2016:

A total of 235 incidents of attacks on schools and hospitals were verified. Lack of access to conflict-affected regions hampered the verification of reported incidents. While data on attacks on schools and hospitals, their military use and arrests of teachers on security grounds are normally accounted for separately, the country task force on monitoring and reporting was unable to provide disaggregated data, given the extended reporting period. The numbers presented therefore also include cases of military use of schools and hospitals and arrests of teachers on security grounds [...]

Thirty-three per cent of a total of 195 incidents of attacks on schools were verified in 2012 (66), with a downward trend in 2013 (54) and 2014 (18). The numbers increased again in 2015 (24) and 2016 (33). The first six months of 2016 saw a dramatic increase in incidents, exceeding those verified for the entire years of 2014 and 2015 [...]

Schools were destroyed and looted during confrontations between parties to the conflict. Education personnel were threatened, killed and detained [...]

In addition, Al-Shabaab disrupted the learning of hundreds of children and distributed jihadist booklets [...]

Schools were also used for military purposes.¹⁷⁷⁸

According to the same source “Gross enrolment for primary education is very low at 30 percent; for secondary education the gross enrolment rate is 26 percent. Comparisons with neighboring countries reveal that Somalia’s primary and secondary gross enrolment rates are lower than in any other country in the region”.¹⁷⁷⁹

According to UNICEF’s 2016 Situation Analysis on Children in Somalia:

Somalia has one of the world’s lowest proportions of primary-age children attending primary school – only about a quarter, according to the last full survey of primary net attendance, which was as long ago as 2006. More than half of children are out of school, and less than 10 per cent of children start school at six years old. Children who do attend primary school tend to start at a later age, which means there is a high proportion of secondary-age children in primary school.

Extremely high rates of poverty in communities across Somalia make it difficult for parents to afford school fees. In many areas, parents are required to pay for their children’s education, and poverty remains the main reason they give for not sending their children to school. Somaliland declared free primary public education in 2011 but has had great difficulty in retaining teachers at the salaries the government can afford to pay. With parents and communities no longer paying for public primary education, schools have almost no funds to cover their running costs.

¹⁷⁷⁷ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 111

¹⁷⁷⁸ UN Secretary-General on children and armed conflict in Somalia, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, III., E. Attacks on schools and hospitals, paras. 49 – 53, p. 12

¹⁷⁷⁹ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 112

Pastoralist communities make up a quarter of the Somali population, and adapting approaches to ensure that all children living in these settings have access to basic education is critical. Currently, less than a quarter of pastoralist children attend formal schools in Somalia, largely due to the high costs and the lack of an education format that suits their nomadic lifestyle. Pilot models for 'informal education' for pastoralist and other children out of formal education show promise but have yet to be taken to scale.

More children of primary age attend traditional Quranic schools than public schools, especially in the southern and central regions. However, the limited scope of traditional Quranic schools (almost exclusively the Quran and Islamic studies) are no substitute for formal education and only 10 per cent of the students who attend these schools are literate.

Girls' participation in education is consistently lower than that for boys. Fewer than 50 per cent of girls attend primary school, and the last countrywide survey from 2006 showed that only 25 per cent of women aged 15 to 24 were literate. The low availability of sanitation facilities (especially separate latrines for girls), a lack of female teachers (less than 20 per cent of primary-school teachers in Somalia are women), safety concerns and social norms that favour boys' education are cited as factors inhibiting parents from enrolling their daughters in school.¹⁷⁸⁰

Regarding South and Central Somalia the same source reported that "The southern and central areas (where half the population live) are estimated to have significantly lower enrolment and attendance than other regions, although due to the security situation no full school census or household survey has been completed since 2006".¹⁷⁸¹

A Mercy Corps article dating February 2016 reported that "More than 75 percent of the public schools that previously existed in the South Central region — home to Mogadishu — have been closed or destroyed. Only 19 percent of the population in this area can read and write".¹⁷⁸²

The 2016 U.S. Department of State report observed that "the provisional constitution provides the right to a free education up to the secondary level, but education was not free, compulsory, or universal. Education needs were partially met by a patchwork of institutions, including a traditional system of Quranic schools; public primary and secondary school systems financed by communities, foreign donors, and the Somaliland and Puntland administrations; 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 madrassas. Attendance rates for girls remained lower than for boys".¹⁷⁸³

A February 2016 International Organization for Migration (IOM) study focusing on urban youth, looking at three main cities in South Central: Mogadishu, Kismayo and Baidoa found out that "A quarter of the youth (14–30) surveyed have no education; the majority of them are women and live in Baidoa and Kismayo. Their lack of education puts them at a disadvantage in the job market".¹⁷⁸⁴

The IOM study further described the situation of higher education in Somalia as follows:

According to representatives from higher education institutes and universities in the three cities, the general population of students is on the increase. The survey found that students in higher education are usually men (56%), younger than 25 (92%) and single (87.2%). The most educated respondents were more represented in the capital: 34 per cent of the respondents in Mogadishu held a license (or bachelor's degree), against 6 per cent in Kismayo and Baidoa. The greater number of students in

¹⁷⁸⁰ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Child protection* p.8

¹⁷⁸¹ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 64

¹⁷⁸² Mercy Corps, [How Restoring a School is Reviving Hope in Somalia](#), 22 February 2016

¹⁷⁸³ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 6. *Children*

¹⁷⁸⁴ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 27

Mogadishu suggests a more pronounced interest for higher education in the capital, but can also be attributed to the fact that higher education offerings in Mogadishu are more diversified and reputed to be of better quality. Students from main cities in South Central move to Mogadishu to attend university, while students from districts neighbouring Kismayo and Baidoa tend to move to regional capitals for university.¹⁷⁸⁵

Regarding universities in Somalia the IOM study noted that “Many new institutes and universities have opened in Somalia since 2011, and all of them are private – except for the Somali National University (located in Mogadishu and free of charge). The size of these establishments varies, from small institutes in Baidoa and Kismayo, with an average of 100 students, to larger universities in Mogadishu, like Benadir that welcomes over 5,000 people. These institutions rarely carry an entrance exam; on the contrary, they seek to attract as many students as possible. This means that the education level of the student population can be very heterogenous and some may be not prepared enough for higher studies”.¹⁷⁸⁶

A November 2016 United Nations Children's Fund (UNICEF) report mapped out the main challenges in accessing education in South and Central Somalia

The majority of out of school children are found in Central and South Somalia, in the very zones where refugees from Dadaab are returning to according to the UNHCR intention survey.

The primary barriers to education in these zones are the lack of safe spaces for learning (security), insufficient teachers (both qualified and unqualified), limited oversight and outreach by Ministry of Education among others. 14 percent of those wishing to stay in Kenya indicated this choice was motivated by inadequate access to education in their country of return (the second highest motivation after lack of security).

The Ministry of Education has very limited control over education services in Somalia. At the moment there is not yet a harmonized curriculum, there are no government supported teacher training institutes in Central South Somalia and only a very limited government supported teaching force. This means that there are a wide variety of actors (civil society and private institutions) offering education which is outside of the jurisdiction and control of the government.¹⁷⁸⁷

UNOCHA's Humanitarian Response Plan dating December 2016 assessed state of the education system in South and Central Somalia noting that:

The capacity of the education system and limited outreach of the Ministry of Education (MoE) in southern and central Somalia to address the education rights and needs of affected girls, boys and adolescents remains weak. Protracted emergencies and continued emerging emergencies – conflict, drought and flooding - have heavily impacted education. Access to education continues to be inadequate, with only 30 per cent of children accessing primary education countrywide, and 3 million children still out of school, with the majority in southern and central Somalia. As a result, the country has the highest score on protection risk level in the world. Low rates of enrolment, learners' retention and high gender and regional disparities prevails across the country. The recent Education baseline survey indicated that an average of 90 per cent of schools do not have access to safe drinking water and 61 per cent of school do not have functional latrines across southern and central Somalia excluding Banadir.¹⁷⁸⁸

¹⁷⁸⁵ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 30 and 31

¹⁷⁸⁶ International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 31

¹⁷⁸⁷ United Nations Children's Fund (UNICEF), [Somalia Education Cluster - Education Across the Border](#), 23 November 2016, p. 1

¹⁷⁸⁸ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 26

The same report further observed that “Education baseline survey indicated that an average of 90 per cent of schools do not have access to safe drinking water and 61 per cent of school do not have functional latrines across southern and central Somalia excluding Banadir”.¹⁷⁸⁹

A January 2017 Inter-Agency Working Group on Disaster Preparedness for East and Central Africa reported recorded that in Somalia, “some 3 million school-age children are out of school”.¹⁷⁹⁰

The annual U.S. Department of Labor report covering events in 2016 documented that “The protracted violence has reduced access to all basic services, including public education. Attacks on schools have resulted in the forced recruitment of children, military occupancy of schools, and damaged facilities”.¹⁷⁹¹

The January 2017 report of the UN Secretary-General on Somalia noted that “The most serious [protection] concerns emerged in Gaalkacyo, where 90,000 civilians were displaced by conflict in October, resulting in a lack of schooling for 20,000 children”.¹⁷⁹²

A February 2017 European Commission Factsheet cited UNICEF as noting that only 30% of primary school-aged children attend school in Somalia.¹⁷⁹³

UNOCHA noted in its August 2017 Bulletin that “Despite a significant increase in education interventions, 66 per cent of the 528,000 children in need of assistance to stay in schools have not been reached. This is attributed to the lack of adequate funding – one percent of the total humanitarian funding – for education”.¹⁷⁹⁴

An UN Children's Fund April 2017 report provided the following overview on the access to education in Somalia:

Somalia has one of the world's lowest gross enrolment rates for primary school-aged children with only 30 percent children at primary education level and 26 percent for secondary education. Newly published data from UNFPA [United Nations Population Fund] suggest that the number of out-of-school children and youth aged 6-18 years is at 3 million which is a significant increase compared to the previously estimated 1.7 million out of school children. The majority of out of school children are found in Central and South Somalia. The primary barriers to education are the lack of safe spaces for learning (security), insufficient teachers (both qualified and unqualified), limited oversight and outreach by Ministry of Education (MOE) among others. The Ministry of Education has very limited control over education services in Somalia, specifically in Central South Somalia. At the moment there is not yet a harmonized curriculum, there are no government supported teacher training institutes in Central South Somalia and only a very limited government supported teaching force. This means that there are a wide variety of actors (civil society and private institutions) offering education which is outside of the jurisdiction and control of the government.¹⁷⁹⁵

On state response to education challenges in Somalia the same report noted:

¹⁷⁸⁹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 26

¹⁷⁹⁰ Inter-Agency Working Group on Disaster Preparedness for East and Central Africa, [Lesson learned? An urgent call for action in the Horn of Africa, January 2017](#), 20 January 2017

¹⁷⁹¹ U.S. Department of Labor, [2016 Child Labor and Forced Labor Reports, Somalia](#), September 2017

¹⁷⁹² UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 56

¹⁷⁹³ European Commission, [ECHO Factsheet - Somalia - February 2017](#), 24 February 2017

¹⁷⁹⁴ UN Office for the Coordination of Humanitarian Affairs, [Humanitarian Bulletin Somalia, August 2017](#), 31 August 2017

¹⁷⁹⁵ UN Children's Fund, [Somalia Education Cluster Annual Report 2016 \(January 2017\)](#), 6 April 2017, p. 3

The limited outreach and inadequate capacity of MoE [Ministry of Education] pose a huge challenge to education in Somalia. Humanitarian actors continue to be a significant provider of education services without proper possibilities of linking with and handing over to the MOE. The humanitarian funding structure is not designed to fill this kind of long term gap in the social services. As a consequence Education Cluster partners reported in May 2016, that an estimated 28,000 children in IDP settlements had dropped out of learning centres due to lack of continued financial support to operate the schools including specifically the emergency teacher incentives. In total 142 learning centres shut down and 61 others were on the brink of closure with limited possibilities of maintaining operation in the 2016-17 academic year. The majority of the affected schools were in Banadir, Lower Shabelle, Middle Shabelle, Bay and Galgaduud regions.¹⁷⁹⁶

In a quarterly bulletin on education dating April 2017 UNICEF stated that “In central and southern regions of the country, the impact of the civil war still has an acute bearing on the restoration of public education. More than 75 per cent of public schools that existed before the civil war have been destroyed and/or closed. Due to the complex and uncertain political and social context, state intervention in the education sector has been limited and fraught with implementation difficulties”.¹⁷⁹⁷

The World Bank noted in a June 2017 report on school attendance in Somalia that:

47 percent of the children and 45 percent of youth do not attend school, with attendance lower in IDP settlements. Moreover, poor children are less likely to attend school (46 percent) compared to children living in non-poor households (63 percent). Thus, children from poor households face bigger obstacles to overcome poverty in their adult life. Children and youth that live in households that receive remittances have a higher school attendance by 13 and 17 percentage points, respectively, and recipient households spend more on education than non-recipients, particularly among the poorer households. School attendance is further 30 percent less likely for children and youth when the head of their household has no education. The most common reasons for not attending school are illnesses, absent teachers, lack of resources, and, among the youth, having to help at home.¹⁷⁹⁸

In April 2017 the Africa Review cited the Mayor of Mogadishu, Yussuf Hussein Jimale, as stating that “there are currently 50 private universities. The Mogadishu University opened its doors three years ago after remaining closed for over 20 years”.¹⁷⁹⁹

In a July 2017 article, Human Rights Watch reported that “some 300 Burundian soldiers serving in the African Union peace support force in Somalia (AMISOM), finally abandoned their military base on the Somalia National University campus in Dharkenley district, west of Mogadishu. The troops have been encamped at the university for 10 years”.¹⁸⁰⁰

The September 2017 UN Report of the Independent Expert on the situation of human rights in Somalia noted that “Only 42 per cent of children attend school”.¹⁸⁰¹ The same source further noted that “In the education sector, UNICEF supports five thematic areas to strengthen the education system and provide high-quality education, even for the most marginalized children, through formal education, alternative basic education, youth education and skills development, institutional

¹⁷⁹⁶ UN Children's Fund (UNICEF), [Somalia Education Cluster Annual Report 2016 \(January 2017\)](#), 6 April 2017, p. 3

¹⁷⁹⁷ UN Children's Fund (UNICEF), [Somalia Quarterly Education Bulletin](#), July 2017, p. 1

¹⁷⁹⁸ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 17

¹⁷⁹⁹ Africa Review, [Diaspora now investing in Mogadishu as security improves](#), 1 April 2017

¹⁸⁰⁰ Human Rights Watch, [African Union Troops Vacate Base in Somali University](#), 12 July 2017

¹⁸⁰¹ UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 22

strengthening and education in emergencies. More than 10,000 over-age children from pastoralist communities have benefited from alternative basic education centres”.¹⁸⁰²

A September 2017 Save the Children Fact sheet recorded that “Low retention and irregular school attendance characterize the education sector in the country. Irregular school attendance is a precursor to school dropout, and the underlying factors for both absenteeism and dropout are possibly the same. These disproportionately affect girls due to gender bias in parents’ willingness to pay for education expenses, fear of gender-based violence at schools and the need for homely chores. Girls may face additional constraint associated with school sanitary conditions at their puberty. The lack of privacy and space for changing, drying sanitary materials, as well as insufficient water are often reported as important determinants of girls’ school attendance. Somali girls are socialized to shy away from using publicly located toilets for fear of being seen by boys. Most schools are located in small parcels of land making it impossible to ‘hide’ toilets”.¹⁸⁰³

10.2.1. Al Shabaab’s impact on access to education

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission noted with regards to the Al Shabaab recruitment process that “With regards to indoctrination, several sources mentioned that schools in S/C Somalia are religious and privately funded, which is exploited by al-Shabaab. Al-Shabaab visits schools, displays video material, and presents the pupils to al-Shabaab’s interpretation of jihad and Islam. Furthermore, al-Shabaab imposes its curriculum upon teachers who have not sworn allegiance to al-Shabaab”.¹⁸⁰⁴

According to the BBC, Al Shabaab “launched its own curriculum in April [2017], and produces school textbooks reflecting its Islamist agenda”.¹⁸⁰⁵

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea reported that In April 2017, Al-Shabaab announced that it had developed a new school curriculum which it would launch in July 2017. Over the following months, the group rolled out a series of activities — many constituting violations of international law — intended to ensure that schools both within and beyond its areas of control were prepared to implement its edict”.¹⁸⁰⁶ It further reported that these involved:

- (a) forced closure of schools to facilitate re-training of teachers;
- (b) prevention of teachers’ freedom of movement;
- (c) summoning teachers living in government-controlled areas to travel to Al-Shabaab strongholds and be schooled in the new curriculum;
- (d) occupation of schools; and,
- (e) abduction of children who participated in FGS approved government examinations.

¹⁸⁰² UN, [Report of the Independent Expert on the situation of human rights in Somalia](#), 6 September 2017, paragraph 22

¹⁸⁰³ Save the Children, [Making schools more girl friendly: Exploring the effects of ‘Girl Friendly Space’ on school attendance of adolescent girls](#), September 2017

¹⁸⁰⁴ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3. Recruitment to al-Shabaab, 3.1 The Recruitment process

¹⁸⁰⁵ BBC, [Somali schoolteachers arrested for ‘al-Shabab meetings’](#), 12 July 2017

¹⁸⁰⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraphs 8-10 p. 138

These measures were part of an increasingly aggressive strategy to force children into Al-Shabaab-controlled madrasas.¹⁸⁰⁷

With further regards to Al Shabaab's madrasa system, the same source detailed:

Since 2015, Al-Shabaab has been instituting a long-term strategy to build a cadre of deeply ideologically committed fighters, in which the madrasa system is a key component. One of the first acts of Al-Shabaab, when it retook control of Tiyeeglow, Bakool region, was to call elders and parents and order attendance of all boys and girls at the two new madrasas that they had opened.

The madrasa system in Middle Juba, Al-Shabaab's core stronghold, provides an example of the scale of the effort. During the mandate seven madrasas operated in Jilib, each with approximately 600 students between the age of 15 and 20 years old attending the facilities. In Sakow there were six madrasas, with the same number of students per facility, with many under the age of 15.

Attached to the madrasa was a second level of elite facilities to which children demonstrating potential were transferred for more intense, specialized training. Individuals identified for grooming as suicide operatives, received special treatment to reinforce their commitment.¹⁸⁰⁸

10.2.1.1. Al Shabaab's impact on access to education in Mogadishu

For information on general access to education in Mogadishu, see [1.6.4.4.1. Access to education in Mogadishu](#).

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted with regards to the Al Shabaab recruitment process that "With regards to indoctrination, several sources mentioned that schools in S/C Somalia are religious and privately funded, which is exploited by al-Shabaab. Al-Shabaab visits schools, displays video material, and presents the pupils to al-Shabaab's interpretation of jihad and Islam. Furthermore, al-Shabaab imposes its curriculum upon teachers who have not sworn allegiance to al-Shabaab. A UN source added that even in Mogadishu the government does not control the curriculum".¹⁸⁰⁹

In a March 2017 article Human Rights Watch reported on attacks of Al Shabaab on schools in Mogadishu "Al-Shabab has frequently used schools in areas they control. Students I spoke with said that the group had raised its flag over their schools and stored hand grenades and guns inside while classes were going on. Somali youth told me that al-Shabab had abducted boys from their schoolyards to fight for them and taken girls from class for forced marriage. The experiences of Mogadishu students are, unfortunately, not unique in today's wars. Schools have been attacked or taken over and used for military purposes in at least 30 countries since 2009".¹⁸¹⁰

10.3. Violence against children including domestic violence

Also see

3. Nature of IHL and human rights violations, by actor

¹⁸⁰⁷ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraphs 8-10 p. 138

¹⁸⁰⁸ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, Annex 11.2: Child recruitment and use, paragraphs 13-15 p. 139

¹⁸⁰⁹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 3. Recruitment to al-Shabaab, 3.1 The Recruitment process

¹⁸¹⁰ Human Rights Watch (HRW), [A Challenge to Protect Schools During War](#), 8 March 2017

3.2. SNAF/SNA

[3.2.5. Other violations against children](#)

3.3. AMISOM

[3.3.5. Other violations against children](#)

3.4. Ethiopia National Defence Force (ENDF)

[3.4.4. Other violations against children](#)

3.5. Non-state armed groups and clan militias, incl. ISIL

[3.5.4. Other violations against children](#)

3.6. Al Shabaab

[3.6.4. Other violations against children](#)

According to UNICEF's 2016 Situation Analysis on Children in Somalia:

Conflict and political instability over recent decades has weakened governmental authority and the justice system is weak. This means mechanisms for child protection are extremely limited. Displacement can result in separation of children from their families, which exposes them to exploitation, violence and abuse – and the children of IDPs and minorities are particularly vulnerable. In addition, societal acceptance of domestic violence and corporal punishment often stands between child victims and justice. The lack of a framework for law and order allows many children to work in exploitative and abusive environments. In respect of protection and security, girls and women are controlled in every aspect of their lives, including their bodies. Older children are seen as a resource instead of being protected and nurtured for effective growth and development.¹⁸¹¹

The same source further explained that “In much of Somalia, conditions of war are not common, but chronic, low-level insecurity is, in the form of criminal violence, militia predation, kidnapping and threat of sexual assault. This has very serious implications for child protection and well-being, affecting everything from the willingness of households to allow girls to attend school to risk-averse farming and business practices that result in lower incomes”.¹⁸¹²

The 2016 U.S. Department of State report observed that “Child abuse and rape of children were serious problems, although no statistics on their prevalence were available. There were no known efforts by the government or regional governments to combat child abuse. Children remained among the chief victims of continuing societal violence. The practice of “asi walid,” whereby parents placed their children in boarding schools, other institutions, and sometimes prison for disciplinary purposes and without any legal procedure, allegedly continued throughout the country”.¹⁸¹³

The U.S. Department of State Trafficking in Persons Report covering 2016 explained that “Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. [...] Due to poverty and an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may become victims of forced labor or sex trafficking. [...] Traffickers and smugglers reportedly take advantage of the vulnerability of IDP women and children, mostly from southern and central Somalia, at times using false promises of lucrative jobs in Europe

¹⁸¹¹ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Child protection* p.8

¹⁸¹² UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Conflict context* p.15

¹⁸¹³ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 6. *Children*

and North America. [...] Traffickers reportedly subject Somali children fleeing al-Shabaab and seeking refuge in Kenya to forced labor or sexual exploitation”.¹⁸¹⁴

According to the September 2016 of the UN Secretary-General, “The country task force on monitoring and reporting in Somalia recorded 506 incidents of grave violations against children during the reporting period, of which 473 incidents affecting 780 children (147 girls and 633 boys) were verified. The majority of the violations related to recruitment and use (302), followed by killings and maiming (258), abductions (217), sexual violence (75), attacks on schools and hospitals (13) and denial of humanitarian access (4)”.¹⁸¹⁵

The Report of the Secretary-General on conflict-related sexual violence covering the period from January to December 2016 recorded that “Widespread sexual violence continues to be a feature of protracted conflict in Somalia. Internally displaced women and girls and members of minority clans remain the most vulnerable, owing to a lack of preventive measures, limited access to justice and weak clan protection”.¹⁸¹⁶

UNICEF reported that “In 2016, the Country Task Force on Monitoring and Reporting documented 4,889 grave violations against children in southern central Somalia, affecting 3,385 boys and 750 girls. Majority of the violations were on the recruitment and use of children (1,917), followed by abduction (1,458)”.¹⁸¹⁷

The December 2016 Report of the Secretary-General on children and armed conflict in Somalia summarised that “The country task force on monitoring and reporting verified that 780 children, including five boys, were victims of rape and other forms of sexual violence between 2012 and 2016. Twenty-seven per cent of the cases were verified in 2012 (211), with a downward trend in 2013 (154) and 2014 (76). The numbers spiked in 2015 (174) and in the first half of 2016 (165). Unknown armed elements were responsible for almost half the cases (344), followed by the Somali National Army (284), Al-Shabaab (124), Ahl al-Sunna wal-Jama’a (12) and regional forces (11)¹. The rape of five girls was attributed to AMISOM (contingents of Ethiopia (three), Uganda (one) and Djibouti (one)). The scale of sexual violence affecting children is believed to be underrepresented owing to fear of stigmatization and reprisals and to the lack of adequate support services for survivors”.¹⁸¹⁸

The same source noted with regards to abductions that “Between 2014 and 2016, 1,023 abductions of children were verified. The numbers spiked in 2015 (523) compared with 2014 (133). In the first six months of 2016 alone, 367 abductions were verified. Over 85 per cent of abductions were attributed to Al-Shabaab (873), followed by unknown armed elements (123), the Somali National Army (25) and Ahl al-Sunna wal-Jama’a (2). Abductions were used primarily as a tactic for recruitment, with a spike in 2015 corresponding to the launch of Operation Juba Corridor. [...] Abductions were also linked to rape, sexual violence and forced marriage”.¹⁸¹⁹

The January 2017 report of the UN Secretary-General on Somalia noted that “The country task force on monitoring and reporting recorded 477 incidents of grave violations against children during the reporting period, affecting 854 children (157 girls and 697 boys). 46 incidents of unlawful detention

¹⁸¹⁴ US Department of State, [Trafficking in Persons Report 2017 - Country Narratives - Somalia](#), 27 June 2017

¹⁸¹⁵ UN, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 55

¹⁸¹⁶ UN, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, paragraph 55

¹⁸¹⁷ UNICEF, [UNICEF Somalia Humanitarian Situation Report #11, December 2016/January 2017](#), 31 January 2017

¹⁸¹⁸ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraph 44

¹⁸¹⁹ UN, [Report of the Secretary-General on children and armed conflict in Somalia](#), 22 December 2016, paragraphs 57-59

involving 92 children on security grounds and for alleged association with Al-Shabaab were documented”.¹⁸²⁰

A February 2017 UNICEF report noted with regards to child protection that “There has been an overall increase in gender-based violence (GBV) and family separation, in particular as children are left on their own while parents go looking for food, water and assistance”.¹⁸²¹

The UNOCHA Humanitarian Bulletin covering April 2017 recorded that “With more than 620,000 people displaced from their homes due to drought, serious concerns are raised by humanitarian partners over increased reports of gender-based violence and other protection violations, including abduction of children and other grave violations against children. Cases of gender-based violence are frequently reported to have been perpetrated while traveling or crossing illegal checkpoints to the cities in search of aid. The lack of protective shelter, safe water and sanitation facilities as well as other basic needs in the displacement settlements further increase the exposure of the most vulnerable to protection risks. The influx, particularly in and around Mogadishu and Baidoa, is overwhelming providers of services for GBV victims and further scale-up of services are urgently required”.¹⁸²²

The May 2017 report of the UN Secretary-General on Somalia noted that “The country task force on monitoring and reporting documented 431 grave violations affecting 397 children (332 boys and 65 girls) in 148 verified incidents. Public executions of children and hand amputations continued: five children were killed and three were maimed”.¹⁸²³ Furthermore, “Twenty-eight cases of conflict-related sexual violence were documented, an increase over the 13 cases reported during the previous reporting period. This is likely to be related to the displacement of populations due to the drought and lack of access to humanitarian assistance. Women and children are particularly vulnerable, and the number of reports of sexual violence in internally displaced person camps has increased”.¹⁸²⁴

In June 2017 Save the Children reported that “More than a million children in Somalia are at risk of increased violence, child labour and of being separated from their families due to the devastating drought ravaging the country, new research from Save the Children has revealed. The study of more than 600 people found the impact of the drought has gone far beyond life threatening shortages of essentials like food and water, and identified high levels of psychological distress faced by children who are exhibiting unusual symptoms like bouts of crying and screaming. A staggering 100 percent of survey respondents, who are all drought affected, said they’d noticed changes in the behavior of children in their communities since the drought, with more than half saying children had become “more aggressive”. Violence against children was also said to be on the up by nearly two-thirds of children and 47 percent of adults. 30 percent of all respondents said that children were more at risk of sexual violence, like rape and molestation, since the drought began. Children are more vulnerable because many have been separated from their parents, are being pressured into child labour to support their families and hundreds of thousands are at risk of dropping out of school. More than 80 percent of those surveyed said children were attending school less often since the start of the drought”.¹⁸²⁵

¹⁸²⁰ UN, [Report of the Secretary-General on Somalia](#), 9 January 2017, paragraph 48

¹⁸²¹ UNICEF, [UNICEF Somalia Humanitarian Situation Report #01 February 2017](#), 28 February 2017

¹⁸²² UNOCHA, [Humanitarian Bulletin April 2017](#), 4 May 2017

¹⁸²³ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 64

¹⁸²⁴ UN, [Report of the Secretary-General on Somalia](#), 9 May 2017, paragraph 57

¹⁸²⁵ Save the Children, [CHILDREN FACE INCREASED VIOLENCE AND EXPLOITATION](#), 2 June 2017

The September 2017 report of the UN Secretary-General on Somalia recorded that “The Somalia country task force on monitoring and reporting verified 245 incidents of grave violations affecting 485 children (124 girls and 361 boys)”.¹⁸²⁶

11. Security risk for persons belonging to the middle class or professional class

This section should be read against the profiles listed in section [4. Profiles of persons at risk by non-state actors, particularly Al Shabaab](#).

A report by the Norwegian Country of Origin Information Service Landinfo from April 2016 stated that “People suspected of being associated with the government, including people suspected of being spies, risk serious reactions from al-Shabaab. [...] According to source A (meeting in Mogadishu, January 2016) such suspicion mostly occur if the travellers have objects with them that are associated with the government, such as documents issued by the government, or symbols that are associated with the government, smartphones (which are banned in al-Shabaab areas), Western names on mobile phones etc. It is not a given that they check all travellers, but travellers may be asked to explain who they are, where they are going and why. Al-Shabaab can also search the traveller’s belongings”.¹⁸²⁷

The March 2017 Danish Immigration Service report stated “Two sources pointed out that businessmen perceived to be collaborating with or supporting the federal government are targets, but businessmen who do not work with the government and pay their taxes to al-Shabaab are not considered a target”.¹⁸²⁸

In relation to areas under the effective control of AMISOM/ SNA the same report stated “The main al-Shabaab targets are federal member state officials and high-ranking politicians, AMISOM, and SNA. Clan elders and others e.g. businessmen perceived to be collaborating with or supporting the federal government are also targets. UN staff at all levels, i.e. anybody identified to be under a contract with the UN, is also a target, but is less exposed than federal member state officials and high-ranking politicians, AMISOM, and SNA. The source mentioned that anyone who is seen travelling regularly by the road to the airport of Mogadishu – and therefore assumed to be working there – can be a target. Some staff members move their residence and family very often in attempt to keep a low profile. The source also mentioned non-Somalis as a target group. Journalists and human rights activists might also be targeted depending on their activities and how distinct they criticise al-Shabaab. Small business owners and the community in general are also at risk if they reject to cooperate with al-Shabaab and pay taxes. If a businessman wants to travel from an al-Shabaab controlled area to government territory he needs to acquire permission from al-Shabaab and indicate a return date. If the person does not return he is considered a traitor and might be killed – even in Mogadishu. According to the source, certain businessmen that are supporters of al-Shabaab are allowed to cross or do business in the government controlled areas, and mostly these businessmen also serve al-Shabaab so their movement does not need return dates from al-Shabaab [...]The source clarifies that dayworkers at government and UN facilities, businessmen who do not work with the government and pay their taxes, as well as women as a generic category are not considered al-Shabaab targets. It is added that Somalis working for international NGO’s, UN agencies, or the government are also at risk from other armed actors in society. As an example the

¹⁸²⁶ UN, [Report of the Secretary-General on Somalia](#), 5 September 2017, paragraph 55

¹⁸²⁷ Landinfo [Somalia: Practical issues and security challenges associated with travels in Southern Somalia](#) 4 April 2016 3.4.2 Risk for people suspected of having connections to the government

¹⁸²⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017 2.4 Business people p.20

source explained that a job at the international airport in Mogadishu is lucrative to an extent which makes you at risk of being killed by people who want your job. The source also knew of cases where national staff has been exposed to extortion”.¹⁸²⁹

The same report quoted a source who claimed that “al-Shabaab defectors, government employees, government collaborators, journalists, human rights advocates, and employees of NGO’s as targets [of al-Shabaab], but stressed that it would depend on the context of each case. Al-Shabaab can potentially target everyone in these categories, but that does not mean that any person with such profile automatically is a target. It will depend on the circumstances. The source made reference to the fact that in general aid workers from NGO’s are a target to al-Shabaab, but if an approval from al-Shabaab is obtained, the staff members of an approved NGO will not be targeted. However, the source stressed that NGO’s affiliated with the US are a general target”.¹⁸³⁰

11.1. Security risk for persons belonging to the middle class or professional class in Mogadishu

The 2016 Centre for Security Governance report described how “Most high-profile individuals in Mogadishu — MPs, top businesspeople and other VIPs — possess personal security escorts, typically composed of a posse of individuals with close family connections whose loyalty is unquestioned. They provide armed protection for these VIPs at their residence, office and in public, especially while on the road, where ambushes are frequent on Mogadishu’s heavily congested roads. MPs who lack the personal finances to pay for personal security stay in hotels where security is considered good. Political figures in particular have good reason to seek personal bodyguards — numerous MPs and other government officials have been assassinated or have been targets of failed assassination attempts since 2007. MPs are now assigned special police, but reportedly prefer to rely on private guards. The most common practice is to approach the police for 10 or so private guards from one’s own clan and pay them directly. Even top government officials, such as the mayor of Mogadishu and the FGS president, rely on private protection consisting of close relatives. Some Somali diaspora interviewed for this study reported that they felt safer not using private security as that tended to attract unwanted attention and made them more vulnerable than when they moved through the city discreetly”.¹⁸³¹

The Danish Immigration Service’s report of its December 2016 Fact Finding Mission stated “[a]nyone who travels on the road to the airport in Mogadishu can be suspected of collaborating with the government or affiliated actors. Staff queuing up for security check at the entrance to the airport has been targeted by car bombs”.¹⁸³²

In its 2017 report Rift Valley Institute stated “Mogadishu’s former middle classes [...] often face greater challenges reclaiming their property. In a situation where title deeds may have been lost—and where countless forged title deeds are in circulation—neighbour testimony is often called upon to verify a claim. ‘Reliable and verifiable testimony’ is sanctioned as part of ‘alternative and informal

¹⁸²⁹ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017 4. Possible al-Shabaab targets in areas under the effective control of AMISOM/SNA p.29

¹⁸³⁰ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017 Possible al-Shabaab targets in areas under the effective control of AMISOM/SNA p.46

¹⁸³¹ Centre for Security Governance, [Non-State Security Providers and Political Formation in Somalia](#) April 2016 *Personal Protection Units*, p.27

¹⁸³² Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 54. Possible al-Shabaab targets in areas under the effective control of AMISOM/SNA p.58

community-based mechanisms and processes for resolving property disputes' in the Protocol on the Property Rights of Returning Persons in the Great Lakes Pact. Gathering neighbour testimonies is, however, not always possible. Residents from areas identified with specific clans often fled *en masse* as the United Somali Congress (USC) began its purge of inhabitants associated with the Siyad Barre regime. As one resident who participated in a focus group discussion for this report pointed out, 'in Hodan [District], 90 per cent of residents fled. The problem is that there are no neighbours [left] that can confirm the ownership of any individual.'¹⁸³³ The same report states "As UN-Habitat notes, any country with weak rule of law and high corruption is prone to the misuse of land titling to advance the interests of the powerful and wealthy at the expense of the poor. 'Competing claims over land often occur under conditions of unequal power and resources', it concludes. 'Rich people and the middle classes have the means, knowledge and connections to buy and sell land, register it officially, demand services, use land as collateral to borrow money, and defend their rights to it'. But civil war magnifies state failure and erosion of rule of law, and increases the odds that groups with the most firepower and cash will use those advantages to make claims on valuable urban land and enforce those claims by whatever means necessary. This political economy dimension to armed conflict and land accumulation is of direct relevance to the Mogadishu case".¹⁸³⁴

12. Persons of diverse sexual orientation and/or gender identities

12.1. Legislation

The 2017 International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) report on 'State Sponsored Homophobia' outlined the Somalia Penal Code, Legislative Decree No 5/1962, where Article 409 states:

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.¹⁸³⁵

The report noted further that Article 406 of the Penal Code limits public expression of homosexuality:

Whoever, in a public place or a place open to the public, incites anyone to lewd acts, even in an indirect manner, shall be punished, where the act does not constitute a more serious offence, with imprisonment up to one year or with fine up to Sh.So. 2,000.¹⁸³⁶

The US Department of State further highlighted in its annual report covering 2016 that in Somalia, "the law does not prohibit discrimination based on sexual orientation or gender identity [...] Hate crime laws or other criminal justice mechanisms did not exist to aid in the prosecution of bias-motivated crimes against members of the LGBTI community".¹⁸³⁷

¹⁸³³ Rift Valley Institute, [Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city](#), 2017 p.56

¹⁸³⁴ Rift Valley Institute, [Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city](#), 2017 p.17

¹⁸³⁵ International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [State Sponsored Homophobia 2017: A world survey of sexual orientation laws: criminalisation, protection and recognition](#), May 2017, Somalia, p. 99

¹⁸³⁶ International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [State Sponsored Homophobia 2017: A world survey of sexual orientation laws: criminalisation, protection and recognition](#), May 2017, Somalia, p. 99

¹⁸³⁷ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

A May 2015 report by the UN Office of the High Commissioner for Human Rights explained that the death penalty may be used to punish homosexuality in Somalia: “in parts of [...] Somalia, the death penalty may be applied in cases of consensual homosexual conduct”.¹⁸³⁸ Similarly, the 2017 ILGA report noted that the death penalty for same-sex sexual acts is “Codified under Sharia and implemented provincially” in the “southern parts” of Somalia.¹⁸³⁹

For more information on the death penalty see [6.5. The death penalty](#).

12.2. State attitudes and treatment

Relying on various sources, the European Asylum Support Office’s (EASO’s) 2014 country report on Somalia noted that “Somali LGBTs living in Kenya express fears of being prosecuted and killed upon their return to Somalia”.¹⁸⁴⁰

A 2015 submission by Muslims for Progressive Values to the 2016 review of the Somalia UN Universal Periodic Review stated that “LGBTI individuals face social, political and legal discrimination”.¹⁸⁴¹

In Somalia’s 2nd Universal Period Review conducted in 2016, Canada raised the issue of impunity for attacks against LGBTI persons by recommending that Somalia “Address widespread impunity—including for attacks against [...] LGBTI persons—by conducting timely and impartial investigations, investigating threats of violence, and prosecuting perpetrators”.¹⁸⁴²

Similarly, the US Department of State stated in its annual report covering 2016 that “There were no known actions to investigate or punish those complicit in abuses”.¹⁸⁴³

12.3. Societal attitudes and treatment

The 2015 submission by Muslims for Progressive Values to the 2016 review of the Somalia UN Universal Periodic Review stated that “LGBTI individuals face social, political and legal discrimination”.¹⁸⁴⁴ Their submission quoted Diriye Osman, a Somali artist and writer now resident in the UK, as stating in 2014 “to come out in Somalia one must be prepared for [...] physical abuse,

¹⁸³⁸ UN General Assembly, [Report of the Office of the United Nations High Commissioner for Human Rights, Discrimination and violence against individuals based on their sexual orientation and gender identity](#), May 2015, *Death Penalty*, p 13

¹⁸³⁹ International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [State Sponsored Homophobia 2017: A world survey of sexual orientation laws: criminalisation, protection and recognition](#), May 2017, *Death penalty for same-sex sexual acts*, p. 40

¹⁸⁴⁰ European Asylum Support Office (EASO), [South and Central Somalia Country overview](#), August 2014, 4.4.3 *LGBT*, p. 113

¹⁸⁴¹ Muslims for Progressive Values, [Written Submission for the Universal Periodic Review of Somalia](#), June 2015, *LGBTI Rights*, p. 10

¹⁸⁴² United Nations General Assembly, [Human Rights Council Draft Report of the Working Group on the UPR, Somalia](#), January 2016, *Conclusions and Recommendation*, 136. 95, p 24

¹⁸⁴³ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity*

¹⁸⁴⁴ Muslims for Progressive Values, [Written Submission for the Universal Periodic Review of Somalia](#), June 2015, *LGBTI Rights*, p. 10

ceaseless harassment, imprisonment or death”.¹⁸⁴⁵ Upon learning that he was gay his own family threatened him with violence.¹⁸⁴⁶

In a 2016 report UNHCR explained with regards to homosexuality in Somalia that:

Homosexuality is (usually) not accepted in Somali communities. It is often not considered a Somali issue, but rather an outside problem. A man who does not have sex with a woman is called ‘khanis’* or ‘qanis’*, which indicates any man who does not have sex with a woman for any reason, such as an illness (e.g. erectile dysfunction) or homosexuality. Families may exclude a homosexual person, but, if homosexuality is not openly manifested, a man could leave without being excluded. Homosexual Somalis often hide their sexuality for fear of discrimination, social exclusion and potential violence, including death. The penal code of 1964 describes homosexual acts as illegal and punishable by imprisonment from three months up to three years. The new provisional constitution, adopted by the Federal Republic of Somalia in 2012, asserts that all laws must be compliant to Islamic Shari’a law. According to Shari’a law, homosexual acts are punishable by the ‘death penalty or flogging’. The organization Queer Somalia reported in 2004 that ‘whether through suicide following pressure from families or via loosely applied Islamic law that is uncontrolled due to the lack of a central government, their greatest fear is death—a sentence that can be brought upon them just for being homosexual, or for being perceived to be homosexual’.¹⁸⁴⁷

The US Department of State noted the following with regards to societal attitude towards same-sex relations in its annual report covering 2016 “Society considered sexual orientation and gender identity taboo topics, and there was no known public discussion of discrimination based on sexual orientation or gender identity in any region. There were no known LGBTI organizations and no reports of events. There were few reports of societal violence or discrimination based on sexual orientation or gender identity due to severe societal stigma that prevented LGBTI individuals from making their sexual orientation or gender identity known publicly”.¹⁸⁴⁸

ILGA reported that in early 2017 it was reported that Al Shabaab “murdered two individuals on account of their sexual orientation”.¹⁸⁴⁹ With special reference to this incident, Reuters specifically reported that Al Shabaab “shot two men and a teenager in southern Somalia [...] saying one of the men and the 15-year-old had been seen having gay sex, while the other man was found guilty of spying”.¹⁸⁵⁰

13. Persons with a mental disability or suffering from mental illness

13.1. Prevalence

UNHCR explained in a 2016 report that:

There are no reliable and comprehensive epidemiological data on mental health problems in Somalia due to limited research capacity and poor collection of routine data in health centres. [...]

¹⁸⁴⁵ Muslims for Progressive Values, [Written Submission for the Universal Periodic Review of Somalia](#), June 2015, LGBTI Rights, p. 10

¹⁸⁴⁶ Muslims for Progressive Values, [Written Submission for the Universal Periodic Review of Somalia](#), June 2015, LGBTI Rights, p. 10

¹⁸⁴⁷ UNHCR, [Culture, context and mental health of Somali refugees](#), 2016, *Family and gender relations*, p.17

¹⁸⁴⁸ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity*

¹⁸⁴⁹ International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), [State Sponsored Homophobia 2017: A world survey of sexual orientation laws: criminalisation, protection and recognition](#), May 2017, *Somalia*, p. 99

¹⁸⁵⁰ Reuters, [Somali Islamists kill man and teenager for gay sex, another man for spying](#), 10 January 2017

The level of mental distress among people in Somalia is thought to be high, and risk factors for developing mental disorders are abundant within the Somali context: loss of people, property and status, disrupted interpersonal relations and social networks, severe and recurring traumatic experiences, displacement, insecurity, uncertainty for the future, and substance abuse.¹⁸⁵¹

Furthermore, UNHCR noted (original emphasis):

The traditional concepts for mental distress are much more fluid than psychiatric, western categories. People who suffer from mental distress, but do not act ‘crazy’, are usually not seen as ‘mentally ill’, and the description of distress may not fall into any specific western psychiatric category. However, these conditions may lead to serious suffering if the person is not able to recover from them. As mentioned in the [2010] WHO report, ‘*mental health (caa madka maskaxda) and treatment (daawayn) are still relatively new concepts*’.¹⁸⁵²

13.1.1. Prevalence in Mogadishu

A 2016 UNHCR report noted “among women attending a primary health care clinic in Mogadishu, nearly one third had significant PTSD symptoms as measured with the Somalia Post- Traumatic diagnostic scale”.¹⁸⁵³

13.2. Availability and access to specialised care

The currently available WHO programme specific mental health update, which is undated, states that:

Somalia has five mental health centres situated in Berbera, Bossaso, Garowe, Hargeisa and Mogadishu. These provide basic care to people suffering from mental health conditions. However, only three psychiatrists are working in the mental health facilities in the country. Often the limited resources available are spent on large mental hospitals and not on services delivered through the community and primary health care.¹⁸⁵⁴

This is for a population total currently provided by WHO (undated) as 12, 316, 000.¹⁸⁵⁵

WHO further reported that “the practice of keeping mentally ill people in chains is common in Somalia, a sign of a lack of adequate mental health care services”.¹⁸⁵⁶ The 2016 U.S. State Department report similarly noted that “without a public health infrastructure, few services existed to provide support or education for persons with mental disabilities. It was common for such persons to be chained to a tree or restrained within their homes”.¹⁸⁵⁷

¹⁸⁵¹ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. *Mental Health* p. 28.

¹⁸⁵² UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. *Mental Health* p. 31

¹⁸⁵³ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. *Mental Health* P 28.

¹⁸⁵⁴ WHO EMRO Regional Office for the Eastern Mediterranean, [Somalia Mental Health](#) undated, accessed 13/11/2017.

¹⁸⁵⁵ WHO EMRO Regional Office for the Eastern Mediterranean, [Somalia Mental Health](#), undated, accessed 13/11/2017.

¹⁸⁵⁶ WHO EMRO Regional Office for the Eastern Mediterranean, [Somalia Mental Health](#), undated, accessed 13/11/2017.

¹⁸⁵⁷ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 6 *Persons with disabilities*

UNHCR noted in its 2016 report that “there are very few specialised mental health services in Somalia, with most documented information available from the northern parts (Puntland and Somaliland)” and that “people often stay for very long periods in hospital, with some patients staying up to 18 years”.¹⁸⁵⁸

UNHCR further listed “at least 11 private centres in Somaliland, four in Puntland, and two in Mogadishu”.¹⁸⁵⁹ However, it reported that “while some are offering a wide ranges of services, others are no more than a repository for mentally ill and do not have any competent staff”.¹⁸⁶⁰

Liesbeth Aelbrecht, Head of Mission for MSF in Kenya, explained the situation for refugees being returned from Dadaab, Kenya, to Somalia in a September 2016 report, noting that “being stuck in a country where mental health services are basically non-existent would put their lives in severe jeopardy”.¹⁸⁶¹

Dr Mohamed Sheikh Omar, Health and Nutrition Program Manager, Action Contre La Faim, explained in an April 2017 article:

Somalia health infrastructure has fallen since the central government collapse. Since then humanitarian actors have given little attention to delivering mental health services when delivering care to the affected people, while neglecting those people who are in need of mental health services, as these people lost their homes and livelihood due to war. Depression was one of the major mental health problems that many Somali people faced during and after the civil war that lead to severe consequences such as broken marriage, khat chewing for relief, health and nutrition problems and eventually disability and death.¹⁸⁶²

The same 2016 UNHCR report detailed pharmaceutical treatment for mental health problems:

It is important to note that inadequate medication, premature discontinuation of treatment through lack of understanding of the importance of ongoing treatment to maintain symptom control, or through lack of access to further supplies of medication leads to relapse of illness. This reinforces the belief that mental illness is not treatable.¹⁸⁶³

In July 2017, UNSOM reported on a capacity building workshop for thirty mental health professionals from institutions in Baidoa, the capital of Somalia’s South West state.¹⁸⁶⁴ Reportedly “Participants included staff from Baidoa central prison, the city’s psychiatric hospital, and the Baidoa Disarmament, Demobilisation and Rehabilitation centre”.¹⁸⁶⁵ UNSOM cited Issak Mohamud Mursal, acting Director General of the Ministry of Health in South West state, as stating that “We have concern that mentally ill people have been increasing in the last 10 years or 20 years, and the

¹⁸⁵⁸ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health p. 24

¹⁸⁵⁹ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health P 24.

¹⁸⁶⁰ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4, Mental Health. P 24.

¹⁸⁶¹ MSF, Dadaab, [Kenya: Return of Refugees to Somalia is ‘Inhumane and Irresponsible’, Somalia, An Acute Lack of Mental Care](#), 13 October 2016

¹⁸⁶² Volunteering and International Psychiatry Special Interest Group to the Royal College of Psychiatry, [World Health Day 2017 edition, Depression Around the World](#), April 2017, p.56

¹⁸⁶³ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 49.

¹⁸⁶⁴ UNSOM, [UN trains mental health practitioners in Somalia’s South West state](#), 27 July 2017

¹⁸⁶⁵ UNSOM, [UN trains mental health practitioners in Somalia’s South West state](#), 27 July 2017

problem we have is that we haven't got any training similar to this".¹⁸⁶⁶ Amelie Runesson, a Corrections Advisor with the United Nations Assistance Mission in Somalia (UNSOM) stated that "this training aims to shed light first of all for the stigma surrounding mental health and then provide participants with the basics in common psychiatric disorders, such as Post Traumatic Stress Disorder, and also to give them the basics in psychological assessment, specifically suicide screening".¹⁸⁶⁷

Traditional Mental Health Practises and Treatments

The 2016 UNHCR report documented that traditional healing centres do exist in communities, however "living conditions for the patients are often well below acceptable standards".¹⁸⁶⁸

UNHCR further explained the practise of *Chaining* in Somalia:

Families of people with severe mental disorder patients may decide to chain them to prevent them from committing an assault for which the family would be forced to pay compensation. Additionally, there is a common belief that secluding the person in a quiet place may reduce anger, agitation and aggressiveness. [...]

Chaining] is commonly used as a form of punishment when patients refuse to follow orders, exhibit aggressive behaviour or try to escape. It is also widely practiced in religious healing centres, with the use of restraints often not monitored or recorded, and used for prolonged periods (sometimes indefinitely).¹⁸⁶⁹

The same report noted that "chaining people with a mental disorder is a harmful practice that often amounts to the violations of the human rights of the person"¹⁸⁷⁰, and "is usually long term, lasting for months or years".¹⁸⁷¹

The WHO 'Chain-Free Initiative' explained that chaining "is not a harmless cultural preference, many people are physically or emotionally damaged as a result and it is humiliating indignity to the person who is subjected to it".¹⁸⁷²

UNHCR reported that *burning* is also used as a treatment:

Another widespread traditional, damaging and dangerous practice is the ritual 're-burning' of the affected part of the body, often through the use of pieces of burning coal, iron rod, or a stick from a special tree that is heated until it glows and is subsequently applied to the skin.¹⁸⁷³

Furthermore, mental health specific burning treatments include burning the head, temple and neck.¹⁸⁷⁴ UNHCR also reports that Hyenas have also been used to treat mental health problems; "the

¹⁸⁶⁶ UNSOM, [UN trains mental health practitioners in Somalia's South West state](#), 27 July 2017

¹⁸⁶⁷ UNSOM, [UN trains mental health practitioners in Somalia's South West state](#), 27 July 2017

¹⁸⁶⁸ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 47.

¹⁸⁶⁹ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 48.

¹⁸⁷⁰ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 48.

¹⁸⁷¹ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 48.

¹⁸⁷² WHO, [Mental Health and Substance Abuse, Chain-free Initiative](#), Undated, Accessed 14/11/2017

¹⁸⁷³ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 48.

¹⁸⁷⁴ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 48.

person is locked in a hut for a whole night with the animal and gets clawed and bitten (and sometimes even killed) so the hyena may eat the evil spirit".¹⁸⁷⁵

13.2.1. Availability and access to specialised care in Mogadishu

UNHCR further reported that there are "at least 11 private centres in Somaliland, four in Puntland, and two in Mogadishu".¹⁸⁷⁶ However "while some are offering a wide ranges of services, others are no more than a repository for mentally ill and do not have any competent staff".¹⁸⁷⁷ Dr. Faduma Abdi Maow, head of Laasareti Mental Hospital in the North of Mogadishu, explained that "unfortunately if the patient who need inpatient service is female, we don't have a place to admit her – due to security issues, unlike with the men".¹⁸⁷⁸

UNHCR explained the mental health training for private- clinic Doctors:

Many private clinics have been established and are run by psychiatrists coming from the diaspora for some weeks per year while handing over for the remaining months to general health workers without formal qualifications. With the exception of the newly qualified, most doctors work exclusively in the private sector and have not received any continuing professional development.¹⁸⁷⁹

The same UNCHR report indicated the conditions of these mental health centres:

With some significant exceptions, conditions in private mental treatment centres are often bad due to overcrowding, poor hygiene, restrictions on freedom of movement, lack of adequately trained staff, and lack of meaningful activities for patients. Forced seclusion and prolonged isolation are used frequently, including as punishment for aggressive behaviour of residents. [...] Involuntary admission without proper medical evaluation is widespread and forms a particular problem in private centres as owners are inclined to accept any patient as long as the family pays the bill. The majority of private centres do not keep clinical records of the patients.¹⁸⁸⁰

13.2. Societal treatment

The 2016 UNHCR report noted with regards to customary law on mental health:

Additionally, customary law indicates that mentally ill persons (men in particular) cannot get married because of presumed inability to take care of his wife, children and belongings, to play a useful role in the community life, or because they may be potentially dangerous to themselves or others. A

¹⁸⁷⁵ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 48.

¹⁸⁷⁶ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health P 24.

¹⁸⁷⁷ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4, Mental Health. P 24.

¹⁸⁷⁸ Volunteering and International Psychiatry Special Interest Group to the Royal College of Psychiatry, World Health Day 2017 edition, [Depression Around the World](#), April 2017 p.56

¹⁸⁷⁹ Volunteering and International Psychiatry Special Interest Group to the Royal College of Psychiatry, World Health Day 2017 edition, [Depression Around the World](#), April 2017 p.56

¹⁸⁸⁰ Volunteering and International Psychiatry Special Interest Group to the Royal College of Psychiatry, World Health Day 2017 edition, [Depression Around the World](#), April 2017, p.56

common belief is that if a mentally ill woman gets pregnant, she will pass the disease on to her children.¹⁸⁸¹

UNHCR further noted that additionally to chaining and violence, “human rights violations against mentally ill people include the prevention of access to their funds, properties, and inheritances”.¹⁸⁸² The same report noted that “even staff working in the mental health field may be stigmatised”.¹⁸⁸³

According to UNHCR, Somali proverbs state that “*a mentally ill person might get better, but will never be cured perfectly*” and “*the mind that is lost does not come back again easily*” (*Dhimir tagey dhagsi kuma yimaadi*).¹⁸⁸⁴ UNHCR also indicated that “among Somalis, mental illness is often considered a shame and disgrace, and carries high social stigma”.¹⁸⁸⁵

The 2016 US State Department report noted:

The provisional federal constitution provides equal rights before the law for persons with disabilities and prohibits the state from discriminating against them. Authorities did not enforce these provisions. The provisional federal constitution does not specify whether this provision applies to physical, intellectual, mental, or sensory disabilities. It does not discuss discrimination by nongovernmental actors, including with regard to employment, education, air travel and other transportation, or provision of health care.¹⁸⁸⁶

Dr Mustaf Habeb, mental health Doctor in Somalia explained the influence of stigma in an April 2017 Royal College of Psychiatry report:

The lack of sufficient knowledge, stigma and discrimination that people with mental health disease get, means that people will not come to health facilities to seek help. On the other hand people don't recognize depression as a disease, the only time they seek treatment is when it is combined with bipolar disorder.¹⁸⁸⁷

In July 2017, UNSOM cited Amelie Runesson, a Corrections Advisor with the United Nations Assistance Mission in Somalia (UNSOM) as stating that “In Somalia individuals with mental health problems are commonly called ‘crazy’. [...] One of the key messages delivered was the importance of rather understanding it as an illness which can be treated. Changing the vocabulary is a first step to challenge the stigmatization”.¹⁸⁸⁸

¹⁸⁸¹ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016 Section 4. Mental Health. P 50.

¹⁸⁸² UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 50.

¹⁸⁸³ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4, Mental Health. P 50.

¹⁸⁸⁴ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4, Mental Health. P 50.

¹⁸⁸⁵ UNHCR, [Culture, context and mental health of Somali refugees, A primer for staff working in mental health and psychosocial support programmes](#), 2016, Section 4. Mental Health. P 50.

¹⁸⁸⁶ US Department of State, [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, 6 *Persons with disabilities*

¹⁸⁸⁷ Volunteering and International Psychiatry Special Interest Group to the Royal College of Psychiatry, [World Health Day 2017 edition, Depression Around the World](#), April 2017 Page 56,

¹⁸⁸⁸ UNSOM, [UN trains mental health practitioners in Somalia's South West state](#), 27 July 2017

14. Persons living with HIV

14.1. Prevalence

UN Children's Fund (UNICEF) annual report on Somalia covering 2016 noted that “Over 90 per cent of all malaria cases originate in the central and southern regions, while the prevalence in areas where bed nets were widely distributed, such as Somaliland and Puntland, is below 1 per cent. Preliminary data from a 2014 survey indicate the prevalence of HIV is 0.67 per cent in Somaliland, 0.49 per cent in Puntland and 0.23 per cent in South Central Somalia. The periodic HIV surveillance among pregnant women shows a decline from 28/10,000 in 2014 to 24/10,000 at the end of 2016”.¹⁸⁸⁹

According to the Global Fund’s current (undated) Somalia Country Overview, “HIV prevalence is low, but with a generalized epidemic in the northwest zone of Somaliland”.¹⁸⁹⁰ UNAIDS reported that 24,000 people are living with HIV in Somalia and that in 2016, there were 1800 new HIV infections.¹⁸⁹¹

A November 2017 study in Heliyon Journal noted that “sex work is thought to be behind the spread of HIV in countries such as Djibouti and parts of Somalia”.¹⁸⁹²

The undated website of the International Committee for the Development of Peoples noted that:

The overall prevalence of HIV/AIDS in Somalia is estimated around 0.9%, which is considered to be low compared with the incidence in surrounding countries. However, many factors could aggravate the situation. The current drought situation in South Central Somalia, and war and armed conflict, resulting in forced displacement, collapse of social structures and breakdown of rule of law put people at much greater risk of HIV infection. Moreover, Somali society is polygamous, and divorce and remarriage happen frequently. Despite this, the existence of the problem is still denied, because HIV is associated with promiscuity, and the Somali society is reluctant to address issues of sexuality. Stigma and resistance are high, and families abandon their relatives once they know they are affected with HIV.¹⁸⁹³

14.2. Availability and access to specialised care

The Global Fund noted that 2700 people were on antiretroviral therapy (ART) in 2016¹⁸⁹⁴. According to UNAIDS, there were 1700 aids-related deaths in 2016, while 500 deaths were averted due to ART.¹⁸⁹⁵ The same source recorded that 1110 women needed ART for prevention of mother-to-child transmission (PMTCT), however, only 80 women received ART for PMTCT and 100 new HIV infections were averted due to PMTCT.¹⁸⁹⁶

¹⁸⁸⁹ UN Children's Fund (UNICEF), [UNICEF Somalia Annual Report 2016](#), 2016, p. 8

¹⁸⁹⁰ The Global Fund, [Somalia Overview](#), undated [accessed 13 December 2017]

¹⁸⁹¹ UNAIDS, [Somalia data sheet](#), undated [accessed 13 December 2017]

¹⁸⁹² Sallam, Malik et al. “[Genetic Characterization of Human Immunodeficiency Virus Type 1 Transmission in the Middle East and North Africa.](#)” *Heliyon* 3.7 (2017): e00352. PMC. Web. 1 Nov. 2017.

¹⁸⁹³ CISP [Comitato Internazionale per lo Sviluppo dei Popoli (International Committee for the Development of Peoples)], [HIV/AIDS in Somalia](#), undated [accessed 13 December 2017]

¹⁸⁹⁴ The Global Fund, [Somalia Overview](#), undated [accessed 13 December 2017]

¹⁸⁹⁵ UNAIDS, [Somalia data sheet](#), undated [accessed 13 December 2017]

¹⁸⁹⁶ UNAIDS, [Somalia data sheet](#), undated [accessed 13 December 2017]

With regard to the ART programmes, UNAIDS reported in 2012 that “in Somalia, security challenges make implementation of HIV prevention programmes and ART provision challenging. Moreover, it restricts access to HIV services for those already on treatment”.¹⁸⁹⁷

14.3. Societal treatment

According to the US State Department Country Report on Human Rights Practices for 2016:

Persons with HIV/AIDS continued to face discrimination and abuse in their local communities and by employers in all regions. The United Nations reported that persons with HIV/AIDS experienced physical abuse, rejection by their families, and workplace discrimination and dismissal. Children of HIV-positive parents also suffered discrimination, which hindered access to services. There was no official response to such discrimination.¹⁸⁹⁸

Regarding labour market discrimination against persons living with HIV, the same source documented that:

The law and regulations prohibit discrimination regarding race, sex, disability, political opinion, color, language, or social status, but the government did not effectively enforce those laws and regulations. The labor code requires equal pay for equal work. According to the 1972 labor code, penalties included imprisonment up to six months and/or a fine of not more than 1,000 Somalia shillings (less than two dollars). Penalties were not sufficient to deter violations. The law does not prohibit discrimination on the basis of religion, age, national origin, social origin, sexual orientation or gender identity, or HIV-positive status or other communicable diseases.¹⁸⁹⁹

Furthermore, UK-based charity, AVERT noted in May 2016 that “men who have sex with men are less likely to access HIV services for fear of their sexual orientation and identity being revealed”.¹⁹⁰⁰

A risk assessment by the United Nations Development Programme undertaken in 2016 noted that “due to high levels of stigma and discrimination associated with HIV in Somalia, People Living with HIV (PLHIV) continue to face human rights violations, such as forced evictions from their homes, losing their means of livelihood and being disowned by their family and community”.¹⁹⁰¹

14.3.1. Societal treatment in Mogadishu

A study published in the International Journal of Environmental Research and Public Health in July 2017 concluded that, based on their sample size:

[...] people diagnosed with HIV living in Mogadishu are highly knowledgeable about HIV transmission, the realities of living with a diagnosed HIV infection, and the efficacy of HIV treatment. Our small sample suggests adequate access to ART through NGOs. However, widespread HIV stigma limits HIV status disclosure to families and communities, which creates a risk of self-isolation and ill health. Still, affected individuals have developed resilient mechanisms for managing the risks. They strive to

¹⁸⁹⁷ [UNAIDS \(2012\) 'Global AIDS Response Progress Reporting 2012'](#)

¹⁸⁹⁸ US State Department, [Country Report on Human Rights Practices 2016 – Somalia](#), 03 March 2017, Section 6. HIV and AIDS Social Stigma

¹⁸⁹⁹ US State Department, [Country Report on Human Rights Practices 2016 – Somalia](#), 03 March 2017, Section 6. HIV and AIDS Social Stigma

¹⁹⁰⁰ AVERT, [Men Who Have Sex with Men \(MSM\), HIV And Aids](#), last updated 6 December 2017

¹⁹⁰¹ UNDP, [Responding to HIV and AIDS in Somalia Quarter 1 Report](#), January to March 2016, page 8 and 9

remain employed for economic security, adhere to HIV treatment, engage in support groups, and maintain the utmost optimism about their prognosis.¹⁹⁰²

Findings from Africa's Voices Foundation's interactive radio programme for UNICEF Somalia in January and February 2017 suggested "that people in Mogadishu and SCZ are less likely to have asked for an HIV/AIDS test, compared to other major urban centres and zones".¹⁹⁰³

15. IDPs in South and Central Somalia incl. Mogadishu

For information on the situation for Returnees see [16. Returnees \(including refugees and returning IDPs\) in South and Central Somalia \(excl. Mogadishu\)](#). For an overview of the humanitarian and socio-economic situation see the whole of section 1.6. *Overview of the humanitarian and socio-economics situation in South and Central Somalia incl. Mogadishu*.

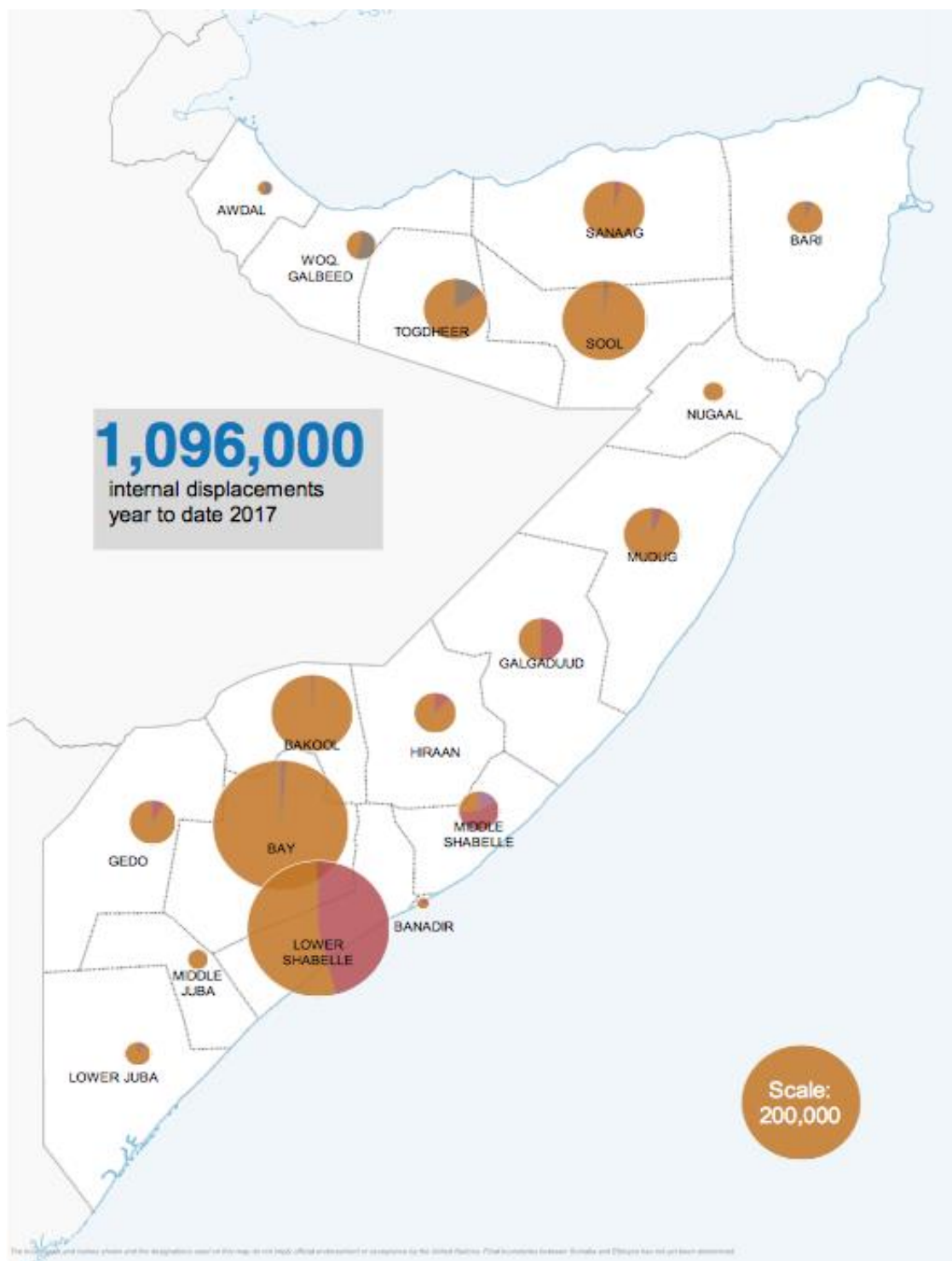
South and Central Somalia

The following UNHCR map shows regions of origin of displacements (departures) by reason from 1 January to 30 November 2017¹⁹⁰⁴:

¹⁹⁰² Kulane A, Owuor JOA, Sematimba D, Abdulahi SA, Yusuf HM, Mohamed LM. (International Journal of Environmental Research and Public Health), [Access to HIV Care and Resilience in a Long-Term Conflict Setting: A Qualitative Assessment of the Experiences of Living with Diagnosed HIV in Mogadishu, Somalia. International Journal of Environmental Research and Public Health](#), 5 July 2017

¹⁹⁰³ Africa's Voices Foundation, [Beliefs and practices of Somali citizens concerning HIV/AIDS](#), undated [accessed 13 December 2017]

¹⁹⁰⁴ UNHCR Protection & Return Monitoring Network (PRMN), [Displacements Dashboard, Internal Displacements during November 2017](#), 15 December 2017

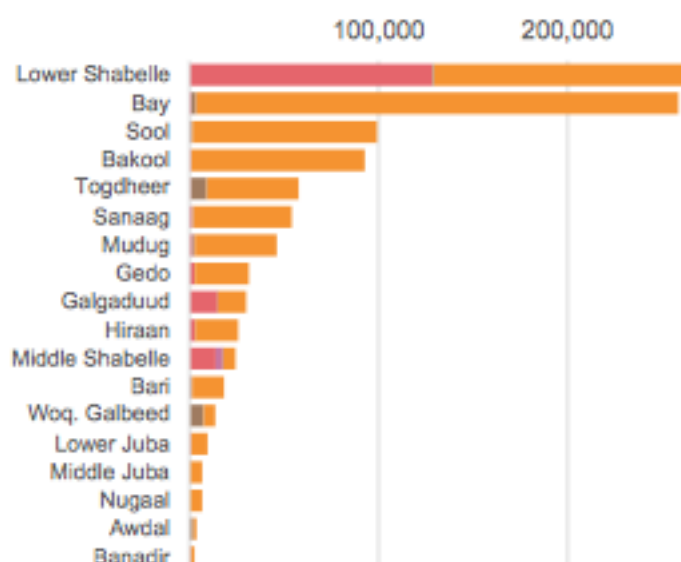


KEY

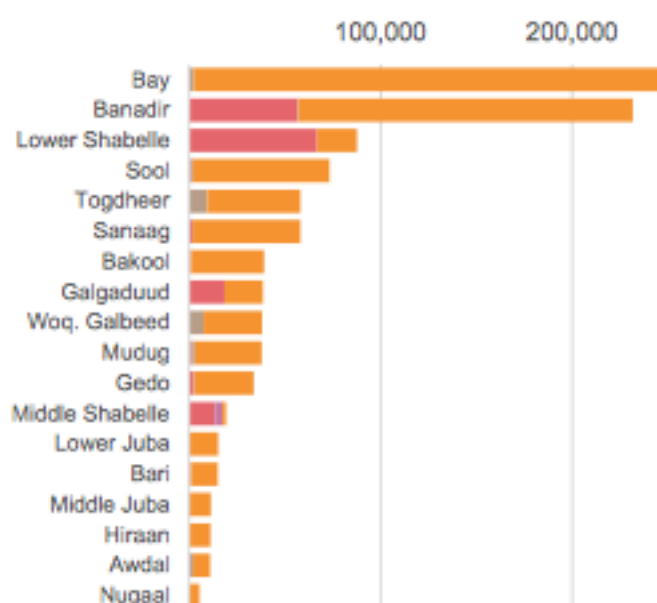
- Conflict/Insecurity
- Drought
- Flood
- Other

The same source also documented the displacement origins and destinations from 1 January to 31 November 2017:¹⁹⁰⁵

Displacement origins year to date



Displacement destinations year to date



UNHCR Protection & Return Monitoring Network provides interactive infographics showing monthly displacements, departures by region and district, as well as arrivals by regions and district, which can be accessed [here](#).¹⁹⁰⁶

¹⁹⁰⁵ UNHCR Protection & Return Monitoring Network (PRMN), [Displacements Dashboard, Internal Displacements during November 2017](#), 15 December 2017

¹⁹⁰⁶ UNHCR Protection & Return Monitoring Network (PRMN), [Somalia Internal Displacement: Displacements Monitored by UNHCR Protection and Return Monitoring Network \(PRMN\)](#), regularly updated

The US Department of State annual report on Somalia covering 2016 stated that “Conflict, including fighting between clan militias in the Lower Shabelle, Galmudug, and Hiraaan regions, and drought resulted in more than 1.1 million IDPs, primarily in the southern and central regions; nearly 400,000 IDPs were located in Mogadishu”.¹⁹⁰⁷

In a 2017 global report on internal displacement published in May 2017 the International Displacement Monitoring Centre, stated that “With nearly 900,000 refugees from Somalia living mainly in Ethiopia, Kenya and Yemen, the cross-border displacement of Somalis is a regional phenomenon. Another 1.1 million people are internally displaced within the country, more than 890,000 of them in south-central areas, and Somalia hosts significant numbers of refugees from other countries. All of these factors both contribute to, and are a result of its persistent insecurity”.¹⁹⁰⁸

In a July 2017 report UNHCR stated that “The Protection and Return Monitoring Network (PRMN) has observed a noticeable increase in the number of people that are being displaced by drought and conflict in South and Central Somalia. The upsurge in the number of persons displaced by conflict represents a new displacement trend since drought struck the country in November 2016. Between May and June 2017 alone, at least 8,266 households, or approximately 50,000 individuals, were displaced due to various conflicts and heightened insecurity in South and Central Somalia, compared to the about 70,000 uprooted by drought during the same period. Galgadud, Gedo, Baidoa and Lower Shabelle remain the regions worst affected by recent conflict”.¹⁹⁰⁹

In an August 2017 report the US Agency for International Development reported that “While UNHCR reports a decline in new drought-related displacement in May and June as compared to previous months, the number of people displaced by conflict and insecurity in central and southern Somalia increased, with nearly 8,300 households—approximately 50,000 people—fleeing conflict during the two-month period. Galgadud, Gedo, and Lower Shabelle regions, as well as Baidoa, have been most affected by recent conflict, which includes interclan violence and conflict between the Federal Government of Somalia (FGoS) and the al-Shabaab armed group”.¹⁹¹⁰

The UN Monitoring Group on Somalia and Eritrea documented that “By the end of July 2017, the United Nations had recorded more than 859,000 drought-related displacements since 1 November 2016. Between January and July 2017, 87,000 people were displaced from Lower Shabelle region because of conflict and insecurity”.¹⁹¹¹

UNHCR reported on the displacement figures in Somalia during November 2016 – September 2017 in a September 2017 report: “Since the beginning of drought in November 2016, to 31 August 2017, the UNHCR-led Protection and Return Monitoring Network (PRMN) recorded around 893,000 persons, including 804,000 in 2017, who have been forced to flee their homes due to drought and drought-related causes. PRMN recorded that majority of displaced persons sought assistance in Bay

¹⁹⁰⁷ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Internally Displaced Persons*

¹⁹⁰⁸ International displacement Monitoring Centre, [Global Report on Internal Displacement](#), 24 May 2017, p. 64

¹⁹⁰⁹ UN High Commissioner for Refugees (UNHCR), [UNHCR-led Protection & Return Monitoring Network \(PRMN\) Somalia - Flash Report](#), 18 July 2017, p. 1

¹⁹¹⁰ United States Agency for International Development (USAID), [Horn of Africa – Complex Emergency, Factsheet 8, Fiscal Year 2017](#), 3 August 2017, p. 2

¹⁹¹¹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., C. *African Union Mission in Somalia and international forces*, para. 195, p. 45

(around 216,000 arrivals) and Banadir (around 173,000 arrivals) regions. Both locations received the highest number of arrivals”.¹⁹¹²

Mogadishu

For an overview of IDP gatekeepers, see [2.5.2.3. Armed groups and clan militias](#).

An April 2016 profiling of Mogadishu's internal displacement situation noted that “The exercise identified a total of 80,657 households and 464,486 individuals in 486 settlements in the 17 districts of Mogadishu. 85% of all those living in settlements are internally displaced persons, which amounts to approximately 69,000 households and almost 400,000 individuals”.¹⁹¹³

Amnesty International reported in its annual report on Somalia (covering 2016) that “More than 1.1 million Somalis remained internally displaced. Most continued to settle along the Afgooye corridor between Mogadishu and Afgooye town. Intermittent clashes between SNAF [Somali National Armed Forces] and its AMISOM [African Union Mission in Somalia] allies and al-Shabaab disrupted trade in various regions. While SNAF and AMISOM forces controlled major towns, al-Shabaab blocked supply routes and taxed the civilian population in districts that it controlled. Continued conflict threatened to exacerbate the dire humanitarian situation”.¹⁹¹⁴

The US Department of State annual report on Somalia (covering 2016) stated that “Conflict, including fighting between clan militias in the Lower Shabelle, Galmudug, and Hiraa regions, and drought resulted in more than 1.1 million IDPs, primarily in the southern and central regions; nearly 400,000 IDPs were located in Mogadishu”.¹⁹¹⁵

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A September 2017 press release by the European Union reported on the situation of IDPs in Mogadishu stating that “Displacement from rural to urban areas due to drought and conflict has placed considerable strain on Somalia, with Mogadishu hosting the largest concentrations of IDPs in the country. More than 400,000 IDPs were based in Mogadishu prior to the drought, and the urban area has received nearly 200,000 newly displaced by drought and conflict over the past year. The displaced are struggling to get access to water, food, basic services, protection, secure housing and livelihood opportunities”.¹⁹¹⁷

¹⁹¹² UN High Commissioner for Refugees (UNHCR), [Somalia Newsletter: Issue 2, Drought Response](#), 24 September 2017, p. 3

¹⁹¹³ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 4

¹⁹¹⁴ Amnesty International (AI), [Amnesty International Report 2016/17 - The State of the World's Human Rights - Somalia](#), 22 February 2017, *Internally displaced people, refugees and asylum-seekers*

¹⁹¹⁵ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Internally Displaced Persons*

¹⁹¹⁶ UN High Commissioner for Refugees (UNHCR), [Somalia Newsletter: Issue 2, Drought Response](#), 24 September 2017, p. 3

¹⁹¹⁷ European Union, [Benadir Regional Administration committed to delivering durable solutions to displaced people in Mogadishu](#), 8 September 2017, p. 1

15.1. Security and HR violations experienced specifically by IDPs

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in an analysis of humanitarian needs in Somalia dating June 2016 that “While lack of strong rule of law institutions continue to impede effective protection of civilians, including host communities, IDPs continue to bear the brunt of protection violations such as forced evictions, sexual and gender based violence, harassment and denial of access to assistance by gatekeepers and armed militias as they do not have the clan protection that host communities enjoy. Addressing protection concerns and supporting activities such as shelter and education that enhance the protective environment of the most vulnerable is thus vital for the adoption of an integrated response model in IDP settlements”.¹⁹¹⁸

UNOCHA reported in November 2016 humanitarian response plan that “IDPs are among the most affected by rights violations, including to large scale and at times brutal forced evictions, to pervasive gender-based violence (GBV), and child rights violations. Children are particularly at risk of rights violations in emergencies, for example if and when they get separated from their families. IDPs, returning refugees and other civilians witness unprecedented impediments to their freedom of movement in safety”.¹⁹¹⁹

According to a June 2016 study conducted by the **Jubaland** government’s refugee and IDP agency “The findings of the survey indicate that conflicts and fighting were the major causes of displacement as reported by 87% of the respondents”.¹⁹²⁰

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in their humanitarian response plan dating December 2016 that “Withdrawal of international troops in eight locations in **Bakool, Hiraan and Galgaduud** regions has also prompted displacement and increased protection risks. The ongoing conflict in Gaalkacyo, Mudug region, flared up most recently in October 2016 causing the displacement of an estimated 90,000 people. Based on interagency rapid assessments in Gaalkacyo, up to 60 per cent of IDPs are facing secondary displacement, and over 80 per cent of the displaced are women, children and elderly”.¹⁹²¹

The US Agency for International Development (USAID) further noted in December 2016 on the situation of IDPs in **Galkayo** that “The October–November violence in Galkayo resulted in 45 deaths, injured approximately 160 people, and displaced nearly 90,000 people, according to the UN [United Nations]. Of the displaced, an estimated 40,000 individuals were internally displaced persons (IDPs) experiencing secondary displacement, as the violence prompted populations residing in existing IDP settlements in Galkayo to flee to surrounding areas. The UN estimated that 40 percent of the displaced population from Galkayo had returned to areas of origin as of late November”.¹⁹²²

A Reach assessment of IDP settlements in **Kismayo** dating December 2016 reported that “The KIs [Key Informant] reported theft as the main protection issue present in both assessed sites (78% in

¹⁹¹⁸ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [\\$7.1 million reserve allocation strategy - support for IDPs in Kismayo and Baidoa](#), June 2016, p. 2

¹⁹¹⁹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), November 2016, p. 36

¹⁹²⁰ Jubba Land Refugee and Internally Displaced Person’s Agency (JRIA), [A report on the profiles of Internally Displaced Persons living in camps of Kismayo](#), June 17, 2016, p. 14

¹⁹²¹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 8

¹⁹²² US Agency for International Development (USAID), [Somalia – Complex Emergency Fact Sheet 1, Fiscal Year 2017](#), 15 December 2016, p. 2-3

Dalxiska and 81% in Kismayo East/West). General assault on community members was also reported by 43% of the KIs across the two sites”.¹⁹²³

In report published March 2017 the Regional Durable Solutions Secretariat (ReDSS) stated with regards to the safety of IDPs in **Bay** region that “Assessments suggest that the security situation has improved in Baidoa (although this improvement is mainly confined to Baidoa town). Other reports point out that IDPs are still vulnerable to violence, especially GBV [Gender Based Violence]. It has to be noted there is no disaggregated data on returnees; here it is assumed that returnees are equally affected as other population groups, but vulnerable returnees as affected as IDPs”.¹⁹²⁴

The report of the Secretary-General on conflict-related sexual violence dating April 2017 stated that “Widespread sexual violence continues to be a feature of protracted conflict in Somalia. Internally displaced women and girls and members of minority clans remain the most vulnerable, owing to a lack of preventive measures, limited access to justice and weak clan protection. Large population movements, such as the return of over 30,000 Somali refugees from Kenya, have also increased the vulnerability of women and girls on the move”.¹⁹²⁵

An April 2017 Reach report described the security situation for IDPs in **Baidoa** noting that “Assessment findings portray relatively high levels of insecurity for the population in the assessed IDP settlements. Interviewed Key Informants (KIs) reported theft (90%) as the main safety issue present in IDP settlements in Baidoa. General assault on community members was also reported by 9% of KIs [Key Informant]. In addition, 16% of the KIs interviewed mentioned that women are not able to move freely within the settlement”.¹⁹²⁶

The International Crisis Group stated in a May 2017 report that “In February and March 2017, large numbers of drought-stricken families began spontaneously leaving areas Al-Shabaab controlled in **Bay and Bakool, as well as the Shabelle and Juba** river valleys in search of relief assistance in federal and state government-controlled territory. This raised speculation that the militant group might be softening its uncompromising attitude toward foreign aid, perhaps because of the gravity of the situation and criticism it endured when it blocked Western food aid during the 2011 famine. These assumptions proved misplaced. Al-Shabaab blocked the exodus through coercion and by providing its own relief to hungry communities, arguably because of its heightened sense of insecurity and vulnerability – a realisation that mass depopulation might expose it to aerial and ground attack”.¹⁹²⁷

Refugees International (RI) similarly noted in a report dating August 2017 that:

Al-Shabaab controls (or at least has influence over) much of the rural area of south central Somalia that has been hardest hit by the drought and where humanitarian access is extremely limited. Deeply concerning are recent reports that Al-Shabaab has begun preventing some people from leaving their home areas until they are on the brink of starvation. RI interviews with IDPs indicated that, in certain areas, Al-Shabaab has been restricting outward movement. One IDP mother who had fled her home area in the Bay region with her seven children told RI, “Al-Shabaab didn’t want us to leave. We had to escape during the middle of the night.” According to another IDP with whom RI spoke, “Al-Shabaab

¹⁹²³ Reach, [Kismayo IDP Settlement Assessment](#), December 2016, p. 8

¹⁹²⁴ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 18

¹⁹²⁵ UN Security Council, [Report of the Secretary-General on conflict-related sexual violence; Report of the Secretary-General \[S/2017/249\]](#), 15 April 2017,

¹⁹²⁶ Reach, [Baidoa IDP Settlement Assessment](#), April 2017, p. 4

¹⁹²⁷ International Crisis Group, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, p. 4

said we could not go to Baidoa. So we told them we were only going to a nearby village. But then when we got there, we kept going”.¹⁹²⁸

In a July 2017 report UNHCR provided an assessment of the situation in **Galgadud** region noting that “Conflict induced displacements are becoming increasingly prevalent in the region; for example, an escalation of tensions between rival clans in Xeraale, Abudwaq district has resulted in the displacement of around 2,300 households (13,800 individuals) between 1 and 18 July 2017, with many more likely to flee. Furthermore, two sub-clans are on the verge of conflict - although there have been no reports of actual confrontation, fleeing residents, most of whom are now displaced to towns such as Huurshe, Mirjicley, Maryeelaan, Guriceel and Baraagdiid, have expressed fear that fighting could erupt at any moment and potentially degenerate into widespread violence”.¹⁹²⁹

In an August 2017 report Refugees International described the conditions in IDP camps in **Baidoa** stating that “In Baidoa, which has received the largest number of IDPs, humanitarian agencies and the local government appear to be struggling under the enormous caseload which has almost doubled the size of the local population. While the town is under control of the local government and AMISOM [African Union Mission in Somalia] forces, thus ensuring a degree of access to IDPs, the operating environment remains challenging. IDPs are dispersed across more than 250 informal sites on private land, many on the outskirts of town in areas that have ongoing security challenges, making consistent access by humanitarians difficult”.¹⁹³⁰

With regards to the security situation in Southern Somalia the July 2017 UNHCR report noted that:

In **Gedo**, a series of confrontations between Al-Shabaab and government forces on 11 and 12 July led to the displacement of at least 90 households (500 individuals) in Bardheere district, while some 190 households (1,140 individuals) in Middle Shabelle were forced to flee their homes and seek refuge in other parts of the region due to armed clashes between two Abgaal sub-clan militia in Adale district. PRMN [Protection and Return Monitoring Network] partners monitored arrivals in several towns within Middle Shabelle, including Rage Ceelle, Illig Adobe, Bakaaroole and Warshiikh. The fighting in Middle Shabelle was reportedly triggered by a localized dispute over customary land ownership and boundaries between two sub-clans. The federal government has since deployed security forces to contain the violence and initiate negotiations. Insecurity and conflict continues to cause displacements in Lower Shabelle - during July so far some 1900 individuals including 900 individuals from Marka and Kurtuwarey districts have fled towards Mogadishu. Some of the displaced initially settled in Xoosh village, Dharkenley district, but have since established two new settlements on the outskirts of Mogadishu, namely Al-Rahma and Al-Farah.¹⁹³¹

An August 2017 Refugees International (RI) report noted that “According to RI interviews with agency staff working to combat GBV [Gender Based Violence], incidents of GBV in **Baidoa** have increased precipitously – including alleged assault and rape by members of the security sector. According to one aid official, ‘Rape is happening on a regular basis in the IDP sites, but no one is talking about it’”.¹⁹³²

¹⁹²⁸ Refugees International (RI), [*On the Edge of Disaster; Somalis forced to flee drought and near famine conditions*](#), August 2017, p. 5

¹⁹²⁹ UN High Commissioner for Refugees (UNHCR), [*UNHCR-led Protection & Return Monitoring Network \(PRMN\) Somalia - Flash Report*](#), 18 July 2017, 18 July 2017, p. 1

¹⁹³⁰ Refugees International (RI), [*On the Edge of Disaster; Somalis forced to flee drought and near famine conditions*](#), August 2017, p. 5 and 6

¹⁹³¹ UN High Commissioner for Refugees (UNHCR), [*UNHCR-led Protection & Return Monitoring Network \(PRMN\) Somalia - Flash Report*](#), 18 July 2017, 18 July 2017, p. 1

¹⁹³² Refugees International (RI), [*On the Edge of Disaster; Somalis forced to flee drought and near famine conditions*](#), August 2017, p. 10

Also see [9.1. Sexual and Gender-Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#).

15.1.1. Security and HR violations experienced specifically by IDPs in Mogadishu

An April 2016 UNCHR profiling of Mogadishu's internal displacement situation described the main concerns related to IDP security as follows:

According to the focus group discussions, the following factors affect the safety and security of IDPs: insecure and forced eviction processes; exposure to risk due to the location of settlements, as IDPs often live close to areas with military presence which may result in increased risk of attacks, as well as visits from militia wearing government uniforms; poor infrastructure in the settlements, including badly constructed shelters with no walls or roofs, and latrines which are too far to reach safely especially at night; as well as lack of personal documentation and ensuing risks of arbitrary arrest, especially for children and youth. The household survey also identified 18 cases of forced recruitment of children into armed groups. IDPs also felt vulnerable to thievery and even attacks and insecurity during aid distributions.¹⁹³³

The same report noted on the reporting of security incidents that “The household survey revealed that 30% of the target population experiencing security incidents reported them in one form or another. Overall, 70% of those who reported an incident did so to the police. This percentage is lower among economic migrants (61%) than the rest: 100% for host communities and 73% among IDPs. The main reason chosen for not reporting an incident to the police is lack of trust in the institution”.¹⁹³⁴

UNOCHA noted in an August 2016 report that “Of concern is the upsurge in GBV [Gender Based Violence] incidences caused by the many evictions that continued in early 2016 and the increased intrusion by armed groups in the settlements. Adding to protection concerns is the risk associated with landmines and other explosive remnants of war as IDPs are pushed further away from major cities such as Mogadishu”.¹⁹³⁵

Human Rights Watch noted in its annual report on Somalia (covering 2016) that “According to the UN, there are currently 1.1 million internally displaced people in Somalia, an estimated 400,000 living in Mogadishu alone, who remain very vulnerable and reliant on assistance. Human Rights Watch and other organizations continue to document serious abuses against displaced people living in government-controlled areas including rape and forced evictions”.¹⁹³⁶

The US Department of State annual report on Somalia (covering 2016) stated that “Some IDPs and humanitarian agencies criticized local authorities for tacitly endorsing the forceful relocation of IDPs to insecure areas in Mogadishu. Somali authorities did not prevent the forced displacement of persons from shelters to camps on the outskirts of the city”.¹⁹³⁷

¹⁹³³ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 43

¹⁹³⁴ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 43

¹⁹³⁵ United Nations Office Coordination Humanitarian Affairs (UNOCHA), [\\$7 million reserve allocation strategy - support for IDPs in Mogadishu](#), August 2016, p. 2

¹⁹³⁶ Human Rights Watch, [World Report 2017 - Somalia](#), 12 January 2017, *Displaced Persons and Access to Humanitarian Assistance*

¹⁹³⁷ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Internally Displaced Persons*

The same source further noted that “Government forces, allied militias, men wearing uniforms, and AMISOM [African Union Mission in Somalia] troops committed sexual violence, including rape of IDPs in and around Mogadishu. Many of the victims were children. Women and children living in IDP settlements were particularly vulnerable to rape by armed men, including government soldiers and militia members. Gatekeepers in control of some IDP camps reportedly forced girls and women to provide sex in exchange for food and services within the camps”.¹⁹³⁸

A March 2017 Danish Refugee Council report described the security situation in Mogadishu as follows:

Mogadishu is characterised by generalised violence. The violence can have various reasons: Clan related violence, political motivated violence, criminal violence (including business related violence) as well as attacks carried out by al-Shabaab. Civilians, even if not targeted, are at risk of or affected by generalised violence on an everyday basis: Shootings, car bombs, IED’s, etc. Civilians are normally not a target, but the violence can hit anyone who is in the wrong place at the wrong time. Single women without a network in Mogadishu are especially exposed. According to the source Mogadishu has a mix of every clan. In IDP camps the situation for single women makes them particularly vulnerable. Women can be exposed to abuse and incidents of gender-based violence from strangers, family, gatekeepers at the camps, AMISOM [African Union Mission in Somalia] troops, and police officers.¹⁹³⁹

The same source further stated that “The security situation in Mogadishu is volatile. Al Shabaab is still able to conduct attacks against government and military targets, which affect the general population. IDPs are still vulnerable to violence, especially GBV [Gender Based Violence]. Access to police is uneven, although informal mechanisms are in place. IDPs and returnees do not appear to be subject to any restrictions of movements; however it seems that there are de-facto obstacles, which need to be investigated more. Coexistence between IDPs and host communities in Mogadishu appears to be positive”.¹⁹⁴⁰

The Regional Durable Solutions Secretariat (ReDSS) noted with regards to IDPs and returnees that “While some stakeholders concurred that IDPs and returnees do not face any specific challenge and feel as safe as the rest of the population, other stakeholders pointed out that this improvement is limited to residential urban areas and that the situation in IDP settlement in the outskirts of the city [Mogadishu] is not positive”.¹⁹⁴¹

Devex reported in August 2017 that “According to the U.N., Mogadishu has one of the highest IDP concentrations on the African continent. Insecurity in this setting, particularly on the outskirts of the city, means international humanitarian agencies have limited access to IDPs, forcing them to rely on remote service delivery”.¹⁹⁴²

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa described the security situation in Mogadishu as follows “Armed criminality, ranging from armed robbery to assault to assassination, is a major source of insecurity in much of Mogadishu. Some of these crimes are committed by security forces. Vulnerability to this type of violence depends in large part on social status – residents from strong clans, and with enough assets

¹⁹³⁸ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Internally Displaced Persons*

¹⁹³⁹ Danish Refugee Council (DRC), [South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups](#), March 2017, 1/2017, p. 55

¹⁹⁴⁰ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 18

¹⁹⁴¹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 21

¹⁹⁴² Devex, [The 'Gatekeepers' to providing aid in Somalia](#), 23 August 2017

to provide private security for themselves, are generally more secure. Poor residents from weak clans are much more susceptible to armed robbery and assault; if they are female, they are even more vulnerable”.¹⁹⁴³

The same report noted with regards to security of IDPs in Mogadishu that “Areas of the city where returnees are most likely to cluster – IDP camps – are generally in better-protected neighbourhoods, and IDP camps are not targets of Al Shabaab terror attacks”.¹⁹⁴⁴

Also see section [9.2. SGBV in Mogadishu](#).

15.2. Access to documents (birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records etc.)

In March 2017 the Regional Durable Solutions Secretariat (ReDSS) provided an overview of the access to personal documentation for IDPs in **Baidoa**:

Findings from the IDP profiling for Mogadishu can be applied to the city of Baidoa (though not necessarily Bay region). The profiling findings show that “personal documentation would provide necessary protection against restrictions on the freedom of movement and against arbitrary arrest”, but it points out that there are issues around affordability of such documentation and knowledge on how to obtain them (Joint IDP Profiling Service 2016). Consulted stakeholders in Baidoa concurred that the majority of the population cannot obtain documents because services are not affordable, but were not in agreement on whether lack of documentation is a pressing problem. The FGS [Federal Government of Somalia] policy framework on displacement commits to ensure “the free mobility for livelihoods and other purposes, including by facilitating documentation” (FGS 2016b). There is need to investigate more the nature of the problem and to understand to what extent mechanisms to obtain or replace documents are accessible.¹⁹⁴⁵

Regarding the access to personal documents for IDPs and returnees in **Bay** region a Regional Durable Solutions Secretariat (ReDSS) report dating March 2017 wrote: “The majority of IDPs and refugee returnees do not have documents, although it seems that there has been progress and that a sizeable share of IDPs and returnees do have some form of documentation (for other indicators there is not available data for IDPs and returnees)”.¹⁹⁴⁶

In a November 2016 report the Regional Durable Solutions Secretariat (ReDSS) noted with regards to IDPs and returnees in **Lower Juba** region that “The analysis of data shows that only a small percentage of IDPs/returnees have birth certificates, national ID cards or other personal documents, although it has to be considered that lack of documentation is a problem that also affects the rest of the population”.¹⁹⁴⁷

On the issue of birth certificates, national ID cards or other personal documents the same report stated that “According to the multi-sectorial assessment in **Kismayo** by NRC [Norwegian Refugee Council], “8.9% of respondents possess legal identity documents while 91.1% lack legal identity documents” (NRC 2016b). Data shows that respondents possess different types of legal identity

¹⁹⁴³ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 24

¹⁹⁴⁴ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 23

¹⁹⁴⁵ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 40

¹⁹⁴⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 5

¹⁹⁴⁷ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Lower Juba region](#), November 2016, p. 4

documents, as follow: family registration cards - 5.9%; former refugee cards - 5.9%; passport - 0%; individual identity card - 2.9%; other identity documents - 85.3% (ibid.). Technical staff from aid agencies shared same considerations as the indicator above, i.e. even if mechanisms are in place, the majority of the population still does not hold any documentation. Government officials acknowledged the gaps and pointed out that outside support will be needed”.¹⁹⁴⁸

The same source stated on state response to lack of personal documents that “Technical staff from aid agencies acknowledged that mechanisms are in place, but pointed out the majority of the population still does not hold any documentation. Data is not available for IDPs and returnees”.¹⁹⁴⁹

Among the sources consulted within the reporting period no additional information could be found on access to birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records for IDPs in South and Central Somalia. This section therefore also includes general information on the situation regarding Access to documents (birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records).

Availability of civil documents

The US Department of State noted on the availability of civil documents in Somalia that “Although the United States formally recognized the new government of Somalia on January 17, 2013, there continues to be no recognized competent civil authority to issue civil documents. The Government of Somalia ceased to exist in December of 1990, and the country underwent a destructive and brutal civil war, in the course of which most records were destroyed. Those few records not destroyed are in the hands of private individuals or are otherwise not retrievable. There are no circumstances under which immigrant visa applicants can reasonably be expected to recover original documents held by the former government of Somalia”.¹⁹⁵⁰

Birth registration

A joint report from the Danish Immigration Service’s and the Norwegian Landinfo’s fact finding mission to Nairobi, Kenya and Mogadishu, Somalia dating 2013 described the birth registration in Mogadishu as follows “UNHCR-Somalia, Mogadishu, stated that, to date, there is no official birth registration in Mogadishu. A UN agency, Nairobi, explained that it recently requested the government to begin registration of births. However, there is still no governmental system for registration of births, marriages or deaths”.¹⁹⁵¹

The report further stated that “There are no official records of births and deaths, only the hospitals are registering these events. This may be an opportune time to undertake such registrations with the government registering IDP communities to be relocated and similar technologies can be used for birth and ID registrations”.¹⁹⁵²

¹⁹⁴⁸ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Lower Juba region](#), March 2017, p. 36

¹⁹⁴⁹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Lower Juba region](#), March 2017, p. 35

¹⁹⁵⁰ US Department of State (USDOS), [Somalia Reciprocity Schedule](#), Undated, General Documents

¹⁹⁵¹ Norway: Landinfo - Country of Origin Information Centre, [Security and protection in Mogadishu and South-Central Somalia](#), 17 May 2013, p. 57

¹⁹⁵² Norway: Landinfo - Country of Origin Information Centre, [Security and protection in Mogadishu and South-Central Somalia](#), 17 May 2013, p. 57

The UK Foreign & Commonwealth Office report on Somalia dating 2015 noted that “There are no good record-keeping systems in place in Somalia so establishing age, and therefore whether or not an individual is a child, can be extremely difficult”.¹⁹⁵³

The US Department of State country reports on Somalia for 2016 indicated that “According to UNICEF data from 2005 to 2012, authorities registered 3 percent of births in the country. Authorities in Puntland and in the southern and central regions did not register births”.¹⁹⁵⁴

ID Cards

In a query response dating March 2016 the Immigration and Refugee Board of Canada described the situation of issuing national identity cards in Somalia as follows:

Sources state that Somalia commenced issuing a national identity card in December 2013 (Sabahi 26 Dec. 2013; Lawyer 24 July 2015). According to the lawyer, previous versions of the identity cards issued before December 2013 are no longer considered valid, and the Banaadir Regional Administration (BRA) “oversees the application and issuance process” of the new cards (ibid.). The same source reported that [t]he BRA has stated that it will issue identification documents to all citizens from regions not under government control, employing a process to verify the information of each applicant. However, this would be difficult for anyone not from Mogadishu as an applicant’s identity (i.e., birth) can only be verified by local testamentary evidence. (ibid.).¹⁹⁵⁵

The same report also noted on the procedures necessary for obtaining ID cards:

According to sources, individuals must provide fingerprints, pictures, and undergo a criminal reference check in order to obtain the ID card (ibid.; EU Aug. 2014, 40). Sources further indicate that the cost for the card is US\$12.50 as well as US\$5.00 for an accompanying certificate of birth (ibid.; Lawyer 24 July 2015). The lawyer notes that the identity card can only be applied for in person in the Abdilaziz District of Banaadir and the application process is over 30 days long (ibid.). According to Hiiraan Online, a Somali online news service, the identification centre received funding from the US Agency for International Development (USAID) through the International Organization for Migration (IOM), and sees traffic of between 200 and 500 people each day (Hiiraan Online 5 Feb. 2014). The lawyer indicated that the identity card is valid for 5 years from the date of issuance (24 July 2015). Hiiraan Online reports that the legal age for one to acquire an ID card in Somalia is 15 (5 Feb. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The lawyer indicated that the national identity card is required to apply for a Somali passport and to undertake the following activities:

- purchase land and cars;
- open bank accounts;
- register for university;
- travel within Somalia by plane;
- import goods and services;
- obtain a driver’s license;
- purchase a SIM card; and
- prove one’s identity at security checkpoints found throughout Mogadishu (Lawyer 24 July 2015).

¹⁹⁵³ UK, Foreign & Commonwealth Office, [Somalia - Country of Concern](#), 21 January 2015, *Children’s rights*

¹⁹⁵⁴ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Children*

¹⁹⁵⁵ Immigration and Refugee Board of Canada, [Somalia: Identification documents, including national identity cards, passports, driver’s licenses, and any other document required to access government services; information on the issuing agencies and the requirements to obtain documents \(2013-July 2015\)](#), 17 March 2016, 3. *National Identity Cards*

The same source noted that, in practice, the identity card "is rarely used to do anything other than [serve] as a precursor to obtaining a passport" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.¹⁹⁵⁶

Education Records

A May 2017 query response by the Immigration and Refugee Board of Canada described the access to education records in Somalia as follows;

In correspondence with the Research Directorate, a representative of the Admission and Enrollment Office of Mogadishu University stated that "Mogadishu University issues to its students who have attended a certificate of graduation and a transcript" (Mogadishu University 20 Feb. 2017). Sample copies of an "old certificate," an "updated certificate," and a "transcript" (Mogadishu University 20 Feb. 2017), sent to the Research Directorate by the representative of the Admission and Enrollment Office, are attached to this Response (Attachment 1, 2 and 3, respectively). The representative of Mogadishu University further indicated that "[a] former student who has attended the university can request documents after such former student satisfies the conditions of the Admissions and Enrollment [Department] that issues such documents" (Mogadishu University 20 Feb. 2017). In further correspondence, the same source explained that such conditions include the completion of the clearance form that consists of:

- a. financial clearance to check his[/her] balance;
- b. departmental clearance to check his/her marks;
- c. library clearance to check if he/she borrowed books from the library [which have not been returned]. (Mogadishu University 26 Feb. 2017).¹⁹⁵⁷

On the issue of requesting education records from abroad the same source reported that:

The representative of Mogadishu University stated that the student must also "enroll [in] the alumni club of the university graduates" and obtain an alumni ID (Mogadishu University 26 Feb. 2017). According to the same source, students who are out of the country can send an "official e-mail" to the Admission and Enrollment Office of the University indicating that a representative can obtain his/her certificate (Mogadishu University 26 Feb. 2017).

In correspondence with the Research Directorate, the Vice Chancellor of the University of Somalia stated that "it is possible upon the request of the students and payment of any fees required" to obtain a university transcript or other educational records from abroad (University of Somalia 22 Feb. 2017). The Vice Chancellor stated that "students or alumni can send such requests to the University Registrar and Deputy VC for Academic Affairs using their official email I.D." (University of Somalia 22 Feb. 2017). The Vice Chancellor further stated that the University of Somalia issues the following "main documents" to students of the university:

- a. Degree certificate, upon successful completion of the required academic, financial, and other requirements;
- b. Official transcript;
- c. Bona Fide student certification;
- d. Other documents (financial clearance, registration papers, receipts, academic credit transfer documents, etc.). (University of Somalia 22 Feb. 2017).¹⁹⁵⁸

¹⁹⁵⁶ Immigration and Refugee Board of Canada, [*Somalia: Identification documents, including national identity cards, passports, driver's licenses, and any other document required to access government services; information on the issuing agencies and the requirements to obtain documents \(2013-July 2015\)*](#), 17 March 2016, 3. *National Identity Cards*

¹⁹⁵⁷ Immigration and Refugee Board of Canada, [*Somalia: Ability to obtain documentation, including medical, education, and employment records; effectiveness of the postal service, on both the domestic and international level*](#), 06 March 2017, 1.1 *Education Records*

¹⁹⁵⁸ Immigration and Refugee Board of Canada, [*Somalia: Ability to obtain documentation, including medical, education, and employment records; effectiveness of the postal service, on both the domestic and international level*](#), 06 March 2017, 1.1 *Education Records*

The query response further noted on obtaining education records:

The Vice Chancellor indicated that the "University documents are issued in English and on standard forms with the University logo" (University of Somalia 22 Feb. 2017).

In correspondence with the Research Directorate, the Head of International Relations at Plasma University stated that Plasma University, which has "regional campuses in the main cities in Somalia," issues the following "academic rewards" to its graduates in "hard copy" form: "Masters, postgraduate diploma, Bachelor degrees, Post basic diploma, Associate degree and professional certificates" (Plasma University 1 Mar. 2017). The same source further stated that a graduate has the "right to apply or request [a] transcript from abroad if he/she has fully completed all the program requirements" by

- a. Fill[ing in a] transcript request form;
- b. Following the student] verification process from the record office. (Plasma University 1 Mar. 2017).¹⁹⁵⁹

Medical records

On the availability of medical records for Somalis the March 2017 query response published by the Immigration and Refugee Board of Canada stated that "Information on the availability of medical records was scarce among the sources consulted by the Research Directorate within the time constraints of this Response."¹⁹⁶⁰

The same sources further stated that "According to the website of Mogadishu City Hospital, the hospital has a "Medical Records and Information Department" and the hospital has records and information services for [the] management of hospital information[,] including filing and retrieval of patient's records and statistical evaluation of hospital performance (Mogadishu City Hospital n.d.) Information on procedures to obtain medical records in Somalia could not be found among the sources consulted by the Research Directorate within the time constraints of this Response".¹⁹⁶¹

Passports

The US Department of State country reports on Somalia for 2016 indicated that "Few citizens had the means to obtain passports. In view of widespread passport fraud, many foreign governments did not recognize Somali passports as valid travel documents".¹⁹⁶²

The Immigration and Refugee Board of Canada similarly noted in a query response on Somalia dating March 2016: With regard to the eligibility of Somalis to enter Canada as tourists, Citizenship and Immigration Canada notes on their website that "passports supposedly issued by Somalia" are "not considered reliable" and therefore cannot be utilized for entry into Canada (Canada n.d.). In correspondence with the Research Directorate, an official at Global Affairs Canada similarly reported that the Government of Canada "does not recognize [Somali passports] as there are no credible or verifiable registrars for issuance of primary or seed documents (birth or citizenship records)" (ibid. 5 Aug. 2015). The lawyer indicated that is still uncertain whether or not the Somali passport will be

¹⁹⁵⁹ Immigration and Refugee Board of Canada, [Somalia: Ability to obtain documentation, including medical, education, and employment records; effectiveness of the postal service, on both the domestic and international level](#), 06 March 2017, 1.1 Education Records

¹⁹⁶⁰ Immigration and Refugee Board of Canada, [Somalia: Ability to obtain documentation, including medical, education, and employment records; effectiveness of the postal service, on both the domestic and international level](#), 06 March 2017, 1.2 Medical Records

¹⁹⁶¹ Immigration and Refugee Board of Canada, [Somalia: Ability to obtain documentation, including medical, education, and employment records; effectiveness of the postal service, on both the domestic and international level](#), 06 March 2017, 1.2 Medical Records

¹⁹⁶² US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*

accepted internationally "due to questions of security, transparency, monitoring, and evaluation of the documents' issuance" (24 July 2015)".¹⁹⁶³

A March 2016 Immigration and Refugee Board of Canada query response on Somalia documented the situation regarding passports as follows:

Sources state that the Somali government has been issuing biometric passports since December 2013 (Sabahi 26 Dec. 2013; Lawyer 24 July 2015). Sources further indicate that applicants must provide an ID card, the birth certificate (ibid.; Somali Current 22 Dec. 2013; EU Aug. 2014, 40), and a criminal background check (ibid.; Lawyer 24 July 2015). In correspondence with the Research Directorate, the lawyer from the Mogadishu Law Office also indicated that fingerprints must be given to authorities on application for a passport (ibid.). Sources indicate that the Somali Department of Immigration and Citizenship (DIC) [also referred to as the Department of Immigration and Nationality (Somali Current 26 Oct. 2013)], with an office in Mogadishu, is the government agency responsible for the issuance of the biometric passport (Lawyer 24 July 2015; EU Aug. 2014, 40). According to sources, the application cost for a Somali passport is US\$83 (ibid.; Lawyer 24 July 2015). The lawyer further stated that the passport must be applied for at the DIC in person and the application process takes over thirty days (ibid.). The same source noted that the passport is valid for 5 years from date of issuance (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.¹⁹⁶⁴

The same source further noted the issuance and features of the Somali passport:

According to sources, the most recent Somali passport was designed by the international identity firm HID Global [2] in partnership with Oman-based Al Madina Group [3] and Ebtikart Smart System [4] (Humanipo 23 Apr. 2014; Secure ID News 21 Apr. 2014). The lawyer provided the following information on the physical features of the Somali passport:

- The passports have retained the same colour as older versions: blue for ordinary, red for diplomatic, and brown for federal government employees. The biographic data page is yellow/beige with an identical photo as the one present on the ID card;
- The individual's photograph appears twice: once as a clear photograph and once as part of the background;
- The physical dimensions are consistent with typical international passports;
- The following information appears on the Biographic Data Page: Nooca (Type), Astaanta Dalka (Country Code), L. Bassaboorka (Passport Number), Magaca (Full Name), Magaca Hooyada (Mother's Name), L. Qaranka (National Identification Number), Jinsiyada (Nationality), Shaqada (Occupation), Taariikhda Dhalashada (Date of Birth), Meesha laga Bixiyey (Place of Issuance), Lab Dheddig (Gender), Meesha Dhalashada (Place of Birth), Taariikhda La Bixiyay (Date of Issuance), Xafilska laga Bixiyey (Issuing Authority), Taariikhda uu Dhacayo (Date of Expiration), Saxiixa Qofka (Bearer's Signature);
- The passport contains a 14-digit National Identity Number. The first number is random, the next two numbers are the individual's year of birth, the following four numbers are the individual's month and day of birth, and the remaining seven numbers are randomly assigned (24 July 2015).¹⁹⁶⁵

¹⁹⁶³ Immigration and Refugee Board of Canada, [*Somalia: Identification documents, including national identity cards, passports, driver's licenses, and any other document required to access government services; information on the issuing agencies and the requirements to obtain documents \(2013-July 2015\)*](#), 17 March 2016, 2. Passport

¹⁹⁶⁴ Immigration and Refugee Board of Canada, [*Somalia: Identification documents, including national identity cards, passports, driver's licenses, and any other document required to access government services; information on the issuing agencies and the requirements to obtain documents \(2013-July 2015\)*](#), 17 March 2016, 2. Passport

¹⁹⁶⁵ Immigration and Refugee Board of Canada, [*Somalia: Identification documents, including national identity cards, passports, driver's licenses, and any other document required to access government services; information on the issuing agencies and the requirements to obtain documents \(2013-July 2015\)*](#), 17 March 2016, 2. Passport

On the issuance of passports and identity cards the Immigration and Refugee Board of Canada query response on Somalia dating March 2017 noted that “Other sources report that the Somali government is issuing passports and identity cards under the authority of the Benadir administration in Mogadishu (Lawyer 24 July 2015; EU Aug. 2014, 40) in the district of Cabulcasiis (ibid.). Citizens from other regions of Somalia are reportedly eligible to obtain these documents (ibid.; Lawyer 24 July 2015). [...] In a telephone interview with the Research Directorate, a lawyer from the Mogadishu Law Office [1] also stated that, due to associated costs with application procedures and travel to Mogadishu, the Somali passport and the identity card remain inaccessible to most citizens (Lawyer 21 July 2015)”.¹⁹⁶⁶

Marriage Certificates

A joint report from the Danish Immigration Service’s and the Norwegian Landinfo’s fact finding mission to Nairobi, Kenya and Mogadishu, Somalia dating 2013 noted with regards to marriage certificates that “Marriage certificates are issued by some Sheikhs, but there are no public, official marriage certificates and there is no official registration of marriages”.¹⁹⁶⁷

Employment records

A June 2015 query response by the Immigration and Refugee Board of Canada described the situation regarding access to employment records for government employees and contractors as follows:

In correspondence with the Research Directorate, a Senior Civil Affairs Officer with the African Union Mission to Somalia (AMISOM) who has worked on civil affairs issues with the Somali government for more than three years, indicated that “[t]o be employed by the government, one has to apply and on acceptance, [employees] are given an appointment letter, which indicates the grade, salary, and department where the person is to work” (AMISOM 12 June 2015). In correspondence with the Research Directorate, a senior lecturer in development studies at SOAS, University of London, whose research specializes in the conflict in the Horn of Africa, provided information from a Mogadishu-based government contact employed since 2013 regarding employee and contractor documentation in Somalia (12 June 2015). According to the Senior Lecturer’s information, “when a Somali citizen is employed by the government, there are no formal contracts signed between the employer and the employee, however there is an employment registration made with the Civil Service Commission” (11 June 2015). The Senior Lecturer also indicated that lower level contractors may or may not have ID cards [see section below], but “their names should be verified with the Civil Service Commission as the method of payment requires that their name be registered in order to get compensation for their work” (Senior Lecturer 12 June 2015).¹⁹⁶⁸

15.2.1. Access to documents in Mogadishu

The National Development Plan for 2017-2019 for Somalia, published in December 2016 stated that “In Mogadishu, for example as the result of IDP profiling only 1% of the internally displaced population own a personal identification document. Documentation is further essential to facilitate freedom of movement”.¹⁹⁶⁹

¹⁹⁶⁶ Immigration and Refugee Board of Canada, [Somalia: Ability to obtain documentation, including medical, education, and employment records; effectiveness of the postal service, on both the domestic and international level](#), 06 March 2017, 1.1 Education Records

¹⁹⁶⁷ Norway: Landinfo - Country of Origin Information Centre, [Security and protection in Mogadishu and South-Central Somalia](#), 17 May 2013, p. 57

¹⁹⁶⁸ Immigration and Refugee Board of Canada, [Somalia: Documents that show evidence that a person was employed by, or had a contract with the government \(2010-2015\)](#), 15 June 2015, 1. Contracts and Pay Records for Government Employees and Contractors

¹⁹⁶⁹ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 151

The Internal Displacement Profiling in Mogadishu report also stated that “Consequences for not having this ID card include arrests or restrictions on movement: “Some of the security police arrested our children, when explosions took place in the city.” ID cards were needed “for our school children to clarify that they are IDPs to escape from unsafe areas.” Other focus group discussion participants also mentioned that ID cards are needed to be able to walk freely “if an accident happened””.¹⁹⁷⁰

The same source stated with regards to the process of obtaining ID cards that:

In Mogadishu, the process of obtaining national ID cards started in 2014 and halted again. Authorities affirmed that the process would resume in 2016, saying that ID cards would come at a standard cost for all citizens (the actual cost was not finalised when drafting this report; indicative cost given was 15 USD). Considering that the average IDP household consists of 5.8 persons, and with an average weekly income of under \$15 dollars for a large majority of the population, this cost is unlikely to be affordable and it is questionable whether such expenditure could be prioritized in light of other needs. Therefore, it will be crucial that IDPs are adequately informed about the process to obtain documentation and that the creation of a mechanism to minimize costs or allow for fee waivers is considered.¹⁹⁷¹

The Regional Durable Solutions Secretariat (ReDSS) stated in a March 2017 report on Benadir region that “Returnees are required to register, or at least visit, the local police office in order to be able to prove their status, should they be subject to identity checks during routine police patrols. There is no specific data for Benadir region and for IDPs or returnees”.¹⁹⁷²

On the availability of personal documents for IDPs and returnees the report noted that “The protection assessment carried out in Kismayo, Mogadishu and Dhobley by DRC [Danish Refugee Council] found out that “most returnees and IDPs have limited access to these documents, especially in Dhobley and Mogadishu” (DRC 2016). (Data for local population is not available.) However, returnees appear to have higher access than IDPs”.¹⁹⁷³ The same report further noted on the limited availability of personal documents for IDPs and returnees “The protection assessment carried out by DRC [Danish Refugee Council] in Kismayo, Mogadishu and Dhobley provides figures of the percentage of IDPs and returnees without birth certificates, national ID cards or other personal documents: 71% of IDPs and 55% of returnees do not have any personal document; 23% of IDPs and 40% of returnees have identification cards; the remaining part has some sort of identification documents (DRC 2016). Views of consulted stakeholders in Mogadishu are in line with the above findings”.¹⁹⁷⁴

The Regional Durable Solutions Secretariat (ReDSS) report further wrote that “Consulted stakeholders in Mogadishu concurred that the majority of the population cannot obtain documents because the services are not affordable, but were not in agreement on whether lack of documentation is a pressing problem. In this regard, it should be noted that the FGS [Federal Government of Somalia] policy framework on displacement commits to ensure “the free mobility for

¹⁹⁷⁰ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 42

¹⁹⁷¹ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 42

¹⁹⁷² The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 19

¹⁹⁷³ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 40

¹⁹⁷⁴ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 41

livelihoods and other purposes, including by facilitating documentation” (FGS 2016b)”.¹⁹⁷⁵ The Regional Durable Solutions Secretariat report concluded that “The issues around access to documentations appear to be two-fold. On the one side, there is lack of capacity of the government to issue the documentations to the entire population. On the other side, IDPs, poor returnees and poor members of the host population may not know how to get documents or may not have the financial means to afford it”.¹⁹⁷⁶

A joint report from the Danish Immigration Service’s and the Norwegian Landinfo’s fact finding mission to Nairobi, Kenya and Mogadishu, Somalia dating 2013 noted with regards to passports in Mogadishu that:

UNHCR-Somalia explained that in Mogadishu, passports are issued by the immigration authorities and a passport costs approximately 80 US \$. In addition the Somali embassy in Nairobi issues “GoHome” travel documents at a cost of 70 US \$. The “Go-Home” document allows a Somali to enter Somalia without being in possession of a passport. Regarding issuance of official documents in Somalia Elman Peace and Human Rights Centre, Mogadishu, explained that there are no official documents issued by any SNG authority, the only exception being the issuance of passports, driver’s licenses, licenses to establish shops and small business and title deeds. A Somali passport costs 90 US \$ and the entry procedure at the airport is quite simple. Those with an old Somalia passport (dated back to the time of the Siad Barre administration) will be requested to apply for the recently issued passports.¹⁹⁷⁷

Among the sources consulted within the reporting period no further information could be found on access to birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records for IDPs in Mogadishu.

15.3. Access to and conditions of shelter/camps

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in an analysis of humanitarian needs in Somalia dating June 2016 that “Further aggravating the humanitarian situation in Kismayo and Baidoa is the massive influx of displaced populations due to conflict, forced eviction and seasonal flooding in surrounding regions. IDP settlements in both locations notably in the Dalxiiska area of Kismayo have become very congested. This also exerts further pressure on the limited basic services and increases the transmission rates of communicable diseases to populations already facing high mortality and morbidity rates”.¹⁹⁷⁸

According to a June 2016 study conducted by the **Jubaland** government’s refugee and IDP agency on IDPs living in **Kismayo** “Almost 70% of the respondents live in Buuls while 12% live in tents. About 10% and 5% of the respondents live in tins-built and traditional houses respectively. A very small proportion live in brick houses with a negligible (0.2) of the respondents not having any type of structure for shelter. From the above findings it can be concluded that most of the internally displaced persons reside in Buuls with 1.6% residing in brick shelter an indication that shelter remains a challenge among the internally displaced persons”.¹⁹⁷⁹

¹⁹⁷⁵ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 41

¹⁹⁷⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 41

¹⁹⁷⁷ Norway: Landinfo - Country of Origin Information Centre, [Security and protection in Mogadishu and South-Central Somalia](#), 17 May 2013, p. 57

¹⁹⁷⁸ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [\\$7.1 million reserve allocation strategy - support for IDPs in Kismayo and Baidoa](#), June 2016, p. 2

¹⁹⁷⁹ Jubba Land Refugee and Internally Displaced Person’s Agency (JRIA), [A report on the profiles of Internally Displaced Persons living in camps of Kismayo](#), June 17, 2016, p. 19

UNOCHA noted in August 2016 that “There is urgent need for the provision of emergency shelter/NFI [Non Food Items] and other basic services for IDP’s in **Mudug** region. Shelter partners are advocating for pre-positioning of stocks since there are none at the moment. There is need for repair and provision of transitional shelter assistance for protracted IDPs as well as provision of NFIs and emergency shelter assistance for newly displaced IDPs in **Bakool and Bay** regions. Longer term land tenure arrangements need to be put in place”.¹⁹⁸⁰

The same report noted with regards to the humanitarian support provided to IDP in terms of access to shelter that “Shelter partners completed 20 Corrugated Galvanised Iron houses in Doolow, Gedo region and 270 in Kismaayo. There is an ongoing transitional shelter project for 700 houses in Kismaayo. Shelter construction was completed for 90 houses in Kulmiye IDP camp in Gaalkacyo”.¹⁹⁸¹

In a November 2016 report Refugees International (RI) provided the following overview of the conditions in **Kismaayo** IDPs settlements noting that:

Kismaayo itself is home to more than 40,000 internally displaced persons (IDPs), displaced due to conflict and food insecurity, living in deplorable conditions in displacement camps around the city. RI visited one of these camps to see first-hand the dilapidated shelters and lack of adequate services. According to a June 2016 study by the Jubaland government’s refugee and IDP agency, “The scale of displacement [in Jubaland], and the fact that the region is still in the midst of a protracted war, has resulted in a situation in which thousands of people, more than half of them children and adolescents, are living under emergency conditions where basic needs are not being met across health, food, nutrition and protection sectors.” The global acute malnutrition rates in the IDP camps are just below 15 percent, the threshold which constitutes a critical emergency.¹⁹⁸²

A Reach assessment of IDP settlements in **Kismaayo** dating December 2016 reported that “The need for improved shelter conditions in the assessed areas is high, with 38% of the households residing in emergency or temporary shelters. Additionally, the percentage of reported damage to shelters by the household representatives in Dalxiska was as high 49%, with 21% of the shelters reported as completely damaged”.¹⁹⁸³

A January 2017 American Refugee Committee International report provided an update on the situation of IDPs in **Kismaayo** noting that “95 households living in Hanta Biyaha area in Kismaayo town for the past one month have serious emergency crises. The IDPs in the areas lack Water, Shelter, medical services, food assistance and are at risks of evictions as they live in privately owned land hindering the setting up of basic infrastructure to ease the situation. They live in very wanting and overcrowded makeshift shelter exposing them to adverse weather conditions of scorching sun and cold nights”.¹⁹⁸⁴

A Reach report based on data collection conducted from 3 to 18 April 2017, through 639 household interviews in **Baidoa** noted that “Assessment findings also indicate a high need for shelter assistance, which was cited as a priority need by 82% of assessed households. A considerable number of households reported to live in emergency (57%) or temporary shelters (27%). In addition, 87% of the households indicated having no floor covering material which risks to worsen situations

¹⁹⁸⁰ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia, Humanitarian Dashboard, August 2016](#), 29 September 2016, p. 3

¹⁹⁸¹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia, Humanitarian Dashboard, August 2016](#), 29 September 2016, p. 3

¹⁹⁸² Refugees International (RI), [Refugee Returns from Kenya to Somalia: "This is about fear... not about choice"](#), 4 November 2016, p. 6 and 7

¹⁹⁸³ Reach, [Kismaayo IDP Settlement Assessment](#), December 2016, p. 15

¹⁹⁸⁴ American Refugee Committee International, [Update on the new IDPs in Kismaayo](#), 18 January 2017, p. 2

in shelters once the rain season starts. In addition, only 1% of the households had an acceptable NFI [Non Food Items] score, a result of lacking basic non-food items such as sleeping mats, jerry cans and plastic sheeting”.¹⁹⁸⁵

The same report further described the shelter conditions for IDPs in **Baidoa**: “The majority of the assessed households (72%) reside in Buuls¹⁸ and 20% in Corrugated Galvanised Iron (CGI) shelters. The high percentage of Buuls raises concerns with the quality and protection of shelter arrangements as Buuls are lightweight, offer minimal protection and often do not have locks. As Buuls are culturally widely used in rural areas, an emphasis on providing covering materials and improving the general conditions of the shelters should be prioritised. The majority of the shelters (68%) have wooden structure and 87% of the assessed households reported earthen floor in their shelters. The poor shelter conditions suggest a potential high vulnerability of the population in the upcoming wet season, as well as pressing shelter needs for a majority of households in the IDP settlements”.¹⁹⁸⁶

In report published March 2017 the Regional Durable Solutions Secretariat (ReDSS) stated with regards to the access to shelter in **Bay** region that “Data at country level from the Displacement Tracking matrix shows that in 87 (73%) assessed settlements shelter was identified as the most needed humanitarian support. “Repair materials for shelter specifically plastic sheeting was the most needed in Borama (100%), Belet Weyne (86.1%), Balcad (75%) followed by safe cooking facilities at collective settlements (73 settlements)” (IOM 2016a). According to consulted stakeholders, a high percentage of IDPs, and presumably returnees, do not have adequate access to shelter. All stakeholders felt that housing is not adequate”.¹⁹⁸⁷

In June 2017 the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) provided an overview of IDP figures and shelter needs in Somalia:

An estimated 739,000 drought displaced people are in need of emergency shelter kits and assistance with Non-Food Items (NFIs). Nearly 1.1 million protracted internally displaced people exist countrywide. The shelter cluster activities are focused on IDPs in urban centres. This includes some 400,000 protracted IDPs in Mogadishu (Banadir, Lower and Middle Shabelle); of which 150,000 are new IDPs in Kaxda and Daynille settlements; 124,000 IDPs in Somaliland; 10,000 people in Nugaal and Bari; some 160,000 new IDPs in Baidoa; an estimated 70,000 IDPs in Hiran and Galgaduud regions; 16,000 in Gedo region; 70,000 in Mudugu and 21,000 in Juba -including more than 2,000 spontaneous returnee households from Dadaab refugee camp who are settled in Dhobley. Lack of adequate shelter and key NFIs has been reported across all the IDP settlements.¹⁹⁸⁸

UNHCR reported in June 2017 that “Absorption capacities in **Baidoa** have already been severely overstretched, leaving new arrivals no option but to settle in the outskirts of the town. Some 1,360 households (approximately 8,160 individuals) have established new IDP settlements in the west (Hagarka iyo Madi Geri IDP settlement) and in the north (Boodan IDP settlement) of Baidoa town. Only a limited amount of humanitarian assistance has been provided in these two settlements in the form of medical assistance and food rations. The most immediate and pressing needs of the recent drought displaced remain food, water, shelter and mosquito nets”.¹⁹⁸⁹

¹⁹⁸⁵ Reach, [Baidoa IDP Settlement Assessment](#), April 2017, p. 4

¹⁹⁸⁶ Reach, [Baidoa IDP Settlement Assessment](#), April 2017, p. 15

¹⁹⁸⁷ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 33

¹⁹⁸⁸ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought Response - Situation Report No. 13 \(as of 20 June 2017\)](#), 20 June 2017, p. 5

¹⁹⁸⁹ United Nations High Commissioner for Refugees (UNHCR), [PRMN Drought Displacements to 23 June 2017](#), 29 June 2017

In an August 2017 report Refugees International described the conditions in IDP camps in **Baidoa** stating that “At one of the newer spontaneous IDP sites that RI visited in Baidoa, more than 2,000 households were living side by-side in makeshift shelters assembled with tarp, sticks, and clothing. Camp residents told RI that since there were no latrines, people were forced to defecate out in the open or in the bush. In addition, camp residents had no access to a consistent clean water point and were either reliant on occasional water deliveries by aid agencies or forced to buy water. As one local aid worker described, “People are living in conditions that no human being should live in”.”¹⁹⁹⁰

The same report noted on the access to IDPs camps that “In particularly volatile areas throughout south central Somalia, accessing informal IDP settlements is even more challenging. Even in urban centers like Baidoa and Mogadishu which are under government and AMISOM [African Union Mission in Somalia] control many newly-arrived IDPs are forced to settle in areas at the outskirts of town due to the high concentration of IDPs”.¹⁹⁹¹

15.3.1. Access to and conditions of shelter/camps in Mogadishu

The findings from an assessment of informal settlements where Internally Displaced Persons (IDPs) reside in Mogadishu conducted by Reach between August and December 2015 noted with regards to Kahda settlements that “IDPs in Kahda have frequently moved from other parts of the city, either as a result of eviction or of their own volition. Eviction is a concern, with 37% of households anticipating an eviction within 6 months. The preferred course of action in the event of eviction, moving to another settlement in Mogadishu, reflects the economic pull factors associated with displacement. The continued reliance on urban centres like Mogadishu for stable livelihoods is a driving force of cyclical displacements, and is an obstacle to returns as long as both security and livelihoods are unstable in IDPs’ areas of origin”.¹⁹⁹²

A Somalia IDP Solution Initiative mission report from February 2016 noted that “The majority of IDPs settle in informal and unplanned settlements, regularly at risk of forced eviction and in deplorable and impoverished living conditions. Most settlements are controlled and dominated by gatekeepers. The urban dimension of the protracted nature of displacement is evident and in many instances IDP settlements have turned into urban slums and sites of urban impoverishment as shown, for example in Hargeisa, where economic migrants, returnees, refugees and urban poor have joined IDP settlements and sometimes even constitute the majority there. While protracted displacement is a rather static situation, in a number of locations visited, notably in Mogadishu, Kismayo, Baidoa or Beletweyne, newly displaced persons regularly join existing IDP settlements adding further pressure on the community”.¹⁹⁹³

An April 2016 profiling of Mogadishu's internal displacement situation mapped out the population in Mogadishu's settlements as follows:

The enumeration findings indicate that 80,657 households (464,486 individuals) are living in 486 settlements in the 17 districts of Mogadishu. Internally displaced persons account for 85% of the overall enumerated population: 399,292 individuals and 68,796 households. Economic migrants (Somali) are the second largest category representing 6% of the overall enumerated population:

¹⁹⁹⁰ Refugees International (RI), [*On the Edge of Disaster; Somalis forced to flee drought and near famine conditions*](#), August 2017, p. 6

¹⁹⁹¹ Refugees International (RI), [*On the Edge of Disaster; Somalis forced to flee drought and near famine conditions*](#), August 2017, p. 6

¹⁹⁹² Reach, [*Kahda IDP Settlements Overview*](#), January 2016, p. 2

¹⁹⁹³ Somalia IDP Solution Initiative, [*Mission to Nairobi and Somalia 27 January - 11 February 2016, Prof. Walter Kaelin, Special Advisor to the DSRSG/RC/HC on Internally Displaced Persons*](#), 2016, p. 2

29,184 individuals and 5,052 households. Host communities are the third largest group and represent 5% of those enumerated: 22,443 individuals and 4,362 households. Refugees and returnees represent 1% of the enumerated population, each with 6,327 and 6,610 individuals, respectively. Most refugees are from Yemen and Ethiopia.¹⁹⁹⁴

The same provided the following overview of the IDP population in Mogadishu:

55% of the IDP population reside in two districts, Daynille and Kaxda, which are located in the outskirts of Mogadishu. Settlements in these two districts were created after 2012 when the last extensive IDP population survey was conducted, indicating a shift whereby IDPs move from the central districts of Mogadishu towards the periphery of the city. In recent years this has mainly been caused by forced evictions, which reflects the profiling findings on IDPs' reasons for multiple displacement. At the same time, newly arrived IDPs in Mogadishu tended to join IDP settlements in the periphery. The majority of IDPs came from regions surrounding Banadir, mainly from Lower Shabelle, and Middle Shabelle, but also from Bay. These regions have suffered a combination of conflict and natural disaster over the last four years.¹⁹⁹⁵

The Internal Displacement Profiling in Mogadishu report noted with regards to shelter conditions that "The majority or 75% of the profiled population lives in buuls with variations between target groups: Economic migrants and IDPs mostly live in buuls (65% and 75% respectively); while host community families are more evenly distributed between house/apartment at 35%, buuls at 29% and communal or public buildings at 17%. This distribution by target group is also reflected in the distribution by district. Daynille and Kaxda see buuls as the main shelter type, while other districts have more varied shelter types – communal building, buuls and houses/apartments. It is worth remembering that 73% of IDPs live in Kaxda and Daynille, which can explain the high prevalence of buuls as main shelter type there".¹⁹⁹⁶ The same report further stated that "The most critical issue raised by the profiling is the lack of secure land and housing tenure for IDPs in their current place of residence. In addition to the shift of IDPs from the central districts to the periphery that already took place, the eviction data indicates that this trend is expected to continue. 37% of IDPs reported being under threat of an eviction in the next six months. 82% of them indicated that if faced with an eviction, they would remain in Mogadishu by moving to another settlement in the city. This means that IDP communities are likely to continue shifting from where they currently live in Daynille and Kaxda, and possibly be pushed out even further".¹⁹⁹⁷

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in June 2016 report that "The majority of IDPs in Somalia lives in urban areas, with Mogadishu hosting 36 percent of the national caseload of 1.1 million".¹⁹⁹⁸

An August 2016 report by the United Nations Office Coordination Humanitarian Affairs (UNOCHA) stated that "The most vulnerable of the IDPs reside in Mogadishu, an area that hosts the largest estimated protracted IDP population in Somalia with more than half residing in the outskirts, along the Afgooye corridor. Events such as clan conflicts, military operations in southern and central

¹⁹⁹⁴ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 18

¹⁹⁹⁵ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 4

¹⁹⁹⁶ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 37

¹⁹⁹⁷ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 47

¹⁹⁹⁸ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Regional Outlook for the Horn of Africa and the Great Lakes Region: Recommendations for Humanitarian Action and Resilience Response](#), April-June 2016, p. 18

Somalia, natural disasters and forced evictions have continued to create new displacements along the Afgooye corridor”.¹⁹⁹⁹ The same source reported on the shelter conditions for IDPs in Mogadishu that “More than 75 per cent of all the IDPs in Daynille and Kaxda live in Buuls and in very congested settlements. They, like most displaced people are in urgent need of improved transitional shelters that offer more protection, privacy and dignity over longer periods of time”.²⁰⁰⁰

The Regional Durable Solutions Secretariat (ReDSS) stated in a March 2017 report on Benadir region that “The protection assessment by DRC [Danish Refugee Council] points out that “majority of IDPs (80%) and refugee returnees (76%) live in temporary shelters” (DRC 2016). This percentage is higher when compared to local residents (only 14% live in temporary shelters) (ibid.). According to the assessment, 5% of IDPs, and 10% of interviewed returnees live in rented houses (compared to 39% of local population); 8% of IDPs and 11% of interviewed returnees live with relatives (compared to 11% of local population). Only 3% of IDPs and interviewed returnees own property (compared to 39% of local population) (ibid.). In Mogadishu, 42% of the combined three groups live in temporary shelters, 31% live in rented houses, 21% with relatives, and 7% own property (DRC 2016)”.²⁰⁰¹

The same report further noted on housing conditions that “According to the assessment findings, the “majority (61%) of the locals reside in houses classified as of good condition and able to offer protection from rain and appropriate privacy compared to returnees (20%) and IDPs (15%)” (ibid.). Majority of returnees (45%) and IDPs (54%) reside in houses classified as poor with worn out materials, prone to leakages and in need of repairs (ibid.) It has to be noted that the figures for interviewed returnees may not apply to all returnees in Mogadishu, which means that the rating for this indicator refers to only poor returnees and IDPs. It has to be noted that government in Benadir plans to allocate land for IDPs, which means that situation in Mogadishu may improve in the future”.²⁰⁰²

The Rift Valley Institute 2017 report, ‘Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city’, stated: “Access to land and security of land tenure are important determinants of vulnerability experienced by IDPs and the urban poor in Mogadishu. Those settled on government or private land have little or no security of tenure as property is reclaimed, and very little access to land within the city. Without a clear and comprehensive approach to the issue of IDPs and the urban poor, Mogadishu’s densely populated IDP camps will morph into vast urban slums, creating a permanent under-class of city residents living in squalid conditions, and, some argue, an on-going security threat”.²⁰⁰³

In an April 2017 report Human Rights Watch described shelter conditions for IDPs evicted from Badbaado camp, Mogadishu as “Many of those evicted have been forced to move to more dangerous places on the outskirts of Mogadishu, where shelter is scarce and access to aid is even more limited. The families recently evicted from Badbaado, including Ibrahim’s, moved toward Lafoole–20 kilometers outside of Mogadishu, where they have since been joined by people fleeing the current drought. Some residents told me they were now living in huts made of sticks, they had no access to clean water and sanitary facilities, and they had so far only received assistance from

¹⁹⁹⁹ United Nations Office Coordination Humanitarian Affairs (UNOCHA), [*\\$7 million reserve allocation strategy - support for IDPs in Mogadishu*](#), August 2016, p. 1

²⁰⁰⁰ United Nations Office Coordination Humanitarian Affairs (UNOCHA), [*\\$7 million reserve allocation strategy - support for IDPs in Mogadishu*](#), August 2016, p. 2

²⁰⁰¹ The Regional Durable Solutions Secretariat (ReDSS), [*Durable Solutions Framework - Local Integration Focus: Benadir region*](#), March 2017, p. 33

²⁰⁰² The Regional Durable Solutions Secretariat (ReDSS), [*Durable Solutions Framework - Local Integration Focus: Benadir region*](#), March 2017, p. 33

²⁰⁰³ Rift Valley Institute (RVI), [*Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city*](#), 2017, p. 75

local business people and youth groups that have been trying to raise funds for those newly displaced”.²⁰⁰⁴

A May 2017 article by the Guardian reported that “At one camp on the outskirts of Mogadishu, the scale of the problem is clear. Already home to around 6,000 people, the cramped lot of tents and shelters had received more than 700 new arrivals in two days earlier this month. Food provided by Save the Children is running out. “We can’t cope. We’re short of shelter, staff for cooking, fuel, everything. These people have borrowed, begged or sold to get the funds to get here. They arrive with nothing. And they are weak. Some of the kids are dying on the road,” says Zara Ali Mahamud, the 29-year-old camp manager”.²⁰⁰⁵

A July 2017 UNHCR report noted that “The largest concentration of IDPs is in Mogadishu, followed by other urban centres, amounting to some 1.6 million IDPs. The recent drought-related displacement, with over 760,000 additional people displaced since late 2016, confirms this trend, with Baidoa and Mogadishu receiving the largest numbers of displaced people. The majority of IDPs settle in informal and unplanned settlements where the conditions are very poor and forced eviction is a common threat, and where newly displaced people join those whose displacement has become protracted. Many are displaced multiple times”.²⁰⁰⁶

An August 2017 Danish Demining Group report noted with regards to the access to shelter in Mogadishu that “Some camp managers, in anticipation of returnees carrying resettlement cash, have evicted IDPs to make room for the returnees”.²⁰⁰⁷

15.3.2. Forced evictions

The UN Human Rights Council noted in its April 2016 report on Somalia that “There had been no forced evictions of internally displaced persons in Mogadishu or anywhere else in Somalia”.²⁰⁰⁸

The US Department of State annual report on Somalia (covering 2016) stated that “From January to August, authorities forcibly evicted approximately 91,000 persons, mostly IDPs; more than 78,000 were relocated to the south central part of the country, primarily Mogadishu. Insecure land tenure and limited land title verification contributed to the scale of forced evictions”.²⁰⁰⁹

According to a June 2016 study conducted by the Jubaland government’s refugee and IDP agency “The findings of the survey indicate that conflicts and fighting were the major causes of displacement as reported by 87% of the respondents. Economic crises and evictions were reported by 7% and 5% of the respondents respectively. Nearly 0.5% of the respondents reported that floods and drought were the cause of their displacement, with a similar percentage of respondents (0.5%) attributing lack of water as the main cause of their displacement. From the above finding, it can be concluded that most of the displacements are attributed to man-made factors”.²⁰¹⁰

²⁰⁰⁴ Human Rights Watch (HRW), *In Crisis-Stricken Somalia, No Safe Haven*, 18 April 2017

²⁰⁰⁵ The Guardian, *Three tales of Mogadishu: violence, a booming economy ... and now famine*, 15 May 2017

²⁰⁰⁶ UN High Commissioner for Refugees (UNHCR), *CCCM Cluster Somalia Strategy*, 15 July 2017, p. 1

²⁰⁰⁷ Danish Demining Group, *Dabbab Returnee Conflict Assessment*, August 2017, p. 3

²⁰⁰⁸ UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review : Somalia*, 13 April 2016, paragraph 33

²⁰⁰⁹ US Department of State (USDOS), *Country Report on Human Rights Practices 2016 - Somalia*, 03 March 2017, *Internally Displaced Persons*

²⁰¹⁰ Jubba Land Refugee and Internally Displaced Person’s Agency (JRIA), *A report on the profiles of Internally Displaced Persons living in camps of Kismayo*, June 17, 2016, p. 14

A July 2016 UNHCR report noted on the occurrence of forced evictions that “Forced evictions were reported in Dayniile (10,747), Dharkenley (4,128), Hodan (1,885), Xamar Weyne (450), Bu'aale (150), Haliwaa (81) and Belet Xaawo (9) districts, forcing populations to move into Baidoa/Bardaale (3), Baidoa/Hawl Wadaag (4), Baidoa/Isha (8), Baqdaad (150), Ceelasha (74), Mogadishu/Dayniile (9,605), Mogadishu/Dharkenley(7,556), Mogadishu/Hawl Wadaag (128), Mogadishu/Heliwa (40) and Mogadishu/Wardhiigleey (10) settlements. Increased interest in development of land by private land owners in Dayniile, Dharkenley and Hodan districts are the main cause of forced evictions in these districts”.²⁰¹¹

Refugees International (RI) noted in a November 2016 report with regards to IDPs in Kismayo that “As in other areas of Somalia, IDPs face the constant threat of eviction because they do not have secure land tenure. They can be evicted without notice and with no information on where else to go. They also face incidences of harassment by local security forces, according to an aid official interviewed by RI”.²⁰¹²

A Reach assessment of Kismayo Est/West and Dalxiska IDP settlements dating December 2016 noted with regards evictions that “When household representatives were asked about the risk of eviction from their current location, 31% in both assessment sites reported that they fear having to leave their shelter due to threat of eviction”.²⁰¹³

In the Somalia Protection Cluster annual report for 2016, UNHCR reported on the support received by victims of forced evictions from international agencies “The sub-cluster successfully prevented a number of serious forced eviction threats against IDPs and returnees settling on private land in Kismayo and Garowe; negotiated access to land and facilitated land tenure security for IDPs and returnees in Kismayo, Baidoa, Luuq and Galkayo”.²⁰¹⁴

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in May 2017 that “In **Kismayo** forced evictions is rampant especially for the IDPs living in government-owned building. Over 714,000 people have been newly displaced as a result of drought across the country according to UNHCR led PRMN [Protection & Return Monitoring Network]. Moreover, the high numbers of forced evictions of IDPs and the urban poor from major urban centers like Mogadishu and Kismayo continue to account for internal displacements”.²⁰¹⁵

UNOCHA reported in its 2017 Humanitarian Response Revision Plan dated May 2017 that “The increased displacement also adds to the estimated 1.1 million protracted IDPs living in various settlements around the country, as well as the high number of forced evictions of IDPs and the urban poor from major towns like Mogadishu and Kismayo”.²⁰¹⁶

In a report dated June 2017 the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) stated that “The high numbers of forced evictions of IDPs and the urban poor from major urban centers like Mogadishu and Kismayo continue to account for internal displacements. Protection

²⁰¹¹ UN High Commissioner for Refugees (UNHCR), [UNHCR Somalia: Displacements recorded by the Protection & Return Monitoring Network; Reports verified: 1-31 Jul 2016](#), 31 July 2016

²⁰¹² Refugees International (RI), [Refugee Returns from Kenya to Somalia: "This is about fear... not about choice"](#), 4 November 2016, p. 7

²⁰¹³ Reach, [Kismayo IDP Settlement Assessment](#), December 2016, p. 8 and 9

²⁰¹⁴ UN High Commissioner for Refugees (UNHCR), [Somalia Protection Cluster, Annual Report 2016](#), 07 Apr 2017, p. 4

²⁰¹⁵ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought response, Situation Report No. 10 \(as of 31 May 2017\)](#), 31 May 2017, p. 8

²⁰¹⁶ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Humanitarian Response Plan Revision](#), 10 May 2017, p. 8

cases continued to be reported, particularly in Bay, Bakool, Lower Shabelle, Middle Juba, South Galgaduud, Gedo and Sanag regions. The majority of the displaced are moving to existing IDP camps in urban centers which are already over-crowded in search of humanitarian assistance".²⁰¹⁷

UNHCR reported in August 2017 on forced evictions of IDPs in **Baidoa**:

During the first week of August 2017, private landlords have commenced evictions of 845 households (approximately 5,070 individuals) residing at five IDP (Internally Displaced Persons) settlements in Baidoa. Two settlements have had all IDPs evicted, while for the remaining sites the evictions are in progress. There are ongoing plans by the informal settlement leaders to relocate Yaa Rabbi settlement but no alternative site has yet been identified. The IDPs were evicted with short notice. Informal (oral) agreements (witnessed by several people) existed between the landlords and residents permitting them to reside at the settlements for 5 years with the exception of Yaa Rabbi which had a 2-year 'tenancy'. The ownership of the land where the five IDP settlements were located is in dispute - currently being handled at the district court. The latrines and water storage facilities that were constructed by humanitarian actors have been left behind. However, those evicted were able to take shelter and latrine materials with them.²⁰¹⁸

In August 2017 UNOCHA reported an upsurge in forced evictions of IDPs: "Protection partners report that more than 90,000 people have been directly affected by evictions between January and July 2017. Of these, more than 5,000 were evicted in Baidoa during the first week of August alone, and there are fears of more evictions particularly from privately owned land on which more than 90 per cent of the over 200,000 IDPs in Baidoa region reside".²⁰¹⁹

The US Agency for International Development (USAID) reported on forced evictions occurring during January and September 2017 noting that "Private landowners in Somalia, particularly in the capital **city of Mogadishu and Bay's Baidoa town**, forcibly evicted more than 100,000 IDPs between January and September, according to the UN. In some instances, relief agencies and local authorities have identified new settlements for the evicted IDPs; however, evictions by private landowners often result in damage or destruction to humanitarian investments, such as water, sanitation, and hygiene (WASH) infrastructure, and further disrupt IDP livelihoods and coping mechanisms. Relief agencies are working with local authorities to ensure that landowners uphold tenure agreements, while engaging displaced populations to raise awareness of legal rights concerning IDP settlements".²⁰²⁰

In its Humanitarian Bulletin dating September 2017, the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported that "The increase in drought-related displacement has coincided with a sharp increase in forced eviction trends. Forced evictions are especially prevalent among IDPs who have settled on private land, with Mogadishu and Baidoa as the main hotspots, according to the NRC [Norwegian Refugee Council] eviction tracker. So far, in 2017 more than 100,000 IDPs have been evicted from their places of settlement, representing a 15 per cent increase compared to the same period in 2016".²⁰²¹

²⁰¹⁷ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought Response - Situation Report No. 12 \(as of 13 June 2017\)](#), 13 June 2017, p. 7

²⁰¹⁸ United Nations High Commissioner for Refugees (UNHCR), [Somalia Flash Report PRMN Displacement Update](#), 10 August 2017

²⁰¹⁹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia August 2017](#), 31 August 2017, p. 2 and 3

²⁰²⁰ US Agency for International Development (USAID), [Horn of Africa Complex Emergency Fact Sheet #11](#), 30 September 2017, p. 2

²⁰²¹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia September 2017](#), 26 September 2017, p. 2

The same source further noted “During the week of 14 to 21 September, over 1,000 IDPs were evicted by private landowners from IDP settlements in Haluul and Harqan, **Baidoa** region. During the same period, another 8,000 people relocated to from Kagarkaa-Madagari IDP settlements to adjacent settlements after the grace period to settle on the previous settlement expired. The majority are drought-displaced IDPs who arrived in Baidoa since January 2017. Some of the evicted IDPs have been relocated to a new site in consultation with local authorities and protection cluster partners. The WASH [Water Sanitation Hygiene] cluster partners have raised concern over the damage caused to water and sanitation infrastructure and facilities during the evictions”.²⁰²² The same report further noted that “The trend in evictions is potentially impacted by short-term gains for landowners and gatekeepers from increased taxation due to an influx of assistance for drought-displaced populations. Besides disrupting the livelihoods of IDPs and reducing their ability to cope with the displacement situation, evictions on occasions result in the destruction of humanitarian investments such as latrines”.²⁰²³

The International Organization for Migration reported in its mission assessment to **Kismayo**, dating October 2017 that “The most pressing risks for all sites on private land are: threat of eviction, lack of access to safe non-saline water, lack of latrines, overcrowding and fire hazard”.²⁰²⁴

World Vision stated in an October 2017 report that “Nearly a million people have been displaced internally by drought while 160,000 have been displaced by conflict since January this year (UNOCHA Sitrep 31 August 2017). While the influx has slightly reduced, the sharp increase in forced evictions by landowners, especially in Baidoa and Mogadishu has complicated efforts to support IDPs. So far, 109,840 people have been evicted since January – this is 15 percent higher than the total evictions in 2016.”²⁰²⁵

15.3.2.1. Forced evictions in Mogadishu

The UN Human Rights Council noted in its April 2016 report on Somalia that “There had been no forced evictions of internally displaced persons in Mogadishu or anywhere else in Somalia. In Mogadishu, internally displaced persons were living in camps managed by non-governmental organizations, which were monitored by the Government to ensure full protection and assistance to the people concerned. Court workers had gone to the camps to listen to their complaints and had taken the necessary action to contact the relevant authorities for follow-up. No one had been arbitrarily evicted from their home and the Government did not allow this to happen”.²⁰²⁶

Human Rights Watch reported in its 2017 annual report on Somalia (covering 2016) that “Large-scale forced evictions of internally displaced persons, including by government forces, continued. According to UN figures, during the first eight months of 2016, over 80,000 people were forcibly evicted by government forces and private actors, primarily in Mogadishu”.²⁰²⁷

²⁰²² UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia September 2017](#), 26 September 2017, p. 2

²⁰²³ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia September 2017](#), 26 September 2017, p. 2

²⁰²⁴ International Organization for Migration (IOM), [Somalia - CCCM Mission to Kismayo, Jubaland State: Report Brief - 27-31 August 2017](#), 02 October 2017

²⁰²⁵ World Vision, [Somalia Hunger Response Situation Report No. 14](#), 09 October 2017, p. 2

²⁰²⁶ UN Human Rights Council, [Report of the Working Group on the Universal Periodic Review : Somalia](#), 13 April 2016, paragraph 33

²⁰²⁷ Human Rights Watch (HRW), [World Report 2017 - Somalia](#), 12 January 2017, *Abuses by Government and Allied Forces*

The US Department of State annual report on Somalia (covering 2016) stated that “Government and regional authorities provided negligible protection and assistance to IDPs and sometimes actively participated in their displacement. Private persons with claims to land and government authorities, for example, regularly pursued the forceful eviction of IDPs in Mogadishu. Some IDPs and humanitarian agencies criticized local authorities for tacitly endorsing the forceful relocation of IDPs to insecure areas in Mogadishu. Somali authorities did not prevent the forced displacement of persons from shelters to camps on the outskirts of the city”.²⁰²⁸ The same report further noted on the occurrence of forced evictions during 2016 that “From January to August, authorities forcibly evicted approximately 91,000 persons, mostly IDPs; more than 78,000 were relocated to the south central part of the country, primarily Mogadishu. Insecure land tenure and limited land title verification contributed to the scale of forced evictions”.²⁰²⁹

Human Rights Watch reported in its 2017 annual report on Somalia (covering 2016) that “Large-scale forced evictions of internally displaced persons, including by government forces, continued. According to UN figures, during the first eight months of 2016, over 80,000 people were forcibly evicted by government forces and private actors, primarily in Mogadishu”.²⁰³⁰

A Norwegian Refugee Council February 2016 report with fieldwork conducted in South Central Somalia, Somaliland and Puntland noted with regards to forced evictions that “Unfortunately, there have also been increasing reports of mass forced evictions perpetuated by the State, particularly in Mogadishu where the value of land has been increasing, due in part to improved security conditions and the return of Somali diaspora. While much emphasis has been on the situation of Mogadishu, evictions have increased in other towns as well; a report from the Brookings Institution notes that almost 50,000 persons were forcibly evicted from their shelters since the start of 2013”.²⁰³¹

An April 2016 profiling of Mogadishu's internal displacement situation published by UNHCR noted that “The eviction data in the city indicate that the trend of moving from inner city areas to settlements in the outskirts of the city is expected to continue. 37% of IDPs reported being under the threat of being evicted within the upcoming six months. IDP communities reported that if and when they are faced with an eviction, they plan to move to another settlement in the city. It is also worth noting that the expectation of eviction correlates with previous experience of evictions – i.e. households who reported having been evicted in the last 6 months, were also more likely to report an expectation of being evicted in the coming 6 months”.²⁰³²

The same report provided the following information on the occurrence of forced evictions of IDPs in Mogadishu:

The most pressing HLP [Housing, Land, and Property] concern faced by IDPs is evictions, which often amount to forced evictions. Nearly a third of the IDP population interviewed indicated having faced an eviction in the past 6 months (31% of the IDP population, with differences reported between districts: 33% in Daynille, 30% in Kaxda and 30% in other districts). 42% of the IDPs who faced an eviction in Daynille indicated that the incident happened in 2014, while 37% of the IDPs in Kaxda indicated that it happened in 2013. For 65% of the IDPs living in other districts, evictions took place in

²⁰²⁸ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Internally Displaced Persons*

²⁰²⁹ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Internally Displaced Persons*

²⁰³⁰ Human Rights Watch (HRW), [World Report 2017 - Somalia](#), 12 January 2017, *Abuses by Government and Allied Forces*

²⁰³¹ Norwegian Refugee Council, [Housing, Land and Property rights for Somalia's urban displaced women](#), 15 February 2016, p. 47

²⁰³² UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p.

2012. Half of the overall evicted IDP population (50%) only received an oral notice of the eviction. Nearly a quarter of those evicted were not aware of the eviction before it took place. Focus group discussions have highlighted that eviction processes are often insecure and violent.²⁰³³

The same Internal Displacement Profiling in Mogadishu further presented the results of a survey conducted among IDPs on the issue of forced evictions:

37% of the IDP population is expecting an eviction from the current place of residence in the coming six months. This fear is higher among the IDP population living in Kaxda (43%) than in Daynille (35%) and other districts (36%). This fear of eviction isn't only found among the IDPs. Indeed, nearly a third of the host community population and a quarter of the economic migrants are expecting an eviction from their current place of residence in the coming 6 months. It is worth noting that the expectation of eviction correlates with the experience of eviction, i.e. households who reported having been evicted in the last 6 months are more likely to report an expectation of being evicted in the coming 6 months. 81% of the IDPs at risk of eviction indicated that they would simply move to another settlement if this were to happen (61% of host community and 68% of economic migrants). In that case, 81% said that they would re-use the shelter currently used to the extent possible.²⁰³⁴

An April 2016 UN Office for the Coordination of Humanitarian Affairs (UNOCHA) report noted that "Forced evictions continue to affect IDPs and urban poor. During the first quarter of 2016, nearly 31,000 people were forcefully evicted in Mogadishu alone. Of these, 14,000 people were forcibly evicted in January. The evictions are often carried out without or within too short notice. Most often, evictees are left without viable alternatives".²⁰³⁵

The European Commission noted in a report dating February 2017 that "According to the UN, 150,000 people were newly displaced in 2016 due to conflict or flooding and 75 000 forcibly evicted, mostly in Mogadishu, Galkayo and Kismayo. Displacement due to drought will likely only increase internally and possibly to neighbouring countries".²⁰³⁶

An Assessment Capacities Project (ACAPS) briefing note dating February 2017 reported that "Large scale forced evictions of IDPs are common. An estimated 10,000 are forcibly evicted every month, primarily in Mogadishu. Arrivals of those migrating from drought affected locations increases shelter needs in areas where evictions are ongoing".²⁰³⁷ The same source provided an overview on forced evictions in Somalia during 2017 and described that:

Between January and September 2017, over 100,000 people were affected by evictions, with most cases being recorded in Mogadishu and Baidoa, Bay region. This constitutes a 15% increase in forced evictions in comparison to the same period in 2016. Private landowners evicted more than 1,000 IDPs from settlements in Baidoa from 14-21 of September. In the first week of August, over 5,000 people were evicted in Baidoa. Forced evictions of IDPs surged in 2015, with 130,000 displaced across the country, as an appreciation in land value drove land-grabbing. The evictions are often carried out with little or no notice. Furthermore, evictions trigger additional risks. In their search for shelter, evicted IDPs have been forced to relocate into overcrowded settlements or became homeless, and the

²⁰³³ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 38

²⁰³⁴ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 39

²⁰³⁵ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia, April 2016](#), 25 April 2016, p. 4

²⁰³⁶ European Commission, [ECHO Factsheet - Somalia - February 2017](#), 24 February 2017, p. 2

²⁰³⁷ ²⁰³⁷ Assessment Capacities Project (ACAPS), [ACAPS Briefing Note - Somalia: Food Security and Nutrition Crisis](#), 24 February 2017, p. 5

violation of children's rights such as education has been observed. Evictions disrupt IDPs' livelihoods and coping abilities.²⁰³⁸

Covering the year 2017 the UN Monitoring Group on Somalia and Eritrea documented that:

Forced evictions of internally displaced persons continued during 2017, with more than 90,000 cases recorded by the end of July, the majority in Mogadishu. Evictions were conducted both by private actors — triggered by disputes between gatekeepers and residents regarding the sharing of humanitarian aid — and further to Federal Government and regional government policy.²⁰³⁹

A Human Rights Watch report, published April 2017, looked at the eviction of people from IDP camps on public land in Mogadishu and observed that “Since November 2016, over 60,000 people have been forcibly evicted. [...] Many of those evicted have been forced to move to more dangerous places on the outskirts of Mogadishu, where shelter is scarce and access to aid is even more limited”.²⁰⁴⁰ The same report further described occurrences of forced evictions in Badbaado camp, Mogadishu as follows:

The government’s Badbaado camp is not immune. In March, two people who had lived there told me that a man turned up with an armed militia and threatened and coerced dozens of families into leaving their shelters. “We reported the threats to the police,” said “Ibrahim,” who had been living in the camp since the 2011 famine. “They replied ‘You don’t have evidence!’ They took no interest, and told us to leave. When we saw that they were not going to help us, we decided to leave the camp.” For people who are already hungry and in very precarious situations, evictions often mean losing the few belongings they have, including basic shelter, access to day labor opportunities and greater insecurity and hunger.²⁰⁴¹

UNOCHA reported in May 2017 that “the high numbers of forced evictions of IDPs and the urban poor from major urban centers like Mogadishu and Kismayo continue to account for internal displacements”.²⁰⁴²

In August 2017 UNOCHA reported that “In Mogadishu, over 3,000 IDPs and the urban poor were evicted from the former national printing house in Wardhiigleey district, according to IDP leaders”.²⁰⁴³

The US Agency for International Development (USAID) reported on forced evictions occurring during January and September 2017 noting that “Private landowners in Somalia, particularly in the capital city of Mogadishu and Bay’s Baidoa town, forcibly evicted more than 100,000 IDPs between January and September, according to the UN. In some instances, relief agencies and local authorities have identified new settlements for the evicted IDPs; however, evictions by private landowners often result in damage or destruction to humanitarian investments, such as water, sanitation, and hygiene (WASH) infrastructure, and further disrupt IDP livelihoods and coping mechanisms. Relief agencies

²⁰³⁸ Assessment Capacities Project (ACAPS), [Somalia Crisis Analysis](#), *Forced Evictions*, updated 27 September 2017

²⁰³⁹ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, V., C. *African Union Mission in Somalia and international forces*, para. 196, p. 45

²⁰⁴⁰ Human Rights Watch (HRW), [In Crisis-Stricken Somalia, No Safe Haven](#), 18 April 2017

²⁰⁴¹ Human Rights Watch (HRW), [In Crisis-Stricken Somalia, No Safe Haven](#), 18 April 2017

²⁰⁴² UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought response, Situation Report No. 10 \(as of 31 May 2017\)](#), 31 May 2017, p. 8

²⁰⁴³ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia August 2017](#), 31 August 2017, p. 2 and 3

are working with local authorities to ensure that landowners uphold tenure agreements, while engaging displaced populations to raise awareness of legal rights concerning IDP settlements”.²⁰⁴⁴

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa noted that “Several IDP camp managers in Mogadishu have already evicted IDP population in order to make room for the returnees, whom they expect will be caring financial assistance packages and hence will be more lucrative tenants. This has produced a wave of secondary displacement. There is no indication at this time that secondary displacement will trigger or aggravate conflicts, but it is adding to the misery of IDPs in Mogadishu, and is accelerating an already worrisome trend toward forcible eviction of IDPs on government or high-value urban land. The brutality of some of these forced evictions, some directed by high-ranking government officials, generates deep grievances that can be exploited by Al Shabaab”.²⁰⁴⁵

The November 2017 report of the UN Monitoring Group on Somalia and Eritrea found that “Forced evictions of internally displaced persons continued during 2017, with more than 90,000 cases recorded by the end of July, the majority in Mogadishu. Evictions were conducted both by private actors — triggered by disputes between gatekeepers and residents regarding the sharing of humanitarian aid — and further to Federal Government and regional government policy”.²⁰⁴⁶

15.4. Access to basic services

A 2016 UN Children's Fund (UNICEF) report on Somalia noted that “More than 60 per cent of IDPs in southern and central regions report that it takes more than 30 minutes to collect water, suggesting that they are having to queue or go some distance to find affordable supplies”.²⁰⁴⁷

According to a June 2016 study conducted by the **Jubaland** government's refugee and IDP agency “A total of 65% of the respondents reported that they get water from protected sources while 23% get their water from unprotected sources. While 8%, 3%, 1% reported that their main source of water was: shallow wells, water kiosks, and water trucking respectively. The above findings indicate that a great proportion of the internally displaced persons have access to protected water sources. This makes them not highly vulnerable to waterborne diseases. Hence, access to protected water sources can also help explain the continuous stay of internally displaced person in these camps in view of the fact that drought problem has been prevalent in this part of the world”.²⁰⁴⁸

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in an analysis of humanitarian needs in Somalia dating June 2016 that “The combined poor and borderline food consumption score for Kismayo and Baidoa IDPs stands at 45 per cent and 20 per cent respectively thus reflecting high level of food insecurity in these areas. Similarly, acute malnutrition remains high in many IDP settlements. Global Acute Malnutrition (GAM) rates among IDPs in major towns are above the emergency threshold of 15 per cent. This is in part attributed to food insecurity and other underlying causes notably protection issues”.²⁰⁴⁹

²⁰⁴⁴ US Agency for International Development (USAID), [Horn of Africa Complex Emergency Fact Sheet #11](#), 30 September 2017, p. 2

²⁰⁴⁵ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 36

²⁰⁴⁶ UN Monitoring Group on Somalia and Eritrea, [Report on Somalia of the Monitoring Group on Somalia and Eritrea](#), 2 November 2017, paragraph 196

²⁰⁴⁷ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 52

²⁰⁴⁸ Jubba Land Refugee and Internally Displaced Person's Agency (JRIA), [A report on the profiles of Internally Displaced Persons living in camps of Kismayo](#), June 17, 2016, p. 17 and 18

²⁰⁴⁹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [\\$7.1 million reserve allocation strategy - support for IDPs in Kismayo and Baidoa](#), June 2016, p. 2

A July 2016 UNHCR report noted on the needs of IDPs that “Reports have indicated that the priority needs of the displaced populations this reporting period include livelihood support, food and shelter. Notably, these populations have also expressed the need to be protected from conflicts, provided with health services, water and transport. The most affected are males and females between the ages of 18-59, majority of them being from the South Central region of Somalia”.²⁰⁵⁰

In July 2016 the Food Security and Nutrition Analysis Unit (FSNAU) noted with regards to **Baidoa** IDPs that “Anthropometric measurement from 762 children aged 6-59 months indicated a Critical nutrition situation (18.0% GAM [Global Acute Malnutrition]) with SAM [Severe Acute Malnutrition] prevalence of 4.3 percent (Critical). This shows deterioration from Serious level in Deyr 2015 (14.5%). Acceptable levels were recorded for both CDR [Crude Death Rates] and under five death rates (0.25/10000/day) retrospectively during Gur 2016. The overall morbidity reported two weeks prior to the assessment shows deterioration (37.4%) in Gu 2016 when compared to Deyr 2015 (24.2%)”.²⁰⁵¹

The same source described the situation of IDPs in **Kismayo** noting that “The prevalence of GAM [Global Acute Malnutrition] for IDP’s in Kismayo was 14.5 percent i.e. serious however having Critical levels of SAM [Severe Acute Malnutrition] 4.4 percent. Serious level of malnutrition prevalence has sustained since Gu 2015. Acceptable levels of CDR (0.51/10 000/day) but a Serious levels of U5DR (1.4/10 000/day) were recorded in Kismayo IDPs in Gu 2016. In terms of CDR [Crude Death Rates], the situation has remained as alert level since Deyr 2015. The current morbidity which stood as 28.1 percent has not significantly decreased from the one that was reported in Deyr 2015 (27.6%)”.²⁰⁵²

A Reach assessment of IDP settlements in **Kismayo** dating December 2016 reported that “Only a small proportion of the assessed households reported that they had received any type of humanitarian assistance from external actors since they arrived in the settlement, 3% in Dalxiska and 11% in Kismayo East/West”.²⁰⁵³

The same source further noted that “Comparing the two assessment areas, the average food consumption score in Dalxiska is considerably more severe than in Kismayo East/West. 66% of the assessed households in Dalxiska reported a poor food consumption score. In Kismayo East/West only 23% of the households were reported to have a poor FSC [Food Consumption Score]”.²⁰⁵⁴

A SAH UK report dating February 2017 noted with regards to the situation of IDPs in **Kismayo** that “Kismayo IDP population continues to face major challenges including food insecurity, poor water, sanitation and hygiene, poor health seeking behaviors among others and limited health services/facilities. The current nutrition situation in the IDPs camps is considered *serious* with the estimated prevalence of global acute malnutrition being 14.5% with aggravating factors (FSNAU, 2016)”.²⁰⁵⁵

The United States Agency for International Development (USAID) April 2017 report stated that “Response actors are particularly concerned about the influx of IDPs to urban centers, including

²⁰⁵⁰ UN High Commissioner for Refugees (UNHCR), [UNHCR Somalia: Displacements recorded by the Protection & Return Monitoring Network; Reports verified: 1-31 Jul 2016](#), 31 July 2016

²⁰⁵¹ Food Security and Nutrition Analysis Unit (FSNAU), [Preliminary findings from 2016 Gu season nutrition surveys among Internally Displaced Persons \(IDPs\) in Somalia](#), 5 July 2016, p. 5

²⁰⁵² Food Security and Nutrition Analysis Unit (FSNAU), [Preliminary findings from 2016 Gu season nutrition surveys among Internally Displaced Persons \(IDPs\) in Somalia](#), 5 July 2016, p. 5

²⁰⁵³ Reach, [Kismayo IDP Settlement Assessment](#), December 2016, p. 8

²⁰⁵⁴ Reach, [Kismayo IDP Settlement Assessment](#), December 2016, p. 10

²⁰⁵⁵ SAF UK, [MASS MUAC Screening Report - Dalxiska IDP Camp, Kismayo Somalia](#), 21 February 2017, p. 3

Somalia's capital city of Mogadishu and Bay's capital city of Baidoa, which received an estimated 50,000 IDPs and 44,000 IDPs, respectively, from March 1–24. New IDPs are frequently integrating into existing settlements without receiving emergency relief assistance due to the lack of a comprehensive system to register and assist new arrivals, according to the UN".²⁰⁵⁶

A Reach report based on data collection conducted from 3 to 18 April 2017, through 639 household interviews in **Baidoa** noted that:

Since January 2017, populations have been displaced to Bay and Bakool Regions in increasing numbers due to worsening drought conditions as a result of the failed rain season at the end of the previous year. These displacements have resulted in the development of new informal IDP settlements around Baidoa Town.

[...] Populations arrived mainly since January 2017 predominantly because of drought and pulled by availability of aid. Of the 120,000 estimated IDPs in Baidoa, only 16% have received aid so far. Assessment findings highlight severe humanitarian needs, in particular in terms of food, water and shelter, as well as key gaps in services across IDP settlements in Baidoa. Drought and multiple displacements have resulted in widespread food insecurity among IDPs, with more than 50% having a poor food consumption score. The lack of resources has also largely affected their ability to access sufficient diversity in foods, with only 14% of the households reported to consume vegetables at least once a week.²⁰⁵⁷

The same source further described the conditions in **Baidoa** IDP settlements "Only 21% of the households in the assessed settlements reported having access to any nutrition services in the past three months. This is concerning given that the majority of households (72%) have children under the age of five. However, the facility mapping found that 12 nutrition facilities were available in the settlements. This indicates a need of raising awareness programmes on nutrition services available and improves access to IDP households".²⁰⁵⁸

Regarding access to sanitation facilities the Reach assessment report on **Baidoa** IDP settlements noted that "Twenty seven per cent of the households reported they do not have access to a latrine of any type, resulting in the prevalence of open defecation in the vicinity of settlements. This can lead to increased vulnerability to water-borne diseases in the settlements, especially as the rainy season approaches with heightened risks of contaminated surface level water being washed in to open water sources used by households".²⁰⁵⁹

A July 2017 US Agency for International Development (USAID) report noted on the situation of IDPs in **Baidoa**:

Despite a downward trend in new displacement between mid-April and mid-June, relief actors recorded a recent spike in new IDP arrivals to Baidoa, with approximately 13,500 new IDP arrivals in Baidoa between June 1 and 23. The majority of the newly displaced households are from remote villages in Bay and Raddhure and include a significant number of vulnerable individuals, including children, the elderly, and pregnant and lactating women, the UN reports. Given limited capacity at existing IDP sites in Baidoa, most recent IDPs have sought shelter on the outskirts of the town, with approximately 8,160 of the new arrivals sheltering at two new IDP settlements west of Baidoa. Relief agencies have provided some food and medical assistance at the two sites; however, newly displaced

²⁰⁵⁶ United States Agency for International Development (USAID), [Horn of Africa – Complex Emergency, Factsheet 3, Fiscal Year 2017](#), 4 April 2017, p. 3

²⁰⁵⁷ Reach, [Baidoa IDP Settlement Assessment](#), April 2017, p. 3

²⁰⁵⁸ Reach, [Baidoa IDP Settlement Assessment](#), April 2017, p. 3

²⁰⁵⁹ Reach, [Baidoa IDP Settlement Assessment](#), April 2017, p. 3

populations continue to require emergency food and shelter assistance and safe drinking water, the UN reports.²⁰⁶⁰

An August 2017 update from the National Humanitarian Coordination Center reported on the situation of IDPs in South Central Somalia stating that “There are reports forced IDPs by Lower Shabelle are coming in IDP settlements in KM50, **Afgoye corridor** and KM13. Reports saying these IDPs are desperate and have no and or very limited humanitarian services including food, shelter, health and nutrition. The conflict and the draught induced IDPs in Galgaduud region is on the rise. It’s reported, food security, nutrition as well as health situation of the IDPs is critical, therefore Galmudug state suggests urgent wet feeding assistance in IDP centers”.²⁰⁶¹

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in September 2017 that “Critical prevalence of acute malnutrition (Global Acute Malnutrition) of 15 per cent and above were recorded in IDP populations in Baidoa, Berbera, Dhuusamarreeb, Doolow, Gaalkacyo, Garowe, Hargeisa, Kismayo, Mogadishu and Qardho districts”.²⁰⁶²

The United Nations Children's Fund September 2017 report provided the following overview of the needs of IDPs:

Owing to security-related challenges in parts of central Somalia, Puntland and Somaliland, an increased IDP influx has been reported in parts of Gedo, Lower Juba, Galgaduud and Bay/Bakool Regions. This has put significant strain on existing WASH [Water Sanitation, and Hygiene] facilities — water sources and sanitation facilities — and compromised hygiene practices in these locations. Among affected IDP populations and host and rural communities, there is an urgent need to improve water supply, enhance sanitation access and undertake hygiene-promotion initiatives alongside distribution of hygiene kits. Rural communities in southern, central and north-east regions continue to experience water scarcity despite continued Karan rains in these areas.²⁰⁶³

A September 2017 United States Agency for International Development (USAID) report described the situation of IDPs in **Galgaduud** as follows:

A late July–early August humanitarian interagency assessment identified approximately 168,000 IDPs residing in urban and semi-urban areas of Galgaduud, of whom 78 percent are conflict- and drought-affected persons displaced between November 2016 and July 2017 and 22 percent are protracted IDPs. An estimated 80 percent of the IDPs are sheltering in the more than 50 new IDP settlements established in Galgaduud since November 2016. The majority of the IDPs are women, children, and older people, as below-average gu rains in June and July prompted nearly 35,000 pastoralists to migrate from Galgaduud to other regions in search of pasture and water, separating households and driving relocation of remaining family members to IDP settlements. The assessment found a lack of sanitation facilities and water storage capacity in the recently established IDP settlements and noted that IDPs face increased risks of gender-based violence (GBV), as women must venture outside the settlements to unlit areas to defecate and fetch firewood.²⁰⁶⁴

²⁰⁶⁰ US Agency for International Development (USAID), [Horn of Africa – Complex Emergency, Factsheet 7, Fiscal Year 2017](#), 10 July 2017, p. 2

²⁰⁶¹ National Humanitarian Coordination Center (NHCC), Ministry of Humanitarian Affairs and Disaster Management (MOHADAM), The Federal Republic of Somalia, [Minutes of National Inter Sectoral Meeting](#), 23 August 2017, p. 2

²⁰⁶² UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia September 2017](#), 26 September 2017, p. 3

²⁰⁶³ United Nations Children's Fund, [Somalia WASH Cluster Dashboard \(as of 30 August 2017\)](#), 07 September 2017, p. 1

²⁰⁶⁴ United States Agency for International Development (USAID), [Horn of Africa – Complex Emergency, Factsheet 10, Fiscal Year 2017](#), 21 September 2017, p. 2

The International Organization for Migration noted in an October 2017 report following a mission to **Kismayo**, Jubaland State that “The most pressing risks for all sites on private land are: threat of eviction, lack of access to safe non-saline water, lack of latrines, overcrowding and fire hazard. Limited food and health assistance also seem to be a concern in some of the newer sites”.²⁰⁶⁵

The International Organization for Migration reported in its mission assessment to **Gedo** region, dating October 2017 that “The needs of the new 2017 IDPs are acute – particularly WASH [Water Sanitation Hygiene], Shelter and Health. The humanitarian partners currently on the ground in Doolow have been unable to respond to the massive influx and to fill the widening gaps in services”.²⁰⁶⁶

15.4.1. Access to basic services in Mogadishu

The findings from an assessment of informal settlements where Internally Displaced Persons (IDPs) reside in Mogadishu conducted by Reach between August and December 2015 noted with regards to Daynile settlements that “As with most zones hosting IDPs in Mogadishu, WASH [Water, Sanitation and Hygiene] is a key concern. Settlements often lack sufficient latrines to cover the whole population of settlements – only 10 of the 142 settlements in Daynile meet the Sphere standard of 20 people per latrine”.²⁰⁶⁷

An April 2016 profiling of Mogadishu's internal displacement situation noted that “The data pertaining to access to services for all populations, including education, health care and sanitation, also suggests that fewer services are available in the peripheral districts of Daynille and Kaxda compared to more central districts in Mogadishu”.²⁰⁶⁸

UN Children's Fund (UNICEF) stated in a 2016 report that “IDP households depend primarily on irregular and unprotected casual work, humanitarian assistance, petty trading and charitable gifts (zakat). IDPs are effectively hostages of predatory ‘gatekeepers’ on whom they depend for the right to settle and for commercially provided services such as water, and to whom they must pay a tax on any humanitarian assistance received”.²⁰⁶⁹

In June 2016 Amnesty International issued a public statement reacting to the Human Rights Council's adoption of the Universal Periodic Review outcome on Somalia where it noted on the situation of IDPs that “Somalia has more than 500,000 IDPs living along the Afgooye corridor, between Mogadishu and Afgooye town in Lower Shabelle. The IDPs face limited access to health care, education and equal employment opportunities, as well as recruitment of child soldiers by both the Islamist al Shaabab armed group and government forces. In January 2016, the Federal Parliament passed an IDPs and Refugees' Protection and Rehabilitation Law which had been pending since 2014. However, the implementation of the law has been encumbered by delays”.²⁰⁷⁰

²⁰⁶⁵ International Organization for Migration (IOM), [Somalia - CCCM Mission to Kismayo, Jubaland State: Report Brief - 27-31 August 2017](#), 2 October 2017

²⁰⁶⁶ International Organization for Migration (IOM), [CCCM Mission to Doolow, Gedo Region, Report Brief - 5 - 10 September 2017](#), 2 October 2017, p. 1

²⁰⁶⁷ Reach, [Daynile IDP Settlements Overview](#), January 2016, p. 2

²⁰⁶⁸ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 4

²⁰⁶⁹ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 17

²⁰⁷⁰ Amnesty International (AI), [Somalia: Amnesty International welcomes commitments to protect internally displaced persons and child soldiers and urges Somalia to ratify key international human rights instruments \[AFR 52/4361/2016\]](#), 27 June 2016, p. 1

The US Agency for International Development reported in September 2016 that “IDPs and other vulnerable populations constituted a majority of the acutely food-insecure population, with an estimated 370,000 food-insecure people residing in Mogadishu and other parts of Banadir Region”.²⁰⁷¹ The same source further noted that “On August 26, RC/HC Peter de Clercq announced \$7 million in additional funding from the Somalia Humanitarian Fund to support life-saving assistance for IDPs and other vulnerable populations in Mogadishu’s Daynille and Kaxda districts. IDP settlements in these districts lack basic services and residents face significant protection risks, including gender-based violence, movement restrictions, and violence, according to the UN. As of September, approximately 400,000 IDPs were sheltering in more than 400 settlements across Mogadishu, accounting for more than 35 percent of the 1.1 million IDPs throughout the country”.²⁰⁷² A March 2017 Danish Refugee Council report stated that “400,000 IDP’s are residing in Mogadishu in urban slum areas with lack of access to the most basic services. Some returnees settle among the IDP’s upon return”.²⁰⁷³

In report published March 2017 the Regional Durable Solutions Secretariat (ReDSS) provided the following overview of living conditions for local residents, IDPs and refugee returnees in Benadir region:

With regard to living conditions, the DRC [Danish Refugee Council] assessment finds out that “a large number of refugee returnee (51%), IDPs (56%) and local residents (42%) households reported the living conditions as bearable” (ibid.). However, living conditions of IDPs and interviewed returnees appear to be worse than local residents. About 25% of the returnees and 19% of the IDPs reported unbearable living conditions, whereas only 0.5% of local residents reported that their living conditions are unbearable. Moreover, the majority of local residents (58%) reported that their conditions are good and secure; on the contrary, only 25% of IDPs and interviewed returnees reported that their conditions are good and secure. That said, these figures have to be taken with cautious in the case of returnees, since the sample of interviewed returnees may not necessarily be representative of the entire population of returnees in Benadir.²⁰⁷⁴

AllAfrica reported in March 2017 that “Some 600 internally displaced people at a camp in Mogadishu facing a possible outbreak of water borne disease as they have to share four toilets. The camp is located at Far Libaah in Tareedisho neighborhood on the outskirts of Mogadishu. According to an IDP the situation has worsened lately as more starving people arrive. We have enough food and people have donated clothes but we didn’t have toilets. More people are arriving everyday “a mother who identified herself as Nadiifo told Radio Dalsan”.²⁰⁷⁵

An April 2017 survey conducted by the Food Security and Nutrition Analysis Unit (FSNAU) found that the “Proportion of households that reported receiving food assistance are very low among Mogadishu IDPs (10%) compared to Baidoa IDPs (30%). Similarly, proportion of households that reported receiving cash assistance are very low among Mogadishu IDPs (5%) compared to Baidoa IDPs (25%). The low food and cash assistance coverage in Mogadishu could be due to the high proportion of new arrivals (51% arrival in past 3 months) and the time it takes to enroll them in

²⁰⁷¹ US Agency for International Development (USAID), [Somalia – Complex Emergency, Fact Sheet 4, Fiscal Year 2016](#), 30 September 2016, p. 3 and 4

²⁰⁷² US Agency for International Development (USAID), [Somalia – Complex Emergency, Fact Sheet 4, Fiscal Year 2016](#), 30 September 2016, p. 3 and 4

²⁰⁷³ Danish Refugee Council, [South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups](#), March 2017, 1/2017, p. 35

²⁰⁷⁴ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 21

²⁰⁷⁵ allAfrica, [Somalia: Outbreak of Diseases Looms As 600 IDPs Fleeing Starvation Forced to Share 4 Toilets](#), 15 March 2017

assistance programmes. 45% of IDP households in Baidoa and 13% of IDP households in Mogadishu have received food or cash assistance at least once”.²⁰⁷⁶

In a May 2017 report UNOCHA identified the following humanitarian gaps in Mogadishu: “Inadequate access to water, shelter and latrines putting girls and women at risk of sexual violence in IDP camps in the outskirts of Mogadishu”.²⁰⁷⁷

In a July 2017 report UNHCR described the role of gatekeepers in managing IDP settlements as follows:

Most IDP settlements are governed (not only managed) by ‘gatekeepers’, that often act as informal managers. Gatekeepers are a diverse group of people ranging from community leaders, to business men, to militias, to landlords/owners – some are from the IDP communities while others are not. The relationship to and with the IDP community is similarly diverse but in the long absence of the Government providing IDPs with assistance and protection, informal managers have often become the primary go to person and provider of support and, to a certain extent, protection, in particular since communities of IDPs are often marginalised and discriminated against because they belong to minorities or are separated from the protection of their clans. Aid diversion has been allegedly high in informal settlements, but the extent of it remains unclear. While in the past, gatekeepers and settlements were rather individualized, over the recent years they have grown together into an actual system: several individual IDP settlements form an IDP umbrella and several IDP umbrellas form an IDP centre – this comes with hierarchies in gatekeeping of a very complex nature.²⁰⁷⁸

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in June 2017 that “Intervention to boost access to food and livelihood opportunity is required in IDP settlements in Kaxda and Daynille as well as a outskirts of Mogadishu”.²⁰⁷⁹

Devex reported in August 2017 on access to basic services and humanitarian assistance for IDPs in the Mogadishu area noting that “After delivering aid to internally displaced camps on the outskirts of Mogadishu earlier this year, in an area known as KM 13, the government-run Somali National Drought Relief Committee followed up and found that the situation had not improved for the camp’s inhabitants. Starvation and illness persisted at high rates, despite food and medical deliveries. The aid workers then started to see the same food and medical aid they had delivered to residents popping up for sale in the local markets. The committee soon discovered that intermediaries had intercepted the aid and turned it around for profit, Dr. Hodan Ali, senior medical advisor with the Somali National Drought Committee, told Devex”.²⁰⁸⁰

The same source reported on the role of gatekeepers in Mogadishu IDP camps noting that “Despite the frustrations involved with the gatekeeper structure, there is also recognition in the humanitarian sector of the pivotal services that some of these gatekeepers provide to IDPs. In the absence of government-run camps, gatekeepers provide access to land and sometimes private militias for security. “Gatekeepers provide a level of service and security that no other actor is able to provide in places like Mogadishu,” said Abdurahman Sharif, director of the Somalia NGO Consortium”.²⁰⁸¹

²⁰⁷⁶ Food Security and Nutrition Analysis Unit (FSNAU), [2017 Jilaal Impact Household Survey Results April 2017](#), 29 May 2017, p. 11

²⁰⁷⁷ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought response, Situation Report No. 10 \(as of 31 May 2017\)](#), 31 May 2017, p. 8

²⁰⁷⁸ UN High Commissioner for Refugees (UNHCR), [CCCM Cluster Somalia Strategy](#), July 2017, p. 1

²⁰⁷⁹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [SHF Reserve – Integrated Response allocation strategy](#), 12 June 2017, p. 10

²⁰⁸⁰ Devex, [The 'Gatekeepers' to providing aid in Somalia](#), 23 August 2017

²⁰⁸¹ Devex, [The 'Gatekeepers' to providing aid in Somalia](#), 23 August 2017

A September 2017 press release by the European Union reporting on the situation of IDPs in Mogadishu stated that “Displacement from rural to urban areas due to drought and conflict has placed considerable strain on Somalia, with Mogadishu hosting the largest concentrations of IDPs in the country. More than 400,000 IDPs were based in Mogadishu prior to the drought, and the urban area has received nearly 200,000 newly displaced by drought and conflict over the past year. The displaced are struggling to get access to water, food, basic services, protection, secure housing and livelihood opportunities”.²⁰⁸²

UNOCHA reported in September 2017 that “Critical prevalence of acute malnutrition (Global Acute Malnutrition) of 15 per cent and above were recorded in IDP populations in [...] Mogadishu”.²⁰⁸³

15.4.1.1. Health care

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in an analysis of humanitarian needs in Somalia dating June 2016 that “Already, there is an increase in reported cases of acute watery diarrhoea (AWD) and cholera in southern and central Somalia. Among the worst affected are IDP and host communities in **Kismayo and Baidoa**”.²⁰⁸⁴

According to a June 2016 study by the **Jubaland** government’s refugee and IDP agency:

A total of 54% of the respondents indicated receiving treatment from hospitals whereas almost 30% of the respondents reported having received no medical care at all. A small proportion (1.9%) seeks medication from traditional healers while another 2.4% and 11.8% get their medication directly from pharmacies and MCH respectively. The findings indicate that 68.2% of the respondents had cumulatively received treatment from hospitals, directly from pharmacies and MCH. Cumulatively 31.9% of the respondents indicated that they received treatment from traditional healers (1.9%) and others did not receive medical care at all (29.3%). This percentage (31.9%) could be attributed to high levels of illiteracy among the internally displaced persons and pose a danger to the matter health if not addressed.²⁰⁸⁵

In July 2016 the Food Security and Nutrition Analysis Unit (FSNAU) noted in their findings from 2016 Gu season nutrition surveys among Internally Displaced Persons (IDPs) in Somalia that “It’s also worth to note that IDP access to and coverage of vital public health programs such as routine immunization and Vitamin A supplementation were the lowest in Mogadishu, Dhobley, Baidoa in the South central zones and Dhusamareb in the North East zone”.²⁰⁸⁶

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in November 2016 regarding the situation in **Gaalkacyo** that “Health services have also been severely disrupted with the scaling down of south Gaalkacyo hospital services to emergency response teams. Humanitarian

²⁰⁸² European Union, [Benadir Regional Administration committed to delivering durable solutions to displaced people in Mogadishu](#), 8 September 2017, p. 1

²⁰⁸³ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia September 2017](#), 26 September 2017, p. 3

²⁰⁸⁴ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [\\$7.1 million reserve allocation strategy - support for IDPs in Kismayo and Baidoa](#), June 2016, p. 2

²⁰⁸⁵ Jubba Land Refugee and Internally Displaced Person’s Agency (JRIA), [A report on the profiles of Internally Displaced Persons living in camps of Kismayo](#), June 17, 2016, p. 20

²⁰⁸⁶ Food Security and Nutrition Analysis Unit (FSNAU), [Preliminary findings from 2016 Gu season nutrition surveys among Internally Displaced Persons \(IDPs\) in Somalia](#), 5 July 2016, p. 3

partners are providing food, health, WASH [Water Sanitation Hygiene], NFIs [Non Food Items]/Shelter nutrition and protection support services”.²⁰⁸⁷

UNOCHA reported in December 2016 that:

Despite efforts from both humanitarian and development sectors in the last years, access to basic and lifesaving health care services remains a challenge that needs to be prioritized in Somalia. Immunization coverage is considerably low, and AWD [Acute Watery Diarrhoea] / cholera, measles, malaria, and other communicable diseases outbreaks are constantly reported in many areas including in IDP settlements across Somalia, especially among communities located in Gaalkacyo, Doolow, Baidoa, Bosasso, Kismayo and Mogadishu. The rapid movement of IDPs has overwhelmed health facilities, while the national supply chain has been severely disrupted and is unable to rapidly redirect support to the areas of need. Delivery of life-saving medicines and medical equipment has been irregular due to insecurity, road inaccessibility, electricity and fuel shortages, and rupture of the cold chain.²⁰⁸⁸

The Humanitarian Response Plan for 2017 published by the World Health Organization stated that:

Access to basic and lifesaving health care services remains a challenge that needs to be prioritized. Immunization coverage is considerably low and Acute Watery Diarrhoea/cholera, measles, malaria, and other communicable diseases outbreaks are constantly reported in many areas including in IDP settlements across Somalia. Acute Watery Diarrhoea outbreaks, for example, are now being reported in places that had not been considered earlier as hotspots. The rapid movement of IDPs has overwhelmed health facilities. Delivery of life-saving medicines and medical equipment has been irregular due to insecurity, road inaccessibility, electricity and fuel shortages and rupture of the cold chain. Overcrowding, lack of functioning referral systems, limited access to health services, unsafe water use and hygiene practice, and underlying malnutrition pose major challenges for the control and prevention of disease outbreaks.²⁰⁸⁹

A January 2017 American Refugee Committee International report provided an update on the situation of IDPs in **Kismayo** noting that “Disease outbreak is very likely to erupt due to congestion, lack of latrines and access to safe water. They are forced to buy water from the neighbors’ which is approximately 3,000 Somali Shillings”.²⁰⁹⁰

An April 2017 Reach report provided the following overview of health facilities for IDPs in **Baidoa**:

The facility mapping indicated the presence of 20 functioning health facilities in Baidoa Town including 7 primary health care units (PCU), 6 health centres, 3 pharmacies, 3 referral health centres and 1 hospital. Five of the assessed health centres and one hospital provide maternal health services. All households were within 5km of a functioning health facility and 47% of the households reported having accessed health services in the past month. Households in the assessed settlements reported a very low percentage (53%) of vaccinations among children aged 6 months to 15 years. Only 33% of the households with children aged 6 months to 15 years reported that the children had received BCG [Bacille Calmette Guérin] and Measles vaccinations, while 49% reported to have received Polio and DTP [Diphtheria, Pertussis, Tetanus] vaccinations. These proportions are far below the Sphere standards of 90% of children (6 months to 15 years) to have received vaccination. This could be problematic as unvaccinated children may be particularly vulnerable to diseases, and vaccines may contribute to prevent some, such as measles, polio, DPT and BCG.²⁰⁹¹

²⁰⁸⁷ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Consequences of Drought in Somalia 2016 - As of 17 November 2016](#), 17 November 2016, p. 5

²⁰⁸⁸ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 32

²⁰⁸⁹ World Health Organization (WHO), [Somalia Humanitarian Response Plan 2017](#), 2017

²⁰⁹⁰ American Refugee Committee International, [Update on the new IDPs in Kismayo](#), 18 January 2017, p. 2

²⁰⁹¹ Reach, [Baidoa IDP Settlement Assessment](#), April 2017, p.16-17

An April 2017 survey conducted by the Food Security and Nutrition Analysis Unit (FSNAU) found that “Morbidity among IDPs in **Baidoa and Mogadishu** also remain high. One out of four children in Baidoa and one out of three children in Mogadishu were ill in the two weeks prior to the April 2017 survey”.²⁰⁹²

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in its 2017 Humanitarian Response Revision Plan dating July 2017 on the measles vaccination campaign launched in South and Central Somalia that:

The Federal Ministry of Health, with support from humanitarian partners, launched a measles vaccination campaign in April targeting 110,000 displaced children under five across southern and central Somalia, as well as 250,000 children in Somaliland. In addition, two rounds of Oral Cholera Vaccination campaign have been conducted in Mogadishu, Kismayo and Belet Weyne between March and April, targeting 450,000 people. According to health partners, preliminary results indicate over 90 per cent coverage in areas where the campaigns took place. Measles and other viral respiratory infections, AWD [Acute Watery Diarrhoea] /cholera, malaria and water-borne diseases are likely to spread further with the Gu rains, particularly in new, congested settlements for Internally Displaced People (IDP) due to overcrowding, poor sanitation facilities and insufficient access to safe water.²⁰⁹³

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in July 2017 that “People displaced by drought remain acutely vulnerable to the spread of the AWD [Acute Watery Diarrhoea] /cholera and other communicable diseases, due to limited access to safe water, coupled with poor sanitation and hygiene conditions in the settlements. AWD/cholera alerts continued to be reported from Bakool, Galgaduud, Gedo, Middle Juba, and Togdheer regions. Health partners report that verification of the AWD/cholera alerts in inaccessible areas remains a challenge due to insecurity”.²⁰⁹⁴

In an August 2017 report Refugees International described the conditions in IDP camps in **Baidoa** stating that “Given the insufficient access to clean water and overcrowded and unsanitary conditions at IDP sites in Baidoa and elsewhere throughout the country, it is not surprising that there have been repeated outbreaks of acute watery diarrhea (AWD) and cholera among newly arrived IDPs and host communities alike”.²⁰⁹⁵

An August 2017 inter-agency assessment of the humanitarian situation in **Galgaduud** region, published by UN Office for the Coordination of Humanitarian Affairs stated that “80 per cent of the displaced people live in 56 new IDP settlements and practice open defecation due to the lack of proper sanitation facilities. 70 per cent of the new IDP settlements lack water facilities. This forces women to collect water from distant water points thus exposing them to protection risks”.²⁰⁹⁶

In a September 2017 article the UN Children’s Fund describes the health situation in **Bay** region during 2017 noting that “More than 180,000 internally displaced people (IDPs) have arrived in Baidoa in southern Somalia since seeking assistance after their crops failed and animals died, settling

²⁰⁹² Food Security and Nutrition Analysis Unit (FSNAU), [2017 Jilaal Impact Household Survey Results April 2017](#), 29 May 2017, p. 5

²⁰⁹³ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Humanitarian Response Plan Revision](#), 10 May 2017, p. 8

²⁰⁹⁴ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Drought Response - Situation Report No. 14](#), 05 July 2017, p. 2

²⁰⁹⁵ Refugees International (RI), [On the Edge of Disaster; Somalis forced to flee drought and near famine conditions](#), August 2017, p. 6

²⁰⁹⁶ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Galgaduud region, Somalia: Inter-agency assessment \(30 July – 5 August 2017\)](#), 28 August 2017, p. 3

in more than 230 informal settlements. Overcrowded camps and contaminated water sparked an outbreak of Acute Watery Diarrhoea (AWD)/cholera with nearly 15,000 cases reported in Bay this year – the vast majority (78 per cent) in Baidoa. Over a quarter were children under 5”.²⁰⁹⁷

A World Health Organization progress report dating October 2017 noted that “The [AWD/Cholera] Attack rate ranges from 0.8-19.9 people per 1000 population. Bay region is one of the regions with the highest attack rate due to the high number of refugees in IDP camps who came to Bay region during the period of severe drought. Access to safe water and proper sanitation by these IDPs was very limited leading to high number of new infections. Over the past two weeks however, the attack rate has been zero pointing to possible end of outbreak in all the regions”.²⁰⁹⁸

The same source further noted that “Measles is now the leading cause of morbidity and mortality amongst **Baidoa** IDPs with ongoing transmission of measles despite the mass vaccination campaign conducted in April 2017”.²⁰⁹⁹

15.4.1.1.1. Health care in Mogadishu

The findings from an assessment of informal settlements where Internally Displaced Persons (IDPs) reside in Mogadishu conducted by Reach between August and December 2015 noted with regards to Daynile and Kahda settlements that “Of particular concern is the vaccination coverage reported by households interviewed. Under 80% of individuals were reported to have received vaccinations for polio or measles, and under 70% reported receiving the DTP [Diphtheria, Pertussis, Tetanus] or BCG [Bacille Calmette Guerin] vaccinations. This drops even more considerably among children under 15 years – under 60% for all vaccinations, as shown in the Service Overview. While Somalia is currently considered polio free the possibility of carriers travelling to the country is a risk given the insurgency in areas of southcentral Somalia, including Mogadishu”.²¹⁰⁰

An April 2016 profiling of Mogadishu's internal displacement situation noted that “Among target groups, the IDP population presents the poorest health situation and also reports difficulties in accessing health services. 44% of all the target groups reported having one member sick in the last three months. That figure is highest for the IDP population at 44% followed by economic migrants at 34%. 90% of those with one member sick reported short-term illness as their main concern. 74% of those that had a member sick reported seeking medical assistance and among them are 73% IDPs, 80% economic migrants and 83% of the host community profiled”.²¹⁰¹

The same report noted with regards to health facilities available for IDPs that “Pharmacies were the most utilized health service by the total population, followed by clinics. The IDP population mostly used medical clinics (41%) followed by pharmacies (33%). The host community mostly used pharmacies (43%) followed by hospitals (29%). Results are similar for economic migrants, with pharmacies at 38% and hospitals at 32%. There are differences between districts. In Daynille, 44%

²⁰⁹⁷ UN Children’s Fund (UNICEF), [UNICEF and IOM combine forces to end cholera outbreak in key town in southern Somalia](#), 11 September 2017

²⁰⁹⁸ World Health Organization, [AWD/Cholera Week 39 Sitrep](#), 2 October 2017, p. 2

²⁰⁹⁹ World Health Organization, [Health Cluster Bulletin August 2017 \(Issued September 29\)](#), 10 October 2017, p. 3

²¹⁰⁰ Reach, [Daynile IDP Settlements Overview](#), January 2016, p. 2

²¹⁰¹ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p.

are using clinics, but only 30% in Kaxda and 27% in other districts. Pharmacies are used more extensively in central districts (43%) and Kaxda (41%), but less in Daynille (28%)".²¹⁰²

In July 2016 the Food Security and Nutrition Analysis Unit (FSNAU) noted in their findings from 2016 Gu season nutrition surveys among Internally Displaced Persons (IDPs) in Somalia that "It's also worth to note that IDP access to and coverage of vital public health programs such as routine immunization and Vitamin A supplementation were the lowest in Mogadishu, Dhobley, Baidoa in the South central zones and Dhusamareb in the North East zone. The measles coverage in Dhusamareb and Mogadishu was 20.0 percent and 27.8 percent respectively. Consequently, any measles outbreak where these IDP reside will further escalate the morbidity and mortality rate found from the current assessment. Interventions that helps to improve access and provision of health services are crucial in order to rehabilitate the acutely malnourished children and prevent further deterioration".²¹⁰³

In July 2016 the Food Security and Nutrition Analysis Unit (FSNAU) noted with regards to the situation of Mogadishu IDPs that:

The crude and under five death rates reported were 0.33 /10 000/day and 0.99 /10 000/day respectively in the Mogadishu IDPs, indicating acceptable according to WHO [World Health Organization] classification, and an improvement from the reported doubling Serious level of under-five death rates (1.50/10 000/day) in Deyr 2015 and (1.36) in Gu 2015. Main causes of under-five death reported was fever, Diarrhoea and acute respiratory infection (ARI). No major outbreaks of communicable disease were reported during this period but high morbidity rate of 44.6 percent as compared to last year Deyr 2015 of 29.7 percent. The current Mogadishu IDPs evictions, high morbidity, low immunization coverage (<40%), outbreak of unconfirmed Chikungunya (clinical signs like dengue fever), limited interventions in the Afgoye corridor and arrival of new IDPs are likely to aggravate the nutrition situation.²¹⁰⁴

UNOCHA noted in an August 2016 report that "The IDP population in Mogadishu presents the poorest health situation among the target groups. About 80 per cent of deliveries are attended at home. Diarrhoea cases are on the increase. Records from Banadir hospital show that 40 per cent of the diarrhea cases are from IDPs in the outskirts of Mogadishu. While the distance to water points in Mogadishu settlements are about 400 to 500 meters (four to seven minutes) away which meets the SPHERE standards for distance from any household to the nearest water point in emergencies, more than half of the IDPs do not treat drinking water. Majority use communal latrines that are not segregated by sex and are not lockable".²¹⁰⁵

In report published March 2017 the Regional Durable Solutions Secretariat (ReDSS) noted with regards to availability of health care services for IDPs in Benadir region that "Consulted stakeholders concurred that health care services are available to the whole population although the level of access varies among different populations groups, with IDPs and poor residents not able to access private health care providers".²¹⁰⁶

²¹⁰² UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 33

²¹⁰³ Food Security and Nutrition Analysis Unit (FSNAU), [Preliminary findings from 2016 Gu season nutrition surveys among Internally Displaced Persons \(IDPs\) in Somalia](#), 5 July 2016, p. 3

²¹⁰⁴ Food Security and Nutrition Analysis Unit (FSNAU), [Preliminary findings from 2016 Gu season nutrition surveys among Internally Displaced Persons \(IDPs\) in Somalia](#), 5 July 2016, p. 5

²¹⁰⁵ United Nations Office Coordination Humanitarian Affairs (UNOCHA), [\\$7 million reserve allocation strategy - support for IDPs in Mogadishu](#), August 2016, p. 2

²¹⁰⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 28

IRIN News reported in April 2017 on the cholera outbreak noting that “There are no health clinics or hospitals for 400,000 displaced people clumped in settlements along the two main arterial roads that feed into Mogadishu”.²¹⁰⁷

An April 2017 survey conducted by the Food Security and Nutrition Analysis Unit (FSNAU) found that “Morbidity among IDPs in Baidoa and Mogadishu also remain high. One out of four children in Baidoa and one out of three children in Mogadishu were ill in the two weeks prior to the April 2017 survey”.²¹⁰⁸

A May 2017 World Health Organization report provided an overview of the AWD [Acute Watery Diarrhoea] /Cholera outbreak in 2017 noting that “More AWD/Cholera cases were recorded among people living in internally IDP camps due to worsening drought in Baidoa, Banadir and other districts. Response preparations for another cholera outbreak along the main rivers are ongoing since the rainy season has begun and major floods are expected. Active transmission of AWD/cholera is ongoing in all districts in Banadir region, mostly in Wadajir district”.²¹⁰⁹

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in its 2017 Humanitarian Response Revision Plan dating July 2017 on the measles vaccination campaign launched in South and Central Somalia that:

The Federal Ministry of Health, with support from humanitarian partners, launched a measles vaccination campaign in April targeting 110,000 displaced children under five across southern and central Somalia [...] In addition, two rounds of Oral Cholera Vaccination campaign have been conducted in Mogadishu [...] According to health partners, preliminary results indicate over 90 per cent coverage in areas where the campaigns took place.²¹¹⁰

UN Children’s Fund reported in October 2017 that “99,649 severely malnourished children received therapeutic nutrition treatment in districts that host IDP sites. This figure represents 52 percent of SAM [Severe Acute Malnutrition] admissions countrywide with over half of them reported from Mogadishu, Kismayo and Baidoa”.²¹¹¹

15.4.1.2. Education

The UN Children's Fund annual report on education (covering 2016) reported on the impact of drought, displacement and insecurity on the access to education in Central South regions of Somalia:

The drought in the Central South regions is exacerbating the already poor conditions of the schools where an average of 90% of schools do not have access to safe drinking water and 61% of schools do not have functional latrines. An estimated 277,600 students are enrolled in schools in drought affected areas. In July 2016 major flooding hit Hiraan region and especially Beletweyne district. 36 schools and 13,279 children were affected. The schools were about to finish the 2015/16 academic year and a number of students had their final exams postponed. Armed conflict keep being a destabilizing factor in Somalia. In October alone 90,000 people were displaced due to armed conflict in Gaalkacyo. The conflict resulted in the closure of all schools affecting an estimated 20,000 students.

²¹⁰⁷ IRIN News, [Somalia’s impossible fight against cholera](#), 1 August 2017

²¹⁰⁸ Food Security and Nutrition Analysis Unit (FSNAU), [2017 Jilaal Impact Household Survey Results April 2017](#), 29 May 2017, p. 5

²¹⁰⁹ World Health Organization (WHO), [Situation report for Acute Watery Diarrhoea/Cholera](#), 28 May 2017, p. 2

²¹¹⁰ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [2017 Humanitarian Response Plan Revision](#), p. 8

²¹¹¹ UN Children’s Fund (UNICEF), [Somalia Humanitarian Situation Report 15-30 September 2017](#), 1 October 2017, p. 1

During the same month, the withdrawal of the Ethiopian National Defence Forces and the subsequent takeover by Al Shabaab led to further displacements in Hiraan, Bakool and Galgaduud affecting at least 3,3000 students and resulting in at least 10 schools closing. Also in October alone additional 18,800 people (more than 30,000 since the beginning of the year) were displaced in Lower Shabelle due to conflict between armed groups. This displacement also affected the education system with the closure of 8 schools directly impacting 3,800 children.²¹¹²

The same report stated in a 2016 report that “More children of primary age attend traditional Quranic schools than public schools, especially in the southern and central regions. However, the limited scope of traditional Quranic schools (almost exclusively the Quran and Islamic studies) are no substitute for formal education and only 10 per cent of the students who attend these schools are literate”.²¹¹³

According to a June 2016 study by the **Jubaland** government’s refugee and IDP agency “46% of the respondents indicated that they had received Quranic education, 7% indicated that they had completed primary school (basic) education, 22% indicated that they did not complete primary educations while 25% of the respondents indicated that they had not received any form of education”.²¹¹⁴

The same source further noted with regards to literacy level among IDPs in **Kismayo** that “The findings further indicate that the level of illiteracy in the camps is very high standing at 47% as reported by the respondents where (22% did not basic education and 25% who did not attend to any form of education). Such high illiteracy levels may be a hindrance in sensitizing the internally displaced persons to go back to their original homes”.²¹¹⁵

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in November 2016 regarding the situation in **Gaalkacyo** that “All schools in the town have remained closed for more than a month affecting over 20,000 learners”.²¹¹⁶

A Reach assessment of **Kismayo East/West and Dalxiska IDP settlements** dating December 2016 reported that “The facility assessment of the schools in both areas reported relatively high student enrolment rates. However, when households were asked how many school aged children attend education, only 9% of the children in Kismayo East/West and 14% in Dalxiska were enrolled in school. The discrepancy can be explained by the fact that children from surrounding areas have access to the education facilities. The household assessment also revealed that the main reason for the low school attendance was the inability to pay for school fees”.²¹¹⁷

The UN Children’s Fund reported in 2017 on the state response to education challenges for IDPs in Somalia that:

The limited outreach and inadequate capacity of MoE [Ministry of Education] pose a huge challenge to education in Somalia. Humanitarian actors continue to be a significant provider of education services without proper possibilities of linking with and handing over to the MOE. The humanitarian

²¹¹² UN Children's Fund (UNICEF), Education Cluster, [Somalia Education Cluster Annual Report 2016 \(January 2017\)](#), 6 April 2017, p. 3-4

²¹¹³ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 7

²¹¹⁴ Jubba Land Refugee and Internally Displaced Person’s Agency (JRIA), [A report on the profiles of Internally Displaced Persons living in camps of Kismayo](#), June 17, 2016, p. 18 and 19

²¹¹⁵ Jubba Land Refugee and Internally Displaced Person’s Agency (JRIA), [A report on the profiles of Internally Displaced Persons living in camps of Kismayo](#), June 17, 2016, p. 18 and 19

²¹¹⁶ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Consequences of Drought in Somalia 2016 - As of 17 November 2016](#), 17 November 2016, p. 5

²¹¹⁷ Reach, [Kismayo IDP Settlement Assessment](#), December 2016, p. 11 and 12

funding structure is not designed to fill this kind of long term gap in the social services. As a consequence Education Cluster partners reported in May 2016, that an estimated 28,000 children in IDP settlements had dropped out of learning centres due to lack of continued financial support to operate the schools including specifically the emergency teacher incentives. In total 142 learning centres shut down and 61 others were on the brink of closure with limited possibilities of maintaining operation in the 2016-17 academic year. The majority of the affected schools were in Banadir, Lower Shabelle, Middle Shabelle, Bay and Galgaduud regions.²¹¹⁸

An April 2017 Reach report noted on the access to education of IDPs in **Baidoa** that “A total of 14,950 children are reportedly enrolled in the assessed facilities, with 52% being male students. Only 8% of the children in the IDP households attend school, which corresponds to 1% of the total number of students reported by the school representative during the facility mapping. The household assessment also revealed that the main reason for the low school attendance was the inability to pay for school fees, as mentioned by 88% of households that reported having children who have never attended school. Besides lack of financial resources, the low attendance of children in IDP settlements can be a result of limited capacities of the existing schools as well as recent displacements”.²¹¹⁹

An August 2017 inter-agency assessment of the humanitarian situation in **Galgaduud** region, published by UN Office for the Coordination of Humanitarian Affairs noted that “Over 30,000 drought displaced children aged between 6 to 14 years in the assessed areas and IDP settlements lack schooling support”.²¹²⁰

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) similarly reported in September 2017 that “In **Galgaduud**, an estimated 30,000 drought displaced-children aged 6-14 years in assessed and IDP areas lack access to learning”.²¹²¹

The World Health Organization noted in an October 2017 report that “Vulnerable groups like IDPs face more difficulties in accessing education. There are often no schools in, or nearby, the settlements, and displaced families can rarely afford to pay for the education of their children. An IDP interviewed in Kismayo reported, for instance, that her husband makes between USD 4 and USD 6 a day for a family of five children, when school costs USD 15 a month”.²¹²²

15.4.1.2.1. Education in Mogadishu

An April 2016 profiling of Mogadishu's internal displacement situation noted that “Access to education facilities varies considerably between Daynille, Kaxda and the rest of the districts. While only 35% and 39% of the profiled population were able to attend school in Daynille and Kaxda, the level of access stands at 45% for other districts. Access to education and school in the districts that are more central is therefore better than in the outskirts/newer districts. Family reasons and inability to afford schooling are the two most frequently given reasons for not attending schools. The third reason frequently given is the lack of education facilities nearby, which interestingly did not

²¹¹⁸ UN Children's Fund, Education Cluster, [Somalia Education Cluster Annual Report 2016 \(January 2017\)](#), 6 April 2017, p. 3

²¹¹⁹ Reach, [Baidoa IDP Settlement Assessment](#), April 2017, p.17

²¹²⁰ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Galgaduud region, Somalia: Inter-agency assessment \(30 July – 5 August 2017\)](#), 28 August 2017, p. 3

²¹²¹ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Dashboard - August 2017](#), 18 September 2017, p. 2

²¹²² International Organization for Migration (IOM), [Youth, Employment and Migration in Mogadishu, Kismayo and Baidoa](#), February 2016, p. 28

vary significantly between the different districts. The fourth most reported reason for not attending school is labour".²¹²³ The same source further noted that "Though the education situation for those profiled portrays a dire situation overall, the IDP population is particularly disadvantaged. In addition, the level of access to education for women and girls is consistently worse than for their male counterparts across all target groups".²¹²⁴

Regarding the literacy rate for IDPs the Internal Displacement Profiling in Mogadishu report stated that "69% of the profiled population aged 15 years and above can neither read nor write. Only 25% is fully literate (can read and write) while 6% can only read. There are significant differences between target groups, with 72% of adult IDPs being illiterate compared to 50% of host community members and 57% of economic migrants. For all target groups, there are also significant gender differences, with consistently higher illiteracy rates for women and girls".²¹²⁵

The same report also described the figures on school attendance for IDPs as follows:

Findings indicate that only 29% of the population 5 years of age and above has ever attended school. This is higher for males at 37% compared to females at 22%. The IDP population has a particularly low rate of 28%, especially in comparison with economic migrants and host communities, with 41% and 42%, respectively. The gender differences are evident for all target groups. Among those who ever went to school, 56% attended Quranic school/Madrassa and 34% attended primary school. There is a drastic decrease in students who attended high school/secondary school (9%) or onward higher education (2%). IDPs who attended school are more likely than other groups to attend Quranic school (58% of IDPs who went to school and 48% and 46% for economic migrants and host communities, respectively).²¹²⁶

UNOCHA noted in an August 2016 report that "The education situation is also alarming. Only 15 per cent of children in settlements along the Afgooye corridor are accessing education. Six learning centers with 3,240 learners and 60 teachers are on the brink of closure in the new academic year. In addition to this, 23 schools in the Afgooye Corridor have already closed hence affecting 5,163 learners."²¹²⁷

The UN Children's Fund reported in 2017 on the state response to education challenges in Somalia that:

The limited outreach and inadequate capacity of MoE [Ministry of Education] pose a huge challenge to education in Somalia. Humanitarian actors continue to be a significant provider of education services without proper possibilities of linking with and handing over to the MOE. The humanitarian funding structure is not designed to fill this kind of long term gap in the social services. As a consequence Education Cluster partners reported in May 2016, that an estimated 28,000 children in IDP settlements had dropped out of learning centres due to lack of continued financial support to operate the schools including specifically the emergency teacher incentives. In total 142 learning centres shut down and 61 others were on the brink of closure with limited possibilities of maintaining

²¹²³ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 31

²¹²⁴ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 29

²¹²⁵ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 29

²¹²⁶ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 30

²¹²⁷ United Nations Office Coordination Humanitarian Affairs (UNOCHA), [\\$7 million reserve allocation strategy - support for IDPs in Mogadishu](#), August 2016, p. 2

operation in the 2016-17 academic year. The majority of the affected schools were in Banadir, Lower Shabelle, Middle Shabelle, Bay and Galgaduud regions.²¹²⁸

In a report published in March 2017 by the Regional Durable Solutions Secretariat (ReDSS) situation of education enrolment of IDPs and returnees was described as follows:

According to a protection assessment by DRC [Danish Refugee Council] in Mogadishu, Kismayo and Dhobley, “69% of the returnees and IDPs have one or more members enrolled in either religious or secular education while 31% do not have any children in any form of school” (DRC 2016). However, it appears from the assessment survey that IDPs, as well as interviewed returnees, have a lower enrolment rate than the host community. The assessment finds out that “the number of school-going children to religious institutions is higher than those going to formal schools across the three locations” (ibid.) “Majority of the school-going children (47%) are enrolled in madrasas, [...] 37% are enrolled in primary schools, and 11% and 10% in local and religious community school (duksi) and secondary schools respectively” (ibid.).²¹²⁹

The same source further noted that “Stakeholders consulted in Mogadishu acknowledged that there are a variety of schools in Mogadishu, but pointed out that IDPs and vulnerable or poor returnees have less access to education than resident population due to their more limited capacity to access formal education provided by private schools”.²¹³⁰

15.4.1.3. Livelihoods

The National Development Plan for 2017-2019 for Somalia, published in December 2016 noted that “The 2016 High Frequency Survey indicates that around 52% of the population lives in poverty. The poverty situation is even worse in the IDP camps where 71% is estimated to live in poverty, followed by Mogadishu area with 57%”.²¹³¹

The September 2016 report of the UN Secretary-General on Somalia stated that “Poverty is more pronounced in camps for internally displaced persons, estimated at 88 per cent, followed by rural areas, at 75 per cent, and urban areas, at 67 per cent”.²¹³²

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in their humanitarian response plan dating December 2016 that “Malnutrition levels among internally displaced persons (IDPs), mainly in Baidoa, Bossaso, Doolow, Garowe and Gaalkacyo, persist at ‘critical’ levels over the past two years, while others are fluctuating between ‘serious’ and ‘critical’ levels, namely: Dhobley, Dhusamareeb, Kismayo, and Mogadishu”.²¹³³

A Reach assessment of Kismayo Est/West and Dalxiska IDP settlements dating December 2016 noted with regards to the food and livelihood situation that:

²¹²⁸ UN Children's Fund (UNICEF), [Somalia Education Cluster Annual Report 2016 \(January 2017\)](#), 6 April 2017, p. 3

²¹²⁹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 29

²¹³⁰ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 29

²¹³¹ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 32

²¹³² UN Security Council, [Report of the Secretary-General on Somalia](#), 6 September 2016, paragraph 39

²¹³³ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 7

Comparing the two assessment areas, the average food consumption score in Dalxiska is considerably more severe than in Kismayo East/West. 66% of the assessed households in Dalxiska reported a poor food consumption score. In Kismayo East/West only 23% of the households were reported to have a poor FSC [Food Consumption Score]. In Kismayo East/West, the average food spending per week amounted to 253,000 SoS (11 USD), compared to 207,000 (9 USD) in Dalxiska. Only 8% and 7% of the households in Kismayo East/West and Dalxiska respectively reported an increase in the amount spent on food over the month prior to the assessment.

Over the past year, 92% of the households were relying on day labour as their primary support source and while humanitarian assistance played a secondary role for household sustenance (42%).²¹³⁴

The Food Security and Nutrition Analysis Unit (FSNAU) described in February 2017 the livelihood opportunities for IDPs in Somalia as follows:

With few assets and limited livelihood opportunities, Internally Displaced Persons (IDPs) across Somalia remain vulnerable to shocks and they have also been impacted by the drought, as food prices rise and competition for wage labor employment increases in urban areas where IDPs live. Influx of newly displaced people from rural parts of Bakool and Bay Regions towards Dollow, Lower Shabelle and Mogadishu has been observed. This is partly reflected in the proportion of IDPs who arrived within the last quarter of 2016 (11% new arrivals in Kismayo, 11% in Baidoa, 12% in Dhobley and 19% in Mogadishu). High levels of acute malnutrition persist in most IDP settlements across Somalia. Therefore, Baidoa IDPs and Mogadishu IDPs have been classified as Emergency (IPC Phase 4) with the remaining 11 IDP settlements classified as Crisis (IPC Phase 3) between now and June 2017.²¹³⁵

The same report further noted that “The following population groups have Critical rates of acute malnutrition (Global Acute Malnutrition-GAM prevalence of 15 % or higher) and are considered hotspots in need of urgent nutrition and health support interventions: Northern Inland Pastoral, Hawd Pastoral of Northeast, Addun Pastoral, Coastal Deeh Pastoral, Bay Agropastoral, Bakool Pastoral, North Gedo pastoral, and North Gedo Riverine, Qardho IDPs, Bosasso IDPs, Garowe IDPs, Dhusamareb IDPs and Mogadishu IDPs”.²¹³⁶

In a report published in March 2017 the Regional Durable Solutions Secretariat (ReDSS) assessed the availability of employment opportunities for IDPs and returnees in **Bay** region as follows: “Consulted stakeholders pointed out that IDPs have less access to sustainable employment conditions compared to local residents, as IDPs are generally less educated than local residents. However, the same cannot be said for returnees, who may have a comparable level of education of local residents (if not higher, in some cases). More research on this will be needed. (Ideally, future research should include IDP returnees, a sub-group of returnees whose situation is not properly studied.)”.²¹³⁷

An assessment of **Baidoa** IDP settlements conducted by Reach in April 2017 described the livelihood situation of IDPs:

Among the assessed households, the average food spending per week amounted to 6 USD, which is quite low compared to the Food Minimum Expenditure Basket (MEB) for Bay region in April, which was 73 USD. In addition, 42% of the households reported a decrease in the amount spent on food, which implies that the majority of households in the assessed settlements has limited financial resources to spend on food. This decrease could also be a result of increasing food market prices. Over the past year, 39% of the households were reportedly relying on daily labour as their primary

²¹³⁴ Reach, [Kismayo IDP Settlement Assessment](#), December 2016, p. 11 and 12

²¹³⁵ Food Security and Nutrition Analysis Unit (FSNAU), [FSNAU-FEWSNET Technical Release - Nearly, February 2017](#), 2 February 2017

²¹³⁶ Food Security and Nutrition Analysis Unit (FSNAU), [FSNAU-FEWSNET Technical Release - Nearly, February 2017](#), 2 February 2017

²¹³⁷ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 32

livelihood source, while 20% and 13% of the households indicated relying on subsistence farming and cash crop farming respectively. Pastoralism (livestock production) was reported by 5% of households. The low percentage of pastoralists in the displaced communities may be due to poor livelihood zoning, as well as people not owning the livestock they care for as part of their daily labour.²¹³⁸

Refugees International (RI) reported in August 2017 that “According to the results of a recent nutrition survey, high levels of food insecurity persist in many IDP settlements with a majority of sites surveyed showing Global Acute Malnutrition (GAM) rates above the emergency threshold (15 percent). In Baidoa, for example, a recent survey indicates that malnutrition rates among IDPs have doubled, while severe malnutrition rates have tripled”.²¹³⁹

An August 2017 inter-agency assessment of the humanitarian situation in **Galgaduud** region, published by UN Office for the Coordination of Humanitarian Affairs stated that “Despite assistance from local communities, business sector, diaspora and humanitarians, it was observed that food insecurity is common among IDPs and most of them survive on one meal a day”.²¹⁴⁰

The Food Security and Nutrition Assessment Unit (FSNAU) stated in a September 2017 report that “With very few livelihood assets, limited livelihood opportunities and poor living conditions, IDPs across Somalia remain extremely vulnerable. A majority of them are acutely food insecure. In some IDP settlements such as Baidoa and Mogadishu, where there has been a recent and large-scale influx (new arrivals), food security and nutrition outcomes have continued to deteriorate. IDPs in the main settlements have also been affected by rising food prices and cost of living in urban areas”.²¹⁴¹

15.4.1.3.1. Livelihoods in Mogadishu

Landinfo, the Norwegian Country of Origin Information Centre, described the cost of living in Mogadishu in an April 2016 report as follows:

The cost of living in Mogadishu, as in all other big cities, varies depending on where one lives, material standard of living, and where purchases are made. Another question to ask is how much a person needs to survive in Mogadishu, or what is needed to live a decent or good enough life in Mogadishu? There are no studies that provide a clear and unambiguous answer to the above questions. However, the questions were asked during Landinfo’s visit to Mogadishu in January 2016: The IOM [International Organization for Migration] representative believed that USD 400 a month would be sufficient to maintain a family of four in terms of food and rent, but not enough to also cover children’s school fees or any expenses for healthcare. The source was also of the opinion that 20 % of Mogadishu’s population live a good life, 40 % are doing tolerably well and 40 % are poor. He believed that a family of four with USD 400 available belongs to the category that is doing tolerably well.²¹⁴²

An April 2016 profiling of Mogadishu's internal displacement situation noted that “The comparative analysis between different target groups carried out according to the durable solutions criteria outlined in the IASC Framework on Durable Solutions for IDPs informs that the IDP population is consistently more vulnerable, experiencing a lower standard of living than the host communities and

²¹³⁸ Reach, *Baidoa IDP Settlement Assessment*, April 2017, p. 13

²¹³⁹ Refugees International (RI), *On the Edge of Disaster; Somalis forced to flee drought and near famine conditions*, August 2017, p. 5

²¹⁴⁰ UN Office for the Coordination of Humanitarian Affairs (UNOCHA), *Galgaduud region, Somalia: Inter-agency assessment (30 July – 5 August 2017)*, 28 August 2017, p. 2

²¹⁴¹ Food Security and Nutrition Assessment Unit (FSNAU), *Release of the Quarterly Food Security and Nutrition Special Brief - September 2017*, 28 September 2017, p. 10

²¹⁴² Norway: Landinfo – Country of Origin Centre, *Somalia: Relevant social and economic conditions upon return to Mogadishu*, 1 April 2016, p. 14

economic migrant populations living in the same informal settlements. The other population groups also experience inadequate living standards, however, as all populations face urban poverty in unplanned, informal settlements with limited protection and services”.²¹⁴³

The same report noted on access to employment for IDPs that “34% of the population aged 15 to 75 reported to have worked at least one hour in the previous 7 days. Of the rest of the population in this age group, 13% of those who did not work in the previous 7 days spent time looking for a job. The unemployment rate is calculated at 20% overall. The unemployment rate varies slightly by target group: 14% for economic migrants, 18% for host communities and 20% for IDPs. This rate is also higher for women, with an unemployment rate at 20% compared to men at 16%. Considering that female-headed households represent 17% of the surveyed population, strong consideration needs to be given to livelihood programming targeted towards women”.²¹⁴⁴

The report further described the main types of employment for IDPs: “Though the unemployment rate appears fairly low, the type of contract, if any, and the stability of the employment are precarious: the majority of the employed are working as daily workers (45%) or independent workers²⁴ (26%). IDPs are more frequently working as daily workers (47%) than economic migrants and host communities (36% and 30% respectively)”.²¹⁴⁵

In a November 2016 report Landinfo, the Norwegian Country of Origin Information Centre noted on the importance of remittances received from abroad to the livelihood of Somalis in Mogadishu, including IDPs:

For many households in Somalia money transfers from relatives abroad (remittances) are important for being able to manage financially. Several studies indicate that people who live in the settlements receive fewer money transfers than people who live outside the settlements. A study conducted by the organisation Food Security and Nutrition Analysis Unit, showed that only 5% of the households in the settlements for internally displaced people in Mogadishu received money transfers from abroad in the time period from January to June 2015, and that on average they received approximately 14 US dollars per month (FSNAU 2015, p. 5-6). Another study by the organisation Building Resilient Communities in Somalia found that a somewhat lower proportion, approximately 2%, of households among vulnerable groups including internally displaced people in Mogadishu, received money transfers from relatives abroad (BRCIS 2015, p. 57).²¹⁴⁶

According to the results of a high frequency survey conducted by the World Bank in 2016 in Somalia “More than 16 percent of inactive women and 30 percent of inactive women living in Mogadishu report ‘not being allowed by the husband’ as the main reason for inactivity”.²¹⁴⁷ The same report further noted that “Almost 3 in 4 people live in poverty in IDP camps, with an average poverty gap of 36 percent. Poverty in North West and Mogadishu is about twice as high and twice as deep as poverty in North East”.²¹⁴⁸

²¹⁴³ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 4

²¹⁴⁴ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 39 and 40

²¹⁴⁵ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 40

²¹⁴⁶ Norway: Landinfo – Country of Origin Centre, [Somalia: The settlements in Mogadishu](#), 11 November 2016, p. 3-4

²¹⁴⁷ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 38

²¹⁴⁸ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 26

A March 2017 Regional Durable Solutions Secretariat (ReDSS) stated on the challenges encountered by IDPs and returnees in Banadir in accessing employment: “Consulted stakeholders pointed out that IDPs and refugee returnees face several obstacles. Stakeholders reported that IDPs and returnees find it difficult to obtain references for prospective employers. Perceived corruption of government officials and the existence of gatekeepers appear to exacerbate the problem”.²¹⁴⁹

On the availability of employment opportunities the same report noted:

Consulted stakeholders pointed out that IDPs, and possibly refugee returnees, have considerably less employment opportunities than resident population. However, disaggregated data for IDPs and refugee returnees is not available. It can be assumed that those returnees who are not able to return to their areas of origin are likely to face similar challenges as IDPs, but it is not possible to reach any firm conclusion about their unemployment level. Moreover, due to lack of disaggregated data it is not possible to make a proper comparison between IDPs and poor residents. While it is broadly acknowledged that IDPs are amongst the poorest in Somalia, it is not clear whether IDPs are much poorer and affected by higher unemployment rates than the urban poor.²¹⁵⁰

The Regional Durable Solutions Secretariat further assessed the employment conditions for IDPs and returnees in Banadir region noting that “Consulted stakeholders pointed out that IDPs have less access to sustainable employment conditions compared to local residents, as IDPs are generally less educated than local residents. The same cannot be said for returnees, who may have a comparable level of education of local residents (if not higher, in some cases). More research on the status of returnees will be needed. (Ideally, future research that goes beyond Mogadishu should include IDP returnees, a sub-group of returnees whose situation is not properly studied.)”.²¹⁵¹

In an April 2017 report Human Rights Watch described the impact of limited livelihood opportunities on women living in Badbaado camp, Mogadishu stating that „Limited job opportunities put displaced women and girls at particular risk of sexual violence and exploitation – including the longer and often hazardous journeys they have to take to find firewood or water, secure day labor, or beg”.²¹⁵²

In May 2017 the International Crisis Group reported on the situation of IDPs in Banadir region stating that “Most IDPs, both new and older, live in makeshift camps in major cities and towns. With few if any employment opportunities, they typically survive on remittances from relatives abroad and international assistance”.²¹⁵³

Refugees International (RI) reported in August 2017 that “As RI previously reported, most IDP sites, particularly in Mogadishu (and ones that are both new and old), are controlled by gatekeepers – individuals or groups of individuals connected to landowners, government officials, and/or militia leaders who manage access to IDP sites and demand as “rent” a portion of aid that IDPs receive. As analyses from Human Rights Watch and Tufts University explain, an added dimension is that gatekeepers are often connected to a region’s most dominant clan and have served to exploit displaced people from less dominant groups”.²¹⁵⁴

²¹⁴⁹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Banadir region](#), March 2017, p. 31

²¹⁵⁰ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Banadir region](#), March 2017, p. 31

²¹⁵¹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Banadir region](#), March 2017, p. 32

²¹⁵² Human Rights Watch (HRW), [In Crisis-Stricken Somalia, No Safe Haven](#), 18 April 2017

²¹⁵³ International Crisis Group, [Instruments of Pain \(III\): Conflict and Famine in Somalia](#), 9 May 2017, p. 6

²¹⁵⁴ Refugees International (RI), [On the Edge of Disaster; Somalis forced to flee drought and near famine conditions](#), August 2017, p. 8 and 9

15.4.1.4. Female headed households

According to UNICEF's 2016 Situation Analysis on Children in Somalia "Studies suggest that children of IDPs and minorities are the most vulnerable to violations of child rights. Nearly two thirds of IDP households in Mogadishu are headed by females. IDP female-headed households take in a disproportionate number of unaccompanied children, despite the attendant risk of neglected childcare when the head of household is out of the home working. IDP households depend primarily on irregular and unprotected casual work, humanitarian assistance, petty trading and charitable gifts (zakat)".²¹⁵⁵ Furthermore:

Many households are now female-headed, due to a combination of factors – including but not limited to high levels of divorce, polygamy, male death rates and the practice of 'parking' families in one area while the male head of household works. The increased prevalence of female-headed households has a mixed impact on resilience and child well-being. On the one hand, it places considerable strain on the female head of household, and increases the likelihood that female children will be held out of school to help with household duties. There are also concerns that the absence of fathers could increase the risk of behavioural problems among young men. On the other hand, studies have found that greater empowerment of women is a critical factor in household resilience.²¹⁵⁶

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in their humanitarian response plan dating December 2016 that "Female-headed households within internally displaced communities are particularly vulnerable and often have limited access to justice, services and assistance, including medical care and psycho-social support".²¹⁵⁷

The National Development Plan 2017-2019 published in December 2016 stated that "Men are absent from the home in large numbers. Fighters in armed conflict, and consequentially casualties, tend to be men. Men tend to migrate overseas more often. The proportion of female headed households therefor is high, being around 48%. While female headed households often have a higher incidence of poverty globally, in Somalia this is not the case, with female headed households fairly evenly distributed over the different income quintiles, demonstrating a high level of female resilience to responsibility and hardship".²¹⁵⁸

A Norwegian Refugee Council 2016 report with fieldwork conducted in South Central Somalia, Somaliland and Puntland noted with regards to the access to shelter for female headed households that "As a general rule, respondents in all three regions did not report widespread discrimination against women headed households: the determining factor was money. If you could pay rent, you could find a house; if you could not pay, you would not find a house. The prevalence of renters in formal IDP settlements is noteworthy, as it indicates the establishment of a thriving real estate market that has been in part facilitated by the provision of shelters by the humanitarian community".²¹⁵⁹

The same report noted on the threat of forced evictions that "Women headed households are at greater risk of this threat, as they are often viewed as easier targets than households where adult

²¹⁵⁵ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Internally Displaced Persons (IDPs) and Minorities* p.17

²¹⁵⁶ UNICEF, [Situation Analysis of Children in Somalia 2016](#), 2016, *Internally Displaced Persons (IDPs) and Minorities* p.18

²¹⁵⁷ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 8

²¹⁵⁸ Federal Government of Somalia (FGS), [National Development Plan 2017-2019](#), December 2016, p. 39

²¹⁵⁹ Norwegian Refugee Council (NRC), [Housing, Land and Property rights for Somalia's urban displaced women](#), 15 February 2016, p. 43

men are present. While humanitarian actors acknowledge this problem, they add that it is difficult to address, as IDPs are often unwilling to bring this complaint to agencies. Sadly, unless IDPs believe that legal infrastructure is available to guarantee and enforce their rights, most will try to find a way to make the payment, rather than risk being evicted. However, IDPs who know their rights and are willing to speak out can protect themselves”.²¹⁶⁰

Also see [9.1. Sexual and Gender-Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#).

15.4.1.4.1. Female headed households in Mogadishu

An October 2015 report published by CISP / International Alert described the situation of female-headed households in three Mogadishu districts: Bondhere, Karaan and Yaqshid districts, stating that “The proportion of female-headed households is quite high in the three districts, due to the loss of men in war and the erosion of family structures during the conflict. The lack of clan protection and the discriminatory nature of the clan system have put these women and minority IDP women and girls at risk of SGBV [Sexual and Gender Based Violence]”.²¹⁶¹ The same source further noted that “The vast majority of women breadwinners or heads of household continue to live in poverty, with little access to decision-making and political power, or to capital, credit, land and property ownership. They are confined to the informal sector where their average daily earnings do not exceed US\$3 per day. This precarious situation has further increased women’s vulnerability to SGBV [Sexual and Gender Based Violence]”.²¹⁶²

The UN Children's Fund (UNICEF) stated in a 2016 report that “Nearly two thirds of IDP households in Mogadishu are headed by females. IDP female-headed households take in a disproportionate number of unaccompanied children, despite the attendant risk of neglected childcare when the head of household is out of the home working. IDP households depend primarily on irregular and unprotected casual work, humanitarian assistance, petty trading and charitable gifts (zakat)”.²¹⁶³ The same report further noted that “Many households are now female-headed, due to a combination of factors – including but not limited to high levels of divorce, polygamy, male death rates and the practice of ‘parking’ families in one area while the male head of household works. The increased prevalence of female-headed households has a mixed impact on resilience and child well-being. On the one hand, it places considerable strain on the female head of household, and increases the likelihood that female children will be held out of school to help with household duties. There are also concerns that the absence of fathers could increase the risk of behavioural problems among young men. On the other hand, studies have found that greater empowerment of women is a critical factor in household resilience”.²¹⁶⁴

The same source further stated that “Girls from female-headed IDP households are particularly prone to rape and sexual assault. Incidents of sexual violence are reported to have increased in recent years in areas of the country affected by drought and conflict. Besides the physical damage sustained in attacks, survivors of rape suffer profound psychosocial impacts”.²¹⁶⁵

²¹⁶⁰ Norwegian Refugee Council (NRC), [Housing, Land and Property rights for Somalia’s urban displaced women](#), 15 February 2016, p. 47

²¹⁶¹ CISP / International Alert, [The Complexity of Sexual and Gender-Based Violence. Insights from Mogadishu and South Central Somalia](#), October 2015, p. 16

²¹⁶² CISP / International Alert, [The Complexity of Sexual and Gender-Based Violence. Insights from Mogadishu and South Central Somalia](#), October 2015, p. 19

²¹⁶³ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 17

²¹⁶⁴ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 18

²¹⁶⁵ UN Children's Fund (UNICEF), [Situation Analysis of Children in Somalia](#), 2016, p. 81

An April 2016 profiling of Mogadishu's internal displacement situation noted that “82% of employed females and 72% of employed males earned a weekly income of 14 USD or below on average. Single female-headed household fare worse than other types of households (nuclear family, male headed-household, etc.)”.²¹⁶⁶

According to the results of a high frequency survey conducted by the World Bank in 2016 in Somalia “School enrollment in household headed by a woman is much lower than among male-headed households in Mogadishu and in IDP Settlements, where poverty is more severe”.²¹⁶⁷

A March 2017 Danish Refugee Council report stated that “The situation is particularly dire for single women without a clan network and women who are internally displaced. The existence of a clan network can offer an individual including a single woman, a level of protection. However, due to both the current security and humanitarian situation it is becoming more difficult for the clans to protect their members. Persons belonging to minority clans can be subjected to forced labour, forced recruitment, child rights violations, and evictions, including in Mogadishu”.²¹⁶⁸ The same report further noted that “The high level of violence is especially difficult for persons from minority clans and IDP’s as they are regarded extremely vulnerable due to the lack of effective clan protection. According to an anonymous source, single women without a network in Mogadishu are particularly exposed”.²¹⁶⁹

Also see section [9.2. SGBV in Mogadishu](#).

16. Returnees (including refugees and returning IDPs) in South and Central Somalia incl. Mogadishu

For information on the situation of IDPs see 15. IDPs. For an overview of the humanitarian and socio-economic situation see the whole of section 1.6. *Overview of the humanitarian and socio-economics situation in South and Central Somalia incl. Mogadishu*.

Also see [1.7. Impact of the return of Somalis from the diaspora to South and Central Somalia \(excl. Mogadishu\)](#) and [1.7.1. Impact of the return of Somalis from the diaspora to Mogadishu \(particularly from Kenya\)](#).

Doctors Without Borders conducted a survey in Dadaab’s Dagahaley camp in July and August 2016 to better understand the concerns of refugees regarding the announcement by the Kenyan government in May 2016 to close all Dadaab camps and return its inhabitants back to Somalia. The findings can be found [here](#)²¹⁷⁰. In February 2017 Kenya’s High Court declared the closure of the Dadaab refugee camps illegal by the Kenyan government and reinstated Kenya’s Department of Refugee Affairs.²¹⁷¹

²¹⁶⁶ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 41

²¹⁶⁷ World Bank, [Somali poverty profile 2016: findings from wave 1 of the Somali high frequency survey](#), 27 June 2017, p. 35

²¹⁶⁸ Danish Refugee Council (DRC), [South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups](#), March 2017, 1/2017, p. 54

²¹⁶⁹ Danish Refugee Council, [South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups](#), March 2017, 1/2017, p. 12

²¹⁷⁰ See Doctors Without Borders, [Dadaab to Somalia: Pushed Back Into Peril](#), October 2016

²¹⁷¹ Doctors without Borders, [MSF Welcomes Kenyan High Court Ruling Against Closure of Dadaab Refugee Camps](#), 9 February 2017

The UN Office for the Coordination of Humanitarian Affairs reported in September 2016 that “Some 11,505 people have returned to Gedo, Middle Juba and Lower Juba regions while another 4,382 have returned to Bay, Bakool and Lower Shabelle regions. More than 2,000 returned to Mogadishu. Other regions have also recorded small numbers of returns. Resources are needed for return assistance as well as reintegration interventions in the 12 identified areas of return”.²¹⁷²

The International Organization for Migration (IOM) noted in an October 2016 report that “In addition to internal migration and returns, IOM found that almost 25,000 individuals had returned from overseas. The vast majority being refugee returnees from Dadaab refugee camp. An interesting trend to note is that prior to 2016, most refugees were returning to Doolow, and previous to that most returned to Kismayo. Knowledge of context indicates that the 2016 arrivals are returning from Daadab Refugee camp in Kenya, whereas previous returns came from Ethiopian camps”.²¹⁷³

Amnesty International reported in November 2016 on the availability of support for returnees that:

Even if refugees voluntarily return to Somalia the support provided is limited. The authorities in Somalia and aid organizations have had insufficient time to prepare for any increased returns. The international humanitarian response in Somalia is limited with the UN humanitarian appeal 34% funded as of August 2016.⁹³ At a pledging conference in Brussels in September 2015, US\$500m was requested however only US\$105 million was pledged by countries to fund sustainable returns. As of October 2016, only US\$7.2 million has been received. According to a report issued in October by the Norwegian Refugee Council (NRC), one of UNHCR’s main implementing partners, the number of people returning to Somalia outweighs the amount of humanitarian support available. The NRC report states that with limited absorption capacity in Somalia, the refugees returning will increase pressure on services that are already insufficient which in turn could fuel tensions with existing communities if not carefully managed.²¹⁷⁴

The European Commission reported in February 2017 that “In May 2016, Kenya announced its intention to close the refugee camps in Dadaab. Dadaab hosts over 272 000 mostly Somali refugees. According to the Norwegian Refugee Council, a total of 53 812 refugees has returned from Kenya in 2016, 28 355 spontaneously and 25 457 assisted by UNHCR. Most ‘returnees’ go to Jubaland and the port town of Kismayo where a dire situation awaits them”.²¹⁷⁵

The International Displacement Monitoring Centre reported in its global report dating May 2017 on the Somali refugees in Dabbab camps that “A UNHCR survey in mid-2016, however, found that 74 per cent of Somali refugees in the Dadaab camps did not want to go back. A subsequent survey of Somali Dadaab residents conducted by Medecins Sans Frontieres (MSF) put the figure even higher, at 86 per cent. Among the reasons for their reluctance to return in the UNHCR survey, 66 per cent cited fears of insecurity and ten per cent their inability to access shelter. Of those who did return under the voluntary repatriation scheme in 2016, the vast majority moved to three of 12 designated return areas – 50 per cent to Kismayu, 22 per cent to Baidoa and 19 per cent to Mogadishu”.²¹⁷⁶

²¹⁷² UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin Somalia, August 2016](#), 01 September 2016, p. 3

²¹⁷³ International Organization for Migration (IOM), [Somalia: Displacement Tracking Matrix Trends \(DTM Round III Report\), Data Collection: October 2016](#), 31 October 2016, p. 9

²¹⁷⁴ Amnesty International, [Kenya: Nowhere Else To Go: Forced Returns of Somali Refugees From Dabab Refugee Camp, Kenya](#), 14 November 2016, p. 22 and 23

²¹⁷⁵ European Commission, [ECHO Factsheet - Somalia - February 2017](#), 24 February 2017, p. 2

²¹⁷⁶ International Displacement Monitoring Centre (IDMC), [Global Report on Internal Displacement](#), 24 May 2017, p. 64 and 65

Mogadishu

Also note section [1.7.1. Impact of the return of Somalis from the diaspora to Mogadishu \(particularly from Kenya\)](#).

An April 2016 profiling of Mogadishu's internal displacement situation noted that "Refugees and returnees represent 1% of the enumerated population, each with 6,327 and 6,610 individuals, respectively. Most refugees are from Yemen and Ethiopia".²¹⁷⁷

UNHCR reported in September 2017 that "Since 2014, a total of 107,392 Somali refugees have returned to Somalia; 76,612 from Kenya, 33,154 from Yemen (and 626 from other countries of asylum)".²¹⁷⁸ Regarding Somali refugees returning from Yemen UNHCR wrote in a September 2017 update that "Though most Somali refugees who are registered in Yemen originate from the Banadir, Lower Shabelle, Bay, Middle Shabelle and Woqooyi Galbeed regions in Somalia, most refugees opt to return to Mogadishu in the anticipation that assistance and services will be more accessible and available".²¹⁷⁹

16.1. Security and HR violations experienced specifically by Returnees

The UN Secretary-General report on conflict-related sexual violence covering the period January to December 2016 found that "Large population movements, such as the return of over 30,000 Somali refugees from Kenya, have also increased the vulnerability of women and girls on the move".²¹⁸⁰

In September 2016 Human Rights Watch reported on the return of Somali asylum seekers and refugees from Kenya stating that "Some Somalis who agreed to return to Somalia after spending years as refugees in Dadaab have fled back to Kenya a second time because of ongoing violence and lack of basic services in Somalia. Human Rights Watch found that newly arrived Somali asylum seekers and refugees who were not able to re-establish themselves in Somalia are being denied access to refugee registration or asylum procedures in Dadaab. This leaves them without legal status and food rations".²¹⁸¹

A September 2016 Human Rights Watch article described the experiences of Somali refugees from Kenya that have returned to Lower Juba region as follows:

A number of refugees told me they had returned destitute to destroyed Somali villages without health care provision and schools, or faced danger as armed groups continue to clash in and around their villages, including towns. After doing their best to survive, they fled back to Kenya, once again as refugees.

One of them is "Amina," a 38-year-old single mother. After a decade in Dadaab, she decided to try her luck and returned in January 2015 with her five children to her village, Bula Gudud, in the Lower Juba region, hoping to rebuild her life.

She told me: "After two days back home, fighting broke out between government troops and al-Shabab [armed Islamist group]. I could hear the bullets. My children were so scared. They just ran

²¹⁷⁷ UN High Commissioner for Refugees (UNHCR), [Internal Displacement Profiling in Mogadishu](#), April 2016, p. 18

²¹⁷⁸ UN High Commissioner for Refugees (UNHCR), [Fact Sheet; Somalia; 1-30 September 2017](#), 30 September 2017, p. 4

²¹⁷⁹ UN High Commissioner for Refugees (UNHCR), [Yemen: assisted spontaneous returns for Somali refugees begins](#), 19 September 2017

²¹⁸⁰ UN Secretary-General, [Report of the Secretary-General on conflict-related sexual violence](#), 15 April 2017, *Somalia*, para. 54, p. 16

²¹⁸¹ Human Rights Watch (HRW), [Kenya: Involuntary Refugee Returns to Somalia](#), 14 September 2016

around, trying to get out of the house." The following day, Amina fled to the closest city, Kismayo. She had no relatives there but hoped she'd find safety and work to feed her children. She found neither. She and her family barely survived for nine months with other displaced civilians in Kismayo's appalling internally displaced persons' camps. After a man in a government uniform raped her, a common occurrence in the unprotected and aid-starved camps across the country, Amina gave up and 10 months ago begged her way back to Dadaab.²¹⁸²

According to a November 2016 Amnesty International report, "Other men and women who had returned to Somalia described how similar attacks and insecurity in addition to threats by Al-Shabaab, and lack of access to livelihood opportunities and services had led them to return back to Dadaab refugee camp".²¹⁸³

In a November 2016 report Refugees International (RI) noted the security situation concerning returnees from Kenya to Kismayo that "Some refugees with whom RI spoke had returned to Somalia but were now back in Dadaab. One 17-year-old boy had returned to Somalia a month prior with his parents, but they faced threats from Al Shabaab and so his parents told their son to return to Dadaab, where it is safe and where there is access to education".²¹⁸⁴

Human Rights Watch wrote in its annual report on Somalia (covering events in 2016) that "Some young men and boys who returned from Kenya's refugee camps to Al-Shabab-controlled areas, including Buale and Sakoow, have faced pressure to join Al-Shabab".²¹⁸⁵

IRIN News noted in a November 2016 article with regards to returnees in Kismayo that "Insecurity is another major worry. Many of the returnees are not from Kismayo. But the threat of intimidation and forced conscription by the al-Shabab militant group, which remains firmly rooted in the countryside, forces them to stay as IDPs in the city".²¹⁸⁶

The Danish Immigration Service's report of its December 2016 Fact Finding Mission noted that "Al-Shabaab is regarded by an independent organisation to mainly attack high profile targets and according to a UN source, civilians, who do not belong to any of the abovementioned categories, are not considered targets. A Western source concurred that it was not aware of any evidence whereby al-Shabaab is routinely and directly targeting ordinary civilians or returnees from the diaspora in areas with AMISOM/SNA presence. However, as mentioned above, civilians who are "in the wrong place at the wrong time" could become "collateral damage".²¹⁸⁷ The same source further noted that:

Whether returnees from abroad are targeted or not by al-Shabaab will depend on how they behave and dress and who they are affiliated with. Several sources mentioned that persons returning will be under close monitoring, as al-Shabaab in general will be aware of newcomers, and a new face will be reason enough for background checks and questioning. An NGO working in Somalia concurred that an outsider risks being stopped and questioned at checkpoints, as a new face will raise suspicion of spying. The questioning will often be about the determination of the person's identity. According to the source it is rather easy for al-Shabaab to identify a Somali person by the person's name, his/her mother's name, grandmother's name, and home village.

²¹⁸² Human Rights Watch (HRW), [Kenya Is Abandoning Somali Refugees](#), 13 September 2016

²¹⁸³ Amnesty International, [Nowhere Else To Go: Forced returns of Somali refugees from Dadaab refugee camp, Kenya \[AFR 32/5118/2016\]](#), 14 November 2016, 5. SOMALIA: NOT SAFE TO RETURN p.22

²¹⁸⁴ Refugees International (RI), [Refugee Returns from Kenya to Somalia: "This is about fear... not about choice"](#), 4 November 2016, p. 10

²¹⁸⁵ Human Rights Watch (HRW), [World Report 2017 - Somalia](#), 12 January 2017, *Al Shabab Abuses*

²¹⁸⁶ IRIN News, [Reprieve but no solution for Kenya's Dadaab refugees](#), 16 November 2016

²¹⁸⁷ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 2.6 *Civilians* p.19

According to an international organisation the fact that a person has been abroad, including in the West, is not in itself important when returning to an al-Shabaab area. What is important is his/her clan, and the returnee will need relatives who are not in bad standing with al-Shabaab and who can vouch for them. If returnees are related to clans or individuals that are well regarded in al-Shabaab, they are likely to be safe. If not, he/she might face at least some initial scrutiny.

A Somalia Country Director of a humanitarian agency mentioned that any western touch can profile a person, and referred to an incident in Lower Juba in 2015 where a passenger travelling on a minibus which was stopped by al-Shabaab had said he had come from New Zealand. He had been taken off the bus and killed. However, the source added that the reason for this killing is currently unknown.

²¹⁸⁸

The same report also stated with regards to Somalis returning to Jubaland that “The return of more than 35,000 refugees from the Dadaab camps in Kenya has created an issue of absorption problems, especially in the Jubaland regions. The Jubaland administration stopped the acceptance of returnees from 29 August 2016 to 16 October 2016. Returnees find limited basic services (medical, school, basic sanitation services) in Somalia. Some returnees join IDP camps. The absorption problems also affect the social cohesion in society, where conflicts over scarce resources can break out between returnees and host communities. Some refugees return back to Kenya due to various reasons: Violence, drought, and lack of basic services”.²¹⁸⁹ Furthermore, “An anonymous source assessed that a main reason why the Jubaland authorities have been able to keep Kismayo relatively safe is a rather strict control of new arrivals in the city through an extended network of informants. Newcomers, including returnees, are perceived as a potential threat. According to a Western source, people from Dadaab are able to return to Kismayo but it would be more complicated for Somalis who had been living in Europe to return to Kismayo”.²¹⁹⁰

In a report published in March 2017 by the Regional Durable Solutions Secretariat (ReDSS) with regards to the safety of IDPs in **Bay** region it stated that “Assessments suggest that the security situation has improved in Baidoa (although this improvement is mainly confined to Baidoa town). Other reports point out that IDPs are still vulnerable to violence, especially GBV [Gender Based Violence]. It has to be noted there is no disaggregated data on returnees; here it is assumed that returnees are equally affected as other population groups, but vulnerable returnees as affected as IDPs”.²¹⁹¹

The June 2017 Country Information Report on Somalia compiled by the Australian Department of Foreign Affairs and Trade (DFAT) based on “DFAT’s on-the-ground knowledge and discussions with a range of sources” found that “Somalis who have spent periods in western countries for education, employment or migration reasons or are employed by international organisations can be at risk of violence from al-Shabaab”.²¹⁹²

²¹⁸⁸ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 4.3 Returnees p.24

²¹⁸⁹ Danish Refugee Council (DRC), [South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups](#), March 2017, 1/2017, p. 55 and 56

²¹⁹⁰ Danish Immigration Service, [South and Central Somalia – Security Situation, al-Shabaab Presence, and Target Groups, Report based on interviews in Nairobi, Kenya, 3 to 10 December 2016](#), 8 March 2017, 1.3. Lower and Middle Juba, including Kismayo p.14

²¹⁹¹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 18

²¹⁹² Australian Government, Department of Foreign Affairs and Trade, [DFAT Country Information Report Somalia](#), 13 June 2017, *Parliamentarians, Government Officials, Supporters of the Somalia Government and People who have spent time in the West*, para. 3.14, p. 12.

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa stated that “There is overwhelming evidence to support the observation that female returnees from weak or marginalised social groups will be the most vulnerable to a variety of forms of predation. The most immediate is the threat of physical and sexual assault; those who find themselves in IDP camps or otherwise without the protection of a more powerful group will be vulnerable. Though sexual assault is said by some to be somewhat less chronic in Mogadishu’s IDP camps today than in the past, it is still a serious danger”.²¹⁹³ The same report further noted with regards to returnees that “In Kismayo and Mogadishu, they will be treated as *galti* (“guests” or “outsiders”) with limited ability to make claims to jobs and resources. For the majority of returnees who are Digil-Mirifle or Somali Bantu, they have the added disadvantage of affiliation with low status, politically weak groups and as such are more susceptible to predatory behaviour by local armed groups”.²¹⁹⁴

The same source further noted that “The return is occurring in a challenging and non-permissive environment in southern Somalia. Al Shabaab continues to hold the rural areas where most of the refugees are originally from, and harasses, blocks, or taxes the flow of commerce to some towns held by the government. Terrorism attacks, especially in Mogadishu, are commonplace. Southern Somalia is not currently plagued by large-scale communal or political violence, but much of the region remains chronically insecure”.²¹⁹⁵

The same source further described the profiles of returnees:

Most of the returnees are originally from rural farming and agro-pastoral communities in southern Somalia. Intention surveys suggest that a significant percentage of the returnees are originally from a cluster of districts in or near the Jubba Valley – especially Jamaame, Jilib, Buaale, Saakow, Bardhere, and Dinsoor. Those are all areas controlled by Al Shabaab. Returnee reluctance to return directly home is the result of a combination of concerns – fear of Al Shabaab forcibly recruiting their young men or executing returnees suspected as collaborators and spies; lack of any basic educational and health services in these remote rural settings; information that their farmland has been occupied and claimed by armed newcomers; and, after years in Dadaab’s quasi-urban setting, a reluctance to return to farming as a livelihood.²¹⁹⁶

Also see [9.1. Sexual and Gender-Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#).

16.1.1. Security and HR violations experienced specifically by Returnees to Mogadishu

In report published in March 2017 the Regional Durable Solutions Secretariat (ReDSS) noted on returnees that “DRC [Danish Refugee Council] protection assessment reveals that the majority of interviewed returnees and IDPs (65% and 59%, respectively, with an average of 62% for both groups) feel that security conditions in the host community in Mogadishu, Kismayo and Dhobley are less risky than those of their places of origin (DRC 2016). The remaining 35% of interviewed returnees and 41% of IDPs reported their conditions as more risky than those of their places of origin (ibid.). In Mogadishu the percentage of both returnees and IDPs feeling more secure than their place of origin is 66%, whereas in Dhobley is 94% and in Kismayo only 33% (ibid.)”.²¹⁹⁷

²¹⁹³ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 18

²¹⁹⁴ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 36

²¹⁹⁵ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 27

²¹⁹⁶ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 3

²¹⁹⁷ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 21

The Regional Durable Solutions Secretariat (ReDSS) report concluded that “While some stakeholders concurred that IDPs and returnees do not face any specific challenge and feel as safe as the rest of the population, other stakeholders pointed out that this improvement is limited to residential urban areas and that the situation in IDP settlement in the outskirts of the city is not positive”.²¹⁹⁸

The same source further noted: According to a protection assessment commissioned the Danish Refugee Council (DRC), the majority (92%) of the surveyed populations in the Mogadishu, Kismayo and Dhobley “did not report sexual and physical violence incidences experienced in the six-month preceding the assessment” (DRC 2016). However, IDPs appear to be more affected; whereas the percentage for both returnees and residents who did not experience any sexual or physical violence is 95%, for IDPs the percentage is 87% (ibid.). According to the assessment, “9% of IDPs experienced sexual exploitation and 6% experienced forced child marriage” (ibid.). With regard to Mogadishu, those who reported sexual violence were mainly from Mogadishu IDP camps. Mogadishu has the highest GBV incidence for the three combined population groups. According to data from the protection assessment, only 80% of surveyed population reported no cases of gender-based violence (GBV); this compares unfavourably with the 100% and 99% of Dhobley and Kismayo (ibid.).²¹⁹⁹

The same report also noted that “Consulted stakeholders in Benadir pointed out that IDPs and returnees can be discriminated on the basis of their minority clan status. The views of the stakeholders echo the views of a position paper from NRC, which warns that “refugee returns to Somalia will increase pressure to the already insufficient services in existing communities, such as health, water and education” and that refugee return “will also fuel tensions with existing communities if not managed carefully” (NRC 2016b)”.²²⁰⁰

An August 2017 Danish Demining Group report noted on the level of security in Mogadishu that “Mogadishu and its immediate environs are the site of chronic low level insecurity punctuated by periodic major terrorist attacks. The attacks, mainly targeting international and government installations and hotels and restaurants frequented by government officials, do not constitute a major threat to returnees and IDPs, who generally live far from these sites. Returnees and IDPs are, however, very vulnerable to criminal violence and predation by uncontrolled security forces”.²²⁰¹ The same report further stated that “Areas of the city where returnees are most likely to cluster – IDP camps – are generally in better-protected neighbourhoods, and IDP camps are not targets of Al Shabaab terror attacks”.²²⁰²

Moreover, “In Kismayo and Mogadishu, they will be treated as *galti* (“guests” or “outsiders”) with limited ability to make claims to jobs and resources. For the majority of returnees who are Digil-Mirifle or Somali Bantu, they have the added disadvantage of affiliation with low status, politically weak groups and as such are more susceptible to predatory behaviour by local armed groups”.²²⁰³

The same report stated that “Returnees who end up pushed into the peri-urban IDP camps, especially those in the Afgoye corridor, will be more vulnerable to Al Shabaab taxation, recruitment, and intimidation”.²²⁰⁴

²¹⁹⁸ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 21

²¹⁹⁹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 19

²²⁰⁰ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 22

²²⁰¹ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 2

²²⁰² Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 23

²²⁰³ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 36

²²⁰⁴ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 3

Also see section [9.2. SGBV in Mogadishu](#).

16.2. Access to documents (birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records etc.)

The International Refugee Rights Initiative noted in an October 2017 report on the availability of documentation of Somali refugees in Kenya:

As a human rights activist in Kenya said, “One of the biggest issues that [Somali refugees] face is documentation. It is not easy for them to get documentation and as a result they can have bad interactions with the police. The police stop them regularly and ask them for documentation and if they don’t have it they are asked for bribes and threatened with deportation.” Where the speaker talks about documentation here, he means Kenyan national IDs, for which refugees are not eligible because they are not nationals. Refugees are eligible for refugee ID cards, colloquially called “alien cards,” issued by the government of Kenya.

Most of those interviewed in Kenya did have the “alien cards”, and many had other forms of documentation as well, including ration cards issued in the camps, letters from UNHCR noting that the agency had received their cases and student ID cards (for those attending schools). However, because refugees are not legally allowed to leave the camps and because of the generally hostile environment for refugees, documents issued specifically to refugees are generally not recognised by police, despite them being legally recognised documentation. In some cases, police are explicit in saying that such documentation is not valid outside the camps. Several refugees said that they were better off saying that they had forgotten their Kenyan ID at home and showing nothing than showing their refugee ID.²²⁰⁵

In a November 2016 report the Regional Durable Solutions Secretariat (ReDSS) noted with regards to IDPs and returnees in Lower Juba region that “The analysis of data shows that only a small percentage of IDPs/returnees have birth certificates, national ID cards or other personal documents, although it has to be considered that lack of documentation is a problem that also affects the rest of the population”.²²⁰⁶

Regarding the access to personal documents for IDPs and returnees in Bay region a Regional Durable Solutions Secretariat (ReDSS) report dating March 2017 wrote: “The majority of IDPs and refugee returnees do not have documents, although it seems that there has been progress and that a sizeable share of IDPs and returnees do have some form of documentation (for other indicators there is not available data for IDPs and returnees)”.²²⁰⁷

Among the sources consulted within the reporting period no additional information could be found on access to birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records for returnees in South and Central Somalia. For additional information on access to documents for Somali nations in general see section [15.2 Access to documents \(birth certificates, passports and ID documents, marriage certificates, diplomas and educational certificates, employment records etc.\)](#)

²²⁰⁵ International Refugee Rights Initiative, [Protection for refugees, not from refugees: Somalis in exile and the securitisation of refugee policy](#), October 2017, p. 27 and 28

²²⁰⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Lower Juba region](#), November 2016, p. 4

²²⁰⁷ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 5

16.2.1. Access to documents in Mogadishu

The Regional Durable Solutions Secretariat (ReDSS) stated in a March 2017 report on Benadir region that “Returnees are required to register, or at least visit, the local police office in order to be able to prove their status, should they be subject to identity checks during routine police patrols. There is no specific data for Benadir region and for IDPs or returnees”.²²⁰⁸

On the availability of personal documents for IDPs and returnees the report noted that “The protection assessment carried out in Kismayo, Mogadishu and Dhobley by DRC [Danish Refugee Council] found out that “most returnees and IDPs have limited access to these documents, especially in Dhobley and Mogadishu” (DRC 2016). (Data for local population is not available.) However, returnees appear to have higher access than IDPs”.²²⁰⁹ The same report further noted on the limited availability of personal documents for IDPs and returnees “The protection assessment carried out by DRC [Danish Refugee Council] in Kismayo, Mogadishu and Dhobley provides figures of the percentage of IDPs and returnees without birth certificates, national ID cards or other personal documents: 71% of IDPs and 55% of returnees do not have any personal document; 23% of IDPs and 40% of returnees have identification cards; the remaining part has some sort of identification documents (DRC 2016). Views of consulted stakeholders in Mogadishu are in line with the above findings”.²²¹⁰

The Regional Durable Solutions Secretariat (ReDSS) report further described the main causes for limited availability of personal documents as follows:

The IDP profiling exercise points out that the causes of the problem are mainly economic. “Considering that the average IDP household consists of 5.8 persons, and with an average weekly income of under \$15 dollars for a large majority of the population, this cost is unlikely to be affordable and it is questionable whether such expenditure could be prioritized in light of other needs.” (At the time of the drafting of the profiling report the actual cost was not finalized, so the report used an indicative cost of 15 USD). The report acknowledges that “personal documentation was not mentioned as a requirement to access services or assistance”, but it warns that “there is an increased urgency for identity (ID) cards to protect against undue movement restrictions, to pass through checkpoints or to prevent against arbitrary arrest, as such documents are requested by security forces” (ibid.).²²¹¹

The report further wrote that “Consulted stakeholders in Mogadishu concurred that the majority of the population cannot obtain documents because the services are not affordable, but were not in agreement on whether lack of documentation is a pressing problem. In this regard, it should be noted that the FGS [Federal Government of Somalia] policy framework on displacement commits to ensure “the free mobility for livelihoods and other purposes, including by facilitating documentation” (FGS 2016b)”.²²¹² The Regional Durable Solutions Secretariat report concluded that “The issues around access to documentations appear to be two-fold. On the one side, there is lack of capacity of the government to issue the documentations to the entire population. On the other side,

²²⁰⁸ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 19

²²⁰⁹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 40

²²¹⁰ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 41

²²¹¹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 41

²²¹² The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 41

IDPs, poor returnees and poor members of the host population may not know how to get documents or may not have the financial means to afford it".²²¹³

16.3. Access to and conditions of shelter/access to land

The Refugee Studies Centre reported in May 2016 that "Anecdotal evidence indicates that in the pilot phase of the Somali voluntary repatriation programme a number of returnees had to seek shelter and humanitarian assistance in IDP camps. Cases of 'revolving door' were also reported, with returnees going back to Kenya after receiving their reintegration assistance packages in Somalia".²²¹⁴

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in June 2016 that "Nearly 70 per cent of the 70,000 people affected by flooding along the Shabelle River in Belet Weyne, **Hiraan** region have begun to return to their homes according to latest reports from humanitarian partners. However, some remain displaced as their shelters and latrines have been destroyed or remain waterlogged. The return of the displaced to their homes is being driven, in part, by the start of the Haggaa cold season and the delivery of food aid in return areas".²²¹⁵

The Norwegian Refugee Council stated in an October 2016 report that "In August, the **Lower Juba** State authorities blocked over 1,100 returnees who arrived in Dhobley from further travel. They suspended all returns to Jubaland until donor funding promised for basic social services materialized. Concerns raised by the Jubaland administration included the largely unplanned nature of returns threatening to worsen an already volatile security situation in the capital, Kismayo. It was also noted that the return package was insufficient for the returnees to reestablish themselves and fully integrate, so it would expose them to further protection risks. Also, since most returnees could opt to join displacement camps it would create more needs and new unplanned settlements. The Jubaland case exemplifies the dilemmas faced by returnees if the repatriation process continues in its current state".²²¹⁶

Al Jazeera reported in an October 2016 article that "**Kismayo** is ill-equipped to welcome the returnees. No land was set aside for them to settle, according to Hirsi, the state justice minister. There are already 40,000 people displaced internally by conflict and sheltering in the Kismayo area, as well as refugees from Yemen and Ethiopia and an impoverished host community. "After the six-month support the returnees receive, there is nothing," said the Mercy Corps operations manager".²²¹⁷

The Huffington Post similarly reported in an October 2016 article that "There is a large reception center in **Kismayo** that was built in 2014 and is equipped to accommodate up to 500 people per day. Returnees can stay at the reception centre for 48 hours after their arrival, but it is not clear how they are expected to organize their land and shelter after this time, and thousands are soon stranded in the displacement camps. Meanwhile, the Kismayo area is already sheltering some 40,000 people

²²¹³ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 41

²²¹⁴ Refugee Studies Centre, [Forced Migration Review No. 52 - Thinking ahead: displacement, transition, solutions](#), May 2016, p. 69

²²¹⁵ UN Office for the Coordination of Humanitarian Affairs (UNOCA), [Humanitarian Bulletin Somalia, June 2016](#), 23 June 2016, p. 1

²²¹⁶ Norwegian Refugee Council (NRC), [Dadaab's broken promise. A call to reinstate voluntary, safe and dignified returns for the Dadaab refugee community](#), October 2016, p. 7

²²¹⁷ Al Jazeera, [Refugees stranded in Somalia after Kenya eviction](#), 04 October 2016

displaced internally by conflict, and the services available are barely adequate to support a vulnerable host population”.²²¹⁸

The Shelter Cluster strategy for refugee returnees response dating October 2016 noted that “In many areas of return, the refugee returnees often end up in a settlement similar to the situation of the protracted IDPs. New settlements have been starting to form in **Baidoa and Kismaayo**”.²²¹⁹

In a March 2017 report the Regional Durable Solutions Secretariat (ReDSS) reported on IDPs and returnees access to shelter in **Bay** region that “Data at country level from the Displacement Tracking matrix shows that in 87 (73%) assessed settlements shelter was identified as the most needed humanitarian support. “Repair materials for shelter specifically plastic sheeting was the most needed in Borama (100%), Belet Weyne (86.1%), Balcad (75%) followed by safe cooking facilities at collective settlements (73 settlements)” (IOM 2016a). According to consulted stakeholders, a high percentage of IDPs, and presumably returnees, do not have adequate access to shelter. All stakeholders felt that housing is not adequate”.²²²⁰

On the impact of Somalis returning to Baidoa the August 2017 Danish Demining Group report noted that “Because cost of land and living is low in Baidoa compared to Mogadishu and Kismayo, returnees to **Baidoa** are able to purchase land or rent homes without difficulty”.²²²¹

16.3.1. Access to and conditions of shelter/access to land in Mogadishu

A March 2016 article by Human Rights Watch described the situation of returnees in Mogadishu stating that “There are 350,000 displaced people in unprotected makeshift settlements on the doorstep of the government in Somalia’s capital, Mogadishu. A number of refugees who have returned to Somalia from Dadaab ended up in those horrific camps where they face forced evictions and women and girls are at great risk of sexual violence”.²²²²

A March 2017 Danish Refugee Council report noted that “Some returnees end up in IDP camps in Mogadishu due to various reasons: Lack of family and/or shelter or in order to obtain basic services”.²²²³

The Regional Durable Solutions Secretariat (ReDSS) stated in a March 2017 report on Benadir region that “The protection assessment by DRC [Danish Refugee Council] points out that “majority of IDPs (80%) and refugee returnees (76%) live in temporary shelters” (DRC 2016). This percentage is higher when compared to local residents (only 14% live in temporary shelters) (ibid.). According to the assessment, 5% of IDPs, and 10% of interviewed returnees live in rented houses (compared to 39% of local population); 8% of IDPs and 11% of interviewed returnees live with relatives (compared to 11% of local population). Only 3% of IDPs and interviewed returnees own property (compared to

²²¹⁸ Huffington Post, [Somali Refugees Decry Empty Promises Upon Return From Dadaab Camp](#), 17 October 2016

²²¹⁹ United Nations High Commissioner for Refugees (UNHCR), [Somalia Shelter Cluster Strategy for Refugee Returnees response](#), 31 October 2016, p. 5

²²²⁰ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 33

²²²¹ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 3

²²²² Human Rights Watch (HRW), [Nothing to Go Back to – From Kenya’s Vast Refugee Camp](#), 26 May 2016

²²²³ Danish Refugee Council (DRC), [South and Central Somalia - Security Situation, al-Shabaab Presence, and Target Groups](#), March 2017, 1/2017, p. 55

39% of local population) (ibid.). In Mogadishu, 42% of the combined three groups live in temporary shelters, 31% live in rented houses, 21% with relatives, and 7% own property (DRC 2016)".²²²⁴

The same report further noted on housing conditions that "According to the assessment findings, the "majority (61%) of the locals reside in houses classified as of good condition and able to offer protection from rain and appropriate privacy compared to returnees (20%) and IDPs (15%)" (ibid.). Majority of returnees (45%) and IDPs (54%) reside in houses classified as poor with worn out materials, prone to leakages and in need of repairs (ibid.) It has to be noted that the figures for interviewed returnees may not apply to all returnees in Mogadishu, which means that the rating for this indicator refers to only poor returnees and IDPs. It has to be noted that government in Benadir plans to allocate land for IDPs, which means that situation in Mogadishu may improve in the future".²²²⁵

The Rift Valley Institute reported in 2017 with regards to property issues in Mogadishu that "The situation awaiting diaspora returnees intending to reclaim property also varies, though more often than not the current occupants of the properties in question will challenge claims of ownership, and a lengthy and expensive process of arbitration will ensue. Outrage at the circumstances is often shared by both parties. Given the length of time many diaspora Somalis have been absent, it is not uncommon for properties to have been sold by the occupants that had seized the land following the collapse of the government to new tenants. New occupants feel a sense of entitlement to the properties in which they have resided for many years, especially if considerable investments have been made or if families may have been raised there".²²²⁶ The same report further noted that "Returning IDPs and refugees seeking to regain control over homes they abandoned during the war, confront not only the threat of violence from new claimants but also encounter discourses justifying the appropriation of the real estate that rejects the validity of their old titles or even their right to live in a certain neighbourhood".²²²⁷

An August 2017 Danish Demining Group report noted that "Mogadishu currently houses an exceptionally high number of IDPs – about 369,000 – of whom nearly half are Digil Mirifle and/or Bantu. Because of high costs of rent and land, most of the returnees will end up locating into one of the more than 1,000 IDP settlements in and around the city".²²²⁸

16.3.2. Forced evictions

In May 2016 Human Rights Watch reported on the experiences of returnees in Somalia noting that "Access to services like schools and hospitals is also a serious source of concern. In the camp, children at least have access to basic and often free education. The loss of property is another reason. I spoke to an elderly man from Luuq, a town deemed safe by the UN, who returned to Somalia because he has 10 children and his family was particularly affected by the cuts in rations. Back in Somalia, he found his land and house occupied. He went to the authorities to negotiate a return of his property, then spent two months living with his children under a tree waiting for a

²²²⁴ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 33

²²²⁵ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 33

²²²⁶ Rift Valley Institute (RVI), [Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city](#), 2017, p. 54 and 55

²²²⁷ Rift Valley Institute (RVI), [Land Matters in Mogadishu: Settlement, ownership and displacement in a contested city](#), 2017, p. 20

²²²⁸ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 3

decision. In the end, he took his family back to Dadaab. There, he said, his children at least did not have to live out in the open and had some basic shelter".²²²⁹

The Norwegian Refugee Council reported in an October 2016 report that:

Land in Somalia is an extremely sensitive issue. No uniform structured land tenure system exists to form a legal framework for land ownership. For most refugees, especially those from rural areas, the prospects of return are predicated on their ability to reclaim their land, or gain access to land. Forced evictions present a great threat to the returns progress. About 130,000 Somalis were forcefully evicted from their land in Somalia in 2015, and over 90,000 between January and August 2016. Most of the evictions took place with insufficient notice or no notice at all, destroying humanitarian gains and interrupting livelihoods. Unless the issue of land and property rights is addressed, the insecurity of tenure will most likely lead to a steady decline in returns and may eventually result in secondary or internal displacement, or the revolving door phenomenon.²²³⁰

A November 2016 Voice of America article reported on land disputes affecting returnees in **Kismayo** that: "This past October, a year after he returned to Somalia from the largest refugee camp in the world, he [Ibrahim Hassan, a returnee from Dabaab refugee camp] was told to tear his home down. "I was told to move out of my house. The reason authorities gave me was that the land is a disputed one and the person who sold it to me was not the genuine owner," he said while collecting structural remnants to build a new home. "I was compensated with another piece of land," he said. "But it's disheartening for a refugee and a poor man like me to be evicted from his original home. It's still a difficult move."

The same article further reported that UNHCR "has been helping Somalis return to their former homes. To start a new life, Hassan, a father of nine, used all of his savings and stipends he received from UNHCR in Dadaab and local authorities in Kismayo. Most returnees, however, have found it difficult to secure reliable food, health care and shelter, and Hassan, like 75 other families, are affected by ongoing land disputes in Kismayo".²²³¹

In the Somalia Protection Cluster annual report for 2016, UNHCR reported on the support received by victims of forced evictions from international agencies "The sub-cluster successfully prevented a number of serious forced eviction threats against IDPs and returnees settling on private land in Kismayo and Garowe; negotiated access to land and facilitated land tenure security for IDPs and returnees in Kismayo, Baidoa, Luuq and Galkayo".²²³²

16.3.2.1. Forced evictions in Mogadishu

The Norwegian Refugee Council stated in an October 2016 report that "Land in Somalia is an extremely sensitive issue. No uniform structured land tenure system exists to form a legal framework for land ownership. For most refugees, especially those from rural areas, the prospects of return are predicated on their ability to reclaim their land, or gain access to land. Forced evictions present a great threat to the returns progress. About 130,000 Somalis were forcefully evicted from their land in Somalia in 2015, and over 90,000 between January and August 2016. Most of the evictions took place with insufficient notice or no notice at all, destroying humanitarian gains and

²²²⁹ Human Rights Watch (HRW), [Nothing to Go Back to – From Kenya's Vast Refugee Camp](#), 26 May 2016

²²³⁰ Norwegian Refugee Council (NRC), [Dadaab's broken promise. A call to reinstate voluntary, safe and dignified returns for the Dadaab refugee community](#), October 2016, p. 7

²²³¹ Voice of America, [Returning Somali Refugees Find it Hard to Build New Lives](#), 18 November 2016

²²³² United Nations High Commissioner for Refugees (UNHCR), [Somalia Protection Cluster, Annual Report 2016](#), 07 Apr 2017, p. 4

interrupting livelihoods. Unless the issue of land and property rights is addressed, the insecurity of tenure will most likely lead to a steady decline in returns and may eventually result in secondary or internal displacement, or the revolving door phenomenon".²²³³

According to the DRC protection assessment, the majority of land or property disputes in Mogadishu (94%) are handled by local elders (local government handles the remaining 6% of disputes) (DRC 2016). Disaggregated data for IDPs and returnees is not available for Mogadishu. However, cumulative disaggregated data for Mogadishu, Kismayo and Dhobley shows that 61% of IDPs and 47% of returnees had their cases handled by local elders, whereas 39% of IDPs and 50% of returnees had their cases handled by local government (the remaining 3% of returnees were assisted by NGOs) (ibid.). Consulted stakeholders concurred that there are mechanisms to resolve claims although they were not in agreement on the level of access enjoyed by returnees and IDPs.

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa noted that "Several IDP camp managers in Mogadishu have already evicted IDP population in order to make room for the returnees, whom they expect will be caring financial assistance packages and hence will be more lucrative tenants. This has produced a wave of secondary displacement".²²³⁴ The same report also noted on impact of clan membership on evictions: "The returnees will accelerate a major demographic shift in Mogadishu and Kismayo, increasing the percentage of Digil-Mirifle and Somali Bantu residents. Chauvinistic elements in the dominant clans could press for forced evictions of Digil-Mirifle and Somali Bantu to their 'home territories'".²²³⁵

16.4. Access to basic services

In June 2016 UNHCR reported that "**Baidoa** had been receiving growing numbers of returnees since the beginning of the year and this trend has increased during the reporting period of 1-29 February, with a total of 189 household arrivals (970 individuals) received in the way station and provided with a complete return package on their way back home to join their families".²²³⁶

A September 2016 Al Jazeera article reported on the situation of Somali refugees returning from Dabaab that "Many are returning to south-central Somalia, the nation's breadbasket, where poor rainfall has reduced cereal production to half the long-term average, the UN said. "We decided to return home voluntarily, but that was a wrong decision," said Amina Nur, a mother of six, who returned to Somalia five months ago from Kenya. "The small money they gave us ran out, and since then we have no assistance to survive.""²²³⁷

The US Agency for International Development reported in September 2016 that "International media reported in late August that regional authorities in southern Somalia had begun preventing the return of Somali refugees—including blocking movement from the transit center in Dhobley town, Lower Juba Region—due to lack of available assistance, particularly in Kismayo town, Lower Juba. Regional authorities in southern Somalia have established a taskforce to investigate possible

²²³³ Norwegian Refugee Council (NRC), [Dabaab's broken promise. A call to reinstate voluntary, safe and dignified returns for the Dabaab refugee community](#), October 2016, p. 7

²²³⁴ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 36

²²³⁵ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 1

²²³⁶ UN High Commissioner for Refugees (UNHCR), [Somalia; Factsheet; June 2016](#), June 2016, p. 2

²²³⁷ Al Jazeera, [UN: 40 percent of Somalis don't have enough food to eat](#), 21 September 2016

assistance for IDPs and refugee returnees in the area, noting that the current tripartite agreement does not include support for vulnerable refugees returning to Somalia".²²³⁸

The same source further noted that "In mid-September, UN Deputy Special Representative of the Secretary-General and Resident and Humanitarian Coordinator (RC/HC) for Somalia Peter de Clercq—accompanied by a high-level delegation of donor and UN representatives—traveled to Kismayo to meet with local authorities and coordinate efforts related to the repatriation of Somali refugees. Following the visit, the UN and local authorities in southern Somalia agreed to form a joint committee to address the humanitarian needs of Somali refugees returning from the Dadaab refugee camp complex in Kenya".²²³⁹

An October 2016 Huffington Post article reported that "Families arriving in **Kismayo** discover a fragile town with little infrastructure that cannot provide basic food and shelter, let alone facilitate their resettlement in Somalia. [...] Contrary to the terms they accepted when signing the repatriation agreement, the federal government of Somalia cannot always access semi-autonomous Jubaland to support and resettle the returnees due to instability, says Jubaland State's justice minister Adam Ibrahim Aw Hirsi".²²⁴⁰

Al Jazeera also reported on the situation of returnees in **Kismayo** in an October 2016 article "There is nothing, there are no good services here ... We don't have a house, no education, no health, no work. We don't know where to go and where to find what we need," said Ahmed Mohamed Abukar, a father who returned to Kismayo - his hometown - in February."²²⁴¹

In November 2016 IRIN News reported on the availability of services for returnees in **Kismayo** that 'The returnees have been going from one government ministry to another looking for help. They cannot get the services they had in Dadaab camp,' Noor [Mohamed Noor, vice chairman in the Jubaland Refugee Agency] explained. 'If more people are brought to Kismayo, the ones who were here before them will have nothing'".²²⁴²

According to a November 2016 Amnesty International report, "In August 2016, authorities in Somalia's Lower Juba State halted the return of 1,100 Somalis from Kenya due to lack of humanitarian assistance. Among the concerns raised by the authorities were the unplanned nature of the returns threatening to exacerbate an already volatile security situation, in addition to the return package being insufficient to allow returnees to fully integrate, and the likelihood of most returnees going to already overstretched and under-resourced IDP camps".²²⁴³

UNHCR noted in a January 2017 report on the situation of returnees in South and Central Somalia that "Post-return assessment findings for returnees settled in south and central regions of Somalia showed that all interviewed households received return assistance; NFI [Non Food Items] kits, reinstallation grant and the first month food assistance. The key issues of concern relate to lack of

²²³⁸ US Agency for International Development (USAID), [Somalia – Complex Emergency, Fact Sheet 4, Fiscal Year 2016](#), 30 September 2016, p. 3

²²³⁹ US Agency for International Development (USAID), [Somalia – Complex Emergency, Fact Sheet 4, Fiscal Year 2016](#), 30 September 2016, p. 3

²²⁴⁰ Huffington Post, [Somali Refugees Decry Empty Promises Upon Return From Dadaab Camp](#), 17 October 2016

²²⁴¹ Al Jazeera, [Refugees stranded in Somalia after Kenya eviction](#), 04 October 2016

²²⁴² IRIN News, [Relief but no solution for Kenya's Dadaab refugees](#), 16 November 2016

²²⁴³ Amnesty International, [Nowhere Else To Go: Forced returns of Somali refugees from Dadaab refugee camp, Kenya \[AFR 32/5118/2016\]](#), 14 November 2016, 1. Executive Summary p.5

access to education as well as concern regarding housing, land and property, and shelter. A number of households, for example, reported ending up in IDP settlements”.²²⁴⁴

A February 2017 Assessment Capacities Project briefing note stated that “36,823 returnees arrived in 2016, mostly to south central Somalia. They continue to be returned to south central Somalia despite limitation on institutional capacity, both governmental and non-governmental to receive this population (Somalia WASH Cluster 28/09/2016; UNHCR 31/12/2016)”.²²⁴⁵

In report published March 2017 the Regional Durable Solutions Secretariat (ReDSS) noted with regards to the assistance received by returnees in **Bay** region that “It has to be noted that there are discrepancies in the way returnees receive assistance. Returnees that have returned before the new package was put in place received a smaller assistance package than the current one, due to funding limitations. At the same time, the current caseload of returnees that arrived prior to the introduction of the enhanced package has not received the shelter and education grants. There is a risk that the on-going drought response inadvertently put a strain on reintegration process as aid originally meant for reintegration activities may be reallocated to the emergency activities”.²²⁴⁶

In a May 2017 report UNHCR provided an overview of Somali refugees returning from Kenya stating that “Close to 61,000 Somalis have returned from Kenya since 2014, including 20,900 in the first three months of 2017. In addition to the challenges related to security and the overall level of development in the country, there are specific immediate challenges in ensuring the successful reintegration of the returnee population. A significant number of extremely vulnerable Somali nationals remain socially marginalized and economically destitute. The majority of Somali refugees have returned to Kismayo in Lower Juba, and Baidoa in Bay. The reception capacity in these areas require additional support especially in the sectors of health, WASH [Water Sanitation Hygiene], and education”.²²⁴⁷

Refugees International (RI) noted in an August 2017 report with regards to returnees from the Dabaab refugee camp in Kenya that “The ongoing facilitation of refugee returns to the devastating humanitarian conditions in their home areas and with the knowledge that many of them are likely to end up in IDP sites needs to be seriously questioned. Appropriately, returns to Baidoa have been temporarily suspended due to poor conditions in the region, but returns to Mogadishu and Kismayo continue. UNHCR must ensure that refugees returning from the Dadaab refugee camp in Kenya can sustainably integrate into Somalia and are not forced to reside in IDP camps in conditions that are worse than those they left behind”.²²⁴⁸

The same source further noted that “According to one aid worker, “The drought has impacted negatively on the majority, if not all, the refugee returnees. Most of those refugee returnees are now again IDPs [...] following the drought. The majority wish they had not returned from Dadaab””.²²⁴⁹

²²⁴⁴ UN High Commissioner for Refugees (UNHCR), [Somalia, Factsheet - January 2017](#), January 2017, p. 3

²²⁴⁵ Assessment Capacities Project (ACAPS), [ACAPS Briefing Note - Somalia: Food Security and Nutrition Crisis](#), 24 February 2017, p. 4

²²⁴⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 29

²²⁴⁷ United Nations High Commissioner for Refugees (UNHCR), [Somalia Situation 2017 – Supplementary Appeal January – December 2017](#), May 2017, p. 40

²²⁴⁸ Refugees International (RI), [On the Edge of Disaster; Somalis forced to flee drought and near famine conditions](#), August 2017, p. 10

²²⁴⁹ Refugees International (RI), [On the Edge of Disaster; Somalis forced to flee drought and near famine conditions](#), August 2017, p. 9 and 10

Refugees International (RI) also noted on the situation of returnees in South and Central Somalia that

On a September 2016 mission to south central Somalia, RI found large-scale returns were not sustainable due to lack of basic services and livelihoods and noted that many returnees ended up in IDP sites and dependent on emergency aid. Additionally, nascent local governments with limited capacity were struggling to facilitate re-integration. Since then, the humanitarian situation has obviously deteriorated precipitously, including in areas of refugee return such as south central Somalia, which has been hit hardest by the drought and ongoing insecurity.

While RI was unable to confirm the exact number of refugee returnees who are now in IDP sites, numerous people with whom RI spoke indicated this was occurring at a significant scale.²²⁵⁰

The Danish Demining Group reported in August 2017 on the availability of services provided by international agencies for returnees in South and Central Somalia that “Rural areas of return in most of southern Somalia are, with few exceptions, no-go areas for international agencies due to continued Al Shabaab presence. Some small towns in many rural areas have been recovered from Al Shabaab but are enclaves with limited international aid presence. The three main cities which will host the majority of the returnees, Kismayo, Mogadishu, and Baidoa, are zones where international agencies operate, but with significant security restrictions. The anticipated redeployment of AMISOM [African Union Mission in Somalia] forces starting in 2018 will add to uncertainties over security in the main urban centres”.²²⁵¹

16.4.1. Access to basic services in Mogadishu

In a report published in November 2016 Amnesty International described the financial assistance provided to Somali refugees returning from Kenya as follows:

Each person then receives a cash amount of US\$200 if they are returning by road (US\$230 per person with special needs) to Luuq, Baidoa and Kismayo in Somalia, and US\$150 if they are returning by flight to Somalia’s capital Mogadishu (US \$180 per person with special needs). Upon arrival in Somalia, returnees arrive at areas known as ‘home way stations’ in the four main locations, and receive a remaining assistance package of US\$200 per person in addition to some non-food items and accommodation for a maximum of three nights before moving onwards. Returnees are also meant to be provided with a medical check-up and referral, and children with a US\$25 per month cash grant for education for one year, as part of a reintegration package which is subject to funding, which at the time of writing was not available.²²⁵²

In a report published in March 2017 the Regional Durable Solutions Secretariat (ReDSS) similarly described the situation as follows: “The return assistance package is composed of the following: reinstallation grant of USD 200 per person regardless of family size; subsistence package, that is a monthly instalment of USD 200 per family for six months; food assistance, that is a monthly food ration, which has been increased to the full minimum expenditure basket and extended from 3 to 6 months; an improved standard Non-Food Items (NFI) package; an education grant of USD 25 a month per child for 4 months and a shelter grant up to USD 1,000 per family (education and shelter grants are conditional) (UNHCR 2016d)”.²²⁵³

²²⁵⁰ Refugees International (RI), [*On the Edge of Disaster; Somalis forced to flee drought and near famine conditions*](#), August 2017, p. 9

²²⁵¹ Danish Demining Group, [*Dabbab Returnee Conflict Assessment*](#), August 2017, p. 15

²²⁵² Amnesty International (AI), [*Kenya: Nowhere Else To Go: Forced Returns of Somali Refugees From Dabab Refugee Camp, Kenya*](#), 14 November 2016, p. 14

²²⁵³ The Regional Durable Solutions Secretariat (ReDSS), [*Durable Solutions Framework - Local Integration Focus: Benadir region*](#), March 2017, p. 29

A September 2016 Al Jazeera article reported that “Some returnees said aid agencies have not provided them with food since their return to Mogadishu and similar camps elsewhere. “Life here is a nightmare. It's only between hunger and bombing,” said Ahmed Mohamed, whose wife died in a suicide bombing at a Mogadishu hotel one week after their return in August”.²²⁵⁴

Amnesty International reported in November 2016 on the states ability to provide support to returning refugees that “Even if refugees voluntarily return to Somalia the support provided is limited. The authorities in Somalia and aid organizations have had insufficient time to prepare for any increased returns. The international humanitarian response in Somalia is limited with the UN humanitarian appeal 34% funded as of August 2016. At a pledging conference in Brussels in September 2015, US\$500m was requested however only US\$105 million was pledged by countries to fund sustainable returns. As of October 2016, only US\$7.2 million has been received.”²²⁵⁵

A March 2017 Regional Durable Solutions Secretariat (ReDSS) report provided the following overview of living conditions for local residents, IDPs and refugee returnees in Benadir region:

With regard to living conditions, the DRC [Danish Refugee Council] assessment finds out that “a large number of refugee returnee (51%), IDPs (56%) and local residents (42%) households reported the living conditions as bearable” (ibid.). However, living conditions of IDPs and interviewed returnees appear to be worse than local residents. About 25% of the returnees and 19% of the IDPs reported unbearable living conditions, whereas only 0.5% of local residents reported that their living conditions are unbearable. Moreover, the majority of local residents (58%) reported that their conditions are good and secure; on the contrary, only 25% of IDPs and interviewed returnees reported that their conditions are good and secure. That said, these figures have to be taken with cautious in the case of returnees, since the sample of interviewed returnees may not necessarily be representative of the entire population of returnees in Benadir.”²²⁵⁶

The Regional Durable Solutions Secretariat (ReDSS) report further described access to sanitation for IDPs and refugee returnees in Benadir region stating that “With regard to sanitation, the protection assessment from DRC [Danish Refugee Council] in Mogadishu, Kismayo and Dhobley shows that interviewed IDPs have less access to toilets with piped sewer system, toilets with septic tank, or flush toilets than local residents (2% of IDPs compared to 20% of local residents) (DRC 2016). Returnees appear to have a lower access than local residents (8% compared to 20%). However, this figure has to be taken with caution, since it is not clear whether surveyed returnees are representative of the entire returnee population or only poorer returnees who live nearby IDPs settlements”.²²⁵⁷

In May 2017 the UN News Service reported on the Somali refugees returning from Yemen that “More than 30,000 Somali refugees have apparently returned to Somalia from Yemen, the United Nations refugee agency said, and an increasing number are seeking aid to return home. [...] “Most refugees opt to return to Mogadishu, in the anticipation that assistance and services will be more accessible and available,” Mr. Baloch [spokesperson at the Office of the UN High Commissioner for Refugees] aid”.²²⁵⁸

²²⁵⁴ Al Jazeera, [UN: 40 percent of Somalis don't have enough food to eat](#), 21 September 2016

²²⁵⁵ Amnesty International, [Kenya: Nowhere Else To Go: Forced Returns of Somali Refugees From Dabab Refugee Camp, Kenya](#), 14 November 2016, p. 22 and 23

²²⁵⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 21

²²⁵⁷ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 27

²²⁵⁸ UN News Service, [Yemen's war pushing Somali refugees to return home – UN agency](#), 19 May 2017

In September 2017 UNHCR further reported on Somali refugees returning from Yemen that “Though most Somali refugees who are registered in Yemen originate from the Banadir, Lower Shabelle, Bay, Middle Shabelle and Woqooyi Galbeed regions in Somalia, most refugees opt to return to Mogadishu in the anticipation that assistance and services will be more accessible and available.

Upon departure returnees received a cash grant and on arrival in Somalia, they will be assisted with enhanced reintegration assistance, including an initial reinstallation grant, non-food items or cash equivalents, food vouchers, and subsistence allowances among other assistance”.²²⁵⁹

16.4.1.1. Health care

UNHCR reported in its 2016-2017 ‘Integrated Action Plan for Sustainable Return and Reintegration of Somali Refugees from Kenya to Somalia’ dating October 2015 that “Health facilities in Somalia have extremely limited capacity and are poorly equipped. Development funding for health has not kept pace with demand, resulting in a massive gap in the provision of health services for affected communities. Refugee returnees from Kenya and Yemen are straining the capacity of an already limited health service delivery and may create tensions with IDPs and affected receiving communities in both transit and destination locations in Somalia, in particular Mogadishu and other places throughout the South-Central regions”.²²⁶⁰

An October 2016 Huffington Post article reported that “The majority of the returnees are women, children, the elderly and the disabled – ‘the most vulnerable sectors of society,’ according to The American Refugee Committee, an aid group providing some health care and child protection in the camps. Yet there is very limited health care for the returnees living in the camps, and medical care in Kismayo town is expensive. The camps have few decent running water sources or latrines, leaving thousands of people at risk of disease”.²²⁶¹

The Guardian reported in an October 2016 article on the conditions for returnees in **Kismayo**, southern Somalia that “Many returnees are dismayed by what they find upon return to Somalia. Outside Kismayo, some 16,000 newly arrived refugees are currently camped in overcrowded and unsanitary conditions in meager shelters that they built themselves, with little access to medical care and no schools.”²²⁶²

Al Jazeera also reported on the situation of returnees in **Kismayo** in an October 2016 article:

More than 16,000 people are living here, destitute and stranded, on the fringes of Kismayo, a port town in Jubaland state, on Somalia's southern frontier.

"There is nothing, there are no good services here ... We don't have a house, no education, no health, no work. We don't know where to go and where to find what we need," said Ahmed Mohamed Abukar, a father who returned to Kismayo - his hometown - in February.

[...] In early September, however, Jubaland state authorities called a halt to the returns process. "We are overwhelmed ... The returning of these refugees [from Dadaab] is neither safe, secure and definitely not dignified," said Adam Ibrahim Aw Hirs, Jubaland state's justice minister. "Families of

²²⁵⁹ UN High Commissioner for Refugees (UNHCR), [Yemen: assisted spontaneous returns for Somali refugees begins](#), 19 September 2017

²²⁶⁰ UN High Commissioner for Refugees (UNHCR), [2016-2017 Integrated Action Plan for Sustainable Return and Reintegration of Somali Refugees from Kenya to Somalia](#), 05 October 2015, p. 40

²²⁶¹ Huffington Post, [Somali Refugees Decry Empty Promises Upon Return From Dadaab Camp](#), 17 October 2016

²²⁶² The Guardian, [Kenya accused of 'dumping' Somali refugees back over the border with no support](#), 20 October 2016

five or six are living outside with their children, there are no schools, there is no food, not even basic hygiene like drinkable water, no toilets. Some are sick, some elderly and some are very young."²²⁶³

In a report published in November 2016 Amnesty International interviewed a number of Somali refugees who had returned to Somalia in 2015 and 2016 as part of the voluntary repatriation programme under the Tripartite Agreement, and had since come back to Dadaab due to security incidents they faced in Somalia. The report noted that "Another man, Abdullahi, aged 34 first came to Dadaab refugee camp in 2010. He told Amnesty International about how he returned to Mogadishu in September 2015 with seven other family members. Shortly after he arrived there was an explosion at the hotel he was staying at. He moved with his family to his home area in the Bardere Gedo region, where his children contracted measles and there was no health care. He returned with his family to Dadaab in March 2016, but has received no support because he is unable to register and reactivate his ration card".²²⁶⁴

In a November 2016 report the Regional Durable Solutions Secretariat (ReDSS) noted with regards to IDPs and returnees access to health care in **Kismayo** that "According to a recent update from the health cluster, "the population in Kismayo is rising rapidly due to returnees from Kenya, flood affected people along the Juba River and other people from the neighbouring villages. Health services are limited and this has resulted in shortage of drugs (Somalia Health Cluster 2016)".²²⁶⁵

The same source further stated that "Consulted stakeholders expressed different views. Some stakeholders highlighted that Kismayo hospital provides free health services, notably in maternal health care. Other stakeholders acknowledged that there are hospitals in Kismayo town but pointed out that access to health care is inadequate in rural areas and that poor segments of resident population, IDPs and returnees may not be able to access to health care services beyond maternal health".²²⁶⁶

A World Health Organization progress report dating October 2017 noted that "The [AWD/Cholera] Attack rate ranges from 0.8-19.9 people per 1000 population. Bay region is one of the regions with the highest attack rate due to the high number of refugees in IDP camps who came to Bay region during the period of severe drought. Access to safe water and proper sanitation by these IDPs was very limited leading to high number of new infections. Over the past two weeks however, the attack rate has been zero pointing to possible end of outbreak in all the regions".²²⁶⁷

16.4.1.1.1. Health care in Mogadishu

A report published in March 2017 by the Regional Durable Solutions Secretariat (ReDSS) provided the following overview of access to healthcare in Mogadishu for IDPs and returnees:

In Mogadishu there are 61 referral hospitals, of which 50 are private and 11 are public (the main public hospitals are the "Erdogan" hospital, supported by the Turkish government, and Zam-Zam Egyptian hospital. There are 91 health centres, of which 74 are privately owned and 17 are supported by local NGOs. The protection assessment from DRC [Danish Refugee Council] finds out that "main public hospitals (39.2%), local NGO dispensaries (25.4%), and private pharmacies (17.7%) are the main

²²⁶³ Al Jazeera, [Refugees stranded in Somalia after Kenya eviction](#), 04 October 2016

²²⁶⁴ Amnesty International, [Kenya: Nowhere Else To Go: Forced Returns of Somali Refugees From Dabab Refugee Camp, Kenya](#), 14 November 2016, p. 22

²²⁶⁵ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Lower Juba region](#), November 2016, p. 24

²²⁶⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Lower Juba region](#), November 2016, p. 24

²²⁶⁷ World Health Organization, [AWD/Cholera Week 39 Sitrep](#), 2 October 2017, p. 2

healthcare facilities visited by the assessed households” (DRC 2016). The assessment analysis reveals that “returnees and IDPs rely more on local NGOs dispensaries and hospitals compared to local residents, while local residents depend more on private pharmacies” (ibid.). The assessment survey shows that “residents of Mogadishu use more of local NGO hospitals and dispensaries as compared to their counterparts in Kismayo and Dhobley” (ibid.). In terms of time take in accessing health facilities, 70.6% of the respondents spend less than thirty minutes, while the rest spend more than thirty minutes (ibid.).²²⁶⁸

16.4.2. Education

In October 2016 the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) noted with regards to the profile of returnees that “Among those who have returned, 75% have no education, 10% have received some informal education, and 2% attended kindergarten. This leaves only 13% of those who have returned as having attended school implying that returnees are drawn from the most disadvantaged groups (UNHCR, 2016). Further, 52% of returnees in 2016 do not have a trade, and the single biggest reason for repatriation cited by returnees is lack of protection in Kenya (32% of respondents)”.²²⁶⁹

UNOCHA reported further in its Humanitarian Response Plan for Somalia, dating December 2016 that “47 per cent of the returnees are school-aged children in need of education services. Absorption capacity is a huge challenge as there are limited education facilities in the areas of settlement. Education is one of the highest priorities for affected people but the lack of education opportunities in Somalia is a significant driver inhibiting Somali refugees from willingly returning to their homeland”.²²⁷⁰

Al Jazeera reported in an October 2016 article that “Education cluster partners in Kismayo and Bay regions are responding to the situation and to the extent possible referring returnee children to existing schools in the area of return. In Kismayo 3,100 returnee students have been enrolled and in Baidoa 395 returnee students have been enrolled since August 2016”.²²⁷¹

Voice of America described the situation of returnees in **Kismayo** in a November 2016 article noting that “**Kismayo** is largely perceived as a safe place for Somali refugees to return to, but authorities admit the city lacks essential services to support them. ‘The returnees had a good life, good health services, and their children were in school getting an education [in Dadaab],’ said Noor of Jubaland Refugee Agency. ‘In Kismayo, their destination, there was nothing’”.²²⁷²

In a March 2017 report the Regional Durable Solutions Secretariat (ReDSS) noted with regards to returnees’ access to education in **Kismayo** that “Data from an education needs assessment recently conducted by JRIA [Jubbaland Refugee and Internally Displaced Person’s Agency] in Kismayo shows that “only 9.37% of the total returnees’ children in the school going age bracket has attended schools, whereas 90.63% are out the schools and have not yet joined any school” (JRIA 2016a). The assessment points out that “some of these children who are in school pay school fees since they learn in privately owned schools while others learn free in schools which are managed by

²²⁶⁸ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 28

²²⁶⁹ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Report on Joint Education Mission to Dadaab Refugee Camps](#), 30 October 2016, p. 2

²²⁷⁰ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 10

²²⁷¹ UN Children's Fund (UNICEF), Education Cluster, [Somalia Education Cluster Annual Report 2016 \(January 2017\)](#), 6 April 2017, p. 7

²²⁷² Voice of America, [Returning Somali Refugees Find it Hard to Build New Lives](#), 18 November 2016

humanitarian NGOs” (ibid.). According to the assessment, “the main factor that has caused the returnees’ children not to join schools is unaffordability of the parents to pay the school fees” (ibid.).²²⁷³

An UN Children's Fund April 2017 report noted with regards to the access to education of returnees that “Over the course of 2016, nearly 27,000 Somalis have returned from Kenya to Somalia following the decision of the Kenyan government to close the Dadaab Refugee Camp. Of these, 47 per cent are children of school going age. The return process has posed a number of challenges including the limited absorption capacity of the education sector in areas of return and lack of national education policies to ensure recognition of education obtained in Dadaab for learners as well as teachers. Ideally the returnees would integrate into the Somali society with the help of good legal frameworks and the repatriation package from UNHCR. Unfortunately many of the returnees end up in overcrowded IDP settlements and become a part of the humanitarian caseload with very limited possibilities of a self-sustaining future”.²²⁷⁴

On the situation of Somalis returning to **Baidoa** the August 2017 Danish Demining Group report noted that “Limited options for education and employment in Baidoa have already led to some secondary migration by youth returnees to Mogadishu”.²²⁷⁵

16.4.2.1. Education in Mogadishu

A report published in March 2017 by the Regional Durable Solutions Secretariat (ReDSS) described the situation of education enrolment of IDPs and returnees as follows:

According to a protection assessment by DRC [Danish Refugee Council] in Mogadishu, Kismayo and Dhobley, “69% of the returnees and IDPs have one or more members enrolled in either religious or secular education while 31% do not have any children in any form of school” (DRC 2016). However, it appears from the assessment survey that IDPs, as well as interviewed returnees, have a lower enrolment rate than the host community. The assessment finds out that “the number of school-going children to religious institutions is higher than those going to formal schools across the three locations” (ibid.) “Majority of the school-going children (47%) are enrolled in madrasas, [...] 37% are enrolled in primary schools, and 11% and 10% in local and religious community school (duksi) and secondary schools respectively” (ibid.).²²⁷⁶

The same source further noted that “Stakeholders consulted in Mogadishu acknowledged that there are a variety of schools in Mogadishu, but pointed out that IDPs and vulnerable or poor returnees have less access to education than resident population due to their more limited capacity to access formal education provided by private schools”.²²⁷⁷

²²⁷³ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Lower Juba region](#), November 2016, p. 24

²²⁷⁴ UN Children's Fund (UNICEF), [Somalia Education Cluster Annual Report 2016 \(January 2017\)](#), 6 April 2017, p. 4

²²⁷⁵ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 3

²²⁷⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 29

²²⁷⁷ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 29

16.4.3. Livelihoods

UNHCR reported in June 2016 on the availability of programs designed to help returnees with their livelihoods in **Baidoa** that:

Baidoa had been receiving growing numbers of returnees since the beginning of the year and this trend has increased during the reporting period of 1-29 February, with a total of 189 household arrivals (970 individuals) received in the way station and provided with a complete return package on their way back home to join their families. With Danish Refugee Council's (DRC) partnership, a three-month strengthening of livelihood and peaceful coexistence project was launched in Baidoa. The project also entails activities aimed at providing to short and medium term employment opportunities for returnees and members of host communities, consisting of cash-for-work (CFW), business startup grants and coexistence initiatives. The first such CFW activity has been launched in sanitation improvements and weather road rehabilitation, involving 200 workers as beneficiaries (70% returnees and 30% belonging to the host community). They will work for three months, 26 days per month, to earn \$100 as monthly wages. Community coexistence forum committees (21 members) were given an extension after their contributions were found to be essential in enhancing reintegration and peaceful coexistence and overseeing the running of the project.²²⁷⁸

The International Organization for Migration reported in October 2016 that "Many returnees [IDPs] who went to **Kismaayo** as their final destinations came back to Dhobley and Afmadow towns due to livelihood opportunities making it difficult to adapt to urban coastal life. Reasons provided for the limited returns to Belet Weyne include the relative insecurity since neighbouring districts are under ex control".²²⁷⁹

An October 2016 Huffington Post article reported that "Some returnees who arrived in **Kismayo** this year said they chose repatriation because they could no longer feed their families in Dadaab. Others said they feared being forced to leave Kenya without any support at all if they didn't; the UNHCR's repatriation package provides cash allowances of around \$2,400 per family of six over a period of six months after their arrival. It is unclear if and what type of support will be available after this period".²²⁸⁰

In a report published in November 2016 Amnesty International described the financial assistance provided to Somali refugees returning from Kenya as follows:

Each person then receives a cash amount of US\$200 if they are returning by road (US\$230 per person with special needs) to Luuq, Baidoa and Kismayo in Somalia, and US\$150 if they are returning by flight to Somalia's capital Mogadishu (US \$180 per person with special needs). Upon arrival in Somalia, returnees arrive at areas known as 'home way stations' in the four main locations, and receive a remaining assistance package of US\$200 per person in addition to some non-food items and accommodation for a maximum of three nights before moving onwards. Returnees are also meant to be provided with a medical check-up and referral, and children with a US\$25 per month cash grant for education for one year, as part of a reintegration package which is subject to funding, which at the time of writing was not available.²²⁸¹

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in its humanitarian response plan dating December 2016 that:

²²⁷⁸ UN High Commissioner for Refugees (UNHCR), [Somalia: Factsheet; June 2016](#), June 2016, p. 2 and 3

²²⁷⁹ International Organization for Migration (IOM), [Somalia: Displacement Tracking Matrix Trends \(DTM Round III Report\), Data Collection: October 2016](#), 31 October 2016, p. 8

²²⁸⁰ Huffington Post, [Somali Refugees Decry Empty Promises Upon Return From Dadaab Camp](#), 17 October 2016

²²⁸¹ Amnesty International (AI), [Kenya: Nowhere Else To Go: Forced Returns of Somali Refugees From Dabab Refugee Camp, Kenya](#), 14 November 2016, p. 14

Nearly 26,000 Somalis have voluntarily returned from Dadaab, Kenya, since the start of 2016. The majority have returned to Baidoa, Kismayo, Luuq and Mogadishu.

[...] Returning refugees receive a return package, comprising of a one-time unconditional return grant of \$200 per person, unconditional monthly subsistence allowance of \$200 per family for health care assistance and other needs, and six months food rations. Returnees also receive up to \$25 education assistance per child for one school year, non-food items and up to \$1,000 conditional shelter package per family, including livelihood and community-based project support.

[...] Despite the assistance, returnees may face major obstacles in the mid to long-term if livelihood and integration projects are not successfully implemented. This could lead returnees to face similar humanitarian needs as host communities, or force more returnees to join IDP settlements or as a strategy to conserve resources. In either case, the pressure on humanitarian services in IDP settlements in the south of the country are additionally taxed.²²⁸²

Refugees International noted on the financial assistance received by refugees returning to **Kismayo** from Kenya that “Returning refugees receive \$200 (U.S. dollars) per person from UNHCR when they depart Dadaab and then another \$200 per person upon arrival at Kismayo. Additionally, refugee returnees receive \$200 per household per month for the subsequent six months, as well as \$15 per month for food. An allocation for housing and education costs is planned by UNHCR but not yet implemented”.²²⁸³

The same source further reported that “One aid worker told RI, ‘I constantly have returnees showing up at our office saying, ‘I have no money. I’m thinking about going back to Dadaab so my kids can go to school.’ The whole voluntary repatriation program needs to be revised’”.²²⁸⁴

The US Department of State annual report on Somalia (covering 2016) noted that “Refugee returnees from Kenya reported limited employment opportunities in areas of return in the southern and central sections of the country [...] On August 29 [2016], the IJA [Interim Juba Administration] began blocking all voluntary refugee returns from Kenya, attributing the decision to a lack of available services and livelihoods for returnees. Refugees and Somali returnees had limited access to basic services”.²²⁸⁵

In report published March 2017 the Regional Durable Solutions Secretariat (ReDSS) noted with regards to returnees in **Bay** region access to remittances from abroad that “Consulted stakeholders concurred that returnees have in general good access to cash/in-kind transfers from aid agencies and that they are as likely as any other resident to receive remittances from relatives abroad. Stakeholders also suggested that IDPs are likely to receive less remittances than resident population since poorer families originally from rural areas may not have many relatives abroad”.²²⁸⁶ The same source assessed the availability of employment opportunities for IDPs and returnees in Bay region: “Consulted stakeholders pointed out that IDPs have less access to sustainable employment conditions compared to local residents, as IDPs are generally less educated than local residents. However, the same cannot be said for returnees, who may have a comparable level of education of local residents (if not higher, in some cases). More research on this will be needed. (Ideally, future

²²⁸² United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), [Somalia: Humanitarian Response Plan](#), 21 December 2016, p. 9

²²⁸³ Refugees International (RI), [Refugee Returns from Kenya to Somalia: "This is about fear... not about choice"](#), 4 November 2016, p. 5

²²⁸⁴ Refugees International (RI), [Refugee Returns from Kenya to Somalia: "This is about fear... not about choice"](#), 4 November 2016, p. 7

²²⁸⁵ US Department of State (USDOS), [Country Report on Human Rights Practices 2016 - Somalia](#), 03 March 2017, *Protection of Refugees*

²²⁸⁶ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 29

research should include IDP returnees, a sub-group of returnees whose situation is not properly studied.)”²²⁸⁷

The Danish Demining Group report of August 2017 assessed the impact of the financial assistance received by returnees and found that:

Cash and material assistance to the returnees by UNHCR has been criticized as too little by some observers and too much by others. Financial support to the returnees has been modified over the past year, so there has been no uniform return package, a fact which has led to some local confusion and false rumours. In general, each Dadaab returnee receives a one-time US\$200 “reinstallation grant” upon arrival in Somalia (no ceiling for families), and a subsistence allowance of US\$200 per household for six months, for a total of US\$1,200 per household. In addition, some returnee families receive allowances for the construction of a house or purchase of land, and some have been eligible for vouchers to cover costs of school fees.

This level of aid is far greater than any assistance to IDPs, drought victims, and the general poor in Somalia, and is a considerable sum of money by local standards.²²⁸⁸

The same report further stated that “On the other hand, refugee advocates argue that the financial support to returnees will quickly run out in the relatively expensive cities of Kismayo and Mogadishu, and as that the cash will not be sufficient to purchase real estate, the returnees will end up living in the already packed IDP camps as the latest addition to Somalia’s urban poor. There are also concerns that returnees may be targeted by criminals who are aware they hold cash”.²²⁸⁹

The Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa noted with regards to unemployment that “Somali cities feature greater wealth and purchasing power, but also exceptionally high levels of unemployment – estimated at 65%. Youth unemployment in Somalia is estimated at 68% - the highest in the world. Returnees will be hard pressed to find sustainable livelihoods in the urban centres. Somalia’s major cities are also relatively expensive compared to the countryside, which will add to the financial stress felt by the returnees. The informal sector dominates Somalia’s urban economies, and is a source of casual and periodic labour for the urban poor”.²²⁹⁰

16.4.3.1. Livelihoods in Mogadishu

A report published in March 2017 by the Regional Durable Solutions Secretariat (ReDSS) noted on the economic reintegration of returnees in Banadir region that:

It has to be noted that there are discrepancies in the way returnees receive assistance. Returnees that have returned before the new package was put in place received a smaller assistance package than the current one due to funding limitations. There is a risk that the on-going drought response inadvertently put a strain on reintegration process as aid originally meant for reintegration activities may be reallocated to emergency activities. Consulted stakeholders concurred that returnees have in general good access to cash or in-kind transfers from aid agencies and that they are as likely as any other resident to receive remittances from relatives abroad. Stakeholders suggested that IDPs are likely to receive less remittances than resident population since poorer families originally from rural areas may not have many relatives abroad.²²⁹¹

²²⁸⁷ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Bay region](#), March 2017, p. 32

²²⁸⁸ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 9 and 10

²²⁸⁹ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 10

²²⁹⁰ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 13

²²⁹¹ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 29

The same report stated on the challenges encountered by IDPs and returnees in Banadir in accessing employment “Consulted stakeholders pointed out that IDPs and refugee returnees face several obstacles. Stakeholders reported that IDPs and returnees find it difficult to obtain references for perspective employers. Perceived corruption of government officials and the existence of gatekeepers appear to exacerbate the problem”.²²⁹²

On the availability of employment opportunities the same report noted:

Consulted stakeholders pointed out that IDPs, and possibly refugee returnees, have considerable less employment opportunities than resident population. However, disaggregated data for IDPs and refugee returnees is not available. It can be assumed that those returnees who are not able to return to their areas of origin are likely to face similar challenges as IDPs, but it not possible to reach any firm conclusion about their unemployment level. Moreover, due to lack of disaggregated data it is not possible to make a proper comparison between IDPs and poor residents. While it is broadly acknowledged that IDPs are amongst the poorest in Somalia, it is not clear whether IDPs are much poorer and affected by higher unemployment rates than the urban poor.²²⁹³

The Regional Durable Solutions Secretariat further assessed the employment conditions for IDPs and returnees in Banadir region noting that “Consulted stakeholders pointed out that IDPs have less access to sustainable employment conditions compared to local residents, as IDPs are generally less educated than local residents. The same cannot be said for returnees, who may have a comparable level of education of local residents (if not higher, in some cases). More research on the status of returnees will be needed. (Ideally, future research that goes beyond Mogadishu should include IDP returnees, a sub-group of returnees whose situation is not properly studied.)”.²²⁹⁴

An August 2017 Danish Demining Group report noted on employment opportunities in Mogadishu that “Employment will be a source of competition between returnees, IDPs, and host communities. The returnees will possess varying levels of formal education thanks to schooling in Dadaab camps, and may in consequence constitute unwanted competition for professionals in the host community. This will be a welcome new source of labour for businesses, but could work against local labourers”.²²⁹⁵

16.4.4. Female headed households

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa stated that “Available UNHCR data do not indicate that a large percentage of returning households are female-headed; of those refugees expressing a willingness to return however, adult women considerably outnumber the men, 58% to 42%, suggesting that female single headed households will count as a significant category of the returnees”.²²⁹⁶ The same report further noted on the situation of women headed households that “Women traveling and then resettling alone with their children constitute an especially vulnerable group. Despite access to universal education in Dadaab, female refugees of all age groups possess less education than males, with high percentages

²²⁹² The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 31

²²⁹³ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 31

²²⁹⁴ The Regional Durable Solutions Secretariat (ReDSS), [Durable Solutions Framework - Local Integration Focus: Benadir region](#), March 2017, p. 32

²²⁹⁵ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 28

²²⁹⁶ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 18

in possession of no formal education. The only exception is females aged 12-17; most of that cohort has at least some education, and almost as much as males of that age-set. This means that the adult female returnees will be consigned to unskilled labour, and hence will be very likely to end up in IDP camps when their funds run out. The teen female returnees will stand the greatest chance of securing semi-skilled or skilled employment, if those jobs are available in sufficient numbers”.²²⁹⁷

The Danish Demining Group report also stated that: “Female returnees, especially heads of households, face tremendous challenges. They will have to run a household while working in the informal sector and, in most cases, serving as principal or sole breadwinner in the family. Depending on location, they may have less physical protection than in Dadaab, and will be more vulnerable to extortion and sexual assault. And they will face great challenges parenting if returnee children cannot attend local schools due to cost or availability. Research on the impact of the war on Somali men note that the prolonged refugee experience in Dadaab, during which time Somali men have been unable to play the role of provider, has had a negative effect. Many males have become addicted to the mild narcotic drug qat, leaving their wives the full burden of running the household”.²²⁹⁸

The same report noted on the challenges encountered by female heads of households returning from Dabaab, Kenya: “For female heads-of-households returning from Dadaab, vulnerability is even greater. Most will end up in poorer neighbourhoods or IDP camps, which are generally located in peri-urban outskirts of cities. The peri-urban areas are always more exposed to crime and Al Shabaab infiltration. In the event armed conflict breaks out for whatever reason, the returnees will be in a poor position to protect and defend themselves”.²²⁹⁹

Also see [9.1. Sexual and Gender-Based Violence \(SGBV\) in South and Central Somalia \(excl. Mogadishu\)](#).

16.4.4.1. Female headed households in Mogadishu

Landinfo, the Norwegian Country of Origin Information Centre, noted in a report dating April 2016 that “Regarding Mogadishu, UNHCR’s representative said in a meeting with Landinfo in January 2016 that 48,000 refugees from Mogadishu had been registered in Dadaab. In October 2015, 1,500 of these were repatriated and UNHCR reported that 4,000 were on a waiting list for repatriation at the end of 2015. According to UNHCR’s guidelines no single women are repatriated to Mogadishu (representative of UNHCR, conversation in Nairobi in 2016). UNHCR’s representative stated that repatriation efforts from Kenya will continue in 2016 and that over the course of the year the goal is to establish a similar agreement with Ethiopia for the return of Somali refugees from there as well”.²³⁰⁰

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa noted that “Female returnees, especially heads of households, face tremendous challenges. They will have to run a household while working in the informal sector and, in most cases, serving as principal or sole breadwinner in the family. Depending on location, they may have less physical protection than in Dadaab, and will be more vulnerable to extortion and sexual assault. And they will face great challenges parenting if returnee children cannot attend local schools due to

²²⁹⁷ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 18

²²⁹⁸ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 36

²²⁹⁹ Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 36

²³⁰⁰ Norway: Landinfo - Country of Origin Information Centre, [Somalia: Relevant social and economic conditions upon return to Mogadishu](#), 1 April 2016, p. 9

cost or availability. Research on the impact of the war on Somali men note that the prolonged refugee experience in Dadaab, during which time Somali men have been unable to play the role of provider, has had a negative effect. Many males have become addicted to the mild narcotic drug qat, leaving their wives the full burden of running the household”.²³⁰¹ The same report further stated that “For female heads-of-households returning from Dadaab, vulnerability is even greater. Most will end up in poorer neighbourhoods or IDP camps, which are generally located in peri-urban outskirts of cities. The peri-urban areas are always more exposed to crime and Al Shabaab infiltration. In the event armed conflict breaks out for whatever reason, the returnees will be in a poor position to protect and defend themselves”.²³⁰²

Also see section [9.2. SGBV in Mogadishu](#).

16.4.5. Risk of becoming internally displaced in Mogadishu upon return from abroad

The Internal Displacement Monitoring Centre noted in their annual report on internal displacement (covering 2016) that “Somalia saw some former refugees return to become IDPs in 2016. More than 24,600 Somalis were repatriated from Kenya between January and October 2016, under an agreement between the UN Refugee Agency (UNHCR) and the Kenyan and Somali governments. Most people have returned to Baidoa, Kismayo, Luuq and Mogadishu, where they are living as IDPs”.²³⁰³

An August 2017 Danish Demining Group report that conducted fieldwork in Kismayo, Mogadishu, and Baidoa noted that “Several IDP camp managers in Mogadishu have already evicted IDP population in order to make room for the returnees, whom they expect will be caring financial assistance packages and hence will be more lucrative tenants. This has produced a wave of secondary displacement. There is no indication at this time that secondary displacement will trigger or aggravate conflicts, but it is adding to the misery of IDPs in Mogadishu, and is accelerating an already worrisome trend toward forcible eviction of IDPs on government or high-value urban land. The brutality of some of these forced evictions, some directed by high-ranking government officials, generates deep grievances that can be exploited by Al Shabaab”.²³⁰⁴

The same report stated that “Returnees who end up pushed into the peri-urban IDP camps, especially those in the Afgoye corridor, will be more vulnerable to Al Shabaab taxation, recruitment, and intimidation”.²³⁰⁵

16.5. Trafficking of persons returning from abroad

Among the sources consulted within the reporting period no information could be found on trafficking of persons returning from abroad.

²³⁰¹ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 36

²³⁰² Danish Demining Group, [Dabaab Returnee Conflict Assessment](#), August 2017, p. 36

²³⁰³ Internal Displacement Monitoring Centre, [2016 Africa Report on Internal Displacement](#), December 2016, p. 8

²³⁰⁴ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 36

²³⁰⁵ Danish Demining Group, [Dabbab Returnee Conflict Assessment](#), August 2017, p. 3

17. APPENDIX- Useful sources to consult on the security situation in Somalia

Somalia's security situation is volatile and fast-moving. It is therefore recommended that readers of this report always consult the most recently available information on the security situation. Further to those search engines/databases and sources listed above in the '[Sources and databases consulted](#)' section, the following list of sources are considered particularly useful to consult on the security situation in Somalia to assist in case specific research (for example on a specific location or on a certain non-state armed group).

N.B. If a source's website lacks a search function, then you can use google's advanced search to conduct a Boolean search (AND, OR, NOT) or to focus or limit your search results, for example by searching via a particular website. See https://www.google.com/advanced_search for further assistance.

| Useful sources to consult on the security situation in Somalia | | |
|---|---|--|
| Source | Type of source [information from source's website] | Source publications and website's search function |
| Sources providing a general, time-specific overview | | |
| Armed Conflict Location & Event Date Project (ACLED) | ACLED is a disaggregated conflict collection, analysis and crisis mapping project. ACLED collects the dates, actors, types of violence, locations, and fatalities of all reported political violence and protest events across Africa, South Asia, South East Asia and the Middle East. | <ul style="list-style-type: none"> Simple search function Dashboard page allows for search by country filtered by date range, event type, actor type and number of fatalities Also produces monthly analysis Data page allows search of all data since 1997 |
| Assessment Capacities Project [Somalia country page] | ACAPS is an independent information provider, free from the bias or vested interests of a specific enterprise, sector, or region. | <ul style="list-style-type: none"> Boolean search function and phrase search function 'Crisis Analysis' page provides regularly updated information on 'Politics and Security', including: 'Overview'; 'Stakeholders'; Control of Territory; Recent Incidents. |
| UN Independent Expert on the situation of human rights in Somalia | The Special Procedures assumed by the Human Rights Council are thematic and country-related. Independent Expert is one of the titles used for these procedures. The present one was established in 1993. | <ul style="list-style-type: none"> Tends to report annually, submitted pursuant to the relevant resolution renewing its mandate. |
| UN Monitoring Group on Somalia and Eritrea [SEMG] | The UN Security Council Committee is supported by SEMG. See SEMG's Mandate | <ul style="list-style-type: none"> Tends to report annually, submitted pursuant to the relevant resolution renewing its mandate. |
| Databases regularly recording security incidents | | |
| International Crisis Group's ' Crisis Watch ' [monthly updates] | The International Crisis Group is an independent organisation working to prevent wars and shape policies that will build a more peaceful world. | <ul style="list-style-type: none"> CrisisWatch is a monthly early warning bulletin designed to provide a regular update on the state of the most significant situations of conflict around the world. Database search allows for search by region & country, 'crisis state' and date |
| National Consortium for the Study of Terrorism and Responses to Terrorism (START) [only up to 2016] | START is a university-based research and education center comprised of an international network of scholars committed to the scientific study of the causes and human consequences of | <ul style="list-style-type: none"> The Global Terrorism Database (GTD) is an open-source database including information on terrorist events around the world from 1970 through 2016 (with annual updates |

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| | terrorism in the United States and around the world. | <p>planned for the future).</p> <ul style="list-style-type: none"> ▪ The GTD allows to search for incidents by: date; region; country; perpetrator groups; weapon type; attack type; target type; terrorism criteria; and casualties. |
| Armed Conflict Location & Event Data Project (ACLED) | ACLED is a disaggregated conflict collection, analysis and crisis mapping project. ACLED collects the dates, actors, types of violence, locations, and fatalities of all reported political violence and protest events across Africa, South Asia, South East Asia and the Middle East. | <ul style="list-style-type: none"> ▪ Data page allows for download of all data since 1997 by country filtered by date range, event type, actor ▪ Dashboard page allows for search by country filtered by date range, event type, actor type and number of fatalities |
| UN Office for the Coordination of Humanitarian Affairs (UNOCHA): Humanitarian Bulletin Somalia > Via Reliefweb | OCHA has mobilized and coordinated humanitarian efforts in Somalia since 1999 and aims to ensure a well-coordinated, effective and principled inter-agency humanitarian response. | Humanitarian Bulletins are published monthly Reliefweb has an advanced search function which allows for search via organisation |
| UNHCR led Protection & Return Monitoring Network (PRMN) | The Refugees Operational Portal is a Partners coordination tool for Refugee situations provided by UNHCR. | <ul style="list-style-type: none"> ▪ Advanced search function allows for: keyword search, search by location, refugees situation, type, language, document type, partner, sector and date |
| Uppsala Universitet Uppsala Conflict Data Program – UCDP Conflict Encyclopedia Somalia page [only up to 2016] | <p>The UCDP is the world's main provider of data on organized violence and the oldest ongoing data collection project for civil war, with a history of almost 40 years.</p> <p>UCDP also operates and continuously updates its online database (UCDP Conflict Encyclopedia) on armed conflicts and organised violence, in which information on several aspects of armed conflict such as conflict dynamics and conflict resolution is available.</p> | <ul style="list-style-type: none"> ▪ No search function ▪ Provides data on number of deaths and limits this by actor |
| Local news sources | | |
| Africa Review | The Africa Review site is a digital news platform established by the Nation Media Group, Kenya, one of Africa's leading publicly listed media companies. The aim of Africa Review is to provide smart insights on African news and to examine important social and political trends in the continent. It is the African story told not just from an African perspective; but it is also a criticism of Africa's missteps from a tough African point of view. The site carries a large resource of material, with a vast range of | <ul style="list-style-type: none"> ▪ Advanced search function allows for Boolean search, and exact phrases and limits search by: category; type; location; date and orders search results by date or relevance |

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| | topics, from breaking news to special reports, in depth country profiles and blogs. | |
| Afrol News | afrol News is an independent news agency, established in 2000. We exclusively cover the African continent, in English, Spanish, French and in Portuguese. | <ul style="list-style-type: none"> No search function |
| Al Jazeera | We broadcast to more than 310 million households in more than 100 countries. Al Jazeera Media Network has more than 3,000 highly experienced staff from over 70 nationalities, making our newsrooms the most diverse in the world. | <ul style="list-style-type: none"> Boolean search function and filters research by publication time. Search results ordered by date or relevance. |
| All Africa | AllAfrica is a voice of, by and about Africa - aggregating, producing and distributing 600 news and information items daily from over 140 African news organizations and our own reporters to an African and global public. We operate from Cape Town, Dakar, Abuja, Monrovia, Nairobi and Washington DC. | <ul style="list-style-type: none"> Boolean search function and filters research by publication time. Search results ordered by date [most recent first] |
| Banadir | [Information from source's website not available, but the source provides news about Somalia] | <ul style="list-style-type: none"> No search function News presented by date [most recent first] |
| Garowe Online | The independent news Web site Garoweonline.com is the online sister publication of Radio Garowe, a community radio station based in Garowe, the state capital of Puntland, a self-governing region in northern Somalia | <ul style="list-style-type: none"> No search function News presented by date [most recent first] |
| Hiiraan Online | News and information about Somalia | <ul style="list-style-type: none"> Google powered search function i.e. Boolean, exact phrase search News presented by date [most recent first] |
| Jowhar | The BBC's Somalia media profile describes this as a news website, articles in English. Its website states that: Jowhar Somali News Leader is your news, entertainment website. We provide you with the latest breaking news and videos straight from the Somali entertainment industry. | <ul style="list-style-type: none"> Simple keyword search |
| Mareeg | The BBC's Somalia media profile describes this as a news website, articles in English | <ul style="list-style-type: none"> Simple keyword search |
| Radio Dalsan | Radio Dalsan was established in April 2012 in Mogadishu, Somalia with FM frequency 91.5MHz . The radio is registered with the federal ministry of information in Somalia. | <ul style="list-style-type: none"> Simple keyword search |

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| | Its primary goal is to address neutral information gap existing in the capital city and advance human rights of poor, marginalized and disadvantaged residents of the city by raising their voices be heard and find out durable solutions to their formidable challenges. Dalsan is an independent and autonomous FM Radio station. | |
| Reuters Africa [Somalia pages] | Powered by Reuters AlertNet. AlertNet provides news, images and insight from the world's disasters and conflicts and is brought to you by Reuters Foundation. | <ul style="list-style-type: none"> ▪ No search function News presented by date [most recent first] |
| Shabelle News | Shabelle Media Network (SMN) is a Radio and Television news organization based in Mogadishu, Somalia. | <ul style="list-style-type: none"> ▪ Simple keyword search |
| United Nations News Centre | Provides news and key UN resources: <ul style="list-style-type: none"> ○ Latest developments ○ Maps of the region ○ Statement from the UN Secretary General; Security Council; General Assembly ○ Aid/development: UN Agencies & Programmes | <ul style="list-style-type: none"> ▪ The advanced search function allows for: <ul style="list-style-type: none"> ○ 3 distinct key word/set phrases ○ Searches within time frames ○ Searches limited by subject ▪ Search results presented by date |