



Home Office

# **Country Policy and Information Note**

## **Somalia: Majority clans and minority groups in south and central Somalia**

**Version 3.0**

**January 2019**

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

## Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI’s relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the ‘cut-off’ date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

# Contents

|                                                                        |           |
|------------------------------------------------------------------------|-----------|
| <b>Assessment</b> .....                                                | <b>6</b>  |
| 1. Introduction.....                                                   | 6         |
| 1.1 Basis of claim.....                                                | 6         |
| 1.2 Points to note.....                                                | 6         |
| 2. Consideration of issues.....                                        | 6         |
| 2.1 Credibility.....                                                   | 6         |
| 2.2 Refugee Convention reason.....                                     | 6         |
| 2.3 Exclusion.....                                                     | 7         |
| 2.4 Assessment of risk.....                                            | 7         |
| 2.5 Protection.....                                                    | 10        |
| 2.6 Internal relocation.....                                           | 11        |
| 2.7 Certification.....                                                 | 12        |
| <b>Country information</b> .....                                       | <b>13</b> |
| 3. Clans and minority groups.....                                      | 13        |
| 3.1 Clan system.....                                                   | 13        |
| 3.2 Minority groups.....                                               | 15        |
| 4. Treatment of majority clans.....                                    | 17        |
| 5. Treatment of minority groups.....                                   | 17        |
| 5.1 Human rights abuses against minority groups.....                   | 17        |
| 5.2 Human rights abuses against female members of minority groups..... | 19        |
| 5.3 Bantu (Jareer).....                                                | 20        |
| 5.4 Bajuni.....                                                        | 21        |
| 5.5 Benadiri (including the Rer Hamar and Bravanese).....              | 22        |
| 5.6 Midgan (Gabooye), Tuman, Yibir or Galgala.....                     | 25        |
| 6. Clan support and protection.....                                    | 26        |
| 7. State protection.....                                               | 29        |
| 7.1 Somali security forces.....                                        | 29        |
| 7.2 Effectiveness of the security forces.....                          | 30        |
| 7.3 Judiciary.....                                                     | 30        |
| 7.4 Effectiveness of the judiciary.....                                | 32        |
| 8. Treatment of internally displaced persons (IDPs).....               | 33        |
| <b>Terms of reference</b> .....                                        | <b>34</b> |
| <b>Bibliography</b> .....                                              | <b>36</b> |
| Sources cited.....                                                     | 36        |
| Sources consulted but not cited.....                                   | 39        |



# Assessment

Updated: 8 January 2019

## 1. Introduction

### 1.1 Basis of claim

1.1.1 Fear of persecution or serious harm by non-state actors on account of a person's membership of a majority clan or minority group.

### 1.2 Points to note

1.2.1 This note is focused on south and central Somalia. Where needed, decision makers should seek advice on the treatment of majority clans and minority groups in other areas of Somalia on a case-by-case basis.

1.2.2 The 4 majority clans in Somalia as a whole are the Darod, Hawiye, Isaaq and Dir. Two further clans, the Digil and Mirifle (sometimes collectively referred to as Rahanweyn), take a position between the majority clans and the minority groups. Minority groups are comprised of ethnic and religious minorities, and occupational/out-caste groups. The latter are of the same ethnicity as members of the majority clans. Ethnic and religious minorities include the urban coastal communities of the Benadir region (the Reer Hamar, Barawani – also known as Reer Brava or Bravanese – and the Bajuni) and the Bantu. Occupational and out-caste groups include members of the Tumul, Midgan and Yibir (see [Clan system](#)).

1.2.3 The term 'group' can mean a particular dominant ethnicity associated with a geographical location or language, or could loosely mean a clan as in an alliance of separate descent groups living in the same city.

1.2.4 Members of majority clans can be considered minorities where they live in an area mainly populated by other majority clans.

[Back to Contents](#)

## 2. Consideration of issues

### 2.1 Credibility

2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

[Back to Contents](#)

### 2.2 Refugee Convention reason

2.2.1 Clans and minority groups constitute particular social groups (PSGs) within the meaning of the Refugee Convention because they share an innate characteristic, or a common background that cannot be changed, or share a

characteristic or belief that is so fundamental to their identity or conscience that they should not be forced to renounce it, and have a distinct identity which is perceived as being different by the surrounding society.

2.2.2 Although clans and minority groups constitute PSGs, establishing such membership will not be sufficient to be recognised as a refugee. The question in each case is whether the particular person will face a real risk of persecution on account of their membership of such a group.

2.2.3 For further information and guidance on particular social groups, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

[Back to Contents](#)

## 2.3 Exclusion

2.3.1 The Refugee Convention provides a framework for international refugee protection but contains specific provisions to exclude certain individuals from those benefits. The circumstances of each case, however, must be considered on its own facts.

2.3.2 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave guidance](#).

[Back to Contents](#)

## 2.4 Assessment of risk

### a. Majority clans

2.4.1 The clan system has changed in recent years and been undermined to varying degrees in different regions by the ongoing conflict, Al Shabaab introducing Sharia in place of xeer (customary law) as a source of law, and by the declining influence of the traditional system of justice. This is particularly the case in Mogadishu. A person's individual personal connections have become increasingly important in accessing clan support, which may make those moving to a new area without such connections vulnerable. While there are reports of clashes between majority clans, sources do not indicate that there is widespread discrimination of members of majority clans because of their ethnicity/clan membership alone (see [Clans and minority groups](#); [Treatment of majority clans](#) and country policy and information note on [Somalia: Fear of Al Shabaab](#)).

2.4.2 The country guidance case of [MOJ & Ors \(Return to Mogadishu\) Somalia CG \[2014\] UKUT 00442 \(IAC\)](#) was heard February 2014 and promulgated 3 October 2014. The appellant in the case was a member of a majority clan (although that clan was in the numerical minority in Mogadishu). The Upper Tribunal (UT) held that: 'There are no clan militias in Mogadishu, no clan violence, and no clan based discriminatory treatment...' (para 407g). Country information available since MOJ & Ors was heard does not indicate that there has been a substantive change in the situation in Mogadishu. The UT did not consider the situation in areas of South and Central Somalia outside of Mogadishu (see [Clans and minority groups](#) and [Treatment of majority clans](#)).

2.4.3 While there continued to be recent inter-clan clashes, there is not cogent evidence to indicate that members of majority clans are at risk of persecution or serious harm based on their clan membership alone (see [Clans and minority groups](#) and [Treatment of majority clans](#)).

2.4.4 In general, it is unlikely that any person belonging to one of the majority clan families (Hawiye, Darood, Dir or Isaaq) – or immediate clan groups or associated sub-clans – will be able to demonstrate a well-founded fear of persecution on return on the basis of their clan affiliation alone in Mogadishu or other parts of south and central Somalia. However, each case will need to be considered on its individual facts with the onus on the person to demonstrate that they face a risk of persecution or serious harm.

b. [Minority groups \(including minority clans\)](#)

2.4.5 Members of minority groups in south and central Somalia can be at particular disadvantage in comparison to members of the majority clans. They may be excluded from effective participation in governing institutions and be subjected to discrimination in obtaining employment, judicial proceedings, and access to public services. They usually lack the support network provided to members of the majority clans. However, Mogadishu contains representatives from most clans, as well as minority groups, with people coming together across clan boundaries for the purposes of work and education as well as in social settings and to marry. Some minority clans/groups have a well-established community in Mogadishu, and some have rebuilt their businesses and livelihoods in recent years (See paras 54 and 55 of [AAW \(expert evidence – weight\) Somalia \[2015\] UKUT 673 \(IAC\)](#), heard 19 October 2015 and promulgated 5 November 2015; [and Clans and minority groups](#)).

2.4.6 Members of minority groups who have become internally displaced persons (IDPs) and who end up living in an IDP camp in any part of Somalia may be particularly vulnerable and could face discrimination and various human rights abuses from state or non-state actors. Clan networks extend to IDP camps and there have been reports of minority groups being unable to access basic services and gatekeepers restricting their access to aid. Single women or female single heads of households are particularly vulnerable. Crimes against women, especially amongst women from minority groups, are often perpetrated with impunity, and women and girls from minority clans often lack access to justice, due process, and clan protection (see [Treatment of internally displaced persons](#); [Human rights abuses against female members of minority groups](#), and the country policy and information notes on [Somalia: women fearing gender-based harm and violence](#) and [Security and humanitarian situation in south and central Somalia](#))

2.4.7 For information and guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

c. [Mogadishu](#)

2.4.8 In the country guidance case of [MOJ & Ors \(Return to Mogadishu\) Somalia CG \[2014\] UKUT 00442 \(IAC\)](#) heard February 2014 and promulgated 3 October 2014, the Upper Tribunal (UT) held that that in Mogadishu there is



‘no clan based discriminatory treatment, even for minority clan members’ (para 407g).

2.4.9 The UT also held that:

‘Perhaps a good indication of the very real change that has taken place in Mogadishu is that some commentators when referring to a “minority clan” now base that not on ethnicity but the fact of the clan being in a numerical minority in a particular area, despite its status as a majority clan on a national basis. It is clear that there have been very significant population movements in Mogadishu in recent years.’ (para 77).

2.4.10 It further held:

‘It will, therefore, only be those with no clan or family support who will not be in receipt of remittances from abroad and who have no real prospect of securing access to a livelihood on return who will face the prospect of living in circumstances falling below that which is acceptable in humanitarian protection terms.’ (para 408)

2.4.11 The UT also found that a person from a minority clan with no links to Mogadishu, no access to funds and no other form of clan, family or social support, is at ‘a real risk of having no alternative but to live in makeshift accommodation within an IDP camp where there is a real possibility of having to live in conditions that will fall below acceptable humanitarian standards’ (para 425; see also [Treatment of minority groups](#) and [Treatment of internally displaced persons](#)).

2.4.12 The situation in Mogadishu has not significantly changed since [MOJ & Others](#) was promulgated. While persons from minority groups may be marginalised and face discrimination, there is no information to suggest that they are systematically targeted or exposed to violence in Mogadishu. The discrimination and treatment faced by members of minority groups is generally not sufficiently serious by its nature and repetition as to amount to persecution or serious harm. In general, they are unlikely to face persecution on the basis of their ethnicity or minority group/clan membership alone.

2.4.13 However, minority group/clan members in Mogadishu without support networks, skills or education, and who have no real prospect of securing access to a livelihood are generally likely to face difficult living conditions that amount to serious harm or persecution.

2.4.14 Each case will need to be carefully considered on its facts, with the onus on the person to demonstrate that they are at real risk of serious harm or persecution on account of their membership of a majority clan or minority group (see also country policy and information note on [Security and humanitarian situation in south and central Somalia](#)).

d. [South and central Somalia outside of Mogadishu](#)

2.4.15 The UT in [MOJ & Others](#) did not consider the treatment of clans / minority groups outside of Mogadishu. There is, however, earlier caselaw that considers the position of minority groups and remains relevant to assessing cases, particularly those outside of Mogadishu. However, this caselaw is based on country information up to 2005/6 and so does not take into account recent changes in the human rights situation and in clan dynamics. Decision

makers should, therefore when considering cases, take into account this caselaw alongside up-to-date country information and the person's particular circumstances.

- 2.4.16 In the case of [NM and Others \(Lone women – Ashraf\) Somalia CG \[2005\]](#) UKIAT 00076, heard 14 February 2005 and promulgated on 31 March 2005, the Tribunal found that male and female members of minority groups from the south will, in general, be at risk of breaches of their Article 3 rights and will be refugees in the absence of evidence that they have a clan or personal patron and the means to access an area of safety without a real risk (para 117).
- 2.4.17 In the case of [YS and HA \(Midgan – not generally at risk\) Somalia CG \[2005\]](#) UKIAT 00088, heard 10 February 2005 and promulgated on 22 April 2005, the Tribunal held that a Midgan or Yibir who has lost the protection of a local patron (or local patrons) and who had not found alternative protection in a city would be vulnerable to persecution and would not be able to relocate safely within Somalia (para 73, viii and ix). Occupational groups generally face more severe discrimination than ethnic minorities.
- 2.4.18 In the case of [MA \(Galgale – Sab clan\) Somalia CG \[2006\]](#) UKIAT, heard 26 May 2006 and promulgated on 17 July 2006, the Tribunal held that there are no designated areas in which the Galgala may live; and they can no longer look to a major clan as a patron. They may therefore have less expectation of protection than others and therefore may face a real risk of persecution. In general, members of the Galgala would, on return, face a real risk of persecution and treatment contrary to Article 3 (paras 55-58).
- 2.4.19 The available country information generally indicates that members of minority groups are likely to face political, social, economic and judicial discrimination, and human rights abuses, which, in some circumstances, may amount to persecution. The scale of this may vary depending on the minority group and the geographical area to which they are returning to, including whether it is under the control of the government or Al Shabaab. Each case will need to be carefully considered on its facts, with the onus on the person to demonstrate that they will face serious harm or persecution.
- 2.4.20 See also [Treatment of minority groups](#) and the country policy and information notes on [Somalia: Security and humanitarian situation in south and central Somalia and Fear of Al Shabaab](#).

[Back to Contents](#)

## 2.5 Protection

2.5.1 Where the person's fear is of persecution and/or serious harm from non-state actors, decision makers must assess whether the state can provide effective protection.

### a. State

2.5.2 Throughout south and central Somalia (including Mogadishu) there are structural weaknesses in the security forces, including indiscipline, weak command and impunity for human rights abuses. This, alongside a largely non-functioning legal system for the detection, prosecution and punishment of acts constituting persecution or serious harm, and the widespread

existence of corruption in state institutions means that, in general, the majority clan or minority group members who are at risk are unlikely to be able to access effective protection from the state (see also [State protection](#)).

#### b. Clan-based protection

- 2.5.3 Decision makers will need to make a careful assessment of whether effective protection may be provided by a person's clan.
- 2.5.4 In areas of south and central Somalia outside of Mogadishu, dominant clans may retain an ability to provide protection to its members and members of minority groups with which it has established a relationship/links. Decision makers will need to establish in such instances whether the dominant clan has the ability and willingness to provide durable and effective protection (see [Clan support and protection](#)).
- 2.5.5 The significance of clan protection has diminished, particularly in Mogadishu, though this may vary by clan and by area. The effect of this is that minority groups who had established a relationship with a majority clan may no longer be able to seek protection from their sponsor clan. However, this may depend on the dominant clan and the area in which they reside. Decision makers will therefore need to take into account which minority group the person belongs to and whether protection from the clan with which the minority group has established a relationship is available (see [Clan support and protection](#) and [Treatment of minority groups](#)).
- 2.5.6 In the country guidance [MOJ & Others](#), which considered the issue of safety in Mogadishu only, the UT held that: 'The significance of clan membership in Mogadishu has changed. Clans are now potentially in a position to provide social support mechanisms and assist with access to livelihoods, performing less of a protection function than previously' (Head note viii).
- 2.5.7 Decision makers must therefore carefully assess whether effective protection is available in relation to the particular circumstances and profile of the person. Any evidence of past persecution and / or past lack of effective protection may indicate that effective protection would not be available in the future. The onus is on the person to demonstrate that protection is not available (see [Treatment of minority groups](#)).
- 2.5.8 For further guidance on assessing the availability protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.5.9 For assessment and country information on considering female gender-based claims see the country policy and information note on [Somalia: women fearing gender-based harm and violence](#).

[Back to Contents](#)

#### 2.6 Internal relocation

- 2.6.1 Decision makers must consider the relevance and reasonableness of internal relocation on a case-by-case basis, taking full account of the individual circumstances of the particular person.
- 2.6.2 In general, internal relocation for members of a majority clan or minority group may be viable to Mogadishu and to areas of south and central Somalia not controlled by Al-Shabaab. However, each case must be

carefully considered on its facts, with the onus on the person to demonstrate that they are at real risk of having no clan or family support, would not be in receipt of remittances from abroad, would have no real prospect of securing access to a livelihood on relocation and would consequently face serious harm or persecution. Internal relocation to Somaliland and Puntland from other areas of Somalia would only be viable for former residents and/or those who are members of locally-based majority clans or minority groups.

- 2.6.3 For single women and female single heads of households with no male protection, especially those originating from minority groups, internal relocation will not be available in the absence of support networks or a real prospect of securing access to a livelihood. For information and guidance on the security situation and gender-based violence, see the country policy and information notes on [Somalia: Security and humanitarian situation in south and central Somalia](#), [Somalia: Fear of Al Shabaab](#) and [Somalia: women fearing gender-based harm and violence](#).
- 2.6.4 For further guidance on internal relocation, see [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

## 2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see the [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

[Back to Contents](#)

# Country information

Section 3 updated: 19 November 2018

## 3. Clans and minority groups

### 3.1 Clan system

3.1.1 The European Asylum Support Office (EASO) Country of Origin Information report, South and Central Somalia Country Overview, published in August 2014, (EASO report August 2014), described the clan system and majority clans:

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

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

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

- ‘The Darod are usually divided into three major groups: Ogaden, Marehan and Harti. The Harti are a federation of three clans: the Majerteen are the main clan in Puntland; the Dulbahante and Warsangeli live in the disputed border areas between Puntland and Somaliland. The Ogaden are the most important Somali clan in Ethiopia, but also quite influential in both Jubba regions, while the Marehan are present in South and Central Somalia.
- ‘The Hawiye mainly live in South/Central Somalia. Their most influential subdivisions are the Abgal and Habr Gedir, which are both dominant in Mogadishu.
- ‘The Dir settle mainly in western Somaliland and in some pockets of South/Central Somalia. The main clans are the Issa, Gadabursi (both in

Somaliland and bordering regions of Ethiopia and Djibouti) and the Biyomaal (in southern Somalia).

- ‘The Isaaq are the main clan family in Somaliland. According to some [social] scientists and Somalis, they are considered part of Dir clan family.

‘A further clan family, the Digil and Mirifle/Rahanweyn, trace back their ancestry to Saab, another alleged descendant of Prophet Mohammed. The term “Rahanweyn” is sometimes used to describe a separate clan family, as identical to both Digil/Mirifle. In contrast to the Samaale, the Saab clans are mainly (but not exclusively) sedentary clans working in agriculture. They mainly live in the fertile valleys of Shabelle and Jubba Rivers and the lands in between (mainly Bay and Bakool regions). The Saab speak Maay- tiri, a dialect quite distinct from Maxaa- tiri, the dialect used by the other clan families. Sometimes, the Saab clans are considered as a separate caste below the Samaale because of a more “mixed” descent. However, there is no systematic discrimination of the Saab and both Saab and Samaale are to be considered “noble” castes, whose members are allowed to carry weapons.’<sup>1</sup>

- 3.1.2 A Minority Rights Group International (MRGI) report, Looma Ooyaan - No One Cries for Them: The Predicament Facing Somalia’s Minority Women, published on 30 January 2015, noted:

‘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. 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.’<sup>2</sup>

- 3.1.3 The United States State Department (USSD) Country Reports on Human Rights Practices for 2017 (USSD report 2017), published on 20 April 2018, stated: ‘More than 85 percent of the population shared a common ethnic heritage, religion, and nomad-influenced culture. 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.’<sup>3</sup>

- 3.1.4 In relation to clans present in Mogadishu, the Norwegian Country of Origin Information Centre, Landinfo in their report Somalia: Security challenges in Mogadishu, based on a variety of sources, published 15 May 2018 (Landinfo report 2018) noted:

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<sup>1</sup> EASO, EASO report August 2014 (p 43-44), August 2014, [url](#).

<sup>2</sup> MRGI, Looma Ooyaan - No One Cries for Them (p 9), 30 January 2015, [url](#).

<sup>3</sup> USSD, USSD report 2017 (section 6), 20 April 2018, [url](#).



‘There is no survey of the clan or group affiliation of Mogadishu’s residents, but according to local resource persons, “most” clans are represented in the city... Besides, Somalia’s government and parliament, where all four major clans in southern Somalia (Darod, Dir, Hawiye and Rahanweyne/Digil), as well as minority groups, are represented (see, for example, UNSOM 2016), are located in Mogadishu. Although Mogadishu’s population to a large degree settle according to clan affiliation ... and their loyalty primarily lies with their own clan, it is important to emphasize that people come together across clan boundaries in terms of work, trade, schooling and other social settings. People from different clans also marry.’<sup>4</sup>

[Back to Contents](#)

## 3.2 Minority groups

### 3.2.1 The EASO report 2014 provided information about Somali minority groups:

‘Somali minorities are diverse, with categories such as ethnic and religious minorities and occupational groups. The ethnic and religious minorities have a different cultural and language background than Somalis from the pastoralist majority clans, while the occupational groups share their background, but practice specific non-pastoralist occupations...

Furthermore, members of majority clans can be considered minorities where they live in an area mainly populated by another majority clan. An example of this phenomenon is the Biyomaal, who belong to the ‘noble’ Dir clan family, who are a minority in the south, where they are suppressed by the Hawiye and Darod... Most ethnic minorities are descendants of immigrants from eastern and central Africa or from the Arabian Peninsula. Some minorities already settled in Somalia before the arrival of the Somalis. There are no reliable data about their number. Estimations range between six per cent and one third of the population. They are not clans, but considered as such by majority clans. Some ethnic minorities are affiliated with majority clans (or sub-clans) and are sometimes even seen as part of them.’<sup>5</sup>

### 3.2.2 An Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) report of a lecture by Joakim Gundel in May 2009, (Gundel report 2009), Clans in Somalia, noted:

‘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.

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<sup>4</sup> Landinfo, Somalia: Security challenges in Mogadishu (p.13), 15 May 2018, [url](#)

<sup>5</sup> EASO, EASO report 2014 (p 45), August 2014, [url](#).

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, 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 [in the report] under groups that are “not minorities” – are obliged to leave their local areas where they probably have been living for generations.’<sup>6</sup>

3.2.3 The use of the term ‘minority group’ and ‘minority clan’ are often used interchangeably, including in country guidance judgements. In providing a useful description of which groups are a minority in Somalia, the UNHCR (United Nations High Commissioner for Refugees), in its UNHCR 2010 Eligibility Guidelines (Annex V: section C) uses both terms stated that ‘the definition of “minority groups” varies between sources, but are (sic) generally held to include:

- Bantu/Jareer (including Gosha, Makane, Shiidle, Reer Shabelle, Mushunguli);
- Bravenese,
- Rerhamar,
- Bajuni,
- Eeyle,
- Jaaji/Reer Maanyo,
- Barawani,
- Galgala,
- Tumaal,
- Yibir/Yibro,
- Midgan/Gaboye (Madhibaan; Muuse Dhariyo, Howleh, Hawtaar).’<sup>7</sup>

3.2.4 Earlier, in the same UNHCR report, it is stated that ‘members of minority clans in southern and central Somalia include the Ashraf, Midgan, Bantu, Bravenese, Bajuni, Rerhamar, Eyle, Galgala, Tumaal, Yibir, Gaboye, Hamar Hindi and Oromos.’<sup>8</sup>

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<sup>6</sup> ACCORD, Clans in Somalia (p14), December 2009, [url](#).

<sup>7</sup> UNHCR, Eligibility Guidelines..., (p.45 and p.15) 5 May 2010, [url](#).

<sup>8</sup> UNHCR, Eligibility Guidelines..., (p.45 and p.15) 5 May 2010, [url](#).



- 3.2.5 A Chatham House meeting summary, No redress: Somalia's Forgotten Minorities, dated 23 February 2011, noted that:

'The three largest groups of minorities are the Bantu, Benadiri and Occupational Groups. The Bantu are farmers and were traditionally subjugated by the Arab slave-trade – they are often the victims of land grabs. The Benadiri live on the coast and are mercantile people. They were migrants from all over the Gulf and used to have a sizeable population in Somalia (at one time, they comprised of half the population of Mogadishu). Finally, the Occupational Groups (or caste groups as they're sometimes known) represent the lowest rung in the socio-economic strata. They especially suffer from a lack of official protection.'<sup>9</sup>

[Back to Contents](#)

Section 4 updated: 19 November 2018

#### 4. Treatment of majority clans

- 4.1.1 The USSD report 2017, stated:

'Clan-based political violence involved revenge killings and attacks on civilian settlements. Clashes between clan-based forces and with al-Shabaab in Puntland and the Galmudug, Lower Shabelle, Middle Shabelle, Lower Juba, Baidoa, and Hiiraan Regions, also resulted in deaths. According to the United Nations, killings by clan militias increased compared with previous years, likely as a result of increased tensions following flawed state formation processes.

'For example, in April [2017] at least three persons were killed in clashes in Middle Shabelle when a dominant clan reportedly attempted to take over disputed land by force.'<sup>10</sup>

- 4.1.2 For information on the security situation generally, including clan based violence see country policy and information notes, [Security and humanitarian situation in south and central Somalia: Fear of Al Shabaab](#) and [Women facing gender-based harm and violence](#).

[Back to Contents](#)

Section 5 updated: 07 January 2019

#### 5. Treatment of minority groups

##### 5.1 Human rights abuses against minority groups

- 5.1.1 The 2014 Minority Rights Group International (MRGI) report stated: 'Hate speech against minority communities, focused on their appearance and different customs, has enhanced their vulnerability to attacks and other forms of discrimination.'<sup>11</sup>

- 5.1.2 The MRGI 2015 report stated:

'Though no precise figures are available, evidence suggest that minority groups make up a disproportionate part of the population of the overcrowded

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<sup>9</sup> Chatham House, No redress: Somalia's Forgotten Minorities, Martin Hill (p2), 23 February 2011, [url](#).

<sup>10</sup> USSD, USSD report 2017 (section1d), 20 April 2018, [url](#).

<sup>11</sup> MRGI, State of the World's Minorities and Indigenous Peoples 2014, Somalia (p57), July 2014, [url](#).

and unhygienic obbosibo [informal settlements] that run through the [Mogadishu]... More often than not, minority populations have ended up in Mogadishu after being displaced by conflict, hunger or land grabbing elsewhere, usually southern Somalia. Yet their lives in the capital's informal settlements continue to be plagued by insecurity, sexual violence and discrimination, making it almost impossible for them to make ends meet. Furthermore, the forcible appropriation of their land by members of dominant clans makes returning home an unfeasible option.’<sup>12</sup>

5.1.3 The UNHCR position paper, UNHCR Position on Returns to Southern and central Somalia (update I), published in May 2016, stated:

‘Members of minority clans often lack vital protection and suffer pervasive discrimination. The same applies to others who, being displaced, find themselves outside their normal social clan structures and unable to rely on the protection and support generally extended by such social networks. For instance, Somali ethnic Bantus, as well as some other minority clans, reportedly continue to be highly vulnerable to discrimination, severe poverty, exclusion and marginalization, and are reportedly disproportionately subjected to killings, torture, rape, kidnapping for ransom, forced recruitment, bonded labour as well as looting of land and property with impunity by militias and majority clan members.’<sup>13</sup>

5.1.4 The USSD report 2017, stated:

‘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.’<sup>14</sup>

5.1.5 The UNHCR Report of the Independent Expert on the situation of human rights in Somalia at the Thirty-ninth session 10–28 September 2018, noted:

‘The Minister for Human Rights and Women’s Development for Hirshabelle underscored the problem of inter-clan conflict, in particular with respect to land and water. This created food insecurity. She noted that the minority clans suffered the most as their lands were often grabbed by powerful clans, and livestock destroyed their crops before they were harvested. The Government collected money from the powerful clans, which compounded the victims’ suffering and left them with no remedy. She stressed that minority clans had no access to justice as they could not afford the legal fees, thereby forcing them to go to traditional leaders for solutions.’<sup>15</sup>

5.1.6 In relation to the situation in Mogadishu, the Landinfo report 2018 noted:

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<sup>12</sup> MRGI, State of the World’s Minorities and Indigenous Peoples 2015, 2 July 2015, [url](#).

<sup>13</sup> UNHCR, Position on Returns to Southern and central Somalia (update I) (para 12), May 2016, [url](#).

<sup>14</sup> USSD, USSD report 2017 (section 6), 20 April 2018, [url](#).

<sup>15</sup> UNHCR, Report of the Independent Expert (para 20), 19 July 2018, [url](#)

‘Members of non-dominant clans and groups are potentially more vulnerable to criminal acts such as robbery and rape, including in the encounter with government forces. However, to Landinfo’s knowledge, there is no information to suggest that people who do not belong to one of the dominant clans in the city are systematically subjected to violence in Mogadishu today. Unlike the beginning of the 1990s, when many non-Hawiye fled from Mogadishu because they were exposed to violence from Hawiye militias (see, for example, Rift Valley Institute 2017, p. 43 and Marchal 2011, pp. 11-12), Mogadishu today appears as a cosmopolitan city, attracting migrants from various clans and population groups (see, for example, Burke 2017a; source C, meeting in Mogadishu 2017; source F, meeting in Mogadishu 2016).’<sup>16</sup>

- 5.1.7 For information on the security situation generally and gender-based violence, see country policy and information notes on [Somalia: Security and humanitarian situation in south and central Somalia](#) and [Somalia: Women facing gender-based harm and violence](#).

[Back to Contents](#)

## 5.2 Human rights abuses against female members of minority groups

- 5.2.1 The EASO report 2014 stated: ‘Minority women face multiple discriminations and violations of their rights - as women and as members of a minority group. Minority women, especially in IDP camps, often suffer gender-based violence (rape), domestic violence, robbery and economic discrimination. Crimes against women, especially amongst women from minority groups, are often perpetrated with impunity.’<sup>17</sup>

- 5.2.2 The MRGI, State of the World’s Minorities and Indigenous People 2015 report, published on 2 July 2015, stated:

‘Minority women and youth living in obbosibo are particularly vulnerable as many lack connections and extended family support. As a result, they often find themselves excluded from livelihood opportunities by majority groups. Women tend to work in informal sectors such as domestic work, where they are frequently subjected to gender-based violence or denied payment. In these harsh conditions one of the coping strategies employed by minority households is child labour, with the youngest family members sent out at an early age to earn money as herders, shoe shiners or street vendors.’<sup>18</sup>

- 5.2.3 The September 2016 report by the UN Independent Expert on the situation of human rights in Somalia found that:

‘Violence against women continues in Somalia, and has been exacerbated by the conflict...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

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<sup>16</sup> Landinfo, Somalia: Security challenges in Mogadishu (p.13), 15 May 2018, [url](#)

<sup>17</sup> EASO, EASO report August 2014, (p.118), August 2014, [url](#).

<sup>18</sup> MRGI, State of the World’s Minorities and Indigenous Peoples 2015, 2 July 2015, [url](#).

especially vulnerable. Victims are exposed to assault, rape, sexual violence, female genital mutilation/cutting and forced marriages.’<sup>19</sup>

- 5.2.4 The USSD report 2017 noted: ‘Somali NGOs documented patterns of rape perpetrated with impunity, particularly of female IDPs and members of minority clans. ... IDPs and members of marginalized clans and groups suffered disproportionately from gender-based violence.’<sup>20</sup>

See [Treatment of internally displaced persons \(IDPs\)](#)

For more information on the situation for women in Somalia see country policy and information note [Women facing gender-based harm and violence](#).

[Back to Contents](#)

### 5.3 Bantu (Jareer)

- 5.3.1 The Gundel report of 2009 noted:

‘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.’<sup>21</sup>

- 5.3.2 The Bantu experience politically and socially, however, cannot be generalised. For instance in 2007, the Deputy Speaker of the Transitional Federal Parliament was a Bantu.<sup>22</sup> Other background evidence shows that the Bantu are among the numerical majority in at least two Mogadishu districts: Waaberi (along with Arabs, Bravanese and minority clans labelled ‘Others’ clans) and Hamar Jab Jab.<sup>23</sup>

- 5.3.3 The EASO report 2014 noted that:

‘The Bantu or Jareer live in the areas between the Shabelle and Jubba rivers; Middle Shabelle and Hiiraan; and are mostly farmers. In these areas, the security situation of the population has considerably deteriorated due to armed conflict between AMISOM and Al-Shabaab. Many Bantu/Jareer have moved to IDP-camps. Many youngsters have joined Al-Shabaab, forcibly or voluntarily, for economic or security reasons, or for gaining social status and protection.’<sup>24</sup>

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<sup>19</sup> UNHRC, Report of the Independent Expert... (para 37) 15 September 2016, [url](#)

<sup>20</sup> USSD, USSD report 2017 (section 6), 20 April 2018, [url](#)

<sup>21</sup> ACCORD, Clans in Somalia (p.16), December 2009, [url](#).

<sup>22</sup> DIS, Human Rights and Security in Central and Southern Somalia (p19), August 2007, [url](#).

<sup>23</sup> TANA report, Political Economy Analysis in Mogadishu, May 2012, [url](#).

<sup>24</sup> EASO, EASO report August 2014 (p.102), August 2014, [url](#).

5.3.4 MRGI noted in World Directory of Minorities and Indigenous Peoples - Somalia : Bantu, updated March 2018:

'The so-called "Bantu" groups - Gosha, Shabelle, Shidle and Boni - collectively known as (Wa) Gosha (literally, "people of the forest") live in the Lower Juba Valley. Other Bantu communities are located in the Shebelle Valley. Gosha are the principal non-Somali minority group in the country. Gosha speak a Bantu language and are often referred to as, and call themselves, Bantu.

'Bantu have retained many separate cultural traditions and characteristics which date back to different earlier historical periods. These traditions have merged into new social formations in Somalia. The name "Bantu" derives from a late 20th century recognition of their Black African origin, appearance, cultural heritage and language. They were traditionally incorporated as inferiors into Somali clans and lineages.'<sup>25</sup>

5.3.5 The same report noted the current issues facing Bantu communities:

'Bantu communities continue to face discrimination, including verbal abuse by members of minority clans: Bantu people are still sometimes referred to as adoon, a Somali term for "slav". Al-Shabaab has also targeted Bantu communities because of their religious and cultural practices, and in January 2010 the National Somali Bantu Project (NSBP) reported that several Bantu people were killed for attending a traditional service in the Lower Juba region. The NSBP also reported the desecration of Bantu graves and forced compliance of Bantu Sheikhs with al-Shabaab doctrines, as well as numerous cultural attacks on Bantu dancing, the use of traditional medicine and the imposition of linguistic limitations including being forced to adopt Arabic names. Al-Shabaab have also reportedly recruited Bantu children as young as 10 into their militia.

'Like other minorities, Bantu people face renewed discrimination in IDP camps, with numerous cases of rape of Bantu women, who are not protected by traditional clan structure in the camps.'<sup>26</sup>

[Back to Contents](#)

## 5.4 Bajuni

5.4.1 The Bajuni lived in Kismayo and the islands of Jula, Madoga, Satarani, Raskamboni, Bungabo, Dudey, Koyoma and Jovay (Bajuni Islands)<sup>27</sup>.

5.4.2 There is limited information about the circumstances of the current Bajuni populations. The Landinfo report (2010) suggests that the Islands are mixed populations: 'Somalis also live on the islands today and, even though there are instances of marriages between Somali men and Bajuni women on the islands, it has been claimed that the local Bajuni population is being exploited by Somali businessmen (interview with international aid organisation, Nairobi 2008).'<sup>28</sup>

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<sup>25</sup> MRGI, World Directory... Bantu, March 2018, [url](#)

<sup>26</sup> MRGI, World Directory... Bantu, March 2018, [url](#)

<sup>27</sup> UNOCHA, Madhibaan, A study on minorities in Somalia, undated, [url](#).

<sup>28</sup> Landinfo, Somalia: The Bajuni Islands (page 6), 2010, (translation required), [url](#).

- 5.4.3 The TANA Copenhagen report, Political Economy Analysis in Mogadishu, published by the Danish Refugee Council and UNICEF in May 2012, stated that the Bajuni also have a presence in Mogadishu: ‘Xamarweyne [a district of Mogadishu] is mostly inhabited by the Banadiri clans (Shashi, Bandhabow, Camudi, Baajuuni) or coastal people, although the district administration is mainly made up of the Habargidir sub-clan of Hawiye.’<sup>29</sup>
- 5.4.4 MRGI noted, in the World Directory of Minorities and Indigenous Peoples - Somalia: Benadiri, updated March 2018: ‘Bajuni, a low-status and poor fishing community, reside in the southern port of Kismayu and the offshore Bajuni islands near the Kenyan border. They speak Kibajuni, a local Kiswahili dialect, as a first language.’<sup>30</sup>

[Back to Contents](#)

## 5.5 Benadiri (including the Rer Hamar and Bravanese)

### 5.5.1 The Gundel 2009 report stated:

‘1) The Rer Hamar who succeeded in achieving asylum abroad were successful in raising their case internationally, which also contributed to an awareness about them as a community within Somalia itself, and among members of the transitional governments who were seeking international support.

‘2) An effect of the latter is that Rer Hamar in Mogadishu now have political positions within the transitional government, as well a number of key positions within the regional administration of Benadir and local government of Mogadishu.

‘3) The combination of increased advocacy, increased political influence and the “Mukulal Madow” (black cat) phenomenon of protection which means that they are no longer targeted with impunity as for instance the ‘Jareer’ groups still are. The “Mukulal Madow” phenomenon refers to the cases where for instance “Rer Hamar” households have established relations with strong ‘noble’ clans, especially Hawiye Abgal and Habr Gedir, through marriage. This means that Rer Hamar households whose daughter(s) are married to strong clans now enjoy a level of protection from these clans.’<sup>31</sup>

- 5.5.2 Gundel further noted in December 2009 that: ‘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...This does not mean that the Rer Hamar community no longer is subject to discrimination. Rather, what it means is that there now are a number of mitigating factors to their benefit.’<sup>32</sup> The DIS/Landinfo FFM delegation reported in January 2013 that an international NGO working in South and Central Somalia explained that there are two groups of people which are most vulnerable in Mogadishu. ‘These two groups are either marginalized or exploited...Exploited: the Reer Hamar/Benadiri are not considered marginalized, neither are the Reer

<sup>29</sup> TANA Copenhagen, Political Economy Analysis in Mogadishu, May 2012, [url](#).

<sup>30</sup> MRGI, World Directory... Benadiri, March 2018, [url](#)

<sup>31</sup> ACCORD, Clans in Somalia, Report on a lecture by Joachim Grundel, (p.17) 15 May 2009, December 2009, [url](#).

<sup>32</sup> ACCORD, Clans in Somalia, Report on a lecture by Joachim Grundel, (p.17) 15 May 2009, December 2009, [url](#)..



Brava. They are exploited but not marginalized. Compared to other clans there are fewer Reer Hamar returning to Mogadishu.’<sup>33</sup>

5.5.3 The May 2012 TANA report (sponsored by the Danish Refugee Council and UNICEF), Political Economy Analysis in Mogadishu, included the following information about minority groups in the districts of the capital. (The term ‘Arab’ is a common term for light-skinned people of ‘Arab descent’ often treated as part of the Benadiri):

- ‘Hamarweyne is mostly inhabited by Benadiri clans (Shashi [sic], Bandhabow, Camudi, Baajuni) or coastal people. And that there has been a lot of intermarriage with the Hawiye here.
- ‘Bondhere district is recorded as being mainly inhabited by minority groups (Arabs, Shareer, Reer and Xamar [Reer Hamar])
- ‘Shangani district was recorded as being “still dominated by Arabs” (in the Somali sense of the word) with an Arab district commissioner.

‘Similarly, the majority of residents of Shibis district were Arabs with its administration being a mixed of both Arabs and Hawiye.’<sup>34</sup>

5.5.4 The Danish Immigration Service (DIS), Security and human rights issues in South-Central Somalia, including Mogadishu, 2012 fact finding mission report, stated:

‘A local NGO (A) in Mogadishu explained that many Benadiri returnees in Mogadishu are relatives of the original Benadiri population, and added that the Benadiri population are now living in relative safety in Mogadishu.

‘A local NGO (C) in Mogadishu stated that many members of the Benadiri community have returned to Hamar Weyne. Today there are many Benadiri people living in Mogadishu and they are successful business people and some are also engaged or employed in the administration. The Director of Finances in the Mogadishu administration is a Benadiri. Previously, during the period of warlordism the Benadiri ethnic community were victims of many human rights violations and most of them fled the country. However, today they are living well in Mogadishu and many have reopened shops or undertaken other business activities. Many have had their previous properties, including houses returned to them and they are no longer at risk of persecution or other human rights violations. The local NGO (C) added that members of minority clans or minority ethnic groups are no longer victims of persecutions and violations in Mogadishu, and he denied that members of those groups are being harassed in present day Mogadishu. However, members of ethnic minority groups are socially being discriminated against as they are not eligible to intermarry with members of the Somalia clans. Even the constitution of Somalia does not provide justice for members of ethnic minority groups.’<sup>35</sup>

5.5.5 EASO reported in August 2014 that:

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<sup>33</sup> DIS / Landinfo, Update on security and human rights issues in South-Central Somalia... (p.58) January 2013, [url](#).

<sup>34</sup> TANA report, Political Economy Analysis in Mogadishu, May 2012, [url](#).

<sup>35</sup> DIS, Security and human rights issues in South-Central Somalia..., (p.88-89) April 2012, [url](#).

'The Benadiri or Reer Xamar (residents of Xamar/Mogadishu) were mainly business people and traders living along the Benadiri coast (mainly in Mogadishu, Merka and Baraawe). In the beginning of the civil war, they suffered looting, theft and rape because of their supposed wealth. In the 1990s, most Benadiri fled to Kenya with only a few thousands remaining in Somalia with their businesses, paying a clan or private militia for protection. Some Benadiri/Reer Xamar in Mogadishu have acquired key positions within the regional Benadir administration. Thus, they have become less subject to targeted violence committed with impunity.'<sup>36</sup>

5.5.6 The MRGI and IIDA (non-government organisation) 2015 report, Looma Ooyaan - No One Cries for Them: The Predicament Facing Somalia's Minority Women, stated: 'Even so, their [Benadiri] circumstances today are arguably better than those experienced by some other minorities. For example, there have been cases of Benadiri intermarrying with majority clans, providing a significant measure of security and protection for Benadiri women.'<sup>37</sup>

5.5.7 MRGI noted, in the World Directory of Minorities and Indigenous Peoples - Somalia: Benadiri, updated March 2018:

'Benadiri comprise a number of different communities. Rer Hamar, living in Mogadishu ... speak their own dialect of the Somali language (Af-Hamar), and are divided into a large number of different segments or sub-clans. Another group is the residents of Merca port ... sometimes called Rer Merca, who also have a separate Somali dialect (Af-Donte) related to Af-Maymay of the local Rahanweyn clans/ Barawani (Bravanese), living in the coastal city of Brava, have a partially separate historical and urban cultural identity.... Bravanese speak Chimini as a first language (also known as Chimbilazi), which is a local Kiswahili dialect, as well as the local Tunni subclan dialect of Af-Maymay...

'Despite the deep insecurity suffered by the community, a few thousand Benadiri still remain with their businesses in Mogadishu, Brava and Merca, paying clan militias or privately-employed gunmen for armed protection. Bajuni fishing people remain in the port city of Kismayu and the Bajuni Islands, although civil war has subjected them to attacks and looting by armed factions in Kismayu, which has seen chronic fighting between rival clan militias since 1991.

'Even so, their circumstances today are arguably better than those experienced by some other minorities. For example, there have been cases of Benadiri intermarrying with majority clans, providing a significant measure of security and protection for Benadiri women. Moreover, as traders, their economic marginalization has been less pronounced.'<sup>38</sup>

[Back to Contents](#)

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<sup>36</sup> EASO, EASO report August 2014 (p.102), August 2014, [url](#).

<sup>37</sup> MRGI and IIDA, Looma Ooyaan - No One Cries for Them, 2015, [url](#).

<sup>38</sup> MRGI, World Directory... Benadiri, March 2018, [url](#)



## 5.6 Midgan (Gabooye), Tuman, Yibir or Galgala

5.6.1 The Immigration and Refugee Board of Canada (IRBC), in a telephone interview with the Secretary of the Gabooye Minority Organisation for Europe and North America in November 2012, noted that ‘...the Gabooye are "not really allied" with any major clans in Somalia, but are reported to be on good terms with other minority groups...discrimination against Gabooye in the south exists but that "generalized insecurity" is a greater risk than targeted persecution...although the Somaliland government claims that the situation has improved discrimination against the Gabooye in Somaliland is "bad" and violence against them continues to occur.’<sup>39</sup>

5.6.2 EASO reported in 2014 that:

‘In northern Somalia, the occupational groups called Gabooye, Waable or Midgaan/Madhibaan, also known as Sab in southern Somalia, often face discrimination and social stigma due to their occupations...The human rights situation of these groups, in northern Somalia, where most of the Gabooye live, is considered bad although slightly improving. Little is known about the humanitarian conditions in which specific occupational groups in southern Somalia live. According to Minority Rights Group International, there is a “more tolerant atmosphere” for minorities in Somaliland than in the rest of Somalia.’<sup>40</sup>

5.6.3 MRGI noted, in the World Directory of Minorities and Indigenous Peoples - Somalia: Occupational groups, updated March 2018:

‘The occupational minorities in Somalia, consisting of Gaboye, Tumul and Yibir, include weavers, potters, smiths, hunters, tanners, and others... Although all are Somali in origin, the occupational groups have come to represent distinct communities due to their functional differentiation.

‘As far back as the early 1900s, the occupational minorities were considered as outcasts by other clans, resulting in their segregation, even though their language, physical appearance and customs were largely the same....

‘Higher caste Somalis are forbidden to intermarry with Gaboye outcaste clans, upon penalty of becoming outcastes themselves. Indeed Somalis from the major clans routinely refuse to eat with Gaboye people. Without control of land, Gaboyes have faced economic marginalization. Without armed militias, they have been particularly vulnerable to attack by the militias of the larger clans, and Gaboye women face disproportionately greater danger of rape. Inequalities and discrimination are also still apparent: for example, one Somali organization has estimated that only between 30 and 40 Gaboye – out of as many as 10,000 in Hargeisa – are studying or have studied at university.

‘The few educated members of occupational groups work in any chosen field, but most find work in manual and service jobs, such as market-selling and trading, butcheries, domestic work, cooking and selling tea. However, they have lost their monopoly over their traditional tasks (where these still exist), and have often failed to find replacement employment. With the

<sup>39</sup> IRBC, Somalia: The Gabooye (Midgan) people...4 December 2014, [url](#).

<sup>40</sup> EASO EASO report August 2014 (p.102), August 2014, [url](#).

disappearance of their traditional lifestyles, and as a result of conflict, many have moved to urban settlements or IDP camps or fled to refugee camps in neighbouring countries. On the positive side, several well-known musicians and entertainers hail from the Midgan occupational group, and enjoy respect and success among majority communities.’<sup>41</sup>

[Back to Contents](#)

Section 6 updated: 07 January 2019

## 6. Clan support and protection

### 6.1.1 The EASO report 2014 explained:

‘The term “clan protection” means the “facility of an individual to be protected by his clan against violence” by an aggressor from outside the clan. The rights of a group are protected by force, or the threat of force. The ability to defend these rights is essential for the security of an individual, whose mag paying group or clan must be able to pay compensation and fight. Protection and vulnerability are therefore closely linked to a clan’s power. Generally (but not always), clan protection functions better than protection by the state or police. Therefore, in case of a crime, Somalis would rather go to their clan than the police.’<sup>42</sup>

### 6.1.2 The 2014 MRGI report 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.’<sup>43</sup>

### 6.1.3 The United Nations High Commissioner for Refugees (UNHCR) paper, International Protection Considerations with Regard to People Fleeing Southern and Central Somalia, dated 17 January 2014, stated:

‘In many places the traditional elders, in order to survive, have given Al-Shabaab their loyalty and reportedly put pressure on youth to join the organization...Furthermore, due to a breakdown in Somalia’s traditional social fabric caused by 20 years of conflict and massive displacement flows, the traditional extended family and community structures of Somali society no longer constitute as strong a protection and coping mechanism as they did in the past, particularly in locations such as Mogadishu. Clan protection and conflict resolution used to be bolstered and supported by customary law (xeer). However, there have been many pressures on the clan structure and clan elders’ traditional authority has reportedly been eroded and in some places even collapsed...In Mogadishu in particular, the nuclear family has reportedly become the main protection mechanism.

‘Despite these changes, in general it reportedly remains the case that Somali nationals enjoy greater physical security when residing in an area dominated by their own clan. As many neighbourhoods in Mogadishu are reportedly dominated by one clan and sometimes affiliated armed militia, presence in such areas could, depending on the specific circumstances, put a member of another clan at risk. There continue to be reports of clan

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<sup>41</sup> MRGI, World Directory...Occupational groups, March 2018, [url](#)

<sup>42</sup> EASO, EASO report August 2014, August 2014, (p55), [url](#).

<sup>43</sup> MRGI, State of the World’s Minorities and Indigenous Peoples 2014, Somalia (p57), July 2014, [url](#).

tensions in the context of a struggle for control of districts, and clan militias are an additional source of insecurity.’<sup>44</sup>

6.1.4 The EASO report 2014 stated that:

‘The level of functioning of clan protection is subject to disputes. Some factors recently eroded clan protection (such as the emergence of AMISOM, army and police as a security providers, or Al-Shabaab introducing Sharia in place of xeer as a source of law), while other factors led to the improvement of clan protection, such as the withdrawal of Al-Shabaab from some regions and the general lack of administration all over rural Somalia. Therefore, clan protection varies regionally and from time to time, rendering a general assessment difficult. Furthermore, clan protection depends on a number of factors, which may exist fully or only partially.’<sup>45</sup>

6.1.5 A Danish Immigration Service (DIS) report of a fact-finding mission (FFM) to Nairobi and Mogadishu in May 2015, based on interviews with a range of sources, noted:

‘Both clan and family, including the extended and distant family, continue to be one of the most important factors in terms of gaining acceptance, security, as well as access to basic necessities such as accommodation and food... A person relocating to a new area would expect acceptance from his clan in the local community. That acceptance from the clan informs people that a person is known by someone and where that person belongs and thereby constitutes the protection a person can get from his clan. One would not ask the clan for other resources or money. Financial assistance, accommodation etc. all begins at the family level.

‘However, if a person has no nuclear family or relatives in an area the clan can provide support if it has the resources or provide links to other clan members who may be willing to support a newly arrived person.’<sup>46</sup>

6.1.6 The DIS South Central Somalia COI FFM report also stated:

‘As a general rule, Somalis will assist even very distant relatives coming from a different area as long as there is a clan connection, provided they have the capacity to do so. However, in S/C Somalia the concept of clan solidarity has been overstretched, and many families and clan networks find themselves unable to respond to the needs of their displaced relatives.

‘As a consequence, persons leaving Al Shabaab areas and attempting to relocate to cities or towns with AMISOM/SNAF presence will be forced to settle in IDP settlements unless they have nuclear or extended family with the necessary resources to support them.

‘Also for single women with or without children, access to livelihoods would depend on the status and resources of their family in the area... In urban areas such as Mogadishu a person returning would still have to somehow be identified by the local community in order to gain acceptance. Depending on the skills and capacity of the person returning, he or she might be

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<sup>44</sup> UNHCR, International Protection Considerations... (pages 8-9) 17 January 2014, [url](#).

<sup>45</sup> EASO, EASO report August 2014 (p55), August 2014 [url](#).

<sup>46</sup> DIS, Report from the DIS FFM (p20) September 2015, [url](#).

self-sufficient and would not as a rule face clan harassment. If a person is weak and less resourceful he or she would need support from family members, relatives or close network in order to get housing, money etc.

'In Mogadishu, the returning Somali diaspora are usually people with a network or a family in Mogadishu and they are often returning to recover their property, establish businesses, visit relatives or to work in the government. Given their socioeconomic status this category of returnee are self-reliant, resilient and would not normally end up in the same situation as IDPs in Mogadishu.'<sup>47</sup>

- 6.1.7 A research study carried out by the Somali Centre for Research and Policy Analysis, Causes of Displacement and Protection Gaps in Somalia, published in March 2016, found that 'The Somali clan system shapes political, economic and social life including displacement. 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.'<sup>48</sup>
- 6.1.8 The September 2016 report by the UN Independent Expert on the situation of human rights in Somalia found that:
- '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.'<sup>49</sup>
- 6.1.9 The DIS Fact Finding Mission to South and Central Somalia in December 2016 found that, according to an anonymous source '... The existence of a clan network can offer an individual including a single woman, a level of protection. However, the same source found that due to both the current security and humanitarian situation it is becoming more difficult for the clans to protect their members.'<sup>50</sup>
- 6.1.10 The same report noted '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.'<sup>51</sup>
- 6.1.11 The Landinfo report 2018 noted: 'The Clan affiliation can protect individuals from violence by deterring potential perpetrators, but the deterrence has its

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<sup>47</sup> DIS, South Central Somalia – Country of Origin Information for Use in the Asylum Determination Process, September 2015, p20, [url](#).

<sup>48</sup> Somali Centre for Research and Policy Analysis, Causes of Displacement ... ,Omar Abdi (page 6) March 2016 [url](#).

<sup>49</sup> UNHRC, Report of the Independent Expert... (para 79-80) 15 September 2016, [url](#)

<sup>50</sup> DIS, FFM Somalia December 2016 (page 54), 8 March 2017 [url](#)

<sup>51</sup> DIS, FFM Somalia December 2016 (page 12), 8 March 2017 [url](#)

limitations. Members of non-dominant clans and groups are potentially more vulnerable to crime, including in the encounter with government forces, but there is no information indicating that they are systematically exposed to violence in Mogadishu today.’<sup>52</sup>

#### 6.1.12 The same report also noted:

‘The clan (kin) is of great importance in Somalia, including in Mogadishu. This is especially true in the socioeconomic perspective (see Landinfo 2016a). Clan affiliation can also protect individuals from violence by deterring potential aggressors (see Landinfo 2012). Deterrence presupposes membership of a clan that is (or appears) strong enough to inflict violence or costs on others. There is no overview of clan composition in Mogadishu, but sources agree that the city is dominated by Hawiye clans – especially the two Hawiye clans Abgal and Haber Gedir ... According to the sources, these clans constitute a significant part of the population and of the government forces in Mogadishu. According to Landinfo’s assessment, it is therefore first and foremost belonging to the Hawiye clans Abgal and Haber Gedir that may act as a deterrent to potential aggressors in Mogadishu.

‘...there is broad agreement among the local sources met by Landinfo in Mogadishu in the period 2012-2017 that the protection that may come from clan affiliation has its limitations. Clan affiliation does not protect against random or arbitrary violence. Nor does clan affiliation protect against violence from unknown perpetrators. In such cases, the victim’s clan does not know who to react against. Clan affiliation may under certain circumstances affect al-Shabaab’s behaviour towards individuals (see, for example, Landinfo 2015a), but the sources that Landinfo met in September 2017 were clear that this is not the case in Mogadishu today. This means that clan affiliation only provides limited protection against the biggest security challenges in Mogadishu today: being “in the wrong place at the wrong time”, becoming a victim of attacks/killings committed by unknown perpetrators or al Shabaab attacks. Consequently, clan affiliation may primarily deter other violent crime, including from government forces. Business people and other persons who as a result of individual wealth and/or status may be more exposed to robbery or other crime will usually acquire other protection in the form of, for example, armed guards ...’<sup>53</sup>

[Back to Contents](#)

Section 7 updated: 19 November 2018

## 7. State protection

### 7.1 Somali security forces

- 7.1.1 For detailed information on the security services including the police and Somali National Army see the country policy and information note [Security and humanitarian situation in south and central Somalia](#).

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<sup>52</sup> Landinfo, Somalia: Security challenges in Mogadishu (Summary), 15 May 2018, [url](#)

<sup>53</sup> Landinfo, Somalia: Security challenges in Mogadishu (p.12), 15 May 2018, [url](#)

7.1.2 In relation to clan composition within the security forces, the Canadian Centre for Security Governance in its publication Non-State Security Providers and Political Formation in Somalia, April 2016 noted:

‘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 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 [...]<sup>54</sup>

7.1.3 The Landinfo report 2018 noted ‘To the extent that the population turns to the police for assistance, they turn, according to source C (meeting in Mogadishu 2017), to police officers from the same clan. Other sources also emphasize that the loyalty of the police and other members of the government forces normally rests with their own clan... This is reflected in ACLED (2018) by the fact that there are occasional firefights between government forces from different clans.’<sup>55</sup>

[Back to Contents](#)

## 7.2 Effectiveness of the security forces

7.2.1 The USSD report 2017 summarised the effectiveness of the security services:

‘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... Civilian authorities did not maintain effective control of security forces. Security forces abused civilians and often failed to prevent or respond to societal violence. Although authorities sometimes used military courts to try individuals believed to be responsible for abuse, they generally did not investigate abuse by police, army, or militia members; a culture of impunity was widespread.’<sup>56</sup>

7.2.2 For detailed information on the effectiveness of the security services see the country policy and information note [Security and humanitarian situation in south and central Somalia](#).

[Back to Contents](#)

## 7.3 Judiciary

7.3.1 The EASO Country of Origin information report, Somalia – Security Situation, published in December 2017 (the EASO report 2017), stated:

<sup>54</sup> CSG, Non-State Security Providers and Political Formation in Somalia (p.23), April 2016, [url](#)

<sup>55</sup> Landinfo, Somalia: Security challenges in Mogadishu (p.11), 15 May 2018, [url](#)

<sup>56</sup> USSD, USSD report 2017 (section 1.d), 20 April 2018, [url](#).



‘As stipulated in Chapter 9, Article 108 of the Provisional Constitution of Somalia, the judicial framework includes a constitutional court, federal government courts, and federal Member State (regional) courts. At the federal government level the federal High Court will serve as the highest court and at the federal Member State level the federal Member State High Court will serve as the highest court. These institutions have yet to be established.

‘Somalia, including the self-proclaimed republic of Somaliland, is characterised by legal pluralism where a civil law system is combined with Sharia law and the customary law xeer. Most disputes and crimes, particularly in rural parts of the country, are dealt with through customary law (xeer) where the payment of compensation (mag/diya) is a pivotal element.

...

‘The application of Sharia law is also widespread, especially in the sphere of family law and law of succession.

‘According to DIS/DRC sources, “the government has no effective legal system and...the official court system of Somalia [is] non-functioning.”<sup>57</sup>

### 7.3.2 The Bertelsmann Stiftung’s Transformation Index (BTI) 2018 Somalia Country Report, (BTI report 2018) published in 2018, stated that:

‘There is no countrywide rule of law and secular legal institutions are in a nascent stage. Additionally, there is no countrywide agreement over the basic framework, institutional structure or composition of a legal system. The [Federal Government of Somalia] FGS has not put much effort into designing, debating or implementing a legal framework, or providing legal services to its citizens. However, over the last decade, successive governments have re-established state courts at the district level in Mogadishu and in other cities. Though many of these courts operate under the regional authorities or clan groups, and their procedures and frameworks are not harmonized. The courts are responsible for criminal and civic laws. Additionally, there is an appellate court and a Supreme Court in Mogadishu.

‘...The courts in Somalia and Somaliland run parallel to two other legal systems: customary law (Xeer), which is negotiated on a case by case basis and implemented by elders; and the Islamic Shariah law, which is interpreted quite differently in different courts and locations. Different versions of Shariah law thus exist and there are tensions about the interpretation of the Islamic law...

‘Al-Shabaab has established courts in their area of control, which follow their own, strict Salafi interpretation of Shariah law. These include enforcement of strict punishments (huduud), including amputation of limbs, stoning and executions. Al-Shabaab does not allow the application of the customary law.<sup>58</sup>

[Back to Contents](#)

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<sup>57</sup> EASO, EASO report 2017 (pages 48-49), December 2017, [url](#)

<sup>58</sup> BTI, BTI report 2018, 2018, [url](#).

## 7.4 Effectiveness of the judiciary

### 7.4.1 The BTI report 2018 stated that:

‘The independence of the judicial system is a serious concern in all regions and generally people display little trust in the formal institutions, which are costly and seem open to political and clan-based manipulation. A survey in Mogadishu in 2014 established that only 13% of interviewees trust courts, while 48% rather rely on customary and 29% on religious mechanisms. The capacity of court personnel is generally low and many judges and prosecutors lack formal qualifications. Furthermore, the availability of different legal codes, among them the Italian, British and the Somali before the state collapsed, complicates adjudication and makes it seem arbitrary. Newly appointed judges usually do not receive any form of training.

‘The independence of the judiciary is continuously challenged. During the review period, conflicts between the Ministry of Justice and the Supreme Court on the appointment of judges hampered the establishment of a coherent legal system, and highlighted the clan-based and economic interests that are deeply interwoven into the judicial system and influence the daily performance of the courts. Judges regularly seem to base their decisions on clan or political considerations, and are regularly accused of corruption and misconduct. No proper oversight mechanisms exist.’<sup>59</sup>

### 7.4.2 The Freedom House report, Freedom in the World 2018, published on 18 January 2018, stated that:

‘The judicial system in Somalia is fractured, understaffed, and rife with corruption. Its authority is not widely respected, with state officials ignoring court rulings and citizens often turning to customary law or interpretations of Sharia as alternatives. In recent years, the office of the president has removed judges and members of the Judicial Service Commission in contravention of the provisional constitution. President Abdullahi has promised to reform the judiciary, but the chief justice’s September 2017 suspension of 18 judges—in what was seen as part of the reform effort—may have also been unconstitutional.’<sup>60</sup>

### 7.4.3 The Landinfo report 2018 noted:

‘There are a number of government courts in Mogadishu... Sources agree that, like the police, these are characterised by corruption. According to source C (meeting in Mogadishu 2017) and source I (meetings in Mogadishu 2016), the courts normally demand payment to perform their work, and whoever pays the most, wins. According to source C (meeting in Mogadishu 2017) it can also happen that the courts leave it to the clans to find a solution, even in murder cases. If the clans then, for example, agree on compensation, the court may endorse that and the perpetrator will walk free.

‘The absence of trust in government courts is reflected by the fact that persons have recently begun making use of al-Shabaab courts located outside the city in order to deal with conflicts (sources A, B, D & E, meetings in Mogadishu 2017). The extent of this phenomenon is unknown,

<sup>59</sup> BTI, 2018 ‘Somalia Country Report’, [url](#).

<sup>60</sup> Freedom House, Freedom in the World 2018, Somalia, 16 January 2018, [url](#).



but according to the sources, there is a widespread opinion among the population that al-Shabaab's courts are more fair than the government courts, in the sense that al-Shabaab is not dictated by money or clan affiliation...'<sup>61</sup>

[Back to Contents](#)

Section 8 updated: 19 November 2018

## 8. Treatment of internally displaced persons (IDPs)

### 8.1.1 EASO reported in 2014 that:

'Whether a person can find redress and be compensated depends on the status of a clan or group within the social hierarchy...The strongest are the majority clans, the weakest the Internally Displaced Persons (IDPs). IDPs are sometimes able to arrange a new xeer agreement with their host majority clan, but this is only rarely the case, with majority clan IDPs being in a better position than minorities. In camps, IDPs have separate leadership structures, but these are weaker than the clan structures. There is a high share of women and minorities who are particularly vulnerable and in bad positions regarding clan protection. IDPs are often subject to rape, extortion and forced labour.'<sup>62</sup>

### 8.1.2 MRGI in the State of the World's Minorities and Indigenous Peoples 2015 – Somalia noted: 'The clan networks dominating residential patterns in Mogadishu also extend to the displaced people's settlements around the city. Accordingly, those who fall outside the clan structures, specifically minority groups, often cannot access basic services provided for displaced people in the camps, such as water, food and health care.'<sup>63</sup>

### 8.1.3 A research study carried out by the Somali Centre for Research and Policy Analysis, Causes of Displacement and Protection Gaps in Somalia, published in March 2016, found that:

'A significant portion of the IDPs felt threatened within their camps by criminals and the police. As a result the IDPs mostly relied on intra-IDP security arrangement and host community elders. In addition 2.3% of the IDPs felt scared of the police. This implied that the IDPs did not trust the police, in addition since majority were from the small clans of rural Lower Shabelle, they did not have the essential clan protection from raging militias and other criminals. This could explain why 48% of the IDPs had moved from initial settlement. In most cases abuses within IDP camps and its environs are carried out by government-affiliated...Provision of shelter, water, food, primary healthcare and education was insufficient. This could be attributed to the fact that only 18% of the IDPs acknowledged receipt of assistance.

'This showed that there was minimal support for the IDPs. In addition 67.2% defecated in the open field outside their camps, which not only exposed them to diseases but also exposed women and girls to GBV as camps were not secure from government-affiliated militia, which despised the minority

<sup>61</sup> Landinfo, Somalia: Security challenges in Mogadishu (p.11), 15 May 2018, [url](#)

<sup>62</sup> EASO, EASO report 2014 (p.55) August 2014, [url](#).

<sup>63</sup> MRGI, State of the World's Minorities 2015, 2 July 2015, [url](#)

clans. Similar challenges were noted by Marsoul. This was far much worse than the general state of affairs in the country as 30% have access to clean water and 39% have access to improved sanitation. This could have contributed to the low literacy levels in the camp. Although education provides children with psychosocial support, reduces children's exposure to threats and empowers children but 77% of primary school age children in Somalia are out of school. Although schooling has been touted as a key source of integration of IDPs with the host community, there have been cases of IDP stigmatization resulting to displaced children are sometimes denied a slot by school authorities or are sometimes singled out in the classroom.'<sup>64</sup>

- 8.1.4 The Australian Department of Foreign Affairs and Trade (DFAT) Country Information Report – Somalia, published on 13 June 2017, stated:

'The majority of IDPs are displaced by conflict between clan militias, natural disasters or through fleeing al-Shabaab controlled areas. Forced evictions from Mogadishu neighbourhoods also occurs from time to time. IDPs mostly reside in camps in south-central Somalia, including around one third in the Mogadishu region. According to the Norwegian Refugee Council's Internal Displacement Monitoring Centre, IDPs face a lack of access to justice and basic services, gender-based violence, forced recruitment and restriction of access to humanitarian assistance. The camps are generally managed by "gatekeepers" who tend to be members of the clan that owns the land the camp is on. These gatekeepers control the flow of aid and goods into the camps and determine distribution processes. Reports of gatekeepers restricting access to aid for IDPs from minority groups are common, further exacerbating the situation for already vulnerable people. With no militia to protect them, security in IDP camps is a serious issue.'<sup>65</sup>

- 8.1.5 The USSD report 2017, stated 'Somali returnees and IDPs from marginalized clans suffered discrimination, since they often lacked powerful clan connections and protection.'<sup>66</sup>

See [Treatment of minority groups](#)

- 8.1.6 For more information on IDPs see country policy and information notes, [Security and humanitarian situation in south and central Somalia](#); and [Women facing gender-based harm and violence](#).

[Back to Contents](#)

## Terms of reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

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<sup>64</sup> Somali Centre for Research and Policy Analysis, Causes of Displacement ... , Omar Abdi (page 11-12) March 2016 [url](#).

<sup>65</sup> DFAT, Country Information Report – Somalia, (page 11), 13 June 2017, [url](#).

<sup>66</sup> USSD, USSD report 2017 (section 6), 20 April 2018, [url](#).

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Clans and minority groups
  - Clan system
  - Clan support and protection
  - Minority groups
- Treatment of majority clans
- Treatment of minority groups
  - Human rights abuses against minority groups
  - Bantu (Jareer)
  - Bajuni
  - Benadiri (including the Reer Hamar and Bravanese)
  - Midgan (Gabooye), Tuman, Yibir or Galgala
- State protection
  - Somali security forces
  - Effectiveness of the security forces
  - Judiciary
  - Effectiveness of the judiciary
- Treatment of internally displaced persons (IDPs)

[Back to Contents](#)

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[Back to Contents](#)

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[Back to Contents](#)

# Version control

## Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **22 January 2019**

## Changes from last version of this note

Updated country information and assessment.

[Back to Contents](#)