



# Somalia

# Targeted profiles

Country of Origin  
Information Report

September 2021





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PDF ISBN 978-92-9465-526-4 doi: 10.2847/13745 BZ-06-21-061-EN-N

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## Acknowledgements

EASO would like to acknowledge ACCORD as the drafter of this report.

The following departments and external experts have reviewed the report, together with EASO:

- Norway, Landinfo, Norwegian Country of Origin Information Centre
- Joakim Gundel, scholar, author, and Somalia expert

It must be noted that the drafting and review carried out by the mentioned departments, experts or organisations contributes to the overall quality of the report, but does not necessarily imply their formal endorsement of the final report, which is the full responsibility of EASO.

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## Disclaimer

This report was written according to the EASO COI Report Methodology (2019)<sup>1</sup>. The report is based on carefully selected sources of information. All sources used are referenced.

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

Furthermore, this report is not conclusive as to the determination or merit of any particular application for international protection. Terminology used should not be regarded as indicative of a particular legal position.

'Refugee', 'risk' and similar terminology are used as generic terminology and not in the legal sense as applied in the EU Asylum Acquis, the 1951 Refugee Convention and the 1967 Protocol relating to the Status of Refugees.

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

The drafting of this report was finalised on 20 August 2021, while the reference period of the report covers January 2020 – 30 June 2021. Any event taking place after 30 June is not included in this report. More information on the reference period for this report can be found in the [Methodology](#) section of the Introduction.

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<sup>1</sup> The 2019 EASO COI Report Methodology can be downloaded from the EASO COI Portal [url](#)

## Glossary and Abbreviations

4.5 power-sharing formula	A power-sharing formula under which key positions in the state and parliamentary seats are allocated on a proportional basis across the 4 major clans and 0.5 to minorities
AMISOM	African Union Mission in Somalia
AFRICOM	The United States Africa Command
Amniyat	Al-Shabaab's intelligence wing
AS (Al-Shabaab)	Al-Shabaab; militant Islamist organisation in Somalia
Casualty	A person who is killed, wounded or incapacitated
<i>Diya</i>	Payment of compensation (see also <i>mag</i> or <i>jilib</i> )
FFM	Fact-Finding Mission
FGS	Federal Government of Somalia
FMS	Federal Member States
<i>Hanbali</i>	One of the two main Sharia schools ( <i>madhab</i> ) present in Somalia
<i>Hadd</i> crimes	Crimes that are 'against the rights of God' under Islamic religious law (plural <i>huduud</i> )
ISIS-Somalia	Islamic State in Somalia, or ISS; a Somalia-based affiliate of the Iraq/Syria-based IS (also called the Islamic State of Iraq in the Levant/Syria (ISIS), or Daesh)
<i>Madhab</i>	Sharia school
<i>Mag</i>	Payment of compensation (see also <i>diya</i> )
PISA	Puntland Intelligence and Security Agency
<i>Qisas</i>	Retaliation under Sharia law
<i>Sab</i>	Minority group, occupational caste
<i>Saab</i>	Name for the <i>Rahanweyn/Digil-Mirifle</i> clan family (after their ancestor Saabe)
<i>Samaale</i>	Somali ancestor for Somali clans ( <i>Dir, Isaaq, Darood, Hawiye</i> )
<i>Shafi'i (Shafi's)</i>	One of the two main Sharia schools ( <i>madhab</i> ) present in Somalia
<i>Sharia (Shari'a', Sharia'ah)</i>	The Islamic law
<i>Takfir/Takfiir</i>	Declaring other Muslims as infidels because they do not adhere to certain behaviour. Al-Shabaab is described as following takfiri ideology.
<i>Xeer</i>	Customary (clan) law
<i>Zakat</i>	Religious tax under Islamic law



# Introduction

The purpose of this report is to provide relevant context information in view of the assessment of international protection status determination, including refugee status and subsidiary protection. Among others, the report is intended to inform the development of EASO's country guidance development on Somalia (2022).

The report provides background information and details on selected potentially targeted profiles in Somalia. The report builds upon the preceding EASO COI report on [Somalia: Actors](#) (July 2021) and belongs to the same Somalia COI project along with the EASO COI report on [Somalia: Key socio-economic indicators](#) (September 2021) and the [Somalia: Security situation](#) (September 2021).

This report provides in-depth information about following potentially targeted profiles in Somalia: people recruited by and deserters from Al-Shabaab; women and girls; individual perceived as contravening religious laws/tenets; minorities and non-minority clans; individuals involved in blood feuds/clan disputes; individuals supporting or perceived as supporting the government, the international community, and/or as opposing Al-Shabaab; journalists; LGBTIQ.

## Methodology

The reference period is from 1 January 2020 to 30 June 2021. The information gathered is a result of research using public, specialised paper-based and electronic sources until 30 July 2021. Some limited additional information was added during the finalisation of this report in response to feedback received during the quality control process, until 20 August 2021.

This report is produced in line with the EASO COI Report Methodology (2019)<sup>2</sup> and the EASO COI Writing and Referencing Style Guide (2019).<sup>3</sup>

## Defining the terms of reference

The terms of reference of this report build on the input received from country of origin information (COI) and policy experts from EU+ countries<sup>4</sup> within the context of country guidance development on Somalia. Terms of reference for this report can be found in [Annex 2](#).

## Collecting information

The information gathered results from two main sets of sources: extensive desk research using predominantly public, specialised paper-based, and electronic sources until 20 August 2021; and a number of interviews with oral sources and experts conducted by ACCORD for the purposes of the report between 14 June and 18 August 2021. All these sources, including when restricted or non-public information has been used to cover specific details, were duly referenced and described.

The sources used are referenced in the [Bibliography](#). Wherever information could not be found within the timeframes for drafting this report after carefully consulting a range of sources, this is stated in the report. The main sources consulted are included in the bibliography.

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<sup>2</sup> EASO, EASO Country of Origin Information (COI) Report Methodology, June 2019, [url](#)

<sup>3</sup> EASO, Writing and Referencing Guide for EASO Country of Origin Information (COI) Reports, June 2019, [url](#)

<sup>4</sup> EU Member States plus Norway and Switzerland

## Quality control

To ensure that the authors respected the EASO COI Report Methodology and the [Terms of Reference](#) were comprehensively addressed, a review was carried out by COI specialists from the countries and organisations listed as reviewers in the [Acknowledgements](#) section. All comments made by the reviewers were taken into consideration and almost all of them were implemented in the final draft of this report, which was finalised on 20 August 2021. EASO also performed the final quality review and editing of the text.

## Sources

In accordance with EASO COI methodology, a range of different published documentary sources have been consulted on relevant topics for this report. These include: COI reports by governments; national and international think tank reports and specialised sources covering Somalia; information from civil society, humanitarian organisations, and NGOs; international and NGO human rights reports; reports produced by various bodies of the United Nations; Somali and regionally-based media; academic publications and books.

At the same time the report relies extensively on experts interviews that were carried out for the purpose of the report between 14 June and 18 August 2021 (see the [Bibliography](#) for additional details).

Information on targeted profiles' treatment has been complemented with a list of security incidents, relevant for the reference period. Such lists are not exhaustive. Lack of reporting, under-reporting or inaccessibility of non-public sources about security incidents, clan clashes, or other human rights violations are long-standing issues in the Somali context, which is severely affected, among others, by media freedom concerns.<sup>5</sup>

## Structure and use of the report

The report is divided into 8 chapters, each one of them addressing specifically the forms of targeting of selected profiles: people recruited by and deserters from Al-Shabaab; women and girls; individual perceived as contravening religious laws/tenets; minorities and non-minority clans; individuals involved in blood feuds/clan disputes; individuals supporting or perceived as supporting the government, the international community, and/or as opposing Al-Shabaab; journalists; LGBTIQs.

Within each profile, information is provided on describing the profile, those involved in perpetrating harm (where available), types of treatment documented among sources consulted, and potential legal protection mechanisms, including effectiveness.

This report should be read in conjunction with other 2021 EASO COI reports on Somalia, such as EASO COI report on [Somalia: Actors](#) (July 2021), the EASO COI report on [Somalia: Key socio-economic indicators](#) (September 2021), and the [Somalia: Security situation](#) (September 2021). These reports provide relevant information regarding topics such as the main armed actors, socio-economic situation in key Somali towns, targeted violence, and armed conflict developments in the country for the purpose of developing country guidance on Somalia.

## Note on Transliteration

A national orthography for the Somali language was codified relatively late by adopting a Latin script (21 October 1972). Nevertheless, even today, Somali lacks a commonly applied and binding orthography.

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<sup>5</sup> Ifex, Culture of impunity in Somalia continues to grow, 27 October 2020, [url](#); New York City Bar, Letter Urging Somali Government to Protect Free Speech and End Violence Against Journalists, 22 April 2020, [url](#)



In this report, Somali places, clans and personal names usually follow Somali orthography: 'long vowels are indicated by doubling them', as in *Darood* or *Abbaan*, 'the Latin 'c' stands for a sound close to the Arabic ع (ayn), while 'x' denotes the strongly aspirated ح (ha)'.<sup>6</sup> However, given the fact that other sources adopt different conventions, the reader will sometimes find other forms of places, clans, and personal names in the text, including where direct citations are used or in references.

Somalis, notably Somali men, are frequently better known by their nicknames than by their formal names. The same applies to public figures and politicians mentioned in the text, whose nickname is provided in quotation marks, such as in 'better known' or 'also known' as 'Qoor Qoor'.

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<sup>6</sup> Hoehne M., *Between Somaliland and Puntland*, 2015, [url](#), p. 7

# Maps of Somalia

See next pages.



## Federal Member States

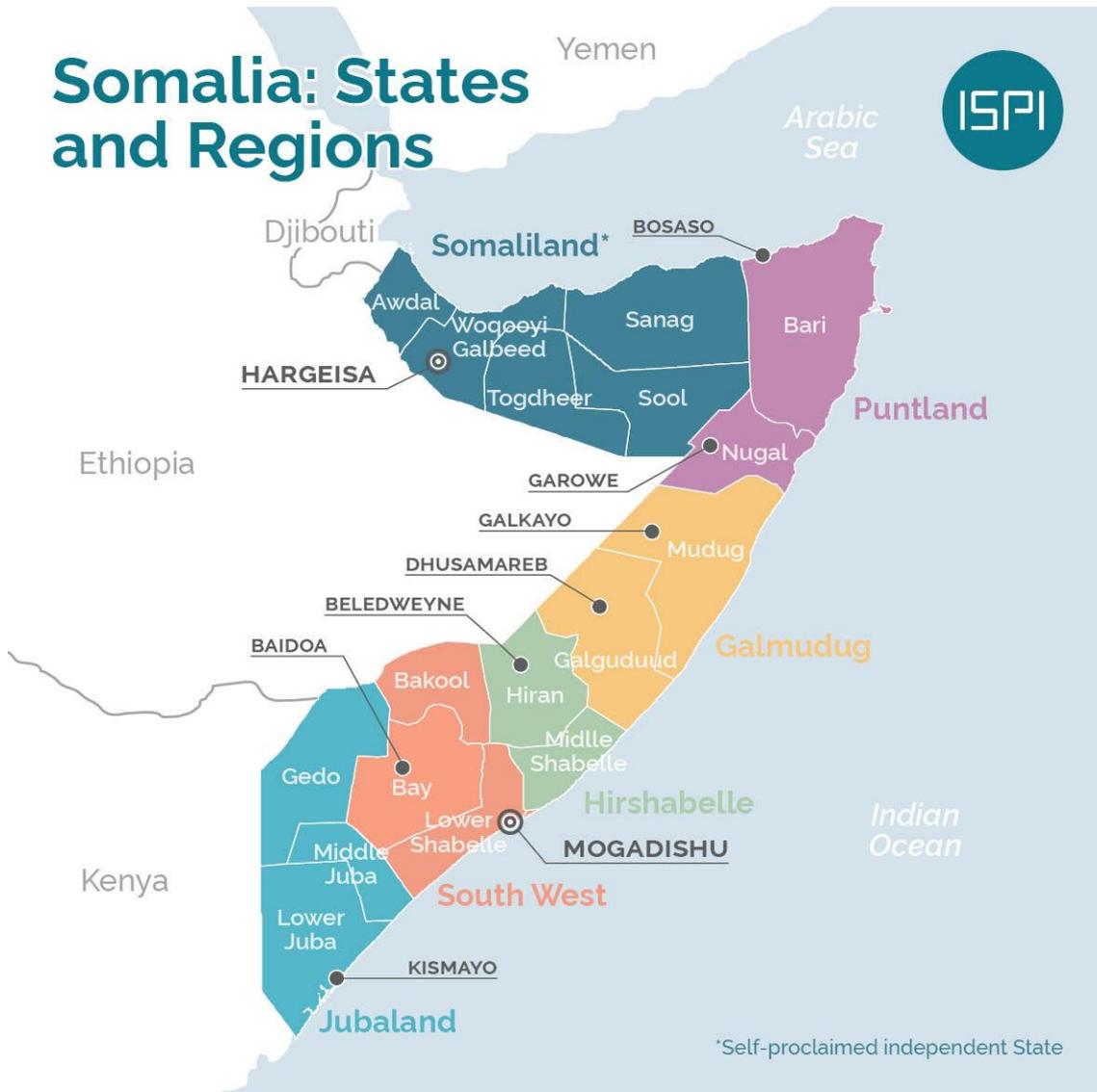


Figure 1 Somalia: States and Regions, © ISPI, 2021, [url](#)<sup>7</sup>

<sup>7</sup> ISPI, Somalia: States and Regions, May 2021, [url](#), non-public source

## Approximate Territorial Control

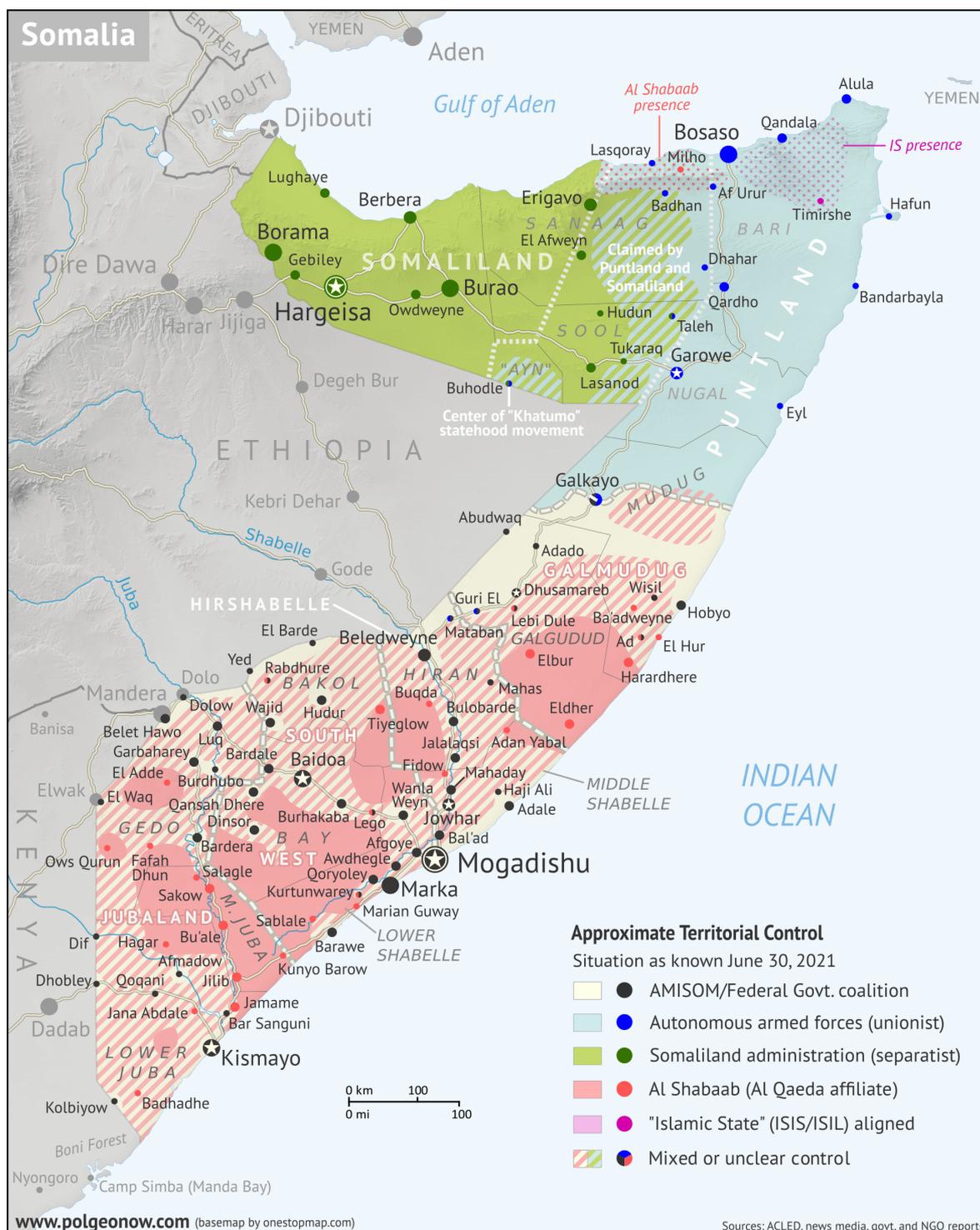


Figure 2. Political Geography Now, Somalia - Approximate Territorial Control as of 30 June 2021 ([www.polgeonow.com](http://www.polgeonow.com))<sup>8</sup>

**Please note:** This map was produced by Political Geography Now. The depictions on this map do not imply any opinion whatsoever on the part of EASO concerning legal status or effective control over any country, territory, city, or area. Every effort is made to ensure this map is free of errors, but there is no guarantee that the map or its features are either spatially or temporally accurate or fit for a particular use. This map is provided without any warranty of any kind whatsoever, either express or implied.

<sup>8</sup> Political Geography Now, Somalia – Approximate Territorial Control as of 30 June 2021, n.d., non public source

## Clan Maps

Below two maps showing clan distribution at a detail level (mostly sub-clan). Originally, they are based respectively on: (1) the map by the British anthropologist and expert in Somali clans, Ioan M. Lewis, attached to his 1955 book *Peoples of the Horn of Africa: Somali, Afar and Saho*;<sup>9</sup> and (2) the map by Abdulqaadir Abikar (1999).<sup>10</sup> Both maps are published below in an edited version, as reworked by SEM Laenderanalyse, to make them more readable and more clearly laid-out than the original.

**Please note:** the nomadic lifestyle of many Somalis, the extensive migration movements since 1991 and the **disagreements regarding clan genealogies** and **clan distribution** make it virtually impossible to produce a precise map. These **discrepancies** are clearly visible when comparing the two maps below, for example the distribution of the Hawiye in Southern Somalia. Contrary to what the maps show, for the most part there are no exact and clearly defined borders between clan territories.

As already noted in the Note on Transliteration, it is equally important to notice that the spelling of clan names may vary. In the maps below, the spellings used by the original authors have been reproduced verbatim. The spelling variations between the two authors are reflected in the maps (e.g. *Gelimes* by Lewis 1955 vs *Gilmays* by Abikar 1999).

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

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<sup>9</sup> Lewis, I.M., *Peoples of the Horn of Africa: Somali, Afar and Saho*, International African Institute, 1955

<sup>10</sup> Abikar, A., *Clan Distribution of the Somalis in Horn of Africa*, 1999, as in: ACCORD, *Clans in Somalia*. Report on a Lecture by Joakim Gundel, December 2009, [url](#), p. 30

## Map by Lewis

Please see user guide in the previous page [Clan Maps](#)

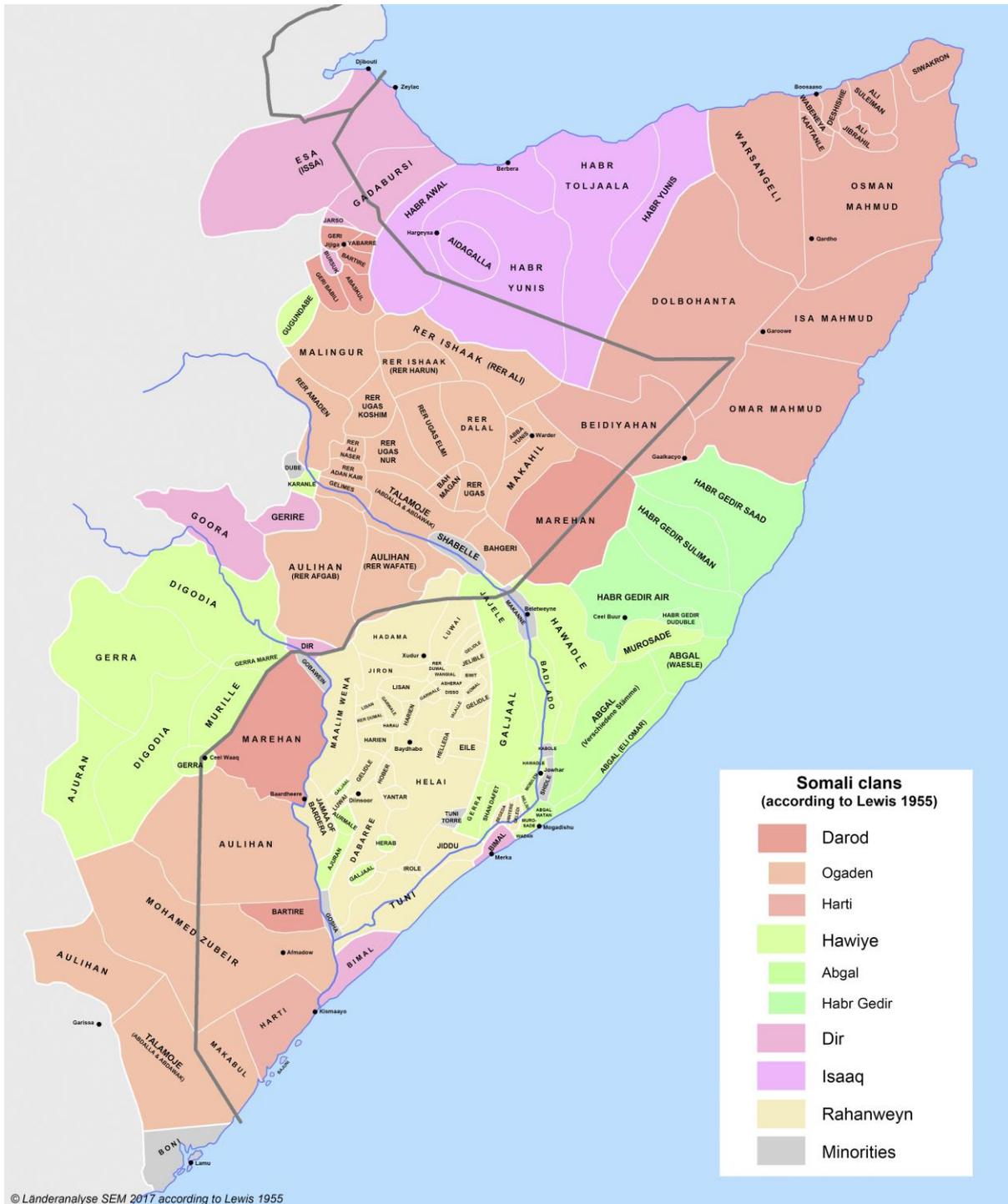


Figure 3. Clan Distribution by Lewis (1955).<sup>11</sup>

<sup>11</sup> Lewis, I.M., Peoples of the Horn of Africa: Somali, Afar and Saho, International African Institute, 1955

## Map by Abikar

Please see user guide in the previous page [Clan Maps](#)

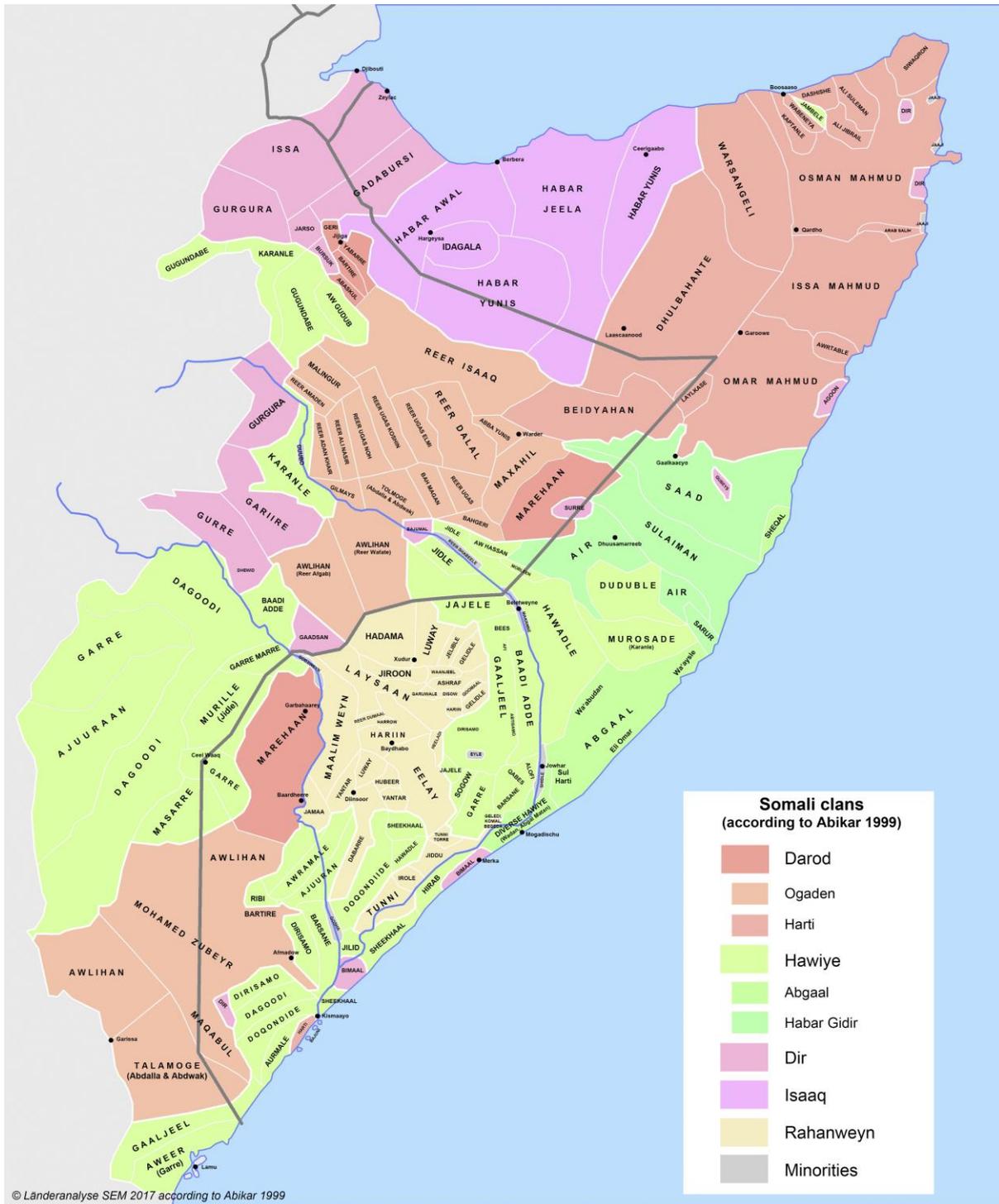


Figure 4. Clan Distribution by Abikar (1999).<sup>12</sup>

<sup>12</sup> Abikar, A., Clan Distribution of the Somalis in Horn of Africa, 1999, as in: ACCORD, Clans in Somalia. Report on a Lecture by Joakim Gundel, December 2009, [url](#), p. 30

# 1. Recruitment by Al-Shabaab and repercussions for deserters

## 1.1 Patterns of recruitment

Al-Shabaab is an Islamist Sunni Salafi jihadist<sup>13</sup> armed group based in Somalia formed in the early 2000s that seeks to establish an Islamic caliphate state in the country.<sup>14</sup> For further details see EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>15</sup>

Recruitment, in the combat-related sense of the term, may be understood as referring to 'the process whereby civilians temporarily—or indefinitely—leave their everyday lives to join an armed group'.<sup>16</sup> A 2020 article by political scientist J. Tochukwu Omenma and others conceptualises recruitment more specifically as 'the process and strategy employed to enlist fighters, supporters, sympathizers and financiers' into an organization.<sup>17</sup> Recruitment into Al-Shabaab (AS) can occur in a variety of forms and settings. It is a complex process that can vary 'based on location, the individual, and the needs of Al-Shabaab at a particular time.'<sup>18</sup>

This section will elaborate on this complex process by first describing the prevalence of recruitment, referring to local aspects of recruitment, numbers of fighters and the type of persons that are recruited, i.e. Al-Shabaab's composition of fighters and sources. Apart from information regarding fighters and actual members of Al-Shabaab, the issue of informants and ad hoc assistance to the group is also referred to. The second part of this section takes into account the perspectives of those recruited and deals with reasons for joining Al-Shabaab, while the third part tries to shed light on Al-Shabaab's conduct in this regard and deals with the organisation's recruitment strategies. In this context, the complex issue of forced versus voluntary recruitment is discussed. At the end of the section, information on the recruitment of youth and children and on the recruitment of women is highlighted.

### Prevalence of recruitment and Al-Shabaab fighters composition/sources

A 2018 report by the Hiraal Institute, a think tank based in Mogadishu, notes that in its early years, Al-Shabaab – which was at that time an urban phenomenon<sup>19</sup> – used to recruit from among the population of Mogadishu and other urban centres. However, since the group lost territory in the urban centres between 2012 and 2015, it has recruited most of its new members in rural areas under its control, including the densely populated Bay and Bakool regions, with children forming the majority of the new recruits.<sup>20</sup> As noted by Landinfo, the most important target groups for recruitment have been boys and young men between the age of 12 and 24.<sup>21</sup> Botha and Abdile, who interviewed 88 former Al-Shabaab fighters for their 2014 study, stressed that among their interviewees, 40 % had

<sup>13</sup> International Crisis Group, Somalia: Al-Shabaab – It Will Be a Long War, Africa Briefing no. 99, 26 June 2014, [url](#), p. 7

<sup>14</sup> CFR, Al-Shabaab – Backgrounder, 19 May 2021, [url](#)

<sup>15</sup> EASO, Somalia: Actors, July 2021, [url](#), Chapter 4: Al-Shabaab

<sup>16</sup> Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), p. 5

<sup>17</sup> Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), p. 5

<sup>18</sup> Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 121

<sup>19</sup> Hansen, S. J., Al-Shabaab in Somalia: The History and Ideology of a Militant Islamist Group, 2005-2012, 2013, p. 89

<sup>20</sup> Hiraal Institute, Al-Shabab's Military Machine, December 2018, [url](#), p. 1; Landinfo points to the fact that in the Somali context, puberty, not age, is the decisive criterion whether a person is considered an adult. (Norway, Landinfo, Query response, Somalia: Date of birth, age and calendar, 17 February 2021, [url](#), p. 2)

<sup>21</sup> Norway, Landinfo, Somalia: Respsns: Rekruttering til al-Shabaab, 26 January 2018, [url](#), p. 3

joined the group between the age of 15 and 19 and 46 % were in their twenties. Only 5 % were younger than 15, and only 9 % were older than 29.<sup>22</sup>

In a 2018 report, Marchal estimated that nearly 40 % of AS's rank-and-file members are recruited from Bay and Bakool.<sup>23</sup> According to a security expert interviewed for this report, 'the Mirifle clan group constitutes the main source of foot soldiers for AS'.<sup>24</sup> In Middle Shabelle region, the majority of AS's foot soldiers (except those from the Digil-Mirifle clan) were recruited from low-status groups such as the Bantu/Jareer.<sup>25</sup> It has been reported that AS 'recruits more easily in multi-clan locations because conflicts there are likely'.<sup>26</sup>

Al-Shabaab not only recruits members locally within Somalia but also in adjacent countries such as Kenya<sup>27</sup> as well as in Europe, (North) America<sup>28</sup> and Australia, South Asia and the Middle East<sup>29</sup>.

According to a 2020 report by Vanda Felbab-Brown, senior fellow in the Brookings Institution's Foreign Policy programme, AS has an estimated strength of 5 000 to 7 000 active fighters<sup>30</sup>, having significantly increased its force from about 2 000 to 3 000 active fighters in 2017. The author notes that the organisation has stepped up recruitment efforts among unemployed young men since 2017.<sup>31</sup> For more information see EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>32</sup>

As mentioned above, young men are the main target for recruitment. However, AS recruits persons of all age groups including women, with 'variables such as age, gender, educational background, or prior professions influenc[ing] for what purpose one is recruited'.<sup>33</sup> Besides being used for armed combat, individuals may also be recruited for work as mechanics, logistics personnel,<sup>34</sup> drivers, porters, cleaners, cooks, judges, administrative staff, teachers or health workers,<sup>35</sup> for example. In many cases, persons in areas not in Al-Shabaab's hands are used as informants because of their knowledge of their local area.<sup>36</sup> It has been reported that recruitment of informants – who are not necessarily members of AS<sup>37</sup> – may occur through bribery, intimidation, threats and the use of

<sup>22</sup> Botha, A. and Abdile, M., Radicalisation and al-Shabaab recruitment in Somalia, September 2014, [url](#), p. 2

<sup>23</sup> Marchal, R., Une lecture de la radicalisation djihadiste en Somalie, 2018, [url](#), p. 107

<sup>24</sup> Interview with Somali security expert II, 21 June 2021. Expert II is a leading Somali security expert, author, and scholar based in Somalia, with extensive academic and international consulting experience. Security expert II prefers to remain anonymous for security reasons.

<sup>25</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement's recruitment project, 2020, [url](#), p. 370

<sup>26</sup> Marchal, R., Motivations and drivers of Al-Shabaab, 2018, p. 314

<sup>27</sup> Badurdeen, F. A., Why we did it: the Kenyan women and girls who joined Al-Shabaab, 21 February 2021, [url](#); Reuters, Spreading the net: Somali Islamists now target Kenyan recruits, 17 May 2019, [url](#); DW, A farewell to arms – leaving a life of terrorism behind in Kenya, 3 May 2019, [url](#)

<sup>28</sup> Ingiriis, M. H., Building peace from the margins in Somalia: The case for political settlement with Al-Shabaab, 2018, p. 520; Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), pp. 2, 14, 15

<sup>29</sup> Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), pp. 14, 15

<sup>30</sup> Hoehne notes that the group acts in an area of approximately 300.000 square kilometres with a limited number of armed fighters, therefore it cannot be present everywhere and rules by 'exemplary violence'. (ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer-innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 8)

<sup>31</sup> Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 120

<sup>32</sup> EASO, Somalia: Actors, July 2021, [url](#), sections: 4 Al-Shabaab, and especially 4.2.1 The Jabahaat

<sup>33</sup> Denmark, DIS and DRC, South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups, January 2017, [url](#), p. 14

<sup>34</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [source: Mary Harper and a representative of an international organisation], July 2020, [url](#), p. 14

<sup>35</sup> Harper, M., Everything You Have Told Me is True: The Many Faces of Al-Shabaab, London, 2019, p. 33

<sup>36</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [sources: Mary Harper and a representative of an international organisation], July 2020, [url](#), p. 14

<sup>37</sup> Norway, Landinfo, Respons, Somalia: Massearrestasjoner og reaksjoner mot personer som mistenkes for å være al-Shabaab-medlemmer, 5 June 2015, [url](#), pp. 4-5

violence, e.g. local employees of international organisations were pressured to cooperate with AS in this regard.<sup>38</sup>

According to one AS official, some recruits work for the organisation on a part-time basis, alongside their farms or business work. Harper points out that people can have ‘multiple identities, some connected with the movement, some not’, and that there is also the question of what constitutes collaboration or involvement with AS, for example in the case of people who pay taxes to the group or otherwise ‘keep on the good side’ of AS out of fear of reprisals or who travel to AS-controlled areas in order to use the more efficient legal services provided by the group.<sup>39</sup>

According to the UK-based academic Mohamed Haji Ingiriis, recruitment into AS can be viewed as ‘a pull-and-push phenomenon’ where recruiters seek out recruits, but potential recruits also look for recruiters.<sup>40</sup> These two aspects of recruitment, the reasons for joining Al-Shabaab and the group’s recruitment strategies are further elaborated in the following paragraphs.

### Reasons for joining Al-Shabaab

A 2020 report by Ingiriis that presents findings from interviews he conducted with former AS members in Mogadishu and the town of Afgooye states that many young men joined the ranks of AS ‘for their own individual reasons’, including personal gain, better economic prospects and grievances against the government.<sup>41</sup> Referring to data gathered from UN officials, Somali analysts and other sources in 2017, Felbab-Brown notes that about two-thirds of AS members have joined ‘either for economic reasons or as a result of grievances against clan discrimination or abuses and corruption of local authorities’.<sup>42</sup> Many young men believe that AS defends Islam against ‘infidel’ invaders seeking to split their people and nation to advance their own interests<sup>43</sup>. Botha and Abdile found that 98% of the 88 former Al-Shabaab fighters they interviewed in 2014 believed that Islam was under threat.<sup>44</sup>

A 2017 study conducted by ISS researcher Anneli Botha among former AS members (both rank-and-file members and persons in leadership positions) in Baidoa showed that more than half of the leaders (52 %) said that they joined AS for religious reasons, while 15 % of rank-and-file members cited religion as a driver that led them to join.<sup>45</sup> Meanwhile, Ingiriis points out that it is hardly possible to distinguish ‘recruits driven by jihadi ideology [...] from those who are motivated by profit or looking for power, because almost all justify joining Al-Shabaab for religious reasons while suppressing other reasons’.<sup>46</sup> While religion may not be the primary point of recruitment, it is reported to underpin people’s engagement for the jihadist goals propagated by the organisation.<sup>47</sup>

Personal grievances arising from unequal power and resource distribution by the government and clans have also been exploited by AS to attract ‘young, dispossessed men’ in the past, notably in areas

<sup>38</sup> Norway, Landinfo, Query response, Somalia: Al-Shabaab and local employees of AMISOM, the UN and other international organisations, June 2015, [url](#), p. 5

<sup>39</sup> Harper, M., *Everything You Have Told Me is True: The Many Faces of Al-Shabaab*, London, 2019, pp. 33-34

<sup>40</sup> Ingiriis, M. H., *The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project*, 2020, [url](#), pp. 364, 369

<sup>41</sup> Ingiriis, M. H., *The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project*, 2020, [url](#), p. 364

<sup>42</sup> Felbab-Brown, V., *The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers*, 2020, [url](#), pp. 120-121

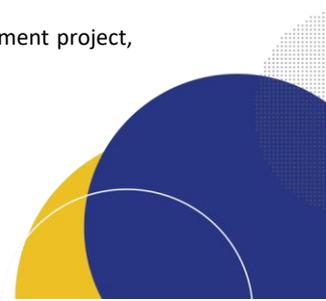
<sup>43</sup> Ingiriis, M. H., *The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project*, 2020, [url](#), pp. 364-365

<sup>44</sup> Botha, A. and Abdile, M., *Radicalisation and al-Shabaab recruitment in Somalia*, September 2014, [url](#), p. 6

<sup>45</sup> Botha, A., *Reasons for joining and staying in al-Shabaab in Somalia*, 2019, [url](#), p. 1; see also Botha, A. and Abdile, M., *Radicalisation and al-Shabaab recruitment in Somalia*, September 2014, [url](#), p. 5

<sup>46</sup> Ingiriis, M. H., *The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project*, 2020, [url](#), p. 365

<sup>47</sup> Marchal, R., *Une lecture de la radicalisation djihadiste en Somalie*, 2018, [url](#), pp. 105-106



around Mogadishu.<sup>48</sup> It has also been reported that ‘the desire of some young men to lead an adventurous life also plays a role’ in AS’s recruitment efforts and that many young men in Mogadishu contemplate changing their status quo through acts of violence.<sup>49</sup> Indeed, the idea of taking revenge for acts of humiliation or crime has been reported to be a key motive for joining the ranks of AS. The group, in its messaging, has consistently emphasised the damage caused by the opposite side (or even fabricated such ‘facts’ where evidence was scarce), and many former AS members who have defected to the government claimed that they had joined AS because they wished to take revenge for a close relative.<sup>50</sup> Such a person may have died at the hands of government forces attacking them at a checkpoint<sup>51</sup> or in a drone attack carried out by international forces.<sup>52</sup> Thus, the desire to take revenge may be directed against the police, local warlords or members of other clans. However, four persons who were interviewed in 2015 while living in a government rehabilitation centre have even claimed that their motivation to join AS had been to gain vengeance against other AS members, seeing membership in the group as something that would better enable them to do so.<sup>53</sup>

According to international sources interviewed by the Finnish Immigration Service, young unemployed men living in poverty and lacking in prospects, with limited understanding of the teachings of Islam, are prone to join the ranks of AS when offered a small financial reward.<sup>54</sup> Young men have also been driven by their families expecting them to earn a living.<sup>55</sup>

A 2017 survey conducted among 32 former AS fighters in Baidoa found that 12 % of interviewees claimed that they had been forced to join AS.<sup>56</sup> According to the 2014 report by Botha and Abdile that presents the findings of a survey of former AS members in Mogadishu, 13 % of the interviewees reported that they had been recruited by force, while another 4 % indicated that both religious reasons and force played a role in their recruitment.<sup>57</sup> According to another survey, conducted in November 2015 among former AS members at the Serendi rehabilitation centre (Mogadishu), about one-third of the interviewees said that their recruitment had resulted in part from actual or implicit threats made by AS. The survey authors note, however, that ‘respondents may potentially overstate the extent to which they were coerced into involvement, aiming to reduce their culpability’.<sup>58</sup> Similar concerns have been raised by Ingiriis more recently.<sup>59</sup> Please also see the discussion on aspects of forced versus voluntary recruitment below.

For more information on Al-Shabaab’s armed forces and modus operandi see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>60</sup>

<sup>48</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project, 2020, [url](#), p. 365; see also Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 120

<sup>49</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project, 2020, [url](#), p. 366; see also Khalil, J. et al., Deradicalisation and Disengagement in Somalia, January 2019, [url](#), p. 15

<sup>50</sup> Marchal, R., Une lecture de la radicalisation djihadiste en Somalie, 2018, [url](#), p. 106

<sup>51</sup> Finland, FIS, Somalia: Fact-finding mission to Mogadishu in March 2020; Security situation and humanitarian conditions in Mogadishu, 7 August 2020, [url](#), p. 17

<sup>52</sup> Al Jazeera, Somalia: Zero accountability as civilian deaths mount from US air strikes, 1 April 2020, [url](#); see also Al Jazeera, A family mourns as US drone attacks in Somalia continue, 1 April 2020, [url](#); Nation (The), Inside the Secretive US Air Campaign In Somalia, 7 February 2019, [url](#)

<sup>53</sup> Khalil, J. et al., Deradicalisation and Disengagement in Somalia, January 2019, [url](#), p. 15

<sup>54</sup> Finland, Finnish Immigration Service, Somalia: Fact-finding mission to Mogadishu in March 2020; Security situation and humanitarian conditions in Mogadishu [sources: international security organisation; international NGO], 7 August 2020, [url](#), p. 17

<sup>55</sup> El-Bushra, J., Gardner, J. and Abokor, A., Between a Rock and a Hard Place: Young Somali Men Today, 2018, p. 281

<sup>56</sup> Taylor, C. et al., The Cost of Defection: The Consequences of Quitting Al-Shabaab, 2019, [url](#), p. 7

<sup>57</sup> Botha, A. and Abdile, M., Radicalisation and al-Shabaab recruitment in Somalia, September 2014, [url](#), p. 5

<sup>58</sup> Khalil, J. et al., Deradicalisation and Disengagement in Somalia, January 2019, [url](#), p. 14

<sup>59</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project, 2020, [url](#), p. 364

<sup>60</sup> EASO, Somalia: Actors, July 2021, [url](#), sections: 4.2 Armed forces, the Amniyat, and modus operandi

## Al-Shabaab recruitment strategies

This section deals not only with the recruitment of fighters or members of the organisation, but also with situations where Al-Shabaab recruits civilians to provide information or assistance, sometimes on an ad hoc basis, which does not necessarily mean that these civilians become members of Al-Shabaab.

The tactics AS employs to recruit civilians include ‘the promise of martyrdom’ (indoctrination), financial incentive and conscription by force.<sup>61</sup> Those who are disgruntled with the government or hold grudges against AMISOM (a strategy used both inside and outside territories controlled by AS) are approached and convinced to join<sup>62</sup> as well as those who have personal grievances arising from clan discrimination<sup>63</sup> or against members of other clans<sup>64</sup>. Baadiyow notes that AS recruitment can take place in many different ways: money, clan networks, ideology, interests or the use of threats or force.<sup>65</sup> For more information see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>66</sup>

Although AS predominantly recruits from territories under its own control, there have been reports of recruitment from government-controlled areas, especially Mogadishu.<sup>67</sup> Roland Marchal, a social scientist at Sciences Po (France) with research focus on economies and conflicts in the Horn of Africa, states that AS has a permanent presence in Mogadishu and recruitment is ongoing there. Although the group’s presence is not very visible, they are present clandestinely and people know about this. Thanks to its strong intelligence network, AS is able to engage in cautious recruitment activity in the city, targeting those who express disappointment or anger at AMISOM or the Somali government. The group engages these people in discussion, and they are turned around gradually, until AS makes them an official offer (e.g. to join AS’s secret police/Amniyat in the city).<sup>68</sup> This has also been confirmed by Abdurahman Abdullahi Baadiyow, a Somali civil society activist and Islamic studies scholar, who states that AS can rely on a very strong intelligence network in Mogadishu (Amniyat), whose informants can be ordinary students, people in offices, in the security forces etc.<sup>69</sup> For more information see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>70</sup>

AS frequently uses financial rewards as an incentive to attract new recruits or make people provide them with information or in other ways assist them.<sup>71</sup> Harper is quoted as saying that AS pays out wages more regularly and in higher amounts than the government, but financial promises are rarely kept, at least in terms of the amount paid.<sup>72</sup> Based on information from oral sources consulted in 2018

<sup>61</sup> Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), pp. 11-14; see also Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees, July 2020, [url](#), p. 13

<sup>62</sup> Baadiyow, A. A., telephone interview, 26 June 2021. Abdurahman Abdullahi Baadiyow is a Somali civil society activist and scholar who has published extensively on Somalia. He holds a PhD in Islamic Studies from McGill University (Canada).

<sup>63</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project, 2020, [url](#), p. 365; see also Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 120

<sup>64</sup> Khalil, J. et al., Deradicalisation and Disengagement in Somalia, January 2019, [url](#), p. 15; Botha, A. and Abdile, M., Radicalisation and al-Shabaab recruitment in Somalia, September 2014, [url](#), p. 6

<sup>65</sup> Baadiyow, A. A., telephone interview, 26 June 2021; see also Botha, A. and Abdile, M., Radicalisation and al-Shabaab recruitment in Somalia, September 2014, [url](#)

<sup>66</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 3.5 Clans and Al-Shabaab

<sup>67</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [sources: Mary Harper and Landinfo], July 2020, [url](#) p. 13

<sup>68</sup> Marchal, R., telephone interview, 26 June 2021

<sup>69</sup> Baadiyow, A. A., telephone interview, 26 June 2021

<sup>70</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 4.2.2 Amniyat

<sup>71</sup> See, for example: Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [source: Mary Harper], July 2020, [url](#), p. 13; Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), p. 12

<sup>72</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [source: Mary Harper], July 2020, [url](#), p. 13; see also ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer-innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 36

by the Finnish Immigration Service, the organisation was able to pay its fighters between 50 and 200 USD per month.<sup>73</sup>

Some members of AS are reported to recruit from among their kin by persuading family and relatives to take part in the Islamic jihad and by promising monetary rewards.<sup>74</sup> Beyond their own kinship network, the AS members may identify potential recruits through the use of existing ties to clan leaders, as well as in educational facilities, prisons, mosques, prayer circles, football grounds, sports clubs, playgrounds, dormitories, online chatrooms,<sup>75</sup> and among children and unemployed men in IDP camps<sup>76</sup>. In areas under its control, AS has set up schools where children are indoctrinated to participate in armed combat, besides receiving other education.<sup>77</sup> For more information see EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>78</sup> The group has utilised existing cultural elements of jihadism and martyrdom in its recruitment efforts.<sup>79</sup>

It has also been reported that AS provides its combatants with some sort of insurance, with the promise that their families will be looked after in the event of the combatant's death.<sup>80</sup> AS also uses the prospect of marriage as a lure to recruit fighters, arranging forced marriages between its fighters and young girls.<sup>81</sup> Particularly, women or girls from the Bantu/Jareer minorities are not only forced into marriage under the threat of death but also the marriage resembles rather a temporary sexual enslavement, meaning that they typically remain in their families of origin's household and that children resulting from the union are ignored by the father.<sup>82</sup> Ingiriis notes that in Middle Shabelle region foot soldiers were recruited from low-status groups such as the Bantu/Jareer who cannot intermarry with members of the Somali clans.<sup>83</sup> According to a former AS member, the organisation has empowered those people to marry women from traditionally powerful Somali clans such as the Hawiye and Darood.<sup>84</sup>

### Aspects of forced versus voluntary recruitment

Data on the recruitment process to al-Shabaab is limited. Multiple sources corroborated that recruitment should be regarded as a continuum of voluntary, induced, and forced, 'with combinations of incentives and propaganda in-between.'<sup>85</sup> AS recruitment is described by sources as a complex

<sup>73</sup> Finland, FIS, Somalia: Fact-finding Mission to Mogadishu and Nairobi, January 2018 [sources: Somali expert on administration and security circumstances; international development organisation], 5 October 2018, [url](#), p. 13

<sup>74</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement's recruitment project, 2020, [url](#), pp. 364, 369

<sup>75</sup> Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), p. 9

<sup>76</sup> SIPRI, Climate-related Security Risks and Peacebuilding in Somalia, October 2019, [url](#), p. 21

<sup>77</sup> Finland, FIS, Somalia: Fact-finding mission to Mogadishu in March 2020; Security situation and humanitarian conditions in Mogadishu [source: Somali researcher], 7 August 2020, [url](#), p. 18

<sup>78</sup> EASO, Somalia: Actors, July 2021, [url](#), sections: 4 Al-Shabaab, and especially 4.3.1 Governance and services

<sup>79</sup> Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), p. 11

<sup>80</sup> Finland, FIS, Somalia: Fact-finding Mission to Mogadishu and Nairobi, January 2018 [sources: Somali expert on administration and security circumstances; international development organisation], 5 October 2018, [url](#), p. 13

<sup>81</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 34; see also Omenma, J. T. et al., al-Shabaab and Boko Haram: Recruitment Strategies, 2020, [url](#), p. 12

<sup>82</sup> Benstead, L. J. and Van Lehman, D., Two Classes of "Marriage": Race and Sexual Slavery in Al-Shabaab-Controlled Somalia, 18 June 2021, [url](#), pp. 10-11, 17

<sup>83</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement's recruitment project, 2020, [url](#), p. 370; see also Benstead and Van Lehman, Two Classes of "Marriage": Race and Sexual Slavery in Al-Shabaab-Controlled Somalia, 18 June 2021, [url](#), pp. 3, 10

<sup>84</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement's recruitment project, 2020, [url](#), p. 370

<sup>85</sup> Denmark, DIS and DRC, South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups, January 2017, [url](#), p. 20, 52 [induced]

process<sup>86</sup> that ‘varies based on location, the individual, and the needs of al-Shabaab at a particular time.’<sup>87</sup>

Sources provided varying characterisations of the continuum of recruitment: most recruitment of young men to AS occurs due to the lack of economic opportunities to earn a living,<sup>88</sup> or due to other grievances against issues such as clan discrimination<sup>89</sup> or state corruption.<sup>90</sup> Felbab-Brown maintains that ‘forcible recruitment’ (e.g. forcible abduction, Islamic school recruitment, removal of children, clan quotas via elders) and clan-negotiated recruitment play a ‘significant role’ in AS’s recruitment efforts,<sup>91</sup> while other sources indicated that the use of force is situational and ‘does not always constitute the primary form of recruitment’,<sup>92</sup> or even that direct force ‘happens rarely’ in practice<sup>93</sup>. Other forms of recruitment include: use of Islamic institutes and education of children in AS schools with the aim of creating young recruits with a ‘Jihadi worldview’,<sup>94</sup> as well as clan arrangements to provide recruits which can escalate to use of force.<sup>95</sup>

Regarding ‘forced’ recruitment, AS has been characterised by Hoehne as an organisation that acts in a ‘highly situational manner’<sup>96</sup>, which includes coercive strategies to recruit new members.<sup>97</sup> According to Hoehne, force may be used in situations where the group needs to refill its ranks, for example after suffering major losses in battle or in places where it is in need of a continuous supply of new recruits.<sup>98</sup> As noted by Ingiriis, forced recruitment has been used when AS’s leadership felt ‘increasingly threatened by external forces, such as [during] the 2011 retreat from Mogadishu.’<sup>99</sup> Three sources indicated to DIS that forced recruitment ‘does take place in areas fully controlled by al-Shabaab but it will most often be in relation to big operations or during and after attacks when al-Shabaab is in need of people for logistics or to replace lost fighters.’<sup>100</sup> According to Mary Harper, a BBC Africa editor and author specialising in Somalia, recruitment outside AS’s own territory frequently

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<sup>86</sup> Denmark, DIS and DRC, South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups, January 2017, [url](#), p. 20; Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 120

<sup>87</sup> Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 120

<sup>88</sup> Denmark, DIS and DRC, South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups, January 2017, [url](#), p. 20; Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 120; Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project, 2020, [url](#), p. 365

<sup>89</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project, 2020, [url](#), p. 369; Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 120

<sup>90</sup> Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), p. 120

<sup>91</sup> Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), pp. 120-121

<sup>92</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 36

<sup>93</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project, 2020, [url](#), p. 364

<sup>94</sup> Hiraal Institute, The Fighters Factory: Inside Al-Shabab’s Education System, 15 May 2018, [url](#), p. 3

<sup>95</sup> Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), pp. 120-121

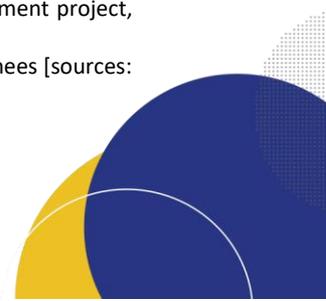
<sup>96</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 36

<sup>97</sup> Marchal, R., Une lecture de la radicalisation djihadiste en Somalie, 2018, [url](#), p. 92

<sup>98</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), pp. 36, 40

<sup>99</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement’s recruitment project, 2020, [url](#), p. 364

<sup>100</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [sources: Mary Harper; representative of an international organisation], July 2020, [url](#), p. 21



involves aspects of coercion,<sup>101</sup> although forced recruitment has also been reported to be common in South-West State<sup>102</sup> which is widely controlled by the group.<sup>103</sup>

According to a 2018 report by Marchal, forced recruitment (and brainwashing) is not strategically used by AS. It is rather practised in limited ways or in particular situations.<sup>104</sup> Forced recruitment has been reported to be 'almost non-existent' in Mogadishu, though it occurs in other parts of the country.<sup>105</sup> As an example for coercive strategies in urban settings not directly under the control of AS it was described that the group may request an office worker in Mogadishu to act as its informant, promising him a financial reward in exchange for crucial information (e.g. on the whereabouts of a high-ranking official), while at the same time threatening to do harm to their children in case of non-compliance.<sup>106</sup>

As reported by the Danish Immigration Service (DIS), AS often requests local community members to join or provide younger members of their families to the organisation. People who refused such requests have been 'threatened and labelled as infidels who reject Islam and the Sharia law' and in some cases even killed to set a warning to others in the community.<sup>107</sup> When AS takes control of an area, it requests local clan elders to provide several dozens or even hundreds of young people. The elders, unable to refuse, designate young members of their communities to fight alongside AS and/or take up functions as local 'police' to demonstrate their courageousness and loyalty before being sent away to other areas to take up a role within AS proper.<sup>108</sup> It has also been reported that families who are unable to pay (religious) taxes to AS are often coerced into giving up their children to the group.<sup>109</sup> Further aspects of forced recruitment of youth and children and of women are elaborated below. For more information also see EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>110</sup>

### Recruitment of youth and children

Ingiriis, in his 2020 report, states that AS has resorted to recruiting local children due to decreasing numbers of non-Somali fighters, for example from USA, Europe, Afghanistan,<sup>111</sup> joining its ranks.<sup>112</sup> According to a 2018 Hiraal Institute report, most persons recruited by AS since 2011 have been children 'who have gone through the AS education system, which greatly increases their loyalty to the group.'<sup>113</sup>

The United Nations reported that between January and June 2020, 535 children were recruited, some of them as young as 13, with Al-Shabaab being responsible for 402 (or over 75 %) of the cases. The

<sup>101</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [sources: Mary Harper and Landinfo], July 2020, [url](#), p. 14

<sup>102</sup> Sweden, Swedish Migration Agency, Somalia Säkerhetssituationen 2020 (version 1.2) [source: an international organisation in Nairobi that works on Somalia], 12 May 2021, [url](#), pp. 19-20

<sup>103</sup> Reuters, Blackwater founder's FSG signs security deal with Somali region, 22 June 2017, [url](#); ACLED, A turbulent run-up to elections in Somalia, 7 April 2021, [url](#)

<sup>104</sup> Marchal, R., Une lecture de la radicalisation djihadiste en Somalie, 2018, [url](#), p. 92

<sup>105</sup> Finland, Finnish Immigration Service, Somalia: Fact-finding mission to Mogadishu in March 2020; Security situation and humanitarian conditions in Mogadishu [source: international security organisation], 7 August 2020, [url](#), p. 17

<sup>106</sup> Finland, Finnish Immigration Service, Somalia: Fact-finding mission to Mogadishu in March 2020; Security situation and humanitarian conditions in Mogadishu [source: Somalia researcher], 7 August 2020, [url](#), p. 18

<sup>107</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [sources: Mary Harper; representative of an international organisation], July 2020, [url](#), p. 13

<sup>108</sup> Marchal, R., Une lecture de la radicalisation djihadiste en Somalie, 2018, [url](#), p. 105

<sup>109</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [source: a representative of an international organisation], July 2020, [url](#), p. 13; Sweden, Swedish Migration Agency, Somalia Säkerhetssituationen 2020 (version 1.2) [source: an international organisation in Somalia], 12 May 2021, [url](#), p. 20

<sup>110</sup> EASO, Somalia: Actors, July 2021, [url](#), sections: 3.5 Clans and Al-Shabaab, and especially 3.5.1 Clans within Al-Shabaab and 4.3.2 Taxation

<sup>111</sup> Baadiyow, A. A., telephone interview, 26 June 2021

<sup>112</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement's recruitment project, 2020, [url](#), p. 368

<sup>113</sup> Hiraal Institute, Al-Shabab's Military Machine, December 2018, [url](#), p. 1; see also Hiraal Institute, The Fighters Factory: Inside Al-Shabab's Education System, 15 May 2018, [url](#)

largest numbers of such incidents were documented in Middle Jubba (121), Lower Shabelle (98) and Bay (87).<sup>114</sup> As indicated in the UN Secretary-General's reports on the situation in Somalia, 3 898 'grave violations' against children were verified between early February 2020 and early May 2021, of which between 58.6 % and 74.3 % were attributed to AS. The instances of 'grave violations' against children included the recruitment and use of 1 615 children.<sup>115</sup> Children recruited by AS have been used in combat, including as human shields<sup>116</sup> and suicide bombers, or to plant explosive devices, as well as in auxiliary roles, 'such as carrying ammunition, water, and food; removing injured and dead militants; gathering intelligence; and serving as guards.'<sup>117</sup> For further details see EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>118</sup>

An October 2018 article by the journalist Hassan Ghedi Santur stated that due to territorial losses in recent years, AS, has turned to the abduction and forcible recruitment of children, although 'accurate numbers are difficult to come by'.<sup>119</sup> As reported by Human Rights Watch in 2018, 'since late September 2017, Al-Shabab has ordered elders, teachers in Islamic religious schools, and communities in rural areas to provide hundreds of children as young as 8.'<sup>120</sup> AS continued to forcibly recruit children during the year 2020<sup>121</sup> and retaliated against communities which refused to give up children to the organisation<sup>122</sup>, including by attacks, arrests of community elders and forced displacement.<sup>123</sup>

Reports received by the United Nations Panel of Experts on Somalia suggest that AS child recruitment campaigns were 'targeting communities perceived to be aligned to the government.'<sup>124</sup> It has been reported that AS sometimes takes children directly from their families.<sup>125</sup> Another source, drawing on information from 2018, reports that certain families in Baidoa force their sons to fight for AS.<sup>126</sup> AS's recruitment efforts have also targeted orphaned children.<sup>127</sup>

It has been reported that since 2015, AS has set up a number of large *madradas* in areas under their control, reinforced indoctrination including by bringing in younger children, and 'pressured teachers to retrain and teach Al-Shabab's curriculum in schools.'<sup>128</sup> 33 boys were reportedly rescued by security forces from an AS-operated madrasa in Lower Shabelle in August 2020.<sup>129</sup> According to reports, at least another 250 children who had been abducted or recruited by AS from various villages in Lower

<sup>114</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 137

<sup>115</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 50; UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 50; UNSG, Situation in Somalia, S/2020/1113, 13 November 2020, [url](#), para. 45; UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para. 55-56; UNSG, Situation in Somalia, S/2020/398, 13 May 2020, [url](#), para. 52-53

<sup>116</sup> No further recent information could be found on the issue of using children as human shields. USDOS uses this sentence in each of their annual human rights report since 2012, however the only source actually reporting on this is Human Rights Watch in 2012, see HRW, No Place for Children: Child Recruitment, Forced Marriage, and Attacks on Schools in Somalia, Februar 2012, [url](#), pp. 30-31

<sup>117</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 14-15

<sup>118</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 4.5 Overview of Abuses

<sup>119</sup> Santur, H. G., Reporter's Diary: Heal Somalia's former child soldiers, heal a nation, 22 October 2018, [url](#)

<sup>120</sup> HRW, Somalia: Al-Shabab Demanding Children, 14 January 2018, [url](#)

<sup>121</sup> HRW, World Report 2021: Somalia, 13 January 2021, [url](#); USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 14-15; UN Security Council, Report of the Panel of Experts on Somalia, 28 September 2020, [url](#), para. 137

<sup>122</sup> HRW, World Report 2021: Somalia, 13 January 2021, [url](#)

<sup>123</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), p. 79

<sup>124</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 139

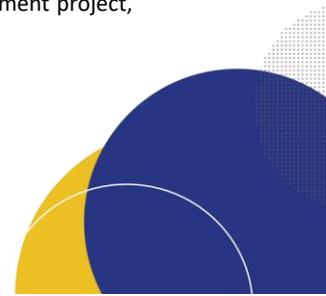
<sup>125</sup> Felbab-Brown, V., The Problem with Militias in Somalia: Almost Everyone wants them despite their Dangers, 2020, [url](#), pp. 120-121; see also HRW, Somalia: Al-Shabab Demanding Children, 14 January 2018, [url](#)

<sup>126</sup> Sweden, Swedish Migration Agency, Somalia Säkerhetssituationen 2020 (version 1.2) [source: an international organisation in Nairobi that works on Somalia], 12 May 2021, [url](#), pp. 19-20

<sup>127</sup> Ingiriis, M. H., The anthropology of Al-Shabaab: the salient factors for the insurgency movement's recruitment project, 2020, [url](#), p. 368

<sup>128</sup> HRW, Somalia: Al-Shabab Demanding Children, 14 January 2018, [url](#)

<sup>129</sup> UNSG, Situation in Somalia, S/2020/1113, 13 November 2020, [url](#), para. 46



Shabelle (over an unspecified period) were kept by AS in a *madrassa* located in Towfiiq (Mudug region).<sup>130</sup>

### Recruitment of women

AS also recruits women. According to a June 2019 International Crisis Group's report, 'marriage is the most common path along which Somali women become affiliated with Al-Shabaab'. The organisation uses marriage as a 'tool for recruitment' of men, including from minority clans (see above), and to 'advance relations and procure loyalties across a wide patchwork of clans'.<sup>131</sup> The same report notes that 'in areas where militants dominate or exert influence', marriage 'can be a matter of survival'.<sup>132</sup> Some women are coerced into offering themselves to AS.<sup>133</sup> Many who marry AS members are reportedly still young girls. However, 'some women members do express strong support for the movement and its goals and regard themselves as full-fledged members'.<sup>134</sup> The group has also used women to propel its recruitment, indoctrination and [community] outreach efforts.<sup>135</sup> AS also takes 'advantage of the lax security that is applied to women', using them 'to support intelligence gathering'. Some also act as suicide bombers.<sup>136</sup> It has been reported that women's marriage to AS fighters can come with certain privileges, such as being allowed to use smartphones or being granted certain degree of freedom of movement.<sup>137</sup> One expert noted that some women who have grown up in environments beset with insecurity and gender-based violence may see marriage into AS, and the protection that comes with it, as a better alternative to being raped by a militiaman.<sup>138</sup> At the same time, especially in the case of Bantu girls and women, 'marriage' to AS fighters has been described as 'sexual and domestic slavery'.<sup>139</sup>

## 1.2 Repercussions for deserters from Al-Shabaab

### Treatment of deserters by government authorities

An October 2018 article by journalist Hassan Ghedi Santur states that former AS members are supposed to be scrutinised by the National Intelligence Security Agency (NISA), which hands over those considered to be of 'higher risk' to the Justice Ministry for potential prosecution.<sup>140</sup> Former members being deemed 'low-risk' can be rehabilitated and/or integrated into SFG's security forces.<sup>141</sup> Meanwhile, the government operates a number of rehabilitation centres that accommodate adults<sup>142</sup> deemed to be of 'lower risk', while various NGO-run approved centres accommodate children,

<sup>130</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), p. 81

<sup>131</sup> International Crisis Group, Women and Al-Shabaab's Insurgency, 27 June 2019, [url](#), pp. 7-8

<sup>132</sup> International Crisis Group, Women and Al-Shabaab's Insurgency, 27 June 2019, [url](#), p. 2

<sup>133</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer-innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 36

<sup>134</sup> International Crisis Group, Women and Al-Shabaab's Insurgency, 27 June 2019, [url](#), p. 2

<sup>135</sup> International Crisis Group, Women and Al-Shabaab's Insurgency, 27 June 2019, [url](#), p. 10; see also Marchal, R., Rivals in Governance: Civil Activities of Al-Shabaab, 2018, p. 353

<sup>136</sup> Baadiyow, A. A., telephone interview, 26 June 2021

<sup>137</sup> Khadija and Harley, S., Women in Al-Shabaab, 2018, p. 252

<sup>138</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer-innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), pp. 36-37

<sup>139</sup> Benstead and Van Lehman, Two Classes of "Marriage": Race and Sexual Slavery in Al-Shabaab-Controlled Somalia, 18 June 2021, [url](#), p. 2

<sup>140</sup> Santur, H. G., Reporter's Diary: Heal Somalia's former child soldiers, heal a nation, 22 October 2018, [url](#); Landinfo, Temanotat Somalia: Reaksjoner mot al-Shabaab-avhoppere, 5 August 2015, [url](#), p. 7

<sup>141</sup> Norway, Landinfo, Temanotat Somalia: Reaksjoner mot al-Shabaab-avhoppere, 5 August 2015, [url](#), p. 7

<sup>142</sup> Landinfo points to the fact that in the Somali context, puberty, not age, is the decisive criterion whether a person is considered an adult. (Norway, Landinfo, Query response, Somalia: Date of birth, age and calendar, 17 February 2021, [url](#), p. 2)

providing them education and vocational training.<sup>143</sup> It has been noted that the government is actively encouraging defection from AS.<sup>144</sup> According to Landifo, clan affiliation can influence the way defectors are treated by the authorities. Nevertheless, the majority of defectors are categorized as low-risk, including defectors who have killed for AS.<sup>145</sup> At times, SFG authorities granted amnesty for low risk AS defectors.<sup>146</sup> On the other hand, if not sentenced to death, high risk defectors risked being imprisoned indefinitely due to limited capacity of the SFG for rehabilitation.<sup>147</sup>

### Reactions to deserting by AS

Somali officials are quoted as saying that desertion from AS is irrevocable as defectors are imprisoned or executed by AS.<sup>148</sup> The BBC, in a coverage by Mary Harper featuring three AS defectors whose real names were replaced with pseudonyms, states that any AS recruit who is caught while attempting to leave the organisation would be executed, with a former AS member quoted as saying that the organisation told him that this punishment applies not only to combatants but to anyone who leaves AS without permission. Executions of defectors would be carried out in public.<sup>149</sup> It has been reported that in several cases, people who attempted to leave AS have been killed, or the *Amniyat* has targeted their families.<sup>150</sup> A former AS member claimed in a November 2015 interview that he was blindfolded and beaten after telling a commander about his desire to leave the organisation.<sup>151</sup> In this context Al-Shabaab's strategy of 'exemplary violence' may have to be taken into account. As the group lacks the capacity to exert control all the time and everywhere, punishments are carried out in an exemplary manner to instill fear in the population.<sup>152</sup>

The BBC further quotes the former AS member as saying that he would never return to his native village in AS territory, he would spend the rest of his life trying to hide in Mogadishu, fearing that otherwise AS would find him and put him to death. Harper remarks that the threats made against former AS members were so serious that at the rehabilitation centre in Mogadishu that was housing the three interviewees, 'there were 80 guards for 84 defectors'.<sup>153</sup>

A 2017 survey conducted among 32 defectors from AS at a government-run rehabilitation centre in Baidoa found that there was a shared concern among interviewees that, while security was provided at the centre itself, they lacked personal security outside of its premises. 70 % of these former fighters indicated that they had received death threats from AS, with many referring to themselves as being 'hunted'. Some reported that their families had been subjected to threats as well. Several interviewees who did not receive any threats had changed their phone numbers or discarded their previous mobile phone. As the authors note, there is no plan to ensure the security of the AS defectors once they leave the rehabilitation centre, making it difficult for the disengaged combatants to reunite with their families without risking their own and their family's lives, or to set up a business. Moreover,

<sup>143</sup> Santur, H. G., Reporter's Diary: Heal Somalia's former child soldiers, heal a nation, 22 October 2018, [url](#)

<sup>144</sup> BBC News, Life after al-Shabab: Driving a school bus instead of an armed pickup truck, 23 November 2020, [url](#)

<sup>145</sup> Landinfo, Temanotat Somalia: Reaksjoner mot al-Shabaab-avhoppere, 5 August 2015, [url](#), p. 7

<sup>146</sup> Landinfo, Temanotat Somalia: Reaksjoner mot al-Shabaab-avhoppere, 5 August 2015, [url](#), p. 8; Felbab-Brown, V., The Limits of Punishment: Transitional Justice and Violent Extremism - Somalia Case Study, May 2018, [url](#), pp. 4, 13

<sup>147</sup> Landinfo, Temanotat Somalia: Reaksjoner mot al-Shabaab-avhoppere, 5 August 2015, [url](#), p. 9

<sup>148</sup> Reuters, Exclusive: Somalia lures defectors in new push against insurgents, 18 January 2018, [url](#)

<sup>149</sup> BBC News, Life after al-Shabab: Driving a school bus instead of an armed pickup truck, 23 November 2020, [url](#)

<sup>150</sup> Gjelsvik, I. M., Disengaging from violent extremism: The case of al-Shabaab in Somalia, 2019, [url](#); Hansen, S. J., Al-Shabaab in Somalia: The History and Ideology of a Militant Islamist Group, 2005-2012, 2013, p. 74

<sup>151</sup> Khalil, J. et al., Deradicalisation and Disengagement in Somalia, January 2019, [url](#), p. 17

<sup>152</sup> ACCORD, Somalia: Al-Shabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), pp. 8-9; see also Norway, Landinfo, Query response, Somalia: Violence in Mogadishu and developments since 2012, 30 October 2020, [url](#), pp. 5-6

<sup>153</sup> BBC News, Life after al-Shabab: Driving a school bus instead of an armed pickup truck, 23 November 2020, [url](#)

their prospects of relocating to another area or going into hiding are limited due to Somali societal structure, allowing people to identify a person based on their clan relations.<sup>154</sup>

Santur mentions an unofficial centre housing about 120 underage AS defectors. Neither the centre's location nor the real name of the man who runs it are disclosed. As the author explains, if details about this centre became known to the public, it 'would be vulnerable to attack by serving al-Shabab operatives.'<sup>155</sup>

Hoehne notes that a low-profile person who has deserted from the ranks of AS is unlikely to be pursued over large distances. However, there can always be situations where an individual's identity is checked. In such a situation, it can happen that AS actors, through extensive networks of people, become aware that this is the person who acted in an undesirable way a few months back, which might lead to reprisals by the organisation. In fact, there is a high level of social control in Somalia and people can remember a great amount of information. However, certain things may also be purposefully ignored, for instance in order to protect one's own family.<sup>156</sup>

Marchal mentioned that whether AS will chase defectors from the countryside who fled to Mogadishu depends on how much clan support the defecting person has. He mentioned that if someone defects who is from a clan or lineage which is not strongly involved in AS, the defecting person may have a chance to hide – if the extended family has a sizable presence in Mogadishu. Specifically, he mentioned that a Hawiye/Habar Gedir person who defects AS could find shelter with relatives in Mogadishu and be reasonably safe. But a person from a clan that is strongly represented in AS, like Rahanweyn, and whose extended family does not have a strong presence in Mogadishu, cannot find shelter in Mogadishu. He/she will be easily found and targeted. Marchal stated that AS would seek to punish those defectors it can reach in order to provide a shocking example for others who might be contemplating defection. AS generally does not accept leaving; being a jihadi movement, the logic is: once you are in, you cannot resign.<sup>157</sup>

Attitudes of AS members toward defection are reported to vary based on their position within AS. It has been reported that AS members occupying middle or higher positions within the organisation, while often secretly harbouring negative personal views about Al-Shabaab's policy, rarely defect because, unlike rank-and-file members, they 'would be killed in areas controlled by a government unable to protect its own officials, let alone AS defectors.' Meanwhile, many low-ranking members reluctant to fight and fearing aerial attacks have deserted and fled to their clans or homes. According to an AS commander interviewed by Hiraal Institute, only few have defected to the government due to fabricated stories circulated by Al-Shabaab's intelligence wing, the *Amniyat*, about abuse they would face at the hands of the authorities,<sup>158</sup> most AS members being unaware of the existence of government amnesty and rehabilitation centres.<sup>159</sup>

Regarding female defectors, a former wife of an AS member is quoted as saying that 'when a woman defects, she's not only defecting from the movement, but also has a broken marriage'. Also, militants' former wives are reported to 'face acute stigma when re-entering society outside the group's fold.'<sup>160</sup> Wives of AS fighter who did not join AS themselves or remain unidentified in their community sometimes live a normal life claiming to not know that their husbands are part of AS. When knowledge

<sup>154</sup> Taylor, C. et al., *The Cost of Defection: The Consequences of Quitting Al-Shabaab*, 2019, [url](#), pp. 9, 11

<sup>155</sup> Santur, H. G., *Reporter's Diary: Heal Somalia's former child soldiers, heal a nation*, 22 October 2018, [url](#)

<sup>156</sup> ACCORD, *Somalia: Al-Shabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi]*, 31 May 2021, [url](#), p. 40; compare also Norway, Landinfo, *Temanotat, Somalia: Reaksjoner mot al-Shabaabavhoppere*, 5 August 2015, [url](#), p. 11

<sup>157</sup> Marchal, R., telephone interview, 26 June 2021

<sup>158</sup> Hiraal Institute, *Al-Shabab's Military Machine*, December 2018, [url](#), p. 2; see also Ingiriis, M. H., *The anthropology of Al-Shabaab: the salient factors for the insurgency movement's recruitment project*, 2020, [url](#), p. 372 and BBC News, *Life after al-Shabab: Driving a school bus instead of an armed pickup truck*, 23 November 2020, [url](#)

<sup>159</sup> BBC News, *Life after al-Shabab: Driving a school bus instead of an armed pickup truck*, 23 November 2020, [url](#)

<sup>160</sup> International Crisis Group, *Women and Al-Shabaab's Insurgency*, 27 June 2019, [url](#), p. 9

about their husbands' involvement spread, they face stigma to different extents. The other way around, when women themselves leave AS, they can again be affected by stigmatization to a various extent. Some female defectors also face danger to be recaptured by AS after deserting.<sup>161</sup>

There are no numbers available on how common it is to defect. Although, officials told Vanda Felbab-Brown in December 2017 that about '2 000 defectors have gone through various iterations of the program for low-risk defectors since 2012.' Not included in this number were those recruited to become informants or members of Somali intelligence services upon surrender or high-risk defectors sent to detention and military courts.<sup>162</sup>

A BBC article by Mary Harper states that persons who defected from AS were frightened that they will be tracked down by the *Amniyat*. Defectors at a rehabilitation centre are quoted as saying that the only way they could be safe from AS would be to move to another country.<sup>163</sup>

At the same time, Hoehne notes that it is not unusual for injured Al-Shabaab fighters to be allowed to return to their families to be treated or cared for 'under cover'. Once they are fine again, some of these fighters return to their units. The source adds that it is an open secret in some locations that a family currently hosts their child who has been injured while fighting for Al-Shabaab. This means: not everyone leaving AS leaves for good. Sometimes absences are akin to 'sick-leaves'. Moreover, some fighters are, part-time' jihadists<sup>164</sup> (on the issue of part-time involvement with AS, see above).

## 2. Women and girls

### 2.1 The position of women in society

Somalia is described as a 'patriarchal clan-based society' where lineage is traced through male lines and one's clan connections build networks and community.<sup>165</sup> The Somali Institute for Development Research and Analysis (SIDRA) remarked that 'Somalia is one of the most gender unequal countries in the world.'<sup>166</sup> Girls and women face numerous challenges such as high rates of maternal/infant mortality, child marriage, FGM, domestic violence, sexual and gender-based violence (SGBV) as well as low literacy and school attendance rates.<sup>167</sup> In 2020, USDOS observed that 'women did not have the same rights as men and experienced systematic subordination to men, despite provisions in the law prohibiting such discrimination'<sup>168</sup> with the 'exclusion of women being more pronounced' in Al-Shabaab areas. Furthermore, as noted by USDOS in 2020, there was a pattern in which girls were forced into marriage, often including rape, by non-state armed groups; as well as rape by state security forces, militias, and clans.<sup>169</sup> The UNFPA noted in its March 2021 assessment of SGBV in Somalia that SGBV 'continues to be an issue of major concern in Federal Members States Galmudug, South West

<sup>161</sup> Stern, O. M., The Invisible Women of Al-Shabaab, September 2019, [url](#), pp. 27-28, 37

<sup>162</sup> Felbab-Brown, V., The Limits of Punishment: Transitional Justice and Violent Extremism - Somalia Case Study, May 2018, [url](#), p. 14

<sup>163</sup> BBC News, Somalia's frightening network of Islamist spies, 27 May 2019, [url](#)

<sup>164</sup> Hoehne, M. V., communication, 17 June 2021. Dr. Markus Hoehne [Höhne] is a scholar at the Institute of Ethnology at the University of Leipzig. He has been working on Somalia since 2001 and has spent several years in the country. He speaks Somali fluently.

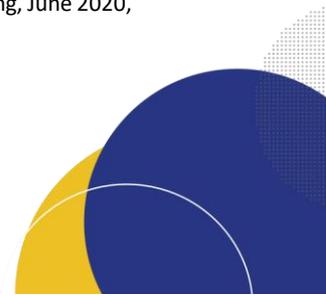
<sup>165</sup> CMI, Excluding women: the clanization of Somali political institutions, July 2020, [url](#) pp. 2-3

<sup>166</sup> SIDRA, Breaking the Silence, May 2021, [url](#), p. 8

<sup>167</sup> UNFPA, Funding for gender equality and the empowerment of women and girls in Humanitarian programming, June 2020, [url](#), p. 6

<sup>168</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 32

<sup>169</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 32



State, Jubaland, Hirashabelle Puntland and in Somaliland<sup>170</sup>, while ‘recent spikes in Intimate Partner Violence, rape, sexual exploitation, sexual harassment and abuse have multiplied GVB risks for women and girls.’<sup>171</sup>

Women’s participation in the political system is limited by discrimination and hostility in practice,<sup>172</sup> and women are underrepresented in leadership positions in clans and politics.<sup>173</sup> Under Somalia’s clan system, Somali women are ‘considered transient members who belong to neither their father’s’ nor the husband’s clan. Clan elders continue to play an important role and, in the past lobbied against women’s participation in politics. While in July 2020, a 30 % gender quota was introduced by the lower house, it is awaiting approval by the upper house and the president. Similarly, in Somaliland, a 20 % gender quota was initiated by the cabinet and is awaiting approval from the upper house. In Puntland women represent 1.5 % of the political candidates elected.<sup>174</sup> This had not occurred as of 2021. Women held 24 % of seats in the two chambers of parliament in 2020.<sup>175</sup>

With regards to women’s economic and social position in 2020, discrimination limited girls’ access to schooling. Girls had lower school attendance rates due to the conflict situation and practices such as early marriage and FGM; this is particularly true for girls in farming, rural, remote, disabled, displaced, and nomadic communities.<sup>176</sup> Access to education is even harder for nomadic women; out of these, 84 % received no education.<sup>177</sup> Although women’s earnings represent 70 % of a family’s’ income, they face under-representation and barriers to employment.<sup>178</sup> Under-representation of women also exists in the judiciary in positions as lawyers, judges and prosecutors.<sup>179</sup> According to the UN,

‘women’s rights in Somalia continue to suffer due to a lack of an adequate legal framework and the absence of strong law and order and justice institutions. Conflict-related factors, such as displacement, rapes committed by youth gangs and unidentified men in uniform, traditional practices such as forced marriages of young girls and female genital mutilation, have compounded the violations of women’s rights in Somalia.’<sup>180</sup>

Although certain laws grant women some rights, in practice women are often disadvantaged: sharia law is often steered by men’s interest, blood compensation for women is half of that of a man, women inherit less than their brothers and women’s property ownership is limited legally and socially.<sup>181</sup> UNOCHA in 2021, stated that Somali women face stigma and ‘inequalities due to gender and cultural beliefs, which leave them facing increased health and protection concerns.’<sup>182</sup> Women face severe obstacles accessing justice due to the male-dominated systems, influenced by traditional culture, religion, political structures, and dependency on male relatives. Women generally require a male relative to support court cases, represent them, or accompany them, and frequently women lack literacy and legal knowledge. In customary and formal legal systems, implementation of the law is

<sup>170</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 5

<sup>171</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 5

<sup>172</sup> Freedom House, Freedom in the World 2021 - Somalia, March 2021, [url](#)

<sup>173</sup> SIDRA, Breaking the Silence, May 2021, [url](#), p. 8

<sup>174</sup> CMI, Excluding women: the clanization of Somali political institutions, July 2020, [url](#) pp. 2-3

<sup>175</sup> Freedom House, Freedom in the World 2021 - Somalia, March 2021, [url](#)

<sup>176</sup> UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Somalia, (14 September to 2 October 2020), 24 August 2020, [url](#), para. 62

<sup>177</sup> UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Somalia, (14 September to 2 October 2020), 24 August 2020, [url](#), para. 62

<sup>178</sup> Somalia, MoP, Somalia National Development Plan 2020 to 2024, December 2019, [url](#), p. 87

<sup>179</sup> UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Somalia, (14 September to 2 October 2020), 24 August 2020, [url](#), para. 54

<sup>180</sup> UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Somalia, (10 to 28 September 2018), 19 July 2018, [url](#), para. 58

<sup>181</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 32-33

<sup>182</sup> UNOCHA, Humanitarian Response Plan Somalia, February 2021, [url](#), p. 18

inconsistent, particularly for women. Women's status, education, and clan membership are significant, and those who are from minority clans or IDPs are worse off when accessing justice mechanisms.<sup>183</sup>

For additional details see EASO's COI report [Somalia: Actors](#), published in July 2021, section '2.3 Access to justice through formal and informal systems', and section '3.3 Traditional customary law – Xeer'.<sup>184</sup>

## 2.2 Sexual and gender-based violence

Sexual and gender-based violence (SGBV) is defined by the UNHCR as

'harmful acts directed at an individual based on their gender [...] rooted in gender inequality, the abuse of power [...] gender-based violence can include sexual, physical, mental and economic harm inflicted in public or in private. It also includes threats of violence, coercion and manipulation. This can take many forms such as intimate partner violence, sexual violence, child marriage, female genital mutilation.'<sup>185</sup>

Statistically, rape and sexual violence against women and girls in Somalia is 'underreported'<sup>186</sup> due to a 'climate of impunity' as well as survivors' fear and stigma.<sup>187</sup> In 2019, there were 744 reported rapes, 241 of which were conflict-related.<sup>188</sup> However, sexual violence against women and girls is described by sources as 'pervasive' in the country<sup>189</sup> and as 'widespread'<sup>190</sup> especially in the South-Central and Puntland areas of Somalia.<sup>191</sup> Rape and attempted rape were the most commonly reported forms of sexual violence in Somalia, according to UN reporting in March 2021.<sup>192</sup> Sexual violence was described as having reached 'epidemic proportions' in Puntland.<sup>193</sup> Somali women continue to experience widespread sexual harassment at workplaces.<sup>194</sup> Domestic violence is described as 'rampant' in Somalia.<sup>195</sup>

In 2020, 95 % of SGBV incidents reported concerned women and female children.<sup>196</sup> Women from displaced communities were more likely to experience SGBV.<sup>197</sup> Girls and women with disabilities faced a heightened risk of SGBV.<sup>198</sup> According to sources in a 2019 report on the situation of women without a network in Mogadishu by the Canadian Immigration and Refugee Board (IRB), displaced women and girls were described as particularly at risk of SGBV due to lack of social protection and clan connections.<sup>199</sup> According to UNFPA 2021 reporting, in total, 75 % of the SGBV reported cases

<sup>183</sup> USAID, Pathways and Institutions for Resolving Land Disputes in Mogadishu, January 2020, [url](#), pp. 25-26

<sup>184</sup> EASO, Somalia: Actors, July 2021, [url](#), pp. 26-36, pp. 51-52

<sup>185</sup> UNHCR, Gender-Based Violence, n.d., [url](#)

<sup>186</sup> New Humanitarian (The), In Somalia, New Law Could Finally Give Rape Survivors a Voice, 27 April 2017, [url](#); HRW, Heinous Act Overshadowed Women's Day in Puntland, 13 May 2019, [url](#)

<sup>187</sup> HRW, Heinous Act Overshadowed Women's Day in Puntland, 13 May 2019, [url](#)

<sup>188</sup> VoA, UN Urges End to Sexual Violence in Conflict Areas, 19 June 2020, [url](#)

<sup>189</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 2

<sup>190</sup> SIDRA, Rape: A Rising Crisis and Reality for the Women in Somalia, June 2019, [url](#), p. 2; AI, Amnesty International Report 2020/2021, 7 April 2021, [url](#), p. 324; UNOCHA, Humanitarian Response Plan Somalia, February 2021, [url](#), p. 5

<sup>191</sup> AI, Amnesty International Report 2020/2021, 7 April 2021, [url](#), p. 324

<sup>192</sup> UNSG, Conflict-related sexual violence, S/2021/312, 30 March 2021, [url](#), para. 44

<sup>193</sup> SIDRA, Breaking the Silence, May 2021, [url](#), p. 8

<sup>194</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 32

<sup>195</sup> BTI, Somalia Country Report 2020, 2020, [url](#)

<sup>196</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 3-11

<sup>197</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 22

<sup>198</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 35

<sup>199</sup> Canada, IRB, Somalia: Situation of women without a support network in Mogadishu, including access to employment and housing; treatment by society and authorities; support services available to female-headed households (2017-March 2019), 25 March 2019, [url](#)

affected IDP women: IDP women ‘strive to meet basic survival needs as they travel long distances from their camps in search of casual jobs’ to generate a family income. On the other hand ‘fear of rape and sexual harassment impacts on the mobility of women.’<sup>200</sup> Women were raped in IDP camps ‘by armed men, including government soldiers and militia members.’ In exchange for food and services, girls were forced to have sex with gatekeepers.<sup>201</sup>

While government security forces committed acts of SGBV<sup>202</sup>, the UN describes Al-Shabaab’s involvement with regards to SGBV as following

‘in 2019, sexual violence continued to be employed by Al-Shabaab as a strategy of social control in the communities under their influence. Women and girls were systematically abducted and forced to marry combatants as a reward for fighters and an incentive for new recruits [...] many women and girls who managed to escape were subjected to threats and, in some cases, sexual exploitation.’<sup>203</sup>

Moreover, the Somalia National Development Plan 2020-2024 notes that ‘insecurity and lawlessness contributes directly to the high incidence of violence against women.’<sup>204</sup> The UN reported in March 2021, that ‘protracted conflict, structural gender inequality and successive humanitarian crises have exposed Somali women and girls to heightened levels of conflict-related sexual violence’<sup>205</sup> (CRSV). United Nations Assistance Mission in Somalia (UNSOM) attributed incidents of CRSV to Al-Shabaab, as well as clan militias, largely, ‘while the Somali Police Force was implicated in 16 cases, another 25 incidents involved the Somali National Army. The Jubbaland security forces and Puntland forces bore responsibility for nine and five of the recorded cases, respectively. The remaining cases were attributed to unknown armed actors.’<sup>206</sup> In June 2020, the UN released a report focusing on conflict-related sexual violence in which it underlines that the ‘de facto control of certain areas by Al-Shabaab and entrenched gender-based inequality [...] heightened the risk of sexual violence.’<sup>207</sup>

In 2019, 744 rape cases were reported, out of these 241 were Conflict Related Sexual Violence (CRSV) cases.<sup>208</sup> The total true figure is believed to be much higher.<sup>209</sup> In the last years, incidents of rape increased in Puntland.<sup>210</sup> UNSOM noted that CRSV was prevalent in Somalia, ‘with dominant patterns being abductions of women and girls for forced marriage and rape, perpetrated primarily by non-state armed groups, and incidents of rape and gang rape committed by State agents, clan militias and unidentified armed men.’<sup>211</sup>

## COVID-19

Since the Covid-19 pandemic, cases of SGBV increased, exceedingly affecting girls and women,<sup>212</sup> and the pandemic exacerbated the already ‘pervasive’ problem of sexual and gender-based violence.<sup>213</sup>

<sup>200</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 3-11

<sup>201</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 22

<sup>202</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 13

<sup>203</sup> UNSG, Conflict-related sexual violence (S/2021/312), 3 June 2020, [url](#), para. 43

<sup>204</sup> Somalia, MoP, Somalia National Development Plan 2020 to 2024, December 2019, [url](#), p. 158

<sup>205</sup> UNSG, Conflict-related sexual violence, S/2021/312, 30 March 2021, [url](#), para. 44

<sup>206</sup> UNSG, Conflict-related sexual violence, S/2021/312, 30 March 2021, [url](#), para. 44

<sup>207</sup> UNSG, Report on Conflict-related sexual violence (S/2021/312), 3 June 2020, [url](#), para. 43

<sup>208</sup> UN, UN calls for more action to eliminate conflict-related sexual violence in Somalia, 19 June 2020, [url](#)

<sup>209</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 31

<sup>210</sup> SIDRA, Breaking the Silence, May 2021, [url](#), p. 5

<sup>211</sup> UNSOM and UNOHCHR, Protection of civilians report, 31 December 2019, [url](#) p. 4

<sup>212</sup> UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Somalia, (14 September to 2 October 2020), 24 August 2020, [url](#), para. 18

<sup>213</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 2

From 2019 to 2020, the Gender Based Violence Information Management System (GBVIMS)<sup>214</sup> data found an increase in violence against women since the COVID pandemic, with physical assault increased by 61 %, followed by ‘intimate partner violence’ which increased by 55 %. Various factors contributed to an increase in SGBV incidents in 2020. UNFPA explains that while measures to curb Covid-19 infections leading to isolation, loss of income due to closure of businesses, restricted movement, and school closures, previously existing conditions such as armed and communal conflicts, and natural disasters also played a role in rising SGBV occurrences.<sup>215</sup>

### Legislation and state protection

There are no federal laws against spousal violence, including rape.<sup>216</sup> Rape is punishable with 5 to 15 years imprisonment<sup>217</sup> under the 1962 Penal Code.<sup>218</sup> Somalia also has ‘no statutory rape law or minimum age for consensual sex.’<sup>219</sup> Sexual violence is treated under the law ‘as an “offense against modesty and sexual honor,” rather than a violation of bodily integrity’.<sup>220</sup>

### Sexual Offences Bill (2018) and Sexual Intercourse Related Crimes Bill (2020)

In 2018, a Sexual Offences Bill was initiated, aiming to provide a legal framework to ‘to address sexual and gender-based violence in Somalia.’<sup>221</sup> The 2018 Sexual Offence Bill provided for sentencing of perpetrators including aggravating factors such as the age of the victim, the involvement of force including weapons, and repeated offences.<sup>222</sup> The Bill represented a comprehensive Act which would ‘ensure stronger protection of women and girls as well as ensuring [that] all victims of sexual harassment and violence can seek justice.’<sup>223</sup> However, the federal government has, by 2021, not passed the bill. Somaliland passed a sexual offences bill in 2018 but this was not implemented.<sup>224</sup> In 2016, Puntland authorities ‘launched the first-ever Sexual Offences Law criminalizing all sexual offences in the region. The law criminalizes various sexual crimes including gang rape, sexual exploitation and abuse, sexual harassment, sexual offences involving the Internet and indecent exposure of genital organs in public places’. However, the bill is not applied in practice.<sup>225</sup>

In 2020, ‘legislators developed a new draft law on crimes relating to sexual intercourse as an alternative to the 2018 draft sexual offences bill. In August, UNSOM led a joint analysis of this bill, which found that it omitted numerous substantive offences, contained weak procedural provisions, and allowed for the marriage of minors upon physical maturation.’<sup>226</sup> The 2020 Sexual Intercourse Related Crimes Bill ‘reclassifies rape as a misdemeanour and removes punishment for other serious sexual offences.’<sup>227</sup> The international community reacted over the 2020 Sexual Intercourse Related Crimes Bill, calling it a major setback for victims of SGBV in Somalia.<sup>228</sup> Although the Somali Penal Code under Article 401 criminalizes abduction for marriage or lust<sup>229</sup>, no law exists that prohibits acts of

<sup>214</sup> GBVIMS is an inter-agency partnership between UNFPA, IRC, and UNHCR based database for humanitarian actors who provide services to survivors of violence to track and report incidents of sexual and gender-based violence. GBVIMS, Overview of the Gender Based Violence Information Management System (GBVIMS), n.d. [url](#)

<sup>215</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 3

<sup>216</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 29-30

<sup>217</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 29-30

<sup>218</sup> SIDRA, Rape: A Rising Crisis and Reality for the Women in Somalia, June 2019, [url](#), p. 7

<sup>219</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 34

<sup>220</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 36

<sup>221</sup> Legal Action Worldwide, Sexual Offences Bill, n.d., [url](#)

<sup>222</sup> Plan International, Concern over bill normalising violence against girls and women in Somalia, 13 August 2020, [url](#)

<sup>223</sup> Plan International, Concern over bill normalising violence against girls and women in Somalia, 13 August 2020, [url](#)

<sup>224</sup> Plan International, Concern over bill normalising violence against girls and women in Somalia, 13 August 2020, [url](#)

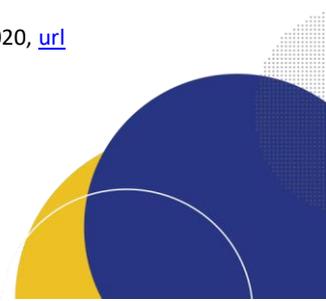
<sup>225</sup> UNFPA, Enforcing the Sexual Offences Law in Puntland, 28 September 2020, [url](#)

<sup>226</sup> UNSG, Conflict-related sexual violence, 30 March 2021, [url](#), para. 45

<sup>227</sup> Plan International, Concern over bill normalising violence against girls and women in Somalia, 13 August 2020, [url](#)

<sup>228</sup> UN News, Somalia: Draft law a ‘major setback’ for victims of sexual violence, 11 August 2020, [url](#)

<sup>229</sup> Somalia, Legislative Decree No. 5 of 16 December 1962: Penal Code, 16 December 1962, available at [url](#)



sexual terrorism ‘as perpetrated by Al-Shabaab.’<sup>230</sup> As SGBV is culturally accepted, this makes it ‘harder to ensure that sexual terrorism inflicted by Al-Shabaab does not remain unpunished.’<sup>231</sup> For an overview about access to justice in Somalia in general and for women in particular see the EASO COI Report [Somalia: Actors](#), published in July 2021.<sup>232</sup>

SGBV remains under-reported.<sup>233</sup> The majority of SGBV victims do not bring cases forward to formal judicial remedies due to the perception that formal judicial procedures lack trust and fairness.<sup>234</sup> SGBV perpetrators often go unpunished and ‘impunity was the norm’.<sup>235</sup> Amnesty International also reported that sexual violence occurred in a ‘climate of impunity,’ as well as the stigma and fear associated with the crime, which prevented many survivors from seeking justice’.<sup>236</sup> Regarding rape, ‘the government did not effectively enforce the law.’<sup>237</sup> SGBV survivors were often requested to investigate their own cases as police officers were reluctant to do so.<sup>238</sup> The UN similarly indicated that ‘those responsible for violations [against women] have seldom been held accountable, nor have the victims been awarded appropriate remedies, reparations or rehabilitation support.’<sup>239</sup> SGBV survivors reporting cases to the courts learnt that these were closed due to Covid-19, leading to delays ‘in dispensing justice for [S]GBV survivors who pursued prosecution of perpetrators.’<sup>240</sup> Additionally, police officers’ low capacity further reduces the application of laws to protect women.<sup>241</sup> Moreover, being a woman and belonging to a minority clan makes it more difficult ‘to demand their rights and compensation from dominant clans and elevates their vulnerability by classifying crimes and discrimination against them as a lesser offense.’<sup>242</sup> SIDRA also outlines the issue of fear of reprisal and stigma when victims consider reporting crimes. Therefore, SGBV survivors face “double victimization” – first the rape or sexual violence itself, then failure of the authorities to provide effective justice or medical and social support.<sup>243</sup> For women to access justice, ‘the rights of the survivor might not be upheld in this system as women’s rights are not respected.’<sup>244</sup>

Stigmatization is common and rape victims ‘face harsh treatment from the community’ and sometimes from their families too.<sup>245</sup> A lack of trust in the justice system, gender-biased officers, lack of knowledge of one’s own rights, limited financial means, fear for humiliation and security concerns further act as barriers to prosecution.<sup>246</sup> In UNOCHA’s view, justice for victims of SGBV is particularly limited. Instead, they are often referred to traditional mechanisms which further discriminate women.<sup>247</sup> SGBV victims are encouraged to ‘refer cases to *xeer* courts.’ However, *xeer* law does not

<sup>230</sup> de Brouwer, A-M. et al., Prosecuting the Nexus between Terrorism, Conflict-Related Sexual Violence and Trafficking in Human Beings Before National Legal Mechanisms: Case Studies of Boko Haram and Al-Shabaab, 30 March 2020, [url](#), p. 14

<sup>231</sup> de Brouwer, A-M. et al., Prosecuting the Nexus between Terrorism, Conflict-Related Sexual Violence and Trafficking in Human Beings Before National Legal Mechanisms: Case Studies of Boko Haram and Al-Shabaab, 30 March 2020, [url](#), p. 16

<sup>232</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 2.3 Access to justice through formal and informal systems

<sup>233</sup> Australia, DFAT, Somalia: Women - separated women - divorce, 3 March 2020, [url](#), p. 34; Al, Amnesty International Report 2020/2021, 7 April 2021, [url](#), p. 324

<sup>234</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 12, 30

<sup>235</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 12, 30

<sup>236</sup> Al, Amnesty International Report 2020/2021, 7 April 2021, [url](#), p. 324

<sup>237</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 29-30

<sup>238</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 31

<sup>239</sup> UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Somalia, (14 September to 2 October 2020), 24 August 2020, [url](#), para. 31

<sup>240</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 7

<sup>241</sup> UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Somalia, (14 September to 2 October 2020), 24 August 2020, [url](#), para. 51

<sup>242</sup> Luedke, A., Women do not belong under the acacia tree, June 2018, [url](#), p. 28

<sup>243</sup> SIDRA, Breaking the Silence, May 2021, [url](#), p. 8

<sup>244</sup> Saferworld, The missing link, August 2020, [url](#), p. 6

<sup>245</sup> SIDRA, Breaking the Silence, May 2021, [url](#), p. 12

<sup>246</sup> De Brouwer, A-M. et al., Prosecuting the Nexus between Terrorism, Conflict-Related Sexual Violence and Trafficking in Human Beings Before National Legal Mechanisms: Case Studies of Boko Haram and Al-Shabaab, 30 March 2020, [url](#), pp. 16-17

<sup>247</sup> UNOCHA, Humanitarian Response Plan Somalia, February 2021, [url](#), p. 13

consider women as an independent legal person but rather she remains under the responsibility of others: her husband, father, or paternal uncle.<sup>248</sup> The UN points out that referring to *xeer* ‘may well delay access to justice for women, girls and minorities given that the traditional courts apply discriminatory norms and practices.’ Here, redress often is provided not to the victim but to the victim’s male family member ‘or the perpetrator could also be requested “to marry the victim” according to *xeer*.’<sup>249</sup> The way the Somalia law is currently applied, it often results in further victimization of women and girls.<sup>250</sup> USDOS further notes that ‘survivors faced considerable challenges accessing necessary services [...] [and] in several cases survivors and providers of services for gender-based violence survivors were directly threatened by authorities when such abuses were perpetrated by men in uniform.’<sup>251</sup>

### Services available to victims

According to UN reporting, in Somalia, ‘some 3,000 victims and survivors of sexual assault and gender-based violence, including CRSV, received medical and health assistance last year, and some 5,700 received psychological assistance.’<sup>252</sup>

UNFPA reported in March 2021 that ‘GBV service provision remains low as compared to the need and geographical landscape in Somalia.’<sup>253</sup> USDOS observed that about a dozen women’s groups, NGOs, and health workers provided some services in Lower Shabelle such as ‘counselling, community coordination, and training on gender-based violence’ in the absence of a functional judiciary.<sup>254</sup> Nonetheless, Covid-19 contributed to the closure of some of the already limited services, while open shelters were hesitant to take new admissions for SGBV victims due to fear of COVID-19. Out of the already limited support centres, very few provide specialised services such as psycho-social support. Further challenges existed with regards to access to quality services for SGBV survivors from remote locations.<sup>255</sup> UNFPA points out that ‘vulnerable pregnant mothers and women at reproductive age in communities for IDPs and hard-to-reach locations continue to experience restrictions in accessing [...] services.’<sup>256</sup> Somalia does not have security provision that would respond to women needs.<sup>257</sup> Somalia lack protective housing for victims, which often forces SGBV victims to remain in unsafe environments with the risk repeated SGBV exposure; leaving little or no room for recovery, healing and reintegration.<sup>258</sup> For SGBV survivors, abortion after rape is often no option, as it is only allowed to save a mother-to-be’s life, additionally ‘emergency contraception is not or rarely available’ neither.<sup>259</sup> Only 25 % of health centres, mainly only found in larger towns, have drugs to treat sexually transmitted infections and even less have capacity to test for HIV - ‘both integral components of the treatment of sexual assault survivors.’<sup>260</sup>

<sup>248</sup> FAO, Gender and Land Rights Database, Somalia Customary norms, religious beliefs and social practices that influence gender-differentiated land rights, n.d., [url](#)

<sup>249</sup> UN Human Rights Council, Report of the Independent Expert on the situation of human rights in Somalia, (14 September to 2 October 2020), 24 August 2020, [url](#), para. 37; 57; 78

<sup>250</sup> UNSOM and UNOHCHR, Protection of civilians report, 31 December 2019, [url](#) p. iii

<sup>251</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 31

<sup>252</sup> UN, UN calls for more action to eliminate conflict-related sexual violence in Somalia, 19 June 2020, [url](#)

<sup>253</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), pp. 3-5

<sup>254</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 30

<sup>255</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), pp. 3-5

<sup>256</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 5

<sup>257</sup> Saferworld, The missing link, August 2020, [url](#), p. 3

<sup>258</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 8

<sup>259</sup> SIDRA, Breaking the Silence, May 2021, [url](#), p. 5

<sup>260</sup> UNFPA, Gender Based Violence in Somalia, 2020, [url](#), pp. 5



## 2.3 Child, Early and Forced Marriage (CEFM)

The term forced marriages applies to instances ‘where one or both persons do not or cannot give their full and free consent to marriage, it is used to refer to young people below the legal consent-giving age who are forced into marriage.’ Rationales behind are often of cultural, religious and economic nature.<sup>261</sup> When one or both of the spouses is younger than 18 years old, UNICEF refers to the term child marriage.<sup>262</sup> The UN Convention on the Rights of the Child (CRC) defines a child as ‘human being below the age of eighteen years.’<sup>263</sup> Aligned with the CRC, the Somali Provisional Constitution under Article 29, holds the same maturity definition.<sup>264</sup> According to a source interviewed by Landinfo response for a 2021 query response, in Somalia one’s date of birth is not considered a decisive criterion for when a person is considered an adult, and most people relate to Sharia and traditional laws on this, where puberty is considered to be the marker of adulthood.<sup>265</sup> In 2021, UNFPA in its Overview of Gender Based Violence in Somalia report outlines a link between forced marriage and FGM/C and indicates, that due to a cultural expectation, daughters are being married off.<sup>266</sup> UNFPA describes the situation as following

‘[the practice of early marriage] continue[s] to be pervasive in Somalia especially within the context of prevailing poverty and the perceptions around the value of girls versus boys [...] girls are usually married at early age because of the need for families to ensure social and economic security. Women are traditionally valued according to their ability to procreate. Marriage provides the platform for women and young girls to demonstrate this value to society [...] Early marriage is perceived to be both a cultural and a religious requirement.’<sup>267</sup>

Adolescent girls get married off before reaching puberty to avoid children born out of wedlock - a ‘disgrace to the entire family.’<sup>268</sup> Furthermore, 16 % of Somali girls are married by the age of 15 and 34 % percent are married by the age of 18 according to the Somali Health and Demographic Survey published in 2020.<sup>269</sup> UN Women’s data differs; with 8.4 % of women married before the age of 15 and 45.3% of women married before the age of 18.<sup>270</sup> Women get married earlier than men.<sup>271</sup> Due to deeply-rooted gender-inequality, child marriage rates are higher for girls.<sup>272</sup> Motherhood and marriage are closely connected and nomadic and rural women until the age of 20 have higher childbearing rates than their urban counterparts.<sup>273</sup> Since 2019, during the Covid-19 pandemic, Save the Children reported that according to its case workers, cases of child marriage increased in Somalia.<sup>274</sup>

In Somalia, the distinction between forced and arranged marriage can be subtle.<sup>275</sup> may also be ‘exchanged between neighbouring clans’ to build alliances, seal peace agreements and gain access

<sup>261</sup> Otieno, M., Al-Shabaab and Forced Marriage in Somalia, June 2019, [url](#), p. 72

<sup>262</sup> UNICEF, Child marriage, n.d., [url](#)

<sup>263</sup> UNCRC, United Nation Convention on the Rights of the Child of the year 1989, 1990, [url](#)

<sup>264</sup> Somalia, Provisional Constitution, 1 August 2012, [url](#)

<sup>265</sup> Norway, Landinfo, Somalia: Fødselsdato, alder og tidsregning, 17 February 2021, [url](#)

<sup>266</sup> UNFPA, Overview of Gender Based Violence in Somalia, 2021, [url](#), p. 9

<sup>267</sup> UNFPA, Overview of Gender Based Violence in Somalia, 2021, [url](#), p. 12

<sup>268</sup> Finland, Finnish Immigration Service, Report from Finnish Immigration Service’s Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), p. 27

<sup>269</sup> Somalia, The Somali Health and Demographic Survey, 2020, [url](#), p. 70

<sup>270</sup> UNWOMEN, Somalia, n.d., [url](#)

<sup>271</sup> Somalia, The Somali Health and Demographic Survey, 2020, [url](#), p. 87-88

<sup>272</sup> UNICEF, Child marriage, n.d., [url](#)

<sup>273</sup> Somalia, The Somali Health and Demographic Survey, 2020, [url](#), pp. 74-75

<sup>274</sup> Save the Children, Covid-19: School closures put decades of gains for Somali children at risk, 13 July 2020, [url](#)

<sup>275</sup> Otieno, M., Al-Shabaab and Forced Marriage in Somalia, June 2019, [url](#), p. 76

grazing zones.<sup>276</sup> Another issue raised by the UN and M. Otieno is, that according to them, ‘victims of rape [were] forced to marry their perpetrators as part of the remedial practices of the traditional justice system.’<sup>277</sup> If a woman refuses, she ‘may face severe consequences’ such as in nomadic communities, where they may be banished from the community or denied child custody or property.<sup>278</sup> In 2020, USDOS reports that among persons with disabilities, forced marriage is also prevalent.<sup>279</sup>

### Marriage to Al-Shabaab fighters

According to the International Crisis Group, marriage is the most frequent way that women become affiliated with Al-Shabaab.<sup>280</sup> On this point, International Crisis Group noted that: ‘though reports of forced marriages exist, most unions with Al-Shabaab members appear to be voluntary, though admittedly women’s choices are taken in the shadow of powerful parental pressure and clan expectations’.<sup>281</sup> In addition, several sources indicate that Al-Shabaab is also responsible for forced marriages.<sup>282</sup> USDOS indicates that ‘in al-Shabaab-controlled areas [...] child, early, and forced marriages frequently occurred.’ Al-Shabaab apparently forced girls aged 14 to 20 to marry fighters’, during which families ‘generally had little choice but to acquiesce or face violence.’ In areas under Al-Shabaab’s influence, the organisation ‘used the lure of marriage as a recruitment tool for its soldiers.’<sup>283</sup> ICG writes that ‘in the past, Al-Shabaab tried to attract foreign men to Somalia by promising a wife upon arrival.’<sup>284</sup>

According to the International Crisis Group, ‘many instances of forced marriage between militants and women and girls exist.’<sup>285</sup> As with many marriages in Somalia in general, clans sometimes pressure women to marry Al-Shabaab fighters as such marriages often offer better financial stability. Although some marriages to Al-Shabaab members might appear to be voluntary, women are often left with no choices due to family and clan pressure.<sup>286</sup> Furthermore, wife inheritance<sup>287</sup> remains common and widows of Al-Shabaab husbands can be married off to any Al-Shabaab member.<sup>288</sup>

Al-Shabaab has distorted the traditional practice of wife inheritance whereby whenever a fighter is killed or defects, another member of the group can ‘inherit’ his wife. Women are allowed three months before remarriage but are then kept within the group by marriage to others.<sup>289</sup> ICG believes that ‘Militant s’ widows face strong pressure to remarry within the movement [Al-Shabaab]; [...] to avoid widows, [...] from sharing intelligence with the government.’<sup>290</sup>

<sup>276</sup> Otieno, M., Al-Shabaab and Forced Marriage in Somalia, June 2019, [url](#), p. 76

<sup>277</sup> UN Human Rights Council, Report of the Special Rapporteur on violence against women, its causes and consequences (9 to 16 December 2011), 14 May 2012, [url](#), para. 22

<sup>278</sup> Otieno, M., Al-Shabaab and Forced Marriage in Somalia, June 2019, [url](#), p. 73

<sup>279</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 31

<sup>280</sup> International Crisis Group, Women and Al-Shabaab’s Insurgency, 27 June 2019, [url](#), p. 8

<sup>281</sup> International Crisis Group, Women and Al-Shabaab’s Insurgency, 27 June 2019, [url](#), p. 8

<sup>282</sup> Journal of International Criminal Justice, Prosecuting the Nexus between terrorism, 29 June 2020, [url](#), p. 13; USDOS, Somalia 2020 Human Rights Report, 2020, [url](#), p. 14; de Brouwer, A-M. et al., Prosecuting the Nexus between Terrorism, Conflict-Related Sexual Violence and Trafficking in Human Beings Before National Legal Mechanisms: Case Studies of Boko Haram and Al-Shabaab, 30 March 2020, [url](#), p. 16

<sup>283</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 31; for further background detail, see also: Norway, Landinfo, Somalia: Al-Shabaab and forced marriages, 21 July 2011, [url](#)

<sup>284</sup> International Crisis Group, Women and Al-Shabaab’s Insurgency, 27 June 2019, [url](#), p. 9

<sup>285</sup> International Crisis Group, Women and Al-Shabaab’s Insurgency, 27 June 2019, [url](#), p. 9

<sup>286</sup> International Crisis Group, Women and Al-Shabaab’s Insurgency, 27 June 2019, [url](#), pp. 8-9

<sup>287</sup> Also referred to as ‘Dumaal’ in Somali language. Norway, Landinfo, Somalia: Marriage and divorce, [url](#), p. 12

<sup>288</sup> Stern, O., Married in the Shadows: The Wives of al-Shabaab, 2020, [url](#), p. 19

<sup>289</sup> Stern, O., Married in the Shadows: The Wives of al-Shabaab, 2020, [url](#), p. 19

<sup>290</sup> International Crisis Group, Women and Al-Shabaab’s Insurgency, 27 June 2019, [url](#), p. 9



While in the past Al-Shabaab tried to attract foreign men to Somalia, it was ‘feared [that] children from such unions [foreign men fighting for Al-Shabaab and Somali women] would face stigma [...] their children [...] have often struggled to integrate.’<sup>291</sup>

### Legislation and state protection

USDOS reported that ‘there were no known efforts by the government [...] to prevent [CEFM].’<sup>292</sup> Rights mentioned in the CRC referring to health, education, protection from abuse, violence, and exploitation are violated by child marriage. While the CEDAW in Article 16 stipulates that ‘the marriage of a child shall have no legal effect.’<sup>293</sup> Somalia ratified the CRC in 2015,<sup>294</sup> but did not ratify CEDAW.<sup>295</sup> Somaliland has signed but not ratified the CRC.<sup>296</sup> With regards to national legislation both partners have to reach maturity age and give their consent in order to be able to marry.<sup>297</sup> Article 28 (5) of the Somalia Constitution stipulates that ‘no marriage shall be legal without the free consent of both the man and the woman, or if one or both of them have not reached the age of maturity.’<sup>298</sup> The constitution however does not define the age of maturity.<sup>299</sup> Additionally, Somalia’s Family Code from 1975, which is still applicable both in Somaliland and in Somalia, provides for girls to be married at age 16.<sup>300</sup> In practice, no consensus was reached by governmental and religious leaders as to when children reach maturity.<sup>301</sup> In most areas, Sharia and customary laws are used to address family matters. Officially the Family Law also still applies in Somaliland while sharia law is commonly applied.<sup>302</sup> Al-Shabaab applies a ‘strict interpretation of Sharia’ law.<sup>303</sup>

Rape is often ‘resolved’ by forced marriage; the victim has to marry the perpetrator.<sup>304</sup> There is no provision in the Penal Code with regards to forced marriage after rape, instead the law stipulates that ‘customary law may be applied in such cases to exonerate an abductor or rapist if marrying the victim preserves honour.’<sup>305</sup> Strategies to erase child marriage were included in the Somali National Gender Policy 2016 and were ‘approved by the Federal Council of Ministers.’<sup>306</sup> Reversely, the newly initiated 2020 ‘Sexual Intercourse Related Crimes Bill’ would allow to marry off children once they reach puberty, which could be as young as 10 years old. Child marriage would then be allowed if parents give their consent. The UN has called this bill a major setback.<sup>307</sup> Internationally there has been widespread criticism.<sup>308</sup> The UN human rights chief Michelle Bachelet announced that the new ‘legislation drafted by parliamentarians in Somalia risks legitimizing child marriage [...] and must be prevented from passing into law. [It] constitute[s] serious breaches of international human rights norms [...] I strongly urge the Somali authorities to swiftly adopt the 2018 Sexual Offences Bill.’<sup>309</sup> In

<sup>291</sup> International Crisis Group, Women and Al-Shabaab’s Insurgency, 27 June 2019, [url](#), p. 9

<sup>292</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 29-35

<sup>293</sup> UNOHCHR, Convention on the Elimination of All Forms of Discrimination against Women New York of the year of 1979, 18 December 1979, [url](#)

<sup>294</sup> UN News, UN lauds Somalia as country ratifies landmark children’s rights treaty, 20 January 2015, [url](#)

<sup>295</sup> Legal Action Worldwide, CEDAW, n.d., [url](#)

<sup>296</sup> 28 Too Many, Somaliland The Law and FGM, July 2018, [url](#), p. 10

<sup>297</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 34

<sup>298</sup> Somalia, Provisional Constitution, 1 August 2012, [url](#)

<sup>299</sup> Somalia, Provisional Constitution, 1 August 2012, [url](#)

<sup>300</sup> Girls not Brides, Somalia, n.d., [url](#)

<sup>301</sup> UNFPA, Overview of Gender Based Violence in Somalia, 2021, [url](#), p. 12

<sup>302</sup> Somaliland, Somaliland Family & Personal Law, n.d., [url](#)

<sup>303</sup> de Brouwer, A-M. et al., Prosecuting the Nexus between Terrorism, Conflict-Related Sexual Violence and Trafficking in Human Beings Before National Legal Mechanisms: Case Studies of Boko Haram and Al-Shabaab, 30 March 2020, [url](#), p. 16

<sup>304</sup> UNFPA, Somalia Gender Justice & the law, 2018, [url](#), p. 10

<sup>305</sup> UNFPA, Somalia Gender Justice & the law, 2018, [url](#), p. 9

<sup>306</sup> AMISIOM, Gender Policy, 2013, [url, p. 11](#)

<sup>307</sup> UN News, Somalia: Draft law a ‘major setback’ for victims of sexual violence, 11 August 2020, [url](#)

<sup>308</sup> Legal Action Worldwide, Condensed Sexual Offences Bill, 2014, [url](#). This link refers to the original bill of 2014, while a new one was initiated in August 2020, under which child marriage would be legalised in Somalia.

<sup>309</sup> UNOHCHR, Comment by UN High Commissioner for Human Rights Michelle Bachelet on draft Sexual Intercourse Related Crimes Law in Somalia, 10 August 2020, [url](#); Otieno M., Al-Shabaab and Forced Marriage in Somalia, June 2019, [url](#), p. 73

general, girls and women who have been forcefully married ‘rarely come forward to get help due to fear of social stigma and punishment.’<sup>310</sup>

## 2.4 FGM/C

In Somalia, Female Genital Mutilation/Cutting (FGM/C) is ‘almost universally practiced throughout the country.’<sup>311</sup> FGM/C is considered a form of SGBV by the UN.<sup>312</sup> According to the WHO, ‘FGM[/C] comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons.’<sup>313</sup>

The practice of FGM/C holds strong social acceptance in Somalia, it is not seen as a human rights violation but in the contrary, it is seen as a measure to protect girls. According to the UN, ‘FGM[/C] [...] has remained pervasive and a strong social norm because of its requirement for marriage for girls.’ FGM/C is seen as a way for families to gain social acceptance and to ensure their daughters can get married off before getting pregnant,<sup>314</sup> while many families believe that the practice of FGM/C has a religious basis.<sup>315</sup>

In Somalia, FGM/C is commonly performed by traditional circumcisers,<sup>316</sup> a ‘local woman, with the use of knives, scissors or razor blades [...] while female relatives hold the girl down.’<sup>317</sup> The ‘ritual’ is often continued from one generation to the next by women.<sup>318</sup> In urban areas, FGM/C is often conducted when schools are closed and in rural areas during the rainy season.<sup>319</sup> Being a traditional circumciser provides a source of income to the person performing FGM/C.<sup>320</sup>

### Forms of FGM/C

The Federal Government of the Republic of Somalia in its 2020 Somali Health and Demographic Survey describes three different forms of FGM/C that are conducted in Somalia:

- a. Excision of the clitoral hood (prepuce), with or without excision of part or all of the clitoris ([also referred to as] *Sunni*<sup>321</sup>);
- b. Excision of the clitoris with partial or total excision of the labia minora (Intermediate);
- c. Excision of part or all of the external genitalia and stitching/narrowing of the vaginal opening; or all other procedures that involve pricking, piercing, stretching; or incising of the clitoris and/or labia; introduction of corrosive substances into the vagina to narrow it (Pharaonic).’ Pharaonic FGM/C<sup>322</sup> is described as the ‘worst’ type by the Somali HDS.<sup>323</sup>

<sup>310</sup> Otieno, M., Al-Shabaab and Forced Marriage in Somalia, June 2019, [url](#), p. 73

<sup>311</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 32

<sup>312</sup> UNFPA, Overview of Gender-Based-Violence in Somalia, 5 March 2021, [url](#), p. 12

<sup>313</sup> WHO, Types of female genital mutilation, n.d., [url](#)

<sup>314</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 12

<sup>315</sup> Reuters, Somaliland issues fatwa banning female genital mutilation, 7 February 2018, [url](#)

<sup>316</sup> 28 Too Many, Somalia The Law and FGM, July 2018, [url](#), p. 2

<sup>317</sup> Islamic Relief, Women in Somalia warn against the dangers of female genital mutilation, n.d., [url](#)

<sup>318</sup> Islamic Relief, Women in Somalia warn against the dangers of female genital mutilation, n.d., [url](#)

<sup>319</sup> Plan International, Girls in Somalia subjected to door-to-door FGM, 18 May 2020, [url](#)

<sup>320</sup> UNOHCHR, Report of the Special Rapporteur on violence against women, its causes, and consequences, (9 to 16 December 2011), 14 May 2012, [url](#), para. 28-29

<sup>321</sup> FGM/C Sunni type also referred to as Sunna type or type 1. Somalia, The Somali Health and Demographic Survey, 2020 [url](#), p. 287

<sup>322</sup> Pharaonic FGM/C is equivalent to Type III FGM/C under the World Health Organization’s definitions which refers to ‘sewn closed’ circumcision, or ‘infibulation’. 28 too many, Somalia The Law and FGM, July 2018, [url](#), p. 1; Denmark, DIS, Somalia: Female Genital Mutilation (FGM), February 2021, [url](#), p. 5; 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), p. 1; Denmark, DIS, Somalia: Female Genital Mutilation (FGM), February 2021, [url](#), p. 5

<sup>323</sup> Somalia, The Somali Health and Demographic Survey, 2020, [url](#), p. 212-213

The WHO classifies FGM/C into four major categories, creating subcategories with the aim to indicate and differentiate further the amount of tissue cut off or damaged, hence leading to various level of severity for the girl affected.<sup>324</sup> The WHO's four types of FGM/C are classified as following:

- 'Type I. Partial or total removal of the clitoral glans [...] and/or the prepuce/clitoral hood [...] the following subdivisions are used: Type Ia. Removal of the prepuce/clitoral hood only. Type Ib. Removal of the clitoral glans with the prepuce/clitoral hood.
- Type II. Partial or total removal of the clitoral glans and the labia minora [...] with or without removal of the labia majora [...] the following subdivisions are used: Type IIa. Removal of the labia minora only. Type IIb. Partial or total removal of the clitoral glans and the labia minora [...]. Type IIc. Partial or total removal of the clitoral glans, the labia minora and the labia majora [...].
- Type III. [... infibulation]. Narrowing of the vaginal opening with the creation of a covering seal. The seal is formed by cutting and repositioning the labia minora, or labia majora. The covering of the vaginal opening is done with or without removal of the clitoral prepuce/clitoral hood and glans (Type I FGM/[C]) [...] the following subdivisions are used: Type IIIa. Removal and repositioning of the labia minora. Type IIIb. Removal and repositioning of the labia majora.
- Type IV. All other harmful procedures to the female genitalia for non-medical purposes, for example pricking, piercing, incising, scraping and cauterization.<sup>325</sup>

When type 3/ infibulation FGM/C is performed, only a residual opening to pass menstrual blood and urine is left open, therefore, infibulation aggravates childbirth and can lead to distress or death of the unborn baby.<sup>326</sup> In reference to FGM/C type 3, the WHO explains that women who have been infibulated, must undergo a practice called deinfibulation in order to have sexual intercourses and give birth. Deinfibulation involves 'cutting open the sealed vaginal opening.' While deinfibulation is sometimes practiced improving women's health condition, it is not without risks for women to repetitively undergo deinfibulation for example, each time she gives birth.<sup>327</sup>

Nearly all women in Somalia have undergone FGM/C. The Somali Health and Demographic survey reports that 99 % of Somali women aged 15-49 have undergone FGM/C.<sup>328</sup> The majority of girls (71 %) are circumcised between ages 5-9.<sup>329</sup> For 2020, UNFPA noted that the media was reporting on 'alarming increase' of FGM/C incidents due to government imposed measures to curb the spread of Covid-19, which included school closures,<sup>330</sup> during which circumcisers went from 'door to door offering to cut girls.'<sup>331</sup> The Somali National Health and Demography Survey indicates that the most common form of FGM/C practiced is the 'worst type': Pharaonic, with 64% of women surveyed experiencing it, with similar levels across urban, rural, and nomadic demographic groups. Women of lower socio-economic status reportedly had higher levels of Pharaonic FGM/C.<sup>332</sup> Notwithstanding the fact that the 2020 National Health and Demographic Survey indicates a 'shift from the extreme type 3 Pharaonic FGM to type 1 Sunna<sup>333</sup>', most Somalis do not perceive type 1/Sunna as FGM/C and do not perceive it as physical or psychologically harmful.<sup>334</sup>

<sup>324</sup> WHO, Types of female genital mutilation, n.d., [url](#)

<sup>325</sup> WHO, Types of female genital mutilation, n.d., [url](#)

<sup>326</sup> MSF, Essential obstetric and new-born care, n.d., [url](#)

<sup>327</sup> WHO, Types of female genital mutilation, n.d., [url](#)

<sup>328</sup> Somalia, The Somali Health and Demographic Survey, 2020, [url](#), p. 213

<sup>329</sup> Somalia, The Somali Health and Demographic Survey, 2020, [url](#), p. 246

<sup>330</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 7

<sup>331</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 32

<sup>332</sup> Somalia, The Somali Health and Demographic Survey, 2020, [url](#), pp. 213-214

<sup>333</sup> FGM/C Sunna type also referred to as Sunni type or type 1. Somalia, The Somali Health and Demographic Survey, 2020, [url](#), p. 287

<sup>334</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), p. 7

## Legislation and state protection

There is no existing law specifically against FGM/C in Somalia that criminalises or punishes it.<sup>335</sup> Somalia's Provisional 2012 Constitution in Article 15 (4) stipulates that 'circumcision of girls is a cruel and degrading customary practice, and is tantamount to torture [and that] the circumcision of girls is prohibited.'<sup>336</sup> It is unclear in the Constitution whether 'prohibition' could also be applied to persons planning FGM/C, persons not preventing FGM/C or persons aiding in order to have girls undergo FGM/C.<sup>337</sup> 28 Too Many states that the relevant punishments under the Penal Code are: 'Under Article 440(1) of the Penal Code, the penalty for causing hurt to another is imprisonment for three months to three years. Where the hurt is deemed to be 'grievous' (2), the penalty is imprisonment for three to seven years, rising to six to twelve years where the hurt is deemed to be 'very grievous'.<sup>338</sup> The same source wrote in 2018 that the article has never been applied.<sup>339</sup> However, there was one case prosecuted in 2018, the first ever such prosecution for FGM, of the parents of a 10 year old girl; however, the case was dropped due to lack of cooperation from the parents to locate the traditional circumciser whom they had paid.<sup>340</sup>

In 2015, a bill to end FGM/C within the entire country was initiated but the bill was not finalised.<sup>341</sup> Puntland has made more progress with regards to ending FGM/C than South Central Somalia, in that it has a strategy to abandon the practice, unlike the national government.<sup>342</sup> In Puntland, FGM/C specific legislation is awaiting approval by the parliament and a fatwa against FGM/C was signed.<sup>343</sup> In Puntland, the Ministry of Health signed a decree against medicalised FGM/C and Puntland has the authority to 'shut down clinics and hospitals that continue the practice, and arrest perpetrators.'<sup>344</sup> Furthermore, the decree allows the Puntland Government 'to cancel the licences of medical professionals who practice FGM[C] [...] and doctors' associations have been asked to hold their members accountable for practising FGM[C] by revoking their memberships.' Nonetheless, the decree lacks both accountability and implementation plans. 28 Too Many reported that as of 2018, there were no cases against FGM/C identified arising from the Puntland fatwa nor were there any cases of malpractice brought against medical professionals for performing FGM/C. According to 28 too many, 'these cases are not reported publicly.'<sup>345</sup>

In Somaliland, a fatwa<sup>346</sup> explicitly mentioning FGM/C type 3 was issued by the Ministry of Religious Affairs, aiming at punishing those who perform FGM/C.<sup>347</sup> Additionally, the Somaliland Constitution in its Article 36 under the title 'The Rights of Women', states that 'the Government shall encourage, and shall legislate for, the right of women to be free of practices which are contrary to Sharia and which are injurious to their person and dignity. [nonetheless, according to 28 Too Many], there is currently no legislation in Somaliland that expressly criminalises and punishes the practice of FGM[C].'<sup>348</sup> The source 28 Too Many notes that, no court cases were reported, and no perpetrators were prosecuted applying the Penal Code, which would be the only legal instrument that could be

<sup>335</sup> UNFPA, Overview of Gender Based Violence in Somalia, 5 March 2021, [url](#), p. 12; 28 Too Many, Somalia: The law and FGM, July 2018, [url](#), p. 4

<sup>336</sup> Somalia, Provisional Constitution, 1 August 2012, [url](#)

<sup>337</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), p. 4

<sup>338</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), p. 4

<sup>339</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), p. 5

<sup>340</sup> Reuters, Somalia's first FGM prosecution 'hampered' by victim's parents, 23 August 2018, [url](#)

<sup>341</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), p. 4; Goobjoog News, Somalia will soon ban FGM, Human Rights Minister says, 17 August 2015, [url](#); Abdirahman, A., Somalia to introduce law prohibiting Female Genital Mutilation, 3 August 2015, [url](#)

<sup>342</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), p. 2

<sup>343</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), pp. 3-4

<sup>344</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), p. 4

<sup>345</sup> 28 Too Many, Somalia: The Law and FGM, July 2018, [url](#), pp. 4-5

<sup>346</sup> A fatwa refers to a religious edict.

<sup>347</sup> Reuters, Somaliland issues fatwa banning female genital mutilation, 7 February 2018, [url](#)

<sup>348</sup> 28 Too Many, Somaliland: The Law and FGM, July 2018, [url](#), p. 4



applied with regards to FGM/C. In cases where girls have bled to death after they underwent FGM/C, the issue seems to have been dealt with privately; between the family and the circumciser.<sup>349</sup>

According to sources cited by the Danish Immigration Service, there is limited capacity of the state to uphold the law, and people rely on their clan and immediate family for protection. Furthermore, ‘none of the consulted sources knew of any protection or support measures by neither NGOs nor clan authorities for people that fear FGM[C].’ There were no consequences for those who carried out the tradition.<sup>350</sup> Women’s access to justice is affected as ‘the first barrier to women’s access to customary justice [xeer] or mediation lies with their ability to physically access the institution. Traditionally, women can only bring their cases to elders with a male intermediary.’ Although Alternative Dispute Resolution (ADR) initiatives exist in Somalia, these are often built rather on consensus than on judgement. While ADR efforts are often based on traditional xeer, this favours males, often to women’s disadvantage.<sup>351</sup> For details on Somalia’s traditional justice mechanisms, see section ‘2.3 Access to justice through formal and informal systems’ of the EASO COI Report on [Somalia: Actors](#) (July 2021).<sup>352</sup>

## 2.5 Women without a support network

About one third of all households in Somalia are headed by women (33 % in both rural and urban settings, and 28 % in nomadic households).<sup>353</sup> It is rare for a Somali to be totally unconnected to any family or relatives; however kin solidarity can also be influenced by the level of maintenance of personal and kin relationships.<sup>354</sup> According to Charlotte Bonnet, a consultant on forced displacement for Tanya Copenhagen Kenya Limited, Somalia’s society is patriarchally organised and a family headed by the men represents ‘the fundamental social unit’ within the society.<sup>355</sup> A Somali gender advisor interviewed by IRB, reported that protection for Somali women ‘is linked to their father, husband, family network, extended family network and clan’ and that ‘in Somali society, it is seen as being against the culture and the religion for a woman to live alone.’ UNICEF’s Chief of Child Protection said that family ties are strong in Somalia and women who have lost husbands or fathers are taken in by their communities if they have not broken customary laws or norms.<sup>356</sup> Women are treated as and cared for as members of their own paternal family, even after marriage. For a woman to be ‘very unprotected’ it would be in situations where she is in a weak or non-influential clan or moves away to an area where she has no relatives.<sup>357</sup> The IRB wrote that women who have broken social norms may be ostracized if they are from a minority clan in the area, divorced, or rape victims, or are IDP women without a social network.<sup>358</sup> The DRC notes that ‘the security situation is particularly dire for single

<sup>349</sup> 28 Too Many, Somalia The Law and FGM, July 2018, [url](#), p. 5

<sup>350</sup> Denmark, DIS, Somalia: Female Genital Mutilation (FGM), February 2021, [url](#), p. 16

<sup>351</sup> USAID, Alternative Dispute Resolution Initiatives in Somalia, June 2020, [url](#), pp. 23-28

<sup>352</sup> EASO, Somalia: Actors, July 2021, [url](#), pp. 26-36

<sup>353</sup> Somalia, The Somali Health and Demographic Survey, 2020, [url](#), p. 22

<sup>354</sup> Hohne, M., Bakonyi, J. and ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer-innen; Schutz durch staatliche und nicht-staatliche Akteure; Dokumentation zum COI-Webinar [Documentation of a webinar on Somalia: Al-Shabaab, Security situation, IDPs/returnees, State and non-state protection], 5 May 2021, [url](#), pp. 39-40

<sup>355</sup> Bonnet, C., et al., Inclusive shelter provision in Mogadishu, Environment and Urbanization, Vol. 32, No. 2, October 2020, [url](#), p. 447

<sup>356</sup> Canada, IRB, Somalia: Situation of women without a support network in Mogadishu, including access to employment and housing; treatment by society and authorities; support services available to female-headed households, 25 March 2019, [url](#)

<sup>357</sup> Hohne, M., Bakonyi, J. and ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer-innen; Schutz durch staatliche und nicht-staatliche Akteure; Dokumentation zum COI-Webinar [Documentation of a webinar on Somalia: Al-Shabaab, Security situation, IDPs/returnees, State and non-state protection], 5 May 2021, [url](#), p. 37

<sup>358</sup> Canada, IRB, Somalia: Situation of women without a support network in Mogadishu, including access to employment and housing; treatment by society and authorities; support services available to female-headed households, 25 March 2019, [url](#)

women without a clan network and women who are internally displaced' as a clan can offer protection to its individual members.<sup>359</sup> In case of a dispute, the argument might be referred to the *xeer*.<sup>360</sup> In *xeer* initiatives, a male intermediates to negotiate for a women.<sup>361</sup> UNFPA described that 'since land and family assets are controlled by husbands or male relatives, with limitations on women's inheritance rights as well as limited access to skill training and markets, widows and female-headed households are particularly vulnerable.'<sup>362</sup> The Finnish Migration Service in 2018, reported that in Somaliland there is an increase in the number of single mothers due to divorces.<sup>363</sup>

### Single women in IDP settings

Women residing in camps and/or belonging to a weak clan face higher risks of SGBV.<sup>364</sup> Human Rights Watch notes that IDP women and girls 'remain at particular risk of sexual and gender-based violence by armed men, including government soldiers and militia members, and civilians.'<sup>365</sup> Tana Copenhagen Kenya Limited believes that among IDPs, single, divorced, and widowed women are especially vulnerable, and finding shelter is more challenging for female-headed households.<sup>366</sup> The Canadian Presbyterian World Service & Development explains the situation of single mothers in camps, 'for single mothers living in internally displaced persons camps [...], life is a balancing act. Often, time is split between caring for their infants and tireless efforts to find work, in order to afford necessities like food. A profound lack of resources and rising food prices due to COVID-19 have meant that many simply cannot access what is needed to sustain their own health and that of their children.'<sup>367</sup> The struggle for single mothers to find sufficient food to feed their children is also mentioned by International Relief Team.<sup>368</sup>

### Divorced women

The concept of honour in the Somali marriage context is important, and women are seen as having a duty to behave in ways that uphold family honour.<sup>369</sup> Through marriage women and men gain access to resources, however the same source notes that, 'urbanization appears to have significantly undermined traditional, nomadic ways of life, which were more conducive to upholding the idealized gender roles in Somali society where women gained access to resources through marriage and bride wealth and men worked outside the household and sustained familial and communal camels and livestock.'<sup>370</sup> Sources indicate that divorce is not uncommon in the country.<sup>371</sup> In general, divorce is more accepted now than it was in the past. Although there is no immediate stigma around getting divorced, the attitudes of local communities towards divorced women may differ. Whilst men are, according to Islam, allowed to have four wives, provided that they can support them, women are expected to accept this situation. For men it is easier to get divorced than for women. A man who wants to get divorced has to express this three times orally while a woman must provide 'rational

<sup>359</sup> DRC, South and central Somalia security situation, March 2017, [url](#), p. 9

<sup>360</sup> Xeer refers to Somalia's customary law. Somalia has a mix of three types of laws: customary law (called 'xeer'), civil law and Islamic law. For additional details see EASO's COI report [Somalia: Actors](#), published in July 2021.

<sup>361</sup> USAID, Alternative Dispute Resolution Initiatives in Somalia, June 2020, [url](#), p. 23; Sweden, Lifos, Somalia: the position of women in the clan system, 27 April 2018, [url](#), p. 5

<sup>362</sup> UNFPA, Funding for gender equality and the empowerment of women and girls in Humanitarian programming, June 2020, [url](#), p. 29

<sup>363</sup> Finland, FIS, Report from Finnish Immigration Service's Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), p. 28

<sup>364</sup> The Netherlands, Country of Origin Information Report on South and Central Somalia, March 2019, [url](#), p. 44

<sup>365</sup> HRW, Somalia Events of 2018, 2018, [url](#)

<sup>366</sup> Bonnet, C., et al., Inclusive shelter provision in Mogadishu, Environment and Urbanization, Vol. 32, No. 2, October 2020, [url](#), p. 460

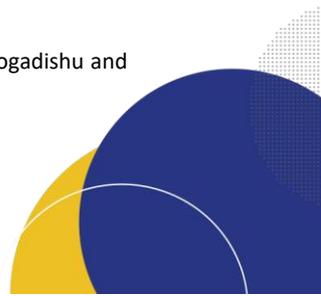
<sup>367</sup> Presbyterian World Service & Development, Hope for Single Mothers in Somalia, 4 August 2020, [url](#)

<sup>368</sup> IRT, A Somali Mother's Struggle to Feed Her Family, 1 March 2019, [url](#)

<sup>369</sup> Sweden, Lifos, Women in Somalia - Pregnancies and Children out of Wedlock, 1 June 2017, [url](#), p. 8

<sup>370</sup> Luedke, A., Women do not belong under the acacia tree, June 2018, [url](#), p. 11

<sup>371</sup> Finland, Finnish Immigration Service, Report from Finnish Immigration Service's Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), p. 29; Norway, Landinfo, Somalia: Marriage and divorce, 14 June 2018, [url](#), p. 18



grounds,' for example if the man is not bearing appropriate family responsibilities. The woman must obtain her own clan's consent for a divorce.<sup>372</sup> Landinfo also writes that women have difficulty getting divorced and must cite reasons under Islamic law such as lack of support, mental illness, or impotence of the husband, and they must apply through a sharia court.<sup>373</sup>

Regarding child custody and divorce, the Finnish report quotes one source as indicating that 'in Somali culture, children always remain in the custody of the mother in a divorce' and that the woman usually moves back to the vicinity of her own family members.<sup>374</sup> However, in contrast, in his review of this report, Joakim Gundel stated that:

'this may still be different in the pastoral rural areas, where the clan is safeguarding its numbers, and would not allow the woman to have custody of the children in case of divorce if it means she is moving back to her own family being from another clan. In such cases, they may try to forcefully take the children from the mother if she refuses, and let them grow up with the fathers family instead.'<sup>375</sup>

Furthermore, Landinfo observed that under Muslim jurisprudence and Somali tradition, the father is the guardian of the children and after a divorce he retains his rights, but the mother is granted daily care of the children for seven years, up which boys move with their father, while girls remain with the mother until puberty.<sup>376</sup>

Remarriage after divorce is common. Before they can remarry, women are required to wait until the 'iddah' waiting period is complete.<sup>377</sup>

### Children born out of wedlock

In general, pre-marital pregnancies are hidden and denied to the extent that the woman sometimes risks reproductive health problems; discovery of an unmarried woman becoming pregnant would be regarded by the family and society as a 'betrayal' of family honour.<sup>378</sup> In 2017, Puntland's Minister for Women Development and Family Affairs described that 'a woman who has a child out of wedlock will be stigmatized. She will be talked about and people will possibly even attack her physically.'<sup>379</sup> When children are born out of wedlock and it becomes known, it is considered a 'disgrace to the entire family.'<sup>380</sup> Both, the mother and the child face a complicated life ahead. As a consequence, the extended family might abandon the mother and child.<sup>381</sup> Additionally, a clan might disown her and no longer provide her with protection.<sup>382</sup> A sourced interviewed by Lifos in 2017, mentioned that some women with children born out of wedlock might be pushed to live in the area of local sex workers.<sup>383</sup> The Finnish report states that children who have lost one parent are 'more vulnerable.' This in turn often forces them to work in order to earn a living. Furthermore, the Finnish report writes that 'A child born due to an extramarital relationship and its mother have a difficult life. In the worst case, a child born out of wedlock and the mother are abandoned by the rest of the extended family. Some mothers

<sup>372</sup> Finland, Finnish Immigration Service, Report from Finnish Immigration Service's Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), p. 27

<sup>373</sup> Norway, Landinfo, Somalia: Marriage and divorce, 14 June 2018, [url](#), p. 19

<sup>374</sup> Finland, FIS, Report from Finnish Immigration Service's Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), p. 29

<sup>375</sup> Gundel, J., Comment received during the peer review of this report, 3 August 2021

<sup>376</sup> Norway, Landinfo, Somalia: Marriage and divorce, 14 June 2018, [url](#), p. 19

<sup>377</sup> Norway, Landinfo, Somalia: Marriage and divorce, 14 June 2018, [url](#), p. 19

<sup>378</sup> Sweden, Lifos, Women in Somalia - Pregnancies and Children out of Wedlock, 1 June 2017, [url](#), p. 14

<sup>379</sup> Sweden, Lifos, Women in Somalia - Pregnancies and Children out of Wedlock, 1 June 2017, [url](#), p. 14

<sup>380</sup> Finland, FIS, Report from Finnish Immigration Service's Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), p. 27

<sup>381</sup> Finland, FIS, Report from Finnish Immigration Service's Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), pp. 27-34

<sup>382</sup> Sweden, Lifos, Women in Somalia - Pregnancies and Children out of Wedlock, 1 June 2017, [url](#), p. 13

<sup>383</sup> Sweden, Lifos, Women in Somalia - Pregnancies and Children out of Wedlock, 1 June 2017, [url](#), pp. 13-14

give away a child born out of wedlock, but some such children end up on the street as orphans'.<sup>384</sup> Sweden stated that several sources reported that a child born out of wedlock 'would face discrimination and stigma'.<sup>385</sup>

### Availability and access to support

Somalia does not have 'structured social welfare systems [nor are there] formal government social protection programs.' In the absence of state assistance, support is rather clan-based. IRB reports that 'the state does not provide specific support services to female-headed households in Mogadishu to assist with housing and shelter.'<sup>386</sup> According to Charlotte Bonnet, who worked on an article on shelter provisions, 'a charitable neighbour is more likely to offer help to a single, widowed or divorced woman than to a man, especially if she has children.'<sup>387</sup>

Somalia does not have a public welfare system in place and support is sometimes provided by the clan, NGOs, Islamic charities, or family members.<sup>388</sup> Although in some cases close family members may choose to support a woman who is pregnant out of wedlock, this will never ensure the same level of protection which one could receive from a clan.<sup>389</sup>

According to information obtained during Finland's Fact-Finding mission, to women social networks are particularly important as they are more vulnerable than men, while

'families headed by an unaccompanied female are more exposed to malnutrition [...] [and] an unaccompanied woman is unlikely to return to Somalia without a support network [...]. A network is necessary for managing practical matters, and life without one is difficult for an unaccompanied woman [...] it is hard for a woman to rent, sell or buy a [...] residence by herself. [...] An unaccompanied female tenant can be regarded as a prostitute, making it difficult to find a home. An unaccompanied woman living without a husband is exposed to sexual violence because she is deemed to be "fair game".'<sup>390</sup>

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<sup>384</sup> The orphanage based in Mogadishu, in South-Central Somalia, is considered to be only admitting children from killed soldiers. Finland, FIS, Report from Finnish Immigration Service's Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), p. 34

<sup>385</sup> Sweden, Lifos, Women in Somalia - Pregnancies and Children out of Wedlock, 1 June 2017, [url](#), p. 15

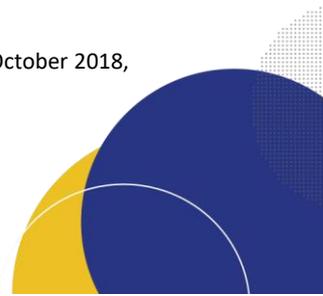
<sup>386</sup> Canada, IRB, Somalia: Situation of women without a support network in Mogadishu, including access to employment and housing; treatment by society and authorities; support services available to female-headed households, 25 March 2019, [url](#)

<sup>387</sup> Bonnet, C., et al., Inclusive shelter provision in Mogadishu, Environment and Urbanization, Vol. 32, No. 2, October 2020, [url](#), p. 460. Charlotte Bonnet is a consultant on forced displacement for Tanya Copenhagen Kenya Limited, which is a Danish consultancy firm providing information on Mogadishu's housing situation. Tanya Copenhagen Kenya Limited specialises in stabilisation, governance, and private sector development.

<sup>388</sup> Australia, Women - separated women - divorce, 3 March 2020, [url](#), p. 8

<sup>389</sup> Sweden, Lifos, Women in Somalia - Pregnancies and Children out of Wedlock, 1 June 2017, [url](#), p. 14

<sup>390</sup> Finland, FIS, Report from Finnish Immigration Service's Fact-finding mission to Mogadishu and Nairobi, 5 October 2018, [url](#), p. 23



## 3. Individuals perceived as contravening Islamic laws/tenets

### 3.1 Individuals contravening Islamic laws in Al-Shabaab controlled areas

For an overview of Al-Shabaab's approximate territorial control see the [map](#) at the beginning of this report. For further details about AS presence and territorial control, as distinct from areas of influence and outreach, see the EASO COI Report [Somalia: Actors](#), published in July 2021.<sup>391</sup>

#### Al-Shabaab's sharia-based governance

According to the estimates from the Somali government, more than 99 % of Somalia's population is of Sunni Muslim faith.<sup>392</sup> Most Sunnis (perhaps 70 % of the general population) are identified as Salafists of various orientations. The Sunni population also comprises a minority of Sufis who previously formed the overwhelming majority of the country's population.<sup>393</sup> Thus, as one expert observed, there is a notable 'absence of considerable religious minorities which might pose an obstacle to the adoption of the Islamic Sharia. Indeed, the 'overwhelming majority of the Somali people [...] do not disagree' with the idea of Islam (and sharia) playing a role in the state and society.<sup>394</sup>

Sharia therefore has a long history in the country. During the early Islamic era, the colonial period, and also after independence, sharia was 'accepted and implemented to varying degrees'. Before the civil war began in 1991, a large part of the population practiced a version of Sunni Islam that was strongly influenced by the Sufi orders Qadiriyya, Ahmadiyya and Salihyya. Although a movement promulgating the Wahhabist form of 'Salafism' which sought to 'eliminate what they considered un-Islamic cultural practices' already emerged in South Central Somalia in the first half of the 20<sup>th</sup> century, it was met with a degree of resistance from local populations at the time.<sup>395</sup> However, the collapse of state institutions (which had previously repressed dissenting religious leaders—including non-Salafists<sup>396</sup>) and the ensuing civil war enabled all Islamist groups to 'freely promote [...] their various ideologies, including the most extreme forms of Takfiir and Jihadism'.<sup>397</sup>

Al-Shabaab (AS), 'a handful of unpopular hardcore militants' in 2005<sup>398</sup>, was established formally in August 2006<sup>399</sup> and acted as the military arm of the Union of Islamic Courts (UIC) formed in early 2006 in Mogadishu.<sup>400</sup> While the UIC incorporated various brands of Sunni Islam, AS soon used coercion and violence against those considered not to be 'pious' enough.<sup>401</sup> When an Ethiopian military intervention

<sup>391</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 4.1 Presence, territorial control, areas of influence, and outreach

<sup>392</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 2

<sup>393</sup> Hoehne, M. V., email, 14 October 2020

<sup>394</sup> Abdullahi, A. M., The Islamic Movement in Somalia: A Historical Evolution with a Case Study of the Islah Movement (1950-2000), May 2011, [url](#), p. 26; see also Norway, Landinfo, Temanotat, Somalia: Praktiske og sikkerhetsmessige forhold på reise i Sør-Somalia, 28 June 2019, [url](#), p. 11

<sup>395</sup> EAJ, The Shari'ah in Somalia, March 2020, [url](#), pp. 9-10

<sup>396</sup> EAJ, The Shari'ah in Somalia, March 2020, [url](#), p. 11

<sup>397</sup> Abdullahi, A. M., The Islamic Movement in Somalia: A Historical Evolution with a Case Study of the Islah Movement (1950-2000), May 2011, [url](#), p. 26

<sup>398</sup> Hoehne, M. V., Counter-terrorism in Somalia, or: how external interferences helped to produce militant Islamism, published online on 17 December 2009, [url](#), p. 2

<sup>399</sup> Hansen, S. J., Al-Shabaab in Somalia: The History and Ideology of a Militant Islamist Group, 2005-2012, 2013, p. 36

<sup>400</sup> Hoehne, M. V., Al-Shabaab in Somalia: Von einer Terrorzelle zu einem regierungähnlichen Akteur, 2011, pp. 132-137; see also Barnes, C., and Hassan, H., The Rise and Fall of Mogadishu's Islamic Courts, 2007, [url](#), pp. 151-152

<sup>401</sup> Hoehne, M. V., Counter-terrorism in Somalia, or: how external interferences helped to produce militant Islamism, published online on 17 December 2009, [url](#), pp. 11-18

in December 2006 led to the overthrow of the UIC,<sup>402</sup> AS remained and turned into an independent Islamist force. They took up their fight against the Somali government and the foreign intervention forces and soon emerged as a most powerful Somali political actor.<sup>403</sup> AS governs according to a strict interpretation of Islam and attacks or casts out perceived rivals (including clerics) holding views that challenge its version of Islam.<sup>404</sup> This reflects the group's declared notion that they, and no-one else, are 'the true bearers of Islam'.<sup>405</sup> At the same time, given AS's lack of members who are sufficiently educated in religious matters, local compromises with Muslim clerics adhering to more traditional and moderate currents remain possible, despite the group's promotion of strict tenets of the Hanbali school of thought.<sup>406</sup>

Essentially following Hanbali precepts, AS imposes a strict version of Sharia,<sup>407</sup> banning television, cinemas, music, the use of the internet and watching sports, smoking, the sale of khat, the shaving of beards and other behaviour it considers 'un-Islamic'.<sup>408</sup> The group has also enforced a 'more conservative Islamic dress code'<sup>409</sup> that reportedly requires women to be fully veiled<sup>410</sup> and imposed specific ways of praying and reciting the Quran<sup>411</sup>. However, a Somalia expert notes, 'it appears that not all bans are imposed uniformly by Al-Shabaab, perhaps reflecting the decentralised nature of the group, with militants in control of one area enforcing different rules from those in another'. For instance, an activity like playing football may be completely prohibited in one area while being allowed in others, albeit with certain restrictions (such as bans on wearing shorts, playing during prayer times or insulting other players).<sup>412</sup> Al-Shabaab has a permanent presence primarily in towns and larger villages where it implements their strict interpretation of Sharia.<sup>413</sup> As long as local residents 'respect these prohibitions, they, in theory, have nothing to fear from Al-Shabaab'.<sup>414</sup> Hoehne is quoted as saying that a person who repeatedly infringes on the laws of Islam is at risk of being punished by AS or by another group of religious zealots who may target this person, especially if he or she does not enjoy strong family support.<sup>415</sup> Michael Skjelderup, a PhD candidate at the Norwegian University of Life Sciences who is specialised in Somalia, notes that 'most kinds of corporal punishment for "un-Islamic" behaviour are typically handed out on the spot or after a short procedure in local courts (and tend to receive quite limited media attention)', adding that 'it is likely that such kinds of punishments take place now and then'.<sup>416</sup>

The US government reported that AS 'imposed harsh punishment on persons in areas under its control' during the year 2020. The source points to detentions of individuals, with 'those detained [...] incarcerated under inhuman conditions for relatively minor offenses, such as smoking, having illicit

<sup>402</sup> International Crisis Group, Somalia: To Move Beyond The Failed State, Africa Report N°147, 23 December 2008, [url](#)

<sup>403</sup> Hoehne, M. V., Al-Shabaab in Somalia: Von einer Terrorzelle zu einem regierungsähnlichen Akteur, 2011, pp. 144-152

<sup>404</sup> Abbink, J., Religion and Violence in the Horn of Africa: Trajectories of Mimetic Rivalry and Escalation between 'Political Islam' and the State, 2020, [url](#), p. 203

<sup>405</sup> Taarnby, M., and Lars Hallundbaek, Al-Shabaab: The Internationalization of Militant Islamism in Somalia and the Implications for Radicalisation Processes in Europe, 26 February 2010, p. 14; see also Marchal, R., Motivations and drivers of Al-Shabaab, 2018, p. 313

<sup>406</sup> Marchal, R., Une lecture de la radicalisation djihadiste en Somalie [Lecture on jihadist radicalisation in Somalia], 2018, [url](#), p. 103

<sup>407</sup> EAJ, The Shari'ah in Somalia, March 2020, [url](#), pp. 13-14

<sup>408</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 7

<sup>409</sup> EAJ, The Shari'ah in Somalia, March 2020, [url](#), p. 14

<sup>410</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 7

<sup>411</sup> Marchal, R., Une lecture de la radicalisation djihadiste en Somalie [Lecture on jihadist radicalisation in Somalia], 2018, [url](#), p. 103

<sup>412</sup> Harper, M., Everything You Have Told Me is True: The Many Faces of Al-Shabaab, 2019, pp. 118-119

<sup>413</sup> Norway, Landinfo, Query response, Somalia: Al-Shabaab areas in Southern Somalia, 21 May 2019, [url](#), p. 3

<sup>414</sup> Marchal, R., Rivals in Governance: Civil Activities of Al-Shabaab, 2018, p. 354; see also Norway, Landinfo, Temanotat, Somalia: Praktiske og sikkerhetsmessige forhold på reise i Sør-Somalia, 28 June 2019, [url](#), p. 10

<sup>415</sup> ACCORD, Anfragebeantwortung zu Somalia: Umgang mit psychisch kranken Personen; Zugang zu Behandlung von psychischen Erkrankungen; Umgang mit alkoholabhängigen Personen und Gefährdung, 19 April 2020, [url](#)

<sup>416</sup> Skjelderup, M., email, 1 July 2021



content on cell phones, listening to music, watching or playing soccer, wearing a brassiere, or not wearing a hijab.<sup>417</sup> The same source further notes that ‘Al-Shabaab continued to threaten parents, teachers, and communities who failed to adhere to Al-Shabaab’s precepts’.<sup>418</sup> With regard to returnees from abroad who have acquired types of behaviour that may be viewed as ‘Western’, Hoehne is quoted as saying that returnees going back to an AS-controlled area (because this is where their family or clan happens to live) must act cautiously and need to ‘change their ways of life fundamentally’ in order to adapt to the rules imposed by AS.<sup>419</sup>

Spreading fear is not Al-Shabaab’s only means of securing their influence. Among the population of Southern Somalia the perception that al-Shabaab is less corrupt than the government is widespread. Even people in Mogadishu and other towns under government control bring on their cases of dispute to Al-Shabaab courts outside these areas.<sup>420</sup>

### Hadd (plural: huduud) crimes

This section should be read in conjunction with EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>421</sup>

In areas under its control, AS has established its own courts and ‘follows its own quite strict interpretation of a particular Salafi version of Shariah law’<sup>422</sup>, although sharia as such ‘pervades all forms of adjudication in Somalia’, including state and customary justice<sup>423</sup>. Indeed, Islamic law is ‘widely seen as being incontestable’, whereas the same cannot be said with regard to statutory or customary law (*xeer*).<sup>424</sup> Moreover, an expert pointed out that ‘quite a few aspects of Somali *xeer* are in accordance with Sharia’ and that ‘there is no strong divide between Shari’s and *xeer* in many everyday matters’.<sup>425</sup> Marchal explains that AS court – reported by some Somalis (who otherwise do not support Al-Shabaab’s agenda) to be less corrupt and more efficient than the official judiciary<sup>426</sup> – ‘addressed many problems of the population it controlled (such as inheritance, divorce and land title disputes) and provided solutions it was able to enforce’.<sup>427</sup>

However, unlike the more traditional and moderate interpretations of Islam which predominated until recently in Somalia, and in contrast to *xeer*-based regulations<sup>428</sup>, AS’s interpretation of Sharia law includes severe *huduud* punishments<sup>429</sup> (i.e. punishments that are seen as being as ‘mandated and determined by God’<sup>430</sup>) such as public executions of adulterers, amputations of limbs in cases of theft and public flogging.<sup>431</sup> These punishments have been meted out in a swift manner.<sup>432</sup> It has been

<sup>417</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 5, 7

<sup>418</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 6

<sup>419</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [source: Markus Hoehne], July 2020, [url](#), p. 17; Sources interviewed by Landinfo point out that many people share a critical attitude towards Western behaviour and influence independent from AS’s beliefs, see Norway, Landinfo, Temanotat, Somalia: Praktiske og sikkerhetsmessige forhold på reise i Sør-Somalia, 28 June 2019, [url](#), p. 11

<sup>420</sup> Norway, Landinfo, Query response, Somalia: Al-Shabaab areas in Southern Somalia, 21 May 2019, [url](#), p. 3

<sup>421</sup> EASO, Somalia: Actors, July 2021, [url](#), sections: 2.3.3 Sharia Law; 4.4. Access to justice under Al-Shabaab

<sup>422</sup> Bertelsmann Stiftung, BTI 2020 Country Report – Somalia, 2020, [url](#), p. 17

<sup>423</sup> EAJ, The Shari’ah in Somalia, March 2020, [url](#), p. 20

<sup>424</sup> Marchal, R., Rival in Governance: Civil Activities of Al-Shabaab, 2018, p. 354

<sup>425</sup> Hoehne, M. V., communication, 25 June 2021

<sup>426</sup> Harper, M., Everything You Have Told me is True: The Many Faces of Al-Shabaab, 2019, p. 107; see also Kluijver, R., Al-Shabaab Governance, 10 July 2019, [url](#)

<sup>427</sup> Marchal, R., Motivations and drivers of Al-Shabaab, 2018, p. 313

<sup>428</sup> Hoehne, M. V., communication, 25 June 2021

<sup>429</sup> Bertelsmann Stiftung, BTI 2020 Country Report – Somalia, 2020, [url](#), p. 17

<sup>430</sup> Marchal, R., Motivations and drivers of Al-Shabaab, 2018, p. 312

<sup>431</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 9; see also, for example, Council on Foreign Relations, Al-Shabab, 19 May 2021, [url](#); Skjelderup, M., Hudud Punishments in the Forefront: Application of Islamic Criminal Law by Harakat Al-Shabaab Al-Mujahideen, 2014, pp. 318, 323-325

<sup>432</sup> EAJ, The Shari’ah in Somalia, March 2020, [url](#), p. 14

reported that AS carried out arbitrary arrests on the basis of questionable or false accusations,<sup>433</sup> that courts set up by AS did not permit legal representation or appeals<sup>434</sup> and that the group administered justice without consulting the victims or taking into account the broader circumstances of an offence<sup>435</sup>. According to a 2014 article by Michael Skjelderup, a scholar specialised in Somali religious issues, ‘the Al-Shabaab courts tend to overlook many of the strict requirements regarding evidence and procedure’ of classical Islamic doctrine<sup>436</sup> when adjudicating *hadd* cases. Skjelderup holds that AS judges in many ways resemble judges in Saudi Arabia who enjoy greater discretion in criminal cases, including *huduud* cases, than what has been prescribed in classical doctrine. As the author explains, cases he examined suggest that AS courts widely use circumstantial evidence in *huduud* cases and that in some cases, judges ‘simply announce that the accused has confessed to the crime, thereby refusing him the opportunity to defend his case.’<sup>437</sup> In a July 2021 email response, Skjelderup assessed that these claims are still valid, although the ‘need or willingness’ to impose *huduud* punishments has decreased<sup>438</sup> (see below for further details).

While AS has declared that no-one (not even wealthy people or AS commanders) could escape God’s justice, Marchal noted that ‘over time and space’, the group came to show greater flexibility, particularly in cases of violation of sharia by its own members: rather than receiving harsh corporal punishment, some were relocated to other areas. The degree of implementation reportedly also varies depending on the AS members in charge and the local situation. In areas where Al-Shabaab’s control is undisputed, the group has been able to ‘show greater tolerance’. Also, some powerful AS governors have used their ‘political capital’ to rein in harsh punishments where this was deemed necessary to secure significant popular support (due to quickly evolving frontlines).<sup>439</sup> As noted by Landinfo, there may be some room for negotiation with al-Shabaab for strong clans.<sup>440</sup> Most recently, Skjelderup shared his general impression that ‘most local communities currently are more attuned to AS rule than in 2010-2011’ while at the same time, ‘the eagerness of the administration to hand out these kinds of punishments is reduced’ as ‘the various governing institutions under AS rule have developed, matured and formalized’.<sup>441</sup>

Several executions (by stoning) for alleged adultery or sexual intercourse outside of marriage have been reported in the recent past.<sup>442</sup> One such incident reportedly occurred in July 2020, when AS stoned to death a man for soliciting the services of a prostitute and flogged the prostitute woman in Tiye glow (Bakol region).<sup>443</sup> In June 2021, according to AS’s own media outlet Radio Andalus members

<sup>433</sup> Bakonyi, J., *Der Alltag des Krieges. Herrschaftserfahrungen in Somalia* [The war everyday: experiencing authority in Somalia], 2018, [url](#), p. 65

<sup>434</sup> Reuters, *Somalia’s Al-Shabaab stones to death woman accused of having multiple husbands*, 9 May 2018, [url](#)

<sup>435</sup> Bakonyi, J., *Der Alltag des Krieges. Herrschaftserfahrungen in Somalia* [The war everyday: experiencing authority in Somalia], 2018, [url](#), p. 64

<sup>436</sup> Skjelderup, M., *Ḥudūd Punishments in the Forefront: Application of Islamic Criminal Law by Harakat Al-Shabaab Al-Mujahideen*, 2014, p. 317; see also Bakonyi, J., *Der Alltag des Krieges. Herrschaftserfahrungen in Somalia* [The war everyday: experiencing authority in Somalia], 2018, [url](#), p. 64

<sup>437</sup> Skjelderup, M., *Ḥudūd Punishments in the Forefront: Application of Islamic Criminal Law by Harakat Al-Shabaab Al-Mujahideen*, 2014, pp. 319, 323, 325

<sup>438</sup> Skjelderup, M., email, 1 July 2021

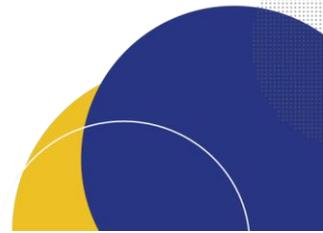
<sup>439</sup> Marchal, R., *Motivations and drivers of Al-Shabaab*, 2018, p. 312; Sources interviewed by Landinfo also note that reactions depend on the degree of power AS has in a certain area. See Norway, Landinfo, Report, *Somalia: Practical issues and security challenges associated with travels in Southern Somalia*, 4 April 2016, [url](#), pp. 11-12

<sup>440</sup> Norway, Landinfo, Query response, *Somalia: Al-Shabaab areas in Southern Somalia*, 21 May 2019, [url](#), p. 3

<sup>441</sup> Skjelderup, M., email, 1 July 2021

<sup>442</sup> See, for example: UNSOM and UNOHCHR, *Protection of Civilians Report*, 2 October 2020, [url](#), pp. 12-13; VOA, *Al-Shabab Kills 18 in Surge of Executions*, 8 July 2019, [url](#); ANSA, *Somalia: donna lapidata da Al-Shabaab* [Somalia: Woman stoned to death by al-Shabaab], 9 May 2018, [url](#); BBC News, *Somali woman ‘with 11 husbands’ stoned to death by al-Shabab*, 9 May 2018, [url](#); Reuters, *Somalia’s Al-Shabaab stones woman to death for cheating on husband*, 26 October 2017, [url](#); BBC News, *Somalia’s al-Shabab stones man to death for adultery*, 29 May 2017, [url](#)

<sup>443</sup> ACLED, *Somalia, SOM31509*, as of 30 June 2021, [url](#)



of the group publicly flogged a man who was accused of raping a girl in the same town.<sup>444</sup> The circumstances of this case could not be verified.

Meanwhile, AS has imposed amputations of limbs on persons accused of theft (including in cases of petty theft<sup>445</sup>). Media sources, including some showing a pro-AS stance, reported that AS publicly cut off the right hands of alleged thieves in El Buur in Galguduud region in March 2021<sup>446</sup> and June 2020<sup>447</sup>, near Qoryooley town in Lower Shabelle region, also in June 2020.<sup>448</sup>

Marchal notes that when AS conquers a town or village, ‘usually, several hudud [punishments] are meted out in the first months in front of the local population that is obliged to gather to witness the execution or the amputation of limbs’. This is to demonstrate that AS’s implementation of Sharia is without compromise and nobody can escape it.<sup>449</sup> Hoehne argues that these punishments are part of what he calls AS’s strategy of ‘exemplary violence’, through which the group asserts control over citizens. Besides visible acts of punishment and violence, ‘exemplary violence’ may include the spreading of rumours about AS forces being present nearby, for instance. Testimonies from southern Somalia show that, at first, AS issues warnings and threats to everyday low-profile individuals who may have acted in opposition to AS, e.g. by presenting views in a mosque that run counter to AS’s ideology. These warnings and threats may be issued once, twice or three times before AS will strike with force, killing, injuring or abducting people or even wiping out entire nuclear families. However AS does not carry out these acts all the time and everywhere as it lacks the capacity to do so. Rather, they would be carried out in an exemplary manner, [informal translation] ‘just as frequently and intensely as is necessary to instill fear in the local population and to ensure that most people come to terms with AS rule, whether they like it or not’.<sup>450</sup> Sources interviewed by Landinfo agree that ‘al-Shabaab also has influence in areas where they do not have a permanent presence’, but they ‘are not concerned with “everything and everyone” in such areas’.<sup>451</sup>

### **Apostasy, blasphemy, and religious minorities**

AS has targeted followers of less conservative strands of Islam as ‘apostates’<sup>452</sup>, including those who practice Sufism.<sup>453</sup> It has been reported that AS’s ideology condemns the innovation and rituals associated with Sufism (such as praying beside a past Sufi scholar revered in a shrine) that run counter to the group’s ‘much more austere and literal interpretation’ of Islam.<sup>454</sup> (For information on the prevalence of Sufism and various Sharia schools, also see EASO’s COI report [Somalia: Actors](#), published in July 2021<sup>455</sup>). As reported in March 2018, Sufi practitioners ‘cannot freely practice their religion in Al-Shabaab-controlled districts and localities’ and ‘people living in such areas may be attacked,

<sup>444</sup> Radio Andalus, Al-Shabab flogs man accused of rape in south-west Somalia, 7 June 2021, translated by: BBC Monitoring, available by subscription at: [url](#)

<sup>445</sup> Bakonyi, J., *Der Alltag des Krieges. Herrschaftserfahrungen in Somalia* [The war everyday: experiencing authority in Somalia], 2018, [url](#), p. 64

<sup>446</sup> Somali Memo, Somali militants cut off man's hand over theft, 1 March 2021. Somali Memo is described as affiliated to AS by Small Wars Journal, Al-Shabaab: Information Operations Strategy Overview, 29 August 2019, [url](#)

<sup>447</sup> Somali Memo, Somali militants chop off two men's hands for theft, 25 June 2020. Somali Memo is described as affiliated to AS by Small Wars Journal, Al-Shabaab: Information Operations Strategy Overview, 29 August 2019, [url](#)

<sup>448</sup> Nairobi News, Man's hand chopped off in Somalia for stealing from shop, 3 June 2020, [url](#)

<sup>449</sup> Marchal, R., *Rivals in Governance: Civil Activities of Al-Shabaab*, 2018, p. 354

<sup>450</sup> ACCORD, *Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure* [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), pp. 8-9

<sup>451</sup> Norway, Landinfo, Query response, Somalia: Al-Shabaab areas in Southern Somalia, 21 May 2019, [url](#), p. 3; see also Norway, Landinfo, Query response, Somalia: Violence in Mogadishu and developments since 2012, 30 October 2020, [url](#), pp. 5-6

<sup>452</sup> Germany, Federal Ministry for Economic Cooperation and Development and Federal Foreign Office, 2. Bericht der Bundesregierung zur weltweiten Lage der Religionsfreiheit (Berichtszeitraum 2018 bis 2019), October 2020, [url](#), p. 270

<sup>453</sup> Al Jazeera, Somalia: About 5,000 Sufi fighters join army, 19 September 2019, [url](#)

<sup>454</sup> Taarnby, M. and Hallundbaek, L., *Al-Shabaab: The Internationalization of Militant Islamism in Somalia and the Implications for Radicalisation Processes in Europe*, 26 February 2010, p. 16

<sup>455</sup> EASO, *Somalia: Actors*, July 2021, [url](#), section: 2.3.3 Sharia Law

punished or even killed, if they are found conducting the Sufi worship'.<sup>456</sup> In 2009, Sufi groups even took up arms against AS after being targeted and discriminated against.<sup>457</sup>

USDOS, quoting World Atlas, indicates that, apart from the overwhelming majority of Sunni Muslim (about 99 per cent), 'members of other religious groups combined constitute less than 1 percent of the population' in Somalia. These include a small Christian community of approximately 1,000 and an unknown number of Shia Muslims, Hindus, Buddhists, Jews, and those not affiliated with any religion.<sup>458</sup>

USDOS claims that during the year 2020, AS 'continued threatening to execute anyone suspected of converting to Christianity'.<sup>459</sup> Conversion of Muslims is officially forbidden in some areas and generally unacceptable to Somali families in line with Islamic traditions.<sup>460</sup> While killings and executions of suspected converts have been reported in past years,<sup>461</sup> no such reports could be found from 2020 or the first half of 2021.

AS has also reportedly 'continued to harass secular and faith-based humanitarian aid organizations, threatening the lives of their personnel and accusing them of seeking to convert individuals to Christianity'.<sup>462</sup> For more information on the treatment of humanitarian workers by AS, please see section [6.3 Treatment of persons accused by AS of collaborating with or spying for the government or international](#).

With regard to utterances perceived as acts of blasphemy, a report by Humanists International, a UK-based NGO that advocates secularism, states that in AS-controlled areas, there is 'a high risk' that criticism of Islam and statements or acts deemed to be 'blasphemous' will result in persons being executed by the group.<sup>463</sup> Hoehne states that making blasphemous statements is something that is 'extremely dangerous' in all parts of Somalia, although he has rarely heard of people being executed for blasphemy, even in areas under the control of AS.<sup>464</sup> No such reports could be found from 2020 or the first half of 2021 (Media reported in 2015 that AS executed a man in Lower Jubba on allegations of insulting the Prophet Muhammad.<sup>465</sup>)

It has been reported that AS 'continued its practice of conducting public executions' of persons accused of 'sorcery'.<sup>466</sup> Media sources (including media associated with AS), reported about executions of alleged sorcerers in the town of Jilib (Middle Jubba region) in September 2020<sup>467</sup> and in Qoryoley town (Lower Shabelle region) in May 2020.<sup>468</sup>

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<sup>456</sup> Canada, IRB, Somalia: Situation of practitioners of Sufism, including treatment by Al-Shabaab [al-Shabab], and role of Ahlu Sunnah Wal Jamaa [Ahlu Sunna Wal-Jamea, Ahlu Sunnah Wal Jama'a, Ahlu Sunna Wal Jama'a, Ahl al-Sunnah Wal-Jamaa, Ahlu Sunna Waljma'a] (ASWJ); availability of state protection (2016-March 2018) [source: political advisor], SOM106055.E, 27 March 2018, [url](#)

<sup>457</sup> ISN, Somalia's new religious war, 31 July 2009, [url](#)

<sup>458</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 2

<sup>459</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 7

<sup>460</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), pp. 2-3

<sup>461</sup> See, for example: Morning Star News, Islamic Extremists in Somalia Kill Secret Christian, Her Son, Wound Husband, Sources Say, 6 March 2017, [url](#); Morning Star News, As More Christians Are Killed in Somalia, Number of Orphans Grows, 6 March 2018, [url](#); Morning Star News, husbands' stoned to death s, 14 March 2014, [url](#)

<sup>462</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 7

<sup>463</sup> Humanists International, Freedom of Thought Report – Somalia, last updated 28 August 2020, [url](#); see also End Blasphemy Laws, Somalia, last updated 18 June 2020, [url](#)

<sup>464</sup> Hoehne, M. V., communication, 25 June 2021

<sup>465</sup> VOA, Somali Islamist Militants Execute Man for Blasphemy, 24 April 2015, [url](#); BBC News, Somalia's al-Shabab kills man for 'insulting prophet', 24 April 2015, [url](#)

<sup>466</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 1

<sup>467</sup> Halbeeg, Al-Shabaab militant executes an alleged sorcerer, 24 September 2020, [url](#)

<sup>468</sup> Calamada, Al-Shabab executes sorcerer in southern Somalia, 30 May 2020



## 3.2 Individuals contravening Islamic and customary tenets elsewhere in Somalia

### General legal framework

This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>469</sup>

The Provisional Constitution of the Federal Republic of Somalia, adopted in 2012, stipulates that 'Islam is the religion of the State' (Article 2, Section 1) and that 'No religion other than Islam can be propagated in the country' (Article 2, Section 2, reiterated in Article 17, Section 2). With regard to the country's legislation, Section 3 of Article 2 regulates that 'no law can be enacted that is not compliant with the general principles and objectives of Sharia.'<sup>470</sup> The Provisional Constitution prohibits discrimination by the state on the basis of religion (Article 11, Section 3),<sup>471</sup> and grants that 'every person is free to practice his or her religion' (Article 17, Section 1).<sup>472</sup> As specified in Article 40, Section 2, a court, when interpreting the fundamental rights granted under the provisional Constitution, 'may consider the Sharia, international law, and decisions of courts in other countries, though it is not bound to follow these decisions.'<sup>473</sup>

Similarly, the Constitution of Somaliland, adopted in 2000, grants freedom of belief (Article 33, Section 1) while at the same time identifying Islam as the state religion, prohibiting the promotion of other religions than Islam (Article 5, Section 1), and stipulating that all laws 'shall be grounded on and shall not be contrary to Islamic Sharia' (Article 5, Section 2).<sup>474</sup> Puntland<sup>475</sup> and other parts of Somalia such as Galmudug, Hirshabelle, Jubbaland, and the South West State also have constitutions that specify that Islam is the official religion and that laws must conform to the principles of sharia; laws with provisions on religious freedom do not exist in the FMS Galmudug, Hirshabelle and South West State.<sup>476</sup>

Generally, administration of justice in Somalia relies on traditional and customary law (*xeer*), sharia law and the Penal Code.<sup>477</sup> State law is more likely to be implemented in urban settings, while in rural areas it has virtually no relevance, with cases adjudicated solely on the basis of customary law or sharia. However, these legal traditions are important even in large cities, with many issues dealt with on the basis of these alternative forms of law, rather than state law.<sup>478</sup> It has been noted that there is a considerable variety in legal frameworks with regard to religious freedom 'because each community individually regulates and enforces' these matters, often in ways that are inconsistent.<sup>479</sup> (Also see EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>480</sup>) A source mentions families and clans which have applied vigilante justice in cases of 'apostasy'. Al-Shabaab seeks to impose its strict interpretation of Islam even outside the territories under its control, using threats and intimidation.<sup>481</sup>

<sup>469</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 2.3.1 Nature and limits of the formal justice system (statutory law)

<sup>470</sup> Somalia, Provisional Constitution of the Federal Republic of Somalia, 1 August 2012, [url](#), Article 2

<sup>471</sup> Somalia, Provisional Constitution of the Federal Republic of Somalia, 1 August 2012, available at: [url](#), Article 11, Section 3

<sup>472</sup> Somalia, Provisional Constitution of the Federal Republic of Somalia, 1 August 2012, available at: [url](#), Article 17, Section 1

<sup>473</sup> Somalia, Provisional Constitution of the Federal Republic of Somalia, 1 August 2012, available at: [url](#), Article 40, Section 2

<sup>474</sup> Republic of Somaliland, Constitution of the Republic of Somaliland, Translated by Ibrahim Hashi Jama, 2000, available at: [url](#), Article 5, Sections 1-2; Article 33, Section 1

<sup>475</sup> Puntland State of Somalia, Constitution of Puntland State of Somalia, December 2009, available at: [url](#), Article 9

<sup>476</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 3

<sup>477</sup> Humanists International, Freedom of Thought Report – Somalia, last updated 28 August 2020, [url](#)

<sup>478</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 36

<sup>479</sup> Humanists International, Freedom of Thought Report – Somalia, last updated 28 August 2020, [url](#)

<sup>480</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 2.3 Access to justice through formal and informal systems

<sup>481</sup> Germany, Federal Ministry for Economic Cooperation and Development and Federal Foreign Office, 2. Bericht der Bundesregierung zur weltweiten Lage der Religionsfreiheit (Berichtszeitraum 2018 bis 2019), October 2020, [url](#), pp. 269-270

## Conversion from Islam, proselytization and religious minorities

Neither the Provisional Constitution of the Federal Republic of Somalia<sup>482</sup> nor the country's Penal Code<sup>483</sup> (which is nominally valid in all parts of the country<sup>484</sup>) specifically forbid conversion from Islam to other religions. However, sharia has been interpreted to prohibit conversions for Muslims.<sup>485</sup> Indeed, at the regional level, the Constitution of Somaliland stipulates that 'Islamic Sharia does not accept that a Muslim person can renounce his beliefs' (Article 33, Section 1)<sup>486</sup>, thus effectively banning conversions from Islam to other religions<sup>487</sup>. A provision prohibiting Muslims from renouncing their faith can also be found in the Constitution of Puntland.<sup>488</sup>

According to Hoehne, Somalia's authorities and population generally show no tolerance towards converts from Islam, or only if they remain invisible to the public eye. Moreover, being accused of proselytising Muslims is something that is 'extremely dangerous' in all parts of in Somalia, and faith-based humanitarian organisations, for instance, may even be harassed in areas like Somaliland, that otherwise are considered to be non-extremist.<sup>489</sup>

In January 2021, authorities in Somaliland arrested a couple and two other women (one of them an Ethiopian) on allegations of propagating Christianity.<sup>490</sup> After charging the couple, as well as four other Christian converts, with apostasy in April, the court dismissed all charges and released them in August 2021.<sup>491</sup>

In February 2021, it was reported that several Christians belonging to the Ethiopian community were arrested in Hargeisa (Somaliland).<sup>492</sup> In early October 2020, the Somali Dispatch news website and other local media reported that police in Hargeisa arrested two male Christian converts for alleged missionary activity.<sup>493</sup>

In September 2020, media reported that authorities in Somaliland arrested a married couple for propagating Christianity.<sup>494</sup> Some senior clerics reportedly demanded that the two Christian converts should be charged with apostasy under sharia law.<sup>495</sup> In November 2020, the couple were released<sup>496</sup> and deported to Mogadishu, as the husband originated from South-Central Somalia.<sup>497</sup>

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<sup>482</sup> Somalia, Provisional Constitution of the Federal Republic of Somalia, 1 August 2012, available at: [url](#)

<sup>483</sup> Somalia, Legislative Decree No. 5 of 16 December 1962: Penal Code, 16 December 1962, available at: [url](#)

<sup>484</sup> Hoehne, M. V., telephone interview, 1 July 2021 [The source emphasised that 'nominally' points to the fact that it is not applied in AS areas.]; see also USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 3; Germany, Federal Ministry for Economic Cooperation and Development and Federal Foreign Office, 2. Bericht der Bundesregierung zur weltweiten Lage der Religionsfreiheit (Berichtszeitraum 2018 bis 2019), October 2020, [url](#), p. 269

<sup>485</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 3; see also Humanists International, Freedom of Thought Report – Somalia, last updated 28 August 2020, [url](#)

<sup>486</sup> Republic of Somaliland, Constitution of the Republic of Somaliland, Translated by Ibrahim Hashi Jama, 2000, available at: [url](#), Article 33, Section 1

<sup>487</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 3

<sup>488</sup> Puntland State of Somalia, Constitution of Puntland State of Somalia, December 2009, available at: [url](#), Article 13, Section 1

<sup>489</sup> Hoehne, M. V., communication, 18 August 2021

<sup>490</sup> Somaliland Standard, 4 Christians arrested on charges of "spreading the faith" in Somaliland, 16 February 2021, [url](#)

<sup>491</sup> Barnabas Fund, Somaliland Christians released after offences-against-Islam charges dismissed, 6 August 2021, [url](#)

<sup>492</sup> Somaliland Sun (The), Somaliland: Religious Persecution or Law Enforcement? The Saga of Christians Tribulations in Hargeisa, 17 February 2021, [url](#)

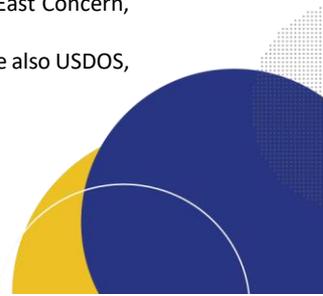
<sup>493</sup> Somali Dispatch, Somaliland: Two Christian Preachers Arrested, 6 October 2020, [url](#); see also Geeska Africa, Somaliland: Spreading the Christian religion Is a Crime? Police arrest two men, 5 October 2020, [url](#); Radio Risala, Somaliland police arrest two for preaching Christianity, 5 October 2020, translated by: BBC Monitoring, available by subscription at: [url](#)

<sup>494</sup> Somali Dispatch, Somaliland deports couple spreading Christianity to Mogadishu, 19 November 2020, [url](#)

<sup>495</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 5

<sup>496</sup> Barnabas Fund, Christian couple released and deported from Somaliland, 17 November 2020, [url](#); Middle East Concern, Somaliland: Christian couple released and deported, 13 November 2020, [url](#)

<sup>497</sup> Somali Dispatch, Somaliland deports couple spreading Christianity to Mogadishu, 19 November 2020, [url](#); see also USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 5



At the societal level, conversion from Islam is unacceptable in all parts of Somalia, and persons believed to be converts, as well as their families, have reportedly been harassed in their local communities.<sup>498</sup> In October 2020, three Muslim teenagers assaulted and severely beat a seven-year old Christian boy in Dhobley, a town next to the Kenyan border in Lower Jubba, as he came from a Bible study he had attended with other secret Christians. The injured boy's father is quoted as saying that 'it is not possible to get justice in this part of Somalia where almost everyone is a Muslim' and that they 'are being hunted down like wild animals' due to their Christian faith.<sup>499</sup> As reported by a US-based Christian news website in August 2019, a woman in Somaliland, who had reportedly secretly converted to Christianity years ago, was divorced by her husband and beaten and denied food by her brothers after they found out that she owned a Bible, which she had brought with her from a trip to Nairobi.<sup>500</sup> In 2020, Christians and other religious minorities were reported as saying that they were unable to practise their faith in an open manner and that the country's small Christian community was keeping a low profile.<sup>501</sup>

Regarding the situation of Sufis, Hoehne noted that non-militant Salafists and Sufis are able to co-exist peacefully, with Sufis living in a place like Mogadishu being able to freely go about their daily lives and practise their religion without being bothered by the Salafist majority. According to the source, there is a risk of AS carrying out attacks targeting Sufi rituals that are practised very visibly in public, in particular the reverence of long-dead Sufi sheikhs.<sup>502</sup> In November 2018, AS fighters killed at least 15 people, including a Sufi leader and his followers, in an attack on a religious centre in Galkayo (Mudug region), a town that was reportedly not under the control of AS.<sup>503</sup> According to VOA, AS had previously accused the cleric of committing blasphemy and threatened to kill him after he posted controversial videos that showed him pointing to what has been believed to be a picture of the Prophet Muhammad. He was also criticized for including music in his worship services.<sup>504</sup>

### **Hadd (plural: huduud) crimes**

Adultery constitutes a crime punishable under statutory law. Article 426, Section 1 of the Penal Code stipulates that 'whoever, being bound by a marriage having civil effects [...], has carnal intercourse [...] with a person other than his or her spouse, shall be punished with imprisonment [...] up to two years.'<sup>505</sup>

No reports dating from 2020 or the first half of 2021 could be found on the implementation of huduud crimes in areas of Somalia that are not directly controlled by AS. Michael Skjelderup, in an email response from June 2021, commented that he is not aware of any cases of punishment during 2020-2021 related to *huduud* crimes in areas not under direct control of AS.<sup>506</sup>

### **Blasphemy**

The Penal Code punishes anyone with up to two years in prison who 'publicly brings the religion of Islam into contempt' (Article 313, Section 1) or 'publicly insults the religion of Islam by bringing into contempt persons professing it or places or objects dedicated to worship' (Article 313, Section 2). The Penal Code also provides that persons who publicly commit blasphemy, 'with invectives or insulting words', against 'the Deity or the symbols of the person venerated [sic] in the religion of the State' must

<sup>498</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 8

<sup>499</sup> Morning Star News, Muslim Boys in Somalia Beat Christian's 7-Year-Old Son, 30 October 2020, [url](#)

<sup>500</sup> Morning Star News, Christian Mother in Somalia Divorced, Beaten, 16 August 2019, [url](#)

<sup>501</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p.8; see also RNS, Christian workers in Somalia worship in secret, fear al-Shabab, 7 January 2019, [url](#)

<sup>502</sup> Hoehne, M. V., email, 14 October 2020

<sup>503</sup> Al Jazeera, Somalia: Sufi scholar, followers killed in al-Shabab attack, 26 November 2018, [url](#)

<sup>504</sup> VOA, Militant Attacks Kills 22 in Somalia, 26 November 2018, [url](#)

<sup>505</sup> Somalia, Legislative Decree No. 5 of 16 December 1962: Penal Code, 16 December 1962, available at: [url](#), Article 426, Section 1

<sup>506</sup> Skjelderup, M., email, 1 July 2021

pay a fine (Article 559, Section 1).<sup>507</sup> Hoehne notes that making blasphemous statements is ‘extremely dangerous’ in all parts of Somalia, and that in this regard, AS’s interpretation of Islam is ‘very close’ to the views prevailing among the country’s general population.<sup>508</sup>

In August 2021, Al-Shabaab militants killed an 83-year-old man in Hindhere (Galmadug state) for blasphemy after he allegedly insulted Prophet Mohamed.<sup>509</sup> In January 2021, Al-Shabaab spokesman Ali Dhere called on people of Galkayo to execute Abdiladif Muuse Nur, governor of Mudug, for blasphemy regarding his expression of irritation about muezzins’ call to prayer.<sup>510</sup>

In March 2019, Mahmoud Jama Ahmed-Hamdi, a professor at the University of Hargeisa, was arrested after publishing a Facebook post in which he questioned whether praying for water was an expedient strategy in dealing with drought, arguing that the authorities should have dealt with the problem in a more scientific way. This post was widely perceived to be blasphemous, and Ahmed-Hamdi received death threats prior to his arrest. In late April 2019, a court sentenced him to two and a half years in prison on charges of blasphemy. Prosecutors then appealed the verdict, requesting a death sentence. However, this was overruled by the Court of Appeal, which upheld the original sentence. In January 2020, he received a presidential pardon on the condition that he does not engage in clerical activity, and he was also suspended from university for five years. However, once released, it was reported that Ahmed-Hamdi continued to receive death threats, despite the fact that he had shut down his blog and Facebook page and stayed away from any public activity. In February 2020, a well-known local imam called for Ahmed-Hamdi to be killed, arguing that he was an apostate.<sup>511</sup>

Please note that the actual number of incidents may be higher than the number of reported incidents.

### ‘Westernized’ behaviour

Reports of specific incidents targeting individuals and returnees for ‘westernised behaviour’ were scarce amongst the sources consulted. Although there were ‘no official restrictions on attending cultural events, playing music, or going to the cinema’ outside the territories controlled by AS,<sup>512</sup> returnees to Somalia often come back with habits which are unfamiliar to Somali society and are viewed as morally transgressing in Islamic or Somali culture.<sup>513</sup> Individuals who behave in ‘odd’ ways, for example because they are drunk or have been taking drugs, ‘run a high risk’ of losing the support of their families, and may be subjected to lasting societal pressure and stigma.<sup>514</sup> Several sources are quoted in a DIS report as saying that the treatment these returnees will receive from their families or clans depends on the extent to which a returnee is willing to renounce this unfamiliar behaviour, although the report refers to Hoehne as explaining that it rarely happens that a returnee will be ousted altogether. The same report quotes Mary Harper as referring to some cases of returnees with ‘bad habits’ who were expelled from their networks and ‘ended up in mental hospital’, with another source indicating that societal pressure can lead to substance abuse and subsequent confinement in religious

<sup>507</sup> Somalia, Legislative Decree No. 5 of 16 December 1962: Penal Code, 16 December 1962, available at: [url](#), Article 313, Sections 1-2; Article 559, Section 1

<sup>508</sup> Hoehne, M. V., communication, 25 June 2021

<sup>509</sup> Garow Online, Al-Shabaab executes elder in Somalia for allegedly insulting Prophet Mohamed, 8 August 2021, [url](#)

<sup>510</sup> Puntland Post, Al-Shabaab Spokesman Orders ‘Assassination of Mudug Governor’, 11 January 2021, [url](#)

<sup>511</sup> Humanists International, Protect Mahmoud, the Somali professor accused of blasphemy for a Facebook post, 6 March 2020, [url](#); see also HRWF, Somalia: Prof. Mahmoud Ahmed-Hamdi, a humanist, is now in hiding outside of Somalia, 25 June 2020, [url](#); IIRF, Somali Prof. Ahmed, a victim of blasphemy laws, urgently needs a humanitarian visa, 11 September 2020, [url](#)

<sup>512</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 19

<sup>513</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [source: Markus Hoehne], July 2020, [url](#), p. 17

<sup>514</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 38

rehabilitation centres, where persons are subjected to physical and psychological abuse as part of the treatment.<sup>515</sup>

## 4. Minorities and non-minority clans

Somalia is culturally and socially more diverse than often depicted.<sup>516</sup> The majority groups in Somalia are those whose members belong to pastoralist (nomadic) clans. Adhering to the ‘ideology’ of patrilineal descent, these clans and sub-clans, which include the Dir (including Isaaq), Hawiye and Darood,<sup>517</sup> have been dominating Somali politics for the past century and a half.<sup>518</sup> The Rahanweyn (Digil and Mirifle) are also considered a majority group, although some members of the above-mentioned majority groups consider them as ‘low status’.<sup>519</sup>

In addition, there are minority groups which include occupational minorities, mostly urban-based minorities along the Benadir coast, and the agricultural ethnic minorities who mostly are descendants of slaves imported from east Africa in the past, known as Wagosha, Jareer or Bantus.<sup>520</sup>

This chapter is organized along the following lines: in [section 4.1](#), low status occupational minorities are described, among them the Gabooye (and their subgroups Madhibaan and Muse Diriye), the Yibir, the Galgale, the Tumul, the Gahayle, the Yahar and the Ugaadhyaan/Ugaaryahan, Eyle, Hawle and Hawrasame. In [section 4.2](#), ethnic minorities, comprising the Bantu and Bajuni who are generally described as agricultural ethnic minorities,<sup>521</sup> are discussed. As a third group, the Benadiri, comprising mostly urban-based minorities along the Benadir coast who are mainly of Arabic descent, are included in this section. It has to be emphasized that the Benadiri are generally not seen as a homogenous ethnic minority group and that their status in Somali society is fundamentally different from the status of Bantu and Bajuni. For pragmatic reasons, they are also discussed under the title ‘ethnic minorities’. [Section 4.3](#) deals with groups that were traditionally specialised in religious services, namely the Ashraf and the Sheikhal. Finally, in [section 4.4](#), non-minority clans, i.e. the Rahanweyn/Digil-Mirifle (Saab) and the Tunni, Begedi and Geledi are introduced. It is important to note that their status is relative and depends on the local context (e.g. an Isaaq being a ‘minority’ in Mogadishu, but a majority in Hargeisa). In [section 4.5](#), information on mixed marriages between groups concludes this chapter.<sup>522</sup>

Before elaborating on the groups, some general introductory issues, like the significance of ancestry and origin in Somali society, the distinction between majority and minority groups, language, and the issue of treatment, discrimination and protection of minority groups are discussed below.

### Meaning of ancestry and origin in Somali society

Somali society is generally represented as being patrilineal, clan-based, which means that Somalis identify their lineage with their father’s ancestors, whose names are used to identify their overall clan

<sup>515</sup> Denmark, DIS, South and Central Somalia - Security situation, forced recruitment, and conditions for returnees [source: Mary Harper, a representative of an international organisation], July 2020, [url](#), p. 17

<sup>516</sup> Osman, A., Cultural Diversity and the Somali Conflict: Myth or Reality?, 2007, [url](#)

<sup>517</sup> Lewis, I. M., A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa, 1961, p. 5

<sup>518</sup> EASO, Somalia: Actors, July 2021, [url](#), Chapter 3: Clans

<sup>519</sup> Helander, B., Clanship, kinship and community among the Rahanweyn: A model for other Somalis?, 1997, pp. 140-142

<sup>520</sup> Menkhaus, K., Bantu ethnic identities in Somalia, 2003, pp. 325-328; Gundel, J., The predicament of the ‘Oday’ – The role of traditional structures in security, rights, law and development in Somalia, 2006, [url](#), p. 4, 28

<sup>521</sup> Gundel, J., The predicament of the ‘Oday’ – The role of traditional structures in security, rights, law and development in Somalia, 2006, [url](#), p. 4, 28

<sup>522</sup> The organisation of the information in this way reflects the input received by Joakim Gundel during the peer-review of this report, 3 August 2021.

family belonging and their sub-clan lineages.<sup>523</sup> Somalia's nomadic clans with northern origins – primarily the Dir, Darood, Hawiye, and Isaaq – trace their ancestry to Samaal as their common ancestor, whilst the southern and sedentary Rahanweyn/Digil Mirifle look to Saab. Clans bear the name of their ancestor when grouped. The coexistence of common roots and internal divisions renders the clan unifying as an organisational principle but also creates an array of potential fault lines for conflict.<sup>524</sup>

Thus, in general, society in Somalia is culturally and even ethnically more diverse than most observers and even many Somalis would have recognised until recently.<sup>525</sup> Moreover, Somali society in general is simultaneously egalitarian and stratified.<sup>526</sup> On the one hand, there is a strong ethos of equality among Somali (pastoralist) men,<sup>527</sup> and – subordinate to patriarchal overrule – also among Somali (pastoralist) women.<sup>528</sup> On the other hand, differences in group size, i.e. 'man power' (at the collective level)<sup>529</sup>, and wealth, knowledge and skills (at the individual level) play a role.<sup>530</sup> Additionally (again at the collective level), the question of (constructed) 'origin'<sup>531</sup> is important.<sup>532</sup> In particular because belonging to a strong clan matters in terms of access to resources, political influence, justice, and security, while minorities and women tend to be excluded from the same.<sup>533</sup>

### Distinction between majority and minority groups

This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>534</sup>

Somali society is divided in majority groups and minority groups. The latter received little attention in the scholarly works in the 20<sup>th</sup> century.<sup>535</sup> Kirk, who described mainly the situation in northern Somalia at around 1900, mentioned the basic distinction between *gob* (gentry) and *sab* (lowborn; outcast).<sup>536</sup> The term *sab* must not be confused with Saab, which is a name for the Rahanweyn/Digil-Mirifle (see below).<sup>537</sup> Those belonging to the *sab*-groups were 'scattered people of no fixed home, who often attach themselves in small groups or families [...] as servants, to the various Somali tribes all over the country.'<sup>538</sup> Kirk reported that these groups were not recognised as Somali by other Somalis, and that

<sup>523</sup> Lewis, I. M., *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*, 1961, pp. 1-5

<sup>524</sup> Mydlak, R., *The Clan System and Customary Justice in Somalia: A Brief Introduction*, 2019

<sup>525</sup> Hoehne, M. V., telephone interview, 1 July 2021; see also Mydlak, R., *The Clan System and Customary Justice in Somalia: A Brief Introduction*, 2019; Gundel, J., *The predicament of the 'Oday' – The role of traditional structures in security, rights, law and development in Somalia*, 2006, [url](#), p. 4

<sup>526</sup> Osman, A., *Cultural Diversity and the Somali Conflict: Myth or Reality?*, 2007, [url](#); Gundel, J., *The predicament of the 'Oday' – The role of traditional structures in security, rights, law and development in Somalia*, 2006, [url](#), pp. 15-16

<sup>527</sup> Schlee, G., *Cutomary Law and the Joys of Statlessness: Somali realities beyond libertarian fantasies*, 2017, p. 219

<sup>528</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>529</sup> Schlee, G., *Cutomary Law and the Joys of Statlessness: Somali realities beyond libertarian fantasies*, 2017, p. 220

<sup>530</sup> Lewis, I. M., *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*, 1961, pp. 196-197

<sup>531</sup> Jenkins, R., *Social Identity*, 1996, p. 17; Schlee, G., *Taking sides and constructing identities: reflections on conflict theory*, 2004, p. 148

<sup>532</sup> Lewis, I. M., *Visible and Invisible Differences: The Somali Paradox*, 2004, p. 490

<sup>533</sup> Menkhaus, K., *Elite Bargains and Political Deals Project: Somalia Case Study*, Stabilisation Unit, February 2018, [url](#); see also Webersik, C., Hansen, S. J., and Egal, A., *Somalia: A Political Economy Analysis*, 2018, [url](#), p. 4

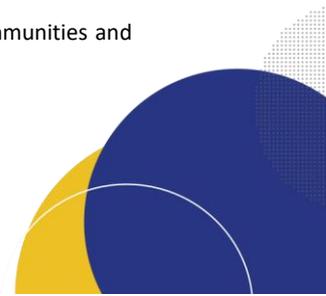
<sup>534</sup> EASO, *Somalia: Actors*, July 2021, [url](#), sections: 3.1.1 Major clans; 3.1.2 Minor clans, casted communities and non-Somali groups

<sup>535</sup> Luling, V., *The other Somali: Minority groups in traditional Somali society*, 1984, p. 52; Hill, M., *No redress: Somalia's forgotten minorities*, 2010, [url](#)

<sup>536</sup> Kirk, J. W. C., *The Yibirs and Midgaans of Somaliland – Their traditions and dialects*, 1904, p. 91

<sup>537</sup> See also EASO, *Somalia: Actors*, July 2021, [url](#), sections: 3.1.1 Major clans; 3.1.2 Minor clans, casted communities and non-Somali groups.

<sup>538</sup> Kirk, J. W. C., *The Yibirs and Midgaans of Somaliland – Their traditions and dialects*, 1904, p. 91



Somalis would not eat or intermarry with them. They formed endogamous groups attached to others as clients.<sup>539</sup>

Lewis wrote that, in general, and in contrast the outcast or occupational groups ‘have no recognized genealogy of their own’ and their rights (under customary law) and political representation were mediated through their patrons (who belonged to majority clan groups).<sup>540</sup> The so-called ‘outcasts’ often were relegated to perform what was considered ‘dirty’ and partly dangerous work (as blacksmiths, shoemakers or game hunters).<sup>541</sup> In his study of the written sources (in English, French, Italian and German) on the Somali clans, published in 1955, Lewis added that in southern Somalia, particularly among the Digil and Mirifle (together forming the Rahanweyn group), the outcasts were known as *boon*; the nobles were called *bilis*.<sup>542</sup> Information regarding these groups can be found in [section 4.1](#) below.

Somali Bantu/*Jareer* (the latter is a derogative term referring to the ‘hard hair’ of these people), who are also known as Goshu<sup>543</sup>, and others constitute another group of so-called<sup>544</sup> minorities in Somalia, who are – at least in the view of most other Somalis – originally foreigners belonging to another ethnic group. In the case of Somali Bantu, their ancestors mostly have been sold as slaves to plantation owners in southern Somalia in the 19<sup>th</sup> century.<sup>545</sup> Anthropologist Catherine Besteman describes that ‘slaves were the embodiment of kinless beings, divorced from the responsibilities that relations of kinship entail.’<sup>546</sup> Information regarding these groups can be found in [section 4.2](#) below.

The Benadiri, who are urban dwellers along the Benadir coast (from Mogadishu to Kismayo) originate, according to their own perception and the perception of most other Somalis, at least partly from traders from Yemen, Persia or Portugal who came to Mogadishu in the early middle ages.<sup>547</sup> The members of the various Benadiri minority groups ‘are joined by legal alliance but do not claim common descent.’<sup>548</sup> Information regarding these groups can also be found in [section 4.2](#) below.

In addition to the above minorities, Lewis mentions several groups that were specialised in religious services. He outlined that ‘in clan genealogies, religious groups may sometimes appear as lineages incorporated into the clan structure of the tribe. Names like Sheikhal [Sheekhaal], Ashraf, Faki, Fogi, etc., words denoting religious men or priests, indicate priestly sections when they occur in tribal genealogies.’<sup>549</sup> In Lewis’ view, these groups denoted ‘extraneous aggregates’ which originally were dependants of majority groups ‘into which they were admitted as clients (*arifa*, *shegat* [*sheegad*]) through the grant of land made to them.’<sup>550</sup> Intermarriage between them and their patrons was

<sup>539</sup> Kirk, J. W. C., *The Yibirs and Midgaans of Somaliland — Their traditions and dialects*, 1904, p. 92

<sup>540</sup> Lewis, I. M., *Peoples of the Horn of Africa: Somali, Afar, and Saho*, 1998 [1955], p. 52

<sup>541</sup> Ashur, K. D., telephone interview, 29 June 2021. Kemal Dahir Ashur is a minority group rights activists in the European diaspora.

<sup>542</sup> Lewis, I. M., *Peoples of the Horn of Africa: Somali, Afar, and Saho*, 1998 [1955], p. 51; Hoehne, M. V., *Somali ethnography*, 2010, p. 703

<sup>543</sup> The term Bantu did not come into use until after the civil-war of 1991/1992. Until then, the common terms used was Wagosha (the people of the forested river banks), see Kapteins, L, *Clan Cleansing in Somalia: The Ruinous Legacy of 1991*, 2013, p. 280

<sup>544</sup> Locally, in the regions where they live, they are often majorities in terms of numbers, but are marginalised in terms of power, see Denmark, DIS, *Report on minority groups in Somalia*, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya [source: Bantu elders], 2000, [url](#), p. 31

<sup>545</sup> Besteman, C., *Unraveling Somalia: Race, Violence and the Legacy of Slavery*, 1999, pp. 49-69; Gundel mentions that some Bantu may even have been traded by the Arabs before that time. Gundel, J., *The predicament of the ‘Oday’ – The role of traditional structures in security, rights, law and development in Somalia*, 2006, [url](#), p. 39

<sup>546</sup> Besteman, C., *Unraveling Somalia: Race, Violence and the Legacy of Slavery*, 1999, p. 53

<sup>547</sup> Switzerland, SEM, *Focus Somalia: Clans und Minderheiten*, 31 May 2017, [url](#), p. 13; Adam, A. S., *Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu*, 2011, pp. 51-90

<sup>548</sup> Luling, V., *Somali Sultanate: the Geledi City-State Over 150 Years*, 2002, p. 80

<sup>549</sup> Lewis, I. M., *Peoples of the Horn of Africa: Somali, Afar, and Saho*, 1998 [1955], p. 149

<sup>550</sup> Lewis, I. M., *Peoples of the Horn of Africa: Somali, Afar, and Saho*, 1998 [1955], p. 149; italics in the original.

permitted and even esteemed, since the members of the religious groups were considered especially ‘blessed’.<sup>551</sup> Information regarding these groups can be found in [section 4.3](#) below.

Groups that belong to majority clans can be in a local minority situation where they face specific vulnerabilities.<sup>552</sup> Information regarding these groups can be found in [section 4.4](#) below.

In this context, the concept of *sheegad*, mentioned by Lewis, is worth noting; it can be translated as ‘adoption’ and comes from the Somali verb *sheegasho*, for ‘claiming’ and refers to the act of claiming other people’s ancestors as one’s own.<sup>553</sup> In the agro-pastoral setting in the southwest of Somalia, in the regions Bay and Bakool, co-residence and adoption constitute the foundation for complex relationships and alliances within and between composite clans, as anthropologist Bernhard Helander observed.<sup>554</sup> Rahanweyn did not exhibit a ‘pure’ patrilineal descent line, but integrated people from different other groups through adoption. This created a network of relationships in which factual descent cross-cut with *sheegad* relationships, both of which created demands for loyalty.<sup>555</sup>

### Meaning of languages and dialects in society

In addition to the differences in origin, many members of minority groups speak a language or dialect different from ‘standard’ Somali, which is known as Af-Maxaa. Many Rahanweyn speak Af-Maay, which is the common language in the inter-riverine areas. The Somali Bantu partly speak Af-Maay, but also have their own languages,<sup>556</sup> which go back to a language spoken by their ancestors in Tanzania or elsewhere in East Africa (e.g. Ki-Zigula).<sup>557</sup>

### Treatment, discrimination and protection of minority groups

Between 1991 and the early 2000s, Somalia was in a situation of state-collapse.<sup>558</sup> Since 2004, several governments of Somalia have been established. Nevertheless, no Somali government has overcome the internal divisions and managed to expand its rule much beyond Mogadishu.<sup>559</sup> Therefore, in most parts of Somalia, people still have to rely on self-help to defend themselves and their property. Self-help is organized primarily among close patrilineal relatives.<sup>560</sup> Until today, most Somalis still rely on support from patrilineal clan relatives for protection, gaining access to resources, jobs or justice, hence group (clan) belonging remains important in Somalia.<sup>561</sup>

Against the backdrop of decades of state failure, primary solidarity lies with patrilineal relatives in their sub-clans (including those constructed through *sheegad*). Lineage and clan elders mediate conflicts and distribute compensations or mobilise for defense. This privileges strong groups and those featuring ‘long’ genealogies (which mostly means groups with many living members today). It underprivileges those who give little weight to patrilineal genealogies and/or do not have such an elaborate genealogical tree (meaning: minority groups).<sup>562</sup> Alternatively, in Al-Shabaab controlled

<sup>551</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>552</sup> Gundel, J., Comment received during the peer review of this report, 3 August 2021

<sup>553</sup> Hashi, A. A. and Hashi, A. A., *Fiqi’s Somali English Dictionary*, 1998, p. 424

<sup>554</sup> Helander, B., *Clanship, kinship and community among the Rahanweyn: A model for other Somalis?*, 1997, pp. 134-35, 139; see also EAJ, *Pathways and Institutions for Resolving Land Disputes in Mogadishu*, January 2020, [url](#), pp. 11-12

<sup>555</sup> Helander, B., *Clanship, kinship and community among the Rahanweyn: A model for other Somalis?*, 1997, pp. 140-42

<sup>556</sup> Eno, M. A., *The Bantu - Jareer Somalis: Unearthing Apartheid in the Horn of Africa*, April 2008, [url](#)

<sup>557</sup> Hoehne, M. V., *Continuities and changes regarding minorities in Somalia*, 2015, p. 797; Declich, F., *Can Boundaries not Border on One Another?*, 2010, pp. 171-172

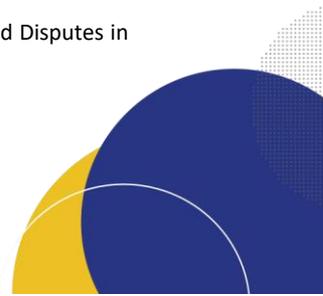
<sup>558</sup> Menkhaus, K., *State Collapse in Somalia: Second Thoughts*, September, 2003, p. 407

<sup>559</sup> ACCORD, *Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure* [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 29

<sup>560</sup> ACCORD, *Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure* [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), pp. 31-32

<sup>561</sup> Hoehne, M. V., telephone interview, 1 July 2021; see also EAJ, *Pathways and Institutions for Resolving Land Disputes in Mogadishu*, January 2020, [url](#), p. v

<sup>562</sup> Hoehne, M. V., telephone interview, 1 July 2021



areas, the extremists may offer their version of justice and protection (to those loyal to the Islamist cause and to those who want to avoid corrupt government courts).<sup>563</sup>

Regarding the current situation of minority group members, the US Department of State noted that ‘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’. The source emphasises ‘deep poverty’ and ‘numerous forms of discrimination and exclusion’ which many minority communities still face. It is believed that resentment over abuses made minority clans more vulnerable to recruitment by al-Shabaab.<sup>564</sup>

Throughout the 20<sup>th</sup> century, minority group members suffered discrimination in varying degrees (some were accepted by other clans as marriage partners, like Ashraf/Asharaf, while others were completely excluded, like most Gabooye in the north or the Bantu in the south). Under the military dictatorship (1969-1991) the social differences between the various Somali groups were officially denied (while still, rule lay mostly in the hands of majority clan members). In everyday practice, marginalisation often continued.<sup>565</sup> Dictator Mohamed Siyad Barre ‘deliberately promoted certain members of minority groups such as Midgaan and Tumul into high political and military positions. Beneath the surface, however, the exclusion from economic and political resources continued, and particularly Gosha/Jareer were treated as secondclass citizens.’<sup>566</sup> When the civil war broke out in the 1990s, ‘weak minority groups were subjected to the worst levels of looting, assault, rape, and forced labor at the hands of the militia of more powerful Somali clans.’<sup>567</sup>

While minority group members in Mogadishu and elsewhere are not systematically targeted any more (as was the case in the early 1990s<sup>568</sup>), members of minority groups continue to experience marginalisation in many regards (access to education, political and economic resources, justice and security).<sup>569</sup> They also hardly have any representation in the security forces (particularly the Somali National Army). The army is a collection of former clan militias. In Mogadishu and surroundings, the majority of the soldiers belong to various Hawiye clans. In other areas, the soldiers belong to other dominant clans – if the army has a presence at all.<sup>570</sup> For further details see also EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>571</sup> A source in Mogadishu explained that if a soldier who belongs to a large clan kills someone, he enjoys the protection of his clan. But if a soldier belonging to a minority group kills someone, he is going to have a problem.<sup>572</sup>

Particularly women belonging to minority groups are extremely vulnerable. Minority women find themselves with little protection either from customary clan-based justice systems or formal legal procedures. If they are violated by a member of majority group, the perpetrator rarely gets

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<sup>563</sup> Samatar, A. S., Al-Shabaab has created a perfect storm in Somalia, 14 October 2020, [url](#); EAJ, Pathways and Institutions for Resolving Land Disputes in Mogadishu, January 2020, [url](#), p. v, p. 14, pp. 17-18

<sup>564</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 36

<sup>565</sup> Besteman, C., Unraveling Somalia: Race, Violence and the Legacy of Slavery, 1999, pp. 113-129

<sup>566</sup> Hoehne, M. V., Continuities and changes regarding minorities in Somalia, 2015, p. 797

<sup>567</sup> Menkhaus, K., Bantu ethnic identities in Somalia, 2003, p. 325; see also Eno, M. A., The Bantu - Jareer Somalis: Unearthing Apartheid in the Horn of Africa, April 2008, [url](#)

<sup>568</sup> Cassanelli, L., Victims and vulnerable groups in southern Somalia, May 1995, [url](#)

<sup>569</sup> Switzerland, SEM, Focus Somalia: Clans und Minderheiten, 31 May 2017, [url](#), p. 5; Ashur, K. D., telephone interview, 29 June 2021

<sup>570</sup> Austria, BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), Fact Finding Mission Report Somalia; Sicherheitslage in Somalia; Bericht zur österreichisch-schweizerischen FFM, August 2017, [url](#), p. 14

<sup>571</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 2.4.1 SNA

<sup>572</sup> Austria, BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), Fact Finding Mission Report Somalia; Sicherheitslage in Somalia; Bericht zur österreichisch-schweizerischen FFM, August 2017, [url](#), p. 14

punished.<sup>573</sup> Abuses of women and children (and sometimes men trying to defend them) on the hands of majority group members all over Somalia were documented by SOMRAF in 2010.<sup>574</sup>

With regard to political participation of minorities, the Ministry of Foreign Affairs of the Netherlands cites a confidential source according to whom, ‘minorities may “participate” but are “not represented” as a group.’<sup>575</sup>

## 4.1 Low status occupational minorities

### Gabooye: terminological issues, delineation from other groups, historical position

A recent term used for certain occupational minorities in northwestern Somalia/Somaliland is ‘Gabooye/Gabooye’. The term comes from Somali gabooye, meaning quiver.<sup>576</sup> In the literature, there is confusion about which groups exactly can be subsumed under this umbrella term. Hoehne mentions that this confusion can be overcome if one realises that in the past, both Madhibaan and Muuse Diriye were collectively referred to as ‘Midgan’. The latter term was more recently replaced by ‘Gabooye’.<sup>577</sup> The term was introduced during the Barre era<sup>578</sup> to replace the derogative term ‘Midgaan’. According to anthropologist Elia Vitturini, an expert on Gabooye groups and other marginalised minorities, today Gabooye is used as collective term for the two groups Madhibaan and Muse Diriye.<sup>579</sup> Also Eno and Kusow, two Somali scholars and minority rights activists, quote a local mentioning that ‘the Gabooye group, or those who were formerly called Midgaan, consist of two ethnic sections: Madhibaan and Muse Dheri. Neither the Tumul nor the Yibir outcast communities belong to this group’.<sup>580</sup> In the literature, there is disagreement whether the term Gabooye refers also to Yibir and Tumul.<sup>581</sup> Yet, also Vitturini insists that the term does not include these groups.<sup>582</sup> Gabooye mainly reside in northern Somalia (Somaliland and Puntland), but also have a presence in the Somali region of Ethiopia and, in the second half of the 20th century, have moved to urban centers in southern Somalia (mainly Mogadishu).<sup>583</sup>

For more information see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>584</sup>

The Gabooye (i.e. Madhibaan and Muse Diriye) were in the past (until the 1990s) attached to dominant clans in the northwest/Somaliand, such as Isaaq or Darood clans, as clients and servants. Historian Lee Cassanelli mentioned that, in the second half of the 20<sup>th</sup> century, Gabooye families have migrated to the cities, where they have been employed by politicians in more powerful clans as drivers, bodyguards and spies. For example, dictator Siyad Barre elevated several occupational minority group members (Gabooye and others) to important positions in the ministries of defence and education. With no independent clan base or status of their own, such appointees could be

<sup>573</sup> UNOCHA, Somalia: Humanitarian Response Plan 2021, February 2021, [url](#), p. 21; IDLO, Accessing Justice: Somalia’s Alternative Dispute Resolution Centers, December 2020, [url](#), p. 10, fn 31; MRG, Looma Ooyaan – No One Cries for Them: The Predicament Facing Somalia’s Minority Women, January 2015, [url](#), pp. 22-23

<sup>574</sup> SOMRAF, Report on human rights violations against the Somali marginalized minority groups, 2010, [url](#)

<sup>575</sup> Netherlands, Ministry of Foreign Affairs, Country of Origin Information Report on South and Central Somalia, March 2019, [url](#), p. 42

<sup>576</sup> Zorc, D. R., Osman, M. M. and Luling, V., Somali-English Dictionary, 1993, p. 149

<sup>577</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>578</sup> Norway, Landinfo, Query response, Somalia: Low status groups, 12 December 2016, [url](#)

<sup>579</sup> Vitturini, E., telephone interview, 30 June 2021

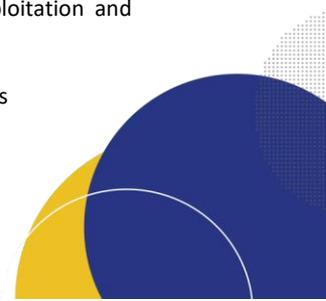
<sup>580</sup> Eno, M. A. and Kusow, A. M., Racial and Caste Prejudice in Somalia, 2014, p. 104

<sup>581</sup> Ekman, A.-B., A Critical Theory Approach to Inequality in Somali Society: Rethinking Class and Identity for the Gabooye Collective in Somaliland, 2021, p. 169

<sup>582</sup> Vitturini, E., The Gabooye of Somaliland: transformations and historical continuities of the labour exploitation and marginalisation of hereditary groups of occupational specialists, 2020, p. 474

<sup>583</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>584</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 3.1.2 Minor clans, casted communities and non-Somali groups



trusted to carry out orders.<sup>585</sup> However, when Siyad Barre was ousted from Mogadishu by clan militias in January 1991, the Gabooye and similar groups, such as Yibir and Tumal, were vulnerable to retaliation.<sup>586</sup>

Gabooye were until recently often insulted as scavengers (Somali: *bakhti-cune*). There were and still are numerous negative stereotypes about Gabooye: ‘they are unclean’, ‘their women are prostitutes’, ‘they are not real Muslims’.<sup>587</sup> One activist recounted: ‘We grew up with hatred, socialized under stratification and inferiorized to the bottom.’<sup>588</sup> During fieldwork in Erigabo, in Sanaag region, Hoehne met an old Muse Diriye woman called Awrala Gurhan Guleed (d. 2006). She was known as herbalist and also as someone performing female circumcision and infibulation (Somali: *gudniinka fircooniga*), which is a typical work for Gabooye women. She outlined that Madhibaan and Muse Diriye profess somewhat abbreviated genealogies, which suggested, however, that these groups were initially part of the Hawiye clan family (a majority group). According to the legend of the brothers Mohamed Gorgarte and Mahamoud Gorgarte, they split, which explains why Gabooye (Madhibaan and Muse Diriye) are considered ‘unclean’ by dominant clans and experience discrimination as a consequence.<sup>589</sup>

### Situation of Gabooye subgroups Madhibaan and Muse Diriye

Madhibaan are together with Muse Diriye the most numerous occupational minority in northwestern Somalia/Somaliland. They also live, in smaller numbers, in Ethiopia, northeastern Somalia/Puntland and southern Somalia.<sup>590</sup> Amboroso outlined in 2002 that around 20 000 Gabooye individuals lived in Somaliland in the late 1990s and early 2000s. In Hargeisa and its surrounding areas, with 1 182 households and more than 7 000 individuals the largest number of Gabooye resided.<sup>591</sup>

Traditionally, Madhibaan and Muse Diriye were hunters, shoemakers, tanners, well diggers and water carriers for their hosts.<sup>592</sup> Muse Diriye also traditionally worked as basket makers.<sup>593</sup> Vitturini added that Madhibaan and Muse Diriye were ‘attached to genealogical units and sometimes also to individuals who held a higher degree of prestige and political influence. They were reported as being associated with certain occupational tasks which the members of the majority clans despised: hunting wild animals, producing leather and shoes, cutting hair, making pottery (for women), “traditional” healing and midwifery.’<sup>594</sup>

Until today, members of the Gabooye enjoy limited protection throughout Somalia. They can be harassed and bullied with impunity, especially in Somaliland and southern Somalia.<sup>595</sup> Only in Puntland, occupational minorities such as Gabooye and particularly Tumal, enjoy more rights and are in a slightly better position vis-a-vis majority group members than in the rest of Somalia or in Somaliland.<sup>596</sup> (For further details see the EASO COI report on [Somalia: Key socio-economic](#)

<sup>585</sup> Cassanelli, L., Victims and vulnerable groups in southern Somalia, May 1995, [url](#)

<sup>586</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>587</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>588</sup> Eno, M. A. and Kusow, A. M., Racial and Caste Prejudice in Somalia, 2014, p. 105

<sup>589</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>590</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>591</sup> UNHCR, Pastoral Society And Transnational Refugees: Population Movements In Somaliland And Eastern Ethiopia 1988 – 2000, UNHCR Working Paper No. 65, August 2002, [url](#), p. 32

<sup>592</sup> Kirk, J. W. C., The Yibirs and Midgaans of Somaliland — Their traditions and dialects, 1904, pp. 95-99;

<sup>593</sup> Switzerland, SEM, Focus Somalia: Clans und Minderheiten, 31 May 2017, [url](#), p. 13; Adam, A. S., Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu, 2011, p. 17

<sup>594</sup> Vitturini, E., The Gabooye of Somaliland: transformations and historical continuities of the labour exploitation and marginalisation of hereditary groups of occupational specialists, 2020, p. 474; Switzerland, SEM, Focus Somalia: Clans und Minderheiten, 31 May 2017, [url](#), p. 13; Adam, A. S., Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu, 2011, p. 17

<sup>595</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>596</sup> Mire, M. A., telephone interview, 11 July 2021. Muse Abdirisq Mire is a local businessman in Garowe and a former civil society activist (in the Puntland youth organisation).

[indicators](#).<sup>597</sup>) In conflicts with majority group members, however, Gabooye are in a weaker position everywhere in Somalia.<sup>598</sup> State institutions, which are dominated by majority group members, do not offer protection to Gabooye for injustices and violations they experienced (including sexual violence, looting or physical assaults).<sup>599</sup> At a structural level, injustice prevails as Gabooye lack access to formal education (except Islamic learning), to economic resources and are largely politically excluded. Intermarriage between them and members of majority groups are shunned. Gabooye live in certain marginal neighbourhoods, particularly of northern Somali cities (e.g. in Hargeisa, the Gabooye quarter is called Dami).<sup>600</sup>

Madhibaan and Muse Diriye are 'excluded from the main political forums, such as adult men's councils, and from exchanges of blood compensation (*diya* or *mag* in Somali)' regulating conflict. They can neither receive nor contribute to blood compensation like the majority groups.<sup>601</sup> Even the highest authorities of Madhibaan and Muse Diriye – their religious and traditional leaders - have no influence outside of their own community. 'Furthermore, there are no cases of Gabooye businessmen with significant concentrations of wealth and business activities outside their "traditional" occupations being capable of employing other members of their group.'<sup>602</sup>

## Yibir

The Yibir or Anaas, whom colonial time accounts described as wandering sorcerers and leather workers, reside mainly in northwestern Somalia/Somaliland and in the Somali region of Ethiopia. A few are also living in central and southern Somalia. They also have a reputation as 'fortune tellers'.<sup>603</sup> In his review of this report, Joakim Gundel indicated that there are an estimated Yibir 2000 individuals in Borama (Haya Yaabe neighborhood, 'one of the last places where Yibir still own land'), 500 in Bossasso, 300 in Burco, 300 in Hargeysa, 2-5 families in Berbera, 50 families in Las Anod, 100 families in Garowe, very few in Galkayo and about 50 families in Mogadishu, while most Yibir are in Ethiopia.<sup>604</sup>

Kirk already mentioned the Yibir around 1900 and mentioned that they derived their main income from a toll called *samanyo*, 'which consists usually of about two or three rupees, and is levied upon Somalis on the occasion of a birth of a child or a marriage'.<sup>605</sup> In exchange, the Yibir would give a charm to the newly born child or the couple. They would curse those refusing to pay. This custom goes back to the legend of Bu'ur Bayr (Bu'ur means fertile), also known as Mohamed Hanif. He was a powerful spiritual leader and ancestor of the Yibir. He was challenged by a Muslim scholar among the Isaaq called Sharif Yusuf Awbarkhadle (also known as Aw Barkhadlke).<sup>606</sup> In a spiritual contest, Sheikh Aw Barkhadle killed Mohamed Hanif. As compensation, the Yibir demanded that every time a male child was born to Isaaq (or another majority group in the north of Somalia), they would receive a small portion of the compensation. This portion was called *samanyo*.<sup>607</sup>

<sup>597</sup> EASO, Somalia: Key socio-economic indicators, September 2021, [url](#), section: 2.4.1 Clan based protection

<sup>598</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>599</sup> SFH, Somalia: Die Minderheitengruppe der Gabooye/Midgan, 5 Juli 2018, [url](#), pp. 4-7

<sup>600</sup> Vitturini, E., The Gabooye of Somaliland: transformations and historical continuities of the labour exploitation and marginalisation of hereditary groups of occupational specialists, 2020, p. 474

<sup>601</sup> Vitturini, E., The Gabooye of Somaliland: transformations and historical continuities of the labour exploitation and marginalisation of hereditary groups of occupational specialists, 2020, p. 474

<sup>602</sup> Vitturini, E., The Gabooye of Somaliland: transformations and historical continuities of the labour exploitation and marginalisation of hereditary groups of occupational specialists, 2020, p. 485

<sup>603</sup> Vitturini, E., The Gabooye of Somaliland: transformations and historical continuities of the labour exploitation and marginalisation of hereditary groups of occupational specialists, 2020, pp. 474-475; Ashur, K. D., telephone interview, 29 June 2021

<sup>604</sup> Gundel, J., Comment received during the peer review of this report, 3 August 2021

<sup>605</sup> Kirk, J. W. C., The Yibirs and Midgaans of Somaliland — Their traditions and dialects, 1904, p. 95

<sup>606</sup> Lewis, I. M., Saints and Somalis, Popular Islam in a clan-based society, 1998, pp. 93-95

<sup>607</sup> Kirk, J. W. C., The Yibirs and Midgaans of Somaliland — Their traditions and dialects, 1904, p. 97



The Yibir claim origin from the Dushan of Arabia.<sup>608</sup> The legend of Maxamed Hanif provided the basis for the hypothesis that the Yibir resided in northern Somalia before the Somali ‘proper’ arrived and were then conquered and subjugated by the latter. Some Yibir and other Somalis even argued that Yibir were actually related to the Hebrews of the Middle East.<sup>609</sup> The rumor about the Hebrew origin of the Yibir is still existing.<sup>610</sup>

The treatment of the Yibir during the time of Mohamed Siyad Barre’s rule (1969-1991) and afterwards was similar to the fate of the Gabooye groups. They enjoyed some more freedom and rights in the 1970s and 1980s, but they may have been targeted ‘with impunity’ during the civil war.<sup>611</sup> Until today, the Yibir face discrimination along the same lines as Madhibaan and Muse Diriye.<sup>612</sup> The most striking example occurred in the 1990s, when Abgal militiamen of the USC (United Somali Congress) executed several Yibir who had formerly been their clients. In its waning days the Barre regime reportedly armed many Yibir and sent them into the local market to kill Abgal clansmen in retaliation for Abgal rebellion against the government. After Abgal forces succeeded in helping oust Siyad Barre, they turned on their former Yibir clients and massacred them. Having broken with their former patrons, the Yibir had no one to turn to for protection.<sup>613</sup> A source from 2013, dealing specifically with the Yibir stated that ‘While some Yibir succeeded in finding manual work in urban centers, a significant minority have become full-time beggars.’ The same source referred to the Somali Minority Rights & Aid Forum, that mentioned that the Yibir were among the ‘Most socially excluded groups in Somalia.’ Throughout Somalia, Yibir have limited to no access to social services, including education and health care. In rural areas, Yibir often are exposed to abuse, exploitation and suffer from extreme poverty.<sup>614</sup> Like other minority group members, they lack protection by state or non-state authorities.<sup>615</sup>

The Yibir - Anaas community in Borama, Haya Yaabe district, in Somaliland held a press conference on 15 June 2021, complaining about land grabbing by the mayor, who has been grabbing land from over the past two years illegally.<sup>616</sup>

## Galgale

Gundel mentioned that they were traditionally woodcarvers from Middle Shabelle.<sup>617</sup> Virginia Luling, an experienced Somalia researcher (d. 2013) in her expert evidence given in 2006 during the proceedings in a case before the Asylum and Immigration Tribunal in the UK, testified that Galgale were a small low status group performing work such as slaughtering animals or carving wood. After the collapse of the Somali government they had suffered from violent attacks.<sup>618</sup> This is still the most recent source that could be found within the time constraints of this report that is dealing specifically with the situation of Galgale. A UN report dated 2002 indicated that Galgale ‘suffered brutal reprisals’ from the Abgal (Hawiye) at the beginning of the Somali civil war, when they had been manipulated into defending the dictator and were later punished by Hawiye militias for that.<sup>619</sup>

<sup>608</sup> Kirk, J. W. C., *The Yibirs and Midgaans of Somaliland — Their traditions and dialects*, 1904, p. 102

<sup>609</sup> Helander, B., *Vulnerable minorities in Somalia and Somaliland*, 1995, p. 21

<sup>610</sup> Switzerland, SEM, *Focus Somalia: Clans und Minderheiten*, 31 May 2017, [url](#), p. 13; Adam, A. S., *Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu*, 2011, p. 17

<sup>611</sup> Cassanelli, L., *Victims and vulnerable groups in southern Somalia*, May 1995, [url](#)

<sup>612</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>613</sup> Cassanelli, L., *Victims and vulnerable groups in southern Somalia*, May 1995, [url](#)

<sup>614</sup> Omer, I. M., *Ethiopian Jews in Somalia: Tracing remnants of the Yibir*, 3 September 2013, [url](#)

<sup>615</sup> EASO, *Information on the Somali caste of Madhibans*, 29 January 2019, [url](#), p. 6

<sup>616</sup> Awdal Awdal, *Borama:Shacabka hayayaabe oo cabasho kamuujiyey ciidamo laduldhigay*, video published on Facebook, 15 June 2021, [url](#)

<sup>617</sup> Gundel, J., *The predicament of the ‘Oday’ – The role of traditional structures in security, rights, law and development in Somalia*, 2006, [url](#), p. 45, pp. 56-57

<sup>618</sup> United Kingdom, *Asylum and Immigration Tribunal / Immigration Appellate Authority, MA (Galgale - Sab Clan) Somalia v. Secretary of State for the Home Department*, 17 July 2006, [url](#), para. 16

<sup>619</sup> UNOCHA, *A study on minorities in Somalia*, 2002, [url](#)

## Tumal

The Tumal (from Somalia tumo – to hammer) were traditionally blacksmiths and carpenters.<sup>620</sup> They live throughout Somalia, from north to south.<sup>621</sup> The former Prime Minister and Minister of Defence of Somalia (in the 1980s), General Mohamed Ali Samater, was from the Tumal clan. Some Tumal enjoyed freedom and support under the military dictatorship (1969-1991). The Tumal claim that they are originated from Arab, some of Tumal sub-clans claim to be associated with Darood and other clans.<sup>622</sup> The Tumal may have been targeted ‘with impunity’ during the civil war,<sup>623</sup> and today still face discrimination along the same lines as Madhibaan and Muse Diriye.<sup>624</sup> They are restricted from intermarrying with majority group members, they are confined to dirty and dangerous work as blacksmith or work in garages. State officials belonging to majority groups do not support them. They have limited access to education and political participation.<sup>625</sup> Only in Puntland, Tumal are in a somewhat stronger position, but still they are not considered as equal to the locally dominant members of the Majeerteen clan.<sup>626</sup>

## Gahayle

Gahayle are either part of or, as clients, related to the Majeerteen/Siwaqroon clan.<sup>627</sup> Today they mostly reside in Sanaag region (between Somaliland and Puntland). They live in the towns of Laasa Surad, Erigabo and Midhisho. While they were traditionally involved in frankincense production, it is unclear if they constitute a caste group or a lineage of the Siwaqroon clan.<sup>628</sup>

No further information was found on this group.

## Yahar

A small occupational group that mainly inhabits north-eastern, central and southern Somalia is called Yahar. They claim origin from Yemen.<sup>629</sup> Another source states that Yahar is just another name for Yibir – as used in central and southern Somalia.<sup>630</sup> One source noted in 2010 that ‘occupational groups are also known by different names in different localities, such as Yahar or Gabyo in Hiraan region, while some have become identified with their affiliated clans.’<sup>631</sup>

No further information was found on this group.

## Ugaadhyahan/Ugaaryahan, Eyle, Hawle, Hawrasame

Besides the above mentioned groups, other occupational groups or the same ones under different names can be found, among them Ugaadhyahan/Ugaaryahan (meaning: those who know wild animals, i.e., hunters) and Eyle (meaning: those with dogs).<sup>632</sup> The latter ‘were given the name Eyle because they use dogs [Somali: ey] for hunting purposes.’ Traditionally, Eyle lived around the hill Bur

<sup>620</sup> Vitturini, E., *The Gaboye of Somaliland: transformations and historical continuities of the labour exploitation and marginalisation of hereditary groups of occupational specialists*, 2020, pp. 474-475; Adam, A. S., *Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu*, 2011, p. 8

<sup>621</sup> Switzerland, SEM, *Focus Somalia: Clans und Minderheiten*, 31 May 2017, [url](#), p. 17; Adam, A. S., *Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu*, 2011, p. 17

<sup>622</sup> SOMRAF, *Situation and Rights of Somali minorities: ‘No one will weep for you’ – exclusion and discrimination*, December 2009, p. 13

<sup>623</sup> Cassanelli, L., *Victims and vulnerable groups in southern Somalia*, May 1995, [url](#)

<sup>624</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>625</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>626</sup> Mire, M. A., telephone interview, 11 July 2021; Ashur, K. D., telephone interview, 19 August 2021

<sup>627</sup> Austria, BAA, *Die Parias Somalias: Ständische Berufskasten als Basis sozialer Diskriminierung*, December 2010, [url](#), p. 28

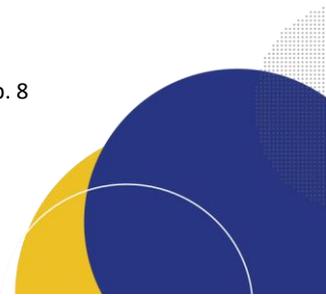
<sup>628</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>629</sup> SOMRAF, *Situation and Rights of Somali minorities: ‘No one will weep for you’ – exclusion and discrimination*, December 2009, p. 13 Switzerland, SEM, *Focus Somalia: Clans und Minderheiten*, 31 May 2017, [url](#), p. 13

<sup>630</sup> Canada, IRB, *Somalia: Information on the Yahar sub-clan*, 1 December 1991, [url](#)

<sup>631</sup> Hill, M., *No redress: Somalia’s forgotten minorities*, 2010, [url](#), p. 34 (fn 50)

<sup>632</sup> Adam, A. S., *Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu*, 2011, p. 8



Eyle close to Bur Hakaba (Bay region). ‘They believe themselves to be of Falasha (or Jewish) origin before they were islamised. They were treated by the main Somali clans as religious outcasts.’<sup>633</sup> In the past, the Eyle associated themselves with the Rahanweyn but were not fully accepted by them. Eyle live between Mogadishu and Merca in southern Somalia.<sup>634</sup> Other occupational groups working mainly as barbers, hairdressers or circumcisors for children are Hawle and Hawrasame whose members live predominantly in Puntland and eastern Ethiopia. What all these smaller occupational groups have in common is that they are marginalised, get harassed (e.g., insulted or side-lined when competing for jobs; bullied out of their properties) by majority group members and lack protection.<sup>635</sup>

No further information was found on these groups.

## 4.2 Ethnic minorities

This section deals with Bantu and Bajuni, who are generally described as (agricultural) ethnic minorities. As a third group, the Benadiri, comprising mostly urban-based minorities along the Benadir coastal region, are mainly of Arabic descent, and are included in this section. It has to be emphasized that the Benadiri are generally not seen as a homogenous ethnic minority group and that their status in Somali society is fundamentally different from the status of Bantu and Bajuni.<sup>636</sup>

### Somali Bantu

Van Lehmann and McKee mention that Somali Bantu people reside in the southernmost nine of Somalia’s 18 regions. They add that Somali Bantu can be divided into two groups. The first are descendants of people who migrated to Somalia thousands of years ago; they are considered as ‘the remnants of a pre-Somali population’. Over the past centuries they ‘survived as a maroon community among the nomadic majority clans’. The second group ‘are the descendants of the nineteenth-century East African slave trade. Regardless of their heritage, both groups suffer similar prejudice in Somali society.’<sup>637</sup>

Somali Bantu reside mainly along the two banks of the Jubba river as well as along lower Shabelle, they reside almost exclusively in towns and villages along the river, never in pastoral areas. Other Somali clans, however, can and do reside in predominantly Bantu villages along the river.<sup>638</sup> Locally, in the regions where they live, the Bantu are often majorities in terms of numbers,<sup>639</sup> but they are marginalised in terms of power (see below).

Somali Bantu live in areas with a concentration of agriculture and, depending on the location, are known by different names such as Gosha, Makane, Shiidle, Reer Shabelle, or Mushungli. It is noted that the ‘noble’ nomadic clans aim to exploit them for the cultivation of land, without assimilating them, which leads to impunity when they are attacked. However, Bantu groups started to organise and arm themselves and, in some locations, have gained strength and are able to fend for

<sup>633</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya [source: a representative of the Eyle (Eile) community in Nairobi], 2000, [url](#), p. 47

<sup>634</sup> Canada, IRB, Somalia: The Eyle clan, 1 June 1998, [url](#)

<sup>635</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>636</sup> The organisation of the information in this way reflects the input received by Joakim Gundel during the peer-review of this report, 3 August 2021.

<sup>637</sup> Van Lehmann, D. J. and McKee, E. M., Removals to Somalia in light of the convention against torture: Recent evidence from Somali Bantu deportees, 2019, [url](#), p. 361; see also Besteman, C., The invention of Gosha: Slavery, colonialism and stigma in Somali history, 1995 pp. 43-62; Besteman, C., Unraveling Somalia: Race, Violence and the Legacy of Slavery, 1999, pp. 49-69; Helander, B., Vulnerable minorities in Somalia and Somaliland, 1995, pp. 21-23

<sup>638</sup> Menkhaus, K., Middle Jubba Region, December 1999; Van Lehmann, D. J. and McKee, E. M., Removals to Somalia in light of the convention against torture: Recent evidence from Somali Bantu deportees, 2019, [url](#), p. 361

<sup>639</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya [source: Bantu elders], 2000, [url](#), p. 31

themselves.<sup>640</sup> The struggle for land and domination and control of the fertile river banks and inter-riverine areas by the nomadic clans from the 1990s onwards included the domination of the farming peoples of the Juba and Shabelle valleys, among them the Somali Bantu.<sup>641</sup>

Van Lehmann and McKee report that in Lower Jubba, in and around Kismayo, Somali Bantu are facing repression by the majority clan militias working as Jubbaland security forces. Also in the Al-Shabaab controlled areas not far from Kismayo they face extortion by the extremist militia. Moreover, some Bantu persons deported from the USA in 2018 were abducted, held for ransom, sometimes tortured and killed back in Somalia 'by uniformed Somali police or armed groups that the Somali Government was unwilling or unable to control'.<sup>642</sup>

Particularly the descendants of former slaves sometimes still speak Bantu languages, like Ki-Zigua or Ki-Swahili. Others speak Af-Maay. Physically, the Somali Bantu exhibit features that indicate relations to the wider East-African population, but differentiate them from other Somalis.<sup>643</sup> This is the reason for several derogatory terms used for them by other Somalis. They are known as *jareer*, referring to their 'hard' (meaning: curly) hair (while most other Somalis would have rather soft hair). Bantu are also frequently stigmatized as 'Africans' by other Somalis. Until today, members of majority clans sometimes call Somali Bantu '*adoon*' ('slave' in Somali).<sup>644</sup> Majority clan members refuse to intermarry with Somali Bantu and thus, the members of this group remain isolated. In colonial time Bantu often were forced to work. In post-colonial Somalia they remained without access to power or education.<sup>645</sup> Jobs which they are allowed to do by majority group members are crop farming, construction work, mechanics and other difficult manual labor.<sup>646</sup>

United Nations Somalia mentioned in 2020 regarding minority groups in general and Bantu in particular that 'these groups are considered inferior, which results in systematic exclusion, stigma, social segregation, denial of rights, and low social, economic and political status.' They have no access to influential positions and little chance to get access to justice in case of conflict over land or property and are generally 'disproportionately vulnerable to conflict-driven displacement'.<sup>647</sup>

Hill mentioned that Somali Bantu are among the most segregated and discriminated minorities in Somalia. This 'is encapsulated in the well-known Somali sayings, "No-one will weep for you" (*looma-ooyaan* in Somali) and "No-one will avenge your death" (*looma-aaran*), indicating that minorities cannot expect redress if their rights are violated'.<sup>648</sup> Even before the outbreak of the civil war, female Bantu could be raped with impunity by members of majority groups. This worsened during the times of civil war from 1991 onward. Bantu fell victim to looting, rape, enslavement and killing on a very high scale; they were among the main victims of the violence in southern Somalia. From October 1992 onward, Jareer/Bantu were fleeing *en masse* to Kenya; most continued to live in Dadab refugee

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<sup>640</sup> ACCORD, Clans in Somalia – Report on a lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition), 2009, [url](#), p. 16

<sup>641</sup> EAJ, Pathways and Institutions for Resolving Land Disputes in Mogadishu, January 2020, [url](#), pp. 4-5

<sup>642</sup> Van Lehmann, D. J. and McKee, E. M., Removals to Somalia in light of the convention against torture: Recent evidence from Somali Bantu deportees, 2019, [url](#), pp. 359, 369

<sup>643</sup> Van Lehmann, D. J. and McKee, E. M., Removals to Somalia in light of the convention against torture: Recent evidence from Somali Bantu deportees, 2019, [url](#), p. 361

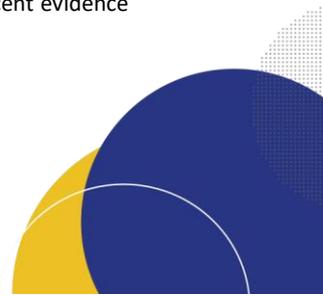
<sup>644</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>645</sup> Besteman, C., The Somali Bantu in a state of refuge, *Bildhaan* Vol. 12, 2012; Besteman, C., *Unraveling Somalia: Race, Violence and the Legacy of Slavery*, 1999, pp. 113-122

<sup>646</sup> Van Lehmann, D. J. and McKee, E. M., Removals to Somalia in light of the convention against torture: Recent evidence from Somali Bantu deportees, 2019, [url](#), p. 362

<sup>647</sup> UN Somalia, Common Country Analysis 2020, 2020, [url](#), p. 49

<sup>648</sup> Hill, M., No redress: Somalia's forgotten minorities, 2010, [url](#), p. 9



camp.<sup>649</sup> Even more recently, the situation of Jareer/Somali Bantu/Gosha was worse in comparison to all other Somali minority groups.<sup>650</sup>

No recent information on concrete incidents regarding the treatment of Somali Bantu could be found, apart from a report referring to a Jareerweyne teacher in Middle Shabelle who was a mediator in local disputes and was detained for eight months without trial, as reported by his family in a press conference in August 2020.<sup>651</sup>

### **Bajuni**

Derek Nurse, a linguist and long-term researcher on Bajuni, describes the Bajuni/Baajuun as being mainly sailors and fisherman. They live in small communities along the coast south of Kismayu and on islands between Kismayu and Mombasa in Kenya. They are of mixed Arabic, Bantu, Somali and possibly Malay ancestry, their principal language is Ki-Bajuni, a dialect of Ki-Swahili. The source noted that ‘the Bajuni are, or were, a cross-border community. A combination of factors suggests Bajuni communities have been in situ along the coast of Somalia and Kenya since at least AD 1400, maybe longer’. Although they are fishers, they were depending on ‘agricultural areas on the adjacent mainland to supplement their diet’. Bajuni from the mainland had to flee to the islands after being attacked ‘by hostile adjacent groups (Somali or Orma)’. According to Nurse, ‘the balance between them and the neighbours was fragile but stable. Bajuni stuck mostly to the islands, ethnic Somalis remained on the mainland. Relationships with ethnic Somalis were poor. With the exception of a few fishermen, businessmen, and political leaders, Bajuni did not and do not speak Somali.’<sup>652</sup>

The Bajuni population is distributed in the following locations, running south from Kismayo to the border with Kenya: Kismayo (mainly in the Majengo district of the city); Nchoni, a coastal settlement; Istanbul, a coastal settlement; Kamboni, a settlement just at the border with Kenya. Additionally they live on the following islands (all together forming the Bajuni islands): Chula/Jula, Kuday, Madoga, Satarani, Bungabo, Dudey, Koyoma and Jovay, with Chula/Jula being the most populated island.<sup>653</sup>

A 2010 Landinfo report on the Bajuni islands suggested that besides Bajuni, also other Somalis live on the islands 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.<sup>654</sup>

United Nations Somalia mentioned in 2020 regarding minority groups in general and (Bantu and) Bajuni in particular, that ‘these groups are considered inferior, which results in systematic exclusion, stigma, social segregation, denial of rights, and low social, economic and political status.’ They have no access to influential positions and little chance to get access to justice in case of conflict over land or property and are generally ‘disproportionately vulnerable to conflict-driven displacement.’<sup>655</sup>

### **Benadiri, including Reer Hamar**

Benadiri is an umbrella term for several mostly urban minorities residing along the Benadir coast of southern Somalia extending actually also south of Somalia, into Kenya. The name Benadiri/Benaadir

<sup>649</sup> Hill, M., No redress: Somalia’s forgotten minorities, 2010, [url](#), pp. 9-10; Van Lehman, D. and Eno, O., The Somali Bantu: Their history and culture, Center for Applied Linguistics, Washington, 2003, [url](#), p. 10

<sup>650</sup> Hill, M., No redress: Somalia’s forgotten minorities, 2010, [url](#); Helander, B., Vulnerable minorities in Somalia and Somaliland, 1995; Hoehne, M. V., Continuities and changes regarding minorities in Somalia, 2015; MRG, World Directory of Minorities and Indigenous Peoples - Somalia: Bantu, March 2018, [url](#)

<sup>651</sup> Dhanaane Media, Hada laan dheer tahay hadawanin video waxa Nagula gumadaayo waa inaan jareer nahay, 23 August 2020, [url](#)

<sup>652</sup> Nurse, D., Documenting language shift and loss: Bajuni in Somalia, 2018, p. 124

<sup>653</sup> SOMRAF, Situation and Rights of Somali minorities: ‘No one will weep for you’ – exclusion and discrimination, December 2009, p. 16; ACCORD, Anfragebeantwortung zu Somalia: Allgemeine Informationen zum Clan der Bajuni, 12 July 2016, [url](#)

<sup>654</sup> Norway, Landinfo, Somalia: Bajuni-øylene [Somalia: Bajuni islands], 16 February 2010, [url](#), p. 6

<sup>655</sup> UN Somalia, Common Country Analysis 2020, 2020, [url](#), p. 49

is derived from the Arabic bandar, plural banādir for ‘port’ or ‘sea-city’.<sup>656</sup> Hamar is the local name for the old town quarters of Mogadishu, and Reer Hamar refers to the old city population.<sup>657</sup> Most Benadiri live in Mogadishu, Merka and Barawa. Traditionally, they are craftspeople and traders. The different groups trace their origins to a mixture of Somali and either Arab, Persian, Indian or even Portuguese descent.<sup>658</sup> Nonetheless, Benadiri life is described as clan-based<sup>659</sup> with each group tracing its origins to a single male ancestor, at least in theory.<sup>660</sup>

The Benadiri groups suffered considerably during the first years of the civil war at the hands of majority group militias. Being unarmed and politically weak, they were subjected to looting, occupation of property, physical violence, abduction for forced labour and conscription to clan-based militias, extortion, and economic exclusion.<sup>661</sup>

Many fled abroad in the early 1990s and the remaining Banadiri/Reer Hamar population is estimated to be very small; one representative of the Reer Hamar talking to Landinfo estimated those in Mogadishu to be around 10 000.<sup>662</sup> For those who remained in Somalia, their situation remained difficult in more recent years. In 2012 it is reported that Benadiri were forced to pay bribes and were subjected to extortion by majority clan members.<sup>663</sup> Reer Hamar representatives talking to Landinfo in 2019 explained that they did not face direct security threats, but stressed that they constitute a minority.<sup>664</sup> In June 2021, the Benadiri community in Mogadishu held a press conference to complain about manipulation of their political rights, as the current Minister of Petroleum tried to encroach on their reserved seats in parliament.<sup>665</sup>

### 4.3 Groups specialised in religious services

#### Ashraf/Asharaf

Ashraf is the plural of ‘Sharif’, which is an honorable title coming from an Arabic word meaning ‘noble’ or ‘respected’.<sup>666</sup> The Ashraf trace their origins back to Fatima, the daughter of Prophet Mohammad. It is important to note that they are divided into the lines of Hussein and Hassan.<sup>667</sup> Both Ashraf categories share their (assumed) origin and their traditional religious position. However, the Hussein line, living as part of the Benadir population, can be characterised as a minority (outside the Somali clan system, i.e. neither in a client-patron relationship nor ‘adopted’), while the Hassan line is part of the Somali clan system (e.g. the Sarman sub-group is affiliated with a Rahanweyn clan).<sup>668</sup>

<sup>656</sup> Adam, A. S., *Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu*, 2011, p. 9; Adam stressed: ‘Arab geographers applied the term Banaadir to the East African coast of southern Somalia in the same way that they applied sawahil (“coastal”) to the East African coast further south (from today’s Kenya to northern Mozambique).’

<sup>657</sup> Adam, A. S., *Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu*, 2011, p. 17

<sup>658</sup> Switzerland, SEM, *Focus Somalia: Clans und Minderheiten*, 31 May 2017, [url](#), p. 13; Norway, Landinfo, *Somalia: Reer Hamar*, 17 December 2009, [url](#), p. 2

<sup>659</sup> Gundel notes that the Benadiri have been forced by ‘to act as a clan’ since 1990, see Gundel, J., *The predicament of the ‘Oday’ – The role of traditional structures in security, rights, law and development in Somalia*, 2006, [url](#), p. 38

<sup>660</sup> Denmark, DIS, *Report on minority groups in Somalia*, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), p. 39

<sup>661</sup> Adam, A. S., *Benadiri People of Somalia with Particular Reference to the Reer Hamar of Mogadishu*, 2011, [url](#), p. 250

<sup>662</sup> Norway, Landinfo, *Respons, Somalia: Somalia Rer Hamar-befolkningen i Mogadishu*, 21 May 2019, [url](#), p. 3

<sup>663</sup> Canada, IRB, *Somalia: The Reer Hamar and/or Benadiri, including the location of their traditional homeland, affiliated clans and risks they face from other clans* [source: UK-based independent researcher who lived in Somalia for 25 years and completed her doctoral thesis on the Reer Hamar/Benadiri people], 3 December 2012, [url](#)

<sup>664</sup> Norway, Landinfo, *Respons, Somalia: Somalia Rer Hamar-befolkningen i Mogadishu*, 21 May 2019, [url](#), p. 3

<sup>665</sup> Caasimada, Daawo: *Beelaha Banaadiriga oo ka digay qorshe socda oo lagu boobayo kuraastooda*, 15 June 2021, [url](#)

<sup>666</sup> Norway, Landinfo, *Query Response Somalia: Ashraf*, 10 August 2018, [url](#), pp. 2-3

<sup>667</sup> Denmark, DIS, *Report on minority groups in Somalia*, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), pp. 40-41

<sup>668</sup> Norway, Landinfo, *Query Response Somalia: Ashraf*, 10 August 2018, [url](#), pp. 2-4

Ashraf were well-respected in the time of Siyad Barre's rule. They normally live integrated with the people they have settled with, i.e. Digil-Mirifle or Benadiri, and are usually 'protected by the people they live with as far as they are seen as being related to the Prophet'.<sup>669</sup> However, Ashraf were not closely connected to other groups and marriage took place almost exclusively within the community itself; they were preferentially endogamous.<sup>670</sup>

But women from Ashraf could be married by members of majority groups, due to the highly appreciated religious prestige attached to Ashraf in the eyes of other Somalis, which was already described by Lewis. He mentioned that back in the 1950s, intermarriage between Ashraf women and men from majority clans was possible due to the high esteem Ashraf enjoyed as descendants of the family of the Prophet. Still, as a rule, Ashraf were endogamous.<sup>671</sup>

Ashraf inhabit the southern Somali coast from Mogadishu to Kismayo.<sup>672</sup> Elders interviewed by the Danish Immigration Service in 2000 indicated that within Somalia Ashraf live in Bay and Gedo regions, as well as in the towns Mogadishu, Kismayo, Marka, Huddur, Jowhar and Jalalaqsi.<sup>673</sup> In her 'Note on the Ashraf'<sup>674</sup> Luling outlined that Ashraf/Hussein mostly live in coastal towns such as Merka and Mogadishu. Ashraf/Hassan mainly reside in the interior of the country; however, some members have moved to Mogadishu over the course of the 20th century. In her note she also clarifies that the Sarman group of Ashraf/Hassan originally was not considered to belong to the Benadiri groups, but that they were later incorporated into these groups. The origin in the Bakool region is the reason that the members of the Sarman sub-sub-clan of Ashraf are considered to be dark skinned (Somali: *gibil madow*), in comparison with the other Ashraf, who are originally part of the Benadiri population and perceived as 'lighter skinned' (Somali: *gibil cad*). Members of the Sarman subgroup can be found in the city of Baydhabo in the Bay region. Luling's account is corroborated in all relevant details by other sources.<sup>675</sup>

Ashraf speak various local dialects, e.g. in Mogadishu they speak 'Af Reer Hamar',<sup>676</sup> which means 'language of people from Hamar [Mogadishu]', the local dialect of Af-Maxaa/standard Somali spoken in the old parts of Mogadishu.<sup>677</sup> Referring to the linguist Lambertis (1986), Landinfo notes that there is a distinctive dialect, Af-Ashraf. However this dialect is not spoken by all Ashraf and is also used by members of other groups. Furthermore, the Ashraf residing in southwest Somalia (especially in Bakool region) speak the local Af-Maay dialect.<sup>678</sup>

Regarding occupations it is mentioned that Ashraf frequently are business people - tailors, weavers, and so forth, and that the women sell snacks and handicrafts on the market. The Ashraf are considered to be religious people.<sup>679</sup> Lewis referred to Ashraf as a group of religious specialists. He mentioned that in the past, many Ashraf/Sharaf (and Sheikhal) were religious men and Quran teachers. As such,

<sup>669</sup> ACCORD, Clans in Somalia – Report on a lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition), 2009, [url](#), p. 20

<sup>670</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), p. 43

<sup>671</sup> Lewis, I. M., Peoples of the Horn of Africa: Somali, Afar, and Saho, 1998 [1955], p. 149

<sup>672</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), pp. 38-40

<sup>673</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), p. 41

<sup>674</sup> Luling, V., Note on the Ashraf, n.d.; unpublished text of five pages

<sup>675</sup> Luling, V., Note on the Ashraf, n.d.; ACCORD, Clans in Somalia – Report on a lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition), 2009, [url](#), pp. 19-20; Norway, Landinfo, Query Response Somalia: Ashraf, 10 August 2018, [url](#), pp. 1-4

<sup>676</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), p. 42

<sup>677</sup> Hoehne, M. V., telephone interview, 18 August 2021

<sup>678</sup> Norway, Landinfo, Query Response Somalia: Ashraf, 10 August 2018, [url](#), p. 5

<sup>679</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), pp. 42-43

they worked for and were tolerated by majority groups 'into which they were admitted as clients (arifa, shegat [sheegad]) through the grant of land made to them'.<sup>680</sup> Ashraf elders explained that their community was to some degree considered to be 'strangers' in Somalia, since Ashraf claim to be of Arab origin. This was given as one reason for their persecution by other Somalis in the 1990s. Furthermore, it was reported that Ashraf were considered to be weak since they did not have their own militia.<sup>681</sup>

During the civil war, from 1991 onward, Ashraf in Somalia were targeted by militias of majority groups. Particularly in southern Somalia, Ashraf were looted, raped and/or killed.<sup>682</sup> Later, under President Sheikh Sharif (2008-2012), Ashraf received some influential position in the Somali government. Gundel reports that they also faced attacks by Al-Shabaab around 2008 and 2009.<sup>683</sup> Like other minority groups, the current situation of Ashraf is still characterized by their structural marginalisation as a minority group in southern Somalia. While not all minority groups are treated the same, and some are weaker than others, Ashraf are still vulnerable to abuse. They do not have any militia defending them. Members of majority clans take advantage of them and rarely have to face serious consequences.<sup>684</sup> Ashraf living in and around Baidoa have a slightly more protected position.<sup>685</sup>

### Sheikhal/Sheekhaal

Luling in her 'Report on the Shiikhal' (2009)<sup>686</sup> mentioned that Sheikhal are not one 'but several groups, with different cultures and dialects. The word is simply the local plural of "sheikh", and signifies a lineage who have an inherited religious status.' As main Sheikhal branches she indicates the Jasira and the Gendershe which she connects to the 'light skinned' Benadiri population, the Loboge (which are adopted into the Herab section of the Hawiye), and the Aw Qutub who can be found in north-western Somalia (today's Somaliland) and Ethiopia.<sup>687</sup> The Immigration and Refugee Board of Canada refers to a chapter by Mansur who states that the sub-groups of Qutub, Loboge and Gendarshe have a common Arab ancestor called Figi Cumar, but that 'each subclan has a different genealogy for the same ancestor'.<sup>688</sup>

The Sheikhal are 'scattered in different districts and regions of the country.' Accordingly, they reside in Mogadishu, Belet Weyne, Jowhar, Middle and Lower Juba and Gedo. Some Sheikhal also live in Region 5 of Ethiopia.<sup>689</sup>

While some Sheikhal groups are politically strong, others are marginalised. According to Hoehne, the Gendarshe and Jasira groups have the position of marginalised minority groups, whose members predominantly reside in Mogadishu and south of the city, and who have been marginalised and oppressed by majority group militias after the outbreak of the civil war 1991. In contrast, the sub-clans Loboge and Aw Qutub have a more ambiguous position.<sup>690</sup> The Loboge have been allies of some

<sup>680</sup> Lewis, I. M., *Peoples of the Horn of Africa: Somali, Afar, and Saho*, 1998 [1955], p. 149.

<sup>681</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), pp. 43-44

<sup>682</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>683</sup> ACCORD, Clans in Somalia – Report on a lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition), 2009, [url](#), p. 20

<sup>684</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>685</sup> Gundel, J., Comment received during the peer review of this report, 3 August 2021

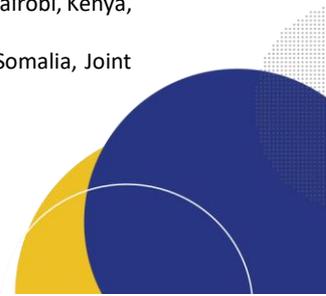
<sup>686</sup> Luling, V., Report on the Shiikhal, 15 December 2009. Unpublished paper of 3 pages. The paper was sent to ACCORD by the author in 2009 and was partly cited in ACCORD, Clans in Somalia – Report on a lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition), 2009, [url](#), p. 19

<sup>687</sup> Luling, V., Report on the Shiikhal, 15 December 2009, pp. 1-2

<sup>688</sup> Mansur, A. O., *The Nature of the Somali Clan System*, 1995, pp. 117-118; Canada, IRB, *Somalia: Information on the Shekal*, 1 June 1997, [url](#)

<sup>689</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), p. 54

<sup>690</sup> Hoehne, M. V., telephone interview, 1 July 2021; compare Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), pp. 54-55



Hawiye, had their own militia in the early 1990s and they engaged in fighting.<sup>691</sup> In the Somali parliament, among the 33 seats reserved for members of the Haiwye clan-family, three are reserved for Sheikhal.<sup>692</sup> Still, they do not feature at the same level as majority groups.<sup>693</sup> Luling mentioned that Sheekhaal/Looboge are also known as Martiile ‘the guests’ among Hawiye.<sup>694</sup> They were at one point allied with General Aideed during the first years of civil war in southern Somalia.<sup>695</sup> The Aw Qutub ‘have suffered some discrimination or harassment in Somaliland from the dominant Isaq clan, being suspected of disloyalty to the Somaliland state’ after 1991.<sup>696</sup>

#### 4.4 Non-minority clans: Rahanweyn/Digil-Mirifle (Saab) and ‘in between’ groups

In this section, groups that are seen as majority under one aspect and as minority under another aspect are described. They may sometimes fall ‘between’ the concepts of majority and minority group. This can be related to different perceptions by others or by the groups or sub-groups themselves, or it can be due to local circumstances and power structures that they appear as a minority in certain areas and are not in a minority position in other areas.<sup>697</sup>

##### Rahanweyn/Digil-Mirifle (Saab)

The Rahanweyn (also spelled Reewin) mainly reside in the regions Bay, Bakool and Gedo, in between the rivers Shabelle and Jubba. The important urban centers inhabited mostly by Rahanweyn are Baidoa and Huddur.<sup>698</sup> The Rahanweyn are divided into two major clans, the Digil and the Mirifle. The Digil mainly live in the regions Benadir, Juba, and Shabelle, while the Mirifle live in the central and western parts of the country.<sup>699</sup> All Rahanweyn speak Af-Maay, other languages spoken by them are Af-Jiddu, Af-Tunni, and Af-Dabarre.<sup>700</sup> They understand ‘standard’ Somali (called Af-Maxaa), but contra wise, most Af-Maxaa speakers would not understand Af-Maay.<sup>701</sup>

The Rahanweyn are mostly agro-pastoralists, living from farming and also animal herding. Externally, Rahanweyn were seen partially as low status group by members of majority groups. They pursued agriculture, which pure pastoral nomads saw as low status work. Their genealogies were not pure.<sup>702</sup> At the same time, they are a populous clan family and members of the Hawiye or Darood clan families in the south could intermarry with Rahanweyn.<sup>703</sup>

Although partly being considered as a low status group by members of other major clans, Rahanweyn are counted among the majority groups. Through establishing their own militia and their own regional

<sup>691</sup> Canada, IRB, Somalia: current information on the relationship between the Sheikhal (Shekal) and the Hawiye under the leadership of General Aidid, 1 September 1996, [url](#)

<sup>692</sup> Jijeele Unity Council [Facebook], posted on: 4 October 2020, [url](#)

<sup>693</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>694</sup> Luling, V., Report on the Shiikhal, 15 December 2009

<sup>695</sup> Canada, IRB, Somalia: current information on the relationship between the Sheikhal (Shekal) and the Hawiye under the leadership of General Aidid, 1 September 1996, [url](#)

<sup>696</sup> Luling, V., Report on the Shiikhal, 15 December 2009

<sup>697</sup> The organisation of the information in this way reflects the input received by Joakim Gundel during the peer-review of this report, 3 August 2021

<sup>698</sup> Canada, IRB, The Biyomal [Biimaal, Biyocordmaal, Biymaal, Biyamal] clan, including work, history, religious affiliation, location within the country, particularly Nus Dunya; the Rahanweyn [Rahanwen] clan, including location in the country; treatment of the Biyomal clan by the Rahanwen clan, 2 October 2015, [url](#); Ashur, K. D., telephone interview, 29 June 2021

<sup>699</sup> Mukhtar, M. H., Historical Dictionary of Somalia, 2003, p. 188

<sup>700</sup> Mukhtar, M. H., Historical Dictionary of Somalia, 2003, p. 189

<sup>701</sup> Ashur, K. D., telephone interview, 29 June 2021; Helander, B., Clanship, kinship and community among the Rahanweyn: A model for other Somalis?, 1997, pp. 134-35; Menkhaus, K., Middle Jubba Region, December 1999

<sup>702</sup> Helander, B., The Slaughtered Camel: Coping with Fictitious Descent among the Hubeer of Southern Somalia, 2003, p. 16

<sup>703</sup> Ashur, K. D., telephone interview, 29 June 2021

administration, they gained respect among other majority groups. They were included in the 4.5-formula of power sharing<sup>704</sup> which underpins Somali politics since the conference for Somalia in Kenya 2002-2004. Since the early 2000s, Rahanweyn hold influential positions in the Somali government.<sup>705</sup>

At the beginning of the civil war in southern Somalia, the Rahanweyn were unarmed.<sup>706</sup> Hawiye and Darood militias devastated their land while fighting each other. The cities of Baidoa and Huddur were conquered by warlord militias and largely destroyed. Rahanweyn men were enslaved or killed and women raped; the storages and the harvest were looted.<sup>707</sup> In the famine in southern Somalia during 1991-1992, thousands of Rahanweyn died.<sup>708</sup> As a large but weak group, the Rahanweyn had to adopt a strategy of accommodation with more powerful neighbours. This has led to splits within the Rahanweyn over relations with the Hawiye and Marehan clans.<sup>709</sup> In the mid-1990s, Rahanweyn began to organize themselves and eventually formed their own militia, the Rahanweyn Resistance Army (RRA). In 1999 they defeated the Hawiye militias controlling their areas and formed their own administration under RRA leadership.<sup>710</sup>

Genealogically, they are considered as belonging mostly to the Saab group. Yet, Helander, a Swedish anthropologist with extensive research experience in southern Somalia, stressed that within the Rahanweyn clan family, some clans such as the Hubeer, trace their origin via a majority group to Samaale. Rahanweyn clans may include adopted members; even whole lineages can be adopted.<sup>711</sup> Adoption, however, does not mean that 'original' differences with regard to descent are forgotten. Helander emphasised that Rahanweyn distinguish between adopted members (*dhaqan*, literally meaning 'culture', 'tradition') and members 'by birth' (*dhalad*). *Dhalad* comprises the core lineage.<sup>712</sup> He added that one can be adopted into a Rahanweyn clan either through formal agreement (*dhulul*, literally 'charcoal') or via marriage.<sup>713</sup>

Menkhaus, who has been studying society and politics in southern Somalia since the 1980s, found that this practice of a man marrying into a new clan is unique to the Rahanweyn in Somalia and does not occur in other majority groups.<sup>714</sup> The frequent adoptions create some hierarchy within Rahanweyn. Within the group, *bilis* (nobles) who claim a purer patrilineal descent distinguish themselves from *boon* (commoners), who have an adopted descent.<sup>715</sup> Although friendship can exist between them, *boon* are subject to much prejudice, social exclusion and some exploitation as a cheap labour force by *bilis* – within the clan family.<sup>716</sup>

<sup>704</sup> The transitional Somali Parliament has 275 'representatives'. Each of the four major clans (namely the Hawiye, Rahanweyn, Dir – including Isaaq clan – and Daarood) has an equal number of seats (61), hence four equivalents. The remaining cluster of minority clans comprise a 0.5 equivalent. (Development Initiatives, Towards an improved understanding of vulnerability and resilience in Somalia, June 2019, [url](#), p. 37 (fn 31))

<sup>705</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>706</sup> Hill, M., No redress: Somalia's forgotten minorities, 2010, [url](#), p. 33 (fn 18)

<sup>707</sup> Bakonyi, J., Land ohne Staat: Wirtschaft und Gesellschaft im Krieg am Beispiel Somalias, 2011, p. 252; Finland, Finnish Immigration Service, Somalia / Background and situation of the Geledi clan in Afgoye, Mogadishu and Kismayo, 24 April 2020, [url](#); see also Kapteins, L, Clan Cleansing in Somalia: The Ruinous Legacy of 1991, 2013

<sup>708</sup> HRW, World Report 1993 – Somalia, 1 January 1993, [url](#)

<sup>709</sup> Menkhaus, K., Middle Jubba Region, December 1999

<sup>710</sup> Canada, IRB, The Biyomal [Biimaal, Biyomaal, Biymaal, Biyamal] clan, including work, history, religious affiliation, location within the country, particularly Nus Dunya; the Rahanweyn [Rahanwen] clan, including location in the country; treatment of the Biyomal clan by the Rahanwen clan, 2 October 2015, [url](#)

<sup>711</sup> Helander, B., The Slaughtered Camel: Coping with Fictitious Descent among the Hubeer of Southern Somalia, 2003, pp. 11-12n

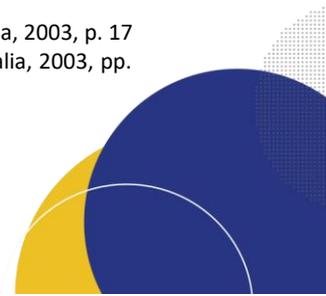
<sup>712</sup> Helander, B., The Slaughtered Camel: Coping with Fictitious Descent among the Hubeer of Southern Somalia, 2003, p. 45

<sup>713</sup> Helander, B., Clanship, kinship and community among the Rahanweyn: A model for other Somalis?, 1997, p. 136

<sup>714</sup> Menkhaus, K., Middle Jubba Region, December 1999, Appendix C

<sup>715</sup> Helander, B., The Slaughtered Camel: Coping with Fictitious Descent among the Hubeer of Southern Somalia, 2003, p. 17

<sup>716</sup> Helander, B., The Slaughtered Camel: Coping with Fictitious Descent among the Hubeer of Southern Somalia, 2003, pp. 155-69



Scholars of the Conflict Research Programme of the London School of Economics reported that, among others, the Rahanweyn are 'often subject to discrimination and exploitation by more powerful groups when they have been displaced into other clan-based areas. The vulnerability of the riverine and inter-riverine populations to famine in 1991 and in 2011 was a direct consequence of their political marginalization.'<sup>717</sup> Many inhabitants fled to Baidoa or Mogadishu as a consequence of political insecurity in the early 1990s and droughts in 2010-2012 and 2017. The Danish Demining Group found in 2017 that roughly half of the around 369 000 IDPs in Mogadishu were Rahanweyn or Bantu.<sup>718</sup> Today, members of various Rahanweyn lineages are part of Al-Shabaab, their fighters being motivated mostly by economic incentives.<sup>719</sup>

### Tunni, Begeledi and Geledi: 'in-between' groups

Three groups are often subsumed under the Rahanweyn clan Digil - the Tunni, the Begeledi, and the Geledi.<sup>720</sup> Parts of these groups are described as having a weak position, partly due to ambiguous reception of their belonging or due to local circumstances (see below).

Most sources agree that the Tunni belong to the Digil,<sup>721</sup> one source interviewed by the IRB in 2014, however, claims that Tunnis are not part of the Digil-Mirifle/Rahanweyn clan "in a formal sense" [of calling on them for clan protection] but the Tunni have a "negotiated relationship" with the Digil related to sharing access to land and resources'.<sup>722</sup> Linguistic differences between urban Tunni, who live mainly in Brava and speak Bravanese Chimini, and rural Tunni who speak the Tunni language are noted, it is added that the urban Tunni culturally resemble their Benadiri neighbours e.g in Brava,<sup>723</sup> Bravanese and Tunni were commercially orientated or worked as craftsmen.<sup>724</sup>

Also the Geledi and Begeledi clans are considered to belong to the Rahanweyn/Digil clan, and are at the same time associated with Benadiri collection of minority groups. Luling writes about the Geledi and Begeledi that 'like the Benadiri of the coast they trace their ancestry to Arabia or elsewhere in the Islamic world, but by a more recent immigration'. She describes them as farmers and traders (unlike the coastal communities) and 'seem to have been so from their first arrival' and as 'generally endogamous'. They have the same language and general culture as their Gibil Madow neighbours, but 'they have their own specific traditions'.<sup>725</sup>

After the outbreak of the civil war in 1991, Begeledi and Geledi suffered at the hands of militias, particularly from Hawiye/Habar Gedir.<sup>726</sup> No recent information on their situation is available.

<sup>717</sup> Jaspars, S. et al., Food and Power in Somalia: Business as Usual? A scoping study on the political economy of food following shifts in food assistance and in governance, 21 January 2020, [url](#), p. 6

<sup>718</sup> DDG, Dadaab Returnee Conflict Assessment, August 2017, [url](#), p. 30

<sup>719</sup> Menkhaus, K., e-mail, 17 August 2021

<sup>720</sup> The organisation of the information in this way reflects the input received by Joakim Gundel during the peer-review of this report, 3 August 2021

<sup>721</sup> ACCORD, Clans in Somalia – Report on a lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition), 2009, [url](#), p. 20; see also sources in ACCORD, Anfragebeantwortung zu Somalia: Informationen zum Clan der Tunni [Query response on Somalia: Information on the Tunni clan], [url](#)

<sup>722</sup> Canada, IRB, The Tunni ethnic group, including regions where its members reside; treatment by society, authorities and Al-Shabaab; relationship with other clans, 22 December 2014, [url](#)

<sup>723</sup> Hill, M., No redress: Somalia's forgotten minorities, 2010, [url](#), p. 11

<sup>724</sup> Denmark, DIS, Report on minority groups in Somalia, Joint British, Danish and Dutch fact-finding mission to Nairobi, Kenya, 2000, [url](#), p. 43

<sup>725</sup> Luling, V., Farmers from Arabia: the role of 'Gibil Cad' groups in the interior of southern Somalia, 2010, p. 302

<sup>726</sup> Luling, V., Farmers from Arabia: the role of 'Gibil Cad' groups in the interior of southern Somalia, 2010, pp. 303-304, 314; see also Finland, FIS, Somalia / Background and situation of the Geledi clan in Afgoye, Mogadishu and Kismayo, 24 April 2020, [url](#)

## 4.5 Mixed-marriages

According to a Somali minority group rights activist in the European diaspora, intermarriage between majority clans and Madhibaan, Muuse Deriye, Tumul, Yibir, Yahar, Eyle, and particularly Bantu are taboo; if they happen, they often provoke violent conflict.<sup>727</sup> Intermarriage between majority groups and Ashraf or Sheikhal is possible and does normally not produce resistance among majority group members. The reason is that despite their political and economic weakness, Ashraf and Sheikhal enjoy religious prestige, as descendants from the family of Prophet Mohammad. Rahanweyn and members of other majority groups do intermarry.<sup>728</sup> Benadiri also enjoy some prestige and occasionally, majority group members in Mogadishu and surroundings marry especially women from Benadiri groups.<sup>729</sup>

The Swiss State Secretariat for Migration (SEM) emphasised that it is most problematic if a man belonging to a minority group marries a woman from a majority group. According to the patrilineal logic of belonging, the children from this marriage would then belong to the minority group – which the relatives of the mother would see as a ‘downgrade’. Referring to another source, the SEM mentioned, however, that in the biggest cities of Somalia, Mogadishu and Kismayo, which are most cosmopolitan (compared to other Somali towns), intermarriages between majority clans and members of occupational minority groups are seen as less problematic.<sup>730</sup> This does not apply with regard to intermarriage with Bantu, as an incident in 2018 shows, when a Bantu man who had married a young woman from a majority clan was ‘stabbed and burnt to death in Somalia’s capital, Mogadishu, by mobs suspected to be connected to the girl’s parents.’<sup>731</sup> SEM confirmed that especially in the north, in Somaliland, where the ‘purity’ of patrilineal descent is an important social value, marriages between occupational minorities and majority groups are happening rarely, especially if the man is from a minority group.<sup>732</sup> Hoehne confirms that in Somaliland, if a man from a minority clan marries a girl from a majority group, the couple normally has to ‘run away’ and live somewhere else, e.g., in the non-Somali part of Ethiopia. Normally, the woman is then disowned by her family. The family of the husband would also discourage such a relationship, because they would fear revenge by relatives of the woman.<sup>733</sup> Majeerteen and Gabooye (especially Madhibaan) do not normally intermarry in Puntland.<sup>734</sup>

The marriage between majority group members who are part of Al-Shabaab and Bantu women in southern Somalia constitutes a special case. Benstead and Van Lehmann recently found that Bantu girls are married by Al-Shabaab fighters, but these relationships actually do not constitute normal marriages but forms of sexual and domestic slavery. They found that Al-Shabaab fighters ‘marry’ Bantu girls at even a younger age than marriage normally would take place (marriage below 18 years is very common in Somalia; often girls are 16-18 when they marry; the case outlined by Benstead and Van Lehman is that Bantu girls in relations with Al-Shabaab fighters are even younger than that). They continue that ‘because marriage between majority clans and the Bantu is not allowed in Somali society, the Al-Shabaab fighters ignore the children of the Bantu girls and women, whom they despise as racially distinct minority with low social status.’<sup>735</sup> In other contexts (not involving Al-Shabaab fighters), Benstead and Van Lehman emphasise that a marriage between a man of a majority group

<sup>727</sup> Ashur, K. D., telephone interview, 29 June 2021

<sup>728</sup> Ashur, K. D., telephone interview, 29 June 2021; on Rahanweyn see also Switzerland, SEM, Focus Somalia: Clans und Minderheiten, 31 May 2017, [url](#), p. 45

<sup>729</sup> ACCORD, Clans in Somalia – Report on a lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition), 2009, [url](#), p. 18

<sup>730</sup> Switzerland, SEM, Focus Somalia: Clans und Minderheiten, 31 May 2017, [url](#), pp. 44-45

<sup>731</sup> Discoverafricannews, Somali man burnt alive over nephew’s love saga, 24 September 2018, [url](#)

<sup>732</sup> Switzerland, SEM, Focus Somalia: Clans und Minderheiten, 31 May 2017, [url](#), pp. 45

<sup>733</sup> Hoehne, M. V., telephone interview, 18 August 2021

<sup>734</sup> Mire, M. A., telephone interview, 11 July 2021

<sup>735</sup> Benstead, L.J. and Van Lehman, D., Two classes of ‘marriage’: Race and sexual slavery in Al-Shabaab-controlled Somalia, *Journal of Middle East and Africa*, 2021, p. 3



and a Bantu woman (or the other way around) could lead to the murder of one or both partners or the relatives involved.<sup>736</sup>

## 5. Individuals involved in blood feuds/clan disputes and other clan issues

Among pastoralist groups, traditionally two strategies of processing conflicts are dominant in the Somali society: first, violent self-help and blood revenge (Somali: *aano* or *aarsasho*), which frequently escalate in long-standing feuds; and second, discussions (also in the form of poetic combats), negotiations and payment of compensation. Among agro-pastoralists or other sedentary groups, however, blood revenge is less prevalent.<sup>737</sup> Lewis, who did research among pastoralist groups in Northern Somalia, stated with regard to the northern Somali pastoral nomads that the idea that 'might is right' has 'overwhelming authority' and thus he stated that 'personal rights, rights in livestock, and rights in access to grazing and water, even if they are not always obtained by force, can only be defended against usurpation by force of arms'.<sup>738</sup>

In his chapter on force and feud, Lewis argued that 'feud and war [...] are the chief means by which the relations between groups are regulated'. However, among the pastoral nomads 'the aim of aggression is not so much to subjugate enemies completely as to establish political ascendancy'. Lewis explained that 'the ease with which individuals and groups resort to violence within the Muslim community and contrary to the principles of Islam has to be viewed in the ecological context of acute competition for sparse resources, and in the abrogation of individual responsibility through group loyalties'.<sup>739</sup> Additionally, a certain 'warrior ethos' and, related to it, the fame and honour which can be gained through blood revenge are factors contributing to the violent escalation of conflicts.<sup>740</sup> The escalation of violence basically follows the pattern of segmentary opposition. Consequently, conflicts between individuals quickly lead to conflicts between their immediate kin; if the adversaries belong to different larger groups, the latter confront each other. Conversely, enemies can leave their enmity aside quickly and unite in the face of a common enemy.<sup>741</sup> These dynamics of segmentary 'fusion' and 'fission' along lines of patrilineal descent are expressed in the proverb: 'Me against my brother; me and my brother against my family; me and my family against my clan; me and my clan against the world'.<sup>742</sup>

If peace is sought after a phase of violent conflict, the adversaries send envoys who call for the cessation of hostilities and propose some initial steps for conflict settlement (e.g. where and how to meet). If the parties to the conflict agree, peace is negotiated at a *shir* (council, meeting), which, is the

<sup>736</sup> Benstead, L.J. and Van Lehman, D., Two classes of 'marriage': Race and sexual slavery in Al-Shabaab-controlled Somalia, *Journal of Middle East and Africa*, 2021, p. 11

<sup>737</sup> Hoehne, M. V., telephone interview, 18 August 2021

<sup>738</sup> Lewis, I. M., *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*, 1961, p. 3

<sup>739</sup> Lewis, I. M., *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*, 1961, p. 242

<sup>740</sup> Lewis, I. M., *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*, 1961, pp. 198, 244

<sup>741</sup> Lewis, I. M., *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*, 1961, p. 243; Hoehne, M. V., telephone interview, 15 June 2021

<sup>742</sup> Peterson, S., *Me Against My Brother: At War in Somalia, Sudan and Rwanda*, 2000

most important institution of decision-taking in Somali society.<sup>743</sup> The official participants are men; women play a role behind the scenes.<sup>744</sup> However, even if a conflict is settled and compensation is paid, tensions often continue. When the opportunity arises to gain something from ‘cooking up’ old enmity, revenge can be taken or claims can be made despite an earlier settlement.<sup>745</sup> Lewis argued that ‘in the prevailing struggle for survival there is a vicious circle of dispute, negotiation, conciliation or feud, and further dissention’.<sup>746</sup>

For negotiating conflicts and preventing or ending feuds, social relations between groups and respect for Somali and Islamic traditions (under *xeer* and sharia) are most important. Yet, Hoehne emphasised that the excessive violence in Somalia since the collapse of the state in January 1991 has destroyed much of the social fabric and with it the respect for traditional relations that, at times, could help to mediate conflict and prevent or at least stop the escalation of violence. According to the source, at present, all of Somalia is rife with inter-clan (and inter-lineage) strife and often, external actors get involved and seek to instrumentalise local conflicts for their own interests. This often prolongs conflict cycles.<sup>747</sup>

For more information see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>748</sup>

## 5.1 Clan revenge in clan conflicts

According to Dr. Hoehne, in general, most of those directly involved in clan (or lineage, or family) conflicts are men between around 15 and around 40. The reasons for triggering conflicts can be various, but frequently they are connected to access to resources (water, pasture) or land, access to jobs and markets (e.g., the local *qaad* market), access to or protection of women, insults, accidents, or political interests including administrative/political positions. Men between 15 and 25, roughly, would typically be mobilised by elders to form lineage or clan militias, engage in attacks or put up defence positions.<sup>749</sup>

Perceived acts of humiliation can result in revenge killings and usually target the perceived perpetrator, however, if the clan refuses to hand over the perpetrator, another member of the clan may be targeted.<sup>750</sup> Historically, Somali clans and sub-clans have formed *diya* groups, meaning that members are bound to pay or receive damage compensation collectively as a form of social insurance. In the case of a murder, the *diya* group of the perpetrator must pay compensation to the *diya* group of the murder victim. In case this compensation is not paid, the victim’s kin can exact blood revenge on the murderer, but also on members of the murderer’s lineage.<sup>751</sup> Men of almost any age except, normally, those in the sacrosanct category of *biri ma geydo* (literally meaning ‘spared from the spear’) would be targets of revenge killers.<sup>752</sup> Such killings are normally carefully planned. Targets are selected according to the ‘worth’ of a person. If the person initially killed in a conflict was, e.g., a wealthy businessman, then the target for revenge killing also must be a person who has a great value for his

<sup>743</sup> Lewis, I. M., *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*, 1961, pp. 176, 198-199

<sup>744</sup> Gardner, J. with Warsame, A. M., *Women, Clan Identity and Peace-building*, 2004, [url](#), p. 155

<sup>745</sup> Hoehne, M. V., telephone interview, 15 June 2021

<sup>746</sup> Lewis, I. M., *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*, 1961, p. 247

<sup>747</sup> Hoehne, M. V., telephone interview, 15 June 2021

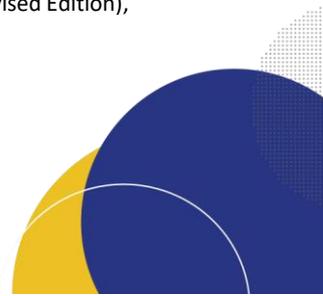
<sup>748</sup> EASO, *Somalia: Actors*, July 2021, [url](#), sections: 2.3 Access to justice through formal and informal systems, and especially 2.3.2 Customary justice - Xeer and Alternative Dispute Resolution (ADR)

<sup>749</sup> Hoehne, M. V., telephone interview, 18 August 2021

<sup>750</sup> ACCORD, *Clans in Somalia – Report on a lecture by Joakim Gundel*, COI Workshop Vienna, 15 May 2009 (Revised Edition), 2009, [url](#), p. 21

<sup>751</sup> Hesse, B. J., *Introduction: The myth of ‘Somalia’*, 2010, [url](#), p. 251

<sup>752</sup> Hoehne, M. V., telephone interview, 18 August 2021



close patrilineal kin. If a young educated diaspora returnee was killed, then the revenge will be taken against someone in a similar position. This concerns at least planned revenge operations.<sup>753</sup> In most cases of inter-group feuds, those who are 'prime targets' would know (of course the immediate patrilineal kin of a person who killed another person are prime targets; but depending on the social standing of the killed person, also others from the patrilineal kin-group of the killer, who hold a similarly high social status – e.g., as traditional authority or politician – can become prime targets).<sup>754</sup> Of course, occasionally, revenge takes place spontaneously, when someone whose family has outstanding grievances comes across a member of the enemy group by chance, e.g. in a hotel, and decides to settle an old score. Revenge killings can go on for a long while; even after a break of some years, they can suddenly be taken up again. Firm settlements can be reached through the negotiation of elders and the payment of compensation. However, especially in politicized conflicts, near settlements are often spoiled by external interferences of those who may have an interest in continued insecurity in an area or who feel one of the parties has taken the wrong political stance.<sup>755</sup> The capacity of a clan to seek revenge is very important in order to induce other clans to seek conflict settlement through customary law. Therefore, weak and powerless clans such as minority clans, who do not have the capacity to exact revenge, often do not receive protection through enforced customary law and have to seek protection through a more powerful clan.<sup>756</sup>

Nevertheless, as documented in the following, certain traditional rules of conflict settlement are still in place. First, often traditional authorities who serve as lineage or clan leaders are involved in conflict settlement. Moreover, despite the sometimes extreme violence in inter-clan conflicts, rarely women, children and the elderly are directly targeted.<sup>757</sup> However, members of these groups, who would be traditionally 'sacrosanct' (Somali: *biri ma geydo*), can get hurt by chance, e.g., through stray bullets. Moreover, younger militiamen often do not respect traditional rules of conflict and target women, children and elders or use violence indiscriminately.<sup>758</sup>

## Somaliland

This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021,<sup>759</sup> and with EASO's COI report [Somalia: Security situation](#) (September 2021).<sup>760</sup>

Certain clan conflicts in Somaliland have been ongoing for many years, even decades. Particularly in the eastern regions of Somaliland, which are contested between Somaliland and Puntland, local conflicts between clans are often escalated through interferences from the political centres – or in relation to politics at the 'national' level.<sup>761</sup>

One such long standing conflict concerned the clash between the Habar Yonis/Sa'ad Yonis lineage and Habar Je'lo/Bi'ide lineage in El Afweyne in the Sanaag region of Somaliland.<sup>762</sup> Both are part of the

<sup>753</sup> Hoehne, M. V., *Political Orientations and Repertoires of Identification: State and Identity Formation in Northern Somalia*, 2011, [url](#), pp. 102-104

<sup>754</sup> Hoehne, M. V., telephone interview, 15 June 2021

<sup>755</sup> Hoehne, M. V., telephone interview, 15 June 2021

<sup>756</sup> Menkhaus, K., *State Collapse in Somalia: Second Thoughts*, September, 2003, p. 412

<sup>757</sup> ICRC, *Spared from the Spear: Traditional Somali Behaviour in warfare*, February 1998, [url](#), pp. 29-44; Hoehne, M. V., telephone interview, 15 June 2021

<sup>758</sup> Hoehne, M. V., telephone interview, 15 June 2021; see also Howard-Hunt, B., *Forced Migration: The Experiences of Somali Women Living in the United Kingdom*, April 2013, [url](#), p. 79

<sup>759</sup> EASO, *Somalia: Actors*, July 2021, [url](#), sections: 7.7 Somaliland, and especially 7.7.1 Relevant dynamics, territorial control, and governance

<sup>760</sup> EASO, *Somalia: Security situation*, September 2021, [url](#), sections: 2.7.1 Awdal, 2.7.2 Wogooyi Galbeed, 2.7.3 Togdheer, 2.7.4 Sool, 2.7.5 Sanaag

<sup>761</sup> Hoehne, M. V., *Between Somaliland and Puntland: Marginalization, militarization and conflicting political visions*, 2015, pp. 38, 97

<sup>762</sup> Mahmood, O. S., *Overlapping claims by Somaliland and Puntland: The case of Sool and Sanaag*, 2019, [url](#), pp. 10, 26 (note 54).

larger Isaaq clan family.<sup>763</sup> The conflict, which initially started as a dispute over pastoral land and water access in 2015, began to see a solution after severe clashes had occurred,<sup>764</sup> and by late December 2019, a government-backed committee could facilitate a deal between the warring lineages in El Afweyne.<sup>765</sup> Colonel Said Awil Jama (Aarre) who had escalated the conflict in 2018 by defecting from the Somaliland army,<sup>766</sup> agreed to end his campaign in January 2020.<sup>767</sup> Following an agreement negotiated by traditional and religious leaders under the auspices of the Somaliland government, a first exchange of compensations between Habar Yonis/Sa'ad Yonis and Habar Je'lo began on 10 March 2020.<sup>768</sup>

In 2019, a dispute broke out in Togdheer Region of Somaliland, which also crossed the border into Region 5 of Ethiopia. The conflict was related to a historical conflict between the communities in and around Buuhoodle, in this case the Reer Hagar, and the communities of Widhwidh (a village northeast of Buuhoodle), in this case the Hayaag sub-clan.<sup>769</sup> The conflict was triggered by a dispute over the settlement of a place a little southeast of Buuhoodle, which is in the Region 5 of Ethiopia (people can cross the uncontrolled state border any time and without documents). This dispute resulted in the first killing of a Hayaag man at the hands of Reer Haggar, followed by a cycle of revenge. In less than a year, 27 men were killed on both sides (11 Reer Hagar and 16 Hayaag). Local elders tried to stop the bloodshed but they did not succeed. In early 2020, the highest *Garaad* (leader) of the Dhulbahante clan, Garaad Jaama Garad Ali was asked for help. A dispute settlement process began under his chairmanship in June 2020, leading to an agreement between the conflicting parties in September 2020. It was agreed that the bloodshed should stop, that those displaced by the conflict could return to their homes, and that compensation<sup>770</sup> should be paid for the men killed.<sup>771</sup> Due to the late start of the rainy season, the payments have been postponed to July 2021.<sup>772</sup>

More recently, on 16 and 17 April 2021, massive fighting erupted between two Dhulbahante sub-clans (Jama Siyaad and Ugaadhyahan/Naaleeye Ahmed) in Sool region. The fighting happened in Dhabar-Dalol area in the district of Hudun. The bone of contention was a well.<sup>773</sup> The fighting left 18 men dead, including 15 from the Ugaadhyahan sub-clan and 3 from the Jaama Siyaad.<sup>774</sup> The fighting was stopped by the intervention of the governor of Sool on behalf of the Somaliland government and by the intervention of traditional leaders from various Dhulbahante sub-clans,<sup>775</sup> but also from other clans (including Warsangeli, Majeerteen and Isaaq clans). Peace negotiations are ongoing (as of June 2021).<sup>776</sup>

<sup>763</sup> International Crisis Group, Averting War in Northern Somalia, 27 June 2018, [url](#), p. 3

<sup>764</sup> Hoehne, M. V., telephone interview, 15 June 2021

<sup>765</sup> UNSG, Situation in Somalia, S/2020/121, 13 February 2020, [url](#), para. 24

<sup>766</sup> Mahmood, O. S., Overlapping claims by Somaliland and Puntland: The case of Sool and Sanaag, 2019, [url](#), pp. 12-13

<sup>767</sup> Somaliland, Aarre Rebels in Sanaag Region agree on peace accord, 3 January 2020, [url](#)

<sup>768</sup> UNSG, Situation in Somalia, S/2020/398, 13 May 2020, [url](#), para. 33

<sup>769</sup> Ali, A. M., telephone interview, 14 June 2021. Abdirisak Mahamoud Ali is a security expert in Bur'oo.

<sup>770</sup> Compensation payments are based on Islamic law, expanded to include Somali traditional law. In the specific case, 120 camels were agreed as payment for one man killed. Since the dead are set off against each other in the event of a feud, a payment was made to Hayaag for those killed 'in excess' by Reer Hagar.

<sup>771</sup> ACCORD, Expertenauskunft zu Somalia: Region Buhoodle: Konflikte zwischen Stämmen Hayaag und Reer Hagar (beide Dhulbahante) im August 2019 (Autor: Markus Höhne) [a-11550], 9 April 2021, [url](#); details added by Ali, A. M., telephone interview, 14 June 2021

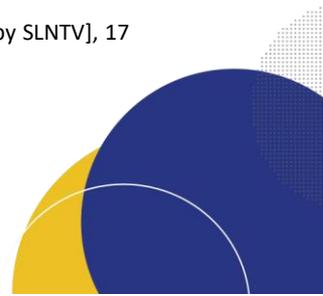
<sup>772</sup> Ali, A. M., telephone interview, 14 June 2021

<sup>773</sup> Somali Affairs, Somalia: Casualties in clan clashes in Sool, 16 April 2021, [url](#); Ali, A. M., telephone interview, 14 June 2021

<sup>774</sup> Ali, A. M., telephone interview, 14 June 2021

<sup>775</sup> Qorilugud News 24, What Is The Situation In Dhabar-Dalol Area Of Sool Region Today? [embedded video by SLNTV], 17 April 2021, [url](#)

<sup>776</sup> Ali, A. M., telephone interview, 14 June 2021



Also near Qorulugud, southeast of Bur'oo on the way to Buuhoodle, members of several Dhulbahante and Habar Je'lo lineages clashed in early April 2021. As of June 2021, four men (two Dhulbahante and two Habar Je'lo) were killed.<sup>777</sup>

## Puntland

This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021,<sup>778</sup> and with EASO's COI report [Somalia: Security situation](#) (September 2021).<sup>779</sup>

Regarding clan clashes, there was relative peace and stability in Puntland for the past year and a half since January 2020. In early 2020 a small clan-conflict happened in the Karkaar region, between Majeerteen/Osman Mohamud and Majeerteen/Ugaadh Saleban. After intervention of Puntland forces and negotiations by the traditional clan elders, the conflict was successfully settled.<sup>780</sup> Afterwards, in August 2020, the government of Puntland promulgated a new land law, regulating that it was not allowed to establish new settlements in Puntland without previously consulting the government.<sup>781</sup>

In May 2020, members of Darood/Leekase and Hawiye/Habar Gedir/Sa'ad clans clashed in northwest of Gaalkayo. Subsequently a peace conference took place in June in Bandiiradley and an agreement was signed to promote peace in west Mudug. The second phase of the reconciliation conference was concluded on 5 July in Galdogob, resulting in exchange of compensation and the signing of a cooperation agreement between the clans.<sup>782</sup>

## South-Central Somalia

Please note that the various clan conflicts listed below are illustrative examples and do not serve as an exhaustive list of all ongoing clan conflicts in the region.

**Galmudug:** This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021,<sup>783</sup> and with EASO's COI report [Somalia: Security situation](#) (September 2021).<sup>784</sup>

In Galmudug state, intensive fighting erupted between two sub-clans residing in Af Barwaaqo and Towfiiq, Mudug region, on 5 December 2019. It resulted in dozens of casualties on both sides. The Somali National Army was deployed to quell the fighting. From 22 to 28 December 2019, the Ministry of the Interior, Federal Affairs and Reconciliation in Mogadishu facilitated a dialogue between the two clans, 'resulting in the formation of a joint peace committee, including women and young people, and a joint security committee.'<sup>785</sup>

In addition, on 6 April 2020, an inter-clan conflict erupted between the Marehan/Wagarda' and the Habar Gedir/Saleeban 'in the villages of Balli-Cad and Foronta-Fora, Galgaduud'. Security forces were deployed on 7 April to stop the fighting and the Galmudug authorities initiated reconciliation efforts.<sup>786</sup>

A drive-by assassination of two people occurred in October 2020 in Abudwaq town, Galgudud region, where the attackers escaped from the scene. According to local news, the attack was linked to an ongoing clan dispute in the area.<sup>787</sup>

<sup>777</sup> Ali, A. M., telephone interview, 14 June 2021

<sup>778</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 7.6 Puntland

<sup>779</sup> EASO, Somalia: Security situation, September 2021, [url](#), sections: 2.6.1 Nugal, 2.6.2 Bari, 2.6.3 Sool, 2.6.4 Sanaag

<sup>780</sup> Mire, M. A., email, 15 June 2021

<sup>781</sup> Puntland State of Somalia, Xeerka Maaraynta Dhulka magaalooyinka Dawladda Puntland [], 25 August 2020, [url](#), Article 5(2)

<sup>782</sup> UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para. 38

<sup>783</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 7.5 Galmudug

<sup>784</sup> EASO, Somalia: Security situation, September 2021, [url](#), sections: 2.5.1 Galgaduud, 2.5.2 Mudug

<sup>785</sup> UNSG, Situation in Somalia, S/2020/121, 13 February 2020, [url](#), para. 39

<sup>786</sup> UNSG, Situation in Somalia, S/2020/398, 13 May 2020, [url](#), para. 35

<sup>787</sup> Radio Dalsan, Dowladda oo Ciidan farabadan u dirtay Degmo lagu dilay dad shacab ah [], 28 October 2020, [url](#)

On 12 November 2020, two clan militias clashed around Huldooyaale in southern Mudug Region.<sup>788</sup> After a week of fighting, Al-Shabaab stepped in to start negotiations. The reconciliation was supposed to follow Sharia rules.<sup>789</sup>

On 9 December 2020, members of the Somali military were ambushed near the town of Guri'el in Galgudud region. Four soldiers were killed and three others wounded in the attack, which was reportedly linked to ongoing clan disputes.<sup>790</sup>

In early January, five people traveling in a car were abducted not far from Guriel in Galgudud region. They were released on 11 January 2021, as a result of negotiations involving traditional authorities. The abduction had been part of long-standing clan feuds in the region.<sup>791</sup>

On 13 February 2021, the Ministry of the Interior, Federal Affairs and Reconciliation 'facilitated a preliminary ceasefire agreement between the Ayr and Saleeban sub-clans in Hananbure, Galgaduud Region.' On 10 March, talks between the two sub-clans were held in Dhuusamarreeb, in Galgudud region, to address the root causes of the conflict.<sup>792</sup>

As of mid-2021, there are still numerous violent clan conflicts active in Galmudug state of Somalia. Interpeace, an international NGO concerned with peace building, lists in a recent report:

'Active conflicts concern eight current hotspots, namely: 1. Omar Mohamud (Majerten) vs Sa'ad (Habargadir) at Galkayo; 2. Wagardhac (Marehan) vs Sa'ad at Gelinsoor (Mudug); 3. Wagardhac vs Saleban at Gelinsoor (Mudug); 4. Ayanle (Ayr, Habargadir) vs Reer kooshin (Marehan) at Balanballe (Galgadud); 5. Saleban (Habargadir) vs Yabar-Dhowra kec (Ayr) at Qalanqale (Galgadud); 6. Marehan vs Ogaden at the Somalia-Ethiopia border; 7. Sa'ad vs Leelkase (Mudug); 8. Habar-aji (Ayr, Habargadir) vs Ali Madaxweyne (Hawaadle) (Hiiraan)'.<sup>793</sup>

Some other conflicts are latent and currently suppressed by Al-Shabaab. However, Interpeace noted that 'these conflicts could resurface if the rule of al-Shabab were to end.'<sup>794</sup>

**Hirshabelle:** This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021,<sup>795</sup> and with EASO's COI report [Somalia: Security situation](#) (September 2021).<sup>796</sup>

Hiiraan region experienced massive tensions between clan militias and regional security forces around the election of the new regional president Ali Abdullahi Hussein 'Gudlawe' on 11 November 2020. Many armed men from the Gaalja'el clans supported General Abukar Haji Warsame (General Xuud/Hut), who belongs to the Hawadle clan, whose members supported him as well to a large degree. The supporters of General Xuud/Hut positioned themselves against the newly elected Hirshabelle administration under Ali Gudlawe.<sup>797</sup> The latter belongs to the Abgal clan<sup>798</sup> that dominates in the Middle Shabelle region.<sup>799</sup>

Ali Geedi, former prime-minister of Somalia (2004-2007) and political analyst explained that in Hiiraan region, Hawadle, Gaalja'el and Gugundabe are the dominant clans. While all of these belong to the

<sup>788</sup> Radio Dalsan, Dagaal khasaare badan dhaliyay oo ka socda Gobolka Mudug [], 12 November 2020, [url](#)

<sup>789</sup> Radioalfurqaan, Wilaayada Mudug Oo Heshiis Dhex dhigtay Jufo katirsan Beesha Cayr [], 23 November 2020, [url](#)

<sup>790</sup> Radio Dalsan, Saraakiil ka tirsan Ciidanka Xoogga oo lagu dilay G/Galgaduud [], 9 December 2020, [url](#)

<sup>791</sup> Muqdishu Online, Beelo degan Guriceel oo sheegay inay lacag ku bixiyeen siidenyta dad afdub loga haystay [], 11 January 2021, [url](#)

<sup>792</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 31

<sup>793</sup> Interpeace, Galmudug Reconciliation: Processes, Challenges, and Opportunities Ahead, February 2021, [url](#), pp. 26-27

<sup>794</sup> Interpeace, Galmudug Reconciliation: Processes, Challenges, and Opportunities Ahead, February 2021, [url](#), p. 27

<sup>795</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 7.4. Hirshabelle

<sup>796</sup> EASO, Somalia: Security situation, September 2021, [url](#), sections: 2.4.1 Hiraan, 2.4.2 Middle Shabelle

<sup>797</sup> Hiiraan Online, Ciidamo ka tirsan Beesha Gaaljecel oo ku biiray la dagaalanka Hirshabelle iyo Janaraal Xuud oo ku dhawaaqay arin cusub [], 30 November 2020, [url](#); Geedi, A., telephone interview, 15 June 2021. Ali Geedi is from Middle Shabelle; he was Prime Minister of Somalia 2004-2007

<sup>798</sup> UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 7

<sup>799</sup> TNH, Fear of more clashes in Middle Shabelle, 18 June 2002, [url](#)

Hawiye clan-family, they compete among each other.<sup>800</sup> The politicization of clan-conflicts became visible in 2020, when Ali Gudlawe, an Abgal, was elected to the leadership position over a candidate from Hawadle. In Reaction 'General Xuud's militia (mainly Hawadle, but also some Gaaljeel<sup>801</sup>) clashed with local security forces near Beledweyne and Ceel Gaal, with Al-Shabaab militants taking advantage of the situation to make new advances'.<sup>802</sup> The conflict escalated further and in December 2020, local clan militias loyal to General Xuud clashed with Somali government forces.<sup>803</sup> The opposition presidential candidates accused the federal government of dividing the clans in Hirshabelle state to advance its political agenda.<sup>804</sup> According to the UN Secretary General's May 2021 report, 'the dispute between Hawadle clan members and the newly elected Hirshabelle administration remained unresolved.'<sup>805</sup>

In May 2021, members of the Jejele and Makane clans clashed in the outskirts of Beledweyne,<sup>806</sup> resulting in displacement of inhabitants.<sup>807</sup> Shortly afterwards, on 17 May 2021, clan fighters burned villages north of Beledweyne, where clan clashes have been raging on for some time. The affected villages include Ba'ad Buko, the scene of recent fighting between two rival clan militias.<sup>808</sup>

**South-West State:** This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021,<sup>809</sup> and with EASO's COI report [Somalia: Security situation](#) (September 2021).<sup>810</sup>

Generally, there are long-standing clan conflicts in Lower Shabelle around natural 'resources, such as land tenure, grazing rights, water, farmlands, livestock, and the distribution of humanitarian aid'.<sup>811</sup> In April 2020, a clan conflict erupted in the town of Wanlaweyn, Lower Shabelle, resulting in over 25 fatalities. The President of South-West State, Abdiiaziz Hassan Mohamed 'Laftagaren', constituted an intervention committee to de-escalate the conflict. The UN Secretary General noted that 'on 24 April, a reconciliation conference involving the clans, the regional administration and the Somali National Army began in the affected district.'<sup>812</sup>

On 5 July 2020, 'a South-West State ministerial delegation secured an agreement on the cessation of hostilities between the Shanta-Alemod and Galjel sub-clans of the Digil and Hawiye clans, respectively, in Wanlaweyn district' which would allow 'displaced people to return, and the recruitment from both communities of a 250-member special police force, working closely with Somali National Army units.'<sup>813</sup> However, on 29 September, the conflict resurfaced when two people were killed in a clan revenge attack in the village of Yaqbariweyne in Lower Shabelle region. The village is in Wanlaweyn district. The perpetrators fled the scene.<sup>814</sup>

In October 2020, Al-Shabaab used clan conflicts in the Bakool region, to broker peace between rival clans. On 6 October 2020, a ceremony was held in Burdho town, Bakool region, in which the groups in conflict, the Galj'el and Gelidle clans, exchanged livestock as blood compensation.<sup>815</sup>

<sup>800</sup> Geedi, A., telephone interview, 15 June 2021

<sup>801</sup> Hoehne, M. V., telephone interview, 18 August 2021

<sup>802</sup> ACLED, A Turbulent Run-up to Elections in Somalia, 7 April 2021, [url](#)

<sup>803</sup> Somali Affairs, Somali interior minister travels to central town amid political tension, 3 December 2020, [url](#)

<sup>804</sup> Radio Kulmiye, Midowga musharaxiinta oo war ka soo saaray xaaladda gobolka Hiiraan, 7 December 2020, [url](#)

<sup>805</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 32

<sup>806</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 32

<sup>807</sup> Multi-Cluster Rapid Assessment on Clan Conflict and Flood in Beletweyne 25 – 27 May 2021, [url](#), p. 6

<sup>808</sup> Radio Kulmiye, Maleeshiyaad hubeysan oo xalay gubay tuulo ku taala Hiiraan, 17 May 2021, [url](#)

<sup>809</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 7.2 South-West

<sup>810</sup> EASO, Somalia: Security situation, September 2021, [url](#), sections: 2.2.1 Bakool, 2.2.2 Bay, 2.2.3 Lower Shabelle

<sup>811</sup> Axiom, Final Report Seed II: Exploring The Agricultural Initiatives' Influence On Stability In Somalia, [url](#), p. 17

<sup>812</sup> UNSG, Situation in Somalia, S/2020/398, 13 May 2020, [url](#), para. 35

<sup>813</sup> UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para 39.

<sup>814</sup> Universal TV, Two killed in southern Somalia clan feud, 29 September 2020

<sup>815</sup> Somali Memo, Boqolaal Neef Geel ah oo diyo ahaan loogu kala wareejiyay Beelo ku dagaallamay Soomaaliya, 6 October 2020, [url](#)

**BRA or Mogadishu:** This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021,<sup>816</sup> and with EASO's COI report [Somalia: Security situation](#) (September 2021).<sup>817</sup>

Protests in Mogadishu, called by opposition groups over the Federal Government's management of the upcoming elections (planned for February 2021, but then postponed until late summer 2021)<sup>818</sup>, led to violence on 15 and 25 December 2020. The Somali Police Force stepped in and several civilians were injured. Clan-affiliated militias took part in the clashes.<sup>819</sup> It has to be noted that President Farmajo's opponents in the capital are largely members of the Hawiye.<sup>820</sup> On 25 April 2021 government and opposition-aligned security forces clashed in Mogadishu.<sup>821</sup> Forces on both sides, even the official government forces, were largely made up of clan-based militia with loyalties lying principally with their respective clan.<sup>822</sup> The Hawiye, Abgaal, Habar Gedir and Murusade clans were mentioned as being involved in the conflict and gathering their fighters, some of them members of police and army forces.<sup>823</sup> Early May 2021 an agreement between the Federal Government and opposition was reached.<sup>824</sup>

**Jubbaland.** This section should be read in conjunction with EASO's COI report [Somalia: Actors](#), published in July 2021,<sup>825</sup> and with EASO's COI report [Somalia: Security situation](#) (September 2021).<sup>826</sup>

Further south, in Jubbaland, elders from the Majerteen and Awramale clans agreed to a ceasefire on 11 April 2020. Intermittent clashes followed resulting in more than 50 fatalities between 2 February and 2 April.<sup>827</sup>

## 5.2 Clan revenge in clan conflicts for women

This section should be read in conjunction with [Chapter 2. Women and girls](#) of the present report.

Women in Somalia are subject to a strictly patriarchal order – supported by Somali traditions and by Islamic provision.<sup>828</sup> Traditionally, women and other weak groups or messengers (children and old people, religious and traditional authorities, peace delegates, guests, those living under the protection of a group, etc.) are in Somali called *biri ma geydo*.<sup>829</sup> This means: 'they shall not be harmed' in conflict situations.

'the term [biri ma geydo] has its origins in the practice of abstaining from felling certain trees on account of their shade, fruit, rarity or religious associations. It was also used in reference to certain animals whose slaughtering was disapproved of such as burden camels, lactating and pregnant animals, etc. Later it came to be applied to those

<sup>816</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 7.3 Benadir and Mogadishu

<sup>817</sup> EASO, Somalia: Security situation, September 2021, [url](#), section: 2.3 Benadir and Mogadishu

<sup>818</sup> Geedi, A., telephone interview, 15 June 2021

<sup>819</sup> UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 4

<sup>820</sup> AFP, Five things to know about Somalia's political crisis, 30 April 2021, [url](#); see also Robinson, Colin D., Somalia Must Replace Its Military and Security Chiefs, 18 June 2021

<https://www.thedefensepost.com/2021/06/18/somalia-must-replace-military-chiefs/>

<sup>821</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 21

<sup>822</sup> Norway, Landinfo, Respons, Somalia: Kampene i Mogadishu den 25. april 2021 og sikkerhetssituasjonen i byen etter dette, 15 June 2021, [url](#), p. 2

<sup>823</sup> Robinson, Colin D., Somalia Must Replace Its Military and Security Chiefs, 18 June 2021, [url](#)

<sup>824</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 21

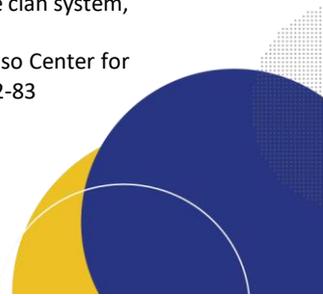
<sup>825</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 7.1 Jubbaland

<sup>826</sup> EASO, Somalia: Security situation, September 2021, [url](#), sections: 2.1.1 Gedo, 2.1.2 Middle Juba, 2.1.3 Lower Juba

<sup>827</sup> UNSG, Situation in Somalia, S/2020/398, 13 May 2020, [url](#), para. 35

<sup>828</sup> Ingiriis, M. H. and Hoehne, M. V., The impact of civil war and state collapse on the roles of Somali women: a blessing in disguise, 2013, p. 317; Sweden, Swedish Migration Agency, Lifos Report, Somalia: the position of women in the clan system, 27 April 2018, [url](#), p. 4

<sup>829</sup> ICRC, Spared from the Spear: Traditional Somali Behaviour in warfare, February 1998, [url](#), pp. 29-47; see also Center for Civilians in Conflict, The People's Perspectives: Civilian Involvement in Armed Conflict, 11 May 2015, [url](#), pp. 82-83



categories of persons who were to be spared from violence at all times because of fear of disgrace or divine retribution or because of other practical considerations.’<sup>830</sup>

During (civil) war, however, women often experience constant fear of violence. A recent research by Ibrahim Bangura, a senior lecturer in the Department of Peace and Conflict Studies, Fourah Bay College, University of Sierra Leone, found that

‘Out of 295 women and girls who participated in the survey, 251 indicated that they live in constant fear of losing their lives or being raped or tortured by fighting forces, criminals, or family members. Similarly, of the ninety-six women and girls who participated in FGDs, seventy-three indicated that they live in constant fear of losing their lives or being raped or tortured by fighting forces, criminals, or family members. While the experience is psychologically damaging, some women bear severe and longer-term physical trauma such as vesico-vaginal fistula (VVF).’<sup>831</sup>

The UN secretary general reported in 2021 that ‘protracted conflict, structural gender inequality and successive humanitarian crises have exposed Somali women and girls to heightened levels of conflict-related sexual violence.’ The UN reported that there were 400 girls, 12 women and 7 boys who were victimised in the course of 2020, with most sexual violence in Somalia perpetrated by Al-Shabaab and clan militias, with some cases involving the Somali National Army (25) or the Somali Police Force (16). Also regional forces, e.g. in Puntland or Jubbaland, committed a few acts of sexual violence. The rest were by unknown perpetrators. The Secretary General added that ‘reports of sexual violence increased significantly compared with the previous reporting period, fuelled by intensified clashes among clans related to land-based disputes and the fragile security situation in settlements for internally displaced persons.’<sup>832</sup>

Another source, however, noted that specifically in clan conflicts, which are not related to political fighting – e.g. involving national forces, Al-Shabaab or regional state militias - women are still often considered sacrosanct. At least they are not directly targeted in such normally very local conflicts that revolve around access to water, grazing or land.<sup>833</sup> If, however, majority groups clash with minority groups over the just mentioned resources, it is more likely that women are harmed by majority clan militias, as a display of ‘superiority’ by the majority group.<sup>834</sup> While generally women do not enjoy equal rights with men in Somalia, women from minority groups are additionally vulnerable. They ‘are often subjected to assault from a variety of groups, including armed groups, security forces, AMISOM, clan members from majority clans and clan members from minority groups.’ In case of a conflict with majority clan members, women from minority groups do hardly find even minimal protection under *xeer*.<sup>835</sup>

Women can play a very specific role in peace-making between lineages of clans. In order to stabilise a peace agreement between groups, sometimes one or several unmarried girls from the family of the killer(s) is given by the elders for marriage to the injured group, on top of the compensation in livestock or the equivalent in money. This tradition is called *godob reeb*, which translates as ‘extinguishing hatred/resentment’; elsewhere it is called ‘*godobtiiir*’ (accounting for resentment).<sup>836</sup> The logic is that after conflict, marriage ties between former enemies are forged, and the loss of life of the one group is ‘replaced’ by the child/children born to the girl(s) from the former enemy group. Hoehne notes that

<sup>830</sup> ICRC, Spared from the Spear: Traditional Somali Behaviour in warfare, February 1998, [url](#), p. 29

<sup>831</sup> Bangura, I., Trapped in Violence and Uncertainty: Patriarchy, Women, and the Conflict in Somalia, 2021, p. 90

<sup>832</sup> UNSG, Conflict-related sexual violence, S/2021/312, 30 March 2021, [url](#), para. 40

<sup>833</sup> Ali, A. M., telephone interview, 14 June 2021

<sup>834</sup> Hoehne, M. V., telephone interview, 15 June 2021

<sup>835</sup> Sweden, Swedish Migration Agency, Lifos Report, Somalia: the position of women in the clan system, 27 April 2018, [url](#), p. 17

<sup>836</sup> Sweden, Swedish Migration Agency, Lifos Report, Somalia: the position of women in the clan system, 27 April 2018, [url](#), p. 16; see also ACCORD, Anfragebeantwortung zu Somalia: Informationen zu Zwangsheirat (Zwangsheirat zur Konfliktlösung oder Entschädigung zwischen Clans) [a-9810], 19 August 2016, [url](#)

this tradition is still practised in the north in specially complicated conflict cases with the consent of the girl(s) ‘presented’ as *godob reeb*. A young woman can also refuse this kind of arrangement.<sup>837</sup>

Regarding the treatment of female defectors from AS see also [section 1.2](#) on repercussions for deserters from Al-Shabaab.

## 6. Individuals supporting or perceived as supporting the government, the international actors, and/or as opposing Al-Shabaab

This section should be read in conjunction with EASO’s COI report [Somalia: Security situation](#) (September 2021).<sup>838</sup>

During the period covered in this report, Al-Shabaab (AS) has carried out a number of attacks and assassinations on Somali government or Somali National Army (SNA) officials and other individuals ‘perceived to have links with the government’.<sup>839</sup> As outlined below, these attacks have occurred in a variety of settings and locations (though most attacks have been reported in urban areas of South Central Somalia and Puntland), with those targeted having a variety of profiles in terms of rank, function, profession and age.

Although this section will focus on the profiles of persons attacked by Al-Shabaab, it should also be noted that Islamic State’s Somali branch, which maintains a presence around Bosasso (Puntland), has ‘carried out sporadic attacks in Puntland and Mogadishu’.<sup>840</sup> It reportedly staged an attack in Mogadishu in October 2020.<sup>841</sup> However, in recent times, its attacks in the city have been reported to be less frequent than before 2020. The group’s modus operandi also involves ‘assassination of security or government figures with gunfire or, occasionally, explosive devices’.<sup>842</sup> For more information on ISIS-Somalia, see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>843</sup>

<sup>837</sup> Hoehne, M. V., The rupture of territoriality and the diminishing relevance of cross-cutting ties in Somalia after 1990, 2016, pp. 1389-1390; details added by Hoehne, M. V., telephone interview, 18 August 2021

<sup>838</sup> EASO, Somalia: Security situation, September 2021, [url](#)

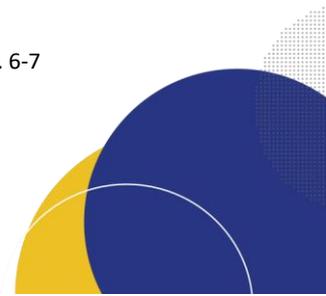
<sup>839</sup> Al, Amnesty International Report 2020/21, 7 April 2021, [url](#), p. 323; see also UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 133; Norway, Landinfo, Respons, Somalia: Det generelle voldsbildet og al-Shabaabs aktivitet i ulike deler av landet, 3 June 2021, [url](#)

<sup>840</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 68; a recent Landinfo query response lists nine attacks carried out by IS that were registered by ACLED for 2020, most of them in Bari-region and some in Mogadishu, see Norway, Landinfo, Respons, Somalia: Det generelle voldsbildet og al-Shabaabs aktivitet i ulike deler av landet, 3 June 2021, [url](#), p. 5,

<sup>841</sup> RocketChat, IS claims gun attack on soldiers in Somali capital Mogadishu, 25 October 2020

<sup>842</sup> International Crisis Group, Blunting Al-Shabaab’s Impact on Somalia’s Elections, 31 December 2020, [url](#), pp. 6-7

<sup>843</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 6 Islamic State in Somalia (ISIS-Somalia)



## Scope of attacks and ideology behind justification of attacks

When referring to Somali federal or local government officials and those allied with the state, Al-Shabaab uses the terms non-Muslims, apostates (*murtaa*<sup>844</sup>)<sup>845</sup> or infidels (*kafir*).<sup>846</sup> In a 2009 statement outlining its religious doctrine to the group's supporters, an AS official declared the Somali government to be illegitimate and acting outside the boundaries of Islamic law, denouncing those who follow the country's [provisional] Constitution – or, for that matter, any party opposing the group – as 'infidels',<sup>847</sup> which reflects the group's predominant 'takfiri ideology that justifies the killing of other Muslims'.<sup>848</sup>

AS has been reported to threaten persons 'who are in any way associated with the Somali government [or] the military [...], no matter where they live.'<sup>849</sup> As Mary Harper writes, civilians can be 'punished, even killed, for serving food to a civil servant or washing a soldier's uniform'. People have been threatened for repairing computers in government buildings or selling tea to members of the armed forces. In one case, she writes, a man was shot dead after he ignored the group's warnings. Others were forced to give up their livelihoods. It has also been reported that AS frequently targets family members of persons it wants to punish.<sup>850</sup> According to local sources in Somalia talking to Landinfo in 2020 and information Landinfo obtained in previous years, low-ranking government officials are not a priority target for al-Shabaab; one source mentioned that such officials live all over Mogadishu, even in the Afgoye area outside Mogadishu, from where they commute to and from work.<sup>851</sup>

AS has also targeted elders for their alleged links to the government,<sup>852</sup> including those who have represented their communities in elections<sup>853</sup> (see [section 6.3 below](#)).

AS has carried out what has been reported as 'indiscriminate attacks targeting civilians and civilian infrastructure, including restaurants and hotels'.<sup>854</sup> These facilities have sometimes been referred to as 'soft targets'<sup>855</sup>. Meanwhile, it has been noted that AS views certain hotels<sup>856</sup> as legitimate targets, warning civilians not to get close to them. An AS member is quoted as saying that the group considers 'five, six or seven hotels in Mogadishu as prime targets' as they are known to host government officials, certain members of the Somali diaspora, foreigners and others seen as 'infidels'. Harper notes that some hotels do indeed serve as homes and workplaces of senior government officials. According to a member of AS's department for communications, the group considers 'every person who visits or works at such hotels', including hotel owners (who allow 'members of government to live and visit their hotels'), cleaners, guards, cooks and other staff as enemies. Elaborating on this logic, the AS source is quoted as saying that the group considers such hotels to be 'government buildings, not civilian buildings'. It has been reported that the group sometimes justified their attacks on these

<sup>844</sup> Menkhaus, K., Al-Shabaab and Social Media: A Double-Edged Sword, 2014, [url](#), p. 315

<sup>845</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 6; see also Taarnby, M. and Hallundbaek, L., Al-Shabaab: The Internationalization of Militant Islamism in Somalia and the Implications for Radicalisation Processes in Europe, 26 February 2010, p. 14

<sup>846</sup> Hoehne, M. V., communication, 8 July 2021

<sup>847</sup> Taarnby, M. and Hallundbaek, L., Al-Shabaab: The Internationalization of Militant Islamism in Somalia and the Implications for Radicalisation Processes in Europe, 26 February 2010, p. 14

<sup>848</sup> Bryden, M., The Reinvention of Al-Shabaab: A Strategy of Choice or Necessity?, February 2014, [url](#), pp. 1-2

<sup>849</sup> Harper, M., Everything You Have Told Me Is True: The Many Faces of Al-Shabaab, 2019, p. 130

<sup>850</sup> Harper, M., Everything You Have Told Me Is True: The Many Faces of Al-Shabaab, 2019, pp. 130-133

<sup>851</sup> Norway, Landinfo, Query response, Somalia: Violence in Mogadishu and developments since 2012, 30 October 2020, [url](#), pp. 5-6

<sup>852</sup> Hiraal Institute, Semi-annual Somalia Security Report, 16 July 2020, [url](#), p. 9; Garowe Online, Al-Shabaab publicly executes elder by firing squad in central Somalia, 30 September 2020, [url](#)

<sup>853</sup> International Crisis Group, Blunting Al-Shabaab's Impact on Somalia's Elections, 31 December 2020, [url](#), pp. 3-4

<sup>854</sup> AI, Amnesty International Report 2020/21, 7 April 2021, [url](#), p. 323; see also Norway, Landinfo, Query response, Somalia: Violence, fatalities, perpetrators and victims in Mogadishu, 27 February 2017, [url](#), pp. 7-9

<sup>855</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 6

<sup>856</sup> See for example Norway, Landinfo, Query response, Somalia: Violence in Mogadishu and developments since 2012, 30 October 2020, [url](#), p. 6

facilities by referring to them as military bases.<sup>857</sup> Thus, another expert explains, in large-scale attacks carried out by AS, civilians are not killed or injured as accidental ‘bystanders’ or ‘collateral damage’, but as deliberate targets.<sup>858</sup> However, an analysis by Landinfo concludes that the civilian population in general is not the target of attacks, even though sources agreed that the group pays little attention to ‘random passers-by’ when attacking.<sup>859</sup>

Although it was noted that the primary targets of AS were the Somali National Army (SNA) and the forces of the African Union Mission in Somalia (AMISOM) and its ‘second priority’ were the police force and those working for the Federal Government of Somalia (FGS) and the Federal Member States (FMS),<sup>860</sup> the rationale outlined above shows a broad range of profiles of individuals that may become potential targets of attacks. After discussing the capacity of AS to carry out attacks, the following sections will focus on four of these profiles: officials of the federal government or the FMS governments, army officers, persons accused of cooperating with or spying for these institutions, and any other individuals seen as opposing the group.

### **Al-Shabaab’s capacity to carry out attacks**

AS has carried out targeted attacks on forces and buildings linked to the government and other facilities in areas controlled by the government, often using improvised explosive devices (IED)<sup>861</sup>, including IEDs attached to vehicles of civil servants, police and lone army officers<sup>862</sup>, or assassinating such persons with targeted shots.<sup>863</sup> For more information see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>864</sup>

According to a May 2021 United Nations report, AS has ‘maintained the capability to infiltrate Mogadishu and carry out high-profile attacks’.<sup>865</sup> As one expert estimated, AS probably has the capacity to assassinate a ‘judge, military officer, government secretary, minister or member of parliament through targeted attacks, if they really want them dead.’<sup>866</sup> Targeted killings may be carried out in government-controlled areas like Mogadishu ‘in plain daylight’, by persons who might normally not be suspected of being affiliated with an ‘Islamist’ group. Mohamed Haji Ingiriis observed that ‘Mogadishu residents mention how the Amniyat swiftly carries out killings and assassinations against alleged collaborators of the government for their hit squad operations.’<sup>867</sup> A resident of Mogadishu whose brother, a federal government official, was killed by AS, is quoted as saying that ‘Al-Shabaab is everywhere’.<sup>868</sup> In this context, AS’s strategy of ‘exemplary violence’ may have to be taken into

<sup>857</sup> Harper, M., *Everything You Have Told Me is True: The Many Faces of Al-Shabaab*, 2019, pp. 95-96, 98-99

<sup>858</sup> ACCORD, *Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure* [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), pp. 11-12

<sup>859</sup> Norway, Landinfo, *Respon, Somalia: Det generelle voldsbildet og al-Shabaabs aktivitet i ulike deler av landet*, 3 June 2021, [url](#), pp. 6-7

<sup>860</sup> Hiraal Institute, *Semi-annual Somalia Security Report*, 16 July 2020, [url](#), p. 9

<sup>861</sup> USDOS, *International Religious Freedom Report 2020 - Somalia*, 12 May 2021, [url](#), p. 6

<sup>862</sup> Hiraal Institute, *Semi-annual Somalia Security Report*, 16 July 2020, [url](#), p. 9

<sup>863</sup> ACCORD, *Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure* [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 12; Hiraal Institute, *Semi-annual Somalia Security Report*, 16 July 2020, [url](#), p. 9

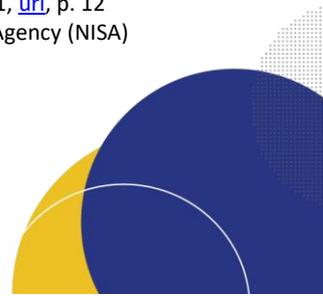
<sup>864</sup> EASO, *Somalia: Actors*, July 2021, [url](#), section: 4.2.3 Modus operandi and tactics

<sup>865</sup> UNSG, *Situation in Somalia, S/2021/485*, 19 May 2021, [url](#), para. 15

<sup>866</sup> ACCORD, *Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure* [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), p. 12

<sup>867</sup> Ingiriis M. H., *Insurgency and international extraversion in Somalia: the National Intelligence and Security Agency (NISA) and Al-Shabaab's Amniyat*, 2020, [url](#), p. 129

<sup>868</sup> Harper, M., *Everything You Have Told Me is True: The Many Faces of Al-Shabaab*, 2019, p. 34



account. As the group lacks the capacity to exert control all the time and everywhere, punishments are carried out in an exemplary manner to instil fear in the population.<sup>869</sup>

According to Marchal, one reason AS can operate so effectively in Mogadishu is that it has infiltrated the security forces, including the National Intelligence and Security Agency (NISA).<sup>870</sup> Another expert said that people working as informants for AS's Amniyat can be 'ordinary students, people in offices, in the security forces etc. who collect information' for the organisation.<sup>871</sup> For more information see EASO's COI report [Somalia: Actors](#), published in July 2021.<sup>872</sup>

## 6.1 Attacks on Federal Government and FMS officials

According to the United Nations Assistance Mission in Somalia (UNSOM), AS has 'increased its operational tempo since August 2020, and the beginning of 2021 has seen a new peak in the number of attacks targeting government officials'.<sup>873</sup> Please note that the reported incidents below are not exhaustive.<sup>874</sup>

### High-ranking Federal and FMS government officials

AS has carried out a number of targeted killings and assassination attempts on high-profile FGS officials, including the attempted assassination of the director of the Immigration and Naturalization Department in Mogadishu in October 2020, of the acting Minister for Education in August 2020<sup>875</sup> and of the Minister for Internal Security of the Federal Government of Somalia in July 2020<sup>876</sup>.

At the FMS level, in Puntland, where AS has steadily become stronger,<sup>877</sup> they carried out attacks killing the Governor of Mudug region in Galkayo<sup>878</sup> and the governor of Nugaal in Garowe<sup>879</sup>.

The group also assassinated two state ministers in Jowhar (the capital of Hirshabelle FMS) and the chairman of the Jubbaland Chamber of Commerce in Kismayo.<sup>880</sup>

Moreover, senior government officials also have been targeted in several large-scale attacks that also affected multiple civilians. Most recently, in April 2021, AS carried out a suicide bombing in a restaurant in Baidoa (the capital of South-West-State) that targeted the Governor of the Bay region (who survived the attack, while several other people were reportedly killed).<sup>881</sup> Some AS attacks have targeted senior officials in places where large crowds were present. A December 2020 suicide attack outside a stadium in (south) Galkayo in December 2020 killed at least 30 people, including high-ranking

<sup>869</sup> ACCORD, Somalia: Al-Schabaab und Sicherheitslage; Lage von Binnenvertriebenen und Rückkehrer:innen; Schutz durch staatliche und nicht-staatliche Akteure [Seminar with experts Markus Hoehne and Jutta Bakonyi], 31 May 2021, [url](#), pp. 8-9; see also Norway, Landinfo, Query response, Somalia: Violence in Mogadishu and developments since 2012, 30 October 2020, [url](#), pp. 5-6

<sup>870</sup> Marchal, R., telephone interview, 26 June 2021

<sup>871</sup> Baadiyow, A. A., telephone interview, 26 June 2021

<sup>872</sup> EASO, Somalia: Actors, July 2021, [url](#), sections: 4.2.2 Amniyat; 4.3.3 Infiltration

<sup>873</sup> UNSOM, UNSOM Newsletter, Issue 18 (Quarterly), March 2021, [url](#), p. 2

<sup>874</sup> Incidents of targeting of government and FMS officials are periodically reported by Sahan, The Somali Wire, Issues Jan-June 2021, n.d., source requiring registration

<sup>875</sup> Radio Dalsan, Somali MP reportedly wounded in south-west Somalia blast, 16 August 2020

<sup>876</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 133

<sup>877</sup> Jamestown Foundation, Somaliland Elections Disrupt al-Shabaab's Regional Expansion, Terrorism Monitor, Volume 19(12), 18 June 2021, [url](#)

UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 133; see also UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para. 22

<sup>879</sup> UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para. 22; UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 133

<sup>880</sup> UNSG, Situation in Somalia, S/2020/1113, 13 November 2020, [url](#), para. 14; Radio Mustaqbal, Somali regional state official killed in suicide bomb, 11 September 2020

<sup>881</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 18

government officials and army commanders as well as civilians. This attack took place while a rally for the Somali Prime Minister was ongoing.<sup>882</sup> Earlier in 2020, AS attacked a Mogadishu stadium during a ceremony attended by Somalia's President Mohamed Farmaajo (no casualties documented).<sup>883</sup>

### Police officers

Media sources reported that AS killed or injured a number of police officers in suicide attacks on police facilities (such as police stations) in the Mogadishu area<sup>884</sup> and other parts of South Central Somalia, including the Bakool region<sup>885</sup>. Moreover, in November 2020, AS claimed a suicide bombing on a (crowded) restaurant near the police academy in Mogadishu left six police officers dead and four others injured.<sup>886</sup>

### Government Intelligence officials

According to local media (including pro-AS outlets), AS carried out several targeted assassinations of NISA officials, both uniformed and in plain-clothes, in Mogadishu and its surroundings.<sup>887</sup> For example, in Mogadishu's Waberi district, in an area described by Somali Memo as being 'frequented by government spy agents', a bombing claimed by AS killed a senior intelligence official with the rank of colonel.<sup>888</sup> Outside the capital area, attacks targeted senior NISA officials in Galgaduud region<sup>889</sup> and FMS intelligence officials in Puntland (Galkayo)<sup>890</sup> and Jubbaland (Kismayo)<sup>891</sup>. For information on the Puntland Intelligence and Security Agency (PISA), see section 7.6.2 FMS armed forces of EASO's COI report [Somalia: Actors](#), published in July 2021, for Jubbaland Intelligence and Security Agency (JISA) see 7.1.2 FMS armed forces of the same report.<sup>892</sup>

### Tax collectors

Media sources (including outlets associated with AS) reported on several AS assassinations of government tax collectors, including in Mogadishu<sup>893</sup> and in Benadir region's Dharkenley district [which includes the westernmost neighbourhoods of Mogadishu]<sup>894</sup>. On 4 July 2020, a suicide car bombing that was later claimed by AS<sup>895</sup> targeted a tax collection centre in Mogadishu, injuring six people,<sup>896</sup> while on the same day, the group carried out an attack on a restaurant in Baidoa where tax collectors were holding a meeting, reportedly killing six people<sup>897</sup>.

<sup>882</sup> Radio Kulmiye, At least 30 killed in central Somalia suicide bomb attack, 18 December 2020; Somali Memo, Al-Shabab takes credit for deadly bombing in central Somalia, 18 December 2020

<sup>883</sup> UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para. 19

<sup>884</sup> Reuters, Suicide bombing by Somalia's Al-Shabaab group kills six, 10 May 2021, [url](#); Somali Memo, Al-Shabab claims suicide bomb attack in Somali capital, translated by: BBC Monitoring, available by subscription at: [url](#), 28 April 2021; BBC Monitoring, Militants 'kill' Somali police officers in suicide attack, 17 November 2020

<sup>885</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 18

<sup>886</sup> BBC Monitoring, Militants 'kill' Somali police officers in suicide attack, 17 November 2020; see also UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 14

<sup>887</sup> Somali Memo, Al-Shabab says killed two Somali intelligence officials in south, 1 June 2021; Radio Kulmiye, Al-Shabab kills three Somali intelligence agents in capital, 28 February 2021; Calamada, Somali militants 'kill spy' in southern Afgoye town, 23 February 2021; Somali Memo, Al-Shabab kills four intelligence officers in Somali capital, 28 December 2020. Among others, Somali Memo, Radio Al Furqaan and Bogga Calamada are described as affiliated to AS by Small Wars Journal, Al-Shabaab: Information Operations Strategy Overview, 29 August 2019, [url](#)

<sup>888</sup> Somali Memo, Al-Shabab claims killing Somali spy agency official, 13 August 2020

<sup>889</sup> Garowe Online, Explosion kills 12 soldiers in central Somalia, 7 February 2021; Garowe Online, Somali intelligence official survives bomb attack, 9 August 2020, [url](#)

<sup>890</sup> Somali Memo, Al-Shabab 'kills' Somali security official in Puntland, 1 April 2021

<sup>891</sup> Somali Memo, Al-Shabab kills security official in southern Somalia, 10 April 2021

<sup>892</sup> EASO, Somalia: Actors, July 2021, [url](#), sections: 7.6.2 FMS armed forces; 7.1.2 FMS armed forces

<sup>893</sup> Somali Memo, Al-Shabab claims attacks in Somalia's capital, 23 January 2021

<sup>894</sup> Somali Memo, Al-Shabab kills revenue officer in Somali capital, 24 February 2021

<sup>895</sup> BBC News, Somalia restaurant attack: Six killed by al-Shabab, 4 July 2020, [url](#)

<sup>896</sup> New York Times (The), Attacks in Somalia Leave at Least 5 Dead, 4 July 2020, [url](#)

<sup>897</sup> BBC News, Somalia restaurant attack: Six killed by al-Shabab, 4 July 2020, [url](#)

## Other government officials

Local media (including pro AS media) reported about several attacks on suspected officials of FMS regional administrations. In Puntland, AS assassinated members of the Puntland administration in Galkayo<sup>898</sup> and Bosaso (an employee with the state's ministry of finance)<sup>899</sup> and reportedly also carried out attacks on government officials (and other civilians) in Bari region<sup>900</sup>.

There have also been cases of executions of suspected FMS officials. In early 2020, AS publicly executed a man suspected of being a member of both the South-West State administration and the Federal government in the Lower Shabelle region.<sup>901</sup> In August 2020, also in the Lower Jubba region, AS reportedly ambushed and killed a former village chief who allegedly worked as an official of the Jubbaland administration and collaborated with the Kenyan armed forces, and captured his bodyguard, according to a pro-AS source.<sup>902</sup>

Local government officials have been targeted in a number of instances, including in AS attacks that killed ward administrators in Mogadishu,<sup>903</sup> as well as in Hiiraan region (killing the head of a local government department),<sup>904</sup> Bay region (the commissioner of Qansaxdheere district survived an IED attack)<sup>905</sup>, and Gedo region (killing three local government department heads)<sup>906</sup>.

With regard to Somaliland, Landinfo refers to Markus Hoehne and other sources as saying that there have been 'rumors' of AS being behind assassinations of government officials in Somaliland including the town of Las Anod/Laascaanood in Sool (a region disputed between Somaliland and Puntland<sup>907</sup>). However, this authorship has not been verified and the organisation has not claimed responsibility, with Hoehne quoted as saying that AS has limited capacity to carry out attacks in Somaliland because it only has a small presence and not necessarily the support of the local population.<sup>908</sup>

## Government officials with other or unspecified profiles

AS has also targeted government officials with other or non-specified profiles, both in targeted assassinations and 'indiscriminate' attacks. The group caused multiple deaths and injuries in several large-scale attacks on venues frequented by (mostly unspecified) government and security officials, including on the Mogadishu Elite Hotel (August 2020)<sup>909</sup> and Afrik Hotel (31 January 2021),<sup>910</sup> an ice

<sup>898</sup> Radio Andalus, Al-Shabab kills Puntland state official in central Somalia, 5 November 2020

<sup>899</sup> Shabelle Media Network, Somalia: Gunmen Carry Out an Attack in Bosaso City, 17 March 2020, available at: [url](#)

<sup>900</sup> Universal Somali TV, Somalia's Puntland denies al-Shabab seizing Sanaag villages, 25 October 2020

<sup>901</sup> Calamada, Somali militants execute four men 'for spying', 12 January 2020

<sup>902</sup> Somali Memo, Al-Shabab kills former village chief in southern Somalia, 5 August 2020

<sup>903</sup> Somali Memo, Al-Shabab claims killing official outside Somali capital, 23 March 2021; Calamada, Al-Shabab claims killing prison warder in Somali capital, 18 February 2021; Al Arabiya, Five killed in suspected al-Shabaab attack in Somalia's capital, 27 October 2020, [url](#)

<sup>904</sup> Calamada, Al-Shabab kills local official in central Somalia, 16 November 2020

<sup>905</sup> UNSG, Situation in Somalia, S/2020/1113, 13 November 2020, [url](#), para. 14

<sup>906</sup> Somali Memo, Al-Shabab reportedly kills three Somali district officials, 25 February 2020

<sup>907</sup> ISS, The various layers to the Somaliland-Puntland discord, 9 December 2019, [url](#)

<sup>908</sup> Norway, Landinfo, Somalia: Sikkerhetssituasjonen Nordvest-Somalia (Somaliland), 7 April 2020, [url](#), p. 6; see also the map with the local distribution of Al-Shabaab incidents by Norway, Landinfo, Respons, Somalia: Det generelle voldsbildet og al-Shabaabs aktivitet i ulike deler av landet, 3 June 2021, [url](#), p. 9

<sup>909</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 48; USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 13; AI, Amnesty International Report 2020/21, 7 April 2021, [url](#), p. 323; BBC News, Mogadishu attack: Somali troops end deadly siege at Elite Hotel, 17 August 2020, [url](#)

<sup>910</sup> UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 14; CNN, Five dead in Mogadishu hotel car bomb attack, 1 February 2021, [url](#); BBC News, Somalia al-Shabab militants attack Afrik hotel in Mogadishu, 1 February 2021, [url](#); Radio Andalus, Somalia's al-Shabab claims 23 killed in hotel raid, 1 February 2021, translated by: BBC Monitoring, available by subscription at: [url](#); Somali Memo, Al-Shabab says top general was target of Somali hotel attack, 1 February 2021

cream parlour<sup>911</sup>, and restaurants<sup>912</sup>. Local media have also reported that AS killed a man in Hawle Wadag district (Mogadishu) who was working as a photographer for a prison commander<sup>913</sup> and a driver of a high-ranking federal government official<sup>914</sup>.

Apart from assassinations and attacks, it has been reported that AS carried out executions of persons it accused to be government employees, including two alleged local administration officials in Lower Shabelle region in January 2020.<sup>915</sup>

### Lawmakers

Besides government officials, AS has carried out attacks on lawmakers (members of legislative bodies), including a member of the Federal Parliament who has reportedly close ties to the President (in Beledweyne, Hiiraan region, he survived)<sup>916</sup> and local council MPs for Hirshabelle FMS (in Mogadishu, killed)<sup>917</sup> and Puntland (killed)<sup>918</sup>. In July 2020, a regional lawmaker (for the Hirshabelle parliament<sup>919</sup>) was abducted and killed by AS near the town of Balcad (Middle Shabelle region).<sup>920</sup>

## 6.2 Attacks on army officers

This section will focus on targeted attacks and assassinations of individual SNA officers and soldiers; combat-related attacks on or involving the SNA are not being addressed. Please note that the reported incidents below are not exhaustive.<sup>921</sup>

Sources have reported on a number of AS-claimed attacks on members of the SNA. The group has targeted high-ranking army officials, including the Chief of the Somali Armed Forces in March<sup>922</sup> and July 2020<sup>923</sup>. In late January 2021, AS attacked Hotel Afrik in Mogadishu, killing General Mohamed Nur Galal (the proclaimed 'key target' of the attack) whom the group had accused of being involved in the death of an AS leader in a US airstrike in 2008.<sup>924</sup> AS reportedly killed an SNA colonel near Balcad (Middle Shabelle region)<sup>925</sup> as well as military officers of lower<sup>926</sup> or unspecified rank<sup>927</sup> and regular soldiers<sup>928</sup> in the Mogadishu area. It has also been reported that AS occasionally carried out targeted killings and

<sup>911</sup> UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 14

<sup>912</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 15; DW, Somalia: Deadly blast hits Mogadishu restaurant, 6 March 2021, [url](#); Calamada, Al-Shabab claims responsibility for bombing in Somali capital, 27 November 2020

<sup>913</sup> Radio Dalsan, Gunmen reportedly kill photographer in Somali capital, 17 February 2021; see also Calamada, Al-Shabab claims killing prison warder in Somali capital, 18 February 2021

<sup>914</sup> Calamada, Al-Shabab claims killing Somali army official in Mogadishu, 8 June 2021

<sup>915</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 134; see also Calamada, Somali militants execute four men 'for spying', 12 January 2020

<sup>916</sup> Calamada, Pro-government Somali MP escapes al-Shabab attack, 27 November 2020

<sup>917</sup> Radio Banaadir, Programme summary of Somalia's Radio Banadir news, 21 April 2021

<sup>918</sup> Shabelle Media Network, Local MP Killed in Puntland, 23 March 2020, available at: [url](#)

<sup>919</sup> UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#)

<sup>920</sup> VOA, Al-Shabab Militants Abduct, Kill Somali Lawmaker, 5 July 2020, [url](#)

<sup>921</sup> Targeting of Somali army officers is reported periodically by Sahan, The Somali Wire, Issues Jan-June 2021, n.d., source requiring registration

<sup>922</sup> UNSG, Situation in Somalia, S/2020/398, 13 May 2020, [url](#), para. 19

<sup>923</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 133; UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para. 20; USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 13; Reuters, Head of Somalia's military unhurt, civilian killed in suicide car bomb on convoy, 13 July 2020, [url](#)

<sup>924</sup> Somali Memo, Al-Shabab says top general was target of Somali hotel attack, 1 February 2021

<sup>925</sup> Somali Memo, Al-Shabab kill senior army official in southern Somalia, 17 April 2021

<sup>926</sup> Calamada, Al-Shabab 'kills' military officer in Somali capital, 19 February 2021; Somali Memo, Al-Shabab kills military official in Somali capital, 24 October 2020

<sup>927</sup> BBC Monitoring, Civilian killed in blast targeting Somali official [sources: Radio Risala and Garowe Online], 13 March 2021; Calamada, Al-Shabab kills military official in Somali capital, 28 October 2020

<sup>928</sup> Somali Memo, Gunmen kill Somali soldier in Mogadishu, 24 April 2021; Calamada, Al-Shabab claims killing soldier outside Somali capital, 6 February 2021

attacks on security officials in Puntland.<sup>929</sup> Islamic State group reportedly claimed that its fighters assassinated three army soldiers in Mogadishu in October 2020.<sup>930</sup>

Apart from targeted killings and attacks, Al-Shabaab also carried out executions of persons accused of spying for the Somali armed forces, including two purported SNA soldiers in Lower Shabelle region in January 2020.<sup>931</sup>

### 6.3 Treatment of persons accused by AS of collaborating with or spying for the government or international actors

The following incidents focus on civilians accused by al-Shabaab of spying for different actors. For other forms of collaboration, please see the remarks under [chapter 6 above](#). Please note that the reported incidents below are not exhaustive.<sup>932</sup>

#### Individuals perceived to be spying for the government

It has been reported that AS carried out 'religiously and politically motivated killings that targeted civilians affiliated with the government'.<sup>933</sup> The organisation considers 'spying' for the government (or foreign powers) as a crime punishable by death.<sup>934</sup> Indeed, AS has referred to espionage as the main reason for its executions.<sup>935</sup> Mary Harper quotes an official of the organisation as saying that 'If you are a spy, there is only one punishment [...]. You will be killed whether you are a man or a woman.' Once a person has been found guilty by a 'special court', he or she will 'face the firing squad in a public place, never in a secret location', as 'everyone must witness the killing of the spy'.<sup>936</sup> Michael Skjelderup estimates that in cases of alleged spying, 'the level of proof before executions is probably quite low'.<sup>937</sup> Executions by firing squad or instant killings of persons within the movement accused of spying have been reported,<sup>938</sup> while the accused are never allowed access to lawyers<sup>939</sup>. As observed in a United Nations report, their intention is 'to intimidate populations under [AS] control and to send a clear message of what would happen to anyone not complying with their rules'.<sup>940</sup> Thus local residents are compelled to attend and watch them being carried out.<sup>941</sup>

While intercessions by clan elders have been reported to be successful under certain circumstances, this is not the case 'when people are arrested for rebellion or alleged spying'.<sup>942</sup>

<sup>929</sup> Radio Dalsan, Somalia's Puntland state sentences eight militants to death, 23 April 2021

<sup>930</sup> RocketChat, IS claims gun attack on soldiers in Somali capital Mogadishu, 25 October 2020

<sup>931</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 134; see also Calamada, Somali militants execute four men 'for spying', 12 January 2020

<sup>932</sup> Incidents of targeting of 'collaborators' are periodically reported by Sahan, The Somali Wire, Issues Jan-June 2021, n.d., source requiring registration

<sup>933</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#)

<sup>934</sup> Harper, M., Everything You Have Told Me Is True: The Many Faces of Al-Shabaab, 2019, p. 109

<sup>935</sup> UNSOM and UNOHCHR, Protection of Civilians Report, 2 October 2020, [url](#); this has also been noted by Skjelderup, M., email, 1 July 2021

<sup>936</sup> Harper, M., Everything You Have Told Me Is True: The Many Faces of Al-Shabaab, 2019, p. 109

<sup>937</sup> Skjelderup, email, 1 July 2021

<sup>938</sup> Ingiriis M. H., Insurgency and international extraversion in Somalia: the National Intelligence and Security Agency (NISA) and Al-Shabaab's Amniyat, 2020, [url](#), p. 129

<sup>939</sup> FTL, Al-Shabaab Execute Two Men for Spying for HirShabelle Administration, 26 September 2020, [url](#)

<sup>940</sup> UNSOM and UNOHCHR, Protection of Civilians Report, 2 October 2020, [url](#), p. 12

<sup>941</sup> UNSOM and UNOHCHR, Protection of Civilians Report, 2 October 2020, [url](#), p. 12; AA, Somalia: Al-Shabaab executes 5 people for spying, 2 March 2021, [url](#); Radio Dalsan, Alshabaab Executes 3 On Spying Claims, 27 January 2020

<sup>942</sup> Hiraal Institute, Taming the Clans: Al-Shabab's Clan Politics, 31 May 2018, [url](#), p. 3

The United Nations documented that ‘between January and July 2020, at least 17 men were publicly executed by Al-Shabaab’ after being accused of espionage, including for the Somali government.<sup>943</sup> In the Middle Jubba region (a part of Somalia reportedly under full AS control), in March 2021, AS publicly executed by firing squad five persons it accused of spying, including for Somali intelligence<sup>944</sup>, while two alleged collaborators of Somali intelligence were executed in September 2020<sup>945</sup>. For the treatment of persons accused by Al-Shabaab of being actual members of the Somali federal or FMS administrations or the SNA, please see [sections 6.1](#) and [6.2](#).

AS has also punished its own members for allegedly spying for the group’s enemies. According to Mohamed Ingiriis, AS’s Amniyat, which ‘handles internal justice’ within the organisation, ‘often acts outside the Al-Shabaab justice system to punish alleged spies within the movement’.<sup>946</sup> For example, in August 2020, the group publicly executed three of its members who were suspected of spying for Somali and foreign intelligence agencies.<sup>947</sup> For more information see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>948</sup>

### Individuals perceived to be spying for AMISOM or other international actors

Apart from alleged intelligence activities on behalf of the Somali government, AS views ‘spying’ for AMISOM or Western countries as a crime punishable by death.<sup>949</sup> As Mary Harper writes, AS ‘usually march straight back’ into towns previously occupied by AMISOM (or the Somali army), ‘killing those they accuse of acting as informants for the enemy’.<sup>950</sup> Amongst others, it has been reported that AS has executed alleged informants for international forces ‘in connection with air strikes against the group’s fighters’.<sup>951</sup>

As in previous years, AS ‘continued its practice of conducting public executions’ of individuals whom it suspected of spying for foreign powers.<sup>952</sup> Most recently, in late June 2021, a pro-AS media source reported that the group reportedly executed 16 people after accusing them of spying for foreign government entities, including the US intelligence agencies CIA and FBI and the United Kingdom’s MI6. These executions reportedly took place in southern and southwestern Somalia, including in the AS towns of Jilib (Middle Jubba region) and Bula Fulay (Bay region).<sup>953</sup> These executions came shortly after the Puntland authorities executed 21 alleged AS members.<sup>954</sup>

In March 2021, Anadolu Agency (AA) reported that five civilians were publicly executed in the town of Jilib in Middle Jubba region after being convicted by an AS court of spying, including for US intelligence.<sup>955</sup>

Regarding the reported execution of 17 people mentioned above, it was mentioned that the accusation also included spying for the international forces.<sup>956</sup> In January 2020, local media reported about the executions two men in the town of Kamsuma (Lower Jubba region) who had been convicted

<sup>943</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 134; for specific incidents, see, for example: Somali Memo, Al-Shabab execute six for 'spying for US, Kenya and Somalia', 31 March 2020; Hiiraan Online, Al-Shabab publicly 'executes' three in central Somalia, 4 January 2020

<sup>944</sup> AA, Somalia: Al-Shabaab executes 5 people for spying, 2 March 2021, [url](#)

<sup>945</sup> Shabelle Media Network, Al-Shabab executes 4 alleged spies, 5 September 2020, available at: [url](#)

<sup>946</sup> Ingiriis M. H., Insurgency and international extraversion in Somalia: the National Intelligence and Security Agency (NISA) and Al-Shabaab's Amniyat, 2020, [url](#), p. 129

<sup>947</sup> Shabelle Media Network, Somalia: Al-Shabaab Publicly Executes 4 in Somalia for Alleged Spying, 23 August 2020, available at: [url](#)

<sup>948</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 4.2.2 Amniyat

<sup>949</sup> Harper, M., Everything You Have Told Me Is True: The Many Faces of Al-Shabaab, 2019, p. 109

<sup>950</sup> Harper, M., Everything You Have Told Me is True: The Many Faces of Al-Shabaab, 2019, pp. 33-34

<sup>951</sup> Radio Al-Furqaan, Somali militants 'execute' three men accused of spying for US, 28 April 2020

<sup>952</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 6

<sup>953</sup> Calamada, Al-Shabab kills ten accused of 'spying' in southern Somalia, 28 June 2021

<sup>954</sup> BBC News, Somalia's Puntland region executes 21 al-Shabab fighters, 27 June 2021, [url](#)

<sup>955</sup> AA, Somalia: Al-Shabaab executes 5 people for spying, 2 March 2021, [url](#)

<sup>956</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 134

by an AS court of collaborating with foreign forces. One of the men was accused of being a member of the US-trained Bankroft militia, while the other allegedly collaborated with the Kenyan military.<sup>957</sup> In April 2020, AS executed three men accused of spying on behalf of the US Africa Command in El Buur district of Galgadud region.<sup>958</sup>

In March 2020, a pro-AS media source reported that the organisation had publicly executed six people in the town of Buale (Middle Jubba region) on allegations of espionage, amongst others for the US and Kenya.<sup>959</sup> Likewise, in September 2020, also in Middle Jubba, AS announced that it had executed two men in their fifties for alleged collaboration with US and Kenyan intelligence agencies.<sup>960</sup>

There have also been reports that AS has executed some of its own members for alleged espionage for foreign countries. In April 2020, in Galgadud region's El Buur district (described at the time as one of the group's main strongholds in the region), AS publicly executed three of its members it accused of spying for Western intelligence agencies.<sup>961</sup> Similarly, in August 2020, the group publicly executed three of its members for alleged espionage in Gedo region, including on behalf of US and Ethiopian intelligence agencies.<sup>962</sup>

### Individuals perceived to be spying for FMS regional forces or administrations

Local media reported that several people were executed for allegedly spying for FMS administrations.<sup>963</sup> In September 2020, local media reported that in Hiiraan region, which is part of Hirshabelle state, AS executed a soldier who was serving in the Hirshabelle army and a man accused of spying on behalf of Hirshabelle regional intelligence. These executions reportedly took place in town of Buq Aqable, which at that time of reporting was described as an AS stronghold within Hirshabelle FMS.<sup>964</sup>

During the first half of 2020, in the Lower Jubba region, sources associated with AS reported that the group publicly executed two men it accused of spying for South-West State and a man suspected of spying for the Jubbaland administration<sup>965</sup> as well as an alleged member of the Jubbaland regional forces<sup>966</sup>.

<sup>957</sup> Somali Memo, Somalia's al-Shabab kills three 'soldiers' in public, 26 January 2020; see also Dalsan Radio, Alshabaab Executes 3 On Spying Claims, 27 January 2020

<sup>958</sup> Radio Al-Furqaan, Somali militants 'execute' three men accused of spying for US, 28 April 2020; El-Buur is under AS control, see EASO, Somalia: Actors, July 2021, [url](#), section 7.5.1 Relevant dynamics, territorial control, and governance (see also Norway, Landinfo, Respons, Somalia: Det generelle voldsbildet og al-Shabaabs aktivitet i ulike deler av landet, 3 June 2021, [url](#), p. 8 for district capitals held by al-Shabaab)

<sup>959</sup> Somali Memo, Al-Shabab execute six for 'spying for US, Kenya and Somalia', 31 March 2020

<sup>960</sup> Shabelle Media Network, Al-Shabab executes 4 alleged spies, 5 September 2020, available at: [url](#)

<sup>961</sup> VOA, Somalia's al-Shabab Publicly Executes 3 for Spying, 29 April 2020, [url](#)

<sup>962</sup> Shabelle Media Network, Somalia: Al-Shabaab Publicly Executes 4 in Somalia for Alleged Spying, 23 August 2020, [url](#)

<sup>963</sup> Garowe Online, Al-Shabab says it executes spy agent and soldier in Somalia, 26 September 2020, [url](#); see also FTL, Al-Shabaab Execute Two Men for Spying for Hirshabelle Administration, 26 September 2020, [url](#)

<sup>964</sup> Garowe Online, Al-Shabab says it executes spy agent and soldier in Somalia, 26 September 2020, [url](#); see also FTL, Al-Shabaab Execute Two Men for Spying for Hirshabelle Administration, 26 September 2020, [url](#)

<sup>965</sup> Radio Al-Furqaan, Al-Shabab executes six for 'spying for Somalia', 15 April 2020. Al-Furqaan is described as "Al-Shabaab owned" by Dalsan Radio, Somalia: Airstrike Destroys Al-Shabaab Radio Station in Lower Shabelle Region, 2 January 2021, [url](#); see also Small Wars Journal, Al-Shabaab: Information Operations Strategy Overview, 29 August 2019, [url](#)

<sup>966</sup> Somali Memo, Somalia's al-Shabab kills three 'soldiers' in public, 26 January 2020; see also Dalsan Radio, Alshabaab Executes 3 On Spying Claims, 27 January 2020

## 6.4 Treatment of other individuals opposing or perceived as opposing Al-Shabaab

Please note that the reported incidents below are not exhaustive.<sup>967</sup>

### Humanitarian workers

AS has carried out attacks on employees of humanitarian NGOs and United Nations agencies as well as individual activists, clan elders, community leaders, and their families. The group 'committed religiously and politically motivated killings' and justified attacks on civilians by labelling the targets as false prophets, enemies of Allah, or aligned with AS' enemies.<sup>968</sup>

According to the United Nations, AS 'continues to threaten and directly target humanitarian workers when their community support activities are not acceptable to the group'.<sup>969</sup> Moreover, it has also been noted that agents of AS's Amniyat 'consider the international agencies and their local Somali partners as "spy-friendly"' and that they have 'specifically suspected international NGOs operating in their areas of conducting the intelligence gathering that helped track down one of its principal leaders'.<sup>970</sup>

During the year 2020, the United Nations recorded 56 incidents involving 'violence against humanitarian workers, assets and facilities'. The majority of those incidents occurred in Benadir region/Mogadishu (10), South-West State (13) and Jubbaland (11). 'Overall, 15 aid workers were killed, 12 were injured, 24 abducted and 14 were temporarily detained. [...] Incidents involving the killing and abduction of humanitarian personnel were mostly concentrated in Hirshabelle (16), Southwest State (12) and Jubaland (7)'. The report notes that all but one cases of abductions were attributed to Al Shabab, however it does not identify the numbers of killed and injured attributed to AS.<sup>971</sup>

Amongst others, in May 2020, AS claimed responsibility for killing a local women's leader and NGO worker in a targeted IED attack in the town of Dinsor in Bay region. It was reported that 'the victim, who worked closely with the Dinsor district council, 50 per cent of which is constituted by women, had previously received death threats from Al-Shabaab to force her to abandon her advocacy in support of women'.<sup>972</sup> In another incident that also occurred in May 2020 (in which AS denied any involvement), 'seven medical staff from an NGO-supported maternal and child health centre and a local pharmacist were abducted and killed by five armed men in Gololey, Middle Shabelle' (Hirshabelle FMS).<sup>973</sup> In July 2020, 'a World Health Organization contractor was injured in a hand grenade attack at a restaurant [...] in Kismaayo'.<sup>974</sup> In December 2020, a pro-AS media source reported that AS had claimed that it carried out an attack in which a logistical officer working for the United Nations was killed in one of the districts in Banaadir Region [Mogadishu].<sup>975</sup>

Besides attacks, AS reportedly carried out abductions of humanitarian workers 'to exert its control over outreach programmes and extort money from humanitarian organizations'. In kidnapping cases that were documented in the countryside of Lower Jubba, Bay and Gedo regions in 2020, victims later

<sup>967</sup> Incidents of targeting of AS opponents are periodically reported by Sahan, The Somali Wire, Issues Jan-June 2021, n.d., source requiring registration

<sup>968</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 13

<sup>969</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 137

<sup>970</sup> Ingiriis M. H., Insurgency and international extraversion in Somalia: the National Intelligence and Security Agency (NISA) and Al-Shabaab's Amniyat, 2020, [url](#), p. 136

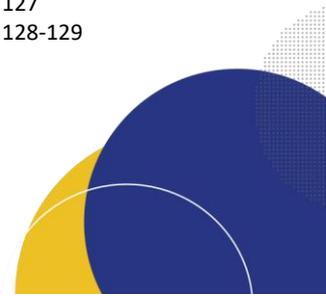
<sup>971</sup> UNOCHA, Somalia; 2020 Humanitarian Access Overview, April 2021, [url](#), p. 2; compare numbers in UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 58

<sup>972</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 127

<sup>973</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 128-129

<sup>974</sup> UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para. 23

<sup>975</sup> Somali Memo, Al-Shabab claims killing UN 'officer' in Somali capital, 24 December 2020



reported to the United Nations that they were brought before an AS court where they were required to give personal details and information about the activities of their organisation. Members of AS subsequently demanded ransom payments (between 500 and 14 000 USD per person) to be made in exchange for the abductee's release. Negotiations then usually took place between AS and representatives of the abducted person's community.<sup>976</sup>

UNOCHA reported that all 24 humanitarian workers abducted in 2020 were Somali nationals and that 'with the exception of the abduction and murder of the 7 health personnel in Hirshabelle, all of the other abductions verified [...] were attributed to Al Shabab', adding that all but one abductee 'were released following engagement by community or clan leaders and families'.<sup>977</sup>

According to humanitarian groups quoted by the US government, 'al-Shabaab continued to harass secular and faith-based humanitarian aid organizations, threatening the lives of their personnel and accusing them of seeking to convert individuals to Christianity'.<sup>978</sup>

### Lawyers

According to DefendDefenders, a Uganda-based NGO, lawyers in Somaliland 'face a number of significant challenges', including 'societal attitudes, political interferences, and a limited space that is in part due to Somaliland's use of three different, co-existing, and often overlapping justice systems.' Meanwhile, in South Central Somalia, lawyers face, 'first and foremost, security challenges', as members of AS conduct attacks against state institutions and practices that are viewed by the group as 'un-Islamic'. The source states that 'lawyers are mostly restricted to cities, and they do not have access to large parts of Somalia's territory, which are under the control of Al-Shabaab'.<sup>979</sup>

### Electoral delegates

AS has targeted electoral delegates [elders who select members of the federal and state legislatures on behalf of their communities in indirect elections] and their family members.<sup>980</sup> As reported by sources associated with AS, in autumn and early winter 2020, in the Mogadishu area, AS killed delegates who had been involved with the Federal Parliament of Somalia<sup>981</sup> as well as the Hirshabelle<sup>982</sup>, South-West State<sup>983</sup> and Jubbaland<sup>984</sup> legislatures. In the context of parliamentary and presidential elections (which were originally scheduled to be held in 2020<sup>985</sup>), AS reportedly 'issued private warnings' to elders who might potentially take part in the polls as delegates, with one elder quoted as saying that in 2019, AS summoned him and other elders to a meeting where they were granted amnesties for having taken part in elections in 2016-2017 but also told that they should not expect forgiveness if they participated in the forthcoming elections. The International Crisis Group states that AS, with its threats against potential delegates, appears to be taking the 'unambiguous position' that participation in any election constitutes a crime against Islam, rather than seeking to manipulate the vote in its favour (and thus acting to achieve changes within the existing political system).<sup>986</sup>

<sup>976</sup> UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 125

<sup>977</sup> UNOCHA, Somalia; 2020 Humanitarian Access Overview, April 2021, [url](#), p. 2

<sup>978</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 7

<sup>979</sup> Defend Defenders, Navigating Justice: Lawyers as Human Rights Defenders in Ethiopia and Somalia/Somaliland, December 2019, [url](#), p. 37

<sup>980</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 13; see also International Crisis Group, Blunting Al-Shabaab's Impact on Somalia's Elections, 31 December 2020, [url](#), p. 4

<sup>981</sup> Calamada, Al-Shabab kills electoral delegate in Somali capital, 26 December 2020

<sup>982</sup> Calamada, Planned Al-Shabab operations "kill" two in Somali capital, 24 November 2020

<sup>983</sup> Somali Memo, Somali militants kill intelligence agent and poll delegate, 21 October 2020

<sup>984</sup> Somali Memo, Al-Shabab kills electoral delegate in Somali capital, 13 October 2020

<sup>985</sup> VOA, Somalia Leaders Agree to Hold Election Within 60 Days, 27 May 2021, 27 May 2021, [url](#)

<sup>986</sup> International Crisis Group, Blunting Al-Shabaab's Impact on Somalia's Elections, 31 December 2020, [url](#), pp. 3-4

## Individuals refusing to pay taxes or protection money to AS, or who defend their property

It has been reported that throughout South Central Somalia, AS ‘extorted zakat (an Islamic annual compulsory giving of a set amount, typically 2.5 percent of one’s wealth, to benefit the poor) and sadaqa (a normally voluntary charitable contribution paid by Muslims)’ from residents.<sup>987</sup> For more information on AS taxation, see EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>988</sup> People who did not comply with demands for zakat or donations have reportedly ‘faced credible threats of violence’<sup>989</sup>, with one expert noting that ‘[m]any people living in government-controlled areas pay taxes and other fees to As Shabaab as well as to the local authorities, terrified of the consequences of not doing so’.<sup>990</sup> According to the Hiraal Institute, ‘individuals refusing to pay AS are forced to shut down their business, change their contact information, or flee the country’.<sup>991</sup> There have been allegations that AS tortured local residents for offences including failure to pay taxes.<sup>992</sup> The Hiraal Institute reported that ‘[i]n extreme cases, when the taxpayers blatantly refuse to pay what AS decides is owed to it, it carries out targeted killings’. The same source notes that there are even some government officials who give part of their salary to AS to avoid being targeted by the group.<sup>993</sup>

In September 2020, media reported that 30 people died in clashes between AS and villagers in Shabeelow village in Mudug region (Galmudug FMS) as villagers chose to fight the militants to defend their livestock animals after facing what a local elder called ‘brutality’ and intimidation from AS members who had been pressuring residents in Shabeelow to force them to hand over their arms and livestock.<sup>994</sup> AS claimed responsibility for attacking the village, describing it as a ‘military base’, a claim residents denied.<sup>995</sup>

AS’s system of tax collection has also been spreading into government-controlled Mogadishu in recent years.<sup>996</sup> In 2019 it was reported that a hotel owner who ‘openly expressed his views against paying’ taxes to the group suffered bombings or attacks on his hotel ‘every year since 2013’.<sup>997</sup>

## 7. Journalists

### General situation

The Somali Journalists Syndicate (SJS) describes Somalia as ‘one of the most dangerous countries to practice journalism globally’ while Amnesty International (AI) refers to the working environment for journalists in Somalia as ‘increasingly repressive’.<sup>998</sup> Sources mention state and federal government

<sup>987</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 6

<sup>988</sup> EASO, Somalia: Actors, July 2021, [url](#), section: 4.3.2 Taxation

<sup>989</sup> USDOS, International Religious Freedom Report 2020 - Somalia, 12 May 2021, [url](#), p. 6

<sup>990</sup> Harper, M., Everything You Have Told Me is True: The Many Faces of Al-Shabaab, 2019, p. 33

<sup>991</sup> Hiraal Institute, A Losing Game: Countering Al-Shabab’s Financial System, October 2020, [url](#), p. 6

<sup>992</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 5

<sup>993</sup> Hiraal Institute, A Losing Game: Countering Al-Shabab’s Financial System, October 2020, [url](#), p. 6

<sup>994</sup> DPA, At least 30 dead after locals fight off al-Shabaab in Somalia, 5 September 2020, [url](#)

<sup>995</sup> VOA, At Least 10 Killed in Somalia After Fighting Between Al-Shabab, Residents, 12 August 2020, [url](#)

<sup>996</sup> Hiraal Institute, A Losing Game, Countering Al-Shabaab Financial System, October 2020, [url](#), pp. 2, 5; UN Security Council, Report of the Panel of Experts on Somalia, S/2020/949, 28 September 2020, [url](#), para. 11-13; see also EASO, Somalia: Actors, July 2021, [url](#), section: 4.3.2 Taxation

<sup>997</sup> Washington Post, ‘If I don’t pay, they kill me’: Al-Shabab tightens grip on Somalia with growing tax racket, 30 August 2019, [url](#)

<sup>998</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 2; AI, East and Southern Africa: Media freedoms curtailed as COVID-19 regional crises expose urgent need for access to information, 3 May 2021, [url](#)

authorities<sup>999</sup> as well as Al-Shabaab militants<sup>1000</sup> as potential sources of threats and attacks. Private individuals are also mentioned as perpetrators of verbal or physical violence.<sup>1001</sup> The types of violence reportedly carried out against journalists in the reporting period ranged from harassment and intimidation, arbitrary arrest and detention to physical attacks and killings.<sup>1002</sup>

Various reports indicate harassment and intimidation of journalists to be prevalent in Somalia.<sup>1003</sup> The National Union of Somali Journalists (NUSOJ) recorded 113 cases of intimidation against journalist across Somalia in 2020, such as threats in order to silence reporting. 81 % of these cases were reportedly carried out by individuals (such as politicians) who wield power over the security forces.<sup>1004</sup> Security forces, Al-Shabaab and other actors used intimidation and harassment in order to silence journalists and push them to self-censor.<sup>1005</sup> This environment characterised by fear as well as vague criminal provisions concerning the dissemination of information have pushed some journalists not to publish their reporting,<sup>1006</sup> others have used pseudonyms in order to protect their identity<sup>1007</sup>.

Moreover, at least 71 government-influenced layoffs of journalists were reported between May 2020 and May 2021.<sup>1008</sup> In some cases, media houses were shut down by authorities and journalists were ordered to leave, either without any reason being given or for having failed to broadcast content desired by the government.<sup>1009</sup> In other cases, journalists were fired from government-funded media because they had publicly voiced criticism of the government.<sup>1010</sup> Among the issues that incurred government reprisals such as arrests were journalists not reporting on political events in a way deemed favourable by the authorities, posting criticism of security forces on social media or trying to cover anti-government rallies or opposition events.<sup>1011</sup> Al-Shabaab threatened with death or even killed journalists reporting critically on the group and its activities.<sup>1012</sup>

In his quarterly reports on the situation in Somalia, the UN Secretary-General frequently mentioned arrests and detentions of journalists taking place in South-Central Somalia, Puntland as well as Somaliland. Over the course of six reports, together covering the period of 5 November 2019 until 7 May 2021, 65 cases of arrests of journalists were documented (12 of which in Puntland and 16 of

<sup>999</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 2; UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 43; FESQJ, Murders, Physical Assaults & Online Harassment: Silencing Journalism in Somalia, 3 May 2021, [url](#), p. 1; AI, East and Southern Africa: Media freedoms curtailed as COVID-19 regional crises expose urgent need for access to information, 3 May 2021, [url](#)

<sup>1000</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 2; UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 43

<sup>1001</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 2; Norway, Landinfo, Somalia: Media og journalistikk [Somalia: Media and Journalism], 13 April 2018, [url](#), p.14

<sup>1002</sup> UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 43; AI, East and Southern Africa: Media freedoms curtailed as COVID-19 regional crises expose urgent need for access to information, 3 May 2021, [url](#); FESQJ, Murders, Physical Assaults & Online Harassment: Silencing Journalism in Somalia, 3 May 2021, [url](#), p.3

<sup>1003</sup> UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 43; SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 1; NUSOJ, Between a Rock and a Hard Place: Journalists in Peril in Somalia, 3 May 2021, [url](#), p. 12; FESQJ, Murders, Physical Assaults & Online Harassment: Silencing Journalism in Somalia, 3 May 2021, [url](#), p. 1

<sup>1004</sup> NUSOJ, Between a Rock and a Hard Place: Journalists in Peril in Somalia, 3 May 2021, [url](#), pp. 12-13

<sup>1005</sup> UN Human Rights Council, Compilation on Somalia, 26 February 2021, [url](#), para. 37; see also SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 2

<sup>1006</sup> CPJ, Journalists harassed, arrested throughout Somalia, 27 April 2021, [url](#); HRW, Joint Letter Re: Concerns and Recommendations on Somalia's New Media Law, 5 October 2020, <https://www.hrw.org/news/2020/10/05/joint-letter-re-concerns-and-recommendations-somalias-new-media-law>, accessed 12 August 2021

<sup>1007</sup> Norway, Landinfo, Somalia: Media og journalistikk [Somalia: Media and Journalism], 13 April 2018, [url](#), pp.13-14

<sup>1008</sup> FESQJ, Murders, Physical Assaults & Online Harassment: Silencing Journalism in Somalia, 3 May 2021, [url](#), p.1

<sup>1009</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), pp. 20-21

<sup>1010</sup> AI, "We live in perpetual fear": Violations and Abuses of Freedom of Expression in Somalia [AFR 52/1442/2020], 13 February 2020, [url](#), p. 40

<sup>1011</sup> CPJ, Journalists harassed, arrested throughout Somalia, 27 April 2021, [url](#); see also AI, "We live in perpetual fear": Violations and Abuses of Freedom of Expression in Somalia [AFR 52/1442/2020], 13 February 2020, [url](#), p. 7

<sup>1012</sup> AI, Facebook: Friend or foe to Somalia's press freedom, 3 May 2020, [url](#); CPJ, Jamal Farah Adan, n.d., [url](#)

which in Somaliland.<sup>1013</sup> In its annual report, SJS chronologically lists all recorded cases of arrests of journalists across the country throughout the year 2020, which totalled 41 cases affecting 56 media personnel. In most of the recorded cases, the journalists were released without charge, either on the same day or the next, in Somaliland longer detention periods of up to twelve days were reported.<sup>1014</sup> However, the Federation of Somali Journalists (FESJ) noted with concern that the duration of arbitrary detention of journalists is becoming lengthier.<sup>1015</sup> Cases that involved notably longer detention periods as well as convictions are described in further detail below. The judiciary reportedly played a key role in violations of rights of journalists, convicting journalists in 99 % of cases based on bogus charges and authorising the detention of journalists following complaints made by people in power.<sup>1016</sup> Moreover, despite the competence of civilian courts, journalists are often subjected to military tribunals.<sup>1017</sup>

For 2020, ACLED lists three incidents in which journalists were injured, including the abduction of a reporter by Al-Shabaab, as well as two incidents in which respectively one journalist was shot and injured by a government soldier.<sup>1018</sup> For the same period, SJS mentions a number of four injured journalists.<sup>1019</sup> ACLED recorded three incidents of government police or security forces attacking or assaulting several journalists between January and the end of June 2021.<sup>1020</sup>

In the 2020 Global Impunity Index released by the Committee to Protect Journalists (CPJ), Somalia is ranked first as country with the most cases of journalists killed and no perpetrators held to account (26 unsolved cases since 1992).<sup>1021</sup> In the first half of 2021, one killing of a journalist was reported.<sup>1022</sup> Two journalists were killed in 2020<sup>1023</sup>, for the year 2019 three killings of journalists were documented.<sup>1024</sup>

Journalists frequently faced charges under the Somali Penal Code throughout the year 2020.<sup>1025</sup> The Penal Code of 1962 is applicable across Somalia.<sup>1026</sup> The majority of charges brought forth against journalists were ‘spreading false news’, a charge punishable with imprisonment of up to six months under the Penal Code.<sup>1027</sup> In May 2020, Somalia’s president Mohamed Abdullahi Mohamed ‘Farmaajo’ announced that he would take charge of reforming the Penal Code to end the criminalisation of

<sup>1013</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para. 48, 53; UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 46; UNSG, Situation in Somalia, S/2020/1113, 13 November 2020, [url](#), para. 40; UNSG, Situation in Somalia, S/2020/798, 13 August 2020, [url](#), para. 50; UNSG, Situation in Somalia, S/2020/398, 13 May 2020, [url](#), para. 46; UNSG, Situation in Somalia, S/2020/121, 13 February 2020, [url](#), para. 50

<sup>1014</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), pp. 2; 7-18

<sup>1015</sup> FESJ, Murders, Physical Assaults & Online Harassment: Silencing Journalism in Somalia, 3 May 2021, [url](#), p.3

<sup>1016</sup> NUSOJ, Between a Rock and a Hard Place: Journalists in Peril in Somalia, 3 May 2021, [url](#), pp. 12-13

<sup>1017</sup> FESJ, Murders, Physical Assaults & Online Harassment: Silencing Journalism in Somalia, 3 May 2021, [url](#), p.3; see also RSF, Somalia, Need to end the bloodshed, n.d., [url](#); CPJ, Somalia military court sentences journalist Kilwe Adan Farah to prison, 4 March 2021, [url](#)

<sup>1018</sup> ACLED, Somalia, SOM30570; SOM31460; SOM32129, as of 30 June 2021, [url](#)

<sup>1019</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), pp. 5-6

<sup>1020</sup> ACLED, Somalia, SOM33270; SOM33733; SOM33853, as of 30 June 2021, [url](#)

<sup>1021</sup> CPJ, Getting Away with Murder, 28 October 2020, [url](#); see also NUSOJ, Between a Rock and a Hard Place: Journalists in Peril in Somalia, 3 May 2021, [url](#), pp. 16-17

<sup>1022</sup> CPJ, Jamal Farah Adan, n.d., [url](#); MAP, MAP vehemently condemns the murder of veteran Journalists Jamal Farah Adan, 2 March 2021, [url](#); UNSG, Situation in Somalia, 19 May 2021, [url](#), para. 48; ACLED, Somalia, SOM33354, as of 30 June 2021, [url](#)

<sup>1023</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 2; NUSOJ, Between a Rock and a Hard Place: Journalists in Peril in Somalia, 3 May 2021, [url](#), p. 6; ACLED Somalia, SOM30510; SOM31093, as of 30 June 2021, [url](#)

<sup>1024</sup> UNESCO, UNESCO observatory of killed journalists – Somalia, n.d., [url](#)

<sup>1025</sup> HRW, World Report 2021 - Somalia, 13 January 2021, [url](#); AI, Somalia 2020, 7 April 2021, [url](#)

<sup>1026</sup> Somalia, Legislative Decree No. 5 of 16 December 1962: Penal Code, 16 December 1962, available at: [url](#) and [url](#); Somalilandlaw.com, Somaliland Criminal Laws, Penal Code & other Special Criminal Laws, last updated September 2020, [url](#); Global Initiative to End All Corporal Punishment of Children: Corporal punishment of children in Somalia, last updated March 2021, [url](#)

<sup>1027</sup> UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 43

journalistic activities, however prosecutions of journalists under the ‘overly broad and outdated’<sup>1028</sup> Somali penal code continued.<sup>1029</sup> In August 2020, amendments to the 2016 Federal Media Law were approved by Somalia’s president.<sup>1030</sup> The amended law, while containing provisions on the right to freedom of expression, still criminalises the reporting on many issues.<sup>1031</sup> The law prohibits the reporting on issues conflicting with ‘national interest’, ‘false information’, ‘incitement to violence and clannism’ and ‘dissemination of propaganda’ and contains penalties that are vaguely worded and can be widely interpreted or abused.<sup>1032</sup>

The amendments to the federal media law have been repeatedly cited as ineffective in protecting journalists and their work.<sup>1033</sup> In general, assaults against journalists are described as challenging to report to the police, as it is often the security forces themselves that exert violence against and pressure on journalists. In this respect, the offenders are often drawn from the same system responsible for investigating the incidents. According to the National Union of Somali Journalists (NUSOJ), the security personnel’s attitude towards journalists also suggests a high level of trust in the political authorities’ and political leadership’s approval of such abusive behaviour.<sup>1034</sup> In a February 2020 report, AI explained that apart from the general violence journalists are confronted with, female journalists are exposed to additional risks such as gender-based violence and face social and cultural restrictions. Several female journalists interviewed for the report said that ‘they no longer go to cover attack scenes because they fear being targeted for being women’.<sup>1035</sup>

### South-Central Somalia

NUSOJ in its May 2021 report on media freedom describes the southern regions of Somalia as particularly dangerous for journalists, with danger emanating from state actors and non-state actors alike.<sup>1036</sup>

In May 2021, two police officers attacked a female reporter covering a protest in Mogadishu, pushing her to the ground and uttering death threats.<sup>1037</sup>

In January 2021, police in South-West State raided the office of Radio Barawe, detained a journalist and ordered the station to close after a programme critical of government services had aired.<sup>1038</sup>

In October 2020, a radio journalist was arbitrarily detained and held incommunicado for five days by the National Intelligence and Security Agency (NISA) in Mogadishu after interviewing a businessman critical of the government. He was subsequently released on condition of withdrawing the interview.<sup>1039</sup>

<sup>1028</sup> AI, Somalia: Authorities must end arbitrary arrests and persecution of journalists in Puntland, 9 March 2021, [url](#)

<sup>1029</sup> AI, Somalia 2020, 7 April 2021, [url](#); UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 42

<sup>1030</sup> AI, Somalia 2020, 7 April 2021, [url](#); RSF, Somalia’s new media law ignores calls for journalists to be protected, 28 August 2020, [url](#)

<sup>1031</sup> AI, Somalia 2020, 7 April 2021, [url](#); HRW, World Report 2021 - Somalia, 13 January 2021, [url](#)

<sup>1032</sup> AI et al., Re: Concerns and recommendations on Somalia's new media law [AFR 52/3164/2020], 5 October 2020, [url](#)

<sup>1033</sup> IFJ, Somalia: New Media Law fails to comply with international standards on press freedom, 26 August 2020, [url](#); RSF, Somalia’s new media law ignores calls for journalists to be protected, 28 August 2020, [url](#)

<sup>1034</sup> NUSOJ, Between a Rock and a Hard Place: Journalists in Peril in Somalia, 3 May 2021, [url](#), p. 13

<sup>1035</sup> AI, "We live in perpetual fear": Violations and Abuses of Freedom of Expression in Somalia [AFR 52/1442/2020], 13 February 2020, [url](#), p. 13

<sup>1036</sup> NUSOJ, Between a Rock and a Hard Place: Journalists in Peril in Somalia, 3 May 2021, [url](#), p. 5

<sup>1037</sup> CPJ, Police officers assault, threaten journalist Fardowso Mohamud Sahal in Somalia, 26 May 2021, [url](#); see also SJS, Police and NISA officers attack journalists covering protest, beat female reporter and confiscate equipment in Mogadishu, 16 May 2021, [url](#)

<sup>1038</sup> SJS, South West State police raid Radio Barawe and detain its journalist, 5 January 2021, [url](#)

<sup>1039</sup> SOMA, Radio Kulmiye journalist held incommunicado for five days freed, 22 October 2020, [url](#); see also USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 9

In May 2020, a journalist on a Covid-19 assignment in Mogadishu was physically assaulted by a police officer.<sup>1040</sup>

On 4 May 2020, TV journalist Saif Yusuf Ali was stabbed to death on a street in Mogadishu and according to his family no investigation was launched into the killing.<sup>1041</sup> According to AI, the attackers were suspected to be Al-Shabaab militants and the Independent Expert on the situation of human rights in Somalia reported that he might have been targeted for his coverage of political issues.<sup>1042</sup>

In April 2020, Abdiaziz Ahmed Gurbiye of Goobjoog Media Group was arrested by Somali police for a critical comment he posted concerning the president on social media.<sup>1043</sup> While first released on bail, he was sentenced to a jail term of six months in July 2020, but was freed on the same day after paying a fine.<sup>1044</sup>

A notable case of arrest occurred in March 2020, when Mohamed Abdiwahab Nuur of Radio Hiigsi was arrested shortly following a first arbitrary arrest a week prior, was held incommunicado and about three months later appeared before a military court.<sup>1045</sup> He was then transferred to Mogadishu Central Prison, where he stayed another two months before being finally acquitted of all charges by the military court. According to his family he was detained for criticising the conduct of security forces in Mogadishu.<sup>1046</sup>

In an incident in March 2020, ‘soldiers of the Somali National Army allegedly assaulted a radio journalist in Hodan district and confiscated his equipment’.<sup>1047</sup>

On 16 February journalist Abdiwali Ali Hassan was shot by unidentified gunmen near his home in Afgoye.<sup>1048</sup> He had reportedly received threats previously.<sup>1049</sup> While the UN reported an investigation being launched<sup>1050</sup>, according to his wife no investigation took place.<sup>1051</sup>

## Puntland

Puntland’s Media Law was amended in 2016, strengthening the protection for media freedom, limiting censorship, and granting the Media Council the power to accredit journalists (previously a function of the Ministry of Information).<sup>1052</sup> In 2019, Puntland’s Information Minister again ordered all journalists and all independent media to register with the ministry. The order was condemned as another act of harassment against journalists and severe infringement of freedom of expression.<sup>1053</sup>

<sup>1040</sup> SJS, Somali police officer assaults TV journalist during Covid-19 assignment in Mogadishu, 21 May 2020, [url](#)

<sup>1041</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 4

<sup>1042</sup> AI, Somalia 2020, 7 April 2021, [url](#); UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 44

<sup>1043</sup> ARTICLE 19, Somalia: End politically motivated attacks on journalists, and dangerous internet shut-downs, 30 July 2020, [url](#); SJS, State of Press Freedom in Somalia in 2020, 3 February 2021 [url](#), p. 10

<sup>1044</sup> SJS, State of Press Freedom in Somalia in 2020, 3 February 2021 [url](#), p. 10; see also Somalia 2020, 7 April 2021, [url](#)

<sup>1045</sup> AI, Somalia 2020, 7 April 2021, [url](#); ARTICLE 19, Somalia: End politically motivated attacks on journalists, and dangerous internet shut-downs, 30 July 2020, [url](#)

<sup>1046</sup> AI, Somalia 2020, 7 April 2021, [url](#)

<sup>1047</sup> UNSG, Situation in Somalia, S/2021/485, 19 May 2021, [url](#), para.48

<sup>1048</sup> CPJ, Abdiwali Ali Hassan, n.d., [url](#); SJS, State of Press Freedom in Somalia in 2020, 3 February 2021, [url](#), p. 4

<sup>1049</sup> UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 44; CPJ, Abdiwali Ali Hassan, n.d., [url](#)

<sup>1050</sup> UN Human Rights Council, Situation of Human Rights in Somalia, 24 August 2020, [url](#), para. 44

<sup>1051</sup> Horn Observer, Hopes dashed for families of murdered Somali journalists, 9 July 2020, [url](#)

<sup>1052</sup> UNSOM, The precarious enjoyment of freedom of expression in Somalia, September 2018, [url](#), para. 28; MAP, Puntland: Media law reform – Parliament approves bill to repeal the “Draconian Provisions” in the Puntland Media Law, 12 December 2016, [url](#)

<sup>1053</sup> Shabelle Media Network, Somalia: Puntland Imposes Severely Restrictive Directive On Journalists and Media Houses, 23 September 2019, available at: [url](#); MAP, Puntland: MAP calls out the Puntland’s Minister of Information for violating the Media Law, 23 September 2019, [url](#); see also USDOS, 2019 Country Reports on Human Rights Practices: Somalia, 11 March 2020, [url](#), p. 16

Amnesty International (AI) in March 2021 reported an increasing ‘crackdown’ on media freedom in Puntland ahead of presidential and parliamentary elections, listing intimidation, harassment and arbitrary arrests as means to silence reporting. Since the beginning of the year 2021, AI registered four arbitrary arrests of journalists in Garowe and Bosaso.<sup>1054</sup> According to NUSOJ, courts in Puntland showed a lack of willingness to investigate cases brought before them and instead made hasty judgements based on unsubstantiated grounds with frequent convictions in cases involving journalists.<sup>1055</sup>

Several sources reported the killing of a journalist by unidentified armed men in Galkayo on 1 March 2021.<sup>1056</sup> According to CPJ, the journalist had previously received threats from Al-Shabaab and the group claimed responsibility for the killing.<sup>1057</sup>

In March 2021, a female journalist was detained by police after criticising the Puntland police for their handling of rape cases in Garowe and was released on the same day without being charged.<sup>1058</sup>

A widely reported case was that of freelance journalist Kilwe Adan Farah, who was arrested in December 2020 and subsequently detained after covering protests in Garowe.<sup>1059</sup> In March 2021, he was sentenced twice by a military court, first to three months in jail<sup>1060</sup>, then to three years.<sup>1061</sup> During the trials no evidence was brought forth against Kilwe, after being sentenced he received a pardon by Puntland President Said Abdullahi Deni on 22 March 2021 and was released after having spent 84 days in detention.<sup>1062</sup>

## Somaliland

The primary law regulating the media in Somaliland is the 2004 Press Law (Law No. 27/2004).<sup>1063</sup> In 2018, it was reported that amendments to the law were being prepared with the support of a steering committee including key media and human rights actors.<sup>1064</sup> As of July 2021, the much anticipated modifications, expected to decriminalise many media-related offenses, remained in draft.<sup>1065</sup> BBC News reported in May 2021 that the government of Somaliland has increasingly adopted a tough stance towards the media, harassing and arresting journalists and closing media houses.<sup>1066</sup>

According to NUSOJ, courts in Somaliland showed a lack of willingness to investigate cases brought before them and instead made hasty judgements based on unsubstantiated grounds with frequent convictions in cases involving journalists.<sup>1067</sup> USDOS reported ‘widespread interference in the judicial process’ and noted that government officials frequently intervened in order to influence cases involving journalists.<sup>1068</sup> Journalists were sentenced to prison terms ranging from a few days to several

<sup>1054</sup> AI, Somalia: Authorities must end arbitrary arrests and persecution of journalists in Puntland, 9 March 2021, [url](#)

<sup>1055</sup> NUSOJ, *Between a Rock and a Hard Place: Journalists in Peril in Somalia*, 3 May 2021, [url](#), p. 5

<sup>1056</sup> CPJ, Jamal Farah Adan, n.d., [url](#); MAP, MAP vehemently condemns the murder of veteran Journalists Jamal Farah Adan, 2 March 2021, [url](#); UNSG, *Situation in Somalia*, 19 May 2021, [url](#), para. 48

<sup>1057</sup> CPJ, Jamal Farah Adan, n.d., [url](#)

<sup>1058</sup> UNSG, *Situation in Somalia*, 19 May 2021, [url](#), para. 54

<sup>1059</sup> AI, Somalia: Authorities must end arbitrary arrests and persecution of journalists in Puntland, 9 March 2021, [url](#); SJS, *State of Press Freedom in Somalia in 2020*, 3 February 2021 [url](#), p. 19

<sup>1060</sup> AI, Somalia: Authorities must end arbitrary arrests and persecution of journalists in Puntland, 9 March 2021, [url](#)

<sup>1061</sup> NUSOJ, *Puntland Frees Independent Journalist after Presidential Pardon*, 22 March 2021, [url](#)

<sup>1062</sup> SJS, *Journalist Kilwe finally free after 84 days in prison on spurious allegation*, 22 March 2021, [url](#); MAP, #Puntland: MAP celebrates the release of its member Journalist Kilwe, calls for a speedy investigation into murder of journalists’ cases, 23 March 2021, [url](#)

<sup>1063</sup> Republic of Somaliland, *Press Law*, Translated by Deqa Gelle Hidig, Ali Gulaid, and Ibrahim Hashi Jama, 2004, available at: [url](#)

<sup>1064</sup> SOLJA, *Brief on Somaliland Press Law 27/2004 Amendment Process*, 15 August 2018, [url](#)

<sup>1065</sup> United Kingdom, Foreign, Commonwealth & Development Office, *Human Rights and Democracy: 2020 Foreign, Commonwealth & Development Office report*, 8 July 2021, [url](#)

<sup>1066</sup> BBC News, *Somaliland elections: Could polls help gain recognition?*, 31 May 2021, [url](#)

<sup>1067</sup> NUSOJ, *Between a Rock and a Hard Place: Journalists in Peril in Somalia*, 3 May 2021, [url](#), p. 5

<sup>1068</sup> USDOS, *2020 Country Reports on Human Rights Practices: Somalia*, 30 March 2021, [url](#), p. 10

months as well as fines, with prison terms handed down in cases involving investigations into corruption or other topics deemed sensitive by the state authorities.<sup>1069</sup>

Throughout 2020, the government of Somaliland used arbitrary detention in order to suppress certain reporting by journalists, especially concerning topics related to unification with Somalia or disputed territories with Puntland.<sup>1070</sup>

A notable case concerned the CEO of a television station who was detained in July 2020 and sentenced to a prison term of five years as well as a fine of the equivalent of 200 Euros in November 2020. He was accused of collaborating with the Somali intelligence service and other charges, however, no evidence was brought forth.<sup>1071</sup> He was subsequently released on 10 December 2020 for unclear reasons<sup>1072</sup>, possibly involving a presidential pardon.<sup>1073</sup> In September 2020 a radio journalist was detained by Somaliland police after calling for the release of the CEO on social media.<sup>1074</sup>

Please note that the actual number of incidents may be higher than the number of reported incidents.

## 8. LGBTIQ

Somalia, including the non-recognized Republic of Somaliland and the autonomous regional state of Puntland, is described as a dangerous place for homosexuals.<sup>1075</sup> However, reporting on the situation of LGBTIQ individuals was scarce due to the subject being taboo and a societal stigma preventing LGBTIQ individuals from openly speaking about their sexual orientation or gender identity.<sup>1076</sup> The reporting was mostly based on a few individual cases being picked up by the media.<sup>1077</sup>

There is not one overall legal framework impacting on the situation of LGBTIQ individuals as Somalia is characterized by legal pluralism. The administration of justice is based on three separate legal orders: Islamic Sharia law, customary law (Somali: *xeer*) and state law.<sup>1078</sup> Sharia is largely integrated into customary law.<sup>1079</sup> It also has a strong influence on formal justice. Somalia's Provisional Constitution, adopted 2012, confirms in Article 2 that Islam is the state religion and sharia is the supreme law of the country. Article 2(3) stresses that 'no law can be enacted that is not compliant with the general principles and objectives of Shari'ah.' The constitution does not, however, provide any guidance as to how the compliance of a given law with Sharia principles is determined.<sup>1080</sup> Given

<sup>1069</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 17

<sup>1070</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 9; The Somaliland Journalists Association (SOLJA) in its Media Freedom Report of December 2020 chronologically lists all cases of detention of journalists as well as closures of media houses in Somaliland during the year 2020, the report can be accessed here: SOLJA, Media Freedom Report 2020, 10 December 2020, [url](#)

<sup>1071</sup> RSF, Somaliland court closes TV channel, jails owner for five years, 5 November 2020, [url](#)

<sup>1072</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 9

<sup>1073</sup> UNSG, Situation in Somalia, S/2021/154, 17 February 2021, [url](#), para. 47

<sup>1074</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 17; SJS, Radio journalist detained in Hargeisa, Somali Parliament officials threaten media over controversial sexual bill coverage, 15 September 2020, [url](#)

<sup>1075</sup> Straits Times, The worst countries in the world to be LGBT+, 2 April 2019, [url](#); Spartacus, Gay Travel Index, 11 March 2020, [url](#)

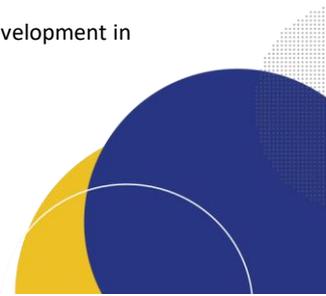
<sup>1076</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 37; Norway, Landinfo, Somalia: Forhold for homofile [Somalia: Conditions for Homosexuals], 16 June 2021, [url](#), pp. 1-2

<sup>1077</sup> Norway, Landinfo, Somalia: Forhold for homofile [Somalia: Conditions for Homosexuals], 16 June 2021, [url](#), p. 2

<sup>1078</sup> EAJ, The Sharia in Somalia, March 2020, [url](#), p. 20

<sup>1079</sup> Gundel, J., The predicament of the 'Oday': The role of traditional structures in security, rights, law and development in Somalia, 2006, [url](#), p. 9

<sup>1080</sup> Somalia, Provisional Constitution of the Federal Republic of Somalia, 1 August 2012, [url](#), Article 2



the continued weakness of the Somali government, Sharia courts, in particular, ‘enjoy much higher rates of approval, trust, and perceived efficiency among Somali civilians.’<sup>1081</sup>

Somaliland, while having declared itself independent, still generally applies the Penal Code,<sup>1082</sup> but the courts also enforce Islamic Sharia.<sup>1083</sup> The Puntland region has its own courts and enforces a combination of Islamic Sharia and the Penal code while the southern region of Somalia is dominated by Islamic courts that can impose sentences for same-sex relationships reaching from flogging to the death penalty.<sup>1084</sup>

For more information on the formal and informal justice systems in Somalia, please refer to section 2.3 and 3.3 of EASO’s COI report [Somalia: Actors](#), published in July 2021.<sup>1085</sup>

### State law

The Somali Penal Code, that was enacted in 1962 and entered into force in 1964, states that homosexuality is illegal. Article 409 of the Penal Code provides that ‘whoever has carnal intercourse with a person of the same sex shall be punished, where the act does not constitute a more serious crime’ the penalty being ‘imprisonment from three months to three years. Where, the act committed is an act of lust different from carnal intercourse, the punishment imposed shall be reduced by one-third.’<sup>1086</sup> Somali legislation on homosexuality has not changed in the last couple of years. Recent reports state that same-sex sexual contact is punishable by imprisonment for three months to three years.<sup>1087</sup> However, there is no information with regard to the application of criminal law in such cases. The Ministry of Foreign Affairs of the Netherlands mentioned that it was not known whether the Somali government actively prosecuted LGBTQ people during the reporting period (2019).<sup>1088</sup> According to Somali state laws, discrimination based on sexual orientation or gender identity is not prohibited. Furthermore, there are no hate crime laws which protect LGBTQ individuals from violence/intimidation/discrimination.<sup>1089</sup>

### Sharia law

Under Sharia, the term referring to unlawful sexual intercourse is called *zina*. It comprises adultery and fornication. Islamic law regards only heterosexual relations sanctioned through marriage as lawful. Homosexual relations are considered illegal by default. Sharia explicitly refers to *liwat* (usually considered the equivalent of ‘sodomy’) and *sihaq* (sometimes translated as ‘lesbianism’).<sup>1090</sup> Usually the Quranic text is interpreted as denouncing homosexuality as a sin and condemning it in the strongest terms.<sup>1091</sup>

Although the death penalty for homosexuality is not foreseen under Somali criminal law, a strict interpretation of Sharia law can legitimize its use.<sup>1092</sup> This is the case in areas under Al-Shabaab control (see below).

<sup>1081</sup>Burke, R., Somalia and legal pluralism: Advancing gender justice through rule of law programming in times of transition, 2020, pp. 193, 197, 203; ILGA World, State-Sponsored Homophobia 2020: Global Legislation Overview Update, 15 December 2020, [url](#), p. 75; see also Bertelsmann Stiftung, BTI 2020 Country Report – Somalia, 2020, [url](#), pp. 16-17

<sup>1082</sup>Sida, The Rights of LGBTI People in Somalia, November 2014, [url](#), accessed 16 August 2021, p. 1

<sup>1083</sup>BBC News, ‘Don’t come back, they’ll kill you for being gay’, 28 July 2020, [url](#)

<sup>1084</sup>Sida, The Rights of LGBTI People in Somalia, November 2014, [url](#), accessed 16 August 2021, p. 1

<sup>1085</sup>EASO, Somalia: Actors, July 2021, [url](#), pp. 26-36, pp. 51-52

<sup>1086</sup>Somalia, Legislative Decree No. 5 of 16 December 1962: Penal Code, 16 December 1962, available at: [url](#), Article 409

<sup>1087</sup>USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), p. 36

<sup>1088</sup>Netherlands, Ministry of Foreign Affairs, Country of Origin Information Report on South and Central Somalia, March 2019, [url](#), p. 46

<sup>1089</sup>USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 36-37

<sup>1090</sup>ILGA World, State-Sponsored Homophobia 2020: Global Legislation Overview Update, 15 December 2020, [url](#), p. 37

<sup>1091</sup>Hunt, S. L. et al., Somali American Female Refugees Discuss Their Attitudes toward Homosexuality and the Gay and Lesbian Community, 2018, [url](#), p. 2

<sup>1092</sup>ILGA World (International Lesbian, Gay, Bisexual, Trans and Intersex Association), State-Sponsored Homophobia 2020: Global Legislation Overview Update, 15 December 2020, [url](#), p. 76

## Areas under control of Al-Shabaab

According to the Bertelsmann Foundation, ‘Al-Shabaab has established courts in its area of control and follows its own quite strict interpretation of [...] Shariah law. These include enforcement of strict punishments (*huduud*), including amputation of limbs, stoning and executions.’<sup>1093</sup> Al-Shabaab courts have issued death sentences for homosexuals in the past. In early 2017, Al-Shabaab reportedly executed two Somali men who had been accused of being gay.<sup>1094</sup> Already in 2013, it was reported within the (diaspora-based) Somali Gay Community that ‘18-year-old Mohamed Ali Baashi was stoned to death for sodomy by Al-Shabaab’.<sup>1095</sup> These cases were also reported by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA).<sup>1096</sup> Al-Shabaab’s own radio station, Radio Andalus, reported in November 2018 that the organization had executed a young man in Hiraan province on charges of homosexuality.<sup>1097</sup> It was reported that men suspected of homosexuality have been punished by rape in addition to the death penalty. However, this information was difficult to verify. In general, the number of people convicted of homosexuality is thought to be higher; most likely, case reporting is limited by fear.<sup>1098</sup>

## Societal attitudes towards LGBTIQ individuals

The current societal attitude toward LGBTQ persons is documented by the United States Department of State. It reported that there ‘were no known lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations and no reports of events.’ The source added that there ‘remains a pervasive social stigma against same-sex relationships’. This stigma is the main reason why LGBTIQ individuals try to hide their sexual orientation or gender identity. Therefore, societal violence or discrimination based on sexual orientation or gender identity is rarely reported in the public domain. ‘Anecdotal information indicated that some families sent children they suspected of being homosexual to reform schools in the country, but reporting on this practice largely stayed out of the public sphere.’<sup>1099</sup>

According to Hoehne, the denial of LGBTIQ rights is not just prevalent among militant Islamists and it is not a new phenomenon. Rather, it is extremely widespread in Somali society and has been existing for a long time. The source has encountered very strong rejection of homosexuality among numerous ordinary people while doing fieldwork in Somaliland and Puntland already in 2003 and 2004.<sup>1100</sup> This rejection was also observed in interviews with LGBTIQ Somalis in the diaspora (in a master thesis published in 2021), who said that they resorted to hiding their sexual orientation from their families out of fear of being disowned or excluded from the family.<sup>1101</sup> In 2020 the BBC reported on the case of a young man from Somaliland who was threatened with death by his family for being gay and sent to a rehabilitation centre to correct his ways. In the centre he was then drugged and subjected to rape.<sup>1102</sup>

<sup>1093</sup> Bertelsmann Stiftung, BTI 2020 Country Report Somalia, 2020, [url](#), p. 17

<sup>1094</sup> MambaOnline, 15 and 20-year-old youths executed in Somalia for homosexuality, 11 January 2017, [url](#); APNews, Al-Shabab says it kills teenage boy, man over homosexuality, 10 January 2017, [url](#); Reuters, Somali Islamists kill man and teenager for gay sex, another man for spying, 10 January 2017, [url](#)

<sup>1095</sup> Stewart, C., Report: Somalia too risky for LGBT people, 16 February 2016, [url](#)

<sup>1096</sup> ILGA World (International Lesbian, Gay, Bisexual, Trans and Intersex Association), State-Sponsored Homophobia 2020: Global Legislation Overview Update, 15 December 2020, [url](#), p. 80

<sup>1097</sup> Finland, Finnish Immigration Service, Somalia / Seksuaali- ja sukupuolivähemmistöjen asema Somaliassa, päivitys Somalia [Status of sexual and gender minorities in Somalia, update], 24 February 2021, [url](#), p. 3

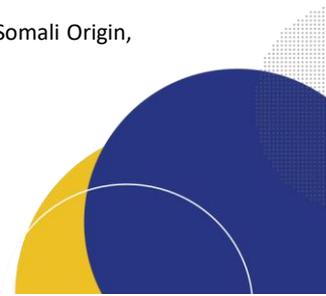
<sup>1098</sup> Finland, Finnish Immigration Service, Somalia / Seksuaali- ja sukupuolivähemmistöjen asema Somaliassa, päivitys Somalia [Status of sexual and gender minorities in Somalia, update], 24 February 2021, [url](#), p. 3

<sup>1099</sup> USDOS, 2020 Country Reports on Human Rights Practices: Somalia, 30 March 2021, [url](#), pp. 36-37; see also BC News, ‘Don’t come back, they’ll kill you for being gay’, 28 July 2020, [url](#)

<sup>1100</sup> Hoehne, M. V., telephone interview, 1 July 2021

<sup>1101</sup> Ahmed, M., You have to choose between habaar or duco -A case study of Swedish Muslim Gay Men of Somali Origin, 2021, [url](#), p. 37

<sup>1102</sup> BBC News, ‘Don’t come back, they’ll kill you for being gay’, 28 July 2020, [url](#)



A diaspora-based activist group stressed already in 2012 with regard to all Somali regions, including Somaliland and Puntland, that gay and lesbian Somalians ‘have no official recognition and live under a constant cloud of fear’. As it is impossible to live openly gay, some people live double lives. Families tend to know or suspect if their children are homosexual, the problem usually starts when the son or daughter admits to his/her sexuality.<sup>1103</sup>

A 2012 survey by Voice of America, a news outlet that is widely consumed in Somalia, found that 87 % of Somali interviewees agreed strongly with the statement: ‘Sharia is the foundation of Somalia and should be applied as a civil and criminal code throughout Somalia’. Only 5 % strongly disagreed, and ‘support for Sharia was strong among men and women, across age groups and geographic location.’<sup>1104</sup> Many Somalis consider homosexuality to be a moral sin.<sup>1105</sup>

Information on lesbian women in Somalia is scarce. A 2016 media report mentions a London-based women’s rights activist who stated that there are many lesbian Somali women, ‘but they will never come out. They don’t even come out to their own families.’<sup>1106</sup> Another source from 2016 refers to a lesbian couple which had been sentenced to death by a court in Puntland in 2001. It is unclear whether the sentence was implemented.<sup>1107</sup>

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<sup>1103</sup> GlobalGayz, Gay Life in Somaliland and Somalia, 18 February 2012, [url](#)

<sup>1104</sup> VOA, Survey Shows Somalis Have Mostly Shared Vision for Future, 20 June 2012, [url](#)

<sup>1105</sup> Sida, The Rights of LGBTI People in Somalia, November 2014, [url](#), accessed 16 August 2021, p.1

<sup>1106</sup> Independent (The), Young Somali activist sentenced to death for being a lesbian, 31 January 2016, [url](#)

<sup>1107</sup> Stewart, C., Report: Somalia too risky for LGBT people, 16 February 2016, [url](#)

# Annex 1: Bibliography

## Oral sources

[*ACCORD contacted and interviewed the oral sources below, exception made for Expert II who was interviewed by EASO*]

Ali, A. M., telephone interview, 14 June 2021. Abdirisak Mahamoud Ali is a security expert in Bur'oo. Originally from Buhoodle he has worked for various international NGOs between 2015 and today. His area of expertise includes conflict dynamics in the area between Buhoodle (Togdheer region) and Taleeh (Sool region).

Ashur, K. D., telephone interview, 29 June 2021. Kemal Dahir Ashur is a minority group rights activists in the European diaspora. He is well-connected with other minority rights activists and traditional authorities within Gabooye, but also among other Somali minority groups inside and outside of Somalia.

Baadiyow, A. A., telephone interview, 26 June 2021. Abdurahman Abdullahi Baadiyow is a Somali civil society activist and scholar who has published extensively on Somalia. He holds a PhD in Islamic Studies from McGill University (Canada).

Expert II is a leading Somali security expert, author, and scholar based in Somalia, with extensive academic and international consulting experience. Expert II prefers to remain anonymous for safety reasons. EASO interviewed Somali security expert II on 21 June 2021.

Geedi, A., telephone interview, 15 June 2021. Ali Geedi is from Middle Shabelle; he was Prime Minister of Somalia 2004-2007. He was consulted on clan conflicts in Hirshabelle.

Hoehne, M. V., communication via Microsoft Teams, 25 June 2021. Dr. Markus Hoehne [Höhne] is a scholar at the Institute of Ethnology at the University of Leipzig. He has been working on Somalia since 2001 and has spent several years in the country. He speaks Somali fluently.

Hoehne, M. V., communication via Teams, 17 June 2021

Hoehne, M. V., communication via Teams, 8 July 2021

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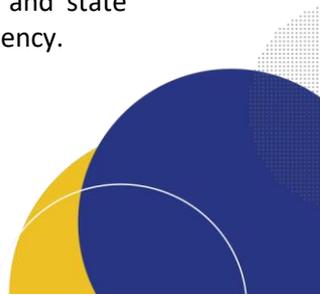
Marchal, R., telephone interview, 26 June 2021. Roland Marchal is a sociologist at Sciences Po (France) specialising in analysing civil wars in Africa.

Menkhaus, K., e-mail, 17 August 2021. Kenneth Menkhaus is a political scientist teaching at Davidson College, North Carolina. He has extensively published, among others on governance and terrorism in Somalia.

Mire, M. A., email, 15 June 2021. Muse Abdirisak Mire is a local businessman in Garowe and a former civil society activist (in the Puntland youth organisation).

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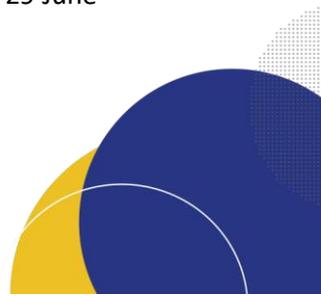
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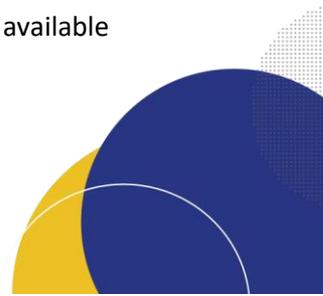
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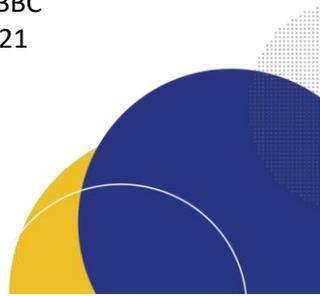
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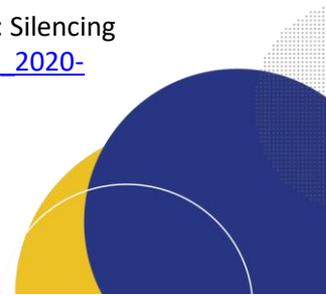
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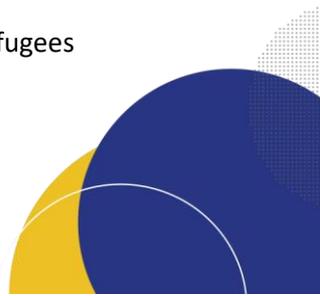
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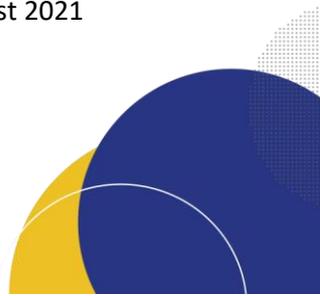
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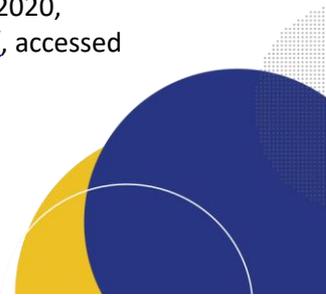
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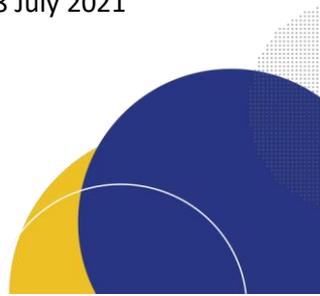
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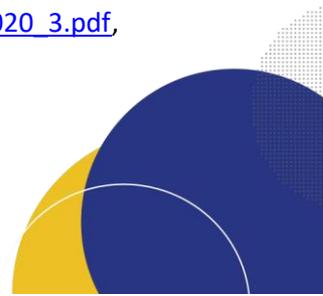
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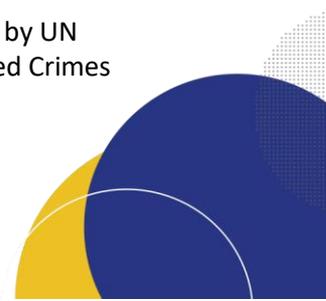
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# Annex 2: Terms of Reference

## [Selected] Profiles

### 1. Recruitment by Al-Shabaab

- 1.1. Men, youth, and child recruitment by Al-Shabaab (including forms, distribution, changes across controlled and non-controlled areas, etc.)
- 1.2. Repercussions for deserters from Al-Shabaab (including information on forms of targeting, executions, rehabilitation centres and their targeting, etc.)

### 2. Women and girls

- 2.1. GBV and situation of women in the Somali society (including domestic violence and sexual violence; access to justice for victims, etc.)
- 2.2. Forced and child marriage (in Al-Shabaab controlled areas and elsewhere)
- 2.3. FGM (including breakdown on methods used: FGM WHO type I-III, their share, social acceptance (does society consider girls with type I as sufficiently circumcised? Where?); including insights about (extended) family's role)
- 2.4. The situation of single women (including women in IDP camps, single mothers, e.g. widows, divorced mothers, and children born out of wedlock)

### 3. Individuals perceived as contravening religious (and customary) laws/tenets

- 3.1. Individuals contravening religious laws in Al-Shabaab controlled areas (e.g. the issues of blasphemy and apostasy, extramarital relationships, individuals perceived as westernised, etc.)
- 3.2. Individuals contravening religious (and customary) tenets elsewhere in Somalia (e.g., the issues of blasphemy and apostasy, religious minorities, etc.)

### 4. Minorities

- 4.1. Low Status Occupational Minorities
- 4.2. Minority Clans
- 4.3. Ethnic Minorities
- 4.4. Mixed-marriages

### 5. Individuals involved in blood feuds/clan disputes and other clan issues

- 5.1. Clan revenge and vulnerability in clan conflicts (including for women)

### 6. Individual supporting or perceived as supporting the FGS/the International Community, and/or as opposing Al-Shabaab

- 6.1. Government and Army Officials
- 6.2. Pro- AMISOM, FMS forces and the like
- 6.3. Other individuals opposing or perceived as opposing Al-Shabaab (including human rights defenders, humanitarian/NGO personnel, those refusing to pay taxes/protection money, etc.)

### 7. Journalists

### 8. LGBTIQ







Publications Office  
of the European Union

doi: 10.2847/13745