

# Country Guidance: Somalia

# **Country Guidance: Somalia**

**Common analysis and guidance note**

**August 2023**



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# Introduction

The country guidance documents provide country-specific common analysis and guidance in relation to the assessment criteria established in the recast [Qualification Directive](#) (Directive 2011/95/EU)<sup>1</sup>. They are developed by the EUAA together with a network of senior-level policy officials from EU+ countries and represent their joint assessment of the situation in main countries of origin, in accordance with current EU legislation and jurisprudence of the Court of Justice of the European Union (CJEU).

The aim of the country guidance documents is to assist decision-makers and policy-makers in their daily work and to foster convergence in the assessment of applications for international protection and the type of protection granted in the context of the common European asylum system.

The development, review and update of country guidance is regulated under [Article 11 of the EUAA Regulation](#)<sup>2</sup>.



In accordance with [Article 11\(3\) EUAA Regulation](#), Member States have the obligation to take into account the common analysis and guidance notes when examining applications for international protection, without prejudice to their competence to decide on individual applications.

This common analysis is based on country of origin information (COI) with a clearly indicated reference period. Each section of the country guidance documents also clearly states the timing of its last update.

The analysis and guidance within this document should be considered valid as long as current events and developments in the country fall within the trends and patterns described within the COI on which the assessment at hand is based on.

The analysis and guidance provided within this document are not exhaustive.

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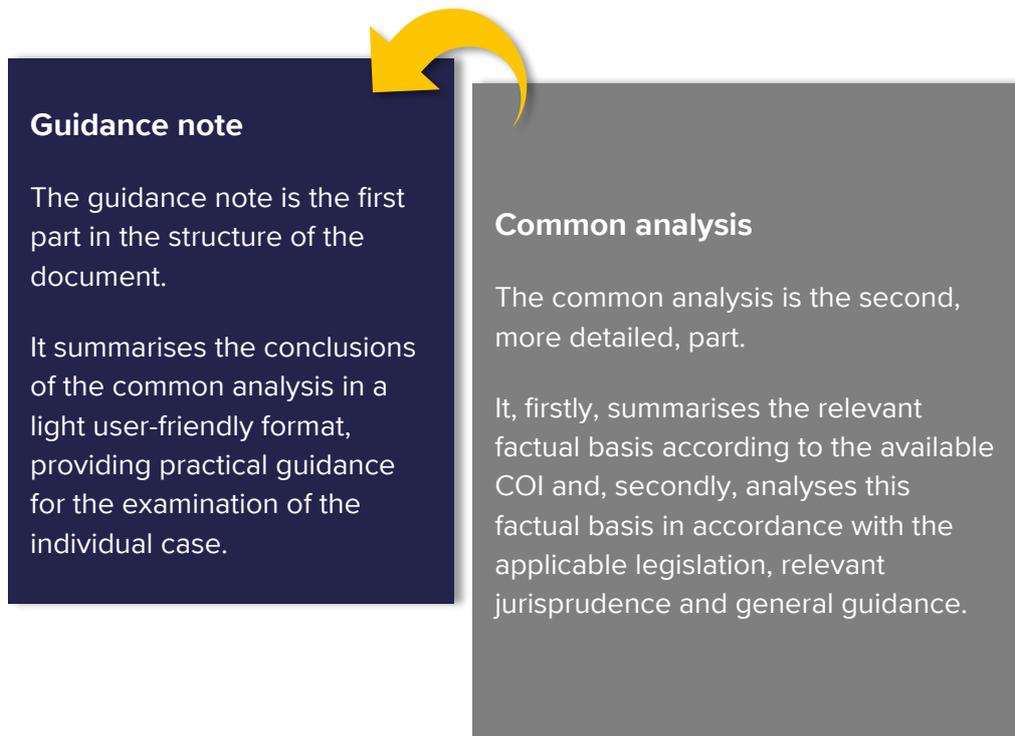
<sup>1</sup> Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

<sup>2</sup> Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010.



## Common analysis, guidance note and methodological approach

The country guidance document consists of two important components: the guidance note and the common analysis. These two parts focus on the situation in the country of origin and provide analysis and guidance on the assessment of relevant international protection needs.



They should be read in conjunction with the separate document '[Country Guidance: explained](#)'.



This document outlines the general guidance relied upon in this analysis, as well as the methodological framework, approach and indicators used to assess the different elements of qualification for international protection.

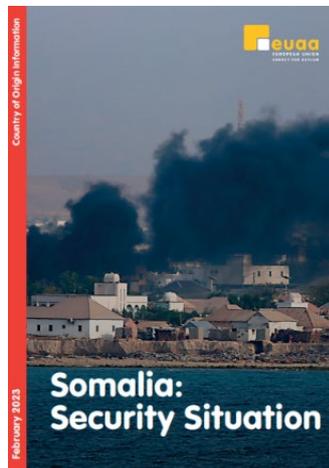


## Scope of this update

The current version of the guidance updates and replaces the ‘Country Guidance: Somalia’ of June 2022.

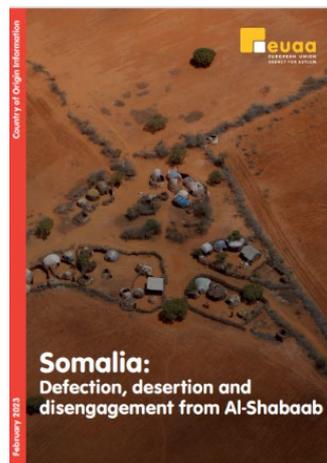
This update mainly focuses on refugee status considerations in relation to desertion or defection from Al-Shabaab (see the sub-profile [Deserters and defectors from Al-Shabaab](#)) or otherwise disengaging from the group (see [Women and girls who have left Al-Shabaab](#)) and provides an updated assessment of the security situation in the country, in particular with regard to subsidiary protection needs under Article 15(c) QD (see the section [Article 15\(c\) QD: indiscriminate violence in situations of armed conflict](#)). Where relevant, other sections of the present guidance have also been updated based on available COI.

This update is mainly based on the following recent COI:



### [Security 2023](#)

EUAA COI Report:  
Somalia - Security situation  
(February 2023)



### [AS Deserters](#)

EUAA COI Report:  
Somalia - Defection, desertion and  
disengagement from Al-Shabaab  
(February 2023)

In addition, two EUAA COI Queries complete the COI basis of the present update:





|   |   |
|---|---|
|  |   |
| <b>COI QUERY</b>  |   |
| Country of Origin   | <b>SOMALIA</b>  |
| Title   | Security situation update   |
| Reference period  | 1 December 2022 to 14 April 2023  |
| Topics  | <ol style="list-style-type: none"><li>1. <a href="#">Major security developments</a></li><li>2. <a href="#">Humanitarian situation</a></li><li>3. <a href="#">Update on desertion, defection, disengagement from Al-Shabaab</a></li></ol> |
| Date of completion  | 25 April 2023   |
| Query Code  | Q13-2023  |
| Contributing EU+ COI units  | N/A   |

[COI Update 2023](#)

EUAA COI Query:  
Somalia: Security situation  
update  
(17 May 2023)

|   |   |
|---|---|
|  |   |
| <b>COI QUERY</b>  |   |
| Country of Origin   | <b>SOMALIA</b>  |
| Title   | Forms and prevalence of repeated FGM/C  |
| Reference period  | Information available at 21 April 2023  |
| Topics  | <ol style="list-style-type: none"><li>1. <a href="#">Prevalence of FGM/C in Somalia</a></li><li>2. <a href="#">Forms and prevalence of repeated FGM/C</a></li></ol> |
| Date of completion  | 21 April 2023   |
| Query Code  | Q12-2023  |
| Contributing EU+ COI units  | N/A   |

[COI Query FGM/C 2023](#)

EUAA COI Query:  
Somalia: Forms and prevalence of  
repeated FGM/C  
(17 May 2023)

[Annex II: Country of origin information references](#) provides further details and links to all COI documents used as a basis for the analysis within this document. References within this document are to the respective sections of these COI documents.



To access EUAA COI reports, visit <https://euaa.europa.eu/coi-publications>.





## Guidance Note



## The structure of Somali governance

Last update: August 2023

Somalia is a Federal State composed of two levels of government: the federal government and the federal member states, which include both state and local governments. Federal Member States (FMS) also dispose their own constitutions and armed forces.

South-Central Somalia includes the following FMS: Jubbaland, South-West, Benadir, Hirshabelle and Galmudug. Mudug region is divided between Galmudug and Puntland, with Galmudug controlling the southern half of the region. Puntland, as an autonomous state within the Somali Federal State, was established on 1 August 1998.

Somaliland declared its independence in 1991 while the civil war was occurring in the rest of Somalia. Somaliland remains largely internationally unrecognised.

In terms of territorial control and influence, some areas of Sool and Sanaag regions and the area of Ayn (Togdheer region) are contested between Somaliland and Puntland.



Read more in the [common analysis](#).



## The role of clans in Somalia

Last update: June 2022

Layered in all aspects of life, the clan is both a tool for identification and a way of life. Clans define the relationship between people and belonging to a strong clan matters in terms of access to resources, political influence, justice, and security.

Somalis are roughly divided in five large family clans: the Dir, the Isaaq, the Darood, the Hawiye and the Rahanweyn. Large segments of the Somali population are considered as minorities, either in local context or in Somalia in general, living amongst larger clans. Somalis are traditionally attached to a territory where their kin are supposed to be more numerous. Until today, most Somalis still rely on support from patrilineal clan relatives.

Clans often compete against each other, as well as against other actors. Clan militias are also important actors of political life across Somalia. Under the *xeer* system, clan elders act as mediators or arbiters, and play a central role in the resolution of local and intra-clan disputes.



Read more in the [common analysis](#).



# Actors of persecution or serious harm

Last update: August 2023

A wide range of different groups and individuals can be considered as actors of persecution or serious harm in Somalia.

The following can be viewed as the main actors in Somalia:

## State actors

Last update: August 2023

- **Federal Government of Somalia (FGS) security forces**



Read more in the [common analysis](#).

- **Federal Member States (FMS) forces and Somaliland forces**



Read more in the [common analysis](#).

## Non-State actors

Last update: August 2023

- **Al-Shabaab**



Read more in the [common analysis](#).

- **Clans and clan militias**



Read more in the [common analysis](#).

- **Islamic State in Somalia (ISS)**



Read more in the [common analysis](#).

- **ATMIS/AMISOM**



Read more in the [common analysis](#).

- **AFRICOM**



Read more in the [common analysis](#).

- In specific situations, **other non-State actors** of persecution or serious harm may include the family or family/clan members (e.g. in the case of FGM/C, domestic violence, violence against LGBTIQ persons) or criminal groups.



Read more in the [common analysis](#).



## Refugee status

Last update: August 2023

This section of the guidance outlines the conclusions of the common analysis concerning the sub-profiles included in the scope of this document.



For more guidance how to read this section, see the [common analysis](#).

### 3.2. Persons associated with the government of Somalia and/or international actors



Read more about the general context of targeting of persons perceived to be associated with the government of Somalia and/or international actors in the [common analysis](#).

The different subsections should be read in conjunction with the general context.

#### Federal and state officials

Last update: August 2023

Both Al-Shabaab and ISS have targeted federal and state officials, however, this sub-profile focuses on individuals targeted by Al-Shabaab.

#### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination).



#### Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of **higher level federal and state officials**. With regard to **lower level officials**, not all individuals would face the level of risk required to establish well-founded fear of persecution. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature of duties, visibility of profile, area of origin and operational capacity of Al-Shabaab, etc.



In **Somaliland**, where the group has limited operational capacity, the risk of persecution for state and federal state officials is generally low. Risk-impacting circumstances (e.g. visibility of profile, nature of duties, area of origin and operational capacity of Al-Shabaab) should be given due consideration.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.



Read more in the [common analysis](#).

## Members of the federal and state armed forces

Last update: August 2023

Both Al-Shabaab and ISS have targeted members of the federal and state armed forces, however, this sub-profile focuses on individuals targeted by Al-Shabaab.

### Persecution: legal qualification

For members of armed forces, certain risks are inherent to their duties and the activities they take part in, and those would not amount to persecution or serious harm. However, risks outside the performance of their duties, could be of such severe nature that they would amount to persecution (e.g. targeted killing outside of fighting).



### Well-founded fear: risk analysis

In **South-Central Somalia**, well-founded fear of persecution would in general be substantiated in the case of members of the federal and state armed forces.

There is limited information with regards to targeting members of the federal and state armed forces specifically in **Puntland**. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature of duties, visibility of profile and proximity to high level federal or state officials or members of the armed forces, time of service, etc. The





increasing operational capacity of Al-Shabaab in Puntland in relation to the area of origin of the applicant should be carefully taken into consideration.

In **Somaliland**, where the group has limited operational capacity, the risk of persecution for members of the federal and state armed forces is generally low. Risk-impacting circumstances (e.g. visibility of profile, the rank, the time of service, nature of duties, area of origin and operational capacity of Al-Shabaab) should be given due consideration.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.

[Exclusion](#) considerations could be relevant to this profile.



Read more in the [common analysis](#).

## Electoral delegates

Last update: August 2023

### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing).



### Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of (former) electoral delegates.

In **Somaliland**, where Al-Shabaab has limited operational capacity, the risk of persecution for (former) electoral delegates is generally low. However, risk-impacting circumstances (e.g. area of origin and operational capacity of Al-Shabaab) should be given due consideration.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.



Read more in the [common analysis](#).

## Civilians perceived as ‘spies’ by Al-Shabaab

Last update: August 2023

This profile refers to civilians accused by Al-Shabaab of spying for the government, for ATMIS/AMISOM or other international actors, and for FMS forces or administrations.

### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution).



### Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of civilians perceived as ‘spies’.

Despite the limited capacity of Al-Shabaab in **Somaliland**, civilians perceived as spies may be considered a priority target and the individual assessment should take into account risk-impacting circumstances such as: visibility of profile, area of origin, etc.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.



Read more in the [common analysis](#).





### 3.3. Persons fearing recruitment by Al-Shabaab

Last update: June 2022  
Minor updates: August 2023

This profile refers to adult males fearing recruitment by Al-Shabaab against their will.

For women fearing forced recruitment by Al-Shabaab, see **3.13.3. Women and girls fearing forced recruitment by Al-Shabaab**. For child recruitment by Al-Shabaab, see **3.14.2. Child recruitment by Al-Shabaab**

In the case of Al-Shabaab, recruitment is for a wide range of purposes, such as fighting, providing administrative support, collecting taxes, propelling outreach, intelligence gathering, etc.

This profile also contains information on individuals refusing to provide recruits to Al Shabaab.

#### Persecution: legal qualification

Forced recruitment amounts to persecution. The consequences of refusal of forced recruitment, including for elders or families refusing to provide recruits, could also amount to persecution (e.g. killing).



#### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age (young men are at higher risk), area of origin and the control or influence of Al-Shabaab, clan affiliation, educational background, (prior) profession(s), socio-economic situation of the family, etc.



#### Potential nexus to a reason for persecution

While the risk of forced recruitment as such may not generally imply a nexus to a reason for persecution, the consequences of refusal could lead to persecution which is highly likely to be for reasons of religion and/or (imputed) political opinion.



Read more in the [common analysis](#).



### 3.4. Deserters and defectors from Al-Shabaab

Last update: August 2023

This profile refers to men, having deserted or defected from Al-Shabaab, including boys who had been actively involved in the group, especially as fighters.

For the situation of women and children having left Al-Shabaab, see **3.13.4. Women and girls who have left Al-Shabaab**.

#### Persecution: legal qualification

Criminal prosecution in itself does not amount to persecution. However, acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical violence, torture, death penalty, detention or execution by Al-Shabaab). When the acts in question are of less severe nature (e.g. stigmatisation by the community), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.



#### Well-founded fear: risk analysis

In the case of deserters and defectors from Al-Shabaab, well-founded fear of persecution would in general be substantiated in **South-Central Somalia** and **Puntland**. Additionally, well-founded fear of persecution by the government may be substantiated.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in **Somaliland** should take into account risk-impacting circumstances, such as: the rank and role in Al-Shabaab (e.g. being considered 'high-risk' by the state authorities), the reach of Al-Shabaab in the area of origin, clan affiliation, clan and family views towards Al-Shabaab, distance of the area of deployment of boys for Al-Shabaab from the area of origin and possibility to be reunited with the family, level of assistance by a support/clan network, socio-economic situation, etc.

Family members of individuals under this profile, especially their wives, may also have a well-founded fear of persecution.



#### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.





With regard to the nexus to a reason for persecution in the case of boys, the assessment should take into account the individual circumstances of the child. For example, children screened as ‘high-risk’ may be subjected to persecution for reasons of (imputed) political opinion.

[Exclusion](#) considerations could be relevant to this profile.



Read more in the [common analysis](#).

### 3.5. Individuals refusing to pay ‘taxes’ to Al-Shabaab

Last update: August 2023

The term ‘taxes’ in the context of this profile includes protection money, extortion and religious ‘taxes’.

#### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination).



#### Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of individuals who refuse to pay ‘taxes’ to Al-Shabaab.

At the time of writing, this claim does not appear to have particular relevance for **Somaliland**.



#### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of (imputed) political opinion and/or religion.



Read more in the [common analysis](#).



### 3.6. Humanitarian workers and human rights defenders

Last update: June 2022

This profile refers to employees of humanitarian NGOs and United Nations agencies as well as individual activists, and human rights defenders.

#### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination, abduction).



#### Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of humanitarian workers and human rights defenders, in particular in view of Al-Shabaab's pervasive presence in these areas.

In **Somaliland**, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as visibility of profile, nature of activities, area of origin and operational capacity of Al-Shabaab, etc.



#### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.



Read more in the [common analysis](#).

### 3.7. Journalists

Last update: June 2022  
Minor updates: August 2023

This profile refers to journalists and their situation in relation to potential targeting by different actors throughout Somalia.





### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, abduction, physical violence).



### Well-founded fear: risk analysis

In the case of journalists seen as critical of an actor particularly active in a specific area or in control of a specific area, well-founded fear of persecution would in general be substantiated in that specific area.

In the case of other journalists, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender (higher risk for women), the topic they report on, visibility of activities and public profile, reach of the actors they report on, etc.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In case of targeting by Al-Shabaab, persecution of this profile may also be for reasons of religion.



Read more in the [common analysis](#).

## 3.8. Individuals (perceived as) contravening social or religious laws/tenets

### Individuals (perceived as) contravening Islamic laws in Al-Shabaab controlled areas

Last update: June 2022

This sub-profile refers to individuals (perceived as) contravening Islamic laws, including apostates, converts, blasphemers and individuals (perceived) as having committed *hadd* crimes, in Al-Shabaab controlled areas.



### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution, killing, amputation, other forms of corporal punishment).



### Well-founded fear: risk analysis

Individuals perceived by Al-Shabaab as contravening Islamic laws would in general have a well-founded fear of persecution in areas under its control in **South-Central Somalia**.

With regard to areas outside of the control of the group including in South-Central Somalia, Puntland and Somaliland, see With regard to areas outside of the control of the group including in South-Central Somalia, Puntland and Somaliland, see **3.8.2. Individuals (perceived as) contravening Islamic and customary tenets outside Al-Shabaab controlled areas**.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion.



Read more in the [common analysis](#).

## Individuals (perceived as) contravening Islamic and customary tenets outside Al-Shabaab controlled areas

Last update: June 2022

This sub-profile focuses on individuals (perceived as) contravening Islamic and customary tenets, including apostates, converts, blasphemers, individuals belonging to religious minorities or (perceived) having committed *hadd* crimes and other individuals perceived as contravening moral norms, in areas outside the control of Al-Shabaab.

### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killings by Al-Shabaab, some forms of physical violence by family members/conservative elements in local community and Al-Shabaab). Prosecution for acts which are not considered criminal according to international standards (e.g. adultery)





would also amount to persecution. When the acts in question are restrictions of less severe nature on the exercise of certain rights (e.g. restrictions to freedom of religion), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

When considering such applications, the case officer should take into account that it cannot reasonably be expected that an applicant will abstain from his or her religious practices in order to avoid persecution. It should be noted that the concept of religion shall in particular include the holding of theistic, non-theistic and atheistic beliefs (Article 10(1)(b) QD).



### Well-founded fear: risk analysis

In the case of (those perceived as) apostates, converts, proselytisers or blasphemers, in general, well-founded fear of persecution would be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.

In the case of other individuals (perceived as) contravening Islamic and customary tenets in areas outside of the control of Al-Shabaab, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature and visibility of activities of the applicant, belonging to a religious minority (e.g. Christians being at higher risk), area of origin in relation to presence or operational capacity of Al-Shabaab, etc.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion. In some cases, persecution may be for reasons of membership of a particular social group. For example, individuals seen as transgressing moral norms may have a well-founded fear of persecution based on their common background which cannot be changed (perceived past behaviour) or a shared characteristic or belief that is so fundamental to identity or conscience that they should not be forced to renounce it (opposition to cultural, social or religious norms and the unwillingness to comply with them). They may also be considered to have a distinct identity in Somalia, as they may be viewed as being different from the surrounding society (e.g. stigmatisation).

A thorough individual assessment should take place to whether the particular characteristic or belief is fundamental to the identity or conscience of the applicant.



Read more in the [common analysis](#).



### 3.9. Individuals involved in blood feuds/clan disputes

Last update: June 2022  
Minor updates: August 2023

#### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing).



#### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: gender (men have a significantly higher risk), being considered a priority target, clan affiliation, etc.



#### Potential nexus to a reason for persecution

The individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, lineage/clan members involved in a blood feud may have a well-founded fear of persecution for reasons of membership of a particular social group, based on their innate characteristic (i.e. being a member of the lineage/clan) and due to the fact that lineages/clans are known and may have a distinct identity in the surrounding society. Furthermore, in case of inter-clan disputes, persecution of individuals may be for reasons of race.

[Exclusion](#) considerations could be relevant to this profile.



Read more in the [common analysis](#).



### 3.10. Individuals accused of crimes in Somalia

Last update: June 2022  
Minor updates: August 2023

This profile refers to people who are accused of ordinary crimes (e.g. crimes against property, life, physical integrity). This profile does not intend to cover acts which are not criminalised according to international standards (see for example profile **3.12. LGBTIQ persons**). It also refers to people who are accused of treason or espionage by the Somali authorities, as well as of crimes that endanger public safety.

#### Persecution: legal qualification

In general, prosecution through the official justice system, would not amount to persecution. Capital and corporal punishments, irrespective of the nature of the crime, are considered to amount to persecution. Violations of the due process of law and/or disproportionate or discriminatory punishments could also amount to such severe violations of basic human rights.



#### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account individual circumstances, such as the legal framework and the justice system applied, the nature of the crime for which they may be accused and the envisaged punishment, etc.



#### Potential nexus to a reason for persecution

In the case of individuals accused of ordinary crimes, there would in general be no nexus to a Convention ground. However, where a well-founded fear of persecution is established in relation to the envisaged punishment under *Sharia* law, persecution may be for reasons of religion. In individual cases, the prosecution may (also) be motivated by another Convention ground or initiated or conducted on a discriminatory basis related to a Convention ground.

With regard to treason, espionage or crimes that endanger public safety, persecution may be for reasons of (imputed) political opinion.

Where no nexus is substantiated, see sections **4.1. Article 15(a) QD: death penalty or execution** and **4.2. Article 15(b) QD: torture or inhuman or degrading treatment or punishment**, respectively.

[Exclusion](#) considerations could be relevant to this profile.



Read more in the [common analysis](#).

### 3.11. Minorities



Read more about the general context of targeting of minorities in the [common analysis](#).

#### Low status occupational minorities

Last update: June 2022

This sub-profile refers to persons who belong to low status occupational minorities. These minorities include the Gabooye (Madhibaan and Muse Diriye sub-groups), the Yibir, the Tumul, the Galgale, the Gahayle, the Yahar, the Ugaadhyahan/Ugaaryahan, the Eyle, the Hawle and the Hawrasame.

#### Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical and sexual violence). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



#### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland and Somaliland** should take into account risk-impacting circumstances, such as: gender, their area of origin and the local clan dynamics, financial situation, etc.



#### Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for reasons of race and/or membership of a particular social



group, based on an innate characteristic or common background which cannot be changed (the family they are born into/inherited occupational status) and distinct identity in Somalia, as they are perceived as different in the Somali society.



Read more in the [common analysis](#).

## Ethnic minorities

Last update: June 2022

### Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killings, abductions, sexual violence). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: the specific minority group that the applicant belongs to, gender, area of origin and the local clan dynamics, etc.



### Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race (ethnicity).



Read more in the [common analysis](#).



## Groups specialised in religious services

Last update: June 2022

### Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. some forms of abuse). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: their area of origin in relation to the specific minority group they belong to and the local clan dynamics, gender, etc.



### Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Furthermore, persecution of groups specialised in religious services may also be for reasons of membership of a particular social group, based on an innate characteristic or common background which cannot be changed (the family they are born into/inherited religious status) and distinct identity in Somalia, as they are perceived as different in the Somali society.



Read more in the [common analysis](#).

## Clans which can be considered minority groups in local contexts

Last update: June 2022

This sub-profile refers to persons who belong to groups that are seen as majority under one aspect and as minority under another aspect. These groups include the Rahanweyn (Digil and Mirifle sub-clans), the Tunni, the Begeedi and the Geledi.



### Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. some forms of exploitation). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: their area of origin in relation to the specific minority group they belong to and the local clan dynamics, their status as 'noble' or 'commoner', gender, etc.



### Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Persecution of minority groups in local contexts may also be for reasons of membership of a particular social group, based on an innate characteristic or common background which cannot be changed (the family they are born into) and distinct identity, as they may be perceived as different in the local context.



Read more in the [common analysis](#).

## Individuals in mixed marriages

Last update: June 2022

### Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, physical violence). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: gender, the clan of the partners (in particular whether one of the partners belongs to a minority clan), specific minority group that the applicant belongs to, area of origin, etc.



### Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Persecution of individuals in mixed marriages may also be for reasons of membership of a particular social group, based on a common background which cannot be changed (entering in a mixed marriage) and distinct identity in Somalia, as they are perceived as different in the Somali society.



Read more in the [common analysis](#).

## 3.12. LGBTIQ persons

Last update: June 2022

### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. death penalty by *Sharia*-implementing courts, imprisonment, violence).



### Well-founded fear: risk analysis

For individuals under this profile, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.



It has to be noted that an applicant cannot be expected to conceal their sexual orientation or gender identity to avoid persecution.



### Potential nexus to a reason for persecution

Available information indicates that the persecution of this profile is highly likely to be for reasons of membership of a particular social group, based on a shared characteristic that is so fundamental to the identity of the applicant, that he or she should not be forced to renounce it; and based on their distinct identity in Somalia, because they are perceived as being different by the surrounding society.



Read more in the [common analysis](#).

## 3.13. Women and girls



Read more about the general context of targeting of women and girls in the [common analysis](#).

### Violence against women and girls: overview

Last update: June 2022  
Minor updates: August 2023

#### Persecution: legal qualification

Some acts reported to be committed against women and girls under this profile are of such severe nature that they amount to persecution (e.g. rape, certain forms of physical violence including of domestic violence, sexual violence). When the acts in question are of less severe nature (e.g. obstacles to employment, education and access to justice), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: age, area of origin and actor in control of the area, clan affiliation, being from a displaced or nomadic community, having a disability, level of assistance by a support/clan network, etc.

In the case of women without support network, see sub-profile **3.13.7. Single women and female heads of households**.



### Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for different reasons under [Article 10 QD](#), depending on the specific circumstances of the case. For example, women and girls who have been sexually abused may be subjected to persecution for reasons of membership of a particular social group, based on their common background which cannot be changed (past experience of sexual abuse) and distinct identity in Somalia (in relation to stigmatisation by society).

## Female genital mutilation or cutting (FGM/C)

Last update: August 2023

### Persecution: legal qualification

FGM/C amounts to persecution.



### Well-founded fear: risk analysis

In the case of girls who have not been subjected to FGM/C, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including South-Central Somalia, Puntland and Somaliland.

In the case of women who have not been subjected to FGM/C, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to be subjected to FGM/C should take into account risk-impacting circumstances, particularly the age of the applicant, her marital status, and the views of her family on the practice. The circumstances under which the applicant had managed to avoid being subjected to FGM/C should also be given due consideration.





In the case of women and girls who have been subjected to FGM/C, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to be subjected to repeated FGM/C should take into account risk-impacting circumstances, such as: age, family status, type of FGM/C experienced, family perceptions and traditions towards the practice, etc.



### Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for reasons of membership of a particular social group. For example, women and girls who have not been subjected to FGM/C, may be subjected to persecution for reasons of this innate characteristic and/or common background which cannot be changed (not being subjected to FGM/C) and their distinct identity in Somalia. Persecution of this profile may also be for reasons of religion.



Read more in the [common analysis](#).

## Women and girls fearing forced recruitment by Al-Shabaab

Last update: August 2023

This sub-profile refers to women and girls fearing recruitment by Al-Shabaab against their will.

This profile should be read in conjunction with **3.3. Persons fearing forced recruitment by Al-Shabaab**.

### Persecution: legal qualification

Forced and child marriage by Al-Shabaab amount to persecution. Furthermore, women and girls could be exposed to acts by Al-Shabaab which are of such severe nature that they would amount to persecution (e.g. killing, abduction, sexual violence, domestic slavery).



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age, area of origin and the control or influence of Al-Shabaab, clan affiliation, family/community perception, etc.





### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of race (e.g. in the case of Bantu women) and/or religion (see also profile **3.8. Individuals (perceived as) contravening social or religious laws/tenets**).



Read more in the [common analysis](#).

## Women and girls who have left Al-Shabaab

Last update: August 2023

This sub-profile refers to women and girls who had been wives of Al-Shabaab members or otherwise actively engaged in the group's activities and who have left Al-Shabaab.

For the treatment of adult males and boys who had been actively involved in the group, especially as fighters, who desert or defect, see **3.4. Deserters and defectors from Al-Shabaab**. The present subsection should be read in conjunction with the two subsections mentioned above.

### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution and imprisonment, certain forms of physical violence including sexual violence, torture, death penalty). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.



### Well-founded fear: risk analysis

In the case of women and girls having left Al-Shabaab, well-founded fear of persecution by the group would in general be substantiated in **South-Central Somalia** and **Puntland**.

Furthermore, women and girls may have a well-founded of persecution by the community and the government in individual cases. Risk-impacting circumstances could include: past role in Al-Shabaab, clan affiliation and protection, displacement situation, etc.





The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in **Somaliland** should take into account risk-impacting circumstances, such as: the past role in Al-Shabaab, the area of reintegration, participation in a rehabilitation programme, clan affiliation, level of assistance by a support/clan network, displacement situation, having left with their child(ren), distance of the area of deployment of girls for Al-Shabaab from the area of origin and possibility to be reunited with the family etc.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion. Persecution of women who have left Al-Shabaab marriages may also be for reasons of membership of a particular social group based on their common background which cannot be changed (past marriage to an Al-Shabaab member) and distinct identity in Somalia (in relation to stigmatisation).

With regard to the nexus to a reason for persecution in the case of girls, the assessment should take into account the individual circumstances of the child. For example, children screened as 'high-risk' may be subjected to persecution for reasons of (imputed) political opinion.

[Exclusion](#) considerations could be relevant to this profile.



Read more in the [common analysis](#).

## Child marriage and forced marriage

Last update: June 2022  
Minor updates: August 2023

### Persecution: legal qualification

Forced and child marriage amount to persecution. When the consequences of refusal of forced marriage may be of less severe nature (e.g. social stigma), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: prevalence of the practice in the area of origin, age, socio-economic status of the family, clan and family traditions, etc.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of religion and/or membership of a particular social group. For example, refusal to enter into a marriage may result in persecution for reasons of membership of a particular social group in relation to a common background which cannot be changed (refusal to marry) and/or a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it (the right to choose whom to marry) and their distinct identity in Somalia (e.g. stigmatisation).



Read more in the [common analysis](#).

## Women and girls in clan conflicts

Last update: June 2022

### Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. certain forms of physical harm). In relation to the tradition of gobod reeb, forced and child marriage would amount to persecution.

See also sub-profile **3.13.5. Child marriage and forced marriage**.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: belonging to a minority clan, family/clan traditions, etc.





### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of race and/or membership of a particular social group (especially in relation to some minority groups, see more information under profile **3.11. Minorities**).



Read more in the [common analysis](#).

## Single women and female heads of households

Last update: June 2022  
Minor updates: August 2023

This sub-profile refers to single women (e.g. divorced women, unmarried women, widows) and female-heads of households. Girls can also fall in this sub-profile.

### Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical violence, sexual violence). When the acts in question are of less severe nature (e.g. ostracism), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: being in an IDP situation, family status (e.g. single mother), family/society perceptions, level of assistance by a support/clan network etc.

In the case of single women and female heads of households without support/clan network, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.



### Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of membership of a particular social group. For example, women with children born out of wedlock may be subjected to persecution for reasons of membership of a particular social group, based on their common background which cannot be changed (having a child out of wedlock) and distinct identity in Somalia (in relation to stigmatisation by society and seen as betraying the family honour).



Read more in the [common analysis](#).

## 3.14. Children

### Violence against children: overview

Last update: June 2022  
Minor updates: August 2023

#### Persecution: legal qualification

Some acts reported to be committed against children are of such severe nature that they amount to persecution (e.g. sexual violence, trafficking, certain forms of child labour, child recruitment, FGM/C). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.



#### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for a child to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: area of origin, family status, level of assistance by a support/clan network, etc.

In the case of children without support/clan network, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.





### Potential nexus to a reason for persecution

With regard to the nexus to a reason for persecution, the assessment should take into account the individual circumstances of the child. For example, children born out of wedlock may be subjected to persecution for reasons of membership of a particular social group, based on their common background which cannot be changed (born out of wedlock) and distinct identity in Somalia (in relation to stigmatisation by society).



Read more in the [common analysis](#).

## Child recruitment by Al-Shabaab

Last update: August 2023

This sub-profile refers to children fearing recruitment by Al-Shabaab. For an overview of other actors recruiting children, see **3.14.1. Violence against children: overview**.

For information on the treatment of families refusing to provide younger family members, including children, as recruits to Al-Shabaab, see profile **3.3. Persons fearing forced recruitment by Al-Shabaab**.

### Persecution: legal qualification

Child recruitment is of such severe nature that it amounts to persecution, including when recruitment is not induced by coercion.



### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender, age, area of origin and the control or influence of Al-Shabaab, clan affiliation and clan positioning towards Al-Shabaab, socio-economic situation of the family, family status (e.g. orphans), etc.



### Potential nexus to a reason for persecution

The individual circumstances of the child need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children



who refuse to join Al-Shabaab, persecution may be for reasons of (imputed) political opinion and/or religion.



Read more in the [common analysis](#).

### 3.15. Persons with disabilities or severe medical issues

Last update: June 2022

#### Persecution: legal qualification

The lack of personnel and adequate infrastructure to appropriately address the needs of individuals with (severe) medical issues fails to meet the requirement of Article 6 QD regarding the existence of an actor that inflicts persecution or serious harm, unless the individual is intentionally deprived of healthcare.

In the case of persons living with disabilities, the individual assessment whether the discrimination and mistreatment by society and/or by the family could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



#### Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: nature and visibility of the mental or physical disability, negative perception by the family/community, existence of support network, etc.



#### Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for reasons of membership of a particular social group (e.g. persons with noticeable physical disability, due to this innate characteristic and distinct identity linked to their stigmatisation by the surrounding society).



Read more in the [common analysis](#).



## Subsidiary protection

### Article 15(a) QD: death penalty or execution

Last update: June 2022

The FGS and other actors within the jurisdiction of Somalia continue to impose and carry out death sentences for crimes other than the intentional killing of a person, including crimes committed while under the age of 18. Death penalty can be imposed for crimes such as treason and espionage, and crimes that endanger public safety.

Death penalty may also be imposed by Islamic courts for the commission of *hadd* crimes e.g. illicit sexual relations (*zina*), including homosexual relationships.

Al-Shabaab courts also implement *Sharia* law in a strict and violent way and may impose severe punishments, such as executions, for the abovementioned *hadd* crimes, including for adopting un-Islamic behaviour and for spying for the government or other foreign powers.

Some profiles of applicants from Somalia may be at risk of death penalty or execution (e.g. **3.8. Individuals (perceived as) contravening religious social or religious laws/tenets, 3.12. LGBTIQ persons, 3.4. Deserters and defectors from Al-Shabaab**) and those individuals would qualify for refugee status. In cases where there is no nexus to a Convention ground (e.g. **3.10. Individuals accused of crimes in Somalia**), the need for subsidiary protection under Article 15(a) QD should be examined.

Please note that [exclusion](#) considerations could be relevant.



Read more in the [common analysis](#).

## Article 15(b) QD: torture or inhuman or degrading treatment or punishment

Last update: August 2023

In the cases of applicants for whom torture or inhuman or degrading treatment or punishment may be a real risk, there would often be a nexus to a reason for persecution under the definition of a refugee, and such individuals would, therefore, qualify for refugee status. However, with reference to cases where there is no nexus to a Convention ground and the applicant would not qualify for refugee status, the need for subsidiary protection under Article 15(b) QD should be examined.

When examining the need for protection under Article 15(b) QD, the following considerations should be taken into account:

### Arbitrary arrests, illegal detention and prison conditions

Urban prisons in Somalia, especially following large security incidents, are at times overcrowded, with authorities often not separating pre-trial detainees from convicted prisoners, especially in the southern and central regions. In these areas, including areas under the control of Al-Shabaab, prison conditions are believed to be harsh and at times life-threatening due to poor sanitation and hygiene, inadequate food and water, and lack of medical care. Disease outbreaks and long pre-trial detention period have been reported. Reportedly, Garowe Prison in Puntland and Hargeisa Prison in Somaliland met international standards and were well-managed.

Where there is no nexus to a reason for persecution, the risk of being subjected to arrest, detention or imprisonment may, in some cases, qualify under Article 15(b) QD.

[Exclusion](#) considerations may be relevant.



Read more in the [common analysis](#).

### Criminality

Criminality is pervasive in Somalia. Reported crimes include killings, sexual violence, abductions, banditry, thefts, robberies, money extortion, piracy, (child) trafficking, human and/or arms smuggling. Against this backdrop, during the reference period, a rising issue in the Somali context was the drifting of many Somali youth towards organised criminal gangs, especially in the Somali cities, notably in Mogadishu.

Where there is no nexus to a reason for persecution, the risk of being subjected to criminal acts may qualify under Article 15(b) QD.



Read more in the [common analysis](#).





## Corporal punishments

Corporal punishments for the so-called *hadd* crimes may be imposed by Sharia or Al-Shabaab courts.

Where there is no nexus to a reason for persecution, the risk of being subjected to corporal punishments may qualify under Article 15(b) QD.

[Exclusion](#) considerations may be relevant.



Read more in the [common analysis](#).

## Forced evictions

Evictions from government buildings and by private landlords in Somalia represent a constant risk for vulnerable communities, among which IDPs living in collective settlements and other urban poor individuals in densely populated areas. Evictions had far-reaching impacts on already marginalised populations, including increased vulnerability to violence, loss of assets and social networks, sexual assault, destruction of livelihoods and separation of families. Evictions also cause and exacerbate displacement within the country. Moreover, poverty and forced evictions were reported to be mutually dependent and reinforcing.

Where there is no nexus to a reason for persecution, (the risk of) being subjected to forced eviction may qualify under Article 15(b) QD, depending on the severity of its consequences in the individual case.



Read more in the [common analysis](#).

## Healthcare unavailability and socio-economic conditions

The humanitarian situation in Somalia remained precarious during the reference period, making the country one of the least developed countries in the world. People in Somalia face continuous socio-economic challenges due to high poverty and highly precarious conditions regarding employment, housing, food and water supplies. Besides violent conflicts, climatic shocks, among which droughts and floods, lead to displacements and contribute to vulnerabilities. Additionally, it has been reported that Al-Shabaab continued to hinder commercial activities in the areas it controlled and disrupted the delivery of humanitarian aid.

When such conditions are the result of an intentional conduct of an actor, they may qualify under Article 15(b) QD.



Read more in the [common analysis](#).





## Article 15(c) QD: indiscriminate violence in situations of armed conflict

Serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.

Last update: August 2023

The following is a summary of the relevant conclusions concerning the situation in Somalia.

### Armed conflict

Several overlapping armed conflicts within the meaning of Article 15(c) QD take place in Somalia:

- **Al-Shabaab – anti Al-Shabaab armed conflict**
- **the inter and intra-clan rivalries**
- **anti-ISS armed conflict**
- **Puntland versus Somaliland.**



Read more in the [common analysis](#).

### Civilian

Article 15(c) QD applies to a person who is not a member of any of the parties to the conflict and is not taking part in the hostilities, potentially including former combatants who have genuinely and permanently renounced armed activity. The applications by persons under the following profiles should be examined carefully. Based on an individual assessment, such applicants may be found not to qualify as civilians under Article 15(c) QD.

For example:

- **members of the FGS security forces, including the SNA, special forces, NISA and SPF**
- **members of the FMS armed forces**
- **members of the Somaliland armed forces**
- **Al-Shabaab members**
- **members of clan militias**
- **ISS members.**





It is important to underline that the assessment of protection needs is forward-looking. Therefore, the main issue at hand is whether the applicant will be a civilian or not upon return. The fact that the person took part in hostilities in the past would not necessarily mean that Article 15(c) QD would not be applicable to him or her.



Read more in the [common analysis](#).

## Indiscriminate violence

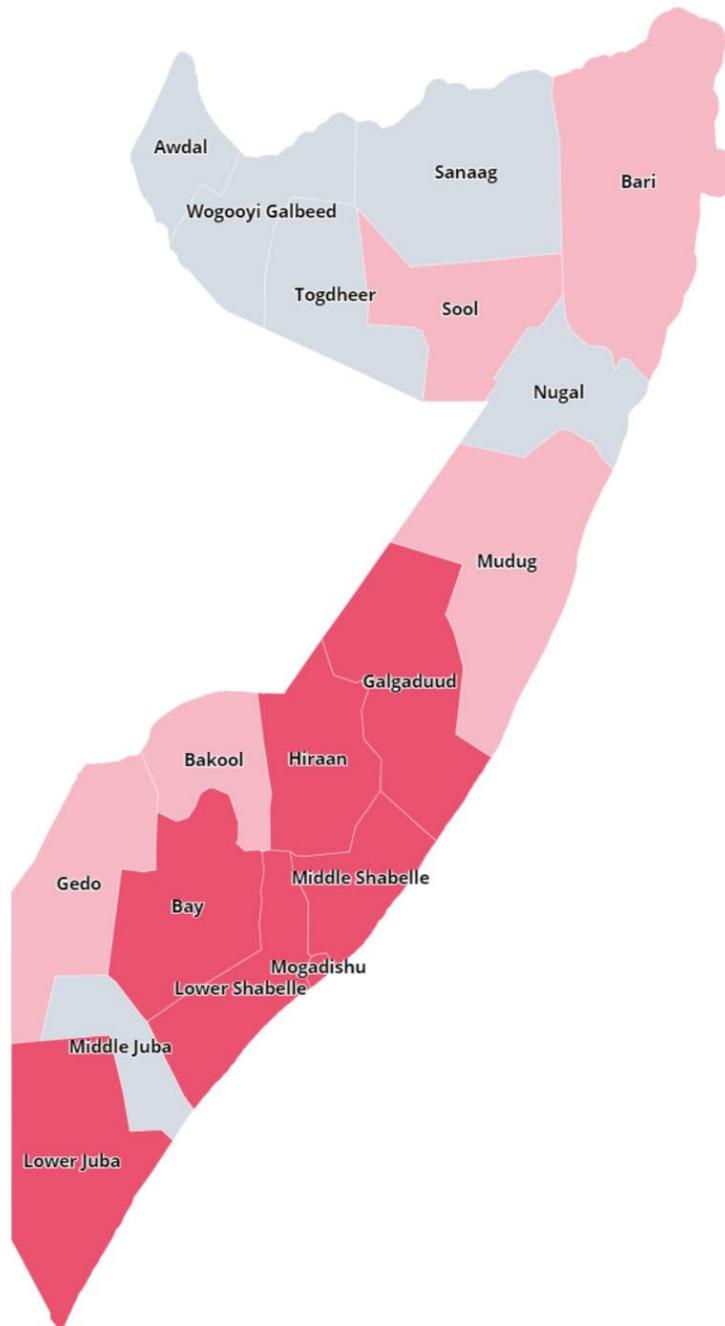
Indiscriminate violence takes place to a different degree in different parts of the territory of Somalia. The map below summarises and illustrates the assessment of indiscriminate violence per region in Somalia (Figure 1). This assessment is based on a holistic analysis, including quantitative and qualitative information for the reference period 1 July 2021 – 30 November 2022, exception made for some crucial developments that took place in December 2022. Some indicators are updated with information concerning the period 1 December 2022 – 14 April 2023 based on the EUAA COI Update 2023.

Up-to-date country of origin information should always inform the individual assessment.





**Figure 1. Somalia - Assessment of the level of indiscriminate violence per region based on the reference period 1 July 2021 – 14 April 2023.**



The regions of Somalia are categorised as follows:

Territories where ‘mere presence’ in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD, but where, however, indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.



This includes the regions of *Bay, Benadir/Mogadishu, Galgaduud, Hiraan, Lower Juba, Lower Shabelle, and Middle Shabelle*.

Territories where indiscriminate violence is taking place, however **not at a high level** and, accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

This includes the regions of *Bakool, Bari, Gedo, Mudug, and Sool*.

It can be noted that, at the time of writing, the indiscriminate violence in Sool primarily affects the district of Laas Canood and its surroundings.

Territories where, in general, there is **no real risk** for a civilian to be personally affected within the meaning of Article 15 (c) QD. This may be because the criteria for an armed conflict within the meaning of this provision are not met, because no indiscriminate violence is taking place, or because the level of indiscriminate violence is so low, that in general there would be no real risk for a civilian to be affected by it.

This includes the regions of *Awdal, Middle Juba, Nugal, Sanaag, Togdheer and Wogoyi Galbeed*.

While Middle Juba is significantly affected by human rights violations by Al-Shabaab, who is in control of the area, these violations should be examined in the context of refugee status or Article 15(b) QD.



Read more in the [common analysis](#).

## Serious and individual threat

In the context of the ‘sliding scale’, each case should be assessed individually, taking into account the nature and intensity of the violence in the area, along with the combination of personal circumstances present in the applicant’s case. Certain personal circumstances could contribute to an enhanced risk of indiscriminate violence, including its direct and indirect consequences. While it is not feasible to provide exhaustive guidance about what the relevant personal circumstances could be and how those should be assessed, the following are highlighted as possible examples of circumstances which may impact the ability of a person to assess and/or avoid risks related to indiscriminate violence in a situation of an armed conflict:



- age
- health condition and disability, including mental health issues
- economic situation
- knowledge of the area
- occupation of the applicant
- family members or clan/support network
- etc.



Read more in the [common analysis](#).

### Threat to life or person

Some of the commonly reported types of harm to civilians' life or person in Somalia include killing, injury, abduction, child recruitment, forced displacement, explosive remnants of war, etc. A real risk of such serious harm would qualify a threat to a (civilian's) life or person in accordance with the provision of Article 15(c) QD.

### Nexus

The interpretation of the causation 'by reason of' may not be limited to harm which is directly caused by the indiscriminate violence or by acts that emanate from the actors in the conflict. To a certain extent, it may also include the indirect effect of indiscriminate violence in situations of armed conflict. As long as there is a demonstrable link to the indiscriminate violence, such elements may be taken into account in the assessments, for example: widespread criminal violence as a result of lawlessness, destruction of the necessary means to survive, destruction of infrastructure, denial of or limited access of humanitarian aid, limited access to healthcare facilities.



# Actors of protection

Last update: August 2023

## The State

### The Somali State

The Somali multi-faceted justice system is still experiencing significant weaknesses and is unable to effectively detect, prosecute and punish acts that constitute persecution or serious harm. Furthermore, law enforcement is continuously challenged by the different conflicts taking place in **South-Central Somalia and Puntland**, including the conflict with Al-Shabaab. Therefore, it can be concluded that, in general, the Somali State would not be considered an actor of protection meeting the criteria under Article 7 QD.



Read more in the [common analysis](#).

### Authorities of Somaliland

The authorities of Somaliland, in areas under their control, may, depending on the individual circumstances of the case, be considered able and willing to provide protection that meets the requirements of Article 7 QD. In disputed areas between Somaliland and Puntland, the criteria under Article 7 QD would generally not be met.

When assessing the availability of protection by the authorities of Somaliland, individual circumstances such as home area, age, gender, clan, social and economic situation, actor of persecution and type of human rights violation must be taken into account. Protection by the Somaliland authorities is generally not considered available for members of minority groups, LGBTIQ persons and women, especially in cases of sexual and gender-based violence.



Read more in the [common analysis](#).

## Parties or organisations, including international organisations

### Al-Shabaab

The lack of due process and the nature of the punishments would not qualify the parallel justice mechanism operated by Al-Shabaab as a legitimate form of protection. Further taking into account its record of human rights violations, it can be concluded that Al-Shabaab does not qualify as an actor of protection who is able to provide effective, non-temporary and accessible protection.



Read more in the [common analysis](#).

## Considerations on clan support

Most Somalis rely on support from patrilineal clan relatives. Clans can provide different forms of support for their members.

Under the *xeer* system, clan elders act as mediators or arbiters, and play a central role in the resolution of local and intra-clan disputes.



The support provided by clans in Somalia cannot be considered as meeting the requirements of Article 7 QD.



Read more in the [common analysis](#).





## Internal protection alternative

In order to determine that internal protection alternative (IPA) is available in a particular part of the applicant's country of origin, three cumulative criteria have to be met: 'safety', 'travel and admittance' and 'reasonableness to settle'. For the purposes of this document, the analysis focuses on the possibility of applying IPA with regard to Mogadishu, Garowe and Hargeisa.

The conclusions from the assessment of the three criteria are outlined below.

### Safety

Last update: August 2023

In relation to **Mogadishu**, the requirement of safety may be satisfied only in exceptional cases. Individual circumstances are to be taken into consideration.

In relation to **Garowe** and **Hargeisa**, the requirement of safety may be satisfied, depending on the profile and the individual circumstances of the applicant.



Read more in the [common analysis](#).

### Travel and admittance

Last update: August 2023

For those applicants who meet the 'safety' criterion, the assessment of the availability of IPA should proceed with an assessment of the requirements of safety and legality of travel and of gaining admittance.

Based on available COI, it is concluded that there are some security concerns with regard to the safety of travel to **Mogadishu**. With regard to **Garowe** and **Hargeisa**, it is concluded that, in general, a person can access these cities without serious risks.

The possession of appropriate identification and/or travel documents is required to access Somalia and Somaliland. When passing through checkpoints to travel to **Mogadishu**, **Garowe**, and **Hargeisa**, and to circulate in the three cities, the lack of identification documents may render the applicant vulnerable to ill-treatment at checkpoints.

The possession of a 30-day visa would not be sufficient to consider that the applicant can settle in **Hargeisa**.

Clan affiliation does not constitute a legal requirement to travel and gain admittance in **Mogadishu**, **Garowe** and **Hargeisa**, however it would be a crucial factor to take into account when examining the next requirements of reasonableness to settle in one of these cities.





Read more in the [common analysis](#).

## Reasonableness to settle

Last update: August 2023

### Mogadishu

Based on the general situation in Mogadishu, and taking into account the applicable individual circumstances, internal protection alternative may be reasonable only in exceptional cases. Such exceptional cases would in particular include some able-bodied men and married couples without children with no additional vulnerabilities, who belong to locally majority clans and who have educational and professional background facilitating their access to employment, or a support network which is able to assist them in accessing basic subsistence, or those who otherwise have sufficient financial means. In the case of couples, basic subsistence in Mogadishu has to be ensured for both spouses.

### Garowe and Hargeisa

In the case of single able-bodied men and married couples without children, internal protection alternative may be reasonable for those who belong to the local majority clan and can rely on its support and who have no additional vulnerabilities.

In the case of families with children and unaccompanied children, internal protection alternative would in general not be reasonable. Individual circumstances and the best interests of the child should be duly assessed.

In the case of applicants from minority groups, including clans who can be considered minorities in the local context, internal protection alternative would in general not be reasonable.

In the case of other profiles, the individual circumstances of the applicant, in particular in relation to clan affiliation, gender, age, the existence of a support/clan network, etc. should be given due consideration when assessing the reasonableness to settle in these cities.



Read more in the [common analysis](#).



## Exclusion

Last update: June 2022

In the context of Somalia, numerous circumstances may require consideration of the potential applicability of exclusion grounds.

Relevant circumstances could include:

- **Crimes committed by state forces and state-affiliated forces**



Read more in the [common analysis](#).

- **Crimes committed by non-state armed forces**



Read more in the [common analysis](#).

- **Criminal activity**



Read more in the [common analysis](#).

- **Other types of violence**



Read more in the [common analysis](#).

General guidance with regard to the assessment of such circumstances in light of the relevant provisions of the QD is provided in the next sections.

### Article 12(2)(a) and Article 17(1)(a) QD

The ground ‘crime against peace’ is not likely to be of relevance in the cases of applicants from Somalia.

Violations of international humanitarian law by different parties in the current and in past conflicts in Somalia could amount to war crimes, such as the deliberate and systematic attacks on hospitals, the deliberate indiscriminate attacks on civilians, etc.



Relevant situations include the civil war (1988-1991) and the non-international armed conflict between the Somali government and Al-Shabaab. Furthermore, fighting between the ISS and Al-Shabaab amounts to a non-international armed conflict.

Reported crimes such as murder, torture, and rape by the different actors could amount to crimes against humanity when committed as part of a widespread and systematic attack against the civilian population.

Some acts in the current and past conflicts, such as extrajudicial killings, torture, forced disappearance, could amount to both war crimes and crimes against humanity.

Especially (former) members of the SNA, the SPF, the NISA, as well as FMS security forces and anti-government armed groups, in particular Al-Shabaab and ISS, can be implicated in acts that would qualify as war crimes and/or crimes against humanity.

Crimes committed in the context of clan militias clashes, in particular in the civil war in the past, could also give rise to considerations under Article 12(2)(a) QD/Article 17(1)(a) QD.

#### **Article 12(2)(b) and Article 17(1)(b) QD**

In the context of Somalia, criminality and breakdown in law and order in some parts of the country make the ground of 'serious (non-political) crime' particularly relevant. In addition to violence and murder related to family and clan disputes, some examples of particularly relevant serious crimes may include human trafficking, extortion/illegal taxation, piracy etc.

Violence against women and children (for example, in relation to domestic violence or in the context of forced and child marriage) could potentially amount to a serious (non-political) crime.

Performing FGM/C is a serious (non-political) crime. A careful examination of all relevant circumstances of the case, including those related to the individual responsibility should take place.

In some cases, the crimes in question could be linked to an armed conflict or could be committed as a part of a systematic or widespread attack against a civilian population (e.g. kidnapping of recruits, taxation to finance the activities of non-state armed groups), in which case they should instead be examined under Article 12(2)(a)/Article 17(1)(a) QD.

#### **Article 12(2)(c) and Article 17(1)(c) QD**

(Former) membership in armed groups such as Al-Shabaab and ISS could trigger relevant considerations and require an examination of the applicant's activities under Article 12(2)(c)/Article 17(1)(c) QD, in addition to the considerations under Article 12(2)(b)/Article 17(1)(b) QD.

The application of exclusion should be based on an individual assessment of the specific facts in the context of the applicant's activities within that organisation. The position of the applicant within the organisation would constitute a relevant consideration and a high-ranking position





could justify a (rebuttable) presumption of individual responsibility. Nevertheless, it remains necessary to examine all relevant circumstances before an exclusion decision can be made.

Where the available information indicates possible involvement in crimes against peace, war crimes or crimes against humanity, the assessment would need to be made in light of the exclusion grounds under Article 12(2)(a)/Article 17(1)(a) QD.

### **Article 17(1)(d) QD**

In the examination of the application for international protection, the exclusion ground under Article 17(1)(d) QD (danger to the community or the security of the Member State) is only applicable to persons otherwise eligible for subsidiary protection.

Unlike the other exclusion grounds, the application of this provision is based on a forward-looking assessment of risk. Nevertheless, the examination takes into account the past and/or current activities of the applicant, such as association with certain groups considered to represent a danger to the security of the Member State or criminal activities of the applicant.





## Common analysis



# 1. General remarks

## 1.1. The structure of the Somali governance

Last update: August 2023

Somalia is a Federal State composed of two levels of government: the federal government and the federal member states (FMS), which include both state and local governments. FMS also dispose their own constitutions and armed forces. [[Actors](#), 2.1. p. 23]

Since the 15 May 2022 election, Hassan Sheikh Mohamud (HSM) is the new president of Somalia. On 7 August 2022, the Parliament endorsed the new Somali Government, comprising 26 Ministers, 24 State Ministers and 25 Deputy Ministers. [[Security 2023](#), 1.1., p. 19]

Somalia is de-facto ruled by a gentlemen agreement among the major clan-families that dominate the country. Based on this agreement, also known as the 4.5 power-sharing formula, key positions in the State apparatus, including parliamentary seats, are (more or less) proportionally distributed among the four main clan families as well as the 0.5 quota representing minorities. [[Actors](#), 2.1., pp. 24-25]

**South-Central Somalia** includes the following FMS: Jubbaland, South-West, Benadir, Hirshabelle and Galmudug. Mudug region is divided between Galmudug and Puntland, with Galmudug controlling the southern half of the region. [[Security 2023](#), 2.5.2., p. 147]

**Puntland**, as an autonomous state within the Somalia Federal State, was established on 1 August 1998 as an entity representing clans belonging to the Harti clan collective. Puntland has developed significant institution-building and governance mechanisms. However, it continues to be affected by security, humanitarian, political, and socio-economic challenges. [[Actors](#), 7.6., p. 102]

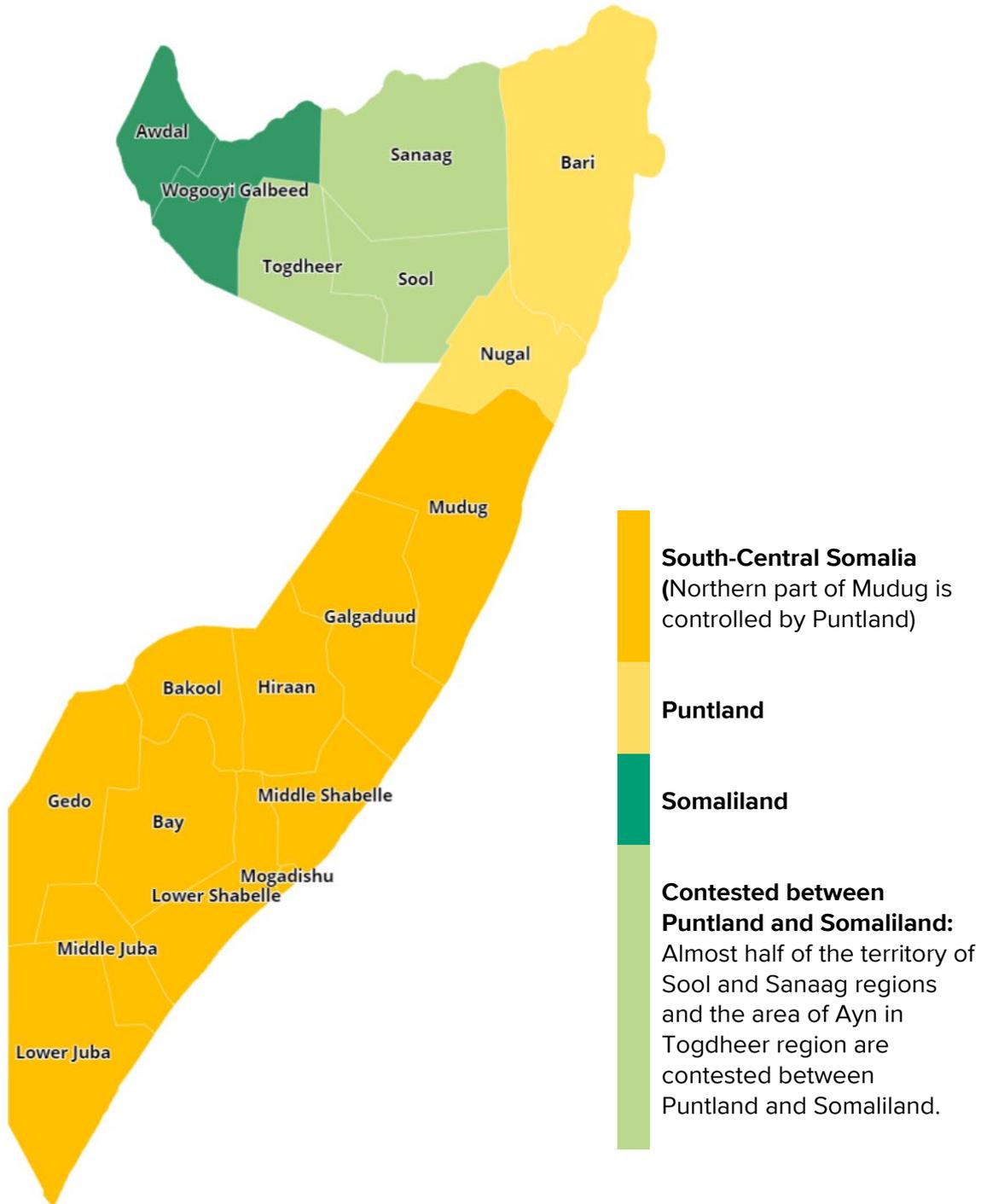
**Somaliland** declared its independence in 1991 while the civil war was occurring in the rest of Somalia [[Actors](#), 7.7., p. 108]. The backbone of Somaliland's administration was drawn from the Somali National Movement (SNM), comprising several Isaaq clans [[Actors](#), 3.4.2. p. 54]. Ever since, Somaliland has embarked on an institution-building and democratisation process, combining, in a hybrid entity, traditional and modern forms of governance that make it stand out compared to other parts of Somalia [[Actors](#), 7.7. p. 108]. Somaliland remains largely internationally unrecognised, despite a recent increase in the number of states with which it holds diplomatic relations [[Actors](#), 7.7.1., p. 109; [KSEI 2021](#), 3., p. 72].

In terms of territorial control and influence, some areas of **Sool** and **Sanaag** regions and the area of **Ayn** (Togdheer region) are contested between Somaliland and Puntland [[Security 2023](#), 1.2., p. 22; [Actors](#), 7.7.1., p. 110].

The following map indicates **roughly** the macro-zones of Somalia (South-Central Somalia, Somaliland, Puntland) (Figure 2), as described above. This illustration intends to provide the user of the present guidance with a general depiction of these areas on the map. For

information regarding the territorial control of different actors in Somalia and/or the contested territories, see the chapter [2. Actors of persecution or serious harm](#) and the map (Figure 3), included in that section.

**Figure 2. Macro-zones of Somalia**



## 1.2. The role of clans in Somalia

Last update: June 2022

Layered in all aspects of life, the clan is both a tool for identification and a way of life. Clans define the relationship between people and all actors in Somalia, including Al-Shabaab, must deal with the clan variable [[Actors](#), 3., p. 45]. Belonging to a strong clan matters in terms of access to resources, political influence, justice, and security [[Targeting](#), 4, p. 47].

Somalis are roughly divided in five large family clans: the Dir are mainly present in the western part of Somaliland and in the southern part of Somalia; the Isaaq are mainly present in the middle part of Somaliland; the Darood are mainly settled in Puntland, in the eastern part of Somaliland and in the southernmost part of Somalia; the Hawiye are mainly present in central Somalia; the Rahanweyn, sometimes called the Digil-Mirifle group, are mainly present between the Jubba and the Shabelle rivers [[Actors](#), Clan maps, pp. 16-18]. Even though this clan-territory association remains relevant, sometimes it must be relativised, notably in urban contexts (e.g. Mogadishu, Garowe) [[Actors](#), 3.1.1. p. 47; [KSEI 2021](#), 1.1.1. pp. 13-15; 2.1.1.3. pp. 53-54].

Dominant clans have so far maintained an ‘artificial’ balance in terms of political power in the Federal State of Somalia, with the presidency and premiership alternating between the Hawiye and the Darood, the speakership of the parliament assigned to the Rahanweyn and the supreme court to the Dir. The FMS’ administrations function, in general, with clearer clan affiliation, with all main power functions gathered in the hands of the locally dominant clans. [[Actors](#), 1, p. 19; 2.1., p. 24]

Large segments of the Somali population are considered as minorities, either in local context or in Somalia in general, living amongst larger clans. For more information on some minorities and their treatment, see profile [3.11. Minorities](#).

Somalis are traditionally attached to a territory where their kin are supposed to be more numerous [[Actors](#), 3.2., p. 49]. Until today, most Somalis still rely on support from patrilineal clan relatives [[Targeting](#), 4, p. 56].

The most important level of solidarity in Somali society, the *jilib*, does not refer to a particular number of individuals or a level in the genealogical tree but rather to the group below which the community assumes the payment of ‘the blood price’ (*diya*). In theory, inside the *jilib*, the community must help individuals in case of smaller or larger problems, reaching as far as the mutilation or the murder of someone from another clan (blood price). [[Actors](#), 3.2.1., p. 49]

Arrangements can also be made between clans for protection outside the clan. These agreements are often for a precise duration and specify the kind of protection, the means of resolution of conflicts, marriage rules, etc. There are also binds of protection and solidarity without duration or a specific agreement. In the Somali perception, there are several levels of clan protection corresponding to different scales of social closeness, each of these levels coming with a given intensity of protection. Military alliances can also be made between clans. A *gaashaanbuur* (military alliance) integrates one or several clans or parts of these to wage war [[Actors](#), 3.2.2., p.51].



Clans often compete against each other, as well as against other actors, such as the FGS or the FMS, for political, resource and territorial control, while resorting to a system of instrumental alliances [[Actors](#), 1, p. 20]. Clan militias are also important actors of political life across Somalia [[Actors](#), 3.4., p. 52] (for more information, see section [2.3.2. Clans and clan militias](#) under chapter [2. Actors of persecution](#) or serious harm).

Under the *xeer* system, clan elders act as mediators or arbiters, and play a central role in the resolution of local and intra-clan disputes [[Actors](#), 2.3.2. p. 31]. For more information on the different justice systems in Somalia, see chapter [5. Actors of protection](#).



## 2. Actors of persecution or serious harm

Last update: August 2023

[Article 6 QD](#)



The contents of this chapter include:

2.1. Areas of control and influence

2.2. State actors

2.2.1. Federal Government of Somalia (FGS) forces

2.2.2. Federal Member States (FMS) forces and Somaliland forces

2.3. Non-State actors

2.3.1. Al-Shabaab

2.3.2. Clans and clan militias

2.3.3. Islamic State in Somalia (ISS)

2.3.4. ATMIS/AMISOM

2.3.5. AFRICOM

2.3.6. Other non-State actors

A wide range of different groups and individuals can be considered as actors of persecution or serious harm in Somalia. Examples include Al-Shabaab, security forces at the federal or at the states level, clans and their militias, families, etc.

The Federal government forces and the Federal member state forces, as well as other regional actors (state level *darwish* militias, clan militias, paramilitary groups, special police forces) as well as international actors, such as Ethiopia, Kenya, the United States (US), and African Transition Mission in Somalia (ATMIS), all operate in Somalia and at times are not aligned and may compete at regional level. [[Security 2023](#), 1.2., pp. 21, 23-24; 1.3.1., p. 25; 1.3.3., p. 31]

A crucial aspect of the Somali context is that ‘the boundaries of membership’ for all of the groups dealt with in this chapter constantly shift. Most individuals playing a role in the security situation are simultaneously members, to varying degrees, of multiple groups. In that way, the coalition of clans and business interests supporting the federal president largely determines



the interest of the FGS. The militias and other ad hoc forces supporting the federal president find their action gaining legitimacy in acting as being part of the Somali National Army (SNA). Therefore, a given member of the armed forces may have three entities theoretically competing for his loyalty – the clan, the FMS, and the SNA/FGS. [[Security 2021](#), 1.2., pp. 25-26]

The following subsections highlight the main actors of persecution or serious harm in Somalia in a non-exhaustive manner. Their approximate areas of control are outlined in the map below.

## 2.1. Areas of control and influence

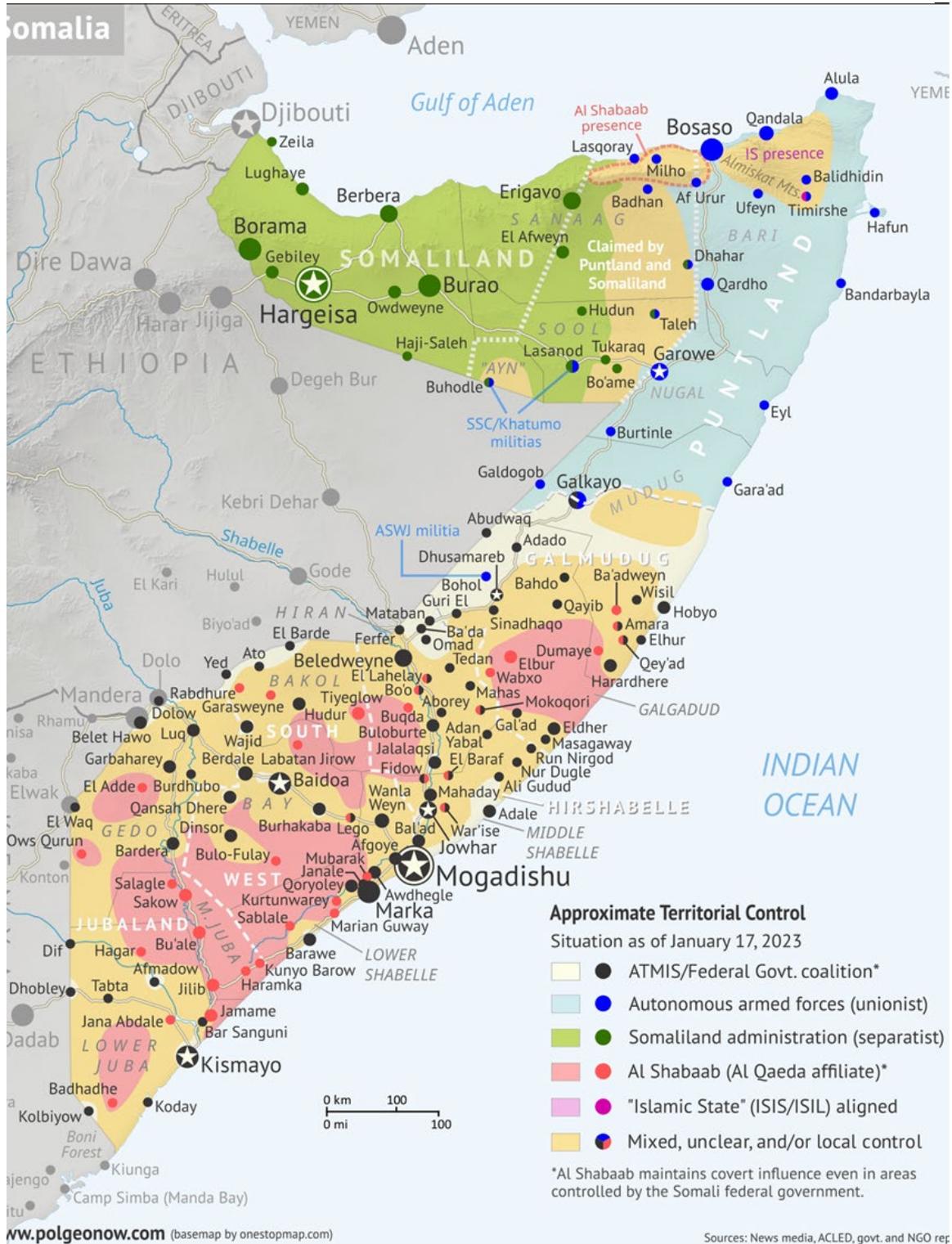
The individual assessment of international protection needs should take into account the presence and activity of different actors in the applicant's home area and the situation in the areas the applicant would need to travel through in order to reach their home area.

As of August 2022, a joint government - Macawisley militia military offensive was launched against Al-Shabaab. The military campaign started in Hiraan, and spread to the neighbouring regions of Galgaduud and Bay first, and then to Middle Shabelle. [[Security 2023](#), 1.1., p. 17; 1.3.1., p. 25]

The approximate areas of control of the main actors are outlined in the map below. This map presents an indication and cannot be seen as an absolute representation of the situation in terms of spatial or temporal accuracy. The depictions on this map do not imply any opinion on the part of the EUAA concerning the legal status or effective control over any territory in the country.



**Figure 3. Somalia - Approximate Territorial Control, 17 January 2023 by Political Geography Now (<https://www.polgeonow.com/>).**



For more information on territorial control and/or presence of the actors of persecution or serious harm listed below, please refer to [4.3.4. Indiscriminate violence](#) under [4.3. Article 15\(c\) QD: indiscriminate violence in situations of armed conflict](#).



## 2.2. State actors

### 2.2.1. Federal Government of Somalia (FGS) forces

Last update: August 2023

**The Federal Government of Somalia (FGS) armed forces** consist of the Somali National Army (SNA), the Special Forces, the National Intelligence and Security Agency (NISA) and The Somali Police Force (SPF) [[Actors](#), 2.4., pp. 37-42].

For additional information concerning the role and capacity of the different actors, see [Security 2023](#), 1.3.3., pp. 31-34.

The FGS made significant progress in controlling larger parts of Somalia's territory since 2010, when it controlled only a small district in Mogadishu [[Actors](#), 2.2., p. 25]. The joint offensive of allied forces launched in August 2022 managed to recover territory from Al-Shabaab by November 2022, notably in the Hiraan and Middle Shabelle regions. FGS forces' operations reportedly became 'more surgical and tactical' in nature, however, they still lack the capability to hold onto captured territory. [[Security 2023](#), 2.2.1., p. 82]

FGS armed forces reportedly committed a wide range of human rights violations, including extrajudicial killings, arbitrary arrests and detentions, (conflict-related) sexual violence as well as grave violations against children. [[Actors](#), 2.4.6., pp. 43-44]



For further analysis and guidance in relation to human rights violations committed by FGS forces and their relevance as potential exclusion grounds, see chapter [7. Exclusion](#).

### 2.2.2. Federal Member States (FMS) forces and Somaliland forces

Last update: August 2023

**Jubbaland security forces** consist of the Jubbaland State Police, the Jubbaland Intelligence and Security Agency and the Jubbaland *Darwish*, acting as 'special police'. The Jubbaland state forces number around 5 000 individuals and are supported by Kenya. Licit and illicit taxation in and around Kismayo has been used as a source of funding the Jubbaland State forces. [[Actors](#), 7.1.2., pp. 78-79]

**South-West security forces** consist of the South-West State Police, numbering around 824 officers, and 12 US-trained investigators and of the 'special police' or *Darwish* forces, numbering around 2 900 fighters. The South-West State Police is an official entity formally recognised under Somalia's security architecture. International human rights training and international payments of salaries tied to human rights performance have led to a decrease of human rights violations by the South-West State Police. [[Actors](#), 7.2.2., pp. 84-85]





The region of **Benadir** covers the same area as the capital Mogadishu. It is nominally controlled by the FGS security institutions. For more information on the Federal security forces and on their human rights conduct, see section [2.2.1. Federal Government of Somalia \(FGS\) forces](#).

**Hirshabelle security forces** include the *Darwish* and the state Police. [[Actors](#), 7.4.1., pp. 93-94]

**Galmudug security forces** include the *Darwish* and the State Police. [[Actors](#), 7.5.1., p. 98, 7.5.2., p. 99]

Galmudug is described as ‘the most dysfunctional state in the federation’. Numerous actors with considerable sway over the various parts of the state compete for power, including *Ahlu Sunna Wal-Jama’ah* (ASWJ), an armed Sufi group involved in violent armed clashes with the SNA in September and October 2021 and in May 2022. Operations by the SNA and government-backed militias against Al-Shabaab resulted in territorial gains for the Somali government in the Galgaduud region. [[Security 2023](#), 2.5.1., p. 139-141]

**Puntland’s armed forces** (PSF) comprise the State Police (PSP), the *Darwish* or ‘Special police’, the Intelligence and Security Agency (PISA) and the Maritime Police (PMP). The Puntland Maritime Police Force (PMPF), funded by the United Arab Emirates (UAE) and the PSF, set up by the US as a separate private auxiliary group also operate in Puntland, even though outside of Somalia’s constitution and security architecture. Puntland is reportedly ‘the most stable and most developed state in the union’ [[Actors](#), 7.6., p. 101; 7.6.1, p. 102; 7.6.2, pp. 105-106; [Security 2023](#), 1.1., p. 18; 1.2., p. 22].

At different degrees, UNSG has attributed to the **FMS security forces** human rights violations, such as arbitrary arrests and torture of civilians, especially journalists, human rights defenders, persons allegedly suspected of terrorism, assassinations, the issuance of death sentences, the execution of a death sentence, conflict-related sexual violence, violations of human rights and international humanitarian law, child recruitment, killing or maiming of children, rape and sexual violence against children, child abduction, attacks on school and hospitals and denial of humanitarian aid access. [[Actors](#), 7.1.5., pp. 81-82; 7.2.5., p. 87; 7.5.5., p. 101; 7.6.5., pp. 107-108; 7.7.5., p. 116]

**Somaliland security forces** comprise the National Intelligence Service (NIS), which relies on formal and informal intelligence networks and includes army and police intelligence officers; the Somaliland Police, a force of under 6 000 men and women receiving training and aid from the UK and made up of the Special Police Unit (SPU) and the Rapid Responses Units (RRU); the Somaliland National Armed Forces, comprising the army and the navy, with a total estimated force of between 8 000 and 15 000 soldiers, receiving military training and aid from the UK and the EU as well as the UAE; and the Somali Coast Guard, also supported by the EU and the UK. [[Actors](#), 7.7.2., p. 112]

Tensions between the FGS and Somaliland were reported over the State’s political status and international recognition, talks about which have stalled for years [[Security 2023](#), 1.2., p. 24].





For further analysis and guidance in relation to human rights violations committed by FMS forces or Somaliland forces and their relevance as potential exclusion grounds, see chapter [7. Exclusion](#).

## 2.3. Non-State actors

### 2.3.1. Al-Shabaab

Last update: August 2023

Al-Shabaab is an Islamist Sunni Salafi jihadist armed group based in Somalia. Formed in the early 2000s, the group seeks to establish an Islamic State in the country. Its main unifying idea is the ‘opposition to the Western-backed government’. [[Security 2023](#), 1.3.1., p. 24]

The group is organised in a ‘military wing’ and an intelligence agency. Its ‘military wing’ **Jabahaat** reportedly increased in size and resources in the reference period. Different estimations on the number of Al-Shabaab fighters range from 7 000 to 20 000 individuals [[Security 2023](#), 1.3.1, pp. 24-25; [COI Update 2023](#), 1.2.2., p. 11; [Actors](#), 4.2.1., p. 59].

**Amniyat**, the group’s (counter) intelligence agency aims to undermine local governance and enforce Al-Shabaab rule in Somalia. [[Actors](#), 4.2.2., pp. 59-60]

Overall, Al-Shabaab controls parts of rural central, southern, and western Somalia as well as more limited areas in other parts of the country (Galgala range in the Golis mountains in Puntland). Specifically for South-Central Somalia, Al-Shabaab controls almost the entire Middle Juba region, with its ‘official’ headquarters stationed in Jilib town. [[Security 2023](#), 2.1.2, p. 68]

The group also maintains an active network throughout the Lower Shabelle region while its military presence often extends from the rural areas to the main supply routes serving the urban centres and surrounding areas [[Security 2023](#), 2.2.3., p. 100]. Al-Shabaab maintains sieges on population centres controlled by the allied forces by manning checkpoints, laying ambushes and conducting harassment raids on allied bases [[Actors](#), 4.2.3., pp. 60-61; [Targeting](#), 6.1., pp. 88-91; 6.2., pp. 91-92].

Reportedly, the group also changed its approach towards the population, realising its coercive model for securing obedience has backfired [[COI Update 2023](#), 1.1.1., p. 5]. Likely as a tactic to gain local support, Al-Shabaab launched an operation targeting business owners, narcotics dealers and *Ciyaal Wero* (local youths), who are known to rob civilians in Mogadishu [[COI Update 2023](#), 1.1.1., p. 5].

Al-Shabaab has limited capacity to carry out attacks in Somaliland because it has only a small presence there and not necessarily the support of the local population [[Targeting](#), 6.1., p. 90].





In some instances, the risk assessment for the profiles under [3. Refugee status](#) has been differentiated to reflect this. It should be noted that some sections have been updated in this regard to introduce a clarification in the geographical scope of the assessment. This should not be viewed as a change in the actual assessment of the situation in comparison to the common analysis and guidance from June 2022.

The relations between Al-Shabaab and clans are ambiguous. Though the Hawiye clan members dominate the different levels of the organisational structure of the group, all major lineages are represented in the organization, with Digil/Mirifle and Bantu constituting the main source of foot soldiers [[Targeting](#), 1.1. pp. 17-18]. While, traditionally, the *xeer* and the clan logic rule Somali life, Al-Shabaab asserts that religion is what binds all clans together. At the same time, the group often appears to take advantage of clan loyalty as an effective attraction tool, using the frustration of minor clans with major clans for its own interest [[Actors](#), 3.5. pp. 55-56].

Following Al-Shabaab's change in approach towards the population, some clan elders reached an agreement with the group to withdraw their support to the government's offensive. Still, Al-Shabaab was accused of kidnapping relatives of the Ma'aawiisley militia, which had joined the government offensive against the group [[COI Update 2023](#), 1.1.1., p. 5].

Al-Shabaab's preferred type of attack is the use of vehicle- or person-borne improvised explosive devices and suicide attacks which have resulted in a high civilian casualty toll [[Security 2023](#), 1.1., p. 18]. Complex attacks, hit-and-run attacks involving heavy gunfire, mortar attacks, assassinations, the use of hand grenades are other tactics used by the group [[Actors](#), 4.2.2., pp. 60-61].

Al-Shabaab was reportedly involved in most security incidents in Somalia. Despite the main target of Al-Shabaab's attacks being the anti-Al-Shabaab forces, UNSG attributed 788 civilian casualties to Al-Shabaab for the period between 8 May 2021 and 23 August 2022. In the same time period, the group was responsible for about 60 % of grave violations against children, including attacks on schools, abductions, maiming, and killings. [[Security 2023](#), 1.4.1., pp. 40-42]

Reportedly, the offensive launched against it by government and allied forces failed to weaken Al-Shabaab's attacks capabilities. In retaliation, the group conducted a series of large-scale attacks on military basis on 11 February 2023 and on civilians and civilian infrastructure, such as houses, restaurants, hotels and markets in various locations in South Central Somalia. These attacks took place in areas mostly frequented by civilians. [[Security 2023](#), 1.1., p. 18; 1.4.3., pp. 49-50; [COI Update 2023](#), 1.2.2., p. 10] Al-Shabaab's capabilities were also demonstrated through a wave of suicide-vehicle borne improvised explosive devices (SVBIED) attacks in central Somalia in January 2023 [[COI Update 2023](#), 1.2.1., p. 9].

Al-Shabaab also operates its own justice mechanism in areas under its control and elsewhere, via mobile courts and may impose severe punishments, such as executions and amputations [[Actors](#), 4.4]. See also relevant profile of [3.8.1. Individuals \(perceived as\) contravening Islamic laws in Al-Shabaab controlled areas](#). For more information on Al-Shabaab's justice mechanism, see [5.2.1. Al-Shabaab](#) under [5. Actors of protection](#).



Women's rights and freedom of movement are limited by Al-Shabaab. For more information on the treatment of women by Al-Shabaab, see [3.13. Women and girls](#).



For further analysis and guidance in relation to human rights violations committed by Al-Shabaab and their relevance as potential exclusion grounds, see chapter [7. Exclusion](#).

### 2.3.2. Clans and clan militias

Last update: August 2023

Clan rivalries and competitions over political power and resources are another source of conflict pervading the Somali society and clan militias are important actors of political life across Somalia. Their actions can be violent, uncontrollable and, sometimes, random. A clan militia is generally an armed group based on lineage and the result of the convergence of several individuals' interests. [[Actors](#), 3.4., p.52]

The clan militia Ma'awiisley (also Macawiisleey, Macawiisley, Macawisley, among others) was operating mainly in the Middle Shabelle region. Since August 2022, the clan militia, supported by SNA, ATMIS/AMISOM, US and Turkish drones, joined the government offensive to regain areas under the control of Al-Shabaab. Ma'awiisley reportedly 'benefit from their network and have an understanding of rural communities', including about the terrain, Al-Shabaab's positions, and the minefields [[Security 2023](#), 1.1., p. 17; 1.3.3., p. 32].

The leadership of the multi-clan Ahlu Sunna Wal-Jama'ah (ASWJ) armed Sufi group reportedly reappeared in Galmudug in mid-2021. From late 2021 to May 2022, the group clashed with Galmudug State's forces and the FGS forces. [[Security 2023](#), 1.3.3., p. 34]

Clashes can occur between and within clan militias. They are reported all over Somalia and constitute a relevant part of the security incidents. These clashes are mainly driven by land and resource disputes and by vendetta. [[Actors](#), 3.6., p. 57]

Numerous human rights violations were attributed to clan militias, including killings and sexual violence. Violations against children were also documented, including child recruitment, deprivation of liberty, killing and maiming of children, rape and sexual violence, attacks on schools and hospitals, abductions, and denial of humanitarian access. Clan militias have also been responsible for cases of torture and other degrading treatment. [[Security 2023](#), 1.4.1., pp. 36-46]

Clan members have also been involved in clan revenge, killings and blood feuds [[Actors](#), 3.2.1]. See also [1.2. The role of clans in Somalia](#) and profile [3.9. Individuals involved in blood feuds/clan disputes](#).

With regard to the relationship between clans, their militias and Al-Shabaab, see [2.3.1. Al-Shabaab](#) under chapter [2. Actors of persecution or serious harm](#).





For further analysis and guidance in relation to human rights violations committed by clan militias and/or clan members and their relevance as potential exclusion grounds, see chapter [7. Exclusion](#).

### 2.3.3. Islamic State in Somalia (ISS)

Last update: August 2023

Formed in October 2015, the Islamic State in Somalia (ISS or otherwise known as ISIS-Somalia) is a jihadist Islamist group with base in Puntland. Since December 2017, it is affiliated to the Islamic State in Iraq and Syria/Levant (ISIS/ISIL/Daesh). [[Security 2023](#), 1.2., p. 22]

The number of militants of the group is reported to have further decreased from 200 to 250 from the 340 combatants estimated in 2019 [[Security 2023](#), 1.3.3., pp. 33-34; [COI Update 2023](#), 1.2.2., p. 11]. In terms of clan composition of the group, Mumin, ISS leader, a clan elder from the Ali Saleban / Majeerteen / Darood lineage, gave prevalence to the Ali Saleban/Darood clan and progressively tried to include individuals from the Hawiye clan. [[Actors](#), 6.2, p. 76]

Although ISS is described ‘largely [as] a Puntland group’, it carried out attacks mostly in Mogadishu (Benadir). Attacks in the regions of Lower Shabelle and Bari were also reported.

From May to July 2021, the Puntland Forces conducted anti-ISS operations in the Bari region, reportedly limiting the group’s capacity in the area [[Security 2023](#), 1.2., p. 22; 1.3.3., p. 33]. In Somaliland, ISS has established links with human traffickers and considers the region as a collection and transit hub for new recruits. [[Actors](#), 6.1, p. 75]

While the group conducted few attacks compared to Al-Shabaab, it continued to engage with the use of propaganda and other media activities. [[Security 2023](#), 1.3.3., p. 33; [Actors](#), 6.1., p. 75]



For further analysis and guidance in relation to human rights violations committed by ISS and their relevance as potential exclusion grounds, see chapter [7. Exclusion](#).

### 2.3.4. ATMIS/AMISOM

Last update: August 2023

Since 2007, AMISOM was tasked to reduce the threat posed by Al-Shabaab and other armed groups, to support the transfer of security responsibilities from AMISOM to Somali Security Forces (SSF) and to assist the FGS, FMS and SSF in providing security for the political process



at all levels. AMISOM relies on contingents from troops-contributing countries. AMISOM bases are often located in urban centres and along supply routes, while others are in more remote areas. [[Actors](#), 5.1.2., pp. 69-71]

On 31 March 2022, under the UN SC resolution no. 2628, the African Union Mission in Africa (AMISOM) was reconfigured as African Transitional Mission in Somalia (ATMIS), maintaining a similar mandate. [[Security 2023](#), 1.3.3., p. 32; [Actors](#), 5.1.1., pp. 68-69]

According to UN reports, AMISOM's overall conduct with regard to international humanitarian law and human rights law standards has improved in the last few years. Harm to civilians was more frequently reported in the past. However, still in 2020, AMISOM was listed among the actors conducting extra-judicial killings of civilians and its forces were implicated in rapes and other grave abuses of human rights while conducting military operations against Al-Shabaab. [[Actors](#), 5.1.3., pp. 71-72]



For further analysis and guidance in relation to human rights violations committed by AMISOM and their relevance as potential exclusion grounds, see chapter [7. Exclusion](#).

### 2.3.5. AFRICOM

Last update: August 2023

The United States Africa Command (AFRICOM)'s East Africa Counterterrorism Operation seeks to 'disrupt, degrade, and deny victory to Al-Shabaab and ISS in Somalia and neighbouring countries' [[Actors](#), 5.2.1, p. 72].

In May 2022, the US military troops, which were mostly withdrawn as of January 2021, were sent back to Somalia to provide assistance to Somali and African Union forces, as well as to Danab special forces [[Security 2023](#), 1.3.3., pp. 32-33].

AFRICOM was particularly engaged in drone and airstrike campaigns, in supporting the training of the Somali special forces, in sustaining the development of the Somali National Security Architecture and of the revised Somali Transition Plan and in providing operational, technical and material support to Somali military operations. [[Actors](#), 5.2.2., p. 73]

From July 2021 to November 2022, the new US administration limited the number of airstrikes. Between August 2022 and the end of the year, US forces carried out 18 airstrikes. For the period from 1 December 2022 to 18 April 2023, 19 US air/drone strikes were reported. [[Security 2023](#), 1.3.3., p. 33; [COI Update 2023](#), 1.2.2., p. 10; 1.3.1., p. 12].]

### 2.3.6. Other non-State actors

Last update: June 2022





Besides the actors mentioned above, the family and/or clan members can be actors of persecution or serious harm, such as in the case of domestic violence, violence against LGBTIQ persons, forced and child marriage, female genital mutilation or cutting (FGM/C), etc. FGM/C practitioners, including traditional circumcisers and healthcare professionals, are another potential example of non-State actors of persecution or serious harm. See, for example, the profiles [3.12. LGBTIQ persons](#), [3.13. Women and girls](#), etc.

Human rights violations, which could amount to persecution or serious harm, are also committed by other non-State actors, such as criminal groups.



For further analysis and guidance in relation to human rights violations committed by certain non-State actors and their relevance as potential exclusion grounds, see chapter [7. Exclusion](#).





### 3. Refugee status

[Article 2\(d\) QD](#)

[Article 9 QD](#)

[Article 10 QD](#)

This chapter provides a brief outline and general considerations with regard to the assessment of applications for international protection in relation to the elements of the refugee definition (Article 2(d) QD) and proceeds with the analysis of information concerning 15 particular profiles of applicants for international protection in relation to qualification for refugee status.



The contents of this chapter include:

- 3.1. General remarks
- 3.2. Persons associated with the government of Somalia and/or international actors
- 3.3. Persons fearing forced recruitment by Al-Shabaab
- 3.4. Deserters and defectors from Al-Shabaab
- 3.5. Individuals refusing to pay 'taxes' to Al-Shabaab
- 3.6. Humanitarian workers and human rights defenders
- 3.7. Journalists
- 3.8. Individuals (perceived as) contravening social or religious laws/tenets
- 3.9. Individuals involved in blood feuds/clan disputes
- 3.10. Individuals accused of crimes in Somalia
- 3.11. Minorities
- 3.12. LGBTIQ persons
- 3.13. Women and girls
- 3.14. Children
- 3.15. Persons with disabilities or severe medical issues



## 3.1. General remarks

Last update: August 2023

While the conclusions under this common analysis could provide general guidance, the protection needs of each applicant should be **examined individually**. The non-exhaustive lists of examples with regard to sub-profiles at a differentiated risk and to circumstances, which would normally increase or decrease the risk, are to be taken into account in light of all circumstances in the individual case.

The individual applicant could fall under **more than one profile** included in this common analysis. The protection needs associated with all such circumstances should be fully examined.

**The considerations under each profile should, furthermore, be viewed without prejudice to the credibility assessment of the applicant's claims. This common analysis deals solely with issues of risk analysis and qualification.**



For more guidance on how to read the following subsections, please refer '[Country Guidance: explained](#)': [Refugee status](#).

For each profile, the sections below provide:

### COI summary

This is an outline of the factual basis of the analysis and the main elements taken into account when reaching the respective assessment of protection needs.



For more guidance on how to read the following subsections, please refer '[Country Guidance: explained](#)': [Using country guidance](#).

### Conclusions and guidance

#### Persecution: legal qualification

This part answers the question:

**Do the acts qualify as persecution under Article 9 QD?**



#### Well-founded fear: risk analysis

This part answers the question:

**What is the level of risk of persecution (would a well-founded fear be substantiated)?**

Further guidance is provided with regard to the circumstances which should be taken into account in the individual assessment, including circumstances which would in general increase the risk for an individual.



### Potential nexus to a reason for persecution

This part answers the question:

**Are the reasons for persecution falling within Article 10 QD (nexus)?**



## 3.2. Persons associated with the government of Somalia and/or international actors

Last update: August 2023

This profile refers to individuals associated with the government of Somalia and/or international actors targeted by Al-Shabaab.



The contents of this section include:

3.2.1. Overview

3.2.2. Federal and state officials

3.2.3. Members of the federal and state armed forces

3.2.4. Electoral delegates

3.2.5. Civilians perceived as 'spies' by Al-Shabaab

### 3.2.1. Overview

Last update: August 2023

Al-Shabaab targets and carries out attacks and assassinations on members of Somali government or SNA and other individuals perceived to have links with the government and/or international actors. [[Targeting](#), 6., p. 85]

Following the religious doctrine of Al-Shabaab, the Somali government is considered as illegitimate and as acting outside the boundaries of Islamic laws. When referring to Somali federal or local government officials and those allied with the state, Al-Shabaab uses the terms non-Muslims, apostates (*murtad*) or infidels (*kafir*). Individuals associated with the Somali government or the military can be targeted, punished, killed or humiliated, no matter where they live. Although low-ranking government officials may not generally be a priority target for Al-Shabaab, there have been reported attacks and killings of people serving food to a civil servant or washing a soldier's uniform, etc. [[Targeting](#), 6., p. 86]

Al-Shabaab has carried out targeted attacks on forces and buildings linked to the government and other facilities in areas controlled by the government, often using IEDs, including IEDs attached to vehicles of civil servants, police and lone army officers, or assassinating such persons with targeted shooting. [[Targeting](#), 6., p. 87]



Al-Shabaab has carried out attacks targeting civilian infrastructure, including restaurants and hotels. Some hotels, serving as homes or workplaces of senior government officials are, as such, considered by the group as government buildings. [[Targeting](#), 6., p. 86]

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. [[Targeting](#), 6., p. 85]



Al-Shabaab has limited capacity to carry out attacks in Somaliland because it has only a small presence there and not necessarily the support of the local population [[Targeting](#), 6.1., p. 90].

In some instances, the risk assessment for the profiles below has been differentiated to reflect this. It should be noted that some sections have been updated in this regard to introduce a clarification in the geographical scope of the assessment. This should not be viewed as a change in the actual assessment of the situation in comparison to the common analysis and guidance from June 2022.

The sub-profiles below should be read in conjunction with this Overview.

### 3.2.2. Federal and state officials

Last update: August 2023

Both Al-Shabaab and ISS have targeted federal and state officials, however, this sub-profile focuses on individuals targeted by Al-Shabaab.

This sub-profile should be read in conjunction with the [3.2.1. Overview](#).

#### COI summary

Al-Shabaab has increased its operational tempo since August 2020, and the beginning of 2021 had seen a new peak in the number of attacks targeting government officials [[Targeting](#), 6.1., p. 88].

Al-Shabaab has targeted individuals such as high-ranking FGS and FMS government and administration officials, also in the context of the parliamentary and presidential elections [[Security 2023](#), 2.4.2., p. 131], police officers, government intelligence officials, tax collectors and any individual suspected to be a government or an administration employee. It has also targeted government officials with different or non-specified profiles, both in targeted assassinations and in attacks on venues frequented by government and security officials. Lawmakers have also faced attacks, assassinations and executions. [[Targeting](#), 6.1., pp. 88-91]

Attacks against such officials have taken place in Puntland, where Al-Shabaab has steadily become stronger, and in South-Central Somalia [[Targeting](#), 6.1., p. 88].





From July 2021 to November 2022, Al-Shabaab's attacks included: several IED attacks targeting officials of the South-West administration, a mortar attack against the Presidential Palace in Baidoa, the killing of the Minister of Justice and Judiciary Affairs of the South West State and his son [[Security 2023](#), 2.2.2., pp. 94, 96], the killing of Marka's District Commissioner in Lower Shabelle [[Security 2023](#), 2.2.3., p. 105], the attack and siege of a hotel frequented by members of parliament and senior government officials, injuring a minister, the attack in Benadir of a seaside restaurant frequented by government officials [[Security 2023](#), 2.3.3., p. 117], election-related killings and attacks on government officials in Hiraan [[Security 2023](#), 2.4.1., p. 122], the killing of two lawmakers in a twin attack in Hiraan [[Security 2023](#), 2.4.1., p. 126], the attack on a local restaurant in Hiraan 'packed with local officials and politicians' [[Security 2023](#), 2.4.1., p. 127], the killing of several members of Middle Shabelle regional parliament over the past years, and the attack on a restaurant in Middle Shabelle [[Security 2023](#), 2.4.2., p. 129, 133].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination).



### What is the level of risk of persecution (well-founded fear)?

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of **higher level federal and state officials**. With regard to **lower level officials**, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature of duties, visibility of profile, area of origin and operational capacity of Al-Shabaab, etc.

In **Somaliland**, where the group has limited operational capacity, the risk of persecution for state and federal state officials is generally low. However, risk-impacting circumstances (e.g. visibility of profile, nature of duties, area of origin and operational capacity of Al-Shabaab) should be given due consideration.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.





### 3.2.3. Members of the federal and state armed forces

Last update: August 2023

Both Al-Shabaab and ISS have targeted members of the federal and state armed forces, however, this sub-profile focuses on individuals targeted by Al-Shabaab.

This sub-profile should be read in conjunction with the [3.2.1. Overview](#).

#### COI summary

SNA members have been a primary target for Al-Shabaab. Army officers, including high-ranking army officials, military officers of lower or unspecified rank, and regular soldiers, have been targeted by Al-Shabaab [[Targeting](#), 6.2. pp. 91-92].

Attacks against such officials have taken place in Puntland, where Al-Shabaab has steadily become stronger, and in South-Central Somalia [[Targeting](#), 6.1., p. 88].

Examples of attacks against members of the armed forces include the attack in Benadir of a seaside restaurant frequented by security officials [[Security 2023](#), 2.3.3., p. 117], a twin attack in Hiraan, among the victims of which were several security officials [[Security 2023](#), 2.4.1., p. 126], the attack on a restaurant in Middle Shabelle frequented by security officials [[Security 2023](#), 2.4.2., p. 133].

#### Conclusions and guidance

##### Do the acts qualify as persecution under Article 9 QD?

For members of armed forces, certain risks are inherent to their duties and the activities they take part in, and those would not amount to persecution or serious harm. However, risks outside the performance of their duties, could be of such severe nature that they would amount to persecution (e.g. targeted killing outside of fighting).



##### What is the level of risk of persecution (well-founded fear)?

In **South-Central Somalia**, well-founded fear of persecution would in general be substantiated in the case of members of the federal and state armed forces.

There is limited information with regards to targeting members of the federal and state armed forces specifically in **Puntland**. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature of duties, visibility of profile and proximity to high level federal or state officials or members of the armed forces, time of service, etc. The increasing operational capacity of Al-Shabaab in Puntland in relation to the area of origin of the applicant should be carefully taken into consideration.



In **Somaliland**, where the group has limited operational capacity, the risk of persecution for members of the federal and state armed forces is generally low. However, risk-impacting circumstances (e.g. visibility of profile, the rank, the time of service, nature of duties, area of origin and operational capacity of Al-Shabaab) should be given due consideration.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.



Exclusion considerations could be relevant to this profile (see chapter [7. Exclusion](#)).

## 3.2.4. Electoral delegates

Last update: August 2023

This sub-profile should be read in conjunction with the [3.2.1. Overview](#).

### COI summary

Electoral delegates, mostly elders, are the persons responsible to select members of the federal and state legislatures on behalf of their communities in indirect elections. They and their family members face targeting by Al-Shabaab who views the participation in any election as a crime against Islam [[Targeting](#), 6.4., p. 96]. Al-Shabaab targeted electoral delegates associated with the presidential and parliamentary elections held in 2022 [[Security 2023](#), 1.1., p. 18]. The group also killed electoral delegates involved with the Hirshabelle, South-West state and Jubbaland legislatures [[Targeting](#), 6.4., p. 96]. Former electoral delegates were also killed by Al-Shabaab in Bay and Hiraan [[Security 2023](#), 2.2.2., pp. 94, 122]. Al-Shabaab also killed a clan elder accusing him of ‘apostasy’ for allegedly participating in the country’s electoral process’ [[Security 2023](#), 2.4.1., p. 122].



## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing).



### What is the level of risk of persecution (well-founded fear)?

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of (former) electoral delegates.

In **Somaliland**, where Al-Shabaab has limited operational capacity, the risk of persecution for (former) electoral delegates is generally low. However, risk-impacting circumstances (e.g. area of origin and operational capacity of Al-Shabaab) should be given due consideration.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.

## 3.2.5. Civilians perceived as ‘spies’ by Al-Shabaab

Last update: August 2023

This sub-profile refers to civilians accused by Al-Shabaab of spying for the government, for ATMIS/AMISOM or other international actors and for FMS forces or administrations.

This sub-profile should be read in conjunction with the [3.2.1. Overview](#).

### COI summary

Al-Shabaab considers ‘spying’ for the government, for AMISOM or Western countries or FMS administrations and forces, as a crime punishable by death.

Religiously and politically motivated killings affecting civilians (men and women) affiliated with the government, AMISOM or other international actors (US Intelligence agencies CIA and FBI and the UK’s MI6) and FMS administrations continued during the reference period [[Targeting](#), 6.3. pp. 92-94]. Examples of such incidents include: public executions in the cities of Saakow and Jilib of individuals accused of spying for the US, Kenya and NISA; the killing in Hiraan of





several civilians accused of spying; execution of six men in the town of Buulay on accusations of spying on behalf of the Somali and US governments; in Lower Shabelle, the group executed several civilians it accused of spying [[Security 2023](#), 2.1.2., pp. 69-70; 2.2.2., pp. 94, 96; 2.2.3., p. 105].

Al-Shabaab has referred to espionage as the main reason for its executions. The level of proof required to proceed to an execution is 'quite low' and the accused are never allowed access to a lawyer. Executions are public in order to send a clear message of what would happen to anyone not complying with Al-Shabaab rules. Local residents are compelled to attend and watch the execution being carried out. When individuals are arrested for rebellion or alleged spying, intercessions by clan elders have no impact, while they can be successful in other instances. Al-Shabaab has also executed some of its own members for alleged espionage. [[Targeting](#), 6.3. pp. 92-94]

### Conclusions and guidance

#### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution).



#### What is the level of risk of persecution (well-founded fear)?

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of civilians perceived as 'spies'.

Despite the limited capacity of Al-Shabaab in **Somaliland**, civilians perceived as spies may be considered a priority target and the individual assessment should take into account risk-impacting circumstances such as: visibility of profile, area of origin, etc.



#### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.





### 3.3. Persons fearing forced recruitment by Al-Shabaab

Last update: June 2022  
Minor updates: August 2023

This profile refers to adult males fearing recruitment by Al-Shabaab against their will.

In the case of Al-Shabaab, recruitment is for a wide range of purposes, such as fighting, providing administrative support, collecting taxes, propelling outreach, intelligence gathering, etc.

This profile also contains information on individuals refusing to provide recruits to Al-Shabaab.

For women fearing forced recruitment by Al-Shabaab, see [3.13.3. Women and girls fearing forced recruitment by Al-Shabaab](#).

For child recruitment by Al-Shabaab, see [3.14.2. Child recruitment by Al-Shabaab](#).

#### COI summary

Recruitment by Al-Shabaab originally took place in urban centres. Since Al-Shabaab lost territory in the urban centres in 2012 and 2015, recruitment has begun in rural areas. It has been reported that Al-Shabaab increased their strength of active fighters, from an estimated 2 000 – 3 000 in 2017 to 5 000 – 7 000 in 2020. More recent estimations on the number of Al-Shabaab fighters range from 7 000 to 20 000 individuals [[Security 2023](#), 1.3.1, pp. 24-25; [COI Update 2023](#), 1.2.2., p. 11]. Although Al-Shabaab predominantly recruits from territories under its control, there have also been reports of recruitment from government-controlled areas, especially Mogadishu. Recruitment outside Al-Shabaab's own territory frequently involves aspects of coercion. Forced recruitment has also been reported in areas controlled by the group. [[Targeting](#), 1., pp. 17-18, 21]

Al-Shabaab tends to recruit in multi-clan locations, building their recruitment strategy on clan conflicts. Up to 40% of rank-and-file members are recruited from Bay and Bakool regions. In Gedo region, high unemployment and poverty facilitate Al-Shabaab's ability to recruit young men as fighters, heavily recruiting from the Marehan clan, capitalising on the grievances of Marehan sub-clans marginalised by stronger sub-clans. In Hirshabelle, Al-Shabaab exploits grievances against perceived Hawadle dominance by recruiting successfully from the Gaaljeel, Jajele and Baadi Adde clans. The Mirifle clan group constitutes the main source of foot soldiers for Al-Shabaab while in Middle Shabelle region, the majority of Al-Shabaab's foot soldiers were recruited from low-status groups such as the Bantu/Jareer. [[Security 2021](#), 2.1.1.2., p. 47; 2.4.1.2., p. 99; 2.2.1.2., p. 68]

The purpose of recruitment is influenced by age, gender, educational background and prior professions. Al-Shabaab not only recruits fighters but also administrative staff, financiers, logistics personnel, judges, teachers, and health workers. It also relies on supporters and sympathisers. Informants are recruited in areas not under the control of Al-Shabaab. The organisation can rely on a very strong intelligence network in Mogadishu, where informants can be ordinary students, people in office, in the security forces, etc. Some recruits are





working part-time for the group, keeping up on their everyday duties like farm or business work. [Targeting, 1.1., pp. 17-19, p. 21]

Multiple sources corroborated that recruitment should be regarded as a continuum between voluntary, induced, and forced process, where recruiters seek out recruits, but potential recruits also look for recruiters. Indoctrination, financial incentive and conscription by force are the recruitment strategies of Al-Shabaab. Forced recruitment is used mainly 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 [Targeting, 1.1., pp. 22-24]. Recruits may join Al-Shabaab for reasons such as personal gain, better economic prospects and grievances against clan discrimination or abuses and corruption of local authorities. The idea of taking revenge for acts of humiliation or crimes has been reported to be a key motive for joining the organisation. Many young men share a religious reason to be recruited as they believe that Al-Shabaab defends Islam against ‘infidels’ and want to support the jihadist goals of the organisation. [Targeting, 1.1., p. 19]

Others, such as young unemployed men living in poverty and lacking in prospects, with a limited understanding of Islam, are prone to join Al-Shabaab in exchange for a financial reward. It has also been reported that Al-Shabaab provides a sort of ‘insurance’ to their combatants, promising them to take care of their relatives in the case of the combatant’s death. [Targeting, 1.1., p. 20]

People who refused requests of recruitment, including local community members who refused to provide younger members of their families to the organisation, have been threatened and labelled as infidels who reject Islam and the *Sharia* law and some have been killed to set a warning to others in the community. In other instances, Al-Shabaab relies on elders who, facing the threat of retaliation, attacks, arrests and forced displacement in case of refusal, cannot refuse to deliver dozens or even hundreds of young people from their clan to the organisation. [Targeting, 1.1., p. 24]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Forced recruitment amounts to persecution. The consequences of refusal of forced recruitment, including for elders or families refusing to provide recruits, could also amount to persecution (e.g. killing).



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age (young men are at higher risk), area of origin and the control or influence of Al-Shabaab,



clan affiliation, educational background, (prior) profession(s), socio-economic situation of the family, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

While the risk of forced recruitment as such may not generally imply a nexus to a reason for persecution, the consequences of refusal could lead to persecution which is highly likely to be for reasons of religion and/or (imputed) political opinion.

## 3.4. Deserters and defectors from Al-Shabaab

Last update: August 2023

This profile refers to men, having deserted or defected from Al-Shabaab, as well as to boys who had been actively involved in the group, especially as fighters.

For the situation of women and girls having left Al-Shabaab, see [3.13.4. Women and girls who have left Al-Shabaab](#). The subsection herein should be read in conjunction with the subsection mentioned above.

In the context of leaving Al-Shabaab, the following terminology is used:



**Deserter:** a man leaving Al-Shabaab without Al-Shabaab's permission;

**Defector:** a man who has left Al-Shabaab without Al-Shabaab's permission and then has reported to the Somali authorities.

### COI summary

Different factors may impact the decision to leave Al-Shabaab. The level of influence and control of Al-Shabaab over a certain area impacts directly on disengagement options as newly liberated territories open up opportunities to leave the group [[AS Deserters](#), 2.2.2., pp. 44-50]. The time it takes to actually leave the group is also an important factor as Al-Shabaab 'does not allow people living in its territory to readily leave' [[AS Deserters](#), 2.1.2., p. 34].

Family, clan, and other social networks play a crucial role in all aspects of an individual's life in Somalia (see [1.2. The role of clans in Somalia](#)). These social networks can encourage disengagement, sometimes securing safe passage of the defector with the security forces. As indicated by a source, 'defection through one's clan is more prevalent than defection through the Somali government'. This is reportedly the reason why Al-Shabaab tries to undermine the connection to one's social networks and knowledge of the terrain by transferring members



between locations, making most men serve the group from locations away from their home area. [[AS Deserters](#), 2.1.1., pp. 32-34]

The process of leaving Al-Shabaab can follow a formal pathway, which entails contact with the Somali authorities, implying going through government-organised processes. In comparison to the potential number of persons formerly associated with Al-Shabaab, the number of those going through the formal pathway appears very small, more people reportedly leaving Al-Shabaab informally, due to not being aware of amnesties or of the rehabilitation programme or due to fear of the Somali authorities. [[AS Deserters](#), 1.1., pp. 13-14; 2.1.1., p. 33]

In the period from December 2022 to mid-April 2023, various cases of defection were reported, including of high-ranking Al-Shabaab officials. Defections were said to be increasing, including among young people, as a consequence of the government counterinsurgency operations. Defections were, for example, reported in Middle Shabelle, Lower Shabelle, Hirshabelle, Bay and Galgaduud regions. Many Al-Shabaab members reportedly decided to leave the group because they did not want to be further endangered. The brutality of the group against local communities also was a prominent driver motivating individuals to leave Al-Shabaab. [[COI Update 2023](#), 3.1., pp. 25-26]

#### **a) Treatment by Al-Shabaab**

Leaving Al-Shabaab is generally not accepted, and desertion is seen as an infringement of the jihadist ideology. Al-Shabaab would seek to punish deserters it can reach in order to provide a 'shocking example' for others who might be considering desertion. [[Targeting](#), 1.2., pp. 26-29]

Those willing to escape 'fear the wrath of the organisation' and especially the *Amniyat* which is charged with, among others, eliminating defectors. In several cases, people who attempted to leave Al-Shabaab have been killed. It has also been reported that '70 percent of the disengaged combatants [had] received death threats from Al-Shabaab', including former Al-Shabaab members residing in rehabilitation centres [please refer to [b\) Treatment by government authorities](#) hereunder to read more about the rehabilitation options], many of them feeling 'hunted' and some fearing to be killed upon exiting the rehabilitation centre [[AS Deserters](#), 2.1.3., p. 38]. Some members less actively involved are reportedly allowed to leave the group on medical and compassionate grounds [[AS Deserters](#), 2.1.1., p. 30]. Changing identity would not be an easy option for defectors given the interconnected clan-based society [[AS Deserters](#), 2.1.1., pp. 30-31].

Family members of individuals attempting to leave Al-Shabaab are also at risk of being targeted. Cases of wives being executed or held back by Al-Shabaab when their husbands defected have been reported. Women may also receive threats from or can be regularly questioned by the group. In case where a defector has left the group with military equipment, family members are also asked to compensate in kind, often with livestock. 'Wife inheritance' in case of death or defection of an Al-Shabaab member has also been reported, since for Al-Shabaab, any man in the group can inherit the wife of a killed member, women also being inherited in case of defection of their husband. [[AS Deserters](#), 2.1.4., p. 41]



Many children leave the group without approaching the government. They do not take part in the reintegration programme and remain vulnerable to Al-Shabaab appeals, calls and threats, with the group being able to trace them and track them down [AS Deserters, 2.2.4., pp. 52-53]. Depending on the role played for Al-Shabaab, such instances of targeting, chasing and reprisals tend to fade away over time [AS Deserters, 2.3.3, p. 57].

### b) Treatment by government authorities

It has been noted that the government is actively encouraging defection from Al-Shabaab. In the absence of an amnesty law, presidential declarations have become the main tool for granting amnesty. However, they are reportedly unclear in terms of scope, lacking details about eligibility criteria and entitlements associated with the defector programme, and raising false expectations in the beneficiaries, such as continued education and post-rehabilitation employment. [AS Deserters, 1.2.1., p. 16]

Government authorities distinguish between ‘high-value’ and ‘low-value’ defectors [AS Deserters, 1.1., p. 16].

- **High-value defectors** are Al-Shabaab commanders or at times clan elders and warlords, in other words, individuals who can make many of their followers also leave. They enter in negotiation with the Somali authorities prior to defection and on an individual basis. Examples of such defectors include Ahmed Madobe, the current president of Jubbaland, and Muktar Robow, former deputy leader of Al-Shabaab, who was appointed Minister of Endowment, Religious Affairs and Counter-terrorism Ideology, ‘as a strategy to prevent the youth from joining Al-Shabaab’. [AS Deserters, 2.1.3., pp. 35-36; Security 2023, 1.1., p. 19]
- **Low-value defectors** are further sorted out into high-risk defectors and low-risk defectors [AS Deserters, 1.1., p. 17]. The main objective of this screening process is to assess defectors’ past role within Al-Shabaab. The screening process has been said to lack transparency, often be highly politicised, and to lead to questionable outcomes. [AS Deserters, 1.1.3., pp. 17-19]
  - **‘High risk’ defectors** are generally considered ‘those believed to be *amirs* (i.e. commanders of some sort), who had engaged in the making of explosives, or who had killed someone’. They are handled by the security forces and the NISA and sent to military courts for prosecution and possible imprisonment. Most of them are sentenced to death and executed [AS Deserters, 1.2.3., p. 18; 2.1.3., pp. 35, 37]. Clan affiliation is a crucial variable in determining the sentence, as belonging to a clan with higher influence might shorten the sentence or allow the person to avoid death sentence and/or harsh treatment. Clan affiliation also has an influence on the possibility for high-risk defectors to negotiate with the authorities [AS Deserters, 2.1.3., p. 37].
  - **‘High-risk’ children** are those who still believe that siding with Al-Shabaab means siding ‘with the right side’, or whose parents are still with the group, or who could potentially engage in some sort of terrorist activity (such as spying, suicide bombing), or who could harm the local community, or go back to Al-Shabaab [AS Deserters, 1.2.3., pp. 21-22]. Children screened as ‘high-risk’ are hosted in a



residential interim care centres where they receive counselling and psycho-social support, and they participate in the reintegration programme. Afterwards, they are reintegrated back into the community [[AS Deserters](#), 2.4.3., pp. 55-56].

- **'Low risk'** defectors are generally considered those 'foot soldiers, porters, mechanics and the like', while 'those who had fundraised, preached *jihad*, or provided logistical support could be classified as either low-risk or high-risk' [[AS Deserters](#), 1.2.3., p. 18]. Those screened as 'low risk' reportedly received amnesty from prosecution. However, they did not seem 'to receive explicit and legally-binding guarantees against future prosecution' [[AS Deserters](#), 1.2.4., p. 22]. They have access to the Defector's Rehabilitation Programme as an alternative to going to court, where they would incur 'a very substantial risk of being sentenced to death' [[AS Deserters](#), 1.2.5., pp. 22]. They are sent to rehabilitation centres in Serendi (Mogadishu), Baidoa, or Kismayo or in 'reception centres' in Galmudug while they await transfer to rehabilitation [[AS Deserters](#), 1.2.5., p. 26].

**'Low-risk' children** are those who disapprove of Al-Shabaab activities and ideology [[AS Deserters](#), 1.2.3., p. 21]. There are six reintegration centres across Somalia for children screened by government authorities as 'low-risk' [[AS Deserters](#), 1.2.5., p. 29].

The lack of transparency of the screening of defectors is reportedly feared by low-level Al-Shabaab associates willing to defect as they might be screened as high-risk defectors. [[AS Deserters](#), 2.1.1., pp. 32-34]

The arrest and detention of children allegedly associated with the group by the authorities in South-Central Somalia and in Puntland is a recurring measure. Coercive treatment and in some cases use of torture have been reported. Children were prosecuted as adults, notably in Puntland where the existent anti-terrorist legislation defines children as those under fifteen, with sentences ranging from some years to life imprisonment. Reportedly, as of October 2022, there were still a number of children kept in detention in Puntland, on grounds of association with Al-Shabaab, while some of them have been sentenced to death or to life sentences through military prosecution and courts. [[AS Deserters](#), 2.3., pp. 52-53, 58]

### c) Treatment by the community

Deserters face stigma from their family members and their community as 'men and boys tend to be immediately viewed as security threats when they are associated with 'terrorists''. Some defectors have been rejected by family members or their community. Disengaged combatants are also considered as risks, as they could either potentially re-join Al-Shabaab or potentially invite attacks from the group. Sustainable employment and income were other issues undermining effective reintegration. [[AS Deserters](#), 2.1.3., pp. 39-40]

Children face stigma in the host community but the latter usually 'does not show outright resentment' towards children formally associated with Al-Shabaab. Recruited children are usually taken away from their place of origin, possibly to a training camp or facility in another region, some hundreds of kilometres away. This poses serious challenges to the possibility of being reunified with their family. With reintegration outside of the clan of belonging rarely



viable, many of these children end up in IDP camps or as ‘street children’. [[AS Deserters](#), 2.3.2., p. 53; 2.3.3, p. 57]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Criminal prosecution in itself does not amount to persecution. However, acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical violence, torture, death penalty, detention or execution by Al-Shabaab). When the acts in question are of less severe nature (e.g. stigmatisation by the community), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.



### What is the level of risk of persecution (well-founded fear)?

In the case of deserters and defectors from Al-Shabaab, well-founded fear of persecution by the group would in general be substantiated in **South-Central Somalia** and **Puntland**. Additionally, well-founded fear of persecution by the government may be substantiated.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in **Somaliland** should take into account risk-impacting circumstances, such as: the rank and role in Al-Shabaab (e.g. being considered ‘high-risk’ by the state authorities), the reach of Al-Shabaab in the area of origin, clan affiliation, clan and family views towards Al-Shabaab, distance of the area of deployment of boys for Al-Shabaab from the area of origin and possibility to be reunited with the family, level of assistance by a support/clan network, socio-economic situation, etc.

Family members of individuals under this profile, especially their wives, may also have a well-founded fear of persecution.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.



Exclusion considerations could be relevant to this profile (see chapter [7. Exclusion](#)).



## 3.5. Individuals refusing to pay ‘taxes’ to Al-Shabaab

Last update: August 2023

This profile is particularly relevant to individuals refusing to pay ‘taxes’ to Al-Shabaab in South-Central Somalia and Puntland, given the group’s presence and influence in these areas. The term ‘taxes’ in this context includes protection money, extortion and religious ‘taxes’.

### COI summary

The Al-Shabaab taxation system applies in areas under the group’s control, but it has also been spreading into Mogadishu and other government-controlled areas, such as Bosasso and Jowhar and, to a lesser extent, Baidoa and Kismayo [[Security 2023](#), 2.3.2., p. 112; [Actors](#), 4.3.2, p. 63].

Checkpoints taxation, business extortion, imports taxation at major seaports and real estate companies are multiple sources of funds for the group. Al-Shabaab’s tax system is described as a ‘sophisticated and efficient “taxation” apparatus’, where an average Somali pays only once at the beginning of a road, receives a receipt that is used to pass through any remaining Al-Shabaab checkpoints without having to pay again [[Security 2023](#), 1.4.4., p. 52]. Al-Shabaab also taxes livestock, agricultural produce, and irrigation, collects the *zakat* (the annual religious obligation to pay a specific percentage of a person’s wealth, typically 2.5 %, to the poor) and *sadaqa* (a normally voluntary charitable contribution paid by Muslims). The group also raises emergency funds when the local Al-Shabaab government is short in cash and taxes government officials who leave part of their salaries to the group so as to not be targeted by it. This taxation system is underpinned by intimidation, fears over business continuity and personal safety and violence in the case of non-compliance. [[Security 2023](#), 2.2.4., p. 107; [Actors](#), 4.3.2.; [Targeting](#), 6.4., p. 97]

Individuals who do not comply with those demands face threats or extreme violence [[Security 2023](#), 1.4.4., p. 52, 2.3.2., pp. 112, 115] and allegedly torture as a punishment for failure to pay taxes. It has been reported that Al-Shabaab carried out killings when the ‘taxpayers’ refused to meet the group’s demands. [[Targeting](#), 6.4., p. 97]

### Conclusions and guidance

#### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination).



### What is the level of risk of persecution (well-founded fear)?

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of individuals who refuse to pay ‘taxes’ to Al-Shabaab.

At the time of writing, this claim does not appear to have particular relevance for **Somaliland**.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of (imputed) political opinion and/or religion.

## 3.6. Humanitarian workers and human rights defenders

Last update: June 2022

This profile refers to employees of humanitarian non-governmental organisations (NGOs) and United Nations agencies, as well as individual activists and human rights defenders.

### COI summary

Somalia is one of the most insecure countries in the world to operate in for humanitarian workers, who face execution, arrest, detention and abduction. During 2020, the UN recorded 56 incidents involving violence against humanitarian workers, assets and facilities. More specifically, 24 humanitarian workers were abducted, all of them Somali nationals, and most of these abductions were attributed to Al-Shabaab. [[Targeting](#), 6.4., pp. 95-96]

Al-Shabaab continues to threaten and directly target humanitarian workers when their community support activities are not acceptable to the group. It has carried out attacks on employees of humanitarian NGOs and UN agencies and their families. Humanitarian workers are perceived by Al-Shabaab as associated with international actors through funding. The group is prompt to suspect international agencies and their local partners to conduct intelligence (see also sub-profile [3.2.5. Civilians perceived as ‘spies’ by Al-Shabaab](#)). Al-Shabaab also threatened the lives of the personnel of secular and faith-based humanitarian aid organizations accusing them of seeking to convert individuals to Christianity. Besides attacks, Al-Shabaab reportedly carried out abductions of humanitarian workers in order to exert its control over outreach programmes and extort money from humanitarian organizations. [[Targeting](#), 6.4., pp. 95-96]

A female advocate in support of women’s rights has also been targeted. And in several cases, providers of services for gender-based violence survivors were directly threatened by authorities when such abuses had been perpetrated by men in uniform. [[Targeting](#), 2.2., p. 35]



## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination, abduction).



### What is the level of risk of persecution (well-founded fear)?

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of humanitarian workers and human rights defenders, in particular in view of Al-Shabaab's pervasive presence in these areas.

In **Somaliland**, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as visibility of profile, nature of activities, area of origin and operational capacity of Al-Shabaab, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.

## 3.7. Journalists

Last update: June 2022  
Minor updates: August 2023

This profile refers to journalists and their situation in relation to potential targeting by different actors throughout Somalia.

### COI summary

Somalia has been described as one of the most dangerous countries to practise journalism. State and federal government authorities as well as Al-Shabaab militants and private individuals are potential perpetrators of verbal or physical violence. Incidents of violence against journalists have been reported in South-Central Somalia, Puntland and Somaliland. Female journalists are exposed to additional risks such as gender-based violence and face social and cultural restrictions. [[Targeting](#), 7., pp. 97-100]





The types of violence reportedly carried out against journalists range from harassment, intimidation, arbitrary arrest and detention to physical attacks, abductions and killings. Shut down of media houses and dismissals of journalists or other restrictions have been imposed for various reasons, e.g. publicly voicing criticism against the government. [[Targeting](#), 7., p. 98]

Incidents of arbitrary arrests and harassment of journalists by SPF and other Somali state and federal authorities have been reported in 2020 and 2021 [[Actors](#), 2.4.6, p. 43; 7.3.5, p. 92; 7.4.5, p. 96]. Furthermore, 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. In May 2021, it was reported that the government of Somaliland had increasingly adopted a tough stance towards the media. In March 2021, an increasing ‘crackdown’ on media freedom ahead of the presidential and parliamentary elections scheduled for 2021 was reported in Puntland [[Targeting](#), 7., p. 103].

Al-Shabaab has also threatened with death or even killed journalists reporting critically on the group and its activities. Targeting of journalists by Al-Shabaab continued in 2022. [[Security 2023](#), 1.4.1, p. 40]

Furthermore, journalists frequently faced charges under the Somali Penal Code, applicable across Somalia. Amendments to the existing legal framework of media activities have been adopted in South-Central Somalia and Puntland. However, they have been criticised as lacking in the protection of journalists and their work. In South-Central Somalia, the law still prohibits the reporting on issues conflicting with ‘national interest’, ‘false information’, ‘incitement to violence and clannism’ and ‘dissemination of propaganda’ and contains penalties that can be widely interpreted. Amendments to the law regulating the media in Somaliland, expected to decriminalise many media-related offenses, were being prepared, however, as of July 2021, the modifications remain in draft. [[Targeting](#), 7., p. 100, p. 102]

Assaults against journalists are challenging to report to the police, as it is often the security forces themselves that exert violence against and pressure on journalists. [[Targeting](#), 7, p. 100]

Despite the competence of civilian courts, journalists are often subjected to military tribunals. The judiciary in Somalia, including in Puntland and Somaliland, has reportedly played a key role in violations of rights of journalists, convicting journalists in the majority of cases based on bogus charges, delivering hasty judgements based on unsubstantiated grounds, authorising the detention of journalists following complaints made by people in power. In Somaliland, prison terms ranging from a few days to several months as well as fines, have been handed down in cases involving investigations into corruption or other topics deemed sensitive by the authorities. [[Targeting](#), 7., p. 99, 102]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, abduction, physical violence).





### What is the level of risk of persecution (well-founded fear)?

In the case of journalists seen as critical of an actor particularly active in a specific area or in control of a specific area, well-founded fear of persecution would in general be substantiated in that specific area.

In the case of other journalists, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender (higher risk for women), the topic they report on, visibility of activities and public profile, reach of the actors they report on, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In case of targeting by Al-Shabaab, persecution of this profile may also be for reasons of religion.

## 3.8. Individuals (perceived as) contravening social or religious laws/tenets

### 3.8.1. Individuals (perceived as) contravening Islamic laws in Al-Shabaab controlled areas

Last update: June 2022

This sub-profile refers to individuals (perceived as) contravening Islamic laws, including apostates, converts, blasphemers and individuals (perceived) as having committed *hadd* crimes, in Al-Shabaab controlled areas. For an overview of Al-Shabaab controlled areas see [2.3.1. Al-Shabaab](#) under section [2. Actors of persecution or serious harm](#).

#### COI summary

Al-Shabaab's governance is *Sharia*-based, having established their own courts and imposing a strict version of *Sharia* including banning television, cinemas, music, the use of the internet and watching and playing sports, having illicit content on cell phones, smoking, the sale of khat, the shaving of beards and other behaviour it considers '**un-Islamic**'. Women are required to be fully veiled and specific ways of praying and reciting the Quran are imposed. Returnees



from abroad who have acquired types of behaviour that may be viewed as ‘western’, going back to an Al-Shabaab-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 Al-Shabaab. [[Actors](#), 4.4., p. 66; [Targeting](#), 3.1., pp. 46-48]

Not all bans are imposed uniformly in all areas under the control of Al-Shabaab. Reportedly, Al-Shabaab has imposed harsh punishments including detention under inhuman conditions for these relatively minor offences. [[Actors](#), 4.4., p. 66; [Targeting](#), 3.1., p. 47]

Executions, amputations or other corporal punishments have been imposed for the so called ***hadd crimes*** (e.g. violations of God’s limits). *Hadd* (*huduud* in plural) crimes can include cases of espionage, adultery, unlawful sexual intercourse, theft, banditry, drug dealing, alcohol consumption and drug abuse, etc. Al-Shabaab reportedly carried out arbitrary arrests on the basis of unverified or false accusations. The group’s courts did not permit legal representation or appeals, victims were not consulted, the broader circumstances of an offence were not taken into account, and circumstantial evidence was widely used in *hadd* cases. The degree of implementation of such punishments varies depending on the Al-Shabaab members in charge and the local situation. It was reported that the group showed greater tolerance in areas where its control was undisputed or with regard to its own members, while in newly conquered towns or villages several such punishments were meted out publicly demonstrating ‘exemplary violence’ in order to instil fear and assert control over the population. [[Actors](#), 4.4., p. 66; [Targeting](#), 3.1., pp. 48-49]

Warnings and threats were reportedly made even to low-profile individuals who may have acted in opposition to Al-Shabaab, for example by presenting views in a mosque that run counter to Al-Shabaab’s ideology. These warnings and threats may be issued once, twice or three times before AS will strike with force, injuring or abducting people or even wiping out entire nuclear families. Because of the limited capacity of Al-Shabaab to carry out those acts systematically, when carried out, those acts are done in an exemplary manner. [[Targeting](#), 3.1., p. 50]

Al-Shabaab has also targeted followers of less conservative strands of Islam as ‘**apostates**’, including those who practice Sufism. Sufi practitioners cannot freely practice their religion in Al-Shabaab controlled areas and they have been reportedly subjected to discrimination, attacks, punishments and killings. [[Targeting](#), 3.1., p. 50]

Suspected Christian **converts** were threatened with executions. Killings of suspected converts had also been reported in past years, however, no such reports could be found from 2020 or the first half of 2021. Al-Shabaab has also reportedly continued to harass secular and faith-based humanitarian aid organisations, threatening the lives of their personnel and accusing them of seeking to convert individuals to Christianity. [[Targeting](#), 3.1., p. 51]

Statements perceived as **blasphemous** are reportedly extremely dangerous and could lead, among other punishments, to execution by Al-Shabaab. Public executions of persons accused of ‘**sorcery**’ by Al-Shabaab have also been reported. [[Targeting](#), 3.1., p. 51]





## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution, killing, amputation and other forms of corporal punishment).



### What is the level of risk of persecution (well-founded fear)?

Individuals perceived by Al-Shabaab as contravening Islamic laws would in general have a well-founded fear of persecution in areas under its control in **South-Central Somalia**.

With regard to areas outside of the control of the group including in South-Central Somalia, Puntland and Somaliland, see [3.8.2. Individuals \(perceived as\) contravening Islamic and customary tenets outside Al-Shabaab controlled areas](#).



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of religion.

## 3.8.2. Individuals (perceived as) contravening Islamic and customary tenets outside Al-Shabaab controlled areas

Last update: June 2022

This sub-profile focuses on individuals (perceived as) contravening Islamic and customary tenets, including apostates, converts, blasphemers, individuals belonging to religious minorities or (perceived) having committed *hadd* crimes and other individuals perceived as contravening moral norms, in areas outside the control of Al-Shabaab.

### COI summary

The Provisional Constitution of the Federal Republic of Somalia and the constitutions of the FMS, including Somaliland, stipulate that Islam is the State religion, the promotion of other religions is prohibited and the law must be in accordance with *Sharia* [[Targeting](#), 3.2., p. 52].





Freedom of religion is stipulated in the Provisional Constitution of the Federal Republic of Somalia and the Constitution of Somaliland, while laws with provisions on religious freedom do not exist in Galmudug, Hirshabelle and South-West state [[Targeting](#), 3.2., p. 52].

With regard to religious matters, it is reported that each community individually regulates and enforces these matters often in ways that are inconsistent. Al-Shabaab seeks to impose its strict interpretation of Islam even outside the territories under its control, using threats and intimidation. [[Targeting](#), 3.2., p. 52]

The *Sharia*, applicable in the whole country, has been interpreted as forbidding **apostasy**, including **conversion**. Legal provisions explicitly prohibiting conversion from Islam exist in Somaliland and Puntland. Somalia's authorities and population generally show no tolerance towards converts from Islam. Arrests of individuals accused of apostasy under *Sharia* law have been reported. Families and clans have applied vigilante justice in cases of apostasy. Persons believed to be converts, as well as their families, have reportedly been harassed and physically attacked in their local communities. [[Targeting](#), 3.1., p. 50].

Being accused of **proselytising** Muslims is something that is 'extremely dangerous' in all parts of Somalia. Arrests have been reported following allegations of propagating Christianity and missionary activity. [[Targeting](#), 3.2., p. 53].

**Blasphemy** is punishable under the Penal Code with imprisonment up to two years and a fine. Making blasphemous statements is 'extremely dangerous' in all parts of Somalia. In 2021, Al-Shabaab has reportedly killed and called on people to execute individuals they considered to have committed blasphemy, even in areas outside of its control. In 2019, a university professor was arrested and sentenced to two and a half years of imprisonment on charges of blasphemy and while he later received a presidential pardon, he continued to receive death threats in 2020. [[Targeting](#), 3.2., p. 54].

Christians and other **religious minorities** have reported that they were unable to practise their faith in an open manner. An incident of severe beating of a seven-year-old Christian boy was reported in October 2020 in Lower Juba. Al-Shabaab attacks targeting Sufi rituals that are practised publicly have been reported even in areas outside of its control. Non-militant Salafists and Sufis were reportedly able to co-exist peacefully in some areas. [[Targeting](#), 3.2., p. 54].

No reports dating from 2020 or the first half of 2021 have been found on the sanctioning of **hadd crimes** (e.g. adultery or *zina*) in areas of Somalia that are not directly controlled by Al-Shabaab. [[Targeting](#), 3.2., p. 54].

Although there were no official restrictions on attending cultural events, playing music, or going to the cinema outside the territories controlled by Al-Shabaab, returnees to Somalia often come back with habits which are unfamiliar to Somali society and are viewed as **transgressing the norms of Islamic or Somali culture**. 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, although it rarely happens that a returnee will be ousted altogether. Cases of returnees ending





up in mental hospitals or confined in religious rehabilitation centres, where persons are subjected to physical and psychological abuse as part of the treatment, have been also reported. However, during the reference period, reports of specific incidents targeting returnees for westernised behaviour were scarce. [[Targeting](#), 3.2., p. 55].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killings by Al-Shabaab, some forms of physical violence by family members/conservative elements in local community and Al-Shabaab). Prosecution for acts which are not considered criminal according to international standards (e.g. adultery) would also amount to persecution. When the acts in question are restrictions of less severe nature on the exercise of certain rights (e.g. some restrictions to freedom of religion), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

When considering such applications, the case officer should take into account that it cannot reasonably be expected that an applicant will abstain from his or her religious practices in order to avoid persecution<sup>3</sup>. It should be noted that the concept of religion shall in particular include the holding of theistic, non-theistic and atheistic beliefs ([Article 10\(1\)\(b\) QD](#)).



### What is the level of risk of persecution (well-founded fear)?

In the case of (those perceived as) apostates, converts, proselytisers or blasphemers, in general, well-founded fear of persecution would be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.

In the case of other individuals (perceived as) contravening Islamic and customary tenets in areas outside of the control of Al-Shabaab, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature and visibility of activities of the applicant, belonging to a religious minority (e.g. Christians being at higher risk), area of origin in relation to presence or operational capacity of Al-Shabaab, etc.



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<sup>3</sup> CJEU, Y and Z, para 80.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of religion. In some cases, persecution may be for reasons of membership of a particular social group. For example, individuals seen as transgressing moral norms may have a well-founded fear of persecution based on their common background which cannot be changed (perceived past behaviour) or a shared characteristic or belief that is so fundamental to identity or conscience that they should not be forced to renounce it (opposition to cultural, social or religious norms and the unwillingness to comply with them). They may also be considered to have a distinct identity in Somalia, as they may be viewed as being different from the surrounding society (e.g. stigmatisation).



A thorough individual assessment should take place to whether the particular characteristic or belief is fundamental to the identity or conscience of the applicant.

## 3.9. Individuals involved in blood feuds/clan disputes

Last update: June 2022  
Minor updates: August 2023

### COI summary

In Somalia, two strategies of processing conflict are dominant among pastoralist and nomadic groups: violent self-help and blood revenge, which frequently escalate in long-standing feuds; and discussions, negotiations and payment of compensation. Among agro-pastoralists or other sedentary groups, however, blood revenge is less prevalent. [\[Targeting, 5., p. 76\]](#)

Conflicts between individuals quickly lead to conflicts between their immediate kin; if the adversaries belong to different larger groups, the latter confront each other [\[Targeting, 5., p. 76\]](#). In general, most of those directly involved in clan (or lineage, or family) conflicts are men between around 15 – 40. Men between 15 – 25, roughly, would typically be mobilised by elders to form lineage or clan militias, engage in attacks or put-up defence positions. [\[Targeting, 5., p. 77\]](#)

The reasons for triggering conflicts are frequently connected to access to resources or land [\[Security 2023, 2.1.1.; p. 66, 2.4.2., pp. 131-13; 2.6.2., p. 160; 2.7.2., p. 174, Targeting, 5., p. 77\]](#), access to jobs and markets, access to or protection of women, insults, accidents, or political interests. Perceived acts of humiliation can also result in revenge killings [\[Targeting, 5., p. 77\]](#).

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. For example, in case compensation is not paid, a murder victim's kin can exact blood revenge on the murderer, but also on members of the murderer's lineage [\[Targeting, 5., p. 77\]](#). Revenge





killings are normally carefully planned, however there have been incidents of spontaneous revenge attacks. Men of 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 can become prime targets [[Targeting](#), 5., p. 78].

Individuals considered sacrosanct (e.g. women, children, elderly, religious and traditional authorities, peace delegates, guests, those living under the protection of a group, etc.) are rarely directly targeted, however they can be hurt by indiscriminate violence [[Targeting](#), 5., p. 78]. See also sub-profile [3.13.6. Women and girls in clan conflicts](#) under profile [3.13. Women and girls](#).

Revenge killings can go on for a long while, even after a break of some years or even despite earlier settlement [[Targeting](#), 5., p. 78].

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 [[Targeting](#), 5., p. 78].

Clan conflicts have been reported across Somalia. For more details see [4.3.4. Indiscriminate violence](#) under section [4.3. Article 15\(c\) QD: indiscriminate violence in situations of armed conflict](#).

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing).



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: gender (men have a significantly higher risk), being considered a priority target, clan affiliation, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

The individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, lineage/clan





members involved in a blood feud may have a well-founded fear of persecution for reasons of membership of a particular social group, based on their innate characteristic (i.e. being a member of the lineage/clan) and due to the fact that lineages/clans are known and may have a distinct identity in the surrounding society. Furthermore, in case of inter-clan disputes, persecution of individuals may be for reasons of race.



Exclusion considerations could be relevant to this profile (see chapter [7. Exclusion](#)).

## 3.10. Individuals accused of crimes in Somalia

Last update: June 2022  
Minor updates: August 2023

This profile refers to people who are accused of ordinary crimes (e.g. crimes against property, life, physical integrity). This profile does not intend to cover acts which are not criminalised according to international standards (see for example profile [3.12. LGBTIQ persons](#)). It also refers to people who are accused of treason or espionage by the Somali authorities, as well as of crimes that endanger public safety.

### COI summary

Administration of justice in Somalia relies on customary law (*xeer*), *Sharia* law and the Penal Code. 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. [[Targeting](#), 3.2., p. 52]

The official justice system handles in principle all cases, civil and criminal [[Actors](#), 2.3., p. 28]. For example, rape is punishable with 5 to 15 years imprisonment under the Penal Code. [[Targeting](#), 2.2., p. 33]

Under the *xeer*, a collective payment of blood compensation (*diya*) is applied for cases of death, physical harm, theft, rape and defamation. [[Actors](#), 2.3.2., p. 31]

Based on *Sharia*, in cases of murder or bodily harm, retaliation (*qisas*) may only be demanded if the offence was proved to be intentional. But, even in these cases, general rules of evidence are stricter than otherwise. Moreover, after the Islamic judge's assessment, victims are given the opportunity to choose between retaliation (*qisas*) and compensation (*diya*). Reportedly, Somalis seem to prefer compensation over retaliation in cases of bodily harm, and retaliation instead in cases of intentional homicide. [[Actors](#), 2.3.3., p. 34]

*Sharia* courts, or Islamic scholars or judges, for the so-called *hadd* crimes, including theft and highway robbery, may impose corporal punishments. However, traditionally the application of *hadd* has been severely limited by the strict requirements for evidence [[Actors](#), 2.3.3., p. 34].





For the definition and examples of *hadd* crimes, see profile [3.8. Individuals \(perceived as\) contravening social or religious laws/tenets](#).

Al-Shabaab courts, applying *Sharia* law in its strictest form in the territory controlled by the militant group [[Actors](#), 4.4., p. 66], as well as beyond it, through mobile courts, complement this picture [[Actors](#), 2.3., p. 28].

In all territories controlled by Al-Shabaab, *Sharia* is not only implemented strictly, but also violently and punishments can include corporal punishments in case of theft (hand amputation), banditry and drug abuse (punished with lashing), as well as drug dealing (punished with lashing). [[Actors](#), 4.4., p. 66]

The government of Somalia and other Somali state actors continue to impose and carry out death sentences for political crimes, such as treason and espionage, as well as crimes that endanger public safety [[Actors](#), 2.3.4., p. 35]. Reprisal against criminal gangs also led to extrajudicial killings in Mogadishu [[Security 2023](#), 1.2., p. 23, 77].

For more information on death penalty or execution in Somalia, see section [4.1. Article 15\(a\) QD: death penalty or execution](#).

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

In general, prosecution through the official justice system, would not amount to persecution. Capital and corporal punishments, irrespective of the nature of the crime, are considered to amount to persecution. Violations of the due process of law and/or disproportionate or discriminatory punishments could also amount to such severe violations of basic human rights.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account individual circumstances, such as the legal framework and the justice system applied, the nature of the crime for which they may be accused and the envisaged punishment, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

In the case of individuals accused of ordinary crimes, there would in general be no nexus to a Convention ground. However, where a well-founded fear of persecution is established in relation to the envisaged punishment under *Sharia* law, persecution may be for reasons of





religion. In individual cases, the prosecution may (also) be motivated by another Convention ground or initiated or conducted on a discriminatory basis related to a Convention ground.

With regard to treason, espionage or crimes that endanger public safety, persecution may be for reasons of (imputed) political opinion.

Where no nexus is substantiated, see sections [4.1. Article 15\(a\) QD: death penalty or execution](#) and [4.2. Article 15\(b\) QD: torture or inhuman or degrading treatment or punishment](#), respectively.



Exclusion considerations could be relevant to this profile (see chapter [7. Exclusion](#)).

## 3.11. Minorities

This section refers to minority groups in Somalia as well as to individuals in mixed marriages.



The contents of this section include:

- 3.11.1. Overview
- 3.11.2. Low status occupational minorities
- 3.11.3. Ethnic minorities
- 3.11.4. Groups specialised in religious services
- 3.11.5. Clans which can be considered minority groups in local contexts
- 3.11.6. Individuals in mixed marriages

### 3.11.1. Overview

Last update: June 2022

#### COI summary

Somali society comprises both majority groups and minority groups. Minority groups include occupational minorities, ethnic minorities, groups specialised in religious services and clans that can be considered minority groups in local contexts. Many members of minority groups speak their own language (e.g. Af-Maay which is spoken, among others, by most Somali Bantu and Rahanweyn) or (local) dialect/languages, different from 'standard' Somali, which is known





as Af-Maxaa. Groups that belong to majority clans can be in a local minority situation where they face specific vulnerabilities. [[Targeting](#), 4.3., p. 70]

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 (for more information, see [1.2. The role of clans in Somalia](#)). In this context, minority groups remain underprivileged. [[Targeting](#), 4., p. 59]

Minority groups in Somalia used to be systematically targeted, especially in the early 1990's. During the past years, minority groups were not as such directly and systematically targeted. However, often lacking (strong) armed militias of their own, they 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. [[Targeting](#), 4., p. 60]

Furthermore, members of minority groups continue to experience marginalisation in many regards, such as access to education and justice. Many minority communities still face deep poverty which has led IDP and non-IDP individuals to residing in informal IDP settlements [[KSEI 2021](#), 1.3.2.3., p. 33]. IDPs from minority clans and ethnic groups face also stronger discrimination and a higher risk of evictions [[KSEI 2021](#), 1.2.3., p. 26]. Further, they hardly have any representation in the security forces and they may participate in the political scene of Somalia but they are not represented as a group. [[Targeting](#), 4., p. 60]

In addition, minority group members lack protection by state or non-state authorities [[Targeting](#), 4.1., p. 64]. Women belonging to minority groups are particularly extremely vulnerable.

Resentment over abuses made minority clans more vulnerable to recruitment by Al-Shabaab. For more information see profile [3.3. Persons fearing forced recruitment by Al-Shabaab](#).

### 3.11.2. Low status occupational minorities

Last update: June 2022

This sub-profile refers to persons who belong to low status occupational minorities. These minorities include the Gabooye (Madhibaan and Muse Diriye sub-groups), the Yibir, the Tumul, the Galgale, the Gahayle, the Yahar, the Ugaadhyahan/Ugaaryahan, the Eyle, the Hawle and the Hawrasame.

#### COI summary

##### Gabooye

The Gabooye (Madhibaan together with Muse Diriye) are the most numerous occupational minority in Somaliland. They also live, in smaller numbers, in Ethiopia, Puntland and southern Somalia. Traditionally, Madhibaan and Muse Diriye were hunters, shoemakers, tanners, well





diggers and water carriers for their hosts. Muse Diriye also traditionally worked as basket makers. [Targeting, 4.1., pp. 61-62]

Members of the Gabooye enjoy limited protection throughout Somalia. They are considered 'unclean' by dominant clans and experience discrimination as a consequence. 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), especially in Somaliland and southern Somalia. Only in Puntland, occupational minorities such as the Gabooye, enjoy more rights and are in a slightly better position vis-à-vis majority group members. Furthermore, the Gabooye lack access to formal education (except Islamic learning), to economic resources and are largely politically excluded. Inter-marriages between them and members of majority groups are shunned. [Targeting, 4.1., p. 63]

### Yibir

The Yibir or Anaas reside mainly in Somaliland and in the Somali region of Ethiopia. A few are also living in central and southern Somalia. A significant number of Yibir have become full-time beggars. Some Yibir succeeded in finding manual work in urban centers. They mainly worked as wandering sorcerers and leather workers. They also have a reputation as fortune tellers. [Targeting, 4.1., p. 63]

They were among the most socially excluded groups in Somalia. Throughout Somalia, they have limited to no access to social services, including education and healthcare. In rural areas, Yibir often are exposed to abuse, exploitation and suffer from extreme poverty. Like other minority group members, they lack protection by state or non-state authorities. [Targeting, 4.1., p. 64]

### Tumal

The Tumal were traditionally blacksmiths and carpenters and they live throughout Somalia, from north to south. They face discrimination along the same lines as Madhibaan and Muse Diriye. 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. [Targeting, 4.1., p. 65]

### Other low status occupational groups

The smaller groups of the **Ugaadhyahan/Ugaaryahan**, the **Eyle**, the **Hawle** and the **Hawrasame** are also marginalised and harassed (e.g., insulted or side-lined when competing for jobs; bullied out of their properties) by majority group members and lack protection. For the **Galgale**, the **Gahayle** and the **Yahar** there was no available information on their treatment in the reference period. [Targeting, 4.1., p. 65]



## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical and sexual violence). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: gender, their area of origin and the local clan dynamics, financial situation, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for reasons of race and/or membership of a particular social group, based on an innate characteristic or common background which cannot be changed (the family they are born into/inherited occupational status) and distinct identity in Somalia, as they are perceived as different in the Somali society.

## 3.11.3. Ethnic minorities

Last update: June 2022

### COI summary

#### Somali Bantu

Somali Bantu people reside mainly in towns and villages along the Jubba and Shebelle rivers. Locally, in the regions where they live, the Bantu are often majorities in terms of numbers, but they are marginalised in terms of power and education. [[Targeting](#), 4.2., p. 66]

Somali Bantu are among the most segregated and discriminated minorities in Somalia. During the civil war, Bantu were among the main victims of violence in southern Somalia, falling victims to looting, rape, enslavement and killing on a very high scale. Physically, the Somali



Bantu exhibit features that differentiate them from other Somalis. This is the reason for several derogatory terms used against them by other Somalis. [Targeting, 4.2., p. 67]

As in the case with other ethnic minorities, Bantu 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 are generally disproportionately vulnerable to conflict-driven displacement. They also cannot expect redress when their rights are violated. Majority clan members refuse to intermarry with Somali Bantu and thus, the members of this group remain isolated. Jobs which they are allowed to do by majority group members are crop farming, construction work, mechanics and other difficult manual labour. [Targeting, 4.2., p. 67]

In Lower Juba, in and around Kismayo, Somali Bantu are facing repression by the majority clan militias working as Jubbaland security forces. In the Al-Shabaab controlled areas not far from Kismayo they face extortion by the extremist militia. Bantu women also enter in marriages with Al-Shabaab fighters that are described as sexual and domestic slavery. The Al-Shabaab fighters further ignore their children with the Bantu girls and women, whom they despise as racially distinct minority with low social status. Cases of abductions, torture and killings by uniformed Somali police or armed groups that the Somali government was unwilling or unable to control, have been also reported in 2018. [Targeting, 4.5., p. 75]

Bantu groups started to organise and arm themselves and, in some locations, have gained strength and are able to fend for themselves. [Targeting, 4.2., pp. 66-67]

### **Bajuni**

The Bajuni live mainly in small communities along the coast south of Kismayo, Nchoni, Kamboni and on Bajuni islands. Their principal language is Ki-Bajuni and in general, Bajuni do not have a good knowledge of the Somali language. [Targeting, 4.2., p. 68]

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. [Targeting, 4.2., p. 68]

As is the case with other minority groups, Bajuni 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 have little chance to get access to justice in case of conflict over land or property and they are generally disproportionately vulnerable to conflict-driven displacement. [Targeting, 4.2., p. 68]

### **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 into Kenya. The Benadiri are generally not seen as a homogenous ethnic minority group. Most Benadiri live in Mogadishu, Merka and Barawa. After fleeing abroad in the early 1990s, the remaining Benadiri population is estimated to be very small, with those in Mogadishu estimated to be around 10 000. [Targeting, 4.2., pp. 68-69]





The situation of Benadiri remained difficult also after the Somali civil war. In 2012, it was reported that they were forced to pay bribes and were subjected to extortion by majority clan members. During more recent years, direct security threats against the Benadiri have not been reported. However, 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. [[Targeting](#), 4.2., p. 69]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killings, abductions, sexual violence). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: the specific minority group that the applicant belongs to, gender, area of origin, the local clan dynamics, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race (ethnicity).

## 3.11.4. Groups specialised in religious services

Last update: June 2022

### COI summary

#### Ashraf/Asharaf

The Ashraf are divided into the lines of Hussein and Hassan. Ashraf mainly inhabit the southern Somali coast from Mogadishu to Kismayo and they speak various local dialects. They



are considered to be religious people. Women from Ashraf minority could be married by members of majority groups, due to the highly appreciated religious prestige attached to Ashraf in the eyes of other Somalis. [Targeting, 4.3., p. 69-70]

The current situation of Ashraf is characterized by their structural marginalisation as a minority group in southern Somalia. Ashraf are vulnerable to abuse and they do not have any militia defending them. Members of majority clans take advantage of them and rarely face serious consequences. Ashraf living in and around Baidoa have a slightly more protected position compared to other areas. [Targeting, 4.3., pp. 70-71]

### Sheikhal/Sheekhaal

Sheikhal are not one but several groups, with different cultures and dialects. The word 'Sheikhal' is simply the local plural of 'sheikh' and signifies a lineage who has an inherited religious status. The Sheikhal are scattered in different districts and regions of the country, e.g. Mogadishu, Belet Weyne, Jowhar, Middle and Lower Juba and Gedo. The main Sheikhal branches are the Jasira, the Gendershe, the Loboge, and the Aw Qutub. In the Somali parliament, three seats are reserved for Sheikhal clan, through the Hawiye clan family. [Targeting, 4.3., p. 71]

While some Sheikhal groups are politically strong, others are marginalised. The Gendershe 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 in 1991. In contrast, the sub-clans Loboge and Aw Qutub have a more ambiguous position. Older reports indicated that the Loboge had been allies of some Hawiye, had their own militia in the early 1990s and they had engaged in fighting. The Aw Qutub had suffered some discrimination or harassment in Somaliland from the dominant Isaaq clan, being suspected of disloyalty to the Somaliland state after 1991. [Targeting, 4.3., p. 72]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. some forms of abuse). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland and Somaliland**, should take into account risk-impacting circumstances, such as:





their area of origin in relation to the specific minority group they belong to and the local clan dynamics, gender, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Furthermore, persecution of groups specialised in religious services may also be for reasons of membership of a particular social group, based on an innate characteristic or common background which cannot be changed (the family they are born into/inherited religious status) and distinct identity in Somalia, as they are perceived as different in the Somali society.

#### 3.11.5. Clans which can be considered minority groups in local contexts

Last update: June 2022

This sub-profile refers to persons who belong to groups that are seen as majority under one aspect and as minority under another aspect. These groups include the Rahanweyn (Digil and Mirifle sub-clans), the Tunni, the Begedi and the Geledi.

It should be noted that specific information on the recent treatment of some of those groups was not available in the COI reports used for the purposes of this guidance.

#### COI summary

##### Rahanweyn/Digil-Mirifle (Saab)

The Rahanweyn mainly reside in the regions of Bay, Bakool and Gedo, in between the rivers Shabelle and Jubba and they are mostly agro-pastoralists, living from farming and animal herding. They are divided into two major clans, the Digil and the Mirifle. All Rahanweyn speak Af-Maay. [[Targeting](#), 4.4., p. 72]

Although partly being considered as a low status group by members of other major clans, Rahanweyn are counted among the majority groups. They are a populous clan family and members of the Hawiye or Darood clan families in the south could intermarry with Rahanweyn. Through establishing their own militia and their own regional administration, they gained respect among other majority groups. Since the early 2000s, Rahanweyn also hold influential positions in the Somali government. [[Targeting](#), 4.4., p. 72]

The frequent adoptions (act of claiming other people's ancestors as one's own) 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.



Although friendship can exist between them, *boon* are subject to prejudice, social exclusion and some exploitation as cheap labour force by *bilis*, within the clan family. [Targeting, 4.4., p. 73]

The Rahanweyn are often subject to discrimination and exploitation by more powerful groups when they have been displaced into other clan-based areas. In 2017, roughly half of the around 369 000 IDPs in Mogadishu were Rahanweyn or Bantu. Members of various Rahanweyn lineages are part of Al-Shabaab with their fighters being motivated mostly by economic incentives. [Targeting, 4.4., p. 74]

### **Tunni, Begeedi and Geledi: ‘in-between’ groups**

The Tunni, the Begeedi, and the Geledi are often subsumed under the Rahanweyn clan Digil. Parts of these groups are described as having a weak position, partly due to ambiguous reception of their belonging or due to local circumstances. Tunni are often commercially oriented or craftsmen. The Begeedi and Geledi, often associated to the Benadiri minority groups, are usually active as farmers and traders. [Targeting, 4.4., p. 74]

There was no available information on the treatment of these groups in the reference period.

## **Conclusions and guidance**

### **Do the acts qualify as persecution under Article 9 QD?**

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. some forms of exploitation). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### **What is the level of risk of persecution (well-founded fear)?**

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including South-Central Somalia, Puntland and Somaliland, should take into account risk-impacting circumstances, such as: their area of origin in relation to the specific minority group they belong to and the local clan dynamics, their status as ‘noble’ or ‘commoner’, gender, etc.



### **Are the reasons for persecution falling within Article 10 QD (nexus)?**

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Persecution of minority





groups in local contexts may also be for reasons of membership of a particular social group, based on an innate characteristic or common background which cannot be changed (the family they are born into) and distinct identity, as they may be perceived as different in the local context.

### 3.11.6. Individuals in mixed marriages

Last update: June 2022

#### COI summary

Intermarriage between majority clans and Madhibaan, Muse Diriye, Tumul, Yibir, Yahar, Eyle, and particularly Bantu are taboo; if they happen, they often provoke violent conflict. Intermarriage between majority groups and Ashraf or Sheikhal is possible and does not normally produce resistance among majority group members. Rahanweyn and members of other majority groups do intermarry. Benadiri also enjoy some prestige and occasionally, majority group members in Mogadishu and surroundings marry especially women from Benadiri groups. [[Targeting](#), 4.5., p. 75]

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'. [[Targeting](#), 4.5., p. 75]

In the biggest cities of Somalia, Mogadishu and Kismayo, which are more cosmopolitan compared to other Somali towns, intermarriages between majority clans and members of occupational minority groups are seen as less problematic. This does not apply with regard to intermarriage with Bantu. A marriage between a man of a majority group and a Bantu woman, or the other way around, could lead to the murder of one or both partners or of the relatives involved. [[Targeting](#), 4.5., p. 75]

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. In Somaliland, if a man from a minority clan marries a girl from a majority group, the couple normally has to 'run away'. 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 the relatives of the woman. Majeerteen and Gabooye (especially Madhibaan) do not normally intermarry in Puntland. [[Targeting](#), 4.5., p. 75]

#### Conclusions and guidance

##### Do the acts qualify as persecution under Article 9 QD?

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, physical violence). When the acts in



question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: gender, the clan of the partners (in particular whether one of the partners belongs to a minority clan), specific minority group that the applicant belongs to, area of origin, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Persecution of individuals in mixed marriages may also be for reasons of membership of a particular social group, based on a common background which cannot be changed (entering in a mixed marriage) and distinct identity in Somalia, as they are perceived as different in the Somali society.

## 3.12. LGBTIQ persons

Last update: June 2022

This profile refers to persons who are perceived as not conforming to social norms because of their actual or perceived sexual orientation and/or gender identity, including the treatment of lesbian, gay, bi-sexual or trans-gender, intersex and queer individuals. However, it should be noted that reporting on the situation of LGBTIQ persons was scarce due to the subject being taboo in Somalia and the reporting was mostly based on a few individual cases being picked up by the media [[Targeting](#), 8., p. 103]. Furthermore, specific information on some of the LGBTIQ communities was not available in the COI reports used for the purpose of this guidance.

### COI summary

There is not one overall legal framework impacting on the situation of LGBTIQ individuals, as Somalia is characterized by legal pluralism [[Targeting](#), 8., p. 103]. The Somali Penal Code states that homosexuality is illegal, however, there is no information with regard to the actual





application of the law. Discrimination based on sexual orientation or gender identity is not prohibited and there are no hate crime laws which protect LGBTIQ individuals from violence, intimidation and/or discrimination [Targeting, 8., p. 104]. Under *Sharia*, the term referring to unlawful sexual intercourse is called *zina*. Islamic law regards only heterosexual relations sanctioned through marriage as lawful. Therefore, homosexual relations are considered illegal by default. *Sharia* explicitly refers to *liwat* (usually considered the equivalent of ‘sodomy’) and *sihaq* (sometimes translated as ‘lesbianism’). Islamic courts, present throughout Somalia, can impose sentences for same-sex relationships which go from flogging to the death penalty [Targeting, 8., p. 104]. Al-Shabaab courts have also issued death sentences for homosexuals in the recent past (2017 and 2018) [Targeting, 8., p. 105].

LGBTIQ individuals often resort to hiding their sexual orientation or gender identity out of fear of being disowned or excluded from their family. Furthermore, there were no known LGBTIQ organisations and associations in Somalia, as the pervasive social stigma against same-sex relationships remains. [Targeting, 8., p. 105]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. death penalty by *Sharia*-implementing courts, imprisonment, violence).



### What is the level of risk of persecution (well-founded fear)?

For individuals under this profile, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.

It has to be noted that an applicant cannot be expected to conceal their sexual orientation or gender identity to avoid persecution.<sup>4</sup>



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that the persecution of this profile is highly likely to be for reasons of membership of a particular social group, based on a shared characteristic that is so fundamental to the identity of the applicant, that he or she should not be forced to renounce it;

<sup>4</sup> CJEU, *Minister voor Immigratie en Asiel v X and Y and Z v Minister voor Immigratie en Asiel*, joined cases C-199/12 to C-201/12, Judgment of 7 November 2013 (X, Y and Z), paras. 70-76.



and based on their distinct identity in Somalia, because they are perceived as being different by the surrounding society.<sup>5</sup>

## 3.13. Women and girls



The contents of this section include:

- 3.13.1. Violence against women and girls: overview
- 3.13.2. Female genital mutilation or cutting (FGM/C)
- 3.13.3. Women and girls fearing forced recruitment by Al-Shabaab
- 3.13.4. Women and girls who have left Al-Shabaab
- 3.13.5. Child marriage and forced marriage
- 3.13.6. Women and girls in clan conflicts
- 3.13.7. Single women and female heads of households



It should be noted that the different forms of violence against women and girls in Somalia are often significantly interlinked. Therefore, the following subsections should be read in conjunction with each other.

### 3.13.1. Violence against women and girls: overview

Last update: June 2022  
Minor updates: August 2023

#### COI summary

##### Discrimination against women and girls

Somalia has been described as one of the most gender unequal countries in the world.

Women face under-representation and barriers to employment. Women from poor urban households may be forced to take on jobs or to engage in entrepreneurial activities that bear a high risk of exploitation and even violence. The limits of participation of women in better

<sup>5</sup> X, Y and Z, paras. 45-49.





paid socio-economic activities and, in case of divorce or death of male partners, makes women more prone to poverty and precarity [KSEI 2021, 1.4.2.2., p. 51]. Under-representation of women also exists in the judiciary in positions such as lawyers, judges and prosecutors. [Actors, 7.7.4., p. 114]. Women's participation in the political system is also limited by discrimination and hostility in practice. Furthermore, discrimination limited girls' access to schooling, due to the conflict situation and practices such as early marriage and FGM/C, with girls in farming, rural, remote, displaced, and nomadic communities being particularly affected. [KSEI 2021, 1.4.2.2., pp. 51-52]

Although certain laws grant women some rights, in practice women are often disadvantaged because of the application of the customary law or of Sharia law. Furthermore, women can only have access to traditional justice through a male tutelar personality, husband, brother, father or uncle. Stigma is associated to women directly seeking justice and presenting their case to a male dominated justice system and in the context of a patriarchal society, since they are not considered by the society as responsible. [Actors, 2.3.2., p. 31]

Al-Shabaab further limits women's rights and movement in public in a severe manner. Women are forced to adhere to a specific dress code and be accompanied by a male guardian. The group also enforces a strict gender division in public transportation and in public interactions. [Actors, 4.4., p. 66]

### **Sexual and gender-based violence**

Girls and women face numerous challenges such as child marriage, FGM/C, domestic violence, sexual and gender-based violence (SGBV) and human trafficking [Targeting, 2.1., p. 29].

Sexual violence against women and girls is described as pervasive, especially in South-Central Somalia and Puntland, with the problem exacerbated by the Covid-19 pandemic. The risk of SGBV is increased in Al-Shabaab controlled areas [Targeting, 2.2., pp. 31-33]. Although rape and sexual violence against women and girls continued to be underreported due to a climate of impunity as well as victim's fear and stigma [Security 2023, 1.4.2., p. 48], the risen level of violence in the country has reportedly caused an upsurge in sexual violence incidents. For the period 23 August 2022 to February 2023, eight incidents of conflict-related violence were reported, affecting six women as well as a 7-year-old and a 14-year-old girl [COI Update 2023, 1.3.6., p. 19]. Stigmatization is common and rape victims face harsh treatment from the community and their families. Victims of SGBV are often forced to marry their perpetrators as part of the remedial practices. Abortion after rape is no option. A lack of trust in the justice system, gender-biased officers, lack of knowledge of one's own rights, limited financial means, fear of humiliation and security concerns further act as barriers to prosecution. [Targeting, 2.2., pp. 34-35].

Sexual violence continued to be employed by Al-Shabaab as a strategy of social control in the communities under their influence. Incidents of rape and gang rape have been also committed by state agents, clan militias and unidentified armed men [Targeting, 2.2., p. 32]. 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 [Targeting,



2.2., p. 35]. Women from displaced communities and/or from weak clans were more likely to experience SGBV. Girls and women with disabilities also faced a heightened risk of SGBV [Targeting, 2.2., p. 31].

Domestic violence is also described as rampant and generally tolerated in Somalia [Targeting, 2.2., p. 32]. Furthermore, Somali women continue to experience widespread sexual harassment at workplaces [Targeting, 2.2., p. 31].

Rape is punishable with 5 to 15 years imprisonment under the Somali Penal Code. There are no federal laws against spousal violence, including rape. In 2018, a Sexual Offences Bill was initiated, aiming to provide a legal framework to address sexual and gender-based violence in Somalia. However, the federal government, by June 2021, had not yet passed the bill. In 2020, the 'Sexual intercourse related crimes' bill was developed which has been characterised as a major setback for victims of SGBV in Somalia, however it has not been approved yet. In 2016, Puntland authorities launched the first-ever Sexual Offences Law criminalizing all sexual offences in the region. However, the bill is not applied in practice. Somaliland passed a sexual offences bill in 2018 but it has not been implemented. [Targeting, 2.2., p. 33]

SGBV service provision remains low as compared to the need and geographical landscape in Somalia. 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 the virus. SGBV survivors from remote locations experienced further challenges with regard to access to quality services. [Targeting, 2.2., p. 35]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Some acts reported to be committed against women and girls under this profile are of such severe nature that they amount to persecution (e.g. rape, certain forms of physical violence including of domestic violence, sexual violence). When the acts in question are of less severe nature (e.g. obstacles to employment, education and access to justice), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: age, area of origin and actor in control of the area, clan affiliation, being from a displaced or nomadic community, having a disability, level of assistance by a support/clan network, etc.



In the case of women without support network, see sub-profile [3.13.7. Single women and female heads of households](#).



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for different reasons under [Article 10 QD](#), depending on the specific circumstances of the case. For example, women and girls who have been sexually abused may be subjected to persecution for reasons of membership of a particular social group, based on their common background which cannot be changed (past experience of sexual abuse) and distinct identity in Somalia (in relation to stigmatisation by society).

## 3.13.2. Female genital mutilation or cutting (FGM/C)

Last update: August 2023

### COI summary

#### Legal framework and prevalence of FGM/C

Somalia's Provisional 2012 Constitution 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'. However, there is no existing law in Somalia specifically against FGM/C criminalising or punishing the practice. [Targeting, 2.4, p. 41; [COI Query FGM/C 2023](#), 1., p. 4] Puntland adopted in 2021 an FGM/C Zero Tolerance Bill, however, as reported by UNOCHA in 2022, it is still pending to be passed into law. Somaliland issued a religious *fatwa* in 2018, which bans the practice of FGM/C. [[COI Query FGM/C 2023](#), 1., p. 4; Targeting, 2.4, p. 41]

Despite the introduced legal framework, FGM/C is almost universally practiced throughout Somalia. Protection or support measures by NGOs or clan authorities for people that fear FGM/C have not been identified. [[COI Query FGM/C 2023](#), 1., p. 4; Targeting, 2.4, p. 41]

Nearly all women in Somalia have undergone FGM/C and the overall prevalence of FGM/C remains extremely high, with no decrease reported or expected to happen. A survey of 2020 indicated that 99 % of Somali women aged 15-49 have undergone FGM/C. The majority of girls (71 %) are circumcised between 5 to 9 years of age. According to a study conducted in Kismayo in 2022, girls there were subjected to FGM/C between the age of 6 to 15 years old. The most common form of FGM/C practiced in Somalia is the Pharaonic form, also known as infibulation (Type III in WHO classification), which is commonly performed by traditional circumcisers/midwives, with 64 % of women surveyed having experienced it. Women of lower socio-economic status and from rural populations tend to be subjected to a Pharaonic form of FGM/C more often than other women. In early 2022, due to drought crisis and clan conflicts,



the prevalence of FGM/C increased in Somaliland (Sool, Sanaag and Togdheer). [[COI Query FGM/C 2023](#), 1., pp. 4-7]

### **Societal norms and beliefs**

FGM/C constitutes a deeply rooted social norm and, as revealed by a 2022 study, most women consider only the Pharaonic type as FGM/C, characterising the Sunni form as ‘normal circumcision’, that they believe does not carry risks or does not cause harm to girls. Girls who had undergone the Sunni type are seen within their communities as being ‘unclean’ and may be pressured, especially in rural areas, to undergo infibulation in order to find a marriage partner. Almost all Somalis declare that they intend to have their daughters circumcised, since 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, while many communities believe that the practice has a religious basis and it is required or at least permitted by Islam. Women and girls returning from Europe are usually pressured to undergo FGM/C. [[Targeting](#), 2.4, p. 39; [COI Query FGM/C 2023](#), 1., p. 6; 2.1.3., p. 12]

### **Repeated FGM: types and prevalence**

Women who have undergone infibulation (type III FGM/C) are subjected to de-infibulation (or defibulation) prior to sexual intercourse. The process is handled by a health professional or even by the husband. Other reasons for which de-infibulation is performed includes preparation for giving birth and medical reasons related to FGM/C, such as complications during menstruation. [[COI Query FGM/C 2023](#), 2.1.1., p. 8]

The process under which an infibulated woman, who has been de-infibulated, is subjected to repeated infibulation is known as re-infibulation. Re-infibulation is a common phenomenon and affects all parts of Somalia. In Somaliland, women often decide to undergo re-infibulation due to societal pressure. Sources reported divergent views on the prevalence of re-infibulation. [[COI Query FGM/C 2023](#), 2.1.2., p. 8; 2.2., p. 13]

There are different reasons for which re-infibulation is performed, with childbirth being a common factor. As reported by UNICEF in 2021, for infibulated women who have been subjected to type III FGM/C, the process is repeated for the first two to four babies. Women usually comply with family’s or husband’s pressure to undergo re-infibulation, as it would be ‘very difficult’ for them to decide on their own and refuse the procedure. Apart from being coerced by the family, women also decide to undergo re-infibulation to remain sexually desirable to their husbands or to become ‘neat and beautiful’ again, after giving birth. [[COI Query FGM/C 2023](#), 2.1.2., pp. 8-10]

Somali women may be submitted to repeated FGM/C for other reasons than giving birth, including due to an accident, or after having had a premarital relationship. Female victims of rape are forced by their families to undergo re-infibulation to restore the honour of the family. There have also been cases in which women were subjected to repeated FGM/C, because it was considered that the initial infibulation was not performed ‘properly’. De-infibulation is sometimes practiced in order to improve women’s health condition. [[COI Query FGM/C 2023](#), 2.1.2., pp. 8-12]



## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

FGM/C amounts to persecution.



### What is the level of risk of persecution (well-founded fear)?

In the case of girls who have not been subjected to FGM/C, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including South-Central Somalia, Puntland and Somaliland.

In the case of women who have not been subjected to FGM/C, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to be subjected to FGM/C should take into account risk-impacting circumstances, particularly the age of the applicant, her marital status, and the views of her family on the practice. The circumstances under which the applicant had managed to avoid being subjected to FGM/C should also be given due consideration.

In the case of women and girls who have been subjected to FGM/C, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to be subjected to repeated FGM/C should take into account risk-impacting circumstances, such as: age, family status, type of FGM/C experienced, family perceptions and traditions towards the practice, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of membership of a particular social group. For example, women and girls who have not been subjected to FGM/C, may be subjected to persecution for reasons of this innate characteristic and/or common background which cannot be changed (not being subjected to FGM/C) and their distinct identity in Somalia. Persecution of this profile may also be for reasons of religion.

### 3.13.3. Women and girls fearing forced recruitment by Al-Shabaab

Last update: August 2023

This sub-profile refers to women and girls fearing recruitment by Al-Shabaab against their will.

This sub-profile should be read in conjunction with [3.3. Persons fearing forced recruitment by Al-Shabaab](#).

## COI summary

Women are commonly recruited by Al-Shabaab through marriage, including forced and child marriage. Women are often left without choice due to family and clan pressure. Al-Shabaab has abducted and forced girls aged 14 to 20 to marry fighters, while threatening their families with violence. Furthermore, wife inheritance remains common and widows of Al-Shabaab husbands can be married off to any Al-Shabaab member [Targeting, 2.3., p. 37]. Especially in the case of Bantu/Jareer girls and women, marriage to Al-Shabaab fighters has been described as sexual and domestic slavery [AS Deserters, 2.3.2., p. 49; Targeting, 1.1., p. 22]. However, ‘some women members do express strong support for the movement and its goals and regard themselves as full-fledged members’. Additionally, some women who have grown up in environments beset with insecurity and gender-based violence may see marriage into Al-Shabaab, and the protection that comes with it, as a better alternative to being raped by a militiaman. [Targeting, 1.1., p. 26]

It has been reported that ‘women are generally relegated to support roles’ and serve ‘as *zakat* collectors, *madrassa* teachers and preachers, and security guards in prison’. Women associated with Al-Shabaab can be grouped either as ‘members’, meaning being ‘actively involved with the group’ or just ‘wives’ meaning linked to the group through marriage. The majority of women are ‘wives’, married to an Al-Shabaab member. Very few adult women reported having been active in the group while girls, on the other hand, state more often that they have been actively involved in the group’s activities. In contrast to men members of the group, women generally do not move away from their families and communities. [AS Deserters, 2.2.1., pp. 42-43]

Most girls experienced forced marriage and/or sexual violence while with Al-Shabaab [AS Deserters, 2.3.3., P. 55].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Forced and child marriage by Al-Shabaab amount to persecution. Furthermore, women and girls could be exposed to acts by Al-Shabaab which are of such severe nature that they would amount to persecution (e.g. killing, abduction, sexual violence, domestic slavery).



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age, area of origin and the control or influence of Al-Shabaab, clan affiliation, family/community perception, etc.





### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of race (e.g. in the case of Bantu women) and/or religion (see also profile [3.8. Individuals \(perceived as\) contravening social or religious laws/tenets](#)).

#### 3.13.4. Women and girls who have left Al-Shabaab

This profile refers to women and girls who had been wives of Al-Shabaab members or who were actively engaged in the group's activities and who have left Al-Shabaab.

For the treatment of adult males and boys who had been actively involved in the group, especially as fighters, who desert or defect, see [3.4. Deserters and defectors from Al-Shabaab](#). The present subsection should be read in conjunction with the subsection mentioned above.

Last update: August 2023

#### COI summary

For an overview of the factors affecting the decision to leave Al-Shabaab, see [3.4. Deserters and defectors from Al-Shabaab](#).

##### a) Treatment by Al-Shabaab

Women having had some role or function in the group, such as having been an Al-Shabaab wife, the mother of Al-Shabaab children, an Al-Shabaab widow, a defector's wife, a business woman, a teacher, a fundraiser or a recruiter, or whose family members have joined security forces, are exposed to retaliation and threatening because of this role or function. [[AS Deserters](#), 2.2.1., pp. 45-46]

Once they have left the group, going back to Al-Shabaab territory is not an option for women, who would 'most probably face execution as traitors'. [[AS Deserters](#), 2.2.1., p. 44] Women from minority clans are highly vulnerable to Al-Shabaab due to the subjugated status of their clan towards the group. They may face execution, imprisonment and interrogation and removal to unknown or fighting area. In this context, Somali Bantu women are more affected than women from other clans. [[AS Deserters](#), 2.2.2., pp. 49-50] (see also [Somali Bantu](#) under [3.11.3. Ethnic minorities](#)).

As far as children are concerned, many of them leave the group without approaching the government. They do not take part in the reintegration programme and remain vulnerable to Al-Shabaab appeals, calls and threats, with the group being able to trace them and track them down. [[AS Deserters](#), 2.2.4., pp. 52-53] Depending on the role played for Al-Shabaab, such



instances of targeting, chasing and reprisals tend to fade away over time [[AS Deserters](#), 2.3.3, p. 57].

#### **b) Treatment by government authorities**

For details about the formal pathway for leaving Al-Shabaab, see [3.4. Deserters and defectors from Al-Shabaab](#).

The registration and screening of women leaving Al-Shabaab varies depending on the area. They either make contact with the authorities or they are referred to them or return to their communities and then the elders or the clan leaders are the ones who contact the authorities. All women are registered upon reception by the authorities. However, not all registered women, such as those women who merely lived in an Al-Shabaab territory and ‘wives and other non-participant women’ [[AS Deserters](#), 1.2.3., p. 20] are screened by the NISA [[AS Deserters](#), 1.2.3., pp. 19-21].

Not all low-risk female defectors go through rehabilitation unless they have additional vulnerabilities. If no places are available in rehabilitation centres, women are put on a waiting list and those without additional vulnerabilities are sent back to their communities. Arrangements are made by the NISA with a guarantor, who is typically a relative or clan elder [[AS Deserters](#), 1.2.3., pp. 21]. Most girls are sent directly to reunite with their families without following the rehabilitation programme [[AS Deserters](#), 2.3.3., P. 55]. Some low-risk female defectors are sent to centres in Baidoa or Kismayo or in a community-based centre with a guarantor in Galmudug [[AS Deserters](#), 1.2.3., pp. 19-21, 24-29]. Participation in the rehabilitation programme does not prevent women from being caught in a law enforcement operation by government security forces, because there is no national database for women having gone through rehabilitation. In such instances, women might need the intervention of clan elders or other members, or of the rehabilitation programme officers in order to be released. They would also still be potentially exposed to Al-Shabaab threats and retribution, depending on their past role and their personal circumstances. The level of risk tends to diminish over time [[AS Deserters](#), 2.2.3., pp. 44, 51-52].

Reportedly, up until early 2022, no woman had been screened as ‘high-risk’ [[AS Deserters](#), 1.2.3., p. 20].

Women who are not brought to or do not report themselves to the authorities, and hence do not go through formal rehabilitation programmes, do not have access to the same services and assistance. Moreover, they are not formally cleared by the government, and consequently, are at risk of being arrested. [[AS Deserters](#), 2.2.2., p. 44]

Both boys and girls can access the rehabilitation programme, ideally in equal numbers. However, most girls are often sent directly to reunite with their families. Overall, girls currently make up between 20 and 30 % of children benefitting from reintegration programmes. [[AS Deserters](#), 2.3.3., p. 55]

The arrest and detention of children allegedly associated with the group by the authorities in South-Central Somalia and in Puntland is a recurring measure. Coercive treatment and in





some cases use of torture have been reported. Children were prosecuted as adults, notably in Puntland where the existent anti-terrorist legislation defines children as those under fifteen, with sentences ranging from some years to life imprisonment. Reportedly, as of October 2022, there were still a number of children kept in detention in Puntland, on grounds of association with Al-Shabaab, while some of them have been sentenced to death or to life sentences through military prosecution and courts. [[AS Deserters](#), 2.3., pp. 52-53, 58]

### **c) Treatment by the community**

It has been reported that if women are to leave Al-Shabaab territory or move from one place to another in order to leave the group, their pathways can differ greatly depending on their destination, with big cities as Mogadishu offering the possibility to relocate ‘basically unnoticed’. The ease of integration depends on the places women move to, and the level of family or clan connection/support they can rely upon. Also, women who participate in a rehabilitation programme are better received by the communities than those who leave the group informally. [[AS Deserters](#), 2.2.2., pp. 46, 47, 51]

Women reportedly face challenges in their new location, such as poverty, stigma and mistrust from the hosting community or the family circle, sexual exploitation and fear of Al-Shabaab. While some women can live with family or clan members, most need to find other housing solutions, often in IDP camps. In terms of potential stigma, women might be looked at very suspiciously, and community members might refuse to engage with them, but the level of stigma rarely reaches the point of outright expulsion. [[AS Deserters](#), 2.2.2., pp. 47-48]

Many women and girls who managed to escape from Al-Shabaab marriages were subjected to threats and, in some cases, sexual exploitation in displacement settings where they had found refuge. Women coming from minority clans – such as the Bantu – or who are displaced and do not have access to clan protection, reportedly end up without any protection and resources. [[AS Deserters](#), 2.2.2., pp. 47-49]

As for children, they face stigma in the host community but the latter usually ‘does not show outright resentment’ towards children formally associated with Al-Shabaab. Recruited children are usually taken away from their place of origin, possibly to a training camp or facility in another region, some hundreds of kilometres away. This poses serious challenges to the possibility of being reunified with their family. With reintegration outside of the clan of belonging rarely viable, many of these children end up in IDP camps or as ‘street children’. [[AS Deserters](#), 2.3.2., p. 53; 2.3.3, p. 57]

## **Conclusions and guidance**

### **Do the acts qualify as persecution under Article 9 QD?**

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution and imprisonment, certain forms of physical violence including sexual violence torture, death penalty). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether



they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.



### What is the level of risk of persecution (well-founded fear)?

In the case of women and girls having left Al-Shabaab, well-founded fear of persecution by the group would in general be substantiated in **South-Central Somalia** and **Puntland**.

Furthermore, women and girls may have a well-founded of persecution by the community and the government in individual cases. Risk-impacting circumstances could include: past role in Al-Shabaab, clan affiliation and protection, displacement situation, etc.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in **Somaliland** should take into account risk-impacting circumstances, such as: the past role in Al-Shabaab, the area of reintegration, participation in a rehabilitation programme, clan affiliation, level of assistance by a support/clan network, displacement situation, having left with their child(ren), distance of the area of deployment of girls for Al-Shabaab from the area of origin and possibility to be reunited with the family etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion. Persecution of women who have left Al-Shabaab marriages may also be for reasons of membership of a particular social group based on their common background which cannot be changed (past marriage to an Al-Shabaab member) and distinct identity in Somalia (in relation to stigmatisation).



Exclusion considerations could be relevant to this profile, in particular for women and girls actively involved in the activities of Al-Shabaab (see chapter [7. Exclusion](#)).

### 3.13.5. Child marriage and forced marriage

Last update: June 2022  
Minor updates: August 2023

#### COI summary

In Somali society, one's date of birth is not viewed as a decisive criterion for when a person is considered an adult, with puberty being the marker of adulthood. The newly initiated 2020





'Sexual Intercourse Related Crimes Bill' would allow parents to marry off their children once they reach puberty, which could be as young as 10 years old. [Targeting, 2.3, p. 36]

Due to deeply rooted gender-inequality, child marriage rates are higher for girls compared to boys. The practice of early marriage continues to be pervasive in Somalia, with nomadic and rural girls being particularly affected. Girls are usually married at early age because of the need for families to ensure social and economic security and in order to avoid giving birth to children out of wedlock. Early marriage is perceived to be both a cultural and a religious requirement, while women are traditionally valued according to their ability to procreate. According to a 2020 survey, 16 % of Somali girls are married by the age of 15 and 34 % percent are married by the age of 18, while another source indicated that 8.4% of girls are married before the age of 15 and 45.3 % of girls married before the age of 18. During the Covid-19 pandemic cases of child marriage increased in Somalia. [Targeting, 2.3, p. 36]

The distinction between forced and arranged marriage can be subtle. Brides may also be exchanged between neighbouring clans to build alliances, seal peace agreements and gain access to grazing zones. *Xeer* practices of *dumal* (forced marriage of a widow to a male relative of her deceased husband), *higsian* (the forced marriage of the sister of a deceased wife to the widower), and *godob reeb* (the forced marriage of a girl into an aggrieved clan as part of a *diya* payment) have been reported [Actors, 2.3.2, p. 31]. Moreover, victims of rape are forced to marry their perpetrators as part of the remedial practices of the traditional justice system. Forced marriage is also prevalent among persons with disabilities [Targeting, 2.3, p. 37].

If a woman refuses the marriage, she may face consequences such as being banished from the nomadic community or being denied child custody or property. Girls and women who have been forcefully married rarely come forward to get help due to fear of social stigma and punishment. [Targeting, 2.3, p. 37; 2.3., p. 39]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Forced and child marriage amount to persecution. When the consequences of refusal of forced marriage may be of less severe nature (e.g. social stigma), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as:



prevalence of the practice in the area of origin, age, socio-economic status of the family, clan and family traditions, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of religion and/or membership of a particular social group. For example, refusal to enter into a marriage may result in persecution for reasons of membership of a particular social group in relation to a common background which cannot be changed (refusal to marry) and/or a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it (the right to choose whom to marry) and their distinct identity in Somalia (e.g. stigmatisation).

### 3.13.6. Women and girls in clan conflicts

Last update: June 2022

#### COI summary

In clan conflicts that revolve around access to water, grazing or land, women are still often considered sacrosanct and they are not directly targeted. If, however, majority groups clash with minority groups, it is more likely that women are harmed by majority clan militias, as a display of superiority by the majority group. Furthermore, younger militiamen often do not respect traditional rules of conflict and target women, children and elders or use violence indiscriminately. [[Targeting](#), 5.2., p. 83]

Additionally, 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) are 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'. [[Targeting](#), 5.2., p. 84]

#### Conclusions and guidance

#### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. certain forms of physical harm). In relation to the tradition of *gobod reeb*, forced and child marriage would amount to persecution. See also sub-profile [3.13.5. Child marriage and forced marriage](#).





## What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: belonging to a minority clan, family/clan traditions, etc.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of race and/or membership of a particular social group (especially in relation to some minority groups, see more information under profile [3.11. Minorities](#)).

### 3.13.7. Single women and female heads of households

Last update: June 2022  
Minor updates: August 2023

This sub-profile refers to single women (e.g. divorced women, unmarried women, widows) and female heads of households. Girls can also fall in this sub-profile.

#### COI summary

Protection for Somali women is linked to their father, husband, family network, extended family network and clan. In Somali society, it is seen as being against the culture and the religion for a woman to live alone. The security situation is particularly dire for single women without a clan network. Women who have broken social norms may be ostracised. Furthermore, it remains difficult for a single woman to rent, sell or buy a residence by herself, as she could be viewed as a prostitute. An unaccompanied woman living without a husband might also be exposed to sexual violence. Families headed by an unaccompanied woman are more exposed to malnutrition. [[Targeting](#), 2.5, p. 43]

**Women residing in camps** face higher risks of SGBV. Among IDPs, single, divorced, and widowed women are especially vulnerable. For single mothers in IDP situations, a profound lack of resources and rising food prices due to Covid-19 means that many simply cannot access what is needed to sustain their own health and that of their children [[Targeting](#), 2.5, p. 43]. The precarious situation of women, and in particular female-headed households, in IDP sites continued to be reported in November 2022 [[Security 2023](#), 1.4.2., p. 48].

Sources indicate that **divorce** is not uncommon in the country and in general, divorce is more accepted now than it was in the past. However, a woman still needs to obtain her own clan's consent for a divorce as well as cite specific reasons. Children most often remain in the custody of the mother after a divorce. Although there is no immediate stigma around getting



divorced, the attitudes of local communities towards divorced women may differ. Remarriage after divorce is common. [Targeting, 2.5, p. 43]

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 and the woman would be stigmatised and possibly even attacked physically. Furthermore, the extended family might abandon the mother and child and the clan might no longer provide them with protection. It has also been reported that **women with children born out of wedlock** might be pushed to live in the area of local sex workers. [Targeting, 2.5, p. 44]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical violence, sexual violence). When the acts in question are of less severe nature (e.g. ostracism), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: being in an IDP situation, family status (e.g. single mother), family/society perceptions, level of assistance by a support/clan network etc.

In the case of single women and female heads of households without support/clan network, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including South-Central Somalia, Puntland and Somaliland.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of membership of a particular social group. For example, women with children born out of wedlock may be subjected to persecution for reasons of membership of a particular social group, based on their common background which cannot be changed (having a child out of wedlock) and distinct identity in Somalia (in relation to stigmatisation by society and seen as betraying the family honour).



## 3.14. Children

Last update: June 2022  
Minor updates: August 2023

### 3.14.1. Violence against children: overview

Some of the particular risks Somali children may face include the following.

- **Violence against children (general):** grave violations against children, including attacks on schools, abductions, maiming, molestation and killings were perpetrated by various actors [[Security 2023](#), 1.4.1.; pp. 41-42; 1.4.3. p.49; 2.1.3., p. 76].  
With regard to violence specifically against girls, see sub-profile [3.13.1. Violence against women and girls: overview](#).

Violence experienced by boys includes sexual violence, killing and maiming and deprivation of liberty by Somali state, federal and international forces, as well as Al-Shabaab and clan militias [[Targeting](#), 5.2., pp. 83-85; [Actors](#), 2.4.6., pp. 43-45; 3.6., p. 57; 4.5., pp. 66-67; 7.1.5., p. 82]. Cases of child trafficking and of child labour have also been reported [[Security 2021](#), 2.6.2.3., p. 131; [KSEI 2021](#), 1.3.5.6., pp. 44-45].

- **Child recruitment:** children have been recruited by multiple actors in Somalia. During the period 1 August 2016 – 30 September 2019, 391 cases of child recruitment were attributed to SNA, 172 cases to SPF and 169 cases to clan militias [[Actors](#), 2.4.6., p. 43; 3.6., p. 57]. FMS forces have also been accused of child recruitment [[Actors](#), 7.1.5., p. 82; 7.2.5., p. 87; 7.5.3., p. 99; 7.5.5., p. 101; 7.6.5., p. 108]. During the same period, 4 910 cases were attributed to Al-Shabaab [[Actors](#), 4.5., p. 67]. On child recruitment by Al-Shabaab, see sub-profile [3.14.2. Child recruitment by Al-Shabaab](#).
- **FGM/C:** in Somalia, FGM/C is almost universally practiced throughout the country. The majority of girls are circumcised between ages 5-9 [[Targeting](#), 2.4., p. 40]. See more under sub-profile [3.13.2. Female genital mutilation or cutting \(FGM/C\)](#).
- **Child marriage:** child marriage rates are higher for girls compared to boys, see sub-profile [3.13.5. Child marriage and forced marriage](#). However, boys can also be subjected to child marriage [[Targeting](#), 2.3., p. 36].
- **Children born out of wedlock:** a child born out of wedlock would face discrimination and stigma and some would end up on the streets as orphans after getting abandoned by their mothers. Furthermore, children born out of wedlock and their mothers may be abandoned by the rest of the extended family. [[Targeting](#), 2.5., pp. 44-45]
- **Children in IDP camps:** the precarious situation of children, and in particular children in female-headed households, in IDP sites continued to be reported as of November 2022 [[Security 2023](#), 1.4.2., p. 48].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Some acts reported to be committed against children are of such severe nature that they amount to persecution (e.g. sexual violence, trafficking, certain forms of child labour, child recruitment, FGM/C). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for a child to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: area of origin, family status, level of assistance by a support/clan network, etc.

In the case of children without support/clan network, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

With regard to the nexus to a reason for persecution, the assessment should take into account the individual circumstances of the child. For example, children born out of wedlock may be subjected to persecution for reasons of membership of a particular social group, based on their common background which cannot be changed (born out of wedlock) and distinct identity in Somalia (in relation to stigmatisation by society).

## 3.14.2. Child recruitment by Al-Shabaab

Last update: August 2023

This profile refers to children fearing recruitment by Al-Shabaab. For an overview of other actors recruiting children, see [3.14.1. Violence against children: overview](#).





For information on the treatment of families refusing to provide younger family members, including children, as recruits to Al-Shabaab, see sub-profile [3.3. Persons fearing forced recruitment by Al-Shabaab](#).

### COI summary

Children form most of the new recruits of Al-Shabaab, as the group targets predominantly boys and young men between 12 and 24 years old [[Targeting](#), 1.1, p. 17]. Between January and June 2020, Al-Shabaab was responsible for 75% of child recruitment cases in Somalia, with the largest numbers of such incidents documented in Middle Juba, Lower Shabelle and Bay [[Targeting](#), 1.1, pp. 24-25].

For the period from January to March 2022, Al-Shabaab remained the main perpetrator of child recruitment incidents (177 cases, i.e. 78.9 % of the cases) and child abduction incidents (192 cases out of 194, i.e. 99 % of the cases) which are closely associated with recruitment. Children associated with the group can either be actively engaged in combat roles, or used as helpers, spies, cooks, washers, logistics assistants among other roles. Clan and elders are often charged with recruitment on behalf of Al-Shabaab. [[AS Deserters](#), 2.3., pp. 52-53]

According to reports, the group started recruiting local children following the decrease of the numbers of non-Somali recruits and their loss of territory. Reports further suggest that Al-Shabaab's child recruitment campaigns were targeting communities perceived to be aligned with the government. Children were abducted and forced to join the group's ranks. Families who were unable to pay (religious) 'taxes' to Al-Shabaab were often coerced into giving up their children to the group. Al-Shabaab's recruitment efforts have also targeted orphaned children and children in IDP camps. [[Targeting](#), 1.1, pp. 24-25]

Children are further indoctrinated in schools set up by the organisation. The use of Islamic institutes and education of children in Al-Shabaab schools with the aim of creating young recruits with a 'Jihadi worldview' has been reported [[Targeting](#), 1.1, p. 23]. Women who [leave Al-Shabaab](#), often do so with their children to protect them. These children are often claimed back by the group who wants to recruit them. Family members can then face retaliation or threats by Al-Shabaab and be asked to join their ranks in place of those who left. [[AS Deserters](#), 2.2.4., p. 52]

### Conclusions and guidance

#### Do the acts qualify as persecution under Article 9 QD?

Child recruitment is of such severe nature that it amounts to persecution, including when recruitment is not induced by coercion.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender, age, area of origin and the control or influence of Al-Shabaab, clan affiliation and clan positioning towards Al-Shabaab, socio-economic situation of the family, family status (e.g. orphans), etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

The individual circumstances of the child need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children who refuse to join Al-Shabaab, persecution may be for reasons of (imputed) political opinion and/or religion.

## 3.15. Persons with disabilities or severe medical issues

Last update: June 2022

This profile refers to people with disabilities, including mental disabilities, as well as those who have severe medical issues, including mental health issues.

### COI summary

Health services in Somalia, including in Puntland and Somaliland, have been described as insufficient, with most health facilities located in larger cities, including Mogadishu, Hargeisa and Garowe. [KSEI 2021, 1.3.4., p.37]

Medical services available in Mogadishu are of poor quality both in the public and in the private sectors. Although basic drugs are available, their proper storage is difficult and people lose their lives from normally easily treatable diseases [KSEI 2021, 1.3.4., p.38]. As for the treatment prospects for persons with mental disorders, it has been noted that there is a particularly acute shortage of mental health specialists throughout Somalia, including in Somaliland [KSEI 2021, 1.3.4., p. 40, 3.3.4., p. 85]

While healthcare in Somalia is generally not free of charge, services in public hospitals are mostly cheaper than in the private healthcare sector [KSEI 2021, 1.3.4., p. 38].

It has been reported that persons with disabilities are often excluded from humanitarian assistance either due to exploitation, pre-existing discrimination and stigma or due to a lack of adequate consideration [KSEI 2021, 1.4.2., p. 50]. For people living with disabilities almost no





provisions exist regarding housing. Therefore, they are generally entirely reliant on family members for support [KSEI 2021, 1.3.2.2., p. 33].

Furthermore, girls and women with disabilities face a heightened risk of SGBV [Targeting, 2.2., p. 31].

The Covid-19 pandemic, with its impact on an already fragile healthcare system and socio-economic welfare mechanisms has further exacerbated the pre-existing dire situation of vulnerable groups, including of persons living with disabilities. [KSEI 2021, 1.4.2.2., p. 51]

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

The lack of personnel and adequate infrastructure to appropriately address the needs of individuals with (severe) medical issues fails to meet the requirement of Article 6 QD regarding the existence of an actor that inflicts persecution or serious harm, unless the individual is intentionally deprived of healthcare.<sup>6</sup>

In the case of persons living with disabilities, the individual assessment whether the discrimination and mistreatment by society and/or by the family could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: nature and visibility of the mental or physical disability, negative perception by the family/community, existence of support network, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for reasons of membership of a particular social group (e.g. persons with noticeable physical disability, due to this innate characteristic and distinct identity linked to their stigmatisation by the surrounding society).

<sup>6</sup> CJEU, M'Bodj, paras. 35-36. See also CJEU, MP v Secretary of State for the Home Department, C-353/16, judgment of 24 April 2018 (MP), paras. 57, 59.





## 4. Subsidiary protection

### [Article 15 QD](#)

This chapter addresses the EU-regulated status of subsidiary protection. Where the applicant has not been found to qualify as a refugee, they may be eligible for subsidiary protection in accordance with Article 15 QD.



The contents of this chapter include:

Under the section [4.1. Article 15\(a\) QD: death penalty or execution](#), the analysis focuses on the applicable EU legal framework and the factual circumstances surrounding the ‘death penalty or execution’ in Somalia.

The section on [4.2. Article 15\(b\) QD: torture or inhuman or degrading treatment or punishment](#) looks into the risk of ‘torture or inhuman or degrading treatment or punishment’ in relation to particular circumstances in Somalia.

Under the section [4.3. Article 15\(c\) QD: indiscriminate violence in situations of armed conflict](#), the analysis covers the different elements of the provision, looking into: ‘armed conflict’, ‘qualification of a person as a ‘civilian’, ‘indiscriminate violence’, ‘serious and individual threat’ (where further individualisation elements are discussed), ‘qualification of the harm as ‘threat to life or person’, and the interpretation of the nexus ‘by reasons of’. The sub-section on ‘indiscriminate violence’ includes an assessment of the situation in each region in Somalia.

### 4.1. Article 15(a) QD: death penalty or execution

Last update: June 2022

#### [Article 15\(a\) QD](#)

As noted in the chapter [Refugee status](#), some profiles of applicants from Somalia may be at risk of death penalty or execution (e.g. [3.8. Individuals \(perceived as\) contravening social or religious laws/tenets](#), [3.12. LGBTIQ persons](#), [3.4. Deserters and defectors](#) from Al-Shabaab, and those individuals would qualify for refugee status.



In cases where there is no nexus to a Convention ground, (e.g. some cases of [3.10. Individuals accused of crimes in Somalia](#)) the need for subsidiary protection under Article 15(a) QD should be examined.

The FGS has not abolished the death penalty, nor has it declared a moratorium on executions. The FGS and other actors within the jurisdiction of Somalia, continue to impose and carry out death sentences for crimes other than the intentional killing of a person, including crimes committed while under the age of 18. Death penalty can be imposed for crimes such as treason and espionage, and crimes that endanger public safety. Within this context, military courts often pronounce death sentences to civilians and carry out executions at a higher rate than civilian courts.

Death penalty may also be imposed by Islamic courts for the commission of *hadd* crimes as mandated by *Sharia* in relation to crimes that are ‘against the rights of God’: for example, illicit sexual relations (*zina*), including homosexual relationships. However, traditionally the application of *hadd* by Islamic courts has been severely limited by the strict requirements for evidence. For more information, see profile [3.8. Individuals \(perceived as\) contravening social or religious laws/tenets](#).

Al-Shabaab courts also implement *Sharia* law in a strict and violent way and may impose severe punishments for the abovementioned *hadd* crimes, including for adopting un-Islamic behaviour and for ‘spying’ for the government or other foreign powers. These punishments refer to instances of executions, including public executions by stoning, lashing and shooting. For more information, see sub-profile [3.8.1. Individuals \(perceived as\) contravening Islamic laws in Al-Shabaab controlled areas](#).

If there is a reasonable degree of likelihood of death penalty or execution, subsidiary protection under Article 15(a) QD shall be granted, unless the applicant is to be excluded in accordance with Article 17 QD.



In some cases the death penalty would have been imposed for a serious crime committed by the applicant, or for other acts falling within the exclusion grounds (Article 17 QD). Therefore, although the criteria of Article 15(a) QD would be met, exclusion considerations should be examined (see the chapter [7. Exclusion](#)).



## 4.2. Article 15(b) QD: torture or inhuman or degrading treatment or punishment

Last update: August 2023

[Article 15\(b\) QD](#)

As noted in the chapter [Refugee status](#), some profiles of applicants from Somalia may be at risk of torture or inhuman or degrading treatment or punishment. In such cases, there would often be a nexus to a reason for persecution falling under the definition of a refugee, and those individuals would qualify for refugee status. However, with reference to cases where there is no nexus to a Convention ground, the need for subsidiary protection under Article 15(b) QD should be examined.



The contents of this section include:

- 4.2.1. Arbitrary arrests, illegal detention and prison conditions
- 4.2.2. Criminality
- 4.2.3. Corporal punishments
- 4.2.4. Forced evictions
- 4.2.5. Healthcare unavailability and socio-economic conditions

### 4.2.1. Arbitrary arrests, illegal detention and prison conditions

Special attention should be paid to the phenomena of arbitrary arrests and illegal detention, as well as to prison conditions. It can be assessed that in cases where the prosecution or punishment is grossly unfair or disproportionate, or where a person is subjected to prison conditions which are not compatible with respect for human dignity, a situation of serious harm under Article 15(b) QD can occur. When assessing the conditions of detention, the following elements can, for example, be taken into consideration cumulatively: number of detained persons in a limited space, adequacy of sanitation facilities, heating, lighting, sleeping arrangements, food, recreation or contact with the outside world.

Urban prisons in Somalia, especially following large security incidents, are at times overcrowded, with authorities often not separating pre-trial detainees from convicted prisoners, especially in the southern and central regions. In these areas, including areas under the control of Al-Shabaab, prison conditions are believed to be harsh and at times life-threatening due to poor sanitation and hygiene, inadequate food and water, and lack of



medical care. Disease outbreaks and long pre-trial detention period have been reported. Reportedly, Garowe Prison in Puntland and Hargeisa Prison in Somaliland met international standards and were well-managed. [[Actors](#), 2.4.5., pp. 42-43; 4.4., p.66]



Where there is no nexus to a reason for persecution, the risk of being subjected to arrest, detention or imprisonment may, in some cases, qualify under Article 15(b) QD.

Exclusion considerations may be relevant.

### 4.2.2.Criminality

Criminality is pervasive in Somalia [[Security 2023](#), 1.2., p. 23]. Reported crimes include killings, sexual violence, abductions, banditry, thefts, robberies, money extortion, piracy, (child) trafficking, human and/or arms smuggling [[Security 2021](#), 2.6.2.2., p. 128; 2.7.1.3., p. 145; [Actors](#), 7.6.2., pp. 105-106, 7.7.2., pp. 112-113].

Against this backdrop, during the reference period, a rising issue in the Somali context was the drifting of many Somali youth towards organised criminal gangs, especially in the Somali cities, notably in Mogadishu [[Security 2023](#), 1.2. p. 23].



Where there is no nexus to a reason for persecution, the risk of being subjected to criminal acts may qualify under Article 15(b) QD.

### 4.2.3.Corporal punishments

Corporal punishments for the so called *hadd* crimes in case of theft, banditry, unlawful sexual intercourse, alcohol consumption and drug abuse (punished with lashing), as well as drug dealing (punished with lashing) and espionage (punished with shooting) may be imposed by Sharia or Al-Shabaab courts [[Actors](#), 2.3.3, 4.4].



Where there is no nexus to a reason for persecution, the risk of being subjected to corporal punishments may qualify under Article 15(b) QD.

Exclusion considerations may be relevant.



#### 4.2.4. Forced evictions

Evictions from government buildings and by private landlords in Somalia represent a constant risk for vulnerable communities, among which IDPs living in collective settlements and other urban poor individuals in densely populated areas [[Security 2021](#), 1.4.3., p. 41]. Forced evictions by private actors were mostly executed in order to have clear land that they can develop. At times, also political and military elites conducted land grabs and issued forced evictions [[KSEI 2021](#), 1.3.2.4., pp. 34-35]. Evictions had far-reaching impacts on already marginalised populations, including increased vulnerability to violence, loss of assets and social networks, sexual assault, destruction of livelihoods, and separation of families. Evictions also cause and exacerbate displacement within the country. Moreover, poverty and forced evictions were reported to be mutually dependent and reinforcing. [[Security 2023](#), 1.4.3., p. 50]

For the period from 1 December 2022 to 30 March 2023, 62 040 individuals were reported to have been forcibly evicted in Somalia, 70 % of them from Benadir region [[COI Update 2023](#), 1.3.6., p. 20].

Somaliland forces arrested and evicted 7 000 people from Laas Caanood on alleged security grounds in October 2021. Evictions continued during 2022 and have been reported in Lower Juba, Bay, Benadir/Mogadishu, Mudug, Nugal, Sool, Sanaag, Awdal, Wogoyi Galbeed and Todgheer [[Security 2023](#), 1.4.2., p. 48; 2.1.3., p. 80; 2.2.2., p. 99; 2.3.3., pp. 118-119; 2.5.2., p. 152; 2.6.1., pp. 158-159; 2.7.1., pp. 171-172; 2.7.2., p. 177; 2.8.1., p. 181; 2.8.2., p. 185; 2.8.3., p.190].



Where there is no nexus to a reason for persecution, (the risk of) being subjected to forced eviction may qualify under Article 15(b) QD, depending on the severity of its consequences in the individual case.

#### 4.2.5. Healthcare unavailability and socio-economic conditions

The humanitarian situation in Somalia remained precarious during the reference period, making the country one of the least developed countries [[Security 2023](#), 1.4.3., p. 49]. People in Somalia face continuous socio-economic challenges due to high poverty and highly precarious conditions regarding employment, housing, food and water supplies. Besides violent conflicts, climatic shocks, among which droughts and floods, lead to displacements and contribute to vulnerabilities [[KSEI 2021](#), 1.1.2., p.15].

Additionally, it has been reported that Al-Shabaab continued to hinder commercial activities in the areas it controlled and disrupted the delivery of humanitarian aid, thus affecting health, nutrition, water, sanitation, and hygiene programming [[Security 2021](#), 2.1.1.3., p. 52]. For example, in Galgaduud, Al-Shabaab reportedly deprived residents of access to healthcare by taking over one hospital and closing down another one [[Security 2023](#), 2.5.1. p. 145].

It has also been reported that Laas Caanood's main hospital has come under attack twice in February 2023 [[COI Update 2023](#), 1.3.6., p. 20].





It is important to note that serious harm must take the form of conduct of an actor ([Article 6 QD](#)). In itself, the general unavailability of healthcare, education or other socio-economic elements (e.g. situation of IDPs, difficulties in finding livelihood opportunities, housing) is not considered to fall within the scope of inhuman or degrading treatment under Article 15(b) QD, unless there is intentional conduct of an actor.

When such conditions are the result of an intentional conduct of an actor, they may qualify under Article 15(b) QD.

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For general guidance on the approach on Article 15(b) QD in country guidance documents, see '[Country Guidance: explained](#)'.

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## 4.3. Article 15(c) QD: indiscriminate violence in situations of armed conflict

Last update: August 2023

[Article 15\(c\) QD](#)

This section focuses on the application of the provision of Article 15(c) QD. Under Article 2(f) QD in conjunction with Article 15(c) QD, subsidiary protection is granted where substantial grounds have been shown for believing that the person would face a real risk of suffering serious harm defined as **serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict**.

Each element of the provision is addressed in a separate subsection.



The contents of this section include:

- 4.3.1. Preliminary remarks
- 4.3.2. Armed conflict (international or internal)
- 4.3.3. Qualification of a person as a 'civilian'
- 4.3.4. Indiscriminate violence
- 4.3.5. Serious and individual threat
- 4.3.6. Qualification of the harm as a 'threat to (a civilian's) life or person'
- 4.3.7. Nexus/'by reason of'

### 4.3.1. Preliminary remarks

Last update: August 2023

In armed conflicts, the targeting of civilians may have nexus to one of the reasons for persecution according to the refugee definition. Therefore, refugee status may be granted as noted in the section above.



**a) Reference period**

The following assessment is based on the EUAA COI report on the security situation in Somalia (February 2023) [[Security 2023](#)]. The general reference period for this chapter is 1 July 2021 – 30 November 2022, exception made for some crucial developments that took place in December 2022. Some indicators are updated with information concerning the period 1 December 2022 – 31 April 2023 based on the EUAA COI Update 2023.



This guidance should be considered valid as long as current events and developments fall within the trends and patterns of violence observed within the reference period of the mentioned COI report. New events and developments that cause substantial changes, new trends or geographical shifts in the violence, may lead to a different assessment. The security situation of a given territory should always be assessed in light of the most up-to-date available COI.

**b) Legal framework**

[Article 15\(c\) QD](#) defines the third type of harm that constitutes a ground for qualification for subsidiary protection. It covers a more general risk of harm and the protection needs which may arise from armed conflict situations.

**Figure 4. Article 15(c) QD: elements of the assessment.**



All of these elements have to be fulfilled in order to grant subsidiary protection under Article 15(c) QD.

Common analysis and assessment of the factual preconditions for the possible application of Article 15(c) QD with regard to the situation in Somalia are provided in the sub-sections below.



### 4.3.2. Armed conflict (international or internal)

Last update: August 2023

Several overlapping armed conflicts within the meaning of Article 15(c) QD take place in Somalia. The main conflicts are outlined below.

- **Al-Shabaab – anti Al-Shabaab armed conflict:** the FGS, the FMS, some clan militias, as well as international actors, such as Ethiopia, Kenya, the US and ATMIS/AMISOM, are all engaged, in various degrees and forms, in the long-standing conflict against Al-Shabaab.
- **The inter and intra-clan rivalries:** clan rivalries and competitions over political power, territorial control and scarce resources have resulted in clashes. Within this context, clans often compete against each other, as well as against other actors such as the FGS or the FMS. The existence of clan militias has been reported throughout Somalia, including Puntland and Somaliland. In some cases, clan rivalries have escalated to armed confrontations, therefore taking the form of an armed conflict in the meaning of [Article 15\(c\) QD](#).
- **Anti-ISS armed conflict:** various armed forces, including AFRICOM, the Federal Security Forces and the Puntland armed forces are engaged in various degrees in an armed conflict against ISS. While ISS is mainly active in Puntland, it carries out attacks also in Mogadishu and elsewhere.
- **Puntland versus Somaliland:** Puntland and Somaliland contend over control of areas of the Sool and Sanaag regions - that border the two state administrations - as well as the area of Ayn, part of Togdheer region. Tensions between the two administrations built up along the border areas on various occasions.

Other types of confrontations which do not necessarily develop into armed confrontations are also taking place in Somalia. These include: the FGS versus the FMS, the intra-FMS control and governance dynamics, the FGS versus Somaliland. In some occasions, armed confrontations have been reported.

[[Security 2023](#), 1.2., pp. 20-24]

The section [4.3.4. Indiscriminate violence](#) provides further guidance with regard to the armed conflicts taking place on the territory of Somalia.



### 4.3.3. Qualification of a person as a ‘civilian’

Last update: August 2023

Being a civilian is a prerequisite in order to be able to benefit from protection under Article 15(c) QD. The purpose of the provision is to protect only those who are not taking part in the conflict. This includes the potential application of Article 15(c) QD to former combatants who have genuinely and permanently renounced armed activity.

In the context of Somalia, applications by persons falling under the following profiles should be examined carefully. Based on an individual assessment, such applicants may be found not to qualify as civilians under Article 15(c) QD. For example:

- Members of the FGS security forces, including the SNA, special forces, NISA and SPF
- Members of the FMS armed forces
- Members of the Somaliland armed forces
- Al-Shabaab members
- Members of clan militias
- ISS members

[[Security 2021](#), 1.2., pp. 24-26]

See also the chapter [2. Actors of persecution or serious harm](#).

It should be noted that actively taking part in hostilities is not limited to openly carrying arms but could also include substantial logistical and/or administrative support to combatants.



Exclusion considerations may also apply (see chapter [7. Exclusion](#)).

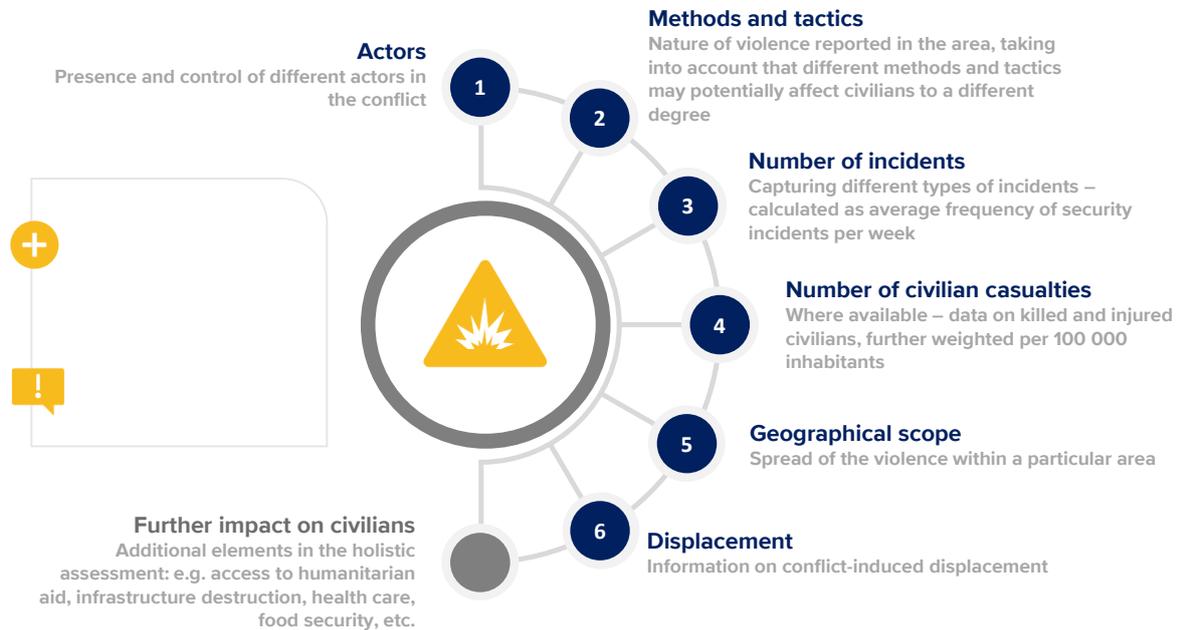
### 4.3.4. Indiscriminate violence

Last update: August 2023

The common analysis regarding the degree of indiscriminate violence combines quantitative and qualitative elements in a **holistic and inclusive assessment**. The security situation in the respective territories is assessed by taking into account the following elements:



**Figure 5. Indicators in the assessment of the level of indiscriminate violence.**



For general guidance on the approach on Article 15(c) QD in country guidance documents, see '[Country Guidance: explained](#)'.

The next sections provide detailed information and assessment of the level of indiscriminate violence and the risk it represents for civilians in Somalia per region. Summaries are structured according to the following elements:

- **General information**

General information on the region/governorate includes the localisation of the region/governorate, the administrative built-up of the region/governorate, the estimation of the population, and, where relevant, the demographic composition of the region/governorate. Possible element of strategic interest are also mentioned (for example, presence of important ports, factories, etc.).

- **Background and actors involved in armed confrontations**

This indicator looks into the presence of actors in the conflict in a region, including the presence of state and non-state armed groups. Furthermore, information regarding the territorial control of the region, to the degree possible, is included in the respective part of the COI summaries. See also [2.1. Areas of control and influence](#).

- **Nature of violence and examples of incidents**





The methods and tactics used in the armed conflicts ongoing in Somalia differ according to the actors involved. All actors are reported to engage in activities which may (indiscriminately) affect civilians. However, some acts are by their nature more indiscriminate than others and create a more substantial risk for civilians.

The actions by the Somali security forces tend to be of a more targeted nature; however, they may also (indiscriminately) affect civilians, such as in the case of battles.

Al-Shabaab is particularly known to use methods which are of indiscriminate nature, such as improvised explosive devices (IED, S/VBIED), which continues to be its most used type of attack/weapon. Person-borne improvised explosive devices or suicide vests remain a concern. Target locations include public places, such as public roads, hotels and restaurants. It has also engaged in armed clashes or hit-and-run attacks with federal and state forces as well as with international actors and armed clan militias. Large-scale complex attacks, mortar attacks and targeted assassinations have also been reported. [[Security 2023](#), 1.4.1., pp. 40-42; [Actors](#), 4.2.3., pp. 60-61]

ISS has also adopted methods which are of indiscriminate nature, like IED attacks [[Actors](#), 6.3., pp. 76-77].

Clan militias have been mostly involved in clashes. Security incidents related to clan conflicts do not always receive local media attention and hence might go under-reported in Somalia. [[Actors](#), 3.4.2. pp. 53-55; [Security 2021](#), 2.1.1.3., p. 51]

AFRICOM has also conducted airstrikes in Somalia causing both militant and civilian fatalities [[Security 2023](#), 1.3.3., p. 32; [Security 2021](#), 1.4.1. p. 36].

For more information on the nature of methods and tactics used by the actors involved in armed conflicts, see also [2. Actors of persecution or serious harm](#).

- **Incidents: data**

The frequency of incidents is a useful indicator to assist in the assessment of the risk of indiscriminate violence. Based on available COI, derived from the Armed Conflict Location and Event Data Project (ACLED) database, this indicator looks in particular at incidents coded as 'battles', 'violence against civilians', and 'explosions/remote violence', which are found to be of relevance in terms of their potential to indiscriminately affect civilians.

Data concerning this indicator is based on ACLED reporting on the period from 1 July 2021 to 30 November 2022 along with some additional information included in the EUAA 'COI Update 2023' for the period from 1 December 2022 to 14 April 2023.

- **Geographical scope**

This element looks into how widespread the violence within each region is, highlighting the areas which are particularly affected by indiscriminate violence and/or the areas which are relatively less affected, where relevant information is available.





- **Fatalities among civilians and non-civilians**

The number of civilian casualties is considered a key indicator when assessing the level of indiscriminate violence and the associated risk for civilians in the context of Article 15(c) QD.

As no comprehensive data with regard to civilian deaths and injuries at the level of the regions in Somalia has been identified, this analysis refers to ACLED records regarding the overall number of fatalities. The data used for this indicator reflects the number of fatalities in relation to reported ‘battles’, ‘violence against civilians’ and ‘explosions/remote violence’ with reference to the ACLED Codebook. Importantly, it does not differentiate between civilians and combatants and does not additionally capture the number of those injured in relation to such incidents. While this does not directly meet the information needs under the indicator ‘civilian casualties’, it can nevertheless be seen as a relevant indication of the level of confrontations and degree of violence taking place.

It should further be mentioned that ACLED data are regarded as merely estimates, especially with regard to the number of fatalities. See clarifications in [Security 2023](#), Methodology.

- **Displacement**

This element refers to conflict-induced (internal) displacement from the region in question.

For the number of newly internally displaced persons (IDPs), the COI summaries reflect data from UNHCR - Protection and Return Monitoring Network (PRMN), covering the period between July 2021 – November 2022 along with some additional information included in the EUAA ‘COI Update’ for the period from 1 December 2022 to 14 April 2023.

It should further be highlighted that, in the Somali context, someone is considered an IDP when he or she settles on land particularly designated for displaced people. Therefore, people who join relatives or live in rented accommodations are not represented in the IDP numbers. [[KSEI 2021](#), 1.2.3., p. 25]

- **Further impact on civilians**

In addition to the indicators above, where available, some examples of further impact of the armed conflicts on the life of civilians (e.g. existence of checkpoints, infrastructure damage, forced evictions, humanitarian access incidents) are mentioned and taken into account in the assessment.

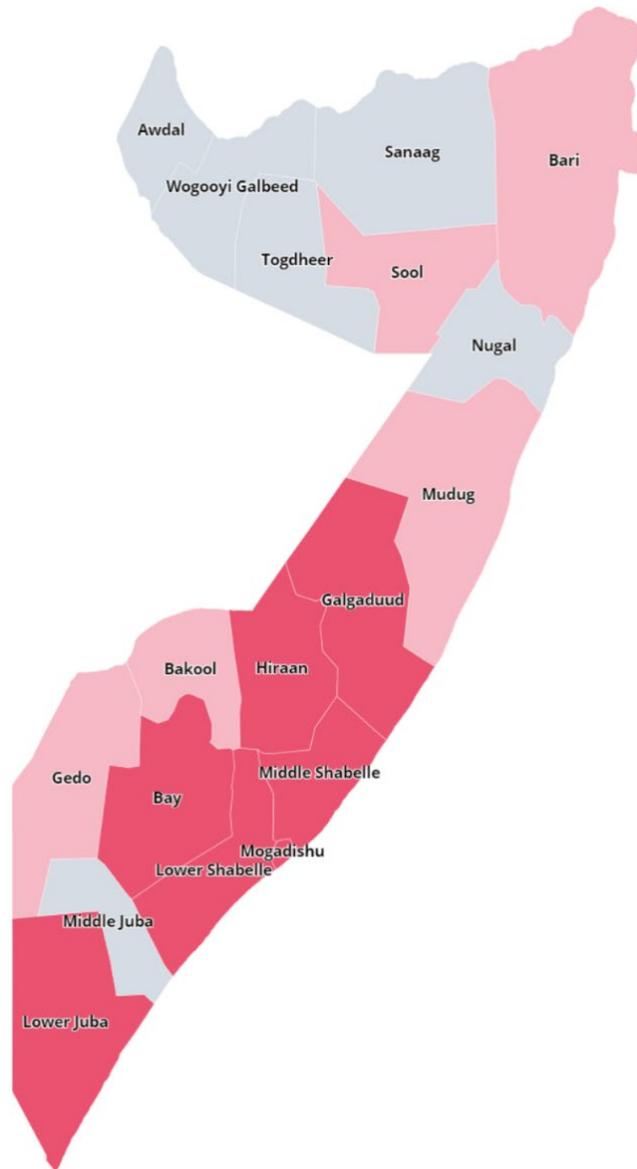


It should, furthermore, be noted that the COI used as a basis for this assessment cannot be considered a complete representation of the extent of indiscriminate violence and its impact on the life of civilians. Concerns with regard to underreporting should be underlined.

The map below summarises and illustrates the assessment of indiscriminate violence per region:



**Figure 6: Somalia - Assessment of the level of indiscriminate violence per region based on the reference period 1 July 2021 – 14 April 2023.**



Areas where the degree of indiscriminate violence reaches such an exceptionally high level that substantial grounds are shown for believing that a civilian, returned to the relevant area, would, **solely on account of their presence there**, face a real risk of being subject to the serious threat referred to in Article 15(c) QD.

Accordingly, additional individual elements are not required in order to substantiate subsidiary protection needs under Article 15(c) QD.

Areas where 'mere presence' would not be sufficient to establish a real risk of serious harm under Article 15(c) QD, but where, indiscriminate violence reaches **a high level**.



Accordingly, **a lower level of individual elements** is required to show substantial grounds for believing that a civilian, returned to the area, would face a real risk of serious harm in the meaning of Article 15(c) QD.

Areas where indiscriminate violence is taking place, however **not at a high level**.

Accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the area, would face a real risk of serious harm in the meaning of Article 15(c) QD.

Areas where, in general, there is **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

This may be because the criteria for an armed conflict within the meaning of this provision are not met, because no indiscriminate violence is taking place, or because the level of indiscriminate violence is so low, that in general there would be no real risk for a civilian to be affected by it.





## Jubbaland

Jubbaland comprises Gedo, Middle Juba, Lower Juba and regions.

### Gedo

Last update: August 2023

The situation in Gedo should be seen in light of the situation in the neighbouring regions of Bakool, Bay, Middle Juba and Lower Juba.

Main COI references: [[Security 2023](#), 2.1.1., pp. 59-67; [COI Update 2023](#), 1.3.1., p. 13; 1.3.4., pp. 16-19; [Security 2021](#), 2.1.1., pp. 45-48; [Actors](#), 7.1., pp. 77-79]

#### General information

Gedo is located in the south-west corner of the country and shares international borders with Kenya and Ethiopia. It is the second-largest region by territorial size in Somalia and it consists of six districts. The region's capital is Garbahaarey.

The clan composition of Gedo is diverse. The largest and most politically and militarily powerful clan is the Marehan (Darood), which constitutes about half or more of the total population. The Rahanweyn (or Digil-Mirifle) clan also predominates in some areas. The Rahanweyn clan predominates in rural areas, on the east bank, while Hawiye clans are also present.

In 2021, UNOCHA estimated the population of Gedo region at 736 706 inhabitants.

#### Background and actors involved in armed confrontations

The under-development of the Gedo region contributes to endemic communal conflicts over resources and to clan clashes over control of valued trade towns. The Marehan clan exercises 'hegemonic control' over Gedo region, fuelling endemic clashes with the Garre and Rahanweyn clans. Also, Marehan sub-clans (indigenous versus relocated Marehan) frequently clash over power, eldership, and resources. The Marehan are also divided by allegiance to or opposition to Al-Shabaab, which has a strong presence in Gedo and which recruits heavily from the clan.

Due to its strategic location bordering Kenya and Ethiopia, Gedo is of specific interest for Al-Shabaab. As of November 2022, Al-Shabaab reportedly controlled parts of Gedo region in and around Cows Qurun (or Ows Qurun) in the north-western part bordering Kenya and in and around the city Ceel Adde (or El Adde) in the central part, as well as most of the areas bordering Middle Juba. In the northern part of the region, control over the area around Luuq up to the bordering areas to Kenya, Ethiopia, Bay and Bakool was reportedly mixed or unclear. Al-Shabaab reportedly controlled parts of Badhere. In October 2022, governmental sources reported that Al-Shabaab faced 'the biggest offensive in recent years', losing ground in Gedo by Somali and ATMIS/AMISOM forces. The Somali security forces reportedly captured Al-Shabaab bases in Doolow and Luuq towns in July 2022, while government forces operations





in the same month aimed at reopening regional roads controlled by Al-Shabaab. In August 2022, Ethiopian troops were deployed near the border to support Somali forces' fight against Al-Shabaab. As of February 2022, Al-Shabaab reportedly had influence over 83 % of communities, maintaining an active network of informants and operatives and having taken over both the judiciary and the economy. Al-Shabaab was responsible for about 64 % of the reported security incidents between July 2021 and November 2022.

In the reference period (July 2021 – November 2022), the conflict dynamics in the region included a number of operations carried out by ATMIS/AMISOM forces against Al-Shabaab.

### **Nature of violence and examples of incidents**

Reported illustrative security incidents include, for example, an Al-Shabaab attack on a guesthouse in Bardhere, leaving at least nine people killed. Kenyan and Ethiopian airstrikes in June, August and October 2022 in areas of Gedo, including in some of Al-Shabaab's strongholds, resulting in civilian casualties, destruction of homes and killing of livestock.

In September 2022, sources reported that Al-Shabaab attacked construction workers, resulting in the death of at least 12 civilians.

In July 2021 two clan militias clashed over a land dispute resulting in the death of 6 people and the injury of 10 others.

### **Incidents: data**

ACLED recorded 134 security incidents (an average of 1.8 security incidents per week) in Gedo region between 1 July 2021 and 30 November 2022. Out of those incidents, 57 were coded as 'battles', 55 as 'explosions/remote violence' and 22 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 22 security incidents were recorded in Gedo representing an average of 1.2 security incidents per week.

### **Geographical scope**

Security incidents occurred in all 6 districts of Gedo with the largest overall number of security incidents recorded in Bardheere (33 incidents), followed by Ceel Waaq district (30 incidents).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 122 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 34 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 21 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

As of 14 November 2021, UNOCHA reported that Gedo was one of Somalia's regions with the highest conflict-induced displacement numbers.





Between July 2021 and November 2022, 24 727 individuals were newly displaced from Gedo, according to PRMN. Almost all of them (99 %) were displaced within the region, while the remaining 182 individuals were displaced to the neighbouring region of Lower Juba. In the same period, conflict and insecurity resulted in additional 10 016 individuals arriving in Gedo from Bakool, Bay and Middle Juba.

Between December 2022 and March 2023, 250 individuals were newly displaced from Gedo, according to PRMN.

### Further impact on civilians

Commercial activities continued to be hindered by Al-Shabaab and other actors. The delivery of humanitarian aid was similarly disrupted. Between 16 December 2020 and 6 September 2021, Al-Shabaab repeatedly ambushed vehicles carrying goods from the Ethiopian border. Two humanitarian access incidents were documented by UNOCHA during the reference period.

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Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the region of **Gedo**, however **not at a high level**. Accordingly, a **higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## Middle Juba

Last update: August 2023

The situation in Middle Juba should be seen in light of the situation in, among others, Gedo and Lower Juba regions.

Main COI references: [[Security 2023](#), 2.1.2, pp. 67-72; [COI Update 2023](#), 1.2.2., p. 11; 1.3.4., pp. 16-19; [Security 2021](#), 2.1.2, p. 53; [Actors](#), 7.1., pp. 77-79]

### General information

Middle Juba region is located in the southern part of Somalia. It has three districts. It is one of the poorest areas of Somalia. The region's capital is Bu'aale.

The region has a very diverse population in terms of clan representation. The most populous ethnic group in the region is the Somali Bantu. The two politically and militarily strongest clans in Middle Juba are the Aulihan (Darood) and the Mohamed Zubier/Ogaden (Darood) clans, both residing on the west bank. The east bank of the region is the most ethnically diverse and complex. Other clans and sub-clans in the region include the Digil-Mirifle or Rahanweyn, and several Hawiye sub clans.

In 2021, UNOCHA estimated the population of Middle Juba region at 363 930 inhabitants.





## Background and actors involved in armed confrontations

Middle Juba is the sole Somali region that entirely and exclusively falls under Al-Shabaab's control. As of November 2022, Al-Shabaab reportedly controlled almost all Middle Juba, with only small areas at the border being under mixed or unclear control. The group reportedly concentrates its governance apparatus and hierarchy in Middle Juba region, maintaining the group's 'official' headquarters in the regional town of Jilib where clashes between Al-Shabaab's factions occurred in early April 2023 around the group's leadership.

Al-Shabaab also plays the role of 'stability provider' in the area, as inter-clan conflict has reportedly been suppressed by the group. Al-Shabaab was reported to be involved in all the security incidents affecting the region during the reference period from July 2021 to November 2022.

## Nature of violence and examples of incidents

Illustrative security incidents reported during the reference period include, for example, the killing of a senior Al-Shabaab official in October 2022 by a US drone attack.

In August 2022 Al-Shabaab militants publicly shot six individuals over accusations of cooperation with the intelligence agencies of Somalia, Kenya and the US.

## Incidents: data

ACLED recorded 9 security incidents (an average of 0.1 security incidents per week) in Middle Juba between 1 July 2021 and 30 November 2022. Out of those incidents, 2 were coded as 'explosions/remote violence', and 7 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 3 security incidents were recorded in Middle Juba representing an average of 0.2 security incidents per week.

## Geographical scope

During the reference period, security incidents occurred in two districts, with the most of them being recorded in Jilib (7 incidents), followed by Saakow district.

## Fatalities among civilians and non-civilians

In the reference period, ACLED recorded a total of 19 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 6 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 7 fatalities per 100 000 inhabitants for the whole reference period.

## Displacement

Between July 2021 and November 2022, 1 775 individuals were newly displaced from Middle Juba, according to PRMN. Most of them (91 %) were displaced to the neighbouring region of Lower Juba. In the same period, conflict and insecurity resulted in 642 individuals arriving in Middle Juba from Bay.





Between December 2022 and March 2023, 482 individuals were newly displaced from Middle Juba, according to PRMN.

### Further impact on civilians

Middle Juba region is reportedly very underdeveloped and lacks infrastructure, with the exception of the ribbon of deteriorated highway passing through Jilib from Mogadishu to Kismayo.

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Looking at the indicators, at the time of writing, it can be concluded that in the region of **Middle Juba**, there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

While Middle Juba is significantly affected by human rights violations by Al-Shabaab, who is in control of the area, these violations should be examined in the context of refugee status or Article 15(b) QD.

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## Lower Juba

Last update: August 2023

The situation in Lower Juba should be seen in light of the situation in the neighbouring regions of Gedo and Middle Juba.

Main COI references: [[Security 2023](#), 2.1.3., pp. 73-80; [COI Update 2023](#), 1.1.1., p. 6; 1.3.4., pp. 16-19; [Security 2021](#), 2.1.3., p. 60; [Actors](#), 7.1., pp. 77-79]

### General information

Lower Juba region is the southern most region of Somalia and has four districts. The region's capital is Kismayo, which is the de facto seat of Jubbaland.

Lower Juba is characterised by demographic diversity. Inhabitants of the region belong to Somali Bantu (also known as Jareer), the Biyomaal (Dir) clan, the Tunni (Digil-Mirifle), the Mohamed Zubier/Ogaden (Darood) clan, other Darood clans, the Gaaljaal, the Harti (Darood), the Somali Bajuni and small pockets of other clans. Kismayo town has a complex population makeup, which is undergoing through changes. Since 2012, the Ogaden clan, and especially the large Mohamed Zubier sub-clan, have dominated the capital city politically, economically, and militarily.

In 2021, UNOCHA estimated the population of Lower Juba region at 979 998 inhabitants.

### Background and actors involved in armed confrontations

Lower Juba is one of the best endowed regions of Somalia in comparison to other regions. The region's resources have generated competition and conflict.





The most important actors in Lower Juba are the Jubbaland state government, Al-Shabaab, and clan leaders and militias. Jubbaland state has had strong control over Kismayo town and its immediate vicinity, including the international airport. Several other towns in Lower Juba, such as Afmadow and Doble, are also under Jubbaland state's control. Reportedly, from July 2021 to November 2022, Kenyan forces were based in Hoosingow, Taabta, Kulbiyow areas and in the Abdalla Birole area of Kismayo city.

Al-Shabaab either controls or influences over most of the hinterland in Lower Juba. As of 30 November 2022, it reportedly controlled the city of Badhaadhe in the southern part of Lower Juba and extended areas north of this city, along with areas north and east of the city of Hagar in the northern part of Lower Juba up to the areas bordering Middle Juba. Control over the areas further south bordering Kenya and those around Badhaadhe controlled by Al-Shabaab in the north-western and in the eastern part of Lower Juba was reportedly mixed or unclear. Most towns in Jamaame district were reportedly under Al-Shabaab's direct control.

Most clans in the Lower Juba maintain an ability to muster a clan militia. The Mohamed Zubeir clan (Ogaden) - and to a lesser extent the other Ogaden clans - has the advantage of being the principal clan populating all Jubbaland state security actors, including police, military, *Darwish* and JISA forces.

The main conflict dynamics affecting Lower Juba region are the confrontations between Al-Shabaab and anti-Al-Shabaab forces. In this context, battles between Al-Shabaab and Jubbaland security forces, and/or Kenyan ATMIS/AMISOM forces were reported during the reference period (July 2021 – November 2022). Reportedly, in several cases the fighting was triggered after attacks by Al-Shabaab on ATMIS/AMISOM or Jubbaland forces. Al-Shabaab was allegedly the actor of almost all the security incidents recorded in the region, being involved in about 93 % of them.

(Intra) Clan rivalries also exist in the region.

### **Nature of violence and examples of incidents**

Illustrative security incidents reported during the reference period included, for example, an Al-Shabaab attack on 23 October 2022 on the Tawakal hotel in the centre of Kismayo city. As Jubbaland officials reported, nine civilians, including students from a nearby school, were killed, while 47 others were injured.

A joint operation by DANAB and Jubbaland forces which destroyed Al-Shabaab 'key bases' and a prison in Kamjaroon, located 50 km north of Kismayo, in July 2022.

In June 2022, an alleged clan-based conflict, which deteriorated after the arrest of local elders by Jubbaland security forces, resulted in the death of two civilians in Dhobley town.

Still in June 2022, following the attack by Al-Shabaab on an ATMIS basis, Kenyan ATMIS/AMISOM forces clashed with Al-Shabaab fighters in the village Hosingow, resulting in civilian casualties.





In August 2021, FGS attacked vehicles carrying Al-Shabaab members and explosives via airstrikes and bombings in Jamaame city, resulting in a number of civilians being killed.

Air and drone strikes by Kenya and the US were also reported.

Clashes between clan-based forces and with Al-Shabaab took place in Lower Juba.

### **Incidents: data**

ACLED recorded 517 security incidents (an average of 7 security incidents per week) in Lower Juba region between July 2021 to November 2022, ranking third in terms of the number of security incidents. Out of those incidents, 397 were coded as 'battles', 91 as 'explosions/remote violence' and 29 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 104 security incidents were recorded in Lower Juba representing an average of 5.4 security incidents per week. Out of those incidents, 78 were coded as 'battles'.

### **Geographical scope**

During the reference period, security incidents occurred in all 4 districts of Lower Juba, with the largest overall number being recorded in Kismayo (244 incidents) followed by Badhaadhe (126 incidents).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 548 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 264 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 83 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

Between July 2021 and November 2022, 14 531 individuals were newly displaced from Lower Juba, according to PRMN. Almost of all of them (99.9 %) were displaced within the region, while the remaining 13 individuals were displaced to Benadir region. In the same period, conflict and insecurity resulted in 2 052 individuals arriving in Lower Juba, from Bay, Galgaduud, Middle Juba and Gedo.

Between December 2022 and March 2023, 9 131 individuals were newly displaced from Lower Juba, according to PRMN.

### **Further impact on civilians**

Al-Shabaab monitored and taxed the flow of goods and people on the roads linking Kismayo to Kenya. Five major Jubbaland checkpoints were identified in the Lower Juba towns of Dhobley, Taabta (Tabta), Bilis Qooqaani, Afmadow and Kismayo.





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Looking at the indicators, it can be concluded that ‘mere presence’ in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the region of **Lower Juba**. However indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## South-West

South-West State is constituted by the regions of Bakool, Bay and Lower Shabelle.

### Bakool

Last update: August 2023

The situation in Bakool should be seen in light of the situation in the neighbouring region of Bay.

Main COI references: [[Security 2023](#), 2.2.1., pp. 82-90; [COI Update 2023](#), 1.3.4., pp. 16-19]

#### General information

Bakool region is located in the south-west of Somalia, bordering Ethiopia. The region consists of five districts. The region's capital is Xudur.

The region is mainly inhabited by Rahanweyn groups (predominantly Mirifle). The region's area bordering Ethiopia is mainly inhabited by the Jajele (Hawiye) and the Aulihan (Ogaden/Darood) clans.

In 2021, UNOCHA estimated the population of Bakool region at 459 747 inhabitants.

#### Background and actors involved in armed confrontations

The region is characterised by the presence of a variety of armed actors. The main source of conflict in Bakool is the on-going armed confrontation between Al-Shabaab and anti-Al-Shabaab forces including State and federal state forces, the Macawiisley clan-based militia and the Ali Qaran militia. The heavy presence of Ethiopian security forces along the Somali-Ethiopia border acted as deterrent to Al-Shabaab's activity in the area but did not reduce its motivation to launch attacks. The group was involved in 148 out of the 159 security incidents reported in Bakool between 1 July 2021 and 30 November 2022.

Control over most of the region was either unclear or contested between Al-Shabaab and ATMIS/AMISOM and the federal state forces. State and federal state forces maintained control of the capital Xudur and of the key towns Ceel Barde, Yeed, and Waajid. Federal state forces and ATMIS/AMISOM had the control of the area bordering Ethiopia. However, border towns, Yeed and Ato, as well as the Washaaqo village, were attacked by Al-Shabaab in late July 2022 and came under the group's control for a very brief period of time. FGS forces lacked the capability to maintain control over captured territory, while Al-Shabaab kept the control over major supply routes. By November 2022, Al-Shabaab retained control of the rural areas of the region while it also seized control of the towns of Tayeeglow, Garasweyne and of the, previously contested, Radbhure.





## Nature of violence and examples of incidents

The incidents related to Al-Shabaab involved either Ethiopian forces, Somali military forces or ATMIS/AMISOM and were mostly battles or explosions/remote violence.

A battle occurred between Ethiopian Liyu police and Al-Shabaab after an attack by the latter on Ethiopian military camps in the towns of Ato and Yeed along the Somali-Ethiopian border on 20 July 2022. After heavy fighting, Al-Shabaab claimed to have seized these areas, but finally withdrew on the same day. Shortly after, the group launched a mortar attack against a large Liyu police garrison at the village Washaaqo, killing dozens of Liyu police in the two attacks.

Illustrative security incidents include, for example, the launch of an air strike by Ethiopian forces targeting the Al-Shabaab-held town Garasweyne (in the outskirts of Xudur) on 30 July 2022 which caused at least one civilian casualty.

Inter-clan clashes also occurred between pastoral communities over the use of farmland. In May 2022, clashes occurred between Mirifle sub-clans.

## Incidents: data

ACLED recorded 159 security incidents (an average of 2.2 security incidents per week) in Bakool region between 1 July 2021 and 30 November 2022. Out of those incidents, 120 were coded as 'battles', 32 as 'explosions/remote violence' and 7 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 31 security incidents were recorded in Bakool representing an average of 1.6 security incidents per week. Out of those incidents, 20 were coded as 'battles'.

## Geographical scope

Security incidents occurred in all 5 districts of Bakool with the largest overall number being recorded in Xudur (76 incidents) followed by Waajid (47 incidents).

## Fatalities among civilians and non-civilians

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 452 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 10 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 100 fatalities per 100 000 inhabitants for the whole reference period.

## Displacement

Between July 2021 and November 2022, 56 735 individuals were newly displaced from Bakool, according to PRMN. Of these, 72 % were displaced within the region, while the remaining 16 095 individuals were displaced to other regions, especially to Benadir, Gedo and Bay. Almost 70 % of all recorded displacements from Bakool to other regions or other areas





within Bakool were a result of the attacks launched in July 2022 by Al-Shabaab in Yeed, Ato and Waashaqo.

Between December 2022 and March 2023, 294 individuals were newly displaced from Bakool, according to PRMN.

### Further impact on civilians

Food insecurity imposed by Al-Shabaab blockades of supply routes continued to affect the region, especially the capital Xudur and the Waajid district. Al-Shabaab fighters attacked vehicles transporting food supplies including donkey carts. Two humanitarian access incidents were documented by UNOCHA during the reference period.

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Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the region of **Bakool**, however **not at a high level**. Accordingly, a **higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## Bay

Last update: August 2023

The situation in Bay should be seen in light of the situation in the neighbouring region of Bakool.

Main COI references: [[Security 2023](#), 2.2.1., pp. 90-99; [COI Update 2023](#), 1.1.1., p. 6; 1.2.1., p. 9; 1.3.4., pp. 16-19]

### General information

Bay region is located at the south-west of Somalia and consists of four districts. The region's capital is Baidoa which also serves as the de facto capital of South-West state, though officially the capital is Baraawe in Lower Shabelle region. Baidoa is the largest city in the region.

Bay region is of significant strategic and commercial importance for Somalia. The paved road from Mogadishu through Baidoa to Gedo region and the Kenya border is one of the most important commercial arteries in the country. Droughts and floods resulting from climate change heavily affected the region and the lives of its agro-pastoralists inhabitants, causing loss of livelihoods and displacement.

The region is mainly inhabited by the Rahanweyn group clans, Mirifle (mainly inhabiting the northern part of the region) and the Digil (predominating in the south). Small communities of Hawiye groups are also present. Baidoa is mainly inhabited by the Mirifle clan.





About a quarter of all IDP settlements in Somalia are located in and around Baidoa. A large number of settlers are Digil / Mirifle returnees from Kenya. However, many IDPs clan identities are not indigenous to Baidoa, altering the town's demographics.

In 2021, UNOCHA estimated the population of Bay at 1 055 914 inhabitants.

### **Background and actors involved in armed confrontations**

Being a hub of government installations, Bay is characterised by heavy presence of security forces. The main source of conflict in Bay is the on-going armed confrontation between Al-Shabaab and anti-Al-Shabaab forces, among which State and federal state forces which are politically and militarily aligned. Baidoa hosts a major ATMIS/AMISOM garrison and houses a large ATMIS/AMISOM contingent in the protected airport zone.

Al-Shabaab was involved in 90% of the security incidents reported in Bay between 1 July 2021 and 30 November 2022. Al-Shabaab repeatedly attacked ATMIS/AMISOM bases in Diinsoor. Offensive operations against the group were launched by South-West State security and intelligence forces and government military forces. Macawiisley, a clan based local militia supported by the government launched an offensive against Al-Shabaab in August/September 2022.

State and federal state forces maintained control of main towns such as, Baidoa, Buur Hakaba, Qansax Dheere, Diinsoor, and Bardale. Control over these towns' countryside was either mixed or unclear. Al-Shabaab controlled about half of Bay's non-urban territory, of the town of Bulo-Fulay and of parts of Lego town.

The area surrounding Baidoa was under Al-Shabaab's influence, even if not under full control. In this context, Al-Shabaab imposed a tax regime to allow the movement of goods in the city of Baidoa. In September 2022, militia members and SNA troops took over several Al-Shabaab controlled settlements on the outskirts of Baidoa city. In early December 2022, Al-Shabaab had retaken strategic settlements close to Baidoa town from government forces.

Conflicts over land tenure and the use of natural resources in the city of Baidoa involved clans, agro-pastoralist groups and IDPs both internally displaced and from abroad living in the settlements.

### **Nature of violence and examples of incidents**

The incidents related to Al-Shabaab involved either Somali military or police forces or ATMIS/AMISOM forces, as well as local clan-based militias and were mostly coded as battles or remote violence in the form of explosions as well as violence against civilians.

A high number of IED incidents was perpetrated by Al-Shabaab in attempts to attack government installations and security forces.

Illustrative security incidents reported during the reference period included, for example, IED attacks at markets. On 5 December 2021 an IED attack in Awdinle, on a market's teahouse, resulted in the death of at least four people and the injury of five others. Another IED attack on





19 November 2021 killed five civilians and injured another 12 people at a market in Berdale town.

Clashes between clan-based forces and with Al-Shabaab took place in Baidoa.

### **Incidents: data**

ACLED reported 310 security incidents (an average of 4.2 security incidents per week) in Bay region between 1 July 2021 and 30 November 2023. Out of those incidents, 198 were coded as 'battles', 77 as 'explosions/remote violence' and 35 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 97 security incidents were recorded in Bay representing an average of 5.1 security incidents per week. Out of those incidents, 69 were coded as 'battles'.

### **Geographical scope**

Security incidents occurred in all 4 districts of Bay with the largest overall number being recorded in Baydhaba (216 incidents).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 302 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 110 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 39 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

Between July 2021 and November 2022, 25 567 individuals were newly displaced from Bay due to conflict or insecurity, according to PRMN. Of these, 37 % were displaced within the region, while the remaining 16 100 individuals were displaced to other regions, especially Benadir.

Between December 2022 and March 2023, 4 256 individuals were newly displaced from Bay, according to PRMN.

### **Further impact on civilians**

Al-Shabaab activity and blockades of government-controlled towns imposed limitations on economic activities and the delivery of humanitarian aid. Three humanitarian access incidents were documented by UNOCHA during the reference period. Al-Shabaab limited access to water by destroying and seizing control of water points in Qansax Dheere district and Buur Hakaba district's respectively. The group taxed the local communities for water consumption and obliged locals to acquire a 'farming permit' to be able to use their farmland. Properties were confiscated or destroyed in case of noncompliance.





Looking at the indicators, it can be concluded that ‘mere presence’ in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the region of **Bay**. However, indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

## Lower Shabelle

Last update: August 2023

The situation in Lower Shabelle should be seen in light of the situation in the neighbouring regions of Benadir/Mogadishu and Middle Shabelle.

Main COI references: [[Security 2023](#), 2.2.3., p. 99-106; [COI Update 2023](#), 1.1.1., p. 6; 1.3.4., pp. 16-19]

### General information

Lower Shabelle region is located along the coast in south Somalia and consists of seven districts. The region’s capital is Marka.

The Lower Shabelle region is one of the most high-value and strategic zones of the country and the country’s most productive irrigated agricultural zone. Two of the most important roads, linking Mogadishu to Baidoa and to Kismayo, pass through the region.

The population of the region comprises three groups: the long-term indigenous populations (55-60% of Digil, 30% of Hawiye, 10% of Bioyamaal clans inhabiting the region in pre-colonial era), historic migrants (Somali of all clans that gravitated into the region in the colonial era and during the few decades of independence for work or investment in farms) and civil war era armed settlers in the form of strong clan militias and their families. The Bioyamaal, although belonging to the Dir clan family, can be considered a minority clan in the region.

In 2021, UNOCHA estimated the population of Lower Shabelle at 1 347 932 inhabitants.

### Background and actors involved in armed confrontations

Lower Shabelle is among the most affected regions by Al-Shabaab. The region is highly militarised and characterised by the presence of Somali military forces, African Union, and US forces. Despite military offensives against the group, Al-Shaabab maintains an active network throughout the region and continues to launch attacks, control roads and impose taxes on the local population. The group was involved in 915 out of the 960 security incidents reported in Lower Shabelle between 1 July 2021 and 30 November 2022.

African Union / federal state forces control the towns of Marka, Baraawe, Afgooye, Qoryoley, Wanla Weyn and Awdhegle.





Control of the rural areas surrounding the towns is either contested between Al-Shabaab and the coalition of African Union / federal state forces or unclear. The south and south-west rural areas of the region remain under the control of Al-Shabaab.

The SNA succeeded to take control of formerly Al-Shabaab held villages near Afgooye, Janale and Awdheegle towns. Macawiisley is also active in the region, fighting against Al-Shabaab.

After the start of the government-led offensive against Al-Shabaab in August 2022, the group reportedly redeployed to Benadir and Lower Shabelle. [[COI Update 2023](#), 1.1.1., pp. 5, 8]

ISS presence has also been reported.

Another source of conflict in Lower Shabelle stems from clan clashes over land and water resources or business competition. Rivalry between Hawiye and Biyomaal and Digil clans in the area continues while Al-Shabaab exploits this fighting to its own benefit by aligning with one of the rival clans.

### **Nature of violence and examples of incidents**

Lower Shabelle was the most affected region in Somalia in terms of IED activity. Al-Shabaab also used mortar attacks and suicide attacks to target federal and state officials.

Large scale military operations caused the destruction of Al-Shabaab bases and other infrastructure.

Civilian lives were lost during AMISOM and SNA military operations.

Two security events in Afgoyee district were attributed to ISS.

Clashes between clan-based forces and with Al-Shabaab took place in Lower Shabelle.

Illustrative security incidents include, for example, a suicide attack on the Marka district headquarters carried out by Al-Shabaab on 27 July 2022, killing at least 11 people, including the district's Commissioner. On 9 September 2022, an airstrike conducted in Mubarak reportedly killed between 3 and 10 civilians, including a child. On 9 February 2022, during the parliamentary elections, mortars targeting a polling station in Baraawe hit a residential area and killed four civilians. On 10 August 2021, seven civilians, including five farmers, were shot and killed by AMISOM soldiers following an ambush by Al-Shabaab.

### **Incidents: data**

ACLED recorded 960 security incidents (an average of 13 security incidents per week) in Lower Shabelle region between 1 July 2021 and 30 November 2022, ranking first in terms of number of security incidents. Out of those incidents, 743 were coded as 'battles', 165 as 'explosions/remote violence' and 52 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 175 security incidents were recorded in Lower Shabelle representing an average of 9.2 security incidents per week. Out of those incidents, 126 were coded as 'battles'.





### Geographical scope

Security incidents occurred in all 7 districts of Lower Shabelle with the largest overall number being recorded in Afgoye (512 events), followed by Lower Shabelle's capital Marka (292 events).

### Fatalities among civilians and non-civilians

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 1 004 fatalities in the region, ranking it second in terms of fatalities. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 267 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 94 fatalities per 100 000 inhabitants for the whole reference period.

### Displacement

Between July 2021 and November 2022, 83 350 individuals were newly displaced from Lower Shabelle due to conflict or insecurity, according to PRMN. Of these, some 14 % were displaced within the region, while the remaining 71 626 individuals were displaced to other regions, mainly Benadir.

Between December 2022 and March 2023, 11 559 individuals were newly displaced from Lower Shabelle, according to PRMN.

### Further impact on civilians

One humanitarian access incident was documented by UNOCHA during the reference period. Clan-related conflicts in Lower Shabelle have been affecting lives and livelihoods.

Incidents affecting civilians in the region included a case of a girl being gang-raped by government soldiers.

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Looking at the indicators, it can be concluded that 'mere presence' in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the region of **Lower Shabelle**. However indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## Benadir/Mogadishu

Last update: August 2023

The situation in Benadir/Mogadishu should be seen in light of the situation in the neighbouring regions of Lower Shabelle and Middle Shabelle.

[Main COI references: [Security 2023](#), 2.3., pp. 108-119; [COI Update 2023](#), 1.2.1., p. 9; 1.3.1., pp. 12-13; 1.3.4., pp. 16-19]

### General information

Benadir region is located in the south-east of Somalia and covers mostly the same area as the city of Mogadishu, Somalia's capital. Benadir comprises the 17 administrative districts of the capital Mogadishu. As well as being the seat of the Somali federal government, Mogadishu is the country's primary economic hub, with a large private sector and vibrant business activity around its seaport.

While Mogadishu is inhabited by individuals from all Somali clans as well as minorities, it is largely dominated by the Hawiye clan family who controls 15 districts and enjoy benefits, such as local tax revenue, contracts, and jobs. The significant number of IDPs has contributed to the heterogenic ethnic make-up of the city, most of them being Digil-Mirifle and Somali Bantus.

In 2021, UNOCHA estimated the population of Benadir region at 2 683 312 inhabitants.

Following the war waged between AMISOM/TFG forces and Al-Shabaab and the latter's withdrawal from Mogadishu in 2011, the city experienced a large influx of displaced persons. UNOCHA estimated the region's IDP population at 904 000 in 2021.

### Background and actors involved in armed confrontations

Mogadishu is nominally controlled by the FGS security institutions and hosts the ATMIS force headquarters. At the same time, Al-Shabaab has heavily infiltrated the state apparatus and exerts its activities in the city, including tax collection and terrorist attacks. The security situation in Mogadishu is characterised by the conflict between Al-Shabaab and anti-Al-Shabaab actors [[Security 2021](#), 2.3.2., p. 90].

It is reported that the various federal, regional and district security forces present in Mogadishu often clash with one another. They generally answer to clan authorities rather than to a governmental chain of command. Private military and security companies also operate in Mogadishu, primarily providing risk management services, armed security, and convoy protection, and playing the role of 'gatekeepers' between the green zone – a zone surrounding Mogadishu's highly secured airport zone and where international and government officials reside, and the city [[Actors](#), 7.3.3., p. 90].

Al-Shabaab does not directly control any areas in Mogadishu, where it has not had an overt presence in over a decade. However, acting as a network, with operatives hidden among the population, it has maintained the capacity to carry out attacks and targeted assassinations





[[Security 2023](#), 1.2., p. 21]. Al-Shabaab was involved in 74% of the incidents in Benadir between 1 July 2021 and 30 November 2022 [[Security 2023](#), 1.4.3., p. 35].

After the start of the government-led offensive against Al-Shabaab in August 2022, the group reportedly redeployed to Benadir and Lower Shabelle. [[COI Update 2023](#), 1.1.1., pp. 5, 8]

A number of clan and personal militias are present and easily mobilised in Mogadishu. Their mobilisation occurred during the first months of 2021 in the context of ongoing political and electoral impasse, whereby the incumbent government and opposition forces clashed against each other. Clan militia and protection forces have been the primary source of protection for residents. These militias are almost exclusively composed of Hawiye, a factor that reinforces their local dominance. [[Security 2021](#), 2.3.2., pp. 88-90]

Besides those main actors, ISS, although a 'Puntland group', carried out attacks in Mogadishu during the reference period [[Security 2023](#), 1.2., p. 22].

### **Nature of violence and examples of incidents**

Benadir/Mogadishu is one of the focus areas of Al-Shabaab attacks. During the reference period, the group carried out attacks targeting members of the NISA, the SNA, the police, AMISOM/ATMIS, and Turkish forces. Al-Shabaab conducted several complex attacks against hotels and other busy locations. Several attacks resulted in civilian deaths.

Illustrative security incidents include two Al-Shabaab coordinated attacks on hotels, a number of attacks claimed by Al-Shabaab targeting tea shops and restaurants that were frequented by civilians and government/security officials. For instance, the group, armed with explosives and firearms, attacked and besieged a hotel on 27-28 November 2022, killing eight civilians and one army member and injuring at least one minister. An attack on a restaurant on 22 April 2022 killed six people, while an attack on a teashop on 13 September 2021 killed at least 11 people, including civilians and a shooting at a café killed 5 people.

On 5 March 2023, Al-Shabaab militants were reported to have killed ten people they considered drug dealers in Yaqshid and Dayniile districts.

In January 2023, Al-Shabaab conducted an attack against a governmental building and the presidential palace killing at least 7 civilians.

Al-Shabaab also claimed the attack on a busy market intersection, which targeted the Ministry of Education building on 29 October 2022, that killed at least 121 people and injured another 333, and an attack on a police station that injured three police officers on 11 August 2021.

Al-Shabaab's capabilities were also demonstrated through a suicide siege campaign ongoing since September 2022 in the capital city of Mogadishu.

Also, a number of roadside bombings were reported. These included IED attacks which targeted convoys carrying senior Somali security personnel and AMISOM troops. [[Security 2023](#), 2.3.4., p.120]





Other attacks, including an attack inside an IDP camp, a mortar attack on a residential area, and assassinations of traditional elders, businessmen and other civilian figures, went unclaimed.

The group also launched mortar attacks on Halane camp (airport zone) and, in one instance, was able to infiltrate the airport zone to carry out an attack inside. Moreover, some instances of bombings were reported in the vicinity of the presidential palace.

According to ACLED, 15 of the 26 suicide attacks reported between July 2021 and November 2022 were perpetrated in Benadir region and resulted in 203 fatalities.

### **Incidents: data**

ACLED recorded 898 security incidents (an average of 12.2 security incidents per week) in Benadir region between 1 July 2021 and 30 November 2022 ranking the region second in terms of the highest number of security incidents after Lower Shabelle [[Security 2023](#), 1.4.1., p. 39]. Out of those incidents, 559 were coded as 'battles', 159 as 'explosions/remote violence' and 180 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 264 security incidents were recorded in Benadir representing an average of 13.8 security incidents per week. Out of those incidents, 136 were coded as 'battles'.

### **Geographical scope**

Specific information about the geographical scope of the indiscriminate violence within Benadir/Mogadishu was not available at the time of writing.

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 901 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 213 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 42 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

Between July 2021 and November 2022, 665 individuals were newly displaced from Benadir according to PRMN. Of these, 374 individuals were displaced within the region, while the remaining 291 individuals were all displaced to Bari. In the same period, conflict and insecurity resulted in 112 031 individuals arriving in Benadir from regions across South-Central Somalia, including Lower Shabelle, Middle Shabelle, Mudug, Hiiraan, Bakool, Bay, Galgaduud, Middle Juba and Lower Juba.

Between December 2022 and March 2023, 372 individuals were newly displaced from Benadir, according to PRMN.





### Further impact on civilians

Roadblocks present a 'recurrent security challenge' in Mogadishu. In the peripheral districts of the region, members of armed groups extorted money from traffic users, businesses, and residential places in illegal roadblocks [Security 2023, 2.3.4., p.120]. Nine humanitarian access incidents were documented by UNOCHA during the reference period. Moreover, a rising issue in the Somali context was the drifting of many Somali youth towards organised criminal gangs, especially in the Somali cities, notably in Mogadishu [Security 2023, 1.2., p. 23].

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Looking at the indicators, it can be concluded that 'mere presence' in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the region of **Benadir/Mogadishu**. However indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## Hirshabelle

Hirshabelle is constituted by Hiraan and Middle Shabelle regions.

### Hiraan

Last update: August 2023

The situation in Hiraan should be seen in conjunction with, among others, the situation in Middle Shabelle.

Main COI references: [[Security 2023](#), 2.4.1., pp. 120-128; [COI Update 2023](#), 1.3.1., pp. 12-13; 1.3.4., pp. 16-19; [Security 2021](#), 2.4.1., pp. 97-100; [Actors](#), 7.4, p. 92]

#### General information

Hiraan region is located in the south-west of Somalia and consists of three districts. The region's capital is Beletweyne.

Hiraan is mainly inhabited by Hawiye clans (e.g. Hawadle, Jajele). The Hawadle sub-clan dominates the territory north-east of the Shabelle River, and Jajele, Galjaal (or Gaaljeel) and Baadi Adde sub-clans dominate the territory west of the river. The minority group Makane (Bantu/Jareer) also lives in part of the region.

In 2021, UNOCHA estimated the population of Hiraan region at 427 124 inhabitants.

#### Background and actors involved in armed confrontations

The major source of conflict in the region is the on-going confrontations between Al-Shabaab and anti-Al-Shabaab forces, including Ma'aawisley local militia and armed locals. Hiraan is one of Al-Shabaab's strongholds, where the group maintains courts and bases for its fighters. Al-Shabaab controls the rural areas while state and federal forces, with the help of AMISOM's Djibouti contingent, control the major towns of the region. Al-Shabaab was involved in about 70 % of the incidents in Hiraan between 1 July 2021 and 30 November 2022.

As of December 2021, Al-Shabaab reportedly controlled large parts of the rural areas and main supply routes. As a result, state and federal officials and anyone refusing to submit to Al-Shabaab was able to travel to most of Hiraan's cities only by air. Following the government's military offensive in the summer of 2022, the government reportedly regained control over 40 settlements in the region, although a source reported in October 2022 that none of these settlements was a large town and that Al-Shabaab had regained control over some of them.

After the start of the government-led offensive against Al-Shabaab in August 2022, the group was also reportedly concentrating on retaking areas they lost in Hirshabelle region. Also, more than half of 170 non-violent transfer of territory events from Al-Shabaab to the Somali government forces in 2022, such as Al-Shabaab vacating its bases, occurred in Hiraan and Middle Shabelle regions. [[COI Update 2023](#), 1.1.1., pp. 5, 8]





In September 2022, Somali government forces had reportedly retaken areas in Mahas, Bulo Burto and Mataban districts from Al-Shabaab. Later, in October 2022, a local online news organisation reported on fighting between Al-Shabaab and government forces over the control around Bulo Burto town. As of 30 November 2022, Al-Shabaab fully controlled the western part of Bulo Burto district, while control over other parts of the region was mixed or unclear.

Hiraan is among the regions most affected by clan conflicts. For example, the aspirations of Hawadle clan to have Hiraan as a regional state in itself, and not a part of Hirshabelle, led to military confrontations between the Hawadle and the Abgal sub-clans. This conflict culminated in February 2022, in the context of the first visit of the elected state president in the region's capital city. However, on 8 February 2022, during a meeting between Hawadle leaders and the president, an agreement was reached and the clan's concerns were settled.

Since late 2017, ISS has also been active in Belet Weyne [[Actors](#), 6.1., p.75].

### **Nature of violence and examples of incidents**

On 30 January 2023, at least seven civilians including three children were reportedly killed in a drone strike targeting a village near Jalalaqsi town.

On 14 January 2023, at least 30 people were killed in three suicide attacks. On 4 January 2023, Al-Shabaab launched a twin suicide car bomb in Mahas (Maxaas) town killing at least 50 people, including security personnel and civilians.

In September 2022, Al Shabaab fighters reportedly attacked a convoy of seven vehicles carrying food and water from Beletweyne to Mahas town, killing at least 20 people, including women and children, and setting the vehicles on fire. Another source, which reported at least 21 victims for the same incident, quoted local elders claiming that most of the victims had been shot in the head.

Election-related incidents occurred. In March 2022, in Beletweyne district, two suicide attacks by Al-Shabaab at a polling station and in front of a hospital, respectively, killed at least 48 people and injured 108 others. Among the victims were two lawmakers, several security guards, and dozens of civilians. On 19 February 2022, at least 13 people were killed and 20 injured in a suicide attack by Al-Shabaab on a local restaurant, where local officials and politicians were present.

Other election-related killings and attacks on government officials included suicide bombings and other attacks in Beletweyne in May and October 2022 as well as a non-election related attack on the governor of Hiraan in Mataban in July 2022.

In December 2021, it was reported that three children were killed in an exchange of artillery fire between Al-Shabaab and SNA and AMISOM forces in Beletweyne district.

Al-Shabaab reportedly carried out a bomb attack on Bulo Burto airport in September 2021, resulting in the injury of at least five people.





Clashes between clan-based forces and with Al-Shabaab took place [[COI Update 2023](#), 1.1.1., p. 4].

### **Incidents: data**

ACLED recorded 288 security incidents (an average of 3.9 security incidents per week) in Hiraan region between 1 July 2021 and 30 November 2022. Out of those incidents, 146 were coded as 'battles', 83 as 'explosions/remote violence' and 59 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 114 security incidents were recorded in Hiraan representing an average of 6 security incidents per week.

### **Geographical scope**

Security incidents occurred in all 3 districts of Hiraan with the largest overall number being recorded in Beletweyne (188 events).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 1 357 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 433 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 419 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

Between July 2021 and November 2022, 257 147 individuals were newly displaced from Hiraan, according to PRMN. Almost all of them (98.54 %) were displaced within the same region, while the remaining 3 756 individuals were displaced to other regions, including Banadir, Bari, Lower Shabelle and Mudug.

Between December 2022 and March 2023, 769 individuals were newly displaced from Hiraan, according to PRMN.

### **Further impact on civilians**

Fighting between local clans and non-state armed groups in the region of Hiraan resulted in the destruction of property and of water sources and telecommunication infrastructure, while the local population faced arson, immolation and executions.

Among the five humanitarian access incidents documented by UNOCHA during the reference period, the Al-Shabaab attack on Bulo Burto airport in September 2021 also resulted in significant damages of the airstrip and the airport building, which adversely affected humanitarian actors' ability to deliver assistance since the town could only be reached by air. The group also reportedly used checkpoints to extort money from the local population. Insecurity has disrupted trade flows in parts of Hiraan (Bulo Burto and Jalalaqsi), and clan violence has cost livelihoods and resulted in the displacement of families.



Looking at the indicators, it can be concluded that ‘mere presence’ in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the region of **Hiraan**. However indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

## Middle Shabelle

Last update: August 2023

The situation in Middle Shabelle should be seen in light of the situation in the neighbouring regions of Benadir/Mogadishu, Lower Shabelle, and Hiraan.

Main COI references: [[Security 2023](#), 2.4.2., pp. 128-135; [COI Update 2023](#), 1.1.1., p. 5, 1.3.4., pp. 16-19; [Security 2021](#), 2.4.2, pp. 103-104; [Actors](#), 7.4, p. 92]

### General information

Middle Shabelle region is located in the south-east of Somalia and consists of four districts. The region’s capital is Jowhar.

Middle Shabelle is mainly inhabited by Hawiye clans, including the Abgaal, Hawadle, Murusade, Galjaal or Gaaljeel, Baadi Adde sub-clans. Other clans/groups present in the area are the Bantu Shiidle, and other minority clans [[Security 2021](#), 2.4.2.2., p. 104]. Shiidle, a Bantu minority group is residing east of the Shabelle river and around Jowhar town.

In 2021, UNOCHA estimated the population of Middle Shabelle at 857 395 inhabitants.

### Background and actors involved in armed confrontations

During the reference period of July 2021 and November 2022, the main conflict dynamics in Middle Shabelle included the ongoing confrontation between Al-Shabaab and anti-Al-Shabaab forces, including clan militia. Since August 2022, the government offensive against Al-Shabaab intensified, following the announcement of State President Hassan Sheikh Mohamud of a ‘total war’ against Al-Shabaab. Al-Shabaab attacks on AMISOM/ATMIS forces, especially Burundian forces, were also reported, as well as inter-clan disputes over land.

According to a Somali media source, in December 2022 Middle Shabelle was one of Al-Shabaab’s strongholds and the group controlled large parts of Hirshabelle state, including rural areas and main supply roads, having as a result that state and federal officials and anyone refusing to submit to Al-Shabaab was able to travel to most of the state’s cities only by air. Al-Shabaab maintains a ‘heavy presence’ on the road between Jowhar and Balad, making difficult the access to the capital by car for regional officials. Reportedly, several members of the regional parliament have been killed over the past years.





Adan Yabaal district and town have reportedly been under control of Al-Shabaab since 2016 until early December 2022, when SNA and clan militia forces took control of the district. According to the AMISOM/ATMIS this district acted as a 'training ground' for the group before its liberation in early December 2022 by SNA and clan militia forces, including the Ma'awiisley. Control over other parts of Middle Shabelle region was reported to be mixed or unclear. Al-Shabaab, was involved in over 88 % of the incidents in Middle Shabelle between 1 July 2021 and 30 November 2022.

After the start of the government-led offensive against Al-Shabaab in August 2022, the group was also reportedly concentrating on retaking areas they lost in Hirshabelle region. Also, more than half of 170 non-violent transfer of territory events from Al-Shabaab to the Somali government forces in 2022, such as Al-Shabaab vacating its bases, occurred in Hiraan and Middle Shabelle regions. [[COI Update 2023](#), 1.1.1., pp. 5, 8]

Ma'awiisley forces supported the SNA in the fight to regain areas under the control of Al-Shabaab. Reportedly, locations have been returned to the control of government forces in October and November 2022. Hawadle sub-clan militias have been supporting the SNA's offensive against Al-Shabaab since the summer of 2022. The Abgal, the dominant group in Middle Shabelle region, and the Hawadle, a Hawiye sub-clan, have reportedly joined forces with the SNA in September 2022, following an attack by Al-Shabaab on a humanitarian convoy on 2 September 2022.

### **Nature of violence and examples of incidents**

Illustrative security incidents include, for example, the killing of at least four civilians on 14 February 2022, when their vehicle ran over a roadside bomb in Jowhar district. Reportedly, no group has claimed responsibility for the attack.

An artillery attack by Al-Shabaab on an ATMIS base in May 2022 reportedly killed two civilians, a mother and her son. Local media reported on an attack on a military checkpoint in Balad town in Middle Shabelle in May 2022. Al-Shabaab claimed responsibility for the attack, saying that it had killed seven soldiers in the incident.

According to a source, a bomb attack by Al-Shabaab on the Nur Doob hotel, which is located near Hirshabelle State's presidential palace, in Jowhar city in July 2022 killed at least five persons, including hotel employees and security guards, while 14 others were injured. A second attack close to the same hotel, in August 2022, reportedly injured six civilians, including two children. No group claimed responsibility for the attack.

In the context of a tribal conflict in November 2022, a family of five was killed in the War Sheikh area of Middle Shabelle.

In November 2022, a traditional clan elder, who was involved in mediation efforts in a conflict between two clans in Cadale district, was reportedly killed. Clan disputes were also reported in the same district in July and August 2021 in the context of the parliamentary elections, when Abdalla Arone and Nugaale Arone Abgal sub-clan communities claimed the right to seats in the parliament.





In November 2022 interclan clashes were reported shortly after control over the area was retaken from Al-Shabaab.

In December 2021, a bomb attack by Al-Shabaab on a restaurant in Jowar city reportedly killed one civilian and injured several others, including regional officials and security personnel.

Clashes between clan-based forces and with Al-Shabaab took place in Middle Shabelle.

### **Incidents: data**

ACLED recorded 237 security incidents (an average of 3.2 security incidents per week) in Middle Shabelle region between 1 July 2021 and 30 November 2022. Out of those incidents, 145 were coded as 'battles', 75 as 'explosions/remotely violence' and 17 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 75 security incidents were recorded in Middle Shabelle, representing an average of 3.9 security incidents per week. Out of those incidents, 40 were coded as 'battles'.

### **Geographical scope**

Security incidents occurred in all 4 districts of Middle Shabelle with the largest overall number being recorded in Jowhar district (111 events), followed by Balcad District (87 events) for the period between July 2021 and end of November 2022.

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 1 000 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 919 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 224 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

Between July 2021 and November 2022, 37 743 individuals were newly displaced from Middle Shabelle, according to PRMN. Almost half of them (47.43 %) were displaced within the region, while the remaining 19 843 individuals were displaced to other regions, including Benadir and Lower Shabelle.

In a joint report on conflict-induced displacements, UNHCR and NRC quoted local communities claiming that locations, such as Aden Yabal, Basra, Warmoy, Yaaqle, Mukay, Xawadley, and Masaajid Ali Gaduud were 'hotspot locations' in the context of fights between non-state armed groups (NSAGs) and clan militia, with many locals fleeing forced recruitments of children by armed groups as well as taxation, threats and targeted killings.

Between December 2022 and March 2023, 37 726 individuals were newly displaced from Middle Shabelle, according to PRMN.





### Further impact on civilians

In the period between January and March 2022, UNOCHA documented two humanitarian access incidents. Al-Shabaab reportedly used checkpoints to extort money from the local population.

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Looking at the indicators, it can be concluded that ‘mere presence’ in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the region of **Middle Shabelle**. However, indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## Galmudug

Galmudug comprises Galgaduud and the southern half of Mudug administrative regions. The northern half of Mudug, including half of the city of Galkacyo is controlled by Puntland. [[Actors](#), 7.5., p. 96]

### Galgaduud

Last update: August 2023

The situation in Galgaduud should be seen in light of the situation in the neighbouring regions of Mudug and Hiraan.

Main COI references: [[Security 2023](#), 2.5.1., pp. 138-145; [COI Update 2023](#), 1.2., p. 9; 1.3.1., p. 13; 1.3.4., pp. 16-19; [Security 2021](#), 2.5.1, pp. 110-112; [Actors](#), 7.5, pp. 96-97]

#### General information

Galgaduud region is located in central Somalia and consists of five districts. The region's capital is Dhusamareb.

It is mainly inhabited by the Habar Gidir (Hawiye) sub-clans, Suleiman (also Suliman or Saleban), Ayr and Duduble, and the Murasade (Hawiye) clan. The Marehan (Darood) sub-clan is also present in the border area of Ethiopia.

In 2021, UNOCHA estimated the population of Galgaduud region at 687 572 inhabitants.

#### Background and actors involved in armed confrontations

Conflict dynamics were shaped by the ongoing confrontation between Al-Shabaab and anti Al-Shabaab forces, including the ASWJ and Ma'awiisley local militia. In mid-January 2023, Al-Shabaab's strongholds such as El Dheere district was captured by anti Al-Shabaab's forces. As a counteroffensive, on 20 January 2023, Al-Shabaab reportedly had its 'first major tactical success' through a SVBIED attack on a base of US-trained special forces in Gal'ad.

As of 30 November 2022, Al-Shabaab was fully in control of the south-eastern part of Galgaduud. Control over the area south and east of Dhusamareb was reported to be mixed or unclear. Al-Shabaab was reportedly the actor accounting for around the 45 % of the security incidents.

In September and October 2022, operations by the SNA and government-backed militias against Al-Shabaab reportedly resulted in territorial gains for the Somali government in the Galgaduud region. Later, in November 2022, it was reported that the Somali security forces seized the strategically and economically important town of Wabho in central Galgaduud, which was under Al-Shabaab's control for more than 15 years.

In June 2022, Suleiman clan militias cleared the town of Bahdo of Al-Shabaab's control.





Ma'awiisley reportedly participated actively in the liberation operatives of areas from Al-Shabaab in Galgaduud region.

Clashes between the ASWJ and the SNA were also reported.

Clan conflicts persisted and clan violence resulted in loss of life and livelihoods.

### **Nature of violence and examples of incidents**

Armed confrontations took place between Al-Shabaab and anti Al-Shabaab forces, including the ASWJ and Ma'awiisley local militia. Habr Gedir clan militias or sub-clan militias were also reportedly involved in battles.

Illustrative security incidents include, for example the killing on 7 April 2023 of five pastoralists by armed militiamen reportedly over a clan dispute; the shooting and killing of six pastoralists in September 2022, in Caadado district (Qalaanqale area) and the abduction of seven individuals in Maarsamage area by Al-Shabaab.

In August 2022, clan clashes, allegedly triggered by disputes over resources, reportedly resulted in the deaths of at least 15 people and the injury of 35 others in the Labagalle area of Cabudwaaq district.

On 23 July 2022, a car was hit in a landmine explosion near Dhabad town causing the death of eight members of a family.

In August 2021, an 87-year old was shot and killed by Al-Shabaab militants over accusations of insulting prophet Mohamed.

### **Incidents: data**

ACLED recorded 182 security incidents (an average of 2.5 security incidents per week) in Galgaduud region between 1 July 2021 and 30 November 2022. Out of those incidents, 113 were coded as 'battles', 20 as 'explosions/remote violence' and 49 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 61 security incidents were recorded in Galgaduud representing an average of 3.2 security incidents per week. Out of those incidents, 30 were coded as 'violence against civilians'.

### **Geographical scope**

Security incidents occurred in all five districts of Galgaduud with the largest overall number being recorded in Dhusamareb (85 incidents) followed by Caabudwaaq (56 incidents).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 891 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 166 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 154 fatalities per 100 000 inhabitants for the whole reference period.



## Displacement

Between July 2021 and November 2022, 246 089 individuals were newly displaced from Galgaduud, according to PRMN. Almost all of them (94 %) were displaced within the region, while the remaining 13 570 individuals were displaced to other regions, including Bari, Benadir, Hiraan, Lower Juba, Lower Shabelle, and Mudug.

As noted by the UN Secretary-General, the clashes between the ASWJ and the SNA alone led to the displacement of over 100 000 people in the Gurieel area in October 2021.

Between December 2022 and March 2023, 95 859 individuals were newly displaced from Galgaduud, according to PRMN.

## Further impact on civilians

Between July and September 2021, UNOCHA documented five humanitarian access incidents in the region. Conflicts in the area reportedly affected hospitals and the provision of life-saving amenities. In March 2022, the main hospital in Ceel Dheer district was reported to be closed for more than six months, following Al-Shabaab orders, leaving residents without any medical services. According to local media, in June 2022 Al-Shabaab militants overrun Ceel Buur district hospital and discharged all patients. This incident was denied by local elders, according to another local news article. Clashes between the ASWJ and the SNA in the Gurieel area in October 2021 caused the destruction of two hospitals. UNOCHA reported that, as of 24 October 2021, Starlin Hospital in Guri Ceel suffered minimal damage although it was hit. According to sources, the hospital's operations were disrupted as almost half of the medical staff had been displaced. Also, the Hanano hospital in Dhusamareb went through a shortage of emergency treatment kits.

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Looking at the indicators, it can be concluded that 'mere presence' in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD in the region of **Galgaduud**. However indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## Mudug

Last update: August 2023

The situation in Mudug should be seen in light of the situation in the neighbouring region of Galgaduud and Nugal (in Puntland).

Main COI references: [[Security 2023](#), 2.5.2., pp. 146-152; [COI Update 2023](#), 1.2., p. 9; 1.3.4., pp. 16-19; [Security 2021](#), 2.5.2, pp. 115-116; [Actors](#), 7.5, pp. 96-97]



## **General information**

Mudug region is divided between Galmudug and Puntland; the latter controls the northern half of Mudug. The town of Gaalkacyo, located in the western part of Mudug is also split up between Galmudug (south section) and Puntland (north section).

Mudug consists of five districts and Gaalkacyo is the regional capital.

In the south, Mudug is mainly inhabited by the Saad, a Habr Gedir (Hawiye) sub-clan, which is also the dominant clan in the area. Northern Mudug is mainly inhabited by the Omar Mohamoud, a Majerteen (Darood) sub-clan, which is the dominant clan in the area. Cross-border clan groups are also present in the area.

In 2021, UNOCHA estimated the population in Mudug region at 1 244 027 inhabitants.

## **Background and actors involved in armed confrontations**

### **Southern Mudug**

The main conflict dynamics in the reference period included the fighting between Al-Shabaab and Somali security forces, including local pro-government forces and Danab and Darwish forces.

In mid-January 2023, the strategic Harardhere town, an Al-Shabaab's stronghold, was captured by anti Al-Shabaab's forces.

As of 30 November 2022, Al-Shabaab reportedly controlled the southeastern most part of Xararheere district, and a narrow section in the south of Hobyo district, including the town of Xaradheere. Control over the western and northwest part of Hobyo town was reportedly mixed or unclear, as well as the area in the eastern part of the capital city of Gaalkacyo, along the border of Galmudug with Puntland.

Clan rivalries were also reported, which were reportedly triggered by disputes over water resources and fuelled by Al-Shabaab.

### **Northern Mudug (Puntland)**

As of 30 November 2022, control over a narrow strip in the eastern part of the regional capital city of Gaalkacyo, at the border of Galmudug with Puntland, was reportedly of mixed or unclear control between the forces of Al-Shabaab and the government.

Inter-clan violence was a major source of conflict. As reported in July 2021, disputes between the Hawiye/Habr Gedir versus Darood/Majeerteen and Darood/Laylkase clans persisted.

## **Nature of violence and examples of incidents**

Illustrative security incidents include, for example the opening of fire along the road connecting Gaalkacyo town to Dagaari area in the Gaalkacyo district by the Somali Danab forces in September 2022. Reportedly, civilians were killed and injured.





On 20 July 2022, a car carrying civilians was hit by a landmine explosion in Galdogob district, resulting in the death of the driver and the injury of passengers.

In March 2022, reportedly Al-Shabaab militants set fire to houses in Adale district, displacing their residents. A case of conflict-related rape in Dagaari village was verified by UNSOM.

In March 2022, seven herdsmen and their livestock were reportedly kidnapped by Al-Shabaab militants in Hobyo district, in the Barag Isse area.

In July and August 2021, two landmine explosions were recorded in the area surrounding Baadweyne, in Hobyo district. The first one occurred on 9 July 2021, when a landmine explosion destroyed a public transport vehicle on the outskirts of Baadweyne village, causing the death of at least two civilians and the injury of many others. On 10 August 2021 the second landmine explosion was recorded in Amara, when a rickshaw hit a landmine, reportedly killing at least seven people, and injuring many others, including women and children.

### **Incidents: data**

ACLED recorded 90 security incidents (an average of 1.2 security incidents per week) in Mudug region between 1 July 2021 and 30 November 2022. Out of those incidents, 43 were coded as 'battles', 19 as 'explosions/remote violence' and 28 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 39 security incidents were recorded in Mudug representing an average of 2 security incidents per week.

### **Geographical scope**

Security incidents occurred in all five districts of Mudug with the largest number being recorded in Galkacyo (34 incidents), followed by Hobyo district (26 incidents).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 358 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 528 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 71 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

Between July 2021 and November 2022, 16 513 individuals were newly displaced from Mudug, according to PRMN. Of them, 76 % were displaced within the region, while the remaining 3 900 individuals were displaced to Bari, Benadir, and Galgaduug.

Between December 2022 and March 2023, 81 529 individuals were newly displaced from Mudug, according to PRMN, a region particularly affected by counterinsurgency operations since January 2023.





### Further impact on civilians

Seven humanitarian access incidents were documented by UNOCHA during the reference period.

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Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the region of **Mudug**, however **not at a high level**. Accordingly, a **higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## Puntland

### Nugal

Last update: August 2023

The situation in Nugal should be seen in light of the situation in the (neighbouring) regions of Mudug and Bari.

Main COI references: [[Security 2023](#), 2.6.1., p. 154-159; [COI Update 2023](#), 1.3.4., pp. 16-19]

#### General information

Nugal is located in Puntland in the north-east of Somalia. It consists of three administrative districts: Garowe, Burtinle and Eyl. The region's capital is Garowe. Garowe is also the capital of Puntland, where the executive, parliamentary and judiciary branches of the state are based [[Socio-economic 2021](#), 2.1., p. 52].

Most of Puntland's population comes from the Darood/Harti descent group. From a clan perspective, Nugal is rather homogenous, with the Issa Mahmud almost completely dominating the region and with Omar Mahmud clan, still from the Darood/Harti group, dominant in the southern part of Nugal and in north Mudug. Another smaller clan, the Awrtable, inhabits the area close to the Eyl port town.

In 2021, UNOCHA estimated the population of Nugal region at 534 574 inhabitants.

#### Background and actors involved in armed confrontations

Puntland's state administration and security apparatus are reportedly fully in control of the Nugal region. The region is characterized by stability and security.

While Al-Shabaab was not reported to be present in the region, the police were to be ready to take action in order to avert Al-Shabaab's alleged plans for intrusion in the region in September 2022 with the aim to recruit civilians. Puntland's military and navy forces guarded coastal areas of the region for the same purpose.

There were no major ongoing clan conflicts. Small-scale clan frictions took place in the area close to Garowe; they were usually solved through customary law and they did not turn into full-fledged or large-scale conflicts.

#### Nature of violence and examples of incidents

At instances, clan militias or unidentified armed groups caused some violent incidents. The large majority of incidents recorded by ACLED in the reporting period were clashes between different tribal militia or between tribal militia and security forces, mostly related to disputes over land.

One such incident took place in January 2022. Tribal militias clashed with each other in the Saahmaygaag and Sanga Jabiye areas of Nugal and Sool regions for the control of land and





natural resources. During the clash, 6-20 people were estimated to have lost their lives, while several others were injured. The situation calmed down after a two-month mediation process with the involvement of elders and government officials.

In another incident in April 2022, one person was reportedly injured, during an attack by an armed group on the district high school of Eyl, on a day of election preparations.

One case of conflict-related rape was verified by UNSOM.

### **Incidents: data**

ACLED reported 21 security incidents (an average of 0.3 security incidents per week) in Nugal region between 1 July 2021 and 30 November 2022. Out of those incidents, 10 were coded as 'battles' and 11 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 8 security incidents were recorded in Nugal representing an average of 0.4 security incidents per week.

### **Geographical scope**

The large majority of security incidents in Nugal were recorded in Garowe district (19 out of 21), while of the remaining two, one was recorded in Eyl and the other in Burtinle district.

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 11 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 4 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 3 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

Between July 2021 and November 2022, 552 individuals were newly displaced from Nugal according to PRMN. Of them, 67% were displaced within the region, while 183 individuals were displaced to the neighbouring regions, Bay and Sool.

Between December 2022 and March 2023, no individuals were newly displaced from Gedo, according to PRMN.

### **Further impact on civilians**

One case of conflict-related rape in Garowe was verified by UNSOM.

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Looking at the indicators, it can be concluded that in the region of **Nugal**, there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

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## Bari

Last update: August 2023

The situation in Bari should be seen in light of the situation in the neighbouring region of Nugal.

Main COI references: [[Security 2023](#), 2.6.1., pp. 159-165; [COI Update 2023](#), 1.2., pp. 11-12; 1.3.4., pp. 16-19; [Socio-economic 2021](#), 2.2.2.2., p. 56; 1.2.1.2., p. 21]

### General information

Bari region, the largest in Somalia, consists of six districts. The region's capital is Bosasso, the largest city in Puntland and an important port. An airport operating national flights is located in Bosasso.

The dominant clan in the Bari region is the Osman Mahmud sub-clan of the Majeerteen clan, of the Darood-Harti clan group. The Ali Suleman clan is also present and influential in the region. The area to the south of Bosasso is inhabited by some smaller sub-clans, such as Ali Jibrail, Dashishe, Kaptanle.

A large number of Digil / Mirifle IDPs is settled in the city of Bossaso. Those IDPs are seen with suspicion from the indigenous population being perceived as having ties or being affiliated to Al-Shabaab.

In 2021, UNOCHA estimated the population of Bari at 1 042 587 inhabitants.

### Background and actors involved in armed confrontations

The main actors in the area are Al-Shabaab, ISS, Majeerteen sub-clans and Puntland's military forces.

Puntland security forces are in control of the Bari region including the towns of Bossaso, Qandala, Caluula, Qardho and Bandarbayla. However, control over a strip of land that borders the Gulf of Aden and includes the Galgala and Golis mountains in the area north-west of Bossaso is mixed or contested between Puntland security forces and Al-Shabaab.

Several clan conflicts typically driven by the competition over resources and land are also reported in the Bari region.

Enmity between rival factions of security forces in Bossaso was another source of conflict in the region in the reference period.

Another source of conflict in the Bari region is the arms' smuggling and human trafficking networks' activity. The networks' members are often assisted by their local clans. Puntland security forces made efforts to dismantle these networks.

In 2021, ISS was reported to be expanding its presence in Bari region.





### **Nature of violence and examples of incidents**

Al-Shabaab attacked a military base (Af-Urur), in September and October 2021. The attacks were followed by clashes in the area in November 2021 and March and May 2022.

Several operations organised by the Puntland's Security Forces against Al-Shabaab and ISS took place in consecutive points in time in the mountainous area of the region. In July and September 2021 clashes took place in the Cal Miskaad mountains, and in December 2021 in Madarshoon area. More armed clashes were reported in March 2022 at the Galgala mountains and in June 2022 near Timirshe; in July 2022 in the Golis and Cal Miskaad mountains; and in October or November 2022 in the Galgala and Almadow (Cal Madow) mountains. On 14 January 2023, an armed clash occurred between ISS and *Darwish* soldiers in Bossasso district.

Four security events were attributed to ISS in Qandala.

Rivalry between security forces factions resulted in clashes. The dismissal of the leader of Puntland's Security forces resulted in clashes that caused the death of five civilians and led to the displacement of thousands of others in December 2021. Eventually, in March 2022 the dismissed leader of PSF was reinstated in his position by the President of Puntland.

In an effort to expand the borders of their lands various Majerteen sub-clans fought each other in Iskushuban and Arma.

The killing of a civilian by unidentified gunmen in front of a mosque in Bossaso on 13 June 2022, and the killings of two civilians in Bosasso city by police officers for an unknown motive on 2 October 2021 were also reported.

### **Incidents: data**

ACLED recorded 53 security incidents (an average of 0.7 security incidents per week) in Bari region between 1 July 2021 and 30 November 2022. Out of those incidents, 24 were coded as 'battles', 23 as 'explosions/remote violence' and 6 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 26 security incidents were recorded in Bari representing an average of 1.4 security incidents per week.

### **Geographical scope**

Security incidents occurred in 4 out of 6 districts of Bari region with the largest overall number being recorded in Bosasso district (32 incidents).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 90 fatalities in the region. Most of those (72 fatalities) were reported in Bossaso district. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 68 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 15 fatalities per 100 000 inhabitants for the whole reference period.





## Displacement

Between July 2021 and November 2022, 2 366 individuals were newly displaced from Bari according to PRMN. Of them, 72 % were displaced within the region, while the remaining 655 individuals were displaced mainly to Sanaag and Sool regions.

The majority of the displacements from Bari to other regions or other areas within Bari were a result of clashes between rival factions of security forces in December 2021.

Between December 2022 and March 2023, no individuals were newly displaced from Bari, according to PRMN.

## Further impact on civilians

Two humanitarian access incidents were documented by UNOCHA during the reference period. One case of conflict-related rape in Armo was verified by UNSOM.

With the exception of the area around the Galgala mountains, no restriction on movement was imposed on civilians that were generally able to move around the region freely.

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Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the region of **Bari**, however **not at a high level**. Accordingly, a **higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

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## Regions contested between Somaliland and Puntland

### Sool

Last update: August 2023

The situation in Sool should be seen in light of the situation in the neighbouring regions of Sanaag and Bari.

Main COI references: [[Security 2023](#), 2.7.1., p.167-172; [COI Update 2023](#), 1.1.1., p. 7; 1.3.1., p. 13; 1.3.4., pp. 16-19; 1.3.6., p. 17]

#### General information

Sool region consists of four districts. Laas Canood is the region's capital.

Sool is inhabited primarily by Dhulbahante, a Darod / Harti sub-clan, which is part of the Harti confederation together with the Majerteen clans of Puntland. Caynabo town is primarily inhabited by the Isaaq clan.

In 2021, UNOCHA estimated the population of Sool at 464 488 inhabitants.

#### Background and actors involved in armed confrontations

Puntland and Somaliland dispute over the political and military control of areas in the Sool and Sanaag regions, as well as in the area of Ayn, part of Togdheer region. Sool and Sanaag fall within Somaliland's boundaries, as per the old Anglo-Italian border and protocol and as put forward by the Somaliland government. Sool local authorities have repeatedly switched sides between Puntland and Somaliland in the past. Old tensions oppose the Dhulbahante clan and Somaliland over long-standing self-determination demands of the clan which declared, in early January 2023, Sool and Sanaag regions as parts of the Federal Republic of Somalia and asked the Somaliland forces to withdraw from the area. [[COI Update 2023](#), 1.1.1., p. 7].

Somaliland forces control the western part of Sool. The capital Laas Canood, Xudun district and Tukaraq are controlled by the Somaliland administration. Boocame, a district previously controlled by Puntland, came under the control of Somaliland forces after May 2022. The areas bordering Nugal and Bari regions are contested by the Somaliland administration and Puntland's autonomous forces.

In terms of clan rivalries, Sool region is a highly disputed area presenting numerous conflict dynamics. Several inter and intra-clan disputes, involving clan militias, over water wells have been frequently reported. Inter-clan disputes, between Isaaq and Darood clan families have a higher tendency to escalate.

Al-Shabaab presence was not reported in Sool during the reference period.

#### Nature of violence and examples of incidents





Between February and the beginning of March 2023, twenty-four days of clashes between Somaliland forces and the Dhulbahante clan in Laas Canood left 210 civilians dead, 680 others wounded, and 200 000 families displaced.

Clan militias, unidentified militias or unidentified armed groups were involved in the majority of battles and of incidents of violence against civilians that took place in Sool. Both intra-clan (between Dhulbahante sub-clans) clashes as well as inter-clan clashes between Dhulbahante and Isaaq sub-clans occurred. For example, several clashes between Dhulbahante and Majeerteen clans were reported in Boocame. Furthermore, in January 2022, clashes between tribal militias were reported in the Saahmaygaag and Sanga Jabiye areas of Nugal and Sool regions.

Somaliland police or military forces were involved in a small number of security incidents in the region. For example, on 27 September 2021, a Somaliland police official was killed and another wounded, after Somaliland security forces clashed with an armed group in the town of Xudun. The armed group was reportedly dealing drugs.

An attack on military and police camps of Somaliland forces by a rebel fighters' group on 15 December 2021 has also been reported.

#### **Incidents: data**

ACLED recorded 32 security incidents (an average of 0.4 security incidents per week) in Sool region between 1 July 2021 and 30 November 2022. Out of those incidents, 15 were coded as 'battles', 4 as 'explosions/remote violence' and 13 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 44 security incidents were recorded in Sool representing an average of 2.3 security incidents per week. Out of those incidents, 35 were coded as 'battles'.

#### **Geographical scope**

Security incidents occurred in 2 out of 4 districts of Sool region. All -but one- incidents, took place in Laas Canood district.

#### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 55 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 297 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 76 fatalities per 100 000 inhabitants for the whole reference period.

#### **Displacement**

Between July 2021 and November 2022, 291 individuals were newly displaced from Sool, according to PRMN. Almost all of them initially resided in the Laas Canood district and were displaced within the same administrative region. The remaining 22 people were displaced





either to Wogoyi Galbeed or to Bari regions. In the same period, conflict and insecurity brought in Sool 624 individuals from Bari and Nugal regions.

Between December 2022 and March 2023, 168 544 individuals were newly displaced from Sool, according to PRMN, a region particularly affected by internal displacement due to the incidents in Laas Canood.

### Further impact on civilians

Three humanitarian access incidents were documented by UNOCHA between July 2021 and November 2022. It has also been reported that Laas Canood's main hospital has come under attack twice in February 2023.

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Looking at the indicators, it can be concluded that indiscriminate violence is taking place in the region of **Sool**, however **not at a high level**. Accordingly, a **higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

It can be noted that, at the time of writing, the indiscriminate violence primarily affects the district of Laas Canood and its surroundings.

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## Sanaag

Last update: August 2023

The situation in Sanaag should be seen in light of the situation in the neighbouring regions, among others, Sool and Bari.

Main COI references: [[Security 2023](#), 2.7.2., pp. 172-178; [COI Update 2023](#), 1.1.1., p. 7; 1.3.4., pp. 16-19]

### General information

Sanaag region consists of three districts. The region's capital is Ceerigaabo.

The population of Sanaag is divided into Warsangeli (Harti) and Isaaq clan groups. Eastern Sanaag is primarily inhabited by Warsangeli, part of the Harti confederation together with the Majerteen clans of Puntland. The western part of Sanaag, including the capital Ceerigaabo is mainly inhabited by Habar Yunis, an Isaaq sub-clan. Dhulbahante (Harti) are also present in parts of southern Sanaag.

In 2021, UNOCHA estimated the population of Sanaag at 362 721 inhabitants.





## Background and actors involved in armed confrontations

Puntland and Somaliland dispute over political and military control of areas of the Sool and Sanaag regions as well as the area of Ayn, part of Togdheer region. Sool and Sanaag fall within Somaliland's boundaries, as per the old Anglo-Italian border and protocol and as put forward by the Somaliland government.

Somaliland forces are in control of the western part of Sanaag, including Ceel Afweyn town and the capital Ceerigaabo. The area bordering Bari region, including Dhahar town, is claimed both by the Somaliland administration and Puntland's autonomous forces. Puntland controls Sanaag's eastern part, including Badhan and Laasqoray towns and the Milho village.

Old tensions oppose the Dhulbahante clan and Somaliland over long-standing self-determination demands of the clan which declared, in early January 2023, Sool and Sanaag regions as parts of the Federal Republic of Somalia and asked the Somaliland forces to withdraw from the area.

In June 2022, after discussions in the context of a conference held in the region's capital, Warsangeli clans and the government of Somaliland agreed that the 'Warsangali community is fully part of the Somaliland Republic.'

Al-Shabaab is present in the northeastern part of the region, around the Golis Mountain range. The group is involved in gold mining activities and is imposing taxation to the local population despite the presence of Puntland and international counter-terrorism forces.

## Nature of violence and examples of incidents

The number of security incidents in the reference period was relatively low (9 incidents).

Al-Shabaab was one of the main actors of violence in the region. The group was involved in 4 out of 9 incidents, mainly in battles against Puntland security forces. All four incidents occurred in Milho village. For example, in March 2022, the group launched an artillery attack against a Puntland military base in Milho village. According to a Puntland official, the attack was repelled by Puntland's autonomous forces.

Inter and intra-clan disputes, involving clan militias, over grazing land, water resources, mining rights and political power occurred. Inter clan disputes occurred, for example, between Warsangeli and Isaaq clans around the capital Ceerigaabo about mining rights. Intra-Warsangeli disputes over land issues also took place. These tribal rivalries didn't evolve into large conflicts.

A suicide attack in a grocery store in Milho village on 11 September 2022, that resulted in the death of at least 5 people and the injury of 11 people has also been reported. In another instance, in January 2022, clan militias took control of Ood-La village in Damala Xagare area and destroyed buildings and water reservoirs.





### **Incidents: data**

ACLEED recorded 9 security incidents (an average of 0.1 security incidents per week) in Sanaag region between 1 July 2021 and 30 November 2022. Out of those incidents, 4 were coded as 'battles', one as 'remote violence / explosions' and 4 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 5 security incidents were recorded in Sanaag representing an average of 0.3 security incidents per week.

### **Geographical scope**

Security incidents occurred in all districts of Sanaag region with the largest overall number being recorded in Ceerigaabo district (5 incidents).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 14 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded a total of 5 fatalities in the region. Compared to the figures for the population in the region as from 2021, this represents approximately 5 fatalities per 100 000 inhabitants for the whole reference period.

### **Displacement**

The key reason for displacement in Sanaag was the insecurity linked to Al-Shabaab activity or clan-based disputes.

Between July 2021 and November 2022, 571 individuals were newly displaced from Sanaag according to PRMN. Of those, 77 % were displaced within the region, while the remaining 133 individuals were displaced to Wogoyi Galbeed and Bari. In the same period, 206 individuals arrived in Sanaag from Bari region as a result of conflict and insecurity.

Between December 2022 and March 2023, 12 individuals were newly displaced from Sanaag, according to PRMN.

### **Further impact on civilians**

Two humanitarian access incidents were documented by UNOCHA during the reference period. Both incidents occurred in Ceerigaabo district.

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Looking at the indicators, it can be concluded that in the region of **Sanaag**, there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

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## Somaliland

### Awdal

Last update: August 2023

The situation in Awdal should be seen in light of the situation in the neighbouring regions of Wogoyi Galbeed and Togdheer.

Main COI references: [[Security 2023](#), 2.8.1., pp. 178-181; 2.8.4., pp. 190-191; [COI Update 2023](#), 1.3.4., p. 19; [Security 2021](#), 2.7.1.3., p. 145]

#### General information

Awdal region consists of four districts. The region's capital is Borama.

Awdal is inhabited by the Dir clans, Gadabursi and Issa, with the regional capital Borama at the centre of the Gadabursi territory.

In 2021, UNOCHA estimated the population of Awdal at 538 211 inhabitants.

#### Background and actors involved in armed confrontations

Awdal is characterised by stability and safety. The whole region is under the control of the Somaliland administration and security forces.

Clan disputes occur over the use of resources, such as grazing land and the use of mines, without escalating to major conflicts. Clan militias occasionally clash with Somaliland police forces.

Al-Shabaab presence was not reported during the reference period.

#### Nature of violence and examples of incidents

Clashes between clan militias and Somaliland forces have been reported.

Illustrative incidents include an armed clash between armed men with Somaliland police at a gold mine near Borama in March 2022 and the killing of three civilians in Borama town in May 2022 in the context of clan tensions, as reported.

#### Incidents: data

ACLED recorded 4 security incidents (an average of 0.1 security incidents per week) in Awdal region between 1 July 2021 and 30 November 2022, ranking the region the lowest in terms of security incidents. Out of those incidents, 2 were coded as 'battles' and 2 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, no security incident was recorded in Awdal.





### Geographical scope

All recorded security incidents occurred in Borama district.

### Fatalities among civilians and non-civilians

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 5 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded no fatality in the region. Compared to the figures for the population in the region as from 2021, this represents less than 1 fatality per 100 000 inhabitants for the whole reference period.

### Displacement

Between July 2021 and November 2022, no individuals were displaced from Awdal due to conflict or insecurity, according to PRMN.

Between December 2022 and March 2023, 660 individuals were newly displaced from Awdal, according to PRMN.

### Further impact on civilians

The presence of entry and exit checkpoints at each district within Somaliland has been reported. Residents can in general freely move around without 'too many security concerns', with the road from Berbera to Hargeisa in general being safe. Since Al-Shabaab presence is very limited, if any, goods and supplies travel back and forth.

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Looking at the indicators, it can be concluded that in the region of **Awdal**, there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

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## Wogoyi Galbeed

Last update: August 2023

The situation in Wogoyi Galbeed should be seen in light of the situation in the neighbouring regions of Awdal to the west and Togdheer to the east.

Main COI references: [[Security 2023](#), 2.8.2., pp. 182-185; [COI Update 2023](#), 1.3.4., p. 19; [Security 2021](#), 2.7.2.1., p. 146; [Socio-economic 2021](#), 3.1., p. 71]

### General information

Wogoyi Galbeed region consists of three districts. The region's capital is Hargeisa, which is also the capital of Somaliland.

Hargeisa has become the biggest urban setting in Somaliland, has been almost entirely rebuilt, and has expanded rapidly in both size and density.





Wogooy Galbeed is predominantly inhabited by the Habar Awal clan. The other two main clans in the region are Habar Yunis and Idagalle. As to the state capital, Hargeisa, its neighbourhoods are strongly clan-related, with the town territory partitioned among the various clans and sub-clans present in town: mainly Habar Awal, Habar Yonis, Habar Jeelo, Idagalle, but also minority groups.

In 2021, UNOCHA estimated the population of Wogoyi Galbeed at 1 224 717 inhabitants.

### **Background and actors involved in armed confrontations**

Wogooy Galbeed is characterised by stability and safety. The whole region is under the control of the Somaliland administration and security forces.

Clan militias and unidentified armed groups occasionally clash with Somaliland police and military forces.

Al-Shabaab presence was not reported during the reference period.

### **Nature of violence and examples of incidents**

Somaliland police and security forces used violence, including live ammunition to disperse crowd protesting in Hargeisa in June and August 2022 in connection to political tensions over elections planning and timing. Violence resulted in the death of 3 and the injury of 34 civilians in Hargeisa.

### **Incidents: data**

ACLED recorded 8 security incidents (an average of 0.1 security incidents per week) in Wogoyi Galbeed region between 1 July 2021 and 30 November 2022, ranking the region second lowest in terms of security incidents. Out of those incidents, 2 were coded as 'battles' and 6 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, no security incident was recorded in Wogoyi Galbeed.

### **Geographical scope**

Security incidents occurred in 2 out of 3 districts of Wogoyi Galbeed region with all -but one- being recorded in Hargeisa district (7 incidents) and one being recorded in Gebiley.

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 8 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded no fatality in the region. Compared to the figures for the population in the region as from 2021, this represents less than 1 fatality per 100 000 inhabitants for the whole reference period.





## Displacement

Between July 2021 and November 2022, conflict and insecurity resulted in 151 individuals arriving in Wogoyi Galbeed region, and more particularly, in Hargeisa.

Between December 2022 and March 2023, 621 individuals were newly displaced from Wogoyi Galbeed, according to PRMN.

## Further impact on civilians

The presence of entry and exit checkpoints at each district within Somaliland has been reported. Residents can, in general, freely move around without ‘too many security concerns’, with the road from Berbera to Hargeisa in general being safe. Since Al-Shabaab presence is very limited, if any, goods and supplies travel back and forth [[Security 2023](#), 2.8.4., pp. 190-191]. There are also checkpoints on all the roads leading in and out of Hargeisa, a city attracting a large number of refugees, returnees and IDPs [[KSEI 2021](#), 3.1. p. 72; 3.2.2.1. pp. 75-76]. Eleven humanitarian access incidents were documented by UNOCHA during the reference period.

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Looking at the indicators, it can be concluded that in the region **Wogoyi Galbeed**, there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

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## Todgheer

Last update: August 2023

The situation in Todgheer should be seen in light of the situation in the neighbouring regions of Wogoyi Galbeed and Awdal.

Main COI reference: [[Security 2023](#), 2.8.3., pp. 186-190; [COI Update 2023](#), 1.3.4, pp. 16, 19]

## General information

Todgheer region consists of four districts. The region’s capital is Burco (or Burao).

Todgheer region is predominantly inhabited by Habar Yunis and Habar Jeelo clans. The area west of Burao is inhabited by Idagalle, along with other minority sub-clans that are considered part of the Habar Yunis major clan. The inhabitants of Buuhoodle, in the south of the region, are nearly all members of the Dhulbahante clan.

In 2021, UNOCHA estimated the population of Todgheer at 728 223 inhabitants.

## Background and actors involved in armed confrontations

The entire region of Todgheer region is under the control of the Somaliland administration and security forces, with the exception of Buhodle town, where control between Somaliland and





Puntland authorities is either mixed or unclear or is exercised locally. Buhodle is perceived as the centre of the Khatumo statehood movement.

Buhodle town, which falls within Somaliland's administrative power, refuses to be part of Somaliland, and at times it allies with the FGS and at times with the Puntland administration.

Inter and intra-clan disputes, involving clan militias, over land and water wells have been reported. A source has indicated that the real issue is actually linked to clan growth and expansion dynamics.

Al-Shabaab presence was not reported during the reference period.

### **Nature of violence and examples of incidents**

In August 2022 protests took place in Burco in connection to political tensions over elections planning and timing (similarly to Hargeisa and Ceerigabo). Violence resulted in the death of one and the injury of 42 civilians in Burco.

In June 2022, military operations by Puntland's security forces were reported in Buhodle district, targeting members of the Somaliland government. In November 2022, clashes between Puntland's Dervish forces clashed and Somaliland forces were reported in the same area.

Protests were also reported in November 2022 in Burco, resulting in the injury of at least seven people.

The killing of one and the injury of another civilian in December 2021 by armed militiamen who opened fire against them in Balig, Gadaale area under a reportedly clan-related motive has been reported.

### **Incidents: data**

ACLED recorded 11 security incidents (an average of 0.1 security incidents per week) in Togdheer region between 1 July 2021 and 30 November 2022. Out of those incidents, 8 were coded as 'battles', 2 as 'remote violence / explosions' and 6 as 'violence against civilians'. In the period from 1 December 2022 to 14 April 2023, 1 security incident was recorded in Togdheer.

### **Geographical scope**

Security incidents occurred in all 3 districts of Togdheer region with the largest overall number being recorded in Buhodle district (6 incidents).

### **Fatalities among civilians and non-civilians**

In the 17 months between July 2021 and November 2022, ACLED recorded a total of 8 fatalities in the region. In the 4.5 months between December 2022 and mid-April 2023, ACLED recorded no fatality in the region. Compared to the figures for the population in the





region as from 2021, this represents approximately 1 fatality per 100 000 inhabitants for the whole reference period.

### **Displacement**

Between July 2021 and November 2022, 13 individuals were newly displaced from Togdheer according to PRMN. No conflict- or insecurity-related displacements to or within Togdheer region were recorded in the reference period. Between December 2022 and March 2023, 365 individuals were newly displaced from Todgheer, according to PRMN.

### **Further impact on civilians**

The presence of entry and exit checkpoints at each district within Somaliland has been reported. Residents can in general freely move around without 'too many security concerns'. Since Al-Shabaab presence is very limited, if any, goods and supplies travel back and forth [[Security 2023](#), 2.8.4., pp. 190-191]. One humanitarian access incident was documented by UNOCHA during the reference period.

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Looking at the indicators, it can be concluded that in the region of **Todgheer**, there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

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### 4.3.5. Serious and individual threat

Last update: August 2023

In the context of the ‘sliding scale’, each case should be assessed individually, taking into account the nature and intensity of the violence in the area, along with the combination of personal circumstances present in the applicant’s case. It is not feasible to provide exhaustive guidance about what the relevant personal circumstances could be and how those should be assessed.

The text below provides some indications concerning the relevant considerations and the nature of the assessment.

Indiscriminate violence, examples of relevant personal circumstances:

- **Age:** when assessing the risk of indiscriminate violence, this personal circumstance would be of particular importance in relation to the ability of the person to assess the risks. Security incidents in public places, such as roads, security checkpoints, hotels, restaurants and schools, have been reported in many parts of Somalia [[Security 2021](#), 2.3.3; [Actors](#), 2.4.6, 3.6, 4.5, 7.5.5; [Targeting](#), 6]. Children may not be in a position to quickly assess a changing situation and avoid the risks it entails. In some cases, elderly age may also impact the person’s ability to assess and avoid risks associated with an armed conflict.
- **Health condition and disabilities, including mental health issues:** serious illnesses and disabilities may result in restricted mobility for a person, making it difficult for them to avoid immediate risks and, in the case of mental illnesses, it can make them less capable of assessing risks. In other cases, such conditions may require frequent visits to a healthcare facility. The latter may have different implications related to the assessment of the risk under Article 15(c) QD. Taking into account road security, this may increase the risk of indiscriminate violence as the person would be required to travel. Attacks in healthcare facilities have also been recorded [[Actors](#), 2.4.6, 3.6, 4.5, 7.5.5]. Furthermore, if healthcare facilities are damaged and closed because of fighting, such an applicant may be at a higher risk due to the indirect effects of the indiscriminate violence as they would not be able to access the healthcare they need.
- **Economic situation:** applicants in a particularly dire economic situation may also be less able to avoid the risks associated with indiscriminate violence. They may be forced to expose themselves to risks such as working in areas which are affected by violence in order to meet their basic needs. They may also have less resources to avoid an imminent threat by relocating to a different area.
- **Knowledge of the area:** when assessing the risk of indiscriminate violence under [Article 15\(c\) QD](#), the relevant knowledge of the area concerns the patterns of violence it is affected by, the existence of areas contaminated by explosive remnants of war, etc. Different elements may affect negatively a person’s knowledge of the area. For example, being born or having lived for many years outside the country can impact the applicant’s ability to assess the risks in the area.





- **Occupation** and/or place of residence: the occupation and/or place of residence the person is likely to have when they return to their home area may also be relevant to assess the risk under [Article 15\(c\) QD](#). It may, for example, be linked to the need for the applicant to travel through areas where road incidents are often reported, or to work in or live near locations known to be particularly targeted in the conflict, e.g. checkpoints, restaurants, hotels, polling stations.
- **Family members or clan/support network**: the lack of family members or clan/support network could affect the applicant's economic situation and place of residence/occupation and may also prevent them from being informed on risks relevant to the indiscriminate violence in a situation of an armed conflict.

Individual elements related to the above can exist in combination. Other factors may also be relevant.

It is not feasible to provide general guidance on which individual circumstances would be sufficient to substantiate a real risk under Article 15(c) QD in areas with high level of violence compared to areas where the violence is considered to not be at a high level. Each case should be assessed individually.

#### 4.3.6. Qualification of the harm as a ‘threat to (a civilian’s) life or person’

Last update: August 2023

Some of the commonly reported types of harm to civilians’ life or person in Somalia include killing, injury, forced displacement, explosive remnants of war, etc. A real risk of such serious harm would qualify a threat to a (civilian’s) life or person in accordance with the provision of Article 15(c) QD.

#### 4.3.7. Nexus/‘by reason of’

Last update: August 2023

The interpretation of the causation ‘by reason of’ may not be limited to harm which is directly caused by the indiscriminate violence or by acts that emanate from the actors in the conflict. To a certain extent, it may also include the indirect effect of indiscriminate violence in situations of armed conflict. As long as there is a demonstrable link to the indiscriminate violence, such elements may be taken into account in the assessments, for example: widespread criminal violence as a result of lawlessness, destruction of the necessary means to survive, destruction of infrastructure, denial of or limited access of humanitarian aid, limited access to healthcare facilities.





## 5. Actors of protection

[Article 7 QD](#)



The contents of this chapter include:

[5.1. The State](#): outlining and analysing the capacity of the Somali State and of the Authorities of Somaliland to provide protection in accordance with Article 7 QD;

[5.2. Parties or organisations, including international organisations](#): analysing whether other parties or organisations could qualify as actors of protection under Article 7 QD.

[5.3. Considerations on clan support](#): analysing whether clans could qualify as actors of protection under Article 7 QD.

### 5.1. The State

#### 5.1.1. The Somali State

Last update: June 2022  
Minor updates: August 2023

Somalia is a Federal State which is composed of two levels of government: the federal government and the federal member states, which include both state and local governments [[Actors](#), 2.1., p. 23].

The President is the Head of the State, the symbol of national unity and the guardian of the Constitution [[Actors](#), 2.1., p. 24].

On the FGS level, the legislative power is exercised by the Federal Parliament, consisting of the House of People and the Upper House. The executive branch consists of the Council of Ministers. Local parliaments are also based in FMS. [[Actors](#), 2.1., pp. 23-24]

Puntland has developed significant institution-building and governance mechanisms. However, it is still affected by a number of issues, including security, humanitarian, political, and socio-economic challenges, such as tensions with FGS, clashes with Somaliland and Galmudug, clan rivalries and presence and activities of Al-Shabaab and ISS [[Actors](#), 7.6., p. 102; 7.6.1., p.102]. The Judiciary consists of the Constitutional Court, the Federal Government level courts and the FMS level courts. Under the Provisional Constitution, the judiciary power shall be independent of the legislative and executive branches. Puntland has by far the most





advanced (formal) judicial system among the FMS. Islam is the State religion and *Sharia* is the basis of both statutory and customary law. [[Actors](#), 2.1, p. 24; pp. 28-30; 7.6.4., p. 106]

The formal justice system is only a portion of the composite justice system that operates in Somalia. Mediation or arbitration through customary law elders, as well as adjudication through *Sharia* courts coexist, complement or replace official justice venues. Very broadly, their subject specialisation can be described as follows:

- Official justice system: in principle all cases, civil and criminal;
- Customary (*xeer*) justice: main source of justice for the settlement of clan disputes, conflict resolutions, land disputes and (group) collective responsibilities;
- *Sharia* courts: primarily for family matters, business and commercial disputes [[Actors](#), 2.3., pp. 26-34].

For the justice mechanism operated in Al-Shabaab controlled areas, see [5.2.1. Al-Shabaab](#) under [5.2. Parties or organisations, including international organisations](#).

Since 2014, *xeer* has been adopted as a supplementary approach to justice by the Ministry of Justice (MoJ) of the FGS. Officially renamed to Alternative Dispute Resolution (ADR), ADR centres have been established in all FMS, however not in all administrative regions. More than 80% of all civil and criminal cases in Somalia are settled through a customary (*xeer*) system, which is perceived by many Somali citizens as effective, fast and compliant with *Sharia* law but most importantly provides enforceable judgments. [[Actors](#), 2.3.2., pp.30-32]

Several issues affect the statutory administration of justice in Somalia, including limited staff and budget, limited preparation and training, lack of enforcement of both civil and criminal decisions and widespread corruption. Access to justice is also hindered by costs. Against this backdrop, statutory justice is not the preferred means to seek and access justice among the Somalis. [[Actors](#), 2.3.1., pp. 28-30]

Independence and impartiality of the judiciary is not always respected by the government. Furthermore, local courts often depend on local clans and are affected by clan politics. The right to a fair and public trial is often not enforced at all, with the authorities not respecting most rights relating to trial procedures. [[Actors](#), 2.3.4., p. 35]

Meanwhile, military courts have tried a broad range of offenses and defendants, including children, in trials that violate basic fair trial standards [[Actors](#), 2.3.4., p. 36].

Women and children can only have access to customary (*xeer*) justice through a male representative, since they are not considered by the society as responsible. Stigma is associated to women directly seeking justice and presenting their case to a male-dominated justice system and in the context of a patriarchal society. In comparison with most customary justice providers, *Sharia* courts are more accessible to and amenable towards women and women's rights. [[Actors](#), 2.3.2., p. 31; 7.7.4., pp. 113-114]

Minority group members often lack protection by state authorities and continue to experience issues with regard to access to justice. Access to statutory justice is also hindered by costs,





which is a variable that interacts with clannism, as minority clans tend to be poorer and less well-connected [[Actors](#), 2.3.1., p. 28]. Women from minority groups find themselves with little protection either from customary clan-based justice systems or formal legal procedures [[Targeting](#), 4., p. 60].

Al-Shabaab controlled a significant part of South-Central Somalia and has expanded its influence beyond that.

The state security architecture remains deeply fractured, with impacts in all other domains. As a consequence, the FMS' security, political, and administrative powers are often still weak and overlap or outrightly replace those of the federal government, which is often unable to enforce its presence and central power. [[Actors](#), 2.2., p. 26]

Capacity issues, such as untrained and unqualified units and lack of equipment, have a considerable impact on the effective capacity of the SNA to engage in military operations against Al-Shabaab [[Actors](#), 2.4, pp. 37-38]. NISA is also experiencing a number of issues, including infiltration by Al-Shabaab and political instrumentalisation, affecting its effectiveness. Danab, a 'special force' that is US-trained and equipped, is able to conduct sustained offensive operations [[Actors](#), 2.4.3., pp. 39-40]. In the quarter July-September 2020, Danab had reportedly conducted approximately 80 % of SNA offensive operations in Somalia and nearly all counterterrorism operations against Al-Shabaab [[Actors](#), 2.4.2., p. 39]. Danab and Gorgor commandos were also intensively involved in the operations against Al-Shabaab in the context of the joint government - Macawisley militia military offensive [[Security 2023](#), 1.1., pp. 17-18].

The Puntland state police (PSP) has been described as the only functioning state police service among the FMS police services [[Actors](#), 7.6.2., p. 105-106]. On the other hand, Puntland maritime police force (PMPF) has supplanted various official policy functions in Bosasso and has become involved in Puntland politics, clan rivalries, and geopolitical conflicts, while being used to combat Al-Shabaab and ISS forces as well. It still works as the praetorian guard of current Puntland's administrations, with the UAE trying however to discourage its use as presidents' personal militia. PMP has also fought the PMPF over access and control of Bosasso. Both PMPF (funded by UAE) and PSF (funded by US) operate outside of Somalia's constitution and security architecture, with the latter working as a private auxiliary group [[Actors](#), 2.4, 7.6.2, pp. 105-106].

Meanwhile, clan militia and protection forces almost exclusively composed of Hawiye, sometimes formalised into SNA or police units, have been the primary source of protection for residents of the capital Mogadishu [[Security 2023](#), 2.3.2., p. 111]. For more details on the structure and activities of the FGS and FMS armed forces, see [2. Actors of persecution or serious harm](#).

AMISOM's effectiveness is also impacted by a number of issues, such as mandate, resources and capabilities, regional dynamics and other international actors. Furthermore, an AMISOM expert has stated that 'an under-resourced force that is unable to protect itself is hardly in position to proactively protect civilians'. [[Actors](#), 5.1.2., p. 70]



For more information on the structure and activities of AMISOM, see [2.3.4. ATMIS/AMISOM](#) under [2. Actors of persecution or serious harm](#).

As from January 2021, the US military troops in Somalia were largely withdrawn [[Actors](#), 5.2.1., p. 72]. In May 2022, the US administration reversed the presidential directive in force and decided to send back US troops in Somalia. [[Security 2023](#), 2.3.2., p. 111]

For more information on the structure and activities of AFRICOM, see [2.3.5. AFRICOM](#) under chapter [2. Actors of persecution or serious harm](#).



The Somali multi-faceted justice system is still experiencing significant weaknesses and is unable to effectively detect, prosecute and punish acts that constitute persecution or serious harm. Furthermore, law enforcement is continuously challenged by the different conflicts taking place in **South-Central Somalia** and **Puntland**, including the conflict with Al-Shabaab.

Therefore, it can be concluded that, in general, the Somali State would not be considered an actor of protection meeting the criteria under Article 7 QD.

## 5.1.2. Authorities of Somaliland

Last update: June 2022  
Minor updates: August 2023

The authorities of Somaliland dispose their own legislative, executive and judiciary branches.

Despite some issues experienced by the Somaliland armed forces, such as limited resources and accessibility to more remote areas, they have managed to deny Al-Shabaab a foothold in the area [[Actors](#), 7.7.1., p. 110].

Justice provision in Somaliland operates similarly to that in the rest of Somalia, whereby it combines statutory courts with both *xeer* and *Sharia*. All three systems are recognised by the Constitution of Somaliland. [[Actors](#), 7.7.4., p. 113]

In Somaliland, defendants generally enjoyed a presumption of innocence and the right to a fair trial. Somaliland doubled the number of (statutory) judges in less than a decade and has introduced mobile courts to deal with the access to justice for rural areas harder to reach. Other positive developments have been the rollout of mobile courts to each region of Somaliland, and the appointment of female prosecutors and court registrars. However, a number of issues still affect (statutory) justice in Somaliland, such as lengthy legal procedures, high legal fees, shortage of trained judges and lawyers, limited presence in rural areas and nomadic communities of judiciary institutions, low implementation of court decisions and widespread allegations of corruption. It was reported that Somaliland residents often opted for either *xeer* or *Sharia* to avoid the high fees for lawyers and to find a resolution in a matter of



days rather than wait for several weeks to be heard by a statutory court. [[Actors](#), 7.7, pp. 114-115]

Approximately 30% of all cases arbitrated in Somaliland are resolved through *Sharia* courts and Islamic scholars.

Restrictions to access to customary justice for children and women apply also in Somaliland. See more information under [5.1.1. The Somali State](#) and sub-profile [3.13.1. Violence against women and girls: overview](#).

Minority group members often lack protection by the authorities [[Targeting](#), 4.1., p. 66].



It can be concluded that the authorities of Somaliland, in areas under their control, may, depending on the individual circumstances of the case, be considered able and willing to provide protection that meets the requirements of Article 7 QD. In disputed areas between Somaliland and Puntland, the criteria under Article 7 QD would generally not be met.

When assessing the availability of protection by the authorities of Somaliland, individual circumstances such as home area, age, gender, clan, social and economic situation, actor of persecution and type of human rights violation must be taken into account. Protection by the Somaliland authorities is generally not considered available for members of minority groups, LGBTIQ persons and women, especially in cases of sexual and gender-based violence.

## 5.2. Parties or organisations, including international organisations

### 5.2.1. Al-Shabaab

Last update: June 2022

[[Actors](#), 4.3, 4.4; [Targeting](#) 3.1]

At the peak of its territorial control, Al-Shabaab established functional ministries and administrations. As of 2014, Al-Shabaab maintained several ministries such as the interior ministry, the information ministry, the justice ministry with judges in each region.

There is no functional formal judicial system in Al-Shabaab-controlled areas. Al-Shabaab has established courts in the territory under its control, as well as beyond it, through the introduction of mobile courts, including in Mogadishu. These courts implement the *Sharia* law in its strictest form leading to executions and corporal punishments.



Many people in Somalia who live in government or state-controlled territory seek justice by going to *Sharia* law courts run by Al-Shabaab due to its ability to enforce its decisions. The majority of cases dealt by Al-Shabaab courts are civil and, among these, mostly related to land or business disputes.

Al-Shabaab carried out arbitrary arrests on the basis of questionable or false accusations. Its courts did not permit legal representation or appeals and the group administered justice without consulting the victims or taking into account the broader circumstances of an offence.



The lack of due process and the nature of the punishments would not qualify the parallel justice mechanism operated by Al-Shabaab as a legitimate form of protection. Further taking into account its record of human rights violations, it can be concluded that Al-Shabaab does not qualify as an actor of protection who is able to provide effective, non-temporary and accessible protection.

### 5.3. Considerations on clan support

Last update: June 2022

The following judgment is of particular importance for the assessment on the support provided by clans in Somalia in relation to Article 7 QD:

The CJEU found that: ‘In accordance with the requirements described in paragraphs 38 and 43 to 46 of the present judgment, any such protection in terms of security cannot, in any event, be taken into account in order to ascertain whether State protection meets the requirements that arise, in particular, from Article 7(2) of that directive.

[...]

Article 11(1)(e) of Directive 2004/83, read together with Article 7(2) of that directive, must be interpreted as meaning that any social and financial support provided by private actors, such as the family or the clan of a third country national concerned, falls short of what is required under those provisions to constitute protection and is, therefore, of no relevance either to the assessment of the effectiveness or availability of the protection provided by the State within the meaning of Article 7(1)(a) of that directive, or to the determination, under Article 11(1)(e) of that directive, read together with Article 2(c) thereof, of whether there continues to be a well-founded fear of persecution.<sup>7</sup>

Most Somalis rely on support from patrilineal clan relatives [[Targeting](#), 4]. Clans can provide different forms of support for their members. Inside the *jilib*, community must help individuals in case of smaller or larger problems, reaching as far as the mutilation or the murder of

<sup>7</sup> CJEU, *OA v Secretary of State for the Home Department*, C-255/19, Second Chamber, judgment of 20 February 2021 (OA).



someone from another clan (blood price) [[Actors](#), 3.2.1]. Arrangements can also be made between clans for protection outside the clan [[Actors](#), 3.2.2].

Under the *xeer* system, clan elders act as mediators or arbiters, and play a central role in the resolution of local and intra-clan disputes [[Actors](#), 2.3.2].

For information with regard to support provided by clans, see [1.2. The role of clans in Somalia](#). For more information on the *xeer* system, see profile [3.10. Individuals accused of crimes in Somalia](#) and [5.1.1. The Somali State](#) under chapter [5. Actors of protection](#).



The support provided by clans in Somalia cannot be considered as meeting the requirements of Article 7 QD.



## 6. Internal protection alternative

Last update: August 2023

[Article 8 QD](#)



The contents of this chapter include:

- 6.1. Preliminary remarks
- 6.2. Part of the country
- 6.3. Safety
  - 6.3.1. Absence of persecution or serious harm
  - 6.3.2. Availability of protection against persecution or serious harm
- 6.4. Travel and admittance
- 6.5. Reasonableness to settle
  - 6.5.1. General situation
  - 6.5.2. Individual circumstances
  - 6.5.3. Conclusions on reasonableness

### 6.1. Preliminary remarks

Last update: August 2023

This chapter looks into the topic of internal protection alternative. It analyses the situation in **Mogadishu**, **Garowe** and **Hargeisa** in relation to the requirements of Article 8 QD.

In order to determine that internal protection is available in a particular part of the applicant's country of origin, three cumulative criteria have to be met: 'safety', 'travel and admittance' and 'reasonableness to settle'.



**Figure 7. Internal protection alternative: elements of the assessment.**



In relation to these elements, when assessing the applicability of IPA, the case officer should consider the general situation in the respective part of Somalia, as well as the individual circumstances of the applicant.

## 6.2. Part of the country

Last update: June 2022

The first step in the analysis of IPA is to identify a particular part of the country with regard to which the criteria of Article 8 QD would be examined in the individual case.

The examples of Mogadishu, Garowe and Hargeisa have been selected as the main urban centres in Somalia, including Puntland and Somaliland.

The selection of the three cities for this common analysis and guidance note does not prevent case officers from considering the application of IPA for other parts of Somalia, provided that all criteria described hereunder are met.



When identifying the relevant part of the country to assess as IPA, the clan affiliation of the applicant would be an important consideration. For example, for applicants from the Darood/Harti clan family, Garowe may be particularly relevant to assess. Similarly, Hargeisa may be particularly relevant to assess for applicants originating from Somaliland and/or belonging to the Isaaq clan family. For applicants from other clans, Mogadishu may be more relevant to assess, due to the presence of multiple clans in the city.





## 6.3. Safety

Last update: June 2022  
Minor updates: August 2023

### 6.3.1. Absence of persecution or serious harm

When examining the element ‘absence of persecution or serious harm’, the decision-maker should refer to chapters 2 to 5 of this document.

When assessing the requirement of safety with regard to the applicability of IPA in individual cases of applicants from Somalia, the following elements should be taken into account:

- **General security situation in relation to indiscriminate violence**

The general security situation in the particular part of the country that is being examined as an alternative for internal protection in the individual case should be assessed in accordance with the analysis under the section on Article 15(c) QD.

The conclusions with regard to the three cities of Mogadishu, Garowe and Hargeisa are as follows:

In **Mogadishu**: indiscriminate violence reaches a **high level**, and, accordingly, a **lower level of individual elements** is required to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

In **Garowe**: there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

In **Hargeisa**: there is, in general, **no real risk** for a civilian to be personally affected within the meaning of Article 15(c) QD.

- **Actor of persecution or serious harm and their reach**

In case where the person fears persecution or serious harm by State actors (e.g. journalists), there is a presumption that IPA would not be available (Recital 27 QD).

In specific cases, where the reach of a certain State actor is clearly limited to a particular geographical area (e.g. FMS authorities, Somaliland authorities), the criterion of safety may be satisfied with regard to other parts of Somalia. The presence and/or control of Al-Shabaab and its operational capacity has generally expanded in all South-Central Somalia. Activities and presence have been reported in Puntland to a lesser degree. However, Al-Shabaab has steadily become stronger in Puntland. [[Actors](#), 4.1., p. 59; [Targeting](#), 6.1., p. 88]. Moreover, Al-Shabaab has infiltrated both the government and the security forces, thus expanding its areas of influence beyond the areas where it holds military presence or even territorial control [[Actors](#), 4.3.3., p. 64]. Al-Shabaab





has limited capacity to carry out attacks in Somaliland because it only has a small presence [[Targeting](#), 6.1., p. 90]. In case of persecution by Al-Shabaab, the criterion of safety, in general, would not be satisfied in South-Central Somalia. With regard to Puntland and Somaliland, IPA may be considered safe, depending on individual circumstances. Among other relevant factors, the capacity of Al-Shabaab to track and target individuals in areas outside of its control, the way the applicant is perceived by Al-Shabaab and whether a personal enmity is at stake should be given due consideration.

With regard to other actors of persecution or serious harm, such as ISS and clans, their presence is generally geographically more limited. In some cases, the criterion of safety under IPA could be satisfied, depending on individual circumstances.

For more information on the territorial aspect of the activities of different actors, see chapter [2. Actors of persecution or serious harm](#) and [4.3.4. Indiscriminate violence](#).

Where the applicant faces persecution or serious harm for reasons related to the prevalent social norms in Somalia and the actor of persecution or serious harm is the Somali society at large (e.g. LGBTIQ persons), IPA would in general not be considered safe.

For certain particularly vulnerable individuals, such as some women and children, if the actor of persecution or serious harm is the (extended) family or clan (e.g. FGM/C, forced marriage), taking into account the reach of these actors, the lack of State protection and their vulnerability to potential other forms of persecution or serious harm, IPA would in general not meet the requirement of safety.

See also [2. Actors of persecution or serious harm](#).

- **Whether the profile of the applicant is considered a priority target and/or a threat by the actor of persecution or serious harm**

The profile of the applicant could make him or her a priority target, increasing the likelihood that the actor of persecution or serious harm would attempt to trace the applicant in the potential IPA location (e.g. high-level federal and state officials and members of the armed forces targeted by Al-Shabaab and/or ISS, etc.).

- **Behaviour of the applicant**

It should be underlined that it cannot be reasonably expected that the applicant abstains from practices fundamental to his or her identity, such as those related to their religion or sexual orientation and gender identity, in order to avoid the risk of persecution or serious harm.

- **Other risk-enhancing circumstances**

The information under the section [3. Refugee status](#) should be used to assist in this assessment.



### 6.3.2. Availability of protection against persecution or serious harm

Last update: June 2022

Alternatively, case officers may determine that the requirement of safety is satisfied if the applicant would have access to protection against persecution or serious harm as defined in Article 7 QD in the area where IPA is considered. In the case of persecution by the State, a presumption of non-availability of State protection applies.

See the chapter on [5. Actors of protection](#) above.



In relation to **Mogadishu**, the requirement of safety may be satisfied only in **exceptional cases**. Individual circumstances are to be taken into consideration.

In relation to **Garowe** and **Hargeisa**, the requirement of safety may be satisfied, depending on the profile and the individual circumstances of the applicant.

## 6.4. Travel and admittance

Last update: (Month) (Year)

In case the criterion of ‘safety’ is satisfied, as a next step, it has to be established whether an applicant can safely and legally travel and gain admittance to Mogadishu, Garowe and Hargeisa.

The general situation and the individual circumstances of the applicant should be taken into account in this assessment.

- **Safely travel:** there should be a safe route, through which the applicant can practically travel without undue difficulty, so that he or she can access the area of IPA without serious risks. In this regard, the assessment of the travel route from the airport to the city is part of the ‘safe travel’ criterion and has to be assessed carefully based on relevant COI.

**Mogadishu** has an international airport, Aden Adde International Airport, from which both international and domestic flights are taking place. The airport is located about 1.6 kilometres west of the town. Mortar attacks launched by Al-Shabaab against the airport complex have been recorded. [[Actors](#), 4.2.3., p. 61] In March 2022, the group was able to infiltrate the airport zone to carry out an attack inside [[Security 2023](#), 2.2.3., p. 113].

Several hundred checkpoints in Mogadishu manned by security forces were meant to ensure safety in the city. People reported fear going through checkpoints because of



corrupt police officers or the risk of terrorist bomb attacks. Violent incidents at checkpoints causing deaths and harassments by NISA or other security agents have also been reported [[KSEI 2021](#), 1.2.2., p. 23]. Roadblocks continued to present a 'recurrent security challenge' in 2021 - 2022 [[Security 2023](#), 2.3.4., p. 118].

**Garowe** International Airport is the third largest airport in Somalia, located about 12 kilometres from Garowe's city centre. It is operated by the Puntland Ministry for Civil Aviation and Airport and it serves both international and domestic destinations. [[KSEI 2021](#), 2.2.1., p. 55]

In terms of internal mobility and security, Somalis can in general freely move around Puntland without too many security concerns. Exceptions are the contested areas in Sool and Sanaag or areas where Al-Shabaab has presence such as around the Galgala Mountains and Golis. [[Security 2023](#), 2.6.2., p. 160; [Security 2021](#), 2.6.5., p. 142]

**Hargeisa's** airport is located 6 km from the city centre and it serves both international and domestic flights [[KSEI 2021](#), 3.2.1, pp. 74-75].

Free movement is generally uninhibited in Somaliland both for civilians as well as for goods and supplies. The route from Berbera to Hargeisa is generally described as safe. [[Security 2023](#), 2.8.4., p. 190].

- **Legally travel:** there should be no legal obstacles that prevent the applicant from travelling to the safe area.

**Mogadishu:** to access Somalia by air or land, Somali citizens, among them ethnic Somalis and members of minority groups, require a passport. One source noted that Somalis can access Somalia also with a public ID and, depending on an individual's network and connections, it could be possible to even 'circumvent the need for documents'. It is possible to apply for a passport at a Somali embassy. [[Security 2023](#), 1.5.1., pp. 55-56]

In principle, people can move freely within the capital city regardless of their clan background and there are no clan-based restrictions on movement.

The main checkpoints in the city were controlled by FGS forces. In January 2019, a source indicated that security checkpoints in Mogadishu were commonly located every one to two kilometres, and that one should make sure to provide an ID card. However, in July 2021, another source stated that the majority of people in Mogadishu do not possess IDs or other identity documents. Official fees are not levied at checkpoints, but bribes may be requested and especially so if identity documents are missing. People without IDs are more likely to be body-checked. For members of marginalised groups, passage was not always possible even though they had the required identity certificates. [[KSEI 2021](#), 1.2.2., p. 23]

**Garowe:** the existence of checkpoints manned by security forces, district officials or police officers from the local municipality who collect fees as well as bribes has been reported. Controls of people are regular, however, security forces do not necessarily





check IDs but ask questions to determine the place of origin. [KSEI 2021, 2.2.2.2., pp. 56-57]

For documents required to access Somalia, see the section ‘Travel and admittance – Mogadishu’ above.

**Hargeisa:** the Somaliland administration issues ID cards as well as passports and visas [Security 2023, 1.5.2., p. 56]. The Somaliland authorities require anyone entering the territory through the airport to have a proper travel document and may require a fee. For individuals who are not in possession of identification documents issued by the Somaliland authorities, the Department of Somaliland Immigration (SIBC) lists travellers who, based on their type of passport or nationality, can apply for an ‘on arrival’ visa directly, while other applicants must apply for visas in advance. It is possible to request for a passport and visa from abroad from a Somaliland’s Representative Mission (for example, from the Mission to the UK) or when the person reaches the border itself [Security 2023, 1.5.2., p. 56]. ‘On arrival’ visas are awarded for stays of up to 30 days. As a rule, an invitation is required as proof of the purpose of stay, without which entry can be refused. Visa fees need to be paid on site. [Security 2023, 1.5.2., p. 56]

Somali citizens not originating from Somaliland who reach Somaliland’s land borders from Puntland or South and Central Somalia must present a Somaliland national ID to enter the territory. [Security 2023, 1.5.2., p. 58]

The presence of entry and exit checkpoints at each district within Somaliland has been reported. There are also checkpoints on all the roads leading in and out of Hargeisa city. However, they do not significantly affect the accessibility or mobility of residents. Checkpoint authorities consistently verify travel documents, driver’s licenses, destination and origin of the trip, record plate numbers of vehicles and contact numbers of travellers. [KSEI 2021, 3.2.2.1., pp. 75-76]

- **Gain admittance:** the applicant should be allowed to access the safe area by the actor(s) who control it.

**Mogadishu:** even though there are no clan-based restrictions on movement and settlement, the clan background still determines where people would feel it is safest to live. The clan can also provide a safety net in case of hardship. [KSEI 2021, 1.2.3, p. 25]

**Garowe:** although people can settle in all parts of Garowe city, they tend to settle according to clan affiliation [KSEI 2021, 2.2.3.3., p. 58].

**Hargeisa:** Hargeisa’s population has a history of settling in the city according to a clan-based segregation. Newcomers tended to settle where members of their clan lived, expecting that the clan network would facilitate their access to a range of institutions and services which the state failed to provide. However, this did not mean that people could not reside in a neighbourhood populated by a clan different than theirs. [KSEI 2021, 3.2.3., pp. 77-78]





The individual circumstances of the applicant should also be taken into account when assessing whether they can safely and legally travel and gain admittance to a part of the country.



For those applicants who meet the 'safety' criterion, the assessment of the availability of IPA should proceed with an assessment of the requirements of safety and legality of travel and of gaining admittance.

Based on available COI, it is concluded that there are some security concerns with regard to the safety of travel to Mogadishu. With regard to Garowe and Hargeisa, it is concluded that, in general, a person can access these cities without serious risks.

The possession of appropriate identification and/or travel documents is required to access Somalia and Somaliland. When passing through checkpoints to travel to Mogadishu, Garowe, and Hargeisa, and to circulate in the three cities, the lack of identification documents may render the applicant vulnerable to ill-treatment at checkpoints.

The possession of a 30-day visa would not be sufficient to consider that the applicant can settle in Hargeisa.

Clan affiliation does not constitute a legal requirement to travel and gain admittance in Mogadishu, Garowe and Hargeisa, however it would be a crucial factor to take into account when examining the next requirements of reasonableness to settle in one of these cities.

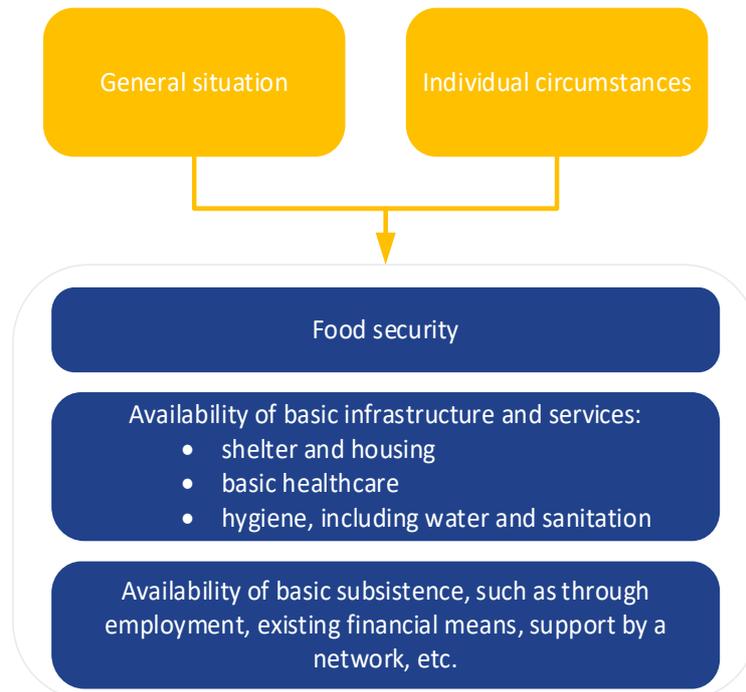
## 6.5. Reasonableness to settle

Last update: August 2023

According to Article 8(1) QD, IPA can only apply if the applicant 'can reasonably be expected to settle' in the proposed area of internal protection. In case the criteria of safety and travel and admittance are met, the assessment of the availability of IPA in Mogadishu, Garowe and Hargeisa should proceed with an analysis of its reasonableness in light of the general situation in the city and the individual circumstances of the applicant.

The assessment should be based on the general situation in the country and the individual circumstances of the applicant.



**Figure 8: IPA: assessment of the reasonableness requirement.**

### 6.5.1. General situation

Last update: August 2023

The humanitarian situation in Somalia remained dire in 2021, with the conflict reportedly rendering Somalia ‘one of the least developed countries in the world’, destroying its economic infrastructure, exacerbating food insecurity, weakening the educational system, and intensifying humanitarian needs, displacement and protection concerns. The ongoing conflict not only endangered the safety of the civilian population in combat zones but also adversely affected the food security of neighbouring communities. [[Security 2023](#), 1.4.3., p. 49; [COI Update 2023](#), 1.3.6., p. 20]

The country also suffered from the longest and most severe drought in its recent history. Famine, while averted during the reference period, could potentially hit the population. Also, two-thirds of the population living in drought-affected parts of the country have no access to essential healthcare. Drought was responsible for excess mortality of 43 000 deaths, with 51 % of fatalities being children under five. [[Security 2023](#), 1.1., p. 20; 1.4.3., p. 49; [COI Update 2023](#), 2.2., pp. 21-22]

While needs are rising, access to aid remains constrained, with IDPs and minority clans often being subjected to discriminating or exploitative access-restrictions put in place by ‘gatekeepers’. Healthcare remains limited mainly for people living in rural areas, for IDPs, as well as for the population living in areas controlled by non-state armed actors, like Al-Shabaab. [[COI Update 2023](#), 2.1., p. 21]



The contents of this section include:

Mogadishu

Garowe

Hargeisa

## Mogadishu

Last update: June 2022

### Means of basic subsistence and employment

[[KSEI 2021](#), 1.3.6., pp. 45-47]

Urban wage labour is less dependent on climate or seasonal conditions. In Mogadishu, 64% of households were engaged in wage labour. Employment opportunities in Mogadishu were limited.

There were no precise statistics on unemployment, but the figure was estimated to be high.

Most poor households in urban centres like Mogadishu (these include IDP households, the non-IDP urban poor and/or migrants from rural areas) have to rely on casual labour to secure an income. Many in Mogadishu live from small-scale sales at markets or worked at restaurants and tea shops. Women selling fruit at markets usually earn a maximum of 1-2 USD per day while the average income of a Bajaj driver was reportedly approximately 15-20 USD per day. [[KSEI 2021](#), 1.3.6., p. 46]

The steady influx of displaced people from the countryside has resulted in increased competition for urban livelihoods. Vulnerable and uneducated persons are particularly affected by severe lack of access to the labour market in urban settings. [[KSEI 2021](#), 1.3.6., p. 46].

Public health measures to contain the spread of COVID-19 have severely impacted people's income and livelihoods. The level to which people were affected economically depended on the type of livelihood or other daily activity such as education or household responsibilities. Woman-owned businesses have been especially hard-hit. Furthermore, remittances from family members and relatives (though not accessible for most IDPs) which play a significant role as a coping mechanism in Somalia, decreased during the pandemic. [[KSEI 2021](#), 1.3.6., p. 45]

### Food security

[[KSEI 2021](#), 1.1.2., pp. 15-16, 1.3.1., pp. 27-29]

The majority of the population in Mogadishu is affected by food insecurity with highest malnutrition rates among IDPs. In December 2020, it was reported that a persistently critical





level of acute malnutrition prevailed among IDPs in the city since 2019 due to high morbidity and effects on household incomes. In March 2021, it was reported that 125 000 people per month, receive food assistance since July 2018. However, an all-time high with regard to food security complaints and information requests was reported in April 2021. This relates to the elevated number of new displacements and coincides with increases of IDP numbers. [KSEI 2021, 1.3.1., p. 30].

Insufficient food production in the country leads to high food prices. Moreover, the city's supply from local producers is vulnerable to climate change, from which food security suffers in time of droughts. In 2020, the largest locust swarms in 25 years hit Somalia's agriculture and drove Somalia into severe food insecurity. [KSEI 2021, 1.1.2., p. 16]

### **Housing and shelter**

[KSEI 2021, 1.1.2., pp. 15-20, 1.3.2., pp. 31-35]

Mogadishu is located in an area affected by recurrent flash floods. Reportedly housing conditions in the city were challenging. Informal housing is widespread. The federal government is unable to meet the shelter needs of the most vulnerable residents. [KSEI 2021, 1.1.2.1., p. 16]

Due to scarcity of land, access to land and housing was constrained in urban areas. The growing influx of IDPs as well as of returnees from neighbouring countries has further constrained access to land in Mogadishu. [KSEI 2021, 1.3.1., p. 30]

Prices for housing varied significantly between safe and unsafe areas. Reportedly, people coming from outside of Mogadishu were charged a higher rent than locals. [KSEI 2021, 1.3.1., p. 32]

Tenants need a local male person to vouch for them before a new rental arrangement is made. Single women encounter difficulties when renting their own apartment. Living alone is not customary and might be criticised as westernised. Moreover, single young men are particularly disadvantaged in accessing shelter due to stereotypical views of them as drug-takers, potential Al-Shabaab members, or people likely to cause trouble. For people living with disabilities, provisions were almost non-existent across all the housing categories [KSEI 2021, 1.3.1., p. 32]. Therefore, they are generally entirely reliant on family members for support. Ethnic minorities outside of the clan system, such as Bantu, experience significant discrimination and tensions surrounding security of tenure or evictions [KSEI 2021, 1.3.1., p. 32].

IDP sites in Mogadishu are estimated between 500 and 1 500. Displaced people were mainly living in self-established camps at the fringes of the city. Housing consisted predominantly of corrugated metal sheet shacks or temporary shelters made of sticks, plastic and fabric inhabited by IDPs. Many dwellings of IDPs lack adequate protection from rain. In IDP camps, the 'camp leader' or 'gatekeeper' decides who is allowed to settle in the camp, register newcomers and identify the spots where they can set-up huts. [KSEI 2021, 1.1.2.1., p. 18]

In Mogadishu the majority of residents at IDP sites do not belong to one of the dominant clans in the city. Poverty drove also non-IDP residents into informal settlements in Mogadishu.





Spiking land and real estate prices in Mogadishu result in large-scale evictions. For more information on evictions, see section [Article 15\(b\) QD](#). [[KSEI 2021](#), 1.3.1., p. 29]

### **Water and sanitation**

[[KSEI 2021](#), 1.3.3., pp. 35-35]

Reportedly 67% of households in Mogadishu had access to improved sanitation. Only 2% of households lacked access to water and even 96% of households had access to piped water at home. However, it was reported that access to water, sanitation and the level of hygiene was not adequate in IDP settlements and that for IDPs and residents of informal settlements it was difficult and expensive to access water. Sanitary or latrine facilities are often lacking in informal settlements. [[KSEI 2021](#), 1.3.3., p. 35]

As access to safe water is challenging, water-borne diseases are common across the city. Floods compromised sanitation and increased the number of cases of cholera, endemic in Somalia. In times of droughts, less water for hygiene and sanitation was available and water contamination increased. [[COI Update 2023](#), 2.3., p. 23; [KSEI 2021](#), 1.3.3., p. 35]

### **Basic healthcare**

[[KSEI 2021](#), 1.3.4., pp. 37-41]

While most of Somalia's health facilities are located in larger cities including Mogadishu, experts have described the healthcare situation in the capital as 'worrisome' or even absolutely insufficient. There are no more than 1 000 to 1 200 beds for the city's population estimated between 1.7 and 2.6 million. Many Mogadishu residents are therefore unable to access medical care. [[KSEI 2021](#), 1.3.4., pp. 37-38]

Medical services available in Mogadishu are reportedly of 'poor quality' both in the public and the private sectors. Although basic drugs are available, their proper storage is difficult and fatalities have been reported from normally easily treatable diseases such as measles, malaria or cholera. [[KSEI 2021](#), 1.3.4., p. 38]

The private healthcare system is the dominant healthcare system in Mogadishu. Public hospitals quite often have to send their patients to private facilities because they lack the necessary equipment and expertise. While private healthcare facilities provide specialised and, at times, advanced treatment, several sources have emphasised that the health sector is highly unregulated and that the types of services and their quality are unknown. [[KSEI 2021](#), 1.3.4., pp. 38-39]

While healthcare in Somalia is generally not free of charge, services in public hospitals are mostly cheaper than in the private healthcare sector. If drugs are available, they are distributed free of charge. The cost of private healthcare was unaffordable for a large part of the population. [[KSEI 2021](#), 1.3.4., p. 39]

The majority of funding comes from international donors and does not necessarily match the needs of the Somali health authorities.





IDP's access to healthcare is reportedly limited, contributing to high morbidity and death rates among some IDP populations in Mogadishu. Mobile health services serve some outskirts camps on weekly or bi-weekly basis, but neither these services nor diagnosis or medication are regular.

It has also been reported that there is 'particularly acute' shortage of mental health specialists.

No clan-based discrimination with regard to access to healthcare has been reported.

Healthcare services have been scaled down by nearly half as a result of night-time curfews and other restrictions linked to the COVID-19 pandemic.

Regarding COVID-19, Mogadishu was one of only a few places where a COVID-19 response was rolled out. A lack of hospitals treating COVID-19 patients was reported with only one facility dedicated to the treatment of COVID-19 cases. A lack of medical equipment also reportedly prevails, with only three private hospitals having oxygen plants. [KSEI 2021, 1.3.4., p. 41]

## Garowe

Last update: June 2022

### Means of basic subsistence and employment

[KSEI 2021, 2.3.6., pp. 45-47]

Around 25 - 35% of the urban population of Garowe is poor. There is little humanitarian aid offered to IDPs who do not belong to Puntland by patrilineal descent.

Many people work in employment, business and irregular casual labour and petty trades. Employment for many is instable. Due to the oversupply of labour, wage levels are depressed. Additionally, IDPs from southern Somalia who live in Garowe or nearby, as well as natural factors like droughts, burden the local economy. On the other hand, the existence of government offices, NGOs and UN agencies as well as universities and higher learning facilities in town have a positive effect on the local employment situation. In addition, there is much new construction going on, which creates jobs at least temporarily. Like in most other Somali towns, the service sector is offering considerable employment opportunities. [KSEI 2021, 2.3.6., p. 68]

Generally, the informal sector remains the major driver of Garowe's economy, with a share of over 69% of the district's residents. Youth unemployment is very high. Young people often find only temporary or low-level jobs as cleaners or waiters. [KSEI 2021, 2.3.6., p. 68]

### Food security

[KSEI 2021, 2.1.2., pp. 54-55, 2.3.1., pp. 59-61]

The livelihoods of agro-pastoral and riverine households are largely dependent on climatic conditions. Puntland has been affected by climatic shocks in recent years, alternating drought





and floods, as well as the Gati cyclone in Bari in November 2020. Puntland is among the parts of Somalia facing critical water shortages. [[KSEI 2021](#), 2.3.1., p. 61]

In addition, the depreciation of the Puntland Somali Shilling had an impact on food prices. IDPs in Garowe and in Bosasso were affected by acute malnutrition at a 'critical' level. [[KSEI 2021](#), 2.3.1., p. 61]

### **Housing and shelter**

[[KSEI 2021](#), 2.3.2., pp. 61-63]

Most people in Garowe live in stone/brick houses on a land of 20 metres by 10 metres or 30 metres by 30 metres. In IDPs sites in Garowe district, the types of shelters were either traditional huts (88%), out of mud and stick walls with roofs out of corrugated iron sheets (64%), or shelters constructed using shelter kits (60%).

In Garowe city specifically, land tenure has become highly insecure. Illegal land expropriations were widespread in Puntland's major cities and land grabbers present themselves as legitimate landowners to IDPs from whom they demand rent, using coercive force.

### **Water and sanitation**

[[KSEI 2021](#), 2.3.3., pp. 63-64]

Poor and over-priced domestic water quality has been reported in Puntland. The piped water system (public private partnership) covers around 90% of the urban area, but residents also rely on hand dug shallow wells and berkads (reservoirs). However, the water is generally saline and does not meet World Health Organisation's standards. [[KSEI 2021](#), 2.3.3., p. 63]

In April 2021 UNOCHA reported that most water points across Puntland had dried due to persistent dry conditions, Garowe counting among the worst affected districts. Water shortages had led to population displacements in Puntland at the beginning of 2021. [[KSEI 2021](#), 2.3.3., p. 63]

The lack of an adequate sewage system in Garowe city as well as the insufficient collection of waste and the mislocation of dumping sites further threaten[ed] water resources, health and hygiene within the population.

Women and girls in Puntland, especially for the IDP communities, could face risks when trying to access WASH facilities, for example because of the distance of toilets from camp inhabitants and poor lighting. Unavailability of proper menstrual and other hygiene supplies has also been reported. [[KSEI 2021](#), 2.3.3., p. 64]

### **Basic healthcare**

[[KSEI 2021](#), 2.3.4., pp. 64-65]

UN-Habitat mentioned in 2019 that the condition of health services in Garowe city was insufficient and found that 'the WHO minimum standard for healthcare services (20 physicians





per 100 000 people) is not met, and numerous clinics are forced to close.’ The growing margins of the city were even more underserved regarding healthcare. [KSEI 2021, 2.3.3., p. 64]

Garowe General Hospital (GGH) is the central and public facility regarding healthcare in Garowe. Private hospitals, small private clinics and pharmacies are reportedly also available. [KSEI 2021, 2.3.3., p. 64]

Healthcare is not free in Garowe. However, the costs in the public hospital in Garowe are lower than other private or public hospitals.

## Hargeisa

Last update: June 2022

### Means of basic subsistence and employment

[KSEI 2021, 3.3.6., pp. 88-90, 3.4., pp. 91-92]

Hargeisa’s unemployment rate was 22.3% in total, with the youth unemployment rate being 37.6%. The informal economy continued to be a key source of livelihoods in Somaliland. Local employment decreased by more than 50% in Somaliland due to the COVID-19 impact. [KSEI 2021, 3.3.6, p. 89]

Clan identity plays a crucial role in the social and economic life of residents in Hargeisa. Employment opportunities are to a significant degree influenced by kinship. Many IDPs are from the region (Somaliland). Their survival is guaranteed by relatives who pay for food etc. or through donations from international or local NGOs. IDPs who are from South-Central Somalia are dependent on humanitarian aid.

Women engaging in businesses might enter unsafe spaces and encounter structural barriers. They are more often confined to the informal sector than men. It is also reported that they enjoy relative freedom in Somaliland, including Hargeisa, to trade in the market, open small or also bigger businesses and travel. [KSEI 2021, 3.4.2., p. 91]

### Food security

[KSEI 2021, 3.3.1., pp. 78-80]

Water and food insecurity are reported to pose the most significant challenge for Hargeisa with 53.2% of the total households below the food insecurity line. Crop losses in 2020 and livestock prices were high across the country. The measures taken to limit the spread of COVID-19 such as restricting access to markets were particularly detrimental to poor households’ ability to cover daily food needs. [KSEI 2021, 3.3.1.2., p. 80]





## Housing and shelter

[[KSEI 2021](#), 3.3.2., pp. 80-83]

Hargeisa experienced a rapid urbanisation in the past decades and saw land prices increase as well as the competition for access to land and housing. This urban reconstruction has had violent consequences including illegal land grabbing, and mass-scale evictions of the urban poor and displaced people. [[KSEI 2021](#), 2.3.2., p. 82]

Returnees and IDPs settled on large patches of uninhabited private or public land since the late 1990s. Their so-called camps or settlements are located at the outskirts of the city but also within the city centre. They attracted large numbers of people over the years, not only forcedly displaced people but also residents of Hargeisa who could not afford rising rents. [[KSEI 2021](#), 3.3.2., p. 81]

In the State House settlement in Hargeisa, less than 15% live in brick/masonry houses [[KSEI 2021](#), 3.3.2., p. 81].

## Water and sanitation

[[KSEI 2021](#), 3.3.3., pp. 83-84]

Limited water and lack of sewage in Hargeisa lead to high costs of access to such utilities. Fewer than 1 in 100 households in Hargeisa has access to running water, with access dropping off sharply as one moves out from the city centre. 70% of the city's population rely largely on water from tanker trucks and hand carts, paying at least four times the price of piped water per unit, creating an excessive cost burden that falls most heavily on the poorest. [[KSEI 2021](#), 3.3.3., pp. 83]

Difficulties to stock trucked water and menstrual hygiene management items have been reported in Hargeisa.

## Basic healthcare

[[KSEI 2021](#), 3.3.4., pp. 84-86]

In Hargeisa, around 200 medical doctors are offering services for a population of roughly one million people or more which amounts to an estimated ratio of one medical doctor per 5 000 inhabitants or more. The desirable doctor-population ratio, according to the World Health Organization (WHO), is 1:1 000. It was reported that the healthcare system has never developed beyond providing the most basic functions, which leave it ill-equipped to deal with any significant challenges. [[KSEI 2021](#), 3.3.4., p. 84]

Among the central problems of the health system in Somaliland are: the low preparedness for emergency, the lack of personal protective equipment and life-saving equipment, the lack of proper training and experience of health workers and the lack of standard operation procedures and guidelines. [[KSEI 2021](#), 3.3.4., p. 85]





Healthcare in Hargeisa is essentially private. The Hargeisa Group Hospital (HGH), which is the national referral hospital in Somaliland, is called ‘public’ or ‘state’ hospital due to partly public funding. However, patients have to pay there for services. Regarding private hospitals, the admission fees and bed-costs are around 30% higher than in HGH. Payments for healthcare have to be managed privately while hardly anyone in Somaliland has health insurance. [KSEI 2021, 3.3.4., p. 86]

The field of mental healthcare is underdeveloped in Somaliland, however, in Hargeisa there are some services. The main problem is the lack of qualified staff with only around five trained psychiatrists in Somaliland, two of whom are practicing in Hargeisa. [KSEI 2021, 3.3.4., p. 85]



The general circumstances prevailing in Mogadishu, Garowe and Hargeisa assessed in relation to the factors above entail significant hardship. However, they do not preclude the reasonableness to settle in the cities as such. A careful examination should take place, particularly when assessing the reasonableness of IPA to Mogadishu.

The person’s ability to navigate the above circumstances in the three cities will mostly depend on access to clan support and financial means and in individual cases, the reasonableness requirement may be satisfied. The impact of COVID-19 on the economic situation, as well as on the healthcare system, should also be considered.

## 6.5.2. Individual circumstances

Last update: August 2023

In addition to the general situation in the area of potential IPA, the assessment whether it is reasonable to settle in that part of the country should take into account the individual circumstances of the applicant, including his/her vulnerabilities and coping mechanisms.

Please note that this is a non-exhaustive list:

- **Clan affiliation and support network:** clan affiliation has a prominent role in the Somali society (for more information see [1.2. The role of clans in Somalia](#)) and support network is strongly embodied by clan affiliation. Therefore, the applicant's clan and sub-clan(s) should be taken into account. The majority of Mogadishu's districts are heterogenous in terms of clan distribution, but the dominant clans of these districts de-facto govern and control these areas and their support would be needed for business activities. In Hargeisa and Garowe, some neighbourhoods are dominated by one clan/sub-clan and others are mixed. [KSEI 2021, 1.4., pp. 47-52, 2.4., pp. 68-71, 3.4., pp. 90-92]

A support network can be the family network, not restricted to the core family, but also including the extended family, and/or a social network, in particular: friends, employers, classmates, members of the same clan, etc., taking into account their willingness and



ability to assist the person in accessing basic subsistence. IDPs, minority groups and returnees who have been absent for several years may lack clan support and large numbers of returnees who lack financial means end up in IDP camps where the living conditions are no different than for those internally displaced, thus with limited access to basic services. [KSEI 2021, 1.4., pp. 47-52]

- **Age:** young age as well as elderly age could significantly limit the applicant's access to means of subsistence such as through employment, making him or her dependent on other providers. Therefore, this element should be seen in conjunction with the available support by family or a broader support network. In the case of children, the best interests of the child shall be a primary consideration, for example, with regard to access to basic education. The out-of-school population in Somalia is one of the world's most significant. Populations' movements (60% of the population pursues pastoralist activities) and displacements due to violent conflicts or climatic shocks are the main impediments to children's access to formal education. Many low-income families could not afford education for their children. Access to education of children from minority clans is also difficult. Educational facilities are present in the three cities. [KSEI 2021, 1.3.5., pp. 41-45, 3.3.5., pp. 86-88, 3.4.2., pp. 91-92]
- **Gender:** women and girls in Somalia may be subjected to discriminatory restrictions and may need the support of a male family member or chaperone in order to access different services and to exercise certain rights. Further difficulties have been reported for single women without a clan network and internally displaced women [KSEI 2021, 1.4.2., p. 51]. Therefore, the gender of the applicant should be taken into account when considering reasonableness in conjunction with their family status and available support.
- **State of health:** access to healthcare is strained in the three cities, making the health status of the applicant an important consideration when assessing the reasonableness of IPA for those who require medical treatment, also taking into account that their state of health may affect their ability to work and travel. For those with disabilities, access to basic subsistence such as through employment, would be further limited.
- **Religion:** given the predominance of Islam in Somalia, the religion of the applicant should be taken into account.
- **Local knowledge:** local knowledge, including linguistic knowledge, and the existence of certain social ties and connections, either through relatives or through school education or professional experience, would be a relevant consideration, as such ties and knowledge would assist an applicant in settling in the area and in particular in accessing basic means of subsistence and basic services.
- **Social, educational and economic background:** the background of the applicant, their level of education and available financial means should be taken into account when assessing the reasonableness of IPA, and in particular the access of the applicant to means of basic subsistence. Uneducated persons are particularly affected by severe lack of access to the labour market in urban settings. [KSEI 2021, 1.3.6., p. 46]
- **Civil documentation:** the lack of identification documents may render the applicant vulnerable to ill-treatment (see also [6.4. Travel and admittance](#)).

These factors would often intersect in the case of the particular applicant, leading to different conclusions on the reasonableness of IPA. In some cases, one or more elements of vulnerability would confirm a conclusion that IPA is not reasonable for the particular applicant (e.g. unaccompanied child, or person with disabilities without support network), while in other cases, personal circumstances would balance each other (e.g. non-educated male with strong clan/support network).

### 6.5.3. Conclusions on reasonableness

Last update: June 2022

The general conclusions on the reasonableness of IPA for particular profiles of applicants are based on an assessment of the general situation in Mogadishu, Garowe and Hargeisa, and the individual circumstances of such applicants, as outlined in the sections above.



#### Mogadishu

Based on the general situation in Mogadishu, and taking into account the applicable individual circumstances, internal protection alternative **may be reasonable only in exceptional cases**. Such exceptional cases would in particular include some able-bodied men and married couples without children with no additional vulnerabilities, who belong to locally majority clans and who have educational and professional background facilitating their access to employment, or a support network which is able to assist them in accessing basic subsistence, or those who otherwise have sufficient financial means. In the case of couples, basic subsistence in Mogadishu has to be ensured for both spouses.

#### Garowe and Hargeisa

In the case of **single able-bodied men and married couples without children**, internal protection alternative **may be reasonable** for those who belong to the local majority clan and can rely on its support and who have no additional vulnerabilities.

In the case of **families with children and unaccompanied children**, internal protection alternative would in general not be reasonable. Individual circumstances and the best interests of the child should be duly assessed.

In the case of applicants from **minority groups**, including clans who can be considered minorities in the local context, **internal protection alternative would in general not be reasonable**.



In the case of **other profiles**, the individual circumstances of the applicant, in particular in relation to clan affiliation, gender, age, the existence of a support/clan network, etc. should be given due consideration, when assessing the reasonableness to settle in these cities.

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## 7. Exclusion

[Article 12\(2\) QD](#)

[Article 17 QD](#)

This chapter looks into the potential applicability of the exclusion grounds in relation to acts committed by applicants from Somalia.



The contents of this chapter include:

Factual circumstances in which exclusion may be relevant: 7.1. Relevant circumstances.

Conclusions and guidance concerning the application of the different exclusion grounds to these circumstances: 7.2. Guidance with regard to Somalia.

### 7.1. Relevant circumstances

Last update: June 2022

In the context of Somalia, numerous circumstances and different profiles may require consideration of the potential applicability of exclusion grounds. The QD does not set a time limit for the application of the grounds for exclusion. Applicants may be excluded in relation to events which have occurred in the recent and more distant past (e.g. acts committed by the Islamic Courts Union, acts committed during the civil war in 1988-1991) [[Country overview](#), 1.3.4., p. 24; 3.1.1., pp. 58-59].

COI indicates that excludable acts are committed by many actors both in relation to armed conflicts, as well as in the context of general criminality and human rights abuses.

In relation to potential exclusion considerations, see also the chapters [2. Actors of persecution or serious harm](#) and [3. Refugee status](#).



The examples mentioned in this chapter are non-exhaustive and non-conclusive. Each case should be examined on its own merits.



### 7.1.1. Crimes committed by state forces and state-affiliated forces

Last update: June 2022

Serious breaches of international humanitarian law and international human rights law are reported in relation to the non-international armed conflict between Somali security forces, FMS security forces and AMISOM on the one hand, and Al-Shabaab, on the other. Reported violations by the state-affiliated forces include unlawful or arbitrary killings (including extrajudicial killings), torture and cruel, inhuman, or degrading treatment, arbitrary arrest or detention. [[Actors](#), 2.4..6, pp. 43-45]

More specifically, the **SNA, the SPF and other Somali authorities** have been accused of rape and sexual violence, including in the context of the conflict, child recruitment, killing and maiming of children, attacks on schools and hospitals [[Actors](#), 2.4.6., pp. 4-45].

The **NISA** has been reported to conduct arbitrary arrests and detentions, torture and inhuman degrading treatment during interrogation and denial of humanitarian access [[Actors](#), 2.4.6., p. 45].

**FMS security forces** were also responsible for serious breaches of international humanitarian law and international human rights law. Acts of child recruitment, killing and maiming of children, rape and sexual violence against children and denial of humanitarian access, were attributed to **Jubbaland, South-West, and Galmudug security forces**. **Jubbaland and South-West security forces** were also reportedly responsible for conflict-related sexual violence. **South-West security forces** conducted attacks on schools and hospitals and were responsible for child abduction. **Hirshabelle security forces** reportedly subjected journalists and media workers to arbitrary arrests and prolonged detention. Violations by **Puntland security forces** included arbitrary arrests, child recruitment, killing and maiming of children, rape and sexual violence on children, denial of humanitarian access. **Somaliland security forces** were responsible for arbitrary arrests, detentions, and torture. [[Actors](#), 7.1.5., pp. 81-82; 7.2.5., pp. 87-88; 7.4.5., p. 7.5.5, 7.6.5, 7.7.5]

While the **AMISOM's** respect of international humanitarian law and human rights law standards has improved in comparison to the period 2013-2015, Somali individuals involved in the support of AMISOM could be implicated in violations of human rights and international humanitarian law towards civilians perpetrated by AMISOM, such as killings of civilians and conflict-related sexual violence [[Actors](#), 5.1., pp. 67-68].

### 7.1.2. Crimes committed by non-state armed forces

Last update: June 2022  
Minor updates: August 2023





## Al-Shabaab

Al-Shabaab controls large parts of South-Central Somalia and has committed excludable acts in areas under their control as well as in areas under the control of government and state forces. Human rights abuses by Al-Shabaab include, among others:

- terrorist attacks on civilians
- targeted killings (including extrajudicial and politically motivated killings)
- recruitment of children
- killing, maiming, abduction, rape and other forms of sexual violence against children
- rapes and other types of sexual violence
- disappearances
- inhuman and degrading punishments
- attacks on employees of NGOs and the UN
- blockade of humanitarian assistance
- attacks on schools and hospitals
- operation of courts imposing punishments that include executions and corporal punishments.

[[Security 2023](#), 1.4.1., p. 40; [Actors](#), 4.3., pp. 61-65; 4.4., pp. 65-67; 4.5., pp. 66-67]

## ISS

ISS has been involved in IED attacks and killings in Puntland, Mogadishu and Lower Shabelle. It has also established links with human traffickers to collect new recruits [[Actors](#), 6.1., pp. 74-75].

## Clan militias

Clan militias have reportedly perpetrated violence against the civilian population, including torture and degrading treatment. Various human rights violations are attributed to clan militias: child recruitment, deprivation of liberty, killing and maiming of children, rape and (conflict-related) sexual violence, attacks on school and hospitals, abductions, denial of humanitarian access. [[Security 2023](#), 1.4.1., p. 42; [Actors](#), 3.6., pp. 56-57]

### 7.1.3. Criminal activity

Last update: June 2022  
Minor updates: August 2023





Criminal activities in Somalia are widely reported [[Security 2023](#), 1.2., p. 23]. Some of the crimes could trigger exclusion considerations, as they could qualify as serious (non-political) crimes and/or, depending on the specificities of each case, as war crimes, crimes against humanity, or acts contrary to the purposes and principles of the UN.

Criminal activities include killings, sexual violence, abductions, banditry, theft, robberies, (child) trafficking, money extortion, piracy, human and/or arms smuggling. In some cases, these crimes are linked to armed groups, such as Al-Shabaab.

#### 7.1.4. Other types of violence

Last update: June 2022

Violence against women and children (for example, in relation to FGM/C, sexual and/or domestic violence, forced and child marriage, etc.) is widespread in Somalia. For more information, see profile [3.13. Women and girls](#).

## 7.2. Guidance with regard to Somalia

### 7.2.1. Article 12(2)(a) and Article 17(1)(a) QD

Last update: June 2022

[Article 12\(2\)\(a\) QD](#)

[Article 17\(1\)\(a\) QD](#)

The ground ‘crime against peace’ is not likely to be of relevance in the cases of applicants from Somalia.

Violations of international humanitarian law by different parties in the current and in past conflicts in Somalia could amount to war crimes, such as the deliberate and systematic attacks on hospitals, the deliberate indiscriminate attacks on civilians, etc.

Relevant situations include the civil war (1988-1991) and the non-international armed conflict between the Somali government and Al-Shabaab. Furthermore, fighting between the ISS and Al-Shabaab amounts to a non-international armed conflict.

Reported crimes such as murder, torture and rape by the different actors could amount to crimes against humanity when committed as part of a widespread and systematic attack against the civilian population.





Some acts in the current and past conflicts, such as extrajudicial killings, torture, forced disappearance, could amount to both war crimes and crimes against humanity.

Especially (former) members of the SNA, the SPF, the NISA, as well as FMS security forces and anti-government armed groups, in particular Al-Shabaab and ISS, can be implicated in acts that would qualify as war crimes and/or crimes against humanity.

Crimes committed in the context of clan militias clashes, in particular in the civil war in the past, could also give rise to considerations under Article 12(2)(a) QD/Article 17(1)(a) QD.

### **7.2.2. Article 12(2)(b) and Article 17(1)(b) QD**

Last update: June 2022

[Article 12\(2\)\(b\) QD](#)

[Article 17\(1\)\(b\) QD](#)

In the context of Somalia, criminality and breakdown in law and order in some parts of the country make the ground of ‘serious (non-political) crime’ particularly relevant. In addition to violence and murder related to family and clan disputes, some examples of particularly relevant serious crimes may include human trafficking, extortion/illegal taxation, piracy etc.

Violence against women and children (for example, in relation to domestic violence or in the context of forced and child marriage) could potentially amount to a serious (non-political) crime.

Performing FGM/C is a serious (non-political) crime. A careful examination of all relevant circumstances of the case, including those related to the individual responsibility should take place.

In some cases, the crimes in question could be linked to an armed conflict or could be committed as a part of a systematic or widespread attack against a civilian population (e.g. kidnapping of recruits, taxation to finance the activities of non-state armed groups), in which case they should instead be examined under Article 12(2)(a)/Article 17(1)(a) QD.

### **7.2.3. Article 12(2)(c) and Article 17(1)(c) QD**

Last update: June 2022

[Article 12\(2\)\(c\) QD](#)





#### [Article 17\(1\)\(c\) QD](#)

(Former) membership in armed groups such as Al-Shabaab and ISS could trigger relevant considerations and require an examination of the applicant's activities under Article 12(2)(c)/Article 17(1)(c) QD, in addition to the considerations under Article 12(2)(b)/Article 17(1)(b) QD.

The application of exclusion should be based on an individual assessment of the specific facts in the context of the applicant's activities within that organisation. The position of the applicant within the organisation would constitute a relevant consideration and a high-ranking position could justify a (rebuttable) presumption of individual responsibility. Nevertheless, it remains necessary to examine all relevant circumstances before an exclusion decision can be made.

Where the available information indicates possible involvement in crimes against peace, war crimes or crimes against humanity, the assessment would need to be made in light of the exclusion grounds under Article 12(2)(a)/Article 17(1)(a) QD.

#### **7.2.4. Article 17(1)(d) QD**

Last update: June 2022

#### [Article 17\(1\)\(d\) QD](#)

In the examination of the application for international protection, the exclusion ground under Article 17(1)(d) QD (danger to the community or the security of the Member State) is only applicable to persons otherwise eligible for subsidiary protection.

Unlike the other exclusion grounds, the application of this provision is based on a forward-looking assessment of risk. Nevertheless, the examination takes into account the past and/or current activities of the applicant, such as association with certain groups considered to represent a danger to the security of the Member State or criminal activities of the applicant.



For general guidance on Exclusion, see [EUAA Practical Guide: Exclusion](#) and [EUAA Practical Guide on Exclusion for Serious \(Non-Political\) Crimes](#).



## Annex I: List of abbreviations and glossary

| Term                  | Definition  |
|-----------------------|---|
| <b>AFRICOM</b>        | United States Africa Command  |
| <b>AMISOM</b>         | African Union Mission in Somalia  |
| <b>AMNIYAT</b>        | The intelligence unit of Al-Shabaab   |
| <b>ASWJ</b>           | Ahlu Sunna Wal-Jama'ah  |
| <b>ATMIS</b>          | African Transitional Mission in Somalia   |
| <b>CAT</b>            | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment  |
| <b>CJEU</b>           | Court of Justice of the European Union  |
| <b>CEAS</b>           | Common European Asylum System   |
| <b>COI</b>            | Country of origin information   |
| <b><i>darwish</i></b> | <ul style="list-style-type: none"><li>▪ State level: armed forces/militias/paramilitary/special police</li><li>▪ Darwish (Federal Police): Paramilitary unit of the Somali Police Force distinct from the state level unofficial <i>darwish</i></li></ul> |
| <b><i>diya</i></b>    | payment of compensation   |
| <b>EASO</b>           | European Asylum Support Office  |
| <b>EUAA</b>           | European Union Agency for Asylum  |
| <b>ECHR</b>           | Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights), as amended by Protocols Nos. 11 and 14, 4 November 1950   |
| <b>ECtHR</b>          | European Court of Human Rights  |
| <b>ENDF</b>           | Ethiopian National Defence Force  |
| <b>EU</b>             | European Union  |
| <b>FGM/C</b>          | female genital mutilation/cutting   |
| <b>FGS</b>            | Federal Government of Somalia   |
| <b>FMS</b>            | Federal Member States   |



| Term                  | Definition   |
|-----------------------|--|
| <i>gaashaanbuur</i>   | military alliance  |
| <i>hadd crimes</i>    | Crimes that are ‘against the rights of God’ under Islamic religious law<br><br>(plural <i>huduud</i> )   |
| <b>ID</b>             | identification documentation   |
| <b>IDP(s)</b>         | Internally displaced person(s)   |
| <b>IED</b>            | improvised explosive device  |
| <b>IPA</b>            | international protection alternative   |
| <b>ISS</b>            | Islamic State in Somalia   |
| <i>jilib</i>          | the group below which the community assumes the payment of ‘the blood price’ ( <i>diya</i> )   |
| <b>LGBTIQ persons</b> | LGBTIQ persons are persons: <ul style="list-style-type: none"> <li>▪ who are attracted to others of their own gender (lesbian, gay) or any gender (bisexual);</li> <li>▪ whose gender identity and/or expression does not correspond to the sex they were assigned at birth (trans, non-binary);</li> <li>▪ who are born with sex characteristics that do not fit the typical definition of male or female (intersex); and</li> <li>▪ whose identity does not fit into a binary classification of sexuality and/or gender (queer)</li> </ul> |
| <b>Ma’awiisley</b>    | A local clan militia, also referred to as Macawiisley, Macawiisley, Macawisley, named after the sarong, a common piece of clothing.  |
| <i>mukhtar</i>        | local community leader   |
| <b>NIS</b>            | National Intelligence Service  |
| <b>NISA</b>           | National Intelligence and Security Agency  |
| <b>NGO</b>            | Non-Governmental Organisation  |
| <b>PMPF</b>           | Puntland Maritime Police Force   |





| Term  | Definition   |
|---|--|
| <b>PSF</b>                                    | Puntland Security Force  |
| <b>QD</b><br><b>(Qualification Directive)</b> | Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted |
| <b>qisas</b>                                  | retaliation under Sharia Law   |
| <b>RRU</b>                                    | Rapid responses Units  |
| <b>Sharia</b>                                 | the religious law of Islam, Islamic canonical law  |
| <b>SNA</b>                                    | Somalia National Army  |
| <b>SPF</b>                                    | Somali Police Force  |
| <b>SPU</b>                                    | Special Police Unit  |
| <b>SVBIED</b>                                 | Suicide-vehicle born improvised explosive devices  |
| <b>UAE</b>                                    | United Arab Emirates   |
| <b>UK</b>                                     | United Kingdom   |
| <b>UN</b>                                     | United Nations   |
| <b>UNHCR</b>                                  | United Nations High Commissioner for Refugees  |
| <b>UNICEF</b>                                 | United Nations International Children's Emergency Fund   |
| <b>UNOCHA</b>                                 | United Nations Office for the Coordination of Humanitarian Affairs   |
| <b>UNSG</b>                                   | United Nations Secretary General   |
| <b>US</b>                                     | United States of America   |
| <b>xeer</b>                                   | customary (clan) law   |
| <b>zakat</b>                                  | the annual religious obligation to pay a specific percentage of a person's wealth to the poor  |





## Annex II: Country of origin information references

| The main COI sources used in the common analysis are the following (listed alphabetically by reference used in the text) |  |
|--|--|
| <b>Actors</b>  | <p>EUAA Country of Origin Information Report: <b>Somalia, Actors</b></p> <p>(July 2021)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2021_07_EASO_COI_Report_Somalia_Actors.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2021_07_EASO_COI_Report_Somalia_Actors.pdf</a></p>  |
| <b>Country overview</b>  | <p>EUAA Country of Origin Information Report: <b>South and Central Somalia, Country overview</b></p> <p>(August 2014)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/EASO-COIreport-Somalia_EN.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/EASO-COIreport-Somalia_EN.pdf</a></p>  |
| <b>COI Query FGM/C 2023</b>  | <p>EUAA Country Of Origin Information Query: <b>Somalia - Forms and prevalence of repeated FGM/C</b></p> <p>(17 May 2023)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2023_04_EUAA_COI_Query_Response_Q12_Somalia_FGM-C.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2023_04_EUAA_COI_Query_Response_Q12_Somalia_FGM-C.pdf</a></p>              |
| <b>COI Update 2023</b>   | <p>EUAA Country of Origin Information Query: <b>Somalia - Security situation update</b></p> <p>(17 May 2023)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2023_04_EUAA_COI_Query_Response_Q13_Somalia_Security_Situation.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2023_04_EUAA_COI_Query_Response_Q13_Somalia_Security_Situation.pdf</a></p> |





|                      |  |
|----------------------|--|
| <b>AS Deserters</b>  | <p>EUAA Country of Origin Information Report: <b>Somalia - Defection, desertion and disengagement from Al-Shabaab</b></p> <p>(February 2023)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2023_02_EUAA_COI_Report_Somalia_defection_desertion_disengagement_AI_Shabaab.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2023_02_EUAA_COI_Report_Somalia_defection_desertion_disengagement_AI_Shabaab.pdf</a></p> |
| <b>Security 2021</b> | <p>EUAA Country of Origin Information Report: <b>Somalia – Security situation</b></p> <p>(September 2021)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2021_09_EASO_COI_Report_Somalia_Security_situation.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2021_09_EASO_COI_Report_Somalia_Security_situation.pdf</a></p>  |
| <b>Security 2023</b> | <p>EUAA Country of Origin Information Report: <b>Somalia – Security situation</b></p> <p>(February 2023)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2023_02_EUAA_COI_Report_Somalia_Security_situation.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2023_02_EUAA_COI_Report_Somalia_Security_situation.pdf</a></p>   |
| <b>KSEI 2021</b>     | <p>EUAA Country of Origin Information Report: <b>Somalia, Key socio-economic indicators</b></p> <p>(September 2021)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2021_09_EASO_COI_Report_Somalia_Key_socio_economic_indicators.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2021_09_EASO_COI_Report_Somalia_Key_socio_economic_indicators.pdf</a></p>  |
| <b>Targeting</b>     | <p>EUAA Country of Origin Information Report: <b>Somalia – Targeted profiles</b></p> <p>(September 2021)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2021_09_EASO_COI_Report_Somalia_Targeted_profiles.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2021_09_EASO_COI_Report_Somalia_Targeted_profiles.pdf</a></p>   |





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