Home Office
UK Border Agency

SOMALIA

COUNTRY OF ORIGIN INFORMATION (COI) REPORT

COI Service

17 January 2012

SECURING OUR BORDER CONTROLLING MIGRATION

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The main text of this COI Report contains the most up to date publicly available information as at 1 November 2011. Further brief information on recent events and reports has been provided in the Latest News section to 17 January 2012.

Preface

i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 1 November 2011. The 'Latest News' section contains further brief information on events and reports accessed from 2 November 2011 to 17 January 2012. The report was issued on 17 January 2012.

ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.

iii The Report aims to provide a compilation of extracts of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.

iv The structure and format of the Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.

v The information included in this Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.

vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.

viii This Report and the accompanying source material are public documents. All COI Reports are published on the UK Border Agency website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.

ix COI Reports are published regularly on the top 20 asylum intake countries. Reports on countries outside the top 20 countries may also be published if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.

x In producing this Report, COI Service has sought to provide an accurate, up to date, balanced, and impartial compilation of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

Country of Origin Information Service
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Website: http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/coi

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's COI material. The IAGCI welcomes feedback on UKBA's COI Reports and other country of origin information material. Information about the IAGCI's work can be found on the Independent Chief Inspector's website at http://icinspector.independent.gov.uk/country-information-reviews

xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at http://icinspector.independent.gov.uk/country-information-reviews

xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In

such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

Independent Advisory Group on Country Information contact details:
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Latest News

The Latest News provides a non-exhaustive selection of significant events since 2 November 2011. Further information may also be available from the list of useful sources below.

EVENTS IN SOMALIA FROM 2 NOVEMBER 2011 TO 17 JANUARY 2012

SECURITY SITUATION

19 November Eyewitnesses reported seeing Ethiopian troops in Gurel town in Galgudud region and there were other sightings around Beledweyne. Al Shabaab have issued a threat that they will "break the necks" of Ethiopian soldiers, however the presence of troops has been denied by Addis Ababa.

BBC News
Ethiopian troops 'cross border into Somalia', 19 November 2011
http://www.bbc.co.uk/news/world-africa-15807215
Date accessed 6 January 2012
Agence France Presse
Somalia's Shebab vow to defeat Ethiopian forces, 20 November 2011
http://www.google.com/hostednews/afp/article/ALeqM5gY3pUuT-mQS6qZ8GU1ssI1-ak10Q?docId=CNG.62f08e7e31e2ff112b7b82a68cbd6d71.ad1
Date accessed 6 January 2012

20 December AMISOM announced that 100 Djiboutian troops had arrived in Mogadishu, bringing the number of AMISOM soldiers in the capital up to 9900.

African Union Mission in Somalia
Press release: Djiboutian troops join AMISOM, 20 December 2011
http://amisom-au.org/2011/12/djiboutian-troops-join-amisom/
Date accessed 6 January 2012

31 December Al Shabaab have left Beledweyne town following military action. The TFG claimed that the Somali National Army carried out the action, while the Ethiopian government claimed it was their military that carried out the offensive. Al Shabaab confirmed that they left Beledweyne in a “planned withdrawal” in a posting on the social media website Twitter at around 11:30am GMT on 31 December.

BBC News
Ethiopian troops capture Beledweyne from Somalia militants, 31 December 2011
http://www.bbc.co.uk/news/world-africa-16372453
Date accessed 6 January 2012
New York Times
Strategic Somali Town Is Seized by Ethiopians, 31 December 2011
http://www.nytimes.com/2012/01/01/world/africa/ethiopian-forces-seize-strategic-somali-town-from-shabab.html?_r=3
Date accessed 6 January 2012

6 January Ethiopia is to withdraw from areas it has recently captured in neighbouring Somalia with its troops to be replaced by African Union (AU) soldiers. The

decision was made by the AU's Peace and Security Council, which met to finalise boosting its Somali force. It wants the UN to approve a new figure of 17,731, which would include the absorption of Kenyan troops.

BBC News
Somalia: Ethiopian troops 'to hand over to AU force', 6 January 2012
http://www.bbc.co.uk/news/world-africa-16441240
Date accessed 6 January 2012

7 January The Kenyan army says it has killed 60 Somali al-Shabab militia fighters in air strikes in Garbaharey in Somalia's Gedo area, and that a further 20 of the Islamist fighters defected in recent weeks.

BBC News
Kenyan troops 'kill 60 al-Shabab fighters' in Somalia, 7 January 2012
http://www.bbc.co.uk/news/world-africa-16455039
Date accessed 16 January 2012
Voice of America News
Kenya: Airstrikes Kill 60 Islamic Militants in Somalia
http://www.voanews.com/english/news/africa/Kenyan-Airstrikes-Kill-Dozens-of-Militants-in-Somalia-136869613.html
Date accessed 16 January 2012

11 January Kenyan police announced that six people were killed and four others abducted when Al-Shabaab militants raided an Administration Police camp in Wajir, in the North Eastern province of Kenya. Al Shabaab claim to have abducted “several”, and stolen “Kenyan vehicles, communication equipment and a cache of weapons” in the raid. Al Shabaab subsequently displayed the four abductees in Bardher Bardere, Gedo region.

BBC News
Somalia's al-Shabab seizes Kenyan officials in Wajir, 12 January 2012
http://www.bbc.co.uk/news/world-africa-16526212
Date accessed 16 January 2012
Daily Nation
Shabaab kill six, abduct four in daring raid on AP camp, 12 January 2012
http://www.nation.co.ke/News/Shabaab+kill+six+abduct+four+in+daring+raid+on+AP+camp+/-/1056/1304776/-/4xegerz/-/
Date accessed 16 January 2012
Daily Nation
Shabaab displays four abducted Kenyans, 13 January 2012
http://www.nation.co.ke/News/Shabaab+displays+four+abducted+Kenyans+/-/1056/1305374/-/ce2g94z/-/index.html
Date accessed 16 January 2012

HUMANITARIAN SITUATION

11 November Gender activists in Galkayo, Mudug region, have blamed a sharp rise in rape cases on deteriorating security, a culture of impunity and an increase in attacks on internally displaced people.

IRIN News
Somalia: Rape cases soar in Galkayo camps, 11 November 2011
http://www.irinnews.org/report.aspx?reportid=94184
Date accessed 16 January 2012

18 November The UN's Food Security and Nutrition Analysis Unit said improving conditions meant Bay, Bakool, and Lower Shabelle had been downgraded from famine zones, but 250,000 people still face starvation, with a UN official declaring Somalia as "the world's most critical situation". Three areas, including Mogadishu, remain in a state of famine.

BBC News
Somali famine zones downgraded by UN, 18 November 2011
http://www.bbc.co.uk/news/world-africa-15794717
Date accessed 6 January 2012

28 November Al Shabaab closed down several aid agencies in Baidoa (Bay region) and Beletweyne (Hiiraan region), including UNICEF and other UN bodies after a "meticulous yearlong review and investigation" found "illicit activities and misconducts (sic) of some of the organizations." ICRC, NSF and the Italian NGO Copi are still allowed to operate.

BBC News
Somalia's al-Shabab militants close UN aid offices, 28 November 2011
http://www.bbc.co.uk/news/world-africa-15916940
Date accessed 6 January 2012
The Guardian
Somali militants ban 16 aid groups and UN agencies, 28 November 2011
http://www.guardian.co.uk/world/feedarticle/9968353
Date accessed 6 January 2012

29 November Resettlement of tens of thousands of drought-displaced Somalis, most of whom had sought refuge in Mogadishu, began. The project aimed to resettle 4,000 families 24,000 people back to their homes in time for them to take advantage of what is left of the rainy season.

IRIN News
Somalia: Resettlement of drought-displaced begins, 29 November 2011
http://www.irinnews.org/report.aspx?reportid=94330
Date accessed 16 January 2012

29 December Two Médecins sans Frontières (MSF) employees were shot dead in the organisation's office in Mogadishu. Somali security forces sealed the area after the attack and arrested a suspect in the shooting who had reportedly recently been fired from MSF, and had returned to the office with a gun late on Thursday afternoon.

New York Times
Medical Aid Group Vows to Stay in Somalia After Fatal Attack, 30 December 2011
http://www.nytimes.com/2011/12/31/world/africa/two-foreign-aid-workers-killed-in-somali-capital.html?_r=1

Date accessed 16 January 2012

15 January The UN has stated that 250,000 people in Somalia are still affected by famine, and that tens of thousands of people will have died of starvation by the time the famine ends in the Horn of Africa, with high levels of need predicted to continue until July or August 2012.

BBC News
Somali famine 'will kill tens of thousands', 15 January 2012
http://www.bbc.co.uk/news/world-africa-16568842
Date accessed 16 January 2012

POLITICAL SITUATION

13 December Two hundred and eighty MPs voted for the removal of the Speaker Sharif Hassan Sheikh Aden in Mogadishu while two supported him. One MP abstained. MP Madobe Nunow was appointed as interim Speaker for 30 days until a substantive Speaker is elected. The MPs accused Sheik Aden of making unilateral decisions, failing to recognise separation of powers, failing to develop plan for Parliament's work and lack of transparency and accountability. However, the Speaker rejected the vote, claiming that it had no legitimacy as he was out of the country when it was held.

Daily Nation
Somalia MPs replace Speaker, 13 December 2011
http://www.nation.co.ke/News/politics/Somalia+MPs+replace+Speaker+/-/1064/1288884/-/uff646/-/index.html
Date accessed 6 January 2012
Voice of America
Somali Parliament Speaker Rejects Ouster Effort, 15 December 2011
http://www.voanews.com/english/news/africa/east/Somali-Speaker-Rejects-Ouster-Effort-135660698.html
Date accessed 6 January 2012

24 December A meeting in Garowe of political leaders resulted in the signing of the Garowe Principles, which state that Somalia will have a bicameral legislature with an upper house of representatives from the federal states from June 2016. Between the end of the TFG in June 2012 and the start of the new administration in June 2016, the Somali federal parliament will have one House of Representatives with 225 MPs selected on the clan-based 4.5 formula. The new parliament will allocate 20% of all seats to women, according to the Garowe Principles.

Garowe Online
Somalia leaders sign Garowe Principles at Constitutional Conference, 24 December 2011
http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_leaders_sign_Garowe_Principles_at_Constitutional_Conference.shtml
Date accessed 6 January 2012

4 January Somalia's government has launched an investigation after a fight in the parliament over the election of a new speaker which resulted in three MPs being taken to hospital. The fight was started by supporters of Sharif Hassan

Sheikh Aden, who was voted out of his role as Speaker in December. Madobe Nunow, who had been acting as interim Speaker, was elected as Speaker on the evening of the fight, however President Sheikh Ahmed has since denounced the election and declared it to be "null and void".

BBC News
Somalia MPs brawl over election of new speaker, 5 January 2012
http://www.bbc.co.uk/news/world-africa-16430025
Date accessed 6 January 2012
Agence France Presse
Fistfight in Somali parliament over speaker election, 5 January 2012
http://www.google.com/hostednews/afp/article/ALeqM5hB4fSVYXi8n-UGGaR_5fB-e_1iCQ?docId=CNG.1c4b2808f2ddae15bf4d475cc7f3ee0d.231
Date accessed 6 January 2012

USEFUL NEWS SOURCES FOR FURTHER INFORMATION

A list of news sources with Weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report.

Afrol News www.afrol.com
AlertNet (Thomson Reuters) http://www.alertnet.org/thenews/newsdesk/index.htm?news=all
All Africa http://alllafrica.com/
British Broadcasting Corporation (BBC) http://news.bbc.co.uk
Cable News Network (CNN) http://edition.cnn.com/WORLD/?fbid=i0gUtrVnUAy
Daily Nation http://www.nation.co.ke/-/1148/1148/-/xvvu7uz/-/index.html
ECOI http://www.ecoi.net/
Food Security and Nutritional Analysis Unit – Somalia http://www.fsnau.org/
Integrated Regional Information Networks (IRIN) http://www.irinnews.org/
Internal Displacement Monitoring Centre http://www.internal-displacement.org/8025708F004CE90B/(httpCountries)/02EE5A59E76049F5802570A7004B80AB?OpenDocument
International Crisis Group, Crisis Watch database http://www.crisisgroup.org/en/publication-type/crisiswatch.aspx
ReliefWeb http://www.reliefweb.int/rw/dbc.nsf/doc104?OpenForm&rc=1&cc=som
UNHCR Refworld http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain

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REPORTS ON SOMALIA PUBLISHED OR ACCESSED BETWEEN 2 NOVEMBER 2011 AND 17 JANUARY 2012

UN Security Council
Report of the Secretary-General on Somalia, 9 December 2011
http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Document_62.pdf
Date accessed 17 January 2012

Refugees International
Horn of Africa: Not the time to look away, 13 December 2011
http://www.refintl.org/sites/default/files/121311_HoA_Not_Time%20letterhead_0.pdf
Date accessed 17 January 2012

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Background Information

1. GEOGRAPHY

1.01 Europa World Online, undated, accessed on 8 August 2011, stated that: "The Somali Democratic Republic lies on the east coast of Africa, with Ethiopia to the north-west and Kenya to the west. There is a short frontier with Dijibouti to the north-west …" [1] The US State Department *Background Note: Somalia* dated 26 September 2011 noted that: "Somalia… with Ethiopia, Eritrea, Djibouti, and Kenya, is often referred to as the Horn of Africa".[2]

1.02 The Central Intelligence Agency (CIA) *World Factbook*, updated on 12 July 2011, noted that Somalia's total area is 637,657 sq km, of which 627,337 sq km is land and 10,320 sq km is water. [3] *Suna Times* noted that the Transitional Federal Government's Fishing and Sea Resources Minister Mohamed Moallim said: "… that the territorial waters of Somalia extend up to 370 kilometers which is the exclusive economic zone in line with the United Nations Convention on Law of sea." [4]

1.03 The country has fragmented into three broad geographical 'regions': south and central Somalia partially controlled by the 'national' government in Mogadishu, the self-declared republic of Somaliland in the north-west and the semi-autonomous region of Puntland in the north-east.[5] (United States Department of State, *2010 Country Reports on Human Rights Practices, Somalia*, dated 8 April 2011)

1.04 The CIA *World Factbook*, updated on 12 July 2011, estimated the population of Somalia in July 2011 as 9,925,640, a figure derived from the 1975 census.[6] The UN Data Country Profile for Somalia, accessed on 8 August 2011, estimated the population in 2008 to be 8,926,000.[7] While the Minority Rights Group International report, *No redress: Somalia's forgotten minorities*, published 23 November 2010, observed that:

"Calculations for the current population of Somalia, including Somaliland (a self declared republic in the north-west), vary, with the latest World Bank figure suggesting approximately 9 million. Estimates from the UN Office for the Coordination of Humanitarian Affairs (OCHA), combined with a figure from the authorities in Puntland,

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[1] Europa World Online, Country Profile (Somalia, Location, Climate, Language, Religion, Flag, Capital), in Europa World online. London, Routledge. Available in hard copy on request. Date accessed 8 August 2011
[2] US State Department, Background Note: Somalia, Geography, 26 September 2011 , http://www.state.gov/r/pa/ei/bgn/2863.htm Date accessed 8 October 2011
[3] CIA World Factbook, Somalia, Geography, updated 12 July 2011, https://www.cia.gov/library/publications/the-world-factbook/geos/so.html Date accessed 8 August 2011
[4] Suna Times, Somalia to recreate its Exclusive Economic Zone, 8 May 2011, http://www.sunatimes.com/view.php?id=1014 Date accessed 8 August 2011
[5] US State Department 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011
[6] CIA World Factbook, Somalia, People, updated 12 July 2011, https://www.cia.gov/library/publications/the-world-factbook/geos/so.html Date accessed 8 August 2011
[7] UN Data, Country Profile, Somalia, undated, http://data.un.org/CountryProfile.aspx?crName=Somalia Date accessed 22 March 2011

suggest the total population might be higher, with around 5 million in south-central Somalia, about 2 to 3 million in Somaliland, and up to 2.4 million in Puntland." [8]

1.05 The BBC News Profile for Puntland, updated on 11 July 2011, gives a population estimate for the region of 2.4 million [9], while the same website's Profile for Somaliland, updated on 11 July 2011, gave a population estimate of 3.5 million [10].

1.06 The United States Commission on International Religious Freedom's *Annual Report 2011*, published 28 April 2011 (USCIRF 2011 Report), noted that: "A large majority of [Somalia's] citizens are Sunni Muslims of a Sufi tradition. There is a small, low-profile Christian community and small numbers of followers of other religions. The number of adherents of strains of conservative Islam and the number of Islamic schools supported by religiously conservative sources continued to grow." [11]

For information on freedom of religion in Somalia, please see the section of the same name.

1.07 Jane's *Sentinel Country Risk Assessment* for Somalia, updated 23 July 2010, noted: "The primary and official language is Somali, spoken universally by all the clans. Arabic, Italian and English are also spoken by an educated few and Swahili is spoken in the coastal towns south of Mogadishu." [12] The Landinfo report, *Somalia: Language situation and dialects*, published on 22 July 2011, noted that:

"Unlike most other African countries, Somalia is linguistically quite homogeneous. There are few linguistic minorities in Somalia, and these groups' expansion is very limited… Besides being the dominant language amongst the entire population of Somalia, Somali is also the native language of the Somali population residing in the neighbouring countries of Djibouti, Ethiopia and Kenya… For example, in Djibouti 40% of the population speak Somali." [13]

For information on the ethnic groups of Somalia, as well as languages and dialects spoken by the various groups see Ethnic groups.

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SOUTH AND CENTRAL SOMALIA

1.08 South and central Somalia consists of the following regions: Galgaduud, Hiiraan, Lower Shabelle, Middle Shabelle, Banaadir, Bakool, Bay, Gedo, Lower Juba and Middle Juba (see map below at 1.07, dated January 2007, accessed 8 December 2010). Jane's

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[8] Minority Rights Group International, No redress: Somalia's forgotten minorities, 23 November 2010, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 20 April 2011

[9] BBC News, Countries and Territories, Puntland, Facts, updated 11 July 2011, http://www.bbc.co.uk/news/world-africa-14114728 Date accessed 8 August 2011

[10] BBC News, Countries and Territories, Somaliland, Facts, updated 11 July 2011, http://www.bbc.co.uk/news/world-africa-14115070 Date accessed 8 August 2011

[11] US Department of State, 2010 Report on International Religious Freedom - Somalia, 17 November 2010, Religious demography, http://www.state.gov/g/drl/rls/irf/2010/148720.htm Date accessed 20 April 2011

[12] Jane's Sentinel, Country Risk Assessment, Somalia, Demography, Language, updated 23 July 2010, Available in hard copy on request

[13] Landinfo, Somalia: Language situation and dialects, published on 22 July 2011, p7, http://www.landinfo.no/asset/1800/1/1800_1.pdf Date accessed 10 October 2011

Sentinel Country Risk Assessment for Somalia, updated 23 July 2010, noted that: "The main cities in the south are Mogadishu (over one million inhabitants estimated), Marka (180,000), Kismaayo (150,000) and Baydhabo (130,000)". [14]

1.09 Jane's Sentinel Country Risk Assessment for Somalia, updated 23 July 2010, gave the following population estimates by region[15]:

Region	Population (2004 estimate)	Population Density (per km^2)
Shabeellaha Hoose	1,100,000	44
Banadir (Mogadishu)	1,000,000	2,700
Bay	850,000	24
Shabeellaha Dhexe	650,000	28
Jubbada Hoose	550,000	13
Galguduud	500,000	11
Gedo	450,000	10
Hiiraan	450,000	14
Mudug	400,000	5
Bakool	200,000	7
Jubbada Dhexe	200,000	20
Southern/Central Somalia	6,250,000	22

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PUNTLAND

1.10 Garowe online in an article dated 25 December 2008, reported that: "During Gen. Siad Barre's era (1969-1991), Somalia was divided into 18 administrative regions. Therefore, the geographic territory of Puntland was defined according to that map, with five regions (Bari, Nugaal, Mudug, Sool and Sanaag) along with the District of Buhodle, in Togdheer region (Somaliland) sending delegates to Garowe in 1998 to form Puntland's interim government".[16] Jane's *Sentinel Country Risk Assessment* for Somalia, updated 23 July

[14] Jane's Sentinel, Country Risk Assessment, Somalia, Demography, Regional Distribution, updated 23 July 2010, Available in hard copy on request
[15] Jane's Sentinel, Country Risk Assessment, Somalia, Demography, Regional Distribution, updated 23 July 2010, Available in hard copy on request
[16] Garowe Online, Somalia: Guide to Puntland Election 2009, Dec 25, 2008 http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Guide_to_Puntland_Election_2009_printer.shtml

2010, noted that "The largest towns in Puntland are Boosaaso ([population estimate] 70,000) and Garoowe (40,000)." [17]

1.11 Jane's *Sentinel Country Risk Assessment* for Somalia, updated 23 July 2010, gave the following population estimates by region[18]:

Region	Population (2004 estimate)	Population Density (per km^2)
Bari	450,000	6
Nugaal	120,000	5
Puntland (Northeast)	750,000	6

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SOMALILAND

1.12 The Somaliland government website, undated, accessed on 8 August 2011, stated that: "Hargeisa is the capital of Somaliland with an estimated population of 0.65 million. The other main towns are Burao, Borama, Berbera, Erigabo and Las Anod".[19] Jane's *Sentinel Country Risk Assessment* for Somalia, updated 23 July 2010, noted that: "The main cities in the northern highlands (Somaliland) are Hargeysa ([population estimate] 300,000), Berbera (200,000) and Burao (100,000)." [20]

1.13 Jane's Sentinel Country Risk Assessment for Somalia, updated 23 July 2010, gave the following population estimates by region[21]:

Region	Population (2004 estimate)	Population Density (per km^2)
Woqooyi Galbeed	1,000,000	34
Togdheer	750,000	19
Awdaal	250,000	12
Sanaag	400,000	8
Sool	100,000	4

Date accessed 22 March 2011

[17] Jane's Sentinel, Country Risk Assessment, Somalia, Demography, Regional Distribution, updated 23 July 2010, Available in hard copy on request

[18] Jane's Sentinel, Country Risk Assessment, Somalia, Demography, Regional Distribution, updated 23 July 2010, Available in hard copy on request

[19] Somaliland Government, Country profile, undated, http://www.somalilandgov.com/cprofile.htm Date accessed 8 August 2011

[20] Jane's Sentinel, Country Risk Assessment, Somalia, Demography, Regional Distribution, updated 23 July 2010, Available in hard copy on request

[21] Jane's Sentinel, Country Risk Assessment, Somalia, Demography, Regional Distribution, updated 23 July 2010, Available in hard copy on request

Somaliland (North)	2,400,000	15

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MAPS

1.14 UN Cartographic section map of Somalia (May 2011) [22]:

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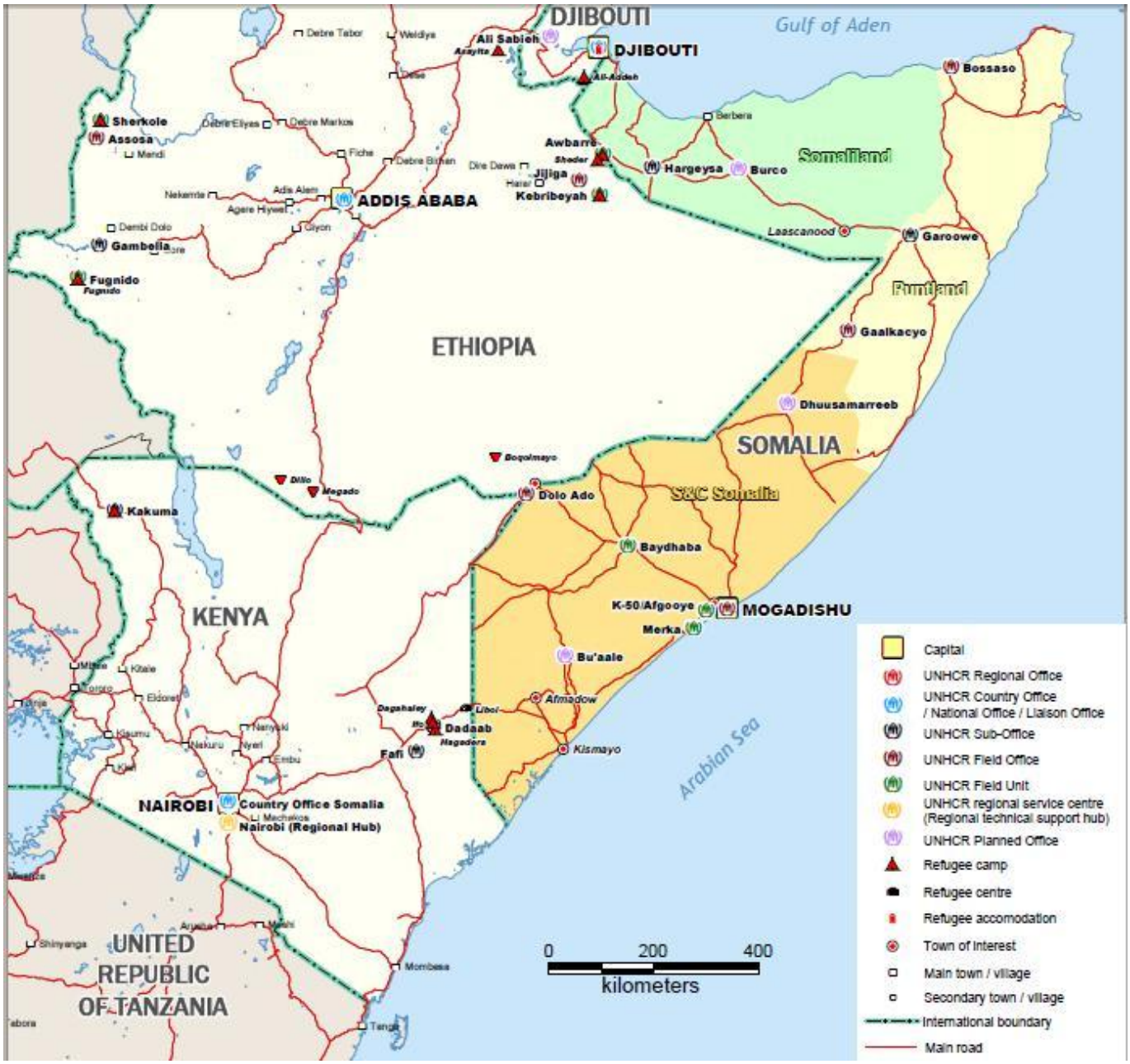
[22] UN Cartographic Section, Somalia, updated May 2011 http://www.un.org/Depts/Cartographic/map/profile/somalia.pdf Date accessed 23 May 2011

1.15 UNHCR map of Somalia showing IDP and refugee distribution in January 2010, showing Somaliland, Puntland, and Southern and Central Somalia.



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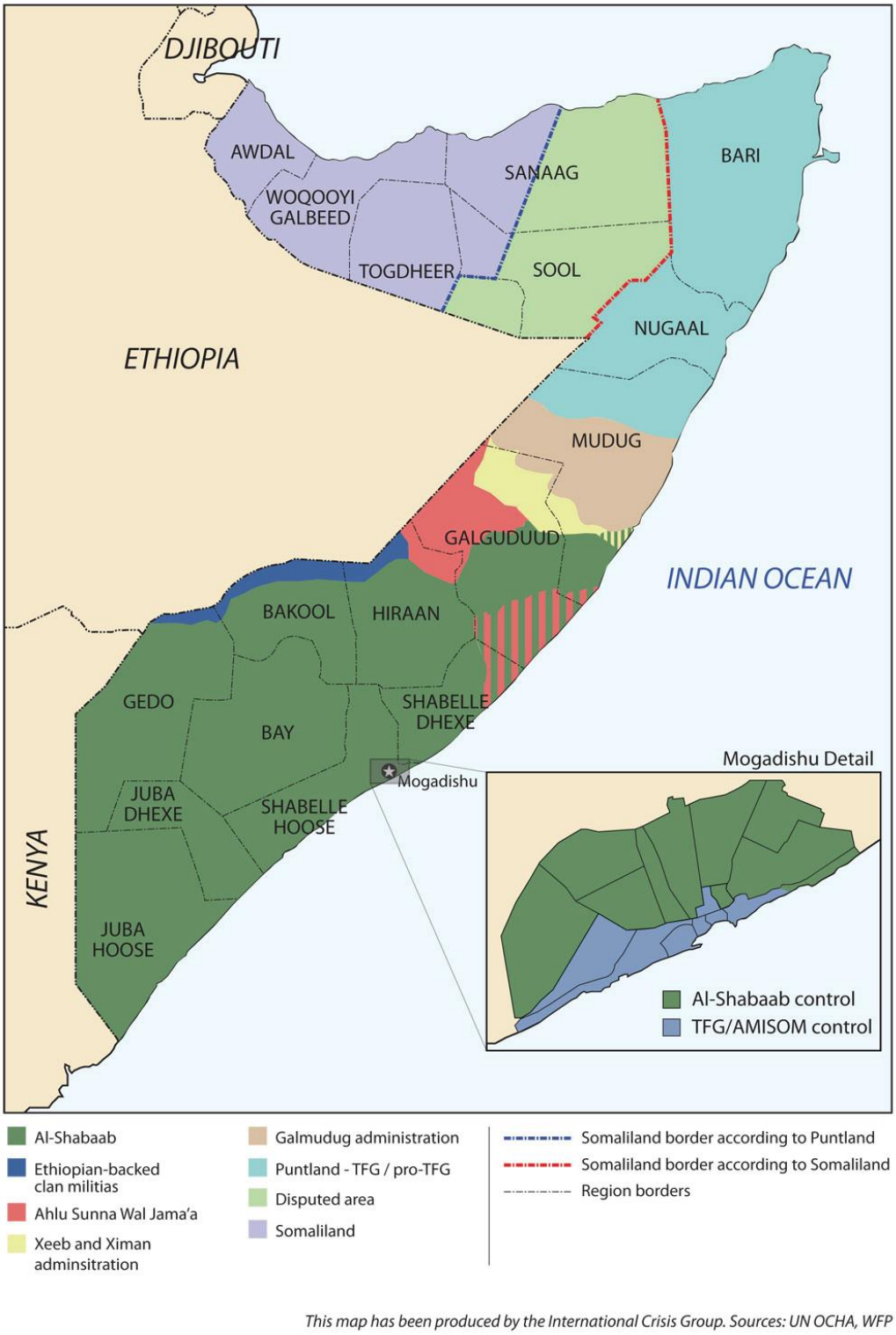
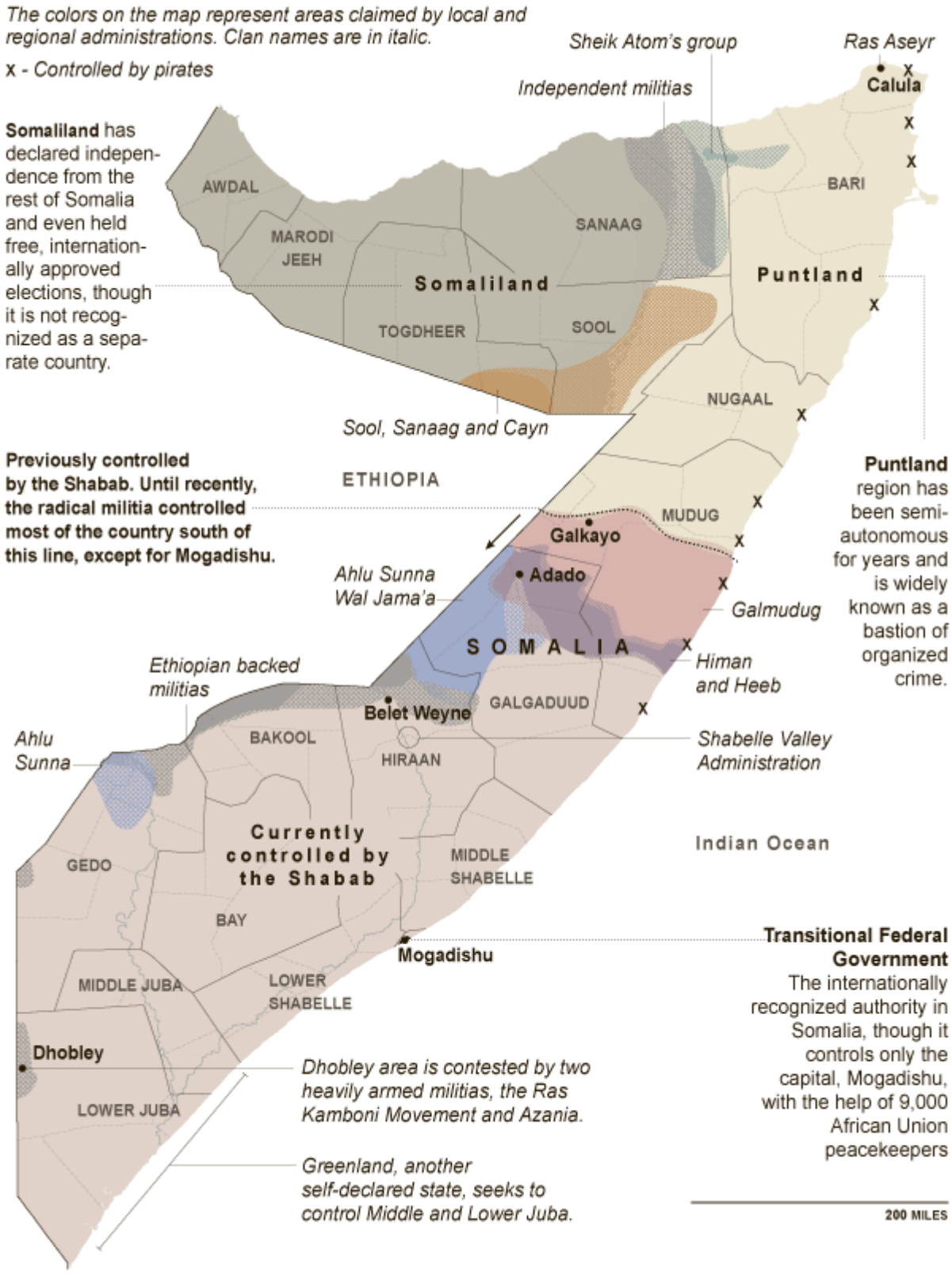
1.16 International Crisis Group published the following map in their 21 February 2011 report, *Somalia: The Transitional Government on Life Support*, showing the control of areas of Somalia as of January 2011 [23]:



[23] International Crisis Group, Somalia: The Transitional Government on Life Support, 21 February 2011, http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/somalia/170%20Somalia%20The%20Transitional%20Government%20on%20Life%20Support.ashx Date accessed 20 April 2011

1.17 *The New York Times* published the following map of regional administrations in Somalia[24]:



[24] New York Times, Somalia: A Country Broken Into Pieces, 9 September 2011, http://www.nytimes.com/interactive/2011/09/10/world/africa/20110910-somalia-a-country-broken-into-pieces.html?ref=africa Date accessed 19 October 2011

1.18 Somaliland Government map of Somaliland, 2000.

For a range of maps of Somalia, please see Reliefweb. For further administrative maps of regions and districts in Somalia, see the Food Security and Nutritional Analysis Unit's website. For maps of towns within Somalia, please see the Office of the Co-ordinator of Humanitarian Affairs map centre.

Mogadishu

1.19 A map of Mogadishu (published 6 May 2010) is available via the UN Office for the Co-ordination of Humanitarian Affairs website.

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2. ECONOMY

2.01 The CIA *World Factbook*, updated on 12 July 2011, stated that, despite the lack of effective national governance, Somalia has "…maintained a healthy informal economy, largely based on livestock, remittance/money transfer companies, and telecommunications. Agriculture is the most important sector, with livestock normally accounting for about 40% of GDP and more than 50% of export earnings. Nomads and semi-pastoralists, who are dependent upon livestock for their livelihood, make up a large portion of the population." [25]

[25] CIA World Factbook, Somalia, Economy, updated 12 July 2011, https://www.cia.gov/library/publications/the-world-factbook/geos/so.html Date accessed 8 August 2011

2.02 The CIA *World Factbook*, updated on 12 July 2011, continued:

"Livestock, hides, fish, charcoal, and bananas are Somalia's principal exports, while sugar, sorghum, corn, qat, and machined goods are the principal imports. Somalia's small industrial sector, based on the processing of agricultural products, has largely been looted and sold as scrap metal. Somalia's service sector also has grown. Telecommunication firms provide wireless services in most major cities and offer the lowest international call rates on the continent. In the absence of a formal banking sector, money transfer/remittance services have sprouted throughout the country, handling up to $1.6 billion in remittances annually. Mogadishu's main market offers a variety of goods from food to the newest electronic gadgets. Hotels continue to operate and are supported with private-security militias." [26]

2.03 Piracy is also a source of income for some Somali citizens, and this money enters the economy. The Bonn International Centre for Conversion article *Piracy in Somalia and its Root Causes on Land*, July – September 2009 edition, stated that:

"Piracy provides attractive financial rewards (the pirates receive some 10 percent of the gains, captains, boat owners and financiers some 40 percent), and gives many young Somali men an escape from the impoverished conditions that have caused severe distress throughout the country. Estimates of the sums made by Somali pirates in 2008 range from a low of US $30 to 40 million to a high of US $150 million. Given the absence of other sources of income in Somalia, even the lower estimate is a substantial income for individuals and for the local economy as a whole. This income is spread widely: pirates invest in lavish homes, cars, entertainment, and marriage." [27]

2.04 The US State Department *2010 Country Report on Human Rights Practices*, *Somalia,* dated 8 April 2011, observed that: "With an estimated 43 percent of the population earning less than 30,000 Somali shillings (less than [US]$1) per day, there was no mechanism to attain a decent standard of living for workers and their families. During the year high inflation, continued insecurity, and other factors significantly decreased the standard of living in all areas of the country. By year's end, 3.5 million Somalis required emergency humanitarian assistance." [28]

2.05 The Economist Intelligence Unit (EIU) in its *Somalia Country Report*, published in August 2011, stated that:

"The effects of two consecutive poor rainy seasons, continuing insecurity and record food prices have combined to further deepen Somalia's humanitarian crisis in recent months. The UN's Food Security and Nutrition Analysis Unit- Somalia (FSNAU) announced on June 30th that the number of people in crisis in Somalia was 2.85m, a 19% increase on the January total of 2.4m. The large majority of those affected are in southern parts of the country (1.75m or 61% of the total in crisis), where food assistance

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[26] CIA World Factbook, Somalia, Economy, updated 12 July 2011, https://www.cia.gov/library/publications/the-world-factbook/geos/so.html Date accessed 8 August 2011

[27] Bonn International Centre for Conversion, Michael Ashkenazi and Edward Ceska, Piracy in Somalia and its Root Causes on Land, Bulletin 50, July-September 2009 http://www.bicc.de/uploads/pdf/publications/bulletin/bulletin50.pdf Date accessed 5 February 2010

[28] US State Department 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

is very limited owing to prevailing insecurity. What food is available in local markets is beyond the means of many owing to high cereal prices. The price of white maize in Buale, on the Jubba River in the south, a town located in an important maize-growing area, increased by 69% in the three months to May, when 1 kg sold for SoSh21,966 (over US$10), representing a price rise of 120% since May 2010. The rising living costs are compounded by soaring prices for imported food and fuel on domestic markets, in line with global price trends. A spokesman for the UN Refugee Agency said on July 5th that more than 135,000 Somalis had fled to neighbouring Kenya and Ethiopia in the first half of the year and that malnutrition levels among the new arrivals, especially among refugee children, were particularly high.

"The humanitarian crisis in Somalia is expected to deepen further in the second half of 2011, with food prices continuing to rise following a main harvest in August that is expected to be about half the normal level, owing to poor rains during the main March-June gu rainy season. This follows a poor harvest in January after below-average secondary September-December deyr rains. The severity of the humanitarian situation in southern Somalia was acknowledged by al-Shabab on July 5th, when a spokesman for the Islamist group told a news conference in the capital, Mogadishu, that foreign aid agencies would be allowed access to drought victims in areas controlled by al-Shabab. The announcement, which lifted a ban imposed by the Islamists on several humanitarian agencies in January 2010, was welcomed by the UN, although it came too late to help thousands already suffering from the effects of drought." [29]

2.06 The UN Office for the Co-ordination of Humanitarian Affairs' mid year review of the 2011 Consolidated Appeals Process, published on 20 July 2011, noted: "At the beginning of the year, the Somalia 2011 CAP requested US$529.5 million. The revised appeal requests $561.5 million to address the needs of 2.85 million people. Just under half (47%) of those requirements have been met ($265.3 million), leaving a shortfall of $296.1 million." [30]

For further information on the famine, humanitarian funding and the effect on the population, please see Humanitarian situation.

2.07 With regard to Somaliland, the EIU's *Somalia Country Report*, published in August 2011, stated that:

"Changes to Somaliland's financial regulations designed to open the economy up to international trade and allow conventional private banking for the first time will come into force before 2012, according to an interview with Abdi Dirir Abdi, the governor of the region's central bank, the Bank of Somaliland … Mr Abdi said that he expected Somaliland's economy to grow when private commercial banks begin to open lines of credit to small businesses, although he readily acknowledged the continuing constraints imposed by Somaliland's lack of international recognition.

"Somaliland's financial system currently comprises just two banks, both stateowned: the Bank of Somaliland and the Commercial Bank of Somaliland, which acts as the state Treasury... The economy received a welcome vote of confidence in May [2011], when it was reported that a US-based drinks maker, Coca-Cola, had issued a licence to cover

[29] Economist Intelligence Unit, Somalia Country Report, p13, dated August 2011, available in hard copy on request
[30] UN Office for the Co-ordination of Humanitarian Affairs, Consolidated Appeals Process 2011: Mid-year review, 20 July 2011, p2, http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1243571 Date accessed 8 August 2011

Somaliland and the neighbouring semi-autonomous region of Puntland. Production at a new bottling plant in Somaliland's capital, Hargeisa, is expected to start by the end of September … Coca-Cola is thought to have invested US$10m to build the Hargeisa facility, which will be operated under licence by Somaliland Beverage Industries." [31]

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CURRENCY

2.08 The EIU's *Somalia Country Report*, published in August 2011 stated that the currency in Somalia is the Somali shilling (SoSh) and that the Somaliland Republic has its own currency, the Somaliland shilling (SolSh). [32] The same report also noted that: "In recent months the Bank of Somaliland has been exchanging billions of Somali shilling banknotes for its own currency as part of a plan to stop using the Somali shilling in the autonomous republic as of mid-June. Although the Somaliland shilling was introduced in October 1994, dual currencies have been in circulation in several regions of Somaliland since." [33] The US State Department *Background Note: Somalia*, updated 26 September 2011, observed that: "The absence of central government authority, as well as profiteering from counterfeiting, has rapidly debased Somalia's currency. The self-declared 'Republic of Somaliland' issues its own currency, the Somaliland shilling, which is not accepted outside of the self-declared republic." [34] The *CIA World Factbook*, updated on 12 July 2011, stated that "… businesses print their own money". [35]

2.09 According to the foreign exchange website xe.com, there were 2526.91 Somali shillings to the British Pound as of 16 December 2011. An official exchange rate for the Somaliland shilling could not be found.

TELECOMMUNICATIONS

2.10 The EIU, in its *Somalia Country Profile* for 2008 dated 3 March 2008, noted:

"Small private companies linked to overseas satellite operators provide telecommunications in major towns. Mogadishu is served by three companies set up in 2002 following the closure of the Al-Barakat phone company in November 2001. Its international lines, operated by the US company AT&T, were cut following allegations of association with terrorist networks. Local calls within Mogadishu are free, whereas local cellular calls cost US$0.11 per minute, cheaper than in neighbouring Kenya. Four firms serve Hargeisa, all offering mobile phones and direct international calls at cheaper rates than in neighbouring Djibouti and Kenya. A new gateway system has been installed in Somaliland following a five-year agreement signed between the Ministry of Telecommunications in Hargeisa and a US-based company, Transcom Digital (TDI). Somalia's largest mobile-phone operator, Telsom Mobile, placed an order for products and services worth US$1.4m with US-based AirNet Communications in July 2005 to

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[31] Economist Intelligence Unit, Somalia Country Report, p14-15, dated August 2011, available in hard copy on request
[32] Economist Intelligence Unit, Somalia Country Report, p4, dated August 2011, available in hard copy on request
[33] Economist Intelligence Unit, Somalia Country Report, p14-15, dated August 2011, available in hard copy on request
[34] US State Department, Background Note: Somalia, Economy, 26 September 2011, http://www.state.gov/r/pa/ei/bgn/2863.htm Date accessed 8 October 2011
[35] CIA World Factbook, Somalia, Economy, updated 12 July 2011, https://www.cia.gov/library/publications/the-world-factbook/geos/so.html Date accessed 8 August 2011

upgrade its system within Somalia. The order brings the company's total investment in AirNet equipment and services to more than US$10m since 2000. Two new television companies, Horn Afrique and Somali Television Network, were set up in 2000. Several ISPs [Internet Service Providers] have opened in recent years and are servicing areas of the country, as well as Somaliland. Strangely, Somalia enjoys better Internet connectivity than some other African countries, including Eritrea." [36]

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3. HISTORY (1988 TO MAY 2011)

The section following provides a brief history of Somalia from 1988 to April 2011. Information on events preceding this as well as events during the same period is also available in Annex A: Timeline

CIVIL WAR (1988-1991)

3.01 *Endless war: a brief history of the Somali conflict* by Mark Bradbury and Sally Healy undated, circa early 2010, reported on the events leading to the collapse of the state of Somalia:

"The collapse of the Somali state was the consequence of a combination of internal and external factors. Externally there were the legacies of European colonialism that divided the Somali people into five states, the impact of Cold War politics in shoring up a predatory state, and the cumulative effect of wars with neighbouring states, most damagingly the 1977-78 Ogaden war with Ethiopia. Internally, there were contradictions between a centralized state authority, and a fractious kinship system and the Somali pastoral culture in which power is diffused.

"Next came the Somali National Movement (SNM) formed in 1982 that drew its support from the Isaaq clan. The SNM insurgency escalated into a full-scale civil war in 1988 when it attacked government garrisons in Burco and Hargeisa. The government responded with a ferocious assault on the Isaaq clan, killing some 50,000 people and forcing 650,000 to flee to Ethiopia and Djibouti.

"Somalia's collapse was hastened by the ending of the Cold War. As Somalia's strategic importance to the West declined, the foreign aid that had sustained the state was withdrawn. Without the resources to maintain the system of patronage politics, [President Siad] Barre lost control of the country and the army. In January 1991 he was ousted from Mogadishu by forces of the United Somali Congress (USC) drawing support from the Hawiye clans in south central Somalia."[37]

STATE COLLAPSE (1991-1992)

3.02 Europa World, undated, accessed on 21 February 2011, reported the consequences of the exit of President Barre:

[36] Economist Intelligence Unit, Somalia Country Profile, p15, dated 3 March 2008, available in hard copy on request
[37] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010

"On 27 January [1991] Siad Barre was reported to have fled the capital with those forces remaining loyal to him, and the USC took power. It immediately invited all former opposition groups to participate in a national conference to discuss the democratization of Somalia. On 29 January the USC appointed Ali Mahdi Mohamed (a government minister in the 1960s) as President, in a temporary capacity, and he, in turn, invited Umar Arteh Ghalib (a former foreign affairs minister) to form a government that would prepare the country for democracy. The provisional Government was approved by the President on 2 February.

"By mid-March 1991, however, Somalia was close to anarchy. Opposition movements rejected the USC's invitation to take part in a national conference, and the SNM was reported to have formed an 11-member administration and a legislature to govern the former territory of British Somaliland. In May the SNM announced its official support for the secession of that territory, and later that month the SNM Central Committee elected Abd ar-Rahman Ahmed Ali 'Tur' as President of the self-proclaimed 'Republic of Somaliland'. In June the Committee approved a 17-member government to administer the territory for a period of two years, after which free elections were to be held." [38]

See also subsection below on The 'Republic of Somaliland'

3.03 Endless war: a brief history of the Somali conflict reported that:

"Somalis use the word burbur ('catastrophe') to describe the period from December 1991 to March 1992, when the country was torn apart by clan-based warfare and factions plundered the remnants of the state and fought for control of rural and urban assets. Four months of fighting in Mogadishu alone in 1991 and 1992 killed an estimated 25,000 people, 1.5 million people fled the country, and at least 2 million were internally displaced.

"In the midst of drought, the destruction of social and economic infrastructure, asset stripping, 'clan-cleansing' and the disruption of food supplies caused a famine in which an estimated 250,000 died. Those who suffered most came from the politically marginalized and poorly armed riverine and inter-riverine agro-pastoral communities in the south, who suffered waves of invasions from the better-armed militia from the major clans." [39]

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UN OPERATION IN SOMALIA (1992-1995)

3.04 Endless war: a brief history of the Somali conflict stated that:

"External responses to Somalia's collapse were belated because other wars in the Gulf and the Balkans commanded international attention. The Djibouti government tried unsuccessfully to broker a deal in June and July 1991. UN diplomatic engagement began only in early 1992, when a ceasefire was negotiated between the two main belligerents in Mogadishu, Ali Mahdi Mohamed and General Mohamed Farah Aideed. A

[38] Europa World Online, Country Profile (Somalia, History), undated, hard copy on request. Date accessed 22 February 2011
[39] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010

limited UN peacekeeping mission – the UN Operation in Somalia (UNOSOM) – was unable to stem the violence or address the famine.

"In December 1992 the outgoing US administration authorized the deployment of US forces to support the beleaguered UN mission in Somalia. Under US leadership, UNOSOM mustered a multinational force of some 30,000 troops. Ostensibly launched for humanitarian reasons, the intervention also responded to the challenge that the collapsed Somali state posed to a supposed 'new world order', proclaimed by President George Bush at the end of the Cold War. UNOSOM dominated Somali politics for the next three years.

"UNOSOM turned world attention to a neglected crisis and assisted in saving lives by securing food supplies. It facilitated some local agreements that improved security, reopened Mogadishu airport and seaport, and supported the revival of key services and the creation of local non-governmental organizations. It also provided employment and injected huge resources into the economy to the benefit of a new business class.

"However, the mission failed to mediate an end to hostilities or disarm factions. UN-facilitated peace conferences in Addis Ababa in 1993 and Kenya in 1994 did not engender a process of national reconciliation and state revival. The mission has been criticized for fuelling the war economy, causing a proliferation of factions and shoring up warlord power structures. Before long UNOSOM itself became embroiled in the conflict with General Aideed, leading to the infamous shooting down of US Black Hawk helicopters in Mogadishu and the subsequent withdrawal of US forces." [40]

INTERNATIONAL DISENGAGEMENT (1995-2000)

3.05 Endless war: a brief history of the Somali conflict stated:

"UNOSOM's humiliating departure from Somalia was followed by international disengagement and a decline in foreign aid. Its departure in March 1995 did not lead to a revival of the civil war, however. Local political processes that had been 'frozen' by the intervention resumed and clans and factions consolidated the gains they had made during the war. In some areas communities drew on traditional institutions, such as elders and customary law (xeer), to end violent confrontations, renegotiate relations between groups and establish local governance structures as a transitional step to developing public administrations and regional and trans-regional polities.

"In southern Somalia a variety of institutions emerged, including two 'governments' in Mogadishu, councils of elders, district councils and Shari'a courts, which provided forms of 'governance without government'. While fragile and uncoordinated, these structures produced an incremental improvement in security, so that by the late 1990s the situation in much of Somalia was described as 'neither war nor peace'....The disengagement from Somalia of Western governments resulted in the diplomatic initiative passing [to] regional states and in particular Ethiopia. Addis Ababa's engagement was driven as much by geo-political, security and economic interests as by concern to end Somalia's political turmoil. Ethiopia was especially concerned by the growth of an armed Islamist group in Somalia, Al Itihad Al Islamiya, with regional ambitions. Ethiopian forces attacked and destroyed Al Itihad camps in the border areas during 1997. At the same

[40] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010

time, Ethiopia brought Somali factions together at Sodere and attempted to broker an agreement.

"Egypt, Libya and Yemen and the Arab League also made endeavours to broker settlements, but reconciliation in Somalia was actively hindered by competition between these initiatives. After 1998 the breakdown in relations between Ethiopia and Eritrea gave a new impetus to the destabilization of Somalia. Eritrea supported Somali factions opposed to those aligned with Ethiopia, introducing a new element of proxy war to an already crowded arena.

"Competing regional interests led to rival peace conferences sponsored by Ethiopia in Sodere in 1996, and by Egypt in Cairo in 1997. These produced two regional administrations: the short-lived Benadir Administration supported by Egypt and Libya; and the government of Puntland Federal State of Somalia.

"The Benadir Administration collapsed when its leadership failed to agree on modalities for reopening Mogadishu seaport, while in Puntland a combination of a community-driven political processes and strong leadership produced a functional administration.

"Somalis were also divided over the right approach. As the multiple clan-based factions merged into larger regional and transregional polities in the late 1990s, they also mutated into broader political coalitions. One such coalition centred on Mogadishu and the sub-clans of the Hawiye clan-family. Although the Hawiye had failed to reconcile with each other and Mogadishu remained a divided city, but political, business, civic and religious leaders supported the revival of a strong central state in which they would dominate the capital. The other coalition, backed by Ethiopia and led by Puntland President, Abdullahi Yusuf, was dominated by the Darood clan, was anti-Islamist and favoured a federal state.

"In 1999 international support for the building block approach ended when the government of Djibouti initiated a new national peace process." [41]

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ARTA CONFERENCE, TRANSITIONAL NATIONAL GOVERNMENT AND TRANSITIONAL FEDERAL GOVERNMENT (TFG) (2000-2004)

3.06 Europa World online, undated, accessed on 22 February 2011, stated that:

"The Somali national reconciliation conference opened in Arta, Djibouti, on 2 May 2000, with some 400 delegates, representing various Somali clans and political and armed groups, in attendance. By mid-June the number of delegates had risen to around 900, although notably only one of the principal Somali faction leaders, Ali Mahdi, was present. In early July the conference produced a draft national charter, which envisaged the Somali Republic adopting a federal system of government, after a three-year interim period, comprising 18 regional administrations. Furthermore, it provided for the creation of the Somali Transitional National Assembly (TNA), which would consist of 225

[41] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010

members, of whom 25 would be women. Each of the four major Somali clans (Dir, Hawiye, Darod and Rahanwin) was allocated 44 parliamentary seats, and an alliance of small clans was to receive 24 seats; the remaining 25 seats were reserved for women from the four major clans and the alliance of small clans, each of which would receive five seats." [42]

3.07 Endless war: a brief history of the Somali conflict stated that:

"The [Transitional National Government] TNG became the first authority since the fall of Siyad Barre to fill Somalia's seat at the UN and regional bodies. It was supported by the UN and several Arab states but it failed to win the backing of Ethiopia or the confidence of major donor governments. In Somalia the TNG did not follow through on the reconciliation efforts begun in Arta and became associated with the powerful Mogadishu clans and the business class, which included Islamists. The TNG was opposed by a coalition supported by Ethiopia, called the Somali Restoration and Reconciliation Council (SRRC) in which Abdullahi Yusuf had a leadership role.

"In the climate of international insecurity that followed the 9/11 attacks on the US, the failed state of Somalia attracted renewed interest as a potential haven and breeding ground for international terrorists. The TNG's reputation suffered as the growing influence of Islamic Courts and Islamic charities increased suspicions about its links with militant Islamists.

"To some Somalis the return of government provided the best opportunity for Somalia for a decade, and they criticized Western governments for failing to adequately support it. The experience of TNG also demonstrated the difficulty of securing a lasting agreement in Somalia that does not address the interests and needs of both internal and external actors.

"The mandate of the Inter-Governmental Authority on Development (IGAD) was revised in 1996 to include the promotion of peace and security, in addition to fostering regional cooperation and economic development. IGAD had supported past Somali reconciliation efforts by Ethiopia or Djibouti.

"In 2002 IGAD took up the challenge of reconciling the TNG and the SRRC, each supported by an IGAD member state. The influence of external actors was apparent during the two-year reconciliation conference facilitated by Kenya. The Transitional Federal Government (TFG), which succeeded the TNG in November 2004, saw Somalia's leadership shift from the Mogadishu-centred, Hawiye and Islamist dominated coalition to the federalist, Darood and Ethiopian backed coalition, with Abdullahi Yusuf chosen as the transitional president.

"Substantial financial support for the TFG was anticipated with the inauguration of a World Bank and UNDP Joint Needs Assessment of the country's rehabilitation and development requirements. But like its predecessor the TFG fell short of being a government of national unity.

"Power was concentrated in a narrow clan coalition and Abdulahi Yusuf was viewed as a client of Ethiopia. His immediate call for a military force from the African Union (AU) to

[42] Europa World Online, Country Profile (Somalia, History), in Europa World online. London, Routledge. Available in hard copy on request. Date accessed 22 February 2011

help him establish his authority in the capital alienated his slender support base in Mogadishu. Without dogged international financial and military support the TFG would not have survived either its internal divisions or the rise of the Islamic Courts Union (ICU) in 2006." [43]

ISLAMIC COURTS UNION AND ETHIOPIAN INTERVENTION (2005-2006)

3.08 Endless war: a brief history of the Somali conflict stated:

"An important feature of the past two decades has been the emergence of a variety of Islamist movements seeking to establish an Islamic state in Somalia. These range from traditionalist sufi orders, to progressive Islamist movements like Al Islah, and Salafi and Wahhabi inspired groups like Al Itihad Al Islamiya pursuing a regional or global agenda. Their significance came to the fore in April 2006 when a coalition of Islamic Courts, the Islamic Courts Union (ICU), in alliance with other clan militia, ousted a coalition of warlords (the Alliance for the Restoration of Peace and Counter Terrorism) from Mogadishu that had been backed by the US government.

"The ICU won public support for creating an unprecedented degree of security in the capital and quickly established a presence across most of south-central Somalia. It seemed to offer an alternative political system that could deliver services and security to the population, in sharp contrast to the failing authority of the TFG."

"When mediation efforts by the Arab League failed to forge an agreement between the parties, Ethiopian forces, with implicit backing from Western governments, entered Somalia in December 2006. They forced out the ICU and installed the TFG in Mogadishu. The US air force attacked retreating ICU forces in an unsuccessful effort to kill Al Qaeda operatives allegedly harboured by the ICU. The ICU leadership took refuge in Eritrea where, with other opposition figures, they established the Alliance for the Re-Liberation of Somali (ARS) that mobilized support against the Ethiopian occupation."[44]

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INSURGENCY AGAINST THE TFG, ETHIOPIAN WITHDRAWAL AND THE ARRIVAL OF AFRICAN UNION PEACEKEEPERS (2007-2009)

3.09 Endless war: a brief history of the Somali conflict stated that:

"In early 2007 a small contingent of AU peacekeepers (the AU Mission in Somalia – AMISOM) was deployed to Mogadishu to protect the Transitional Federal Institutions (TFIs). But over the next two years efforts by the TFG and Ethiopia to impose a 'victor's peace' provoked violent resistance from a mixture of clan militia and remnants of the militant wing of the ICU – Harakat al Shabaab ('the youth movement').

[43] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010
[44] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010

"During 2007 alone fighting between the TFG and the insurgency resulted in the displacement of up to 700,000 people from Mogadishu, and the economic base of the Hawiye in the city was weakened. The Ethiopian occupation rallied support to the resistance within Somalia and in the diaspora, helping to radicalize another generation of Somalis."

3.10 The same source observed that:

"During his four years in power, Abdullahi Yusuf's government failed to implement any of the transitional tasks of government. By inviting Ethiopia to intervene militarily against the ICU, it lost all semblance of legitimacy and was unable to establish its authority over the country.

"When UN-mediated talks between the ARS and the TFG in Djibouti agreed a timetable for Ethiopian withdrawal in late 2008, Abdullahi Yusuf resigned paving the way for the creation of a new TFG under the presidency of the former Chair of the ICU, Sheikh Sharif Sheikh Ahmed.

"The withdrawal of Ethiopian forces and the establishment of a new 'unitary' TFG created an opportunity to establish a moderate Islamist government in Somalia that had considerable backing from Somalis and the international community." [45]

3.11 BBC News reported on 13 January 2009 that there were "... celebrations in the Somalia capital Mogadishu after Ethiopian troops withdrew from their two main bases in the city… A ceremony was held in the city to mark the handover of security to government forces and moderate Islamists. [46]

SECOND TRANSITIONAL FEDERAL GOVERNMENT AND ARMED ISLAMIC GROUPS (2009-MAY 2011)

3.12 The USSD *2010 Country Report on Human Rights Practices*, Somalia, released on 8 April 2011, observed that: "In January 2009 an expanded Transitional Federal Parliament (TFP), established under the internationally backed Djibouti Peace Process (DPP), extended the TFG's mandate until August 2011 and elected Sheikh Sharif Sheikh Ahmed as TFG president. The DPP stalled in 2009 as the government came under pressure from armed extremist groups and the TFG's top leadership engaged in political infighting." [47]

3.13 The International Institute for Strategic Studies (IISS), *Armed conflict Database*, Somalia, section on Political trends, Annual update 2010, undated, accessed 20 April 2011, observed that:

"The Somali parliament was paralysed for most of 2010 as rival factions within the Transitional Federal Government (TFG), loyal either to the president or the prime minister, clashed. The resulting political vacuum hindered the authorities' ability to deal with the threat

[45] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010
[46] BBC News, Somali joy as Ethiopians withdraw, 13 January 2009, http://news.bbc.co.uk/1/hi/world/africa/7825626.stm Date accessed 1 February 2010
[47] USSD 2010 Country Report on Human rights Practices, Somalia, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Dated accessed 20 April 2011

posed by hardline Islamist groups al-Shabab and Hisbul al-Islam. These groups, which merged towards the end of the year, managed to increase their global reach this year, perpetrating attacks in both Uganda and Kenya, and made threats to continue operations abroad.

"Early in the year [2010], the TFG tried to strengthen its position by signing a power-sharing agreement with the moderate Islamist group Ahlu Sunnah wal Jama'a. However, mooted changes within the clan-based government soon led to a crippling rift. Ahlu Sunnah pledged to join government troops on the ground in exchange for government positions. After initial tussles over the prime ministership, it settled for five cabinet seats. The TFG said it was working towards implementing the March power-sharing deal as late as August; however, Ahlu Sunnah officials accused the government of giving previously agreed ministerial posts to others. Despite their differences, Ahlu Sunnah continued to fight alongside government troops in several parts of Somalia." [48]

3.14 On 21 September 2010, BBC News reported that Prime Minister Omar Abdirashid Ali Sharmarke resigned after being "… under intense pressure to resign for some months". [49] On 14 October 2010, Mohamed Abdullahi Mohamed, former Somali diplomat, was appointed as Prime Minister (IISS, Armed Conflict Database, Somalia, 2011). [50]

3.15 Agence France Presse reported on 24 December 2010 that: "Somalia's Islamist Hezb al-Islam militia officially joined forces with the Al Qaeda-inspired Shebab movement in what they said was meant to set up an 'Islamic Caliphate' in the country." [51]

3.16 BBC News reported on 3 February 2011 that the Transitional Federal Parliament had "… voted to extend their mandate for another three years, after getting the approval of the African Union last week … Of the 435 MPs present, 421 voted in favour, 11 against and three abstained, said Speaker Sharif Hassan Sheikh Adan." [52] BBC News also reported on 28 March 2011 that the Transitional Federal Government had "… extended its mandate for another year despite criticism from donors and attacks by Islamist extremists." [53]

3.17 On 21 May 2011, Agence France Presse reported that spokesman, Paddy Ankunda, stated that AMISOM had "designated Bakara market a 'no-fire zone'" and that "plans to

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[48] International Institute for Strategic Studies, Armed Conflict Database, Somalia, undated, accessed 20 April 2011. Available in hard copy on request.

[49] BBC News, Somalia's Prime Minister Sharmarke resigns, 21 September 2010, http://www.bbc.co.uk/news/world-africa-11380701 Date accessed 23 March 2011

[50] International Institute for Strategic Studies, Armed Conflict Database, Somalia, available in hard copy on request

[51] Agence France Presse, Somalia's Islamist militia join forces, 24 December 2010, http://www.google.com/hostednews/afp/article/ALeqM5ikmJZ5Eknxpjc6gTDhZNrBr7kYVw?docId=CNG.e746d8801cb9653230a75a93f261b84c.2a1 Date accessed 6 May 2011

[52] BBC News, Somali parliament extends its mandate for three years, 3 February 2011, http://www.bbc.co.uk/news/world-africa-12353375 Date accessed 8 August 2011

[53] BBC News, Somalia government extends its mandate, 28 March 2011, http://www.bbc.co.uk/news/world-africa-12880620 Date accessed 8 August 2011

flush extremists out of the market will be conducted with the greatest care to ensure minimal harm and damage".[54]

Further information about the security situation, including trends and notable incidents can be found. For list of major events see Annex A: Chronology of major events.

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'PUNTLAND' REGIONAL ADMINISTRATION (1998-APRIL 2011)

3.18 Endless war: a brief history of the Somali conflict reported that:

"In 1998 political leaders in northeast Somalia, frustrated at the lack of progress from internationally-mediated talks in Ethiopia and Egypt, decided to wait no longer for a national government to emerge.

"A series of consultative conferences led to the creation of Puntland State of Somalia in August 1998, as a self-governing state in Somalia's north eastern regions. Colonel Abdullahi Yusuf, military leader of the SSDF, was selected as Puntland's first president. He later became president of Somalia's Transitional Federal Government.

"As a non-secessionist state, Puntland epitomizes a 'building block' for a future federal Somali state within the 1990 state borders and was duly supported as such by the international community.

"Puntland is a form of 'ethno-state', founded on the unity of the Harti clan. Along with the Majeerteen, this includes the Dhulbahante and Warsengeli clans of Sool and Eastern Sanaag regions over which Somaliland also claims sovereignty. The territorial dispute between Puntland and Somaliland has at times escalated into violent clashes and remains a deep fault line in Somali politics.

"Puntland has experienced acute internal divisions and more recently has become internationally known as the home of Somali pirates. However it has remained a relatively stable polity and is in the process of reviewing its constitution and democratizing its political systems." [55]

3.19 The Jane's Sentinel Country Risk Assessment for Somalia, subsection on Puntland, updated 6 May 2011, noted that: "During February of 2011, Somaliland militias clashed with local clan militias in Cayn region, part of the Togdheer district that borders Sool. The region is claimed by both Puntland and Somaliland, and while Puntland forces have not attempted to enforce their rule in the region, the local militias denounced Somaliland and eventually rebelled against Somaliland attempts to subjugate the region." [56]

3.20 Agence France Presse reported on 16 April 2011 that:

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[54] Agence France Presse, AU force says it will not bomb key Mogadishu market, 20 May 2011, http://www.google.com/hostednews/afp/article/ALeqM5iY7du0trGxkBDWkTPPV7ITR_POqQ?docId=CNG.34fd6b84d49890cb836bc148afa6ad47.741 Date accessed 27 October 2011

[55] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010

[56] Jane's Sentinel Country Risk Assessments, Somalia, Puntland, Dispute with Somaliland, updated 6 May 2011, Available in hard copy on request

"Gunmen stormed a mosque in the Somali city of Galkayo Saturday [16 April 2011] and sprayed gunfire on worshippers, killing at least five and wounding 10, security officials and witnesses said.

"It was not immediately clear who the attackers were but the carnage took place hours after a senior official from the ministry of religious affairs of Puntland was killed in a roadside bomb attack in Galkayo.

"The shooting occurred at one of the largest mosques in Galkayo, a city divided by a border between the northern self-proclaimed Puntland state and the rival administration of Galmudug to the south." [57]

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THE 'REPUBLIC OF SOMALILAND' (1991-2010)

3.21 Endless war: a brief history of the Somali conflict stated that:

"On 18 May 1991, at the 'Grand Conference of Northern Clans' in the northern city of Burco, the SNM announced that the northern regions were withdrawing from the union with the south and reasserting their sovereign independence as the Republic of Somaliland.

"The declaration, made under public pressure, has left a deep rift in Somali politics that has yet to be resolved. In 1991, however, the move insulated Somaliland from the war and famine in the south and enabled people to begin a process of reconstruction and statebuilding.

"That process has not been easy. Between 1992 and 1996 Somaliland experienced two civil wars. Embargoes on imports of Somali livestock by Gulf countries, the return of refugees, urban drift, and contested territorial claims over the eastern regions have presented challenges.

"Yet today Somaliland has all the attributes of a sovereign state with an elected government that provides security for its citizens, exercises control over its borders, manages some public assets, levies taxes, issues currency and formulates development policies. This has been achieved through the resourcefulness and resources of people in Somaliland and the diaspora, with minimal international assistance.

"Acknowledgment of what has been achieved in Somaliland has been growing, but no country has formal diplomatic relations with it and it therefore has no international legal status or representation in international forums.

"And yet a generation has grown up in Somaliland that knows no other country than the one they have been educated in, and no other government than the one that they are now able to vote for. Continuing international ambivalence over the status of Somaliland

[57] Agence France Presse, Gunmen storm Somalia mosque, kill 5, 16 April 2011, http://www.google.com/hostednews/afp/article/ALeqM5gjC590tse60WzPYvopHpkqsHz91Q?docId=CNG.d28e977733e212d40d816e1892692c61.12f1 Date accessed 9 May 2011

entrenches the vulnerability of the new state and ensures that it remains, in essence, a 'fragile state'." [58]

3.22 On 26 June 2010, Somaliland held presidential elections. *The Economist* reported on 1 July 2010 that:

"In the event, despite an election-eve warning by al-Shabab, the poll went ahead smoothly in most of the country. International election observers reported, with some qualifications, a well-organised and fair vote. There was, for example, the reported distribution of false voter ID cards and widespread underage voting around the town of Borama near the Ethiopian border, home territory of President Dahir Riyale Kahin. There were problems in the regions of Sool and eastern Sanaag, where some clan leaders are unenthusiastic about Somaliland and where Puntland, another part of Somalia that asserts its autonomy, lays claim to territory." [59]

3.23 The Committee to Protect Journalists stated on 7 July 2010 that: "Former opposition leader Mohamed Silyano from the Kulmiye Party defeated outgoing president Dahir Riyale, who honored his pre-vote pledge to accept the results and leave office peacefully." [60]

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4. RECENT DEVELOPMENTS (MAY TO OCTOBER 2011)

This section covers the period May 2011 to October 2011 and provides a selection of incidents as reported by a number of sources on the political, humanitarian and security situations in the country. This section is organised thematically and then, where appropriate, geographically. Information within each subsection is ordered chronologically, from the oldest to most recent events.

For further information generally, see the following links: International Crisis Group: CrisisWatch Database, Food Security and Nutrition Analysis Unit, IRIN News and UN Protection Cluster updates.

See also Latest news, where there is a fuller list of useful sources to consult for updates on developments in Somalia.

4.01 The Economist Intelligence Unit, Somalia, *Country Report – Main Report*, 1 November 2011, summarized the following events for period August to October 2011:

"Units from the Kenyan army crossed into Somalia in October to create a buffer zone against al-Shabab, following a series of kidnappings by the militia in northern Kenya. Al-Shabab announced the withdrawal of most of its fighters from Mogadishu in August, but warned that it would use new tactics in the capital. This was marked on October 4th by a suicide bomb attack that killed more than 100 people. Somali political leaders have agreed a

[58] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010
[59] The Economist, Somaliland's elections: Not so failing, 1 July 2010, http://www.economist.com/node/16488840 Date accessed 23 March 2011
[60] Committee to Protect Journalists, Somaliland elections and coverage surprisingly...normal, 7 July 2010, http://www.cpj.org/blog/2010/07/somaliland-elections-and-coverage-surprisinglynorm.php Date accessed 23 March 2011

'road map' for the formation of a new government by August 2012, but success is likely to be limited, partly as a result of al-Shabab's control of large swathes of the country. The US has launched attacks by unmanned drones on al-Shabab in recent months. However, this is unlikely to be an effective strategy to defeat the militia." [61]

SECURITY SITUATION

More detailed coverage of the security situation, scale and distribution of violence, trends and descriptions of the main protagonists is provided in the section of that name in the Human Rights part of this report.

South and central Somalia

4.02 The UN Security Council's *Report of the Secretary General on Somalia*, published on 30 August 2011 and covering events of 28 April 2011 to 15 August 2011, (UNSC Report August 2011) stated that:

"During the reporting period, groups loosely allied with the Transitional Federal Government fought Al-Shabaab in southern Somalia, specifically in the Gedo and Juba areas. Al-Shabaab maintained a significant presence in these regions and is believed to be responsible for improvised explosive device attacks in Mandera, Kenya, in early June and late July. Progress by those opposing Al-Shabaab was hindered by clan and political disputes and no advances were made into Bay and Bakool. Ahlu Sunnah Wal Jama'a and other militias opposing Al-Shabaab made limited gains against Al-Shabaab in Galguduud and Hiraan." [62]

4.03 IRIN News reported on 20 October 2011 that:

"Kenya launched Operation Linda Nchi (Kiswahili for 'Protect the Nation') on 16 October and has since deployed ground troops and air assets between its common border and the Somali port town of Kismayo.

"Government officials have said its forces were targeting militants who threaten Kenya's heavily tourism-dependent economy and its national security. In recent weeks there have been kidnappings of tourists and aid workers in Kenya, which officials blamed on Al-Shabab, a charge the group denied. One tourist was shot dead on the Kenyan coast, another died in captivity." [63]

4.04 The Economist Intelligence Unit, Somalia, *Country Report – Main Report,* 1 November 2011, noted that:

"Kenya's incursion into Somalia came after reports of fierce fighting between al-Shabab forces and militia groups loyal to the Transitional Federal Government (TFG) in the Jubbada Hoose and Gedo regions during the last few days of September. At least 11

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[61] Economist Intelligence Unit, Somalia, Country Report – Main Report, 1 November 2011, subscription – hard copy available on request, http://www.eiu.com/index.asp?layout=displayIssueArticle&issue_id=528560237&opt=full Date accessed 1 November 2011

[62] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p4, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 27 October 2011

[63] IRIN News, Kenya-Somalia: A risky intervention, 20 October 2011, http://www.irinnews.org/report.aspx?reportid=94018 Date accessed 18 November 2011

civilians were killed in the Jubbada Hoose town of Dhobley, a transit point for refugees near the border with Kenya, and 28 people were killed in the towns of Beled Hawo and Luuq in Gedo, where another 47 people were injured. Somalia's southernmost regions of Gedo, Jubbada Hoose and Jubbada Dhexe make up the new regional state known as Azania, or Jubaland, which was declared by a group of Somali politicians in Nairobi in April—a move welcomed by the Kenyan government but condemned by the TFG (August 2011, The political scene). The failure of the new Azania administration to keep al-Shabab at bay is another driving force behind the Kenyan foray into southern Somalia." [64]

4.05 The same source also noted that:

"Local media reports from southern Somalia indicate that the US has launched a series of attacks on al-Shabab by remote-controlled unmanned drones in recent months. Local residents in the southern port city of Kismayu, which is under al-Shabab administration, said that at least three targets around the city were hit on September 25th, and another drone attack on the outskirts of Kismayu late on October 4th left 20 civilians injured. Two days later, a drone targeting an al-Shabab base near the town of Dhobley left six civilians dead and many more injured. Southern Somalia has received greater attention from the US since the killing of the al-Qaida leader, Osama bin Laden, in Pakistan in May, and an air strike suspected to have involved US special forces was reported from near Kismayu in June (August 2011, The political scene). The drone attacks probably originated in the Seychelles, where the US recently re-opened a base for the unmanned aircraft, according to a report carried in a US-based newspaper, The Wall Street Journal." [65]

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Mogadishu

4.06 The UNSC Report August 2011 stated that: "The force strength of AMISOM has remained at approximately 9,300 since the deployment of 1,000 Burundian troops in March [2011]. The African Union has received firm offers of additional troops from Burundi, Djibouti, Sierra Leone and Uganda to enable AMISOM to reach its authorized force strength of 12,000 in line with Security Council resolution 1964 (2010)." [66]

4.07 The same report also noted that:

"In Mogadishu, the Transitional Federal Government forces, with the support of AMISOM, made gains against Al-Shabaab in May and had significant influence over 8 of Mogadishu's 16 districts by early June. As at 15 August, this influence had expanded to 90 per cent of the capital.

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[64] Economist Intelligence Unit, Somalia, Country Report – Main Report, 1 November 2011, subscription – hard copy available on request, http://www.eiu.com/index.asp?layout=displayIssueArticle&issue_id=528560237&opt=full Date accessed 1 November 2011

[65] Economist Intelligence Unit, Somalia, Country Report – Main Report, 1 November 2011, subscription – hard copy available on request, http://www.eiu.com/index.asp?layout=displayIssueArticle&issue_id=528560237&opt=full Date accessed 1 November 2011

[66] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p10, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011

"Al-Shabaab was weakened by defeats in Mogadishu and rumours that some of its leaders had colluded in the killing of Fazul Abdullah Mohamed, a senior commander and Al-Qaida representative, on 8 June. Continuing recruitment, taxation and the lifting of a ban against aid agencies also suggested its capabilities were reduced by fighting on several fronts." [67]

4.08 The International Institute for Strategic Studies, *Armed Conflict Database* (IISS, ACD), Somalia, Military & Security Developments, June-August 2011, noted that:

"The most significant military and security development in Somalia was undoubtedly al-Shabab's partial pull-out from Mogadishu on 6 August. Sheikh Ali Rage, the official spokesman for the group, announced the move, claiming that it was 'tactical'. The real catalyst remains unclear, however, as Sheikh Aweys, a senior al-Shabab official, further argued that the withdrawal was due to divisions amongst the leadership, as well as the current famine presenting a difficult operating environment. Others have suggested the group is short of money, is running low on ammunition, is beset with corruption and has lost some of its most effective officers in recent battles. One particular fatality that may have temporarily weakened al-Shabab, as well as crippling the group's links to other al-Qaeda operatives outside Somalia, was the killing of Fazul Abdullah Mohamed on 8 June. Mohamed was one of the United States' 'most wanted' individuals for his role in the 1998 US embassy bombings in Kenya and Tanzania." [68]

4.09 The UNSC Report August 2011 stated that: "Al-Shabaab's withdrawal from Mogadishu has compelled AMISOM and Transitional Federal Government troops to become overextended. The Transitional Federal Government has imposed martial law on the newly vacated areas and created a 'Mogadishu Security Plan', which calls for the Somali Police Force to occupy the vacated areas." [69]

4.10 On 4 October, BBC News reported that: "At least 70 people have been killed by a huge suicide blast near a government compound in the Somali capital, Mogadishu… Eyewitnesses said a truck carrying explosives was driven into a gate near a government ministry and detonated… al-Shabab told the BBC it had carried out the attack." [70] On 6 October, BBC News further reported that: "About 150 people were wounded and 77 have died…" in the attack and that President Sheikh Sharif Sheikh Ahmed had "… announced that a $100,000 (£65,000) fund had been set up to treat the victims and help relatives of those who died." [71]

See Security situation: Mogadishu for more information on the situation in the city.

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Puntland

[67] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011
[68] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Military & Security Developments, June-August 2011, Available in hard copy on request
[69] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011
[70] BBC News, Huge Somalia suicide car bomb kills dozens in capital, 4 October 2011, http://www.bbc.co.uk/news/world-africa-15166107 Date accessed 17 November 2011
[71] BBC News, Somali al-Shabab attack: Wounded airlifted to Turkey [Date of report?]

4.11 The UNSC Report August 2011 noted that: "Al-Shabaab sympathizer Sheikh Atom and his militia attacked 'Puntland' forces near Galgala, Bari Province, in mid-May and the area remained insecure despite reported negotiations. 'Puntland's' general security apparatus was repeatedly challenged by multiple killings and attacks over clan, religious and ideological issues." [72]

Sool, Sanaag and Cayn

4.12 The UNSC Report August 2011 stated that: "Las Anod experienced killings and violent attacks owing to the disagreement between 'Somaliland', 'Puntland' and Sool-Sanag-Cayn alliances over territory. 'Somaliland' forces and Sool-Sanag-Cayn militia fought in May, and 'Puntland' and 'Somaliland' clashed in August. Proposed oil drilling north of Las Anod by a commercial partner of 'Puntland' added to existing tensions." [73]

Please see Security situation for further information.

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POLITICAL DEVELOPMENTS

Below are a selection of events of a directly political nature or that have had an impact on the political situation.

South and central Somalia

4.13 The UNSC Report August 2011 noted that:

"The most significant political development in the past four months [April to August 2011] has been the unity of the transitional federal institutions. The rift between President Sheikh Sharif Sheikh Ahmed and the Speaker of the Transitional Federal Parliament, Sharif Hassan Sheikh Adan, had threatened to bring political progress towards ending the transition to a standstill. The Speaker maintained that elections for the Presidency, the Speaker and the Speaker's deputies should be held before the end of the transition on 20 August 2011, while the President, citing security concerns and the need to carry out key transitional tasks, stated that elections should be postponed for a year.

"Following the Security Council's Presidential Statement of 11 May (S/PRST/2011/10), the President and the Speaker met several times in Mogadishu in an unsuccessful effort to resolve the impasse. The Council reiterated its call to the leadership of the transitional federal institutions to come to an agreement on the timing of elections, which they agreed to do, during its mission to the region on 25 May. The Council also met with representatives from 'Puntland', 'Somaliland' and 'Galmudug', the Kenyan leadership, the United Nations country team and civil society organizations to find a way to break the deadlock over ending the transition.

"The International Contact Group on Somalia, which met in Kampala on 2 and 3 June, urged the leadership to reach consensus and swiftly complete the critical transitional

[72] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p4, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 27 October 2011
[73] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p4, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 27 October 2011

tasks, most notably the constitution-making process, through a credible and inclusive consultation process. At the end of the Group's meeting, my Special Representative for Somalia, Augustine Mahiga, worked closely with the President of Uganda, Yoweri Museveni, to bring the President and the Speaker together for nearly a week of intense negotiations. This resulted in the Kampala Accord, signed on 9 June, in which both sides agreed to defer the elections for 12 months from August 2011 … [and which] provided for the resignation of Prime Minister Mohamed Abdullahi Mohamed within 30 days, the appointment and endorsement by Parliament of a new Prime Minister and Cabinet, and an undertaking by the Transitional Federal Government and the Transitional Federal Parliament to work together with the international community to establish a road map with benchmarks, timelines and compliance mechanisms for the implementation of priority tasks. It also provided for the Heads of State and Government of the Intergovernmental Authority on Development (IGAD) and the East African Community, with the participation of the United Nations and the African Union, to monitor compliance with the road map… there was initially public anger against the agreement between the President and the Speaker that the Prime Minister, Mohamed Abdullahi Mohamed, should step down, and demonstrations were held inside and outside the country. The Prime Minister… resigned on 19 June. The former Planning Minister, Abdiweli Mohamed Ali, was endorsed by Parliament on 28 June as the new Prime Minister … the Transitional Federal Parliament voted in favour of the Kampala Accord … On 20 July, the new Prime Minister appointed a new Cabinet [which] was approved by the Parliament on 23 July and sworn in on 28 July." [74]

The full text of the Kampala Accord is available here.

4.14 The same report noted that:

"Somalia has witnessed a proliferation of entities claiming to be regional administrations, some with claims over the same areas. The United Nations Political Office for Somalia (UNPOS) has encouraged these emerging administrations to adopt a united approach and to cooperate with the transitional federal institutions … In a related development, the Ras Kamboni group, a former Hizbul Islam faction led by Ahmed Madobe, requested the support of UNPOS in reconciling it with the Transitional Federal Government. President Sheikh Sharif Sheikh Ahmed has welcomed this development and requested the support of UNPOS in developing a regional policy framework for engagement with the emerging subregional entities." [75]

4.15 The Economist Intelligence Unit, Somalia, *Country Report – Main Report*, 1 November 2011, (EIU Report 2011) stated that:

"In early September Somali political leaders agreed a 'road map' for the formation of a government to replace the TFG by August 2012. The adoption of the plan, which is based on four major benchmarks—security, the constitution, political outreach, and reconciliation and good governance—was the culmination of a three-day consultative meeting on ending the transition in Somalia, held under tight security in Mogadishu. The road map calls for a new constitution to be adopted by July 1st 2012, with parliamentary

[74] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p2, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 27 October 2011
[75] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 27 October 2011

elections to take place on August 20th. The document was signed on September 6th by the prime minister, Abdiweli Mohamed Ali; the interim president, Sheikh Sharif Sheikh Ahmed; and the parliamentary speaker, Sharif Hasan Sheikh Aden, as well as representatives of the semi-autonomous regions of Puntland and Galmudug and a pro-TFG Islamist militia group, Ahlu Sunnah Wal-Jamaacah. Representatives of the UN, the African Union, the Arab League and the Inter-Governmental Authority on Development also signed the agreement. The road map was welcomed by participants at a high-level meeting on Somalia that was convened in New York by the UN secretary-general, Ban Ki-moon, on September 23rd. In a communiqué, the meeting agreed to mobilise support for the implementation of a Mogadishu Stabilisation Plan jointly prepared by the TFG and the UN, which requires initial funding of US$5m." [76]

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Somaliland

4.16 The same EIU Report 2011 also noted that:

"… in the long-delayed presidential election [in Somaliland], finally held in June 2010, the incumbent, Dahir Riyale Kahin, came second; the winner was Ahmed Mohamed Mohamoud Silanyo, who was the candidate of the Kulmiye ('unifier') party; Mr Kahin leads the Democratic United National Party (UDUB); the Justice and Welfare Party (UCID), is led by Faisal Ali Warabe, who came third in the presidential poll; in August 2011 a law was passed allowing the formation of additional political parties; four new parties have been formed since then; council and parliamentary elections are due to be held by April 2012 and May 2013, respectively." [77]

See also Freedom of political affiliation for a wider overview.

Puntland

4.17 The UNSC Report August 2011 noted that:

"On 3 July, the 'Puntland' Parliament nominated four members of the electoral commission and its President appointed five in a process of democratization of the political system. The 'Puntland' Constitution envisages a move from a clan-based administration to a political system through an independent electoral commission responsible for preparing electoral legislation, organizing a referendum on the Constitution, establishing political parties and holding municipal elections." [78]

Sool, Sanaag and Cayn

[76] Economist Intelligence Unit, Somalia, Country Report – Main Report, 1 November 2011, subscription – hard copy available on request, http://www.eiu.com/index.asp?layout=displayIssueArticle&issue_id=528560237&opt=full Date accessed 1 November 2011

[77] Economist Intelligence Unit, Somalia, Country Report – Main Report, 1 November 2011, subscription – hard copy available on request, http://www.eiu.com/index.asp?layout=displayIssueArticle&issue_id=528560237&opt=full Date accessed 1 November 2011

[78] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 27 October 2011

4.18 The UNSC Report August 2011 noted that:

"After months of negotiations, initiated by the 'Somaliland' President, a reconciliation conference was held from 23 to 26 June for the Sool region, between the Sool-Sanag-Cayn alliances and the Dhulbahante sub-clan. The conference resulted in an agreement covering prisoner release, illegal land-grabbing and digging of boreholes. Meanwhile, a survey organized by an officially appointed committee found support for an expansion in the number of political parties allowed to register." [79]

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HUMANITARIAN SITUATION

The section is intended to give a brief overview of the changes in the humanitarian situation between May 2011 and October 2011. More detailed information can be found in Humanitarian situation.

4.19 The UN Office for the Co-ordination of Humanitarian Affairs (UNOCHA) stated in their Emergency Revision of the Consolidated Appeals Process for Somalia in 2011, published on 8 August 2011, (UN OCHA CAP Revision 2011) that:

"Somalia is currently facing the most serious food and nutrition crisis in the world in terms of both scale and severity and the humanitarian community needs to immediately scale up its operations to save lives and prevent further deterioration. On 20 July, a famine was declared in two regions of southern Somalia: southern Bakool and Lower Shabelle. On 3 August, two districts of Middle Shabelle, the Afgooye corridor IDP settlement and the Mogadishu IDP community were added to the areas surpassing the famine thresholds. These announcements were based on the latest round of nutrition assessment data collected in early July in southern Somalia and a comprehensive analysis of local and imported food commodity prices, pasture availability, expected July Gu-season harvests, and October-December rainfall forecasts. The analysis brought the estimated number of people in crisis nationwide to 3.7 million, of whom an estimated 2.8 million people are in the south." [80]

4.20 On 5 September 2011, the Food Security and Nutrition Analysis Unit – Somalia (FSNAU) reported that: "August survey results indicate that the prevalence of acute malnutrition and the rate of crude mortality have surpassed Famine thresholds in Bay Region of southern Somalia." [81]

4.21 UN OCHA noted in their *Situation report no 15*, published on 27 September 2011, that: "Food assistance partners are estimated to have reached about 1.85 million people in

[79] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 27 October 2011
[80] UN Office Office for the Co-ordination of Humanitatian Affairs, Consolidated Appeal Emergency Revision, 8 August 2011, http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1247205 Date accessed 7 October 2011
[81] Food Security and Nutrition Analysis Unit-Somalia, Famine spreads into Bay Region - 750,000 people face imminent starvation, 5 September 2011, http://www.fsnau.org/in-focus/famine-spreads-bay-region-750000-people-face-imminent-starvation Date accessed 27 October 2011

crisis by the third week of September, representing nearly half of the food insecure population." [82]

PIRACY

4.22 The UNSC Report of the Secretary-General pursuant to Security Council resolution 1950 (2010), published on 25 October 2011, noted that:

"Reports by the International Maritime Organization (IMO) indicate that in the first nine months of 2011 there were 185 attacks against ships in the waters off the coast of Somalia, resulting in the hijacking of 28 ships. The majority of attacks leading to vessels being hijacked during 2011 took place in the western Indian Ocean. This compares with 164 reported attacks and 37 ships hijacked during the same period in 2010. As of early October 2011, 316 people and 15 vessels were being held hostage. This compares with 389 people and 18 vessels held in October 2010.

"The reduction was achieved through a combination of actions by naval forces and the improved implementation of the IMO guidance and industry-developed Best Management Practices for Protection against Somalia-Based Piracy. That included better application of self-protection measures and situational awareness by merchant ships. Naval forces reported that in the last year, 75 per cent of attacks were warded off by military intervention, while this year, merchant ships achieved the same success rate by taking robust action, including through the use of fortified safe rooms." [83]

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5. CONSTITUTION

5.01 *Africa South of the Sahara*, published in 2005, stated that: "The Constitution promulgated in 1979 and amended in 1990 was revoked following the overthrow of President Siad Barre in January 1991. In July 2000 delegates at the Somali national reconciliation conference in Arta, Djibouti, overwhelmingly approved a national Charter, which was to serve as Somalia's constitution for an interim period of three years." [84]

5.02 The Transitional Federal Charter came into force in February 2004 and states:

"The Charter shall have legal effect pending the eventual enforcement of the National Federal Constitution…The 1960 Somalia Constitution and other national laws shall apply in respect of all matters not covered and not inconsistent with this Charter…The present Charter shall be the basis for the federal constitution whose draft shall be completed within two and half (2 1/2) years and be adopted by popular referendum during the final year of the transitional period." [85]

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[82] UN Office for the Co-ordination of Humanitarian Affairs, Situation report no. 15, 27 September 2011, p1, http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1258902 Date accessed 7 October 2011

[83] UN Security Council, Report of the Secretary-General pursuant to Security Council resolution 1950 (2010), 25 October 2011, p1-2, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_2766.pdf Date accessed 18 November 2011

[84] Europa Publications, Africa South of the Saharah [Sahara] 2005, The Constitution, p1036, 34th Edition, available in hard copy on request

[85] Transitional Federal Charter for the Somali Republic, February 2004, http://www.unhcr.org/refworld/docid/4795c2d22.html Date accessed 10 February 2010

5.03 The UN Security Council's *Report of the Secretary General on the Situation in Somalia*, dated 30 December 2010, stated that:

"The United Nations continued to support Somalia's efforts to draft a new constitution. Following the official launch in August of a broad-based popular consultation on the draft constitution, President Sharif requested that the process be put on hold pending his appointment of the National Advisory Council to review the draft. The 16-member Advisory Council, composed of independent Somali experts, was appointed in early November, and it will work with the United Nations and the Independent Federal Constitution Commission. Given the fast-approaching end of the transitional period, my Special Representative, the United Nations Political Office for Somalia (UNPOS) and the United Nations country team are engaged in efforts to facilitate a genuine, wide-ranging process of consultations in order to bring to conclusion the constitution-making process." [86]

5.04 The UN Security Council's *Report of the Secretary General on the Situation in Somalia*, dated 28 April 2011, gave a further update:

"In the last few months, [UN Political Office for Somalia] UNPOS has had consultations with the transitional federal institutions, IGAD, the African Union and international partners to agree on a political road map for the finalization of the draft constitution…A political road map elaborating the broad steps of the various components of the process has been agreed upon. The road map sets out three pillars for the successful completion of the draft constitution. The first one is participation and active engagement and support of the country's political leadership at national and regional levels. The second pillar is ownership by the Somali people. The outcome of the constitution-making process must be a constitution that is supported by the Somali people, reflects their wishes and represents their views. The third pillar is continuity of commitment to the peace process. The Somali constitution process is essentially about reconciliation, peacebuilding, and nation-building. The process must reconcile and unite the Somali people in a common cause." [87]

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THE PUNTLAND CHARTER

5.05 The Constitution of Puntland, signed on 5 June 2001, is based on the following principles:

- Islamic Sharia
- The system of idea sharing and collective decision making
- The proportionality of Government Powers: Legislative, Executive and Judiciary
- Decentralization of the governmental power
- The multi-party system
- Ensuring the existence of private ownership and the free market

[86] UN Security Council, Report of the Secretary-General on the situation in Somalia, 30 December 2010, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/somalia%20S%202010-675.pdf Date accessed 24 March 2011

[87] UN Security Council, Report of the Secretary-General on the situation in Somalia, 28 April 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accessed 9 May 2011

- Ensuring the individual fundamental rights and life, security and general stability. [88]

The full constitution is available on the website of the Puntland Government.

THE 'REPUBLIC OF SOMALILAND' CONSTITUTION

5.06 The US State Department *2010 Country Report on Human Rights Practices, Somalia,* published 8 April 2011, noted that: "The Somaliland constitution is based on democratic principles, but the region continued to use laws that predate the constitution, some of which contradict democratic principles." [89]

The full constitution of Somaliland is available here.

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6. POLITICAL SYSTEM

6.01 The US State Department *2010 Country Report on Human Rights Practices, Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated that:

"The territory, which was recognized as the Somali state from 1960 to 1991, fragmented into regions led in whole or in part by three distinct entities: the Transitional Federal Government (TFG) in Mogadishu, the self-declared Republic of Somaliland in the northwest, and the semiautonomous region of Puntland in the northeast. The TFG was formed in late 2004, with a five-year transitional mandate to establish permanent, representative governmental institutions and organize national elections. In January 2009 an expanded Transitional Federal Parliament (TFP), established under the internationally backed Djibouti Peace Process (DPP), extended the TFG's mandate until August 2011 and elected Sheikh Sharif Sheikh Ahmed as TFG president. The DPP stalled in 2009 as the government came under pressure from armed extremist groups and the TFG's top leadership engaged in political infighting." [90]

6.02 The CIA *World Factbook*, Somalia, updated on 11 November 2011, provided the following summary of the TFG:

"Executive branch:

"[C]hief of state: Transitional Federal President Sheikh SHARIF Sheikh Ahmed (since 31 January 2009); note - a transitional governing entity with a five-year mandate, known as the Transitional Federal Institutions (TFIs), was established in October 2004; the TFIs relocated to Somalia in June 2004; in 2009, the TFIs were given a two-year extension to October 2011

"[H]ead of government: Prime Minister ABDIWELI Mohamed Ali (since 28 June 2011)

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[88] Government of Puntland, Transitional Constitution of Puntland Regional Government, 5 July 2001, http://www.puntland-gov.net/doc/PuntlandConstitution.doc Date accessed 11 April 2011

[89] US Department of State, Report on Human Rights Practices in Somalia, p11-12, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 11 April 2011

[90] US Department of State, Report on Human Rights Practices in Somalia, p1, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 12 April 2011

"[C]abinet: Cabinet appointed by the prime minister and approved by the Transitional Federal Assembly… election results: Sheikh SHARIF Sheikh Ahmed elected president by the expanded Transitional Federal Assembly in Djibouti

"Legislative branch:

"[U]nicameral National Assembly

"[N]ote: unicameral Transitional Federal Assembly (TFA) (550 seats; 475 members appointed according to the 4.5 clan formula, with the remaining 75 seats reserved for civil society and business persons)" [91]

6.03 The US State Department *Background Note: Somalia*, updated on 26 September 2011 stated that "… for administrative purposes, Somalia is divided into 18 regions; the nature, authority, and structure of regional governments vary, where they exist." [92]

See following subsections on Puntland the Republic of Somaliland. For further information on the history of the TFG, see History: 2007 – April 2011, and recent developments in Somali politics, see Recent developments: Political developments.

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PUNTLAND

6.04 The USSD 2010 report stated that:

"In 1998 Puntland declared itself a semiautonomous regional government during a consultative conference of delegates from six regions that included traditional community elders, the leadership of political organizations, members of local legislative assemblies, regional administrators, and civil society representatives. Puntland has a single-chamber quasi-legislative branch called the Council of Elders, which has played a largely consultative role. Political parties were banned. However, provisions of the Puntland constitution that parliament endorsed in June 2009, which called for the establishment of multiparty democracy in two years, were not enacted. The new constitution limits the number of political parties to three. In January 2009 the council elected Abdirahman Mohamed Mohamud 'Faroole' as Puntland's president. The former president, General Mohamud Muse Hersi 'Adde Muse,' who was one of several candidates, conceded defeat and peacefully handed over power to the new president. Parliamentary representatives were seated by their respective clan elders in the six administrative regions, and the same 66 representatives announced in December 2008 by Puntland's election and ratification commission remained in office." [93]

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[91] CIA World Factbook, Somalia, 11 November 2011, https://www.cia.gov/library/publications/the-world-factbook/geos/so.html Date accessed 16 December 2011
[92] US State Department, Background Note: Somalia, Geography, 26 September 2011, http://www.state.gov/r/pa/ei/bgn/2863.htm Date accessed 8 October 2011
[93] US Department of State, Report on Human Rights Practices in Somalia, p33, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 12 April 2011

6.05 The US State Department Background Note, updated on 26 September 2011, further stated that "Puntland declared it would remain autonomous until a federated Somalia state was established." [94]

For more information on recent political developments in Puntland, please see Political developments: Puntland.

SOMALILAND

6.06 The USSD 2010 report stated that:

"Somaliland has a constitution and bicameral parliament with proportional clan representation and an elected president and vice president. Somaliland authorities have established functioning administrative institutions in nearly all of the territory they claim, which is the same as the Somaliland state that achieved international recognition briefly in 1960 before entering into a union with the former Italian colony of Somalia. In a 2001 referendum, 97 percent of voters supported Somaliland independence.

"Due in part to concerted international pressure to hold elections, the ruling UDUB party of Somaliland President Dahir Riyale Kahin abandoned repeated efforts to postpone elections. Elections were held on June 26. Independent international and domestic observers described the elections as generally free and fair. There were reports of government restrictions on opposition parties' access to state-owned media, and claims of government use of state resources in elections campaigns. At least two incidents of violence against election officials carried out by separatist clan militia were reported in parts of the disputed Sool and Sanaag regions." [95]

For further information on the 2010 elections in Somaliland, please see History: 'The Republic of Somaliland'.

For more information on recent political developments in Somaliland, please see Political developments: Somaliland.

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[94] US Department of State, Background Note: Somalia, Government and political conditions, 26 September 2011, http://www.state.gov/r/pa/ei/bgn/2863.htm Date accessed 8 October 2011

[95] US Department of State, Report on Human Rights Practices in Somalia, p32-33, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 12 April 2011

Human Rights

7. INTRODUCTION

The section provides a brief overview of the prevailing human rights issues in Somalia. More detail on specific groups or issues may be found in the sections that follow.

7.01 The *2010 Foreign and Commonwealth Office Report*, quarterly update of 30 September 2011, observed that:

"The human rights and humanitarian situation in Somalia has deteriorated in recent months. Famine has been declared by the UN in six regions and counting, and tens of thousands of people may have died. According to the UN, 4m people are in acute food and livelihood crisis, including 750,000 in famine and at risk of dying in the next four months unless there is massive increase in assistance. Over 1.46m people are internally displaced inside Somalia and 273,000 have fled across borders this year as refugees to neighbouring Kenya and Ethiopia… Due to an intensification of the conflict in 2011, the number of civilian casualties has continued to rise. Although Al Shabaab has now withdrawn from Mogadishu, attacks by Al Shabaab and infighting between militias aligned to the government continues to threaten civilians and hinder the operations of humanitarian agencies." [96]

SOUTH AND CENTRAL SOMALIA

7.02 The US State Department *2010 Country Report on Human Rights Practices, Somalia,* published 8 April 2011, covering events of 2010 gave the following summary:

"Despite security and capacity problems, the TFG continued to focus on human rights. It designated a human rights official in the Ministry of Justice and a Focal Point for Human Rights and Child Protection in the Office of the Prime Minister and participated in international efforts to encourage better human rights practices. The human rights situation in al-Shabaab and allied extremist-controlled areas deteriorated further during the year. Absence of effective governance institutions and rule of law, the widespread availability of small arms and other light weapons, and al-Shabaab's increased enforcement of extremist societal norms contributed to a worsening human rights situation, particularly in Central and South Somalia.

"Human rights abuses included arbitrary killings, kidnappings, torture, rape, amputations, and beatings; official impunity; harsh and life-threatening prison conditions; and arbitrary arrest, deportation, and detention. In part due to the absence of functioning institutions, perpetrators of human rights abuses, mostly in al-Shabaab controlled areas of Central and South Somalia, were rarely punished. Denial of a fair trial and limited privacy rights were problems, and there were restrictions on freedoms of speech, press, assembly, association, religion, and movement. Discrimination and violence against women, including rape and female genital mutilation; child abuse; recruitment of child soldiers; trafficking in persons; abuse of and discrimination against

[96] Foreign and Commonwealth Office, The 2010 Foreign and Commonwealth Office Report, quarterly update, 30 September 2011, http://fcohrdreport.readandcomment.com/human-rights-in-countries-of-concern/somalia/ Date accessed 30 October 2011

clan and religious minorities; restrictions on workers' rights; forced labor; and child labor were also problems.

"Members of extremist antigovernment groups, and the al-Shabaab terrorist organization, some of whose members were affiliated with al-Qaida, committed an increasing number of egregious human rights violations, including killings of TFG officials and civilians; kidnappings and disappearances; attacks on journalists, aid workers, civil society leaders, and human rights activists; restrictions on freedom of movement; and displacement of civilians." [97]

7.03 The Human Rights Watch *World Report 2011* stated that:

"South-central Somalia was under the control of local administrations linked to armed opposition groups throughout 2010. In many areas al-Shabaab rule brought relative stability and order, which contrasts dramatically with the chaos in Mogadishu. Residents from some of these areas credit al-Shabaab with ending a constant menace of extortion, robbery, and murder from bandits and freelance militias. But even where this holds true, security has come at a steep price, especially for women.

"Grinding repression characterizes daily life in communities controlled by al-Shabaab, and many local administrations have sought to implement harsh and intolerant measures in the name of Sharia law. These measures control minute details of personal lives, including the way people dress and work. The punishments for even minor offenses are often summary, arbitrary, and cruel. A climate of fear prevents most people from speaking out against abuses of power. As one resident of the southern town of El Wak said, 'We just stay quiet. If they tell us to follow a certain path, we follow it.'" [98]

7.04 Amnesty International noted in their *Annual Report 2011*, published on 13 May 2011 and covering events in 2010, that: "Armed Islamist groups continued to unlawfully kill and torture people they accused of spying or not conforming to their own interpretation of Islamic law. They killed people in public, including by stoning them to death, and carried out amputations and floggings. They also imposed restrictive dress codes, flogging women who did not wear the hijab and forcing men to wear trousers no longer than the ankle." [99]

7.05 The UN Security Council's *Report of the Secretary General on Somalia*, published on 30 August 2011, covering events of 28 April 2011 to 15 August 2011, stated that:

"The protection of civilians remains a major concern. Although not precisely known, the number of civilian casualties [in the civil conflict] is believed to be high. The use of explosives in populated urban areas and suicide attacks by Al-Shabaab accounted for a significant number of civilian casualties.

"Non-State armed actors continue to perpetrate serious human rights violations, including summary executions of civilians associated with parties to the conflict. "Unlawful arrest

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[97] US Department of State, Country Reports on Human Rights Practices, Somalia, p2, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 12 April 2011

[98] Human Rights Watch, World Report 2011, Somalia, http://www.hrw.org/en/world-report-2011/somalia Date accessed 13 April 2011

[99] Amnesty International, Amnesty International Annual Report 2011 - Somalia, 13 May 2011, http://www.amnesty.org/en/region/somalia/report-2011#section-129-8 Date accessed 8 August 2011

and detention and acts amounting to torture and other inhumane, cruel and degrading practices, such as flogging, amputations and stoning, also took place during the reporting period.

"On 3 May 2011, the Transitional Federal Government presented its first universal periodic review report for consideration by the Human Rights Council. The last time Somalia submitted a report to an international treaty body was in 1984. International support for this engagement was reflected in the high number of presentations by Member States." [100]

7.06 The UN Human Rights Council's *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, dated 29 August 2011, and covering events between September 2010 and July 2011 (UNIE report August 2011) noted that:

"The large number of delegations participating in the review expressed general appreciation for the efforts of the Transitional Federal Government to present its report, and recognized the particular situation of Somalia. Linkages between the political and the human rights situations were highlighted, and the Government was called upon to pursue the peace process and expand its outreach across clan lines.

"The situation of women and children, the eradication of female genital mutilation, violence against women, women's participation in political and public life, child recruitment, the situation of journalists and human rights defenders, besides the poor degree of enjoyment of core elements of economic and social rights, such as education and health, were all identified as areas where action was required. Other recommendations pertained to the adoption and ratification of international instruments, the finalization of the Constitution with strong human rights provisions, the abolition of the death penalty and the development of the required institutions, including the creation of a national human rights commission, the strengthening of the judiciary and others." [101]

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PUNTLAND

7.07 The UNIE report August 2011 noted that:

"The independent expert welcomes the appointment in June 2011 of the Human Rights Defender to head the human rights institution in Puntland. The independent expert considers the establishment of human rights institutions compliant with human rights standards an invaluable step in the promotion of a human rights culture at the national level. The independent expert has been informed that the UNPOS human rights unit is

[100] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 6 October 2011

[101] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p9-10, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 13 October 2011

providing technical assistance to facilitate its full establishment, and looks forward to the continued engagement of the United Nations system in this key area." [102]

7.08 The Human Rights Watch *World Report 2011* stated that "The situation remains unstable in the contested regions of Sool, Sanag, and Cayn, which lie between Somaliland, in Somalia's northwest, and the autonomous state of Puntland in the northeast. Thousands of civilians were displaced by clan-based clashes and conflicts over resources in the disputed area in June." [103]

SOMALILAND

7.09 The UNIE report August 2011 noted that:

"In Somaliland, a degree of relative stability and functioning institutions have permitted some positive developments. In January 2011, the Act establishing the Somaliland National Human Rights Commission was promulgated by the President, and an Acting Chairperson was appointed. In July, seven Commissioners were also approved by Parliament. The Act meets basic international standards. However, the independent expert is concerned at the likelihood that the very limited human resources available to the Commission will de facto prevent it from carrying out its mandate effectively. The independent expert welcomes the work of UNPOS supporting the Commission, and invites the international community, and United Nations agencies in particular, to coordinate and intensify their support for the Commission. The independent expert is also pleased that Somaliland has launched a five-year justice strategy to address its shortcomings in an open and cooperative relationship with the international community." [104]

For further information see Security situation, Human rights organisations, Extrajudicial Killings, Freedom of speech and media, and Political affiliation and expression

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8. SECURITY SITUATION (2010 TO OCTOBER 2011)

For information about the protagonists in the conflict and human rights violations committed by the various groups, read Security forces and Non-state armed groups. Also see Recent developments: Security situation and for background to the current conflict see History.

OVERVIEW

8.01 Jane's *Sentinel Security Risk Assessment*, Somalia, (JSCRA), Security, updated 20 September 2011, summarised the security situation as:

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[102] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p12, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 13 October 2011

[103] Human Rights Watch, World Report 2011, Somalia, http://www.hrw.org/en/world-report-2011/somalia Date accessed 13 April 2011

[104] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p10, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 13 October 2011

- "Somalia faces a number of threats to its security ranging from clan militias to pirate groups to radical Islamist groups. The country is a base for active terrorist operations being conducted in concert with Somali insurgents. Successful terrorist operations in Somalia also have negative security implications for regional states.

- "Ethiopia completed its officially declared withdrawal from Somalia in January 2009. However, Ethiopian forces continue to conduct military operations against radical Islamist groups inside Somalia, especially in border areas.

- "The Transitional Federal Government (TFG), radical Islamist groups and a range of other opposition groups with different agendas continue to fight for control of central and southern Somalia. Mogadishu continues to be the epicentre of what at times is fierce and heavy fighting, resulting in mounting civilian casualties. During offensives in 2011 TFG forces have been able to open new fronts against Al Shabab in the Gedo and Jubba regions, grabbing some territory around the Gedo towns of Luuq and Garbaharey. In Mogadishu government troops with the heavy support of [African Union Mission to Somalia] AMISOM have pushed up against Bakara Market and gained territory along the entire frontline. The recent losses of the Shabab have, however, led a greater occurrence of terrorist and guerilla tactics against government forces." [105]

8.02 The US State Department *2010 Country Report on Human Rights Practices, Somalia,* published 8 April 2011, covering events of 2010 (USSD 2010 report) noted that: "Since the collapse of the government in 1991, tens of thousands of persons, mostly noncombatants, have died in interclan and intraclan fighting and factional armed conflict." [106] The same source noted that:

"Fighting by TFG troops, allied militias, and African Union Mission in Somalia (AMISOM) forces against antigovernment forces, terrorist groups, and extremist elements affected thousands of civilians in Mogadishu that over 2,000 people were killed [in 2010] due to insecurity. [The report also observed that fighting between the TFG and allied forces against al-Shabaab and Hisbul Islam caused the deaths of 2,000 civilians throughout Somalia.] Intermittent resource-related sub-clan disputes escalated into minor armed conflicts Targeted assassinations continued. Terrorist group al-Shabaab claimed responsibility for suicide and roadside bombings against TFG troops, government officials, and AMISOM peacekeepers." [107]

8.03 The Human Rights Watch *World Report 2011*, published on 24 January 2011 and covering events of 2010 stated, with regard to the security situation in south and central Somalia that:

"Continual fighting between militant Islamist groups and the TFG raged in Mogadishu, Somalia's capital, throughout 2010, with all parties conducting indiscriminate attacks causing high civilian casualties. Opposition fighters have deployed unlawfully in densely

[105] Jane's Sentinel Security Assessment, Somalia, Security, updated 20 September 2011, Available in hard copy on request
[106] US Department of State, Report on Human Rights Practices in Somalia, p15, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011
[107] US Department of State, Report on Human Rights Practices in Somalia, p16, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011

populated civilian neighborhoods and at times used civilians as 'shields' to fire mortars at TFG and AMISOM positions. These attacks are conducted so indiscriminately that they frequently destroy civilian homes but rarely strike military targets. Often AMISOM or TFG forces respond in kind, launching indiscriminate mortar strikes on the neighborhoods from which opposition fighters had fired and then fled, leaving only civilians to face the resulting devastation." [108]

8.04 The USSD 2010 report also noted that: "Fighting among armed moderate and extremist religious factions as well as between extremists themselves caused hundreds of civilian casualties and displacements." [109] The same report further observed that: "Hundreds of civilians were killed in inter- or intra-clan militia clashes throughout the country. The killings resulted from clan militias fighting for political power and control of territory and resources; revenge attacks; banditry and other criminal activity; private disputes over property and marriage; and vendettas after incidents such as rape, family disagreements, killings, and abductions." [110]

8.05 JSCRA gave an overview of the formation of the groups involved in the conflict:

"Clashes between the TFG, its ally Ethiopia and the SCIC through 2006 and 2007 dramatically changed the dynamics of the militias of Somalia, forcing clan militias and warlords to take sides, while the SCIC successfully disbanded the freelance militias of Mogadishu. Militia from the warlords and factions allied to the government have been incorporated into the TFG military and police; a milestone was reached in July 2007 when a treaty was signed stipulating that the 3,200-strong army of Puntland was to be included within the TFG army. However, in the face of a renewed threat from Somaliland, the Puntland military was reorganised in 2008. At the end of 2009, in spite of new leadership and training, the TFG army continued to be ineffective against the determined insurgency. Regional and international support for the TFG in 2010 holds the promise of the TFG being able to reassert itself in the face of the insurgency but it is unlikely to decisively improve the situation on the ground. The European Union programme to train Somali troops is based on increasing the combat effectiveness and capabilities of the TFG; the EU finished training the final battalion of recruits in late 2010. In an effort to reduce the number of desertions, EU training missions will in future focus on enhancing the command and control capabilities of higher ranking officers." [111]

8.06 The UN Security Council's *Report of the Secretary General*, published on 30 August 2011 and covering events of 28 April 2011 to 15 August 2011, (UNSC Report August 2011) stated that: "The force strength of AMISOM has remained at approximately 9,300 since the deployment of 1,000 Burundian troops in March [2011]. The African Union has received firm offers of additional troops from Burundi, Djibouti, Sierra Leone and

[108] Human Rights Watch, World Report 2011, Somalia, http://www.hrw.org/en/world-report-2011/somalia Date accessed 13 April 2011
[109] US Department of State, Report on Human Rights Practices in Somalia, p4, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011
[110] US Department of State, Report on Human Rights Practices in Somalia, p5, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011
[111] Jane's Sentinel Security Assessment, Somalia, Security, updated 20 September 2011, Available in hard copy on request

Uganda to enable AMISOM to reach its authorized force strength of 12,000 in line with Security Council resolution 1964 (2010)." [112]

8.07 The African Union, Peace and Security Council, *Report of the Chairperson of the Commission on the situation in Somalia*, published on 13 September 2011 and covering events since 21 April 2011, reported that: "Since my last report to Council [on 21 April 2011], there has been a significant improvement in the overall security situation in the country." [113]

8.08 The Landinfo report, *Somalia: Security and conflict in the south*, 29 August 2011, noted its summary that:

"The general security situation in Somalia remains volatile. The Transitional Federal Government still has limited control. Even though al-Shabaab withdrew from most of Mogadishu early August 2011, they are still in control of large parts of south and central Somalia. Since February 2011, TFG forces and their allies appear to be making headway and winning territories. However, while the TFG and the AMISOM forces may be able to hold a portion of seized territory, they lack the immediate means to rebuild infrastructure and provide governance." [114]

8.09 The same source observed in its introduction that:

"The situation in southern Somalia, particularly Mogadishu, however, is unstable, and the balance of power in provinces, districts and urban districts can change in the course of a few days. The information and analysis in this paper relating to area control may therefore quickly become outdated. It is also difficult to get a complete, objective picture of what is happening in much of southern Somalia. International observers have no access to those parts of the country controlled by the Shabaab, and in other areas, there is no comprehensive or systematic reporting of, for example, human rights violations…" [115]

For information about TFG forces and opposition groups such as Al Shabaab see Security forces and Non-state armed groups respectively. Also see Internally Displaced Persons and Humanitarian situation for information on the consequences of the conflict on civilians.

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TRENDS AND STATISTICS IN SECURITY-RELATED INCIDENTS AND CASUALTIES

Limits to available data

[112] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p10, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011

[113] African Union Peace and security council, Report of the Chairperson of the Commission on the situation in Somalia, 13 September 2011, p4, http://www.au.int/en/sites/default/files/Final_-_293rd_PSC_Report_on_Somalia__Eng__%5b1%5d.pdf Date accessed 23 September 2011

[114] Norwegian Country of Origin Information Centre – Landinfo, Somalia: Security and conflict in the south, 29 August 2011, p3, http://landinfo.no/asset/1801/1/1801_1.pdf Date accessed 7 October 2011

[115] Norwegian Country of Origin Information Centre – Landinfo, Somalia: Security and conflict in the south, 29 August 2011, p5, http://landinfo.no/asset/1801/1/1801_1.pdf Date accessed 7 October 2011

8.10 As noted by Landinfo, no international observers are allowed in areas controlled by Al Shabaab and in other areas there is no systematic reporting of violations. Figures and estimates vary considerably between sources over the number and type of casualties, reflecting difficulties in monitoring and documenting incidents in a conflict situation. This also reflects differences in methodological approach for interpreting data and extrapolating estimates. The UN Security Council's *Report of the Secretary-General on children and armed conflict in Somalia*, dated 9 November 2010, stated that: "The precarious and unpredictable security situation in Somalia presents a challenge to the provision of a definitive account of violations and perpetrators [against children but applicable to other human rights violations]. This has been compounded by attacks on humanitarian personnel and the remote location of the United Nations country team in Nairobi."[116]

Numbers of casualties: 2010

8.11 The estimates of casualties varied with source. The International Institute for Strategic Studies, *Armed Conflict Database*, (IISS ACD) Somalia, Human Security, undated, accessed on 3 May 2011, estimated that there were 5,000 fatalities in 2010 for the whole country (as compared to 2,300 in 2009). The same source stated that: "Children in Mogadishu account for at least one-fifth of the 5,000 people killed in 2010, according to the World Health Organisation. The International Committee of the Red Cross announced in late October that the number of civilians wounded in the conflict had gone up 72% for women and children compared with 2009 levels." [117] The Congressional Research Service paper, *Somalia: Current Conditions and Prospects for a Lasting Peace*, dated 16 December 2010, stated that: "Humanitarian, political, and security conditions continue to deteriorate across south-central Somalia. In the past two years, more than 22,000 civilians have been killed..." [118]

8.12 The Foreign and Commonwealth Office, *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report*, 31 March 2011, observed that:

"Over the course of 2010, hundreds of civilians were killed and injured as a result of being caught up in the conflict in southern and central Somalia and especially in Mogadishu. The UN Inter Agency Standing Committee Protection Cluster, that provides a coordinated humanitarian response to protection and humanitarian needs, recorded more than 1,000 killings throughout 2010 and more than 1,600 weapon-related casualties between September and November alone – including 127 children under the age of five." [119]

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[116] UN Security Council, Report of the Secretary-General on children and armed conflict in Somalia, 9 November 2010, p2, http://unpos.unmissions.org/Portals/UNPOS/Repository%20UNPOS/S-2010-577%20(09NOV10)%20CAAC.pdf Date accessed 1 May 2011

[117] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Human security developments, 2010, Available in hard copy on request

[118] Congressional Research Service, Somalia: Current Conditions and Prospects for a Lasting Peace, Summary, 16 December 2010, http://fpc.state.gov/documents/organization/154157.pdf Date accessed 3 May 2011

[119] Foreign and Commonwealth Office, Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report, 31 March 2011, p280 http://s3-eu-west-1.amazonaws.com/htcdn/Human-Rights-and-Democracy-The-2010-Foreign-Commonwealth-Report.pdf Date accessed 3 May 2011

8.13 The USSD 2010 report stated that that at least 2,000 civilians were killed in Mogadishu.[120] The source also noted that:

"Fighting during the year between TFG and allied forces against al-Shabaab and Hisbul Islam resulted in the deaths of more than 2,000 civilians throughout Somalia. In Mogadishu, al-Shabaab conducted almost daily attacks and offensives against the TFG and AMISOM; there were numerous media reports of civilian deaths from TFG and AMISOM forces responding to these attacks. According to the Mogadishu-based Elman Human Rights Organization, violence in Mogadishu killed an estimated 918 civilians. According to Lifeline, a Mogadishu-based local human rights organization that provides free ambulances to Mogadishu residents, 5,814 civilian injuries were reported during the year… All parties to the conflict reportedly employed indiscriminate lethal tactics; generally, no action was taken against those responsible for the violence." [121]

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Frequency of incidents: 2010

8.14 The USSD 2010 report noted that: "In Mogadishu, al-Shabaab conducted almost daily attacks and offensives against the TFG and AMISOM; there were numerous media reports of civilian deaths from TFG and AMISOM forces responding to these attacks." [122] While the IISS ACD reported that:

"Near-daily clashes between al-Shabab and the squabbling Transitional Federal Government (TFG) were reported in 2010, with both sides claiming successes and military victories. In mid-December, the TFG, backed by the African Union Mission in Somalia (AMISOM), said it had doubled its area of control from four to eight of Mogadishu's 16 districts, leaving al-Shabab in control of only four districts, with the remaining four partially under government control. The government went even further on 19 December when it said it had embarked on its '100-day plan' to eradicate Islamists in Somalia… While violence was ongoing throughout the year, there was a notable escalation in August and early September, when hundreds of people were killed each week in clashes between the TFG, backed by AMISOM, and al-Shabab. The government claimed several strategic victories at this time. On 5 September, AMISOM said it had secured key installations and expanded its area of control – most of the roads connecting various government buildings were reportedly under AMISOM control. In addition, it was said to have established ten new bases in Somalia since April. On the same day, al-Shabab paraded hundreds of newly trained fighters in Mogadishu, heavily armed and ready to join what al-Shabab called the 'final war to topple the government'." [123]

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[120] US Department of State, 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, p3, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

[121] US Department of State, 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, p14-15,, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

[122] US Department of State, 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, p14, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

[123] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Military and security, Available in hard copy on request

8.15 The UN Security Council's *Report of the Secretary-General on Somalia*, covering events between 9 September 2010 22 December 2010, dated 30 December 2010, noted that:

"In September 2010, troops of the African Union Mission in Somalia (AMISOM) foiled an attempted suicide attack on their base at the international airport in Mogadishu. In recent weeks, despite continued attacks by insurgent forces, the Transitional Federal Government and AMISOM forces have made some territorial gains in Mogadishu. In central Somalia, the Transitional Federal Government relies on its alliance with ASWJ for control of the Hiraan, Galguduud and Mudug regions. Overall, however, the security situation in southern and central Somalia remained fragile and unpredictable during the reporting period, which led to a cessation of most humanitarian activities in southern Somalia, while in Mogadishu, humanitarian operations were limited to critical lifesaving activities.

"Since mid-October, fighting between pro-Transitional Federal Government militias and Al-Shabaab over Bula Hawa, a strategic town near the Kenyan and Ethiopian borders, threatened to spill over into Kenya, while causing considerable disruption to living conditions, especially for the population located on the Somali side of border. The consequences from the merger between Al-Shabaab and Hizbul-Islam, reported on 19 December 2010, are still unknown." [124]

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Casualties in 2011

8.16 The UNSC Report August 2011 noted on the subject of civilian casualties arising from the conflict that: "The protection of civilians remains a major concern. Although not precisely known, the number of civilian casualties is believed to be high. The use of explosives in populated urban areas and suicide attacks by Al-Shabaab accounted for a significant number of civilian casualties." [125]

8.17 The IISS, ACD noted that: "In the first two months of the year [2011] alone, at least 224 people were killed and another 227 wounded… Of the 224 people killed, more than half were civilians." [126] The UN Security Council's *Report of the Secretary General*, published on 28 April 2011, stated that: "According to hospital sources in Mogadishu, 62 civilians were killed and 232 wounded within the first two weeks of the February offensive. For the most part, the information available does not allow for a definitive attribution to either party." [127] The Somalia Report website's *Casualty report* for October

[124] UN Security Council, Report of the Secretary-General on Somalia, 30 December 2010, p2-3, http://reliefweb.int/sites/reliefweb.int/files/resources/414F81B653F303868525781500789A75-Full_Report.pdf Date accessed 13 April 2011
[125] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p6, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011
[126] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Human security developments, January – February 2011, Available in hard copy on request
[127] UN Security Council, Report of the Secretary-General on Somalia, 28 April 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accessed 6 May 2011

2011, published on 5 November 2011, gave a "running total" of 1849 deaths since the beginning of March. [128]

For further information on al Shabaab's withdrawal from Mogadishu, please see the section on security in Mogadishu.

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TYPE AND NATURE OF VIOLENCE

8.18 The USSD 2010 report observed that:

"All parties to the conflict reportedly employed indiscriminate lethal tactics; generally, no action was taken against those responsible for the violence. Antigovernment and extremist groups, particularly al-Shabaab, were responsible for launching mortar attacks from hidden sites within civilian populated areas and using civilians as human shields. For example, on November 17, artillery gunfire between AMISOM and extremist groups killed at least 21 civilians in Mogadishu. In addition, extremist groups conducted suicide bombings; used land mines and remote-controlled roadside bombs; and conducted targeted killings of journalists, aid workers, and civil society leaders. TFG and AMISOM forces responded to these attacks, which sometimes resulted in shelling of civilian-populated areas. International human rights observers accused all parties to the conflict of indiscriminate attacks, deployment of forces in densely populated areas, and a failure to take steps to minimize civilian harm." [129]

8.19 The same source noted that:

"… extremist groups conducted suicide bombings; used land mines and remote-controlled roadside bombs; and conducted targeted killings of journalists, aid workers, and civil society leaders. TFG and AMISOM forces responded to these attacks, which sometimes resulted in shelling of civilian-populated areas. International human rights observers accused all parties to the conflict of indiscriminate attacks, deployment of forces in densely populated areas, and a failure to take steps to minimize civilian harm… Roadside bombings, suicide attacks, and armed raids targeting TFG officials and sympathizers as well as civil society groups continued throughout the year. Antigovernment extremist groups were responsible for numerous killings of government officials and police. Politically motivated killings by al-Shabaab and its affiliates resulted in the deaths of several TFG officials and members of the Banadir regional administration, including district commissioners and their deputies and security and court officials." [130]

8.20 The same source noted that:

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[128] Somalia Report, Casualty report – October, 5 November 2011, http://www.somaliareport.com/index.php/post/1959 Date accessed 21 December 2011

[129] USSD 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, p15 http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

[130] USSD 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, p15 http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

"Few cases of land mines and unexploded ordinance (UXO) were reported during the year compared with 2009. However, antipersonnel and antitank land mines, most of them remotely controlled, were frequently deployed by antigovernment groups against TFG forces, its allied militias, and civilians… Unlike previous years when UXO killed several children, there were no reported incidents of children killed or injured in UXO-related accidents." [131]

8.21 The Human Rights Watch World Report 2011, Somalia, published on 24 January 2011, observed that:

"Continual fighting between militant Islamist groups and the TFG raged in Mogadishu, Somalia's capital, throughout 2010, with all parties conducting indiscriminate attacks causing high civilian casualties. Opposition fighters have deployed unlawfully in densely populated civilian neighborhoods and at times used civilians as 'shields' to fire mortars at TFG and AMISOM positions. These attacks are conducted so indiscriminately that they frequently destroy civilian homes but rarely strike military targets. Often AMISOM or TFG forces respond in kind, launching indiscriminate mortar strikes on the neighborhoods from which opposition fighters had fired and then fled, leaving only civilians to face the resulting devastation." [132]

8.22 The IISS ACD reported that:

"Suicide bombings continued throughout the year [2010]. At least 32 people were killed in August when two al-Shabab men dressed in military uniforms stormed a hotel in Mogadishu. Six members of the Somali parliament were among those killed. Several suicide attacks followed in September. On 12 September, Somali police said they foiled a suicide attack by rebels on the seaport in Mogadishu in which the attackers intended to use an explosive-laden gasoline tanker.

"Two unexplained attacks on mosques accompanied the fighting in Mogadishu. 39 people were killed and more than 70 injured when two bombs exploded inside the Abdalla Shideye mosque on the capital's Bakara market on 1 May. The mosque is regularly used by al-Shabab officials to deliver speeches and the target may have been senior al-Shabab leader Fuad Mohamed Khalaf, who was wounded in the blast. Another person died in a landmine explosion at nearby Abu Hureya mosque on 27 April. A third attack on a mosque was reported in Kismaayo on 2 May.

"No group claimed responsibility for the mosque attacks, but witnesses believed them to be the result of insurgent infighting. Local journalists reported seeing pro-government Ahlu Sunnah wal Jama'a militia fighting al-Shabab and Hisbul al-Islam forces after the Abdalla Shideye mosque attack. However, an Ahlu Sunnah spokesman blamed the attack on Hisbul al-Islam, which has a difficult relationship with its putative ally, al-Shabab.

"AMISOM has been criticised for returning fire regardless of the risk to civilians. Abuses by African Union (AU) troops deployed to Mogadishu were raised by a Human Rights Watch (HRW) report in April, and an internal AU document leaked in July warned that

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[131] USSD 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, p18 http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

[132] HRW World Report 2011, 24 January 2011, http://www.hrw.org/en/world-report-2011/somalia, Date accessed 5 May 2011

its peacekeepers' indiscriminate shelling of civilian areas risked a loss of public confidence.

"HRW was not alone in also pointing to ongoing repression by al-Shabab and Hisbul al-Islam, including amputations, floggings and summary executions. In al-Shabab-controlled territory, BBC broadcasts were forcibly taken off the air for purportedly spreading Christian propaganda. School bells were also banned in Jowhar because they sounded like church bells. Hisbul al-Islam, for its part, ordered men in Mogadishu to shave their moustaches and grow beards, killed at least two people for watching the World Cup, and warned private radio stations in Mogadishu to stop playing music and not to broadcast programmes on 1 July to mark Somalia's 50th anniversary." [133]

8.23 The UN Human Rights Council's Summary: [Universal Periodic Review]: Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, published on 21 February 2011 , noted that:

"KARMA [a national human rights institution] stated that rape continued to be used as a tool of war in Somalia. The number of rapes inflicted by police has decreased, but the use of rape by armed groups to punish and intimidate rivals persisted. These incidences are rarely prosecuted. Victims of rape have no recourse... SSWC [Save Somalia Women and Children] stated that 'war-related rape' was widespread and women in Internally Displaced Persons (IDPs) camps were particularly vulnerable, as the rape of women and girls by the militia and bandits was a common phenomenon.

"JS4 [International Fountain of Hope Kenya; IIDA Women Development Organization; Alla Magan; Kalsan; FEPMA (Female Paramedical Association); FATXA; SWEA (Somali Women Entrepreneur Association); Somali Women Diaspora Network; and IIDA Italia] stated that women and girls that were engaged in 'pastoralism', were at risk of attacks from militia groups and armed gangs, mainly in southern Somalia.

"SSWC stated that even though women were essentially neutral when it came to clan affiliation they were still the targets of clan-related reprisals and attacks." [134]

8.24 The UN Security Council's *Report of the Secretary General*, published on 28 April 2011, noted that:

"Al-Shabaab reportedly launched deliberate and indiscriminate attacks against civilians, including through shelling, in violation of humanitarian law. Poor command and control over Transitional Federal Government forces and the loose integration of militia and clan-based divisions led to a series of incidents resulting in civilian casualties. At least 16 people were killed during a shoot-out among Transitional Federal Government

[133] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Human security developments, 2010, Available in hard copy on request

[134] UN Human Rights Council, Summary : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/3, p4 http://www.unhcr.org/refworld/docid/4d9efdd72.html Date accessed 5 May 2011

security forces in January. The Government publicly regretted the incident and arrested five individuals." [135]

8.25 The UN Human Rights Council's *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, dated 29 August 2011 and covering events between September 2010 and July 2011 (UNIE report August 2011) noted that: "Al-Shabaab has increased its use of asymmetric warfare tactics against AMISOM and Transitional Federal Government TFG forces, including suicide bombings against a military position on 30 May, the seaport on 9 June, and the assassination of the Minister of the Interior and National Security, Abdishakur Sheik Hassan, on 10 June, by his own niece." [136]

8.26 The UNIE report August 2011 also noted that:

"The protection of civilians remains a major concern in Mogadishu and other areas in the South, where fighting has been intense…. Military operations conducted in highly-populated urban areas, failure to distinguish between civilians and combatants, deliberate and indiscriminate attacks, including the use of improvised explosive devices and suicide attacks by Al-Shabaab, account for a significant number of civilian deaths and injuries." [137]

8.27 The African Union, Peace and Security Council *Report of the Chairperson of the Commission on the situation in Somalia*, published on 13 September 2011, noted that, following the many of al Shabaab's fighters in Mogadishu since 6 August 2011:

"The pockets of insurgents remaining in Mogadishu have now resorted to asymmetrical warfare, including grenade, IED and other forms of attacks targeting AMISOM positions and Government installations. In August, over 20 incidents involving grenade and IED attacks were registered in Mogadishu and the surrounding areas. The insurgents also carried out beheadings in some parts of Mogadishu to intimidate populations suspected of supporting the TFG. The internal disputes within the group may also lead to the emergence of various factions within Al Shabaab. Some of these factions might compete for supremacy by carrying out attacks that rival each other in violence and brutality, while some other might consider opening talks with the TFG.

"Clan militias under the command of some politicians have attempted to take advantage of the vacuum created by the sudden departure of the insurgents. In particular, mention should be made here of the establishment of illegal checkpoints in some of the districts of Mogadishu to extort money from the public and, in some cases, the disruption of the

[135] UN Security Council, Report of the Secretary-General on Somalia, 28 April 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accessed 6 May 2011

[136] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p6, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 18 October 2011

[137] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p7, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 18 October 2011

delivery of aid or attacks against TFG and AMISOM forces attempting to extend the authority of the Government." [138]

8.28 The Economist Intelligence Unit country report on Somalia, published on 1 November 2011, noted that al Shabaab had changed tactics in Mogadishu:

"The upsurge in fighting in the southern regions, which remained largely under al-Shabab control in late October, dates from the withdrawal of most of the group's fighters from Mogadishu, which was announced on August 6th, along with a warning that the group would use new tactics against TFG troops in the capital. This declaration was marked on October 4th by a suicide bomb attack in Mogadishu that killed more than 100 people and left 160 injured. The explosion occurred when a truck blew up after coming to a halt at a security checkpoint outside the education ministry. The al-Shabab spokesman, Mr Rage, claimed responsibility for the bombing and warned civilians to stay away from TFG institutions, threatening further attacks

"… A member of parliament lost his legs and 19 people were killed in a bomb explosion in north Mogadishu on October 15th. Earlier the same day, ten civilians were killed and 59 others were injured when TFG forces—in alliance with soldiers belonging to the African Union Mission in Somalia (Amisom)—exchanged heavy gunfire and mortar shells with remaining pockets of al-Shabab resistance. Three days later, the arrival of the high-level Kenyan delegation in Mogadishu was marked by another suicide bomb explosion that killed at least eight people and injured more than 21 others." [139]

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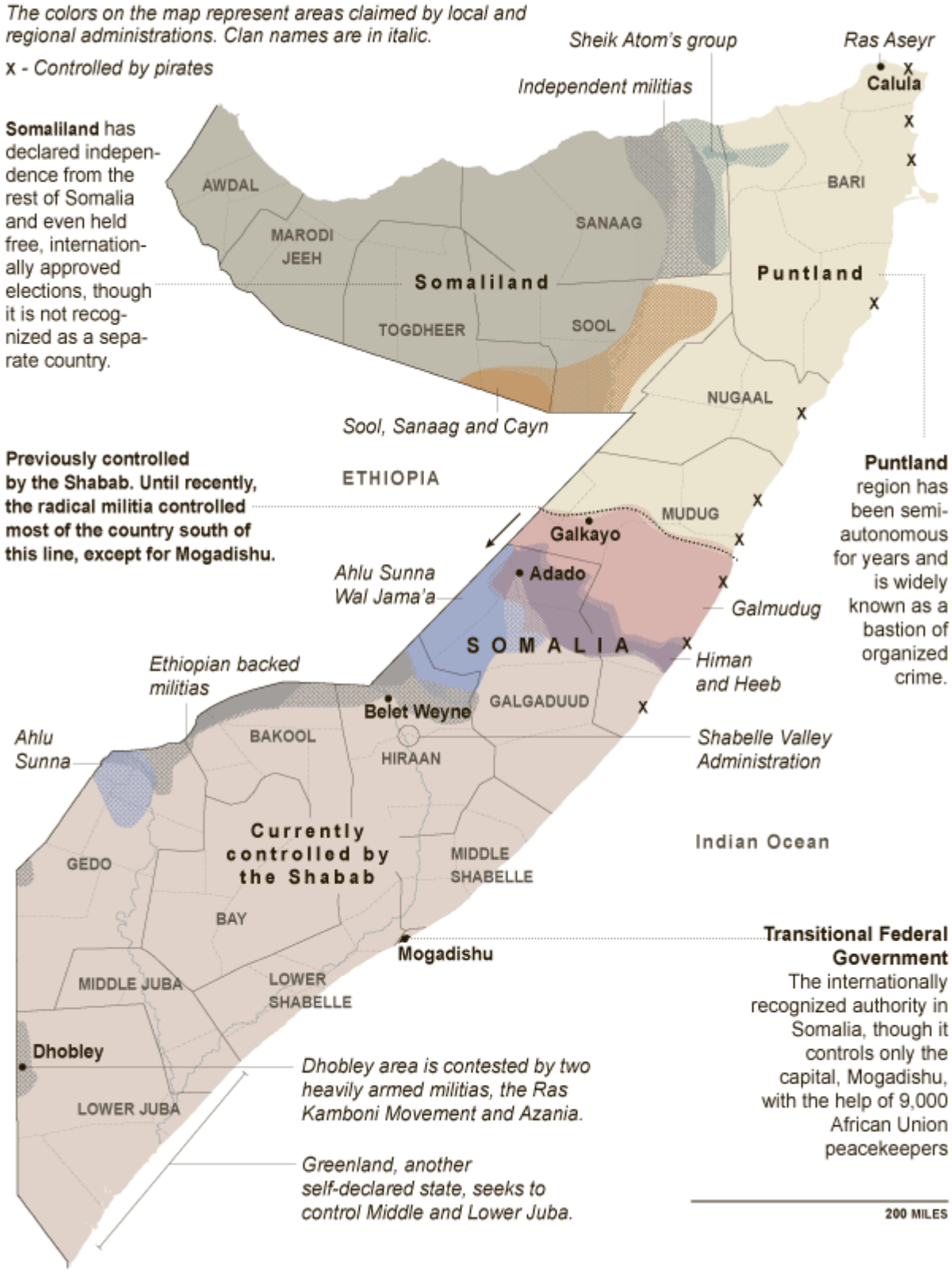
DISTRIBUTION OF VIOLENCE BY REGION

The New York Times published the following map of regional administrations and areas controlled by armed groups on 9 September 2011[140]:

[138] African Union Peace and security council, Report of the Chairperson of the Commission on the situation in Somalia, 13 September 2011, p5, http://www.au.int/en/sites/default/files/Final_-_293rd_PSC_Report_on_Somalia__Eng__%5b1%5d.pdf Date accessed 23 September 2011

[139] Economist Intelligence Unit, Country Report: Somalia, 1 November 2011, p11, available in hard copy on request

[140] New York Times, Somalia: A Country Broken Into Pieces, 9 September 2011, http://www.nytimes.com/interactive/2011/09/10/world/africa/20110910-somalia-a-country-broken-into-pieces.html?ref=africa Date accessed 19 October 2011



The following section of the report provides information relating to the security situation in specific regions of Somalia, concentrating on relevant incidents between **May 2011 and October 2011**. It is not intended as a comprehensive list of all security incidents in Somalia.

The International Crisis Group's CrisisWatch database gives an overview of incidents in Somalia. Landinfo offer an overview of the security situation in their report, *Somalia: Security and conflict in the south*, published on 29 August 2011.

South and central Somalia

8.29 The UNSC Report August 2011 noted, with regard to areas of south and central Somalia outside Mogadishu, that:

"During the reporting period, groups loosely allied with the Transitional Federal Government fought Al-Shabaab in southern Somalia, specifically in the Gedo and Juba areas. Al-Shabaab maintained a significant presence in these regions and is believed to be responsible for improvised explosive device attacks in Mandera, Kenya, in early June and late July. Progress by those opposing Al-Shabaab was hindered by clan and political disputes and no advances were made into Bay and Bakool. Ahlu Sunnah Wal Jama'a and other militias opposing Al-Shabaab made limited gains against Al-Shabaab in Galguduud and Hiraan." [141]

8.30 The Landinfo report, *Somalia: Security and conflict in the south*, 29 August 2011, stated that:

"Unpredictability and cyclic conflict have affected southern Somalia for years, and the political and military situation, according to well-informed observers, is still very complex (interviews in Nairobi, March 2011). Large parts of southern Somalia are still controlled by al-Shabaab. [The report added in a footnote that: 'Fear is an important explanation for Shabaab's control of southern Somalia. The group to a large extent controls only important hubs (access points) in Somalia'. The long talked about military offensive against al-Shabaab, which began in February 2011, has, according to some international observers, been successful, particularly in Mogadishu, where most of the al-Shabaab forces have withdrawn. The situation is unstable, and the question is how quickly AMISOM… and TFG can secure the areas Shabaab has left - and not just fill the administrative vacuum left by them, but also provide services to citizens.

"When asked about security in southern Somalia, especially in the light of the military offensive, a representative of an international organisation explained to Landinfo in Nairobi in March 2011 that most Somalis have had a quite different view of this offensive than the international community. This view was shared by other observers. For most Somalis the offensive (outside Mogadishu) does not mean a dramatic change; people have seen that positions and settlements have been captured, lost and recaptured several times before. But if AMISOM/TFG forces do establish real control in Mogadishu, it could change the situation in the TFG's favour.

"The military offensive has been coordinated and supported by both Ethiopia and Kenya. The fighting in Gedo and parts of the Juba Valley has led to the TFG-allied militias gaining ground in this province.

"Shabaab is weakened, but the retreat from Mogadishu does not imply that the movement is defeated.

"The military conflicts have primarily affected the civilian population - both in the parts of Mogadishu, where fighting has been continuous, and in other strategically important

[141] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011

cities and towns. Outside these areas, the main challenge for the civilian population has been the serious humanitarian situation." [142]

8.31 *The Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, to the UN Human Rights Council, 29 August 2011, noted that: "In Mogadishu, African Union Mission in Somalia (AMISOM) and Transitional Federal Government forces maintained the significant gains made in early 2011, and further increased their area of control to include Bakara Market in May. The forces now fully control eight districts in Mogadishu. This has led to a significant improvement in the security situation."[143]

8.32 The UN Security Council's *Report of the Secretary General*, published on 28 April 2011, noted that:

"A major military offensive against Al-Shabaab began on 19 February. In Mogadishu, Transitional Federal Government forces, supported by AMISOM, have made and continue to hold significant territorial gains, despite repeated counterattacks. They destroyed a network of tunnels and trenches used by Al-Shabaab. Significant casualties have been reported on both sides.

"The offensive by the Ahlu Sunnah Wal Jama'a and other groups allied with the Transitional Federal Government against Al-Shabaab in southern central Somalia has focused on the Ethiopia-Kenya-Somalia border. Hostilities have centred on the Gedo, Bay and Bakool regions, with armed conflict most prevalent in Bula Hawa and, to a lesser extent, in the vicinity of Beletweyne and Dolo. Clashes are expected in other key strategic towns within the Hiraan region. The Ahlu Sunnah Wal Jama'a continues to adopt a defensive posture in Dhuusamarreeb, while also continuing to provide security assurances to the United Nations and its humanitarian partners for access to those areas under its control…Reports of heavy casualties and intensified recruitment efforts on the part of Al-Shabaab suggest that the group's capabilities may have been reduced through attrition. Al-Shabaab continues to receive arms and ammunition through southern Somali ports and acquires financial resources from extortion, illegal exports and taxation.

"In February in Mogadishu, a vehicle-borne improvised explosive device detonated outside a Transitional Federal Government police training facility, resulting in several casualties, including civilians. On 21 February, Al-Shabaab launched a suicide car bomb attack on a police camp at Hamar Jabab district. Eleven people, including policemen and civilians, were killed with 40 others injured." [144]

8.33 Reuters reported on 5 May 2011 that: "A government-led offensive earlier this year in Mogadishu and along Somalia's border with Kenya and Ethiopia drove al Shabaab out of several towns. That offensive appeared to fizzle out in early March as a power

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[142] Landinfo, Somalia: Security and conflict in the south, 29 August 2011, p5-6, http://landinfo.no/asset/1801/1/1801_1.pdf Date accessed 22 December 2011

[143] UN Human Rights Council, The Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC_.18.48_en.pdf Date accessed 30 October 2011

[144] UN Security Council, Report of the Secretary-General on Somalia, 28 April 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accessed 6 May 2011

struggle escalated among the country's politicians, and there have been further clashes in the south since." [145]

8.34 The UNSC Report August 2011 noted that: "The reporting period [28 April to 15 August] was characterized by positive political and security developments … The Transitional Federal Government's troops, with the support of the African Union Mission in Somalia (AMISOM), made significant military achievements, routing the Al-Shabaab insurgents from Mogadishu and finally taking control of the capital." [146]

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Mogadishu

8.35 The UNSC Report August 2011 noted that:

"In Mogadishu, the Transitional Federal Government forces, with the support of AMISOM, made gains against Al-Shabaab in May and had significant influence over 8 of Mogadishu's 16 districts by early June. As at 15 August, this influence had expanded to 90 per cent of the capital.

"Al-Shabaab was weakened by defeats in Mogadishu and rumours that some of its leaders had colluded in the killing of Fazul Abdullah Mohamed, a senior commander and Al-Qaida representative, on 8 June. Continuing recruitment, taxation and the lifting of a ban against aid agencies also suggested its capabilities were reduced by fighting on several fronts." [147]

8.36 The IISS, ACD noted that:

"The most significant military and security development in Somalia was undoubtedly al-Shabab's partial pull-out from Mogadishu on 6 August. Sheikh Ali Rage, the official spokesman for the group, announced the move, claiming that it was 'tactical'. The real catalyst remains unclear, however, as Sheikh Aweys, a senior al-Shabab official, further argued that the withdrawal was due to divisions amongst the leadership, as well as the current famine presenting a difficult operating environment. Others have suggested the group is short of money, is running low on ammunition, is beset with corruption and has lost some of its most effective officers in recent battles. One particular fatality that may have temporarily weakened al-Shabab, as well as crippling the group's links to other al-Qaeda operatives outside Somalia, was the killing of Fazul Abdullah Mohamed on 8 June. Mohamed was one of the United States' 'most wanted' individuals for his role in the 1998 US embassy bombings in Kenya and Tanzania." [148]

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[145] Reuters, Somalia's al Shabaab kill senior militia commander, 5 May 2011, http://af.reuters.com/article/kenyaNews/idAFLDE7441IC20110505?pageNumber=2&virtualBrandChannel=0 Date accessed 6 May 2011

[146] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p1, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011

[147] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011

[148] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Military & Security Developments, June-August 2011, Available in hard copy on request

8.37 The UNSC Report August 2011 also stated that: "Al-Shabaab's withdrawal from Mogadishu has compelled AMISOM and Transitional Federal Government troops to become overextended. The Transitional Federal Government has imposed martial law on the newly vacated areas and created a 'Mogadishu Security Plan', which calls for the Somali Police Force to occupy the vacated areas." [149]

8.38 The Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, noted that:

"The protection of civilians remains a major concern in Mogadishu and other areas in the South, where fighting has been intense. In mid-February, AMISOM and the Transitional Federal Government launched a major offensive to expand Government control over Mogadishu, with a second front along the border with Ethiopia and Kenya, causing further displacement. In February alone, the fighting resulted in the displacement of 24,000 people countrywide, 6,000 of whom in Mogadishu districts.

"In Mogadishu, an increase in fighting results in an increase in civilian casualties, as testified by the surge in under-five casualties in Mogadishu in the period from March to May 2011. According to the World Health Organization (WHO), in May 1,590 people with weapon-related injuries were admitted to the three main hospitals in Mogadishu, almost half of whom were children under five. Most suffered from blast-related injuries." [150]

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Events: May to August 2011

8.39 The CrisisWatch Database entry published on 1 June 2011 noted that in May 2011, "Heavy fighting continued in Mogadishu." [151] CrisisWatch further noted in its 1 August update that during July there were "[c]ontinued clashes in Mogadishu amid AMISOM advances" and that "al-Shabaab commander Ahmed Godane admitted group losing ground".[152]

8.40 The Economist Intelligence Unit's Somalia, *Country Report – Main Report*, dated 1 August 2011 Country Report on Somalia noted that:

"Forces loyal to the interim government have gained more ground against al-Shabab in Mogadishu and some parts of southern Somalia in the past quarter. In collaboration with Amisom forces, pro-government troops have since February widened the TFG's sphere of influence so that in late June the TFG's outgoing defence minister, Abdihakim

[149] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011

[150] UN Human Rights Council, The Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p7, http://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC_.18.48_en.pdf Date accessed 30 October 2011

[151] CrisisWatch Database, Somalia, 1 June 2011, http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?EndDate=99991231&StartDate=00010101&CountryIDs=%7b05B5BDAB-4083-4968-830D-08EB00590DD0%7d Date accessed 19 August 2011

[152] CrisisWatch Database, Somalia, 1 August 2011, http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?EndDate=99991231&StartDate=00010101&CountryIDs=%7b05B5BDAB-4083-4968-830D-08EB00590DD0%7d Date accessed 19 August 2011

Mohamed Haji Fiqi, claimed that over 80% of the capital's population was living in areas controlled by the TFG and Amisom." [153]

8.41 The UNSC Report August 2011 stated that:

"In Mogadishu, the Transitional Federal Government forces, with the support of AMISOM, made gains against Al-Shabaab in May and had significant influence over 8 of Mogadishu's 16 districts by early June. As at 15 August, this influence had expanded to 90 per cent of the capital.

"Al-Shabaab was weakened by defeats in Mogadishu and rumours that some of its leaders had colluded in the killing of Fazul Abdullah Mohamed, a senior commander and Al-Qaida representative, on 8 June. Continuing recruitment, taxation and the lifting of a ban against aid agencies also suggested its capabilities were reduced by fighting on several fronts." [154]

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Events following Al Shabaab's withdrawal: August to October 2011

This section is only intended to provide brief information on the security situation in Mogadishu following the withdrawal of al Shabaab from positions within the city. For more detailed information, please contact COI Service directly.

8.42 BBC News reported on 6 August 2011 that: "Somalia's al-Shabab Islamist rebels have pulled out of all positions in the Somali capital of Mogadishu, government and rebel spokesmen say … al-Shabab described the move as a 'change of military tactics'." [155] Australian Broadcasting Corporation News further reported on 8 August 2011 that: "The positions vacated by the Al Qaeda-inspired Al Shabaab rebel group were then taken over by troops of the transitional government, witnesses said Saturday [6 August 2011]." [156]

8.43 The same news report stated that:

"Government spokesman Abdirahman Omar Osman says … government forces have begun deploying cautiously into the pockets of the city previously under Al Shabaab control.

"Mr Osman urged Somalis who had fled their homes to return, promising the military would spare no effort in securing the areas.

"Despite the withdrawal, Al Shabaab spokesman Ali Mohamud Rage told a local radio station the unprecedented retreat that started late on Friday was tactical and the rebels would hold their positions elsewhere.

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[153] Economist Intelligence Unit, Somalia Country Report, August 2011, p11, Available in hard copy on request
[154] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 18 October 2011
[155] BBC News, Somalia's al-Shabab rebels leave Mogadishu, 6 August 2011, http://www.bbc.co.uk/news/world-africa-14430283 Date accessed 22 August 2011
[156] Australian Broadcasting Corporation News, Al Qaeda-inspired rebels abandon Somalia's capital, 8 August 2011, http://www.abc.net.au/news/2011-08-06/al-qaeda-inspired-rebels-abandon-somalia27s-capital/2827484?section=world

"Al Shabaab had never entirely abandoned Mogadishu during its four-year insurgency that has killed tens of thousands of people …'We have abandoned Mogadishu but we remain in other towns,' Mr Rage said on the Al Shabaab-run Andalus radio station.

'The Mujahideen fighters applied military tactic changes to undermine the allied enemy of Allah and you will soon be hearing good news.'" [157]

8.44 The Jamestown Foundation, in its *Terrorism Monitor*, Volume 9, Issue 33, published on 19 August 2011, noted that:

"Al-Shabaab has tried to cover up the problems and issues that led to the withdrawal by maintaining it was a 'tactical' move (Hiraan Online, August 12; AllPuntland, August 10). One al-Shabaab leader, Shaykh Hassan Dahir Aweys (former leader of Hizb al-Islam, now absorbed into al-Shabaab) admitted in an interview that the movement was forced to turn to a new strategy because it could no longer match the military strength of AMISOM and Transitional Federal Government (TFG) forces in Mogadishu's intense urban warfare (Somali Channel TV [London], August 12).

"However, there are signs that al-Shabaab's withdrawal was not as planned as the movement would like to let on; AMISOM troops and Somali police discovered a store of 137 155 mm artillery shells left behind in a deserted house in a part of Mogadishu's Bakara Market recently occupied by al-Shabaab. As the movement does not possess 155 mm artillery, it is likely the shells were being cannibalized for explosives needed in the manufacture of improvised explosive devices (Horseed Media, August 13; AFP, August 13).

"Al-Shabaab has claimed a certain number of fighters were left behind, explaining the resistance that AMISOM forces continue to encounter (especially in the north of the city) as they continue their cautious occupation of the neighborhoods newly vacated by al-Shabaab. The TFG has attempted to capitalize on al-Shabaab's difficulties by offering an amnesty to those fighters still active in Mogadishu who are prepared to renounce violence (AFP, August 10). In some places, the retreating Islamists have been replaced by local clan militias under the command of powerful businessmen who have no desire to come under TFG rule. Many of these fighters are reported to be veterans of Hizb al-Islam still under the direct command of Hassan Dahir Aweys (Jowhar.com [Mogadishu], August 9)." [158]

8.45 IRIN News noted on 7 September 2011 that:

"Minister Mahamud [Minister for the Interior and Security] said the government would do all it could to assist aid agencies to deliver food to the famine-displaced pouring into the city.

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[157] Australian Broadcasting Corporation News, Al Qaeda-inspired rebels abandon Somalia's capital, 8 August 2011, http://www.abc.net.au/news/2011-08-06/al-qaeda-inspired-rebels-abandon-somalia27s-capital/2827484?section=world Date accessed 22 August 2011

[158] Jamestown Foundation, Terrorism Monitor Volume: 9 Issue: 33, Internal Disputes Plague Al-Shabaab Leadership after Mogadishu Withdrawal, 19 August 2011, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=38343&tx_ttnews%5BbackPid%5D=515 Date accessed 24 August 2011

"'We have created a task-force of 300 to make sure that aid is neither hindered nor looted. We have also established special military courts to deal with errant members of the security forces.' [the minister said]." [159]

See also: Humanitarian issues

8.46 The African Union, Peace and Security Council *Report of the Chairperson of the Commission on the situation in Somalia*, published on 13 September 2011, noted that:

"The pockets of insurgents remaining in Mogadishu have now resorted to asymmetrical warfare, including grenade, IED and other forms of attacks targeting AMISOM positions and Government installations … The internal disputes within the group may also lead to the emergence of various factions within Al Shabaab. Some of these factions might compete for supremacy by carrying out attacks that rival each other in violence and brutality, while some other might consider opening talks with the TFG.

"Clan militias under the command of some politicians have attempted to take advantage of the vacuum created by the sudden departure of the insurgents. In particular, mention should be made here of the establishment of illegal checkpoints in some of the districts of Mogadishu to extort money from the public and, in some cases, the disruption of the delivery of aid or attacks against TFG and AMISOM forces attempting to extend the authority of the Government." [160]

8.47 The same report also stated that:

"On the ground, AMISOM forces have, as indicated earlier, consolidated and expanded their areas of control in Mogadishu and its environs. Following the withdrawal of Al Shabaab from Mogadishu, AMISOM forces, together with Somalia TFG forces, now control and are fully deployed in all the districts of Mogadishu, except those of Daynille and Huriwa. Plans are underway to deploy to those districts as soon as additional forces are inserted into the mission area. AMISOM continues to protect key installations, such as Villa Somalia, which houses the Presidency and the Office of the Prime Minister, and Villa Baidoa, where other Somali institutions are located. In addition, AMISOM is also securing both the Mogadishu international airport and the seaport, thus facilitating humanitarian access through these vital corridors, which have recorded increased human and cargo traffic in the past few months." [161]

8.48 The report continued:

"In line with Council's decision of last October [2010], AMISOM has continued to make sustained efforts to ensure strict compliance with international humanitarian law (IHL) and to minimize civilian casualties. The task of the Mission in this respect was made difficult by the tactics employed by Al Shabaab, in particular the use of human shield.

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[159] IRIN News, Analysis: Mogadishu after Al-Shabab, 7 September 2011, http://www.irinnews.org/report.aspx?reportid=93677 Date accessed 23 September 2011

[160] African Union Peace and security council, Report of the Chairperson of the Commission on the situation in Somalia, 13 September 2011, p5, http://www.au.int/en/sites/default/files/Final_-_293rd_PSC_Report_on_Somalia__Eng__%5b1%5d.pdf Date accessed 23 September 2011

[161] African Union Peace and security council, Report of the Chairperson of the Commission on the situation in Somalia, 13 September 2011, p9-10, http://www.au.int/en/sites/default/files/Final_-_293rd_PSC_Report_on_Somalia__Eng__%5b1%5d.pdf Date accessed 23 September 2011

The Mission has observed the highest level of restraint in the face of such flagrant violations of the rules of war, accepting to sustain a significant number of casualties in order to spare the lives of the innocent civilians it is tasked to protect." [162]

8.49 *Somalia Report* noted on 18 September 2011 that:

"Al-Shabaab's al-Qaeda affiliated militants in Somalia have declared a new offensive against Somalia's Transitional Federal Government (TFG) soldiers and African Union peacekeepers (known as AMISOM) in Mogadishu.

"During a press conference at a former pasta factory in Mogadishu, al-Shabaab displayed three TFG soldiers and an armored vehicle seized from the government.

"Sheikh Mohamed Abu Abdurrahman, al-Shabaab's chairman in Banadir region, said … 'We have arranged new military tactics and our Islamic fighters are ready to wage a new war against our enemies in Somalia,' … Abu Abdurrahman denied that the al-Shabaab fighters abandoned their stronghold areas in Mogadishu and urged the Somali people to take part in the holy wars against their enemies in the country … Mohamed Sadik Daa'uud, an al-Shabaab officer, told Somalia Report the fighters will target Mogadishu's northern districts including Abdulasiis, Kaaraan and Yaaqshiid in the coming days." [163]

8.50 An African Union press release of 10 October 2011 noted that: "In operations lasting 48hrs, combined TFG and AMISOM forces have pushed forward and taken the remaining Al Shabaab strongholds in the far North East of Mogadishu … the former Pasta Factory and critical junction, Ex Control Bal'ad, are now in Government hands. Operations will now focus on the environs of the city and policing within the liberated areas." [164]

8.51 The African Union, Peace and Security Council *Report of the Chairperson of the Commission on the situation in Somalia*, published on 13 September 2011, noted that:

"The pockets of insurgents remaining in Mogadishu have now resorted to asymmetrical warfare, including grenade, IED and other forms of attacks targeting AMISOM positions and Government installations. In August, over 20 incidents involving grenade and IED attacks were registered in Mogadishu and the surrounding areas. The insurgents also carried out beheadings in some parts of Mogadishu to intimidate populations suspected of supporting the TFG." [165]

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[162] African Union Peace and security council, Report of the Chairperson of the Commission on the situation in Somalia, 13 September 2011, p10, http://www.au.int/en/sites/default/files/Final_-_293rd_PSC_Report_on_Somalia__Eng__%5b1%5d.pdf Date accessed 23 September 2011

[163] Somalia Report, Militants Vow to Retake Mogadishu, 18 September 2011, http://www.somaliareport.com/index.php/post/1597/Militants_Vow_to_Retake_Mogadishu Date accessed 26 September 2011

[164] African Union, TFG / AMISOM secure remaining al shabaab strongholds in Mogadishu, 10 October 2011, http://amisom-au.org/2011/10/tfg-amisom-secure-remaining-al-shabaab-strongholds-in-mogadishu/ Date accessed 17 November 2011

[165] African Union Peace and security council, Report of the Chairperson of the Commission on the situation in Somalia, 13 September 2011, p5, http://www.au.int/en/sites/default/files/Final_-_293rd_PSC_Report_on_Somalia__Eng__%5b1%5d.pdf Date accessed 23 September 2011

8.52 The same news story noted that: "On Friday evening [26 August 2011], a car bomb parked near the busy K-5 area, exploded and wounded one pedestrian, witnesses said". [166]

8.53 The *Telegraph* reported on 28 August 2011 that:

"A roadside bomb apparently aimed at peacekeepers patrolling Somalia's capital on Sunday killed one person and injured another, the day after another car bomb was found before it could be detonated.

"An African Union convoy had just passed when the device was triggered, close to a feeding centre for victims of Somalia's famine in Mogadishu. A woman died from her injuries as she was taken to hospital.

"…Sunday's bombing came the day after a four-wheel-drive filled with explosives, connected to a mobile telephone, was found at a busy Mogadishu junction between the airport and the city centre.

"Experts with the African Union peacekeeping force, AMISOM, defused the bomb before it could be detonated." [167]

8.54 *Somalia Report*, a website describing itself as "a privately funded, non-partisan website that hires Western editors to work with Somali journalists inside the country to cover all aspects of the region…", [168] stated on 6 September 2011 that: "At least three people were killed and more than five were injured, as Transitional Federal Government (TFG) and African Union peacekeepers (known as AMISOM) fought against the al-Shabaab." [169]

8.55 *Somalia Report* noted on 17 September 2011 that:

"…suspected al-Shabaab fighters have shot and killed a top government official, witnesses said on Saturday [17 September 2011].

"Abdiaziz Mohamed Nor, a finance ministry official in tax department, was shot on Friday night. His 74-year-old mother, Isnino Warsame, was also killed in the attack that occurred in Karan district of Mogadishu.

"Locals told Somalia Report that the assassination took place after at least ten al-Shabaab fighters forcefully entered into the official's residence and tried to whisk him away. It was after he attempted to fight back that the attackers shot him at point blank. 'I think they were about ten men, they knocked the door and the family refused to open,

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[166] Reuters, Somali militants behead boys in Mogadishu attacks, 26 August 2011, http://af.reuters.com/article/worldNews/idAFTRE77P6OB20110826?sp=true Date accessed 31 August 2011

[167] The Telegraph, Deadly Mogadishu bomb 'targeted peacekeepers', 28 August 2011, http://www.telegraph.co.uk/news/worldnews/africaandindianocean/somalia/8728348/Deadly-Mogadishu-bomb-targeted-peacekeepers.html Date accessed 31 August 2011

[168] Somalia Report, About us, undated, http://www.somaliareport.com/index.php/post/263/About%20Us Date accessed 27 September 2011

[169] Somalia Report, TFG and AMISOM battle Al-Shabaab in Mogadishu, 6 September 2011, http://www.somaliareport.com/index.php/post/1516/TFG_and_AMISOM_Battle_Al-Shabaab_in_Mogadishu Date accessed 26 September 2011

the gunmen fired bullets and opened the door forcefully,' an eye witness who requested to called Kudufow told Somalia Report.

"He said the official's elderly mother was killed minutes later after she attempted shielding her son from the attackers." [170]

8.56 *Somalia Report* noted on 17 September 2011 that:

"At least three people were killed and six others injured when the militant group al-Shabaab fought against the African Union-backed Transitional Federal Government (TFG) forces in Dharkinley district of Mogadishu late on Friday, security officials said.

"The fierce fighting erupted after al-Shabaab fighters launched hit-and-run attacks on TFG and AMISOM bases in the district. Local residents told Somalia Report that both sides used heavy gunfire, including machineguns and mortars.

"'A mortar hit on an IDP camp killing two civilians, including a child, and injuring four others,' Mohamed Ali Nor, a resident in Dharkinley told Somalia Report, adding that village residents where fleeing the area in fear of further attacks.

"… In a separate incident, eyewitnesses said a mortar attack hit Dayniile district, killing one civilian and injuring two others … locals have blamed the AMISOM forces of allegedly being behind the shelling. However, AMISOM spokespeople were not immediately available to comment.

"'We believe that AMISOM is behind the mortar attacks taking place in the densely populated villages. We can understand that al-Shabaab is based here but AMISOM and TFG must remember that civilians reside here,' a resident in Daynile district told Somalia Report, claiming that he had lost a close relative to the attack." [171]

8.57 Somalia Report noted on 22 September 2011 that:

"At least three Somali soldiers have been killed after government forces clashed with the rebel fighters in northern districts of Somalia's capital, Mogadishu.

"Heavy clashes between two sides broke out on Thursday in Mogadishu's government-controlled of Dharkinley district where the scene of heavy exchanges of gunfire last for almost two hours." [172]

8.58 Bar Kulan "a public service radio station broadcasting non-partisan news, information, culture, entertainment and development programmes to Somalia and the Somali Diaspora" [173] reported on 25 September 2011 that:

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[170] Somalia Report, Fierce Fighting Leaves 3 Dead, 17 September 2011, http://www.somaliareport.com/index.php/post/1589/Fierce_Fighting_Leaves_3_Dead Date accessed 26 September 2011
[171] Somalia Report, Fierce Fighting Leaves 3 Dead, 17 September 2011, http://www.somaliareport.com/index.php/post/1589/Fierce_Fighting_Leaves_3_Dead Date accessed 26 September 2011
[172] Somalia Report, Violence Claims Three Soldiers in Mogadishu, 22 September 2011, http://www.somaliareport.com/index.php/post/1625/Violence_Claims_Three_Soldiers_in_Mogadishu Date accessed 26 September 2011
[173] Bar Kulan, News in English, undated, http://www.bar-kulan.com/category/news-in-english/ Date accessed 27 September 2011

"Al-Shabaab militias in Sinka Der area on the outskirt of the capital, Mogadishu, on Saturday night clashed themselves over the control of a checkpoint in the area.

"Locals in the area confirmed to Bar-kulan that a group of hooded militia men attacked and briefly seized the group's base in the area.

"It is not yet known whether there were any casualties on both sides. The incident come a day after similar incident took place in Daynile district of Mogadishu, where tow Al-Shabaab groups clashed.

"Infighting, drought and financial crisis have in the last few months weakened the militia's military capability in the country, forcing it to pull out of all positions in the capital." [174]

8.59 On 4 October 2011, BBC News reported that: "At least 70 people have been killed by a huge suicide blast near a government compound in the Somali capital, Mogadishu … Eyewitnesses said a truck carrying explosives was driven into a gate near a government ministry and detonated … al-Shabab told the BBC it had carried out the attack." [175] On 6 October, BBC News further reported that "About 150 people were wounded and 77 have died…" in the attack and that President Sheikh Sharif Sheikh Ahmed had "announced that a $100,000 (£65,000) fund had been set up to treat the victims and help relatives of those who died." [176]

8.60 On 18 October 2011, BBC News reported that: "A car bomb has exploded outside the former foreign ministry in the Somali capital, Mogadishu, killing five people including the suicide bomber … as Kenya's defence and foreign ministers were holding talks nearby with the Somali government." [177] AMISOM condemned the attack, reporting that "Among the dead were a street vendor and a pedestrian".[178]

8.61 International Crisis Group's *CrisisWatch Database*, Somalia, 1 November 2011 covering events in October, reported that:

"Many killed as clashes between Transitional Federal Government (TFG) forces and pro-govt militias and al-Shabaab continued. At least 11 civilians killed, 24 injured 1 Oct in clashes in Mogadishu… Suicide bomb attack in Mogadishu 4 Oct killed over 100 people in deadliest terror attack by al-Shabaab since 2010 Kampala bombing. TFG, AMISOM troops 16 Oct began operation to clear al-Shabaab from remaining Mogadishu strongholds." [179]

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[174] Bar Kulan, Al-Shabaab militias fight themselves outside Mogadishu, 25 September 2011, http://www.bar-kulan.com/2011/09/25/al-shabaab-militias-fight-themselves-outside-mogadishu/ Date accessed 26 September 2011

[175] BBC News, Huge Somalia suicide car bomb kills dozens in capital, 4 October 2011, http://www.bbc.co.uk/news/world-africa-15166107 Date accessed 17 November 2011

[176] BBC News, Somali al-Shabab attack: Wounded airlifted to Turkey

[177] BBC News, Somalia bomber hits as Kenya ministers visit Mogadishu, 18 October 2011, http://www.bbc.co.uk/news/world-africa-15359294 Date accessed 17 November 2011

[178] African Union, AMISOM Condemns Deliberate Targeting of Civilians in Mogadishu, 18 October 2011, http://amisom-au.org/2011/10/amisom-condemns-deliberate-targeting-of-civilians-in-mogadishu/ Date accessed 17 November 2011

[179] International Crisis Group, Crisis Watch Database, Somalia, 1 November 2011, http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?CountryIDs=%7b05B5BDAB-4083-4968-830D-08EB00590DD0%7d#results Date accessed 1 November 2011

8.62 The Economist Intelligence Unit country report on Somalia, published on 1 November 2011, noted that al Shabaab had changed tactics in Mogadishu:

"A member of parliament lost his legs and 19 people were killed in a bomb explosion in north Mogadishu on October 15th. Earlier the same day, ten civilians were killed and 59 others were injured when TFG forces—in alliance with soldiers belonging to the African Union Mission in Somalia (Amisom)—exchanged heavy gunfire and mortar shells with remaining pockets of al-Shabab resistance. Three days later, the arrival of the high-level Kenyan delegation in Mogadishu was marked by another suicide bomb explosion that killed at least eight people and injured more than 21 others." [180]

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Middle Shabelle

8.63 Shabelle Media Network reported on 27 July 2011 that:

"Al shabaab fighters and local clan militias are to take on each other ... The tension erupted in village of Ad Adey near Jowhar town about 90 kilometers north of Mogadishu after Al shabaab fighters ordered the local resident to contribute some camels to their war against the transitional federal government and AMISOM or every family to bring a boy taking part in the war.

"But, the local residents refused to heed the orders of Al shabaab and immediately started get ready for battle with them." [181]

Lower Juba and Gedo

8.64 The *New York Times* reported on 30 September 2011 that:

"… in recent days, witnesses have reported hundreds of Shabab fighters heading south toward Somalia's border with Kenya. The border area is controlled by a fractious group of warlords and militias who get covert support from Kenya and Ethiopia and are nominally loyal to Somalia's transitional government. On Friday before dawn, Shabab forces struck Dhobley [Lower Juba], a market town jointly controlled by an Islamist warlord and a French-educated intellectual who is trying to form his own ministate called Azania, an ancient Greek name for the Horn of Africa.

"According to Adan Adar, Somalia program director for the American Refugee Committee, a private aid group that assists feeding centers in Dhobley, the Shabab attacked from several different directions, and all sides had casualties.

"'It was a big fight,' he said. 'And it's likely to impact humanitarian operations because there are many feeding centers in Dhobley.'

"By midafternoon on Friday, witnesses said that the Shabab fighters had been repulsed and that the Kenyan military was poised to get involved should the Shabab try again to take Dhobley. The town is only a few miles from the border with Kenya, and Kenyan

[180] Economist Intelligence Unit, Country Report: Somalia, 1 November 2011, p11, available in hard copy on request
[181] Shabelle Media Network, Al shabaab, local clan militias to take on in southern Somalia, 27 July 2011, http://www.shabelle.net/article.php?id=9322 Date accessed 11 August 2011

officials are increasingly concerned that the Shabab, a vehemently anti-Western group that has pledged allegiance to Al Qaeda, might attack inside Kenya." [182]

8.65 *The New York Times* reported on 9 September 2011 that: "For the first time in years, the Shabab Islamist group that has long tormented Somalis is receding from several areas at once, including this one [Dhobley, Lower Juba], handing the Transitional Federal Government an enormous opportunity to finally step outside the capital and begin uniting this fractious country after two decades of war. Instead, a messy, violent, clannish scramble is emerging over who will take control." [183]

8.66 Shabelle Media Network reported on 21 June 2011 that:

"Reports from the town Luq [in Gedo region] suggested that Somali government forces with the help of moderate Islamist group of Ahlu Sunna Waljama ASWJ and Al shabaab are amassing their forces to start new clashes in the village of Bohol Bashir.

"In the village of Bohol Bashir, locals said that the two warring sides are firing each other sporadically … Yesterday's battle left more than 10 dead and 30 others injured, according to eyewitnesses in the area." [184]

8.67 The IISS, ACD noted that:

"Heavy fighting erupted on 11 September between al-Shabab and Somalia's TFG forces near the strategic district of Elwak in Gedo, located at the border between Kenya and Somalia. Al-Shabab briefly took control of the area but soon vacated the region. A TFG military official in Gedo, Bashi Ilikili, denied that al-Shabab had taken control of Elwak, but confirmed that four military vehicles had been destroyed. According to reports, 25 people, including the chief commander of Elwak forces, General Abdullahi Dhamas, and several TFG soldiers were killed, and 30 others were seriously injured. Prior to the conflict, disputes emerged among TFG troops in the district, especially soldiers from the Marenhan and Garre clans who both wanted to take control of the area. It was thus believed that the insurgents took advantage of the rift dividing the quarrelling TFG troops." [185]

8.68 IRIN News reported on 22 September 2011 that:

"Hundreds of displaced families taking refuge from the drought in a town on the Kenya-Somalia border have been forced to flee fighting between forces loyal to the Somali administration and Al-Shabab insurgents, said locals.

"The fighting broke out on 11 September in the town of Eil Waq in Somalia's southwestern Gedo region.

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[182] New York Times, Fighting Erupts on Somalia's Border With Kenya, 30 September 2011, http://www.nytimes.com/2011/10/01/world/africa/shabab-militants-attack-near-kenya-somalia-border.html?_r=1 Date accessed 19 October 2011

[183] New York Times, As an Enemy Retreats, Clans Carve Up Somalia, 9 September 2011, http://www.nytimes.com/2011/09/10/world/africa/10somalia.html?_r=2&pagewanted=all Date accessed 20 October 2011

[184] Shabelle Media Network, Tension is High in Southern Somalia Town as New Fighting is Looming, 21 June 2011, http://allafrica.com/stories/201106220774.html Date accessed 21 October 2011

[185] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Military & Security Developments, June-August 2011, Available in hard copy on request

"'Our estimate is that 5,700 families [34,200 people] were displaced by the fighting,' Mohamed Ahmed Baadiyow, the team leader of Dialog Forening (DF), an NGO based in Eil Waq, said." [186]

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The 'Jubaland' initiative, aka Azania

8.69 The Jamestown Foundation in an article *The Jubaland Initiative: Is Kenya Creating a Buffer State in Southern Somalia?*, 28 April 2011, noted that:

"Several reports circulated through the international media in early April indicating that a new semi-autonomous state, tentatively named Jubaland (or alternately 'Azaniya'), would be created in southwestern Somalia to contain the Somali militant outfit Harakat al-Shabaab. Jubaland is purportedly being created by Kenyan authorities to keep al-Shabaab fighters far away from the border of its North Eastern Province with Somalia where recent clashes and cross border incursions from both belligerents have occurred.

"Jubaland would supposedly be composed of three Somali regions: Lower Juba, Middle Juba, and Gedo. The state would be headed by a professor named Muhammad Abdi Muhammad 'Gandhi,' who briefly served as defense minister in Mogadishu in February 2009 (Garowe Online, February 21, 2009). Jubaland would have as its capital the Indian Ocean port of Kismayo which was for a period of time under the firm control of an alliance between al-Shabaab and the Mu'askar Ras Kamboni militia (al-Jazeera, December 21, 2008). Professor Gandhi, as the former defense minister is commonly known, has outlined his strong desire to create a new, stable sub-state entity, analogous to Somaliland and Puntland, in order to 'liberate Jubaland from extremists' (Daily Nation [Nairobi], April 3]" [187]

8.70 The Human Rights Watch report, *You Don't Know Who to Blame*, published on 14 August 2011, noted that "in May 2011 only a very small part of Gedo and Lower Juba was under the control of Abdi and his Kenyan-trained militia." [188]

8.71 Shabelle Media Network reported on 29 June 2011 that:

"Mohamed Abdi Kalil, the governor of Gedo region for the transitional federal government on Wednesday accused the administration of Azania of having links with and fighting alongside Al shabaab fighters … Mr. Kalil says they have come to know that fighters loyal to the Azania administration which was formed in neighboring Kenya are militarily helping what described as the terrorist group.

"However, the Azania has not released any comments about Somali government claims so far." [189]

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[186] IRIN, Drought IDPs forced to flee fighting in border town, 22 September 2011, http://www.irinnews.org/report.aspx?reportid=93787 Date accessed 20 October 2011

[187] The Jamestown Foundation, The Jubaland Initiative: Is Kenya Creating a Buffer State in Southern Somalia?, 28 April 2011, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Bswords%5D=8fd5893941d69d0be3f378576261ae3e&tx_ttnews%5Bany_of_the_words%5D=jubaland&tx_ttnews%5Btt_news%5D=37857&tx_ttnews%5BbackPid%5D=7&cHash=e1f00433911839f26d09304e642cad5e Date accessed 10 May 2011

[188] Human Rights Watch, You Don't Know Who to Blame, 14 August 2011, p13, http://www.hrw.org/sites/default/files/reports/somalia0811webwcover.pdf Date accessed 27 October 2011

8.72 BBC News published the thoughts of the head of the absentee president of Azania, Professor Mohammed Abdi Gandhi, on 28 October 2011:

"He says he is not a separatist, but speaks of a bright future for his people in a Somalia where power is devolved from Mogadishu.

'Our priority will be to consolidate the peace, set up the administration and re-establish education and health systems before we move on to development and infrastructure,' … Asked where he got his last name from, he smiled and replied, 'Because I'm against violence.' … he has critics who accuse him of imposing what some call the 'Gandhi plan' without being all-inclusive.

"'They met at a hotel in Naivasha where Professor Gandhi was proclaimed the president. Everybody clapped. The constitution was produced. They all clapped again, even though they hadn't even read it,' one critic told me.

"In response, Mr Gandhi says the process has been as inclusive as possible with dozens of consultative meetings.

"There are reports that Azania - or at least the sea off its coast - is rich in oil.

"Mr Gandhi, a former Somali defence minister, has worked as a consultant for the French oil giant Total. This and this has led some to conclude that countries including France and Norway have thrown money at the Azania project.

"'These are all rumours. Not true,' he says.

"'To my knowledge, there are no groups or companies that have come to us. When it's peaceful, then we will open the door and all the international oil companies can come to explore. Nothing is under the table.'" [190]

The Kenyan military enter southern Somalia: October 2011

8.73 *The Telegraph* reported on 17 October 2011 that:

"… Kenyan forces moved en masse into Somalia on Sunday. The invasion came one day after Kenyan defence officials said the country has the right to defend itself against al-Shabaab militants after a string of kidnappings inside Kenya. Four Europeans have been abducted and one killed.

"Witnesses in the Somali town of Dhobley on Monday said an estimated 40 Kenyan military vehicles entered the town on Sunday. Ali Abdullahi, a resident in Dhobley, said the army vehicles were towing what he described as 'big guns.' … In response, al-Shabaab, Somalia's most dangerous militant group, tried to raise the alarm in areas it

[189] Shabelle Media Network, Somalia's Azania Administration Has Links With Al Shabaab – Official, 29 June 2011, http://allafrica.com/stories/201106291215.html Date accessed 21 October 2011

[190] BBC News, Are Kenyans seeking a buffer zone in Somalia?, 28 October 2011, http://www.bbc.co.uk/news/world-africa-15499534 Date accessed 18 November 2011

controls. Residents in the town of Qoqani who asked not to be named for fear of reprisals said militants were going into homes and forcibly recruiting new fighters." [191]

8.74 IRIN News also reported on 20 October 2011 that:

"Kenya launched Operation Linda Nchi (Kiswahili for 'Protect the Nation') on 16 October and has since deployed ground troops and air assets between its common border and the Somali port town of Kismayo.

"Government officials have said its forces were targeting militants who threaten Kenya's heavily tourism-dependent economy and its national security. In recent weeks there have been kidnappings of tourists and aid workers in Kenya, which officials blamed on Al-Shabab, a charge the group denied. One tourist was shot dead on the Kenyan coast, another died in captivity." [192]

8.75 BBC News reported on 28 October 2011 that there are conflicting views on the motives for the action:

"… analysts point out that for several years Kenya, with international support, has been pushing for Azania, traditionally known as Jubaland, to be set up.

"Kenya has trained and equipped Somali troops, as it would like a buffer zone to shield its territory from lawless Somalia.

"So some analysts see the kidnappings as just a convenient excuse for carrying out the plan militarily." [193]

8.76 The same report also noted that:

"The army has been giving unverifiable reports of success across the border.

"The Kenyan media, which have scarcely questioned the motive for going to war, have told the country about captured towns that no one has ever heard of.

"One front page article referred to the 'imminent fall of Kismayo'.

"For now, the cautious voices are being drowned out.

"'It's not going to be easy for Kenya to stabilise and pacify that part of Somalia, much less drive out al-Shabab,' said Rashid Abdi, of the International Crisis Group.

"'I think the Kenyans are into a very long and messy intervention in Somalia.'" [194]

8.77 Agence France Presse reported on 24 October 2011 that:

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[191] The Telegraph, Kenyan military moves into Somalia to attack al-Shabaab militants, 17 October 2011, http://www.telegraph.co.uk/news/worldnews/africaandindianocean/kenya/8830885/Kenyan-military-moves-into-Somalia-to-attack-al-Shabaab-militants.html Date accessed 18 November 2011

[192] IRIN News, Kenya-Somalia: A risky intervention, 20 October 2011, http://www.irinnews.org/report.aspx?reportid=94018 Date accessed 18 November 2011

[193] BBC News, Are Kenyans seeking a buffer zone in Somalia?, 28 October 2011, http://www.bbc.co.uk/news/world-africa-15499534 Date accessed 18 November 2011

[194] BBC News, Are Kenyans seeking a buffer zone in Somalia?, 28 October 2011, http://www.bbc.co.uk/news/world-africa-15499534 Date accessed 18 November 2011

"Somalia's president said Monday [24 October 2011] that he opposed Kenya's week-old military assault against Islamists in the south of his country … public opposition of Somali President Sharif Sheikh Ahmed further raised the stakes over the controversial cross-border incursion.

"'Somalia's government and its people will not allow forces entering its soil without prior agreement,' Sharif told reporters in Mogadishu. 'There is only one thing we know about the Kenyan forces, and that is their offer of training to the national army of Somalia.'

"Kenya's unprecedented military incursion eight days ago … stunned the region. Its troops and tanks have pushed some 100 kilometres (60 miles) into southern Somalia … Sharif's statement appeared to contradict an agreement signed last week by the Kenyan and Somali defence ministers to 'cooperate in undertaking security and military operations.'

"The agreement, inked in Mogadishu, limits Kenyan operations to Somalia's Lower Juba region." [195]

8.78 On 30 October 2011, the *Los Angeles Times* reported that: "The commander of Kenya's defense forces declared Saturday [29 October 2011] that his troops would remain in neighboring Somalia until the threat from the militant Islamist militia Shabab is eliminated and Kenyans feel safe … the vow by defense forces chief Gen. Julius Karangi suggests that Kenya's first military adventure since independence nearly half a century ago could be a long one." [196]

8.79 *The New York Times* reported on 23 October 2011 that Kenya claimed there had been international support for the Kenyan military intervention in Somalia:

"Foreign military forces have joined the offensive against the Shabab militant group in Somalia as Kenyan troops advanced toward the rebel stronghold of Kismayu from two different directions, Kenya said Sunday.

"A Kenyan military spokesman, Maj. Emmanuel Chirchir, said that 'one of the partners,' possibly the United States or France, had been behind airstrikes in the past few days, killing a number of Shabab militants. The French Navy has also shelled rebel positions from the sea, the Kenyan military said in a statement.

"Two senior American officials in Washington said Sunday that neither the United States military nor the Central Intelligence Agency had carried out airstrikes in Somalia in recent days. One of the officials, who follows American military operations closely, said the Kenyan offensive had forced many Shabab fighters and commanders to disperse,

[195] Agence France Presse, Somali president opposes Kenyan military intervention, 24 October 2011, http://www.google.com/hostednews/afp/article/ALeqM5joppuNbnnh4Oi7Y5EAZsxImLrkeA?docId=CNG.3f2f96e7a36cc21e998b5fcff0cd4ff0.1a1 Date accessed 18 November 2011

[196] Los Angeles Times, Kenya military chief suggests Somalia incursion could be long, 30 October 2011, http://articles.latimes.com/2011/oct/30/world/la-fg-kenya-somalia-20111030 Date accessed 18 November 2011

making them easier potential targets, but emphasized that there had been 'no U.S. military strikes in Somalia at all recently.'" [197]

8.80 BBC News reported on 25 October 2011 that a French military spokesman "denied Kenyan military claims that a French warship had shelled a Somali town on Saturday", however "French planes would transport military equipment to Kenyan soldiers near the Somali border." [198]

8.81 BBC News reported that: "Kenya's army denied bombing the camp, saying it had been attacked by the militant Islamist group, al-Shabab. A Kenya fighter jet only hit al-Shabab positions in Jilib, killing 10 of its fighters, an army spokesman said …In a BBC interview, Kenyan military spokesman Maj Emmanuel Chirchir denied that Kenya's air force had bombed the camp." [199]

8.82 Medecins Sans Frontiers (MSF) reported in a press statement issued on 30 October that: "Médecins Sans Frontières (MSF) staff in Marere, in Lower Juba Region, southern Somalia, are treating dozens of injured following an aerial bombardment on the town of Jilib that hit a camp for internally-displaced people at around 1:30 pm on Sunday." [200] An update to the press statement, issued on 31 October, recorded that: "MSF can confirm 5 fatal casualties. Currently, MSF is treating 45 wounded, 31 of whom are children. Others injured yesterday have been treated and released from hospital." [201]

Hiraan

8.83 Shabelle Media Network reported on 29 May 2011 that:

"The fighters of Shabelle Valley administration and Al shbaaab (sic) on Saturday night battled in a district in Hiran region of central Somalia, officials said.

"Fighters loyal Al shabaab movement launched hit and run attacks on military bases manned by Shabelle Valley fighters in Halgan district.

"During the confrontation, the two opposing fighters have used both heavy and light weapons.

"Local residents have expressed a deep concern about the battle, saying that it could have an impact on them.

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[197] New York Times, Kenya Says Western Nations Join Fight in Somalia, as U.S. Denies Role, 24 October 2011, http://www.nytimes.com/2011/10/24/world/africa/kenya-says-western-nations-have-joined-somalia-fight.html?_r=1 Date accessed 18 November 2011

[198] BBC News, France to support Kenya's incursion into Somalia, 25 October 2011, http://www.bbc.co.uk/news/world-africa-15446110 Date accessed 18 November 2011

[199] BBC News, Kenya air raid in Somalia Jilib town 'kills civilians', 31 October 2011, http://www.bbc.co.uk/news/world-africa-15513430 Date accessed 18 November 2011

[200] Medecins Sans Frontiers, Somalia: MSF treats wounded after camp for displaced is hit by bombardment in Lower Juba, 30 October 2011, reissued and updated 31 October 2011, http://www.msf.org/msf/articles/2011/10/msf-treats-wounded-after-camp-for-displaced-is-hit-by-bombardment-in-southern-somalia.cfm Date accessed 18 November 2011

[201] Medecins Sans Frontiers, Somalia: MSF treats wounded after camp for displaced is hit by bombardment in Lower Juba, 30 October 2011, reissued and updated 31 October 2011, http://www.msf.org/msf/articles/2011/10/msf-treats-wounded-after-camp-for-displaced-is-hit-by-bombardment-in-southern-somalia.cfm Date accessed 18 November 2011

"At least three people have been confirmed dead but the number of injured is not verified so far." [202]

8.84 On 5 June 2011, Shabelle Media Network further reported that: "Al shabaab fighters have launched a surprise attack on military positions manned by Ahlu Sunna fighters in Mahas area … At least one person was confirmed dead and two hurt in that clash, according to witnesses." [203]

8.85 Shabelle Media Network reported on 16 June 2011 that:

"Al shabaab movement and fighters from local Shabelle valley administration on Thursday battled in parts of Hiran region in central Somalia.

"The fighting, which was extremely heavy, started after Al shabaab fighters attacked key military bases manned Shabelle Valley in Burta Qowlet just outside of Beletweyne, the regional capital of Hiran region, according to the latest reports … At least three people, from two warring sides, have been so far confirmed dead and more others injured during the fighting." [204]

8.86 On 16 June 2011, Shabelle Media Network noted that:

"After one day of fierce fighting, tense situation is reported in Mataban district in Hiran region in central Somalia … Al shabaab and Somalia's moderate Ahlu Sunna Waljama ASWJ are making military movements in the villages around the town of Mataban and Mahas districts … Heavy fighting between fighters loyal to Somalia's moderate Sufi group of Ahlu Sunna Waljama and al Shabaab militants on Wednesday broke out in Mataban area of central Somalia, leaving at least 15 people dead and dozens more injured." [205]

8.87 The same report noted that "… fighters loyal to Shabelle Valley administration have also moved towards Beletweyne town, the regional capital of Hiran where Al shabaab tightly controls." [206] A report by Shabelle Media Network on 17 June 2011 noted that: "More than 30 people, most of them warring sides were killed while 40 others wounded in the latest clashes that continued in over the past three days." [207]

8.88 Garowe Online reported on 18 June 2011 that:

"At least 25 people [have been] killed and 50 others injured, [in fighting during] the last 24 hours … between Somali most powerful insurgent Al-shabaab and pro-government

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[202] Shabelle Media Network, Shabelle Valley Fighters, Al Shabaab Combat in Central Region, 29 May 2011, http://allafrica.com/stories/201105302041.html Date accessed 21 October 2011
[203] Shabelle Media Network, Ahlu Sunna, Al Shabaab Confront in Central Nation, 5 June 2011, http://allafrica.com/stories/201106061507.html Date accessed 21 October 2011
[204] Shabelle Media Network, Al Shabaab, Shabelle Valley Fighters Battle in Central Region, 16 June 2011, http://allafrica.com/stories/201106160991.html Date accessed 21 October 2011
[205] Shabelle Media Network, Situation in Central District is Tense, Islamists to Take On, 16 June 2011, http://allafrica.com/stories/201106170061.html Date accessed 21 October 2011
[206] Shabelle Media Network, Situation in Central District is Tense, Islamists to Take On, 16 June 2011, http://allafrica.com/stories/201106170061.html Date accessed 21 October 2011
[207] Shabelle Media Network, Military Maneuvers Reported From Central Region, 17 June 2011, http://allafrica.com/stories/201106170513.html Date accessed 21 October 2011

Ahlu-Sunnah Wal-Jama'a, mostly combatants in central Somali town of Beledweyne in Hiraan region.

"The fighting erupted after fighters Al-Shabab attack a bases manned by Ahlu-sunnah around the airport, an eyewitness told Garowe online." [208]

8.89 A Shabelle Media Network news report, dated 21 August 2011, stated that:

"At least seven people have been killed and dozens more injured after heavy [fighting] broke out between Al shabaab fighters and Somalia's moderate Sufi group of Ahlu Sunna Waljama ASWJ in parts of central Somalia, reports said Sunday.

"The fighting, which was very fierce, started after fighters loyal to moderate Ahlu Sunna ambushed Al shabaab fighters conducting operations at Bakura village locates between the regions of Hiran and Galgudud, reports added.

"Crackling of machine gunfire, artillery barrages and shoulder launched missiles were used in the battle." [209]

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Bakool

8.90 Shabelle Media Network reported on 16 July 2011 that:

"At least two kids have been killed and three others hurt after hand grenade went off in Hudur town [the capital] of Bakool region in southern Somalia, witnesses said Saturday [16 July 2011].

"Local residents said the children were playing with the hand grenade and that brought about to explode.

"Elderly men were among those wounded in the blast, witnesses told Shabelle Media Network … Al shabaab confiscated the town two years ago after fierce fighting with Somali government." [210]

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Galguduud

8.91 BBC News reported on 3 September 2011 that:

"Heavy fighting in a town in central Somalia has left at least 30 people dead and 100 wounded.

"A hospital in the town of Galkayou, supported by Medecins Sans Frontieres, has been coping with the casualties … The conflict involves 2 clans, but Puntland said the fighting

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[208] Garowe Online, 25 People Killed in Hirran, 18 June 2011, http://allafrica.com/stories/201106201287.html Date accessed 21 October 2011

[209] Shabelle Media Network, 7 Killed as Al Shabaab, Ahlu Sunn (sic) Fight in Central Somalia, 21 August 2011, http://allafrica.com/stories/201108210032.html Date accessed 21 October 2011

[210] Shabelle Media Network, Explosion Kills Two Children, 16 July 2011, http://allafrica.com/stories/201107180399.html Date accessed 21 October 2011

was taking place between its troops and a group with links to Islamic radicals of al-Shabab … On Saturday [3 September 2011] there was a lull in the fighting, but the commander of Puntland paramilitary force, Colonel Mohamed Muse was killed in the town." [211]

Puntland/Somaliland

Puntland

8.92 The UNSC Report August 2011 stated that: "Al-Shabaab sympathizer Sheikh Atom and his militia attacked 'Puntland' forces near Galgala, Bari Province, in mid-May and the area remained insecure despite reported negotiations. 'Puntland's' general security apparatus was repeatedly challenged by multiple killings and attacks over clan, religious and ideological issues." [212]

Somaliland

8.93 The Danish Demining Group and Small Arms Survey report, *Community safety and small arms in Somaliland*, published in 2010, noted that:

"Somaliland endured more than two decades of oppression and civil war before entering the period of peace it enjoys now...when asked simply how safe they consider their community to be, 96.6% of the household respondents surveyed for this report answered that they considered it 'safe', as in comparison to what came before, this is a period of stability in Somaliland's recent history. However, further examination of this data uncovers a more nuanced perception of safety and security among different sections of the population and it is these differences that this report seeks to highlight." [213]

8.94 The report further stated that:

"In an effort to understand how the security environment is evolving in Somaliland, respondents in the household survey were asked how they considered the security situation in comparison to the situation a year earlier. 52.6% of respondents said the situation had improved, while a further 45.3% said it was about the same. Only 2.1% said it had worsened. The gender, income and urban or rural setting of respondents did not appear to have much impact on perceptions of how the security situation had changed. However...age had a small but significant influence on respondents' answers, with older people more likely to consider the situation in their communities as having improved on a year previously. Furthermore, respondents from minority clans were less likely to say the security situation had improved, with only 37.8% answering accordingly, compared to 53.5% of respondents from majority clans. However, the proportion of

[211] BBC News, Central Somalia clashes claim 30, many wounded, 3 September 2011, http://www.bbc.co.uk/news/world-africa-14775137 Date accessed 20 October 2011
[212] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p4, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 21 October 2011
[213] Danish Demining Group and Small Arms Survey, Community safety and small arms in Somaliland, 2010, p12 http://www.smallarmssurvey.org/fileadmin/docs/E-Co-Publications/SAS-DDG-2010-Somaliland.pdf

respondents in both clan groups claiming the situation had deteriorated was extremely low..." [214]

Sool, Sanaag and Cayn

8.95 The UNSC report August 2011 stated that: "Las Anod experienced killings and violent attacks owing to the disagreement between 'Somaliland', 'Puntland' and Sool-Sanag-Cayn alliances over territory. 'Somaliland' forces and Sool-Sanag-Cayn militia fought in May, and 'Puntland' and 'Somaliland' clashed in August. Proposed oil drilling north of Las Anod by a commercial partner of 'Puntland' added to existing tensions." [215]

For further information on the effects of the security situation, please see Internally displaced persons and Humanitarian issues.

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9. SECURITY FORCES

This section should be read in conjunction with Security situation and Non-state armed groups.

OVERVIEW

9.01 Jane's *Sentinel Country Risk Assessment* (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, reported that:

"Somalia has lacked an effective central government since the overthrow of the Siad Barre regime in 1991. Local clan militia groups provide a semblance of policing. These groups are loosely controlled by whoever can pay them a regular salary. Their paymasters are typically traditional clan elders, sharia courts, businessmen, or warlords. When the militias have not been paid in the past, they have traditionally turned to banditry or piracy. The lack of a central government with effective, nationwide police and security forces has meant that Somali-based pirates have been free to prey on international shipping. The internationally-recognised Transitional Federal Government (TFG) has only a fragile grip on power in the capital, Mogadishu, and has been battling an Islamist insurgency campaign waged by the powerful Al-Qaeda linked Shabab militia and allied groups. The TFG has its own armed forces, police force and intelligence agency and is supported by various militia groups, some of which operate nominally under the authority of TFG forces. Sustained pressure by TFG forces and AMISOM peacekeeping troops during 2011 led to Shabab fighters being pushed out of most areas of Mogadishu." [216]

SOUTH AND CENTRAL SOMALIA

Transitional Federal Government (TFG) forces

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[214] Danish Demining Group and Small Arms Survey, Community safety and small arms in Somaliland, 2010, p13 http://www.smallarmssurvey.org/fileadmin/docs/E-Co-Publications/SAS-DDG-2010-Somaliland.pdf

[215] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p4, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 21 October 2011

[216] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, available in hard copy on request

9.02 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that:

"The TFG security forces are nominally composed of members of the previous TFG military, police and intelligence forces, and members of the armed group (the ARS-Djibouti) formerly led by Sheikh Sharif Sheikh Ahmed. Other militia groups associated with clans and former warlords also operate in Somalia on the side of the TFG. One of the main challenges for the TFG remains to establish unified command and control and discipline over its disparate security forces and militia. The TFG has made public commitments to respect human rights. However, it has had no effective control over territory over the past two years, apart from some districts in Mogadishu, and has not been able to put in place concrete measures to alleviate the suffering of the Somali population." [217]

9.03 The US State Department (USSD) *Background Note: Somalia*, updated 26 September 2011, stated:

"The TFG controls several thousand trained army soldiers. Other various TFG-allied groups throughout Somalia are estimated to control militias ranging in strength from hundreds to thousands. The TFG and some groups possess limited inventories of older armored vehicles and other heavy weapons, and small arms are prevalent throughout Somalia. On September 8, 2009, 500 naval recruits graduated to form Somalia's first naval force in over 2 decades. The TFG plans to use the force to combat piracy off Somalia's coastline."[218]

9.04 JSCRA, Somalia, Security and Foreign Forces, updated 27 October 2011, stated that:

"The Transitional Federal Government (TFG) has been building up the strength of the Somali Police Force (SPF) based in Mogadishu with international assistance. It is proposed that the force will have a strength of 10,000. A police training team arrived in Mogadishu in 2009 under the auspices of the African Union's peace support body AMISOM (African Union Mission in Somalia) to help with training the police force. A police school has been operating in Mogadishu and senior officers have also been trained in Uganda. In June 2010, AMISOM announced plans to train 500 Somali officers in Djibouti. During 2010, more than 900 Somali police personnel completed training in Ethiopia, under a programme financed by the German government - although German media reports claimed they subsequently deserted. It was reported in the latter part of 2011 that more than 3,000 police officers had been trained under a programme supported and assisted by the UN, EU, AMISOM and others. The structure of the force includes a Criminal Investigation Department. The Police Commissioner is General Sharif Shekuna Maye.

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[217] Amnesty International, Somalia: In the line of fire: Somalia's children under attack, 20 July 2011, p8, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 10 August 2011

[218] US Department of State, Background Note: Somalia, Defense, 26 September 2011, http://www.state.gov/r/pa/ei/bgn/2863.htm Date accessed 10 August 2011

"The United Nations Development Programme (UNDP) has supported the rehabilitation of police stations, the training of a Special Police Unit and traffic police." [219]

9.05 In the *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, to the UN Humsan Rights Council, dated 29 August 2011, the independent expert noted:

"The Transitional Federal Government military has reached the estimated strength of 10,000 men; its police have reached 7,000. However, there are concerns that the Transitional Federal Institutions remain under-supported in some key security areas and that additional funds are necessary to make basic security a priority. At the same time, lack of effective command and control structures and poor discipline among some Transitional Federal Government troops are a serious concern and have resulted in recurring violence… Poor command and control over Transitional Federal Government forces and the loose integration of soldiers with militia and clan-based affiliation have led to a series of incidents resulting in violence not directly resulting from the conflict." [220]

9.06 The UN Security Council's *Report of the Secretary-General on Somalia*, published on 30 December 2010, stated that:

"The United Nations continued to support the development of a professional and accountable police force for Mogadishu. In September, jointly with the African Policing Civilian Oversight Forum, UNDP conducted training for the Mogadishu based Police Advisory Committee in Johannesburg, South Africa, to increase their understanding of police oversight, human rights and policing standards.

"During the reporting period, 60 officers, 10 per cent of whom were women, attended a mid-level officer training course conducted jointly by the Uganda Police Force and UNDP in Kampala. The training focused on managerial aspects of policing, including financial management, procurement, asset management, human resources, training management, logistics and fleet management.

"During the month of November, UNPOS, with funding from the Government of Japan, and in partnership with the AMISOM Civilian Police Unit and the Somalia Police Force Directorate, commenced a three-month training programme in basic policing for 501 new Somalia Police Force recruits in Djibouti at the National Police Academy, 25 per cent of whom were women. The main objective was to improve the professional skills and abilities of the Somalia Police Force based on international best practices.

"The Joint Security Committee Police Technical Working Group continued to hold meetings to follow up on the Committee's decisions and directives. At the meeting on 16 September 2010, it was agreed that UNDP and UNPOS would harmonize stipend payments to the Somalia Police Force through a monitoring system, in close collaboration with the Somalia Police Force. The meeting also recommended the need to elaborate clear organizational change management structure for the Somalia Police

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[219] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 5 October 2010, available in hard copy on request

[220] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p6-7, http://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC_.18.48_en.pdf Date accessed 1 November 2011

Force. Meanwhile, UNDP renewed its letter of agreement with the Somalia Police Force to provide ongoing support for the running costs of key police facilities, thus allowing trained police officers to carry out their responsibilities." [221]

9.07 The *AMISOM Bulletin*, published on 1 August 2011, noted that:

"AMISOM Police is mandated to Train, Mentor, Advice (sic), Reform and Restructure the Somali Police Force so as to build and enhance its capacity in the restoration of rule of law and ensuring sustainable peace is attained in Somalia. In order to perform these tasks, a first batch of 50 police officers from Ghana, Kenya, Nigeria, Sierra Leone and Uganda were deployed to the Mission area and out of this figure, 20 police officers have been deployed in Mogadishu." [222]

9.08 The UN's compilation submitted as part of the Human Rights Council's assessment of Somalia under the Universal Periodic Review process, : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, published on 21 February 2011 noted that: "UNDP stated that the Police Advisory Committee (PAC) continued to monitor police performance at eight police stations under TFG control in Mogadishu. The PAC had made regular visits to the Mogadishu Central Prison." [223]

9.09 JSCRA, Somalia, Security and Foreign Forces, updated 27 October 2011, stated that there is a National Security Agency (NSA) in Somalia:

"The NSA, also known as the National Security Services, is an intelligence/security agency operating under the Transitional Federal Government (TFG), and is the successor to an agency that operated under Somalia's Siad Barre regime which was overthrown in 1991. Apart from collection and analysis of intelligence, the NSA also has an immigration control function and a counter-terrorism role. It gathers intelligence at home and abroad, monitoring political and military developments in countries in the region. The NSA is responsible, through its director, to the TFG president. The agency has been supported financially by the US and other foreign governments.

"In line with the agency's counter-terrorism and internal security roles, NSA agents make arrests and detain suspects. The agency became embroiled in controversy in March 2011 when it arrested two local journalists after a radio station carried a report critical of TFG president, Sheikh Sharif Sheikh Ahmed - the journalists were later released.

"According to August 2011 US media reports, the NSA operates a basement prison at its Mogadishu headquarters, where prisoners suspected of being members of the Islamist terrorist group, Shabab, or of having links to the group, are held. US agents

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[221] UN Security Council, Report of the Secretary-General on Somalia, 30 December 2010, http://reliefweb.int/sites/reliefweb.int/files/resources/414F81B653F303868525781500789A75-Full_Report.pdf Date accessed 13 April 2011

[222] African Union Mission in Somalia, AMISOM Bulletin, 1 August 2011, p8, http://amisom-au.org/read-47233_AMISOM-BULLETIN-Issue-30.pdf Date accessed 10 August 2011

[223] UN Human Rights Council, Compilation: [Universal Periodic Review]: Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/2, http://www.unhcr.org/refworld/docid/4d9efef52.html Date accessed 4 May 2011

from the CIA, and French agents embedded with AMISOM, are reported to have joined with Somali operatives in interrogating some prisoners held at the centre. CIA agents are also said to advise and train NSA personnel. The director of the NSA is Ahmed Moallim Fiqi, a former Somali ambassador to Sudan.

"The NSA is organised on the basis of a number of divisions that cover specific areas of responsibility. Internal Division gathers intelligence on political, economic, social and security issues. External Division gathers foreign intelligence, and also intelligence on organised crime. Operations Division is responsible for operational support in the collection of intelligence; the director of this division is also responsible for managing the agency's intelligence assets. Other divisions include Analysis and Production; Information and Communications Technology; and Administration. The National Intelligence Academy has the role of training newly-recruited intelligence officers." [224]

9.10 The USSD 2010 report noted that: "The police were generally ineffective, underpaid, and corrupt. With the possible exception of a few UN-trained police known as the Somali Police Unit, members of the TFG titular police forces in Mogadishu often directly participated in politically based conflict and owed their positions largely to clan and familial links rather than to government authorities."[225]

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African Union Mission to Somalia (AMISOM)

9.11 JSCRA, Somalia, Security and Foreign Forces, updated 27 October 2011, stated that:

"In January 2007, the African Union Peace and Security Council authorised a peacekeeping mission in Somalia, known as AMISOM. It was proposed that the military element would involve the deployment of nine infantry battalions of 850 troops each and accompanying support elements. The UN Security Council (UNSC) officially authorised the operation in February 2007. The mission was initially only mandated for six months, but the UN has repeatedly renewed the mandate. The European Union and the US have have both provided financial support for the mission. According to the UN, AMISOM was "mandated to support transitional governmental structures, implement a national security plan, train the Somali security forces and assist in creating a secure environment for the delivery of humanitarian aid."

"AMISOM consists of a civilian component, essentially a political affairs unit which has the role of assisting the Transitional Federal Government (TFG) in the re-establishment of functioning state institutions; a police component which has the role of training, mentoring and advising the Somali Police Force (SPF); and a main element, the military component. Of the 8,000 troops planned, about 4,300 were deployed in early 2009, split between the two contributor nations, Burundi and Uganda. By September 2010, the strength of AMISOM had risen to 7,200, with the force consisting of eight battalions, five from Uganda and three from Burundi. In late 2011, the strength was reported to be more than 9,000, and the UN Security Council called on African Union countries to

[224] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, available in hard copy on request
[225] USSD 2010 Country Report on Human Rights Practices, Somalia, 8 April 2011, p9, http://www.state.gov/documents/organization/160144.pdf Date accessed 5 May 2011

urgently increase the strength to the mandated level of 12,000, so that AMISOM could better carry out its mandate to stabilise the strife-torn country. The force is based at Mogadishu airport and the surrounding areas, and protects facilities such as the presidential palace from Islamist insurgents. Counter-insurgency training, financed by the US and the UN, has been provided to the AMISOM troops by mentors from the US private security contractor, Bancroft Global Development." [226]

9.12 The US State Department *Background Note: Somalia*, updated 26 September 2011, stated:

"As of October 2010, the U.S. Government had obligated over $229 million to support AMISOM with equipment, logistical support, and peacekeeping training. U.S. equipment support has included armored personnel carriers, trucks, communications equipment, water purification devices, generators, tents, and night vision equipment. Logistical support has included airlift, food, fuel, medical supplies, and medical evacuation flights. The U.S. Government has provided peacekeeping training to the Ugandan and Burundian peacekeepers through the Department of State's Africa Contingency Operations Training and Assistance (ACOTA) program." [227]

9.13 The UN Security Council's *Report of the Secretary-General on Somalia*, 30 December 2010, stated that:

"Following the deployment of a fifth battalion from Uganda and a fourth battalion from Burundi, AMISOM reached its Security Council-mandated-strength of 8,000 troops during the reporting period [September to December 2010]. Meanwhile, the AMISOM police strength stands at 40 officers.

"On 15 October [2010], the African Union Peace and Security Council endorsed the new AMISOM force strength of 20,000 troops, with the requisite air and maritime capabilities, in two phases: (a) initially, insert an additional 4,000 troops in Mogadishu; and (b) deploy an additional 8,000 troops in order to expand gradually to other areas of Somalia, in particular those areas controlled by groups allied to the Transitional Federal Government. It also endorsed an enhanced civilian component and a police component of 1,680 personnel… Noting the recommendations of the African Union Peace and Security Council, the Security Council adopted resolution 1964 on 22 December 2010 which, inter alia, authorized the deployment of AMISOM until 30 September 2011, and requested that AMISOM increase its force strength from 8,000 troops to 12,000." [228]

9.14 Reuters reported on 27 March 2011 that deployment of further troops to AMISOM had started:

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[226] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, available in hard copy on request

[227] US Department of State, Background Note: Somalia, Defense, 26 September 2011, http://www.state.gov/r/pa/ei/bgn/2863.htm Date accessed 13 April 2011

[228] UN Security Council, Report of the Secretary-General on Somalia, 30 December 2010, http://reliefweb.int/sites/reliefweb.int/files/resources/414F81B653F303868525781500789A75-Full_Report.pdf Date accessed 13 April 2011

"AMISOM said in a statement on Saturday that after a visit to Mogadishu this week by Major General Godefroid Niyombare and General Aronda Nyakairima, the defence chiefs in Burundi and Uganda, the two countries committed more soldiers.

"In a joint statement to field commanders, the chiefs declared that both Burundi and Uganda had committed the additional 4,000 troops mandated by the U.N. in December and that they were already heading for pre-deployment training.

"Each country has pledged a further 2,000 troops and anticipate an efficient deployment around the middle of the year. Burundi has already deployed 1,000 of the 4,000 extra troops in mid March." [229]

9.15 On 9 August 2011, following the announcement that Al Shabaab would leave Mogadishu, BBC News reported that: "Gen Mugisha [the AU force commander in Somalia] said the AU needed an immediate deployment of 3,000 troops to bolster its 9,000-strong force and help the UN-backed government." [230]

See also Recent developments, security situation for an indication of the regions controlled by AMISOM. For information about security and policing in areas beyond the TFG's control (i.e. most areas outside of Mogadishu) in southern and central Somalia see also Abuses by non-government armed groups.

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International naval forces

9.16 JSCRA, Somalia, Security and Foreign Forces, updated 27 October 2011, stated that international naval forces operate in the waters off Somalia's coast to combat piracy:

"The UN Security Council passed a resolution in June 2008 allowing international forces to use "all necessary means" to deter pirate attacks on commercial and non-military vessels in Somalia's territorial waters. The initial mandate was for six months but was later extended. The UN has also supported the deployment of an EU naval task force to the region as part of the increased multinational counter-piracy effort off the coast of Somalia. The EU Naval Force (EU NAVFOR) began operating in December 2008, and has been covering the waters off Somalia, the south of the Red Sea, the Gulf of Aden and part of the Indian Ocean, including the Seychelles, as part of Operation Atalanta. Rear Admiral Jan Thörnqvist (Sweden), assumed command of the EU NAVFOR naval force in April 2010. Major General Buster Howes (UK) was appointed operational commander for EU NAVFOR.

"The force's primary role is to escort merchant ships delivering World Food Programme (WFP) relief supplies to Somalia. EU NAVFOR also protects vessels transporting supplies or personnel to the UN-approved African Union peacekeeping force, AMISOM, supporting the Transitional Federal Government (TFG) in Mogadishu. It is also part of the EU NAVFOR mission to protect vulnerable ships in the Gulf of Aden and Indian Ocean, and to disrupt and deter pirate activities. In February 2010, EU defence

[229] Reuters, Burundi, Uganda to send 3,000 more troops to Somalia, 27 March 2011, http://af.reuters.com/article/topNews/idAFJOE72Q05520110327 Date accessed 13 April 2011
[230] BBC News, Somalia 'needs more AU troops' after al-Shabab pullout, 9 August 2011, http://www.bbc.co.uk/news/world-africa-14460625 Date accessed 10 August 2011

ministers agreed that from the end of March, the objectives of Operation Atalanta would be expanded to include control of Somali ports where pirates are based, as well as "neutralising" mother ships that allow pirates to operate more than 1,000 nautical miles (nm) from the coast. Support to EU NAVFOR has been provided by maritime patrol aircraft, contributed by EU states, which have been operating from Djibouti and the Seychelles.

"EU NAVFOR, with operational headquarters in the London suburb of Northwood, has been operating in close liaison with the other two multinational naval forces deployed to the region on an anti-piracy mission, a NATO Standing Maritime Group and the US-led coalition force, Combined Task Force 151 (CTF 151), part of the Combined Maritime Forces (CMF) based in Bahrain. The three naval forces patrolling the Internationally Recommended Transit Corridor (IRTC) set up a working group, to ensure the sharing of data on vulnerable ships, and to facilitate the interchange of tactical intelligence. There has also been co-ordination to eliminate duplication of effort, and logistical co-operation in areas such as tanker refuelling of naval ships at sea. In addition, a range of individual countries, including China, Russia, Japan and India, deployed naval vessels to the region on an anti-piracy mission, focused in particular on protecting their own flagged merchant ships. There is liaison between the various forces operating against Somali piracy through the Shared Awareness and De-confliction (SHADE) process based in Bahrain." [231]

PUNTLAND

9.17 JSCRA, Somalia, Security and Foreign Forces, updated 27 October 2011, stated that:

"In the self-declared autonomous area of Puntland there are a range of security forces. The Puntland Police Force (PPF) is responsible for law and order in the civil community, and receives support from the United Nations Development Programme. It is estimated to have a strength of about 1,500. As part of the police force there is a Special Protection Unit (SPU), with a strength of about 270. The PPF also has a counter-terrorism role.

"In addition to the PPF, there is an army, an intelligence service and a special forces unit known as Darawish. The latter is a loose, clan-based militia, said to be responsible for 'external security'. The Puntland Intelligence Agency and Security Force (PIASF) was set up with support from the US government in 2002 and is the enclave's main intelligence and counter-terrorism agency, and deploys a small armed force." [232]

9.18 JSCRA, Somalia, Security and Foreign Forces, updated 27 October 2011, added that Puntland has an operational coast guard:

"Estimated to have a strength of about 300, the coast guard was set up in 2000 with the assistance of a UK private security contractor and operates from Boosaaso. It was estimated in recent years to be capable of deploying up to eight armed ocean-going vessels. A UN Monitoring Group observed that since mid-2008, the coast guard had

[231] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, available in hard copy on request

[232] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, available in hard copy on request

begun to demonstrate 'limited but growing effectiveness in its operations against pirate groups operating in Puntland coastal waters'." [233]

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SOMALILAND

9.19 JSCRA, Somalia, Security and Foreign Forces, updated 27 October 2011, stated that:

"There is a police force in the self declared autonomous region of Somaliland known as the Somaliland Police Force (SLPF). The force receives assistance from the United Nations Development Programme (UNDP) under the latter's Rule of Law and Security programme. The strength of the SLPF was previously estimated to be about 5,000; a more recent estimate indicates a figure of about 3,000. The force has a Criminal Investigation Department, with a particular role in counter-piracy operations. It was reported in August 2006 that the UK had agreed to assist in strengthening the police force's law enforcement capabilities, as well as overhauling the Somaliland Immigration Department, in order to assist Somaliland in countering the threat of terrorism. In 2010, Somaliland police officers were receiving training from British officers at the Ethiopian Federal Police Academy. In addition to the police force and an army, there is an intelligence service known as the Somaliland National Intelligence Agency (SNIA) which comes directly under the control of the president. The SNIA has a counter-terrorism role, and its structure includes the Immigration Department. There is a Custodial Corps, under the minister of justice, which deploys about 1,540 armed guards at various prisons. A modern new prison at Hargeysa, partly financed by Norway, was formally inaugurated in early 2011, and has been housing Somali pirates captured by international forces in the Gulf of Aden and Indian Ocean.

"Of particular interest to non-government organisations (NGOs) in Somaliland is a unit of the police known as the Special Protection Unit (SPU). The unit was set up to protect the premises and staff of international NGOs and diplomatic missions. The 400-strong unit, which is supported by the UNDP, provides round-the-clock security, as well as night time security patrols and armed escorts for staff travelling in Somaliland." [234]

9.20 JSCRA, Somalia, Security and Foreign Forces, updated 27 October 2011, added that Somaliland has an operational coast guard:

"This force was set up in late 2005 and comes under the control of the Somaliland Ministry of the Interior. According to a United Nations report in 2010, it had a strength of 350, equipped with 10 to 15 small speedboats with outboard engines, and three larger patrol boats with anti-aircraft guns mounted on the bow. Three vehicles were also deployed. The coast guard, whose mission includes a counter-piracy role, patrols 850 km of coastline and maintains about a dozen observatories to monitor suspicious activity." [235]

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[233] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, available in hard copy on request
[234] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, available in hard copy on request
[235] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 27 October 2011, available in hard copy on request

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HUMAN RIGHTS VIOLATIONS COMMITTED BY TFG, PUNTLAND AND SOMALILAND SECURITY FORCES

For information about abuses committed in areas of Somalia under (the de facto) control of non-government armed groups see Abuses by non-government armed groups.

9.21 The US State Department *Report on Human Rights Practices in Somalia*, published 8 April 2011, covering events of 2010 (USSD 2010 report) gave the following information on the police in south and central Somalia:

"There were no allegations of TFG security officials engaging in extrajudicial killings; however, as in previous years, there were some media reports of TFG troops engaging in indiscriminate firing on civilians, arbitrary arrest and detention, extortion, looting, and harassment.

"In all three regions [of Somalia], abuse by police and militia members were rarely investigated, and a culture of impunity remained a problem." [236]

9.22 The USSD 2010 report also stated that: "There were reports of several isolated incidents where rogue TFG troops and allied militia opened fire on public transport vehicles, extorted money at checkpoints, and looted private businesses. In most of these cases, other TFG security forces intervened." [237]

9.23 The stakeholder Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/116, dated 21 February 2011, submitted as part of Universal Periodic Review of Somalia by the UN Human Rights Council, noted:

"COGWO [Coalition for Grassroots Women Organisations] stated that people were detained in secret facilities in areas controlled by the TFG, some merely for the purposes of a ransom. JS2 [a coalition including Centre for Democracy and Dialogue, Mogadishu, Somalia; Puntland Human Rights Association, 'Puntland', Somalia; Wanlawayn HR Organization, Somalia; Khalif Hudaw HR Organization, Mogadishu, Somalia; Hiran Women Action, Beletweyne -Hiiran Region, Somalia; Gashan Human Rights Organization, Mudug Region, Somalia; Hogol Social Development Association, Bay Region, Somalia; Center For Democracy & Human Rights, Mogadishu, Somalia; Iniskoy Peace and Democracy Organisation, Bay and Bakol Regions, Somalia; Isha Human Rights Organisation, Bay Region, Somalia] stated that the police force remained mired in deeply entrenched patterns of extortion, torture, and other forms of ill treatment and that impunity from prosecution remained the biggest single obstacle to ending such abuses. It also stated that the police continued to be implicated in numerous

[236] US Department of State, Report on Human Rights Practices in Somalia, p9-10, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 13 April 2011
[237] US Department of State, Report on Human Rights Practices in Somalia, p1, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 13 April 2011

extrajudicial killings in the course of police operations in TFG controlled areas. JS2 stated that in 'Puntland' civilians and political rivals were tortured by the military." [238]

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Indiscriminate shelling and use of force

9.24 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that: "Armed Islamist groups often fire mortars, rockets and other artillery weapons in the direction of TFG and AMISOM bases, which are located near areas populated by civilians. TFG and AMISOM forces have been repeatedly accused of responding by also firing mortars and other artillery weapons in the direction of the attackers, present in civilian areas." [239]

9.25 Shabelle Media Network reported on 6 June 2011 that:

"Somali parliament members on Monday condemned African Union forces for random shelling on Mogadishu residential neighborhoods.

"The parliamentarians accused AMISOM of ignoring their calls of stopping such shelling ... They said the AMISOM troops have entered Somalia through lawful means, adding that the troops are not needed to harm innocent civilians in the capital." [240]

9.26 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, stated that:

"After repeated accusations that shelling by AMISOM forces was causing civilian casualties, AMISOM affirmed its commitment to protect civilians and to ensure its rules of engagement were in conformity with international law. Further, according to the UN, AMISOM is taking steps to improve its policy on the "use of indirect fire" and to "make amends" to civilians. However, few details are available as to what concrete precautions AMISOM is taking to avoid or minimize civilian casualties or to ensure that its targets are military objectives, and not civilians and civilian objects. Following reports that 14 civilians were killed and others injured on 18 May 2011 in Bakara market, during fighting between al-Shabab and TFG and AMISOM forces, AMISOM declared that it considered Bakara market as a "no fire zone" and denied firing mortars and artillery in the area. To Amnesty International's knowledge, no AMISOM personnel have been made accountable for the shelling of mortars and artillery in civilian areas; although it has now investigated incidents of civilians injured by AMISOM soldiers' gunfire." [241]

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[238] Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, p4, http://www.unhcr.org/refworld/docid/4d9efdd72.html Date accessed 5 May 2011

[239] Amnesty International, Somalia: In the line of fire: Somalia's children under attack, 20 July 2011, p11, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 10 August 2011

[240] Shabelle Media Network, MPs condemn AMISOM for shelling Mogadishu's populated areas, 6 June 2011, http://shabelle.net/article.php?id=7278 Date accessed 10 August 2011

[241] Amnesty International, Somalia: In the line of fire: Somalia's children under attack, 20 July 2011, p8, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 10 August 2011

9.27 The Amnesty International Annual Report 2010, published on 13 May 2011, noted that: "AMISOM apologized for the killing of two civilians on 23 November in Mogadishu, saying it had opened an investigation and had arrested soldiers involved in the incident." [242]

9.28 Regarding the incident, *The New York Times* reported on 24 November 2010 that:

"The African Union peacekeeping force in Somalia has arrested six of its own peacekeepers after two civilians were killed in a burst of indiscriminate gunfire ... According to witnesses, a convoy of heavily armed peacekeepers was rumbling through central Mogadishu, Somalia's capital, along the same road where two minibuses had just collided. A small crowd was standing in the middle of the road, and the peacekeepers may have thought the civilians were forming a roadblock, witnesses said.

"As the convoy approached the crowd, the peacekeepers opened fire. Several children were also wounded." [243]

9.29 Hiiraan News reported on 25 January 2011 that:

"AMISOM can confirm that an investigation is underway, in liaison with the TFG Police, to establish how an AMISOM soldier came to disperse a crowd with gun shots near Immigration on the airport road this morning.

"An AMISOM junior commander and a soldier have been placed under arrest at the Mogadishu Airport base, pending the outcome of the urgent investigation.

"It is understood that an angry crowd gathered near the Immigration base and the soldier attempted to disperse them after seeking the advice of his commander.

"AMISOM understand that three people have been injured and are being treated at Medina Hospital but the Deputy Force Commander has requested further assistance from the TFG Police to help with the investigation and also to identify any witnesses who might have seen what happened." [244]

9.30 On 16 March 2011, BBC News reported on the consequences of the shootings:

"Three Ugandan soldiers from the African Union force in Somalia have been sentenced to two years in prison for injuring civilians in two shooting incidents in the capital, Mogadishu…Amisom commander Maj Gen Nathan Mugisha said the jail terms illustrated that 'any acts of carelessness and irresponsibility will not be condoned or tolerated'.

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[242] Amnesty International, Amnesty International Annual Report 2011 - Somalia, 13 May 2011, http://amnesty.org/en/region/somalia/report-2011 Date accessed 10 August 2011

[243] New York Times, 6 Peacekeepers in Somalia Arrested in Civilian Deaths, 24 November 2010, http://www.nytimes.com/2010/11/25/world/africa/25somalia.html Date accessed 6 May 2011

[244] Hiiraan News, AMISOM Investigates Shooting Incident in Mogadishu, 25 January 2011, http://www.hiiraan.com/news2/2011/jan/amisom_investigates_shooting_incident_in_mogadishu.aspx Date accessed 9 May 2011

"He said the incidents in November 2010 and January 2011 were regrettable." [245]

9.31 Contrary to the *New York Times* article on 24 November, 2010, the BBC News report continued to state that: "Amisom said that no civilians died in the incidents but admitted that some Mogadishu residents were wounded." [246]

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Arbitrary arrest and detention

9.32 The USSD 2010 report stated that:

"In the absence of enforced constitutional or other legal protections, the TFG, its allied militias, and various clan militias across the country continued to engage in arbitrary arrest and detention without due process. Although precise figures were unobtainable, local human rights organizations and international organizations reported that, although there were fewer arrests than the previous years, the TFG continued to arrest and detain persons, most of whom were quickly released. There were no allegations that these detainees were subjected to beatings, mistreatment, or torture." [247]

9.33 The USSD 2010 report further noted that:

"There were no reports of TFG forces arresting journalists, NGO workers, or UN employees (see section 4). Similarly, there were no reports of TFG-allied militia arresting persons at random and demanding "bail" from their family members as a condition for their release. However, media reports indicate that TFG security forces and corrupt judicial officers, politicians, and clan elders used their influence and monetary inducements to set detainees free from allegations of petty and extreme crimes.

"Unlike in previous years, there were no reports of politically motivated arrests in Somaliland. Authorities in Somaliland, Puntland, and the TFG arrested or detained numerous persons accused of terrorism and of supporting al-Shabaab." [248]

9.34 The USSD 2010 also stated that: "In the wake of increased extremist-instigated insecurity in Bossaso, Puntland, security forces reportedly arbitrarily arrested people, especially immediately after security incidents. The victims of arbitrary arrests in Puntland were mostly journalists and Somalis from the South. While arbitrary arrest or detention was a common phenomenon in the previous Somaliland government, there was none reported during the year." [249]

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[245] BBC News, Ugandan Amisom peacekeepers jailed for shooting Somalis, 16 March 2011, http://www.bbc.co.uk/news/world-africa-12764412 Date accessed 6 May 2011
[246] BBC News, Ugandan Amisom peacekeepers jailed for shooting Somalis, 16 March 2011, http://www.bbc.co.uk/news/world-africa-12764412 Date accessed 6 May 2011
[247] US Department of State, Report on Human Rights Practices in Somalia, p9, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 13 April 2011
[248] US Department of State, Report on Human Rights Practices in Somalia, p10, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 13 April 2011
[249] US Department of State, Report on Human Rights Practices in Somalia, p9, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 13 April 2011

9.35 Arbitrary arrests of journalists, as reported by the National Union of Somalia Journalists[250] and the Somali-speaking centre of PEN[251] continued to occur. The USSD 2010 report noted that this occurred in Puntland.[252]

For more information on the situation of journalists, please see media. See also Non state armed forces.

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Torture

9.36 The USSD 2010 report stated that: "The Transitional Federal Charter (TFC) prohibits torture. The Puntland Charter, also referred to as the Puntland interim constitution, prohibits torture 'unless sentenced by Islamic Sharia courts in accordance with Islamic law.'" There were no reports of the use of torture by TFG, Puntland, or Somaliland administrations during the year…Unlike in previous years, there were no reports of police raping women…" [253]

Extra-judicial killings

9.37 The USSD 2010 report stated that: "The TFG or its agents did not commit any politically motivated killings. However, there were several reports that the TFG or its agents committed arbitrary or unlawful killings. Security forces reportedly killed several drivers of public transport vehicles and passengers at Mogadishu checkpoints. There were no reports that Somaliland and Puntland administrations or their agents committed arbitrary or unlawful killings." [254]

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10. NON-STATE ARMED GROUPS

This section should be read in conjunction with Security situation and Security forces.

ARMED GROUPS

[250] National Union of Somali Journalists, Submission on Journalism and Freedom of Expression for the Universal Periodic Review 11th Session, 2-13 May 2011, p2, undated, http://lib.ohchr.org/HRBodies/UPR/Documents/Session11/SO/NUSOJ_NationalUnionofSomaliJournalists-eng.pdf Date accessed 13 April 2011

[251] Somali-Speaking Centre of International PEN, Contribution to the Universal Periodic Review Mechanism, 11th Session of the Working Group of the UPR (May 2011), Freedom of Expression in Somalia, p1, October 2010, http://lib.ohchr.org/HRBodies/UPR/Documents/Session11/SO/SSC_Somali-SpeakingCentreofP.E.N%20International-eng.pdf Date accessed 13 April 2011

[252] US Department of State, Report on Human Rights Practices in Somalia, p10, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 13 April 2011

[253] US Department of State, Report on Human Rights Practices in Somalia, p7, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 13 April 2011

[254] US Department of State, Report on Human Rights Practices in Somalia, p3, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 13 April 2011

10.01 The International Institute for Strategic Studies, *Armed Conflict Database*, Somalia, Political Trends, Annual Update 2010, accessed on 5 May 2011, listed four broad non-state groups as active in Somalia:

- Clan based militia forces
- al-Shabab
- Hisbul al-Islam [merged with Al Shabaab in December 2010, see subsection on Al Shabaab below]
- Ahlu Sunnah wal Jama'a [255]

10.02 Jane's *Sentinel Country Risk Assessment* (JSCRA), Somalia, Security, updated 9 February 2011 stated:

"Somalia faces a number of threats to its security ranging from clan militias to pirate groups to radical Islamist groups. The country is a base for active terrorist operations being conducted in concert with Somali insurgents. Successful terrorist operations in Somalia also have negative security implications for regional states…"The Transitional Federal Government (TFG), radical Islamist groups and a range of other opposition groups with different agendas continue to fight for control of central and southern Somalia. Mogadishu continues to be the epicentre of what at times is fierce and heavy fighting, resulting in mounting civilian casualties. By late 2010 the Shabab and other Islamist rebel groups had gained control over most of southern Somalia. Some small patches of territory outside of Mogadishu are still in the hands of TFG forces, Ahlu Sunna wal Jamaa militia and other militia loyal to the TFG, but these regions are negligible. TFG military offensives have failed to open up new fronts against the Shabab and combat in Mogadishu has come to a stalemate where the governments (sic) lines are often held by the AMISOM peacekeepers." [256]

10.03 The UN Human Rights Council's *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, dated 29 August 2011 and covering events between September 2010 and July 2011 (UNIE report August 2011) noted that:

"One trend of significant military and political significance that has emerged over the past month is the desertion of Al-Shabaab fighters. Some deserters are re-absorbed into communities, while others, estimated to be about 130, have surrendered to AMISOM/Transitional Federal Government forces and are currently accommodated in National Security Authorities facilities. In his talks with the Prime Minister, the independent expert encouraged the Transitional Federal Government, to develop, with United Nations support, the legislative and policy provisions necessary to cater for such and similar other persons." [257]

See Annex B for more details on various armed groups.

Al Shabaab

[255] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Human security developments, 2010, http://acd.iiss.org/armedconflict/MainPages/dsp_ConflictSummary.asp?ConflictID=198 Date accessed 18 October 2011

[256] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security, updated 9 February 2011, available in hard copy on request

[257] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p6, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 18 October 2011

10.04 Al Shabaab are also known as Harakat Al-Shabaab al-Mujahidin, al-Shabab, Al-Shabaab, the Youth, Mujahidin al-Shabaab Movement, Mujahideen Youth Movement and Mujahidin Youth Movement. [258]

10.05 Al Shabaab is described by the Home Office's list of proscribed terror organisations, dated 6 July 2011, as:

"…an organisation… which has waged a violent campaign against the Somali Transitional Federal Government and African Union peacekeeping forces since 2007, employing a range of terrorist tactics including suicide bombings, indiscriminate attacks and assassinations. It's (sic) principal aim is the establishment of a fundamentalist Islamic state in Somalia, but the organisation has publicly pledged its allegiance to Usama Bin Laden and has announced an intention to combine its campaign in the Horn of Africa with Al Qa'ida's aims of global jihad." [259]

10.06 The US State Department's *Country Reports on Terrorism 2010,* published on 18 August 2011 and covering events in 2010, listed al Shabaab as a foreign terrorist organisation and noted:

"Al-Shabaab was designated as a Foreign Terrorist Organization on March 18, 2008. Al-Shabaab was the militant wing of the former Somali Islamic Courts Council that took over parts of southern Somalia in the second half of 2006. In December 2006 and January 2007, Ethiopian forces routed the Islamic Court militias in a two-week war, which became a protracted insurgency over the next two years. Since the end of 2006, al-Shabaab and disparate clan militias have led a violent insurgency using guerrilla warfare and terrorist tactics against the Transitional Federal Government (TFG) of Somalia. Several senior al-Shabaab leaders have publicly proclaimed loyalty to AQ. These leaders founded and supported a number of training camps in southern Somalia for young national and international recruits to al-Shabaab. In some camps, AQ-affiliated foreign fighters often led the training and indoctrination of the recruits. Rank and file militia fighters from multiple clan and sub-clan factions that are aligned with al-Shabaab are predominantly interested in indigenous issues. In January 2010, the organization announced its support for militants in Yemen. In December [2010], despite past clashes over territory, al-Shabaab entered into a tenuous merger with a severely weakened, nearly defunct faction of Hizbul Islam, another clan-based insurgent group fighting against the TFG." [260]

10.07 JSCRA Somalia, Security, updated 1 June 2011, gave an overview of the history of Al Shabaab:

"After the establishment of TFG rule in Mogadishu a range of Islamic organisations emerged…Shabab …was previously the youth division of the Islamic Courts, which is why it is still named after the Somali word for youth; Shabab. However Shabab has

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[258] Council on Foreign Relations, Al-Shabaab, updated 28 July 2010, http://www.cfr.org/somalia/al-shabaab/p18650 Date accessed 23 May 2011

[259] United Kingdom Home Office, Proscribed terrorist groups, p2, 6 July 2011, http://www.homeoffice.gov.uk/publications/counter-terrorism/proscribed-terror-groups/proscribed-groups?view=Binary Date accessed 11 August 2011

[260] US State Department, Country Reports on Terrorism 2010, Chapter 6, Foreign Terrorist Organizations, 18 August 2011, http://www.state.gov/s/ct/rls/crt/2010/170264.htm Date accessed 21 October 2011

distanced itself from both the formation of the ARS [Alliance for the Re-Liberation of Somalia] and peace talks between the SCIC [Supreme Council of Islamic Courts] and the TFG. The group refused to negotiate with the TFG, even after the withdrawal of Ethiopian troops was completed in January 2009, and as of late 2010, the Shabab remain adamant in their unwillingness to negotiate. Moreover, the Shabab has stated that it sees itself as a part of the same global struggle as Al-Qaeda, with numerous references to Al-Qaeda ideologues on their websites and claims that their leaders were educated in Afghanistan.

"The organisation is seemingly non-hierarchical. Its leader during the later part of 2007 was Muktar Robow (Abu Mansoor), the former second-in-command of security in the SCIC. He is a Rahanwhein from the Leysan clan and the brother of TFG's Colonel Robow. However, in December 2007, a new leader, Mukhtar Abdirahman (Abu-Zubeyr), a former doctor trained in Afghanistan, is thought to have been appointed.

"At the beginning of 2009, Shabab has continued with its activities but it is competing with other armed groups for the control of southern and central Somalia. For example, the ARS-D [Alliance for the Re-Liberation of Somalia - Djibouti – the main component of the TFG] and Ahlu Sunna wal Jamaa have become powerful opponents with increasing military capabilities. Shabab is also thought to be losing support by its alienation of fellow Islamists and implementation of a harsh interpretation of sharia, one closely aligned to the radical wahabi strand of Islam.

"However, by the end of 2009, the Shabab had witnessed continued successes in its battle against the TFG. It remains the most potent threat to security in the country. On 3 December 2009, a Shabab suicide bomber attacked a university graduation ceremony at the Shamo hotel in Mogadishu, killing 18 people, including the TFG ministers of health, education and higher education. The Shabab widened the scope of its operations in July 2010 when it launched two bomb attacks in the Ugandan capital, Kampala which killed over 70 people. The attack was probably meant as a warning to Uganda - which makes up the bulk of the African Union peacekeeping force in Mogadishu - rather than a conscious effort to widen the conflict in Somalia. Nevertheless, with Uganda seemingly intent on strengthening rather than weakening its commitment to Somalia, further regional attacks are possible. Meanwhile, the Shabab continued throughout 2010 to militarily pressure the TFG in Mogadishu and has succeeded in gaining de facto control of most of southern Somalia as well as large parts of central Somalia. In May 2011, a cross-border raid by the Shabab group against a Kenyan police barracks in the town of Liboi - in an apparent attempt to steal weaponry - was successfully repulsed." [261]

10.08 The *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari,* delivered to the UN Human Rights Council, covering events between September 2010 and July 2011, published on 29 August 2011, noted that:

"Al-Shabaab appears to have been weakened by rumours that senior leaders colluded in the killing of a senior commander and al-Qaida representative at a roadblock in Mogadishu, on 8 June. It appears to have been further weakened by the loss of senior officials and by drone strikes near Kismaayo in June and July. Continuing recruitment and taxation

[261] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security, updated 1 June 2011, available in hard copy on request

by the group suggest its capabilities have been reduced by fighting on several fronts. Occasional clan attacks against Al-Shabaab suggest growing opposition." [262]

10.09 The UN Security Council's Report of the Secretary-General on Somalia, 30 December 2010, stated that: "Notwithstanding the security measures taken by the 'Puntland' authorities, there are some indications that Al-Shabaab and other insurgent groups are active in the region…" [263]

10.10 The US State Department's *Country Reports on Terrorism 2010*, published on 18 August 2011, noted that: "Precise numbers are unknown, but al-Shabaab is estimated to have several thousand members when augmented by foreign fighters and allied clan militias." [264]

Al Shabaab merges with Hizbul Islam: December 2010

10.11 BBC News reported on 20 December 2010 that "al-Shabab and Hizbul Islam…are to merge…The two had been allies but have fallen out over the past year, with Hizbul Islam losing ground…A spokesman for the African Union force which is supporting the government and which has recently gained ground said the move would make no difference." [265] The UN Security Council's *Report of the Secretary-General on Somalia*, 30 December 2010 stated that the "consequences from the merger…are still unknown." [266] JSCRA Somalia, Security, updated 1 June 2011, stated that: "It is possible that the merger will result in the complete assimilation of Hizbul Islam into the Shabab. Nevertheless, some factions within Hizbul Islam opposed the move and have defected to the TFG." [267]

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Ahlu Sunna Wal Jama'a

10.12 JSCRA Somalia, Security, updated 1 June 2011 described Ahlu Sunna Waljama as:

"… a moderate Islamist umbrella organisation comprising various tribal and clan groups and local warlords opposed to the harsh radical Islamist agenda of Shabab, ARS-A [Alliance for the Re-Liberation of Somalia – Asmara – later part of Hizbul Islam] and Jabhadda Islamiyya Somalia (JIS). Ahlu Sunna wal Jamaa's main objective is to defend

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[262] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, http://www.unhcr.org/refworld/pdfid/4e733279398.pdf Date accessed 1 October 2011

[263] UN Security Council, Report of the Secretary-General on Somalia, 30 December 2010, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/414F81B653F303868525781500789A75-Full_Report.pdf Date accessed 14 April 2011

[264] US State Department, Country Reports on Terrorism 2010, Chapter 6, Foreign Terrorist Organizations, 18 August 2011, http://www.state.gov/s/ct/rls/crt/2010/170264.htm Date accessed 21 October 2011

[265] BBC News, Somali Islamists al-Shabab and Hizbul Islam 'to merge', 20 December 2010, http://www.bbc.co.uk/news/world-africa-12038556 Date accessed 14 April 2011

[266] UN Security Council, Report of the Secretary-General on Somalia, 30 December 2010, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/414F81B653F303868525781500789A75-Full_Report.pdf Date accessed 14 April 2011

[267] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security, updated 1 June 2011, available in hard copy on request

the traditional Sufi values of the Somali population, from jihadist interpretations of Islam. The group is led by Sheikh Muhammad Sheikh Hassan and senior spokesman Sheikh Abdiqadir Muhammad Somow and has reportedly been armed by Ethiopia. Ahlu Sunna wal Jamaa was originally somewhat sympathetic to the Shabab agenda having become disillusioned with the TFG under the leadership of former president Abdullahi Yusuf Ahmed, but following the territorial gains made by the Shabab in late 2008, the factions making up the group were ostracised by the Shabab's intolerance of other strands of Islamism. These local groups then turned against the Shabab and their combined military offensives in early 2009 contributed to a partial rolling back of the Shabab's 2008 territorial gains. Ahlu Sunna wal Jamaa became aligned with the TFG after Sheikh Ahmed's election as president in February 2009. After being active mainly in the Galguduud region initially, Ahlu Sunna wal Jamaa activity has now spread to the Gedo and Jubba regions as well as Mogadishu. During the first quarter of 2010, the TFG and Ahlu Sunna wal Jamaa concluded a formal agreement of co-operation, the exact details of which were never made public. In any case, Ahlu Sunna and the TFG fell out in July 2010 and the formal alliance fractured. Ahlu Sunna left the government, although it remained informally aligned with the TFG against the Shabab. The replacement of then prime minister Omar Abdirashid Ali Sharmarke in October 2010 was welcomed by Ahlu Sunna wal Jamaa, which has remained loyal to the TFG." [268]

Clan-based militias

10.13 The US State Department *2010 Country Report on Human Rights Practices*, Somalia, published 8 April 2011, covering events of 2010 (USSD 2010 report) stated that: "Intermittent resource-related sub-clan disputes escalated into minor armed conflicts… TFG-allied militia/paramilitary forces reported to clan or factional militia commanders and were outside the control of official authorities." [269]

10.14 The UN Security Council's *Report of the Secretary General*, dated 28 April 2011, noted that: "Prime Minister Mohamed Abdullahi Mohamed, in his address to the Security Council on 10 March [2010]… noted Transitional Federal Government achievements in resolving the fighting between Saad (Habargadir) and Omar Mohamud (Majerteen) clans in the northern regions of southern central Somalia and 'Puntland'." [270]

10.15 Shabelle Media Network reported on 3 July 2011 that:

"At least 20 people were reported killed and more than 18 others injured on Sunday after fierce confrontation pitting local armed clan militias restarted in central Somalia village of Dhegtur.

"The clan militias hail from Gal-mudug State and Himan & Heb, according to the reports emanating from the Mudug region in country's central region ... Most of casualties are

[268] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security, updated 1 June 2011, available in hard copy on request
[269] US Department of State, Report on Human Rights Practices in Somalia, p1, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 14 April 2011
[270] UN Security Council, Report of the Secretary-General on Somalia, 28 April 2011, p2, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accesed 24 May 2011

said to have been taken by the warring sides. In the past, efforts to bring to an end the dispute and repetitive clashes between the two fraternal clans have failed." [271]

See also: Security situation and Ethnic groups.

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HUMAN RIGHTS VIOLATIONS BY ARMED GROUPS

For details of recent significant acts of violence committed by the various armed groups see Security situation, Recent developments: Security situation and Latest news above. For a guide to the areas that are controlled by armed groups, please see the International Crisis Group map.

10.16 The Human Rights Watch *World Report 2011*, published on 24 January 2011 and covering events of 2010 (HRW *World Report 2011*), stated:

"South-central Somalia was under the control of local administrations linked to armed opposition groups throughout 2010. In many areas al-Shabaab rule brought relative stability and order, which contrasts dramatically with the chaos in Mogadishu. Residents from some of these areas credit al-Shabaab with ending a constant menace of extortion, robbery, and murder from bandits and freelance militias. But even where this holds true, security has come at a steep price, especially for women.

"Grinding repression characterizes daily life in communities controlled by al-Shabaab, and many local administrations have sought to implement harsh and intolerant measures in the name of Sharia law. These measures control minute details of personal lives, including the way people dress and work. The punishments for even minor offenses are often summary, arbitrary, and cruel. A climate of fear prevents most people from speaking out against abuses of power. As one resident of the southern town of El Wak said, 'We just stay quiet. If they tell us to follow a certain path, we follow it.'

"Freedoms women took for granted in traditional Somali culture have been dramatically rolled back. In many areas women have been barred from engaging in any activity that leads them to mix with men, even small-scale commercial enterprises on which many of them depend for a living. Al-Shabaab authorities have arrested, threatened, or whipped countless women for trying to support their families by selling cups of tea." [272]

10.17 The Amnesty International *Annual Report 2011*, published on 13 May 2011, noted that:"Armed Islamist groups continued to unlawfully kill and torture people they accused of spying or not conforming to their own interpretation of Islamic law. They killed people in public, including by stoning them to death, and carried out amputations and floggings. They also imposed restrictive dress codes, flogging women who did not wear the hijab and forcing men to wear trousers no longer than the ankle." [273]

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[271] Shabelle Media Network, Somalia: Twenty Killed As Clannish Clash Intensifies in Central Region, 3 July 2011, available via http://allafrica.com/stories/201107041481.html Date accessed 11 August 2011

[272] Human Rights Watch, World Report 2011, Somalia, 24 January 2011, http://www.hrw.org/en/world-report-2011/somalia Date accessed 14 April 2011

[273] Amnesty International, Annual Report 2011, Somalia, 13 May 2011, http://amnesty.org/en/region/somalia/report-2011 Date accessed 11 August 2011

10.18 The Human Rights Watch report, *Harsh War, Harsh Peace*, published on 19 April 2010, stated that:

"The nature and scale of al-Shabaab's edicts vary by community, depending partly on the outlook of local leaders. But the method of enforcement is generally the same: intrusive surveillance and draconian punishments that include floggings, head shavings, and, in some cases, amputations and execution by stoning. Those who violate al-Shabaab's edicts receive little, if any, due process and many punishments are meted out on the spot… Al-Shabaab applies a draconian interpretation which goes well beyond its traditional application in Somalia. Many of the measures that al-Shabaab seeks to justify in the name of Sharia contravene regional and international human rights standards" [274]

10.19 The report further stated:

"As an armed group that effectively controls and acts as the de facto governing body in much of Somalia, al-Shabaab is responsible for respecting fundamental human rights and holding those who abuse them to account. These rights—set forth in the Universal Declaration of Human Rights as well as a host of international human rights treaties—include the rights to life, liberty, fair trials, freedom from torture and other cruel, inhuman, or degrading treatment or punishment, freedom of expression, religion, association and peaceful assembly, and equal treatment before the law. Al-Shabaab practices such as summary executions; amputations and floggings; bans on public gatherings; prohibitions on certain forms of women's work and movement; and arbitrary interference with privacy, family, and home; are contrary to these basic standards." [275]

10.20 The report gave some examples of things banned under al Shabaab's rule:

"Al-Shabaab exerts enormous control over personal lives and devotes remarkable energy to policing and penalizing conduct that it deems idle or immoral. Almost no detail is too minute to escape the group's scrutiny. In many areas, al-Shabaab administrators have banned public gatherings, dancing at weddings, musical ringtones on cell phones, western music, and movies. They have outlawed qat chewing and cigarette smoking. They have barred men from shaving their beards and moustaches, or wearing long hair or long trousers. They have refused to allow people on the streets during prayer times." [276]

10.21 *Africa Review* reported on 7 June 2011 that 15 women in Afgoye town, Lower Shabelle "were accused of ululating at a wedding … and have been charged with public expression of joy, which the fanatical Islamists prohibited." [277]

For further information on how certain groups are affected by al Shabaab's human rights violations, please see Women, Children and Freedom of speech and media.

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[274] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p20, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 15 April 2011

[275] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p21, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 15 April 2011

[276] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p23-24, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 15 April 2011

[277] Africa Review, Al-Shabaab charges Somali women with ululation, 7 June 2011, http://www.africareview.com/News/-/979180/1176320/-/hnd5tdz/-/index.html Date accessed 12 August 2011

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Arbitrary arrest and detention

10.22 The USSD 2010 report stated that: "Al-Shabaab and Hisbul Islam militias across the south central region arbitrarily arrested persons and detained them without charge." [278] The same report also noted that "Al-Shabaab and associated militia routinely arrested and threatened journalists as well." [279]

10.23 Shebelle Media Network reported on 11 January 2011 that:

"An arrested man by Al shabaab in Elbur district in Galgudud region of central Somalia, was on Tuesday reported to have gone on hunger strike… in protest of Al shabaab's arbitrary detention.

"Uncomforted [sic – an unknown] number of prisoners are reported in detentions in central Somalia's region of Galgudud, where Al shabaab, which US alleges to be Al Qaeda's proxy in the horn of Africa nation, tightly controls." [280]

Torture and executions

10.24 HRW report *Harsh War, Harsh Peace* documented how al Shabaab used torture and executions as punishments:

"Al-Shabaab's system of justice is harshest on those it accuses of crimes that holy Islamic texts single out for specific punishments. These include theft (punishable by amputation), extra-marital sex (punishable by death or flogging), and apostasy or renunciation of Islam (punishable by death)…In many areas of Somalia, al-Shabaab leaders have not only embraced amputations and executions but turned them into mandatory public spectacles. In many cases, the alleged offenders receive scant or no due process." [281]

10.25 The USSD 2010 report gave examples of torture used by al Shabaab as punishment:

"On April 26, in Mogadishu's Deyniile District, al-Shabaab chopped off the right hand of an alleged thief and executed an accused murderer. An al-Shabaab 'Sharia' judge claimed Shiine Abukar Hersi, whose right hand was amputated, was charged with stealing used bedding. An al-Shabaab firing squad executed Mohamed Ahmed Qasim, whom the al-Shabaab judge accused of murder. On July 16, al-Shabaab militia amputated the right hands of two young men in Balad. The al-Shabaab court convicted the two, Murshid Ahmed Adan and Hassan Omar Mohamed, of robbery. The al-Shabaab judge claimed Aden and Mohamed confessed to stealing 45 million Somali shillings ($1,400) and two million Somali shillings ($60) respectively. As in previous

[278] US Department of State, Report on Human Rights Practices in Somalia, p9, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 14 April 2011
[279] US Department of State, Report on Human Rights Practices in Somalia, p10, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011
[280] Shabelle Media Network, A Man Arrested By Al Shabaab Goes On Hunger Strike, 11 January 2011, http://allafrica.com/stories/201101120199.html Date accessed 15 April 2011
[281] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p32-33, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 15 April 2011

years, Al-Shabaab carried out these amputations and other violent physical punishment in front of community members whom they forced to attend. Al-Shabaab carried out numerous other crude punishments on specious grounds in areas under their control in South and Central Somalia.

"Al-Shabaab used torture on TFG members and individuals suspected to be sympathetic to the government." [282]

10.26 The USSD 2010 report gave details of executions carried out by Al Shabaab:

Al-Shabaab and other extremist groups summarily executed an unknown number of persons whom they accused of spying for the 'enemy'–the TFG and AMISOM–and other specious charges in Somalia's South and Central regions. On May 26, for example, an al-Shabaab firing squad executed Mohamed Gaboobe, whom al-Shabaab had accused of murder. On July 1, Al-Shabaab militia executed 20-year old Mohamed Guleid Hosh, who was accused of insulting the Prophet Muhammad…On September 28, al-Shabaab publicly executed two young men in Mogadishu after an al-Shabaab court convicted them of espionage. On July 9, al-Shabaab publicly executed 38-year-old former TFG military trainer Ibrahim Abdikadir Hasan by firing squad in Baidoa. Hassan was arrested in March on charges of being a spy for Ethiopia. Similarly, extremist armed groups in the Juba, Bay, and Bakol regions arrested and beheaded several persons they accused of spying. For example, on November 10, al-Shabaab militia beheaded four people in Waradhumale in Galgaduud Region for their association with ASWJ, a group they perceived as having strong ties with the TFG. In addition, on October 27, al-Shabaab executed two teenage girls, Ayan Mohamed Jama, 18, and Huriyo Ibrahim, 15, in the al- Shabaab-controlled town of Belet Weyne after an al-Shabaab "judge" sentenced the girls to death for spying. They were executed while blindfolded and handcuffed after a hearing in which no evidence was presented nor was legal representation allowed…On July 26, Hisbul Islam militia in Afgoe, Lower Shabelle, executed a man accused of defiling a 12-year-old girl. The man was buried waistdeep and pelted with stones until he died. As was common in public executions, the militia rounded up members of the community to compel them to witness the execution." [283]

10.27 *The East African* reported on 5 May 2011 that: "… al-Shabaab forced hundreds of residents of Baidoa… to witness the public execution of two men… The two… were sentenced Wednesday by a court run by the militia group opposed to the Transitional Federal Government (TFG), after being accused of spying for Ethiopia and Kenya." [284]

10.28 The HRW *World Report 2011* stated that: "Al-Shabaab and other opposition forces often threaten to kill people they suspect of harboring sympathies for their opponents or who

[282] US Department of State, Report on Human Rights Practices in Somalia, p19, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 14 April 2011
[283] US Department of State, Report on Human Rights Practices in Somalia, p15-16, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 14 April 2011
[284] The East African, Al-Shabaab radicals force hundred to witness public execution, 5 May 2011, http://www.theeastafrican.co.ke/news/Al+Shabaab+radicals+force+hundreds+to+witness+public+execution/-/2558/1157058/-/xeb8vmz/-/index.html Date accessed 6 May 2011

resist recruitment. These are not empty threats; opposition groups have murdered civilians regularly and with complete impunity." [285]

10.29 *Harsh War, Harsh Peace* also stated that:

"Al-Shabaab has regularly threatened or killed civilians it accuses of links to the TFG or rival armed groups. In 2009 its fighters publicly executed several people they branded as spies for the TFG or foreign powers. Many of these killings have attracted considerable media attention. However al-Shabaab has also issued numerous death threats and carried out many other killings that have received scant publicity.

"Human Rights Watch gathered a dozen detailed accounts from Somalis who said they had witnessed extrajudicial executions by al-Shabaab or who saw al-Shabaab fighters take relatives, neighbors, or associates who either never resurfaced or were found murdered." [286]

See also Judiciary, Targeting of TFG officials and supporters and Security situation.

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Forced and voluntary recruitment

10.30 Harsh War, Harsh Peace noted that:

"Parties to the conflict in Somalia gain new fighters through the use or threat of force and by unlawfully seeking recruits among children and refugees. Opposition forces, especially but not exclusively al-Shabaab, are expanding their ranks by threatening those who resist with death and at times carrying out their threats. Both insurgent groups and government forces are recruiting and using child soldiers to varying degrees, and have entered refugee camps—ostensibly demilitarized areas—in Kenya to enlist additional fighters." [287]

10.31 *Harsh War, Harsh Peace* further stated that: "Human Rights Watch also interviewed several young men who fled Mogadishu because al-Shabaab or Hizbul Islam threatened to kill them for refusing to join their forces. All were initially approached by men who sought to persuade them to join by promising money and the chance to fight for what they described as a 'just and holy cause.' But when they rebuffed these offers they found that persuasion quickly gave way to threats." [288]

10.32 *Africa Review* reported on 25 February 2011 that:

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[285] Human Rights Watch, World Report 2011, Somalia, 24 January 2011, http://www.hrw.org/en/world-report-2011/somalia Date accessed 14 April 2011

[286] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p45-46, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 18 April 2011

[287] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p50, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 15 April 2011

[288] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p50-51, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 15 April 2011

"…al-Shabaab are mobilising the youth in Lower Shabelle regions to join the jihad in Mogadishu, residents confirm… The escalating war is forcing al-Shabaab leaders and militants to call for more volunteers, especially the youth, to join the combat…According to *Jowhar.com*, a Somali news website, the al-Shabaab militants ruling Jowhar town, 90 km north of Mogadishu, are instructing all youngsters to enlist to the movement and join the war in Mogadishu… the order has compelled many youths to flee the town to the countryside, particularly to the farming areas along Shabelle River that passes through the Middle Shabelle region." [289]

10.33 The UN Security Council's *Report of the Secretary-General on Somalia*, published on 30 December 2010 stated that: "Partners on the ground consistently reported extensive forced recruitment of children by Al-Shabaab, with an estimated 2,000 children being trained in camps in southern Somalia." [290] On 18 March 2011, Garowe Online reported that: "Sheikh Hassan Dahir Aweys, top Al-Shabaab militia's commander confirmed that his group is using underage children…'We recruit underage children to fight for us, the children are ready to die for their country and religion' said Sheikh Aweys while addressing people in a mosque at Elasha Biyaha camps in outskirt of Mogadishu… He adds they will continue recruiting underage children to fight against Somali government forces and African Union troops." [291]

10.34 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that: "…al-Shabab leaders in Baidoa reportedly called on residents, including children, to participate in the jihad (holy war) against the TFG around August 2010, when al-Shabab launched its 'Ramadan' offensive against the TFG in Mogadishu, and from February 2011, as al-Shabab was fighting a TFG counter-offensive in Mogadishu and in the Gedo region. Many parents in Baidoa reportedly try to hide their children, keep them at home or send them to other areas to avoid recruitment." [292]

10.35 *Africa Review* reported on 11 March 2011 that al Shabaab had expanded its recruitment to include 'elders':

"Al-Shabaab on Thursday [10 March 2011] paraded a group of about 50 elders whom it said it had trained in warfare.

"Officials… said that the elders, most of them octogenarians, were ready to join the jihad (holy war) especially in the capital Mogadishu.

"The event took place in Beledweyne town…The group said that the community elders were willing to confront government forces and what they called foreign invaders (a

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[289] Africa Review, Al-Shabaab embark on forced recruitment in Mogadishu, 25 February 2011, http://www.africareview.com/News/Al+Shabaab+embark+on+forced+recruitment/-/979180/1115004/-/5374cwz/-/index.html Date accessed 15 April 2011

[290] UN Security Council, Report of the Secretary-General on Somalia, 30 December 2010, p6, http://reliefweb.int/sites/reliefweb.int/files/resources/414F81B653F303868525781500789A75-Full_Report.pdf Date accessed 15 April 2011

[291] Garowe Online, Al-Shabaab - 'Underage Children Fight for Us', 18 March 2011, http://allafrica.com/stories/201103190054.html Date accessed 15 April 2011

[292] Amnesty International, Somalia: In the line of fire: Somalia's children under attack, 20 July 2011, p22-23, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 12 August 2011

reference to peacekeepers from Uganda and Burundi serving in the African Union Mission in Somalia – Amisom).

"The elders, armed with light arms including assault rifles, spears, daggers, bows and arrows, expressed their desire to sacrifice their lives for the jihad…In early March, 28 elders were moved by Al-Shabaab militants from Jowhar town, 90 km north of Mogadishu to the frontline in the Somali capital to aid the assault on pro-government forces.

"Al-Shabaab (which means youth in Arabic) is a movement that has until now relied on the youth. Observers say the current move of engaging the elders could be a sign of desperation as its position falters." [293]

10.36 Shabelle Media Network reported on 18 March 2011 that:

"Al shabaab movement has held meeting with local clan elders from the clan of (Mudulood)… Al shabaab's chairman for Benadir region, Sheikh Mohammed Hassan Abu Abdurrahman said the aim of the meeting was to ensure and strengthen how the fighting against what he called Somalia's government of apostasy and the invading African Christians…Sa'id Mo'allim Ahmed, one of the elders, told the local press after the meeting that his clan (Mudolood) is ready to help Al shabaab in its fighting against Somalia's internationally recognized government." [294]

Further detail about human rights violations committed by Al Shabaab is provided in the UK Border Agency Report of Fact Finding Mission to Nairobi, 8-15 September 2010, dated 8 October 2010.

For further information on the use of children by all parties to the conflict, please see Child soldiers.

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Al Shabaab's reaction to the humanitarian situation

This section should be read in conjunction with the chapters on the Humanitarian situation, IDPs and Somali refugees in the region for context.

10.37 BBC News reported on 6 July 2011 that:

"Somalia's militant Islamist group al-Shabab has lifted a ban on foreign aid agencies …Al-Shabab imposed the ban in 2009, accusing them of being anti-Muslim.

"It now says all charities, whether 'Muslims or non-Muslims', can give emergency aid as long as they have 'no hidden agenda'.

[293] Africa Review, Al Shabaab recruits elders in war against Somalia government, 11 March 2011, http://www.africareview.com/News/-/979180/1122984/-/hqihpgz/-/index.html Date accessed 15 April 2011
[294] Shabelle Media Network, Al Shabaab Meets With Local Elders to Drum Up Support for Mogadishu Battle, 18 March 2011, http://allafrica.com/stories/201103180960.html Date accessed 15 April 2011

"The UN told the BBC it welcomed al-Shabab's announcement, but it would need security guarantees for its staff." [295]

10.38 Following this announcement, BBC News reported on 17 July 2011 that: "The UN Humanitarian Co-ordinator for Somalia, Mark Bowden, says aid is being provided to camps controlled by the Islamist group al-Shabab. Mr Bowden told the BBC that aid was being given through al-Shabab's drought committees, which run the camps. Mr Bowden said this could be done as long as the aid was delivered according to humanitarian principles." [296]

10.39 However, on 22 July 2011, following the UN declaration that "parts of Somalia were suffering a famine", [297] BBC News further reported that: "Somalia's al-Shabab Islamists have denied lifting their ban on some Western aid agencies and say UN reports of famine are 'sheer propaganda' … A spokesman for al-Shabab, which has ties to al-Qaeda and controls much of the country, accused the banned groups of being political." [298]

10.40 On 4 August 2011, the *Guardian* reported that following the declaration of famine in five areas in Somalia (see Humanitarian situation), al Shabaab has "refused to lift the bans it has imposed on several humanitarian agencies over the past two years. Barred organisations include the World Food Programme … But several other international aid groups, including Islamic Relief, Unicef, and the International Committee of the Red Cross (ICRC) are operating across the al-Shabab-controlled zones, as are numerous Somali non-governmental organisatons (sic)." [299]

10.41 The UN Human Rights Council's *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, dated 29 August 2011 and covering events between September 2010 and July 2011 noted that:

"In July [2011], Al-Shabaab allowed the operations of actors such as the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC) in its territories, but maintained its ban on such agencies as the United Nations Political Office for Somalia (UNPOS), the World Food Programme (WFP) and the United Nations Development Programme (UNDP) and several international non-governmental organizations. Already in April 2010, the Security Council designated Al-Shabaab for targeted sanctions for its obstruction of humanitarian aid; credible sources have indeed reported that it Al-Shabaab has extorted payment from humanitarian entities that work in areas it controls. Given these precedents and the claim by the Al-Shabaab spokesperson that the humanitarian emergency situation is 'totally, 100 per cent wrong and baseless propaganda' fabricated by the United Nations for political purposes, the

[295] BBC News, Somalia Islamists lift aid ban to help drought victims, 6 July 2011, http://www.bbc.co.uk/news/world-africa-14046267 Date accessed 5 September 2011
[296] BBC News, Somalia drought: Aid for camps under Islamists, 17 July 2011, http://www.bbc.co.uk/news/world-africa-14178953 Date accessed 5 September 2011
[297] BBC News, Somali Islamists maintain aid ban and deny famine, 22 July 2011, http://www.bbc.co.uk/news/world-africa-14246764 Date accessed 5 September 2011
[298] BBC News, Somali Islamists maintain aid ban and deny famine, 22 July 2011, http://www.bbc.co.uk/news/world-africa-14246764 Date accessed 5 September 2011
[299] The Guardian, Somalia famine relief effort hit harder by food aid delays than by rebels, 4 August 2011, http://www.guardian.co.uk/world/2011/aug/04/somalia-famine-food-aid-unicef-al-shabab Date accessed 5 September 2011

independent expert is concerned at the real scope of the opening announced by Al-Shabaab." [300]

10.42 The same report also noted that: "Men and boys are … prevented from fleeing [Somalia] by Al-Shabaab when not already recruited to fight the jihad." [301]

Inter- and intra-clan conflict

10.43 The USSD 2010 report stated that:

"Hundreds of civilians were killed in inter- or intra-clan militia clashes throughout the country. The killings resulted from clan militias fighting for political power and control of territory and resources; revenge attacks; banditry and other criminal activity; private disputes over property and marriage; and vendettas after incidents such as rape, family disagreements, killings, and abductions. Authorities investigated very few of these cases, and there were few reports that any of the cases resulted in formal action by the local justice system.

"Despite local efforts to mitigate interclan conflicts, Galkayo and surrounding nomadic villages experienced the most severe and frequent armed clashes in the country. An estimated 100 civilians were killed and hundreds others displaced from their homesteads in water and land resource-related reprisal attacks during the year. Intermittent intraclan armed clashes over resource sharing were also reported in other parts of the Mudug Region, as well as in remote villages between Burao and Buuhoodle towns, in Bari Region, and in parts of Bay, Lower and Middle Shabelle, Hiraan, and Galgaduud regions, resulting in several civilian deaths." [302]

10.44 The USSD 2010 report added that:

"Abduction as a tactic in clan disputes…was reported but less frequently than in previous years…Clan militia groups and criminal gangs made ransom demands on abductees or demanded property or hostage exchanges as preconditions to the release of abductees. Unlike the previous years where the majority of reported kidnappings were in the southern regions of Somalia, especially in areas surrounding Mogadishu, most kidnappings were reported in the Sool and Sanaag and Mudug regions." [303]

10.45 The USSD 2010 report also stated that: "Rape was commonly perpetrated in interclan conflicts." [304]

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[300] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p4, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 10 October 2011

[301] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p4, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 10 October 2011

[302] US Department of State, Report on Human Rights Practices in Somalia, p5-6, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011

[303] US Department of State, Report on Human Rights Practices in Somalia, p6, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011

[304] US Department of State, Report on Human Rights Practices in Somalia, p7, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011

For further information on sexual and gender-based violence, please see Women: Violence against women. For more information on the situation for various clan groups and minorities, please see Ethnic groups.

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11. JUDICIARY

11.01 The US State Department (USSD) *Background Note: Somalia*, updated 26 September 2011, stated that there is "…no functioning nationwide legal system…" instead there was an "…informal legal system based on previously codified law, Islamic (shari'a) law, customary practices, and the provisions of the Transitional Federal Charter." [305]

11.02 The US State Department *2010 Country Report on Human Rights Practices, Somalia*, published 8 April 2011, covering events of 2010 (USSD 2010 report) stated that "Judicial systems were not well established, were not based upon codified law, did not function, or simply did not exist in most areas of the country." [306]

11.03 The USSD 2010 report also noted that:

"Traditional clan elders mediated and resolved intra- and inter-clan conflicts throughout the country. During the year traditional elders in Somaliland intervened in political disputes between the government and opposition political parties. Clans and sub-clans frequently used traditional justice, which was swift. Traditional judgments sometimes held entire opposing clans or sub-clans responsible for alleged violations by individuals." [307]

11.04 The USSD 2010 report further stated that:

"The inability of the judiciary to handle civil cases involving such matters as defaulted loans or other contract disputes encouraged clans to take matters into their own hands and led to increased inter-clan conflict. There were no lawsuits seeking damages for, or cessation of human rights violations due to the inadequate, nonexistent, and/or routinely corrupt court system. With the breakdown of the rule of law and the lack of a coherent legal system or effective government, individuals were not afforded adequate protection or recourse." [308]

See Ethnic groups for more information about the clan system and customary law.

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SOUTH AND CENTRAL SOMALIA

[305] US Department of State, Background Note: Somalia, Government, 26 September 2011, http://www.state.gov/r/pa/ei/bgn/2863.htm Date accessed 5 September 2011
[306] US Department of State, Report on Human Rights Practices in Somalia, p10, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011
[307] US Department of State, Report on Human Rights Practices in Somalia, p12, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011
[308] US Department of State, Report on Human Rights Practices in Somalia, p13-14, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011

11.05 The USSD 2010 report stated that:

"The TFC provides for an independent judiciary, but there was no functioning judicial system for the TFG to administer.

The TFC provides for a high commission of justice, a Supreme Court, a court of appeal, and courts of first instance; however, in practice no such courts exist. Some regions established local courts that depended on the predominant local clan and associated factions for their authority. The judiciary in most areas relied on some combination of elements from traditional and customary law, Sharia, and the penal code of the pre-1991 Said Barre government. In May 2009 President Sheikh Sharif ratified a parliamentary bill establishing Sharia nationwide; however, at year's end there were no official institutions charged with the administration of Sharia. In August 2009 President Sharif established a military court for members of the TFG armed forces, but this court did not operate in practice." [309]

11.06 The USSD 2010 report also stated that:

"Without a functioning judicial system, there were no standard trial procedures in the southern and central regions. The TFC provides for the right of every person to legal proceedings in a competent court. The TFC states every person enjoys the presumption of innocence, the right to be present and consult with an attorney at any time, and adequate time and facilities to prepare a defense. It also provides a guarantee of free legal services for individuals who cannot afford them. While not explicitly mentioned in the TFC, there was a presumption of the right to a public trial and jury, rights pertaining to witnesses and evidence, and the right of appeal. Most of these rights were not respected in practice and did not exist in those areas that applied traditional and customary practices or Sharia." [310]

11.07 On 2 September 2011, Amnesty International and Human Rights Watch issued a joint statement stating that:

"Military trials under way in Mogadishu raise serious human rights concerns … The military court functions with no guarantee of basic fair trial standards. On August 22, 2011, two government soldiers convicted of murder by the military court were executed, with no opportunity to appeal as is required under international law. On August 29, the court sentenced two defendants to death for allegedly intending to sell ammunition to al-Shabaab, the armed Islamist group that controls much of the country. Sources reported that one of the defendants was a female civilian, was asked only one question by the court during the short hearing, and did not have legal representation." [311]

11.08 The *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, covering events between September 2010 and July 2011, 29 August 2011, to the UN Human Rights Council, observed that:

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[309] US Department of State, Report on Human Rights Practices in Somalia, p11, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011
[310] US Department of State, Report on Human Rights Practices in Somalia, p12, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011
[311] Human Rights Watch, Somalia: Stop Unfair Trials, Executions, 2 September 2011, http://www.hrw.org/news/2011/09/02/somalia-stop-unfair-trials-executions Date accessed 13 September 2011

"The weakness or virtual collapse of the structures designed to administer justice, including law enforcement and the protection of human rights, continues to impede progress towards the establishment of formal mechanisms for the rule of law. Given this situation, a range of non-State customary or religion-based (sharia) mechanisms are in place to deliver judicial and legal services to the population. At present, the judiciary in Mogadishu is housed in only a few buildings and house courts, and has limited personnel in need of further professional development. In April 2011, UNDP conducted the first judicial training in years. The six-month programme was aimed at judges, prosecutors and judicial support staff." [312]

Judicial procedures in areas occupied by al Shabaab

11.09 The USSD 2010 report noted that:

"In areas that al-Shabaab controlled, Sharia [Islamic law] was enforced; however, there were no trained Sharia judges to preside over cases. Al-Shabaab's interpretation of Sharia law resulted in uneven and at times draconian sentencing. For example, on July 26, al-Shabaab militia publicly flogged a young man and woman in Mogadishu's Livestock Market in the Huriwaa district for allegedly having sexual intercourse outside of wedlock. An al-Shabaab 'judge' announced that the young woman confessed to the relationship, and she was consequently whipped 100 lashes. The young man denied the charges and was subsequently whipped 30 lashes." [313]

11.10 The Human Rights Watch report *Harsh War, Harsh Peace,* published on 19 April 2010, documented how al Shabaab approached criminal procedures:

"Al-Shabaab's system of justice is harshest on those it accuses of crimes that holy Islamic texts single out for specific punishments. These include theft (punishable by amputation), extra-marital sex (punishable by death or flogging), and apostasy or renunciation of Islam (punishable by death)…In many areas of Somalia, al-Shabaab leaders have not only embraced amputations and executions but turned them into mandatory public spectacles. In many cases, the alleged offenders receive scant or no due process." [314]

See also Human rights violations by armed groups for further details on al Shabaab punishments.

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PUNTLAND

11.11 The USSD 2010 report noted that:

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[312] UN Human Rights Council, The Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/155/91/PDF/G1115591.pdf?OpenElement Date accessed 1 October 2011

[313] US Department of State, Report on Human Rights Practices in Somalia, p11, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011

[314] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p32-33, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 15 April 2011

"The Puntland interim constitution provides for an independent judiciary; however, the judiciary was not independent in practice. The charter also provides for a Supreme Court, courts of appeal, and courts of first instance. Despite having some functionality, these courts lacked the capacity to provide equal protection under the law…In Puntland, clan elders resolved the majority of cases using traditional methods known as Xeer; those with no clan representation in Puntland, however, were subject to the administration's more formalized judicial system. In this system, as outlined in Puntland's interim constitution, defendants enjoy a presumption of innocence, the right to a public trial, and the right to be present and consult with an attorney at all stages of criminal proceedings. Defendants can question witnesses and present witnesses and evidence on their behalf and have the right of appeal. There were numerous alleged instances of political and executive interference in the determination of high-profile political or security cases, especially concerning journalists. As in the other regions, the constitution stipulates that free legal representation be provided for defendants who cannot afford an attorney; in practice, these and other rights were not respected." [315]

SOMALILAND

11.12 The USSD 2010 report stated that:

"The Somaliland constitution provides for an independent judiciary; however, the judiciary was not independent in practice. The Somaliland constitution is based on democratic principles, but the region continued to use laws that predate the constitution, some of which contradict democratic principles. Functional courts exist, although there was a serious lack of trained judges and a shortage of legal documentation to build judicial precedence. Untrained police and other unqualified persons reportedly served as judges. International NGOs reported that local officials often interfered in legal matters and that the Public Order Law in Somaliland was often used to detain and incarcerate persons without trial…With the support of UNDP programs addressing judicial reform, Somaliland registered some improvement, except in cases of a political nature. Defendants generally enjoyed a presumption of innocence, the right to a public trial, and the right to be present and consult with an attorney in all stages of criminal proceedings. Defendants can question witnesses and present witnesses and evidence on their behalf and have the right of appeal. Somaliland provides free legal representation for defendants who face serious criminal charges and are unable to hire the services of a private attorney. Authorities in this region did not recognize the TFC and continued to apply the Somaliland constitution and pre-1991 laws. However, a worrying trend of regional and district security committees circumventing due process by ordering arrests and issuing sentences continued. Reportedly, hundreds of persons were serving varying prisons terms imposed by security committees."[316]

11.13 The Freedom House report, *Freedom in the World 2011: Somaliland,* published on 23 August 2011, noted that:

"According to the constitution, the judiciary is independent, and the laws cannot violate the principles of Sharia (Islamic law). In practice, the Riyale government bypassed the

[315] US Department of State, Report on Human Rights Practices in Somalia, p12-13, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011
[316] US Department of State, Report on Human Rights Practices in Somalia, p11-13, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011

courts and used secret security committees to try many defendants without due process. A report compiled for the House of Representatives in March 2010 revealed that of the 765 inmates at Somaliland's main prison, 300 had not been charged with any offense but were being detained on the orders of the authorities. Upon taking office, Silanyo pledged to uphold the rule of law and implemented reforms at the Ministry of Justice to reduce executive interference in the judiciary. A pledge to release all prisoners who had not been charged with a crime, apart from those suspected of terrorism or theft, had not been fulfilled by year's end.

"The judiciary is underfunded, and the Supreme Court is ineffective. Somaliland has approximately 100 judges, most of whom do not have formal legal training. Somaliland's police and security forces, while more professional than those in Somalia, have at times used excessive force." [317]

11.14 Somaliland Law, undated, accessed on 15 April 2011, outlined the judicial system:

"Briefly, the Somaliland courts of law are:

- Courts of first instance, which are the District Courts and the Regional Courts.
- The Appeal Courts which are based in each region.
- The Supreme Court, which is also the Constitutional Court. The Court can also sit, with additional representatives as the High Court of Justice when dealing with impeachment of public officers, other than the President & the Vice-President." [318]

For further information on the Somaliland judicial system, please see Somaliland Law.

The Somaliland Constitution outlines the requirements for the judiciary.

For more information on the *xeer* system, please see Ethnic groups.

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12. ARREST AND DETENTION – LEGAL RIGHTS

12.01 The US State Department *2010 Country Report on Human Rights Practices in Somalia*, published 8 April 2011, covering events of 2010 (USSD 2010 report) stated that Somalia's "… previously codified law requires warrants based on sufficient evidence issued by authorized officials for the apprehension of suspects; prompt notification of charges and judicial determinations; prompt access to lawyers and family members; and other legal protections for the detained; however, adherence to these procedural safeguards was rare. There was no functioning bail system or the equivalent." [319]

[317] Freedom House, Freedom in the World 2011: Somaliland, 23 August 2011, Political Rights and Civil Liberties, http://freedomhouse.org/template.cfm?page=363&year=2011&country=8189 Date accessed 7 September 2011
[318] Somaliland Law, Somaliland Judicial System, undated, http://www.somalilandlaw.com/somaliland_judicial_system.html Date accessed 15 April 2011
[319] US Department of State, Report on Human Rights Practices in Somalia, p10, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011

12.02 The USSD 2010 report also stated: "Arbitrary arrest was a problem countrywide." [320]

For details of arbitrary arrest and detention committed by the security forces of the TFG, Somaliland and Puntland authorities see Security forces: Arbitrary arrest.

SOUTH AND CENTRAL SOMALIA

12.03 The USSD 2010 report noted that in areas outside of the TFG's control:

"Extremist elements also arrested and detained persons in their areas of control. For example, on January 25, Hisbul Islam militia arrested three traditional elders for allegedly holding unauthorized meetings with residents of Hakow village in the Lower Shabelle Region. The elders were moved to and detained at Toratorow town before their release on January 27 after the intercession of other elders. On April 17, armed al-Shabaab militia in Baidoa arrested Alin Hilowle, program officer of the Isha Human Rights Organization, and detained him at an undisclosed location. It was later confirmed that Hilowle was transferred to Mogadishu where he was reportedly tortured into confessing that he had been compiling and relaying information regarding al-Shabaab human rights abuses in Bay and Bakol regions. There were unconfirmed media reports that Hilowle escaped from al-Shabaab custody in early October after they allowed him to attend the burial of one of his sons in Baioda under tight security. Hilowle's whereabouts remained unknown.

"On August 11, Hisbul Islam militia arrested Haji Jaylani Moalim, a renowned herbalist, and three of his children at their home and detained them without charge. The family was released after one week in custody." [321]

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13. PRISON CONDITIONS

13.01 The US State Department *2010 Report on Human Rights Practices, Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated:

"Prison conditions remained harsh and life threatening in all regions. Overcrowding, poor sanitary conditions, lack of access to health care, and inadequate food and water persisted in prisons throughout the country. Tuberculosis, HIV/AIDS, and pneumonia were widespread. Abuse by guards was common. Detainees' families and clans generally were expected to pay the costs of detention. In many areas prisoners depended on food received from family members or from relief agencies." [322]

13.02 The UN Office on Drugs and Crime (UNODC) stated in an undated entry on their website, accessed 18 April 2011, that: "Somalia's prison system has been chronically

[320] US Department of State, Report on Human Rights Practices in Somalia, p10, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011
[321] US Department of State, Report on Human Rights Practices in Somalia, p10, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 15 April 2011
[322] US Department of State, Report on Human Rights Practices in Somalia, p7-8, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011

under-funded and its capacity to prosecute and imprison pirates needs to be urgently strengthened." [323]

13.03 The UNODC February 2011 update on the Counter-Piracy Programme stated that: "UNODC seeks to improve the correction regimes in Somalia for two reasons. First, to ensure secure and humane imprisonment for those sentenced by local Somali courts. Second, improvement to the imprisonment regimes offers the possibility that those convicted of piracy in regional states may be transferred back to Somalia to serve their sentences." [324]

13.04 The update further stated that: "The UNODC programme commenced in January 2010 in Somalia and delivers support towards improved imprisonment arrangements and to courts through law reform and training of prosecutors." [325]

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SOUTH AND CENTRAL SOMALIA

13.05 The UN Security Council's *Report of the Secretary General*, published on 28 April 2011, stated that: "The prisons in southern central Somalia fail to meet the minimum standards required under the United Nations Standard Minimum Rules for the Treatment of Prisoners. Prison officers lack proper training in human rights, rehabilitation and reintegration, and relevant international standards for the treatment of offenders." [326]

13.06 The USSD 2010 report stated that:

"As a result of the worsening security situation and infiltration of violent extremists in TFG-controlled parts of Mogadishu, TFG police arrested suspects in security operations. However, there were fewer prisoners and detainees held in TFG prisons than in previous years. TFG prison officials reported that there were an estimated 400 prisoners held at Mogadishu central prison. As part of their efforts to strengthen the rule of law and improve security in Somalia, in mid-September official foreign donors sponsored training for the TFG Police Advisory Committee (PAC) held in South Africa. PAC is a civilian oversight authority established to ensure prisoners and detainees are treated in accordance with international human rights standards.

"There have been no reports of TFG-allied militias operating detention centers since the end of Abdullahi Yusuf's regime in 2008. Antigovernment extremist elements and clan

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[323] UN Office on Drugs and Crime, UNODC and Piracy, undated, http://www.unodc.org/unodc/en/piracy/index.html?ref=menuside Date accessed 18 April 2011

[324] UN Office on Drugs and Crime, Counter-Piracy Programme, Support to the Trial and Related Treatment of Piracy Suspects Issue Five: February 2011, p4, http://www.unodc.org/documents/easternafrica/piracy/20110209.UNODC_Counter_Piracy_February_Issue.pdf Date accessed 18 April 2011

[325] UN Office on Drugs and Crime, Counter-Piracy Programme, Support to the Trial and Related Treatment of Piracy Suspects Issue Five: February 2011, p9, http://www.unodc.org/documents/easternafrica/piracy/20110209.UNODC_Counter_Piracy_February_Issue.pdf Date accessed 18 April 2011

[326] UN Security Council, Report of the Secretary-General on Somalia, 28 April 2011, p15, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accesed 9 May 2011

leaders, however, reportedly continued to operate detention centers in which conditions were harsh and guards frequently abused detainees. Al-Shabaab and affiliated extremist armed groups operated dilapidated detention centers in areas under their control in the south and central regions. Although there were no official numbers, informal/unpublished sources estimated that thousands were incarcerated throughout extremist-controlled areas in inhumane conditions for relatively minor offenses such as smoking, listening to music, watching or playing soccer, and not wearing the hijab. There were no reports by human rights organizations and civil society leaders in Mogadishu of the existence of makeshift detention centers in Mogadishu where prisoners were held during and after episodes of heavy fighting.

"In prisons and detention centers, juveniles frequently were held with adults. The incarceration of juveniles at the request of families who wanted their children disciplined continued to be a major problem. Female prisoners were separated from males. Particularly in the south central region, pretrial detainees were often not separated from convicted prisoners." [327]

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PUNTLAND AND SOMALILAND

13.07 The USSD 2010 report stated that:

"The Puntland and Somaliland administrations permitted prison visits by independent monitors. A September 2009 report by the UNIE described conditions at Puntland's Garowe central prison as 'terribly bad' due to lack of capacity. The updated March 23 UNIE report referred to 'terrible detention conditions of the central prison in Garowe, in particular keeping prisoners in shackles.' Somaliland authorities and the UN Development Program (UNDP) set up an independent prisoner monitoring committee. The UNDP also trained the prison custodial corps on human rights. There were no visits by the International Committee of the Red Cross to prisons in the country during the year; however, a prisons conditions management committee organized by UNDP and composed of medical doctors, government officials, and civil society representatives continued to visit prisons in Somaliland. During the year UNDP managed a program to improve Somaliland prisons by building new facilities and assisting in training wardens and judicial officials." [328]

13.08 The UN's Report of the independent expert on the situation of human rights in Somalia, published on 16 September 2010 stated that: "There were 400 pirates in Puntland prisons, including some listed by United States intelligence, which exceeded the capacity of the prisons." [329]

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[327] US Department of State, Report on Human Rights Practices in Somalia, p8, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011

[328] US Department of State, Report on Human Rights Practices in Somalia, p8-9, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011

[329] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 16 September 2011, p12, http://www2.ohchr.org/english/bodies/hrcouncil/docs/15session/A.HRC.15.48_en.pdf Date accessed 18 April 2011

13.09 The UN Office on Drugs and Crime (UNODC) February 2011 update on the Counter-Piracy Programme stated that they had delivered the following improvements in Somaliland:

- Opening of the Hargeisa Prison following the completion of the final work on site and supply of material. The prison is in accordance with proper international standards and provides a safe and secure environment for 185 staff and 462 inmates
- The introduction of prison standing orders, prisoner records and staff records to the Somaliland Correctional Service
- Comprehensive training for 35 prison supervisors and 185 staff allocated to the Hargeisa Prison
- The introduction of, and training in, prisoner classification in Somaliland for the first time, including the commencement of retrospective classification to allow proper allocation of prisoners to appropriate facilities
- The reintroduction of prison uniforms after a 30 year absence
- Assessment of the prisons in Mandera, Burao and Berbera with a view to detailed refurbishment work in the future
- Agreed and commenced Phase One refurbishment of Bosasso prison
- Introduced Standing Orders for Somaliland Custodial Service
- Delivered training in prisoner categorization to the Somaliland Corrections Service to ensure that prisoners are properly managed through their sentences [330]

13.10 The UN Security Council's *Report of the Secretary General*, published on 28 April 2011, stated that:

"On 28 March, the United Nations Office on Drugs and Crime handed over to 'Somaliland' a prison in Hargeysa that holds pirates convicted by the courts in 'Somaliland', as well as other criminals. The prison meets international minimum standards, has a holding capacity of 465, and was refurbished at a cost of $1.5 million, partly funded by the trust fund to support initiatives of states countering piracy off the coast of Somalia." [331]

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14. DEATH PENALTY

14.01 The Amnesty International report, *Death sentences and executions in 2010*, published on 28 March 2011 and covering events in 2010, stated that:

"At least eight executions were carried out and eight people were sentenced to death in Somalia last year [2010]. At least seven people were executed and six sentenced to death in the autonomous region of Puntland, while two people were reportedly

[330] UN Office on Drugs and Crime, Counter-Piracy Programme, Support to the Trial and Related Treatment of Piracy Suspects Issue Five: February 2011, p9-10, http://www.unodc.org/documents/easternafrica/piracy/20110209.UNODC_Counter_Piracy_February_Issue.pdf Date accessed 18 April 2011

[331] UN Security Council, Report of the Secretary-General on Somalia, 28 April 2011, p4, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accessed 9 May 2011

sentenced to death in Somaliland. Nur Ahmed Shire was executed by the Transitional Federal Government (TFG) in December 2010, the first execution to be ordered by the TFG authorities since 2007. In December 2010 Somalia again voted in favour of the third UN General Assembly resolution on a moratorium on execution; Somalia had voted in favour of a similar UN General Assembly resolution in 2008." [332]

14.02 On 22 August 2011, Reuters reported that:

"Somalia executed two government soldiers Monday [22 August 2011] accused of killing a civilian and a soldier, as the Western-backed government came under international pressure to hold its forces to account for abuses.

"Somalia's government … is hoping to gain support for a new humanitarian force to protect food aid convoys, and is keen to show it is serious about clamping down on soldiers who commit violations.

"'We caught these two soldiers red-handed. One killed a civilian and the other a soldier, so we have decided to execute them in accordance with the laws of Islam and our military court,' judge Hassan Hussein Muungaab told reporters at the Mogadishu police academy where the sentence was carried out.

"'They will serve a good example to all government forces, which should ensure reliable peace. This is to avoid killings and to safeguard our Somali people. Any soldier who kills a person or loots property or food at the market or in refugee camps will be executed likewise,' he said.

"Dozens of people watched about 15 soldiers open fire at the two soldiers, identified as Abdisankus and Abdullahi Jirow, who had been blindfolded and tied to two poles, witnesses said." [333]

14.03 Following the executions, Amnesty International and Human Rights Watch issued a joint statement claiming that the soldiers executed had "no opportunity to appeal as is required under international law".[334]

14.04 *All Headline News* reported on 13 January 2011 that: "A police officer has been sentenced to death by a military court in the semi-autonomous state of Puntland after being found guilty of murder…after confessing to murdering three Puntland policemen in downtown Bosaso." [335] The same report noted that: "On Jan. 24, 2010, Hussein Mohammed Ali, who was dressed in women attire and veil when captured, was

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[332] Amnesty International, Death sentences and executions in 2010, 28 March 2011, p38-39, http://www.amnesty.org/en/library/asset/ACT50/001/2011/en/ea1b6b25-a62a-4074-927d-ba51e88df2e9/act500012011en.pdf Date accessed 18 April 2011

[333] Reuters, Somali government executes two soldiers over killings, 22 August 2011, http://www.reuters.com/article/2011/08/22/us-somalia-execution-forces-idUSTRE77L4EZ20110822 Date accessed 7 September 2011

[334] Human Rights Watch, Somalia: Stop Unfair Trials, Executions, 2 September 2011, http://www.hrw.org/news/2011/09/02/somalia-stop-unfair-trials-executions Date accessed 13 September 2011

[335] All Headline News, Somalia: Puntland military court sentences police officer to death, 13 January 2011, http://www.allheadlinenews.com/briefs/articles/90030580?Somalia%3A%20Puntland%20military%20court%20sentences%20police%20officer%20to%20death#ixzz1NGDI9vD9 Date accessed 24 May 2011

sentenced to death by a court in Garowe… The court accused Ali of planning terrorist attacks against Puntland and the break-away republic of Somaliland." [336]

14.05 The US State Department *Report on 2010 Country Report on Human Rights Practices, Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated that: "On January 17, a Bossaso court found Abdinassir Ahmed Ali guilty of the November 2009 killing of Judge Mohamed Abdi Warabe and sentenced him to death by firing squad." [337]

14.06 The Human Rights Watch report, *Harsh War, Harsh Peace*, published on 19 April 2010, stated that the death penalty is applied by non-state armed groups:

"Al-Shabaab's system of justice is harshest on those it accuses of crimes that holy Islamic texts single out for specific punishments. These include…extra-marital sex (punishable by death or flogging), and apostasy or renunciation of Islam (punishable by death)… According to independent media and civil society groups, al-Shabaab has stoned to death at least three people since late 2008 for allegedly committing adultery. In one case, in November 2008, al-Shabaab drew hundreds of spectators to a soccer stadium in Kismayo to watch its enforcers stone to death an alleged female adulterer. The victim's age has not been confirmed; some reports say she was as young as 13 while others say she was an adult.

"In the village of Wajid, about 250 miles (400 kilometers) northwest of Mogadishu, al-Shabaab reportedly stoned to death a divorcee in November 2009 for having an affair with an unmarried man. The man was reportedly given 100 lashes. The same month, media reported that al-Shabaab stoned a man to death for adultery in the port of Merka, south of Mogadishu. Al-Shabaab announced it would execute the man's pregnant girlfriend after she gives birth." [338]

For information on executions carried out by non-state armed forces, please see Abuses by non-government armed forces, Torture and executions.

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15. POLITICAL AFFILIATION AND EXPRESSION

For freedom of expression generally, see Freedom of speech and media and Human rights institutions, organisations and activists

15.01 The Freedom House report, *Worst of the Worst 2011*, published on 1 June 2011, noted that:

"Somalia is not an electoral democracy. The Somali state has in many respects ceased to exist, and there is no governing authority with the ability to protect political rights and civil liberties. The TFG is recognized internationally but is deeply unpopular

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[336] All Headline News, Somalia: Puntland military court sentences police officer to death, 13 January 2011, http://www.allheadlinenews.com/briefs/articles/90030580?Somalia%3A%20Puntland%20military%20court%20sentences%20police%20officer%20to%20death#ixzz1NGDI9vD9 Date accessed 24 May 2011

[337] US Department of State, Report on Human Rights Practices in Somalia, p6, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011

[338] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p32-35, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 18 April 2011

domestically, and its actual territorial control is minimal. There are no effective political parties, and the political process is driven largely by clan loyalty. A draft constitution was completed in July 2010 but had not been adopted by the end of the year. Corruption in Somalia is rampant, and UN monitors have reported extensive graft at all levels of the TFG." [339]

SOUTH AND CENTRAL SOMALIA

15.02 The US State Department *2010 Country Report on Human Rights Practices*, Somalia, 8 April 2011, observed that:

"The TFG failed to make progress on prescribed tasks necessary for transition to a popularly elected federal government. In January 2009 the Djibouti Process expanded parliament and extended the TFG mandate until August 2011 to provide more time to prepare the country for national elections. However, like the administrations that preceded it, the TFG administration was wholly unsuccessful in delivering on its core transitional tasks.

"Unlike in previous years when clan leaders operated as de facto rulers in most regions under the nominal control of the TFG, much of the country remained under the rule of armed militias during year, many associated with the al-Shabaab terrorist group. Although al-Shabaab often collaborated with clan leaders in the areas it controlled, many clan leaders continued to face opposition from intraclan groups and political factions." [340]

TFG officials and supporters

15.03 The US State Department *Report on Human Rights Practices in Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated:

"Roadside bombings, suicide attacks, and armed raids targeting TFG officials and sympathizers as well as civil society groups continued throughout the year. Antigovernment extremist groups were responsible for numerous killings of government officials and police. Politically motivated killings by al-Shabaab and its affiliates resulted in the deaths of several TFG officials and members of the Banadir regional administration, including district commissioners and their deputies and security and court officials.

"Al-Shabaab claimed responsibility for several attacks against the TFG and its supporters during the year. For example, on May 24, al-Shabaab claimed responsibility for a landmine explosion at a TFG checkpoint in Mogadishu's Buula Hubeey neighborhood that killed three TFG soldiers and injured four. The explosion also injured two children. On June 9, an explosion of a remote controlled device killed nine TFG police on foot patrol near the police academy, in Mogadishu's Hamar Jajab District. Seven civilians were also killed in the attack. On August 17, a remote-controlled roadside explosion targeting Guriel District Commissioner Osman Isse Nur "Tar-

[339] Freedom House, Worst of the Worst 2011, 1 June 2011, p20, http://www.freedomhouse.org/uploads/special_report/101.pdf Date accessed 7 September 2011
[340] US Department of State, Report on Human Rights Practices in Somalia, p16-17, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011

dhuleed" injured two of his children who were riding in the car with him. ASWJ militia arrested 10 suspects in the attack.

"The TFG's Waberi police station commander was killed during August 23 to 25 clashes between the TFG and al-Shabaab. On August 24, an al-Shabaab armed raid and subsequent suicide attack on a Mogadishu hotel killed 31 persons, including four MPs. On September 20, AMISOM peacekeepers killed a lone gunman reportedly on a suicide mission as he tried to gain access to the presidential palace. The gunman belonged to extremist group Hisbul Islam and reportedly intended to kill his uncle, the interior minister. Unlike in 2009, there were no reports of al-Shabaab taking TFG forces hostage or summarily executing any security officers." [341]

15.04 The USSD 2010 report also stated that: "Al-Shabaab used torture on TFG members and individuals suspected to be sympathetic to the government." [342]

15.05 The Human Rights Watch report, *Harsh War, Harsh Peace*, published on 19 April 2010, stated that Al Shabaab seek to "… suppress potential dissent. 'Al-Shabaab believe they are on a mission from God and therefore only they have the right to rule,' a civil society leader told Human Rights Watch. 'You have no right to talk about politics. You have no right to exercise your values and beliefs.'" [343]

15.06 The Economist Intelligence Unit country report on Somalia, published on 1 November 2011, noted that: "A member of parliament lost his legs and 19 people were killed in a bomb explosion in north Mogadishu on October 15th." [344]

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PUNTLAND

15.07 The USSD 2010 report stated that: "Although the constitution of semi-autonomous Puntland provides citizens the right to change their government peacefully, only members of parliament selected by traditional clan elders exercised this right, supposedly acting on the behalf of the people." [345] The report also noted that: "The Puntland interim constitution provides for freedom of association; however, the Puntland administration continued to ban all political parties." [346] The same report further noted that: "Islamist extremists increased attacks on Puntland regional officials. During the year 50 senior government officials and security officers were killed in roadside bombs and gun violence, mostly in Puntland's Bari Region." [347]

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[341] US Department of State, Report on Human Rights Practices in Somalia, p16-17, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011
[342] US Department of State, Report on Human Rights Practices in Somalia, p19, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011
[343] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p24, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 18 April 2011
[344] Economist Intelligence Unit, Country Report: Somalia, 1 November 2011, p11, available in hard copy on request
[345] US Department of State, Report on Human Rights Practices in Somalia, p16-17, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011
[346] US Department of State, Report on Human Rights Practices in Somalia, p28, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 19 April 2011
[347] US Department of State, Report on Human Rights Practices in Somalia, p1, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 19 April 2011

SOMALILAND

15.08 The USSD 2010 report noted that: "The Somaliland constitution provides citizens the right to change their government peacefully, and citizens exercised this right through periodic, free, and fair elections based on universal suffrage." [348]

15.09 The Freedom House report *Freedom in the World 2011: Somaliland*, published 23 August 2011, stated that: "Somaliland's constitution allows for a maximum of three political parties, and parties defined by region or clan are technically prohibited. Nevertheless, party and clan affiliations tend to coincide." [349] However, the Economist Intelligence Unit, Somalia, *Country Report – Main Report*, 1 November 2011, (EIU Report 2011) stated that: "in August 2011 a law was passed allowing the formation of additional political parties; four new parties have been formed since then; council and parliamentary elections are due to be held by April 2012 and May 2013, respectively." [350]

15.10 The USSD 2010 report stated that: "In Somaliland's disputed Sool and Sanaag regions, disaffected sub-clans waged sporadic violence against government officials." [351]

15.11 The USSD 2010 report stated that:

> "Somaliland laws prohibit Somalilanders from participating in TFG politics. Over the year, Somaliland authorities banished several prominent TFG politicians who were serving or had served in TFG as MPs or ministers from Somaliland. On December 13, Somaliland's president, through a presidential decree, pardoned Mohamed Abdullahi Jama "Sifir," a prominent TFG politician who once served as an MP, deputy prime minister, and minister in the TFG, following Sifir's application expressing his recognition of Somaliland's separate status from that of Somalia." [352]

15.12 The USSD 2010 report noted that: "On June 26, the Somaliland administration conducted its second direct presidential election in five years. On July 2, the Somaliland independent national elections commission declared Ahmed Mohamed Mohamud "Silanyo" as the winner in a presidential election that domestic and international observers declared as free and fair." [353]

15.13 The Freedom House report *Freedom in the World 2011: Somaliland*, published on 23 August 2011, noted, with regard to the 2010 election, that:

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[348] US Department of State, Report on Human Rights Practices in Somalia, p16-17, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011

[349] Freedom House, Freedom in the World 2011: Somaliland, 23 August 2011, Political Rights and Civil Liberties, http://freedomhouse.org/template.cfm?page=363&year=2011&country=8189 Date accessed 7 September 2011

[350] Economist Intelligence Unit, Somalia, Country Report – Main Report, 1 November 2011, subscription – hard copy available on request, http://www.eiu.com/index.asp?layout=displayIssueArticle&issue_id=528560237&opt=full [highlight weblink] Date accessed 1 November 2011

[351] US Department of State, Report on Human Rights Practices in Somalia, p1, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 19 April 2011

[352] US Department of State, Report on Human Rights Practices in Somalia, p29, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 19 April 2011

[353] US Department of State, Report on Human Rights Practices in Somalia, p1, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 19 April 2011

"While the outcome was peaceful, the campaign was conducted amid considerable political tension. The opposition accused incumbent Dahir Riyale Kahin of using public money to fund his campaign. There were also some outbreaks of violence. The Shabaab threatened to stop the vote, and in June Somaliland's police claimed to have disrupted a terrorist plot in the city of Burco. In addition, militia groups supporting Puntland's claims to Sool and Sanaag attacked polling stations, killing four people. Fake voting cards were found to be in circulation on election day, and there were some reports of underage voting and ballot-box stuffing. The NEC made credible efforts to address most complaints. Domestic and foreign election monitors found that the vote generally met international standards and that its outcome reflected the will of the people." [354]

For further information on the 2010 Presidential election, please see History: 'The Republic of Somaliland' (1991 to 2010)

15.14 The USSD 2010 report noted with regard to political prisoners:

"…some arrests and detentions, especially in Somaliland, appeared to be politically motivated. In September 2009 there were reports that Somaliland authorities arrested and detained more than 100 persons, including several opposition leaders, after four persons were killed during demonstrations in Hargeisa. In August an estimated 270 prisoners, including those arrested in September 2009, were released from Somaliland prisons through a presidential amnesty.

"Somaliland's Parliamentary Committee on Justice and Constitution reported in March that half of the 765 prisoners and remandees held in the Mandheera Prison were detained on the orders of regional or district security committees." [355]

For more information on the political system in all three regions, please see Political system.

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16. FREEDOM OF SPEECH AND MEDIA

See also sections on Political affiliation and expression, and Human rights institutions, organisations and activists.

16.01 Reporters Without Borders noted, in their report *Predators of Press Freedom: Somalia - Islamist militias*, published on 3 May 2011, that:

"There is no sign of any respite for Somalia after 20 years of war. Islamist insurgents, previously united against Ethiopia's troops and now embroiled in internal rivalry and conflicts, have contributed to the chaos since 2009 by waging a war of harassment against the fragile transitional government. The bearers of a strict version of Islam, they ban cinema, video games and radio music. Al-Shabaab (The Youth) has emerged as the biggest and best organized of these groups. It wages a campaign of terror and

[354] Freedom House, Freedom in the World 2011: Somaliland, 23 August 2011, Political Rights and Civil Liberties, http://freedomhouse.org/template.cfm?page=363&year=2011&country=8189 Date accessed 7 September 2011
[355] US Department of State, Report on Human Rights Practices in Somalia, p32, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 19 April 2011,

targeted murders against leading members of Somali civil society who are, it says, guilty of serving the interests of the "Crusaders" of the West. Dozens of teachers, academics and politicians have been killed.

"The victims include journalists, who are regarded almost by definition as enemies. Twelve of them have been killed since 2009, either caught in crossfire or directly targeted by the various militia factions. *Radio Shabelle* has paid a particularly heavy price, losing its manager, Mukhtar Mohamed Hirabe, and three of its reporters in the space of a few months. Other Radio Shabelle employees fled the country. Al-Shabaab and Hizb-Al-Islam now control a large part of the country, have their own prisons, carry out arrests and execute sentences. They also issue directives to journalists about how to cover the news and, in 2010, seized control of about 10 radio stations, which now broadcast their political and religious propaganda." [356]

16.02 The Human Rights Watch *World Report 2011*, covering events in 2010, published on 24 January 2010, stated that:

"Somalia remains one of the world's most dangerous places to be a journalist. At least three journalists were killed in 2010, bringing the total killed since 2007 to 22. Two were targeted killings: Sheikh Nur Mohamed Abkey of state-run Radio Mogadishu was killed by three gunmen in May, and Abdullahi Omar Gedi was stabbed by unknown assailants in Galkayo. Barkhat Awale was killed by a stray bullet in Mogadishu on August 24. Both TFG and opposition forces have harassed the dwindling number of journalists still struggling to operate in Somalia. In April al-Shabaab banned all BBC broadcasts in Somalia and confiscated equipment." [357]

16.03 The US State Department *2010 Country Report on Human Rights Practices, Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated that:

"The TFC and the Somaliland constitution provide for freedom of speech and of the press. The Puntland interim constitution provides for press freedom 'as long as journalists respect the law'; however, this right was not respected in practice. Instances of violence, including murder, harassment, arrest, and detention of journalists in all regions of Somalia continued. Journalists engaged in rigorous self-censorship to avoid reprisals." [358]

16.04 The report further stated that during 2010: "… two journalists were killed in targeted or collateral incidents, down from nine in 2009. On May 4, al-Shabaab claimed responsibility for the murder of Sheikh Nur Mohamed Abkey, a journalist with the Somali government's Somalia National News Agency. On August 24, journalist Garkhat Awale

[356] Reporters Without Borders, Predators of Press Freedom: Somalia - Islamist militias, 3 May 2011, http://en.rsf.org/spip.php?page=predateur&id_article=37330 Date accessed 6 May 2011
[357] Human Rights Watch, World Report 2011, Somalia, http://www.hrw.org/en/world-report-2011/somalia Date accessed 20 April 2011
[358] US Department of State, Report on Human Rights Practices in Somalia, p24, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

was killed while working on the Hurma Radio transmitter in Mogadishu. It is unclear whether he was targeted or hit by a stray bullet." [359]

16.05 The Committee to Protect Journalists report, *Attacks on Press Freedom 2010 – Somalia*, released on 15 February 2011, reported that:

"Somalia remained Africa's most dangerous country for the press. Two journalists were killed during the year in direct relation to their work, bringing the death toll to 23 since 2005. The conflict between Islamic insurgent groups and a weak Transitional Federal Government backed by African Union troops continued to fuel a steady exodus of journalists seeking to escape deadly violence, severe censorship, and harassment. CPJ's 2010 analysis of exiled journalists, published in June, found that at least 16 journalists had fled the country in the prior 12 months, with 59 having gone into exile over the past decade. Remaining journalists practiced extreme self-censorship to survive." [360]

16.06 The BBC Country Profile for Somalia, updated on 9 July 2011, reported that:

"Somalia's disintegration is reflected in its media, which tends to be fragmented and often partisan.

"Broadcasters and journalists operate in an atmosphere which is hostile to free expression, and often dangerous. Reporters Without Borders describes Somalia as 'Africa's deadliest country for journalists'. Islamist groups have often taken action against media outlets with which they disagree.

"Nevertheless, diverse and increasingly professional media outlets have emerged in recent years - in particular, FM radio stations with no explicit factional links.

"The TV and press sectors are weak and radio is the dominant medium. There are around 20 radio stations, but no national, domestic broadcaster. Many listeners tune to Somali-language media based abroad, in particular the BBC Somali service. The latter is available on shortwave, and via FM relays in Mogadishu (91.1), the Somaliland capital Hargeisa (89.0), and elsewhere.

"The Somali diaspora - in the West, the Gulf states and elsewhere - sustains a rich internet presence. But domestic web access is hampered by practicalities such as limited access to mains electricity. There were 102,000 internet users by September 2009 (Internetworldstats).

"In secessionist Somaliland and Puntland the authorities maintain a tight hold on broadcasting." [361]

16.07 The Freedom House report, *Freedom of the Press 2010*, published on 17 October 2011, noted that: "The media environment in Somalia varies significantly depending on region,

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[359] US Department of State, Report on Human Rights Practices in Somalia, p25, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011
[360] Committee to Protect Journalists, Attacks on the Press 2010: Somalia, 15 February 2011 http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php Date accessed 20 April 2011
[361] BBC News, Somalia country profile, updated 9 July 2011, http://www.bbc.co.uk/news/world-africa-14094550 Date accessed 7 September 2011

with different conditions in chaotic southern Somalia, the semiautonomous Puntland region in the northeast, and the breakaway region of Somaliland in the northwest." [362]

16.08 The *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, covering events between September 2010 and July 2011, 29 August 2011, to the UN Human Rights Council, observed that:

"No journalist was killed in the period under consideration. However, journalists have continued to suffer injuries in the context of the ongoing armed conflict, and are subjected to arbitrary or unlawful arrests, threats and other forms of intimidation. Al-Shabaab reportedly continues to place unlawful and arbitrary limits on freedom of opinion and expression, including by blocking radio signals and prohibiting listening to certain radio stations and news. Failure to obey these orders has been met with punishments to both media house staff and individuals caught listening to banned stations… Cases of interference by the Transitional Federal Government with freedom of opinion and expression were also reported. Notable cases include the arrest and detention of two Shabelle Media personnel for three days in Mogadishu, only for them to be released without charge. In March 2011, Radio Kulmiye was closed by the National Security Agency for 48 hours, then allowed to resume broadcasting by the authorities. In June, Government forces stormed and stopped the operation of Jubba radio, a local FM station based in Mogadishu, for a few hours."[363]

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SOUTH AND CENTRAL SOMALIA

16.09 The Freedom House report, *Freedom of the Press 2010*, published on 17 October 2011, noted that in south and central Somalia:

"The struggle between the TFG, Hizbul Islam, and Al-Shabaab has dramatically affected the media environment in southern Somalia. Media outlets have aligned themselves with political factions as a means of survival, making neutral or objective reporting a rarity. Journalists working for international broadcasters such as the British Broadcasting Corporation (BBC) and Voice of America (VOA) also face pressure from Al-Shabaab and Hizbul Islam … Frequent incidents of harassment, arbitrary arrest, and violence against journalists continue to encourage high levels of self-censorship. On the other side, concerns about safety also make those journalists that did interview rebel leaders reluctant to edit or interrupt interviews. Complaints from other regions, including Somaliland, suggested that Al-Shabaab was getting too much airtime and was not being adequately challenged by journalists on-air. Direct censorship also remained a problem, as both groups took over some stations and forced others to close, while demanding that those that were still on air cease broadcasting music. At least 14 radio stations in Mogadishu complied with Hizbul Islam's April ban on the broadcast of music. However, radio stations faced being closed by the central government for their compliance.

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[362] Freedom House, Freedom of the Press 2011 - Somalia, 17 October 2011, http://www.freedomhouse.org/template.cfm?page=251&year=2011 Date accessed 17 November 2011

[363] UN Human Rights Council, The Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/155/91/PDF/G1115591.pdf?OpenElement Date accessed 1 October 2011

According to the local Somali Foreign Correspondents Association, two stations were temporarily taken off the air for not playing music until then information minister Dahir Mohamud Gelle reversed the order." [364]

Television and radio

16.10 The BBC Country Profile for Somalia, updated on 9 July 2011, listed the following radio stations in Central and Southern Somalia:

- Radio Mogadishu - FM station operated by transitional government, coverage limited to the capital
- Radio HornAfrik - popular private FM station based in Mogadishu, rebroadcasts BBC
- Radio Shabelle - private FM station in Mogadishu, Marka
- Radio Banaadir - private, Mogadishu-based FM station
- Holy Koran Radio - private, Mogadishu FM station
- Radio Simba - private, Mogadishu [365]

16.11 The Committee to Protect Journalists report, *Attacks on Press Freedom 2010 – Somalia*, released on 15 February 2011, noted that:

"Highly sensitive to local radio coverage, hard-line militants were quick to seize journalists, censor news content, and close stations…Several media houses in Mogadishu sought refuge by relocating to the slivers of government-controlled territory. 'While the government will harass and detain you, the other side will kill you – that's the difference, Radio Shabelle correspondent Abdihakim Jimale told CPJ. Shabelle, one of the leading independent radio stations, stealthily moved its equipment, piece by piece, from Mogadishu's insurgent-controlled Bakara Market to a government-controlled area in June.

"By late year [2010], virtually all media in insurgent-controlled areas were forced to run propaganda or were shut down entirely. Al-Shabaab raided the studios of major independent broadcasters such as HornAfrik, Somaliweyn, and GBC in Mogadishu, and Radio Mandeeq in the southern town of Belet-Hawo, using the seized equipment for its own fledgling network of five stations, called Radio Al-Andalus.

"Insurgents imposed severe censorship on all stations in rebel-held territories. Hizbul Islam and Al-Shabaab banned broadcasts of the World Cup, BBC programming, and all music, including advertising jingles and theme music introducing programming. Fourteen private radio stations in the capital stopped airing music in April after a Hizbul Islam leader, Sheikh Ma'alin Hashi, issued an ultimatum. Several stations started to use sound effects in place of music previously used to introduce programs, local journalists told CPJ…In May, before Radio Shabelle moved to a government-controlled area, Al-Shabaab commanders demanded that the station never mention shells fired by its forces and that it refer to civilians killed as 'martyrs'.

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[364] Freedom House, Freedom of the Press 2011 - Somalia, 17 October 2011, http://www.freedomhouse.org/template.cfm?page=251&year=2011 Date accessed 17 November 2011

[365] BBC News, Somalia country profile, updated 9 July 2011, http://www.bbc.co.uk/news/world-africa-14094550 Date accessed 7 September 2011

"Broadcasters Radio Shabelle, Tusmo, Voice of Democracy, Codka Nabadda, HCTV, Universal TV, the U.N.-backed Bar-Kulan Radio, as well as the state-run Radio Mogadishu, all operated within the government-controlled areas, Information Minister Abdirahman Omar Osman told CPJ. Nonetheless, Tusmo and Codka Nabadda upheld the insurgents' ban on music, while HCTV refrained from criticizing Al-Shabaab, the minister added.

"Journalists found themselves caught between two sides at times. After the insurgents sought to ban music on the radio, the government threatened to close the stations that complied with the order. 'We will not tolerate the radio stations that halted airing music and songs in the government-controlled area,' Abdikafi Hilowle Osman, general secretary of the Banadir Regional Administration, told reporters at an April press conference. Two stations that complied with the music ban were taken off the air for six hours by security agents until the information minister at the time, Dahir Mohamud Gelle, intervened and reversed the order, the Somali Foreign Correspondents Association reported." [366]

Newspapers

16.12 The BBC Country Profile, updated on 9 July 2011, listed the following newspapers in Mogadishu:

- Qaran
- Xog-Ogaal
- Codka Xoriyadda
- Ayaamaha [367]

16.13 The USSD 2010 report stated that: "The print media throughout Somalia consisted largely of short, photocopied dailies published in the larger cities and often affiliated with one or another of the factions. Several of these dailies were nominally independent and published criticism of political leaders and other prominent persons" [368]

Journalists

16.14 The Committee to Protect Journalists report, *Attacks on Press Freedom 2010 – Somalia*, released on 15 February 2011, noted that: "Insurgent groups often considered professional journalists to be government supporters and, thus, enemy targets. The ongoing threat led reporters to flee the capital, with some resettling in Hargeisa, Somalia's second-largest city, and others leaving the country entirely to live in Kenya, Uganda, and Djibouti" [369]

16.15 The USSD 2010 report stated:

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[366] Committee to Protect Journalists, Attacks on the Press 2010: Somalia, 15 February 2011 http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php Date accessed 20 April 2011

[367] BBC News, Somalia country profile, updated 9 July 2011, http://www.bbc.co.uk/news/world-africa-14094550 Date accessed 7 September 2011

[368] US Department of State, Report on Human Rights Practices in Somalia, p24, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

[369] Committee to Protect Journalists, Attacks on the Press 2010: Somalia, 15 February 2011 http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php Date accessed 20 April 2011

"Unlike in the previous years, journalists did not receive direct threats from the TFG. However, al-Shabaab and other extremists continued to harass journalists, and the overall climate for freedom of speech and press deteriorated. Journalists reported that al-Shabaab threatened to kill them if they did not report on antigovernment attacks conducted by al-Shabaab. Reporters also remained under threat if they published criticism of the government. The Kismayo al-Shabaab administration continued to enforce rules for journalists, including a requirement to refrain from reporting news that undermined Islamic law." [370]

16.16 On 5 August 2011, Reporters Without Borders noted that they were:

"…deeply shocked by the death of Radio Simba presenter Farah Hassan Sahal, who was shot three times at close range yesterday – once in the head and twice in the chest – outside the entrance to the privately-owned radio station, located near Hareed mosque in Mogadishu's Bakara Market neighbourhood.

"Colleagues who witnessed the shooting said the shots were fired by a soldier with the African Union Mission in Somalia (AMISOM) or the Transitional Federal Government (TFG)." [371]

16.17 The Committee to Protect Journalists reported on 5 September 2011 that:

"The Committee to Protect Journalists calls on the African Union to ensure the safety of civilians operating in Somalia after witnesses reported that AU forces fired on a Malaysian humanitarian convoy in Mogadishu on Friday, killing one journalist and injuring another. Calling the shootings 'deeply regrettable,' the African Union Mission in Somalia said in a statement that it has undertaken an investigation and would publicize its findings.

"Killed in the gunfire was Noramfaizul Mohd, 39, a cameramen (sic) for Malaysia's national Bernama TV who was accompanying the Putera 1Malaysia Club on a humanitarian aid mission, Bernama TV said in a statement. Aji Saregar, 27, a camera operator for Malaysia's TV3, was struck in the right hand by gunfire and returned to Malaysia on Sunday, the journalist told CPJ." [372]

16.18 On 27 September 2011, Reporters Without Borders noted that the "African Union Mission in Somalia (AMISOM) yesterday acknowledged that it was involved in the fatal shooting of Noramfaizul Mohd Nor".[373]

16.19 The National Union of Somali Journalists (NUSOJ) report, *The Untold Tales of Deep Misery, Somali Journalists and their Precarious Work*, published on 10 December 2010, stated that:

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[370] US Department of State, Report on Human Rights Practices in Somalia, p25, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

[371] Reporters Without Borders, Radio Simba presenter gunned down in Mogadishu, 5 August 2010, http://en.rsf.org/somalia-radio-simba-presenter-gunned-down-05-08-2011,40756.html Date accessed 7 September 2011

[372] Committee to Protect Journalists, AU must act after journalist is killed in Somalia, 5 September 2011, http://www.cpj.org/2011/09/au-must-act-after-journalist-is-killed-in-somalia.php#more Date accessed 7 September 2011

[373] Reporters Without Borders, African Union accepts responsibility for Malaysian cameraman's death, 27 September 2011, http://en.rsf.org/somalia-malaysian-cameraman-shot-dead-in-02-09-2011,40916.html Date accessed 7 October 2011

"As the disastrous conflict in south-central Somalia has intensified in recent years, the area has become one of the most dangerous in the world for working journalists. The work is often poorly paid, insecure, unprotected, and cannot support the families of the journalists. International employers, such as major media aggregators, wire-services, and other news outlets often employee local stringers to cover events in Somalia that would be unsafe for their own nationals…women working as journalists face an especially dangerous and challenging environment. Female journalists confront deeply held biases and traditions. The local media houses often perceive women as persons only recruited for advertisements, as presenters, and as assistants to their male colleagues.

"Across the board, precarious media workers receive low wages, and hold only part-time or temporary work without benefits. However, female journalists are even more likely to hold parttime (sic) positions, receive less payment than men do for the same work, and face additional barriers to advancement in their careers. A large number of the women journalists responding to this survey reported that the majority of media owners believe that women journalists would only work temporarily until they got married and become mothers, at which time they would leave from the work." [374]

16.20 The Committee to Protect Journalists report, *Attacks on Press Freedom 2010 – Somalia*, released on 15 February 2011, reported that:

"Journalists found themselves caught between two sides at times. After the insurgents sought to ban music on the radio, the government threatened to close the stations that complied with the order. 'We will not tolerate the radio stations that halted airing music and songs in the government-controlled area,' Abdikafi Hilowle Osman, general secretary of the Banadir Regional Administration, told reporters at an April press conference. Two stations that complied with the music ban were taken off the air for six hours by security agents until the information minister at the time, Dahir Mohamud Gelle, intervened and reversed the order, the Somali Foreign Correspondents Association reported." [375]

16.21 The report continued:

"As the fighting intensified, the government harassed independent journalists covering the conflict. 'You are not allowed to take pictures. If government soldiers are defeated in battle, they complain whether it is fact or not,' AFP's Abdinur said. Police detained Abdinur and freelance cameraman Yusuf Jama in July for taking pictures of their colleague, Associated Press photojournalist Farah Abdi Warsame, who had been hit in crossfire in Mogadishu. The journalists were interrogated for several hours and forced to delete their photographs, Abdinur told CPJ. In June, *New York Times* correspondent Mohammed Ibrahim fled Somalia after receiving threats from government security forces over an article saying that the government had enlisted child soldiers. Ibrahim returned to Mogadishu in September after the government pledged that no harm would come to him.

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[374] National Union of Somali Journalists, The Untold Tales of Deep Misery, Somali Journalists and their Precarious Work, 10 December 2010, http://en.rsf.org/IMG/pdf/2010_annual_report_-_somali_journalists_and_their_precarious_work-2.pdf Date accessed 20 April 2011

[375] Committee to Protect Journalists, Attacks on the Press 2010: Somalia, 15 February 2011 http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php Date accessed 20 April 2011

"African Union peacekeeping forces also obstructed local journalists. In November, AU troops at Aden-Adde International Airport prevented several photographers from taking pictures of a British couple who had been released by kidnappers, according to local reports." [376]

16.22 Reporters Without Borders noted on 31 March 2011 that:

"Two journalists who were wrongfully arrested by the National Security Agency in Mogadishu on 27 March – *Radio Shabelle* manager Abdirashid Omar Qase and news director Abdi Mohamed Ismail – were released unconditionally yesterday.

"Shabelle Media Network, which owns the station, thanked all those who condemned the detention of their employees and paid tribute to the courage of the many Somalis who demonstrated on the streets of Mogadishu in protest." [377]

Further details about incidents involving journalists and media workers can be found on the websites of the RSF and the CPJ.

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PUNTLAND

16.23 The Freedom House report, *Freedom of the Press 2010*, published on 17 October 2011, noted that:

"The status of press freedom was visibly better [than south and central Somalia] in Puntland, a self-declared semiautonomous region. The Puntland interim constitution provides for press freedom as long as journalists demonstrate 'respect' for the law, but the region also recognizes the TFG. Despite the Puntland president's stated commitment to greater openness, restrictions remained harsh, and coverage of political and security issues continued to be particularly dangerous for journalists." [378]

Television and Radio

16.24 The BBC News Profile for Puntland, updated on 11 July 2011, listed the following TV and radio stations as operating in the region:

- Somali Broadcasting Corporation (SBC) - private, Bosasso
- Eastern TV Network (ETN) - private
- SBC Radio - private, Bosasso
- Radio Midnimo - private, Bosasso
- Radio Galkayo
- Radio Garowe - community station [379]

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[376] Committee to Protect Journalists, Attacks on the Press 2010: Somalia, 15 February 2011 http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php Date accessed 20 April 2011

[377] Reporters Without Borders, Two journalists freed in Mogadishu, two others still held in north, 31 March 2011, http://en.rsf.org/somalia-journalists-harassed-arrested-in-28-03-2011,39900.html Date accessed 20 April 2011

[378] Freedom House, Freedom of the Press 2011 - Somalia, 17 October 2011, http://www.freedomhouse.org/template.cfm?page=251&year=2011 Date accessed 17 November 2011

[379] BBC News, Puntland profile, updated 11 July 2011, http://www.bbc.co.uk/news/world-africa-14114750 Date accessed 7 September 2011

Journalists

16.25 The Committee to Protect Journalists report, *Attacks on Press Freedom 2010 – Somalia*, released on 15 February 2011, noted that:

"Islamic rebel groups gradually infiltrated the semiautonomous region of Puntland, prompting authorities to crack down on the press under the guise of state security. Puntland Information Minister Abdihakim Ahmed Guled barred Nuh Muse, a correspondent for Universal TV and the U.S. government-funded Voice of America, from working in Puntland, local journalists told CPJ. No explanation was given, but colleagues said the government apparently believed Muse had arranged interviews with the Islamic militant leader Sheikh Mohamed Said Atom. Since 2005, Atom had led a protracted guerrilla war from a base in the mountainous village of Galgala, about 30 miles (45 kilometers) south of the port city Bossasso.

"The private station Horseed FM also faced government reprisals for interviewing Atom in August, after his forces attacked Puntland troops in the Galgala region, Horseed Director Mahad Ahmed told CPJ. Armed police stormed the station in Bossasso the day of the interview, arresting Deputy Director Abdifatah Jama and seven other staff members, according to local journalists. The other staff members were released after a few hours, but Jama was convicted and sentenced to six years in prison the following day under a broad regional anti-terror law. Horseed appealed the court decision, noting that Jama had no access to a lawyer during the summary proceedings, Ahmed said. Provisions of the anti-terror law, passed by the regional parliament in July, had not been publicly disseminated by late year, leaving the press unsure even of what constituted a violation, local journalists told CPJ. Following international pressure, Jama was freed on a presidential pardon in November.

"Journalists faced several other threats from Puntland security forces and rebel groups throughout the year. CPJ documented nine cases of police and security personnel attacking journalists with impunity. In one case, security guards stationed at the High Court in Bossasso beat Radio Simba journalist Ahmed Ibrahim Noor, leaving him unconscious, local journalists reported. Noor suffered headaches and dizziness for days following the unexplained attack, the National Union of Somali Journalists reported." [380]

16.26 The USSD 2010 report stated that:

"During the year there continued to be incidents of banning journalists and arresting them in the Puntland Region. For example, on August 10, Puntland authorities banned Nuh Musse Birjeeb, a contractor for Voice of America, from reporting; Birjeeb had conducted an interview with an Islamic insurgent leader. Days later, the Puntland information minister lifted the ban. On August 13, Abdifatah Jama Mire, director of radio station Horseed Media, was arrested for broadcasting an interview with an armed Muslim extremist leader active in Puntland. Seventeen hours later, Mire was sentenced to six years in prison for his actions. At year's end his case was being appealed. On

[380] Committee to Protect Journalists, Attacks on the Press 2010: Somalia, 15 February 2011 http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php Date accessed 20 April 2011

August 15, the Puntland information minister banned media from reporting on violent extremist leaders active in Puntland." [381]

16.27 Reporters Without Borders reported on 31 March 2011 that:

"Liban Abdi Farah of the Somali Broadcasting Corporation (SBC) was immediately arrested by police when he went to the site of a bomb explosion in Galkayo, in the semi-autonomous northeastern region of Puntland, on 19 March. He is being held at police headquarters, where his relatives have been able to visit him but not his colleagues.

"Under Puntland's judicial system, he should have been taken before a judge within 48 hours, but that has not yet taken place." [382]

16.28 Hiiraan Online reported on 31 July 2011 that:

"Hiirraan Online reporter Faysal Mohamed Hassan a.k.a Boston who was in jail for 33 days was released from Boosaas Jail in the semi-autonomous region of Puntland after receiving presidential pardon … Mr. Faysal Hassan has been HOL reporter stationed in the semi-autonomous region of Puntland when he was illegally detained by the Puntland Police on June 28, 2011 and on July 2, 2011 a lower court sentenced him for one year after he was allegedly accused of reporting unsubstantiated and biased news." [383]

16.29 The Committee to Protect Journalists reported on 29 August 2011 that:

"At around 3 a.m. on Friday [26 August 2011], a grenade was thrown into the compound of private broadcaster Radio Daljir in the city of Galkayo, the secretary-general of the Media Association of Puntland, Burhan Dahir, told CPJ. The explosion slightly injured a security guard and damaged the front of the station's compound, he said. The reason for the attack remained unclear, according to local reports.

"In May, an unexploded bomb was found outside the station's gate, Dahir said. Last September, unknown assailants fatally stabbed Radio Daljir journalist Abdullahi Omar Gedi, 25, in Galkayo after he left the station, the station's managing partner, Jama Abshir, told CPJ." [384]

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SOMALILAND

[381] US Department of State, Report on Human Rights Practices in Somalia, p26, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011
[382] Reporters Without Borders, Two journalists freed in Mogadishu, two others still held in north, 31 March 2011, http://en.rsf.org/somalia-journalists-harassed-arrested-in-28-03-2011,39900.html Date accessed 20 April 2011
[383] Hiiraan Online, Hiiraan Online welcomes release of Faysal Hassan Boston, 31 July 2011, http://www.hiiraan.com/news2/2011/aug/hiiraan_online_welcomes_release_of_faysal_hassan_boston.aspx Date accessed 7 September 2011
[384] Committee to Protect Journalists, Grenade attack damages Puntland radio station, 29 August 2011, http://www.cpj.org/2011/08/grenade-attack-damages-puntland-radio-station-in-s.php Date accessed 7 September 2011

16.30 The Freedom House report, *Freedom of the Press 2010*, published on 17 October 2011, noted that: "Somaliland … enjoys more press freedom than the rest of the country. The Somaliland constitution guarantees freedoms of speech and of the press." [385]

16.31 The Committee to Protect Journalists report, *Attacks on Press Freedom 2010 – Somalia*, released on 15 February 2011 stated that:

"Somaliland boasted a vibrant press. Papers such as the critical private weekly Heegan were able to provide thorough and balanced coverage of the region's presidential election. Regional officials staged a relatively peaceful and free election in which opposition leader Ahmed M. Mahamoud Silanyo defeated the incumbent, Dahir Riyale Kahin, for the presidency…The National Union of Somali Journalists petitioned the new government to allow private broadcasters to operate in Somaliland. Although Somaliland had a relatively free, independent print press, its radio and TV outlets were state-controlled. Many citizens relied on private radio stations that broadcast outside of the country, such as the Netherlands-based Horyaal Radio, local journalists told CPJ." [386]

16.32 The BBC Profile for Somaliland, updated on 11 July 2011, gave the following summary of the media in Somaliland:

"Since 1991, Radio Hargeisa has been the Somaliland government's official mouthpiece. The government also owns Somaliland National Television (SLNTV).

"The authorities maintain a tight hold on broadcasting. Radio is the most accessible form of media, although Radio Hargeisa is the only permitted domestic outlet. The BBC is available in Hargeisa on 89 FM.

"A private TV station, Somaliland Television (SLTV), is permitted to operate. A cable TV service is run by Hargeysa Cable.

"The press can carry criticism of the government but the market for printed publications is small." [387]

Television and Radio

16.33 The BBC Profile for Somaliland, updated on 11 July 2011, listed the following TV and radio stations as operating in Somaliland:

- Somaliland National TV (SLNTV) - government-controlled, Hargeisa area
- Somaliland Television (SLTV) - private
- Radio Hargeisa - government-controlled [388]

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[385] Freedom House, Freedom of the Press 2011 - Somalia, 17 October 2011, http://www.freedomhouse.org/template.cfm?page=251&year=2011 Date accessed 17 November 2011

[386] Committee to Protect Journalists, Attacks on the Press 2010: Somalia, 15 February 2011 http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php Date accessed 20 April 2011

[387] BBC News, Somaliland profile, updated 11 July 2011, http://www.bbc.co.uk/news/world-africa-14115072 Date accessed 7 September 2011

[388] BBC News, Somaliland profile, updated 11 July 2011, http://www.bbc.co.uk/news/world-africa-14115072 Date accessed 7 September 2011

Newspapers

16.34 The BBC Profile for Somaliland, updated on 11 July 2011, stated that the following publications are distributed in Somalia:

- Somaliland Times - Hargeisa, English-language weekly published by Haatuf Media Network
- Haatuf - Hargeisa, private daily
- Jamhuuriya - Hargeisa, private
- Mandeeq - Hargeisa, state-owned [389]

Journalists

16.35 The Committee to Protect Journalists report, *Attacks on Press Freedom 2010 – Somalia*, released on 15 February 2011, noted how journalists in Somaliland had covered the 2010 presidential election:

"'Given the poor resources and training of the journalists here,' BBC reporter Jamal Abdi told CPJ, 'the local media did a remarkably good job covering the elections and polling across Somaliland's six polling regions.' They did so despite some harassment. In early June, police detained several journalists for a day after they took pictures of presidential guards attacking people displaying an opposition party flag, local journalists told CPJ. Security agents arrested Hadis Mohamed, editor of a critical website *Baadiya*, and held him without charge for a three-day period that coincided with the voting, Mohamed told CPJ. He said he was targeted for giving equal coverage to the opposition." [390]

16.36 Reporters Without Borders reported on 31 March 2011 that:

"…two journalists were harassed by soldiers in Las Anod, in the breakaway northwestern territory of Somaliland, on 22 March because of reports deemed to be defamatory. Mohamed Abdinur Hashi of Somali Channel TV was arrested while Mohamed Shaqale of Universal TV managed to avoid arrest and has since been in hiding. His laptop, camera and voice recorders were confiscated by the military, which is still looking for him." [391]

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17. HUMAN RIGHTS AND HUMANITARIAN INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

Please read in conjunction with Humanitarian situation and Internally displaced persons.

17.01 The US State Department *Report on 2010 Country Report on Human Rights Practices, Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated that:

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[389] BBC News, Somaliland profile, updated 11 July 2011, http://www.bbc.co.uk/news/world-africa-14115072 Date accessed 7 September 2011

[390] Committee to Protect Journalists, Attacks on the Press 2010: Somalia, 15 February 2011 http://www.cpj.org/2011/02/attacks-on-the-press-2010-somalia.php Date accessed 20 April 2011

[391] Reporters Without Borders, Two journalists freed in Mogadishu, two others still held in north, 31 March 2011, http://en.rsf.org/somalia-journalists-harassed-arrested-in-28-03-2011,39900.html Date accessed 20 April 2011

"A number of domestic and international human rights groups operated in some areas of the country, investigating and publishing their findings on human rights cases; however, security considerations constrained their ability to operate freely. In contrast with previous years, government officials were responsive to their views, although the TFG had limited capacity to implement human rights programs. There was also an increase in al-Shabaab's targeting of civil society groups, peace activists, media, and human rights and humanitarian organizations. The Mogadishu-based Dr. Ismael Jumale Human Rights Center (DIJHRC), Elman Peace and Human Rights Center (EPHRC), Peace and Human Rights Network, Isha Baidoa Human Rights Organization in the Bay and Bakol regions, KISIMA in Kismayo, Coalition of Grassroots Women's Organization (COGWO), and other local human rights groups were active during the year, although less than previously because of the increased targeting by al-Shabaab. The DIJHRC, EPHRC, and COGWO continued to investigate and document human rights violations, study the causes of the continuing conflict in the Mogadishu area, and conduct human rights monitoring. The Mogadishu-based National Union of Somali Journalists (NUSOJ) continued to advocate for media freedom throughout the country. The Mogadishu-based Center for Research and Dialogue, Puntland Development and Research Centre, and several women's NGOs and civil society organizations also played a role in promoting intraclan dialogue in Puntland and parts of the south central region…International and local NGOs generally worked without major restrictions in Puntland and Somaliland. The TFG did not interfere with NGO operations." [392]

17.02 The Human Rights Watch *World Report 2011*, covering events in 2010, published on 24 January 2011 (HRW World Report 2011), observed that: "The majority of human rights defenders fled the country in the past years amid increasing threats to civil society and media; the few individuals remaining in south-central Somalia censor themselves." [393]

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SOUTH AND CENTRAL SOMALIA

17.03 The UN Independent Expert on the Situation of Human Rights in Somalia noted in his report dated 16 September 2010 that: "Somali human rights defenders continued to face enormous constraints, challenges and threats in carrying out their work. At a meeting in September, human rights defenders from southern and central Somalia agreed to form a national coalition and began identifying capacity-building gaps and needs." [394]

17.04 The International Federation for Human Rights report, *Steadfast in Protest - Annual Report 2011 - Somalia*, published on 25 October 2011, noted that: "In 2010, humanitarian staff continued to work in a very difficult environment in southern and central Somalia as, in addition to the ongoing armed fighting, they faced restrictions in

[392] US Department of State, Report on Human Rights Practices in Somalia, p35-36, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011
[393] Human Rights Watch, World Report 2011, Somalia, http://www.hrw.org/en/world-report-2011/somalia Date accessed 20 April 2011
[394] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, p5, 16 September 2010, http://www2.ohchr.org/english/bodies/hrcouncil/docs/15session/A.HRC.15.48_en.pdf Date accessed 20 April 2011

their movements and activities as well as targeted attacks, particularly in areas controlled by Al-Shabab. As a result, humanitarian organisations had to pull out or to limit their activities in those regions." [395]

17.05 The *HRW World Report 2011*, published on 24 January 2011, noted that:

"The delivery of humanitarian assistance to south-central Somalia has been partially blocked by insecurity as well as measures imposed by armed opposition groups specifically targeting humanitarian agencies. At least eight agencies have been expelled from Somalia by al-Shabaab since January [2010]. In addition, United States sanctions on support to terrorist groups have restricted the delivery of food aid toward southern and central Somalia. As a result, some agencies had to cancel their operations, and access is reportedly at its lowest point since 2006." [396]

17.06 The USSD 2010 report stated that:

"During the year attacks and incidents of harassment of humanitarian, religious, civil society, and NGO workers resulted in numerous deaths. Unlike in previous years, TFG officials did not accuse NGOs and civil society organizations of siding with opposition groups and exaggerating human rights abuses committed by TFG forces, nor did the TFG intimidate and arrest NGO workers. However, on numerous occasions, al-Shabaab extorted money from local and international NGOs, threatening serious consequences for noncompliance. Al-Shabaab militia expelled international NGOs, and raided and looted humanitarian supplies and equipment from NGO compounds in regions under its control." [397]

17.07 The report further noted that:

"Deteriorating security conditions complicated the work of local and international organizations, especially in the South. During the year attacks on NGOs, seizure of NGO premises, and looting hindered humanitarian aid delivery. As a result of killings, extortion, threats, and harassment, some organizations evacuated their staff or halted food distribution and other aid-related activities. In addition, al-Shabaab banned an unprecedented number of international NGOs from areas under its control, and several other international NGOs were forced to scale down their humanitarian operations after refusing to agree to al-Shabaab extortion demands…While the TFG did not hamper humanitarian aid delivery, it was unable to prevent attacks on UN and NGO personnel and assets." [398]

17.08 The USSD 2010 report also stated that:

"Al-Shabaab banned approximately 10 international NGOs from working in areas under its control. Several other NGOs suspended their operations, being unable to meet extortion demands. On January 22, al-Shabaab militia raided World Health Organization

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[395] International Federation for Human Rights, Steadfast in Protest - Annual Report 2011 - Somalia, 25 October 2011, http://www.fidh.org/IMG/pdf/obs_2011_uk-afriqsub.pdf Date accessed 17 November 2011

[396] Human Rights Watch, World Report 2011, Somalia, 24 January 2011, http://www.hrw.org/en/world-report-2011/somalia Date accessed 20 April 2011

[397] US Department of State, Report on Human Rights Practices in Somalia, p36, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

[398] US Department of State, Report on Human Rights Practices in Somalia, p21-22, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

and Save the Children premises in Beledweyne and looted computers and other equipment after briefly holding local staff hostage. On April 8, al-Shabaab stormed and took over the WFP compound in Wajid, Bakol Region. Al-Shabaab also took control of Wajid's airstrip, which was the largest humanitarian hub in south and central Somalia.

"On August 31 [2010], al-Shabaab attacked and occupied international NGO Adventist Relief and Development Association's offices in Beledweyne and Bulaburde towns, Hiran Region. Evacuating the offices the same day, al-Shabaab took with them equipment such as computers and furniture. The organization had been implementing education and livelihood projects, and 180,000 beneficiaries were affected by its closure." [399]

17.10 The UN Security Council's *Report of the Secretary General*, published on 28 April 2011 gave an update with regard to resolution 1964 (2010), particularly the establishment of the United Nations presence in Somalia:

"The Department of Safety and Security has approved additional security compliant accommodations within the AMISOM protected area at the Aden Adde International Airport. In January, the authorized United Nations international staff ceiling for Mogadishu was increased from 14 to a maximum of 52 staff. The United Nations Mine Action Service, the World Food Programme (WFP), the United Nations Support Office for the African Union Mission in Somalia (UNSOA), the Department of Safety and Security and UNPOS currently maintain a presence of international staff members on a rotational basis, normally averaging 24 to 28 staff per day.

"Meanwhile, the United Nations common compound, the United Nations Children's Fund (UNICEF) compound and the WFP facility at Mogadishu port continue to serve as accommodation and office space for United Nations national staff. About 60 United Nations staff members currently work and live in Mogadishu, of which about half are international staff residing at the Aden Adde International Airport for security reasons." [400]

17.11 The United Nations High Commissioner for Refugees reported on 9 September 2011 that:

"Taking advantage of an improved security situation in parts of Somalia, UNHCR is scaling up its presence in the capital and in border regions.

"On Thursday [8 September 2011], a UNHCR assessment team visited Liboi just inside Kenya and the small town of Dobley in the southern Somalia region of Lower Juba. The team went to finalize arrangements for office and accommodation premises in Dobley, which is the main transit point for Somalis trying to reach the huge refugee camps at Dadaab in northern Kenya.

"The facilities will be also available to other UN agencies and international NGOs. This is in line with similar arrangements in Dollow (Gedo region) and the Somalia capital,

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[399] US Department of State, Report on Human Rights Practices in Somalia, p23-24, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

[400] UN Security Council, Report of the Secretary-General on Somalia, 28 April 2011, p9-10, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accessed 6 May 2011

Mogadishu, where UNCHR is also securing premises. The refugee agency currently has national staff in Dollow and Dobley and international and national staff in Mogadishu." [401]

17.12 Following the deterioration in the humanitarian situation in Somalia, on 6 July 2011 BBC News reported that "… al-Shabab has lifted a ban on foreign aid agencies … It now says all charities, whether 'Muslims or non-Muslims', can give emergency aid as long as they have 'no hidden agenda'".[402] Reliefweb reported on 7 July 2011 that: "The humanitarian community welcomes the announcement from Al Shabbab to re-open areas under its control to humanitarian interventions, but calls for guarantees that aid workers will be able to safely reach those most in need." [403] However, on 22 July 2011, BBC News further reported that: "Somalia's al-Shabab Islamists have denied lifting their ban on some Western aid agencies and say UN reports of famine are 'sheer propaganda'." [404]

17.13 The *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, covering events between September 2010 and July 2011, 29 August 2011, to the UN Human Rights Council, observed that:

"In July [2011], Al-Shabaab allowed the operations of actors such as the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC) in its territories, but maintained its ban on such agencies as the United Nations Political Office for Somalia (UNPOS), the World Food Programme (WFP) and the United Nations Development Programme (UNDP) and several international non-governmental organizations. Already in April 2010, the Security Council designated Al-Shabaab for targeted sanctions for its obstruction of humanitarian aid; credible sources have indeed reported that it Al-Shabaab has extorted payment from humanitarian entities that work in areas it controls. Given these precedents and the claim by the Al-Shabaab spokesperson that the humanitarian emergency situation is 'totally, 100 per cent wrong and baseless propaganda' fabricated by the United Nations for political purposes, the independent expert is concerned at the real scope of the opening announced by Al-Shabaab." [405]

For more information on how the TFG and al Shabaab have reacted to the drought in Somalia, please see Humanitarian situation.

17.14 The Human Rights Watch report, *You Don't Know Who to Blame*, published on 14 August 2011, noted that: "The majority of human rights defenders fled the country in past years amid increasing threats. The TFG has banned two UN human rights officials: Scott Campbell, director of Africa field operations of the UN Office of the High

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[401] UN High Commissioner for Refugees, Amid improved security, UNHCR scales up operations inside Somalia, 9 September 2011, http://www.unhcr.org/refworld/docid/4e6d99be2.html Date accessed 13 September 2011

[402] BBC News, Somalia Islamists lift aid ban to help drought victims, 6 July 2011, http://www.bbc.co.uk/news/world-africa-14046267 Date accessed 13 September 2011

[403] Office of the United Nations Resident and Humanitarian Coordinator for Somalia, The Humanitarian Community welcomes Al Shabaab's announcement to allow resumption of operations in southern Somalia, but needs guarantees, 7 July 2011, http://reliefweb.int/node/424296 Date accessed 13 September 2011

[404] BBC News, Somali Islamist maintain aid ban and deny famine," 22 July 2011, http://www.bbc.co.uk/news/world-africa-14246764 Date accessed 13 September 2011

[405] UN Human Rights Council, The Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/155/91/PDF/G1115591.pdf?OpenElement Date accessed 1 October 2011

Commissioner for Human Rights, and Sandra Beidas of the UN Political Office for Somalia." [406]

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PUNTLAND AND SOMALILAND

17.15 The USSD 2010 report noted that: "In its August humanitarian overview report, UNOCHA reported that Puntland had experienced some access problems, especially in July and August, as a result of internal conflicts and looting of relief food supplies and assets." [407]

17.16 The USSD 2010 report reported that: "Access was generally good in Somaliland." [408] The UN Security Council's *Report of the Secretary General*, published on 28 April 2011 gave an update with regard to resolution 1964 (2010), particularly the establishment of the United Nations presence in Somalia, and stated that "UNPOS [UN Political Office for Somalia] has continued with the deployment of international staff to other regions to augment national staff there. Deployments have begun mainly to Hargeysa in 'Somaliland', and to Garoowe in 'Puntland'." [409]

17.17 On 13 May 2011, IRIN News reported that:

"Some provisions of new legislation governing the activities of NGOs in Somaliland could undermine international humanitarian activity in the self-declared independent territory, say aid workers and donors.

"The Non-Governmental Organization Act (National and International) is designed to establish a legal framework for NGOs, to ensure their activities are in line with the government's development priorities and to improve accountability and transparency.

"These principles are not in dispute, but the perceived ambiguity of some of the law's wording and the practical implications of some of its articles have prompted high-level exchanges with Somaliland authorities involving not only NGOs but also donors and the UN.

"'We are very concerned about the impact that this law in its present form could have on the population in need, which is largely being assisted by international NGOs,' said Tanja Schümer, the focal point of the Somalia NGO Consortium.

"'We are also concerned about increased operational transaction costs for all. We hope the authorities will further legally clarify those paragraphs in the law that are vague, which opens the potential for abuse and confusion. We hope to work with the authorities

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[406] Human Rights Watch, You Don't Know Who to Blame, 14 August 2011, p36, http://www.hrw.org/sites/default/files/reports/somalia0811webwcover.pdf Date accessed 13 September 2011
[407] US Department of State, Report on Human Rights Practices in Somalia, p23, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011
[408] US Department of State, Report on Human Rights Practices in Somalia, p23, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011
[409] UN Security Council, Report of the Secretary-General on Somalia, 28 April 2011, p10, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_500.pdf Date accessed 6 May 2011

to better support the development goals of Somaliland and we will continue to assist those in need of humanitarian assistance,' she added." [410]

The new law has been published here.

See also Humanitarian situation and IDPs. The OCHA Somalia situation reports give more information on humanitarian aid and access in Somalia, and are available here.

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18. FREEDOM OF RELIGION

SOUTHERN AND CENTRAL SOMALIA

18.01 The US State Department's *July – December International Religious Freedom Report 2010* (USSD IRF report 2010), covering the period from 1 July 2010 to 31 December 2010, published on 13 September 2011, noted that:

"The [Transitional Federal Charter] TFC establishes Islam as the national religion; however, the TFC also establishes norms for protecting religious freedom. It states: 'All citizens of the Somali Republic…have the right to equal protection and equal benefit of the law without distinction of race, birth, language, religion, sex, or political affiliation.'… Although the charter does not have a section that limits or protects religious practice, article 71 decrees that the 1960 constitution and other national laws shall apply 'in respect of all matters not covered and not inconsistent with this charter.' Article 29 of the constitution states, 'Every person has the right to freedom of conscience and to profess freely his own religion and to worship it subject to any limitations which may be prescribed by law for the purpose of safeguarding morals, public health, [and] order.'… The constitution and charters governing the various regions provided the right to study and discuss the religion of one's choice; however, proselytizing for any religion other than Islam is strictly prohibited. Due to insecurity and lack of legal capacity to enforce the charter and constitution, the TFG neither observed nor enforced constitutional provisions providing for the free exercise of religion. Moreover, statutes and regulations provided no effective recourse for violations of religious freedom." [411]

18.02 The United States Commission on International Religious Freedom's *Annual Report 2011*, published 28 April 2011 (USCIRF 2011 Report), noted that: "A large majority of citizens are Sunni Muslims of a Sufi tradition. There is a small, low-profile Christian community and small numbers of followers of other religions. The number of adherents of strains of conservative Islam and the number of Islamic schools supported by religiously conservative sources continued to grow." [412]

18.03 The USCIRF 2011 Report further stated that:

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[410] IRIN News, Somalia: Disquiet over new NGO law, 13 May 2011, http://www.irinnews.org/report.aspx?reportid=92715 Date accessed 13 September 2011

[411] US Department of State, July-December 2010 Report on International Religious Freedom – Somalia, 13 September 2011, Section II. Status of Government Respect for Religious Freedom, Legal/Policy Framework, p2-3, http://www.state.gov/documents/organization/171637.pdf Date accessed 21 October 2011

[412] US Department of State, 2010 Report on International Religious Freedom - Somalia, 17 November 2010, Religious demography, http://www.state.gov/g/drl/rls/irf/2010/148720.htm Date accessed 20 April 2011

"Serious religious freedom abuses persist in Somalia. These violations include: the killing of Sufi clerics and non-Muslims and the desecration of Sufi religious sites; the implementation of a strict interpretation of Islamic law, under which hudood punishments are performed and practices deemed ―un-Islamic‖ are repressed; and an increase in violent interpretations of Islam and the growth of extremist Islamic schools. Violations are conducted by the U.S.-designated foreign terrorist organization al-Shabaab. The internationally-recognized Transitional Federal Government (TFG) is dependent on the African Union peacekeeping force in Mogadishu (AMISOM) for survival, controls only portions of the capital, and lacks the capacity to enforce religious freedom protections or address religious freedom violations." [413]

18.04 The USSD IRF report 2010 stated that:

"Although the Transitional Federal Charter (TFC) provides for freedom of religion, there were limits on the extent to which this right was respected in practice.

"Active violent conflict among extremist groups and the Transitional Federal Government (TFG) continued during the reporting period. The TFG generally did not enforce legal protections of religious freedom in practice. There was a decline in the status of respect for religious freedom during the reporting period, primarily as a result of continued control by extremist groups over significant amounts of territory in the country.

"There were reports of societal abuses and discrimination based on religious affiliation, belief, and practice. Extremist groups, particularly the U.S.-designated Foreign Terrorist Organization (FTO) al-Shabaab and others aligned with it, harassed persons suspected of conversion from Islam, killed Sufi clerics, and destroyed Sufi graves and mosques. There were also reports that suspected non-Muslim citizens experienced discrimination, violence, and detention because of their religious beliefs." [414]

18.05 With regard to religious freedom in areas controlled by non-state armed groups, the USSD IRF report 2010 stated that:

"In the areas it controlled, al-Shabaab systematically enforced bans on cinemas and forbade watching the World Cup on television. It also prohibited the sale of khat (a narcotic) in towns, smoking, music, and any behavior it deemed un-Islamic such as shaving beards and inappropriate haircuts. Al Shabaab also enforced a strict requirement that women be fully veiled.

"Throughout the reporting period, al-Shabaab continued to destroy graves of Sufi saints, prominent clerics, and members of other religious groups in areas under its control, igniting conflict with the ASWJ. While there were no reports of al-Shabaab militias killing

[413] United States Commission on International Religious Freedom, Annual Report 2011, 28 April 2011, p14-15, http://www.uscirf.gov/images/book%20with%20cover%20for%20web.pdf Date accessed 3 May 2011

[414] US Department of State, July-December 2010 Report on International Religious Freedom – Somalia, 13 September 2011, Introductory section, p1, http://www.state.gov/documents/organization/171637.pdf Date accessed 21 October 2011

prominent leaders as they did in the previous reporting period, al-Shabaab executed several ASWJ-affiliated persons in parts of the Galgaduud Region." [415]

For further information on the interpretation of Sharia law by al Shabaab, please see Human rights violations by armed groups

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SOMALILAND AND PUNTLAND

18.06 The USCIRF 2011 Report stated that:

"Puntland and Somaliland are governed by their own constitutions. Both regions establish Islam as the official religion, prohibit promotion of other religions, ban conversion from Islam, detain converts, and require presidential candidates to be Muslim. The Somaliland Constitution also requires Islamic education and that laws derive from and not contradict Islam. The May 2009 Puntland Constitution does provide non-Muslims the freedom to practice their religion. There was little reporting of religious freedom violations in Somaliland and Puntland. In February 2009, a border official detained and beat Kenyan Christian convert Abdi Welli Ahmed when he tried to enter Somaliland with a Bible and other Christian literature. There were no new reports on Ahmed. Other violations in this reporting period include suicide attacks on government officials who spoke out against al-Shabaab's interpretation and practice of Islam in central and southern Somalia." [416]

18.07 The USSD IRF report 2010 stated that:

"… Somaliland and Puntland established Islam as the official religion in their regions. The Somaliland constitution prohibits the promotion of any religion other than Islam. The Somaliland criminal code outlines penalties for Muslims who change their religion, although there were no known instances of this prohibition being enforced. The constitution states that candidates for president, vice president, or the House of Representatives must be Muslim; it further stipulates that Islamic education is compulsory at all levels and that the promotion of Qur'anic schools is the responsibility of the government. The constitution additionally states that the laws of the nation shall derive from and not contradict Islam.

"The Puntland constitution provides for the freedom to worship; however, it also states that Muslims cannot renounce their religion. In May 2009 the Puntland cabinet approved a new constitution; in June 2009 the Puntland parliament approved the constitution, and it went into effect immediately. The constitution prohibits propagation of any religion other than Islam. It states that non-Muslims are free to practice their religion and cannot

[415] US Department of State, July-December 2010 Report on International Religious Freedom – Somalia, 13 September 2011, Abuses by Rebel or Foreign Forces or Terrorist Organizations, p5, http://www.state.gov/documents/organization/171637.pdf Date accessed 21 October 2011

[416] United States Commission on International Religious Freedom, Annual Report 2011, 28 April 2011, p303, http://www.uscirf.gov/images/book%20with%20cover%20for%20web.pdf Date accessed 3 May 2011

be forced to convert; however, the same article prohibits Muslims from converting from Islam. Puntland security forces closely monitored religious activities." [417]

For further information on freedom of religion in Somalia, please see the US Commission on International Religious Freedom's Annual Report 2011

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19. ETHNIC GROUPS

OVERVIEW

19.01 Dr Joakim Gundel's report, *The Predicament of the 'Oday', The role of traditional structures in security, rights, law and development in Somalia*, dated November 2006, gave the following overview:

"Somalia is often misrepresented as a country with an ethnically homogeneous population, culture and language. Indeed, the perceived majority of the population are composed of the ethnic nomadic-pastoralist Somalis who speak Af-Maxaa-tiri, which became the official language of Somalia after independence. The other big group is composed of the largely sedentary agro-pastoralist people, residing in the inter-riverine area between the Juba and Shabelle rivers in Southern Somalia, known as Digil-Mirifle or Raxanweyn. They speak Af-Maay-tiri, which is quite distinct from Af-Maxaa-tiri. Outside this homogeneity, you also find the minority 'outcaste' groups, or bondsmen known collectively as sab, and groups of ethnic Bantu descent, as well as of Arabic descent, such as the Bajunis and Barawanis. It is important to realise that the traditional structures of the Raxanweyn, the minorities, and the people of Bantu and Arabic descent are often very different from the nomadic culture… The lineages of the [nomadic] pastoral Somalis are united by a common, mythological perception of direct lineal descent from the forefather Samaal and the household of the prophet Mohammed, notably the Qurayshi clan, and specifically his cousin, Aqiil Bin Abi-Talib. Today, this segmentary clan system is represented by three to four main clan families descending from Darood, Hawiye, Dir and de-pending on who you ask, Isaaq… the Raxanweyn are distinct from the pastoralist Somalis, and has a different genealogy as they stem from the forefather Saab. However, they still claim to be Somalis via a similar mythological descent to the Qurayshi." [418]

19.02 The US State Department *Report on 2010 Country Report on Human Rights Practices: Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated that:

"More than 85 percent of the population shared a common ethnic heritage, religion, and nomad-influenced culture. [The UN Independent Expert] UNIE estimated that minority groups constitute approximately 22 percent of the population. In most areas, members of groups other than the predominant clan were excluded from effective participation in

[417] US Department of State, July-December 2010 Report on International Religious Freedom – Somalia, 13 September 2011, Section II. Status of Government Respect for Religious Freedom, Legal/Policy Framework, p2-3, http://www.state.gov/documents/organization/171637.pdf Date accessed 21 October 2011

[418] Joakim Gundel, The predicament of the Oday, November 2006, p4-5, http://www.logcluster.org/som/infrastructure-communication-various/Gundel_The%20role%20of%20traditional%20structures.pdf Date accessed 20 April 2011

governing institutions and were subject to discrimination in employment, judicial proceedings, and access to public services.

"Minority groups and low-caste clans included the Bantu (the largest minority group), the Benadiri, Rer Hamar, Brawanese, Swahili, Tumal, Yibir, Yaxar, Madhiban, Hawrarsame, Muse Dheryo, Faqayaqub, and Somaliland's Gabooye. Intermarriage between minority groups and mainstream clans was restricted by custom. Minority groups had no armed militias and continued to be disproportionately subject to killings, torture, rape, kidnapping for ransom, and looting of land and property with impunity by faction militias and majority clan members. Many minority communities continued to live in deep poverty and suffer from numerous forms of discrimination and exclusion." [419]

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CLAN SYSTEM

19.03 *The Predicament of the 'Oday'*, dated November 2006, reported that:

"The clan-system is the most important constituent social factor among the nomadic-pastoralist Somalis [i.e. the clan-families of the Darood, Hawiye, Dir and Isaaq]. I. M. Lewis wrote in 1961 that 'the segmented clan system remains the bedrock foundation of the pastoral Somali society and 'clannishness' - the primacy of clan interests - is its natural divisive reflection on the political level' … In short, the Somali society is based on a vertically oriented segmentary lineage system in which individuals take their position according to their patrilineal descent (traced through the male line). Hence, according to Lewis, all the pastoral Somalis belong to genealogical lineages, which also function as their basic political units. The segmentary lineage system can be differentiated into categories of clan-family, clan, sub-clan, primary lineage and mag-paying [blood compensation also known as *diya*] group as divisions of varying size (Lewis 1961: 4)…The Clan (often 20 generations) can act as a corporate political unit, and do tend to have some territorial exclusiveness, following their regular seasonal movements for pasture and semi-permanent settlements. Clan-members derive their identity from their common agnatic descent rather than the sense of territorial belonging. The clan is in other words the upper limit of political action, has some territorial properties, and is often led by a clan-head, but remains without centralized administration or government. The most distinct descent group within the clan is the 'primary lineage', defined as the lineage to which a person describes himself as a member (most often between 6 and 10 generations).

"Marriage is usually outside the primary lineage, and links them together, which functions to reduce the otherwise endless feuds between primary lineages (Lewis 1961: 5).

"The most basic and functional lineage unit is the mag-paying group or diya-paying group… Diya is the Arabic word for blood-compensation. Mag is the Somali word… The mag-paying group is above or beyond the uterine family (qoys or xaas), and is the most important level of social organisation for each individual. It is a small corporate group of a few lineages who reckon descent to a common ancestor some 4 to 8 generations, and

[419] US Department of State, Report on Human Rights Practices in Somalia, p41, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

is sufficiently large in numbers (few hundred to a few thousand men) to be able to pay the mag (according to Sharia: 100 camels for homicide) if need be. Hence, all men are defined by their belonging to a mag-paying group, and their social and political relations are defined by contracts called xeer – the Somali customary laws – that are entered within and between mag-paying groups…. It should be noted that the described segmentary lineage system is not absolute, but rather in a constant process of relative change. This is due to population growth whereby the number of primary lineages grows too. Hence forth, the primary lineages and even mag-paying groups will eventually split, and when they do, every ancestor in the genealogy is in principle a point of potential division, as well as of unity." [420]

19.04 The International Crisis Group (IGC) report of December 2008, *To move beyond the failed state*, stated that many factors such as business, political and ideological interests have eroded strict clan relationships. However, it also stated: "… large swathes of the country [have] revert[ed] back to a style of clan government that predates colonialism." [421]

19.05 The same IGC report observed that:

"That clan elders are now targets in the violence sweeping the country is the best indicator that the classical clan system is fraying. Even during the worst of inter-clan feuds, elders had always been respected and played a recognised conflict mediation role, with access to the key players. The apparent erosion of their power does not mean, however, that they no longer wield influence. Part of the crisis in the south stems from the inability, perhaps the unwillingness, to bring them fully into the political decision-making process." [422]

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CUSTOMARY LAW (*XEER*) AND BLOOD COMPENSATION (*DIYA* OR *MAG*)

19.06 *Clans in Somalia, Report on a Lecture by Dr Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition)* published by ACCORD, December 2009, (Gundel Lecture 2009) provided a useful overview of customary laws and blood compensation, [summarising Dr Gundel's earlier paper, *The predicament of the Oday* [423] (for detail see pages 7 to 13)]:

"The Somali traditional 'political contract' consists of customary laws – referred to in Somali as xeer – through which 'members of a mag-paying group are obliged to support each other in political and jural responsibilities, especially in paying and receiving

[420] Joakim Gundel, The predicament of the Oday, November 2006, p4-7, http://www.logcluster.org/som/infrastructure-communication-various/Gundel_The%20role%20of%20traditional%20structures.pdf Date accessed 20 April 2011
[421] International Crisis Group (ICG), Somalia: to move beyond the failed state, 23 December 2008, p4, http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/somalia/Somalia%20To%20Move%20Beyond%20the%20Failed%20State.ashx Date accessed 20 April 2011
[422] International Crisis Group (ICG), Somalia: to move beyond the failed state, 23 December 2008, p4, http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/somalia/Somalia%20To%20Move%20Beyond%20the%20Failed%20State.ashx Date accessed 20 April 2011
[423] Joakim Gundel, The predicament of the Oday, November 2006, http://www.logcluster.org/som/infrastructure-communication-various/Gundel_The%20role%20of%20traditional%20structures.pdf Date accessed 20 April 2011

compensation for acts committed by members of one group against another - even over vast distances, since it is the kinship that bonds them. It is the responsibility of the elders (oday) of the mag-paying groups to oversee that the terms of the xeer are honoured (Lewis 1961: 6).' (Gundel, 2006, p. 6)

"They are historically based on precedents, hence, unlike fixed law, they are constantly capable of evolving, with future decisions based on ones made in the past. Today the xeer are particularly important in rural areas where the presence of modern political institutions is weak. They are however also applied in urban areas with local administrations and even here the xeer, instituted through traditional elders, is usually the first recourse in dispute management, settlement and reconciliation among both ordinary citizens and between business people. The importance of the xeer is indisputable, especially in Northern Somalia as the xeer are applied in solving perhaps 80-90% of all disputes and criminal cases. In Southern Somalia with increasing pre-dominance of radical Islamic groups, strict versions of Sharia are increasingly applied as the ruling law rather than the traditional xeer. However, while the xeer is simultaneously a force for justice and social cohesion, it may also conflict with both international human rights standards and Islamic Sharia law. In general, the collective responsibility imposed on mag-groups by the xeer is seen as removing responsibility from individual perpetrators of crimes. (Gundel, 2006, iii)" [424]

19.07 The Landinfo response, *Somalia: Protection and conflict resolution mechanisms*, dated 2 June 2009, stated that:

"The Somali transitional institutions, including the legal system, are weak and the transitional authorities' ability to protect the population's rights is extremely limited.

"Law enforcement in Somalia is currently carried out in three different ways; traditional common law practiced through the councils of elders/clan leaders, Islamic law practiced through Sharia courts and secular law practiced through an ordinary court authority. However, the ordinary court authority was destroyed during the civil war, and is still almost non-existent in Southern Somalia. Traditional common law [xeer] is the most widespread and most commonly used legal system in present day Somalia.

"The fundamental unit in the clan system is the Diya group (the blood compensation group, mag in Somali). The Diya group consists of the male members of one or more family lines, who have the same forefathers going back four to eight generations, and who are collectively responsible for the members' actions. The Diya groups are large enough to be able to pay compensation and it is between these groups that the traditional legal framework is practiced and agreements (xeer) are entered into. The members of the Diya group are therefore obliged to support each other in the political and legal responsibilities that are defined in the xeer agreements (Gundel 2006). The Diya group is also responsible for providing assistance to members who are in difficult financial situations, etc. Xeer is the most important element that links alliances between clans in Somalia, and is considered to be the glue that holds the community together. "However, xeer is only entered into between Somali clans, with the minority groups normally being excluded from xeer and the Diya system.

[424] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p9-10, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 11 January 2010

"Some observers have claimed that the traditional legal system and the conflict resolution mechanisms in Somalia no longer work. A well-informed international aid organisation representative who had worked in Somalia for a long time pointed out in March 2009 that the traditional leaders are losing their hold on power. This worrying trend is evident throughout Southern Somalia, and it is more prevalent in the towns than in the country. Globalisation and, not least, the long-standing conflict in the country has led young people to dismiss the elders' advice in favour of that of others. The influence of the media and the warlords' undermining of the old authorities have weakened the position of elders (interview in Nairobi, 24 March 2009). Gundel (2006) estimates however that xeer is used to resolve between 80 and 90 per cent of all disputes and criminal cases. All of the sources that Landinfo met in Nairobi in 2007 also believed that the system still works, albeit to varying degrees. This was confirmed by Landinfo's interlocutors in Nairobi in June 2008 and in March 2009." [425]

For more information on the judicial process in Somalia, see Judicial system.

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CLAN PROTECTION

19.08 The Landinfo response *Somalia: Vulnerability – minority groups, weak clans and vulnerable individuals*, published June 2009, gave the following information:

"According to Somali traditions, weak groups – i.e. women, children, the sick, the elderly, the disabled, religious men, unarmed and neutral groups, prisoners of war, travellers etc. – shall not be attacked but protected during conflicts (ICRC 1998). Both during and after the civil war, however, protection of these groups has been weakened, and the tradition is far less respected today.

"In the present situation, vulnerability in Somalia is closely linked to clan or group affiliation, the presence or absence of conflict and the power situation in the area in question. However, individuals can also find themselves in a vulnerable position because of their political or ideological views." [426]

19.09 The Gundel Lecture 2009 report noted:

"One aspect of the Somali tradition is that the rights of groups effectively are protected by force, or threat of force. Tenure of rights thus ultimately depends on the ability to defend them, by coercion if necessary. This is also the case for individual security, which rests upon the individual's mag-paying group's ability to fight, and the solidarity between the mag-groups of the wider clan and their fighting capability. They must therefore both be able to retaliate and pay compensation. Hence, the lack of impartial enforcement mechanisms becomes apparent in cases when a judgment is passed that favours a militarily weak clan, and a militarily strong clan then openly refuses to comply with it. As a result, Somali minority groups are heavily discriminated against through xeer application…

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[425] Landinfo, Response: Somalia: Protection and resolution mechanisms, 2 June 2009, http://www.landinfo.no/asset/1058/1/1058_1.pdf Date accessed 1 February 2010

[426] Landinfo, Response: Somalia: Vulnerability – minority groups, weak clans and vulnerable individuals, 2 June 2009, http://www.landinfo.no/asset/1059/1/1059_1.pdf Date accessed 1 February 2010

"In the Somali tradition, weak and scattered clans who are driven to seek protection from the stronger clans can enter a protection status with them. The protecting clans naturally expect something in return. Such alliances based on contractual agreements between weak and strong clans are known as gaashaanbuur, meaning 'pile of shields'. Hence, minorities can seek protection by attachment to stronger lineages by joining a gaashaanbuur coalition. There exist varying degrees of adoption and incorporation within stronger lineages. These range in degree of dependent status with associated inferiority from neighbour (deris), appendage (saar - parasitic creepers), followers (soo raac), to pretenders (sheegad - those who claim to be what they are not.) In the case of sheegad, the weak group may assume the lineage affiliation of its protectors and may claim a common agnatic origin. The Somali family to which the sab ['traditionally bondsmen to the pastoral clan groups…' (p15)] are attached protects them vis à vis other Somali and are responsible for any damage inflicted on them. The extent to which the sab presently have managed to set up their own independent map-paying [sic] groups needs to be investigated further. The lesson is that adoption of weak clans does occur, and it is possible to move the stronger clans into compromise with their traditional position. When this happens, the stronger clans may even pay mag for the adoptives…" [427]

19.10 The same source noted, in light of the current conflict, that:

"It is a traditional code in Somali culture that when a person comes to your house and seeks protection, one is obliged to protect this person. Thus failing to protect a person is considered dishonourable, signifying that one did not live up to his obligations. However, in the light of the massive displacements of recent times, the numbers of people have become too large for the local host clans to service this traditional obligation – which has increased their vulnerability. In this context, it should be noted in particular that women and children are at the bottom in all the social hierarchies. Women from minority clans or other groups not part of the main nomadic local clans are in particularly bad positions, even the more if they belong to a minority in an IDP camp. Due to this destruction of the social fabric and state structures, there is a high level of lack of law and order. There are many young men who are often armed (or have access to arms) who abuse the situation of big IDP camps and feel free to harass IDPs, rape women, force people into certain kinds of labour, extort money etc. As these men usually originate from the host clans, they are in a position of impunity.

"The only possible way of bringing change into such a situation can be found in entering a new xeer agreement between the elders of the host clans and those representing the IDPs and the other clan communities, in which the host clan promises to protect them against this kind of abuse. However, members of the sab-minorities or the Rahanweyn will in this context stand weaker compared to those who belong to one of the bigger nomadic clans, one of the reasons for this being that the nomadic clans have a clear xeer between them.

"Particularly in South Central Somalia, where these traditional structures are not sufficient due to prevailing lawlessness, Sharia, as it was practiced by the Islamic Courts, is being brought forward, as the common perception is that the only possible

[427] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p21-22, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 11 January 2010

way to deal with high levels of crime and freelance gangs is by implementing a harsh rule and exerting severe punishments. Hence there are clans in the South which claim that it is not sufficient to pay the diya compensation (usually, in the Somali tradition, one is obliged to pay the 100 camels per person who has been killed), but the 'wrongdoer' has to be killed as a punishment." [428]

19.11 The Landinfo response of 2 June 2009, *Somalia: Protection and conflict resolution mechanisms*, stated:

"Individual security in the traditional Somali society was dependent on the clan's, i.e. the Diya group's ability to pay compensation and to defend itself in the event of attacks. This situation has not changed significantly in modern times, and the clan has remained the safety net of the Somali population since the collapse of the government institutions in 1991. Vulnerability and protection in Somalia are therefore closely linked to a clan's strength. However, weak clans or groups have traditionally been able to seek protection from and affiliation with the dominant clans in a specific area.

"The internal clan conflicts that have characterised the situation in recent years, however, mean that affiliation to a dominant clan does not necessarily provide protection (interviews in Nairobi March 2007, June 2008 and March 2009). Clans are still important, but it is evident that clan loyalty is superseded by political, ideological and international conditions.

"A clan's ability to provide protection is contingent on the clan's military strength. In the current situation, however, in which al-Shabaab and other Islamist groups control large parts of Southern Somalia, protection from one's own clan in, for example, an al-Shabaab controlled area is not very realistic. Al-Shabaab maintains its distance to the clan dimension, and has the support of various clans and minority groups in the areas it controls. Numerous dominant clans in many districts are therefore currently subordinate to al-Shabaab, and must, among other things, abide by al-Shabaab's enforcement of Sharia law.

"In meetings with Landinfo in Nairobi in March 2007, June 2008 and March 2009 respectively, all of the interlocutors referred to the fact that the protection aspect is composed of a number of factors, and the individual's vulnerability and potential to obtain protection and support are dependent on several conditions. Moreover, conflicts relating to scarce resources have contributed in particular to undermining the mechanisms. Clan protection is still relevant, but primarily in relation to ordinary crime. With regard to the situation linked to ideological or political conditions – which were particularly important when Ethiopian forces were present in Somalia – clan protection is not realistic (interviews in Nairobi, June 2008 and March 2009). The current dividing line is more between al-Shabaab/extremist groups on the one hand and GNU, the government of national unity, on the other hand. Moreover, clans cannot offer protection against random violence or grenade and bomb attacks. As pointed out during interviews in Nairobi, the violence is often indiscriminate 'Your clan cannot protect you from bombs' (Nairobi, June 2008 and March 2009.) However, clans continue to be important in relation to where a person flees (interview UNHCR, June 2008).

[428] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p23, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 11 January 2010

"These conflicts often trigger a number of revenge killings. The ideological/political dimension that made its entry with the TFG, and not least the Ethiopian entry in December 2007, has further strengthened this trend (interviews with international observers in Nairobi, June 2008). However, according to a well-informed international organisation, those leaving conflict areas still tend to go to their clan areas, and the protection issue nowadays is primarily linked to the situation in the arrival areas (interview in Nairobi, June 2008 and March 2009).

"In response to the question of protection for Midgan groups, a well-informed international source explained (interview in Nairobi, March 2009) that protection for these groups often entails various forms of paid protection. The same source described protection in Mogadishu as a protection racket. Another well-informed international source told Landinfo during a meeting in June 2008 that minorities that are forced to leave their homes due to difficult security conditions seek to establish a client relationship to a host clan at their new place of residence (interview in Nairobi, June 2008)." [429]

19.12 With regard to the protection of minority groups by dominant clans, the Foreign and Commonwealth Office Africa research analyst, Dr Cedric Barnes' paper dated 16 May 2008 (FCO Analyst Paper 2008) stated that:

"In the past – especially before the full development of state structures - minority groups would have had some relationship of protection with majority clans. The rise of the modern state (colonial and post-colonial) ostensibly ended the necessity for some of these historical relationships of protection. Some relationships will have endured, others may have lapsed. However, the modern state itself became the active protector and sponsor of some minority groups. Siad Barre's regime in particular, used weak clans or minorities as strategic allies in their government and employed them selectively in the security forces and other government agencies, as reliable and dependant allies. This association has added to the vulnerability of some minority groups and small clans.

"The situation since the breakdown of state and formal structures of law and order has left most 'minority' groups as second, if not third 'class' citizens. The revival of 'neo-traditional' customs in stateless Somalia, may have led to new agreements between minority groups and major clans, though these will be precarious and one-sided agreements (i.e. to the advantage of the protecting clan). Sometimes relationships of protection may work through marriage alliances; generally involving a minority or minor clan female marrying a majority clan male. But again the weakness of the minority group or clan would favour the majority clan in this agreement; the effectiveness of protection or willingness to give it would vary depending on individuals and families involved. Minority groups will always occupy a junior position in any socio-political arrangement in which they might be included. Again this specific information can be best sourced by people with direct links to minority groups still resident in Somalia. Direct contact with human rights organisations and local NGOs in Somalia would provide a detailed and up-to-date assessment." [430][60a] (paragraphs 7-8)

See Minority groups below

[429] Landinfo, Response: Somalia: Protection and resolution mechanisms, 2 June 2009, http://www.landinfo.no/asset/1058/1/1058_1.pdf Date accessed 1 February 2010

[430] Foreign and Commonwealth Office Analyst's Unit, Report on COIS' work on clans, May 2008, Available in hard copy on request

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MAJORITY CLANS: DAROOD, HAWIYE, DIR AND ISAAQ

19.13 The Gundel Lecture 2009 report provided an overview of the main (nomadic or pastoral) clan families (as identified by Dr Gundel in the quote cited in paragraph 18.01) and where they are approximately located:

"Darood

"The Darood are commonly divided into three major groups referred to as Ogaden, Marehan, and Harti. The Harti are composed of the Majerteen who now are found in Puntland mainly, and the Dulbahante and Warsangeli who mainly live within the borders of Somaliland. Puntland almost entirely overlaps with the Majerteen clan family. The Marehan inhabit South-Central Somalia, where they are dominant in Gedo region. The Ogaden can be found in Southern Somalia where, over the last years, they have gained increased control of Lower and Middle Juba, as well as in Ethiopia and Kenya. Since the Darood are present in the North, in South-Central Somalia as well as inside Ethiopia, and Kenya, they can be considered the strongest pan-Somali nationalists.

"Hawiye

"As to the Hawiye, the two most important and commonly used sub-divisions are the Habar Gedir and the Abgal. The Hawiye can be found in central and southern Somalia,15 and particularly its Abgal and Habr Gedir groups are dominant in Mogadishu. The Hawiye are not as present in the other areas, and would generally be content with control over South Central Somalia.

"Dir

"The Dir include groups such as Issa, Gadabursi, and Biymaal. Dir groups live in Somaliland as well as in South-Central Somalia.

"Isaaq

"… there is a controversy as to whether they constitute a clan family of their own. This is being affirmed by the Isaaq themselves, while southern Somalis and the Majerteen claim that Isaaq are part of the Dir. The Isaaq have cousin links to the Dir groups such as the Biymaal, Issa and Gadabursi. Isaaq are the primary inhabitants of Somaliland (although its current president is from the Gadabursi group)." [431]

19.14 The Minority Rights Group International report, *No Redress: Somalia's Forgotten Minorities*, published on 23 November 2010, (MRGI report 2010) gave the following brief notes on the main clans:

- Darod: a clan family or federation dominant in Puntland, with clan branches in eastern Somaliland and southern Somalia.

[431] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p12-13, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 11 January 2010

- Hawiye: a clan dominant in Mogadishu, the surrounding Benadir region, and also Hiran, Galgaduud and Middle Shabelle regions.
- Dir: a clan family comprising Issaq and Gadabursi in Somaliland, Isse in Djibouti, and Biyamal in southern Somalia.
- Rahanweyn: known also as Digil-Mirifle, a clan federation living in the agricultural 'inter-riverine' area between the Juba and Shebelle rivers in southern Somalia, now considered equivalent in status to the three pastoralist clans, consisting of two merged agro-pastoralist clans – Digil and Mirifle – claiming descent from a common ancestor. [432]

The UNHCR have produced a genealogical table of clans, including minority groups dated circa 2000 as a guide to the clans and where they were located.

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Digil and Mirifle (Rahanweyn)

For information about protection generally see subsection Clan protection above.

19.15 The report of a joint fact-finding mission conducted by the Danish Immigration Service, the Home Office and the Netherlands Ministry of Foreign Affairs between 17 and 24 September 2000 in Nairobi, Kenya, titled *Report on Minority Groups in Somalia* (JFFMR 2000) stated that:

"Digil and Mirifle, or Rahanweyn, seem to take a middle position between a Somali clan and a minority. They are considered as a minority group by some experts (such as the UN Special Rapporteur on human rights in Somalia, Ms Mona Rishmawi). By others they are considered as clans related to the major Somali clans, though considered as less 'noble'… Different use is made of the names Digil, Mirifle (Merifle) and Rahanweyn. A UN source in Nairobi explained that this is a consequence of an effort made by Siad Barre to amalgamate all these clans under the one name Rahanweyn (the largest group). Originally, however, the Somali distinguished two clan-families, one called the Digil and another variously called Rahanweyn or Mirifle.

"The Digil and Mirifle are related ethnically to the four main Somali clan-families in various ways. Both Somali and Digil-Mirifle trace their origins back to the same ancestor, at the highest genealogical level: the ancestor of the Digil-Mirifle, Sab, and the ancestor of the four main Somali clan-families, Somali (or Samaale), are traced back to a common ancestor… The descendants of Sab are segmented into three families: the Digil, Mirifle (or Rahanweyn) and Tunni; the Mirifle and Tunni derive from the Digil. The Mirifle and Tunni are numerically the most important, but the Digil survive as a small independent confederacy." [433]

19.16 The report further stated:

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[432] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p7, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 20 April 2011

[433] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p56, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

"The Digil and Mirifle are held in contempt by the nomadic Somali clans for their lowly origins, stemming from Sab as opposed to Somali, for their heterogeneous composition that includes Bantu elements, for their lack of a clear, politically significant genealogical structure, and, more important perhaps, because they are predominantly cultivators. They were shunned as marriage partners by the 'noble' Somali clans. They do have diya paying groups, and thus fall within this aspect of clan law. Villages could function as diya paying groups, even if villagers were members of different kinship-based diya paying groups." [434]

19.17 The Gundel Lecture 2009 report gave background information on the groups:

"The Somali agro-pastoralists refer to themselves as originating from Saab…and encompass the two groups of Mirifle and Digil, as well as the Rahanweyn who sometimes refer to be identical with Mirifle and Digil. The agro-pastoralist clan structure is considerably different from that of the nomadic groups. As far as the Rahanweyn are concerned, they do not trace their genealogy as far backwards as the nomads and 'the segmentation at the larger units of the clan is one of the important features that make the Rahanweyn social organisation different. Their clans are composed of 4-7 jilib that pays diya together. Hence, the diya-paying group structure of the Rahanweyn is different as they pay diya collectively at a much higher level in their lineage structure than the pastoralists do…These differences are due to the fact that these groups do not practice transhumance migration in the same way as nomads, but agriculture. They also keep camels as a last resort strategy for severe droughts, in which case they may also migrate, however this needs to be distinguished from nomadic ways of migration. Hence their basis is location, and their home state is more important for their identity than the clan. Their structure of elders are considerably more hierarchical and tightly related to the villages and home states.

"Politically, since 1999, the Rahanweyn clans have increasingly gained control of their 'own' regions of Bay and Bakool in the inter-riverine area between the Juba and Shabelle rivers in Southern Somalia. While traditionally, the Rahanweyn were traditionally peaceful people and not involved in the original civil war, they have now established their own army and seek to control their own areas (where Al-Shabaab is predominant today). However, they generally do not appear to be concerned with controlling other areas." [435]

Tunni

Sources distinguish between 'rural' and 'urban' Tunni. The latter are linked with the minority Benadiri (see subsection on Benadiri below).

19.18 As noted in paragraph 19.14 above, the JFFMR 2000 stated that the Tunni are "derived" from the Digil. The report also stated that: "Lewis describes the Tunni as a large tribe, or

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[434] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p58, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

435 Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p13-14, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 20 April 2011

rather tribal confederacy… [which] eventually settled in and around Brava." [436] An Immigration and Refugee Board of Canada response to an information request dated 1 August 1997 observed that: "Author Lee Cassannelli in Victims and Vulnerable Groups in Southern Somalia, states that the Tunni are one of the seven subclans of the minority Digil clan… Together, the Digil and Mirifle comprise the Rahanweyn (Reewin) clan, which is one of Somalia's minority clans (ibid.)." The same response reported that:

"… a representative of the Toronto-based Benadir Somali Association, who has done extensive research on the cultural history of the Benadir coast… emphasized that there is a difference between urban Tunnis who are Barawans and rural Tunnis who are not Barawans. He explained that the difference between urban Tunnis and rural Tunnis is linguistic, with the rural Tunnis speaking the Tunni language, which is not comprehensible to the majority of urban Tunnis." [437]

For information about the 'urban' Tunni see subsection on Reer Brava (also Bravanese or Baravani) and Tunni below.

Language/dialect

19.19 The Digil-Mirifle (Rahanweyn) speak "… Af-Maay-tiri, which is quite distinct from Af-Maxaa-tiri. [standard Somali]" (Gundel, *Predicament of the Oday* November 2006) [438] The JFFMR 2000 stated that: "The Mirifle speak a separate Somali dialect (called Af-may or Af-maymay), which serves as a lingua franca among the various Mirifle groups, several of whom also speak distinct local dialects, and some of their Bantu neighbours. Also the Digil speak Af-may, although some will speak standard Somali. Both Digil and Mirifle generally understand the standard Somali spoken elsewhere." [439]

19.20 The Landinfo report, *Somalia: Language situation and dialects*, published on 22 July 2011, noted that:

"As with the other dialects and dialect names in Somalia, the Rahanweyn dialect terms also coincide with the various Rahanweyn clans, such as Af-Elay. However, it is not just Rahanweyn clan members who speak Af-Rahanweyn – for example, in Jilib, according to [linguist Marcello] Lamberti, the Oojji ['Another term for Jareer (Bantu)'] use the current Rahanweyn dialect of the area. Although the May dialects are relatively homogeneous, they are still not as uniform as the northern Somali dialects. The boundaries between the different May dialects are fluid, and even though there is the same case of factors influencing and changing dialects, this has happened to a lesser extent than in other parts of Somalia." [440]

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[436] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p57, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[437] Immigration and Refugee Board of Canada, Somalia: Information on the Tuenis clan from Barawe including the languages spoken, their unique qualities, any identifiable attributes, and on which clans from Barawa speak Chimini, 1 August 1997, http://www.unhcr.org/refworld/docid/3ae6ac7710.html Date accessed 2 February 2010

[438] Joakim Gundel, The predicament of the Oday, November 2006, p4, http://www.logcluster.org/som/infrastructure-communication-various/Gundel_The%20role%20of%20traditional%20structures.pdf Date accessed 20 April 2011

[439] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p56, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[440] Norwegian Country of Origin Information Centre (Landinfo), Somalia: Language situation and

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MINORITY GROUPS

19.21 The term 'minority groups' is taken to include all of the population outside of the Somali lineage system (i.e. the 'clan system'). These include occupational and out-caste groups (such as the Tumal, Midgan and Yibir), the urban coastal communities of the Benadir region of south and central Somalia (including the Reer Hamar, Barawani - also referred to as the Reer Brava or Bravanese - and Bajuni) and the ethnically 'African' population (usually referred to as the Bantu). The position of the agro-pastoral population – the Digil and Mirifle (Rahanweyn) – is complicated (some commentators consider them to be a minority although they fall within the clan system) and they are not covered in this section (see preceding subsection).

Background

19.22 The MRGI report 2010 noted that: "Somalia's minorities are diverse and not framed simply by elements of ethnic, religious or linguistic differentiation as set out in the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious or Linguistic Minorities. This diversity also rests on social and historical distinctions between minorities and the pastoralist majorities… " [441]

19.23 The Gundel Lecture 2009 report stated that:

"Among the minorities, one can find the 'outcaste' groups, or bondsmen known collectively as sab, as well as groups of ethnic Bantu descent and the coastal groups, including those of Arabic descent such as the Bajunis and Barawanis. Minorities are not counted and their languages and cultures are neither accepted nor respected… in terms of their size, the notion of 'minorities' is sometimes misleading. Many minorities, such as Bantus, are in many places in South Central Somalia in fact local majorities. However, they are being oppressed by the militarily stronger nomadic clans. Globally, in the Somali context, they are a minority, because they are not overall dominant. The sab are an exception to this, as they are in numbers a clear-cut minority due to the fact that, unlike the Bantus, who live in certain locations, they are scattered over many places." [442]

19.24 Dr Cedric Barnes, in the Foreign and Commonwealth Office's Africa Research Group, observed in a paper dated 16 May 2008 (FCO Analyst Paper 2008) that:

"The term minority has come to cover a wide and diverse range of peoples in Somalia. Some minorities may be more identifiable (e.g. appearance, dialect, accent) than others. Others, especially those are treated as lower 'castes' – due to the stigma associated with their way of life, profession, putative ancestors, etc. – will be indistinguishable from majority Somali clan groups. The groups that are associated by

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Dialects, 22 July 2011, p14, http://landinfo.no/asset/1800/1/1800_1.pdf Date accessed 21 October 2011

[441] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p8, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 20 April 2011

[442] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p14, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 20 April 2011

occupation may no longer exclusively practice the occupation with which they are traditionally identified." [443]

19.25 Dr Barnes also observed that:

"Previously groups like the Bantu, Bajuni and Benadiri, and particularly their sub-groups were made up of isolated and discrete communities each with its own set of external relationships, internal histories, hierarchies and areas of concentration. The experience of the state in Somalia during the twentieth century has tended to deemphasise difference between communities, against which these small groups have often fought a rear-guard action. Conversely in the aftermath of state collapse, small sub-groups of vaguely common ancestry or custom have come together to produce larger identities such as Bantu, Bajuni, Brawanese or Benadiri, or even Midgan/Madhiban. These are constructs made in the face of common adversity and common historical experience, but as 'identities' may have little historical precedence. It is therefore extremely difficult to expect standardised accounts or beliefs." [444]

19.26 Dr Barnes also commented that:

"Information on cultural practices and traditional histories (including lineages, leading personalities) are not widely recorded in the published literature. Most knowledge is maintained by oral tradition and not recorded systematically. Individuals themselves hold this knowledge, and one account will never exactly match another… It should be remembered that the degree and depth of knowledge will differ from one individual to another. Generally the older generation should have better knowledge, as might be expected, but this is not always the case.

"Cultural practices vary from group to group, some of which are common throughout a 'cultural region' e.g. the East African coast, or Bantu speaking communities, and some of which are specific to one group. However one group may practice similar customs to another with some slight internal differences." [445]

19.27 There is no definitive 'list' of minority groups. The MRGI report 2010 stated that "Minorities comprise mainly three distinct unarmed social groups – Bantu, Benadiri and the 'occupational groups'. All the minorities are Somali too, sharing language and many cultural characteristics with the majorities." [446] The JFFMR 2000 report was divided into sections which covered the following broad minority groups (each section provided further detail on various subgroups). This provides a useful guide to the main groups. (Detail on the Bajuni, Bantu, Benadiri and the outcaste or Sab groups is provided in the following subsections):

- Bajuni;
- Bantu;

[443] Foreign and Commonwealth Office Analyst's Unit, Report on COIS' work on clans, May 2008, paragraph 2, Available in hard copy on request
[444] Foreign and Commonwealth Office Analyst's Unit, Report on COIS' work on clans, May 2008, paragraph 18-19, Available in hard copy on request
[445] Foreign and Commonwealth Office Analyst's Unit, Report on COIS' work on clans, May 2008, paragraph 13-15, Available in hard copy on request
[446] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p8, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 20 April 2011

- Benadiri;
- Eyle;
- Midgan, Tumal, Yibir (Sab [‘outcaste groups’]);
- Shekhal; and
- Digil and Mirifle (Rahanweyn) [Their position in Somali society is complex: JFFMR 2000 observed the Digil and Mirifile “… seem to take a middle position between a Somali clan and a minority…” See preceding sub-section] [447]

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Size and location

19.28 Readers should note that there are no reliable census statistics and estimates vary for the total population of Somalia (between 7 and 9 million; see section on Geography). The population has also been subject to massive displacement (see section on Internally Displaced Persons) and migration (see section on Somalis refugees in the region).The Landinfo report, *Somalia: Language situation and dialects*, published on 22 July 2011, noted that there has been “… mass displacement gathering many different clans together within a certain geographical area… ” [448]

19.29 The MRGI report 2010 noted that: “The number and identities of minorities were confusing. There was no official list to rely on, or clear ethnographic or census data. In addition to the main minorities described previously, there were also several other self-proclaimed ‘minorities’ who were of ‘noble’ origin but numerically and politically disadvantaged where they lived and sought to enhance their standing by claiming this new political minority status.” [449]

19.30 The USSD 2010 report, referring to an estimate made by the UN’s Independent Expert, stated that minority groups represented around 22% of the total Somali population. [450] A UN paper, *Minorities of Somalia*, dated August 2002, (UN Report 2002) stated:

“Until recently, many people perceived Somalia as a country with a population of 7,000,000 people who share one culture, one language and one religion. This was the impression given during previous regimes in order to sustain the illusion of homogeneity… estimates indicate that… [minorities] constitute one third of the total Somalia population; approximately 2,000,000 people. The minority groups include Bantu, Bravenese, Rerhamar, Bajuni, Eyle, Galgala, Tumal, Yibir and Gaboye. These

[447] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p19-21, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[448] Norwegian Country of Origin Information Centre (Landinfo), Somalia: Language situation and Dialects, 22 July 2011, p8, http://landinfo.no/asset/1800/1/1800_1.pdf Date accessed 21 October 2011

[449] Minority Rights Group International, No Redress: Somalia’s Forgotten Minorities, 23 November 2010, p15, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 20 April 2011

[450] US Department of State, Report on Human Rights Practices in Somalia, p41, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

groups continue to live in conditions of great poverty and suffer numerous forms of discrimination and exclusion." [451]

19.31 The Gundel Lecture 2009 report stated that:

"It can be observed that the area between the Juba and Shabelle rivers in Southern Somalia is characterised by considerably greater population density than the areas inhabited by nomadic groups. Therefore, particularly the Rahanweyn groups may constitute at least 25 to 30 per cent of the full population, and hence be larger in size than they are commonly said to be. The Bantus who are often referred to as small groups of perhaps 6 per cent may in fact constitute 20 per cent of the population, and in South-Central there may even be local districts where they form even 50 per cent of the local population. However, these groups are politically suppressed and 'hidden away in Somali figures which favour the nomadic clans." [452]

19.32 The UN Report 2002 estimated that approximately 15% of the total Somalia population (representing around half of the minority groups' population) were Bantu. Though, the size of the other main minority groups identified were a much smaller proportion of the total population. The report also provided some background information to the groups, such as where they were located, language and traditional skills. [453]

19.33 The JFFM report 2000 stated: "Minority groups are not evenly distributed throughout Somalia; there is a higher concentration in the central and southern parts of the country." [454] While the FCO Analyst Paper 2008 reported that:

"Minorities are present in all areas of Somalia. Minority groups are not necessarily exclusively present in the areas they were traditionally associated with, or if they are still resident in their traditional locations, they are no longer present in the concentrations they were before the 1990s. Even before the breakdown of the Somali state in the early 1990s, during the 1970s and 1980s (earlier in some cases) there was a great deal of internal migration-emigration throughout Somalia. Certain areas not traditionally associated with minority groups, will have become home to families or communities of minority groups (pursuing business opportunities or in their role as government servants).

"Though some minority groups were primarily associated with geographical locations e.g. Brawanese, Benadiri, others were identified by their 'occupational caste' and might be found in any given area. Different 'Bantu' groups are traditionally found in many of

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[451] United Nations, Office for the Coordination of Humanitarian Affairs (OCHA), A study on minorities in Somalia, 1 August 2002, p2, http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/76E68B26463E184E802570B70059F73A/$file/MinoritiesSomaliaUNCU+OCHAJul02draft.pdf Date accessed 20 April 2011

[452] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p12, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 20 April 2011

[453] United Nations, Office for the Coordination of Humanitarian Affairs (OCHA), A study on minorities in Somalia, 1 August 2002, table 1, http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/76E68B26463E184E802570B70059F73A/$file/MinoritiesSomaliaUNCU+OCHAJul02draft.pdf Date accessed 20 April 2011

[454] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p21, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

the river valleys of the Juba and Shabelle. However many minority groups will have migrated to bigger towns and cities in search of work, social services (health, aid, education) or protection… Minority groups are also found in Somaliland and Puntland as residents and as refugees." [455]

19.34 The LandInfo report of November 2008, *Conflict, security and clan protection in South Somalia*, stated: "According to a well-informed observer, the Hawiye clan Suleiman is still represented in Hamar Weyne, Hamar Jabjab, Karaan and Medina, but those who do not control areas in the capital have mostly left. The minorities' areas are ghost towns and it is unknown how many minority group members remain in Mogadishu." [456]

19.35 The UNHCR has produced a genealogical table of clans, including minority groups, dated circa 2000, which is useful as a guide to the minority groups and where they were located.

General situation

For information about protection generally see subsection Clan protection above.

19.36 The FCO Analyst Paper 2008 commented that:

"It is difficult – under current conditions in south Somalia [early 2008] - to ascertain with any certainty whether minorities are more or less vulnerable than they were at other periods. However, minorities, by their very nature, will be more vulnerable than 'majority' clan' Somalis since many will not have the protection of a larger clan network/militia who may act with greater impunity against minority clan members since there is little chance of retribution or accountability. It is not my opinion that there is no 'comparative difference in levels of safety between majority clan and minority group members'. However, there may be little detectable difference between some individual circumstances.

"While the active persecution of some minority groups is less evident than it was, for example, in the early 1990s in the immediate aftermath of the collapse of the Somali state, there is no reason to believe social attitudes have changed markedly in present day Somalia. Moreover, it should not be presumed that discrimination and persecution will be perpetrated by all members of Somali society. Nevertheless, in the Somali context there is an inherent disparity in power between majority clans, and smaller clans and minority groups.

"Access to wealth, the social status of the minority group in question, as well as individual connections, can subvert or mediate this prevailing inequality of power. Many individuals from minority groups remain in Somalia. Some may be able to hold on to property, or attend school, or access medical care. Again confirmation and evidence should be sought from those organisations still working on the ground, e.g. Islamic

[455] Foreign and Commonwealth Office Analyst's Unit, Report on COIS' work on clans, May 2008, paragraph 9-11, Available in hard copy on request

[456] Landinfo, Report: Conflict, security and clan protection in South Somalia, 12 November 2008, p13, http://www.landinfo.no/asset/784/1/784_1.pdf Date accessed 2 April 2009

charities or charitable health provider that have the most immediate contact with vulnerable groups." [457]

19.37 The MRGI report 2010 stated that: "The Somali minorities collectively – and minority members individually – suffer denial and abuse of the whole range of basic human rights set out in international and regional conventions… Many of the abuses minorities have experienced in conflict situations are also violations of the Geneva Conventions and other provisions of international humanitarian law." [458]

19.38 The UN Compilation prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, dated 21 February 2011, submitted as part of Universal Periodic Review of Somalia by the UN Human Rights Council, noted:

"UNHCR stated that clan identity continued to permeate Somali culture and often resulted in extreme social, economic, political and cultural discrimination for minority clans [groups]. Most IDPs were of minority clan extraction and therefore faced a barrage of discriminatory indignities and generally suffered human rights violations perpetrated with impunity by host communities. The independent expert made similar remarks.

"The independent expert stated that discrimination and abuses against minorities and vulnerable groups continued unabated. Somali minorities such as the Benadir/Rer Hamar, Midgan (Gadoye) and Tomal, in particular the African Bantu/Jarir population, who had been traditionally discriminated against in Somali society, continued to face abuses and human rights violations." [459]

19.39 The stakeholder Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/116, dated 21 February 2011, submitted as part of Universal Periodic Review of Somalia by the UN Human Rights Council, noted:

"SNHRC stated that in 'Somaliland' some minority groups were considered to be of 'low caste' and can only work in most undesirable and low-paying jobs. They live in substandard accommodation. Minority children did not attend school, as parents could not afford to pay the nominal fees, and minority children feared being bullied in school.

"SOMRAF stated that after the collapse of Somalia's central government, the country disintegrated into regions and was controlled by majority tribes. Clan protection became the only way to safeguard individuals and their property, but minority groups were unable to mobilize this protection and they have thus been subjected to various forms of human rights abuses. SOMRAF stated that minorities were denied justice. In 'Somaliland' and in 'Puntland' the justice system was corrupt and it marginalized minority groups and the poor.

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[457] Foreign and Commonwealth Office Analyst's Unit, Report on COIS' work on clans, May 2008, paragraph 3-5, Available in hard copy on request

[458] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p14, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 20 April 2011

[459] UN Compilation prepared by the Office of the High Commissioner for Human Rights, 21 February 2011, http://documents.un.org/advance.asp, Date accessed 6 May 2011

"MRG stated that minority groups suffered from social segregation, economic deprivation and political manipulation. Often, they were also excluded from mainstream government positions and the few minorities who held those positions had no real power to represent their communities. MRG stated that there was a need for appraisal and replacement of the clan-based power-sharing system known as the '4.5 formula' of representation, a discriminatory approach whereby minorities combined were considered to make up only half of one majority clan… MRG stated that minorities have little chance of obtaining justice if they complain of crimes against them or are accused of crimes and arrested. Police, who invariably belong to majority clans, commonly refuse to investigate complaints by minorities and hardly ever investigate allegations of rape. Courts neglected to guarantee defendants' rights, including the right to legal defence representation, appeal and petition for clemency in regard to a death sentence. Minorities also have little access to justice when customary law was applied." [460]

19.40 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that:

"Some testimonies also indicate that minority clans have been targeted for recruitment by al-Shabab … Al-Shabab's ideological emphasis on religion rather than clan may have appealed to minority clans. One woman, from the Bantu minority clan, said:

"'Al-Shabab was less harsh [than other parties to the conflict] with minority clans. But al-Shabab wanted the Bantu Somalis to take the gun and fight alongside them. Some people were forced to fight with them. Al-Shabab were threatening them that they would kill their relatives if they did not join. A family living near us had their children forced to fight for al-Shabab. They were told: 'If you are not with us, we will kill you.'" [461]

19.41 The Landinfo response, Vulnerability, minority groups, weak clans and individuals at risk, dated 21 July 2011, noted that:

"Both the UN High Commissioner for Human Rights and the UN independent expert on the human rights situation in Somalia have described the situation of Somali minorities… as difficult in respectively 2008 and 2009 (OHCHR, 2008, UNHCR 2009). In his 2010 report, however, the independent UN expert says that 'Al Shabaab appeared to be operating beyond the traditional clan system in Somalia by accommodating minorities that lacked the protection of the major clans' (UNHCR 2010). Many of today's Shabaab militants belong to marginalised minority groups and politically/militarily weak clans.

"Shabaab apparently represents something positive for many with minority background (affiliation), because clan affiliation is not a criterion for social status and protection. The strict enforcement of Islamic law in the Shabaab-areas is also preventing crime, which for years has not least affected these groups (interviews in Nairobi, March 2009, March 2010 and March 2011).

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[460] The stakeholder Summary prepared by the Office of the High Commissioner for Human Rights, dated 21 February 2011, p9-10 http://documents.un.org/advance.asp Date accessed 10 May 2011

[461] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p21, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 14 September 2011

"We are therefore seeing members of minority groups supporting Shabaab, according to various international representatives and Somali experts (interviews in Nairobi, March 2011). This does not mean that the majority population's views on minorities have fundamentally changed. Lack of understanding, and sometimes racist attitudes, are still perceptible in many people's views on these groups, which have traditionally had a low status in Somali society. This could in Landinfo's assessment also colour the opinions of various sources on who actually supports Shabaab. The absence of systematic, objective monitoring of the situation in southern Somalia is also a challenge in many areas."

"While several of Landinfo's interlocutors in the last few years have pointed out that everyone has been affected by the ongoing conflict - grenades and bombs do not differentiate - a well informed observer has stressed that minorities such as the Midgan, in contrast to others who are in the crossfire between insurgents and Government forces, do not have alternative places to stay in Somalia. Another international source has stated that those minorities who are forced to leave their homes because of the difficult security conditions will try to establish a client relationship with a host clan at their new abode (interviews in Nairobi, June 2008).

"This strategy is adopted, however, by the Midgan and Bantu groups, which have traditionally had such a connection with local Somali clans, not by the Rer Hamar or other Benadir groups. These groups, on the other hand, have in many cases established protective arrangements through marriage or through payment.

"The situation of the Bantu in Hiraan region deteriorated during 2007/2008. The current situation, according to well-informed local and international sources, is more complex. Shabaab is in control despite the TFG offensive in major areas, including the Juba Valley. Clan or group affiliation means less for the Islamist groups, and there are armed Bantu groups in for instance the Juba Valley (interviews in Nairobi, March 2009, March 2010 and March 2011)." [462]

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Marriage between minority groups and majority clans

19.42 There is little information regarding majority/minority clan alliances through marriage. However, *Somalia: the untold story: The war through the eyes of Somali women* by Gardner and Bushra, published in 2004, made reference to male majority clan members marrying female minority clan members. [463] There is no indication as to whether this refers to clans in general or only certain minority groups. I.M Lewis, in 'Saints and Somalis, published in 1998, refers to the Bravanese (non-clan minority group, see Bravanese) as occasionally marrying into major clan families [464] but does not specify whether this has been the case for both male and female Bravanese. The Danish Refugee Council report on human rights 2007 notes:

[462] Landinfo, Response: Vulnerability, minority groups, weak clans and individuals at risk, 21 July 2011, http://landinfo.no/asset/1805/1/1805_1.pdf Date accessed 24 October 2011

[463] Gardner and Bushra, Somalia: the untold story: The war through the eyes of Somali women, 2004, Available in hard copy on request

[464] Lewis, Ioan M, 'Saints and Somalis: Popular Islam in a clan-based society' Red Sea Press, October 1998, p63 Available in hard copy on request

"An international organisation (C) confirmed that a wife is absorbed into her husband's clan irrespective of her own clan affiliation. This is so except for when she has married below her own clan's position. However, if the husband dies a problem may arise regarding the widow's clan affiliation.

"According to NOVIB a woman's marriage against the wishes of her family or clan may lead to the death of the man if he comes from a lower clan than his wife. NOVIB gave an example of a couple in which the woman's own clan sent her away to the other end of the country. The couple later found each other again and had to go into hiding or they would be killed." [465]

19.43 The MRGI report 2010 stated that: "Despite the customary prohibition by clans on intermarriage with a minority, such relationships have historically probably always taken place, clandestinely at least, although they are rare. This restriction on intermarriage has excluded minorities from forms of clan support or advancement through marriage ties." [466] The Landinfo report *Vulnerability, minority groups, weak clans and individuals at risk*, dated 21 July 2011, observed that: "Another international source has stated that those minorities who are forced to leave their homes because of the difficult security conditions will try to establish a client relationship with a host clan at their new abode (interviews in Nairobi, June 2008)… the Rer Hamar or other Benadir groups… on the other hand, have in many cases established protective arrangements through marriage or through payment."

See also Women/Marriage and subsection on Clan protection.

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Bajuni

For further information on the current situation for the Bajuni, please see General situation. For further information on protection mechanisms, please see Clan protection.

Background

19.44 The JFFM report 2000 stated that the Bajuni are mainly sailors and fishermen who lived in small communities on the coast south of Kismayo, and on islands between Kismayo and the border with Kenya. The Bajuni are of mixed Arabic, Bantu, Somali and possibly Malay ancestry. Bajuni Elders stated that the Bajuni do not regard themselves as Benadiri people, although they had some trading links with the Bravanese people. [467]

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[465] Report on the Human rights and security in central and southern Somalia: Joint fact-finding mission by the Danish Refugee Council and the Danish Immigration Service, published August 2007, p31 http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=46e109d92&skip=&coi=SOM Date accessed 20 April 2010

[466] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p15, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 20 April 2011

[467] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p26-28, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

19.45 The JFFMR December 2000, and the OCHA Minorities Study of August 2002 observed that the Bajuni had traditionally held a low status in Somalia. As Siad Barre's administration collapsed in the early 1990s, the Bajuni were attacked by groups of Somali militia who wanted to force them off the islands. Many Bajuni left Somalia for Kenya, the majority having fled during 1992. Some Bajuni earned money by transporting refugees out of towns such as Brava and Kismayo to Kenya. In Kenya the Bajuni went to the Jomvo refugee camp in Mombasa. When the Jomvo camp was closed in 1997 many Bajuni were returned by the UN High Commissioner for Refugees (UNHCR) to the Bajuni islands, which at the time were considered safe. However, with the fall of Kismayo in 1999 to the allied forces of the Somali National Front (SNF) and Aideed's Somali National Alliance (SNA), and subsequent attacks on the Bajuni islands, the UNHCR suspended returns. (JFFMR December 2000) [468] **(p28-30)** (OCHA Minorities Study, August 2002) [469]

19.46 The OCHA Minorities Study, August 2002, stated that that Marehan settlers had effective control of the islands but Bajuni could work for the Marehan as paid labourers. This was an improvement on the period when General Morgan's (a Somali warlord) forces controlled Kismayo and the islands, when the Bajuni were treated by the occupying Somali clans as little more than slave labour. The position of the Bajuni is more one of denial of economic access by Somali clans than outright abuse. [470]

19.47 The JFFMR March 2004 observed that the Bajuni population is estimated to number 11,000. Clan militias routinely occupy parts of the islands and force the Bajuni to work for them, demanding 50 per cent of the revenue. [471]

19.48 A Canadian Immigration and Refugee Board response, *Information on the treatment of the Bajuni in Kismayo since 1989*, and on the names of Bajuni towns in Somalia currently, and prior to the civil war, published February 1996, stated that: "Bajuni are a trans-national coastal people found along the Somali and Kenyan coasts". [472]

Language/dialect

19.49 The main language spoken by the Bajuni is Kibajuni ['Ki' meaning language[473]], a dialect related to Swahili. The Landinfo report, *Somalia: Language situation and dialects*

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[468] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p28-30, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[469] United Nations, Office for the Coordination of Humanitarian Affairs (OCHA), A study on minorities in Somalia, 1 August 2002, p5-6, http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/76E68B26463E184E802570B70059F73A/$file/MinoritiesSomaliaUNCU+OCHAJul02draft.pdf Date accessed 20 April 2011

[470] United Nations, Office for the Coordination of Humanitarian Affairs (OCHA), A study on minorities in Somalia, 1 August 2002, p4, http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/76E68B26463E184E802570B70059F73A/$file/MinoritiesSomaliaUNCU+OCHAJul02draft.pdf Date accessed 20 April 2011

[471] Report on the Human Rights and Security in Central and Southern Somalia: Joint British-Nordic Fact-Finding Mission to Nairobi 7–21 January 2004, published 17 March 2004, p38, http://www.unhcr.org/refworld/docid/405b2d804.html Date accessed 20 April 2010

[472] Immigration and Refugee Board of Canada, Somalia: Information on the treatment of the Bajuni in Kismayo since 1989, and on the names of Bajuni towns in Somalia currently, and prior to the civil war, 1 February 1996, http://www.unhcr.org/refworld/docid/3ae6abfd8c.html Date accessed 9 April 2010

[473] Norwegian Country of Origin Information Centre (Landinfo), Somalia: Language situation and

noted that: "The Bajuni population's native language is called, according to [linguist Marcello] Lamberti, Af-Bajuni by Somalis and Kibajuni by the Bajunis themselves. Despite some distinctive sound variations, Kibajuni is a Swahili dialect which Lamberti claims is the oldest dialect in Kismayo." [474] Bajuni elders considered "… their language is very different to the Swahili dialect spoken in areas of Kenya immediately below the Kenyan-Somalia border… although there are some common words". (JFFMR 2000) [475] An Immigration and Refugee Board of Canada response dated 14 November 2005, based on consultations with three linguistic experts/organisations (see source for full details) stated that Bajuni was a dialect of Swahili, noting that "…there are some phonological, syntactical and lexical differences between the two languages." The response also stated that Kibajuni is:

"… a 'cross-border' language spoken in both Somalia and Kenya… in the past, the Bajuni used to live 'on the coast and offshore islands of [southeastern] Somalia and [northeastern] Kenya' while today, Somali Bajuni have moved or are moving to northeastern Kenya… Bajuni is spoken only in a zone that extends from Kisimayu in Southern Somalia to the Lamu archipelago in Kenya by a community of which there are estimated to be between 15,000 and 20,000 members…" [476]

19.50 The JFFMR 2000 noted that:

"… according to the elders most Bajuni speak some Somali, although the main language spoken by the Bajuni is Kibajuni, a dialect related to Swahili. The Bajuni elders advised the delegation that younger Bajuni, who have lived mainly in exile, alienated from mainstream Somali society, may have only a very limited knowledge of Somali but they stressed that they should know at least some key words in Somali as their family elders would have taught them". [477]

19.51 The JFFMR 2004 stated:

"When asked what languages are spoken and understood by the Bajuni in the Lower Juba, Abdalla Bakari stated that the Bajuni in Kismayo and the outlying islands speak their own dialect. He estimated that 50% of these are also able to speak Somali, but noted that the vast majority of those that can understand Somali are from the mainland (the Kismayo coast, rather than the islands). … When asked what proportion of the younger generation of the mainland-based Bajuni was able to understand Somali,

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Dialects, 22 July 2011, p11, http://landinfo.no/asset/1800/1/1800_1.pdf Date accessed 21 October 2011

[474] Norwegian Country of Origin Information Centre (Landinfo), Somalia: Language situation and Dialects, 22 July 2011, p11, http://landinfo.no/asset/1800/1/1800_1.pdf Date accessed 21 October 2011

[475] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p26, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[476] Somalia: Information on whether Kibajuni is commonly referred to as Bajuni; whether a Bajuni who speaks Kibajuni is considered to be speaking Kibajuni or Swahili; whether someone who speaks Kibajuni understand Swahili and vice-versa; whether an interpreter, translator or linguist would refer to Kibajuni as Swahili; information on the differences and similarities between Kibajuni and Swahili and where the two languages are spoken in the world (November 2005), 14 November 2005 http://www.unhcr.org/refworld/docid/45f1480520.html Date accessed 2 February 2010

[477] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p26-28, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

Abdalla Bakari confirmed that all such persons were able to understand and speak Somali." [478]

19.52 It was highlighted in the JFFMR 2004 that the island-based populations tended not to be able to speak Somali due to their social isolation from the mainland. [479]

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Bantu

For further information on the current situation for the Bantu, please see General situation. For further information on protection mechanisms, please see Clan protection.

Background

19.53 The origins of the Bantu are discussed in the Ken Menkhaus paper, *Bantu Ethnic Identity in Somalia*, 2003. The paper opined that the notion of Somali Bantu did not exist before 1991 (p323) and further stated:

"[W]hat we today call the Somali Bantu is actually a very diverse group linked only by a common physical trait (specifically, tightly curled or 'hard hair' [tiimo jareer], distinguishing them from 'soft-haired' ethnic Somalis); low or no status within the Somali lineage system; an historical identity as subsistence farmers in a predominantly pastoral and agro pastoral society; and a shared history of discrimination and oppression.. Until the 1990s, many of these scattered Bantu communities had little knowledge of one another and hence no common sense of identity. The one physical marker that sets them apart from ethnic Somalis – their 'hard hair' – earned them the common nickname 'Jareer' ('hard') from their Somali countrymen … some Bantu Somalis… retain a tribal identity outside the Somali lineage system. But it should be stressed that only a portion of the Bantu population remain outside the Somali lineage system. The bulk of the Bantu population has affiliation with a Somali clan." [480]

19.54 The JFFMR 2000 explained that: "… normally a Somali of Bantu as well as of non-Bantu origin will refer to a Bantu as a 'Jarer', which indicates that the person has strong curly hair. According to Perouse de Montclos the Bantus are also called habash (meaning servants) by the Somali and shanqila by the Ethiopian Oromo along the River Shabelle." [481] The same source reported that:

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[478] Report on the Human Rights and Security in Central and Southern Somalia: Joint British-Nordic Fact-Finding Mission to Nairobi 7–21 January 2004, published 17 March 2004, p37-38, http://www.unhcr.org/refworld/docid/405b2d804.html Date accessed 20 April 2010

[479] Report on the Human Rights and Security in Central and Southern Somalia: Joint British-Nordic Fact-Finding Mission to Nairobi 7–21 January 2004, published 17 March 2004, p37-38, http://www.unhcr.org/refworld/docid/405b2d804.html Date accessed 20 April 2010

[480] Ken Menkhaus, Bantu Ethnic Identity in Somalia, 2003, p326, http://www.persee.fr/web/revues/home/prescript/article/ethio_0066-2127_2003_num_19_1_1051 Date accessed 3 February 2010

[481] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p29, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

"The term jareer means 'hard (or kinky) hair' and literally denotes hair texture and other physical characteristics such as particular bone structures and facial features, which are negatively valued by Somalis. Gosha are said to be bulkier while so-called 'pure' Somalis are said to have longer, more slender fingers. But most significantly according to Besteman, the people who are jareer are considered more 'African', as distinct from Somalis, who are considered more 'Arabic'." [482]

19.55 The report further stated:

"According to Besteman the term jareer has its greatest significance in the cultural values embedded in being jareer (or 'African'). It is a term that refers to history, that of non-Somali pagan slave origins, a history devalued in Somali culture and ideology. This has the effect in social terms that carrying a jareer identity is a denigrated status within the Somali social structure. On this basis Besteman concludes that the people of the Gosha, grouped together as jareer, share a lower status within Somali society.

"The Bantu elders with whom the delegation met urged that the Bantu population in Somalia should not be considered as a minority population in Somalia, because, they argued, the Bantu constitute a majority in a number of regions in Somalia…According to Perouse de Montclos (1997) the Bantu population in Somalia includes nearly one hundred thousand Swahili-speaking Gosha that are sometimes called dalgolet ('forest people' in Somali), molema (or mlima, 'mountain people' in broken Swahili), watoro ('runaway slaves' in Oromo) or oji (from the Italian word oggi, 'today', because these Bantu were said not to think beyond the present day).

"According to the Bantu elders the Bantu mainly occupy the territory between the two main rivers in Somalia, the Shabelle and the Juba, the so-called inter-riverine area of Somalia. The area covers eight regions in southern and central Somalia. The elders stated that in the regions of Middle- and Lower Shabelle, Middle- and Lower Juba, Bay, Benadir and former Upper Juba (parts of which are now in Gedo region) the Bantu population is still today actually a majority." [483]

19.56 The JFFMR 2000 gave some information about sub groups within the Bantu:

"According to the Bantu elders the Bantu population is made up of a number of lineages, some of which live in certain areas and some of which are mixed and/or have resettled in other places in Somalia. Only a few groups are distinguished by their location, such as the Mushunguli, almost all of whom live in Lower Juba region. There are a number of well-known Bantu groups that are not attached and have not been swallowed up by the non-Bantu Somali clans. All of these Bantu groups are referred to as lineage-groups:

- Shabelle
- Shiidle

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[482] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p30, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[483] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p30, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

- Kabole
- Mushunguli
- Gabaweyn (Garbaweyn)
- Eyle (Eile)
- Makane

"There is another group of less well-known Bantu-lineages, most of which are living in the Lower and Middle Juba areas:

- Manyasa
- Miyau
- Majindo
- Makua
- Mlima
- Pokomo
- Manyika

"The Bantu elders explained that many Bantu groups would readily identify themselves with the non-Bantu clan that they are attached to and a Bantu from such a group will say, for example, that he is a Hawadle or an Abgal etc. Such a person considers his identity as totally incorporated into the non-Bantu clan with which he is affiliated. The above-mentioned second group of less well-known Bantu lineages originally came from one of the first-mentioned more well-known groups but have lost their identity to other non-Bantu groups. Migration and intermarriage can also result in a situation where a Bantu will not identify himself as belonging to one of the Bantu groups." [484]

19.57 The MRGI report 2010 noted that: "Bantu have retained many separate cultural traditions and characteristics which date back to different earlier historical periods. These traditions have merged into new social formations in Somalia… They were traditionally incorporated as inferiors into Somali clans and lineages." [485]

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Language/dialect

19.58 There are different accounts regarding the language spoken by the Bantu. The JFFMR 2000 stated that:

"Some Bantu groups have maintained their own Bantu dialect or language while others have completely lost their dialects. The Mushunguli of the Lower Juba still have their own dialect called 'kiziguua' and the Mushunguli call themselves 'waziguua'. Any other Somali will call them Mushunguli. According to Perouse de Montclos the Zigua are of

[484] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p32-33, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[485] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p14, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 21 April 2011

Tanzanian origin and they claim tobe the first to have arrived in the Kismayo hinterland where they settled along ethnic lines in orderto preserve their culture." [486]

19.59 The MRGI report 2010 noted that: "The Bantu Mushunguli language has been preserved largely by particular Gosha communities. While the main language in the Juba River valley is Af-Maay [also spoken by the Rahaweyn], some Bantu in traditional villages do not understand it. They instead speak ancestral tribal languages, such as Kizigua, with Swahili occasionally used as a common language." [487]

General situation

19.60 The June 2009 Landinfo response, Vulnerability – minority groups, weak clans and vulnerable individuals stated:

"The situation for the Bantus in the Hiraan region deteriorated during 2007-2008, according to one international organisation (interview, June 2008). The fears that the large clans would be attracted by the relatively good conditions for agriculture that the Bantus had enjoyed until 2007 (interview March 2007) proved to be well-founded. The local clans moved in with heavy agricultural machinery, and the Bantu population no longer had access to their irrigation equipment, for example. According to well-informed local and international sources, the current situation is more complex. There are armed Bantu groups in the Juba valley and elsewhere, and, in addition, the Bantu population is being armed and used by local clans in conflicts (interviews in Nairobi, March 2009)." [488]

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Benadiri

For further information on the current situation for the Benadiri please see General situation. For further information on protection mechanisms, please see Clan protection.

19.61 'Benadiri' is an umbrella term for a number of minority groups from the coast of south and central Somalia. The JFFMR 2000 reported that:

"… Benadiri is used… [to] indicate the coastal population of Somalia roughly between Mogadishu and Kismayo, who share an urban culture and who are of mixed origin (Persian/Portuguese/Arabian/Swahili/Somali), separate from the major Somali clans… According to Perouse de Montclos, the name Benadiri does not correspond to any well defined sociological reality. In the context of resettlement programmes for Somali refugees in Kenya, the Somali refugee traders of the coastal ports decided to regroup under the generic term 'Benadir', which designates greater Mogadishu. Those indigenous to this area succeeded in calling themselves 'Benadiri'.

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[486] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p33, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[487] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p16, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 21 April 2011

[488] Landinfo, Response: Somalia: Vulnerability – minority groups, weak clans and vulnerable individuals, 2 June 2009, http://www.landinfo.no/asset/1059/1/1059_1.pdf Date accessed 1 February 2010

"Perouse de Montclos adds that the term Benadiri, as a community, did not fully appear before the 1990 civil war (N.B. This is also in accordance with other, UN, sources)… [Benadiri] applies to the traders who were the first inhabitants of Mogadishu but have always been seen as foreigners by the Somalis: the Bandhabow, the Morshe-Iskashato, the Abdisamad, the Sadiq Gedi, the Bafadal, the Amudi, the Duruqo, the rer Shikh, the rer Manyo, the Gudmane in Hamar Weyne district and the rer Faqi in Shingani district.

"Other sources use the names Reer Hamar or Reer Brava. Reer Hamar means people from Mogadishu (Hamar Weyne), but some sources (such as the elders interviewed by the delegation) use it to include the whole coastal population of mixed origin. Reer Brava means people from Brava, and is generally used only to indicate people from Brava of mixed origin." [489]

19.62 The MRGI report 2010 noted that Benadiri comprise mainly the following communities:

"Rer Hamar, living in Mogadishu (at Independence about half of its population), meaning the 'clan' of Hamar (another name for Mogadishu), with their own dialect of the Somali language (Af-Hamar), and divided into a large number of different segments or 'subclans'.

"Residents of Merca port (the former coastal 'capital' in the thirteenth century), sometimes called Rer Merca, with a separate Somali dialect (Af-Donte) related to Af-Maymay of the local Rahanweyn clans.

"Barawani (Bravanese), living in the coastal city of Brava, who have a partially separate historical and urban cultural identity deriving from the sixteenth century when Brava (founded in the ninth century) was an important self-governing trading port and fought off Portuguese attacks. In the nineteenth century, Brava was recognized as a local centre of Islamic Sufi scholarship, education, religious propagation and jurisprudence. Bravanese speak Chimini as a first language (also known as Chimbalazi), which is a local Kiswahili dialect, as well as the local Tunni subclan dialect of Af-Maymay.

"Bajuni, a low-status and poor fishing community who live in the southern port of Kismayu and the offshore Bajuni islands near the Kenyan border. They have some remote south-east Asian ancestry from trading." [490]

The Reer Brava and Bajuni populations are discussed separately in the sections on Reer Brava and Bajuni.

19.63 The JFFMR 2000 stated:

"The delegation gained the impression by comparing information from the discussions with the groups of elders they met with in Nairobi with information gathered in an earlier Danish mission and with information gathered earlier from informants by the Netherlands Embassy in Nairobi, that not all Benadiri would know all the sub-groups, and that there exist many more sub-groups than the ones mentioned by the elders in

[489] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p38-39, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[490] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p11, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 21 April 2011

Nairobi. It also appears that sub-groups mentioned as living in one town or city quarter may have spread to other coastal towns, and sometimes to inland towns like Baidoa." [491]

19.64 The same source noted that the Benadiri "do not put as much weight on genealogical descent as do the Somali clans. They do not count back many generations although life is clan-based." The Reer Hamar can be categorised into groups and sub groups (although the list given below is far from exhaustive):

Hamar groups:

- Qalmashube
- Dhabar Weyne
- Shanshiya
- Morshe (Moorshe)
- Bandhawaw
- Reer Faqi

Shangani groups, including:

- Amudi
- Baa Fadal
- Reer Sheich
- Abakarow

Sub-groups in Merka, including:

- Shukereere
- Ahmed Nur
- Reer Maanyo
- Ali'iyo Mohamed
- Duruqbe
- Gameedle

The Ashraf. (see below for further detail) [492]

19.65 According to Benadiri elders interviewed in the JFFMR 2000:

"… before the civil war the Benadiri in Mogadishu used to live only in the quarters of Hamar Weyne, Shingani and Bondere. Now Benadiri live in all quarters of Mogadishu.

"Another sub-division is made between 'light-skinned' ('gibil ad') and 'black-skinned' ('gibil madow') Benadiri.

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[491] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p39, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[492] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p39-40, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

"Benadiri intermarry, but the elders stated that 'light-skinned' Benadiri do not marry 'black-skinned' Benadiri like Moorshe or Dhabar Weyne." [493]

19.66 The JFFMR 2000 noted, with regard to occupations, that:

"The Benadiri elders stated that the Benadiri were an urban and educated people, who worked almost exclusively in commercial occupations. The elders mentioned business, fishery, construction, metal work, carpentry, tailoring, weaving and gold smithing as the occupational sectors of the Benadiri. They also mentioned that some Benadiri were medical doctors, engineers or economists. Benadiri women might sell snacks or handicrafts." [494]

19.67 Jane's Information Group, in its Country Risk Assessment for Somalia, updated 15 July 2009 noted:

"Reer Hamar (Benadiiri) in general practice commercial occupations. Their group has the greatest number of professionals (for example bankers, businessmen, skilled personnel) and most live in Mogadishu. When order disintegrated in 1991, they were among the wealthiest Somalis, which caused resentment, but their neutral, unarmed status left them unable to defend themselves. Unaligned with any faction and with no links to Somali lineage, Benadiris were easy prey during the civil war. Their land, property and businesses were taken. Most Benadiris fled in the early years of the fighting and have little or nothing to return to." [495]

19.68 The Benadiri suffered particularly badly during the civil war in 1991-1992, as they were "attacked and targeted by looters, who considered them to be very rich". Many Benadiri women were raped or forced into marriage. (JFFMR 2000) [496] The JFFMR March 2004 observed that it was estimated that 90 per cent of the Reer Hamar population in Mogadishu left the city as a consequence of civil war and lack of security. [497]

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Ashraf

19.69 Dr Virginia Luling, an independent academic, noted, in a unpublished report on the Ashraf made available to the UK Border Agency, dated 18 March 2011, that:

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[493] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p40, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[494] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p43, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[495] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Demography, Bajuni, Migdgan, Tumal, Reer Hamar , updated 23 July 2010, available in hard copy on request

[496] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p28, 38-41, 44-45, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[497] Report on the Human Rights and Security in Central and Southern Somalia: Joint British-Nordic Fact-Finding Mission to Nairobi 7–21 January 2004, published 17 March 2004, p26, http://www.unhcr.org/refworld/docid/405b2d804.html Date accessed 20 April 2010

"The Ashraf (or Asheraf) are a group with religious status, held to be descended from the Prophet Mohamed's daughter Fatima and her husband Ali bin Talib, who live scattered all over Somalia (and all over the Muslim world). Fatima's two sons were Hassan and Hussein, and all Ashraf claim descent from one or the other of them.

"The Ashraf are by tradition people with religious status who may be teachers, healers, preachers and arbitrators of disputes. However many of them are also businessmen or have other professions." [498]

19.70 Dr Luling stated, with regard to the divisions of the Ashraf, that:

"The Ashraf of Somalia are divided into the Hassan and Hussein groups of subclans, but within these two divisions there is no single agreed list of subclans. Different individuals may know different selections from the same range of possibilities. There is also no clear distinction in most people's minds between 'subclan' and 'sub-subclan', indeed these terms have no equivalent in Somali, and were invented by the international bureaucracy.

"What is however agreed is that the Hussein subclans are part of the 'Benadiri', i.e. the population of partly Arab and Persian descent living in the coastal cities of Mogadishu (the Reer Hamar), Marka, Brava and Kismayo. This is possible because the Benadir communities like the Reer Hamar are not all of one descent but are federations of subclans of different origins. The Hassan subclans on the other hand with one exception (see below) are not Benadiri... [they] are dark skinned like the other Somali, and live mainly in the interior of the country (some of them of course may have gone to live in Mogadishu)... However the Ashraf al-Ahdali in Marka and Brava, who are Benadiri, are generally said to be Hassan. They are light in complexion like the other Benadiri." [499]

19.71 Ashraf elders interviewed for the 2000 FFMR "… made it clear that only one Ashraf group (or clan) exists in Somalia", but also noted that the group is "… further sub-divided on the lines of their male ancestors". The Ashraf elders sub-divided the Ashraf in the following way:

"Hussein:

- Reesharif Magbuul
- Sharif Ahmed
- Sharif Baalawi

Hassan:

- Mohammed Sharif
- Sharif Ali
- Sharif Ahmed

[498] Virginia Luling, Report on the Ashraf, 18 March 2011, Available in hard copy on request
[499] Virginia Luling, Report on the Ashraf, 18 March 2011, Available in hard copy on request

- Ashraf Sarman." [500]

19.72 However, Dr Luling noted in regard to above list provided by Ashraf elders, that:

"...this list is not complete and must not be taken as definitive. Another account is as follows: 'Five major Ashraf lineages were found in Somalia at the end of the nineteenth century. The Ahmad, Jamal al-Leyl and Bah Alawi, claiming descent from Husayn, formed the majority living in the coastal towns. The much smaller Umar and Abdullah lineages, progeny of Hasan, lived as farmers and herders in the interior' (Scott S. Reese 'Patricians of the Benadir' unpublished thesis for the University of Pennsylvania,p 208). In fact these last two are sections of the Ashraf Sarman (an example of the confusion between subclans and sub-subclans I mentioned above). Another account that I have, unlike the 2000 report, lists Maqbuul as part of Hassan. There are other groups which appear in neither of these lists, such as the Ashraf Hassan al-Ahdali of Marka and Brava, whom I discuss below, and the Al-Nadhiri of Brava.

"(It must be noted that in listing these groups it does not matter whether 'Ashraf' or 'Sharif' is used, and whether it comes before or after the personal name - i.e. you could say 'Mohamed Sharif ' or 'Sharif Mohamed' or Ashraf Mohamed'.)...The Ashraf Hussein subclans belong to the 'Gibil Ad' or light skinned Benadiri, that is to say they are generally lighter in complexion than majority Somalis (though there is a wide range of variation). They live in the coastal towns of Mogadishu, Marka and Brava, but some have moved to other places in order to trade or because they have bought land. They are traditionally respected for religious reasons by their fellow citizens; however like the other Benadiri they have been subject to brutality and persecution by the militias since the breakdown of government.

"According to Dr Ahmed Sherif Abbas of the UK Somali Benadiri Community Council, Ba-Alawi is a general name for the Ashraf of the Hussein branch who live in Somalia. (Related Ba Alawi live in many parts of the Arab world.)

"The Ashraf Maqbuul are said to originate in Luuq and near the Ethiopian border, but they also live in Mogadishu, and a few of them in Kismayo and perhaps in other places...These are dark skinned like the other Somali, and live mainly in the interior of the country (some of them of course may have gone to live in Mogadishu), and mostly are not Benadiri.

"However the Ashraf al-Ahdali in Marka and Brava, who are Benadiri, are generally said to be Hassan. They are light in complexion like the other Benadiri. There is no reference to them in the published literature that I have found; nevertheless they do exist and I have met them.

"One of the best known Somali Hassan groups is the Ashraf Sarman; they originate in an area named Sarman or Saraman, near Huddur in Bakool region (I.M. Lewis, 'Peoples of the Horn of Africa', 1994, Haan Associates, London, p 35). There they are associated with the Leysan clan, who are part of the Rahanweyn. Today they are also found in Baydhaba and the Bay region, in Mogadishu, Kismayo, Luuq, Jalalaqsi and

[500] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p34, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

Bardhere and in Afgooye. In Mogadishu they have been acknowledged and to some extent absorbed by the Benadiri Ashraf there.

"Dr Abbas informs me that the Ashraf Sarman and the other Hassan branches have been persecuted in the same way as those who are Benadiri, and this is confirmed by Mr Mohamud Mohamed Hassan, Ashraf Sarman representative in London.

"The Sharif Ali of the Hassan branch are especially associated with Kismayo, though they may also live elsewhere." [501]

19.73 The JFFMR 2000 also stated:

"The Ashraf elders indicated that the Ashraf are living in southern and central Somalia, especially in urban locations like Bardera, Kismayo, Baidoa, Hoddur, Merka, Brava and Mogadishu. In Mogadishu the largest concentration of Ashraf was to be found in the Shingani district, but they also lived in Hamar Weyne. Ashraf used to live also in Ethiopia. Some Ashraf from Ethiopia became exiled in Somalia at the time of the Ogaden war in 1977. These Ashraf came from Ogaden, Oromia, Dire Dawa and Harar in Ethiopia and some of them fled Somalia in 1991-92. Those remaining in Somalia reside with other Ashraf. UN sources confirmed that Ashraf communities are also to be found in the Ogaden district of Ethiopia." [502]

19.74 The JFFMR 2000 also noted with regard to the Ashraf traditional occupations, that:

"The Ashraf elders explained that the Ashraf are a religious people. They were traditionally considered a highly respected clan whose members travelled throughout Somalia as religious teachers. Before the civil war a relatively large number of Ashraf received education in Somalia, and during the Siad Barre administration a number of Ashraf were employed as civil servants in the administration while others were businesspeople and therefore travelled frequently throughout the country." [503]

19.75 The elders further stated that the Ashraf:

"… trace their origin to the Prophet Mohamed, whose daughter Fatima had two sons with Ali, named Hassan and Hussein. Any member of the Ashraf community belongs to one of these two lines of descent, from Hassan or Hussein, and any Ashraf (both females and males from the age of two) is able to identify her- or himself as belonging to one of these two lines… [Ashraf] have the name Sharif as part of their name, added to the personal name and the father's, and sometimes the grandfather's, name. From this comes the name of the group, Ashraf being the plural of Sharif." [504]

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[501] Virginia Luling, Report on the Ashraf, 18 March 2011, Available in hard copy on request

[502] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p41, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[503] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p43, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[504] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p41, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

19.76 On the latter point Dr Luling noted that:

"Sharif (the word of which 'Ashraf' is the superlative) is a title, rather like 'Father' addressed to a priest. It is an Arabic word meaning 'noble' or 'respected'. It can be attached to one of a person's names or to more than one, e.g. Sharif Mohamed Sharif Osman Ali or Mohamed Osman Sharif Ali or Mohamed Sharif Osman Sharif Ali. An individual may use it at one time but not at another. It can be used by all Ashraf, but not necessarily, and some nowadays prefer to omit it. It is not generally a personal name, and hence will not always appear on documents such as identity cards or passports.

"It is also occasionally used as a personal name, not only among the Ashraf."

19.77 Dr Luling gave details of the Reer Aw Hassan, a group that associate themselves with the Ashraf:

"This is a separate group from the Ashraf, but they maintain they are related to them. (However it is not to be expected that Ashraf people will necessarily know about the Reer Aw Hassan.)

"Firstly, it must be understood that 'Reer Aw Hassan' simply means 'the family or descendants of Father Hassan (or Mr Hassan - 'Aw' means 'father' and is a title, used especially for religious men). Since 'Hassan' is a common name, it is not surprising that there is more than one descent group called that or something like it, though this can lead to confusion.

"On 10 July 2004, I held an interview with the elders or representatives of the Reer Aw Hassan community in London, who informed me about this group. They stated that they consider themselves by origin part of the Ashraf, though they do not use that name or call themselves 'Sharif'. They trace descent ultimately to Hussein, son of Fatima daughter of the Prophet. It was a descendent of his, a Sheikh named Hassan, also known as 'Kalweyne' who came from the Hadramaut (in Yemen) to Somalia in the 15th century in order to preach Islam.

"In Somalia (tradition says) he married two wives, one belonging to the Marehan clan and the other to the Jidle. They are supposedly the ancestresses of the two branches of the Aw Hassan. The son of the Jidle mother was named Said and his descendants live in the south, from Marka and Qorioley as far as Mandera in Kenya. The son of the Marehan mother was named Nur, and his descendants live in and around Beledweyn in the Hiran region, and in what is now the Somali National Regional State in Ethiopia. (However one descendant of his, Ahmed, moved to the coast, where his progeny became part of the Benadiri.) The Nur branch are further subdivided into the Reer Aw Elmi, the Reer Aw Udgoone and the Reer Aw Mahdi.

"They state that the Reer Aw Hassan are considered a religious clan, and used to be respected accordingly, but 'the days of respecting the respectable people are gone in Somalia'. They are now simply a small, weak group without armed support." [505]

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Language/dialect

[505] Virginia Luling, Report on the Ashraf, 18 March 2011, Available in hard copy on request

19.78 The JFFMR 2000 stated:

"According to the Benadir community in Nairobi the Benadir populations in Somalia generally speak a dialect that is different from the dialect of the major Somali clans. Even within this dialect there are sub-dialects: the dialect spoken by the Benadiri of Mogadishu is called Af-Reer Hamar, that spoken by the Benadiri of Merka is called Af-Merka, and the dialect spoken by the Benadiri in Brava and further south is called Af-Brava. The Af-Brava dialect is not understood by the other Benadiri. An informant of the Netherlands Embassy stated earlier that the Ashraf in Bay area speak the Rahanweyn dialect." [506]

19.79 A Landinfo response, *Somalia: Reer Hamar*, dated 17 December 2009, reported on the languages spoken by the various Benadiri groups in Mogadishu that:

"No linguistic work has been done in Somalia since the 1980s, and Marcello Lamberti's study Die Somali-Dialekte (1986) is one of the very few existing comparative studies of the various Somali dialects. According to this study, as well as other Somali sources, including Dr Ahmed Sharif Abbas, leader of the United Somali Benadiir Council in London (interview in London, 16 March 2005), the Hamar-dialect is still spoken by Reer Hamar members in Hamar Weyne [in Mogadishu]. Dr Abbas also stated that Reer Hamar living outside Hamar Weyne, particularly the older generation, have kept their dialect. Dr Abbas…did, however, not exclude non-Hamar speaking applicants from being Reer Hamar since obviously not all actually speak the dialect.

"Dr. Martin Orwin, lecturer in Somali and Amharic at University of London's School of Oriental and African Studies (SOAS), has underlined (personal communication 16 November 2006) another important aspect: Other Somalis growing up and living in the same neighbourhood as the Reer Hamar probably also know and speak the Hamar dialect. Moreover, in most countries speakers of one dialect or language naturally come into direct or indirect contact with those of neighbouring (or culturally) dominant languages or dialects through business and trade relations, daily life or intermarriages. Whatever the degree or nature of contact between neighbouring peoples, it is generally sufficient to lead to some kind of linguistic interinfluencing, affecting not only the ethnic Somalis [i.e. non minority groups] living in the Reer Hamar neighbourhood, but also the Reer Hamar within Hamar Weyne and in other parts of the city." [507]

19.80 The Landinfo report, *Somalia: Language situation and Dialects*, published on 22 July 2011, noted that:

"According to Lamberti's (1986) categorisation, the Benadir group consists of five [linguistic] subgroups:

"1. Abgal in Galgadud and the Middle Shebelle region all the way to Mogadishu.

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[506] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p42, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[507] Landinfo, Response: Somalia: Reer Hamar, 17 December 2009, http://www.landinfo.no/asset/1091/1/1091_1.pdf Date accessed 20 January 2010

"2. Galjeel in the southern part of the Hiraan region all the way to the Jowhar district and in the northern parts of the Lower Shebelle region. One can also find Galjeelspeakers in the Saakow and Bu'aale districts in Middle Juba, as a result of migrations within the period 1900 – 1980.

"3. Ajuran in the Hiraan region and in the Dhinsor, Saakow and Bu'aale districts. Also here, the geographical dialect areas are ascribed to migrations that took place at the beginning of the 20th century.

"4. Hamar in Hamar Weyne – the oldest district in Mogadishu.

"5. Biimal in Mogadishu to the most southern part of the Afgoye and Qoryoley districts, as well as in the Merka and Jamaame districts.

"In addition to these, a Benadir variation developed north and south of Mogadishu. Granted, this variant has no native speakers and is only used as a language of communication between the various Benadir-speakers. This dialect variation is, according to Lamberti, a mixture of the Abgal, Hamar and Biimal dialects.

"The Hamar dialect in Hamar Weyne can, according to Martin Orwin, also be grasped by others than members of the Rer Hamar – for example, a Marehan or Abgal who has grown up with a Rer Hamar can be fluent in this dialect. Orwin justifies this by referencing the general phenomenon that children and young people are more easily influenced than adults with regards to changes in language and dialect (telephone conversation with Landinfo, November 2006).

"The Benadir dialects are otherwise minimally consistent, according to Lamberti – even within one dialect there are often different forms, cf. for example, Af-Hamar: /waa~niraahdaa~niraadaa~niraa/ ('we say'). There is also meant to be far greater freedom and grammatical leeway with the Benadir dialects, than with northern Somali. The Abgal and Biimal dialects are the two Benadir dialects with the highest numbers of users. The Biimal dialect consists of two variations, namely Biimal from Lower Shebelle and Biimal from Lower Juba, which does not drastically differ from each other." [508]

19.81 Sprakab, a Swedish company that supplies language analysis services to immigration authorities in a mobile text message sent on 24 February 2009 stated: "The Reer-Hamar dialect of Somali is not only spoken by members of the Reer-Hamar clan. It is also spoken by persons who have had their language socialized in Reer-Hamar speaking areas or among Reer-Hamar speaking persons." [509]

19.82 Dr Luling noted, with regard to the Ashraf, that:

"It is sometimes erroneously believed that all Ashraf speak Af Reer Hamar, the dialect of the Reer Hamar Benadiri community in Mogadishu. In fact almost none of them speak this as their first dialect.

"Since most of the Hassan subclans do not come from Mogadishu there is no reason they should speak Af Reer Hamar; they speak whatever dialect is used by the people

[508] Norwegian Country of Origin Information Centre (Landinfo), Somalia: Language situation and Dialects, 22 July 2011, p13, http://landinfo.no/asset/1800/1/1800_1.pdf Date accessed 24 October 2011
[509] Sprakab, Letter to COIS, dated 24 February 2009, Available in hard copy on request

among whom they live. However if they have moved to Mogadishu they may have picked up Af Reer Hamar, or more likely the similar dialect used by the Abgal and other people in the Mogadishu area. (This latter is also often called 'Af Reer Hamar' in a broader sense, which is confusing.)

"On the other hand the Hussein subclans, and the Hassan Al-Ahdali of Marka, speak a highly distinctive dialect of their own. This is spoken only by the Benadiri people in the city of Marka, including the Ashraf of Marka, and in a slightly different version by the people in the district of Shangani in Mogadishu, including the Ashraf there. It is generally called 'May Dhoonte', or 'Madonte', or in the case of the Marka variant 'Af Marka'. It is extremely distinctive and noticeably different both from Af Hamar and from Standard Somali

"It has been described by professional linguists working on Somali, notably Marcello Lamberti, 'Die Somali Dialekte', especially pages 34- 35, and 'Map of Somali Dialects' (Helmut Buske Verlag , Hamburg 1986). Lamberti calls both the Shangani and the Marka varieties 'Af Ashraf' because the Benadiri Ashraf are its main speakers (though in fact they are not the only ones).

"The Ashraf of Brava (Ba-Alawi, Al Nadhiri and Al Ahdali subclans) speak the Bravanese language, 'Chimini'. This is not a Somali dialect, but a separate language, related to Swahili. In that language they refer to themselves as 'Masharifu', and the Al Ahdali subclan are also called 'Mahadali'.

"The Ashraf Sarman in their original home near Huddur speak the 'May-May' dialect of the Rahanweyn clans among whom they live. Those who have moved to other areas normally speak the dialects of those areas.

"Needless to say, all these will probably also speak Standard Somali to some degree." [510]

19.83 The Landinfo report, *Somalia: Language situation and Dialects*, published on 22 July 2011, noted that:

"The Ashraf dialects are, according to Lamberti, used exclusively along parts of southern Somalia's coast by Somalis who belong to the Ashraf clan. This dialect group consists of two subgroups:

"1. Ashraf in the Shangani district in Mogadishu called Af-Shingani.

"2. Ashraf in Lower Shebelle, specifically the Merka district. This dialect group has the subcategories Af-Merka, Af-Gendershe and Af-Jilib.

"The Ashraf dialects have, in spite of significant influence from the Benadir dialects, still not undergone many changes." [511]

For more information on the Benadiri, please see the Landinfo response, Reer Hamar.

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[510] Virginia Luling, Report on the Ashraf, 18 March 2011, Available in hard copy on request

[511] Norwegian Country of Origin Information Centre (Landinfo), Somalia: Language situation and Dialects, 22 July 2011, p13-14, http://landinfo.no/asset/1800/1/1800_1.pdf Date accessed 24 October 2011

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Reer Brava (aka Bravanese or Baravani) and Tunni

See subsection on Digil and Mirifle (Rahanweyne) for information about the 'rural' Tunni. For further information on the current situation for the Reer Brava, please see General situation. For further information on protection mechanisms, please see Clan protection.

19.84 The JFFMR 2000 observed that within Brava, elders described "two sub-groups: the Bravanese and the Tunni. Both groups are from Brava and they share to a large extent the same culture. They intermarry between their groups. However, the Bravanese consider themselves Benadiri, while the Tunni do not." The divisions of the Bravanese were:

- Bida
- Hatimi
- Ashraf [512]

19.85 The Tunni are sub-divided into the Tunni Torre plus five gamas (sub-groups):

- Da'afarad
- Goygal
- Daqtiro
- Hayo
- Werile (JFFMR 2000) [513]

19.86 An Immigration and Refugee Board of Canada response to information request dated 14 November 2005 stated:

"In an 11 August 1997 telephone interview with the DIRB, a representative of the Toronto-based Benadir Somali Association, who has done extensive research on the cultural history of the Benadir coast… clarified that the Dafard, Werile, Daqtira, Hafuwa and Goygal are Tunnis-Barawans or urban Tunnis who live in Merka and Barawa and speak the Barawan language (ibid.). However, he emphasized that there is a difference between urban Tunnis who are Barawans and rural Tunnis who are not Barawans. He explained that the difference between urban Tunnis and rural Tunnis is linguistic, with the rural Tunnis speaking the Tunni language, which is not comprehensible to the majority of urban Tunnis (ibid.)." [514]

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[512] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p41-42, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[513] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p41-42, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[514] Immigration and Refugee Board of Canada, Somalia: Information on the Tuenis clan from Barawe including the languages spoken, their unique qualities, any identifiable attributes, and on which clans from Barawa speak Chimini, 1 August 1997, http://www.unhcr.org/refworld/docid/3ae6ac7710.html Date accessed 2 February 2010

19.87 The Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000 (JFFMR 2000) noted:

"Historically, in Brava (like in Merka) the Arabs from Zanzibar allied with the Tunni, a Digil clan, in order to counter the Hawiye from the hinterland. Brava was the scene of numerous battles, against the Portuguese, Omanis, British, Egyptians, Italians and Somali of the interior (Rahanweyn and Dir), many of them establishing lineage. As a consequence, the races in the city were completely 'mixed up'. Although the common hardships and tragedies experienced during and after the 1990 civil war certainly reinforced the sentiment of an identity and uniqueness, on closer inspection we discover communities with very diverse backgrounds despite numerous instances of intermarriage. On the one hand there are immigrants of Arab origin, while on the other hand there are the Somali of the Brava surroundings, whose minority status is more doubtful because they are part of the Tunni lineage of the Digil." [515]

19.88 *Somalia: The Untold Story,* published in 2004, noted: "… [the Reer Brava/Bravanese] traditionally practice endogamous marriage, that is marrying within the extended family; this is in contrast to the exogamous marriage practice of pastoral groups." One account in the book is by a Bravanese woman whose husband and mother were both from major clans. No indication is given about how common such 'exogamous' marriage might be among the Bravanese but evidently it did exist. [516]

19.89 The JFFMR 2000 noted that: "The Bravanese and Tunni elders said their people were also [like other Benadiri groups] commercially orientated or working as craftsmen." [517]

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Language/dialect

19.90 A Canadian Immigration and Refugee Board information response dated 1 August 1997 which considered, amongst other things, the language spoken by the Reer Brava, stated that:

"[According to a document entitled Barawan Refugees from Somalia published by the Migration and Refugee Services (MRS) of the United States Catholic Conference in Washington] the formal Barawan language of Chimbalazi, written with an Arabic script, is spoken mostly by older Barawans. Chimini, which is different from both Somali and other Benadir languages, incorporates some Somali, Swahili, and even Portuguese vocabulary and is the Barawans' common language... However, the representative of the Benadir Somali Association insisted that while Chimbalazi is the archaic poetic

[515] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p42, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[516] Gardner and Bushra, Somalia: the untold story: The war through the eyes of Somali women, 2004, p8, Available in hard copy on request

[517] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p43, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

version of Chimini, the two languages are one and the same. He agreed, however, that Chimini is the language commonly spoken by the Barawans (ibid.)." [518]

19.91 Dr Luling noted that: "The Ashraf of Brava (Ba-Alawi, Al Nadhiri and Al Ahdali subclans) speak the Bravanese language, 'Chimini'. This is not a Somali dialect, but a separate language, related to Swahili. In that language they refer to themselves as 'Masharifu', and the Al Ahdali subclan are also called 'Mahadali'." [519]

19.92 The Landinfo report, *Somalia: Language situation and Dialects*, published on 22 July 2011, stated that "the oldest population group in the town of Brava … speak the Swahili dialect Somalis call Af-Chimwiini." [520]

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'Caste' groups (Sab) - Midgan, Tumal, Yibir and Galgala

19.93 The JFFMR 2000 stated that:

"In traditional Somali society a number of 'occupational castes' lived scattered in a client status among the majority of 'noble' Somali clans. Various names are used for these groups, and their use is not always consistent.

"The northern Somali pastoral society distinguishes three occupational castes, the Midgan, Tumal (also called Tum Tum, Tumaal, Tomal) and Yibir (also called Yibro, Hebrew), referred to collectively as sab (which means low-caste). These names are also used by the southern Darod. Another collective term used for these groups in northern Somalia is Gaboye (Geboyo), but Gaboye is also used as another name for the Midgan only. A third collective name used for the three groups is Baidari. The terms Midgan, Gaboye and sab are derogatory terms.

"According to Perouse de Montclos the word sab refers to professional castes without territorial, genealogical or ethnic foundation, less than 1% of the country's population. Three quarters of them are shoemakers or barbers who carry out circumcision: they are called 'untouchables', Midgan, and try to impose a new name since the beginning of the war, the 'harmless' Madhiban. Less than a quarter are Tumal blacksmiths. One also finds a handful of Yibir hunters, said to have magic power, and some weavers called Yahhar in the south (according to the name of the shuttle of their weaving loom)… In the inter-riverine area of southern Somalia, occupational caste groups were scattered through the clan system, but the words Midgan and Yibir used to be unknown, while Tumaal was simply the name of the occupation of smith and not of a descent group.

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[518] Immigration and Refugee Board of Canada, Somalia: Information on the Tuenis clan from Barawe including the languages spoken, their unique qualities, any identifiable attributes, and on which clans from Barawa speak Chimini, 1 August 1997, http://www.unhcr.org/refworld/docid/3ae6ac7710.html Date accessed 2 February 2010

[519] Virginia Luling, Report on the Ashraf, 18 March 2011, Available in hard copy on request

[520] Norwegian Country of Origin Information Centre (Landinfo), Somalia: Language situation and Dialects, 22 July 2011, p11, http://landinfo.no/asset/1800/1/1800_1.pdf Date accessed 24 October 2011

Here, the occupational castes were collectively known as boon or gum. But again, by others, Boon and Midgan were used interchangeably." [521]

19.94 Further information from the JFFMR 2000 stated that a "staff member of a UN organisation informed the delegation that the Midgan, Tumal and Yibir live to this day scattered all over Somalia, but especially in the central and northern areas." [522]

19.95 The MRGI report 2010 noted that:

"The occupational groups are a distinct minority grouping comprising three main groupings practicing specific nonpastoralist occupations and crafts, which were essential to the nomadic economy. They are found in all Somali territories; in Somaliland, they are the principal minority.

"Members of the occupational groups are not physically distinct from the pastoralist clans with whom they lived and are not regarded as having a non-Somali or foreign origin. They speak local dialects of the Somali language.

"The three main groups are Midgan (singular Midgan, plural Midgo), also known as Gaboye in Somaliland, who were traditionally hunters and leatherworkers but also undertook various arts and craft work and male circumcision and female genital mutilation (FGM); Tumal, traditionally blacksmiths; and Yibro (singular Yibir, plural Yibro), traditionally ritual specialists.

"Some traditional occupations died out in the mid/late twentieth century. Yibro, for example, can no longer benefit from their once main income of samanyo birth and wedding payments by 'nobles' (received in exchange for promises of good fortune), since this custom was banned by the Siad Barre government in the early 1970s as 'tribalistic'.

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

"With the disappearance of their traditional lifestyles, and as a result of conflict, many have moved to urban settlements or IDP camps or fled to refugee camps in neighbouring countries.

"On the positive side, several well-known musicians and entertainers hail from the Midgan occupational group, and enjoy respect and success among majority communities." [523]

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[521] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p49, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[522] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p50, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

19.96 The Gundel Lecture 2009 report stated that:

"The sab are traditionally bondsmen of the pastoralist clan groups and they can only have relations with the Somali through an abbaan (Somali patron). Internally the sab may have segmented lineage systems along the Somali pattern. Intermarriage is not allowed nor accepted between these minorities/sub-minorities and the 'noble' nomadic clans. The sab are traditionally denied the right to own land or livestock, to participate in the local businesses, market economy, or politics.

"The sab practice various but despised [by main clans] professional skills. Hence sab often refer to groups identified in terms of their occupation. They protect themselves by keeping their own affairs secret, this being their only power to resist the dominance of the Somali nomads, as this creates a dependency of the latter on these groups when it comes to house construction and various kinds of handicraft." [524]

19.97 The same report noted that:

"Sab include the following groups:

"GABOOYE/MIDGAN

"In the North, the Gabooye are composed of the Tumaal (blacksmiths), Midgan (shoemakers, hunters and gatherers, poison makers, and hairdressers), and Yibr (see below for details). Groups which belong to Gabooye/Midgan include the Madhibaan, Muuse Dhariyo, Howleh, Hawraar Same, and Habar Yaquup. These groups are also found scattered in Southern Somalia.

"YIBR

"The Yibr or Yibro (some find Yibro is a mispronunciation) live along the coast in Mogadishu and in Bosasso, Borama, and Burco. In the South, they are described as being distinct from Gabooye. The Yibr are often claimed to be descendants of early Hebrews who settled in the Horn of Africa. According to Virginia Luling, the 'Hebrew' idea is not an anti-Semitic invention by others, but was and is maintained by the Yibr themselves, who have found in this a way of dignifying their outcast status. However, while this Hebrew descendancy is disputed, it is not entirely baseless. While it is true that the 1970's produced a myth about their descent, which was related to a political effort at discrediting them by playing on anti-Semitic sentiments, there is some historical merit to the notion that ancient Somali people prior to Islam and Christianity did have a connection to Jewish or similar religions, and the present group may derive from the 'losing' part in an ancient religious dispute at Aw-Barkhadle (a religious centre commemorating Sheikh Yusuf Al-Kownin) in present day Somaliland, which still is a location of pilgrimage located between Hargeysa and Berbera. This, however, needs more research outside our present scope.

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[523] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p12, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 21 April 2011

[524] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p15, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 21 April 2011

"Members of Yibr used to have mythological functions in society (and do not involve themselves in other tasks in traditional Somali society): They collected the Samanyo (a birth gift) from new-born babies and newly-married girls in exchange for giving them a good fortune. Historically, the Yibr enjoyed some protection before independence through this superstitious practice that prevailed about them, and which is now no longer widely practiced. After independence they suffered from the banning of the Samanyo custom and other related traditions by the government.

"With the presence of radical Islamic groups like Al-Shabaab with strong anti-Jewish attitudes, the Yibr who claim historical descent from the Hebrews have been increasingly suspected by Somalis with a radical Islamic orientation. Therefore members of the Yibr may be targeted in South Central Somalia, despite the fact that they are Muslims today.

"Further sab groups present in the South are the Yahhar, Galgalo (woodcarvers), Boon, and Eyle." [525]

19.98 The Galgale (Galgala or Galgalo) are described in the OCHA report 2002 as making up 0.2% of the population of Somalia. They were, at that time, found in Mogadishu and Gedihir within the Middle Shabelle region and have the traditional skills of woodcraft and pastoral activity. [526]

Language/dialect

19.99 The JFFMR 2000 stated that: "Lewis (1994a) notes that the Midgan, Tumal and Yibir speak the Somali language of the clan to which they are attached. The Midgan and Yibir also have a special, secret dialect that the major Somali clans would not understand." [527] Dr Gundel noted that " [the Sab]… speak a language of their own, although it is disappearing." (Gundel Lecture 2009) [528]

For more information on issues that affect ethnic minorities, please also see Latest News, Recent developments, Security Forces, Abuses by non-state armed groups, Women, Children, Internally Displaced Persons and Humanitarian Situation.

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20. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

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[525] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p15-16, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 21 April 2011

[526] United Nations, Office for the Coordination of Humanitarian Affairs (OCHA), A study on minorities in Somalia, 1 August 2002, p12 http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/76E68B26463E184E802570B70059F73A/$file/MinoritiesSomaliaUNCU+OCHAJul02draft.pdf Date accessed 26 October 2006

[527] Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, published December 2000, p50, http://www.unhcr.org/refworld/docid/3ae6a5fa0.html Date accessed 12 March 2010

[528] Joakim Gundel, Clans in Somalia, Report on a Lecture by Joakim Gundel, COI Workshop Vienna, 15 May 2009 (Revised Edition) published December 2009, p15-16, http://www.ecoi.net/file_upload/90_1261130976_accord-report-clans-in-somalia-revised-edition-20091215.pdf Date accessed 21 April 2011

LEGAL RIGHTS

20.01 The International Lesbian and Gay Association's report, *State sponsored homophobia*, updated in May 2011, noted that same-sex relations between men and between women are illegal and referred to the relevant parts of the Somali penal code:

"Article 409 Homosexuality 'Whoever (a) has carnal intercourse (b) with a person of the same sex shall be punished, where the act does not constitute a more serious crime, with imprisonment from three months to three years. Where a) the act committed b) is an act of lust different from carnal intercourse, the punishment imposed shall be reduced by one-third.'

"Article 410 Security Measures 'A security measure may be added to a sentence for crimes referred to in Articles 407, 408, and 409'.

"Somalia has not had a functioning central government since the fall of the dictator Mohamed Siad Barre in 1991, and the enforcement of the national Penal Code can be questioned. In the southern parts Islamic courts rule, having imposed Islamic Sharia law punishing homosexual acts with death penalty or flogging. However, Somaliland in the north has declared itself independent, and it still applies the Penal Code.'" [529]

SOCIETAL TREATMENT AND ATTITUDES

20.02 The US State Department *Report on Human Rights Practices in Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated that: "Sexual orientation was considered a taboo topic, and there was no public discussion of this issue in any region of the country. There were no reports of societal violence or discrimination based on sexual orientation." [530]

20.03 In April 2001, The International Gay and Lesbian Human Rights Commission (IGLHRC) reported that it was:

" …gravely concerned by reports that two women have been sentenced to death for 'unnatural behavior' in the city of Boosaaso in the autonomous region of Puntland, northeast Somalia.

"Accounts of the sentence have been widely circulated in the international media, as well as by newspapers in Mogadishu, the capital of Somalia. However, other sources, as well as local press in Puntland, have denied the story.

"Tensions are high between local authorities in Puntland and officials in the Somalian capital of Mogadishu. Puntland officials have accused the Mogadishu press of inventing this story in order to discredit them. Information received by IGLHRC from a reliable source familiar with Puntland indicates that a journalist for the local press in Boosaaso who initially reported on the story may have been arrested." [531]

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[529] International Lesbian and Gay Association, State sponsored homophobia, updated May 2011, p30, http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2011.pdf Date accessed 21 July 2011

[530] US Department of State, Report on Human Rights Practices in Somalia, p41, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 21 April 2011

[531] International Gay and Lesbian Human Rights Commission, Somalia: Two Women Reportedly Sentenced To Death, 3 April 2001, http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/globalactionalerts/700.html Date accessed 21 July 2011

20.04 Afrol news noted in November 2007 that the founders of the Somali Gay Community website had received death threats following its launch:

"… The news about the website, which major Somali media picked up from afrol News, caused a storm of debate that included threatening hate messages. But it also gave the new gay site very many hits and members, documenting needs in Somali society.

"Muraad Kareem, one of the Somalis behind www.somaligaycommunity.org, was astonished by the row of events that followed the publishing of an article about the website by afrol News. '…People were outraged to see such article on 'Hiiraanonline' which is a major news website. People could not believe that a major Somali news website would publish such article. They have asked it to be removed and their messages were horrific and hateful,' Muraad tells afrol News… Andrew Prince, a UK-based gay activist and web developer, stood behind the technical aspects of the Somali website. Also he was surprised by the amount of 'hate writers' attacking him and Muraad on Somali blogs … The two reveal that several individuals were going a step further than just threatening. Some investigated the whereabouts of the two and published this information on a Somali website. According to Mr Prince, 'the site was threatened with being hacked so I had to take extra security steps to protect the site so that it stays online to serve the community that it was intended for.' Muraad adds there were indeed attempts to hack the website." [532]

See Freedom of religion for details on how Somalia has adopted Sharia law, and Non-state armed groups for details of how Al Shabaab has applied a strict, and intolerant, interpretation of this. Also see following section on women in regard to the difficulties faced by lesbians and bi-sexual women because of their gender in addition to their sexual orientation.

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21. WOMEN

OVERVIEW

21.01 Somalia is not a signatory to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). (Countries as signatories are set out in the CEDAW official signatories list, accessed on 13 September 2011.)

21.02 The *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, covering events between September 2010 and July 2011, dated 29 August 2011, to the UN Human Rights Council, stated that:

"Domestic violence, sexual violence and such harmful traditional practices as female genital mutilation are some of the most common violations of women's rights reported across all areas of Somalia… A number of other violations remain invisible, and discrimination in all aspects of life overlooked. Deteriorated infrastructure and health-care services have an exponential impact on women's health, with the effect that

[532] Afrol News, Somali gay bloggers receive death threats, 29 November 2007 http://www.afrol.com/articles/27395 Date accessed 21 July 2011

Somalia has among the highest maternal mortality and morbidity rates in the world. Women have also lower education levels, including at primary level, face work discrimination and greater poverty, the impact of which should be carefully evaluated when considering that around 70 per cent of Somali homes have women as household head… Access to justice and equality before the law remains a challenge, as exemplified in cases of sexual violence that are settled by tribal elders who disregard the opinion and will of the victim, including with forced marriages between the victim and the perpetrator. In the course of the universal periodic review, several delegations focused on the urgent need to improve the human rights situation of women and children. The Transitional Federal Government delegation committed to eradicating female genital mutilation, and it was recommended that the practice be criminalized and awareness-raising campaigns conducted. Other recommendations on women's rights concerned the urgent need to address violence against women and to include women in political life and the peace process." [533]

21.03 The Freedom House report, *Worst of the worst 2011*, published on 1 June 2011 noted that: "Women in Somalia face considerable discrimination. Female genital mutilation is still practiced in some form on nearly all Somali girls, and sexual violence is rampant". [534] The Freedom House report, *Freedom in the World*, Somaliland, published on 23 August 2011, noted that: "While society in Somaliland is patriarchal, women have made modest advances in public life. Silanyo appointed two women to his 20-member cabinet in July 2010. As in the rest of Somalia, female genital mutilation is practiced on the vast majority of women." [535]

21.04 Human Rights Watch, in its *World Report 2011*, published on 24 January 2011, stated that in areas governed by Al Shabaab: "Freedoms women took for granted in traditional Somali culture have been dramatically rolled back. In many areas women have been barred from engaging in any activity that leads them to mix with men, even small-scale commercial enterprises on which many of them depend for a living. Al-Shabaab authorities have arrested, threatened, or whipped countless women for trying to support their families by selling cups of tea." [536]

21.05 The US State Department *2010 Country Report on Human Rights Practices, Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated that: "Women suffered disproportionately in the country's civil war and interclan fighting." [537]

21.06 A Reuters TrustLaw news article published on 15 June 2011 noted that:

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[533] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, covering events between September 2010 and July 2011, dated 29 August 2011 http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/155/91/PDF/G1115591.pdf?OpenElement Date accessed 1 October 2011

[534] Freedom House, Worst of the worst 2011, 1 June 2011, p20, http://www.freedomhouse.org/uploads/special_report/101.pdf Date accessed 24 October 2011

[535] Freedom House, Freedom in the World 2010 - Somaliland, 3 May 2010, http://freedomhouse.org/template.cfm?page=22&country=7919&year=2010 Date accessed 3 May 2011

[536] Human Rights Watch, World Report 2011, 24 January 2011, p168, http://www.hrw.org/en/world-report-2011 Date accessed 3 May 2011

[537] US Department of State, Report on Human Rights Practices in Somalia, p37, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

"A Thomson Reuters Foundation poll may have found that Afghanistan is the most dangerous place to be a woman, but Somalia's women's minister is astonished any country could be worse than her own.

"'I'm completely surprised because I thought Somalia would be first on the list, not fifth,' said Maryan Qasim …TrustLaw asked more than 200 gender experts to pick the world's most dangerous countries for women. Somalia trailed behind Afghanistan, Congo, Pakistan and India." [538]

21.07 The Population Reference Bureau published the following information in the 2011 data sheet, *The World's Women and Girls*: [539]

Female population (millions)	4.8
Percentage of women aged 20-24 who were married by age 18	45
Lifetime births per woman	6.5
Percentage of women with HIV/AIDS in 2009	0.7
Percentage of girls enrolled in secondary school	5
Female secondary school enrolment as a percentage of male enrollment	46
Percentage of women who are economically active	54
Women as a percentage of parliament	7

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LEGAL RIGHTS

21.08 The USSD 2010 report noted that:

"In the country's overwhelmingly patriarchal culture, women did not have the same rights as men and were systematically subordinated. Polygamy was permitted… according to Sharia and the local tradition of blood compensation, anyone found guilty of the death of a woman must pay half the amount that would be payable to the aggrieved family if the victim were male… Women's groups in Mogadishu, Hargeisa, Bossaso, and other major towns in South Central Somalia, Somaliland, and Puntland actively promoted equal rights for women and advocated the inclusion of women in

[538] Reuters TrustLaw, INTERVIEW-Somalia 'worst place to be a woman', says minister, 15 June 2011, http://www.trust.org/trustlaw/news/interview-somalia-worst-place-to-be-a-woman-says-minister Date accessed 13 September 2011

[539] Population Reference Bureau, The world's women and girls, 2011, http://www.prb.org/pdf11/world-women-girls-2011-data-sheet.pdf Date accessed 22 December 2011

responsible government positions, and observers reported some improvement in the profile and political participation of women in the country." [540]

21.09 The Human Rights Watch report, *Harsh War, Harsh Peace*, published on 19 April 2010, noted that: "In November 2009, al-Shabaab insurgents reportedly closed three grassroots women's organizations in the southern border town of Balad Hawa, saying that Islam does not allow women to go to offices." [541]

21.10 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact-Finding Mission report on human rights and security in central and southern Somalia, published in August 2007 noted: "NOVIB [the Dutch affiliate of the international Oxfam organisation] explained that there is almost general impunity for violence against women in Somalia. Traditional law is not focused on the victim as an individual and women as victims are normally not covered by the compensation system. Even in Hargeisa, Somaliland it is the male who decides whether or not a case should be tried according to traditional law or the legal system." [542]

See Violence against women, and subsections on Rape and Domestic violence

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POLITICAL RIGHTS

21.11 The USSD 2010 report noted:

"There were 37 women in the expanded 550-seat TFP; there were only seven women selected as MPs out of the additional 275 MPs that were appointed when the ARS entered the TFG. The number fell short of the TFC requirement that at least 12 percent of parliamentary seats be reserved for women.

"Despite low female representation in the Somaliland administration, President Silanyo appointed three women to his new 26-member cabinet. There were only two women in the 82-member lower house of parliament, but for the first time a women sat in the Somaliland lower house after taking over the position left vacant by her deceased husband.

"In Puntland there have never been any women on the Council of Elders. In December 2008, two women were selected as representatives to the 66-member parliament, reduced from five in the previous parliament. Only three women were appointed to Puntland's 40-member cabinet and only one as a full minister." [543]

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[540] US Department of State, Report on Human Rights Practices in Somalia, p37-38, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

[541] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p31, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 4 May 2011

[542] Report on the Human rights and security in central and southern Somalia: Joint fact-finding mission by the Danish Refugee Council and the Danish Immigration Service, August 2007 http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=46e109d92&skip=&coi=SOM Date accessed 20 April 2010

[543] US Department of State, Report on Human Rights Practices in Somalia, p34, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

21.12 A socio-economic survey of Somalia by the World Bank and UNDP carried out in 2002, (report dated January 2004), noted:

"Female members of the household were questioned on their participation in women's group and local councils. A popular community based women's group is *uruurka haweenka* normally formed at district level by female representatives from different communities. 6.4 percent and 16.8 percent of the urban households and 3.6 percent and 13 percent of the rural and nomadic households confirmed regular and occasional participation in women's groups respectively. Women from 71.2 percent of the households in urban and 78 percent from non-urban areas stated that they have never participated in any women's group. Similarly, their participation rates in local councils are quite low. Even though comparative figures are not available for the pre-war period, the general impression is that these rates represent an upward trend." [544]

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SOCIAL AND ECONOMIC RIGHTS

21.13 The Human Rights Watch report, *Harsh War, Harsh Peace*, published on 19 April 2010, noted that: "While all Somalis living under local al-Shabaab administrations cope with onerous and repressive edicts, women bear the brunt of the group's repression and abuse. Somali women already faced serious discrimination, but al-Shabaab's rules have reinforced traditional and cultural prejudices while introducing an array of new ones." [545]

21.14 UN Women reported on 5 April 2011 that:

"Ms. Bachelet [UN Women Executive Director] spoke with women refugee leaders, who complained of high illiteracy among women and girls, which makes it difficult for them to compete equally with their male counterparts for opportunities.

"'Girl child education needs to be supported to give them intellectual empowerment,' said Ms. Bachelet.

"Women refugee leaders told Ms. Bachelet that high divorce rates and family breakdown among the refugees is worrying. They added that divorced women and neglected children are adversely affected by the loss of socio-economic support from their husbands and fathers, respectively.

"One of the women leaders said: 'Widows and orphans face many problems socially, economically and emotionally as they carry out responsibilities as heads of families. This often leads to sexual and economic exploitation and early marriages, while marital rape and sexual violence are also rampant. Many women are unemployed due to limited job opportunities, illiteracy and restricted movement outside the camp. We do not have money to start up self-employment initiatives. Elderly women have the least

[544] UN Development Programme and World Bank, Socio-Economic Survey 2002, 14 January 2004, p39, http://mirror.undp.org/somalia/docs/whole%20SWB%20book.pdf Date accessed 3 May 2011
[545] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 3 May 2011

opportunities in the camps. This has disempowered women economically. We need income-generating activities to empower us.'" [546]

See also IDPs and Somali refugees in the region for further information on conditions for IDPs and refugees outside Somalia in general.

Property

21.15 The USSD 2010 report noted that: "Under laws promulgated by the former government, girls and women could inherit property, but only half the amount to which their minor and adult brothers were entitled."[547]

Marriage

21.16 The USSD 2010 report stated that "Polygamy was permitted". [548]

21.17 The Landinfo response, *Somalia: Al-Shabaab and forced marriages*, published on 21 July 2011, noted that:

"Arranged marriage is the norm in Somalia, and few women oppose the family's, i.e. the father's or male guardian's choices (Abdullahi 2001). The difference between an arranged marriage and a forced marriage can be subtle. Among the nomadic groups, marriage between members of neighbouring clans are important for building alliances in order to secure access to water and grazing areas. There is also a long tradition of peace agreements between clans sealed with the exchange of brides between the parties.

"The social pressure to marry is strong, especially in cases of the first marriage, and for many young women it is virtually impossible to refuse marriage, as marrying and starting a family are fundamental in society. During discussions with both Somali and international sources in Nairobi in 2002, 2004 and 2005, all emphasised that women who refuse to marry the family's chosen suitor risk being subjected to violence. The extent of such violence is not known. Those who eventually break free from the traditional social norms can not expect help or protection from family or other clan members. Murder of women is not socially accepted, and so-called honour killings of women have no traditional basis in Somalia.

"Women who do not want to get married have few options. To oppose her family's choice of husband can mean that the woman must leave her family and home, and without any supporting relatives or acquaintances, life would become very difficult. There are differences – urban, educated women, in contrast to women from rural areas with little or no education, have higher possibilities of establishing themselves and

[546] UN Women, UN Women Head Raises Alarm on Insecurity Facing Somali Refugee Women and Girls in Kenya, 5 April 2011, http://www.unwomen.org/2011/04/un-women-head-raises-alarm-on-insecurity-facing-somali-refugee-women-and-girls-in-kenya/ Date accessed 24 May 2011

[547] US Department of State, Report on Human Rights Practices in Somalia, p37-38, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

[548] US Department of State, Report on Human Rights Practices in Somalia, p37, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

making a living, yet generally estranged young women will be vulnerable to abuse and exploitation (interview with UNIFEM in Nairobi, April 2002; Timmons 2004)." [549]

21.18 The response further stated that:

"In Somali tradition, and within the Shafi'i school of religious law in Sunni Islam practiced in Somalia, women must also have a male guardian who permits the marriage, and who represents her at the actual ceremony (interviews with Somali sources in Nairobi in April 2002 and September 2005; Abdullahi, 2001). Traditionally, the woman's father (or male guardian) chooses a husband, and the choice is based on two factors: the bride price (Yarad) he is offered, and the alliances that the marriage can form. The bride price is payment for the woman's work capabilities, her ability to give birth and moral value, which benefit her husband and his family. Her family is to be compensated for the material loss which the marriage entails, and for providing her with a decent moral upbringing. In addition to the bride price, the woman – according to Islamic law – has a right to a dowry (Meher) from the groom. The dowry is stipulated in the marriage contract and is a prerequisite for a valid marriage." [550]

21.19 However, the response also noted that:

" … traditions relating to marriage and the potential choice of a partner have, as with other traditions, changed over the last decades.

"The Centre for Research and Dialogue (CRD) in Mogadishu, conducted in 2002-2003 a project in southern and central Somalia where they evaluated the effects of civil war on the population. The report Somalia: Path to Recovery Building a Sustainable Peace (CRD 2004) is based on interviews and consultations with more than 13,000 people in all parts of the country. Within this report it states (p. 37):

"'In the decade and a half since the onset of the Somali crisis, the institution of marriage has undergone such a transformation as to be almost unrecognizable today. Many weddings now occur without the involvement, knowledge or blessing of parents. There has been a dramatic increase in the rate of teenage marriages and a proportional increase in the rate of teenage divorce – often leaving young mothers alone to raise their children. In the absence of parental involvement, newlyweds often lack the kind of financial and moral support that once ensured the durability of marriages.

"'For other parts of the population, the Civil War had different consequences. Marriage between women from the so-called Benadir population and members of the Somali militias controlling Mogadishu, was partly the result of the need these groups had to protect themselves against various Somali militias and criminals plundering the local communities.'

"These marriages were to a (sic) likely to have been largely characterised by a strong reluctance from both the woman's family and the woman herself, yet they found themselves having little choice (interviews with Somali and international sources in

[549] Landinfo, Somalia: Al-Shabaab and forced marriages, 21 July 2011, p1-2 http://landinfo.no/asset/1803/1/1803_1.pdf Date accessed 24 October 2011
[550] Landinfo, Somalia: Al-Shabaab and forced marriages, 21 July 2011, p2, footnote 1, http://landinfo.no/asset/1803/1/1803_1.pdf Date accessed 24 October 2011

Nairobi in 2002, 2004 and 2005). Lack of choice is also characteristic of the current situation, both within and outside al- Shabaab areas." [551]

21.20 The Immigration and Refugee Board of Canada response, Somalia: Prevalence of forced or arranged marriages in Somalia; consequences for a young woman who refuses to participate in a forced or arranged marriage, published on 20 September 2007, stated:

"Although non-arranged marriages have become more common in Somalia (SAPA/AP 30 Oct. 2006; Public Agenda 31 Oct. 2005), sources consulted by the Research Directorate indicate that arranged marriages, including forced marriages, still take place in the country (Canada 22 Aug. 2007; Womankind Worldwide n.d.; Musse Ahmed 2004, 53; Musse 2004, 77; Denmark Mar. 2004, 53).

"Cited in a joint Danish, Finnish, Norwegian and British report on human rights and security in central and southern Somalia, lawyer Hassan Isak provides a description of two types of marriages in Somalia (Denmark Mar. 2004, 53). According to Isak, one type of marriage is a marriage that is arranged by the parents, either with or without the knowledge of the couple (ibid.). Another type of marriage is a marriage that occurs without the knowledge of the parents (i.e., where a couple secretly elopes) (ibid.; Musse Ahmed 2004, 54).

"According to an article on marriage traditions in Somalia published in a 2004 book entitled Somalia – The Untold Story: The War Through the Eyes of Somali Women, elopement is a common way for a Somali woman to avoid an arranged marriage (ibid; see also Gardner and El Bushra 2004, 148). However, the practice is frowned upon in Somali society and a woman who elopes may be 'risking her family's wrath' (Musse Ahmed 2004, 54). In October 2006, Islamic leaders in Somalia reportedly banned this type of marriage, known as masaafo, saying that it 'violate[d] islam' (SAPA/AP 30 Oct. 2006). Further information on the banning of masaafo could not be found among the sources consulted by the Research Directorate within time constraints.

"The article on marriage traditions in Somalia indicates that in cases where a marriage is arranged without the consent of the couple, the girl may be able to refuse the marriage if she gains her mother's support (Musse Ahmed 2004, 53). However, to avoid this situation, the father or male relative of the girl may try to formalize the union without advising the family (ibid.). The author notes that although a 1975 Family Law states that a father must not arrange a marriage without the consent of his daughter, this law is no longer applied in the country (ibid.). Still, some women living in urban areas of Somalia who are aware of the law continue to refer to it (ibid.).

"A 2004 report by the Danish Refugee Council (DRC) similarly indicates that a woman can be forced into a marriage arranged by her father or male guardian (21 Aug. 2004, 10). The father or guardian may justify the arrangement, believing that he is looking out for the woman's welfare (ibid.). A prior xeer [customary law (Denmark Mar. 2004; UN 10 May 2007)] agreement between two tribes may also be used to encourage a union (DRC 21 Aug. 2004, 10). In such cases, the woman's family must agree to give her in marriage to another tribe because of 'a precedent case where the girl's male relative or

[551] Landinfo, Somalia: Al-Shabaab and forced marriages, 21 July 2011, p2-3 http://landinfo.no/asset/1803/1/1803_1.pdf Date accessed 24 October 2011

kin was able to marry from her suitor's tribe in a similar manner' (DRC 21 Aug. 2004, 10). Large bride prices are often used to bribe the father (ibid.).

"Arranged marriages in Somalia can also take place through the exchange of women between warring tribes, which is viewed as sealing a peace agreement (Gardner and El Bushra 2004, 147; Musse Ahmed 2004, 54; Ibrahim 2004, 167). Referred to as godob reeb in northern Somalia and godob tir in the south (Gardner and El Bushra 2004, 147), this type of marriage is usually arranged without the consent of the woman or the man (Musse Ahmed 2004, 54). According to the article on marriage traditions in Somalia, if either partner refuses to take part in this type of arranged marriage, then another family member will take his or her place; however, the article also notes that girls who are promised in these types of marriages are usually 'very young and find it hard to refuse unless they elope or unless there is some resistance to the marriage within the family' (ibid.).

"According to the 2004 DRC report, 'inherited marriage' is another form of marriage in Somalia in which a woman is unable to choose her husband (DRC 21 Aug. 2004, 10). Inherited marriage includes dumaal, the Somali tradition where a man is entitled to 'inherit' or marry the widow of his deceased brother or close relative (ibid., 11; UN Dec. 2002, 24). It also includes higsiisin [also referred to as xigsiisan], where a man is permitted to marry the sister of his deceased wife (ibid.; DRC 21 Aug. 2004, 11).

"Traditions of arranged and inherited marriages are said to be 'particularly strong' among nomadic pastoralist populations in Somalia (DRC 21 Aug. 2004, 10). The DRC report indicates that women who refuse to participate in these marriages 'face strong pressure and sanction' from their family and their in-laws and, in cases of dumaal, could also be denied certain rights, including child custody and the management of the deceased husband's property (ibid., 11)" [552]

For information on inter-clan marriage, please see Ethnic groups. For information on forced marriage, please see Violence against women: Forced marriage.

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Reproductive rights

21.21 The USSD 2010 report stated that:

"Women do not have the right to decide freely the number, spacing, and timing of their children and often faced discrimination, coercion, and violence when they attempted to exercise these rights. In part because of cultural sensitivities, there was limited information about and access to contraception. With inadequate health care, women rarely had skilled attendance during childbirth or essential obstetric and postpartum care. In Somaliland and Puntland, international programs ensured that women were equally diagnosed and treated for sexually transmitted infections, including HIV. There

[552] Immigration and Refugee Board of Canada, Somalia: Prevalence of forced or arranged marriages in Somalia; consequences for a young woman who refuses to participate in a forced or arranged marriage, 20 September 2007, http://www.unhcr.org/refworld/docid/47ce6d7a2b.html Date accessed 3 May 2011

were limited programs in the southern and central regions, largely because of al-Shabaab's access restrictions on humanitarian agencies." [553]

Dress code

21.22 The Landinfo response, *Somalia: Vulnerability, minority groups, weak clans and individuals at risk*, published on 21 July 2011, noted that women "… who do not comply with [al-Shabab's]… strict dress code are at risk of harassment …" [554]

21.23 The response further noted that:

"The majority of the female refugees Landinfo talked with in the Dadaab camps in Kenya in the spring of 2010 pointed out that the stricter dress code was one of the reasons why they left Somalia. The demand of al-Shabaab is that the cloth used for the hijab must be much rougher/heavier than what Somali women usually wear, in order to hide the shape of the female.body. In some areas, women are not allowed to wear a bra, and in other areas women are, for example, required to use red socks when they are menstruating. Shabaab replaces the administration in areas they control every three months, and each new administration introduces new rules. These rules force women to buy new clothes or fabric and therefore help to provide the administration and the movement with much-needed income (interviews in Nairobi, March 2011).

"Women react because of economic reasons but also because clothes made of heavier fabric feel strange and are uncomfortable to wear in the hot climate." [555]

21.24 The Minority Rights Group International report, *State of the World's Minorities and Indigenous Peoples 2010*, published on 1 July 2010, noted: "The impact of increasing Islamic fundamentalism on women in Somalia is clear. In April, CNN reported that Al Shabab ordered women in Baidoa to cover their bodies and heads from view or risk a jail term, and prescribed the specific colours for such clothing. It is not clear yet how this order has affected women from minority groups in the country, but it curtails women's right to privacy and bodily integrity." [556]

21.25 The Human Rights Watch report, *Harsh War Harsh Peace*, published on 19 April 2010, stated that:

"In the second quarter of 2009, as al-Shabaab consolidated its hold on south/central Somalia, its local authorities began requiring women to be fully veiled in public. Over the next few months, many leaders added the additional stipulation that women wear an abaya made of a particularly thick cloth and that touches the ground and hides all physical contours.

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[553] US Department of State, Report on Human Rights Practices in Somalia, p37, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011

[554] Landinfo, Somalia: Vulnerability, minority groups, weak clans and individuals at risk, 21 July 2011, p3, http://landinfo.no/asset/1805/1/1805_1.pdf Date accessed 24 October 2011

[555] Landinfo, Somalia: Vulnerability, minority groups, weak clans and individuals at risk, 21 July 2011, p4, http://landinfo.no/asset/1805/1/1805_1.pdf Date accessed 24 October 2011

[556] Minority Rights Group International, State of the World's Minorities and Indigenous Peoples 2010 - Somalia, 1 July 2010, p65-66, http://www.minorityrights.org/10068/state-of-the-worlds-minorities/state-of-the-worlds-minorities-and-indigenous-peoples-2010.html Date accessed 3 May 2011

"These orders were a dramatic departure for many Somali women, who traditionally cover their heads and bodies, but often with lightweight, colorful fabrics that they wrap around themselves loosely.

"One former al-Shabaab fighter described how he would patrol the neighborhoods of Kismayo in August and September 2009 and punish women in lighter-weight abayas or traditional Somali clothing. First, he said, they would slash the woman's clothes with a knife or scissors. Afterwards, he continued, 'We would whip her for a while to feel the pain and then take her to the nearest emir [local al-Shabaab commander] to decide punishment.'…The abaya decrees have severely hampered freedom of movement for women who simply cannot afford the expensive, imported garments. Many poor women have had to share one abaya across an entire family or group of households, meaning that only one of them can leave the home at any given time…In some areas, al-Shabaab militiamen have threatened men over their wives' or daughters' attire… Women are also targeted with sporadically applied decrees that appear to underscore the arbitrary power and impunity of some local leaders rather than a coordinated policy. Only in some areas, for example, did al-Shabaab order women to don gloves and socks, a common addition to the abaya in conservative countries such as Saudi Arabia. Similarly, in some neighborhoods of Mogadishu, Kismayo, and Baardheere, a few women told us al-Shabaab had banned bras because they considered them a 'western deception.' But this did not appear to be a uniform mandate, despite widespread media coverage.

"Some women who were devout Muslims and already wore abayas told us they initially had welcomed the dress codes, particularly those who had been criticized for wearing the hijab by troops from neighboring Ethiopia who were bolstering the TFG. But soon, these women said, they felt as if they had been yanked from one extreme to the other." [557]

See Human rights abuses by non-state armed groups for more information on abuses by al Shabaab.

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Employment

21.26 The USSD 2010 report noted:

"Many Somali women have assumed a greater burden by becoming the sole bread winners for their families. Women form a negligible part of those employed in both the formal public and private sectors because of disparities in education. Women continue to experience economic discrimination in areas under al-Shabaab control because of al-Shabaab's extremist position, which regards women's participation in economic activities as anti-Islamic. Despite difficult economic conditions generally prevalent in Somalia, women were not discriminated against in terms of owning or managing

[557] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p28-30, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 4 May 2011

businesses. There are no visible government efforts in any region of Somalia to combat economic discrimination." [558]

21.27 The Human Rights Watch report, *Harsh War Harsh Peace*, published on 19 April 2010, stated that:

"Somali women have traditionally engaged in a wide array of small-scale businesses such as selling tea, qat, and fruit in kiosks, small shops, and markets. But al-Shabaab administrations have ordered women to close their shops. As one resident of a southern village explained, 'Al-Shabaab said this is social mixing [with men].' These discriminatory bans have profoundly curtailed women's rights to freedom of movement and to earn a living. In a country with a vast number of war widows and female-headed households, with scarce employment options, they also have left many families without crucial sources of income.

"Several refugees told us that al-Shabaab enforcers did not hesitate to punish working women who were infirm, elderly, or pregnant, or who had lost all other breadwinners in the conflict…Al-Shabaab has reserved some of its harshest treatment for women who commit what it considers the double transgression of selling tea or other goods to alleged TFG sympathizers. In the Hawlwadaq neighborhood of Mogadishu, one woman said al-Shabaab gave her 185 lashes over the course of a week in jail in December 2008 after accusing her of that 'crime.'" [559]

21.28 The Landinfo response, Somalia: Vulnerability, minority groups, weak clans and individuals at risk, published on 21 July 2011, noted that:

"Some women sell khat, and in Baidoa in Bay region Shabaab has allocated sales to retail outlets outside the city. As many Somali observers see it, this has two purposes: to remove women from the public sphere and to prevent the sale and use of khat (interviews in Nairobi, March 2009). Because women are often the main breadwinners, this order of Shabaab is creating problems for those families that depend on women's income.

"Shabaab must therefore to some extent tolerate that women are visible in the public sphere, although no doubt preferring women to be in the home." [560]

Prostitution

21.29 The USSD 2010 report noted that: "Child prostitution was practiced, and like all other forms of prostitution, was legally prohibited in all areas. In al-Shabaab areas, the penalty was flogging or even death by stoning." [561] The US State Department *Trafficking in Persons Report 2011*, published on 27 June 2011 and covering events of 2010, stated that: "Somali women and girls may have been subject to sex trafficking in

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[558] US Department of State, Report on Human Rights Practices in Somalia, p38, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011

[559] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p30-31, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 4 May 2011

[560] Landinfo, Somalia: Vulnerability, minority groups, weak clans and individuals at risk, 21 July 2011, p4, http://landinfo.no/asset/1805/1/1805_1.pdf Date accessed 24 October 2011

[561] US Department of State, Report on Human Rights Practices in Somalia, p39, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011

Garowe, the Puntland-administered part of Las Anod (Sool region), and pirate towns such as Eyl and Harardheere … Some female brothel owners, who can profit as much as [US]$50 per client, kept victims in harsh conditions and meted out physical abuse as a means of compelling victims to work." [562]

Freedom of travel

21.30 The Human Rights Watch Report, *Harsh War, Harsh Peace*, published on 19 April 2010, noted that: "When women travel, they are often required to have a male escort… Male escorts must sit in a different seat if the woman is traveling in a vehicle, however, as al-Shabaab bars men and women from sitting together. Several women told us they were warned by bus drivers that they would be flogged if they were caught sitting beside a man." [563]

21.31 The Landinfo response, *Somalia: Vulnerability, minority groups, weak clans and individuals at risk*, published on 21 July 2011, noted that: "The freedom of movement of women is restricted in Shabaab-controlled areas. Those who do not comply with the organisation's strict dress code are at risk of harassment, and there are restrictions on women's rights to show themselves in public without being accompanied by their husband or another male family member. In mini-buses women must sit at the back." [564]

See also Freedom of movement for a wider overview

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VIOLENCE AGAINST WOMEN

For general information about the security situation and human rights violations committed by the security forces and non-government groups see Latest news, Recent developments, Security situation, Security forces and Non-government armed groups.

21.32 The UN Human Rights Council's Compilation: [Universal Periodic Review]: Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, published on 21 February 2011, noted:

"The independent expert raised concerns that there were no credible statistics on violence against women. Women were often victims of rape by warlords, and reportedly continued to face cruel, inhuman and degrading treatment on a daily basis, particularly in Al-Shabaab-controlled areas. The independent expert stated that no amnesty should be granted for violence against women that qualified as crimes against humanity, in line with Security Council resolutions 1325 and 1820. The Secretary-General also noted that

[562] US Department of State, Trafficking in Persons Report 2011, Special Cases, 27 June 2011, p395, http://www.state.gov/documents/organization/164458.pdf Date accessed 24 October 2011
[563] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p32, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 4 May 2011
[564] Landinfo, Somalia: Vulnerability, minority groups, weak clans and individuals at risk, 21 July 2011, p3-4, http://landinfo.no/asset/1805/1/1805_1.pdf Date accessed 24 October 2011

gender-based violence remained grossly underreported, particularly in southern and central Somalia." [565]

21.33 The UN Human Rights Council's *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, dated 29 August 2011 and covering events between September 2010 and July 2011 (UNIE report August 2011) noted that: "Domestic violence, sexual violence and such harmful traditional practices as female genital mutilation are some of the most common violations of women's rights reported across all areas of Somalia." [566]

21.34 The same report noted that:

"Access to justice and equality before the law remains a challenge, as exemplified in cases of sexual violence that are settled by tribal elders who disregard the opinion and will of the victim, including with forced marriages between the victim and the perpetrator … The Transitional Federal Government delegation committed to eradicating female genital mutilation, and it was recommended that the practice be criminalized and awareness-raising campaigns conducted. Other recommendations on women's rights concerned the urgent need to address violence against women …" [567]

21.35 The LandInfo report of November 2008 on impunity stated: "Escaping punishment for violence against women is extremely common, both because traditional law does not focus on the victim and because women's rights are not protected in the same way as men in the compensation system (interview, Oxfam Novib, March 2007)." [568]

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Female Genital Mutilation (FGM)

Female Genital Mutilation is typically practised on female children and is covered in the section on Children, Female Genital Mutilation (FGM). This section intends to provide information on how FGM can affect adult women.

21.36 The form of FGM practiced most commonly in Somalia is type III or infibulation (see following paragraphs), which is defined, as referred in an Irinnews article, *In-depth: Razor's Edge - The Controversy of Female Genital Mutilation*, dated 1 March 2005, as: "Excision (removal) of part or all of the external genitalia (clitoris, labia minora and labia majora), and stitching or narrowing of the vaginal opening, leaving a very small opening, about the size of a matchstick, to allow for the flow of urine and menstrual blood. Also

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[565] UN Human Rights Council, Compilation : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/2, p28, http://www.unhcr.org/refworld/docid/4d9efef52.html Date accessed 4 May 2011

[566] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p9, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 26 October 2011

[567] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p9, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 26 October 2011

[568] Landinfo, Conflict, security and clan protection in South Somalia, 12 November 2008, p18 http://www.landinfo.no/asset/784/1/784_1.pdf Date accessed 2 April 2009

known as pharaonic circumcision." [569] The Population Reference Bureau document, *Female Genital Mutilation/Cutting: Data and Trends*, published in 2010, noted that there was a 97.9 per cent prevalence in women aged 15-49 in Somalia.[570]

21.37 The World Health Organisation's factsheet on FGM, published in February 2011, listed the following long-term consequences of FGM:

- "recurrent bladder and urinary tract infections;
- cysts;
- infertility;
- an increased risk of childbirth complications and newborn deaths;
- the need for later surgeries. For example, the FGM procedure that seals or narrows a vaginal opening (type 3 above) needs to be cut open later to allow for sexual intercourse and childbirth. Sometimes it is stitched again several times, including after childbirth, hence the woman goes through repeated opening and closing procedures, further increasing and repeated both immediate and long-term risks." [571]

For information on medical treatment for women who have undergone FGM, please see Women's health.

21.38 The UNICEF advocacy paper, *Eradication of Female Genital Mutilation in Somalia*, undated, accessed 25 October 2011, noted that: "In Somali society, the practice of FGM is an honoured tradition. Those who oppose it do so against the tide of public opinion. However, these groups and individuals are slowly making an impact and, with support, can slowly alter the perception and eventually the practice of FGM in the country." [572]

21.39 A UNICEF news report dated 3 June 2011 noted that:

"Somaliland's First Lady Amina Waris mentioned that men are the key perpetuators of FGM/C while women are the ones who have to suffer the consequences including complications during child birth. 'Men are the ones who insist on marrying circumcised girls, so if men don't change their attitude towards FGM/C, the practice will never die out' she said. 'I am pleased to see that respected religious leaders have decided to publicly declare the abandonment of all types of FGM/C in Somaliland because people listen to them. Let us put the interest of our daughters first and ensure that they remain intact as they were created by Allah'.

"There is still a deep belief among Somalis that FGM/C has its roots not only in local culture, but also in Islamic doctrine. Given religious leaders' strong influence and status and their ability to reach different levels of society, UNICEF and UNFPA have started working with them in 2009 through a project that initiated dialogue and engaged

[569] IRINNEWS, In-depth: Razor's Edge - The Controversy of Female Genital Mutilation, 1 March 2005, http://www.irinnews.org/IndepthMain.aspx?IndepthId=15&ReportId=62462 Date accessed 22 December 2011
[570] Population Reference Bureau, Female Genital Mutilation/Cutting: Data and Trends, 2010, p5, https://www.prb.org/pdf10/fgm-wallchart2010.pdf Date accessed 22 December 2011
[571] World Health Organisation, Female genital mutilation, Fact sheet N°241, February 2010, http://www.who.int/mediacentre/factsheets/fs241/en/ Date accessed 25 October 2011
[572] UNICEF, Eradication of Female Gential Mutilation in Somalia, undated, http://www.unicef.org/somalia/SOM_FGM_Advocacy_Paper.pdf Date accessed 25 October 2011

Somalia's religious leadership with revered international Islamic scholars to reach consensus that FGM/C is not a religious obligation." [573]

Rape

21.40 The USSD 2010 report stated:

"Laws prohibiting rape exist in Puntland, Somaliland, and TFG-controlled areas; however, they were not enforced. There were no laws against spousal rape. While there were prosecutions of rape cases in Puntland and Somaliland, there were no reports of the TFG prosecuting rape cases during the year. The UNHCR and UNICEF documented patterns of rape perpetrated with impunity, particularly of women displaced from their homes due to civil conflict or who were members of minority clans. Police and militia members engaged in rape, and rape was commonly used in interclan conflicts. Traditional approaches to dealing with rape tended to ignore the victim's situation and instead communalized the resolution or compensation for rape through a negotiation between members of the perpetrator's and the victim's clans. Victims suffered from subsequent discrimination based on attributions of 'impurity.' Women and girls in IDP camps were especially vulnerable to sexual violence, contributing to the spread of HIV/AIDS. In 2008 the UNIE reported that in Mogadishu and Kismayo, IDP women and girls, particularly those belonging to minority groups, were increasingly the targets of sexual violence by youth gangs. In Somaliland gang rape continued to be a problem in urban areas, primarily perpetrated by youth gangs, members of police forces, and male students. Many of these cases occurred in poorer neighborhoods and among immigrants, refugee returnees, and displaced rural populations living in urban areas. Many cases were not reported… Women suffered disproportionately in the country's civil war and interclan fighting." [574]

21.41 The UN Human Rights Council's Summary: [Universal Periodic Review]: Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, published on 21 February 2011, noted that:

"KARMA [a national human rights institution] stated that rape continued to be used as a tool of war in Somalia. The number of rapes inflicted by police has decreased, but the use of rape by armed groups to punish and intimidate rivals persisted. These incidences are rarely prosecuted. Victims of rape have no recourse...SSWC [Save Somalia Women and Children] stated that 'war-related rape' was widespread and women in Internally Displaced Persons (IDPs) camps were particularly vulnerable, as the rape of women and girls by the militia and bandits was a common phenomenon.

"JS4 [International Fountain of Hope Kenya; IIDA Women Development Organization; Alla Magan; Kalsan; FEPMA (Female Paramedical Association); FATXA; SWEA(Somali Women Entrepreneur Association); Somali Women Diaspora Network; and IIDA Italia] stated that women and girls that were engaged in 'pastoralism', were at risk of attacks from militia groups and armed gangs, mainly in southern Somalia.

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[573] UNICEF, Somali religious leaders and high-level officials join hands to put an end to all forms of FGM/C, 3 June 2011, http://www.unicef.org/somalia/reallives_8552.html Date accessed 25 October 2011

[574] US Department of State, Report on Human Rights Practices in Somalia, p36-37, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011

"SSWC stated that even though women were essentially neutral when it came to clan affiliation they were still the targets of clan-related reprisals and attacks." [575]

21.42 The UN News service reported on 11 August 2011 that:

"The United Nations official leading the fight against sexual violence in times of conflict today voiced concern over reports that women and girls fleeing famine in Somalia were being raped or abducted and forced into marriage by bandits and other armed groups as they tried to reach refugee camps in Kenya.

"Ms. Wallström [Special Representative of the Secretary-General on Sexual Violence in Conflict] ... said that the office had also received alarming information about alleged rape by Somalia's Transitional Federal Government (TFG) forces and allied militias in south-central Somalia and heard that Al-Shabaab militants pitted against the government were abducting girls for forced marriage to fighters.

"She commended the Kenyan authorities for the efforts to respond to the influx of tens of thousands of Somali refugees, and urged the donor community to make greater resources and support available to the Kenyan Government, UN agencies and non-governmental organizations (NGOs) responding to the crisis.

"'There is an urgent need for services to be provided to survivors of sexual violence and for effective camp management to minimize the risks facing women and girls. We should also improve monitoring and reporting on sexual violence to better inform our actions,' said Ms. Wallström, pledging to continue monitoring the situation closely." [576]

21.43 Voice of America News noted in a report dated 2 August 2011 that:

"… UNHCR says they have been working to increase security at the camps [in the Dabaab complex].

"William Spindler a UNHCR spokesperson in Dadaab, Kenya, says rape is a very under reported crime even in developed countries. At present, he says, there are no accurate figures on the number of women who are raped and sexually assaulted either in the camps or while travelling to the camps.

"'What we know is from what they tell us, that inside Somalia, many women have been raped by various armed militants,' says Spindler. 'Once they cross the border on the way to the camps to Dadaab, some women are attacked by bandits and are also raped.'

[575] UN Human Rights Council, Summary : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/3, http://www.unhcr.org/refworld/docid/4d9efdd72.html Date accessed 5 May 2011

[576] UN News Service, UN official voices concern over reports of rape of Somali women fleeing famine, 11 August 2011, http://www.un.org/apps/news/story.asp?NewsID=39282&Cr&Cr1 Date accessed 26 October 2011

"The spokesman said there are also instances of rape in the camps. The UNHCR is trying to move the most vulnerable women on the outskirts that are far away from services, to a new safer site." [577]

21.44 The LandInfo report of November 2008, *Conflict, security and clan protection in South Somalia*, has updated information about the issue of rape in Somalia, and stated:

"Some of the international sources that Landinfo met in June 2008 believed that rape is a tool in the conflict, but no distinct groups or clans appear to be particularly subjected to sexual violence. How widespread the assaults are is also unclear, but no increases in rape have been registered in for example the Keysaney hospital in Mogadishu. This does not necessarily mean that the number of rapes has fallen, since rape is associated with shame, and women rarely speak of the attack. Opportunities to open criminal proceedings against the perpetrators are also rare because the perpetrators are unknown in most cases. The rapes are committed by government soldiers, freelance militia and other criminal elements. It is claimed that government soldiers are more often responsible for the rapes than the insurgents, and that the Islamists commit such offences to a lesser extent than others (interview June 2008)." [578]

21.45 The joint fact-finding mission report by the Danish Refugee Council and the Danish Immigration Service, *Report on the Human rights and security in central and southern Somalia*, August 2007, (JFFMR 2007) observed that:

"Women who have been sexually abused or raped are stigmatised, according to NOVIB … A married woman who has been the victim of rape may also risk being divorced by her husband. NOVIB added that divorced women might be stigmatised, depending on their particular situation. NOVIB added that even though rape of women and killings comprise the majority of the reported human rights violations in Somalia many rapes go unreported." [579]

21.46 The Danish JFFMR of August 2007 also stated that: "Lazzarini [Oxfam NOVIS source] referred to a network called Protection Monitoring Network (PMN), which undertook a research of Sexual Gender-Based Violence (SGBV). The research covered 600 reported cases of rape. After a period of six months 10% of the assaulted women had committed suicide and 25% had disappeared." [580]

21.47 The Danish JFFMR of August 2007 added that: "An unmarried and raped woman will typically meet a demand from her own family and clan to marry the rapist as she will not have a chance to marry anyone else. As a consequence many rapes go unreported by

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[577] Voice of America News, Somali Women Face Rape, Sexual Assault as They Flee Famine, 2 August 2011, http://www.voanews.com/english/news/africa/east/Somali-Women-Face-Rape-Sexual-Assault-as-They-Flee-Famine----126598458.html Date accessed 26 October 2011

[578] Landinfo, Conflict, security and clan protection in South Somalia, 12 November 2008, p18 http://www.landinfo.no/asset/784/1/784_1.pdf Date accessed 2 April 2009

[579] Report on the Human rights and security in central and southern Somalia: Joint fact-finding mission by the Danish Refugee Council and the Danish Immigration Service, August 2007, p32 http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=46e109d92&skip=&coi=SOM Date accessed 20 April 2010

[580] Report on the Human rights and security in central and southern Somalia: Joint fact-finding mission by the Danish Refugee Council and the Danish Immigration Service, August 2007, p32 http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=46e109d92&skip=&coi=SOM Date accessed 20 April 2010

the women. An unmarried woman who gets raped and refuses to marry the rapist may face severe consequences from her own family and clan, and she may be excluded from the clan." [581]

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Forced marriage

This section is intended to give information on the practice of forced marriage as a form of violence against women. Please see the section on Marriage for general information about traditional and contemporary marriage norms in Somalia.

21.48 The Immigration and Refugee Board of Canada response, Somalia: Prevalence of forced or arranged marriages in Somalia; consequences for a young woman who refuses to participate in a forced or arranged marriage, published on 20 September 2007, stated:

"A 2004 report by the Danish Refugee Council (DRC)… indicates that a woman can be forced into a marriage arranged by her father or male guardian (21 Aug. 2004, 10). The father or guardian may justify the arrangement, believing that he is looking out for the woman's welfare (ibid.)… According to the 2004 DRC report, 'inherited marriage' is another form of marriage in Somalia in which a woman is unable to choose her husband (DRC 21 Aug. 2004, 10). Inherited marriage includes dumaal, the Somali tradition where a man is entitled to 'inherit' or marry the widow of his deceased brother or close relative (ibid., 11; UN Dec. 2002, 24). It also includes higsiisin [also referred to as xigsiisan], where a man is permitted to marry the sister of his deceased wife (ibid.; DRC 21 Aug. 2004, 11).

"Traditions of arranged and inherited marriages are said to be 'particularly strong' among nomadic pastoralist populations in Somalia (DRC 21 Aug. 2004, 10). The DRC report indicates that women who refuse to participate in these marriages 'face strong pressure and sanction' from their family and their in-laws and, in cases of dumaal, could also be denied certain rights, including child custody and the management of the deceased husband's property (ibid., 11)…Several sources consulted by the Research Directorate indicate that many women in Somalia who have been raped are forced to marry their rapist (Peacewomen.org 4 Mar. 2006; Musse 2004, 77; Denmark Aug. 2007, 33). According to a 2004 article on war crimes against women and girls in Somalia, this type of marriage occurs mainly in nomadic pastoral societies where women are valued for their 'bride wealth' (Musse 2004, 77). The practice occurs when a suitor feels that a father has demanded a 'bride wealth' that is too expensive and then conspires to rape a girl in order to negotiate a lower price (ibid.). A woman who has been raped will generally be forced to take part in such an arranged marriage in order to uphold her family's honour (ibid.; Denmark Aug. 2007, 33). A woman who refuses to marry her rapist can reportedly face 'severe consequences from her own family and clan, and ... may be excluded from the clan' (Denmark Aug. 2007, 33).

[581] Report on the Human rights and security in central and southern Somalia: Joint fact-finding mission by the Danish Refugee Council and the Danish Immigration Service, August 2007, p32 http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=46e109d92&skip=&coi=SOM Date accessed 20 April 2010

"Another form of forced marriage in Somalia, called dhabar-garaac, takes place in nomadic societies where a woman may be kidnapped by 'raiders' and forced to marry one of them (Musse 2004, 77). The 2004 article on war crimes against women and girls in Somalia states that this type of forced marriage is 'extremely coercive, with the girl being beaten, starved and otherwise physically and psychologically abused until she agrees to marry' (ibid.). Often, a girl will only be allowed to return to her family once she has become pregnant and the marriage cannot be annulled (ibid.). The article notes that although the prevalence of abduction for forced marriage had begun to decline, there has been a resurgence of the practice as a result of the civil war (ibid.)." [582]

21.49 BBC News reported on 7 October 2010 about forced marriage:

"'This year we have been hearing a lot about forced marriages and rapes,' says a member of an aid agency working on the ground with newly arrived Somali refugees in Yemen…'Unmarried women are forced to marry and if she refuses they say she's a non-Muslim. Many parents choose to send their girls away with relatives and friends so as not to be forced into marriage or raped.

"'If a woman refuses a forced marriage, we have reports of them being beheaded and their head sent to their father.'" [583]

21.50 A UN News report dated 11 August 2011 noted that there had been reports that "women and girls fleeing famine in Somalia were being raped or abducted and forced into marriage by bandits and other armed groups as they tried to reach refugee camps in Kenya." [584]

21.51 The US State Department *Trafficking in Persons Report 2011*, published on 27 June 2011 stated that al Shabaab: "…continued to forcibly recruit young girls who were then 'married' to its militia leaders and used for sexual servitude, logistical support, and intelligence gathering." [585]

21.52 Landinfo noted in their response, *Al-Shabaab and forced marriages*, published on 21 July 2011, noted that:

"A Somali theologian and other Somali sources who met with Landinfo in March 2011, believe that al-Shabaab distorts Islam, as well as introduces customs that conflict with Somali tradition. The impression these verbal sources convey, is that the forced marriage issue in al-Shabaab areas is complex. Neither the woman nor her male guardian has a real choice, if an al-Shabaab soldier has decided on marrying a woman. The soldier will usually contact the woman more than once, and he will usually ask her father for permission to marry her, in keeping with local tradition. Yet, if the girl and father refuse, he will help himself regardless.

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[582] Immigration and Refugee Board of Canada, Somalia: Prevalence of forced or arranged marriages in Somalia; consequences for a young woman who refuses to participate in a forced or arranged marriage, 20 September 2007, http://www.unhcr.org/refworld/docid/47ce6d7a2b.html Date accessed 3 May 2011

[583] BBC News, Fleeing Somali women recount tales of terror, 7 October 2011, http://www.bbc.co.uk/news/world-africa-11437595 Date accessed 4 May 2011

[584] UN News Service, UN official voices concern over reports of rape of Somali women fleeing famine, 11 August 2011, http://www.un.org/apps/news/story.asp?NewsID=39282&Cr&Cr1 Date accessed 26 October 2011

[585] US Department of State, Trafficking in Persons Report 2011, Special Cases, 27 June 2011, p395, http://www.state.gov/documents/organization/164458.pdf Date accessed 24 October 2011

"If al-Shabaab claims that the father is an infidel, that approach is even easier. It is al-Shabaab's position of power and people's experience of powerlessness and fear of reactions that make such behaviour possible. Some women are subjected to brainwashing, while other women view marriage to an al-Shabaab soldier as their contribution to jihad. There have also been reported cases where the girl is physically taken and married off (interviews in Nairobi, March 2011).

"Marriages between Somalis and non-Somalis, or between ethnicities, have not traditionally been common in Somalia (even if both parties are Muslims), yet the foreign jihadists are, according to some observers, virtually free to choose wives (interview in Nairobi, March 2011). Some families seek the benefits of having a son-in-law affiliated with al-Shabaab, as this can provide protection and opportunities, especially amongst minority groups and minor clans. This category of marriage differs little from the so-called 'black cat' marriages (in Somali: mukulaal madoow) from the days of the war-lords. Today's overlords have simply reinvented themselves – through religious means.

"Many current al-Shabaab soldiers belong to marginalised minority groups or minor clans, and for some of them, marriage with women from major clans may be perceived as a form of revenge, or as prestige. The young, battle-ready al-Shabaab soldiers are permitted to marry – marriage signifies that the the (sic) suicide bomber is ready, and it is important that the warriors have descendants. However, the woman may not realise that the marriage can be short-lived. An international representative reported that a local Somali NGO had observed a number of young pregnant women and women with young children who were abandoned by their husbands. The husbands were young al-Shabaab soldiers who had left for the front and had either been killed, or had left their wives for a new wife. Whatever the reason, these young girls were left on their own, without money or opportunities to support themselves and their children. However, the source believes that the girls would be taken care of by their families, if they chose to return to them (interview in Nairobi, March 2011).

"Al-Shabaab has, according to various sources, also introduced its version of widow inheritance (dumaal). In the eyes of al-Shabaab, all al-Shabaab soldiers are brothers, and regardless of biological relation, al-Shabaab members may therefore apply this tradition and marry the widows of fallen fellow soldiers. These marriages follow a pattern, where the new husband has the same military rank as the deceased. Neither the woman nor her family is allowed to oppose such a marriage, unless they have a high-ranking al-Shabaab officer in the family. The only way out for a woman in such a situation who wishes to avoid the marriage, is to leave the homeland (interview in Nairobi, March 2011)." [586]

21.53 Regarding the annulment of marriage, the Landinfo response also noted that:

"Annulment of marriage against the couple's own wishes does occur (according to a Somali theologian), yet it happens very rarely (interview in Nairobi, March 2011). The inner circle of dogmatic Takfiri theologians in al-Shabaab may argue that a man is an infidel, and consequently his marriage is invalid and must be dissolved. Thus, an al-

[586] Landinfo, Somalia: Al-Shabaab and forced marriages, 21 July 2011, http://www.landinfo.no/asset/1803/1/1803_1.pdf Date accessed 26 October 2011

Shabaab member can marry a woman if he so chooses. The theologian had heard of two or three such cases in the last two to three years.

"According to Islamic law, abandoned women may demand a divorce / annulment of the marriage, and when asked whether al-Shabaab use this as an opportunity to pressure women they covet, the Somali theologian explained that such a practice would be disadvantageous for al-Shabaab. Many within the highest ranks of leadership are themselves Somalis of the diaspora from the UK, the USA, Sweden and Denmark. They have long absences from Somalia, and would therefore risk being subjected to such a problem themselves." [587]

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Domestic violence

21.54 The UN Human Rights Council's Compilation : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, published on 21 February 2011, noted that: "The independent expert cited domestic violence which victimized women as a major problem throughout Somalia. Because of the destruction of formerly functioning clan structures, in many places women had no access to any formal or traditional protection." [588]

21.55 The USSD 2010 report noted that: "Domestic violence against women remained a serious problem. There were no laws specifically addressing domestic violence; however, both Sharia and customary law address the resolution of family disputes. Sexual violence in the home was reportedly a serious problem, linked to general gender discrimination." [589]

Trafficking

21.56 The US State Department *Trafficking in Persons Report 2011*, published on 27 June 2011 stated that:

"There were reports of trafficking offenders preying on young women and children, mostly IDPs from South and Central Somalia, at marketplaces and in the streets, falsely promising them lucrative jobs outside Somalia. Dubious employment agencies facilitate human trafficking, targeting individuals desiring to migrate to the Gulf states for employment. Somali women are smuggled, sometimes via Djibouti, to destinations in the Middle East, including Yemen and Syria, as well as to Sudan and South Africa, where they are subjected to conditions of domestic servitude and forced prostitution." [590]

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[587] Landinfo, Somalia: Al-Shabaab and forced marriages, 21 July 2011, http://www.landinfo.no/asset/1803/1/1803_1.pdf Date accessed 26 October 2011

[588] UN Human Rights Council, Compilation : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/2, p7, http://www.unhcr.org/refworld/docid/4d9efef52.html Date accessed 4 May 2011

[589] US Department of State, Report on Human Rights Practices in Somalia, p37, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 4 May 2011

[590] US Department of State, Trafficking in Persons Report 2011, Special Cases, 27 June 2011, p395, http://www.state.gov/documents/organization/164458.pdf Date accessed 24 October 2011

See also Trafficking for a wider overview

ASSISTANCE AND SUPPORT FOR WOMEN

21.57 The UN Human Rights Council's Compilation : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, published on 21 February 2011, stated that:

"UNDP noted that survivors of sexual and gender-based violence had faced considerable difficulties in accessing after-care services such as medical assistance, psychosocial support and legal assistance. In addition, the majority of cases of sexual violence had been settled through traditional dispute-resolution mechanisms. UNDP indicated that the Sexual Assault Referral Centre had been established as a pilot project in Hargeisa in October 2008." [591]

21.58 The USSD 2010 report noted that: "Women's groups in Mogadishu, Hargeisa, Bossaso, and other major towns in South Central Somalia, Somaliland, and Puntland actively promoted equal rights for women and advocated the inclusion of women in responsible government positions, and observers reported some improvement in the profile and political participation of women in the country." [592]

21.59 The women's NGO SAACID:

"… is an indigenous Somali, not-for-profit, non-religious, non-political, Non-Governmental Organisation (NGO) founded and directed by Somali women, that focuses on practical measures to enhance the life-options of women, children and the poor... Originally founded in Somalia in October 1990, SAACID reorganised its operations in 2001 to gain better donor recognition and expand its capacity to provide better delivery into the Somali context." [593]

For further information on the assistance that SAACID provides, please see their website.

21.60 The UNHCR *Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Somalia*, dated 5 May 2010, noted that: "Women's organizations have also been closed by al-Shabaab in an attempt to prevent women from working." [594] The Human Rights Watch report, *Harsh War, Harsh Peace*, published on 19 April 2010, noted that: "In November 2009, al-Shabaab insurgents reportedly closed three

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[591] UN Human Rights Council, Compilation : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/2, p7, http://www.unhcr.org/refworld/docid/4d9efef52.html Date accessed 4 May 2011

[592] US Department of State, Report on Human Rights Practices in Somalia, p38, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 3 May 2011

[593] SAACID, About SAACID, undated, http://www.saacid.org/About_SAACID.html Date accessed 4 May 2011

[594] UN High Commissioner for Refugees, UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Somalia, 5 May 2010, HCR/EG/SOM/10/1, p19, http://www.unhcr.org/refworld/docid/4be3b9142.html Date accessed 4 May 2011

grassroots women's organizations in the southern border town of Balad Hawa, saying that Islam does not allow women to go to offices." [595]

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WOMEN'S HEALTH

This section is designed to give an overview of the health of and available healthcare for women in Somalia. For a more general view of healthcare in Somalia, please see Medical Issues.

21.61 The UNICEF report, *State of the World's Children 2011*, published on 25 February 2011, gave the following statistics on women in Somalia: [596]

Life expectancy: females as a % of males		2009	106
Contraceptive prevalence (%)		2005–2009	15
Antenatal care coverage (%)	At least once	2005–2009	26
	At least four times		6
Delivery care coverage (%)	Skilled attendant at birth	2005–2009	33
	Institutional delivery		9
Maternal mortality ratio	2005–2009	reported	1000
	2008	adjusted	1200
		Lifetime risk of maternal death: 1 in:	14

21.62 The UNIE Report August 2011 noted that: "Deteriorated infrastructure and health-care services have an exponential impact on women's health, with the effect that Somalia has among the highest maternal mortality and morbidity rates in the world." [597]

21.63 The International Federation for Red Cross and Red Crescent Societies noted in their *Revised Plan 2011* that:

"The [Somali Red Crescent Society] SRCS health programme serves an estimated number of 600,000 beneficiaries through the network of 64 maternal and child health/outpatient department (MCH/OPD) health centres and four mobile clinics. The health centres are structured to serve the immediate neighbourhood communities, while the outreach services designed to reach remote rural communities, the nomads and the internally displaced persons (IDPs)." [598]

21.64 Reliefweb reported on 29 September 2011 that:

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[595] Human Rights Watch, Harsh War, Harsh Peace, 19 April 2010, p31, http://www.hrw.org/en/reports/2010/04/13/harsh-war-harsh-peace Date accessed 4 May 2011

[596] UNICEF, State of the World's Children 2011, Statistics, Table 8, 25 February 2011, http://www.unicef.org/sowc2011/statistics.php Date accessed 24 May 2011

[597] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p9, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 26 October 2011

[598] International Federation of Red Cross and Red Crescent Societies, Revised Plan 2011, undated, p4, http://www.ifrc.org/docs/appeals/annual11/MAASO00111p.pdf Date accessed 24 October 2011

"[Women and Health Alliance] WAHA International will start intervening in the capital Mogadishu to set up a hospital for maternal and newborn care in partnership with the UAE Red Crescent Authority (RCA).

"WAHA International and the RCA are partnering to strengthen maternal and newborn health care services in Mogadishu. Teams are currently preparing to set up a mother and child hospital and to support peripheral health posts which will include comprehensive obstetric care services such as the possibility to carry out a c-section and blood transfusions. Medical transfer bikes will be deployed to help transport patients to the hospital." [599]

Support for victims of FGM

21.65 The Edna Adan Hospital in Hargeisa gives medical treatment for those who have suffered FGM:

"The Edna Adan Maternity and Teaching Hospital confronts the effects and complications of FGM almost on a daily basis. Cases include children who have been mutilated hours and sometimes days before being brought to the hospital and who are still bleeding quite heavily or unable to pass urine because of their new stitches. The severest case of a mutilated child seen at the hospital was one where the child had been so badly cut, that there was virtually no skin to suture together to stop the gushing blood coming from her little body.

"Common cases also include newly married girls and women just de-infibulated and suffering from bleeding, infection or just plain pain. Also, women in Labour for much longer than they need be because scarring due to FGM prevents the birth canal from dilating properly. Some of those women end up with third degree lacerations and other post natal complications.

"Edna Adan has been dealing with cases of this nature in her 50 years of midwifery experience and has been engaged in a life-long struggle to see the end of this practice. With the establishment of her maternity hospital and with the still much needed services to deal with FGM, It has become essential for the hospital to lead the campaign. It is fast becoming a repository of all information relating to FGM in Somaliland and the region. The hospital has started an auditing process to have baseline data about the prevalence of FGM and the survey in this report is the first data to come out of that auditing initiative and it is believed to be the first of its kind in Somaliland. The hospital holds educational and sensitization seminars for concerned groups. At a patient level, counselling services are provided to the victims of FGM and their families. There is no other institution in the country better equipped with the experience, knowledge, facilities, and above all, dedication and sheer 'Will' (sic) to tackle this issue." [600]

21.66 The Women and Health Alliance (WAHA) International website noted that: "Since 2010 WAHA International has been organizing air and bus transport services for fistula patients from southern Somalia and Mogadishu to Somaliland for free surgery.

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[599] Reliefweb, WAHA International, RCA carry out health programmes in famine-wracked Somalia, 29 September 2011, http://reliefweb.int/node/449624 Date accessed 25 October 2011

[600] Edna Adan University Hospital, Female Genital Mutilation, undated, http://www.ednahospital.org/hospital-mission/female-genital-mutilation/ Date accessed 2 May 2011

Treatment is provided by WAHA with Boroma Fistula Hospital and Edna Adan Maternity Hospital." [601]

21.67 The Campaign to End Fistula dispatch, *Extending fistula care in Somalia*, published in May 2011, added that as part of WAHA International's work: "Patients are identified by a network of midwives and traditional birth attendants in Mogadishu and Kismayo, who refer them to a designated midwife. These patients are then diagnosed by a Mogadishu-based doctor, who organizes the transport to Somaliland. WAHA covers for the travel, surgery and post-operative care of the patients, so treatment and transport are entirely free." [602]

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22. CHILDREN

This section should be read in conjunction with the section on Women.

OVERVIEW

22.01 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that:

"…the TFG has made important human rights commitments, particularly on children's rights, most recently in the context of the Universal Periodic Review at the UN Human Rights Council [in May 2011]. The TFG committed to ratify without delay the Convention on the Rights of the Child (which it signed in 2002), the Optional Protocol on the involvement of children in armed conflict (signed in 2005) and the Convention on the Elimination of Discrimination of All Forms of Discrimination against Women (CEDAW). The TFG also committed to end the recruitment of child soldiers in Somalia and to work with the UN through a focal point to sign an action plan to secure and verify the release of child soldiers." [603]

22.02 The US State Department *2010 Country Report on Human Rights Practices in Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated that: "Children remained among the chief victims of continuing societal violence. UNICEF and other international NGO child-protection monitors verified that hundreds of children were killed or injured during the year as a direct result of conflict." [604]

22.03 The UN Security Council's *Report of the Secretary-General on children and armed conflict in Somalia*, published on 9 November 2010, stated that:

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[601] Women and Health Alliance International, Projects: Somalia, updated 2 September 2011, http://www.waha-international.org/?projects&id=1306 Date accessed 25 October 2011

[602] Campaign to End Fistula, Extending fistula care in Somalia, May 2011, http://www.endfistula.org/webdav/site/endfistula/shared/documents/invisible%20links/dispatch/may%202011%20english/UNPFA_Dispatch_Somalia.pdf Date accessed 25 October 2011

[603] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p64, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 14 September 2011

[604] US Department of State, Report on Human Rights Practices in Somalia, p39, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

"...the level and scale of grave violations against children in Somalia have been increasing over the past two years, particularly with regard to the recruitment and use of children in armed conflict; the killing and maiming of children; and the denial of humanitarian access to children. In Mogadishu, tens of thousands of children are suffering under the direct impact of one of the most intense and indiscriminate conflicts in the world, while the broader implications of displacement, livelihood collapse and lack of statutory protection services have affected children across the entire country and further increased their vulnerability to all forms of violence, exploitation and abuse." [605]

22.04 The same report also noted that:

"Civilians, including children, continue to be the majority of casualties, primarily as a result of being caught in the crossfire between parties to conflict, shelling and explosions. Violations of child rights need to be viewed in the broader context of challenges to collecting data for Somalia, particularly for children. During 2009, some 3.64 million people, including approximately 1.8 million children, relied on humanitarian assistance. This number is almost double that of January 2008. Food supplies remain disrupted, and access to clean water and medical assistance hindered, and the hospitals are stretched to capacity... Many schools in Mogadishu have been closed, and several taken over by armed groups... Children continue to be acutely affected by displacement, exhaustion, separation and emotional trauma, and deprived of access to basic services and protection." [606]

22.05 The UN Security Council's Report of the Secretary General on the situation in Somalia, published on 30 August 2011, noted that: "In May, June and July [2011], 659 grave violations against children involving primarily child recruitment and killing and maiming of children in Mogadishu were reported in accordance with relevant Security Council resolutions." [607]

22.06 UNICEF published the following information dated February 2011:

- 241,000 children acutely malnourished, 75 per cent of them are in the conflict-stricken southern regions. Global acute malnutrition rates are 21 per cent nationally (deterioration from 15 per cent in the last six months).
- In the south, 1 in 4 children is acutely malnourished and 1 in 23 severely malnourished, at exceptionally high risk of death.
- Routine immunization coverage among the lowest in the world (measles coverage in Central South in 2008 was 26 per cent)
- School enrolment amongst the lowest in the world, 30 per cent throughout Somalia and 22 per cent in Central South (Gross enrolment rate)
- Only 30 per cent of the population has access to safe water

[605] UN Security Council, Report of the Secretary-General on children and armed conflict in Somalia, 9 November 2010, p1, http://unpos.unmissions.org/Portals/UNPOS/Repository%20UNPOS/S-2010-577%20(09NOV10)%20CAAC.pdf Date accessed 1 May 2011

[606] UN Security Council, Report of the Secretary-General on children and armed conflict in Somalia, 9 November 2010, p5-6, paragraph 18, http://unpos.unmissions.org/Portals/UNPOS/Repository%20UNPOS/S-2010-577%20(09NOV10)%20CAAC.pdf Date accessed 2 May 2011

[607] UN Security Council, Report of the Secretary General on the situation in Somalia, 30 August 2011, p6, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 14 September 2011

- Conflict continues to maim and kill children and women. Campaigns to recruit thousands of children into armed forces/groups - including girls- became more aggressive. [608]

22.07 The summary prepared by the UN Human Rights Council for the Universal Periodic review in Somalia, (UPR Stakeholder Report 2011) dated 21 February 2011, noted that:

"JS1 [Somaliland Civil Society Coalition for the Universal Periodic Review, comprising Nagaad Umbrella, Comprehensive Community Based Rehabilitation in 'Somaliland', Hargeisa University Legal Clinic, Somaliland Women Lawyers association, 'Somaliland' youth development association, 'Somaliland', Somalia] stated that in 'Somaliland' there were reports of children being detained for minor cases, such as parental disobedience, with hard-core criminals, which exposed these children to abuse, physical and psychological trauma. Almost all of the police stations and local prisons in 'Somaliland' lacked separate cells for child offenders." [609]

Socio-economic data on children in Somalia covering, amongst other things, child mortality, nutrition, health, prevalence and treatment for HIV/AIDS, education, demographic and economic indicators and child protection, is available in annexes to UNICEF's State of World's Children 2011, dated February 2011.

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LEGAL RIGHTS

22.08 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that:

"…the TFG has made important human rights commitments, particularly on children's rights, most recently in the context of the Universal Periodic Review at the UN Human Rights Council [in May 2011]. The TFG committed to ratify without delay the Convention on the Rights of the Child (which it signed in 2002), the Optional Protocol on the involvement of children in armed conflict (signed in 2005) and the Convention on the Elimination of Discrimination of All Forms of Discrimination against Women (CEDAW)." [610]

22.09 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that:

"Somalia's Transitional Federal Charter of February 2004 … contains a number of human rights provisions which the TFG has committed to respect. These include the rights to life, personal liberty, and security, the right to a fair trial, equality before the law,

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[608] UNICEF, Somalia Facts and Figures, February 2011, http://www.unicef.org/somalia/SOM_FactsandFiguresFnlFeb2011-Bmnsfnds.pdf Date accessed 1 May 2011

[609] UN Human Rights Council, Summary : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/3, p4, paragraph 17, http://www.unhcr.org/refworld/docid/4d9efdd72.html Date accessed 28 April 2011

[610] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p64, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 14 September 2011

the right to freedom of assembly and association, freedom of information and media, and the right to education, protection of family, and social welfare. Article 26 (d) and (e) of Chapter IV of the Charter state:

"'d) Forced labour or military service for children under 18 years shall not be permitted. e) In accordance with the law, no child under 18 years of age shall be imprisoned in the same prison and/or custody as those for adults'." [611]

22.10 The USSD 2010 report stated that:

"The practice of 'asi walid', a custom whereby parents placed their children in prison for disciplinary purposes and without any legal procedure, continued. Many of these juveniles were incarcerated with adults.

"UNICEF and the UNDP started a project to provide abandoned children and child prisoners with legal and other protection assistance. The juvenile justice program also educated justices and lawyers about human rights problems for children.

"The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction." [612]

See Prison conditions

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VIOLENCE AGAINST CHILDREN

22.11 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that:

"Civilians of all ages in South and Central Somalia have borne the brunt of the armed conflict and worsening indiscriminate attacks and insecurity in the past four years. Among them, children have continued to be killed and seriously injured in the fighting between armed groups and pro-TFG forces.

"Mogadishu residents have particularly suffered, as the capital continues to be the main battleground between the TFG and armed Islamist groups. According to WHO, children in Mogadishu accounted for almost one-fifth of all weapons-related casualties between January and October 2010. The International Committee of the Red Cross (ICRC) reported that in 2010, some 2,300 women and children with war injuries were admitted to the two hospitals it supports in Mogadishu, almost 40 per cent of all their patients. The ICRC also said that the number of war-wounded patients received at both hospitals in 2010 had risen compared to those received in 2009.

"During May 2011, there was a sharp rise in the number of recorded war-related casualties among children aged under five in Mogadishu, illustrating the high price paid

[611] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p63-64, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 14 September 2011

[612] US Department of State, Report on Human Rights Practices in Somalia, p39, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

by children in the unrelenting conflict in Somalia. According to WHO, between 1 and 15 May 2011, 933 patients bearing weapons-related injuries were treated in three hospitals in Mogadishu; of these 398 were children under the age of five. In the second half of May 2011, the number of war-wounded children aged under five was also very high; WHO reported that 'of the 1590-reported weapon-related injuries in May alone, 735 cases or 46 per cent were children under the age of five, compared to only 3.5% in April'. The jump in the number of recorded casualties among children aged under five in May 2011 could be explained by increased and sustained fighting occurring around Bakara market in Mogadishu, in an urban area highly populated by civilians. WHO previously reported that between 3 January and 15 May 2011, 3237 war-wounded patients, including 613 children under the age of five were treated in three hospitals of Mogadishu. 51 of these died of their injuries, including four children under the age of five." [613]

22.12 The USSD 2010 report noted that:

"Child abuse and rape were serious problems, although no statistics on their prevalence were available. UNIE reported that throughout Somalia, 'Rape and other grave sexual violence against children continued to be a major protection concern.' There were no known efforts by regional governments to combat this practice. Children remained among the chief victims of continuing societal violence. UNICEF and other international NGO child-protection monitors verified that hundreds of children were killed or injured during the year as a direct result of conflict." [614]

22.13 The summary of stakeholders prepared by the UN Human Rights Council for the Universal Periodic review in Somalia, dated 21 February 2011, noted that:

"GIEACPC [Global Initiative to End All Corporal Punishment of Children] stated that, pursuant to Article 439 of the Penal Code (1962), corporal punishment was lawful in the home and in schools. In the penal system, there was no provision for corporal punishment as a sentence for crime, but it was lawful under Somali Islamic Law. In alternative care settings, corporal punishment was lawful. In 'Somaliland' corporal punishment was unlawful in the home, in schools, and in alternative care settings." [615]

See Latest news, Recent developments and Security situation. Also Security forces, subsection Human rights violations by security forces, Non-government armed groups and Ethnic groups.

For information on the impact of conflict on children in Somalia, please see the Amnesty International report, In the line of fire: Somalia's children under attack.

Trafficking

[613] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p10-11, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 14 September 2011

[614] US Department of State, Report on Human Rights Practices in Somalia, p38-39, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 1 May 2011

[615] UN Human Rights Council, Summary : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/3, p5, paragraph 32, http://www.unhcr.org/refworld/docid/4d9efdd72.html Date accessed 2 May 2011

See also Child Soldiers

22.14 The US State Department *Trafficking in Persons Report 2011*, published on 27 June 2011, stated that:

"Somali women and girls may have been subject to sex trafficking in Garowe, the Puntland-administered part of Las Anod (Sool region), and pirate towns such as Eyl and Harardheere. Sources report a clearer link between piracy and human trafficking during the reporting period; girls are reportedly taken from coastal regions, particularly Bossaso, and placed in pirates' homes to be exploited in domestic and sexual servitude. Some female brothel owners, who can profit as much as $50 per client, kept victims in harsh conditions and meted out physical abuse as a means of compelling victims to work … Due to an inability to provide care for all family members, some desperate Somalis willingly surrender custody of their children to people with whom they share family relations and clan linkages; some of these children may become victims of forced labor or sex trafficking. While most child laborers work within their households or family business, some children may be forced into labor in agriculture, herding livestock, or in the construction industry." [616]

See also Trafficking for a wider overview

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Female Genital Mutilation (FGM)

This section provides information on the effect of FGM on girl children. For information on how FGM can affect adult women, including societal attitudes, please see Women: FGM.

Type of FGM practiced and prevalence

22.15 The form of FGM practiced most commonly in Somalia is type III or infibulation (see following paragraphs), which is defined, as referred in an Irinnews article, *In-depth: Razor's Edge - The Controversy of Female Genital Mutilation*, dated 1 March 2005, as: "Excision (removal) of part or all of the external genitalia (clitoris, labia minora and labia majora), and stitching or narrowing of the vaginal opening, leaving a very small opening, about the size of a matchstick, to allow for the flow of urine and menstrual blood. Also known as pharaonic circumcision." The same source provides further background about the practice of FGM in general terms, not specifically to Somalia. [617] The Population Reference Bureau document, *Female Genital Mutilation/Cutting: Data and Trends*, published in 2010, noted that there was a 97.9 per cent prevalence in women aged 15-49 in Somalia.[618]

22.16 The USSD 2010 report stated:

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[616] US Department of State, Trafficking in Persons Report 2010, Special Cases, 27 June 2011, Somalia, http://www.state.gov/g/tip/rls/tiprpt/2011/164234.htm Date accessed 14 September 2011
[617] IRINNEWS, In-depth: Razor's Edge - The Controversy of Female Genital Mutilation, 1 March 2005, http://www.irinnews.org/IndepthMain.aspx?IndepthId=15&ReportId=62462 Date accessed 22 December 2011
[618] Population Reference Bureau, Female Genital Mutilation/Cutting: Data and Trends, 2010, p5, https://www.prb.org/pdf10/fgm-wallchart2010.pdf Date accessed 22 December 2011

"The practice of female genital mutilation (FGM) was widespread throughout the country. As many as 98 percent of women and girls had undergone FGM; the majority were subjected to infibulation [, the most severe form of FGM. In Somaliland and Puntland, FGM is illegal, but the law was not enforced. UN agencies and NGOs tried to educate the population about the dangers of FGM, but there were no reliable statistics to measure the success of their programs." [619]

22.17 The UPR Stakeholder Report 2011 observed that:

"JS1 stated that female genital mutilation was a deeply rooted traditional practice. COGWO stated that this practice was rampant and that gender based violence was a common problem which remained a secret. SWC stated that young girls between the ages of 4–8 were subjected to 'infibulations' to ensure their chastity until they were married. SSWC indicated that many girls die from the shock and pain of the procedure which was normally done without anesthesia, as well as from infections and massive blood loss." [620]

22.18 Although there have been more recent studies that have summarised key aspects of FGM issues, the most comprehensive source found is the World Bank study of November 2004, Female Genital Mutilation / Cutting in Somalia.

22.19 The LandInfo report, *Female genital mutilation in Sudan and Somalia*, published on 10 December 2008, stated: "Some sources … claim to have observed a transition from infibulation to sunna [excising of part of the female genitals] in recent years, however it is difficult to ascertain with any degree of certainty how extensively patterns might have changed. Sunna is common among the Benadir population in the coastal areas. In these population groups, the procedure is performed on newborns (ibid)." [621] The World Bank 2004 study rejects the use of the term sunna as the authors consider it a euphemism that grants the practice a false sense of religious obligation and acceptance. [622] The World Bank 2004 study stated: "Type II or excision of the clitoris accounts for 80 percent of all operations in Africa. Among Somali and Sudanese women, 80 to 90 percent undergo type III or infibulation, which accounts for only 15 percent of cases in Africa. Ethnic Somalis in Kenya and Ethiopia practice infibulation which is also common among other ethnic groups in Ethiopia and Eritrea." [623] The Somali term for infibulation is gudnin fircooni. [624]

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[619] US Department of State, Report on Human Rights Practices in Somalia, p39, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

[620] UN Human Rights Council, Summary : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/3, p4, paragraph 26, http://www.unhcr.org/refworld/docid/4d9efdd72.html Date accessed 28 April 2011

[621] Landinfo, Report: Female genital mutilation in Sudan and Somalia, 10 December 2008, p12, http://www.landinfo.no/asset/764/1/764_1.pdf Date accessed 2 May 2011

[622] World Bank, Female Genital Mutilation/Cutting in Somalia, November 2004, p18, http://siteresources.worldbank.org/INTSOMALIA/Data%20and%20Reference/20316684/FGM_Final_Report.pdf Date accessed 28 August 2009

[623] World Bank, Female Genital Mutilation/Cutting in Somalia, November 2004, p17, http://siteresources.worldbank.org/INTSOMALIA/Data%20and%20Reference/20316684/FGM_Final_Report.pdf Date accessed 28 August 2009

[624] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, 'One message' on FGM/C in Somaliland, 3 November 2008, http://www.irinnews.org/report.aspx?ReportId=81261 Date accessed 9 July 2009

22.20 These findings on numbers of women affected by and the different forms of FGM used are reflected in older material, such as the JFFMR March 2004, which stated:

"According to Jones [Gary P. Jones, Country Director, Somalia, Kenya and Djibouti, Norwegian People's Aid (NPA), Horn of Africa Programme], FGM is still the norm in Somalia. The main mode of the FGM is the 'pharaonic' form [infibulation], but still many would claim that they only practice 'Sunna' which is a lighter version of FGM. Jones stated that this was done from a business point of view, explaining that people promoting 'Sunna' would receive financial support. In reality, however, girls are circumcised in the same manner as usual, i.e. 'Pharaonic' style. … Nearly 100% of women are affected by FGM in Somalia. Jones did not expect that any significant change would emerge in this respect during the next 15 years, even though some modest progress has been made in some areas. It was emphasised that it is extremely difficult to change the attitude towards FGM, and providing education and information to young girls might be the only way to make any impact on the issue." [625]

22.21 The World Bank 2004 study summarised information about the practitioners of FGM:

"In most parts of Somalia, traditional circumcisers, guddaay, conduct most operations. The number of professional health providers who circumcise girls is also increasing. Interviews with two members of the Professional Nursing Association in Mogadishu revealed that almost all the association's members carry out a 'milder form of circumcision' for a fee. They also discourage the work of traditional circumcisers and the Pharaonic FGM/FGC. Complications arising from FGM/FGC are turning more families towards health providers, trained TBAs and nurses who perform whatever type of FGM/FGC parents' desire. This medicalisation of FGM/FGC started at the dawn of Somalia's independence when a Lebanese medical practitioner, began circumcising girls in Martini Hospital in Mogadishu under sterilized and anaesthetic conditions. He claimed to minimize damage and dangers associated with FGM/FGC. He conducted partial or total clitoridectomies without infibulations for those who demanded 'Sunna' circumcision. Other health providers emulated him, spreading services to Mogadishu's elite. WHO, UNFPA and UNICEF condemn health providers who perform FGM/FGC." [626]

22.22 The age when FGM is performed is in later childhood: the LandInfo report of December 2008 stated that it is usually between the ages of five and eight in Somalia generally and much older in the Somali diaspora [627]; the JFFMR March 2004 states between the ages of four and seven [628]; an IRIN report of February 2009 stated that full infibulation at

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[625] Report on the Human Rights and Security in Central and Southern Somalia: Joint British-Nordic Fact-Finding Mission to Nairobi 7–21 January 2004, published 17 March 2004, p33, http://www.unhcr.org/refworld/docid/405b2d804.html Date accessed 20 April 2010

[626] World Bank, Female Genital Mutilation/Cutting in Somalia, November 2004, p19, http://siteresources.worldbank.org/INTSOMALIA/Data%20and%20Reference/20316684/FGM_Final_Report.pdf Date accessed 28 August 2009

[627] Landinfo, Report: Female genital mutilation in Sudan and Somalia, 10 December 2008, p13, http://www.landinfo.no/asset/764/1/764_1.pdf Date accessed 2 May 2011

[628] Report on the Human Rights and Security in Central and Southern Somalia: Joint British-Nordic Fact-Finding Mission to Nairobi 7–21 January 2004, published 17 March 2004, p33, http://www.unhcr.org/refworld/docid/405b2d804.html Date accessed 20 April 2010

about five to seven years, was practised in Dadaab camp, Kenya. [629] The World Bank 2004 study noted that: "Girls are now circumcised between the ages of five and eight, often within the privacy of their homes." [630]

Societal attitudes to FGM

22.23 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact-Finding Mission report on human rights and security in central and southern Somalia, published in August 2007, noted: "In case the father or brother (in the father's absence) decides not to go through with the FGM of the daughter/sister the father/brother will be attacked by family or clan members. Anti-FGM is in Somali translated into 'anti-purity' … It was added that a girl who has not undergone FGM would be very difficult to marry off." [631]

22.24 The LandInfo report of December 2008 added: "In Somalia, genital mutilation is not a rite of passage that marks the transition from child to adult. The practice is linked to tradition and notions about purity, virginity and control of unwanted sexuality." [632] The LandInfo comment effectively summarises a complex, detailed explanation within the World Bank 2004 study, on perceptions of purity and other reasoning behind the practice. [633]

Counter-FGM measures

22.25 An IRIN article dated 7 April 2008 noted that local organisations, such as We Are Women Activists (WAWA) in Bossasso, were developing in Puntland to support women objectors and to lobby for FGM's eradication. The article added: "Puntland officials said they were encouraging civil society organisations to fight FGM and making it part of the fight for human rights and women's rights." [634]

22.26 The UN in Somalia reported on 7 March 2011 about a programme to combat FGM in Galkayo:

"For over 20 years Hawa Aden Mohamed, educationalist, peace activist and human rights campaigner, has worked to improve the lives of Somali women and girls. She is one of the founders of the Galkayo Education Centre for Peace and Development

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[629] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Hawo Nagash, 'My biggest fear is that somebody will take my daughters and circumcise them', February 2009 http://www.irinnews.org/Report.aspx?ReportId=82837 Date accessed 14 April 2009

[630] World Bank, Female Genital Mutilation/Cutting in Somalia, November 2004, p19, http://siteresources.worldbank.org/INTSOMALIA/Data%20and%20Reference/20316684/FGM_Final_Report.pdf Date accessed 28 August 2009

[631] Report on the Human rights and security in central and southern Somalia: Joint fact-finding mission by the Danish Refugee Council and the Danish Immigration Service, published August 2007, p32, http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=46e109d92&skip=&coi=SOM Date accessed 20 April 2010

[632] Landinfo, Report: Female genital mutilation in Sudan and Somalia, 10 December 2008, p12, http://www.landinfo.no/asset/764/1/764_1.pdf Date accessed 2 May 2011

[633] World Bank, Female Genital Mutilation/Cutting in Somalia, November 2004, p22-25, http://siteresources.worldbank.org/INTSOMALIA/Data%20and%20Reference/20316684/FGM_Final_Report.pdf Date accessed 28 August 2009

[634] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Raising awareness against FGM in Puntland, 7 April 2008, http://www.irinnews.org/report.aspx?ReportID=77642 Date accessed 9 July 2009

(GECPD) which has been instrumental in increasing girls' enrolment in the Mudug region of Puntland (northeast Somalia) and ensuring that at 40% the region has the highest girls' enrolment throughout Somalia. This, in a country where only 24.6% of Somali girls attend school.

"Funded by UKaid from the Department for International Development, UNICEF is partnering with the GECPD to support 3,220 girls as they reach puberty. In total, the maturation project will benefit 12,000 primary school girls, women in vulnerable communities and help to mainstream gender in Puntland's educational policies...Hawa recounts that her father...opposed female circumcision.

"'Before I was born, my elder sister had died at age nine from tetanus as a result of FGM. If my father had had support we wouldn't have been cut but it was my stepmother's responsibility and she didn't know any better. I suffered. I only learnt my sister had died after I was cut. In those days no-one spoke out. Human rights issues were not discussed but the health issues were always there'... Hawa's FGM abandonment programme is now renowned in Galkayo and communities there acknowledge her enormous contribution to girls' education and women's economic and social empowerment. Several women from IDP communities now have the skills to run a bakery and are selling their products in the market while their daughters study at the Centre's schools...'In Somalia [FGM] is considered 'a women's issue' but women alone cannot fight for its elimination. It will take time. There are still places where they haven't even heard that it is not right. Maybe one day there will be no FGM and one day we will get government support' [Hawa said]." [635]

22.27 UNICEF also reported on 7 March 2011 about a programme to educate women in Somaliland about alternatives to FGM:

"'It is a shame and a disgrace if a girl is uncut. She will be outcast and ostracized from her community'. This is what Ubah Abdillahi believed until she was convinced otherwise by the community education programme aiming to end the practice of female genital mutilation (FGM) in Somalia.

"Ubah Abdillahi, mother of 5 girls and 3 boys, lives in Daami village in Hargeisa. She came to know about a programme run by NGO TOSTAN- supported by UNICEF- aiming to create community awareness around various issues including FGM/C, child rights, hygiene and sanitation, environment and health among others. She started to attend classes offered by the programme and participated in its activities.

"'Before participating in this programme, I believed that all girls have to be cut, just like I was cut when I was a young girl. I cut my daughters because I always believed it was good for protecting girls from men. If the girl is not cut, she can't get married either. This was done to me by my mother and I did the same to two of my five daughters.' said Ms. Abdullahi.

"'I wouldn't have been able to socialize and have friends if I wasn't cut. It was considered a disgrace and people would gossip if a nurse wasn't called to the house for opening the stitching after a woman gets married or for child birth.'

[635] United Nations in Somalia, Hawa Aden Mohamed: a woman of courage, 7 March 2011, http://www.unctsom.org/unicefstory.html Date accessed 2 May 2011

"TOSTAN started its community advocacy work in Daami village in 2006 and formed the 'Community Management Committee' which played a key role in engaging in discussions with the community and creating awareness on the harms of FGM. After three years of the programme's inception, the people of Daami village publically declared abandonment of the practice. Ms. Abdullahi was one of the Committee members who were trained by TOSTAN... Over a year has passed since Daami community declared abandoning FGM in 2009, but the Committee members are still active in their advocacy work. They meet regularly at the classroom provided by TOSTAN to discuss and exchange their experiences and plan joint activities within and outside their village, including writing and performing songs and plays.

"So far, a total of 84 communities have been mobilized through this programme in Somalia. Of them, 28 communities including Daami village declared collective abandonment of FGM." [636]

22.28 The Edna Adan Hospital in Hargeisa gives medical treatment for those who have suffered FGM:

"The Edna Adan Maternity and Teaching Hospital confronts the effects and complications of FGM almost on a daily basis. Cases include children who have been mutilated hours and sometimes days before being brought to the hospital and who are still bleeding quite heavily or unable to pass urine because of their new stitches. The severest case of a mutilated child seen at the hospital was one where the child had been so badly cut, that there was virtually no skin to suture together to stop the gushing blood coming from her little body.

"Common cases also include newly married girls and women just de-infibulated and suffering from bleeding, infection or just plain pain. Also, women in Labour (sic) for much longer than they need be because scarring due to FGM prevents the birth canal from dilating properly. Some of those women end up with third degree lacerations and other post natal complications.

"Edna Adan has been dealing with cases of this nature in her 50 years of midwifery experience and has been engaged in a life-long struggle to see the end of this practice. With the establishment of her maternity hospital and with the still much needed services to deal with FGM, It has become essential for the hospital to lead the campaign. it is fast becoming a repository of all information relating to FGM in Somaliland and the region. The hospital has started an auditing process to have baseline data about the prevalence of FGM and the survey in this report is the first data to come out of that auditing initiative and it is believed to be the first of its kind in Somaliland. The hospital holds educational and sensitization seminars for concerned groups. At a patient level, counselling services are provided to the victims of FGM and their families. There is no other institution in the country better equipped with the experience, knowledge, facilities, and above all, dedication and sheer 'Will' (sic) to tackle this issue." [637]

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[636] UNICEF Somalia, Intensive efforts reap progress towards ending female genital mutilation in Somalia, 7 March 2011, http://www.unicef.org/somalia/reallives_7723.html Date accessed 2 May 2011

[637] Edna Adan University Hospital, Female Genital Mutilation, undated, http://www.ednahospital.org/hospital-mission/female-genital-mutilation/ Date accessed 2 May 2011

Child soldiers

22.29 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that:

"The recruitment and use of children by parties to the conflict is a long-standing concern in Somalia. Boys over 15 years old are often considered adults and, in a situation of state collapse, breakdown of the rule of law and clan feuds, have been expected by some to defend their clan and family. Somali civil society groups have raised concerns about the use of child soldiers for many years. However, the intensification of armed conflict since the end of 2006 has fuelled an increase in recruitment and use of children by fighting forces." [638]

22.30 The same report noted that:

"Most children recruited by armed groups appear to belong in the age bracket between 12 and 18 years old. However, refugees have told Amnesty International that even children as young as eight years old have been recruited by armed Islamist groups … According to the testimonies collected by Amnesty International, the areas where recruitment of children, particularly young children, has been especially intense are Mogadishu, Brava, Kismayo, Baidoa, the Sakow district in the Middle Juba region and the Gedo region, areas which for the past three years were firmly under the control of al-Shabab, but are now disputed.

In other areas, local al-Shabab factions appear to target children from about the age of 15 years for recruitment. Variations around the ages of children targeted for recruitment seem to depend on local factors." [639]

22.31 The UN Human Rights Council's *Report of the independent expert on the situation of human rights in Somalia*, covering events between September 2010 and July 2011, published on 29 August 2011, noted that:

"Al-Shabaab continues its policy of active child recruitment. In May and June, it reportedly recruited over 180 children in Lower Juba; systematic recruitment from Bay and Bakol was also documented. Schools are increasingly targeted for recruitment. The Transitional Federal Government has publicly reiterated its policy of not recruiting children into the Somali national forces. However, no effective mechanism is in place to prevent such recruitment, as made evident by the identification in the Bihanga military training camp in Uganda of 46 underage recruits. In April, the minors were repatriated into Mogadishu, but only six of them have been reintegrated into civilian life with United Nations support. The whereabouts of the remaining 40 are unclear, and there are reports that they are still hosted in the Government Al-Jazeera Camp… According to United Nations monitors, in May and June, 463 grave violations against children

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[638] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p22, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 14 September 2011

[639] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p23-24, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 14 September 2011

involving primarily child recruitment and the killing and maiming of children in Mogadishu were reported. Child soldiers are often used in the frontline." [640]

22.32 The USSD 2010 report noted that:

"The recruitment and use of children in militias and other fighting forces was a longstanding practice in the country and continued during the year. Without established birth registration systems, it was often difficult to determine the exact age of persons, including recruits to armed groups. The July 2009 report of the UN Security Council Working Group on Children and Armed Conflict cited the TFG, Ahlu Sunna wal Jama'a, al-Shabaab, Hisbul Islam, clans, and the Puntland regional administration as continuously recruiting children into their militias. In May the UN Children's Fund (UNICEF) and the Office of the Special Representative of the Secretary General (SRSG) for Children and Armed Conflict reported an increase in the recruitment of children, some as young as nine, in armed conflict in Somalia. In response, TFG Prime Minister Mohamed Abdullahi Mohamed committed his government to eradicating the practice in a meeting with this SRSG and agreed to designate a focal point to work with the UN to pave the way towards the signing of an action plan and an official agreement to secure and verify the release of child soldiers.

"The TFG did not conscript or condone the recruitment of child soldiers for use by its National Security Force or allied fighting units. However, there were reports that a small number of under-age persons remained associated with TFG forces, and the TFG pledged to address this issue comprehensively. Children were most heavily recruited and forcibly conscripted by clan militias and antigovernment groups.

"Al-Shabaab conscripted children into armed conflict and military operations in addition to using them to plant roadside bombs and other explosive devices. According to the UN, al-Shabaab recruited children as young as eight from schools and madrassas and trained them to plant bombs and carry out assassinations for financial reward. In May 2009 TFG police arrested 11 minors who had been kidnapped in Lower Shabelle Region and forced into al-Shabaab militias. All of the children were subsequently released to their parents or guardians. In Kismayo, Baidoa, and Merka, al-Shabaab forced boys 15 and older to fight as 'mujahedeen' or face execution. In 2009 al-Shabaab killed an estimated 16 teenagers after they refused to become al-Shabaab fighters.

"Because of the risk in intervening directly with militia groups, UNICEF protection partners engaged in low-profile condemnation of child recruitment while undertaking public education and youth empowerment initiatives. UNICEF also assisted the TFG in preparing an action plan that would include measures to screen its troops, as well as establish mechanisms to prevent further child recruitment.

"The Somaliland constitution contains no minimum age for recruitment into the armed forces, but there were no reports of minors in its forces." [641]

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[640] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, 29 August 2011, p8 http://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC_.18.48_en.pdf Date accessed 16 September 2011

[641] US Department of State, Report on Human Rights Practices in Somalia, p20-21, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 1 May 2011

22.33 The US State Department *Trafficking in Persons Report 2011*, published on 27 June 2011, and covering events of 2010, stated that:

"According to the UN, the recruitment and use of children in armed conflict has been increasing over the past two years; although the exact figure is unknown, UN sources estimate that there are several hundred children in the forces of the TFG or its associated militias, and several thousand among the insurgent groups. Youth under the age of 18 continued to be recruited, including by force and deception, for direct participation in hostilities in central and southern Somalia. During the reporting period, extremist groups al-Shabaab and Hisbul Islam merged and jointly used systematic force and deception to target vulnerable children, sometimes as young as eight years old, for membership in their militias. These forces reportedly increased recruitment at schools and other educational facilities during the reporting period; al-Shabaab threatened to punish teachers and parents who refused to send their children to the training camps. The groups used children to plant roadside bombs and other explosive devices in addition to carrying out assassinations, portering, and domestic servitude. In Kismayo, Baidoa, and Merka, al-Shabaab obligated all boys 15 years of age and older to fight or face death; in November, al-Shabaab executed two children in Hurwaa District of Banadir region. Al-Shabaab also continued to forcibly recruit young girls who were then 'married' to its militia leaders and used for sexual servitude, logistical support, and intelligence gathering. While the TFG's military reportedly improved its recruitment practices to prevent conscription of child soldiers into government ranks, UN sources reported that the TFG and its allied militias continued to unlawfully use children throughout the reporting period in their fighting forces. Without established birth registration systems, it remained difficult to determine the exact age of persons conscripted into armed groups." [642]

22.34 IRIN reported on 21 March 2011 that:

"…armed groups have reportedly recruited more child soldiers to their ranks, some even forcing teachers to enlist pupils.

"In a recent offensive against rebel groups in Bulo Hawo town on the border with Kenya, the UN Children's Fund (UNICEF) stated on 17 March, '...children were involved as fighters and a significant number of them were killed. According to reports, intense fighting in the area between Dhusamareb and Ceel bur in Galgadud has also resulted in many child casualties.'

"'The TFG [Transitional Federal Government] forces, their allies, the Ahlu Sunna Wal Jama, and Al-Shabab are all engaged in the recruitment. Al-Shabab [the largest armed opposition group] is the biggest culprit,' said an official working with an NGO that monitors the state of children in the country. The official, who asked not to be named, did not suggest the African Union's TFG-supporting military mission in Somalia, AMISOM, was also using children.

"He said although the exact number of child soldiers was unknown, his group suspected between 2,000 and 3,000 children were in different armed groups.

[642] US Department of State, Trafficking in Persons Report 2010, Special Cases, 27 June 2011, Somalia, http://www.state.gov/g/tip/rls/tiprpt/2011/164234.htm Date accessed 14 September 2011

"He added that Al-Shabab was forcing Koranic and other teachers to bring their charges to be trained. 'We have noticed a major increase in the recruitment of children since January 2011. It coincided with the current escalation of fighting in Mogadishu and parts of south and central Somalia.'" [643]

22.35 The UN Security Council's *Report of the Secretary-General on children and armed conflict in Somalia*, published on 9 November 2010, and covering the period from 31 May 2008 to 31 March 2010 (with some significant events that occurred from May to July 2010 included) noted that:

"Evidence gathered by monitors during the reporting period suggests a considerable increase in the scale of recruitment and use of children by all parties to conflict during the past two years. This has been confirmed following field research conducted by the United Nations in May and June 2009. Recruitment has also become more systematic in the past year. Although the total number of children being recruited and used in the conflict is unknown, estimates suggest that there are several hundred children in the forces of the Transitional Federal Government or its associated militias, and several thousand among the insurgent groups. Children are being trained in basic arms techniques as well as more sophisticated skills such as assassination, intelligence collection, use of improvised explosive devices and suicide missions …The forces of the Transitional Federal Government, Hizbul Islam, Al-Shabaab and Ahlu Sunnah Wal Jama'a, and clan-based armed groups throughout central and southern Somalia have all been accused of recruiting and using children in the conflict. From May 2008 to March 2010, United Nations partner organizations interviewed 208 boys and 2 girls who had been recruited and used in armed conflict or policing activities. All but six of those children were between 13 and 17 years old. These numbers are indicative, but do not reflect the considerable scope of the problem. It is difficult to reach affected children, and monitors have been concerned that the reporting of recruitment activities might endanger their safety, following death threats against them.

"Children are typically recruited from schools and madrasas and from internally displaced settlements in Somalia and refugee camps in neighbouring Kenya. Children are often told it is their duty to fight or to avenge a family member's death, or they are offered money or are directly threatened. Forcible recruitment has also become much more common during 2009 and 2010, with teachers and parents under pressure to send children to the frontline to support the cause. There is evidence that increasing numbers of families are fleeing the country to avoid this widespread and aggressive recruitment. Civil society and local non-governmental organizations have consistently reported that it has become more difficult to prevent recruitment because of the increasingly aggressive attitude of the various armed groups.

"Children as young as 11 are used by insurgent groups and are paid between US$ 3 and $35 per operation (attacks, assassination, intelligence gathering) … While recruitment of girls has been rare and is generally regarded as socially unacceptable, there are documented accounts of girls working for armed groups, particularly in cooking and cleaning. Girls are also brought in to transport detonators, provide logistics support and collect intelligence, as well as receiving weapons. An Al-Shabaab training

[643] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, SOMALIA: Recruitment of child soldiers on the increase, 21 March 2011, http://www.irinnews.org/Report.aspx?ReportID=92249 Date accessed 3 May 2011

camp for about 120 girls is located near Kismaayo, where girls learn intelligence-gathering techniques, transport of explosives and driving. Girls are reported also to be recruited for marriage to young combatants." [644]

22.36 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that al Shabaab's recruitment techniques "range from luring children to join them by promising phones and money, ideological indoctrination in mosques, using children previously recruited as recruitment agents to more aggressive techniques such as threats to children and their relatives, raids on schools, abductions in public areas and from vehicles departing the country … Others were persuaded to join after being offered money, phones or other incentives." [645]

22.37 The UN Security Council's *Report of the Secretary-General on children and armed conflict in Somalia*, published on 9 November 2010 broke the accounts of recruitment down by organisation:

"Al-Shabaab

"Available information indicates that Al-Shabaab has undertaken the most systematic and widespread recruitment and use of children in the conflict. While very active in the central and southern region, the group is also reportedly recruiting children in Puntland and Somaliland, and training them in Bay, Bakool, Galgaduud, Hiraan, Mogadishu and Raas Kaambooni.

"In December 2008, eyewitness accounts of the clashes in Guriel and Dhuusamarreeb indicated that between 30 and 45 per cent of Al-Shabaab combatants were children. Seven children were killed and three were injured in the clashes. In February 2009, Al-Shabaab reportedly redirected a minibus full of young children for military recruitment with parental permission in Marka. In March 2009 alone, Al-Shabaab reportedly recruited 600 children. At the Galduuma base on the border between Bay and Lower Shabelle, it is alleged that Al-Shabaab has 1,800 children, as young as 9 years old. In Raas Kaambooni, Al-Shabaab trains boys from 12 to 18 years old and, every six months, 270 students graduate into operational units.

"In September 2009, AMISOM gained information related to the deployment of 270 children within Mogadishu. They were trained by Al-Shabaab in Baidoa and Galgaduud and were brought in to replace fatigued fighters. From January to March 2010, monitors recorded 41 cases of children recruited to the ranks of Al-Shabaab.

"…In July 2010, there have been consistent reports from partners, United Nations staff and media on forced recruitment by Al-Shabaab, typically from schools and madrasas, of several hundreds of children, some as young as 9 years, for training and combat.

"Hizbul Islam

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[644] UN Security Council, Report of the Secretary-General on children and armed conflict in Somalia, 9 November 2010, p6-7, http://unpos.unmissions.org/Portals/UNPOS/Repository%20UNPOS/S-2010-577%20(09NOV10)%20CAAC.pdf Date accessed 1 May 2011

[645] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p25, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 14 September 2011

"Hizbul Islam reportedly had 30 people dedicated to recruiting children, and the group is estimated to have about 500 active children in its ranks, as at 31 March 2010. In February 2009, at an internally displaced camp in Mogadishu, monitors came across two boys aged 15 and 16 years who had been fighting as members of Hizbul Islam. In March 2009, monitors interviewed a 15-year-old boy who had been recruited as a fighter with Hizbul Islam in Mogadishu. Monitors revealed that there were many other children at the Hizbul Islam base but they could not interview them for security reasons…

"Ahlu Sunnah Wal Jama'a and other militia groups

"Additionally, Ahlu Sunnah Wal Jama'a reportedly recruited children, in their hundreds, mostly within the Hiraan and Galgaduud regions of Somalia, early in 2009. Eighteen children newly recruited to the ASWJ armed group have been interviewed since January 2010 by monitors. Some children cited better salaries as a reason for voluntarily switching from one insurgent group to ASWJ.

"Transitional Federal Government

"The new Transitional Federal Government is reportedly recruiting children between the ages of 14 and 18 years. Some of them are sent to what is officially called a 'rehabilitation centre' located in Harunta Xisbiga, near the stadium in Mogadishu, which is allegedly a training base for children who had previously fought for other armed groups.

"…In May and June 2010, the situation of children allegedly fighting on the side of the Transitional Federal Government was widely covered in a variety of media reports and confirmed by monitoring partners on the ground. The issue was made public by the New York Times on 13 June 2010. On 15 June, President Ahmed in a public statement expressed strong concern over the New York Times report and stated that the Somali Government has not and will not knowingly recruit underage youth for the national security forces. President Ahmed requested the Army Chief to conduct an investigation into the issue and report back to him in four weeks and also instructed the army to demobilize any underage recruits without delay. At the time of writing this report the outcome of the Transitional Federal Government investigation is not yet known." [646]

22.38 The UK Border Agency Fact finding mission report to Somalia, dated 8 October 2010, noted that, with regard to TFG recruitment of child soldiers:

"A security advisor to European Union (EU) Special Representative for the EU Delegation on Somalia noted:

"'There is no recruitment of child soldiers, but some children will attempt to fight for the TFG. There is a definite effort to remove any children serving in the military.'… An international NGO noted:

"'The TFG has carried out forced recruitment of adults and children in the past.'… An international NGO noted:

[646] UN Security Council, Report of the Secretary-General on children and armed conflict in Somalia, 9 November 2010, p7-9, http://unpos.unmissions.org/Portals/UNPOS/Repository%20UNPOS/S-2010-577%20(09NOV10)%20CAAC.pdf Date accessed 1 May 2011

"'All parties to the conflict (except AMISOM) recruit children, although it is not certain that TFG forcibly recruit.'" [647]

See also Non-state armed groups and Child trafficking. For further information on child soldiers, and the position of children generally in Somalia, please see the Amnesty International report, In the line of fire: Somalia's children under attack.

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Child labour

22.39 The United States Department of Labor, *2010 Findings on the Worst Forms of Child Labor - Somalia*, published on 3 October 2011 and covering the period from January 2010 to December 2010 (also including important developments from January 2011 to July 2011 where available), noted that:

"During the reporting period [2010], the Transitional Federal Government established a Focal Point for Human Rights and Child Protection to address child soldiering issues and other forms of child labor. However, there is currently no clear minimum age for employment, no compulsory education, and no instruments for monitoring or combating child labor. Children engage in the worst forms of child labor in agriculture and continue to be recruited by armed groups for use in conflict, including the Transitional Federal Government's armed forces." [648]

22.40 The USSD 2010 report noted:

"The pre-1991 labor code and the TFC prohibit child labor; however, child labor was widespread.… Young persons commonly were employed in herding, agriculture, and household labor from an early age. Children broke rocks into gravel and worked as vendors of cigarettes and khat on the streets. UNICEF estimated that from 1999 to 2005, 36 percent of children between the ages of five and 14 were in the workforce—31 percent of males and 41 percent of females. The actual percentage of working children was believed to be higher. The lack of educational opportunities and severely depressed economic conditions contributed to the prevalence of child labor.

"In Somalia the ministries of Labor and Social Affairs and Gender and Family Affairs were responsible for enforcing child labor laws. In Somaliland it was the Ministry of Family and Social Development, and in Puntland it was the Ministry of Labor, Youth, and Sports. In practice none of these ministries enforced these laws." [649]

See also Child soldiers

Abandoned, orphaned and 'street' children

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[647] UK Border Agency, Fact Finding Mission report on Somalia, 8 October 2010, p28-29, http://webarchive.nationalarchives.gov.uk/20101208171359/rds.homeoffice.gov.uk/rds/pdfs10/ffm-somalia-081010.doc Date accessed 24 May 2011

[648] US Department of Labor, 2010 Findings on the Worst Forms of Child Labor - Somalia, 3 October 2011, available at: http://www.dol.gov/ilab/programs/ocft/PDF/2010TDA.pdf Date accessed 17 November 2011

[649] US Department of State, Report on Human Rights Practices in Somalia, p42-43, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 1 May 2011

22.41 IRIN News reported on 14 April 2011 about street children in Mogadishu:

"Ahmed Dini, a civil society activist involved in children's welfare, told IRIN that exact figures were not available but estimated that 'roughly between 4,000 and 4,500 children live on the streets of Mogadishu'.

"He said the numbers had been increasing in the past few years. 'Some have lost their parents and others have been separated from families who fled the violence.'

"Halimo Ahmed* [not her real name], an official of a women's business association in Mogadishu, told IRIN: 'These children live under difficult situations while working in the streets. Sometimes, a child shining the shoes of soldier is caught up in conflict if rivals attack while the task is going on. In such situations, the children are [sometimes] killed accidentally.

"'Two children were shot dead three months ago in K4 [a neighbourhood of southern Mogadishu] when the soldiers whose shoes they were shining were attacked by a militia group.'" [650]

22.42 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that some unaccompanied children in Somalia find their way out of the country:

"Some children separated from their parents find help temporarily or more permanently from other family, clan relatives and neighbours, to flee Somalia. Unaccompanied minors who manage to make their way to refugee camps in neighbouring countries are generally placed in foster families, after going through a procedure to determine their best interests. These children are often more vulnerable to exploitation and other human rights abuses, even if foster arrangements are monitored by UNHCR and humanitarian agencies in refugee camps. They are often at risk of being used as domestic servants and are less likely to be sent to school." [651]

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CHILDCARE AND PROTECTION

22.43 UNICEF reported on 7 March 2011 that:

"Young unmarried women who get pregnant often have to abandon their children because of the social stigma attached to pregnancy out of wedlock…UNICEF Child Protection Officer Issa Ahmed Nur [said] 'There are many cases of abandoned infants who are found on the street, and if still alive, they are often given to orphanages.'…Children in Somalia are exposed to all forms of abuse, violence, exploitation, and lack of care. In the semi-autonomous regions of Puntland and Somaliland, in particular, social welfare systems have been weakened by neglect, an influx of displaced persons and overall lack of capacity.

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[650] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Shoe-shining in a war zone, 14 April 2011, http://www.irinnews.org/report.aspx?reportid=92467 Date accessed 25 May 2011

[651] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p54, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 15 September 2011

"UNICEF is working with partners towards the creation of a protective environment for children by increasing community capacity to care for and protect them.

"With generous contributions from the Government of Japan as well as other emergency and UNICEF funds, UNICEF currently supports 68 Child Protection Advocates (CPAs) and 350 CPCs [child protection centres] across the country. They are responsible for mobilizing communities around child rights as well as monitoring child protection issues and referring cases to appropriate services.

"In Somaliland, UNICEF implements the project through collaboration with the non-governmental organization Comprehensive Community-based Rehabilitation Services (CCBRS), which runs a network of CPAs and volunteers." [652]

22.44 An IRIN report published in June 2001, principally focusing on Somaliland, noted there were very few orphans in Somali society. Few children were abandoned, even during the hardest of times. It is explained that before the introduction of the modern nation state, the clan structure effectively prevented the very concept of 'orphan' – relatives would take in a child who had lost its parents. Within Somalia a case of pregnancy outside of marriage is almost unthinkable; however, the report refers to a Somaliland social worker's comment that: "Urbanisation, prostitution and drugs are the most common reason now for unwanted pregnancies." [653]

22.45 The IRIN report of June 2001 noted that after reaching 15 years of age Somali children were considered to have reached the age of independence, and were unlikely to be kept in orphanages; this left orphaned teenagers with very little support. With regard to the possibility of adoption, the report suggested that the clan structure worked prohibitively against adoption, a practice that was not regarded as a 'cultural norm.' [654]

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EDUCATION

22.46 The UNICEF report *State of the World's Children* port 2011, released in February 2011, gave the following statistics for education in Somalia:

Youth (15–24 years) literacy rate 2004–2008	Male	Data unavailable
	Female	24

[652] UNICEF, Child Protection Advocates provide a safety net for vulnerable Somali children, 7 March 2011, http://www.unicef.org/infobycountry/somalia_57846.html Date accessed 3 May 2011

[653] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Looking after the unwanted, 15 June 2001, http://wwwnotes.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/6d5b53071b4325cd85256a6c006b50cb?OpenDocument Date accessed 26 October 2006

[654] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Looking after the unwanted, 15 June 2001, http://wwwnotes.reliefweb.int/w/rwb.nsf/480fa8736b88bbc3c12564f6004c8ad5/6d5b53071b4325cd85256a6c006b50cb?OpenDocument Date accessed 26 October 2006

Primary school enrolment ratio 2005–2009	Male	42
	Female	23
Primary school attendance ratio 2005–2009	Male	25
	Female	21
Survival rate to last primary grade (%) 2005–2009	Survey data	85
Secondary school enrolment ratio 2005–2009	Male	11
	Female	5
Secondary school attendance ratio 2005–2009	Male	9
	Female	5

22.47 The USSD 2010 report noted that:

"Primary education was not compulsory, free, or universal in all regions of Somalia. Since the collapse of the state in 1991, education services have been partially revived in various forms, including a traditional system of Qur'anic schools; public primary and secondary school systems financed by communities, foreign donors, and the administrations in Somaliland and Puntland; Islamic charity-run schools; and a number of privately run primary and secondary schools, universities, and vocational training institutes. In al-Shabaab-controlled areas, 'jihad' was added to the curriculum of elementary schools. There was a continued influx of foreign teachers to teach in private Qur'anic schools and madrassas. These schools were inexpensive and provided basic education; however, there were reports that they required the veiling of small girls and other conservative Islamic practices not traditionally found in the local culture." [655]

22.48 IRIN News reported on 25 January 2011 that free primary education had been made available in Somaliland:

"The self-declared republic of Somaliland has introduced free education at primary and intermediate levels and doubled teachers' salaries but these decisions will be hard to sustain and could affect the quality of public education, say experts.

"'We need to ask ourselves, does the Somaliland government have the capacity to handle this [salary] increase? The short answer is 'no',' Saeed Osman, a Uganda-based researcher in Somaliland's education development, told IRIN.

"'The Ministry of Education requested the Finance Ministry to recruit 2,000 teachers but the response was that only 1,500 teachers could be recruited,' he added. 'This shows

[655] US Department of State, Report on Human Rights Practices in Somalia, p38, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 1 May 2011

that Somaliland's government lacks the capacity to handle the increased school enrollment.'

"Somaliland's Finance Minister Mohamed Hashi Elmi announced on 16 January the introduction of free education in primary and intermediate schools." [656]

22.49 The UN in Somalia reported on 7 March 2011 about the work of Hawa Aden Mohamed in Galkayo:

"For over 20 years Hawa Aden Mohamed, educationalist, peace activist and human rights campaigner, has worked to improve the lives of Somali women and girls. She is one of the founders of the Galkayo Education Centre for Peace and Development (GECPD) which has been instrumental in increasing girls' enrolment in the Mudug region of Puntland (northeast Somalia) and ensuring that at 40% the region has the highest girls' enrolment throughout Somalia . This, in a country where only 24.6% of Somali girls attend school.

"Funded by UKaid from the Department for International Development, UNICEF is partnering with the GECPD to support 3,220 girls as they reach puberty. In total, the maturation project will benefit 12,000 primary school girls, women in vulnerable communities and help to mainstream gender in Puntland's educational policies." [657]

22.50 The USSD 2010 report noted that: "There were several functioning universities–three each in Mogadishu, Somaliland, and Puntland. Dozens of others existed only in name." [658]

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Attacks on education

22.51 The USSD 2010 report noted that:

"During the year there were fewer direct attacks on schoolchildren, teachers, and schools across the country. Most attacks involved indirect or stray fire on children and schools due to fighting or mortar shelling in Mogadishu... Unlike in previous years, TFG forces were not responsible for any of these attacks. Al-Shabaab, other antigovernment groups, and ordinary criminals were responsible for targeted attacks... Al-Shabaab and armed militia associated with the former Union of Islamic Courts attacked schools and killed teachers and other education workers. For example, in February 2009, unknown

[656] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, SOMALIA: Free education "too expensive" for Somaliland, 25 January 2011, http://www.irinnews.org/Report.aspx?ReportID=91719 Date accessed 3 May 2011
[657] United Nations in Somalia, Hawa Aden Mohamed: a woman of courage, 7 March 2011, http://www.unctsom.org/unicefstory.html Date accessed 2 May 2011
[658] US Department of State, Report on Human Rights Practices in Somalia, p27, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 1 May 2011

armed militia forcefully entered Yusuf Kownayn School in Mogadishu's Wadajir District. The militia reportedly robbed, beat up, and harassed teachers and students." [659]

22.52 The Amnesty International report, *In the line of fire: Somalia's children under attack*, published on 20 July 2011, noted that: "Children's right to education in South and Central Somalia has been severely restricted because of indiscriminate attacks and constant insecurity and direct attacks on schools, education personnel and pupils by al-Shabab. In some areas, al-Shabab factions have also imposed restrictions on girls' access to education and on schools' curriculum." [660]

See also Violence against children

HEALTH AND WELFARE

22.53 A UNHCR factsheet on Somalia, published on 17 January 2011, noted that: "One in every seven Somali children dies before the age of five and one in every five children living in the South-Central region is malnourished." [661]

22.54 The UNICEF State of the World's Children report 2011 [662] give the following statistics for 2009:

Under 5 mortality rank	7
Under-5 mortality rate (per 1000)	180
Infant mortality rate (under 1) (per 1000)	109
Neonatal mortality rate (per 1000)	52
Annual no. of births (thousands)	402
Annual no. of under-5 deaths (thousands)	69

22.55 The UNICEF report, *Levels and trends in child mortality 2011*, published on 15 September 2011, estimated that Somalia's infant mortality rate (children who die before their first birthday) was 108 per 1000 live births.[663]

22.56 The UN Security Council's *Report of the Secretary General*, dated 30 August 2011 and covering events of 28 April 2011 to 15 August 2011, stated that "There are currently

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[659] US Department of State, Report on Human Rights Practices in Somalia, p27-28, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 1 May 2011
[660] Amnesty International, In the line of fire: Somalia's children under attack, 20 July 2011, p39, http://amnesty.org/en/library/asset/AFR52/001/2011/en/2b90b425-0742-4c83-87f0-e8fd0b6baa51/afr520012011en.pdf Date accessed 15 September 2011
[661] UN High Commissioner for Refugees, UNHCR In Somalia: Fact Sheet: January 2011, 17 January 2011, http://www.unhcr.org/refworld/docid/4d3574d42.html Date accessed 3 May 2011
[662] UNICEF, Adolescence, an Age of Opportunity: The State of the World's Children 2011, February 2011, Statistics: Table 1, http://www.unicef.org/sowc2011/statistics.php Date accessed 3 May 2011
[663] UNICEF, Levels and trends in child mortality 2011, 15 September 2011, p15, http://www.unicef.org/media/files/Child_Mortality_Report_2011_Final.pdf Date accessed 16 September 2011

640,000 acutely malnourished children in southern Somalia, which represents 82 per cent of all acutely malnourished children in the country. In some areas of the south, one in three children is acutely malnourished. Further deterioration is considered likely, given the under-5 mortality rates in combination with an expectation of a continued increase in local cereal prices, and a below-average rainy season harvest." [664]

22.57 The Food Security and Nutrition Analysis Unit-Somalia (FSNAU)'s post-Gu analysis for the 2011 rainy season, published on 28 September 2011, noted that:

"Analysis of the Post Gu 2011 findings indicates a total of 450,000 children as acutely malnourished. This translates to 30% of the 1.5 million underfive population, and implies 3 in 10 Somali children acutely malnourished. This reflects 87% increase in numbers at the national level, compared to the deyr 2010/11 when 241,000 children were malnourished. Of these, 336,000, or 74% are located in the southern regions.

"Of the 450,000 children, a total of 190,000 children are severely malnourished. At national level, this translates to 13% of all Somali children as severely malnourished. This reflects 233% increase at the national level, compared to the deyr 2010/11 when 57,000 children were malnourished. Of the 190,000 severely malnourished children, 160,000 are located in the southern regions." [665]

For further information on nutrition in Somalia, please see Humanitarian situation.

22.58 UNICEF operated the Child Health Days campaign throughout Somalia, which "… offers immunization against the deadly measles virus. It also protects against polio, diphtheria, whooping cough and tetanus, screens the nutritional status of each child, and offers vitamin A supplementation, oral rehydration salts and water purification tablets. Women of child-bearing age are vaccinated against neonatal tetanus." [666]

22.59 IRIN News reported on 7 April 2011 that there had been a measles outbreak in Somalia, and that: "According to the UN World Health Organization (WHO) Somalia, 83 cases, including five deaths, were reported in Mogadishu in the past five weeks. Some 127 cases were reported in Puntland, WHO said." [667] The report further stated that:

"The cause of [the] measles outbreak in Somalia has yet to be determined but doctors say initial suspicions point to 'unfounded rumours' that the vaccine could cause HIV/AIDS in children and interfere with their reproductive abilities…. Ismail Isse Roble, head of the Bari Medical Association in Bosasso, capital of Somalia's semi-autonomous region of Puntland…said most of the children brought to his clinic had not been vaccinated.

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[664] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 7 October 2011

[665] Food Security and Nutrition Analysis Unit-Somalia, Nutrition Analysis Post Gu 2011, Technical Series Report No VI. 41, 28 September 2011, p9 http://www.fsnau.org/downloads/FSNAU-Nutrition-Technical-Series-Report-Post-Gu-2011-Analysis.pdf Date accessed 7 October 2011

[666] UNICEF, In remote communities, Child Health Days bring life-saving services to Somali women and children, 9 June 2010, http://www.unicef.org/infobycountry/somalia_53888.html Date accessed 3 May 2011

[667] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, SOMALIA: Vaccine fears fuel measles outbreak, 7 April 2011, http://www.irinnews.org/report.aspx?reportid=92408 Date accessed 3 May 2011

"'The irony is that most of the affected children are those whose parents can afford medical care,' he said. 'Children in IDP [internally displaced persons] camps [in Bosasso] are least affected because they took advantage of the free vaccinations provided.'" [668]

Statistics on children's health in Somalia can be found in the UNICEF State of the World's Children 2011 report.

DOCUMENTATION

22.60 The USSD 2010 report noted:

"In the absence of functioning central authority, births were not registered in Puntland or southern and central Somalia. The failure to register births was not a key factor in the denial of public services. Birth registration was taken seriously in Somaliland for hospital and home births; however, limited government capacity, combined with the nomadic lifestyle of many persons, caused numerous births to go unregistered. In Puntland citizenship is derived from one's parents and not by birth within the region's territory. By extension, any child born in Puntland to a father from non-Puntland sub-clans is not entitled to Puntland citizenship." [669]

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23. TRAFFICKING

23.01 The US State Department *Trafficking in Persons Report 2011*, published on 27 June 2010 and covering events of 2010, stated that, under 'Special cases', Somalia is listed as a country of particular concern:

"Somalia currently lacks a national governing structure that could assume responsibility for addressing the country's human trafficking problem … The TFG remained preoccupied with the task of securing government representatives and installations from attacks by such elements; in this perpetual state of insecurity the government was not able to address human trafficking. In addition, the TFG currently lacks the necessary means to identify, investigate, and address systemic issues in Somalia, including those related to forced labor and forced prostitution; its capacity to address human trafficking will not significantly increase without tangible progress in re-establishing governance and stability in Somalia.

"Information regarding trafficking in Somalia remains extremely difficult to obtain or verify; however, the Somali territory is believed to be a source and transit country for men, women, and children who are subjected to conditions of forced labor and sex trafficking. As in previous years, trafficking victims were primarily trafficked within the country, from Somalia's south and central regions to the Puntland and Somaliland regions. Sources note a rise in reported trafficking cases during the reporting period. Somali women and girls may have been subject to sex trafficking in Garowe, the

[668] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, SOMALIA: Vaccine fears fuel measles outbreak, 7 April 2011, http://www.irinnews.org/report.aspx?reportid=92408 Date accessed 3 May 2011
[669] US Department of State, Report on Human Rights Practices in Somalia, p38, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 1 May 2011

Puntland-administered part of Las Anod (Sool region), and pirate towns such as Eyl and Harardheere. Sources report a clearer link between piracy and human trafficking during the reporting period; girls are reportedly taken from coastal regions, particularly Bossaso, and placed in pirates' homes to be exploited in domestic and sexual servitude. Some female brothel owners, who can profit as much as $50 per client, kept victims in harsh conditions and meted out physical abuse as a means of compelling victims to work. There was reportedly an increase in the use of drugs to render victims unconscious during transport. In Somali society, certain groups are traditionally viewed as inferior and are marginalized; Somali Bantus and Midgaan are sometimes kept in servitude by more powerful Somali clan members as domestic workers, farm laborers, and herders.

"… Men, women, and children in internally displaced persons (IDP) camps or congregated along coastal areas hoping to be smuggled to Europe or the Middle East remained particularly vulnerable to trafficking. There were reports of trafficking offenders preying on young women and children, mostly IDPs from South and Central Somalia, at marketplaces and in the streets, falsely promising them lucrative jobs outside Somalia. Dubious employment agencies facilitate human trafficking, targeting individuals desiring to migrate to the Gulf states for employment. Somali women are smuggled, sometimes via Djibouti, to destinations in the Middle East, including Yemen and Syria, as well as to Sudan and South Africa, where they are subjected to conditions of domestic servitude and forced prostitution. Somali men are subjected to conditions of forced labor as herdsmen and menial workers in the Gulf states. Somali children are reportedly smuggled to Saudi Arabia through Yemen for forced begging. Members of the Somali diaspora use fake offers of marriage to lure unsuspecting victims, many of whom are relatives, to Europe or the United States, where they are forced into commercial sexual exploitation.

"… The International Organization for Migration (IOM) and local organizations began providing rented houses and reintegration services to rescued trafficking victims in Bossaso, Puntland. These facilities were dedicated to trafficking victims and accessible to male and female Somali and foreign victims. These organizations also placed child victims with families for care. During the reporting period, IOM and its local partners provided medical and psychological assistance, food, clothes, vocational training, and seed money for establishing small businesses to 10 victims of trafficking – eight in Puntland and two in Somaliland. IOM reported that clan elders brought a total of 50 suspected trafficking victims in Somaliland and Puntland to its attention. The government did not provide financial or in-kind assistance to these organizations." [670]

23.02 The UN Human Rights Council's Compilation : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, published on 21 February 2011, noted that: "The [UN's] independent expert [on Somalia] reported that human trafficking, especially for the purposes of sexual exploitation and domestic

[670] US Department of State, Trafficking in Persons Report 2011, Special Cases, 27 June 2011, http://www.state.gov/g/tip/rls/tiprpt/2011/164234.htm Date accessed 16 September 2011

servitude, both inside and outside the country, remained of serious concern. The Secretary-General raised similar concerns." [671]

See chapters on Women and Children for details on how trafficking affects these particular groups.

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24. HUMANITARIAN SITUATION

For information about Internally Displaced Persons, see following section. The UN Office for the Co-ordination of Humanitatian Affairs publishes regular updates on the humanitarian situation in Somalia. These can be accessed here.

24.01 The Norwegian Country of Origin Information Centre, Landinfo, noted in their report, *Somalia: Security and conflict in the south*, published on 29 August 2011 that:

"The political, security and humanitarian situations are very closely interconnected in Somalia, as in most other conflict-affected areas. Humanitarian organisations cannot gain access on the ground without a relatively satisfactory security situation, and according to the UN an estimated 3.7 million Somalis need humanitarian assistance. This is an increase of 35% (from 2.4 million) during the last six months. So far in 2011 far more people have the driven from their homes because of drought than by conflict…" [672]

24.02 The UN Security Council's *Report of the Secretary General*, dated 30 August 2011 and covering events of 28 April 2011 to 15 August 2011, stated that:

"The humanitarian situation is rapidly worsening as famine spreads to southern central Somalia. On 20 July, the United Nations declared a famine in southern Bakool and Shabelle Hoose and warned that urgent action needed to be taken to prevent famine from spreading further. On 3 August, famine was also declared in parts of Shabelle Dhexe, the Afgooye corridor and internally displaced person areas in Mogadishu. The malnutrition rates in these areas are the highest in the world, with peaks of 50 per cent. Nearly half of the Somali population, 3.7 million, is now in crisis and an estimated 2.8 million of those people reside in the south, which is among the hardest hit areas in the country." [673]

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DROUGHT AND FAMINE

[671] UN Human Rights Council, Compilation : [Universal Periodic Review] : Somalia / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1, 21 February 2011, A/HRC/WG.6/11/SOM/2, p7 http://www.unhcr.org/refworld/docid/4d9efef52.html Date accessed 4 May 2011

[672] Norwegian Country of Origin Information Centre – Landinfo, Somalia: Security and conflict in the south, 29 August 2011, http://landinfo.no/asset/1801/1/1801_1.pdf Date accessed 7 October 2011

[673] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 6 October 2011

24.03 The UN Office for the Co-ordination of Humanitatian Affairs (UNOCHA) stated in their Emergency Revision of the Consolidated Appeals Process for Somalia in 2011, published on 8 August 2011, (UN OCHA CAP Revision 2011) that:

"Somalia is currently facing the most serious food and nutrition crisis in the world in terms of both scale and severity and the humanitarian community needs to immediately scale up its operations to save lives and prevent further deterioration. On 20 July, a famine was declared in two regions of southern Somalia: southern Bakool and Lower Shabelle. On 3 August, two districts of Middle Shabelle, the Afgooye corridor IDP settlement and the Mogadishu IDP community were added to the areas surpassing the famine thresholds. These announcements were based on the latest round of nutrition assessment data collected in early July in southern Somalia and a comprehensive analysis of local and imported food commodity prices, pasture availability, expected July Gu-season harvests, and October-December rainfall forecasts. The analysis brought the estimated number of people in crisis nationwide to 3.7 million, of whom an estimated 2.8 million people are in the south." [674]

24.04 On 5 September 2011, the Food Security and Nutrition Analysis Unit – Somalia (FSNAU) reported that: "August survey results indicate that the prevalence of acute malnutrition and the rate of crude mortality have surpassed Famine thresholds in Bay Region of southern Somalia." [675]

24.05 FSNAU gave a post-Gu analysis for the 2011 rainy season, published on 28 September 2011:

"The complete failure of the October-December 2010 Deyr rains and the poor performance of the April-June 2011 Gu 2011 rains have resulted in the worst annual crop production in 17 years, reduced labour demand, below-average livestock prices, and excess animal mortality. The decline in maize and sorghum availability has subsequently pushed local cereal prices to record level high and, in combination with reduced livestock prices and wages, substantially reduced household purchasing power in all livelihood zones. Large-scale displacement and significant limitations on humanitarian access have further exacerbated the negative food access and health outcomes.

"As a result, the food security and nutrition situation across the country is grim, and particularly in the south where insecurity hinders humanitarian access to provide the much needed support. Pure farmers (riverine livelihood zone) and agro-pastoralists in the south are more inclined to crop production and therefore sedentary by nature, are most affected, as are cattle-rearing pastoralists who have experienced significant livestock losses due to lack of browse and water." [676]

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[674] UN Office for the Co-ordination of Humanitatian Affairs, Consolidated Appeal Emergency Revision, 8 August 2011, http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1247205 Date accessed 7 October 2011

[675] Food Security and Nutrition Analysis Unit-Somalia, Famine spreads into Bay Region - 750,000 people face imminent starvation, 5 September 2011, http://www.fsnau.org/in-focus/famine-spreads-bay-region-750000-people-face-imminent-starvation Date accessed 27 October 2011

[676] Food Security and Nutrition Analysis Unit-Somalia, Nutrition Analysis Post Gu 2011, Technical Series Report No VI. 41, 28 September 2011, p1 http://www.fsnau.org/downloads/FSNAU-Nutrition-Technical-Series-Report-Post-Gu-2011-Analysis.pdf Date accessed 7 October 2011

24.06 The FSNAU *Food Security & Nutrition Quarterly Brief*, published on 25 October 2011, noted that:

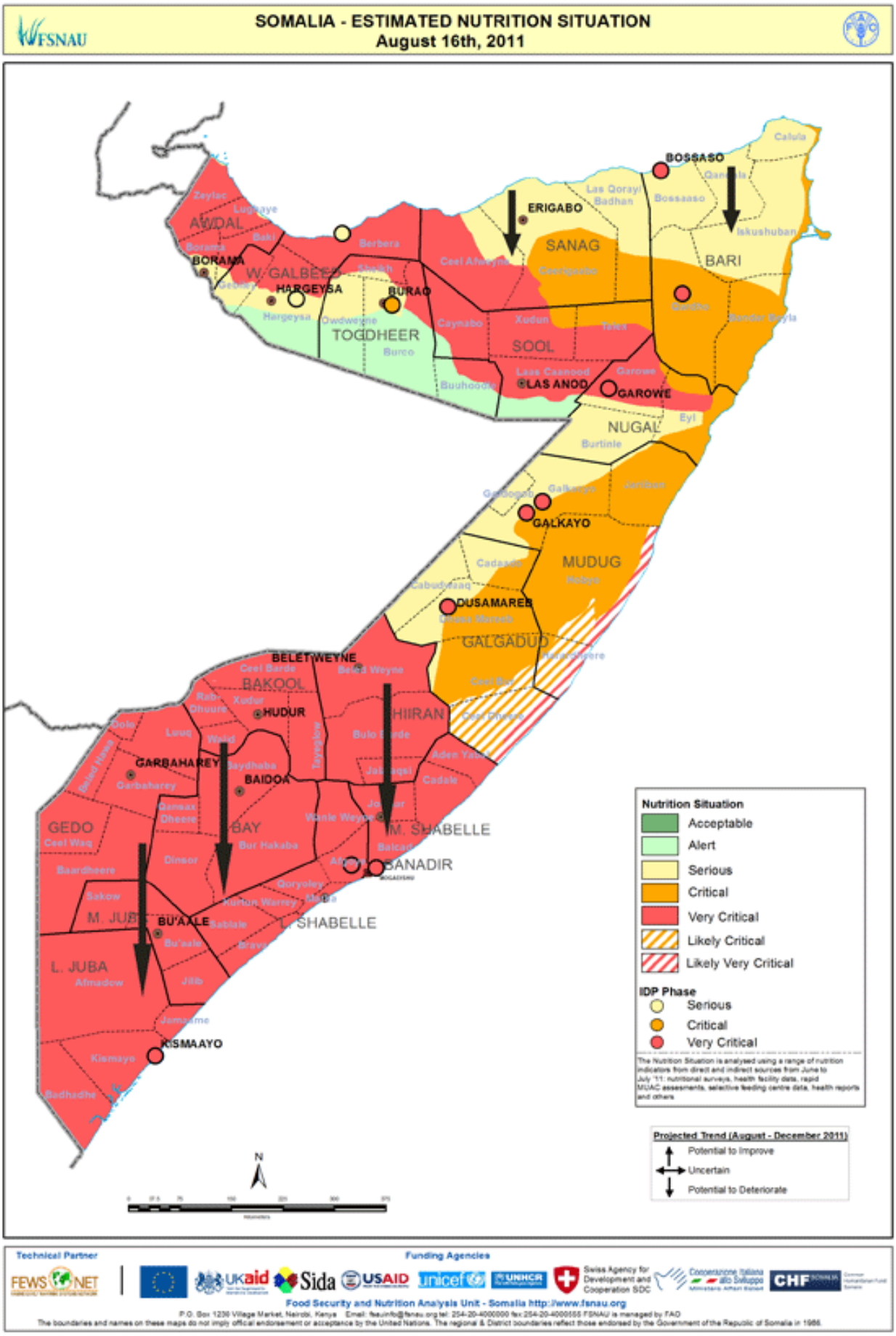
"… the current dynamics in prices of cereals and livestock, purchasing power, livestock trade, humanitarian interventions and the start of Deyr seasonal activities point at a slight improvement in the food security situation. Despite this , the situation of the majority of rural, urban and IDP populations is still very fragile, particularly in famine-stricken areas, as the scale of humanitarian interventions still does not fully meet the existing needs.

"…The Deyr rains have slightly improved pasture and water across the country. Therefore, livestock conditions have also shown some improvement, although not fully recovered from the prevailing drought in the past one year. Therefore, the livestock production and reproduction is far below average in most pastoral and agropastoral areas, particularly where cattle and sheep are the dominant livestock species. The areas of concern are South-East Pastoral of Lower Shabelle, Juba and Bay regions (cattle pastoralists), as well as Bakool, East Golis and Coastal Deeh of North and Central (sheep, goat and camel pastoralists)." [677]

24.07 FSNAU produced the following map to illustrate the estimated nutrition situation in Somalia as at 16 August 2011[678]:

[677] Food Security and Nutrition Analysis Unit-Somalia, Food Security & Nutrition Quarterly Brief - Focus on Deyr Season Early Warning, 25 October 2011, http://www.fsnau.org/downloads/FSNAU-Quarterly-Brief-October-2011.pdf Date accessed 18 November

[678] Food Security and Nutrition Analysis Unit-Somalia, Estimated nutrition situation, 16 August 2011, http://www.fsnau.org/downloads/Nutrition_Situation_Map_August_16th_%202011.pdf Date accessed 7 October 2011


FSNAU
SOMALIA - ESTIMATED NUTRITION SITUATION
August 16th, 2011
BOSSASO
ERIGABO
BORAMA
HARGEYSA
BURAO
LAS ANOD
GAROWE
GALKAYO
DUSAMAREB
BELET WEYNE
HUDUR
GARBAHAREY
BAIDOA
BU'AALE
KISMAAYO
AWDAL
W. GALBEED
TOGDHEER
SANAG
BARI
SOOL
NUGAL
MUDUG
GALGADUD
BAKOOL
HIIRAN
GEDO
BAY
M. SHABELLE
L. SHABELLE
M. JUBA
L. JUBA
BANADIR
Nutrition Situation
Acceptable
Alert
Serious
Critical
Very Critical
Likely Critical
Likely Very Critical
IDP Phase
Serious
Critical
Very Critical
The Nutrition Situation is analysed using a range of nutrition indicators from direct and indirect sources from June to July '11: nutritional surveys, health facility data, rapid MUAC assessments, selective feeding centre data, health reports and others
Projected Trend (August - December 2011)
Potential to Improve
Uncertain
Potential to Deteriorate
N
Technical Partner
FEWS NET
Funding Agencies
UKaid
Sida
USAID
Unicef
UNHCR
Swiss Agency for Development and Cooperation SDC
Cooperazione Italiana allo Sviluppo
CHF SOMALIA
Food Security and Nutrition Analysis Unit - Somalia http://www.fsnau.org
P.O. Box 1230 Village Market, Nairobi, Kenya Email: fsauinfo@fsnau.org tel: 254-20-4000000 fax:254-20-4000555 FSNAU is managed by FAO
The boundaries and names on these maps do not imply official endorsement or acceptance by the United Nations. The regional & District boundaries reflect those endorsed by the Government of the Republic of Somalia in 1986.

24.08 UN OCHA noted in their Situation report, published on 27 September 2011, that: "Food assistance partners are estimated to have reached about 1.85 million people in crisis by the third week of September, representing nearly half of the food insecure population." [679]

24.09 The International Committee for the Red Cross (ICRC) reported on 27 September 2011 that:

"The ICRC has strengthened its support for therapeutic feeding centres run by the Somali Red Crescent. The centres offer treatment for children under five and other vulnerable people such as pregnant and lactating mothers. Over 10,000 children are currently being treated for severe acute malnutrition.

"The expanded set-up includes nine new outpatient therapeutic feeding centres in Gedo, Bakool, Middle Juba and Banadir and more staff for the 18 older centres. The ICRC and the Somali Red Crescent have also deployed nine mobile health and nutrition teams in addition to three that were mobilized earlier in the year.

"In addition, three new feeding centres have been opened in Kismayo to offer supplementary feeding for displaced and other needy people.

"In July and August, the ICRC and the Somali Red Crescent distributed one-month rations of beans, rice and oil to over 162,000 people in the areas of central and southern Somalia hardest hit by drought." [680]

24.10 The FSNAU *Food Security & Nutrition Quarterly Brief*, published on 25 October 2011, noted that:

"… The intense humanitarian interventions in parts of the South have already shown a positive effect on food accessibility of the population. The cereal prices have reduced drastically in most parts of the southern regions and the purchasing power has strengthened. However, the prices of cereals are still significantly elevated, hence the purchasing power is weak compared to a year ago. The off-season harvest collected in Shabelle and Juba regions have contributed to improved local cereal availability in these regions. Yet, the production is only sufficient for slightly over 4 months for the riverine population of these regions, mostly in Lower Shabelle. However, the cereal stocks are depleted among the large majority of the farmers who currently depend on food purchases at high prices. Given low local cereal availability as a result of two last seasons of harvest failure, the prices are likely to increase in the coming two months unless increased supply of relief food mitigates the existing cereal deficit." [681]

Mogadishu

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[679] UN Office for the Co-ordination of Humanitarian Affairs, Situation report no. 15, 27 September 2011, p1, http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1258902 Date accessed 7 October 2011

[680] International Committee of the Red Cross, Somalia: the struggle against food insecurity continues, 27 September 2011, http://www.icrc.org/eng/resources/documents/update/2011/somalia-update-2011-09-27.htm Date accessed 7 October 2011

[681] Food Security and Nutrition Analysis Unit-Somalia, Food Security & Nutrition Quarterly Brief - Focus on Deyr Season Early Warning, 25 October 2011, http://www.fsnau.org/downloads/FSNAU-Quarterly-Brief-October-2011.pdf Date accessed 18 November

24.11 IRIN noted on 6 September 2011 that "…hundreds of thousands of people in Mogadishu have access to food and other humanitarian assistance – despite a rise in militia-manned checkpoints".[682]

24.12 The UN Office for the Co-ordination of Humanitarian Affairs in Somalia noted in their situation report of 20 September 2011 that: "Of the 1.3 million assisted (with food aid) throughout August, 471,000 were in Banadir (Mogadishu)".[683]

24.13 Bar Kulan, "a public service radio station broadcasting non-partisan news, information, culture, entertainment and development programmes to Somalia and the Somali Diaspora", [684] reported on 20 September 2011 that:

"A Somali-American youth group in the U.S city of San Diego has this week delivered desperately needed humanitarian relief food to over 250 needy families camping in refugee camps in the Somali capital, Mogadishu.

"The youth group chairman, Abdimalik Buul said they distributed the relief food comprising of rice, wheat and sugar to drought and famine displaced families in one of the IDP camps in Mogadishu." [685]

24.14 RBC Radio reported on 25 September 2011 that:

"The secessionist administration of Somaliland has sent the first aid food to the droughts hit southern regions of Somalia where millions of people are currently facing severe famine … The governor of Benadir regional administration, Mohamud Ahmed Nur who received the delegates from Hargeisa said that Mogadishu residents will not forget any assistance from their brothers in Hargeisa as he promised that the aid will be distributed to the needy families of the internal displaced people in camps of the capital where as least 20,000 families were gathered since May this year." [686]

24.15 The UN Office for the Co-ordination of Humanitarian Affairs in Somalia noted in their situation report of 20 September 2011 that:

"Efforts to strengthen cluster operations in Mogadishu are underway. OCHA, cluster coordinators and Mogadishu cluster focal points met with the Transitional Federal Government (TFG) in Mogadishu on 15 September and discussed how best aid agencies and the Government could cooperate to improve the quality and efficiency of

[682] IRIN, Insurgents divert famine IDPs from aid, 6 September 2011, http://www.irinnews.org/report.aspx?reportid=93670 Date accessed 26 September 2011
[683] UN Office for the Co-ordination of Humanitarian Affairs, Somalia Situation Report, 20 September 2011, p2 http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1257502 Date accessed 26 September 2011
[684] Bar Kulan, News in English, undated, http://www.bar-kulan.com/category/news-in-english/ Date accessed 27 September 2011
[685] Bar Kulan, Mogadishu IDPs receive relief food, 20 September 2011, http://www.bar-kulan.com/2011/09/20/mogadishu-idps-receive-relief-food/ Date accessed 26 September 2011
[686] RBC Radio, First aid from Somaliland arrives Mogadishu, 25 September 2011, http://www.raxanreeb.com/?p=112838 Date accessed 26 September 2011

current programmes. The TFG and Organization of Islamic Conference (OIC) agreed on a rapid verification and survey of IDP settlements." [687]

For further information see Human rights and humanitarian organisations and Non-state armed groups. Also see Internally Displaced Persons. OCHA situation reports for Somalia are produced frequently, and are available on its website. For maps of food aid distribution in Somalia, visit the OCHA Thematic Maps page. For further information on malnutrition in children, please see Children: Health and welfare

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25. MEDICAL ISSUES

For a list of health services available in Somalia see the World Health Organisation Somalia cluster website. For statistics on health, please see Humanitarian issues.

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

25.01 The World Health Organisation report, *A Situation Analysis of Mental Health in Somalia*, published in October 2010, noted that:

"Even before the outbreak of the internal conflict, the health system in Somalia was rather weak and underfunded. The centralized government did not manage to allocate any budget to some services like mental health and some facilities were completely neglected. In 1989, the Ministry of Health was allocated 2.95% of the government's regular budget. While in 1984, 67% of the total health budget came from external aid, 95% of the utilized budget came from this source during 1990. In 1990, over 79% of the Ministry of Health's financial resources were allocated to the capital Mogadishu, alone.

"After 19 years of conflict, the health care system in Somalia remains underdeveloped, poorly resourced, inequitable and unbalanced. It struggles to provide services to a limited number of Somalis against crushing constraints. Insecurity, geographical challenges and nomadic populations, an unstructured and unskilled workforce, lack of motivation and vision, uncertainty about the political future and administrative settings, financial and operational fragmentation and poor information and surveillance are some of the key issues that the Somali Health System is facing. The country has an internationally recognized Federal Ministry of Health (MOH), while the selfdeclared autonomous zones of Puntland and Somaliland have separate Ministries. There is currently no functional link between the federal and zonal ministries, regional authorities and programme management levels. The MOH's ability to coordinate and monitor health services provided by NGOs, public and private sector is almost absent.

"A fragmented health sector provides limited services to the Somali population. The public health care network is small. It mostly relies on national and international NGOs that tend to be concentrated in towns and in secure areas. The health workforce is small, under-skilled and ageing, often engaged in dual (public and private) practices, and forced to work in an insecure and de-motivating environment. Direct provision by ministries of health is marginal. Private health care outlets have proliferated throughout the country and are now estimated to be with thousands with large variations in size,

[687] UN Office for the Co-ordination of Humanitarian Affairs, Somalia Situation Report, 20 September 2011, p5 http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1257502 Date accessed 26 September 2011

type of services offered, staff qualifications and performance. In aggregated terms at USD 8 per capita, external financing looks modest (World Bank-2008), while private spending is not quantified but considered to be substantial. Health information is fragmented, unreliable and underused. In Somalia, the Millennium Development Goals (MDG) health-related indicators are among the worst in the world. The collapse of the pre-war public health system has encouraged the emergence of a variety of relief and vertical programmes, run by donors, NGOs and UN agencies.

"The 2000 UNDP's Human Development Report (HDR) ranked Somalia lowest in all health indicators, except life expectancy. In the latest HDR, the country is not even ranked, due to the lack of reliable data. As a result, it was noted that 'most Somalis spend most of their time trying to stay alive and keep their families alive' (UN, 2005).Extreme poverty in Somalia is estimated to be 43% with large disparities between the urban population (23%) and the rural and nomadic populations (53%) (UNICEF, 2001)

"Currently, financial as well as human resources are utterly inadequate. All Somali zones depend almost entirely on external sources (international aid or international remittances) for health financing. This reflection becomes more worrying when it is applied on mental health, a neglected and almost forgotten sector. It is widely perceived that no governmental or institutional infrastructure exists in the country which is capable of supporting the development or expansion of mental health care. Therefore, despite some pilot and effective interventions in some areas of the country, mental health for almost all activities must start again from zero." [688]

25.02 Médecins Sans Frontières reported on 1 April 2011 that they would continue to work in Somalia:

"Médecins Sans Frontières remains committed to providing medical assistance to its patients across Somalia despite misleading reports that the medical organization has suspended operations in the whole country.

"MSF has indeed temporarily suspended operations in Medina, Mogadishu, after two grenade attacks on its compound in Wadajir district this March, but continues to operate in 8 regions of south central Somalia. The organization is working towards restoring its operations in Medina and calls on all groups in Somalia to respect its humanitarian mandate, health facilities and staff.

"MSF has over 1300 Somali staff working on the ground and has been continuously present in the country since 1991. Currently, it has projects in Banadir, Bay, Galgaduud, Lower Juba, Hiraan, Lower Shabelle, Middle Shabelle, Mudug, Somaliland and Puntland." [689]

25.03 The International Committee of the Red Cross (ICRC) reported on 27 September 2011 that:

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[688] World Health Organisation, A Situation Analysis of Mental Health in Somalia, October 2010, p13, http://www.emro.who.int/somalia/pdf/Situation_Analysis_Mental_Health_print.pdf Date accessed 27 April 2011

[689] Médecins Sans Frontières, MSF is not pulling out of Somalia, 1 April 2011, http://www.somali.msf.org/2011/04/media-alert-msf-is-not-pulling-out-of-somalia/ Date accessed 27 April 2011

"In July and August, the ICRC provided 1.2 tonnes of surgical and other medical supplies for Keysaney and Medina hospitals, the two referral hospitals for war casualties in Mogadishu. The supplies were used to treat more than 650 wounded patients, including more than 250 women and children.

"The ICRC also provided three tonnes of wound-dressing materials and other supplies for the treatment of war-wounded patients for hospitals in the north of Somalia following clashes in Gaalkacyo. A further three tonnes of supplies were delivered to medical facilities on all sides of the front lines in Mogadishu, Kismayo and elsewhere.

"The ICRC continues to provide support for 39 Somali Red Crescent health-care facilities in the southern and central parts of the country to ensure that the population has access to essential health care and to good-quality medicines. These facilities, which conducted more than 115,000 consultations in July and August, were also given equipment and their staff were provided with training.

"In July and August, around 20,000 children were vaccinated against polio, measles, diphtheria and tetanus in these Red Crescent facilities." [690]

See also IDPs

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HOSPITALS AND CLINICS

25.04 The International Committee of the Red Cross report for 2009, published on 19 May 2010, noted that:

"When they fell ill, many Somalis could not afford transport to a clinic, let alone treatment costs. Like water infrastructure, Somali health services had deteriorated, with all clinics now run privately or by NGOs. By year-end, some 540,000 IDPs and residents in conflict zones in central and southern Somalia had access to free health care at 36 Somali Red Crescent outpatient clinics supported by the ICRC. All clinics received ICRC drugs, dressing materials, funds and staff training for curative and mother-and-child care, while UNICEF provided vaccines. Following fierce fighting, two more temporary clinics were opened in November in camps for displaced people in the north and east of Mogadishu, while the six temporary clinics opened in 2008 for IDPs in and around the capital received additional supplies and staff to cope…In the 36 ICRC-supported health centres (average monthly catchment population: 467,000):

- 499,265 people given consultations, including 93,293 attending ante/post-natal consultations and 405,972 attending curative consultations
- 71,112 vaccine doses administered (including 58,490 to children aged five or under and 12,622 to women of childbearing age)
- 4,690 patients referred to a second level of care
- 1,383 health education sessions held
- health facilities (average number of consultations per day: 61) benefited from water/sanitation/habitat projects." [691]

[690] International Committee of the Red Cross, Somalia: the struggle against food insecurity continues, 27 September 2011, http://www.icrc.org/eng/resources/documents/update/2011/somalia-update-2011-09-27.htm Date accessed 7 October 2011

25.05 The International Committee of the Red Cross report for 2009, published on 19 May 2010, further stated that:

"In the 8 ICRC-supported hospitals that provided data:

- 8,194 patients (including 1,625 women and 934 children) admitted: of whom 5,860 weapon-wounded (including 956 women and 516 children; 99 people injured by mines or explosive remnants of war), 1,467 other surgical cases, and 758 medical and 109 gynaecological/obstetric patients
- 13,090 surgical operations performed
- 12,324 outpatients given surgical or medical consultations
- 2 hospitals (140 beds) benefited from water/sanitation/habitat projects." [692]

25.06 On 2 October 2009, BBC News published an interview with a young Somali doctor based in Marere. She described the hospital as having "about 200 beds", and although there are "… no machines in the hospital…" there was "… a generator so the hospital has electricity and…internet. Wells provide clean water. The most common complaints are malaria, TB, cholera and bilharzias". [693]

25.07 The Edna Adan University Hospital website, undated, accessed on 22 December 2011, noted that it "is situated in Hargeisa, Republic of Somaliland … The Hospital started with 25 maternity beds. However, as the need for hospital beds became pressing, and as personnel became trained, the hospital services expanded to accommodate an additional 8 paediatric and 13 medical and surgical beds, and a Private Room. The present total capacity of the hospital, including newborn babies, is 69 patients." [694]

25.08 The Puntland Hospital's website, undated, accessed on 22 December 2011, noted that it "is Somalia's largest comprehensive medical centre, with more than 40 beds … Based in Bosaso, the Puntland Hospital is a leader in the Modern Hospital in Somalia … The Puntland Hospital provides extensive inpatient, day-care and outpatient facilities for all types of diseases, offering in the near future a full range of specialist services from critical care to rehabilitation." [695]

Hospitals in Mogadishu

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[691] International Committee of the Red Cross, Annual Report 2009, 19 May 2010, p157, http://www.icrc.org/eng/assets/files/annual-report/icrc-annual-report-2009-somalia.pdf Date accessed 27 April 2011
[692] International Committee of the Red Cross, Annual Report 2009, 19 May 2010, p157, http://www.icrc.org/eng/assets/files/annual-report/icrc-annual-report-2009-somalia.pdf Date accessed 27 April 2011
[693] BBC News, 2 October 2009, 'My life as a Somali doctor', http://news.bbc.co.uk/1/hi/world/africa/8280415.stm Date accessed 10 November 2009
[694] Edna Aden University Hospital, Hospital profile, undated, http://www.ednahospital.org/edna-hospital/hospital-profile/ Date accessed 22 December 2011
[695] Puntland Hospital, About us, undated, http://puntlandhospital.com/sample-page/ Date accessed 22 December 2011

25.09 Said Hassan, a field co-ordinator for Medecins sans Frontiers in Somalia, noted on 18 August 2011 that: "There are quite a few hospitals in Mogadishu, but they're not free. All old government hospitals cost money…" [696]

25.10 The UN Office for the Co-ordination of Humanitarian Affairs in Somalia noted in their situation report of 20 September 2011 that: "The current increase in new health facilities in Mogadishu has amplified the need for better coordination among health partners." [697]

25.11 Medecins Sans Frontiers (MSF) reported on 12 August 2011 that:

"This past week, Médecins Sans Frontières (MSF) sent medical teams and four charter planes carrying 55 tons of medical equipment, medicines and therapeutic food to Mogadishu in response to the crisis in Somalia … MSF started measles vaccination campaigns in dozens of makeshift camps where thousands of people have gathered after fleeing the exceptional drought and the violence in other parts of the country. Almost 3,000 children were vaccinated so far… MSF is extremely worried about the situation of the displaced. The situation is critical. MSF has begun reinforcing its operations in Mogadishu and is assessing areas around the capital in order to adequately respond to this crisis,' said Dr Unni Karunakara, International President of MSF.

"Through a mobile clinic, MSF staff began providing medical care to around 100 patients daily. The teams are also distributing relief items, such as hygiene materials and plastic sheeting for temporary shelter

"Since years, MSF has been providing medical care in Somalia's capital through health facilities in Daynile and Darkheley where more than 370 medical consultations were provided last week. To address the increasing medical needs, MSF will open inpatient therapeutic feeding centres, a measles treatment unit, as well as a 50-bed cholera treatment centre in Mogadishu in the coming days." [698]

25.12 The African Union Peace and Security Council's *Report of the Chairperson of the Commission on the situation in Somalia*, published on 13 September 2011, reported that:

"As it has been doing since its initial deployment, in 2007, AMISOM continues to provide free medical care to more than 12,000 Somalis every month at two of its hospitals in Mogadishu, and about 60,000 litres of safe drinking water every day to Somalis living near AMISOM camps. AMISOM is also implementing, in partnership with local NGOs, a number of community support projects to better the lives of Somali people. With the prevailing drought, the Mission has taken a number of additional steps to assist the local

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[696] Medecins Sans Frontiers, Somalia: No Time to Waste in Mogadishu, 18 August 2011, http://www.doctorswithoutborders.org/news/article.cfm?id=5494&cat=voice-from-the-field Date accessed 16 September 2011

[697] UN Office for the Co-ordination of Humanitarian Affairs, Somalia Situation Report, 20 September 2011, p3 http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1257502 Date accessed 26 September 2011

[698] Medecins Sans Frontiers, MSF rapidly scaling up its activities in Mogadishu, 12 August 2011, http://www.msf.org/msf/articles/2011/08/somalia-msf-rapidly-scaling-up-its-activities-in-mogadishu.cfm Date accessed 25 August 2011

communities, distributing food, medicine and other relief items, in addition to protecting humanitarian convoys, on request." [699]

25.13 ABC News reported on 14 September 2011 that:

"There is a crowd of people outside Banadir Hospital and measles is one of the main reasons parents are bringing their children.

"Inside the hospital, there is a crush of families waiting for help.

"Dr. Shafie Gimal, one of only four doctors seeing children, a total of 300 every day, says the hospital has seen six times the number of measles cases this year than last … inside the tiny clinics all over Somalia we discover a race playing out. Humanitarian workers are risking their lives to offer free vaccinations.

"We visit a clinic where Somali mothers have lined up because they know this is one of the few places where they can actually get vaccines for their children." [700]

25.14 *The Times Live* reported on 18 September 2011 that:

"In the past week, 6000 desperate Somalis walked through Forlanini Hospital's doors, where Nxumalo has volunteered her medical services in the capital, Mogadishu … Waiting for them were 29 doctors from South Africa, part of the largest humanitarian mission by Gift of the Givers.

"GPs, gynaecologists, paediatricians, dieticians and pharmacists came together under the roof of the only unscathed building in the Abdi Aziz district, where more than a million people live.

"Surrounded by the ruins of civil war, they treated diseases such as measles, meningitis and pneumonia. Most common ailments, though, were symptoms of the crippling famine - malnutrition, diarrhoea and dehydration ... For three weeks now, the organisation has been running feeding centres out of four camps in Mogadishu housing thousands of displaced families.

"Patients came from as far as 170km away … Some of the orthopaedic procedures were carried out in three other hospitals - Banadir, the largest in Mogadishu, Madina and St Martino.

"Hospital managers sent taxis to fetch patients they knew were in need of surgical treatment." [701]

25.15 On 15 April 2011, the International Committee of the Red Cross reported that:

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[699] African Union Peace and security council, Report of the Chairperson of the Commission on the situation in Somalia, 13 September 2011, p9-10, http://www.au.int/en/sites/default/files/Final_-_293rd_PSC_Report_on_Somalia__Eng__%5b1%5d.pdf Date accessed 23 September 2011

[700] ABC News, Somalia Famine: Measles Epidemic Hits Mogadishu, 14 September 2011, http://abcnews.go.com/International/somalia-famine-measles-epidemic-hits-mogadishu/story?id=14521327 Date accessed 23 September 2011

[701] The Times Live, SA doctors to the rescue in Somalia, 18 September 2011, http://www.timeslive.co.za/local/2011/09/18/sa-doctors-to-the-rescue-in-somalia Date accessed 23 September 2011

"Medina hospital, which is clearly marked with the Red Crescent emblem, is one of two ICRC-supported surgical referral hospitals in Mogadishu. It is a community-based hospital and accepts all patients, regardless of their clan, their religion or their political background. The ICRC provides the hospital with surgical equipment, medicines and training for doctors and nurses. Since the beginning of the year, nearly 550 war patients have been treated at Medina, including more than 150 women and around 50 children." [702]

25.16 On 27 June 2009, Garowe reported that: "There are upwards of 650 wounded persons currently receiving treatment at Mogadishu's three main hospitals – Medina, Keysaney and Daynile. The hospitals are operated by ICRC and MSF." [703]

25.17 The LandInfo report of 12 November 2008, *Conflict, security and clan protection in South Somalia*, gave the following information from an interlocutor: "One of Landinfo's interlocutors in June 2008 compared the situation in Mogadishu with the situation in Gaza, where despite the blockade, the Palestinian population has working hospitals and ambulances etc. This is not the situation in Mogadishu. Although there are hospitals and doctors there is a lack of equipment and there are no other services." [704]

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HIV/AIDS

25.18 UNICEF gave the prevalence rate of HIV in Somalia in 2009 at 0.7%, with estimates of the number of people living with HIV ranging from 25,000 to 48,000.[705]

25.19 The United Nations Development Programme in Somalia (UNDP) in an article dated 13 December 2009 reported that:

"UNDP Somalia's 'Most at Risk Populations' project seeks to reduce the vulnerability and risk of HIV transmission amongst high risk groups in Somalia, such as truck drivers, staff of uniformed services, Internally Displaced People (IDPs) and People Living with HIV & AIDS (PLHAs). The project uses behavior change communication to try and reduce the vulnerability of these groups to HIV transmission.

"At the beginning of this project, UNDP conducted a Training Or Trainers (TOT), focusing on peer education: there are now 574 Peer Educators in Somaliland, Puntland and South Central Somalia, who have trained approximately 12,000 people on HIV Prevention, Stigma Reduction, Care and Treatment. In addition, three Peer Education Networks have been established (one in each zone) to support the work of all Peer Educators working in a particular zone.

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[702] International Committee of the Red Cross, Somalia: unexploded shells threaten hospital in Mogadishu, 15 April 2011, http://www.icrc.org/eng/resources/documents/news-release/2011/somalia-news-2011-04-15.htm Date accessed 27 April 2011

[703] Garowe Online, Somalia: armed youngsters reject al Shabaab order, fighting erupts, 5 April 2009, http://www.garoweonline.com/artman2/publish/Somalia_27/Ethiopia_troops_pull_out_of_key_town_in_central_Somalia.shtml Date accessed 22 April 2009

[704] Landinfo, Conflict, security and clan protection in South Somalia, 12 November 2008, p12 http://www.landinfo.no/asset/784/1/784_1.pdf Date accessed 2 April 2009

[705] UNICEF, Somalia Statistics, undated, http://www.unicef.org/infobycountry/somalia_statistics.html Date accessed 24 May 2011

"Currently, and because Somalia has a concentrated HIV & AIDS epidemic, the focus of this project is to conduct workshops for those populations which are at greatest risk of HIV infection.

"In order to implement this project UNDP has formed partnership agreements with three local NGOs, one in Somaliland, Puntland and South Central Somalia." [706]

25.20 IRIN reported that in Puntland, people infected with HIV are stigmatised by the local community (IRIN, February 2009) [707] and likewise in Somaliland (IRIN, 27 March 2009) [708]. The IRIN article of 27 March 2009 reported that in Somaliland, religious leaders have been involved in HIV prevention efforts and "are now stepping in to persuade communities to treat people with HIV more humanely." [709]

25.21 The US State Department Report on Human Rights Practices in Somalia, published 8 April 2011, covering events of 2010 (USSD 2010 report) noted:

"Persons with HIV/AIDS continued to face discrimination and abuse in their local communities, and by employers in all parts of the country. UNICEF reported that persons with HIV/AIDS were subjected to physical abuse, rejected by their families, and subjected to workplace discrimination and dismissal. Children with HIV-positive parent(s)) also suffered discrimination, which hindered prevention efforts and access to services." [710]

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MENTAL HEALTH CARE

25.22 In its 2005 Somalia Country Profile, the World Health Organization (WHO) reported that: "The whole mental health set-up of Somalia is based on the efforts of NGOs – GRT-UNA of Italy and General Assistance and Volunteer Association (GAVO), a local Somali NGO. They help in the provision of services to mental patients and street children and provide training for primary health care personnel." [711]

25.23 The report added:

"There are only three centres for psychiatry, the mental hospital in Berbera and the general psychiatric wards in Hargesia and Mogadishu. Until the arrival of the NGO from

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[706] UN Development Programme in Somalia, HIV/AIDS: Targeting "high risk" groups in Somalia, 1 December 2009, http://www.so.undp.org/index.php/Somalia-Stories/me.html Date accessed 10 February 2010

[707] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Ahmed Ibrahim, "People refuse to shake my hand; they will only wave at me", 24 February 2009, http://www.irinnews.org/Report.aspx?ReportId=83125 Date accessed 27 April 2011

[708] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Religious leaders combat HIV stigma, 27 March 2009, http://www.irinnews.org/Report.aspx?ReportId=83676 Date accessed 27 April 2011

[709] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Religious leaders combat HIV stigma, 27 March 2009, http://www.irinnews.org/Report.aspx?ReportId=83676 Date accessed 27 April 2011

[710] US Department of State, Report on Human Rights Practices in Somalia, p41, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 20 April 2011

[711] World Health Organisation, WHO Mental Health Atlas – 2005: Country Profile Somalia Annual Report, p2 http://www.who.int/mental_health/evidence/atlas/profiles_countries_s1.pdf Date accessed 20 April 2010

Italy, the condition of the mental hospital was appalling. Patients were kept in chains, and supply of food was largely dependent on charity. UNDP [United Nations Development Programme] is supporting the psychiatric ward in Hargesia in terms of structural facilities and supplies. There is no private psychiatric inpatient facility though there are a few private clinics in Mogadishu and Hargesia. There is no specialized drug abuse treatment centre and there is no mental health training facility in the country. Only limited data about one area of Somalia, Somaliland is available. Psychiatrists have private clinics." [712]

25.24 The World Health Organisation report, *A Situation Analysis of Mental Health in Somalia*, published in October 2010, noted that:

"Mental health key challenges and opportunities for its development are interlinked with the strengthening of the health system in Somalia as a whole. It has some peculiar features that should be taken into account. This document will highlight few of them that can be summarized as follows:

- Need of policies, strategic plans and guidelines on mental health tailored to the three zones;
- Need of allocating national budget and international assistance for the development of the mental health sector;
- Need of qualified and properly trained health workers;
- Need to improve access to quality mental health services. [713]

25.25 The report stated that "The containment with chains of mentally challenged people is prevalent in both urban and rural areas and is widespread regardless of gender. This is also used as a locally accepted medical treatment in many mental health facilities." [714]

25.26 The report also stated that: "Due to the lack of proper medical treatment and facilities and the huge need for them, the communities are faced with several kinds of traditional healers where some of them allegedly treat mental disorders. Each treatment has its own rituals, rationale, procedures and complexity that is not easy to explain." [715]

25.27 The report further outlined current mental health provision in Somalia, stating that there are three Habeb Mental Health hospitals in south and central Somalia and that all facilities have an inpatients unit. There is one mental health hospital (Berbera Mental Health Hospital), one ward in Hargeisa Group general hospital and one community owned psychiatric inpatients unit in Somaliland, with one ward in Bossaso Hospital and one community residential facility serving Puntland. [716]

25.28 The report also outlined, with regard to the availability of medication for psychiatric disorders, that:

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[712] World Health Organisation, WHO Mental Health Atlas – 2005: Country Profile Somalia Annual Report, p1 http://www.who.int/mental_health/evidence/atlas/profiles_countries_s1.pdf Date accessed 20 April 2010
[713] World Health Organisation, A Situation Analysis of Mental Health in Somalia, October 2010, p13, http://www.emro.who.int/somalia/pdf/Situation_Analysis_Mental_Health_print.pdf Date accessed 27 April 2011
[714] World Health Organisation, A Situation Analysis of Mental Health in Somalia, October 2010, p22, http://www.emro.who.int/somalia/pdf/Situation_Analysis_Mental_Health_print.pdf Date accessed 27 April 2011
[715] World Health Organisation, A Situation Analysis of Mental Health in Somalia, October 2010, p23, http://www.emro.who.int/somalia/pdf/Situation_Analysis_Mental_Health_print.pdf Date accessed 27 April 2011
[716] World Health Organisation, A Situation Analysis of Mental Health in Somalia, October 2010, p34-35, http://www.emro.who.int/somalia/pdf/Situation_Analysis_Mental_Health_print.pdf Date accessed 27 April 2011

"The hospitals do not purchase the drugs. They are usually provided on an irregular basis by WHO and/or by private donations/INGO supplies. Only five facilities receive drugs, whereby two in NW Somalia receive them on a regular basis. Hargeisa and Berbera rely mainly on different channels of provisions, while two facilities out of seven rely on private donations and another two on INGO contributions. WHO do not provide drugs to community-run facilities, which very occasionally receive contributions from charity and private donations. All of the facilities complained about very poor storage conditions such as poor safety of the store, ventilation and space arrangements." [717]

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26. FREEDOM OF MOVEMENT

26.01 The US State Department *Report on Human Rights Practices in Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) noted that: "The TFC [Transitional Federal Charter], the Puntland interim constitution, and the Somaliland constitution provide for freedom of movement; however, this right continued to be restricted in some parts of the country." [718]

MOVEMENT WITHIN CENTRAL AND SOUTHERN SOMALIA

26.02 The UK Border Agency *Fact Finding Mission report on Somalia*, dated 8 October 2011, noted that:

"An international NGO which has worked in Somalia noted:

"'Travel between different areas controlled by Al Shabaab is certainly possible, and a system exists where civilians can obtain a permit in order to travel, as long as they explain to Al Shabaab where they are going and why. People have to travel through Al Shabaab checkpoints and may have to exercise some caution when explaining why they are travelling if they know it is against the Al Shabaab rules. It is not unknown for people to lie about their reasons for travel. Al Shabaab have removed all 'illegal' roadblocks and left only their own checkpoints.'

"…A diplomatic source noted:

"'Everybody can move freely in central-southern Somalia and there is public transport in the form of minibuses. Business is taking place, it is cross-clans. There are AS and clan-based checkpoints but 90% of them do not cause threats to Somalis. Sometimes people have to pay facilitators to go through.

"'People can, for instance, get out of Mogadishu and travel to the Afgoye Corridor for business.

"'Young men may be targeted by AS for recruitment when travelling in AS held areas.'

[717] World Health Organisation, A Situation Analysis of Mental Health in Somalia, October 2010, p34-35, http://www.emro.who.int/somalia/pdf/Situation_Analysis_Mental_Health_print.pdf Date accessed 27 April 2011
[718] US Department of State, Report on Human Rights Practices in Somalia, p29, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 28 April 2011

"…An international NGO noted:

"'It is possible to travel between Mogadishu and Kismayo without difficulty.

"'People will travel if their means allow it, and there are many ways of getting around, including buses, taxis and space rented from truck drivers. There is an informal bus timetable system with buses travelling to Galcayo and other major towns in Somalia. There is a bus station at Bakara market.

"'AS will ask why people are moving around the country, and if they do not recognise you then they will ask who you are, where you are going and why you are going there.'" [719]

26.03 The Human Rights Watch report, *You Don't Know Who to Blame*, published on 14 August 2011, noted that:

"Recently arrived asylum seekers in Kenya told Human Rights Watch that al-Shabaab attempted to prevent some Somalis from fleeing the country, including by blocking roads primarily around Dhobley, stopping buses, arresting and detaining some individuals—although generally temporarily. In July the UN Office for the Coordination of Humanitarian Affairs (OCHA) was still reporting al-Shabaab prohibitions on people leaving areas under their control.

"K.F., 20, told Human Rights Watch that he was in a group that fled from Bula Hawo to Dhobley and then to Kenya in April 2011:

"'On the way we were arrested several times by al-Shabaab and they were refusing that we cross into Kenya. They told us 'As teenagers you cannot leave the country. Who is going to defend the country?' We pretended we were going back to Bula Hawo, and then took panya [back] routes.'

"According to J.K., 'Al-Shabaab was preventing people from leaving, so we came through hiding. Any vehicle that they see carrying people, they'll arrest.'

"Some who attempted to flee did not make it past al-Shabaab forces. U.W. fled Dinsor for Bula Hawo in September 2010 because of drought and al-Shabaab demands for money. He then crossed into Kenya when fighting started in Bula Hawo in January. According to U.W., 'I asked my family to come from Dinsor but they were returned to Dinsor by al-Shabaab on the way. They were told 'We know you're going to Kenya,' and were forcibly returned. They were forced to return home by al-Shabaab three times. They have not arrived [in Kenya] up to now.'" [720]

26.04 The Landinfo report, *Somalia: Security and conflict in the south*, dated 29 August 2011, noted:

"Freedom of movement in southern Somalia has improved in recent years, and the overall impression is that people can travel relatively freely, both in government

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[719] UK Border Agency, Fact Finding Mission report on Somalia, 8 October 2010, p16-18, http://webarchive.nationalarchives.gov.uk/20101208171359/rds.homeoffice.gov.uk/rds/pdfs10/ffm-somalia-081010.doc Date accessed 24 May 2011

[720] Human Rights Watch, You Don't Know Who to Blame, 14 August 2011, p32-33, http://www.hrw.org/sites/default/files/reports/somalia0811webwcover.pdf Date accessed 26 October 2011

controlled areas and in areas controlled by other groups, including al-Shabaab (interviews in Nairobi in March 2009, March 2010 and March 2011). This applies even though both Shabaab and TFG have reintroduced some checkpoints, mainly at the main entrances to cities in order to levy taxes and to monitor travellers (interviews in Nairobi, March 2011). For example, there are several roadblocks on the route from Mogadishu to Marka. According to one international observer Landinfo talked with in Nairobi in March 2011 some Shabaab checkpoints are Manned by children as young as twelve years old.

"In March 2010, several newly arrived Somali refugees in the Dadaab camps mentioned in conversations with Landinfo that they had not suffered injury at the many Shabaab-controlled checkpoints in Lower Juba. Several of Landinfo's interlocutors in March 2011 stated that there could be some risk in travelling to the south, but people travel in spite of this. The main challenges are related to the crossing of any front lines (both in and outside of Mogadishu), and not least entry into Shabaab areas where newcomers risk accusations of espionage. People who are most at risk in Shabaab-controlled areas are young men and, to some extent, young women. But given Shabaab's need for revenue, people are generally quite safe, as long as they can pay for themselves at checkpoints. Women usually travel with a male relative or in groups.

"It is still relatively easy to get to Kenya and there is extensive smuggling through Kismayo to both Kenya and Ethiopia.

"The removal of roadblocks has had a positive effect on crime, because it means an end to rape and robbery, which were previously common in these places. A wellinformed Somali resource person pointed out to Landinfo in March 2009 that travellers are still investigate the conditions in advance, both along the route and at their destination, to avoid conflicts and to meet with groups they may have something to settle with.

"According to Landinfo's assessment, this situation is unchanged." [721]

Checkpoints

26.05 IRIN News noted on 7 September 2011 that:

"An aid worker, who requested anonymity, told IRIN that immediately after the insurgents pulled out, roadblocks emerged in parts of the city. 'We saw roadblocks around Bakara market, Hawl-Wadag district and Boondheere.'

"He said there was also fear that warlords - who controlled parts of the city from the 1990s to 2006 - or people associated with them, were trying to take control of the areas formerly occupied by Al-Shabab.

"He said most of the roadblocks were manned by militias under the control of district commissioners. 'The government must unify control of the various armed groups under

[721] Landinfo report, Somalia: Security and conflict in the south, dated 29 August 2011, p13-14, http://landinfo.no/asset/1801/1/1801_1.pdf Date accessed 24 October 2011

one command,' he said. Otherwise, 'we will have serious problems delivering aid to those most in need'. [722]

26.06 The USSD 2010 report stated that:

"There was a general reduction of checkpoints prevalent in South and Central regions in Somalia since 2009, and Puntland security forces dismantled ad hoc checkpoints run by armed clan militias. However, ad hoc checkpoints operated by armed militias, clan factions, TFG-allied groups, and al-Shabaab and its affiliates inhibited passage and exposed travelers to looting, extortion, and harassment, particularly civilians fleeing conflict." [723]

26.07 The UN Security Council's *Report of the Secretary-General on children and armed conflict in Somalia*, published on 9 November 2010, stated that: "Checkpoints and roadblocks are no longer a major problem for the movement of humanitarian personnel in 2010 and 2009, as they were in 2008. Currently checkpoints in most regions are limited to administrative control points at the entrance/exit of the main towns, the only exception being Mogadishu, where there are checkpoints within the city." [724]

26.08 Hiiraan news reported on efforts to halt checkpoints in Galmudug region:

"A public campaign against illegal checkpoints by freelance gunmen on the Galkayo - Galinsor Road has begun in Southern Galkayo, the capital of Galmudug Region of Somalia.

"The campaign, which was organized by members across the social spectrum including Galmudug students,youth groups, the clergy, women groups, scholars and the Galmudug Business Communtiy (sic), is intended to eradicate the menace of gun-totting and trigger happy freelance gunmen who man illegal checkpoints at which they rob people using the road connecting Galkayo with Galinsoor.

"Galmudug leaders have succeeded to dismantle several illegal checkpoints in the past few days and this new campaign to root out the culture of extortion by young gunmen on the Galmudug roads seems to be gathering momentum and building on the progress already made in weening young freelance gunmen off the chance to rob passengers on vehicles plying between the towns in the region." [725]

26.09 Shabelle News further reported on 4 April 2011 that:

"The administrations of Somalia's moderate Ahlu Sunna Waljama ASWJ and Gal-mudug state have managed to remove militia checkpoints in the road between Galinsor area and Galka'yo town in Mudug region in central Somalia.

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[722] IRIN News, Analysis: Mogadishu after Al-Shabab, 7 September 2011, http://www.irinnews.org/report.aspx?reportid=93677 Date accessed 23 September 2011

[723] US Department of State, Report on Human Rights Practices in Somalia, p29, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 28 April 2011

[724] UN Security Council, Report of the Secretary-General on children and armed conflict in Somalia, 9 November 2010, p10, paragraph 50, http://unpos.unmissions.org/Portals/UNPOS/Repository%20UNPOS/S-2010-577%20(09NOV10)%20CAAC.pdf Date accessed 28 April 2011

[725] Hiiraan Online, Public Campaign Against Illega (sic) Militia Checkpoints kicks off in Galmdug , 2 April 2011, http://www.hiiraan.com/news2/2011/apr/public_campaign_against_illega_militia_checkpoints_kicks_off_in_galmdug.aspx Date accessed 28 April 2011

"After joint operations, Gal-mudug and Ahlu Sunna said they have eliminated all militia checkpoints in those areas where both the passengers and drivers of big trucks and small private cars already complained about the militias there who they said had accustomed to take illegal more money from them.

"Removing the checkpoints was immediately welcomed by the local civilian residents in the region.

"It is not the first time, militia checkpoints were removed in parts of Mudug region in central Somalia.

"Gal-mudug in the part got rid of several checkpoints in the region after complaints from the people have reached at climax." [726]

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Landmines

26.10 Landmine and Cluster Munition Monitor noted in their country profile for Somalia, updated 21 September 2011, that

"Mines and explosive remnants of war (ERW)—both abandoned explosive ordnance and unexploded ordnance (UXO)—affect many parts of Somalia. The precise extent and impact of the overall problem remains to be defined.

In Mogadishu, mine/ERW casualties are reported almost daily. Only parts of Mudug, Galgaduud, and Lower Shabelle in South-Central Somalia were accessible for mine action activities in 2010, as well as some districts in Mogadishu controlled by the Transitional Federal Government (TFG)." [727]

26.11 IRIN News reported on 2 February 2011 that:

"Somalia's self-declared independent region of Somaliland has experienced an increase in landmine and unexploded ordnance (UXO) explosions in the recent past, with officials calling for mine awareness education in schools, as children have been the main victims.

"'Child victims of land mines have increased in Somaliland in the past two months,' Ahmed Ali Maah, director of the Somaliland Mine Action Center (SMAC), told IRIN. 'Some 93 children have been killed by landmines in the past three years.'" [728]

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[726] Shabelle Media Network, Gal-Mudug and Ahlu Sunna remove militia checkpoints, 4 April 2011, http://www.shabelle.net/article.php?id=5205 Date accessed 28 April 2011

[727] Landmine and Cluster Munition Monitor, Somalia country profile, 21 September 2011, http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/1342 Date accessed 26 October 2011

[728] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, SOMALIA: Rising number of child landmine victims in Somaliland, 2 February 2011, http://www.irinnews.org/Report.aspx?ReportID=91805 Date accessed 3 May 2011

26.12 The USSD 2010 report noted that "Land mines throughout the country caused numerous civilian deaths… " [729] But also stated that: "Few cases of land mines and unexploded ordinance (UXO) were reported during the year compared with 2009." [730]

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Airports

26.13 The Economist Intelligence Unit (EIU), in its Somalia Country Profile dated 3 March 2008 reported:

"Private and chartered aircraft use an estimated 61 airports, most with unpaved runways. Ethiopian Airways began twice-weekly flights between Addis Ababa and Hargeisa in March 2001, and the private carrier, Daallo Airlines, links Hargeisa, Mogadishu, Burao, Bossasso and Kismayu with Asmara (Eritrea) and Djibouti. Construction of a new US $9m runway at Bossasso international airport began in November 2006. Control of Somali air space has been conducted from Nairobi since the UN pulled out of Somalia in 1995." [731]

26.14 The UK Border Agency *Fact Finding Mission report on Somalia*, dated 8 October 2011, noted that:

"A security advisor to the EU Special Representative for the EU Delegation on Somalia noted: 'African Express flights are viewed as the safest way into Mogadishu. There is a total of around 15-18 flights arriving in Mogadishu per day.

"… Captain Bulhan, Managing Director, African Express Airways stated:

"'African Express has confirmed passenger numbers for the year (to end August 2010) into Mogadishu on their various routes…

"'Nairobi (NBO)

"'Berbera (BBO) - Somaliland

"'Aden (ADE) - Yemen

"'Galcaio (GLK) - Puntland (border with South Central), new route on 30 seat Umbria aircraft.

"'There have been just over 12,000 passengers in 8 months.'" [732]

26.15 *The New York Times* reported on 14 April 2011 that: "For almost 15 years, the United Nations has controlled Somalia's airspace from a little office in Nairobi, Kenya, where an

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[729] US Department of State, Report on Human Rights Practices in Somalia, p6, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 30 April 2011
[730] US Department of State, Report on Human Rights Practices in Somalia, p18, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 30 April 2011
[731] Economist Intelligence Unit, Country Profile, Somalia, 3 March 2008, p15, Available in hard copy on request
[732] UK Border Agency, Fact Finding Mission report on Somalia, 8 October 2010, p12-13, http://webarchive.nationalarchives.gov.uk/20101208171359/rds.homeoffice.gov.uk/rds/pdfs10/ffm-somalia-081010.doc Date accessed 24 May 2011

international staff of air traffic controllers sit quietly in front of computers to make sure the scores of commercial jets that crisscross Somalia each day — usually on their way to somewhere else — do not crash into one another" and that this operation is thought to generate $4 million a year in fees for the United Nations. [733]

26.16 BBC News noted that: "Mogadishu's airport, of huge strategic importance, is one of the few parts of the capital controlled by forces from the AU and the government." [734]

26.17 The USSD 2010 report stated that: "On September 9, AMISOM peacekeepers disrupted an al-Shabaab attack on a meeting of TFG and international officials at Mogadishu airport. Three peacekeepers and several civilians were killed in the gunfire and suicide explosions." [735]

For further information on travel within southern and central Somalia, please see the UK Border Agency Fact Finding Mission report on Somalia, published on 8 October 2010.

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27. INTERNALLY DISPLACED PERSONS (IDPS)

Please read in conjunction with Humanitarian situation, Security situation and Somali refugees in the region.

A UNHCR map of IDPs in Somalia, dated March 2011 is available here. The UNHCR South Central Dashboard update for 28 October 2011, covering population movement since 1 September 2011, is available here. For a graph showing estimated daily displacements, please see the UNHCR Somalia statistics page, where the population movement tracking dashboard for Somalia is also published on a regular basis.

OVERVIEW

For an overview of the protracted displacement situation in Somalia since 1991, please see Unlocking protracted displacement: Exploring recurrent Somali displacement, a paper published in August 2011 by the Internal Displacement Monitoring Centre, the University of Oxford Refugee Studies Centre, the Norwegian Institute of International Affairs and the Norwegian Refugee Council.

27.01 The US State Department *2010 Country Report on Human Rights Practices in Somalia*, published on 8 April 2011, covering events of 2010 (USSD 2010 report) stated:

"UN agencies estimated that since January 2007 more than 1.2 million persons had fled their homes in Mogadishu and its surroundings as a result of targeted attacks by al-Shabaab and continued conflicts between TFG forces and antigovernment groups. The Somalia office of the UNHCR, based in Kenya, estimated that there were 1.46 million

[733] New York Times, Somalia, Wobbly on Ground, Seeks Control of Its Airspace, 14 April 2011, http://www.nytimes.com/2011/04/15/world/africa/15somalia.html Date accessed 30 April 2011
[734] BBC News, Somali suicide attackers hit Mogadishu airport, 9 September 2010, http://www.bbc.co.uk/news/world-africa-11246394 Date accessed 30 April 2011
[735] US Department of State, Report on Human Rights Practices in Somalia, p5, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 30 April 2011

IDPs in the country as a result of internal conflict, flooding, droughts, and other causes going back to the early 1990s but with much higher numbers in recent years." [736]

27.02 The UN Security Council's *Report of the Secretary General*, published on 30 August 2011 and covering events of 28 April 2011 to 15 August 2011, stated that:

"The drought crisis has generated displacement on a large scale within Somalia as well as refugee outflows into Kenya and Ethiopia. To date, the overall number of internally displaced persons in Somalia is estimated at 1.5 million people. Some 100,000 people have arrived [in Mogadishu] in the past two months, fleeing drought and famine, in addition to the 370,000 people who were already displaced to the capital. An estimated 410,000 internally displaced persons are located in the 15-km road stretch of the Afgooye corridor outside Mogadishu." [737]

27.03 A UN News story, dated 12 July 2011, noted that: "Shamsul Bari, the Independent Expert on the situation of human rights in Somalia, noted that drastically increasing food prices and continuing conflict and insecurity have caused a huge displacement of the population, with thousands of Somalis fleeing to Ethiopia, Kenya, and Djibouti every day." [738]

27.04 The UNHCR Population Movement Tracking update, updated 30 September 2011 and covering the period from 1 July 2011 to 30 September 2011, noted that 77% of people (102,520) cited drought as the main reason for relocation, with 13% (17,630) citing conflict.[739]

For updates on the location and number of IDPs within Somalia, please visit the UNHCR website and the Internal Displacement Monitoring Centre website. The UN OCHA Somalia website provides weekly situation reports and a monthly humanitarian situation overview that gives up to date information about IDPs and other humanitarian issues.

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GENERAL CONDITIONS FOR IDPS

27.05 UNHCR reported on its country page for Somalia, undated, accessed on 10 October 2011, that:

"Most IDPs live in temporary settlements in already densely populated areas and on privately owned land. They are frequently subjected to abuse from landowners and do not have sufficient access to basic supplies and services. The protection environment

[736] US Department of State, Report on Human Rights Practices in Somalia, p29, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 28 April 2011
[737] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 6 October 2011
[738] UN News Centre, Ban calls on countries to fund life-saving support for millions in Horn of Africa, 12 July 2011, http://www.un.org/apps/news/story.asp?NewsID=39016&Cr=horn+of+africa&Cr1=&Kw1=shamsul+bari&Kw2=&Kw3= Date accessed 10 October 2011
[739] UNHCR, Population Movement Tracking update, 30 September 2011, http://data.unhcr.org/horn-of-africa/download.php?id=409.pdf&name=PMT Update - Sep 30_2011.pdf Date accessed 10 October 2011

for IDPs is precarious, particularly for people displaced from south and central Somalia, who are considered illegal migrants by the authorities in 'Puntland' and 'Somaliland'.

"The limited livelihood opportunities available to IDPs expose them to additional protection risks. There is a need to expand vocational skills training and self-reliance and livelihood opportunities, especially for vulnerable IDP women.

"In addition to humanitarian and political crises, Somalia has been severely affected by drought. The plastic sheets that IDPs receive are not strong enough to withstand the harsh weather, and need to be replaced frequently. Settlements do not have enough water, and some IDPs resort to buying water of dubious quality. Women have to walk long distances to collect water, exposing them to the risk of rape and other forms of violence.

"Only a limited number of IDP women and girls receive sanitary materials, often in insufficient quantity and on an irregular basis. The lack of domestic and hygiene supplies prevents many women and girls in IDP settlements and host communities from participating in community functions. Furthermore, insufficient funding has prevented the expansion of HIV and AIDS programmes to other parts of Somalia beyond Hargeisa." [740]

27.06 The UN OCHA Humanitarian Monthly Overview for August 2011 noted that:

"There was an increase in disease outbreaks in Somalia in July and August. Cholera outbreaks were reported in Mudug, Galgaduud, Bay, Lower Shabelle and Banadir regions and among IDPs in Mogadishu.

"The sudden increase in confirmed cholera cases is due in part to the living conditions in numerous informal IDP settlements with makeshift shelters, poor sanitation and limited access to water. There is also limited capacity of existing health partners to access those informal settlements and provide essential health services. A high level of malnutrition, especially in children, makes them even more vulnerable to diseases." [741]

27.07 The UN OCHA Humanitarian Monthly Overview for September 2011 stated that: "Humanitarian actors are working to prevent potential deaths caused by the October-December Deyr rains in Somalia. The impact of these rains, the consequent increase of water-borne diseases and respiratory diseases such as pneumonia, the poor shelter conditions of most people in southern Somalia, especially in IDP settlements, and the high level of malnutrition could translate into the deaths of tens of thousands of people." [742]

27.08 Shabelle Media Network reported on 30 September 2011 that: "The Somali national disaster management on Friday said the security of famine victims and IDPs camps in Mogadishu will be assured … Abdihakim Yusuf Guled, the deputy chairman of national

[740] UN High Commissioner for Refugees, UNHCR country operations profile – Somalia, undated, http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e483ad6 Date accessed 10 October 2011
[741] UN Office for the Co-ordination of Humanitarian Affairs, Humanitarian Monthly Overview, August 2011, http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1255872 Date accessed 10 October 2011
[742] UN Office for the Co-ordination of Humanitarian Affairs, Humanitarian Monthly Overview, September 2011, http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1273711 Date accessed 17 November 2011

disaster management for supplies said more efforts are done to protect Somali famine victims in the internally displaced persons' camps." [743]

27.09 The UK Border Agency Fact Finding Mission on Somalia, published 8 October 2010, stated that: "An international NGO noted… 'There is thought to be a hierarchy in the IDP camps, but it is not certain whether this is related to length of residence or based along clan lines. It cannot be guaranteed that majority clan members will not face problems in IDP camps.'" [744]

27.10 The USSD 2010 report noted that

"Many of the newly displaced lived without basic services, primarily settling on the Afgooye corridor between Mogadishu and Baidoa. Militia groups aligned with both sides of the conflict restricted IDP access during food distributions. The deterioration in security severely restricted the movement of aid workers and the distribution of urgently needed assistance to IDPs. Increased targeting of aid workers, 'taxes' and extortion demands on humanitarian aid, and al-Shabaab's expulsion of WFP in January made it more difficult to deliver basic services." [745]

27.11 UNHCR reported on its country page for Somalia that:

"Aid agencies face threats and intimidation from insurgents in south and central Somalia. The dangerous and unpredictable environment has forced the suspension of humanitarian operations in some areas, creating more hardship for displaced people. Delivering aid in Somalia is challenging, and UNHCR and its partners take advantage of every opportunity to deliver much needed non-food items (NFIs) and shelter materials to internally displaced persons (IDPs)." [746]

See also Abuses by al Shabaab: Al Shabaab's reaction to the humanitarian situation

For more information on the difficulties faced by NGOs attempting to deliver aid in Somalia, please see Human rights and humanitarian institutions, organisations and activists.

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Mogadishu

A UN Institute for Training and Research's Operational Satellite Applications Programme (UNOSAT) update on IDP shelters in Mogadishu, dated 31 August 2011, is available here. The UNHCR Population Movement Tracking dashboard of 28 October 2011 gives information on specific regions of Mogadishu to which IDPs moved.

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[743] Shabelle Media Network, State's Disaster Agency - IDPs Security Will Be Assured, 30 September 2011, http://allafrica.com/stories/201109300399.html Date accessed 10 October 2011

[744] UK Border Agency, Somalia: Report of the Fact Finding Mission to Nairobi, 8-15 September 2010, 8 October 2010, p37, http://webarchive.nationalarchives.gov.uk/20101208171359/rds.homeoffice.gov.uk/rds/pdfs10/ffm-somalia-081010.doc Date accessed 28 April 2010

[745] US Department of State, Report on Human Rights Practices in Somalia, p30, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 28 April 2011

[746] UN High Commissioner for Refugees, UNHCR country operations profile – Somalia, undated, http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e483ad6 Date accessed 28 April 2011

27.12 The UN Security Council's *Report of the Secretary General*, published on 30 August 2011 and covering events of 28 April 2011 to 15 August 2011, stated that: "Some 100,000 people have arrived [in Mogadishu] in the past two months, fleeing drought and famine, in addition to the 370,000 people who were already displaced to the capital." [747]

27.13 The UN Human Rights Council's *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, dated 29 August 2011 and covering events between September 2010 and July 2011 (UNIE report August 2011) noted that: "Overcrowding … is found in Mogadishu, where reportedly 1,000 displaced people arrive daily. There is reportedly an upsurge in sexual violence against women." [748]

27.14 The same report noted that:

"The United Nations, international and national non-governmental organizations are reportedly working to respond to the crisis. However, as recognized by the United Nations in its reports, the overextended humanitarian aid, in particular in Mogadishu, is struggling to cope with the large influx of internally displaced persons. While the humanitarian community has increased efforts to meet people's urgent needs in all affected areas, there is real concern that programmes may not be sustainable beyond the short term because of lack of funding." [749]

27.15 IRIN News reported on 29 August 2011 that:

"More and more poor residents of Mogadishu are moving into camps set up there to house more than 100,000 people displaced over the last two months from other parts of the country by intensifying drought and the subsequent lack of food and other basic services, say aid workers and civil society representatives.

"The number of Mogadishu families moving into camps has sharply increased in the past three weeks, officials say.… Abdulqadir Omar, the area manager for the Danish Refugee Council (DRC), which supports four camps in the Somali capital, with an estimated population of 3,000 families (18,000 people), told IRIN many of the new arrivals were from the city or the outskirts, 'where aid has not reached yet'.

"Many families who were in IDP camps in the 30km-long Afgoye Corridor, which runs south from the city, are moving back to Mogadishu because there was not much help there, he said.

"Omar said other families were setting up makeshift shelters inside the camps, a phenomenon known as 'bush bariis' (roughly translated as rice huts). They 'wait for a

[747] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 6 October 2011

[748] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p4, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 10 October 2011

[749] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p4, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 10 October 2011

food distribution and go back home', he said. 'This in itself is an indication of how desperate people are.'" [750]

27.16 The Institute for Strategic Studies Armed Conflict Database noted that "On 14 September, hundreds of IDPs in Mogadishu held a demonstration against aid corruption." [751]

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Afgooye 'corridor'

27.17 The Afgooye 'corridor' "stretches some 30 kilometres west [out] of Mogadishu." (UN) [752] The *Guardian* noted on 4 October 2010 that: " … the Afgooye corridor is now the third largest urban area in Somalia after Mogadishu and Hargeisa in Somaliland." [753] The UN Security Council's *Report of the Secretary General*, published on 30 August 2011 and covering events of 28 April 2011 to 15 August 2011, stated that: "An estimated 410,000 internally displaced persons are located in the 15-km road stretch of the Afgooye corridor outside Mogadishu." [754]

27.18 The UN News Service reported on 3 August 2011 that famine had been declared in the Afgoye Corridor area[755] and a UN OCHA *Mogadishu & Afgooye Corridor Fact Sheet*, published on 10 August 2011, noted that Afgooye IDPs had a global acute malnutrition rate of 40.4 per cent and severe acute malnutrition rate of 17.2 per cent.[756]

27.19 UNICEF reported that following the declaration of famine in the Afgooye Corridor, "UNICEF and its partners is (sic) … targeting … Afgooye Corridor with blanket feeding for tens of thousands of families." [757] In a press release dated 27 September 2011, Oxfam noted that: "Oxfam, through its partners, is providing chlorinated water to over 250,000 IDPs in Afgooye and nearly 150,000 IDPs in Mogadishu. We have also been providing latrines, distributing soap, water containers and sanitation kits, and carrying out public health promotion campaigns." [758]

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[750] IRIN News, Somalia: Locals join IDP camps in search of food, 29 August 2011, http://www.irinnews.org/report.aspx?reportid=93608 Date accessed 10 October 2011
[751] International Institute for Strategic Studies, Armed Conflict Database, Somalia, Human security developments, July-August 2011, Available in hard copy on request
[752] UN News Centre, UN agency ramping up aid efforts as clashes drive more Somalis from capital, 12 February 2010, http://www.unhcr.org/refworld/docid/4b7ba8c71c.html Date accessed 15 February 2010
[753] The Guardian, The Afgooye corridor: world capital of internally displaced people, 4 October 2010, http://www.guardian.co.uk/global-development/poverty-matters/2010/oct/04/somalia-afgooye-corridor-displaced-people Date accessed 28 April 2011
[754] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accessed 6 October 2011
[755] UN News Service, UN declares famine in another three areas of Somalia, 3 August 2011, http://www.un.org/apps/news/story.asp?NewsID=39225 Date accessed 10 October 2011
[756] UN Office for the Co-ordination of Humanitarian Affairs, Mogadishu & Afgooye Corridor - Fact Sheet, 10 August 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_2104.pdf Date accessed 10 October 2011
[757] UNICEF, 'No quick fixes' in Somalia Children's Famine says UNICEF, undated, http://www.unicef.org.uk/Media-centre/Press-releases/No-quick-fixes-in-Somalia-Childrens-Famine-says-UNICEF-/ Date accessed 10 October 2011
[758] Oxfam, East Africa Food Crisis: Oxfam Somalia Response, 27 September 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_2510.pdf Date accessed 10 October 2011

For a map of the settlements in the Afgoye 'corridor', please see OCHA's website.

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PUNTLAND AND SOMALILAND

27.20 The USSD 2010 report stated that:

"Authorities in Puntland forcefully repatriated Somalis from South and Central regions allegedly for being behind a spate of insecurity in Puntland cities. Puntland's political leadership has over the years consistently claimed persons from South and Central Somalia were responsible for increased insecurity in the region; IDPs in general were regarded with suspicion–as al-Shabaab supporters or criminals by locals. At year's end news reports highlighted the ongoing issue of sexual and gender-based violence against IDP women living in Somalia, primarily around Galkayco. The UNHCR acknowledged that perpetrators were primarily young men from the local area who take advantage of weakened clan protection among IDPs to act with impunity. Lack of a proper judicial system and weak police intervention prevented survivors from bringing prosecutions against perpetrators." [759]

27.21 The Minority Rights Group International report, *No Redress: Somalia's Forgotten Minorities*, published on 23 November 2010, (MRGI report 2010) noted:

"The United Nations Development Programme (UNDP) in Somalia has estimated there to be about 35,000 IDPs in Puntland, of which there are 22,000 in the coastal town of Bossaso. A large proportion of IDPs come from minority and other vulnerable groups from south-central Somalia. Harsh conditions in the IDP settlements have been frequently criticized by successive UN Independent Experts, with little improvement to record.

"While Bossaso port benefits substantially from Bantu and Gaboye labour in the construction industry, low-level public service jobs, such as street sweeping and rubbish collection, and the service industry, this work is unregulated and comes with few social benefits.

"MRG researchers found that violations of rights of minority IDP women and children in Puntland were widespread. The most severe human rights violations against IDP minorities reported to MRG's researchers were rape and denial of access to justice, with lack of protection from police and courts. Their conditions of extreme poverty and indignity are not being addressed by the authorities." [760]

27.22 IRIN reported on 14 September 2011 that:

"… authorities in the semi-autonomous region of Puntland have initiated a scheme to issue ID cards to internally displaced persons (IDPs) from southern Somalia who have

[759] US Department of State, Report on Human Rights Practices in Somalia, p30, 8 April 2011, http://www.state.gov/documents/organization/160144.pdf Date accessed 18 April 2011

[760] Minority Rights Group International, No Redress: Somalia's Forgotten Minorities, 23 November 2010, p19, http://www.minorityrights.org/10370/reports/no-redress-somalias-forgotten-minorities.html Date accessed 30 April 2011

sought refuge in the region. The move, officials said, would weed out militias and other criminal elements from genuine IDPs.

"'The ID cards will be given to all IDPs in Puntland; these people will, in particular, get food distribution cards, those for registration, ID cards to enable WFP [World Food Programme] or other aid organizations to count them,' said Abdullahi Ahmed Jama, Puntland's Minister for Home Affairs. 'These IDs will also be issued for security matters [because] we want to encourage the IDPs to police themselves... build police stations and recruit some of them to handle their own security.'

"Jama dismissed claims that Puntland had thrown out IDPs from southern Somalia, saying: 'This is totally untrue, people [from southern Somalia] are not discriminated against here. For example, in the recent past, we have had drought-displaced people who have been left with nothing, some live with their relatives but we have taken the responsibility to help these people as most are IDPs from the south.'

"UNHCR's Needham said at least 290 people from southern Somalia were in Garowe, the capital of Puntland. He said initial talks had been held between Puntland authorities, UNHCR and other agencies regarding the issue." [761]

For further information on treatment of specific types of IDPs, please see Women, Chlidren and Ethnic groups. For more information on the actions of militias, please see Non-state armed groups. For information on Somali refugees once they have left Somalia, please see the chapter below on Somali refugees in the region.

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28. SOMALI REFUGEES IN THE REGION

A UNHCR map of Somali refugees in the region, as at 31 August 2011, is available here. The UNHCR also regularly updates statistics on refugees in the region on its Horn of Africa data page.

28.01 The UN Human Rights Council's *Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari*, dated 29 August 2011 and covering events between September 2010 and July 2011 (UNIE report August 2011) noted that:

"Drought and conflict-related displacement from southern Somalia and refugee flows into Ethiopia and Kenya steadily increased over the reporting period; in an average month in 2011, some 15,000 Somalis flee their country and arrive in Kenya and Ethiopia. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), in June 2011 alone, an estimated 54,000 refugees fled to Kenya and Ethiopia from Somalia, which represents three times the number of people who fled in May.

"While conflict has been a fact of life for most Somalis for years, it is the drought that has taken them to breaking point. Totally destitute women and children walk for days to reach camps in Kenya and Ethiopia. According to UNHCR, more than 80 per cent of

[761] IRIN, Somalia: Puntland, Somaliland act on migrants, IDPs, 14 September 2011, http://www.irinnews.org/report.aspx?reportid=93718 Date accessed 10 October 2011

those fleeing Somalia are women and children. Men and boys are left behind to look after what is left of their possessions, or prevented from fleeing by Al-Shabaab when not already recruited to fight the jihad. The death toll of displaced Somalis continues to increase as many travel in last-minute desperation when food reserves have run dry, leaving them to make the journey with no resources." [762]

28.02 The UN Security Council's *Report of the Secretary General*, published on 30 August 2011 and covering events of 28 April 2011 to 15 August 2011, stated that: "Since 1 August, an estimated 1,500 Somali refugees have crossed the border into Kenya on a daily basis. In Ethiopia, the average number of refugees arriving on a daily basis stands at 270 persons. Between 1 May and 8 August, Kenya registered 64,440 Somali refugees. Since 16 April, 60,446 Somali refugees have been registered in Ethiopia." [763]

28.03 The UN Office for the Co-ordination of Humanitarian Affairs Situation Report, dated 27 September 2011, noted that:

"Currently, some 910,000 registered Somali refugees and asylum seekers are in neighbouring countries, with Kenya, Yemen, Ethiopia and Djibouti hosting more than 90 per cent of them. Estimates are that Kenya is hosting some 500,000; Yemen 196,000; Ethiopia 183,000 and Djibouti 18,000 Somali refugees. Somali arrivals in Kenya continue at an average of 1,100 per day, bringing the total population in Dadaab, the world's largest refugee camp, to about 444,149. The Dollo Ado complex of camps in Ethiopia has received some 83,000 Somali arrivals already this year, at a current average of 300 new arrivals daily." [764]

28.04 The 17 October 2011 UNHCR *East & Horn of Africa Update* [765] reported the following figures of registered Somali refugees by country of asylum as of 30 September 2011:

Country of asylum	Total
Kenya	509,363
Ethiopia	174,707
Djibouti	18,159
Yemen	196,996
Others	24,934
Total	924,159

[762] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p4, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 10 October 2011

[763] UN Security Council, Report of the Secretary-General on Somalia, 30 August 2011, p5, http://reliefweb.int/sites/reliefweb.int/files/resources/F_Report_6.pdf Date accesed 6 October 2011

[764] UN Office for the Co-ordination of Humanitarian Affairs, Situation Report No. 15, 27 September 2011, http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1258902 Date accesed 10 October 2011

[765] UNHCR, East & Horn of Africa Update, Somali Displacement Crisis at a glance, 17 October 2011, http://www.unhcr.org/4e8c56919.html Date accessed 18 November 2011

28.05 UNHCR noted on 20 July 2011 in an *East & Horn of Africa Update* that "More than 80 percent of those fleeing [Somalia] are women and children." [766]

KENYA

For statistics on the demography of registered Somali refugees in Kenya, please see the UNHCR statistics page.

28.06 UNHCR's map of Somali refugees in the region, published on 31 August 2011, estimates that there are 514,472 Somali refugees in Kenya, of which 162,969 have arrived since January 2011.[767] The 17 October 2011 UNHCR *East & Horn of Africa Update* stated that there were 509,363 Somali refugees inside Kenya as of 30 September 2011.[768] UNHCR also noted in its overview of operations in Kenya that: "The majority of the refugees and asylum-seekers in Kenya live in designated camps." [769]

28.07 *The Daily Telegraph* reported on 17 September 2011 that: "Dadaab was once a tiny town at the edge of nowhere. It's a two-hour drive through grey desert to Kenya's outer limits. It has always been a Wild West of bandits, carjackings and guns. The refugee camp was opened in 1991, with a capacity of 90,000; 20 years on, Dadaab is Kenya's third largest 'city', with a population of nearly half a million refugees (98 per cent Somali). Six thousand are third-generation – grandchildren of the original arrivals." [770]

28.08 The same report noted that:

"The main feature of life at Dadaab is queuing. It starts when you arrive, and you are sorted into neat lines – large families (the template goes up to 17 children), small families, women- and men-only (Somalis prefer segregation). Today the queue at Ifo reception is already 500-long.

"Once through the gate, refugees will be fingerprinted, wristbanded and weighed, and will collect emergency rations to last 21 days: a scoop of maize flour, salt and split yellow peas. (Those marked 'priority' are fast-tracked to another queue to be fed high-energy biscuits.) Within the next three weeks, on an allocated day, they will queue outside the Registration Centre, to become official refugees and get a ration card, and, thereafter, twice-weekly food distributions." [771]

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[766] UNHCR, East & Horn of Africa Update, Somali Displacement Crisis at a glance, 20 July 2011, p2, http://www.unhcr.org/4e26e63c6.html Date accessed 11 October 2011
[767] UNHCR, Somali refugees in the region (map), 31 August 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/map_941.pdf Date accessed 11 October 2011
[768] UNHCR, East & Horn of Africa Update, Somali Displacement Crisis at a glance, 17 October 2011, http://www.unhcr.org/4e8c56919.html Date accessed 18 November 2011
[769] UNHCR, 2011 UNHCR country operations profile – Kenya, undated, http://www.unhcr.org/pages/49e483a16.html Date accessed 11 October 2011
[770] The Daily Telegraph, Famine in Africa: inside Dadaab, the world's largest refugee camp, 17 September 2011, http://www.telegraph.co.uk/journalists/sally-williams/8762161/Famine-in-Africa-inside-Dadaab-the-worlds-largest-refugee-camp.html Date accessed 11 October 2011
[771] The Daily Telegraph, Famine in Africa: inside Dadaab, the world's largest refugee camp, 17 September 2011, http://www.telegraph.co.uk/journalists/sally-williams/8762161/Famine-in-Africa-inside-Dadaab-the-worlds-largest-refugee-camp.html Date accessed 11 October 2011

28.09 A UNHCR *East & Horn of Africa Update*, dated 21 September 2011, noted that:

"In Kenya, following an intensive information campaign, a comprehensive verification exercise of unregistered arrivals was conducted in Dadaab from 9 to 11 September to address the backlog. Subsequently, the number of Somali refugees awaiting registration was significantly reduced from over 40,000 individuals to 1,909 individuals. Registration for this group is ongoing simultaneously with continuing daily arrivals. The current waiting period from arrival to registration is now less than 48 hours, during which a range of time-consuming reception formalities are accomplished. On arrival, asylum seekers are interviewed, wrist-banded, medically screened and provided with initial assistance which includes ready-to-eat high energy biscuits. After that, they are transferred to Kenyan Government offices for registration, issued with ration cards, given an emergency aid package including a food ration gauged to last till the next general food distribution and then relocated to one of the established camp extensions." [772]

28.10 The 17 October 2011 UNHCR *East & Horn of Africa Update* reported that:

"Following the shooting and abduction of aid workers at the Ifo 2 West refugee camp on 13 October, UNHCR is working with the Kenyan authorities to improve security in and around the Dadaab refugee camp complex.

"UNHCR and its partners have temporarily suspended non-life-saving activities. Only water, food and health-related services are being maintained until further notice. Measures are being put in place to improve security for refugees and the humanitarian community at Dadaab. These include increased patrols, additional check-points and the deployment of more police posts within the camps. To enhance the capacity of security personnel, UNHCR has provided vehicles and communication equipment. Earlier this year, UNHCR signed a Memorandum of Understanding (MoU) with the Government of Kenya which provides for measures including construction of houses and a transit centre at the Liboi border with Somalia where asylum-seekers will be screened and received. It is expected that these measures will contribute to a better security regime." [773]

28.11 An Oxfam Situation report dated 30 September 2011 noted that: "As of 26 September, the population in Dadaab was 449,615. Arrivals for the month of August were down to 37,934 from the peak of 41,334 in July. Figures indicate that the monthly figure for September will be still lower, but not substantially. This week, 6,211 refugees arrived." [774]

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[772] UNHCR, East & Horn of Africa Update, Somali Displacement Crisis at a glance, 21 September 2011, http://www.unhcr.org/4e79d4e69.html Date accessed 11 October 2011

[773] UNHCR, East & Horn of Africa Update, Somali Displacement Crisis at a glance, 17 October 2011, http://www.unhcr.org/4e8c56919.html Date accessed 18 November 2011

[774] Oxfam, Food Crisis Emergency Response Kenya-External Situation Report Number 13, 30 September 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_2534.pdf Date accessed 11 October 2011

28.12 The UNIE report August 2011 noted that: "Overcrowding in receiving locations such as Dadaab is severe and is resulting in refugees not getting the assistance they need." [775]

28.13 The *Daily Telegraph* report of 17 September 2011 noted that:

"… the camp is full, more than full. In 2009, when [Moses] Mukhwana [project co-ordinator at Dadaab] arrived, there were already 270,000 inhabitants, and 13 per cent were severely malnourished. There were 36,000 too few latrines and 40,000 too few shelters.

"Then, between June and August this year, numbers increased by about 340 per cent. If you were to look at rates on a graph, the number would chart an ever-upward trajectory for years, and then when it hit June 2011, it would rise almost at a right angle. And they are still coming: on average 1,000 a day.

"He points to his computer screen and shows me a map of the camp, which is sub-divided into three zones – Ifo (the oldest), Hagadera and Dagahaley. We fix on Hagadera. The surprise is how organised it is. A geometric pattern of blocks and sections, it reminds me of New York's grid system. 'Yes,' Mukhwana nods, 'it's adapted from that, for sure.'

"Each block contains 100 households; each household has five to six people; each section is made up of 10 blocks. The problem is that few refugees return to Somalia. And there are some parts of Dadaab that feel disconcertingly civic. Ifo, for example, has eight primary schools, two secondary schools, one adult education centre, 50 mosques and at least 150 imams.

"It also has five 'markets' – a collection of shops selling bicycles, biscuits, powdered milk, dates, spaghetti (Somalia was colonised by the Italians). 'Not all the refugees are poor,' Mukhwana says. 'Some come in with resources to do big business here – they run big shops, for example – but the majority are in a needy state.'

"Plots ran out in August 2008. New arrivals moved in with family or friends.

"'The camp started swelling from within,' Mukhwana says. Classrooms expanded from 60 to 120 children. By last October there was no more space in the camp. So people settled on the outskirts. 'It's this area you see here,' Mukhwana says, pointing off the map, to a space that is white and empty. Unofficial limbo. Tens of thousands are now gathered here, many of them ill. The set-up is even poorer, dirtier, more humiliating and dangerous than the camp itself.

"There is hardly any sanitation. In order to cook, women need firewood, and if they go to the bush to get it, they risk being raped. Some of the long-term residents have goats; but the 100,000 recent arrivals lost their livestock in the drought. Water for the whole camp has to be brought in by tanker; there is barely enough for humans, let alone crops.

[775] UN Human Rights Council, Report of the independent expert on the situation of human rights in Somalia, Shamsul Bari, 29 August 2011, p4, http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.48_en.pdf Date accessed 10 October 2011

"In July, the Kenyan government finally agreed to open two new spaces: Kambioos and Ifo Extension, which was actually completed late last year, but was unauthorised for use. Each has a capacity of 90,000. 'The Kenyan government dragged its heels,' one veteran aidworker says. 'Now, of course, with the world's attention on it, it had to agree.'

"'The target from UNHCR is to have moved all the people from the outskirts to the new camps by the end of November,' Mukhwana says. Over-crowding isn't the only urgency. If the rains come in October all of Ifo's outskirts will flood. Dr Gedi Mohamed, the director of the Médecins Sans Frontières (MSF) general hospital at Dagahaley, has another worry. 'As long as people live in the outskirts with no proper amenities, it is very dangerous. If cholera strikes, it will be catastrophic.'" [776]

28.14 A UNHCR news story published on 19 September 2011 noted that "… there is more than enough water for everyone at the new extension at Ifo, part of the sprawling Dadaab refugee complex in north-east Kenya." [777] The news report further noted that:

"… since the beginning of June, when continued fighting and the worst drought in 60 years triggered the latest crisis in Somalia, Ifo Extension has evolved from a barren landscape to a growing town of 7,300 tents and nearly 30,600 individuals. The goal to provide shelter and services for 90,000 refugees by year's end remains a UNHCR priority.

"Community members are not waiting for the completion of the project to build their own institutions. Some 30 metres from the water point, community members have started their own makeshift school, even as UNHCR and partners lay the groundwork for a tent school nearby."

For an overview of how Somali refugees have been treated by Kenyan officials, please see the Human Rights Watch report of June 2010, Welcome to Kenya.

ETHIOPIA

28.15 UNHCR's map of Somali refugees in the region, published on 31 August 2011, estimates that there are 171,419 Somali refugees in Ethiopia, of which 90,172 have arrived since January 2011.[778] The 17 October 2011 UNHCR *East & Horn of Africa Update* stated that there were 174,707 Somali refugees inside Ethiopia as of 30 September 2011.[779]

28.16 The UNHCR Ethiopia- Refugee Emergency Update, dated 27 September 2011, noted that: "As at 23 September, the total refugee population in the four Dollo Ado camps stood at 124,279, with 83,800 of them having arrived in Ethiopia since the beginning of the year. This is in addition to about 41,600 Somali refugees in the Jijiga area and a few

[776] The Daily Telegraph, Famine in Africa: inside Dadaab, the world's largest refugee camp, 17 September 2011, http://www.telegraph.co.uk/journalists/sally-williams/8762161/Famine-in-Africa-inside-Dadaab-the-worlds-largest-refugee-camp.html Date accessed 11 October 2011

[777] UNHCR, Somali refugees learn to live together in new tented town rising in Kenya, 19 September 2011, http://www.unhcr.org/4e77488d9.html Date accessed 11 October 2011

[778] UNHCR, Somali refugees in the region (map), 31 August 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/map_941.pdf Date accessed 11 October 2011

[779] UNHCR, East & Horn of Africa Update, Somali Displacement Crisis at a glance, 17 October 2011, http://www.unhcr.org/4e8c56919.html Date accessed 18 November 2011

thousands more in the Gode area. With the fourth camp-Hilaweyn- quickly reaching its capacity, UNHCR and ARRA are working on the development of a fifth camp at Boramino." [780]

28.17 The same update noted that: "Enhanced health and nutrition interventions by UNHCR and partners have resulted in a notable decline in the crude mortality rate in the Dollo Ado camps. This is particularly true for Kobe camp which has experienced its worst mortality rates in July with up to 10 children dying every day. The crude mortality rate in that camp has now drastically gone down from 4-5 deaths per 10,000, to 1.1 deaths per 10,000 daily." [781]

28.18 A blog entry on the Oxfam website, written by Caroline Gluck, humanitarian press officer for Oxfam Great Britain, published on 16 September 2011, noted that:

"Around 1,000 Somali refugees arrive each day at this camp, Hiloweyn, in Dollo Ado, Ethiopia, just a few kilometres from the border with Somalia. They've been moved here from a transit site about an hour's drive away. Many have walked for days by foot. They're weak and nearly everyone is malnourished.

"Their new home is a dusty, rocky and windy spot. It might seem the last place on earth that anyone would want to stay. But for these refugees, who have fled extreme drought, famine and conflict, for now at least, it's much better than what they left back home in Somalia." [782]

28.19 The same blog post noted that: "Oxfam is providing clean water, building latrines and giving hygiene training for 10,000 people who are currently in the camp." [783]

YEMEN

28.20 UNHCR's map of Somali refugees in the region, published on 31 August 2011, estimated that there are 193,698 Somali refugees in Ethiopia, of which 16,098 have arrived since January 2011.[784] The 17 October 2011 UNHCR *East & Horn of Africa Update* stated that there were 196,996 Somali refugees inside Yemen as of 30 September 2011.[785]

28.21 UNHCR reported on 26 August 2011 that:

"The number of people fleeing their homes in Somalia on a daily basis has been falling this month, but a growing number of Somalis have been risking the high seas to reach Yemen… 'Bucking the trend of the slowing outflow in the Horn of Africa, Yemen is

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[780] UNHCR, Ethiopia- Refugee Emergency Update, 27 September 2011, p3, http://www.unhcr.org/4e832b5a9.html Date accessed 11 October 2011
[781] UNHCR, Ethiopia- Refugee Emergency Update, 27 September 2011, p3, http://www.unhcr.org/4e832b5a9.html Date accessed 11 October 2011
[782] Oxfam, Somalian refugees in Ethiopia: Between a rock and a hard place, http://blogs.oxfam.org/en/blog/11-09-16-between-rock-and-hard-place-somalian-refugees-ethiopia Date accessed 11 October 2011
[783] Oxfam, Somalian refugees in Ethiopia: Between a rock and a hard place, http://blogs.oxfam.org/en/blog/11-09-16-between-rock-and-hard-place-somalian-refugees-ethiopia Date accessed 11 October 2011
[784] UNHCR, Somali refugees in the region (map), 31 August 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/map_941.pdf Date accessed 11 October 2011
[785] UNHCR, East & Horn of Africa Update, Somali Displacement Crisis at a glance, 17 October 2011, http://www.unhcr.org/4e8c56919.html Date accessed 18 November 2011

seeing a sharp rise in the number of Somali refugees arriving on rickety boats across the Gulf of Aden. More than 3,700 Somali refugees have reached Yemen's coast so far in August,' said UNHCR's [spokesman Adrian] Edwards.

"This marks an earlier than normal start to the traditional peak season for smugglers' boats to arrive from Bossaso in northern Somalia, and is the highest monthly arrival rate so far this year. 'The new arrivals tell our staff they fled Somalia because of the unstable security situation, severe drought, high food prices and lack of job opportunities,' Edwards noted.

"It is testament to the refugees' desperation that they have chosen to flee to Yemen, which is itself affected by serious unrest. They cross the Gulf of Aden on what are often unseaworthy and overcrowded boats. Many do not survive the dangerous crossing.

"On Monday [22 August 2011], two Somalis drowned when their boat capsized. Nonetheless, more Somalis are expected to arrive in Yemen in the coming months. Yemen hosts the second-largest population of Somali refugees in the region, with nearly 192,000. Some 15,000 of them have arrived since January." [786]

28.22 IRIN reported in January 2011 on Somalis who flee to Yemen:

"Every year tens of thousands of Somalis risk their lives crossing the Gulf of Aden to reach Yemen in their search for safety and a better life. Many die atrocious deaths - beaten, thrown overboard, eaten by sharks, drowned or asphyxiated in the hold of crowded smuggler boats.

"Most Somalis who make it to Yemen simply disperse on their own, either making their way to the capital, Sanaa, or other urban areas like Basateen shanty town in Aden. But thousands of others end up in Kharaz refugee camp, a derelict military barracks on a dusty, scorching hot plateau in Lahj Governorate about two hours' drive west of Aden.

"Many of the refugees in Kharaz are marooned there, unable to go back to their insecure homelands or to find work in Yemen.

"Like most refugee camps, Kharaz was meant to be a temporary solution, a place where the basic needs of Somali refugees could be met until the violence in Somalia died down, allowing them to return home. But with tribal violence still raging in Somalia and tens of thousands of African migrants arriving on Yemen's shores ever year, the population of Kharaz camp continues to grow… Kharaz shelters 14,000 refugees in cinderblock huts. There are schools, clinics and food rations, but no jobs.

"Residents at Kharaz - like all Somali refugees in Yemen - are entitled to work. Some of those who leave the camp during the summer months (when temperatures can rise to 50 degrees Celsius) may find casual work, but many resort to begging for food once they reach the cities… The Basateen slum - a shanty town on the outskirts of Aden - is more squalid than Kharaz, but Somalis there are less isolated and can at least seek casual work in Aden.

[786] UNHCR, Somali exodus slows in Horn of Africa but grows in Yemen, 26 August 2011, http://www.unhcr.org/4e579df59.html Date accessed 11 October 2011

"UNHCR and its partner agencies working with Somali tribal elders do their best to combat social stresses in Basateen with micro-credits and self-reliance projects that help some women feed their children, even when their husbands have vanished...Up to 50,000 new refugees arrive in Yemen every year. We should therefore work to improve the camps, and to turn them into a starting point for refugees to move towards a better future - integration in urban areas, and access to schools and jobs." [787]

28.23 The Yemen Post reported on 20 March 2011 on how the recent unrest in Yemen had affected Somali refugees:

"At least 60 Somali refugees fled Yemen due to the unrest situation in country and reached to the port town of Bosasso.

"One of the refugees, told local media reporters that the Somalis were accused by Yemenis of being mercenaries fighting on behalf of Yemeni leader Ali Abdullah Saleh.

"'We fled from Yemen due to poor living conditions, social inequality, instability, lack of freedom, oppression, current political unrests and many other reasons,' Mr. Osman told media outlets.

"According to UN agencies in Somalia, at least 250 Somali refugees returned back to their native country from Yemen since 26th January when anti-government protests rocked the country." [788]

28.24 Bar Kulan, "a public service radio station broadcasting non-partisan news, information, culture, entertainment and development programmes to Somalia and the Somali Diaspora", [789] reported on 30 September 2011 that:

"The Somali government has called on Somali refugees in Yemen to return home to escape heightening political tension in Yemen which has seen many opposition supporters targeted Somalis in the country.

"Acting Somali ambassador to Yemen Mukhtar Mohamed Hassan appealed to his fellow compatriots in Yemen to go back home as the country they sought refuge appears to be more dangerous than Somalia, adding that the embassy will help those willing to return to their country.

"He said the Somali government is concern the recent rounding up of Somali refugees in the capital and other gross human rights violations against its citizens in Yemen." [790]

See also Internally displaced persons and Humanitarian situation

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[787] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, Somali refugees hope for better life beyond Kharaz camp, 25 January 2011, http://www.irinnews.org/Report.aspx?ReportID=91727 Date accessed 27 April 2011

[788] Yemen Post, Somali Refugees Flee Yemen, 20 March 2011, http://yemenpost.net/Detail123456789.aspx?ID=100&SubID=3304&MainCat=3 Date accessed 27 April 2011

[789] Bar Kulan, News in English, undated, http://www.bar-kulan.com/category/news-in-english/ Date accessed 27 September 2011

[790] Bar Kulan, Somali refugees in Yemen appealed to go back home, 30 September 2011, http://www.bar-kulan.com/2011/09/30/somali-refugees-in-yemen-appealed-to-go-back-home/ Date accessed 11 October 2011

29. CITIZENSHIP AND NATIONALITY

29.01 The requirements for citizenship are set out in Law No 28 of 22 December 1962 – Somali Citizenship. [791] As this legislation is not being applied it is not possible to provide information on the acquisition of citizenship.

PASSPORTS

29.02 Prior to 2007, there were reports that Somali passports could be readily acquired, and the BBC, in an article dated 18 November 2004, stated: "… the printing of passports has been privatised. For just $80 and in less than 24 hours, I became a Somali citizen, born in Mogadishu. As I had omitted to travel with any passport-sized photos, my supplier kindly left the laminate for that page intact, for me to stick down at home. For a slightly higher fee, I was offered a diplomatic passport, with my choice of posting or ministerial job." [792]

29.03 An Awdal news report of 28 March 2008 reported that from 1 April 2008, Somalis living in the United Arab Emirates (UAE) would be able to be issued with passports. The report stated:

"Earlier, the UAE press reported that the Somali government had selected the UAE-Emirate of Sharjah as the main centre for issuing electronic passports and electronic identification cards for its citizens around the globe… Mr Gafow, however, affirmed that new immigration officers to be based in Somali Embassies would issue the Somali passport while the database will be kept with the passport-printing centre in the Sharjah Airport Free Zone. … But Mr Gafow affirmed that the Immigration Centre would later move to Mogadishu after ensuring safety and security in all parts of the country. New e-passports will be designed as per international standards defined by the International Civil Aviation Organisation (ICAO), using the latest 'contact less chip technology', incorporating Facial and Fingerprints Biometric Security Recognition. Passports were to be issued in four colours to various categories – red for diplomatic missions, brown for services, black for the public and light blue for travel documents only. … 'Inside the country we have already opened offices in Baidoa, Bossasso, Garowe and Laas Anod,' he said, underlining that there will be no need for people to come to Mogadishu for a passport as the case used to be under the previous government. Answering a question on whether any foreign visas have been issued to the holders of the new passports, Mr Gafow said: 'I have entered the UAE with the new passport and a visa has been issued to me, and the American Embassy in Nairobi has been the first to issue visas to the holders of the new Somali passports.' New passports with electronic national identity cards will cost US$ 150 for Somalis outside Somalia and US$ 100 for Somalis residing within Somalia, making it one of the most expensive passports issued by foreign

[791] UN High Commissioner for Refugees, Law No 28 of 22 December 1962 – Somali Citizenship, http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.htm?tbl=RSDLEGAL&page=research&id=3ae6b50630 Date accessed 26 October 2006

[792] BBC News, Living in Somalia's anarchy, 18 November 2004, http://news.bbc.co.uk/2/hi/africa/4017147.stm Date accessed 13 January 2009

embassies in the UAE. Passport fees for other nationalities living in the UAE range between US$ 30-50." [793]

29.04 Somali Report noted on 17 September 2011 that the TFG "has banned the use of the old Somali passport, popularly known as the Green Passport … Speaking to reporters in Mogadishu [on 16 September 2011], Somali Immigration Officer, General Abdulaahi Gaafow Mohamoud, said the transitional authorities would replace the identification document with a new version of electronic passports that would be extremely difficult to forge … Unlike the old passport, the new one is blue in color." [794]

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30. FORGED AND FRAUDULENTLY OBTAINED DOCUMENTS

30.01 The Landinfo report, *Documents in Somalia and Sudan*, published on 5 January 2009, caveated throughout its accounts of documentation from Somalia and Somaliland. The report states in its overview that:

"Although a Transitional Federal Government (TFG) has been established in Somalia, no agencies have been mandated to issue personal documents. Furthermore, there are no registries containing information which can establish the identity of individual citizens. In Somaliland – the breakaway republic in the north-western part of Somalia which has failed to win the recognition of any country in the world – government agencies do however issue various documents. Lack of registration procedures and internal control mechanisms as well as corruption give serious cause to question the reliability of these documents." [795]

30.02 A letter from the Foreign and Commonwealth Office, dated 1 November 2010, stated:

"Kenyan travel documents and ID cards are subject to high levels of abuse, particularly by Somali nationals. The abuse is exacerbated by Somalia's close proximity to Kenya, the difficulties the Kenyan authorities have in determining nationality (especially from the border communities) and widespread fraud and corruption.

"Local newspaper articles have reported abuse of the Kenyan ID card resulting in the temporary closure of the ID card office servicing the Eastern Province of Kenya." [796]

See also: Passports

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[793] Awdal News Network, via Afrol, Somali govt starts issuing new e-passports, 28 March 2008, http://www.afrol.com/articles/24890 Date accessed 17 June 2008
[794] Somalia Report, TFG Bans Use of Old Somali Passport, 17 September 2011, http://www.somaliareport.com/index.php/post/1588 Date accessed 13 October 2011
[795] Landinfo, Documents in Somalia and Sudan, 5 January 2009, http://www.landinfo.no/asset/769/1/769_1.pdf Date accessed 9 May 2011
[796] Foreign and Commonwealth Office, Letter to COI Service, 1 November 2010, Available in hard copy on request

Annex A

CHRONOLOGY OF MAJOR EVENTS

See also: History and Recent developments For a comprehensive account of the conflict in Somalia, please see Accord Issue 21, Whose Peace Is It Anyway?

The IRIN report, *In-Depth: Somali National Peace Conference*, published in 2000, gave the following information about the history of Somalia, up to 2000. [797]

1960

26 June	The former British Somaliland Protectorate gains independence.
1 July	The former Italian colony becomes independent. The former British (northwest) and Italian (south) colonies unite.

1969

15 October	Democratically elected President Abdirashid Ali Sharmarke is assassinated by one of his police bodyguards.
21 October	The army under Major-General Muhammad Siyad Barreh overthrows the civilian government, after parliament hits deadlock trying to select a new president. The army suspends the constitution, bans all 86 political parties, and promises to end corruption. Siyad Barreh heads the 25-member Supreme Revolutionary Council, consisting of army and police officers.

1970

21 October	The army junta declares Somalia a socialist country and adopts 'Scientific Socialism'. This signals a shift towards Soviet backing, and security organs and intelligence networks are given greater powers.

1972

21 October	A written script for the Somali language is established. A modified Roman alphabet is adopted as the official orthography for the Somali language.

1974 Somalia becomes a member of the Arab League.

1977

July	A low-level war of attrition between Somali-backed insurgents and the Ethiopian army becomes an all-out battle between Somalia and Ethiopia, when Somalia declares war on Ethiopia. The war goes down in history as the fiercest Cold War battle on the continent, played out in the Ethiopian Ogaden region.
13 November	Somalia expels about 6,000 of Russian, Cuban and other Soviet allies, after the Soviet Union switched sides and allied itself with the Ethiopia.

1978

[797] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, In-Depth: Somali National Peace Conference, 10 July 2000, http://www.irinnews.org/IndepthMain.aspx?IndepthId=54&ReportId=72039 Date accessed 9 May 2011

March	The Somali Government announces the withdrawal of its forces from the Ogaden.
8 April	After the defeat of the Somali army, a group of army officers try to topple the Siyad Barreh regime. The attempted coup is crushed and Siyad Barreh tightens his grip further. He begins a process of putting power into the hands of his relatives, and sub-clan, the Darod Marehan. He also empowers the related Dulbahante and Ogadeni sub-clans.
1988	
May	The Somali National Movement (SNM) mounts an offensive in the north of the country, as a result of the regime's brutal post-Ethiopian war policies. Siyad Barreh responds by bombing the area. Hundreds of thousands of civilians are displaced, and many killed. It is the first real challenge to Siyad Barreh's rule, and the beginning of the proliferation of armed opposition to the regime.
1990	
May	A manifesto is published in Mogadishu calling for an all inclusive national reconciliation convention to avert protracted civil war. It is signed by 144 people, including politicians, religious leaders, professionals and business people, representing all Somali clans.
December	Armed uprising erupts in Mogadishu.
1991	
27 January	Siyad Barreh flees Mogadishu. Forces loyal to the Hawiye-based United Somali Congress (USC) capture the city.
28 January	The Manifesto Group of USC appoints an hotelier, Ali Mahdi Muhammad, as president. The military wing of USC, led by General Muhammad Farah Aydid, rejects the appointment. Full-scale fighting starts between the two factions of the USC.
3 March	A ceasefire comes into effect between the warring factions in Mogadishu. Fighting erupts in the northeast region between the Al-Ittihad Islamic fundamentalists and militia loyal to the Somali Salvation Democratic Front (SSDF), lead by Colonel Abdullahi Yusuf Ahmad. 18 May: The former British Protectorate of Somaliland declares independence from the rest of Somalia, in the town of Burao.
July	A conference was held in Djibouti, in which Ali Mahdi in which was chosen as interim president.
1992	
April	The United Nations Operation in Somalia, UNOSOM I, begins work in Somalia.
December	UNITAF forces under American leadership land in Mogadishu.
1993	
February	A three month conference in Borama seeks a new leader for the self-declared state of Somaliland. Muhammad Haji Ibrahim Egal, a former prime minister, is elected in May.
March	The next serious attempt at peace talks. An Ethiopian initiative evolves into a joint UN-Ethiopian sponsored reconciliation conference held in Addis Ababa.
4 May	UNITAF hands over to UNOSOM II.
5 June	23 Pakistani peacekeepers are killed by Aydid loyalists.
12 July	American helicopter gunships kill over 50 unarmed Somalis holding a meeting in a private house in Mogadishu, increasing local hostility to the international intervention forces.

3 October	American-led forces looking for Aydid's senior aides are involved in a shoot-out, which leaves 18 Americans and hundreds of Somalis dead. The body of a dead American is dragged through the Mogadishu streets, and, caught on camera, sparks an international outcry.

1996

August	Aydid dies of gunshot wounds sustained in operations against his former lieutenant, Osman Ali Atto. His son, a former American marine, Husayn Muhammad Aydid, is chosen by the clan to replace his father.
November	Ethiopian government-sponsored reconciliation conference brings most of the factions together, but it is boycotted by Aydid's son.

1997

November	All faction leaders met in Cairo, with limited success, leaving Somalia without a national leader and Mogadishu still divided and insecure.

2000

2 May	On the initiative of the Djibouti government, the Somali National Peace Conference brings together more than 2,000 participants in Arta, Djibouti. It is the first conference where the warlords do not have control of the conference agenda.
26 August	A 245-strong Transitional National Assembly, based on clan representation, elects Abdiqasim Salad Hasan as the new president of Somalia.
27 August	President Abdiqasim Salad Hassan is sworn in an inauguration ceremony attended by the heads of governments of Eritrea, Ethiopia, Sudan, Yemen, and the host country Djibouti, along with representatives from the UN, EU, Arab league, OAU, France, Italy, Kuwait, and Libya.

The BBC *Timeline: Somalia* [798], updated 3 March 2011, gave the following information about Somalia following the 2000 conference in Arta.

October	Hassan and his newly-appointed prime minister, Ali Khalif Gelayadh, arrive in Mogadishu to heroes' welcomes. Gelayadh announces his government, the first in the country since 1991.

2001

April	Somali warlords, backed by Ethiopia, announce their intention to form a national government within six months, in direct opposition to the country's transitional administration.
August	UN appeals for food aid for half a million people in the drought-hit south.

2004

August	In 14th attempt since 1991 to restore central government, a new transitional parliament inaugurated at ceremony in Kenya. In October the body elects Abdullahi Yusuf as president.

[798] BBC News, Timeline: Somalia, updated 20 October 2011, http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1072611.stm Date accessed 18 November 2011

December	Tsunami waves generated by an undersea earthquake off Indonesia hit the Somali coast and the island of Hafun. Hundreds of deaths are reported; tens of thousands of people are displaced.

2005

February-June	Somali government begins returning home from exile in Kenya, but there are bitter divisions over where in Somalia the new parliament should sit.
November	Prime Minister Ali Mohammed Ghedi survives an assassination attempt in Mogadishu. Gunmen attack his convoy, killing six people.

2006

February	Transitional parliament meets in Somalia - in the central town of Baidoa - for the first time since it was formed in Kenya in 2004.
March & May	Scores of people are killed and hundreds are injured during fierce fighting between rival militias in Mogadishu. It is the worst violence in almost a decade.
June-July	Militias loyal to the Union of Islamic Courts take control of Mogadishu and other parts of the south after defeating clan warlords. Ethiopian troops reported in Somalia.
July-August	Mogadishu's air and seaports are re-opened for the first time since 1995.
September	Transitional government and the Union of Islamic Courts begin peace talks in the Sudanese capital, Khartoum. Somalia's first known suicide bombing targets President Yusuf outside parliament in Baidoa.
October	About 35,000 Somalis escaping drought, strict Islamist rule and the possibility of war have fled to Kenya refugee since the start of 2006, the UN reports. War of words between Ethiopia and Somalia's Islamists. Premier Meles says Ethiopia is "technically" at war with the Islamists because they had declared jihad on his country.
December	UN Security Council resolution endorses African peacekeepers, specifies that neighbouring states should not deploy troops. Islamist leaders react by saying they will tackle foreign forces as invaders. Ethiopian and transitional government engage the Islamists in battle and soon put them to flight.
27 December	African Union, Arab League urge Ethiopia to pull out its troops. UN Security Council fails to agree on a statement calling on foreign forces to withdraw.
28 December	Joint Ethiopian and Somali government force captures Mogadishu.

2007

January	Islamists abandon their last stronghold, the port town of Kismayo. President Abdullahi Yusuf enters Mogadishu for the first time since taking office in 2004. US carries out air strikes in southern Somalia which it says targeted al-Qaeda figures, and which reportedly kill an unknown number of civilians. It is the first known direct US military intervention in Somalia since 1993. The strikes are defended by President Yusuf. They are condemned for killing innocent civilians. Interim government imposes three-month state of emergency.
February	UN Security Council authorises a six-month African Union peacekeeping mission for Somalia.
March	African Union peacekeepers land at Mogadishu amid pitched battles between insurgents and government forces backed by Ethiopian troops. The Red Cross says it is the worst fighting in 15 years.

April	UN says more than 320,000 Somalis have fled fighting in Mogadishu since February. Hundreds of people are reported killed after several days of fierce clashes in the capital.
May	The World Food Programme says a resurgence of piracy is threatening food supplies.
June	A US warship shells suspected Al-Qaeda targets in Puntland. Prime Minister Ghedi escapes a suicide car bomb attack on his compound. Ethiopian Premier Meles Zenawi visits Mogadishu, pledging to withdraw his troops once peace takes hold.
July	National reconciliation conference opens in Mogadishu and comes under mortar attack. Islamist leaders stay away from the talks. Refugee exodus grows amid an upsurge in violence.
August	Human Rights Watch accuses Ethiopian, Somali and insurgent forces of war crimes, and the UN Security Council of indifference during the recent conflict.
September	Opposition groups form a new alliance to campaign for a military and diplomatic solution to the Somali conflict. They meet in Asmara, Eritrea.
October	Ethiopian forces fire on demonstrators in Mogadishu protesting at the presence of what they call foreign invaders. Heaviest fighting in Mogadishu reported since April. Ethiopians move reinforcements into the city. Prime Minister Ghedi resigns. Aid agencies warn a catastrophe is unfolding in Somalia.
November	Government shuts down Radio Shabelle, Radio Simba and Radio Banadir. UN special envoy Ahmedou Ould-Abdallah describes Somalia's humanitarian crisis the worst in Africa, suggests using international justice to curb the violence. Nur Hassan Hussein, also known as Nur Adde, sworn in as new prime minister. Number of Somali refugees hits one million, with nearly 200,000 fleeing the capital in the past two weeks, the UN reports.
December	Ethiopian troops leave key central town of Guriel.

2008

January	Burundi becomes the second nation to contribute troops to the African Union peacekeeping force, sending 440 soldiers to Mogadishu.
March	US launches missile strike on southern town of Dhoble targeting suspected al-Qaeda member wanted for 2002 bombing of Israeli-owned hotel in Kenya. Islamist-led insurgency continues to spread.
April	EU calls for international efforts to tackle piracy off the Somali coast after a series of hijackings and attacks on vessels. US air strike kills Aden Hashi Ayro, a leader of the Al-Shabab insurgent group.
May	Ethiopian Prime Minister Meles Zenawi says he will keep troops inside Somalia until "jihadists" are defeated. The UN Security Council unanimously votes to allow countries to send warships into Somalia's territorial waters to tackle pirates.
June	Government signs three-month ceasefire pact with opposition Alliance for Re-Liberation of Somalia. The deal, which provides for Ethiopian troops to leave Somalia within 120 days, is rejected by Islamist leader Hassan Dahir Aweys, who says Union of Islamic Courts will not stop fighting until all foreign troops have left country.

July	Head of the UN Development Programme in Somalia, Osman Ali Ahmed, killed by gunmen in Mogadishu.
September	Somali pirates' hijacking of a Ukrainian ship carrying 33 tanks prompts widespread international concern. The US and other countries deploy navy ships to Somali waters.
October	Nato agrees to despatch a naval force to patrol to waters off Somalia by the end of 2008, in an effort to control piracy. A wave of coordinated bombings across the self-governing and relatively peaceful regions of Somaliland and Puntland, in Somalia's north, kill at least 27 people.
November	Somali pirates hijack an oil-laden Saudi super-tanker and demand a 25m dollar ransom for its return.
December	Ethiopia announces plans to withdraw all forces by end of 2008. President Abdullahi Yusuf tries to sack Prime Minister Nur Hassan Hussein over his attempts to draw moderate Islamists into the government. Parliament declares the dismissal unconstitutional and passes a vote of confidence in Mr Nur. Mr Yusuf resigns.

2009

January	Ethiopia completes the withdrawal of its troops. Fighters from the radical Islamist al-Shabab militia take control of the town of Baidoa, formerly a key stronghold of the transitional government. Meeting in neighbouring Djibouti, Somalia's parliament swears in 149 new members from the main opposition Alliance for the Re-Liberation of Somalia. It elects a moderate Islamist, Sheikh Sharif Sheikh Ahmed, president, and extends the transitional government's mandate for another two years.
February	President Ahmed selects Omar Abdirashid Ali Sharmarke as prime minister. Mr Sharmarke, a former diplomat, is widely seen as a bridge between Islamists within the Somali government and the international community.
May	Islamist insurgents launch onslaught on Mogadishu.
June	Somalia's security minister and more than 20 other people are killed in a suicide bombing at a hotel in Beledweyne, north of the capital Mogadishu. President Ahmed declares a state of emergency as violence intensifies. Somali officials appeal to neighbouring countries to send troops to Somalia, as government forces continue to battle Islamist insurgents.
September	Al-Shabab proclaims allegiance to Al-Qaeda leader Osama Bin Laden.
October	Al-Shabab wins control over the southern port city of Kismayo after defeating the rival Hizbul-Islam Islamist militia, which withdraws to villages to the west. At least 20 are killed and 70 injured in fighting that threatens to spread to the rest of the Islamist-controlled south.
November	Pirates seize a supertanker carrying oil from Saudi Arabia to the US, one of the largest ships captured off Somalia. The Greek-owned Maran Centaurus was about 1,300km (800 miles) off Somalia when it was hijacked. Kidnappers released journalists Amanda Lindhout and Nigel Brennan after 15 months in captivity. December: Al-Shabab denies being behind suicide attack that killed 22 people in Mogadishu, including three ministers.

2010

January	Al-Shabab declares it is ready to send fighters to support Islamist rebels in Yemen.

February	Al-Shabab formally declares alliance with al-Qaeda, begins to concentrate troops in southern Mogadishu for a major offensive to capture the capital.
March	Up to half of food aid being diverted to contractors, militants and local UN staff, says UN's Monitoring Group on Somalia. Findings denied by President Sharif and UN's World Food Programme.
May	UN Secretary-General Ban Ki-moon calls on world to support current Somalia government as best chance to stabilise the chaotic country.
July	Al-Shabab says it was behind twin blasts which hit Ugandan capital Kampala, killing 74 people watching the World Cup football final on TV.
September	Prime Minister Sharmarke quits. He is replaced by Mohamed Abdullahi Mohamed.

2011

January	Pirate attacks on ships worldwide hit seven-year high in 2010, with Somali pirates accounting for 49 of 52 ships seized. First government executions since 1991.
February	Parliament votes to extend its mandate for another three years. Kenya closes border to Somalia after nearby fighting between Al-Shabab rebels and government-backed forces.
April	Aid agencies sound alarm after rains fail for second year running, leading to complete crop failure in southern Somalia and rising levels of malnutrition.
July	UN formally declares famine in two regions of southern Somalia. Aid agencies warn that millions face starvation, after drought, conflict and poverty combine to produce the necessary conditions for famine. Tens of thousands of Somalis flee to refugee camps in Kenya and Ethiopia. The UN estimates that a quarter of the population is either internally displaced or living outside the country. Al-Shabab partially lifts the ban it had imposed on foreign aid agencies in areas under its control.
August	UN declares famine in three new areas of Somalia. Al-Shabab pulls out of all its positions in Mogadishu. The Islamist group describes the move as a "change of military tactics". First airlift of UN aid in five years arrives in Mogadishu.
August and September	Suspected al-Shabab militants raid Kenyan coastal resorts, killing one foreigner and kidnapping two.
October	Kenyan troops enter Somalia to attack rebels they accuse of being behind several kidnappings of foreigners on Kenyan soil.

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Annex B

POLITICAL ORGANISATIONS

Alliance for the Re-Liberation of Somalia - Djibouti faction (ARS-D)
This group incorporates various clans but is dominated by the Hawiye clan. Led by Sheikh Sharif Sheikh Ahmed and an integral part of the TFG. (Jane's Sentinel Country Risk Assessment) [799]

Alliance for the Re-Liberation of Somalia - Asmara faction (ARS-A)
Led by Sheikh Hussein Dahir Aweys, this group are based in Asmara, Eritrea and are informally aligned with Al-Shabaab and JIS as a part of the insurgency against the TFG. (Jane's Sentinel Country Risk Assessment) [800]

Al Shabaab
"Al-Shabaab (aka the Harakat Al-Shabaab al-Mujahidin, al-Shabab, Al-Shabaab, the Youth, Mujahidin al-Shabaab Movement, Mujahideen Youth Movement, Mujahidin Youth Movement), is an Islamic organization that controls much of southern Somalia, excluding the capital, Mogadishu. It has waged an insurgency against Somalia's transitional government and its Ethiopian supporters since 2006. Originally the militant wing of the Islamic Courts Union, the group that controlled Somalia prior to the country's invasion by Ethiopian forces, al-Shabaab leaders have claimed affiliation with al-Qaeda since 2007." (Council on Foreign Relations) [801]

Al Shabaab has been led by Ibrahim al-Afghani since December 2010. (Walta Information Centre) [802]

"Estimates of al-Shabaab's size vary, but analysts generally agree that the group contains several thousand fighters, many of whom are from the Hawiye clan…Shabaab has engaged in forced recruitment among Somalis… Foreign fighters have traveled to Somalia to fight with Shabaab, as have Somalis from the United Kingdom and the United States." (Council on Foreign Relations) [803] "The group is divided into three geographical units: Bay and Bokool regions, led by Mukhtar Roobow 'Abu Mansur,' the group's spokesman; south-central Somalia and Mogadishu; and Puntland and Somaliland. A fourth unit, which controls the Juba Valley, is led by Hassan Abdillahi Hersi 'Turki,' who is not considered to be a member of al-Shabaab, but is closely aligned with it." (Council on Foreign Relations) [804] Al Shabaab pledged allegiance to Al Qaeda in February 2010, and were proscribed under the UK Terrorism Act 2000 on 1 March 2010. (BBC News) [805]

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[799] Jane's Sentinel Country Risk Assessment, Internal Affairs, updated 29 April 2009, Available in hard copy on request
[800] Jane's Sentinel Country Risk Assessment, Internal Affairs, updated 29 April 2009, Available in hard copy on request
[801] Council on Foreign Relations, Al Shabaab, updated 10 August 2011, http://www.cfr.org/somalia/al-shabaab/p18650 Date accessed 26 October 2011
[802] Walta Information Centre, Al-Shabaab's problems over the future of Colonel Hassan Dahir 'Aweys', 15 January 2011, http://www.waltainfo.com/index.php?option=com_content&task=view&id=25041&Itemid=82 Date accessed 10 May 2011
[803] Council on Foreign Relations, Al Shabaab, updated 10 August 2011, http://www.cfr.org/somalia/al-shabaab/p18650 Date accessed 26 October 2011
[804] Council on Foreign Relations, Al Shabaab, updated 10 August 2011, http://www.cfr.org/somalia/al-shabaab/p18650 Date accessed 26 October 2011
[805] BBC News, Alan Johnson bans Somali 'terrorist' group Al-Shabaab, 1 March 2010, http://news.bbc.co.uk/1/hi/8543347.stm Date accessed 10 May 2011

Al-Shabaab claimed responsibility for twin bombings that killed more than seventy people in Kampala, Uganda during the World Cup final on July 11, 2010. It was their first attack outside of Somalia. (Council on Foreign Relations) [806]

See also: Non-state armed forces, Al Shabaab

Ahlu Sunna Waljama

Ahlu Sunna Waljama "is a Sufi Muslim organisation that was originally comprised of a number of Sufi clerics based in the Somali capital Mogadishu. The group's founders aimed to unify the three main Sufi religious orders in the country, with the objective of protecting Sufism in Somalia from the encroaching influence of militant Islamist groups. Initially the group adopted non-violent strategies, and focused on countering the radical ideology of Al-Ittihad al-Islamiyya (AIAI). However, with the emergence of Shabab in early 2007 the group faced a more direct and violent challenge, and responded by forming a number of local self-defence militias. While remaining committed to non-violence in principle, from late 2008 the group played an increasingly prominent role within the Somali conflict, and clashes between its affiliated fighters and Shabab militants continued throughout 2009. The group battled both Hizbul Islam and Shabab in early 2010, and on 15 March announced that it had formally joined the Transitional Federal Government (TFG) under President Sheikh Sharif Sheikh Ahmed. However, the merger with the TFG generated dissent within Ahlu Sunna and in September 2010 it formally withdrew from the government. Despite this, the group announced that it would continue to fight against Shabab and Hizbul Islam in its areas of control." (Jane's Sentinel Country Risk Assessment) [807]

See also: Ahlu Sunna Waljama

Hisbul Islam

Led by Sheikh Hassan Dahir Aweys, this group are fighting the TFG and are concerned with local and national issues, rather than engagement with international actors. (IRIN News) [808] They are reported to have merged with Al Shabaab in December 2010 (BBC News) [809] although the consequences of this are, as yet, unknown. (UN Security Council) [810] Following the merger, some factions within Hizbul Islam opposed the move and defected to the TFG. (Jane's Sentinel Country Risk Assessment) [811]

See also: Hisbul Islam

Islamic Union Party (al-Ittihad al-Islam)

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[806] Council on Foreign Relations, Al Shabaab, updated 10 August 2011, http://www.cfr.org/somalia/al-shabaab/p18650 Date accessed 26 October 2011

[807] Jane's Sentinel Country Risk Assessment, Non-state armed groups, updated 20 September 2011, Available in hard copy on request

[808] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, IRIN News, Analysis: Who is fighting whom in Somalia, 2 September 2009, http://www.irinnews.org/Report.aspx?ReportId=85970 Date accessed 9 November 2009

[809] BBC News, Somali Islamists al-Shabab and Hizbul Islam 'to merge', 20 December 2010, http://www.bbc.co.uk/news/world-africa-12038556 Date accessed 14 April 2011

[810] UN Security Council, Report of the Secretary-General on Somalia, 30 December 2010, p3, http://reliefweb.int/sites/reliefweb.int/files/resources/414F81B653F303868525781500789A75-Full_Report.pdf Date accessed 14 April 2011

[811] Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security, updated 20 September 2011, available in hard copy on request

Islamist group which aims to unite ethnic Somalis from Somalia, Ethiopia, Kenya and Djibouti in an Islamic state. (Europa World) [812]

Jabhadda Islamiyya Somalia (JIS)
Led by Sheikh Abdulqadir (Kudmandoos), this group are aligned with ARS-A and Al Shabaab. (Jane's Sentinel Country Risk Assessment) [813]

Juba Valley Alliance (JVA)
Grouping of Ogaden, Marehan and Abar Gedir clans. Founded in 1999, its President is Bare Adan Shire. (Europa World) [814]

Puntland Regional State
The dominant faction in Puntland, led by Abdirahman Mohamed Mohamud (Puntland president) and Abdullahi Yusuf Ahmed (former TFG president). (Jane's Sentinel Country Risk Assessment) [815]

Rahawayn Resistance Army (RRA)
A guerrilla force active around Baidoa. (Europa World) [816]

Somali African Muki Organisation (SAMO)
Represents Bantu minority population. The leader is Mowlid Ma'ane. Also part of the G8 at the Nairobi peace talks. (IRIN News) [817]

Somali Democratic Movement (SDM)
Represents the Rahanwin clan; movement split in early 1992, with this faction in alliance with Ali Mahdi Mohamed. (Europa World) [818]

Somali National Alliance (SNA)
Founded 1992 as alliance between the Southern Somali National Movement (which withdrew in 1993) and the factions of the United Somali Congress, Somali Democratic Movement and Somali Patriotic Movement. (Europa World) [819]

Somali National Front (SNF)
Founded 1991; guerrilla force active in southern Somalia, promoting Darod clan interests and seeking restoration of Somali Revolutionary Socialist Party (SRSP) Government. A rival faction

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[812] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[813] Jane's Sentinel Country Risk Assessment, Internal Affairs, updated 29 April 2009, Available in hard copy on request
[814] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[815] Jane's Sentinel Country Risk Assessment, Internal Affairs, updated 29 April 2009, Available in hard copy on request
[816] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[817] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, SOMALIA: Peace talks falter over proposals for parliament, 25 June 2003 http://www.irinnews.org/PrintReport.aspx?ReportID=44544 Date accessed 10 May 2011
[818] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[819] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request

(led by Omar Haji Masaleh) is active in southern Somalia. Its leader is Gen Mohamed Siad Hersi 'Morgan'. (Europa World) [820]

Somali Patriotic Movement (SPM)
Darod group formed in 1989. Represents Ogadenis (of the Darod clan) in southern Somalia; this faction of the SPM has allied with the SNF in opposing the SNA. Its Chairman is Gen Aden Abdullahi Noor ('Gabio'). (Europa World) [821]

Somali Reconciliation and Restoration Council (SRRC)
Founded 2001 by faction leaders opposed to the establishment of the Hasan administration; aims to establish a rival national government. (Europa World) [822]

Somali Revolutionary Socialist Party (SRSP)
Founded in 1976 as the sole legal party; overthrown in January 1991. Conducts guerrilla operations in Gedo region, near border with Kenya. Secretary General position is vacant; Assistant Secretary General is Ahmed Suleiman Abdullah. (Europa World) [823]

Somali Salvation Democratic Front (SSDF)
Founded 1981 as the Democratic Front for the Salvation of Somalia (DFSS), as a coalition of the Somali Salvation Front, the Somali Workers' Party and the Democratic Front for the Liberation of Somalia; operates in cen. Somalia, although a smaller group has opposed the SNA around Kismayu in alliance with the SNF. Chairman is Mohamed Abshir Monsa. (Europa World) [824]

Transitional Federal Government (TFG)
Dominated by Hawiye, Darod, Rahanwhein and Abgal clans, headed by President Sheikh Sharif Sheikh Ahmed. The TFG incorporates many different political groups such as ARS-D and RRA. (Jane's Sentinel Country Risk Assessment) [825]

Transitional National Government (TNG)
The TNG was formed in 2000 of 225 members, mostly Dir, Hawiye, Darod and Rahanweyn clans. It was supported by the UN and several Arab states but it failed to win the backing of Ethiopia or the confidence of major donor governments. The TNG was succeeded by the TFG in November 2004. (Bradbury and Healy, *Endless War*) [826]

See also: History, Arta conference, Transitional National Government and Transitional Federal Government (2000-2004)

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[820] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[821] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[822] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[823] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[824] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[825] Jane's Sentinel Country Risk Assessment, Internal Affairs, updated 29 April 2009, Available in hard copy on request
[826] Mark Bradbury and Sally Healy, Endless war: a brief history of the Somali conflict, undated, http://www.c-r.org/our-work/accord/somalia/endless-war.php Date accessed 5 February 2010

United Somali Congress (USC)
Founded in 1989; in central Somalia. Overthrew Siad Barre in January 1991. Party split in 1991, with this faction dominated by the Abgal sub-clan of the Hawiye clan, Somalia's largest ethnic group. (Europa World) [827]

Union of Islamic Courts also referred to as Islamic Court Union (UIC)
Founded in 2003 by Sheikh Sharif Sheikh Ahmed. Its main body is the Islamic Supreme Consultation Council of Islamic Courts, known as the *Shura* (council). It is made up of 91 members, and functions as an advisory body for the local courts. The Council is headed by Sheikh Hassan Dahir Aweys. The UIC has also established a 15-member executive council, with Sheikh Sharif as its Chairman, which acts as an executive branch of government and implements decisions. The UIC was expelled from Mogadishu in December 2006, and its organisation within Somalia has been effectively shattered; in light of this, there is little information on its present make-up or organisation. (IRIN News) [828]

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POLITICAL ORGANISATIONS IN SOMALILAND

Democratic United Peoples' Movement (UDUB)
"The UDUB is the party of former president Dahir Riyale Kahin and his predecessor, Mohamed Ibrahim Egal. Although it does not have an ideologically defined political programme, the party's electoral campaigns always focuses on the continuity of governance structures, stability and experience of government. This lends the UDUB some of the character of a conservative party. Its party structure is weak, and seemingly it has two important factions, one around the former president and another around the speaker of the upper house, Suleiman Mahmoud Adam." (Jane's Sentinel Country Risk Assessment) [829]

Peace, Unity and Development Party (Kulmiye Nabad, Midnimo iyo horumar: Kulmiye)
"Kulmiye has several political factions among its membership. One comprises a group of former SNM military commanders who were associated with a Marxist tendency within the movement and are commonly referred to as the 'Red Flag' (Calan Cas). The party also contains a smaller religious group, led by the deputy speaker of the house of representatives, Abdulazis Samale. A third group including members of the 'Hargeysa Group' of civil activists famous for their stand against the Barre regime. The Somali word 'kulmi' implies meeting, focusing or drawing together and hence the party name suggests the effective incorporation of disparate tendencies. However the existence of these tendencies nevertheless presents a challenge to party discipline for party leader and president, Ahmad Muhammad Silaanyo." (Jane's Sentinel Country Risk Assessment) [830]

Party for Justice and Democracy (UCID)

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[827] Europa World Online, Somalia, Directory: Government and politics, Political organisations, Available in hard copy on request
[828] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Networks, The challenges of change, 6 July 2006, http://www.irinnews.org/report.asp?ReportID=54421&SelectRegion=Horn_of_Africa&SelectCountry=SOMALIA Date accessed 10 May 2011
[829] Jane's Sentinel Country Risk Assessment, Somaliland, Political parties, updated 9 February 2011, Available in hard copy on request
[830] Jane's Sentinel Country Risk Assessment, Somaliland, Political parties, updated 9 February 2011, Available in hard copy on request

Led by Faisal Ali "Waraabe", a civil engineer who spent many years in Finland, and obtains much of its support from the 'Iidagale clan and other groups in the Hargeysa area. (International Crisis Group, *Somaliland: A Way out of the Electoral Crisis*, 7 December 2009) [831]

Qaran

Political organisation in Somaliland whose leaders have been imprisoned, and then released, for holding illegal political meetings. (International Crisis Group, *Somaliland: A Way out of the Electoral Crisis*, 7 December 2009) [832]

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[831] International Crisis Group, Somaliland: A Way out of the Electoral Crisis, 7 December 2009, p3 http://www.internal-displacement.org/8025708F004CE90B/%28httpDocuments%29/A3C9C6CF3B912536C12576860058BCB5/$file/Somaliland-A+way+out+of+the+electoral+crisis.pdf Date accessed 24 February 2010

[832] International Crisis Group, Somaliland: A Way out of the Electoral Crisis, 7 December 2009, p12 http://www.internal-displacement.org/8025708F004CE90B/%28httpDocuments%29/A3C9C6CF3B912536C12576860058BCB5/$file/Somaliland-A+way+out+of+the+electoral+crisis.pdf Date accessed 24 February 2010

Annex C

PROMINENT PEOPLE

TRANSITIONAL FEDERAL GOVERNMENT

Information taken from the CIA World Leaders website, updated 19 September 2011.

PRESIDENT	**SHEIKH SHARIF SHEIKH AHMED**
PRIME MINISTER	**ABDIWELI MOHAMED ALI**
DEPUTY PRIME MINISTER	**ABDIWAHAB UGAS HUSSEIN KHALIF**
DEPUTY PRIME MINISTER	**MOHAMED MOHAMUD IBRAHIM**
DEPUTY PRIME MINISTER	**HUSSEIN ARAB ISSA**
MINISTER OF AGRICULTURE & LIVESTOCK	**ABDULLAHI HAJI HASSAN MOHAMED-NUR**
MINISTER OF AIR, SEA, & LAND TRANSPORTATION	**ADAM ABDULLAHI ADAM**
MINISTER OF COMMERCE & INDUSTRY	**ABDIWAHAB UGAS HUSSEIN KHALIF**
MINISTER OF CONSTITUTION & RECONCILIATION	**ABDIRAHMAN HOSH JABRIL**
MINISTER OF DEFENSE	**HUSSEIN ARAB ISSA**
MINISTER OF EDUCATION & CULTURE	**AHMED AYDIID IBRAHIM**
MINISTER OF FINANCE & TREASURY	**ABDINASIR MOHAMED ABDULLE**
MINISTER OF FISHERIES, MARINE RESOURCES, & ENVIRONMENT	**ABDIRAHMAN SHEIKH IBRAHIM**
MINISTER OF FOREIGN AFFAIRS	**MOHAMED MOHAMUD IBRAHIM**
MINISTER OF HEALTH & HUMAN SERVICES	**ABDIAZIZ SHEIKH YUSUF**
MINISTER OF INFORMATION, POST, & TELECOMMUNICATIONS	**ABDULKADIR MOHAMED AHMED**
MINISTER OF INTERIOR & NATIONAL SECURITY	**ABDISAMAD MOALIM MOHAMUD SHEIKH HASSAN**
MINISTER OF JUSTICE & RELIGIOUS AFFAIRS	**AHMED HUSSEIN GABOBE**
MINISTER OF LABOR & SOCIAL DEVELOPMENT	**MOHAMED MUHUYADIN SHEIKH MURSAL**
MINISTER OF MINERAL RESOURCES, WATER, ENERGY, & PETROLEUM	**ABDULKADIR MOHAMED DHI'SOW**
MINISTER OF NATIONAL PLANNING & INTL. COOPERATION	**ABDULLAHI GODAH BARRE**
MINISTER OF PUBLIC WORKS & RECONSTRUCTION	**JALANI NUR IKAR**

MINISTER OF WOMEN'S DEVELOPMENT & FAMILY WELFARE	**ASHA OSMAN AQIL**

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PUNTLAND

Information taken from the Jane's Sentinel Country Risk Assessment, Puntland, updated 6 May 2011 (available in hard copy on request).

PRESIDENT:	**ABDIRAHMAN MOHAMED MOHAMUD (FAROLE)**
VICE-PRESIDENT:	**GENERAL ABDISAMAD ALI SHIRE**
MINISTER OF AGRICULTURE AND WATER DEVELOPMENT:	**MOHAMUD HAJI SALAH**
MINISTER OF ANIMAL HUSBANDRY AND PASTURES:	**AHMED HUSSEIN YUSUF**
MINISTER OF AVIATION AND AIR TRANSPORTATION:	**AHMED ALI GAMUTE**
MINISTRY OF COMMERCE:	**MOHAMED FARAH MOHAMUD**
MINISTER OF EDUCATION:	**ABDI FARAH (JUHA)**
MINISTER OF FINANCE:	**FARAH ALI JAMA**
MINISTER OF FISHERIES AND MARINE RESOURCES:	**SALEBAN ISSE AHMED**
MINISTER OF HEALTH:	**ABDULLAH WARSAME**
MINISTRY OF INFORMATION, TELECOMMUNICATION, HERITAGE AND CULTURE:	**AHMED ALI ASKAR**
MINISTER OF THE INTERIOR, LOCAL GOVERNMENT AND RURAL DEVELOPMENT:	**GENERAL ABDULLAHI AHMED JAMA (ILKAJIR)**
MINISTER OF JUSTICE, RELIGIOUS AFFAIRS, AND REHABILITATION:	**ABDIRISAK YASIN ABDULLE**
MINISTRY OF LABOUR, YOUTH AND SPORTS:	**ABDIWELI HERSI 'INDHA GURAN'**
MINISTRY OF LIVESTOCK, ENVIRONMENT AND TOURISM:	**ABDIQANI YUSUF HADDE**
MINISTER OF PLANNING AND INTERNATIONAL CO-OPERATION:	**DAUD MOHAMMED OMAR**
MINISTER OF PORTS AND SEA TRANSPORTATION:	**SACID MOHAMMED RAGE**
MINISTRY OF PUBLIC WORKS AND LAND TRANSPORTATION:	**DAHIR KHALIF FARAH**
MINISTER OF SECURITY:	**GENERAL YUSUF AHMED KHERY**
MINISTER OF WOMEN'S DEVELOPMENT AND FAMILY AFFAIRS:	**ASHA GHELE DIRIE**
SPEAKER OF PARLIAMENT:	**ABDIRASHID MUHAMMAD HIRSI**

COMMANDER OF THE PUNTLAND POLICE AND SPECIAL FORCES (DARAWISH):	**COLONEL SAID ABDI FARAH (TUTAWEYNE)**

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SOMALILAND

Information from Garowe Online, dated 28 July 2010 [833] except where stated.

PRESIDENT	**AHMED MOHAMED MOHAMUD (SILANYO)**
VICE PRESIDENT	**ABDIRAHMAN ABDILLAHI ISMAIL (SAYLICI)** [834]
MINISTER OF AGRICULTURE	**PROF. FAARAX CILMI MAXAMUUD**
MINISTER OF AIR TRANSPORT	**MAXAMUUD XAASHI CABDI**
MINISTER OF DEFENSE	**AXMED X. CALI CADAMI**
MINISTER OF EDUCATION & HIGHER EDUCATION	**SAMSAM CABDI AADAN**
MINISTER OF FINANCE	**ENG. MAXAMED XAASHI CILMI**
MINISTER OF FISHERIES, MARINE RESOURCES & PORTS ADMINISTRATION	**DR. MAXAMED YAASIIN XASAN**
MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION	**DR. MAXAMED CABDILLAAHI CUMAR**
MINISTER OF HEALTH	**DR. XUSEEN MUXUMED MAXAMED (XOOG)**
MINISTER OF HOME AFFAIRS	**DR. MAXAMED CABDI GABBOOSE**
MINISTER OF INFORMATION	**CABDILLAAHI JAAMAC CUSMAAN (GEELJIRE)**
MINISTER OF JUSTICE	**PROF. ISMAACIIL MUUMIN AARE**
MINISTER OF LABOR & SOCIAL AFFAIRS	**ILHAAN MAXAMED JAAMAC**
MINISTER OF LIVESTOCK DEVELOPMENT, ENVIRONMENT AND RURAL DEVELOPMENT	**DR. AXMED XAASHI ODAY**
MINISTER OF MINING, WATER & ENERGY	**DR. XUSEEN CABDI DUCAALE**
MINISTER OF PLANNING & DEVELOPMENT	**DR. SACAD CALI SHIRE**
MINISTER OF POSTAL, & TELECOMMUNICATIONS	**CABDIRISAAQ IBRAAHIM MAXAMED**
MINISTER OF PUBLIC WORKS & TRANSPORTATION	**XUSEEN AXMED CAYDIID**
MINISTER OF RELIGIOUS AFFAIRS	**SHEEKH KHALIIL CABDILLAAHI AXMED**
MINISTER FOR SPORTS, YOUTH AFFAIRS AND CULTURAL HERITAGE	**MAXAMED XAASHI MADAR**

[833] Garowe Online, Somaliland President Names New Cabinet Ministers, 28 July 2010, accessed via Allafrica.com: http://allafrica.com/stories/201007290177.html Date accessed 6 May 2011

[834] Jane's Sentinel Country Risk Assessment, Somaliland, Leadership, updated 9 February 2011, Available in hard copy on request

MINISTER OF TRADE, INDUSTRIES AND TOURISM	**CABDIRISAAQ KHALIIF AXMED.**
DEPUTY MINISTER OF EDUCATION AND HIGHER EDUCATION	**CALI CAAMUD JIBRIIL.**
DEPUTY MINISTER OF FINANCE	**WARSAME SICIID CABDI.**
DEPUTY MINISTER OF FOREIGN AFFAIRS	**MAXAMED YOONIS CAWAALE.**
DEPUTY MINISTER OF FOREIGN AFFAIRS	**CISMAAN GARAAD SOOFE**
DEPUTY MINISTER OF HEALTH	**NIMCO XUSEEN QOWDHA**
DEPUTY MINISTER OF PUBLIC WORKS AND TRANSPORTATION	**CALI CABDI SAA'IQ**

PROMINENT PEOPLE OUTSIDE OF THE GOVERNMENT

Ibrahim al-Afghani
Replaced Abdi Godane as al Shabaab's Emir at the shura meeting on 25 December 2010, and thought to be an ally of Sheikh Muktar Robow. [835]

Hassan Dahir 'Aweys'
Former leader of Hizbul Islam, now with an uncertain role in al Shabaab. [836]

Sheikh Muktar Robow
Head of Al Shabaab's activities in Bay and Bakool. [837]

Fuad Shongole
Head of Al Shabaab's activities in Puntland. [838]

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[835] Walta Information Centre, Al-Shabaab's problems over the future of Colonel Hassan Dahir 'Aweys', 15 January 2011, http://www.waltainfo.com/index.php?option=com_content&task=view&id=25041&Itemid=82 Date accessed 10 May 2011
[836] Walta Information Centre, Al-Shabaab's problems over the future of Colonel Hassan Dahir 'Aweys', 15 January 2011, http://www.waltainfo.com/index.php?option=com_content&task=view&id=25041&Itemid=82 Date accessed 10 May 2011
[837] Walta Information Centre, Al-Shabaab's problems over the future of Colonel Hassan Dahir 'Aweys', 15 January 2011, http://www.waltainfo.com/index.php?option=com_content&task=view&id=25041&Itemid=82 Date accessed 10 May 2011
[838] Walta Information Centre, Al-Shabaab's problems over the future of Colonel Hassan Dahir 'Aweys', 15 January 2011, http://www.waltainfo.com/index.php?option=com_content&task=view&id=25041&Itemid=82 Date accessed 10 May 2011

Annex E

LIST OF ABBREVIATIONS

AI	Amnesty International
AMISOM	African Union Mission to Somalia
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EU	European Union
EU NAVFOR	European Union Naval Force Somalia
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IGAD	Intergovernmental Authority on Development
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NATO	North Atlantic Treaty Organisation
NGO	Non Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
RSF	Reporters sans Frontières
STC	Save The Children
TB	Tuberculosis
TFC	Transitional Federal Charter
TFG	Transitional Federal Government
TFP	Transitional Federal Parliament
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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Annex E

CORRESPONDENCE

1. Letter from Sprakab, 24 February 2009
2. FCO Africa Research Analyst Comment on 'COI Project Somalia: Minority Groups'.
3. FCO letter to UK Border Agency, 1 November 2010

sprakab

24 February 2009

Sprakab's position of the Reer-Hamar dialect

As previously discussed with the Home Office, this document shows Sprakab's formal position on the Reer-Hamar dialect of Somali.

The Reer-Hamar dialect of Somali is not only spoken by members of the Reer-Hamar clan. It is also spoken by persons who have had their language socialized in Reer-Hamar speaking areas or among Reer-Hamar speaking persons.

[redacted]
Assistant Production Manager
Sprakab

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FCO Africa Research Analyst Comment on 'COI Project Somalia: Minority Groups'.

1. The response below restricts comment to issues relating to 'minority groups' in general, and not specific questions relating to markers, culture and or the current situations of specific 'named' minority groups. It is my opinion that questions of detail should be addressed to known representatives of named groups and cross-checked with independent experts (see below *Specific Issues*) and organisations with an on-going presence in Somalia.

Minority Groups

2. The term minority has come to cover a wide and diverse range of peoples in Somalia. Some minorities may be more identifiable (e.g. appearance, dialect, accent) than others. Others, especially those are treated as lower 'castes' - due to the stigma associated with their way of life, profession, putative ancestors, etc. - will be indistinguishable from majority Somali clan groups . The groups that are associated by occupation may no longer exclusively practice the occupation with which they are traditionally identified.

Vulnerability

3. It is difficult – under current conditions in south Somalia - to ascertain with any certainty whether minorities are more or less vulnerable than they were at other periods. However, minorities, by their very nature, will be more vulnerable than 'majority' clan' Somalis since many will not have the protection of a larger clan network/militia who may act with greater impunity against minority clan members since there is little chance of retribution or accountability. It is not my opinion that there is no 'comparative difference in levels of safety between majority clan and minority group members'. However, there may be little detectable difference between some individual circumstances.

4. While the active persecution of some minority groups is less evident than it was, for example, in the early 1990s in the immediate aftermath of the collapse of the Somali state, there is no reason to believe social attitudes have changed markedly in present day Somalia. Moreover, it should not be presumed that discrimination and persecution will be perpetrated by all members of Somali society. Nevertheless, in the Somali context there is an inherent disparity in power between majority clans, and smaller clans and minority groups.

5. Access to wealth, the social status of the minority group in question, as well as individual connections, can subvert or mediate this prevailing inequality of power. Many individuals from minority groups remain in Somalia. Some may be able to hold on to property, or attend school, or access medical care. Again confirmation and evidence should be sought from those organisations still working on the ground, e.g. Islamic charities or charitable health provider that have the most immediate contact with vulnerable groups.

6. The current security context in Somalia varies from place to place, and changes on a almost daily basis. Relatively safe areas can deteriorate into areas of instability quite rapidly. Regular and direct contact with NGOs working in Southern Somalia could plausibly offer up-to-date assessments; there are certainly networks that advise on safety and security, though there might be issues over public disclosure.

Protection

7. In the past – especially before the full development of state structures - minority groups would have had some relationship of protection with majority clans. The rise of the modern state (colonial and post-colonial) ostensibly ended the necessity for some of these historical relationships of protection. Some relationships will have endured, others may have lapsed. However, the modern state itself became the active protector and sponsor of some minority groups. Siad Barre's regime in particular, used weak clans or minorities as strategic allies in their government and employed them selectively in the security forces and other government agencies, as reliable and dependant allies. This association has added to the vulnerability of some minority groups and small clans.

8. The situation since the breakdown of state and formal structures of law and order has left most 'minority' groups as second, if not third 'class' citizens. The revival of 'neo-traditional' customs in stateless Somalia, may have led to new agreements between minority groups and major clans, though these will be precarious and one-sided agreements (i.e. to the advantage of the protecting clan). Sometimes relationships of protection may work through marriage alliances; generally involving a minority or minor clan female marrying a majority clan male. But again the weakness of the minority group or clan would favour the majority clan in this agreement; the effectiveness of protection or willingness to give it would vary depending on individuals and families involved. Minority groups will always occupy a junior position in any socio-political arrangement in which they might be included. Again this specific information can be best sourced by people with direct links to minority groups still resident in Somalia. Direct contact with human rights organisations and local NGOs in Somalia would provide a detailed and up-to-date assessment.

Geography

9. Minorities are present in all areas of Somalia. Minority groups are not necessarily exclusively present in the areas they were traditionally associated with, or if they are still resident in their traditional locations, they are no longer present in the concentrations they were before the 1990s. Even before the breakdown of the Somali state in the early 1990s, during the 1970s and 1980s (earlier in some cases) there was a great deal of internal migration-emigration throughout Somalia. Certain areas not traditionally associated with minority groups, will have become home to families or communities of minority groups (pursuing business opportunities or in their role as government servants).

10. Though some minority groups were primarily associated with geographical locations e.g. Brawanese, Benadiri, others were identified by their 'occupational caste' and might be found in any given area. Different 'Bantu' groups are traditionally found in many of the river valleys of the Juba and Shabelle. However many minority groups will have migrated to bigger towns and cities in search of work, social services (health, aid, education) or protection (e.g. previous UN presence).

11. Minority groups are also found in Somaliland and Puntland as residents and as refugees. Their position will be especially precarious if they are not from the area or unable to activate putative clan links to common ancestors. There are various fact sheets from UN agencies on the conditions of IDPs in several locations in Somalia as well Somaliland and Puntland.

12. Medical and welfare charities e.g. Medicins sans Frontiers, ICRC, will be able to provide information on functioning hospitals in Mogadishu.

Religious and Cultural Matters

13. Information on cultural practices and traditional histories (including lineages, leading personalities) are not widely recorded in the published literature. Most knowledge is maintained by oral tradition and not recorded systematically. Individuals themselves hold this knowledge, and one account will never exactly match another. Though past COI reports on minorities hold valuable information, the information recorded is not exhaustive nor is it always authoritative.

14. It should be remembered that the degree and depth of knowledge will differ from one individual to another. Generally the older generation should have better knowledge, as might be expected, but this is not always the case.

15. Cultural practices vary from group to group, some of which are common throughout a 'cultural region' e.g. the East African coast, or Bantu speaking communities, and some of which are specific to one group. However one group may practice similar customs to another with some slight internal differences.

Language

16. Standard Somali is by no means spoken universally by all Somalis, though there is a standard Somali language in which all Somali speakers may converse. The Somali language has many different dialects, some largely mutually intelligible others not at all. There are also a few distinct languages spoken in Somalia that are distinct from the broad Somali language group (e.g. some of the Bantu languages such as the Brawanes language Chimini, or the Bajuni language KiBajuni, etc.). There is published academic research on Somali dialects and several academic linguists in the UK, Germany, Italy, USA) who can give 'scientific' linguistic explanations of the nature of the Somali language groups.

Specific issues

17. There are academic and community experts (in the UK and elsewhere, e.g. refugee communities in Kenya) who can give reasonably full answers to specific questions on cultural affairs. However, again it should be noted that since knowledge is often orally held, and the cultures in question are not static, it is unwise to construct a 'standard' version with which all accounts can be cross-checked. There will be many examples of contrasting knowledge depending on the sources and contexts.

18. Previously groups like the Bantu, Bajuni and Benadiri, and particularly their sub-groups were made up of isolated and discrete communities each with its own set of external relationships, internal histories, hierarchies and areas of concentration. The experience of the state in Somalia during the twentieth century has tended to deemphasise difference between communities, against which these small groups have often fought a rear-guard action.

19. Conversely in the aftermath of state collapse, small sub-groups of vaguely common ancestry or custom have come together to produce larger identities such as Bantu, Bajuni, Brawanese or Benadiri, or even Midgan/Madhiban. These are constructs made in the face of common adversity and common historical experience, but as 'identities' may have little historical precedence. It is therefore extremely difficult to expect standardised accounts or beliefs.

20. There is a reasonable amount of academic ethnographic data and popular accounts available on the internet. However, all data must be used in an informed way with due attention paid to context and the process of social change.

Dr Cedric Barnes, Africa Research Group, FCO, 16 May 2008

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1 November 2010

Ms Debbie Goodier
COIS
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Dear Debbie,

KENYAN TRAVEL AND IDENTITY DOCUMENTS

I refer to your email of 13 October and out conversation regarding the abuse of Kenyan travel and Identity documents during your recent visit to Kenya.

As you know, the Nairobi Airline Liaison (NAIL) team, work closely with immigration, airline and airport ground staff to counter the threat to the UK, EU and North America from irregular migration, in particular preventing Inadequately Documented Arrivals (IDAs) at our airports.

Kenyan travel documents and ID cards are subject to high levels of abuse, particularly by Somali nationals. The abuse is exacerbated by Somalia's close proximity to Kenya, the difficulties the Kenyan authorities have in determining nationality (especially from the border communities) and widespread fraud and corruption.

Local newspaper articles have reported abuse of the Kenyan ID card resulting in the temporary closure of the ID card office servicing the Eastern Province of Kenya.

The NAIL team has also uncovered a number of fraud/abuse cases involving Kenyan passports. Interviews with IDAs intercepted at various airports in Europe, and through visa applications using fraudulently obtained documents indicate a high level of abuse of legitimate Kenyan passports fraudulently obtained through facilitators or directly from corrupt officials. The NAIL team submitted a letter to the Kenyan Director of Immigration highlighting 116-suspected cases of abuse earlier this year. We await the formal response but reports indicated that a number of passports have been cancelled following internal investigations.

The UK and Schengen visa operations are also impacted. At least 40 cases of abuse reported over the last year. This is not only limited to abuse by Somali nationals applying for

visas on fraudulently obtained Kenyan passports, but Kenyans changing their names and identities with a view to unlawful migration.

The recent report on the UN Monitoring Group on Somalia, UN resolution 1853 in 2008 (ref S/2010/91- see link below) noted the prevalence of immigration fraud involving Somali nationals.

Section D paragraphs 125 – 136 of the report refers to visa and document abuse by Somali TFG government officials and officials at the Somali Embassy in Nairobi. The report highlights fraud cases involving Italy, Germany, The Netherlands, Sweden and the UK and notes that the scope for exploitation by members of Somali armed opposition groups and criminal networks is equally vast.

The EU MS missions based in Nairobi have met several times to discuss the implications of the UN report. Information on abuse is now widely shared amongst the Missions. Additional protection measures have been put in place to protect our visa operations and a wider group of countries, including the US, Canada and Australia, are now considering what action to take to mitigate against Kenyan document fraud.

Yours sincerely,

Darren Forbes-Batey
1st Secretary Political Migration

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