



Somalia: 20200220100203 – Women – Separated women – Divorce – State protection – Support organisations – Clan protection – People who have lived overseas

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Background

[Applicant-specific information removed.]

The applicant claims she has no clan protection and is vulnerable to attacks from other clans, that she would be targeted by her ex-husband, that she may be considered to be a spy, and there is no police or government authority that can protect her.

Questions

1. [Please provide an update on the treatment of women, particularly separated women in Somalia.](#)
2. [Is there state protection available for separated women or women who experience DV?](#)
3. [What risks does a separated woman face and are there any support measures or organisations to assist them?](#)
4. [Is there information about clan protection and whether a particular clan would be targeted by another?](#)
5. [Would a person who lived overseas for an extensive period be considered to be a spy on return?](#)

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Answers

1. Please provide an update on the treatment of women, particularly separated women in Somalia.

Women in Somalia remain highly vulnerable. The information in *Somalia: CI170913095951741 – Women – Identity documents – Child born outside Somalia* on the treatment of women remains current. COISS has located more recent sources which provide further information on the treatment of women.

Separated women

The 2018 Finnish Immigration Service report describes attitudes towards divorce and separation:

Divorcing a spouse is a normal occurrence in Somalia, and the country has a high number of divorces. These days, divorce is more acceptable than before, and there are many divorced women as well as women who have been married more than once. In principle, divorce is not a stigma for a divorced woman, but local communities have varying attitudes towards such women.

Divorce, as such, does not stigmatise a woman, but if a man wants to divorce a woman, the female can be easily blamed. She can be deemed burdensome or difficult, especially if marital problems are caused by her refusal to accept the husband's other wives. Community members may think that if religion permits a man to have four wives, the woman must accept this. The Quran should not be opposed or questioned.

A divorced woman must wait for 4.5 months before she can start dating a new man. If she is pregnant, she must give birth before she can start dating again.

As a rule, the man proposes and decides on a divorce. Getting divorced is easy for a man, it is enough that he verbally expresses his desire for divorce three times. It is more difficult for a woman to get a divorce, and she must be able to present rational grounds for it. Such reasons include, e.g., that the man does not bear responsibility and look after his family appropriately. A woman often needs her own clan's support to be able to divorce her husband.

The number of divorces in Somaliland has grown. At the same time, the number of new marriages and reconstituted families has increased. It is typical within the relationship culture that a man is deemed to have a right to sex and the wife's body, regardless of the woman's wishes. There have also been cases in Somaliland where a man has believed to have a right to sexual intercourse with his spouse's daughters, i.e., his stepdaughters. The court in Burao has heard 13 cases of rape since 2017, and in four of these the victim was a daughter in the reconstituted family and the rapist was the daughter's stepfather.¹

The report goes on to say:

The number of single mothers is on the increase in Somaliland due to divorces. In Somali culture, children always remain in the custody of the mother in a divorce, and it is possible for a woman to raise her children alone without marrying again. As a consequence of a divorce, a woman usually moves, with her children, back to the vicinity of her own parents or other family members, who can help her to bring up the children. The children's father remains engaged in matters related to the upbringing and education of the children, and shares in the expenses incurred.²

A 2019 report by the Ministry of Foreign Affairs for the Netherlands also looks at the situation for single women:

The poor security situation in Somalia particularly affects single women who lack the protection of a clan network and women who are displaced. These factors, as well as the patriarchal system, lead to a high

¹ ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, pp.27-28, 20190827105148

² ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, p.28, 20190827105148

degree of discrimination and exclusion. Women from weak clans who live in refugee camps are particularly vulnerable, and lack sufficient protection against violence and sexual abuse. A UN report for 2018 notes that 80% of recorded incidents of gender-related violence involve displaced persons. Women or girls were involved in 96% of these cases. In terms of clan protection, women are largely dependent on an existing male network that can represent them in Xeer negotiations. ... In Mogadishu too, single women without a network are particularly vulnerable to violence. In the displaced persons' camps, women can become victims of abuse and sexual violence from family, strangers, camp guards, AMISOM troops or police.

The UK Home Office concluded in April 2018, on the basis of the available country information, that single women and single mothers with children, in particular those belonging to minority groups, do not have a domestic flight or settlement alternative if they lack a significant support network or if they cannot support themselves. On 30 May 2018, the cabinet approved a bill against sexual offences. ... UNSOM has cooperated closely with the government and civil society to work out the details of the bill. A confidential source reports that the bill is ready, but is 'too controversial because it is too progressive'. Insufficient support has been created to steer it through parliament.³

Violence against women

Violence against women is common and under-reported. According to the 2018 report by the Finnish Immigration Service:

Violence against women in Somalia is under-reported. In most cases, women who have been victims of violence or rape do not want to talk about it in public. Being raped often involves shame and stigmatization, and there is no legal protection against rape. Furthermore, women who have been raped do not have access to the appropriate health care. So, reporting it would be pointless.

Of the women who have left Somalia, 80% have experienced some kind of violence and 60% say they are victims of sexual violence.

In Somalia, sexual violence is commonplace, and reports say it has increased during the past year. It is particularly common among women who have been forced to leave their home. The risk of sexual violence increases when people pass through checkpoints maintained by armed groups, such as al-Shabaab or the Somali army. Men carrying guns can rape women as a "fee" for getting through a checkpoint. Women can be forced out of a bus that has been stopped at a checkpoint and raped. The threat of rape concerns all women travelling within the country's borders. It is irrelevant which clan a woman belongs to, because a clan cannot protect a woman during transits.

Sexual violence is also commonplace in insecure IDP camps, where women lack a community that is sufficiently able to protect them. IDP camps are monitored by "gatekeepers" but violations of rights, such as rape, take place within them. The risk of violence increases when women go to toilets located at the edges of camps, or when they collect firewood outside camps. Most rape victims are women, but even young boys have been raped. Unaccompanied women are at higher risk of being raped. The perpetrators of sexual violence are often armed males, local men living in IDP camps and in their vicinity, and landowners. Reports say that even Somali police officers and soldiers, as well as al-Shabaab's fighters, have committed rape. Aside from sporadic, individual cases, the authorities in Somaliland have not been guilty of rape.

Rape strongly stigmatizes the victim, and if a community knows that a woman has been raped, she has a hard time finding a spouse who will accept her. Obtaining legal protection against sexual violence is difficult. There is no specific basis for the related norms. Crimes concerning sexual violence can be processed within the framework of Sharia law. Sentencing a guilty person requires three witnesses according to Sharia, and this is practically impossible in rape cases. Justice has often been served according to the customary law called xeer in cases of rape. However, it is difficult for a woman to obtain justice in this manner. Rape offences are typically settled by exchanges of money between communities, and the related decisions are not always just for the women concerned. Women who have been raped

³ ['Country of Origin Information Report on South and Central Somalia'](#), Ministerie van Buitenlandse Zaken (The Netherlands), 01 March 2019, p.44, 20190724102240

have sometimes sought justice in courts of law run by al-Shabaab.⁴

The 2018 BTI report says:

Women in Somalia lack protections, and are subjected to various forms of gender-based and sexual violence. In al-Shabaab areas, girls were forcefully “married” to fighters and offered as a reward for volunteer suicide attackers. Women were beaten in some regions if they left the house without a male relative; they were also beaten if they did not obey the strict dress code. Yet, government and allied forces also frequently committed crimes against women with impunity. Among displaced populations, women are particularly vulnerable, and are at high risk of being raped or sexually assaulted by militiamen or bandits. Incidences of rape were also extremely high in refugee camps for internally displaced persons (IDP) in government-controlled areas.⁵

A 2017 report by the United Nations Assistance Mission in Somalia states:

The protracted conflict in Somalia has resulted in the prevalence of sexual violence against women, men, boys and girls, with women and girls particularly affected. Continued insecurity, weak rule of law and lack of humanitarian access have aggravated sexual violence. Gender inequality, power imbalances, slow progress in fulfilling Somalia’s obligations under international human rights treaties, displacement of large populations as a result of both the conflict and the drought, as well as the return of refugees from Kenya to mainly Baidoa, Luuq and Kismayo, all contribute to an environment in which women and girls are especially vulnerable to gender-based violence, including conflict-related sexual violence and sexual exploitation and abuse. Women and girls who are displaced or from marginalized groups suffer the most due to inadequate protection mechanisms, lack of or limited access to available formal and informal justice mechanisms, and weak clan protection.⁶

The US State Department further says:

The law criminalizes rape, providing penalties of five to 15 years in prison for violations. Military court sentences for rape included death. The government did not effectively enforce the law. There are no federal laws against spousal violence, including rape, although in 2016 the Council of Ministers approved a national gender policy that gives the government the right to sue anyone convicted of committing gender-based violence, such as the killing or rape of a woman. On August 28, the Somaliland president signed into law the Sexual Offenses Bill, which provides punishment up to 20 years’ imprisonment for perpetrators and compensation for victims. Puntland enacted a state law against sexual offenses in 2016 that provides for life imprisonment or the death penalty for offenses such as rape using a weapon. In 2017 Puntland opened its first forensic laboratory, and the attorney general hired 10 female lawyers to serve as experts in rape and sexual violence cases.

Somali NGOs documented patterns of rape perpetrated with impunity, particularly of female IDPs and members of minority clans.

Government forces, militia members, and men wearing uniforms raped women and girls. While the army arrested some security force members accused of such rapes, impunity was the norm.

IDPs and members of marginalized clans and groups suffered disproportionately from gender-based violence. Police were reluctant to investigate and sometimes asked survivors to do the investigatory work for their own cases. Some survivors of rape were forced to marry perpetrators.

Authorities rarely used formal structures to address rape. Survivors suffered from subsequent discrimination based on the attribution of “impurity.”

In April following a clan conflict, an opposing clan member raped and attacked a 13-year-old girl, causing

⁴ [‘Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018’](#), Finnish Immigration Service, 05 October 2018, pp.32-33, 20190827105148

⁵ [‘BTI 2018 Country Report Somalia’](#), Bertelsmann Stiftung, 23 March 2018, p.21, CIS7B83941557

⁶ [‘Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia’](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, p.22, CISED50AD7824

grievous bodily injuries. The Galmudug government had not prosecuted the alleged perpetrator.

Local civil society organizations in Somaliland reported that gang rape continued to be a problem in urban areas, primarily perpetrated by youth gangs and male students. It often occurred in poorer neighborhoods and among immigrants, returned refugees, and displaced rural populations living in urban areas.⁷

Discrimination

The US State Department's *Country Reports on Human Rights Practices for 2018 - Somalia* describes the discrimination faced by women:

Women did not have the same rights as men and experienced systematic subordination to men, despite provisions in the federal constitution prohibiting such discrimination. Women experienced discrimination in credit, education, politics, and housing. In 2016, five months after the Council of Ministers approved a national gender policy to increase women's political participation, economic empowerment, and the education of girls, the Somali Religious Council publicly warned the government against advocating for women in politics. The council called the 30 percent quota for women's seats in parliament "dangerous" and against Islamic religious tenets and predicted the policy would lead to disintegration of the family. When the minister for human rights and women tabled the sexual offenses bill, religious clerics called for her to be criminally charged.

Only men administered sharia, which often was applied in the interests of men. According to sharia and the local tradition of blood compensation, anyone found guilty of the death of a woman paid to the victim's family only half the amount required to compensate for a man's death.

The exclusion of women was more pronounced in al-Shabaab-controlled areas, where women's participation in economic activities was perceived as anti-Islamic.

While formal law and sharia provide women the right to own and dispose of property independently, various legal, cultural, and societal barriers often obstructed women from exercising such rights. By law girls and women could inherit only half the amount of property to which their brothers were entitled.⁸

Employment

While many women work, they face many difficulties. A 2018 report by the Finnish Immigration Service notes:

Women play a central role in making a living for their families. After the civil war, men's roles in families changed and women became the principal breadwinners, generally speaking. Most men are not in work. According to one source, a man is the main breadwinner in only 20% of all families.

Women have some cultural constraints regarding employment. They cannot drive a taxi, for example. They can, however, establish small businesses. In general, they earn income from small-scale business activity, such as selling items in markets. They sell fuel, milk, meat, fruit, vegetables and khat at markets and on the street. In all, 80-90% of small enterprises are controlled by women. Women also work in agriculture and on building sites. However, construction work is one of the least-respected occupations in Somalia, and a woman working at a building site is deemed to be in a desperate position. Somalia has a high unemployment rate, so it can be difficult for a woman to find work of any kind.

If a single mother works outside her home, a relative will look after her children. An extended family member usually acts as the nanny during times when the custodian is prevented from looking after her children, for one reason or another.

Men and women do not have an equal position in business in Somalia. Men do not trust women as business partners, instead a woman needs a man to "vouch for her". Any business activity requires a woman to have a personal network that includes men. In addition, women cannot rely on the elders of their own clan without help from a close male relative.

⁷ ['Country Reports on Human Rights Practices for 2018 - Somalia'](#), US Department of State, 13 March 2019, p.29, 20190314105458

⁸ ['Country Reports on Human Rights Practices for 2018 - Somalia'](#), US Department of State, 13 March 2019, pp.30-31, 20190314105458

There are a few strong women at the top of business life in Somalia, some of whom earn millions. For instance, the largest construction company in Mogadishu is headed by a woman. However, this is the exception to the rule. Women are also involved in the restaurant and hotel business. Neither a woman nor a man can establish a large enterprise or one engaged in foreign trade, for example, without a comprehensive support network and strong clan. A network is not important merely for setting up a business and getting started, but provides necessary support during negotiations that are continuously conducted in the business world dominated by men.⁹

The situation for women is better in Somaliland than in other parts of Somalia:

In Somaliland, women are able to work and keep the money they earn from the job. When necessary, a religious leader can take a stand on the basis of the Quran and intervene in a spouse's attempt to seize the money earned by a woman.

Women in Somaliland can do practically any work whatsoever and seek positions that interest them, including more demanding professions. They can act as supervisors for men, but winning esteem and respect requires a clear age difference in the woman's favour. Becoming an entrepreneur in a business that needs capital is more difficult, because this requires a network for the arrangement of funding.

In Somaliland, people with a higher education look more favourably on women holding a high position in society and acting as managers. Those who are less highly educated usually have more conservative values, making it more difficult to accept women who are in managerial positions and exercise social/political power. Traditionally, women in Somaliland have stayed at home and looked after the family and children, while men have earned a living. When women are gainfully employed, this means, in practice, less demanding duties such as selling khat or other items in marketplaces.¹⁰

Freedom of movement

In areas controlled by Al-Shabaab, women cannot travel without a male guardian:

Al-Shabaab has mobile checkpoints in areas it controls, and people passing through them are required to pay a fee. Anyone passing through who refuses to pay can be arrested or killed. The latter is a less frequent occurrence. It is certain, however, that there is no way to pass through without paying a few dollars. The organisation also demands that women travelling in its area must have a male custodian with them. Any woman travelling without a custodian is interrogated and must explain why she does not have a custodian with her, and return to where she came from.¹¹

Additional Reading

- 'Somalia: C1170913095951741 – Women – Identity documents – Child born outside Somalia' Country of Origin Information Services Section (COISS), 16 October 2017, CR8DFDCEA434

2. Is there state protection available for separated women or women who experience domestic violence (DV)?

Domestic violence is common in Somalia. State protection is limited and ineffective.

Domestic violence

Domestic violence is widespread in Somalia. According to the Finnish Immigration Service:

Domestic violence is commonplace. It is common for men to assault their wives, and women do not openly talk or complain about this. Domestic violence is also common in Somaliland. Conflicts between families often escalate into violence, particularly when men behave aggressively under the influence of khat. The most common reasons for arguments in families are money and the upbringing of children.

⁹ 'Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018', Finnish Immigration Service, 05 October 2018, pp.24-25, 20190827105148

¹⁰ 'Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018', Finnish Immigration Service, 05 October 2018, pp.24-25, 20190827105148

¹¹ 'Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018', Finnish Immigration Service, 05 October 2018, p.10, 20190827105148

Disputes particularly occur if a woman is in a stronger financial position than the man.¹²

The US State Department says:

Domestic and sexual violence against women remained serious problems despite the provisional federal constitution provision prohibiting any form of violence against women. While both sharia and customary law address the resolution of family disputes, women were not included in the decision-making process.¹³

State protection

The Finnish Immigration Service notes that while in principle, women are able to seek protection, in practice protection is not available:

In principle, women in Somaliland can seek legal protection from the authorities in cases of domestic violence, but this is difficult to do in practice. Hardly any women are heard by the authorities, and it is typical for men to be only ones who talk in discussions of women's rights violations. There are few women in the police force and the judicial system, and the public authorities have received no training on the investigation of domestic and gender-related violence.¹⁴

A 2017 report by the United Nations Assistance Mission in Somalia notes that police do not have the capacity or will to protect women:

The main protection challenges for victims of sexual violence are related to the limited capacity of the police to address such cases as well as the lack of political will, primarily by police leadership, to use the formal justice system to address cases of sexual violence. In November 2016, a Women and Child Protection Unit was established at the Police Force headquarters in Mogadishu with plans to increase the number of female police officers on the ground, but resources and skills to investigate and report on sexual violence crimes are still lacking. Using traditional justice mechanisms is seen as an easy way for traditional elders to maintain their influence in communities and to influence policing services. Obtaining comprehensive and accurate data on CRSV cases in Somalia also remains a major challenge due to limited or no access to large parts of the country and the unavailability of services for survivors, as well as the vulnerability of survivors to possible reprisals from perpetrators.¹⁵

A 2018 Landinfo report notes that police do not have the capacity to protect people from violence in general:

There is a broad consensus amongst the sources that the police have little capacity to protect individuals from violence and investigate incidents of violence ... Like other government forces in Mogadishu, the main focus of the police is to prevent al-Shabaab attacks on government agencies. They do so largely by guarding government buildings and operating checkpoints throughout the city. During Landinfo's visit to Mogadishu in September 2017, checkpoints were set up on most of the city's main roads.¹⁶

Police are generally not trusted in Somalia. If people do seek assistance from police, they generally seek out police officers from the same clan:

There is also wide agreement among the sources that trust in the police is very low among the population. Corruption is widespread. Police officers routinely demand bribes to do their job and they release suspects in return for payment ... Also, according to source C (meeting in Mogadishu 2017), it is not difficult to pay the police to arrest others. ... the police and other government forces themselves commit

¹² ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, pp.33, 20190827105148

¹³ ['Country Reports on Human Rights Practices for 2018 - Somalia'](#), US Department of State, 13 March 2019, pp.29-30, 20190314105458

¹⁴ ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, pp.33, 20190827105148

¹⁵ ['Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia'](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, p.24, CISED50AD7824

¹⁶ ['Somalia: Security challenges in Mogadishu'](#), Landinfo, 15 May 2018, p.11, CIS7B839411447

violence against civilians ... Offenders are seldom held accountable ... The government forces include members with backgrounds from warlord militias and other criminal groups ... Government forces also include members with backgrounds from al-Shabaab, and some members are loyal to al-Shabaab...

To the extent that the population turns to the police for assistance, they turn, according to source C (meeting in Mogadishu 2017), to police officers from the same clan. Other sources also emphasize that the loyalty of the police and other members of the government forces normally rests with their own clan This is reflected in ACLED (2018) by the fact that there are occasional firefights between government forces from different clans.¹⁷

Additional Reading

- Nil.

3. What risks does a separated woman face and are there any support measures or organisations to assist them?

Please see [question one](#) for information on the risks faced by separated women. Few support services are available for women in general.

A 2018 Finnish Immigration Service report considered the situation for women who return to Somalia, noting that unmarried women face particular difficulty:

Returning to Somalia is more difficult for women than men, and there are few women among the returnees. A few women have returned after receiving an offer of high office in government. The Minister of Gender in the government of Jubaland, for example, is a diaspora Somali from the United States. Some women have returned to manage land owned by their parents.

A woman returning to Somalia needs a support network to accept her. In practice, a "network" means a community comprising close family members and led by a male relative. In addition to a husband, a woman can be protected by her father or brother. Somali women are unlikely to be without or not to know of (male) relatives in Somalia/Somaliland. Families in Somalia are often very large. Because the immediate and extended family are very important, knowing one's relatives is highly significant.

Since women are more vulnerable than men, social networks are particularly important for them. Families headed by an unaccompanied female are more exposed to malnutrition, for example, and women themselves have a higher risk of becoming victims of sexual violence. Due to the challenges related to returning, an unaccompanied woman is unlikely to return to Somalia without a support network that helps her to adapt and become integrated.

A network is necessary for managing practical matters, and life without one is difficult for an unaccompanied woman. For instance, it is hard for a woman to rent, sell or buy a house or residence by herself. Landlords usually ask women questions about their clan, and an unaccompanied female tenant can be regarded as a prostitute, making it difficult to find a home.

An unaccompanied woman living without a husband is exposed to sexual violence because she is deemed to be "fair game". This pertains to all women, not merely IDPs living at camps.¹⁸

Somalia does not have public social support:

No public welfare system exists in either Somalia or Somaliland. Welfare is either provided by Islamic charities, through clan membership or through the work of NGOs. With the collapse of state-run social services, any services including health care, housing, job-seeking and poverty alleviation became "privatized." The main social safety nets that exist are maintained by extended families and clans. Remittances from Somalis abroad account for a large part of this safety net; according to World Bank estimates, these remittances provide up to 40% of household income. However, this money is seldom

¹⁷ 'Somalia: Security challenges in Mogadishu', Landinfo, 15 May 2018, p.11, CIS7B839411447

¹⁸ 'Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018', Finnish Immigration Service, 05 October 2018, p.23, 20190827105148

enough and is unequally spread across the population. The majority of the population survives at a basic subsistence level, and such funds are not able to compensate for the enormous destruction caused during each new phase of the war or during recurrent droughts. International organizations have since the end of 2016 again warned that a severe drought is likely to lead to another humanitarian crisis if no measures are taken.¹⁹

A 2019 report by the Ministry of Foreign Affairs for the Netherlands notes that there are few support services for women who have experienced violence:

The previous Country of Origin Information report referred to the fact that there are few shelter options for female victims of sexual violence. The extreme rainfall in early 2018 after a period of prolonged drought resulted in flooding that destroyed basic infrastructural facilities such as shelters for victims of gender-based violence, hospitals and schools.

The provision of shelters for victims of sexual violence is managed by the UN or international or local NGOs. There are considerable obstacles to women going into a shelter, because of the social stigma with regard to sexual violence. As well as the provision of accommodation, support offered to victims includes medical assistance, material assistance, legal services and counselling.

Through the NGO *Sister Somalia*, the *Elman Peace and Human Rights Center* in Mogadishu offers shelter, advice, medical care and accommodation to women who need it. The NGO *Save Somali Women and Children* also runs a crisis centre in Mogadishu where support is provided to victims of sexual violence.²⁰

Additional Reading

- Nil.

4. Is there information about clan protection and whether a particular clan would be targeted by another?

Clans in Somalia provide protection and support to individuals, filling the gap left by the lack of a functional government and public services. Conflict between clans occurs.

Clan protection

A 2018 report by the Finnish Immigration Service notes the importance of clans for people living in Somalia:

The significance of clans cannot be overemphasised in Somalia. They are a central part of Somali identity in all of Somalia. In practice, there has been no central government or public services for decades, and the only actor which individuals have been able to trust and receive support from is their own clan. Clan connections and networks enable access to various services and positions of power in society. A clan is the operator that helps and which is asked for assistance when necessary, including in relation to security. Citizenship and the related rights are foreign concepts for people in Somalia.

Generally speaking, everyone in Somalia needs the support of their own clan. The clan offers the possibility of survival and resolving problems related to living in difficult circumstances. In this respect, the clan is a positive force. It is also crucial to the integration process when a person returns to their home country from the diaspora or living as a refugee. Membership of a clan is reciprocal, and every clan member is required to help and support the clan and its members by all means possible. There is a strong and binding spirit of community. It is difficult to make individual choices that are in conflict with the principles and rules adopted by the community. Fear of being excluded from the community represents an extremely serious threat.

In the prevailing culture, the role of clan leaders is socially more important than that of politicians, such as

¹⁹ 'BTI 2018 Country Report Somalia', Bertelsmann Stiftung, 23 March 2018, p.30, CIS7B83941557

²⁰ 'Country of Origin Information Report on South and Central Somalia', Ministerie van Buitenlandse Zaken (The Netherlands), 01 March 2019, pp.44-45, 20190724102240

a minister or member of parliament (MP). Every minister and MP is primarily a representative of their own clan and responsible for it. They are responsible for defending the interests of the clan in their work. Clan leaders can turn their clan against the government, if they wish. The clan connection also has a key position in working life. Recruitment for public and private jobs occurs largely on the basis of clan relationships. Persons hiring an employee are deemed to be under a moral obligation to recruit primarily from their own clan. This means that individuals are often not chosen for a job on the basis of their competence and professional skills, but because they belong to the "right" clan. Sometimes, this can mean selecting a candidate with unsuitable competencies who cannot read or write.

The current Parliament of Somalia was elected on a clan basis, and all key political institutions are based on the division of clans. The next elections in the country are due to be held in 2020, in accordance with the principle of direct democracy. In this case, everyone entitled to vote can do so for the candidate deemed appropriate, regardless of clan. If this actually happens, it will reduce the significance of clans. However, it is presumed that the prevailing culture will not change quickly and that clans will continue to maintain a strong role in various sectors of society, such as the appointment of officials, getting a job, political organisations, and the distribution of resources.²¹

A 2018 Landinfo report also emphasises the significance of clan protection:

The clan (kin) is of great importance in Somalia, including in Mogadishu. This is especially true in the socioeconomic perspective... Clan affiliation can also protect individuals from violence by deterring potential aggressors ... Deterrence presupposes membership of a clan that is (or appears) strong enough to inflict violence or costs on others.²²

The Finnish Immigration Service report describes the role of clans in Mogadishu, where there are numerous clan groups represented:

The population of the capital city has a heterogeneous clan background. A member of any clan can live in Mogadishu and a clan background, as such, does not restrict settlement in the capital city. In practice, coping with life and making a living in the challenging circumstances of the capital city require a functioning network - unless the person has enough assets to pay for necessary services and personal upkeep. All services are subject to a charge, and the general cost is extremely high. There are no free public services in practice. For many households, receiving money from diaspora is a vital resource.²³

Even where clan protection is available, it can be limited:

... there is broad agreement among the local sources met by Landinfo in Mogadishu in the period 2012-2017 that the protection that may come from clan affiliation has its limitations. Clan affiliation does not protect against random or arbitrary violence. Nor does clan affiliation protect against violence from unknown perpetrators. In such cases, the victim's clan does not know who to react against.

Clan affiliation may under certain circumstances affect al-Shabaab's behaviour towards individuals, ... but the sources that Landinfo met in September 2017 were clear that this is not the case in Mogadishu today. This means that clan affiliation only provides limited protection against the biggest security challenges in Mogadishu today: being "in the wrong place at the wrong time", becoming a victim of attacks/killings committed by unknown perpetrators or al-Shabaab attacks ... Consequently, clan affiliation may primarily deter other violent crime, including from government forces. Businesspeople and other persons who as a result of individual wealth and/or status may be more exposed to robbery or other crime will usually acquire other protection in the form of, for example, armed guards.²⁴

²¹ ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, pp.18-19, 20190827105148

²² ['Somalia: Security challenges in Mogadishu'](#), Landinfo, 15 May 2018, p.12, CIS7B839411447

²³ ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, p.22, 20190827105148

²⁴ ['Somalia: Security challenges in Mogadishu'](#), Landinfo, 15 May 2018, pp.12-13, CIS7B839411447

Clan conflicts

Inter-clan conflicts are the main cause of civilian casualties in Somaliland.²⁵

The US State Department's *Country Reports on Human Rights Practices for 2018 - Somalia* notes that fighting between clans occurs, as well as revenge killings:

Fighting among clans and subclans, particularly over water and land resources, occurred throughout the year, particularly in the regions of Hiiraan, Galmudug, Lower and Middle Shabelle, and Sool. Revenge killings occurred.²⁶

The US State Department further says:

Clan-based political violence involved revenge killings and attacks on civilian settlements. Clashes between clan-based forces and with al-Shabaab in Puntland and the Galmudug, Lower Shabelle, Middle Shabelle, Lower Juba, Baidoa, and Hiiraan regions, also resulted in deaths.²⁷

The 2018 BTI report says:

The Somali public is politically weak and fragmented by clan affiliation. Cooperative organizations or interest groups that operate independently of either the clan system or religious affiliation are rare in both Somalia and Somaliland. Social conflicts are mostly perceived and articulated as conflicts between clan groups.²⁸

Additional Reading

- Nil.

5. Would a person who lived overseas for an extensive period be considered to be a spy on return?

COISS found no information that people who have lived overseas for extended periods are necessarily considered to be spies on return to Somalia. However, Somalis who have spent time abroad may be identifiable and face difficulty, particularly if they do not have clan support. Somalia has a large diaspora, and many Somalis have returned in recent years. There are numerous reports that Al-Shabaab has harmed people suspected to be spies in South and Central Somalia.

Returnees to Somalia

A 2017 joint report by the Danish Immigration Service and Danish Refugee Council considers the treatment of returnees to South and Central Somalia:

Whether returnees from abroad are targeted or not by al-Shabaab will depend on how they behave and dress and who they are affiliated with. Several sources mentioned that persons returning will be under close monitoring, as al-Shabaab in general will be aware of newcomers, and a new face will be reason enough for background checks and questioning. An NGO working in Somalia concurred that an outsider risks being stopped and questioned at checkpoints, as a new face will raise suspicion of spying. The questioning will often be about the determination of the person's identity. According to the source it is rather easy for al-Shabaab to identify a Somali person by the person's name, his/her mother's name, grandmother's name, and home village.

²⁵ ['Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia'](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, p.25, CISED50AD7824

²⁶ ['Country Reports on Human Rights Practices for 2018 - Somalia'](#), US Department of State, 13 March 2019, p.2, 20190314105458

²⁷ ['Country Reports on Human Rights Practices for 2018 - Somalia'](#), US Department of State, 13 March 2019, pp.11-12, 20190314105458

²⁸ ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, p.23, CIS7B83941557

According to an international organisation the fact that a person has been abroad, including in the West, is not in itself important when returning to an al-Shabaab area. What is important is his/her clan, and the returnee will need relatives who are not in bad standing with al-Shabaab and who can vouch for them. If returnees are related to clans or individuals that are well regarded in al-Shabaab, they are likely to be safe. If not, he/she might face at least some initial scrutiny.

A Somalia Country Director of a humanitarian agency mentioned that any western touch can profile a person, and referred to an incident in Lower Juba in 2015 where a passenger travelling on a minibus which was stopped by al-Shabaab had said he had come from New Zealand. He had been taken off the bus and killed. However, the source added that the reason for this killing is currently unknown.²⁹

In South and Central Somalia, people from outside the local community are easily identified and can find travel difficult and dangerous. Returnees tend to avoid travelling outside cities and towns:

Alongside roads there are checkpoints maintained by either the security forces that support the Somali government, or al-Shabaab. Guards at checkpoints demand a certificate of identity and establish the traveller's background and reason for travel. People usually know one another, and individuals who "are not part of the group" stand out and are identified. Identification is made easier by, for instance, dialects or accents. Many people returning to Somalia from abroad try to avoid travelling outside cities and towns for safety reasons. They say they can be identified by their accents, style of walking, and better posture. They usually go to cities already inhabited by returning members of the diaspora.³⁰

Many people have successfully returned to Somalia, and made a significant contribution to the Somali economy:

The role of people returning from the diaspora to Somalia has grown. Many of those returning have been educated abroad, and upon their return they make their competencies available to their former home country. They have professional skills and, in many cases, the capital to establish businesses, such as hotels and restaurants. People returning from the diaspora and their investments have had a significant, stimulating effect on the economy of Somalia. In the long run, this is more important than the support of the international community. Despite the ongoing instability, life in Mogadishu and Kismayo has clearly become more colourful in the last three years.³¹

However, returnees tend to have difficulty in finding employment. According to the US State Department:

Employment opportunities were limited for refugees, Somali returnees, and other vulnerable populations. Refugee returnees from Kenya reported limited employment opportunities in the southern and central sections of the country, consistent with high rates of unemployment throughout the country.³²

Returnees who do not have close family or clan support face particular difficulty:

Returning to Somalia is difficult for any person with a Somali background who has no close family members or another social network created through a clan. Personal financial resources compensate for the lack of a network and help people to begin a new life in Somalia, because returnees can live off their assets and acquire paid security and other services. For people without a network or money, returning to Somalia is difficult, whether they are returning voluntarily or by force. Due to the challenges related to such return, those moving to Somalia of their own volition plan their return for a long time, even several

²⁹ ['South and Central Somalia. Security Situation, al-Shabaab presence, and target groups'](#), Danish Refugee Council, Danish Immigration Service, 01 March 2017, p.24, CISED50AD8539

³⁰ ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, p.10, 20190827105148

³¹ ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, p.9, 20190827105148

³² ['Country Reports on Human Rights Practices for 2018 - Somalia'](#), US Department of State, 13 March 2019, p.23, 20190314105458

years. Some returnees have established restaurants and hotels.³³

Execution of spies

There are numerous reports that Al-Shabaab has executed adults and children suspected of spying, with the purpose of instilling fear in communities.³⁴ None of these reports indicated whether or not the victims had spent time outside Somalia.

In 2018, Al-Shabaab killed five people for allegedly spying for foreign governments.³⁵ Three were accused of spying for the US government, one for the Somali government and one, a dual Somali-British citizen who had once been a member of Al-Shabaab before joining Islamic State, for the British government. According to *The Guardian*:

The al-Qaida-linked group [Al-Shabaab] routinely shoots people accused of being spies, though often these are simply fighters caught on the wrong side of factional disputes.

Foreign fighters are particularly vulnerable to the charge. One was Omar Hammami, an American from Alabama known as the rapping jihadist, who [was killed in 2013](#).

In December last year, five men were tied to poles and shot, accused of spying for the Kenyan and Ethiopian governments.³⁶

Additional Reading

- Nil.

³³ ['Somalia. Fact-finding mission to Mogadishu and Nairobi, January 2018'](#), Finnish Immigration Service, 05 October 2018, p.22, 20190827105148

³⁴ ['Situation in South and Central Somalia \(including Mogadishu\)'](#), Asylum Research Consultancy, 25 January 2018, pp.209-213, CIS7B839411339

³⁵ ['Al-Shabaab says it has killed British 'spy' in Somalia'](#), The Guardian, 11 October 2018, 20200228175645

³⁶ ['Al-Shabaab says it has killed British 'spy' in Somalia'](#), The Guardian, 11 October 2018, 20200228175645

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Friday, 20 March 2020 2:07 PM
To: s. 22(1)(a)(ii)
Cc:
Subject: RE: Information request SOMALILAND [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

The information indicates that Somaliland has long been a functional and relatively stable democracy, but not internationally recognised as an independent country.

Somalia, however, has been considered a 'failed state' for three decades. Reports indicate that the situation is improving slowly but I do not have information on whether their passport issuing processes have improved.

The 2017 DFAT country report on Somalia states:

Most Somalis do not have the means to obtain a passport and the majority of countries, including Australia, do not recognise the Somali passport. The Immigration and Refugee Board of Canada reported in March 2016 that a Somali passport costs \$83USD and the application must be lodged in Mogadishu, making it prohibitively expensive to many Somalis. ('Somalia - DFAT Country Information Report', Department of Foreign Affairs and Trade (DFAT), 13 June 2017, p.24, CISED50AD4497).

Likewise, the most recent US Department of State country report on human rights in Somalia states:

Few citizens had the means to obtain passports. In view of widespread passport fraud, many foreign governments did not recognize Somali passports as valid travel documents ('[Country Reports on Human Rights Practices for 2019 – Somalia](#)', US Department of State, 11 March 2020, p.21, 20200312141721).

Kind regards,

s. 22(1)(a)(ii)

Senior Research Officer (Canberra)
 Country of Origin Information Services Section (COISS)
 Humanitarian Program Capability Branch | Refugee, Humanitarian and Settlement Division

Immigration and Settlement Services Group

Department of Home Affairs

P: s. 22(1)(a)(ii) | E: s. 22(1)(a)(ii)@homeaffairs.gov.au

Please note I work part time Wednesday to Friday

The Department of Home Affairs and the Australian Border Force acknowledge the Traditional Custodians throughout Australia and their continuing connection to land, sea and community. We pay respect to al

UNCLASSIFIED

From: s. 22(1)(a)(ii)

Sent: Friday, 20 March 2020 1:25 PM

To: s. 22(1)(a)(ii)

Cc:

Subject: RE: Information request SOMALILAND [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks s. 22(1)(a)(ii), based on the countries listed below, it appears Somaliland passports have some credibility. Perhaps this is because Somalia is no longer considered a 'failed state' and they have improved their issuing processes?

Thanks

s. 22(1)(a)(ii)

Assistant Manager, Victoria/Tasmania Citizenship Delivery Section

Citizenship and TIS Branch

Citizenship and Multicultural Programs Division

Citizenship and Social Cohesion Group
Department of Home Affairs
Casselden Place, 2 Lonsdale St, Melbourne, 3000
Phone: s. 22(1)(a)(ii)
Email: s. 22(1)(a)(ii)

UNCLASSIFIED

From: s. 22(1)(a)(ii)
Sent: Friday, 20 March 2020 11:45 AM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii)
Subject: RE: Information request SOMALILAND [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I haven't found an official list of countries which accept Somaliland passports. I have found some online media and other sources which report that a number of countries do accept Somaliland passports. These countries include:

1. Ethiopia
2. South Africa
3. Djibouti
4. Belgium
5. The United Kingdom
6. France
7. South Sudan
8. Kenya

Other media articles also include the following countries as accepting Somaliland passports: Turkey, UAE, Zambia and Saudi Arabia.

A 2016 GlobalLex article states that the Somaliland passport is 'accepted by many countries in the region', but does not list which ones. See:

<https://www.nyulawglobal.org/globalex/Somaliland1.html>

Media sources which report countries which accept Somaliland passports:

<https://www.alaraby.co.uk/english/indepth/2019/9/20/the-saudi-arabia-qatar-rift-over-somalia>

<https://reliefweb.int/report/somalia/uae-port-deal-somaliland-stirs-trouble-horn>

<https://menafn.com/1097407563/Somaliland-Zambia-accepts-Somaliland-passport>

<https://somalilandstandard.com/breaking-news-turkey-accepts-somaliland-passport/>

Other sources:

<https://www.politicalholidays.com/post/travelling-to-somaliland>

<https://harvardpolitics.com/world/somaliland-international/>

https://rucforsk.ruc.dk/ws/portalfiles/portal/60303209/Chapter_5_Somaliland.pdf?bcsi_scan_80924fa687a2fd45=SctIKt0QbPHQjdngDMUS9OGvLEUsAAAAGrOIItA==&bcsi_scan_filename=Chapter_5_Somaliland.pdf

I will upload these documents to CISNET and send you the citations and CISNET numbers.

Please contact me if you have any questions.

Kind regards,

s. 22(1)(a)(ii)

Senior Research Officer (Canberra)

Country of Origin Information Services Section (COISS)

Humanitarian Program Capability Branch | Refugee, Humanitarian and Settlement Division

Immigration and Settlement Services Group

Department of Home Affairs

P: s. 22(1)(a)(ii) | E: s. 22(1)(a)(ii)

Please note I work part time Wednesday to Friday

The Department of Home Affairs and the Australian Border Force acknowledge the Traditional Custodians throughout Australia and their continuing connection to land, sea and community. We pay respect to al

UNCLASSIFIED

From: s. 22(1)(a)(ii)
Sent: Friday, 20 March 2020 10:08 AM
To: s. 22(1)(a)(ii)
Subject: Information request SOMALILAND [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s. 22(1)(a)(ii)

I just had a message exchange with s. 22(1)(a)(ii) who was asking about Somaliland documents. Would you be able to have a look at this if you have a little time – see below. s. 22(1)(a)(ii) is in Citizenship Complex Case Team VIC.

[20/03/2020 9:55 AM] s. 22(1)(a)(ii) :

Hi s. 22(1)(a)(ii) i notice some countries are accepting Somaliland passports as official travel documents? Is there any recent advice on this?

[20/03/2020 9:57 AM] s. 22(1)(a)(ii)

I don't know off hand, I would need to ask someone to look into it - do you want to submit as formal request or not? what is timeframe?

[20/03/2020 10:01 AM] s. 22(1)(a)(ii) :

ok no worries s. 22(1)(a)(ii) was just enquiring as looking into the somali caseload. if we need to submit a request, i will send one through.

[20/03/2020 10:02 AM] s. 22(1)(a)(ii)

Thanks, fine.

[20/03/2020 10:03 AM] s. 22(1)(a)(ii) :

Actually I have someone who I could ask to have a quick look to see if anything is readily available so will do that now.

[20/03/2020 10:04 AM] s. 22(1)(a)(ii)

terrific, thanks s. 22(1)(a)(ii)

s. 22(1)(a)(ii) | Assistant Director – Research (Me bourne)
Country of Origin Information Services Section
Humanitarian Program Capability Branch
Refugee, Humanitarian and Settlement Division
Immigration and Settlement Services Group
Department of Home Affairs

Phone s. 22(1)(a)(ii) Email s. 22(1)(a)(ii)

UNCLASSIFIED



Standard Q&A Report

Somalia: 20200827091436 – Citizenship – Passport – Common Market for Eastern and Southern Africa (COMESA) – League of Arab States – Free Movement of People – New Zealand Travel and Residence Partner Visa

Date of Report

4 September 2020

This Q&A Report was prepared by the Country of Origin Information Services Section (COISS), Department of Home Affairs in response to a request for country information within time constraints. It is current at the time of completion. This Q&A Report should not be cited in a decision or any other document. Anyone wishing to use this information should only cite the source material contained herein.

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Background

[redacted]

Questions

1. [Can a person who had obtained a Kenyan passport fraudulently be conferred Kenyan nationality?](#)
2. [On what grounds can the Kenyan government revoke nationality?](#)
3. [Does the Common Market for Eastern and Southern Africa \(COMESA\) arrangement allow nationals of one member state to reside in another member state?](#)
4. [Does a Somali national have any rights to reside in another member state of the Arab League?](#)
5. [Does a Somali national with an estranged spouse having New Zealand nationality have a right to enter and reside in New Zealand? If so, how?](#)

Released by Department of Home Affairs
under the *Freedom of Information Act 1982*

Answers

Disclaimer: It is not the mandate of COISS to provide legal advice or opinion. COISS is unable to provide legal opinion in relation to the interpretation of law, nor a definitive answer as to how a law may be applied in a particular circumstance within a foreign jurisdiction. Information below contains excerpts from legal instruments that may or may not be representative of an entire body of legal information available on the topic. Professional legal advice should be sought if further clarification regarding the interpretation of extracts from legal instruments mentioned in this research response is required.

1. Can a person who had obtained a Kenyan passport fraudulently be conferred Kenyan nationality?

A citizen of Kenya is entitled to a passport but it can be 'denied, suspended or confiscated'. The citizenship of Kenya where acquired by fraudulent means can be revoked. Please see reply to [Question 2](#) below.

According to Article 13(2) of the 2010 Constitution of Kenya, citizenship can be acquired through birth or registration.¹ According to a May 2015 Kenyan overseas diplomatic mission report:

A person is a citizen by birth if at the date of his or her birth; one of the parents is or was a citizen of Kenya. This is regardless of where the person is or was born.²

According to Article 12(1)(b) of the 2010 Constitution of Kenya, a citizen of Kenya is entitled to a passport.³

However, according to Article 12(2) of the 2010 Constitution of Kenya, a Kenyan passport:

... may be denied, suspended or confiscated only in accordance with an Act of Parliament that satisfies the criteria mentioned in Article 24.⁴

A recent (2020) version of the May 2015 Kenyan overseas diplomatic mission report cited above notes that:

A person born of a Kenyan parentage irrespective of the place of birth automatically becomes a citizen by birth (*jus sanguinis*).

The Constitution confers automatic recognition of persons who hold the citizenship of other countries as citizens of Kenya by birth provided that at the time of birth, one of the parents was a Kenyan (so long as they are able to prove parentage through production of evidence in the form of either parent's Kenya National Identification card or passport).

Kenyan citizens by birth who ceased to be citizens of Kenya by voluntarily acquiring the citizenship of other countries in accordance with the repealed Constitution are entitled to regain their Kenyan citizenship upon application in the prescribed manner (application form may be down loaded from this website).

A person who enjoyed dual citizenship but who by virtue of the repealed Constitution renounced or lost their Kenyan citizenship upon attainment of the age of twenty-three (23) years would automatically be deemed to be a citizen by birth.⁵

¹ 'Constitution of Kenya 2010', National Council of Law Reporting (Kenya), Republic of Kenya, 6 May 2010, p.16, CISDCDCAAB1611

² 'Requirements for citizenship', Permanent Mission of the Republic of Kenya to the United Nations Office in Geneva, 11 May 2015, CISEC96CF1798

³ 'Constitution of Kenya 2010', National Council of Law Reporting (Kenya), Republic of Kenya, 6 May 2010, p.16, CISDCDCAAB1611

⁴ 'Constitution of Kenya 2010', National Council of Law Reporting (Kenya), Republic of Kenya, 6 May 2010, p.16, CISDCDCAAB1611

⁵ 'The Republic of Kenya - Citizenship and Nationality', Permanent Mission of the Republic of Kenya to the United Nations Office in Geneva, 2020, 20200728105509

Additional Reading

- 'Kenya: The Kenya Citizenship and Immigration Act, 2011(Revised Edition 2019)', National Council for Law Reporting (Kenya), 30 August 2011, 20200901115235

2. On what grounds can the Kenyan government revoke nationality?

The citizenship of Kenya acquired by fraudulent means can be revoked.

According to Article 17(1)(a) of the 2010 Constitution of Kenya, citizenship can be revoked where a person had previously acquired Kenyan citizenship through registration:

... by fraud, false representation or concealment of any material fact;⁶

Article 17(2) of the 2010 Constitution of Kenya further notes that:

The citizenship of a person who was presumed to be a citizen by birth, as contemplated in Article 14 (4), may be revoked if

- a. the citizenship was acquired by fraud, false representation or concealment of any material fact by any person;
- b. the nationality or parentage of the person becomes known, and reveals that the person was a citizen of another country; or
- c. the age of the person becomes known, and reveals that the person was older than eight years when found in Kenya.⁷

Additional Reading

- 'Kenya: The Kenya Citizenship and Immigration Act, 2011(Revised Edition 2019)', National Council for Law Reporting (Kenya), 30 August 2011, 20200901115235

3. Does the Common Market for Eastern and Southern Africa (COMESA) arrangement allow nationals of one member state to reside in another member state?

The Common Market for Eastern and Southern Africa (COMESA) — set up in December 1994 — has 19 member states but Somalia is not a member. According to the United Nations Economic Commission for Africa, COMESA comprises of the following African countries:

Burundi, the Comoros, the Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Sudan, Swaziland, Seychelles, Uganda, Zambia and Zimbabwe.⁸

According to a 2014 COMESA report cited by the United Nations Economic Commission for Africa:

There are two primary legal instruments governing the free movement of people in COMESA, the Protocol on the Gradual Relaxation and Eventual Elimination of Visa Requirements, and the Protocol on Free Movement of Persons, Labour, Services, the Right of Establishment and Residence. Since the adoption of the Free Movement Protocol in June 1998, only Burundi, Kenya, Rwanda and Zambia have signed, and Burundi being the only country ratifying it. Mauritius, Rwanda and Seychelles have since waived visas to all COMESA citizens, while Zambia has issued a circular waiving visas and visa fees for all COMESA nationals on official business.⁹

According to a 2017 European Commission report:

⁶ 'Constitution of Kenya 2010', National Council of Law Reporting (Kenya), Republic of Kenya, 6 May 2010, p.17, CISDCDCAAB1611

⁷ 'Constitution of Kenya 2010', National Council of Law Reporting (Kenya), Republic of Kenya, 6 May 2010, p.18, CISDCDCAAB1611

⁸ 'COMESA – Common Market for Eastern and Southern Africa', United Nations Economic Commission for Africa, undated[accessed 2 September 2020], 20200902114935

⁹ 'COMESA – Free Movement of Persons', United Nations Economic Commission for Africa, undated[accessed 2 September 2020], 20200902115830

The COMESA Free Movement protocol, adopted in 2001, is currently not in force for a lack of signatories and ratifications. The Visa protocol has been ratified by all member states, but it is not being fully implemented.¹⁰

A May 2020 report by the Migration Data Portal corroborates the finding of the 2017 report.¹¹

Additional Reading

- 'COMESA in Brief', Common Market for Eastern and Southern Africa (COMESA) Secretariat, September 2018, 20200902121116

4. Does a Somali national have any rights to reside in another member state of the Arab League?

The League of Arab States (the Arab League) had originally intended to facilitate freedom of residence under the 1957 Economic Unity Agreement but the provision has not been implemented by the League's member states.

The Arab League — founded on 22 March 1945 — seeks to coordinate political activities and implement greater cooperation in a number of areas (for example, trade and economy, infrastructure and communications, migration, social welfare and health) between its 22 member states.¹² In 1957, the League of Arab States signed the Economic Unity Agreement:

... to guarantee the free movement of persons and capital; the free exchange of goods and products; freedom of residence, work, and economic activity; free use of modes of transport and civil ports and airports; and the rights of ownership, bequest and inheritance for all Arab citizens.¹³

The Arab League through its economic council set up the Council of Arab Economic Unity at the same time to implement:

... economic integration within a framework of economic and social development and [promote] freedom of movement for labour, capital, and services. In 1964 it approved a decision to create an Arab Common Market—which Egypt, Iraq, Jordan, Libya, Mauritania, Syria, and Yemen announced an intention to join—to promote Arab integration by reducing tariffs. Although initial efforts to establish the market were unsuccessful, new proposals were put forward in the 1980s and '90s.¹⁴

However, steps to implement the measures have not been very effective. According to a February 2014 report by the United Nations Economic and Social Commission for Western Asia:

Most integration measures taken by Arab countries have been limited to the first phases of economic integration. They have focused on trade, investment and the movement of capital, in addition to joint funds for the financing of development projects in the region.¹⁵

The same 2014 UN report also notes that:

[an] agreement drawn up by the Secretariat of the Council of Arab Economic Unity sought to facilitate the movement of people between the Arab countries, but was never concluded. Eventually, it was replaced by a non-binding declaration of principles.

[...]

The movement of Arab labour, goods and capital constitutes a form of Arab integration but the numerous

¹⁰ 'Action Document for the Common Market for Eastern and Southern Africa (COMESA) Trade Facilitation Programme', European Commission, 2017, p.7, 20200902120415

¹¹ 'Migration Data in the Southern African Development Community (SADC)', Migration Data Portal, 29 May 2020, 20200904090901

¹² 'Pact of the League of Arab States, March 22, 1945', Yale Law School, United States Department of State, 22 March 1945, 20200901162704

¹³ 'Arab Integration: A 21st Century Development Imperative', United Nations Economic and Social Commission for Western Asia (ESCWA), 1 February 2014, p.33, 20200901161604

¹⁴ 'Council of Arab Economic Unity', Encyclopaedia Britannica, 26 March 2012, 20200902103029

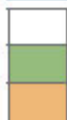
¹⁵ 'Arab Integration: A 21st Century Development Imperative', United Nations Economic and Social Commission for Western Asia (ESCWA), 1 February 2014, p.34, 20200901161604

Arab cooperation agreements do not facilitate the free movement of the labour force. Freedom of movement and residence, and property rights for Arab citizens in all countries of the region, remain elusive and perhaps unattainable goals.¹⁶

The 2014 UN report cited above provides a chart (see below) on visa requirements for Arab travellers between Arab countries.¹⁷

Figure 3-3 Visa requirements for Arab travelers between Arab countries

from to	Algeria	Bahrain	Comoros	Djibouti	Egypt	Iraq	Jordan	Kuwait	Lebanon	Libya	Mauritania	Morocco	Oman	Qatar	Saudi Arabia	Somalia	Sudan	Syria	Tunisia	UAE	Yemen
Algeria																					
Bahrain																					
Comoros																					
Djibouti																					
Egypt																					
Iraq																					
Jordan																					
Kuwait																					
Lebanon																					
Libya																					
Mauritania																					
Morocco																					
Oman																					
Qatar																					
Saudi Arabia																					
Somalia																					
Sudan																					
Syria																					
Tunisia																					
UAE																					
Yemen																					



Visa not required

Visa obtained upon arrival

Prior visa required

1 Entry granted for holders of a 5-year valid passport

2 Entry granted for holders of a certain amount of money

3 Does not apply to women

Note: Palestine has no control over its borders, and thus entry is subject to the approval of the occupying Israeli authorities.
Source: Report team.

Additional Reading

- Nil.

¹⁶ 'Arab Integration: A 21st Century Development Imperative', United Nations Economic and Social Commission for Western Asia (ESCWA), 1 February 2014, pp.34, 42, 20200901161604

¹⁷ 'Arab Integration: A 21st Century Development Imperative', United Nations Economic and Social Commission for Western Asia (ESCWA), 1 February 2014, p.70, 20200901161604

5. Does a Somali national with an estranged spouse having New Zealand nationality have a right to enter and reside in New Zealand? If so, how?

A Somali national who holds a New Zealand Citizen (Family Relationship) (Temporary) (Class UP) subclass 461 visa can travel to and reside in New Zealand on the basis of partnership upon fulfilling the relevant criteria specified by Immigration New Zealand.

According to Immigration New Zealand, the applicant must prove the 'genuine and stable' nature of the relationship, meet the partnership requirements, provide evidence to that effect, and also explain any period of 'time spent living apart'.¹⁸ The applicant can also apply for a work or visitor visa of 12-24 months duration ('depending on the length of the relationship') as a partner or spouse of a New Zealand citizen.¹⁹

Additional Reading

- Nil.

¹⁸ 'Apply for a Visa – Support Family - Partnership', Immigration New Zealand, undated[accessed 1 September 2020], 20200901155528

¹⁹ 'Visas for Partners and Children', Immigration New Zealand, 22 June 2020, 20200901155158



Standard Q&A Report

Somalia: 20200922161910 – Security situation

Date of Report

25 September 2020

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Background

The applicant [redacted].

Questions

1. [What is the current general security situation in Somalia?](#)

Answers

1. What is the current general security situation in Somalia?

Whilst Somalia has endured on-going conflict for nearly 30 years, since 2008 the internationally-backed government in Mogadishu has been fighting Al-Shabaab. Targeted and indiscriminate terrorist attacks occur frequently and commonly result in civilian casualties. There are numerous other security and conflict situation in Somalia, some terrorism-related and others not, and these are outlined in more detail below.

Security reports

On 28 August 2020, the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) published a *Security Situation in Somalia* report. Citing the UN Security Council, the report states that the security situation is 'volatile' following hundreds of incidents in the months of May and July, of which most were crime-related killings and shootings and Al-Shabaah attacks. The report also highlights inter-clan fighting in June which left 'around a dozen dead'. Earlier, inter-clan clashes in the south and centre of the country left 'more than 100 dead'.¹

Garda World have published a Somalia country report incorporating IHS Markit content that provides an overview of the security situation in Somalia:

The Federal Government of Somalia (FGS) exerts limited authority outside of the capital, Mogadishu, and President Mohamed Abdullahi Mohamed's leadership is undermined by personal rivalries, opposition from clans, the semi-autonomous federal member states (FMS), and foreign governments. Disputes between the FGS and FMS stem from candidate selection for the regional elections, the framework for conducting national legislative and presidential elections in 2020–21. Jihadist militant group Harakat al-Shabaab al-Mujahideen (Al-Shabaab) will continue to hold large swathes of territory in southern Somalia and conduct mortar attacks and vehicle-borne improvised explosive device attacks and follow-up small-arms assaults in Mogadishu. Targets are international and government assets and personnel, except in Somaliland, which is more secure. The Somali National Army (SNA) is deployed in Jubaland's Gedo region and it fought against Jubaland security forces around Baladhowo next to the Kenyan border in February and March 2020. Such fighting is likely to continue unless the SNA withdraws from Gedo, which is a precondition of Jubaland's president, Ahmed Mohamed Islam, agreeing to the election model proposed by federal President Mohamed. Piracy syndicates based in Mudug region in April 2019 briefly resumed targeting commercial vessels to kidnap crew members and demand ransom payments. IHS Markit sources report they have since reverted to more profitable criminal activities. The hijack of the Sri Lankan-flagged tanker Aris 13 in March 2017 is still the most recent successful hijack of a commercially significant vessel since May 2012. Somalia's economy is heavily dependent on foreign aid and remittances, as well as excise and duty charges at seaports and airports. However, a global slowdown in economic growth is likely to reduce remittance contributions from the Somali diaspora in 2020, and COVID-19 virus-related cargo disruption will reduce expected tax collection from imports and exports.²

In May 2020, the US Department of State's Overseas Security Advisory Council published a crime and safety report on Somalia. The report discusses overall security situation as details specific risks:

Crime Threats

The U.S. Department of State has assessed Mogadishu as being a CRITICAL-threat location for crime directed at or affecting official U.S. government interests. Violent crime such as kidnapping, bombings, indirect fire attacks, murder, assassinations, armed robbery, carjacking, and illegal roadblocks by armed individuals in uniforms occur throughout Somalia, including in Mogadishu and the self-declared autonomous region of Somaliland.

[...]

Terrorism Threat

¹ '[Security Situation in Somalia](#)', Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), 28 August 2020, 20200925080252

² '[Somalia Country Report](#)', Garda World, 19 September 2020, 20200925075951

The U.S. Department of State has assessed Mogadishu as being a CRITICAL-threat location for terrorism directed at or affecting official U.S. government interests. The terrorism situation in Somalia remains unstable and dangerous. Terrorist operatives and armed groups in Somalia continue to attack Somali authorities, forces associated with the African Union Mission in Somalia (AMISOM), and non-military targets. Kidnapping, bombings, murder, illegal roadblocks, banditry, use of indirect fire, and other violent incidents to foreign nationals can occur in any region of Somalia. Avoid places where large crowds gather and government officials frequent, including hotels, restaurants, shopping areas, and public buildings.

Portions of Somalia are under Federal Government of Somalia control with the military support of AMISOM. However, al-Shabaab, an al-Qa'ida affiliate, has demonstrated the capability to carry out attacks in government-controlled territory with particular emphasis on targeting hotels government officials frequent; government facilities; foreign delegation facilities and movements; and restaurants, coffee shops, and other commercial establishments frequented by government officials, foreign nationals, merchants, and the Somali diaspora. Al-Shabaab maintains strongholds in rural areas in the south, where it controls a large swathe of the Lower and Middle Juba and Lower Shabelle regions. Al-Shabaab is also responsible for numerous high-profile bombings and shootings in the northeast in Puntland State.

Insurgents conducted high-profile attacks in 2018 and 2019, many of which targeted government officials and candidates. These attacks consisted of complex assaults, improvised explosive device (IED) detonations, vehicle-borne IEDs (VBIEDs) and suicide bombings. Insurgents targeted hotels where candidates stay and various Federal Government of Somalia facilities in Mogadishu and Mogadishu's MGQ airport, which houses most international aid workers and diplomatic facilities.

[...]

Political, Economic, Religious, and Ethnic Violence

The U.S. Department of State has assessed Mogadishu as being a CRITICAL-threat location for political violence directed at or affecting official U.S. government interests. Demonstrations and acts of civil disobedience are not uncommon, and often become violent. In December 2018, three days of large-scale protests in Baidoa followed the arrest of a former al-Shabaab leader and presidential candidate of South West State, resulting in an unknown number of civilian casualties. Review OSAC's report, *Surviving a Protest*.

Fighting among clans and subclans, particularly over water and land resources, occurs particularly in the regions of Hiiraan, Galmudug, Lower and Middle Shabelle, and Sool.

[...]

Police Response

Broadly, the Somali Police Force (SPF) service is responsible for dealing with crimes that fall under the jurisdiction of Federal Government of Somalia, including any activities in violation of the draft constitution that may endanger constitutional order, public order, hooliganism, terrorism, trafficking in persons and transferring of drugs. Somali police forces are understaffed, ill-equipped, do not receive training commensurate with U.S. or EU standards, and struggle to provide consistent basic law enforcement services. Enforcement of criminal laws is haphazard to nonexistent. The consistency of enforcement and subsequent criminal penalties vary dramatically.³

Political update

On 23 September, media outlet *Anadolu Agency* reported 'Somali lawmakers on Wednesday approved Mohamed Hussein Roble as the country's new prime minister in a landslide vote.' Roble cited 'security' as one of his primary commitments. Roble is described in the report as 'a humanitarian workers and newcomer to Somali politics'.⁴

Aljazeera report the former prime minister was voted out of office in July 2020:

Roble replaces former Prime Minister Hassan Ali Khaire, who was voted out of office by parliament in July for failing to pave the way for fully democratic elections due before February 2021.

[...]

³ 'Somalia 2020 Crime & Safety Report', Overseas Security Advisory Council, 1 May 2020, 20200925080841

⁴ 'Newly appointed Mohamed Hussein Roble says will address key issues including security, infrastructure, upcoming elections', Anadolu Agency, 23 September 2020, 20200925092427

Somalia had set itself a goal of holding its first fully democratic, one-man one-vote election since 1969 – as opposed to a complex system in which special delegates pick politicians who then vote for the president.⁵

In July 2020, the Somali government announced parliamentary elections would be postponed until February 2021 and presidential elections until August 2021 due to increased attacks from Al-Shabaab and the outbreak of COVID-19.⁶

Terrorist attacks

Reports below provide an overview of recent terrorist incidents following publication of the above-mentioned security reports.

There are approximately 600 US Defense Department personnel in Somalia who advise local Somali troops confronting Al-Shabaab. According to Col. Chris Karns, director of US Africa Command Public Affairs, “Al-Shabaab remains a dangerous enemy. Continued pressure is being placed on this Al Qaeda-affiliated threat to limit its ability to expand and export violence, terrorism, and crime more broadly.”⁷

On 11 September 2020, *Associated Press* reported that ‘a suicide bomber attacked a mosque in the southern port city of Kismayo as Friday prayers ended, killing two people’. The bomber was said to have been ‘targeting the head of the regional chamber of commerce’. The report mentions that attacks on mosques are ‘uncommon’ in Somalia.⁸

On 9 September 2020, *Aljazeera* reported that three people were killed and seven injured during a suicide attack at a Mogadishu restaurant. Reportedly, the target of the attack was civilians.⁹

On 7 September 2020, the *New York Times* provided an overview of terrorist attacks and their locations:

Officials in Jubaland State said an explosives-laden pickup truck exploded around 8 a.m. at a military outpost in the Jana Abdalle area in the Lower Juba region of southern Somalia. The attack came just days after Somali forces, with the support of American military personnel, reclaimed the area from the Somali terrorist group Al Shabab.

The authorities said the area, about 37 miles from the port city of Kismayo, had been used by the group as a hub to raise funds by taxing and extorting civilians moving across the region.

In recent years, the Shabab, who are a branch of Al Qaeda’s terrorist network and seek to overthrow Somalia’s Western-backed government, have lost many of the cities and villages they once controlled. Despite facing a record number of drone strikes, the group has morphed into a more nimble and lethal outfit, carrying out massive attacks against civilian and military targets across Somalia and neighboring countries.

No group has so far claimed responsibility for the attack on Monday, but pro-Shabab media outlets reported that the extremist group had carried it out.¹⁰

The same report mentions other Al-Shabaab attacks during 2020:

Recent attacks by the Shabab include an assault last month at a popular hotel in the Somali capital, Mogadishu, that left 11 people dead and 18 others injured. That attack happened just days after 19 guards and inmates were killed after members of the insurgency attempted to escape Mogadishu’s central prison.

⁵ [‘Somalia names new prime minister, unveils plan for elections’](#), Aljazeera, 18 September 2020, 20200925092723

⁶ [‘Democratisation on hold in Somalia as first-past-the-post election is postponed’](#), The Conversation, 21 July 2020, 20200724180241

⁷ [‘US service member injured in Al-Shabaab attack in Somalia’](#), CNN, 7 September 2020, 20200925093056

⁸ [‘Suicide bomber kills 2, wounds 6 outside mosque in Somalia’](#), Associated Press, 11 September 2020, 20200925093740

⁹ [‘Several dead as suicide bomber targets Mogadishu restaurant’](#), Associated Press, 9 September 2020, 20200925094944

¹⁰ [‘Truck Bomb in Somalia Kills 3 and Wounds 3, Including a U.S. Soldier’](#), The New York Times, 7 September 2020, 20200925094009

In June, the Shabab attacked a Turkish military base in Mogadishu, and in January, the group killed three Americans after they targeted a Kenyan military base used as an outstation by American troops. In late December, the group was blamed for detonating an explosives-laden truck that killed 82 people, including 16 university students.¹¹

In September 2020, *Aljazeera* reported that '[d]ozens of people have died following clashes between villagers and al-Shabab fighters in central Somalia'. The article cites reports of 'nearly 30 people, including 16 militants' killed during clashes between Shabeelow villagers and terrorists.¹²

Additional Reading

- '[African Militant Islamist Groups Set Record for Violent Activity](#)', Africa Center for Strategic Studies, 21 July 2020, 20200730092934
- '[BTI 2020 Country Report - Somalia](#)', Bertelsmann Stiftung, 1 April 2020, 20200629105449
- '[Chronology of Events](#)'. Security Council Report, 2 September 2020, 20200925084024
- '[Conflict Barometer 2019](#)', Heidelberg Institute for International Conflict Research (HIIK), March 2020, 20200318085450
- '[Country Policy and Information Note: Somalia: Women fearing gender-based violence](#)', UK Home Office, 10 April 2018, OG9EF767918
- '[Country Reports on Human Rights Practices for 2019 – Somalia](#)', US Department of State, 11 March 2020, 20200312141721
- '[Country Reports on Terrorism 2019](#)', United States Department of State, 24 June 2020, 20200626084855
- '[DFAT Country Information Report Somalia](#)', Department of Foreign Affairs and Trade, 13 June 2017, CISED50AD4497
- '[Ending the dangerous standoff in Southern Somalia](#)', International Crisis Group (ICG), 14 July 2020, 20200716145310
- '[Global Terrorism Overview: Terrorism in 2019](#)', University of Maryland, National Consortium for the Study of Terrorism and Responses to Terrorism, The (START), 01 July 2020, 20200714145421
- '[Resource Guide - Somalia - 1 September 2020](#)', Country of Origin Information Service Section (COISS), 1 September 2020, 20200901122327
- '[Report of the Independent Expert on the situation of human rights in Somalia \(A/HRC/45/52\)](#)', UN Human Rights Council, 24 August 2020, 20200925084447
- '[The Armed Conflict Survey 2020](#)', International Institute for Strategic Studies (IISS), 27 May 2020, 20200623110511

¹¹ '[Truck Bomb in Somalia Kills 3 and Wounds 3, Including a U.S. Soldier](#)', The New York Times, 7 September 2020, 20200925094009

¹² '[Dozens dead in central Somalia as villagers battle al-Shabab](#)', Aljazeera, 5 September 2020, 20200925102335



Standard Q&A Report

Somalia: 20191120181137 – Al Shabaab in Somaliland

Date of Report

4 December 2019

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Background

The applicant is a tertiary educated [applicant specific].

He comes from Somaliland and was allegedly approached by a bearded man from Al Shabaab in Hargesia, Somaliland.

The man asked the applicant to join them as they need people with [the applicant's] skills and knowledge. The applicant subsequently fled to Australia [applicant specific].

Questions

1. [What is Al Shabaab's modus operandi for recruiting people in Somaliland, and do they ever pay people to join them?](#)
2. [Is Al Shabaab known for recruiting tertiary educated individuals returning to Somalia, especially in Somaliland and how do they recruit?](#)
3. [Is there information on individuals in Somaliland being killed or targeted when they refuse to help or join Al Shabaab when asked?](#)
4. [What is the capacity of Al Shabaab to target and track down individuals in Somaliland?](#)
5. [Is there evidence of Al Shabaab sympathisers, supporters and cells operating in/throughout Somaliland despite them not having control over the region?](#)
6. [What is the ability/capacity of state authorities in Somaliland to provide protection to individuals targeted by Al Shabaab?](#)
7. [Would a Somali citizen have been able to apply for or obtain a new Somali passport in Malaysia in 2011 \(applicant claims there was no Somali embassy in Malaysia in 2011\)?](#)

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Answers

1. What is Al Shabaab's modus operandi for recruiting people in Somaliland, and do they ever pay people to join them?

COISS found very little information about Al Shabaab's activities in Somaliland.¹ Al Shabaab is not well-established in Somaliland. The government exercises control over the territory and has effective control over its security and intelligence services.² Al Shabaab has never had a strong presence in Somaliland.³

COISS did not find information about attempts to recruit in Somaliland. Recruiting approaches are not unheard of but may be reported by concerned family members to police in the context of a strong clan system that operates in the region.⁴ Human intelligence (HUMINT) operations are strong and there is a strong level of trust in the police, which stymies attempts for Al Shabaab to recruit.⁵

According to the Somaliland government itself, strong HUMINT prevents the group from operating effectively in Somaliland.⁶

Bruno Maçães, a former Portuguese politician and fellow at the Hudson Institute, who travelled to Somaliland as part of his research, describes the process of recruitment in Somalia as:

A young man in Somalia is easy prey for al-Shabab. His social status is given an enormous boost if he joins the group. He will be given a cell phone, a monthly salary and a pick of beautiful women, who are coerced into marriage. If he says no, he will have to pay a tax or offer his services for free. And if he says no again, he is killed.⁷

Maçães points to the strong clan system in Somaliland that would make recruitment by al-Shabaab difficult:

In Somaliland, a young man who is found out to have any connection to al-Shabab will have to run away and remain a fugitive all his life. His clan will make sure of that, because the association will be a stain on the honor of the whole clan. To be a clan member is to be able to recite one's ancestors 20 or 30 generations back.⁸

Additional Reading

- None.

2. Is Al Shabaab known for recruiting tertiary educated individuals returning to Somalia, especially in Somaliland and how do they recruit?

Al-Shabaab uses broad-based recruiting methods in Somalia including videos and radio.⁹ They may offer money, material goods and forced brides to new recruits.¹⁰ Overseas, the Somali diaspora uses videos, which may have English subtitles, and by running protection rackets.¹¹

¹ COISS conducted web-based searches, checked media sources and COI databases.

² ['How Somaliland Combats al-Shabaab'](#), Countering Terrorism Center (CTC), United States Military Academy (West Point), November 2019, 20191202135447

³ ['How Somaliland Combats al-Shabaab'](#), Countering Terrorism Center (CTC), United States Military Academy (West Point), November 2019, 20191202135447

⁴ ['How Somaliland Combats al-Shabaab'](#), Countering Terrorism Center (CTC), United States Military Academy (West Point), November 2019, p. 20ff, 20191202135447. See 'substantive note [b]'.

⁵ ['How Somaliland Combats al-Shabaab'](#), Countering Terrorism Center (CTC), United States Military Academy (West Point), November 2019, p. 20ff, 20191202135447

⁶ ['How to fight terror, the Somaliland way'](#), Politico, 4 November 2018, 20191202152136

⁷ ['How to fight terror, the Somaliland way'](#), Politico, 4 November 2018, 20191202152136

⁸ ['How to fight terror, the Somaliland way'](#), Politico, 4 November 2018, 20191202152136

⁹ ['Al-Shabaab'](#), Australian Government, no date, accessed 2 December 2019, 20191202141303

¹⁰ ['How to fight terror, the Somaliland way'](#), Politico, 4 November 2018, 20191202152136

¹¹ ['Al-Shabaab'](#), Australian Government, no date, accessed 2 December 2019, 20191202141303

'Al-Shabaab' means 'the youth' in Arabic. Consistent with this, the group targets young people under 30 for recruitment.¹² In particular, they focus on teenagers.¹³ Other age groups are also recruited, but in much smaller numbers.¹⁴ Recruitment tends to take place gradually.¹⁵

COISS found no information about Al-Shabaab recruiting amongst university graduates.¹⁶ In general, Al-Shabaab is against western-style education. Adherents are warned against sending their children to university.¹⁷ The group is known for its attacks against schools and universities in Somalia and Kenya.¹⁸

Additional Reading

- None.

3. Is there information on individuals in Somaliland being killed or targeted when they refuse to help or join Al Shabaab when asked?

See background information in [Question 1](#).

Additional Reading

- None.

4. What is the capacity of Al Shabaab to target and track down individuals in Somaliland?

See background information in [Question 1](#).

Additional Reading

- None.

5. Is there evidence of Al Shabaab sympathisers, supporters and cells operating in/throughout Somaliland despite them not having control over the region?

See background information in [Question 1](#).

Additional Reading

- None.

6. What is the ability/capacity of state authorities in Somaliland to provide protection to individuals targeted by Al Shabaab?

The police are well-respected in Somaliland and people feel confident in reporting suspected Al Shabaab activity to authorities.¹⁹ Al-Shabaab is widely reported on, but not in Somaliland where the only reporting that COISS could find indicated that the group does not exist, or is well-controlled by authorities there.²⁰

¹² ['Radicalisation and al-Shabaab'](#), Anneli Botha, Mahdi Abdile, Institute for Security Studies, September 2014, 20191202144129

¹³ ['Radicalisation and al-Shabaab'](#), Anneli Botha, Mahdi Abdile, Institute for Security Studies, September 2014, 20191202144129

¹⁴ ['Radicalisation and al-Shabaab'](#), Anneli Botha, Mahdi Abdile, Institute for Security Studies, September 2014, 20191202144129

¹⁵ ['Radicalisation and al-Shabaab'](#), Anneli Botha, Mahdi Abdile, Institute for Security Studies, September 2014, 20191202144129

¹⁶ COISS conducted web-based searches, checked media sources and COI databases.

¹⁷ ['Al-Shabab Warns Against Western Education'](#), VOA News, 20 April 2017,

¹⁸ ['Teachers flee, schools close in Kenya with al-Shabab attacks'](#), Associated Press, 3 May 2018, 20191202153353

¹⁹ ['How Somaliland Combats al-Shabaab'](#), Countering Terrorism Center (CTC), United States Military Academy (West Point), November 2019, 20191202135447

²⁰ ['How Somaliland Combats al-Shabaab'](#), Countering Terrorism Center (CTC), United States Military Academy (West Point), November 2019, 20191202135447; ['How to fight terror, the Somaliland way'](#), Politico, 4 November 2018, 20191202152136

Additional Reading

- None.
- 7. Would a Somali citizen have been able to apply for or obtain a new Somali passport in Malaysia in 2011 (applicant claims there was no Somali embassy in Malaysia in 2011)?**

There is a Somali embassy in Kuala Lumpur, but COISS was unable to find when it opened or any information about how one would obtain a Somalia passport in Malaysia in 2011.²¹

Additional Reading

- None.

²¹ COISS conducted targeted web searches.



Standard Q&A Report

Somalia: 20191024191603 – Asylum seeker boats – deaths at sea

Date of Report

31 October 2019

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Background

Applicant [redacted].

Questions

1. [Are there any reports confirming the sinking of a smuggler/refugee vessel in the Red Sea between Somalia and Yemen on or around 3 February 2009?](#)
2. [Is there any way to confirm the recovery of the deceased and their subsequent burial in Mogadishu?](#)

Answers

1. Are there any reports confirming the sinking of a smuggler/refugee vessel in the Red Sea between Somalia and Yemen on or around 3 February 2009?

COISS located some reports that document the deaths of Somali asylum seekers from vessels *en route* to Yemen in early 2009. Country information indicates that as at 20 February 2009, three fatal asylum seeker boat incidents had occurred since the start of 2009. COISS was unable to locate information about two of these incidents.

Discussing events of 2009, the US Department of State reported the UNHCR estimates that 'more than 60,000 people attempted more than 900 illegal boat crossings from Somaliland, Puntland, and Djibouti to Yemen, resulting in at least 273 confirmed deaths'.¹

The UNHCR estimated that during the year more than 60,000 citizens attempted more than 900 illegal boat crossings from Somaliland, Puntland, and Djibouti to Yemen, resulting in at least 273 confirmed deaths. By the end of September, there were 50,486 recorded new arrivals in Yemen, a 50 percent increase over the number of arrivals during the same period in 2008. The UNHCR estimated that 158,000 Somali refugees were in Yemen at year's end.

On 24 February 2009, *UN News Service* reported that 'six people drowned and another 11 are reported missing and presumed dead after smugglers forced passengers overboard in deep water off the Yemeni coast last week, the third such incident so far this year, the United Nations refugee agency said today'. Reportedly, when 'smugglers noticed the presence of Yemeni police onshore, they refused to get closer to the coast and forced passengers overboard'. The article mentions the boat 'was carrying 52 Somalis and Ethiopians across the Gulf of Aden and was one of seven smuggling boats that reached the coast of Yemen'. Survivors 'reached the shore near Huseysa, about 500 kilometres east of Aden', and 'six bodies were also recovered near Huseysa'. 'Survivors said the boat departed Thursday from Suweto, in Somalia's Bossaso region'. A representative from the UNHCR told reporters in Geneva that the accident is the 'third fatal incident since the beginning of 2009'. Furthermore, the UNHCR representative said that "'so far this year, a total of 168 boats and 9,449 people have reached the Yemen coast. To date, the death toll stands at 47, with 23 bodies buried and 24 missing at sea.'"²

On 1 March 2009, *IRIN News* reported that 'forty-five Somali migrants drowned when their boat capsized 95 km away from Mukalla Port on the coast of Yemen on 28 February, Yemeni authorities said'.³

On 7 April 2009, *UN News Service* reported that approximately 30 Somalis from two boats crossing the Gulf of Aden 'are feared dead after one boat capsized and another hit rough seas this weekend in two separate smuggling incidents'. Reportedly, the first boat, carrying 40 migrants, keeled over Saturday evening as the passengers attempted to disembark off the Yemeni coast'. Twenty people were not recovered. The second incident 'occurred late Sunday afternoon off the coast of Rujeema, where survivors reported that eight migrants died and two were missing after their vessel, carrying 23, wandered into turbulent seas and began taking on water'. The article says that 'so far this year, a reported 17,035 people have made the dangerous voyage from the Horn of Africa to Yemen, while 74 people have died and 51 remain missing at sea'.⁴

On 17 April 2009, Society for Threatened Peoples reported that 30 people died 'at the beginning of Easter week.' Reportedly, 'ten of them drowned on 5th April, when a boat with 23 passengers on

¹ ['2009 Human Rights Reports: Somalia'](#), US Department of State, 11 March 2010, section II, 20140924171223

² ['Six people drown, 11 reported missing in smuggling off Yemeni coast - UN'](#), UN News Service, 24 February 2009, 20191028112015; ['African migrants drown off Yemen'](#), Aljazeera, 1 March 2009, 20191028140126

³ ['More Somali migrants drown off Yemeni coast'](#), IRIN News, 1 March 2009, 20191028143753

⁴ ['UN agency fears 30 Somali boat people dead in tragedy off the coast of Yemen'](#), 7 April 2009, UN News Service, 20191028131448

board began to leak. The day before 20 refugees died. Their boat with 40 passengers capsized on landing in Yemen'.⁵

Additional Reading

- Background about asylum seeker boats in the Gulf of Aden and the Red Sea. '[Hostile Shores: Abuse and Refoulement of Asylum Seekers and Refugees in Yemen](#)', Human Rights Watch, 20 December 2009, CIS18156

2. Is there any way to confirm the recovery of the deceased and their subsequent burial in Mogadishu?

Country information in [Question One](#) indicates that some bodies of asylum seekers from various at-sea incidents are recovered, however reports do not specify the burial sites of these bodies.⁶

⁵ '[More than 97,000 people have fled through the Gulf of Aden](#)', Society for Threatened Peoples, 17 April 2009, 20191028144530

⁶ Sources consulted include CISNET, government and non-government reports, international and domestic media outlets, and Internet searches.



Standard Q&A Report

Somalia: 20190923184057– Citizenship

Date of Report

26 September 2019

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Background

I found an [article on the Legal Action Worldwide website](#) about Somali Citizenship which indicates that the 1962 Citizenship Law does not recognise dual citizenship and the acquisition of citizenship is through a child's father only. The information, which appears to have been written around 2016 and 2017, refers to a draft Citizenship Bill due to be passed in 2017 proposing to allow for dual citizenship as well as amending the law to allow citizenship to be acquired through a person's mother. I have not been able to find any other information about the proposed bill and whether it has passed through legislation.

Questions

1. [Does Somalia recognise dual nationality?](#)
2. [Can a person acquire Somali citizenship through his or her mother?](#)

Answers

1. Does Somalia recognise dual nationality?

2. Can a person acquire Somali citizenship through their mother?

The current Citizenship law appears to be from 1962. The 1962 law prohibits dual citizenship and only allows citizenship to be derived from a person's father, not their mother. These provisions are discussed further [below](#).

There was a proposal in the late 2010s for reform that, if passed, would have allowed dual citizenship and citizenship acquired from a person's mother.¹ This proposed law is mentioned by Legal Action Worldwide, an international NGO² and DFAT in its 2017 Country Information Report.³ The latter notes that the proposed legislation has not yet been approved.⁴ COISS was unable to find any further information about the proposal or the passing of that bill.⁵

Is the 1962 Law Still in Force?

COISS understands that the 1962 law, which prohibits dual citizenship and the matrilineal acquisition of citizenship, is in force.⁶

An April 2018 report from the Immigration and Citizenship Board of Canada (the IRBC) refers to the provisions of that law, indicating that it was still in force in April of 2018. The IRBC consulted with diplomatic representatives, lawyers and other experts.⁷

Dual Citizenship

Somalia's Citizenship law of 1962 can be interpreted to not allow dual citizenship. It says that:

Article 10. Renunciation of Citizenship

Any Somali citizen who:

a) having established his residence abroad, voluntarily acquires foreign country;

b) having established his residence abroad, and having acquired, for reasons beyond his will, foreign citizenship or the status as subject of a foreign country, declares to renounce Somali citizenship;

c) being abroad and having accepted employment from a foreign Government or voluntarily serving in the armed forces of a foreign country, continues to retain his post, notwithstanding the notice from, the Somali Government that, unless he leaves the employment or the service within a definite period of time, he shall lose Somali citizenship;

¹ '[Somali Citizenship Bill](#)', Legal Action Worldwide (LAW), no date, accessed 25 September 2019, 20190925141607

² '[Somali Citizenship Bill](#)', Legal Action Worldwide (LAW), no date, accessed 25 September 2019, 20190925141607

³ '[DFAT Country Information Report Somalia](#)', Department of Foreign Affairs and Trade, 13 June 2017, p. 13, CISED50AD4497

⁴ '[DFAT Country Information Report Somalia](#)', Department of Foreign Affairs and Trade, 13 June 2017, p. 13, CISED50AD4497

⁵ COISS checked legal (Natlex (ILO), WIPOLex, AfricanLII, WorldLii, Refworld) and COI (CISNET, Refworld, ECOI) databases and conducted targeted web searches.

⁶ Based on inability to find information to the contrary. COISS checked legal (Natlex (ILO), WIPOLex, AfricanLII, WorldLii, Refworld) and COI (CISNET, Refworld, ECOI) databases and conducted targeted web searches.

⁷ '[Somalia: Whether persons born in Somaliland and in the Ogaden region of Ethiopia are entitled to Somali citizenship; citizenship status of women married to foreign nationals; requirements and procedures to obtain and reacquire Somali citizenship \(2015-November 2017\)](#)', Immigration and Refugee Board of Canada, 3 April 2018, 20190925142901

shall cease to be a Somali citizen.⁸

Article 2, sub article (b) of the same legislation may also be read to prohibit dual citizenship:

Article 2. Acquisition of Citizenship by Operation of Law

Any person:

- a) whose father is a Somali citizen;
- b) who is a Somali residing in the territory of the Somali Republic or abroad and declares to be willing to renounce any status as citizen or subject of a foreign country shall be a Somali Citizen by operation of law.⁹

According to the IRBC response, dual citizenship is technically possible because the 2012 Provisional Constitution provides that Somali citizenship cannot be lost. According to a Somali diplomat consulted by the IRBC, in the case of a conflict of laws the provisional Constitution takes precedence over the 1962 law.¹⁰ COISS was unable to find any information about how this inconsistency would be applied in practice.¹¹

DFAT notes in its 2017 Country Information Report on Somalia that formal law (as opposed to customary and Sharia law) tends to be applied in an 'ad hoc' manner.¹² For example, in accepting returns of failed asylum seekers from overseas, Somalia considers each person on a case-by-case basis, including a consideration of whether they are Somali.¹³

Can a person acquire Somali Citizenship through their mother?

As discussed [above](#), COISS understands that the 1962 law is still in force. That being the case, the law states in [article two](#) that a person whose father is a Somali citizen is also a Somali citizen.¹⁴ Citizenship cannot be acquired through a person's mother.¹⁵

Additional Reading

- None

⁸ ['Law No. 28 of 22 December 1962 - Somali Citizenship'](#), Refworld (enacted 1963, published 19 September 2019), art. 10, 20190619141648

⁹ ['Law No. 28 of 22 December 1962 - Somali Citizenship'](#), Refworld (enacted 1963, published 19 September 2019), art. 2, 20190619141648

¹⁰ ['Somalia: Whether persons born in Somaliland and in the Ogaden region of Ethiopia are entitled to Somali citizenship: citizenship status of women married to foreign nationals: requirements and procedures to obtain and reacquire Somali citizenship \(2015-November 2017\)'](#), Immigration and Refugee Board of Canada, 3 April 2018, 20190925142901

¹¹ COISS checked legal (Natlex (ILO), WIPOLex, AfricanLII, WorldLII, Refworld) and COI (CISNET, Refworld, ECOI) databases and conducted targeted web searches.

¹² ['DFAT Country Information Report Somalia'](#), Department of Foreign Affairs and Trade, 13 June 2017, p. 22, CISED50AD4497

¹³ ['DFAT Country Information Report Somalia'](#), Department of Foreign Affairs and Trade, 13 June 2017, p. 23, CISED50AD4497

¹⁴ ['Law No. 28 of 22 December 1962 - Somali Citizenship'](#), Refworld (enacted 1963, published 19 September 2019), art. 2, 20190619141648

¹⁵ ['DFAT Country Information Report Somalia'](#), Department of Foreign Affairs and Trade, 13 June 2017, p. 13, CISED50AD4497

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Monday, 4 February 2019 2:13 PM
To: s. 22(1)(a)(ii)
Subject: Somalia Driver's Licences
Attachments: BxvZLBBlcAAVWxS.jpg; Somali POD Tipsheet.pdf; Somalia - The Identity Guide.pdf
Importance: High

Hi s. 22(1)(a)(ii)

As discussed, due to the complex legal dimensions of the country (and limited institutional capacity for Somali officials to enforce and administer laws related to registration, identity and dissemination of official documents), identity documents from Somalia are easily obtainable on the black market, counterfeit, or fraudulent genuinely manufactured documents. Only a small number of countries in the OECD accept documents from Somalia (see further below).

Hi s. 22(1)(a)(ii), FYI I have been asked to informally put this together however I will add it to our Express TRIM Q&As.

Furthermore, although there were ameliorations to some security dimensions within the Central Metropoles of Mogadishu, the security situation (still fluid) has rapidly deteriorated since August 2018; which further reinforces the unviability of state capacity to meet both positive and negative human rights obligations thereby increasing the *non-refoulement* likelihood of all nationals from Somalia. The UNHCR's [compendium on non-returns to Somalia](#) is still in pace and a full assessment of Somali Regional Response by the Humanitarian Network is available [here](#). Crisisgroup's 2019 situational update for Somalia is available on page 13 [here](#).

Therefore, as per state practice, should a national of Somalia be refused a visa, as a matter of Customary International Law (practice upheld by each state), forceful removal of any persons back to Somalia will be regarded as a violation of International Law (this, regardless of their circumstances, unless ipso facto and in consideration with relevant exclusion provisions and/or other provisions related to the Geneva Conventions, where under IHL, an applicant is deemed to be taking part in hostilities and is therefore not a *civilian*).

s. 47E(d)

S. 47E(d)

The September [report produced by OCHA and UNSOM](#) states the following:

14. While federal law applies in principle across Somalia, there is no uniform implementation or enforcement, particularly in Somaliland and Puntland which, following the collapse of the central state in 1991, established their own state structures, including the legislative frameworks that prevail today.

In 2014, the Country launched an [electronic passport and National ID card programme](#) in a Bid to return 'law and order' to the country with the help of US Aid and HID Global. Since then the authority responsible for issuing drivers licences requires the registration of a person into this system and the submission of their Passport and National ID card.

Passports issued prior to this date were green, the new passports are now blue.

An example of a Somali Drivers licence (*the new one* – the old one is a paper booklet) is attached in this email as obtained from [twitter](#).

In March 2017 the IBRC produced a [response](#) (which reaffirms all previous responses) stating that *there is no recognised competent civil authority to issue civil documents in Somalia.*

The only countries in Europe who accept documents issued from Somalia are; France, Italy, Estonia, Latvia, Lithuania, Portugal, and Romania.

Countries that do not recognise/accept documents issued by Somalian authorities are; Germany, Belgium, Hungary, Luxembourg, Netherlands, Slovakia, Spain, Sweden, Norway – as there “there has for a long time bot existed authorities in Somalia that have been able to issues identity documents”.

For full comments and reasons provided by these countries, see the full Ad Hoc Querie response issued to the European Migration Network [here](#).

In the latest [IRBC's 2015- July 2017 request](#), the following was provided regarding Driver's Licences in Somalia:

A March 2014 article from Al Jazeera reports that in 2013, "Somalia's traffic service" began issuing driver's licenses "for the first time in more than two decades," and made their possession mandatory (Al Jazeera 17 Mar. 2014). A January 2015 article by the African Union Mission in Somalia (AMISOM) reports that in Kismayo, under the Interim Juba Administration in Southern Somalia [1], "local drivers and vehicle owners have been given a 40-day ultimatum to apply for a driving license and other vehicle passes and permits" (African Union 8 Jan. 2015).

A July 2016 informational booklet by the Government of Alberta on its Graduated Driver Licensing (GDL) Program states that the "Federal Republic of Somalia has recently begun issuing a new driver's license through the Ministry of Transportation" (Alberta July 2016, 22). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

...Requirements and Procedures to Obtain a Driver's License:

Information on the requirements and procedures to obtain a driver's license in Somalia was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. A January 2014 article by Sabahi, a news source sponsored by the United States Africa Command that focuses on the Horn of Africa region (AllAfrica n.d.), cites the Mayor of Mogadishu as stating that a national identification card is required to obtain a driver's license (Sabahi 6 Jan. 2014).

Without providing further information, the March 2014 Al Jazeera article reports that five driving schools were licensed to operate in Mogadishu over the previous year, and notes that one of the schools had graduated more than 500 students over a nine-month period since opening (Al Jazeera 17 Mar. 2014).

...Locations to Obtain a Driver's License:

A March 2014 report by the Danish Immigration Service and the Norwegian Country of Origin Information Centre, Landinfo, "an independent body within the Norwegian Immigration Authorities" (Norway n.d.), based on a November 2013 fact-finding mission to Nairobi and Mogadishu, cites an international NGO based in Nairobi as indicating that driver's licenses are being issued in Mogadishu (Denmark and Norway Mar. 2014, 65). The March 2014 Al Jazeera article reports that the capacity of the traffic service in Mogadishu is limited to issuing 20 new driver's licenses per day, in "a city of more than a million people" (Al Jazeera 17 Mar. 2014).

The January 2015 AMISOM article reports that the Ministry of Transport, Posts and Telecommunications opened an office in Kismayo, and locals can access "government documents, licenses, and passes" (African Union 8 Jan. 2015). Information on the specific location of this office in Kismayo could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

...Appearance of Driver's Licenses:

The Alberta GDL booklet describes the licenses issued by the Ministry of Transportation as "credit-card style," and, without providing further information, indicates that "these licenses possess sufficient security features" to allow for the granting of a "date first licensed" (Alberta July 2016, 22). A sample photograph of a driver's license issued by the Federal Republic of Somalia's Ministry of Transportation as contained in the GDL booklet is attached to this Response (Attachment 1). The Alberta information booklet indicates that "[m]any older Somalia and Somaliland driver's licenses are outright fabrications, however, completely unverifiable by any recognized governing body" (Alberta July 2016, 22). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Photographs and details of a sample of a driver's license issued by the Jubaland State of Somalia, as contained within the Keesing Reference Systems' Document Checker database, are attached to this Response (Attachment 2). According to Keesing, "this driving license was first issued in January 2015 and contains a contact chip," and is 86 millimetres by 54 millimetres, or 3.4 inches by 2.1 inches in size (Keesing Reference Systems n.d.). The source further indicates that the license contains the following information: name, first names, street, residence, date of birth, place of birth, bearer's signature, document number, date valid until, date of issue, issuing country, and place of issuance (Keesing Reference Systems n.d.).

According to the [IRBC's 2013-2015 request on Somali documents](#):

According to the US Department of State's Country Reciprocity Schedule for Somalia, "[t]here are no circumstances under which immigrant visa applicants can reasonably be expected to recover original documents held by the former Government of Somalia" due to a lack of "competent civil authority to issue civil documents" and the destruction of most records over the course of the civil war (US n.d.). Other sources report that the Somali government is issuing passports and identity cards under the authority of the Benadir administration in Mogadishu (Lawyer 24 July 2015; EU Aug. 2014, 40) in the district of Cabulcastiis (ibid.). Citizens from other regions of Somalia are reportedly eligible to obtain these documents (ibid.; Lawyer 24 July 2015). According to the US Department of State's Country Reports on Human Rights Practices for 2014 for Somalia, "[f]ew citizens had the means to obtain passports" (25 June 2015, 22). In a telephone interview with the Research Directorate, a lawyer from the Mogadishu Law Office [1] also stated that, due to associated costs with application procedures and travel to Mogadishu, the Somali passport and the identity card remain inaccessible to most citizens (Lawyer 21 July 2015).

... National Identity Cards:

Sources state that Somalia commenced issuing a national identity card in December 2013 (Sabahi 26 Dec. 2013; Lawyer 24 July 2015). According to the lawyer, previous versions of the identity cards issued before December 2013 are no longer considered valid, and the Banaadir Regional Administration (BRA) "oversees the application and issuance process" of the new cards (ibid.). The same source reported that [t]he BRA has stated that it will issue identification documents to all citizens from regions not under government control, employing a process to verify the information of each applicant. However, this would be difficult for anyone not from Mogadishu as an applicant's identity (i.e., birth) can only be verified by local testamentary evidence. (ibid.) According to sources, individuals must provide fingerprints, pictures, and undergo a criminal reference check in order to obtain the ID card (ibid.; EU Aug. 2014, 40). Sources further indicate that the cost for the card is US\$12.50 as well as US\$5.00 for an accompanying certificate of birth (ibid.; Lawyer 24 July 2015). The lawyer notes that the identity card can only be applied for in person in the Abdilaziz District of Banaadir and the application process is over 30 days long (ibid.). According to Hiiraan Online, a Somali online news service, the identification centre received funding from the US Agency for International Development (USAID) through the International Organization for Migration (IOM), and sees traffic of between 200 and 500 people each day (Hiiraan Online 5 Feb. 2014). The lawyer indicated that the identity card is valid for 5 years from the date of issuance (24 July 2015). Hiiraan Online reports that the legal age for one to acquire an ID card in Somalia is 15 (5 Feb. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. The lawyer indicated that the national identity card is required to apply for a Somali passport and to undertake the following activities:

- *purchase land and cars;*
- *open bank accounts;*
- *register for university;*
- *travel within Somalia by plane;*
- *import goods and services;*
- *obtain a driver's license;*
- *purchase a SIM card; and*
- *prove one's identity at security checkpoints found throughout Mogadishu (Lawyer 24 July 2015).*

The same source noted that, in practice, the identity card "is rarely used to do anything other than [serve] as a precursor to obtaining a passport" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. The lawyer provided the following information on the physical appearance of the ID card:

- *The card has a yellow background with a blue seal of the Somali Republic, and pale green/pink ribbons which appear at the top and bottom of the card;*
- *It is made of plastic and has dimensions similar to those of a credit card;*

Information on the surface of the card includes: L. Qaranka (National Identification Number), Magaca (Full Name), Taarikhda Dhalashada (Date and Place of Birth), Taariikhda La Bixiyay (Date and Place of Issuance), Taariikhda uu Dhacayo (Date of Expiration), Lab Dheddig (Gender); There is a 14-digit national identity number: the first number is random, the next two numbers are the individual's year of birth, the next four numbers are the individual's month and day of birth, and the remaining seven numbers are randomly assigned (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. A copy of a Somali identification card provided by the lawyer from the Mogadishu Law Office is attached to this Response (Attachment 2).

Sources state that the identification card has an electronic chip which contains biometric data (Lawyer 24 July 2015; Hiiraan Online 5 Feb. 2014) in order to protect against forgery (ibid.). The Official from Global Affairs Canada indicated that Canadian immigration authorities do not give "too much weight to documents issued in Somalia," as there are no credible or verifiable registrars for issuing identification cards (5 Aug. 2015).

In the [IRBC's 2007-June 2013](#) request the following was produced on Driver's Licences in Somalia:

...Driver's Licenses

The information in the following paragraph was provided by a representative of the UNHCR in written correspondence sent to the Research Directorate on 9 June 2013. Applicants for driver's licenses must apply in person to the "Fisha traffic" office under the Ministry of Public Transport in Mogadishu. Applicants must provide personal information including their full name, their mother's name, and the date and place of birth. Applicants must also provide four passport photos and pay the US\$ 70 fee. There are two types of licenses: the orange "Grade 2" license and the red "Grade 3" license, which is for more advanced drivers. Driver's licenses are written in Somali and Arabic and are valid for up to seven years, but must be renewed annually. Corroborating information on the procedures for applying for a driver's license could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Further information on driver's licenses in Somalia could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. However, the following information on driver's licenses in self-governing regions of Somalia may be useful.

An article published by the UN Integrated Regional Information Networks (IRIN) states that, in the "self-declared republic of Somaliland," police are beginning to fine drivers without driver's licenses (UN 9 Oct. 2012). Corroborating and further information on the existence of driver's licenses in Somaliland could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Garowe Online, an independent news site affiliated with Radio Garowe in Puntland, a "self-governing region in northern Somalia" (Garowe Online n.d.), states that in February 2012, the Puntland highway authority announced that it would begin issuing driver's licenses the following month (Garowe Online 29 Feb. 2012). The same article states that the requirements for a driver's license announced by the Director of Vehicle Licenses for Puntland include "health, experience, and age," and that those who did not meet the requirements could attend a driving school (ibid.). Corroborating and further information on the existence of driver's licenses in Puntland could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

See below the various visual resources available on Somalian documents (there are many more, however these are probably some of the most pertinent):

- Norwegian man tells how he fixed the "real" Somali passport on the black market <https://www.youtube.com/watch?v=Jveh9pYrA8k>
- How to get a Somali passport in Mogadishu in 2006: <https://www.youtube.com/watch?v=qJNG6GWZnI0>
- Somali Biometric ID cards <https://www.youtube.com/watch?v=zchtyEd4464> For over two decades, getting any form of official identification for Somali citizens was done through the back alleys of the infamous Bakara market, a system known as "Abdallah Shideeye" or the counterfeiter. Without a functioning government and institutions during the two decades of civil war, Somalis had to acquire fake identity cards and passports to travel as they sought refugee status in neighboring countries. At this centre in Mogadishu, hundreds of Somalis brave the scorching sun, queuing to get their new national identity cards. Setup up by the regional administration in December last year and with funding from US Aid through the International Organization for Migration (IOM), the center sees traffic of between 200 and 500 people each day.
- Somalia – amateur video made by a traveller to Somalia (see from 01:47 onwards): <https://www.youtube.com/watch?v=UCKx3S4DCe4>
- Immediate security concerns were observed in a ground FFM by wearechange.org published In March 2018: <https://www.youtube.com/watch?v=UooeplS3g>

Kind regards,

s. 22(1)(a)(ii)

Senior Research Officer

Country of Origin Information Services Section (COISS)

Humanitarian Programme Capabilities Branch | Refugee and Humanitarian Visa Management Division

Department of Home Affairs

P: s. 22(1)(a)(ii) | E: s. 22(1)(a)(ii)



Standard Q&A Report

Somalia: CI180525095511543 – South Central Somalia – Hiiran – Ethiopia – Livestock Trade – Islamic Practices – Political Issues – Non-believers

Date of Report

20 June 2018

This Q&A Report was prepared by the Country of Origin Information Services Section (COISS), Department of Home Affairs in response to a request for country information within time constraints. It is current at the time of completion. This Q&A Report should not be cited in a decision or any other document. Anyone wishing to use this information should only cite the source material contained herein.

Should a request to access this document be made under the *Freedom of Information Act 1982*, and/or by anyone who does not have access to CISNET, a decision for its release should be referred to COISS via email: [s. 22\(1\)\(a\)\(ii\)](#)

Background

[Information deleted]

Questions

1. [Is there basic information on the livestock trade between South Central Somalia, Hiiran, and Ethiopia?](#)
2. [Are there trade issues relating to Islamic practices between these two regions?](#)
3. [Are there political issues between South Central Somalia and Ethiopia?](#)
4. [Do the Somali people from this region consider Ethiopian people as non-believers?](#)

Released by Department of Home Affairs
under the *Freedom of Information Act 1982*

Answers

1. Is there basic information on the livestock trade between South Central Somalia, Hiiran, and Ethiopia?

The livestock sector is reported to be the largest contributor to Somali livelihoods, with livestock shipped to various countries in the Arabian Peninsula, and trekked or transported to markets in Kenya, Djibouti, and Ethiopia. Livestock also enter Somalia through the borders with Ethiopia and Kenya. The main catchment areas within Somalia are reported to be the Hiran¹, Galgadud and Mudug regions in central Somalia. Throughout this catchment area, animals are both trekked and trucked to their final destinations. There is an indigenous clan based institutional network in the Ethiopia-Somalia border areas which facilitates the conduct of the livestock trading operations in the area. The cross-border trade is reported to have survived periods of extreme political instability and uncertainty because it is largely sustained by inter-clan ties and networks linking the common border regions. Recently, in June 2018, it was reported that conflict between Islamist militant group Al Shabaab and government forces will disrupt normal trade and movements in a number of areas, including Hiran. The cross-border livestock trade is largely unofficial and unrecorded.

Undated information on the website of the Food Security and Nutrition Analysis Unit (FSNAU) – Somalia² indicates that '[t]he livestock sector is the largest contributor to Somali livelihoods with over 65% of the population engaged in some way in the industry'. The '[e]xports of livestock and their products account for 80 percent of exports in normal years', although 'exports have been periodically interrupted by droughts and international bans... Livestock are shipped to various countries in the Arabian peninsula, and trekked or transported to markets in Kenya, Djibouti, and Ethiopia. Livestock also enter Somalia through the borders with Ethiopia and Kenya'. There were pastoralists 'throughout Somalia with high concentrations of strict pastoralists in the north and central areas and pastoralists and agro-pastoralists in the southern areas'.³

An August 2015 report by the Intergovernmental Authority on Development (IGAD) Centre for Pastoral Areas and Livestock Development (ICPALD) indicates that '[t]he key cross-border markets' for Somalia 'include Belet Hawo (Belet Xaawo), El-Wak (Ceel Waaq), Diff, Kolbio, Dolo and El-Berde (Ceel Barde) in Southern Somalia and Dila, Harirad in Somaliland and Goldogob, Burtinle and Las Anod (Laas Caanood) in Puntland. The entry points on the Ethiopian border link Ethiopia's main camel, sheep and goats catchment area (Gode, Liban and Afder in Ethiopia's Somali region) to the sea ports of Bosasso and Berbera'.⁴ The report further states:

The main catchment areas within Somalia itself are Hiran, Galgadud and Mudug regions in central Somalia. Throughout this catchment area, animals are both trekked and trucked to their final destinations. Sheep and goats have historically comprised by far the most significant proportion of this trade in terms of both numbers and value, although cattle have become increasingly important in recent years. The major secondary livestock markets include Burao, Tog Wajaale, Hargeisa, and Las Anod in Somaliland; Bossasso and Galkaiyo in Puntland and Belet-Weyne, Jowhar, Afgooye, Merka, Dinsor, Baidoa and Afmadow in Central and Southern Somalia.⁵

¹ Hiran is also spelt Hiraan, Hiiraan, Hiiran in various sources consulted. The name Hiran will generally be used in this Q&A report, except in quotations, where the original spelling found in the cited source will be used.

² The Food Security and Nutrition Analysis Unit – Somalia is managed by the Food and Agriculture Organisation of the United Nations. See: ['About Us / What We Do'](#), Food Security and Nutrition Analysis Unit – Somalia, n.d., Accessed 18 June 2018

³ ['Livestock'](#), Food Security and Nutrition Analysis Unit – Somalia, n.d., Accessed 15 June 2018, CIS7B839411334

⁴ ['Regional Integration Support Programme \(RISP II\) Continuation: Identification and Mapping of Key Cross-border Livestock Routes and Markets, Services and Priority Transboundary Animal Diseases Including Zoonotics for Regional and International Trade'](#), IGAD Centre for Pastoral Areas and Livestock Development, 24 August 2015, p.23, CISEC96CF110241

⁵ ['Regional Integration Support Programme \(RISP II\) Continuation: Identification and Mapping of Key Cross-border Livestock Routes and Markets, Services and Priority Transboundary Animal Diseases Including Zoonotics'](#)

A March 2018 report by the World Bank Group and the Food and Agriculture Organization of the United Nations indicates that Beletweyn, which is in the Hiran region, 'is the main connection hub between the southern regions and the main markets' for the livestock trade.⁶

A September 2010 Chatham House briefing paper on the livestock trade in the Djibouti, Somali and Ethiopian borderlands refers to animals from Hiran and other regions in central Somalia being exported through the three main ports of Berbera, Bosasso and Djibouti in the Horn of Africa after being trekked or trucked to the ports. It is stated in the report:

Since the collapse of Somalia, the Somali territories of the Horn have become highly interconnected through trade and transport... Pastoralists and their extended/clan families are connected to the final exporting trader through a web of transactions and relationships that together comprise a major employment sector within this economically marginalized sub-region. Credit may be provided in both directions – from the pastoralist to the trader when providing animals for sale, and from the trader to the pastoralist when obtaining goods. Immediate cash exchange is also common. It is notable that women as well as men are involved at all levels of trading...

Camels, cattle, sheep and goats are all exported through the three main ports of the sub-region. The majority of this trade involves the movement of animals across clan and national boundaries. In the case of camel, sheep and goats, animals originate from as far away as Gode, Liban and Afder in Ethiopia's Somali region, as well as Hiran, Galgadud and Mudug regions in central Somalia, up to 500 kilometres or more from the coast. Throughout this catchment area animals are both trekked and trucked to their final destinations. Individual prices of animals vary depending on age and quality. Sheep and goats have historically comprised by far the most significant proportion of this trade in terms of both numbers and value, although cattle have become increasingly important in recent years.⁷

An October 2010 *IRIN News* article refers to the comments of Abdiladif Haji, who headed a committee of traders charged with security and conflict resolution, who said when he was interviewed in Kenya 'that despite the civil war in Somalia, the trade in livestock never stopped'. He said '[t]here was not a single day when the trade stopped because of problems on the Somali side', and that, 'traders face difficulties and have their share of problems, but we always manage to resolve them. We are faced daily with problems ranging from stolen animals to money disputes. Not once in my 20 years have we involved authorities. We resolve it'. He also said they had 'people across the border; for example, if someone took livestock from Kenya and crossed into Somalia, our members there will make sure that the problem is resolved... The same is true for the Ethiopian side and the Kenyan side'. They had 'developed very close links between traders from all three countries. The members all have clans and sub-clans but we have a common denominator - trade - and we don't want to see it destroyed'.⁸

A more recent April 2016 article in the *Ethiopian Journal of Economics* mentions an 'indigenous clan based institutional network' in the Ethiopia-Somalia border areas which 'is fairly directed to facilitate the entire conduct of the livestock trading operations in the area'.⁹ It is stated in the article:

The major actors in the pastoral livestock informal cross border supply chain are producers, traders, brokers and trekkers. Hired trekkers, in particular, help in moving traded animals between rangeland livestock markets and across the national frontier in border areas. They especially play crucial roles in the often required special arrangements of trans-clan territorial border crossings in Ethiopia-Somalia border areas where the indigenous clan based institutional network is fairly directed to facilitate the entire conduct of the livestock trading operations in the area. This mechanism of clan based institutional networking of ICBT [Informal cross border trade] operations is less prevalent in Ethiopia-Kenya border areas where the

for *Regional and International Trade*', IGAD Centre for Pastoral Areas and Livestock Development, 24 August 2015, p.23, CISEC96CF110241

⁶ 'Rebuilding Resilient and Sustainable Agriculture in Somalia: Volume 1 - Main Report', World Bank Group & Food and Agriculture Organization of the United Nations, 27 March 2018, p.59, CIS7B839411312

⁷ 'Livestock Trade in the Djibouti, Somali and Ethiopian Borderlands', Majid, N, Chatham House, September 2010, pp. 2 & 5, CISDCDAAB2060

⁸ 'Livestock trade booms in borderlands', IRIN News, 5 October 2010, CX744258517372

⁹ 'Informal Crossborder Livestock Trade Restrictions in Eastern Africa: Is there a case for free flows in Ethiopia-Kenyan Borderlands?', Berhanu, W, Ethiopian Journal of Economics, vol. XXV, no. 1, April 2016, pp.95-119, at p.100, CIS38A80128211

indigenous social organization is typically different from that of Ethiopia-Somalia borderlands.¹⁰

Although primarily in relation to the livestock trade between Somalia and Kenya, and Ethiopia and Kenya, another September 2010 Chatham House briefing paper notes that '[l]ivestock trade is the main economic activity and a crucial source of income for the pastoral populations in southeastern Ethiopia, southern Somalia and northeastern Kenya. It also sustains others located in large meat-consuming urban centres away from livestock-production locations. The cross-border trade has survived periods of extreme political instability and uncertainty because it is still largely sustained by inter-clan ties and networks linking the common border regions'.¹¹ The paper also indicates that '[t]here are Somali citizens in four countries of the Horn – Djibouti, Ethiopia, Kenya and Somalia itself. While they are numerically and politically dominant in Somalia and Djibouti, they form a minority and are politically marginalized in Ethiopia and Kenya'. There was 'a great sense of economic and political alienation' which 'has led to border wars and political disturbances. Relations are complicated by the fact that the borderlands are inhabited predominantly by Somali populations with high mobility and political cross-border linkages'. The paper also notes that '[t]he livestock trade between Somalia, Ethiopia and Kenya has survived the volatile environment' in the region, 'changing direction according to prevailing market conditions and political circumstances in the border area and at the national level. Despite the increased insecurity in southern Somalia, southern Ethiopia and northern and northeastern Kenya in the 1990s, this commerce even expanded and flourished'.¹²

A more recent June 2018 update on Somalia by the Assessment Capacities Project (ACAPS)¹³ indicates that '[c]onflict between [Islamist militant group] Al Shabaab and government forces will disrupt normal trade and movements, cause displacement, and reduce household income through taxation in Lower and Middle Juba, Lower and Middle Shabelle, Gedo, Bay, Bakool, and Hiraa'.¹⁴

The March 2018 report by the World Bank Group and the Food and Agriculture Organization of the United Nations states that the '[c]ross-border livestock trade is largely unofficial and unrecorded, and figures on cross-border trade are largely unavailable'.¹⁵ The August 2015 ICPALD report also indicates that most of the cross-border trade in livestock and livestock products in countries in the Horn of Africa was informal.¹⁶

Additional Reading

- A November 2017 COISS standard Q&A report includes information on the Gal Gecel (also spelt Gaalje'el) tribe in Somalia. 'Standard Q&A Report CI171108142703301', COISS, 17 November 2017, CR8DFDCEA388

2. Are there trade issues relating to Islamic practices between these two regions?

¹⁰ ['Informal Crossborder Livestock Trade Restrictions in Eastern Africa: Is there a case for free flows in Ethiopia-Kenyan Borderlands?'](#), Berhanu, W, Ethiopian Journal of Economics, vol. XXV, no. 1, April 2016, pp.95-119, at p.100, CIS38A80128211

¹¹ ['Livestock Trade in the Kenyan, Somali and Ethiopian Borderlands'](#), Mahmoud, H A, Chatham House, September 2010, p.14, CISDCDCAAB2061

¹² ['Livestock Trade in the Kenyan, Somali and Ethiopian Borderlands'](#), Mahmoud, H A, Chatham House, September 2010, pp.3 & 7, CISDCDCAAB2061

¹³ According to the ACAPS website, 'ACAPS was established in 2009 as a non-profit, non-governmental project with the aim of providing independent, ground-breaking humanitarian analysis to help humanitarian workers, influencers, fundraisers, and donors make better decisions'. See: ['About ACAPS – In Short'](#), Assessment Capacities Project (ACAPS), n.d., Accessed 18 June 2018

¹⁴ ['Somalia – Crisis Analysis'](#), Assessment Capacities Project (ACAPS), 11 June 2018, Food security and livelihoods, CIS7B839411296

¹⁵ ['Rebuilding Resilient and Sustainable Agriculture in Somalia: Volume 1 - Main Report'](#), World Bank Group & Food and Agriculture Organization of the United Nations, 27 March 2018, p.59, CIS7B839411312

¹⁶ ['Regional Integration Support Programme \(RISP II\) Continuation: Identification and Mapping of Key Cross-border Livestock Routes and Markets, Services and Priority Transboundary Animal Diseases Including Zoonotics for Regional and International Trade'](#), IGAD Centre for Pastoral Areas and Livestock Development, 24 August 2015, p.6, CISEC96CF110241

Little information was located on trade issues relating to Islamic practices between the two regions. Information was located on the effect Islamist militant group Al Shabaab has had on the cross-border trade. In September 2010, it was reported that the Union of Islamic Courts administration and Al-Shabaab did not seem to have had a restrictive effect on livestock trading in southern Somalia, as the Islamists had been more concerned with internecine ideological battles and political battles with the Transitional Federal Government (TFG) than with livestock trade. More recently, in June 2018, it was reported that conflict between Al Shabaab and government forces will disrupt normal trade and movements in a number of areas, including Hiran.

The September 2010 briefing paper on the livestock trade in the Kenyan, Somali and Ethiopian borderlands indicates that '[t]he Islamist period in southern Somalia, starting from the Union of Islamic Courts (UIC) administration in 2006 and the current Al-Shabaab group, does not seem to have had a restrictive effect on livestock trading in the area'. To that time, the Islamists were 'more concerned with internecine ideological battles and political battles with the Transitional Federal Government (TFG) than with livestock trade', which was 'not yet a source of income for them', and did not 'threaten their rule in the area'.¹⁷ The paper, which is primarily in relation to the livestock trade between Somalia and Kenya, and Ethiopia and Kenya, further states:

Clan considerations (*qabil*) have always been important in the livestock trade in the borderlands of the three countries. Trading involves people from different ethnic groups and clan affiliations. Clan relations have always helped livestock procurement and trekking in southern Somalia. Indeed, the clan approach to livestock trading is an important ingredient in ensuring the success of the trade; it facilitates market transactions, acts as a security and enhances trust. During the period after the collapse of the state and emergence of the warlords until the appearance of islamists, *qabil* was a major factor in Somali politics and had a disastrous effect on the livestock trading sector in southern Somalia and along the border with Kenya.

Since the Islamists came to power new kinds of cross-border trading relationships involving different Somali clans have been emerging. These emphasize the growing significance of multi-clan commerce in the Somalia–Kenya livestock trading sector. Whether this denotes a decline in the significance of *qabil* in the dynamic Somali political landscape shaped by Islamic ideology is an interesting question. Multiclan business activities have emerged in other areas of Somali commercial activity, apparently as a risk mitigation strategy.

According to traders, since the period of Islamist rule in southern Somalia, clan identity or affiliation is no longer needed to do livestock business in any of the Al-Shabaab-controlled areas of the south. As a result, different Somali clans are now becoming involved in the Somalia–Kenya cross-border trade, including the Habar Gidir (Hawiye), who would not have ventured into Darood territories during the warlord period. The Al-Shabaab administration seems to promote multi-ethnicity and lower ethnic visibility, particularly in trade and commerce. Currently, the most prominent livestock traders on both sides of the border and in the Northeastern–Nairobi–Coast corridor are the Degodia and Ogaden clans.

Livestock traders regard the current conflict between the TFG and the Al-Shabaab militia as one of power politics, which could have a negative impact on livestock commerce. As this trade makes a major contribution to the regional economy, any restrictions would constrain a crucial source of livelihood for herders, traders and brokers as well as limiting the tax revenues of local authorities. Since livestock trade in southern Somalia involves such a dense network of actors and negotiations between clans on livestock trekking routes, and so many communities have a stake in it, any restrictions on this economic activity would have a severe impact across the region.¹⁸

As previously mentioned, a more recent June 2018 update on Somalia by the Assessment Capacities Project (ACAPS) indicates that '[c]onflict between Al Shabaab and government forces will disrupt normal trade and movements, cause displacement, and reduce household income through

¹⁷ ['Livestock Trade in the Kenyan, Somali and Ethiopian Borderlands'](#), Mahmoud, H A, Chatham House, September 2010, p.6, CISDCAAB2061

¹⁸ ['Livestock Trade in the Kenyan, Somali and Ethiopian Borderlands'](#), Mahmoud, H A, Chatham House, September 2010, pp.9-10, CISDCAAB2061

taxation in Lower and Middle Juba, Lower and Middle Shabelle, Gedo, Bay, Bakool, and Hiraaan'.¹⁹ The US Department of State (USDOS) report on human rights practices in Somalia for 2017 also indicates that 'Al-Shabaab and other nonstate armed actors continued to hinder commercial activities in the areas they controlled in the Bakool, Bay, Gedo, and Hiraaan Regions and impeded the delivery of humanitarian assistance'.²⁰

The March 2018 report by the World Bank Group and the Food and Agriculture Organization of the United Nations states that:

The civil war resulted in extreme lack of security in Southern Somalia. Armed militias belonging to clans from the central regions with little farming skills and experience continue to occupy prime farmland in the Lower Shabelle region. Political (and taxation) control over much of the riverine and inter-riverine areas is still being contested between Al-Shabaab, a terrorist insurgency movement, and the national army (supported by the African Union and fledgling new regional administrations). The conflict makes access to farms and market outlets risky, costly, and unprofitable. Such conditions also make interventions by aid agencies extremely challenging.²¹

Additional Reading

- Nil

3. Are there political issues between South Central Somalia and Ethiopia?

Ethiopia has been involved in the African Union Mission in Somalia (AMISOM) which has brought it into conflict with Al Shabaab in South Central Somalia. Somalis are reported to be generally suspicious of Ethiopia's intentions in Somalia.

Al-Shabaab is reported to be 'very active in south-central Somalia'.²² The June 2018 update on Somalia by ACAPS includes an overview of politics and security in Somalia, which indicates that violence involving Islamist militant group Al Shabaab 'is most frequent in south-central Somalia, where the majority of Al Shabaab forces are located. The conflict between Al Shabaab and the government is expected to persist in Lower and Middle Juba, Lower and Middle Shabelle, Gedo, Bay, Bakool, and Hiraaan, causing displacement and loss of lives'.²³ Al Shabaab is reported to have 'control of significant territory, mostly in rural south-central Somalia'.²⁴ A map reproduced in a previous May 2018 ACAPS update on Somalia shows territorial control in Somalia as known at 25 August 2017, including in Hiran.²⁵

Al Shabaab is reported to commit 'targeted killings of governmental, AMISOM [African Union Mission in Somalia] and security officers, business people, clan elders, employees with NGOs [non-governmental organisations] and international organisations, and collaborators, all of whom are considered apostates'.²⁶ 'Ethiopian forces are part of AMISOM, which 'is a regional military support mission mandated by the African Union to stabilise Somalia'. The June 2018 update on Somalia by ACAPS indicates that AMISOM had 'started withdrawing from Somalia, with an end date set for 2020 - handing over control to Somali National Army forces. At the end of June 2017, 4,300 Ethiopian

¹⁹ '[Somalia – Crisis Analysis](#)', Assessment Capacities Project (ACAPS), 11 June 2018, Food security and livelihoods, CIS7B839411296

²⁰ '[Country Reports on Human Rights Practices for 2017 – Somalia](#)', US Department of State, 20 April 2018, Section 2(d), p.23, OGD95BE927354

²¹ '[Rebuilding Resilient and Sustainable Agriculture in Somalia: Volume 1 - Main Report](#)', World Bank Group & Food and Agriculture Organization of the United Nations, 27 March 2018, p.28, CIS7B839411312

²² 'DFAT Country Information Report – Somalia', Department of Foreign Affairs and Trade, 13 June 2017, p.8, CISED50AD4497

²³ '[Somalia – Crisis Analysis](#)', Assessment Capacities Project (ACAPS), 11 June 2018, Politics and security, CIS7B839411296

²⁴ '[Somalia – Crisis Analysis](#)', Assessment Capacities Project (ACAPS), 11 June 2018, Politics and security, CIS7B839411296

²⁵ '[Crisis Analysis: Somalia](#)', Assessment Capacities Project (ACAPS), 2 May 2018, Politics and security, CIS7B83941941

²⁶ '[EASO Country of Origin Information Report - Somalia - Security Situation](#)', European Asylum Support Office (EASO), December 2017, p.38, CISED50AD8017

soldiers had withdrawn from Somalia... The withdrawal of Ethiopian troops was a major blow to AMISOM's mission as they were the most experienced of the peacekeeping force'.²⁷ A November 2017 press release on the AMISOM website refers to AMISOM 'undertaking a series of troop movements, aimed at re-aligning contingent compositions in various forward operation bases across Somalia'. This included 'the movement of Ethiopian military contingents who are currently seen crossing the border from and into Somalia', which represented 'calculated activities, in readiness for the transitioning of security responsibilities to the Somali National Security Forces'.²⁸ A more recent June 2018 article on the AMISOM website indicates that Ethiopia continues to be a troop contributing country to AMISOM.²⁹ In December 2017, it was reported that Ethiopian forces also operated 'in Somalia outside AMISOM, in particular in Hiiraan, Galgaduud, Bakool and Gedo, which are bordering Ethiopia'.³⁰ A January 2018 Asylum Research Consultancy report, which presents country of origin information on South and Central Somalia up to 17th October 2017, refers to attacks by Al Shabaab against Ethiopian troops in the Hiran region during May 2017.³¹

A September 2017 Department of Foreign Affairs and Trade (DFAT) country information report on Ethiopia indicates that '[b]order areas between Ethiopia and Somalia tend to experience higher levels of violence than many other parts of the country, with violence, some terrorism activity and kidnappings. Al-Shabaab reportedly maintains a presence in areas of Somalia close to the Ethiopian border. Ethiopia is a leading troop contributor under AMISOM, the African Union Mission in Somalia'.³²

A November 2017 report published by the Danish Institute for International Studies refers to Ethiopian AMISOM forces being 'formally positioned along the Ethiopian border (as well as in the port town of Kismayo, though they are also unilaterally positioned across south-central Somalia)'. The report indicates that 'Ethiopia's role in AMISOM is special given its longstanding troubled relationship with Somalia, and it seems to be caught between strategic ambitions. Ethiopia fears a strong Mogadishu and a strong Somali army as a potential a [sic] threat to Addis Ababa, yet an unstable Somalia and a free-roaming Al-Shabaab is an unviable solution, with 1616 kilometres of open borders between the two countries'.³³ The report also indicates that conflicts in the Horn of Africa region 'remain inter-connected across state borders. Countries like Ethiopia and Somalia have always been deeply inter-locked politically and have sought to influence each other's internal affairs'. Kenya and Ethiopia have been 'often suspected of wanting to keep Mogadishu unstable in order to avoid the re-emergence of a strong and coherent Somalia state with a similarly strong army'.³⁴

An article from 2015 in *The Cairo Review of Global Affairs*³⁵ also refers to Kenya and Ethiopia having 'deeply rooted interests in the shaping of the Somali state and the direction of its political process'. The '[l]arge Somali populations and swaths of ethnic Somali territories in Ethiopia and Kenya are

²⁷ ['Somalia – Crisis Analysis'](#), Assessment Capacities Project (ACAPS), 11 June 2018, Politics and security, CIS7B839411296 See also: ['Al-Shabaab's Resurgence in the Horn of Africa: Factors Contributing to the Group's Persistence'](#), Hiiraan Online, 2 July 2017, CISED50AD8688

²⁸ ['AMISOM re-aligns troop compositions across Somalia in readiness for exit'](#), African Union Mission in Somalia (AMISOM), 1 November 2017, CISED50AD8689

²⁹ ['AMISOM fetes 68 senior military officers'](#), African Union Mission in Somalia (AMISOM), 14 June 2018, CIS7B839411338

³⁰ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office (EASO), December 2017, p.28, CISED50AD8017

³¹ ['Situation in South and Central Somalia \(including Mogadishu\)'](#), Asylum Research Consultancy, 25 January 2018, pp.8 & 137, CIS7B839411339

³² 'DFAT Country Information Report: Ethiopia', Department of Foreign Affairs and Trade, 28 September 2017, p.10, CISED50AD5795

³³ ['Regional Interests in African Peace Operations'](#), Danish Institute for International Studies, 22 November 2017, p.6, CISED50AD8677

³⁴ ['Regional Interests in African Peace Operations'](#), Danish Institute for International Studies, 22 November 2017, pp.32-33, CISED50AD8677

³⁵ *The Cairo Review of Global Affairs* is the quarterly journal of the School of Global Affairs and Public Policy at American University in Cairo. The journal's 'primary aim is to be a focal point for policymakers, officials, academics, experts, journalists, students, and others in the Middle East region who follow global affairs. It is also intended to be a platform that gives perspectives from the region a greater voice in international policy conversations and debates'. See: ['About Us'](#), The Cairo Review of Global Affairs, n.d., Accessed 19 June 2018

constant sources of concern and increasingly identified as internal security threats. Somalia's neighbors know that without a viable Somali state they will not be able to contain extremism in the region; on the other hand, they don't want Somalia to become too strong in the future'. According to the article, '[t]he ultimate policy of Somalia's neighbors will strongly influence the course of political development in Somalia'.³⁶

A February 2017 article by Global Risk Insights³⁷ indicates that Somalia's domestic security situation could be complicated by 'the involvement of neighboring Ethiopia'.³⁸ According to the article:

In 2006, US-backed Ethiopian troops supported the Somali Transitional Federal Government (TFG), the predecessor of the Somali federal government over the Islamic Courts Union (ICU). Somalis have long been wary of Ethiopia's direct involvement in Somalia's security situation and Somali national politics with Ethiopia ostensibly able to create divisions among Somalia's clans as an outside actor.³⁹

An August 2017 report produced by the United Nations Assistance Mission in Somalia (UNSOM)'s Strategic Communications and Public Affairs Group, presents the findings of a study undertaken to identify the roles community members in South Central Somalia, particularly religious leaders, youth, parents, teachers and members of civil society, can play in countering and preventing violent extremism. The study, involving focus groups and interviews, was carried out during 2016. The report indicates that many respondents said 'that Somalia faced political interference from foreign countries, and that most of the foreigners were in the country "for their own interests."' The report further states that 'the neighbouring countries of Kenya, Ethiopia, Uganda and Djibouti, as well as Western countries and the United Nations, were seen primarily in a negative light. Although these entities were in Somalia as part of the African Union (AU) effort to restore peace and order and provide humanitarian assistance, respondents believed that they had not achieved much'. A civil society representative in Baidoa commented 'that he had not seen any "tangible progress" due to these countries being in Somalia, and other respondents agreed that they had expected more'.⁴⁰

The November 2017 report published by the Danish Institute for International Studies further states:

Ethiopia's role in AMISOM is special given the country's history with Somalia. Conflict over the Somali-populated Ogaden region in eastern Ethiopia has a long history, but the seeds of conflict were sown when the British Empire officially gave the region to Ethiopia in 1948. Despite British promises to the Somali population that they would remain autonomous, Ethiopia immediately claimed sovereignty over the region. What followed in the latter part of the twentieth century was a series of military offensives from both sides, including the Ogaden War of 1977-1978. Formal inter-state conflict ended in the early 1990s as civil war broke out in Somalia, which allowed Ethiopia to consolidate its control of Ogaden.

Today, Ethiopian forces hold Ogaden in a tight grip, and while Somali rebel groups, including the Ogaden National Liberation Front, occasionally conduct attacks, the government maintains that there is no conflict in the region. With control over the agricultural plains of Ogaden, Ethiopia invaded Somalia in 2006 with the aim of countering the rise of the Islamic Courts Union. Seen by the international community as a response to Islamist aggression, the Ethiopian invasion remained largely unquestioned. While Ethiopia formally withdrew from Somalia in 2009, an unknown but presumably significant number of troops remained in the country, especially in the border zone between the two countries. It was some of these troops (around 4,000) who were late re-hatted as AMISOM personnel in January 2014 when Ethiopia officially joined the mission. While positive in many regards, it created some controversies among other TCCs [Troop-contributing country] as to whether AMISOM would increasingly become a vehicle for Ethiopia's political interests, not least the fear that the troops it was contributing would work outside

³⁶ ['Turning Somalia Around'](#), The Cairo Review of Global Affairs, Fall 2015, CISEC96CF110245

³⁷ Global Risk Insights describes itself as 'a world-leading publication for political risk news and analysis'. See: ['About GRI'](#), Global Risk Insights, n.d., Accessed 19 June 2018

³⁸ ['Somalia's presidential elections: An opportunity for reform'](#), Global Risk Insights, 13 February 2018, CXC90406620983

³⁹ ['Somalia's presidential elections: An opportunity for reform'](#), Global Risk Insights, 13 February 2017, CXC90406620983

⁴⁰ ['Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia'](#), United Nations Assistance Mission in Somalia, 14 August 2017, pp.3-5 & 7, CISED50AD8686

AMISOM's command-and-control structures.

Apart from AMISOM, Ethiopia uses a range of different tools to influence and contain the conflict in Somalia. In addition to military troops, whose numbers and locations are not known, special forces of the Ethiopian police are involved in training local militias.⁴¹

An earlier May 2013 article by Ahmed Soliman, a researcher on the Horn of Africa with the Africa Programme at Chatham House, notes that:

Ethiopia has a history of intervention in Somalia, including the 2006 US-sponsored invasion that ousted the Islamic Courts Union and sparked the insurgency that led to the formation of al Shabaab. Ethiopia's current unilateral intervention seeks to secure the Ogaden, its own Somali-speaking area. Ethiopian troops hold the Somali towns of Luuq, Baidoa and Beledweyne which are situated along strategic trade routes and until recently were under al Shabaab's control. When Ethiopia pulled its troops out of the town of Hudur in March 2013, al Shabaab quickly reclaimed the town.

...Somalis are concerned that their neighbours are not intervening in good faith. Although regional military support is vital, it limits the new Somali government on the home front. The Somali government is suspicious that Ethiopia and Kenya are pushing federalism in order to see the establishment of regional administrations that are friendly to them. This would enable Ethiopia and Kenya to limit the power and legitimacy of the central government while exerting continued influence over Somali regions once their troops return home.⁴²

A report of a joint mission conducted by the Danish Refugee Council and the Country of Origin Information Division, Danish Immigration Service to Nairobi, Kenya from 3 December to 10 December 2016⁴³ also mentions that when Ethiopian troops had previously withdrawn from positions in Somalia, Al Shabaab had moved into those areas and there was reportedly retribution against persons accused of collaborating with the Ethiopian troops. It is stated in the report:

During the second half of 2016 Ethiopian bilateral troops (ENDF) withdrew from the following locations: Tayeeglow, Garas Weyne, Rab Duuure, and Buur Dhuxunle (Bakool); Ceel Cali, Halgan, and Moqokori (Hiraan); and Galcad and Bulbud (Galgaduud). In all cases, al-Shabaab has immediately moved in and taken control. According to a UN source, civilians in these areas have reportedly been subjected to retribution attacks, including torture, forced recruitment, and killings. A Somali NGO concurred that the retaliation has been against persons accused of collaborating with the Ethiopian troops. The pattern of retaliation is not restricted to these cases of ENDF withdrawals. An independent organisation and a Somali NGO explained that it also applies whenever AMISOM/SNA withdraws and whenever AMISOM/SNA/ENDF takes over an area from al-Shabaab. The attitude of the government and the human rights abuses committed by AMISOM/SNA e.g. when clearing an area is explained as a key factor in understanding the level of popular support for al-Shabaab.⁴⁴

Additional Reading

- A July 2017 UK Home Office country policy and information note includes information on Ethiopia's involvement in AMISOM in Somalia. [Country Policy and Information Note – Somalia \(South and Central\): Security and humanitarian situation](#), UK Home Office, 1 July 2017, OG6E7028843, pp.19-22, 29 & 31

4. Do the Somali people from this region consider Ethiopian people as non-believers?

⁴¹ [‘Regional Interests in African Peace Operations’](#), Danish Institute for International Studies, 22 November 2017, p.35, CISED50AD8677

⁴² [‘Somalia and its Neighbours: Balancing Influence and Independence’](#), Soliman, A, Chatham House, 7 May 2013, CXC28129415747

⁴³ [‘South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups’](#), Danish Refugee Council, March 2017, p.4, CISED50AD8539

⁴⁴ [‘South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups’](#), Danish Refugee Council, March 2017, p.8, CISED50AD8539

It is reported that there are negative attitudes towards non-Muslims in Somalia as most Somalis are Muslim and quite conservative. Al Shabaab characterises AMISOM troops, of which Ethiopia is a part, as Christian invaders. It is reported that Christians are in the majority in Ethiopia, although Islam is prevalent in the Somali region of Ethiopia, which borders South Central Somalia.

The USDOS religious freedom report on Somalia for 2017 indicates that '[a]ccording to the federal Ministry of Religious Affairs, more than 99 percent of the population is Sunni Muslim. Members of other religious groups combined constitute less than 1 percent of the population and include a small Christian community, a small Sufi Muslim community, and an unknown number of Shia Muslims'.⁴⁵ Somalia's 'provisional federal constitution (PFC) provides for the right of individuals to practice their religion, makes Islam the state religion, prohibits the propagation of any religion other than Islam, and stipulates all laws must comply with the general principles of sharia'. The report also indicates that '[t]here was strong societal pressure to adhere to Sunni Islamic traditions. Conversion from Islam to another religion remained socially unacceptable in all areas. Those suspected of conversion faced harassment by members of their community'.⁴⁶

An April 2014 Immigration and Refugee Board of Canada response to information request on the treatment of non-Muslims in Somalia refers to the comments of an associate professor in the department of political science and the Institute of Islamic Studies at McGill University, who specialises in the fields of African politics, Islam and politics, ethnic and civil conflicts, who said that:

[t]he attitudes to[wards] non-Muslims are very negative because the majority of Somalis are Muslim and quite conservative. Non-Muslim minorities are viewed as outsiders by both the religious Muslim community and the clan structure which is even more important to Somalis. Since the clan structure is linked to Islam, non-Muslims simply do not have a place as part of the dominant community and are shunned or persecuted.⁴⁷

A June 2017 DFAT country information report on Somalia also indicates that:

Religion is a sensitive topic in Somalia. DFAT understands that in the past there was some space for Christians to practice their religion but the community is now completely underground and there are no Christian churches or public places of worship. Christian converts face a higher risk of discrimination and violence than other Christians as apostasy from Islam is a crime punishable by death in Somalia. Al-Shabaab does not tolerate non-Muslims in areas under its control and has killed or harassed individuals suspected of failing to adhere to Islam or converting from Islam.⁴⁸

Ethiopia is reported to have a majority Christian population, although Islam is prevalent in the Somali region of Ethiopia, which borders South Central Somalia. There are ethnic Somalis in Ethiopia who 'live predominantly in the arid Somali region in the south-east of Ethiopia, which borders Somalia'. The 'Somalis are Muslim, and mostly pastoralists. They comprise around six per cent of the total Ethiopian population'.⁴⁹

The USDOS religious freedom report on Ethiopia for 2017 indicates that '[t]he most recent census, conducted in 2007, estimated 44 percent of the population adheres to the EOC [Ethiopia Orthodox Church], 34 percent are Sunni Muslim, and 19 percent belong to Christian evangelical and

⁴⁵ ['International Religious Freedom Report for 2017 – Somalia'](#), US Department of State, 29 May 2018, Section 1, p.2, OGD95BE927524

⁴⁶ ['International Religious Freedom Report for 2017 – Somalia'](#), US Department of State, 29 May 2018, Executive Summary, pp.1-2, OGD95BE927524

⁴⁷ ['Somalia: Treatment of non-Muslims, including those who commit apostasy, by society and extremist groups, including al-Shabaab \(2013-April 2014\)'](#), Immigration and Refugee Board of Canada, SOM104854.E, 29 April 2014, OG61C530283

⁴⁸ DFAT Country Information Report – Somalia', Department of Foreign Affairs and Trade, 13 June 2017, p.11, CISED50AD4497

⁴⁹ 'DFAT Country Information Report: Ethiopia', Department of Foreign Affairs and Trade, 28 September 2017, CISED50AD5795, p.12

Pentecostal groups. The EOC predominates in the northern regions of Tigray and Amhara, while Islam is most prevalent in the Afar, Oromia, and Somali Regions'.⁵⁰

A February 2016 International Crisis Group report also notes that:

Despite a long history of religious diversity, Ethiopia has traditionally and officially been associated with the Ethiopian Orthodox (Tewahedo) Church (EOTC). Notwithstanding the state's avowedly secular nature since the 1974 revolution, many external observers still view the country as a stable Christian island between Muslim-dominated Sudan (and Egypt) to its west, Somalia to its east and the Arabian Peninsula to the north.⁵¹

As mentioned in the answer to Question 3 above, Ethiopian forces are part of AMISOM, which 'is a regional military support mission mandated by the African Union to stabilise Somalia'.⁵² According to the USDOS religious freedom report on Somalia for 2017, 'Al-Shabaab continued its campaign to characterize the AMISOM peacekeeping forces as "Christians" intent on invading and occupying the country'. During 2017, 'al-Shabaab was responsible for the killings of civilians, government officials, members of parliament, Somali national armed forces, police, and troops from contributing countries of the African Union Mission in Somalia (AMISOM)'.⁵³ Al-Shabaab continued to mandate schools in areas under its control to 'teach a militant form of jihad emphasizing that students should wage war against those it deemed infidels, including countries in the region, the federal government, and AMISOM'.⁵⁴

Additional Reading

- An April 2016 COISS standard Q&A report includes information on the treatment of Christians in Ethiopia and background information about the religious composition of Ethiopia. 'Standard Q&A Report C1160404114001092', COISS, 26 April 2016, CR0D9DEFA131, (Question 1)

⁵⁰ ['International Religious Freedom Report for 2017 – Ethiopia'](#), US Department of State, 29 May 2018, Section 1, p.2, OGD95BE927516

⁵¹ ['Ethiopia: Governing the Faithful'](#), International Crisis Group, 22 February 2016, p.2, CIS38A8012675

⁵² ['Somalia – Crisis Analysis'](#), Assessment Capacities Project (ACAPS), 11 June 2018, Politics and security, CIS7B839411296

⁵³ ['International Religious Freedom Report for 2017 – Somalia'](#), US Department of State, 29 May 2018, Executive Summary, p.1, OGD95BE927524

⁵⁴ ['International Religious Freedom Report for 2017 – Somalia'](#), US Department of State, 29 May 2018, Section II, p.6, OGD95BE927524



Standard Q&A Report

Somalia: CI180508160551075 – Somaliland – Puntland – Returnees – Security – Failed Asylum Seekers – Minority Clans

Date of Report

21 May 2018

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Background

[Information deleted]

Questions

1. [What is the situation for returnees to Somaliland and Puntland?](#)
2. [Please provide country information about the security situation in Somaliland.](#)
3. [Is there any country information about the return of failed asylum seekers to Somaliland?](#)
4. [What is the situation of minority clans in Somaliland?](#)

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Answers

1. What is the situation for returnees to Somaliland and Puntland?

Somaliland is reported to have a large diaspora which has the opportunity to come back in large numbers as both the security situation and the local government allow them to do so. Under the Somaliland Citizenship Law of 2002, patrilineal descent from clans or people living in Somaliland was reaffirmed as the basis of citizenship. A similar principle of descent from regionally dominant groups also underpins citizenship in Puntland. Somaliland and Puntland reportedly do not accept an entitlement to return to or reside in their territory except for persons able to establish that they originate from those territories, which is primarily established through membership of a clan considered to originate from Puntland or Somaliland.

Somaliland, a region in north-western Somalia, declared independence on 18 May 1991, and has operated as an autonomous region since that time. Somaliland's independence is not recognised by the international community. Puntland, a region within north-eastern Somalia, declared autonomy as an independent entity within a federal Somalia in August 1998.¹ Somaliland is reported to have 'developed a modest capacity to govern and has continued along a path toward democratization', while Puntland has also 'developed its own governance institutions', although '[i]t does not however strive for independence, but remains as federal state part of the Somali Republic'.²

An October 2017 article in *International Migration*³ indicates that 'Somaliland has a large diaspora which, in contrast to many other conflict-generated diasporas, has the opportunity to come back in large numbers as both the security situation and the local government allow them to do so'. The article notes that '[r]eturnees have taken on a prominent role in Somaliland society as financial investors, political actors and civil servants... Returnees make up a large share of the political class, and approximately two-thirds of the Members of Parliament and half of the cabinet are returnees from European countries...'⁴

The article refers to Somaliland being regarded as having engaged in "successful" peacebuilding and a stable process of post-conflict political reconstruction'.⁵ A March 2018 Bertelsmann Stiftung country report on Somalia, which covers the period from 1 February 2015 to 31 January 2017, states that 'Somaliland remains committed to democracy', but also notes that 'significant challenges remain. General elections were scheduled for 2015, but have been postponed until March 2017. The delay of elections, an increasingly militarized approach against opposition in eastern regions, restrictions on public criticism of the government, and regular state repression of media outlets and opposition risks damaging the recent reconciliation successes'.⁶ Presidential elections were held in Somaliland during November 2017, but elections for the House of Representatives have been delayed until April 2019.⁷

Somaliland authorities are reported to have 'cooperated with UNHCR and the International Organization for Migration to assist IDPs [Internally Displaced Persons], refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern'.⁸

¹ 'DFAT Country Information Report – Somalia', Department of Foreign Affairs and Trade, 13 June 2017, p.6, CISED50AD4497

² 'BTI 2018 Country Report Somalia', Bertelsmann Stiftung, 23 March 2018, p.4, CIS7B83941557

³ *International Migration* is a refereed bimonthly review of the International Organization for Migration (IOM), See: '*International Migration Journal*', International Organization for Migration, 2018

⁴ '*Perceptions of Returnees in Somaliland Politics: The Grounds for Legitimacy*', Rock, A I R, *International Migration*, Vol. 55, Issue 5, October 2017, pp.205-216, at p.206, CISED50AD8582

⁵ '*Perceptions of Returnees in Somaliland Politics: The Grounds for Legitimacy*', Rock, A I R, *International Migration*, Vol. 55, Issue 5, October 2017, pp.205-216, at p.208, CISED50AD8582

⁶ 'BTI 2018 Country Report Somalia', Bertelsmann Stiftung, 23 March 2018, p.4, CIS7B83941557

⁷ '*Country Reports on Human Rights Practices for 2017 – Somalia*', US Department of State, 20 April 2018, Section 3, p.27, OGD95BE927354

⁸ '*Country Reports on Human Rights Practices for 2017 – Somalia*', US Department of State, 20 April 2018, Section 2(d), p.23, OGD95BE927354

The US Department of State (USDOS) report on human rights practices in Somalia for 2017 indicates, however, that Somaliland laws prevent citizens in its region from participating in Federal Government of Somalia-related processes.⁹ Somaliland 'prohibited federal officials, including those of Somaliland origin who purported to represent Hargeisa's interests in Mogadishu, from entering Somaliland. It also prevented its citizens from traveling to Mogadishu to participate in FGS [Federal Government of Somalia] processes or in cultural activities'.¹⁰ The USDOS report states that 'Somaliland authorities continued to detain Somaliland residents employed by the federal government in Mogadishu, sometimes for extended periods. Somaliland authorities did not authorize officials in Mogadishu to represent Somaliland within or to the federal Somali government and viewed such actions as treason, punishable under the constitution of Somaliland'.¹¹ The report refers to the arrest of journalist Abdimalik Oldoon in Somaliland in February 2017 upon his 'return from Mogadishu where he covered the presidential election and inauguration. Oldoon was sentenced to two years in prison for spreading antinationalist activities. In May Somaliland President Silanyo ordered his release and granted him amnesty'.¹²

A June 2017 Department of Foreign Affairs and Trade (DFAT) country information report on Somalia also notes that 'Somaliland residents who are employed by the Federal Government in Mogadishu are sometimes detained by Somaliland authorities upon their return to Somaliland'.¹³

The USDOS report on human rights practices in Somalia for 2017 also mentions that 'Somalis and citizens from other countries fleeing the conflict in Yemen sought refuge in Somalia. While flows from Yemen declined since August 2015, approximately 38,200 individuals fled to Somalia from Yemen since March 2015. This included more than 32,300 Somali nationals'.¹⁴ A September 2017 United Nations report of the Independent Expert on the situation of human rights in Somalia indicates that 'Somaliland has taken in refugees fleeing from the conflict in Yemen, as well as internally displaced persons from southern central Somalia, because of the relative peace it enjoys'.¹⁵ The previous year's USDOS report on human rights practices in Somalia for 2016 notes, however, that '[p]oor refugee reception services in Somaliland resulted in some refugees reportedly returning to Yemen despite continuing conflict'.¹⁶ The report also notes that some Yemenis with Somali origins seeking refuge in Somaliland 'were classified as returnees instead of refugees, shifting the costs associated with resettlement from UNHCR to the government of Somaliland'.¹⁷

An August 2016 article indicates that arrivals in Somaliland from Yemen 'found themselves drawn into Somaliland's battle for recognition. Roughly half of the arrivals from Yemen have some form of Somali origin. Under its rules, the U.N. refugee agency does not recognize these people as refugees. To the UNHCR they are returnees'. The article continues:

This is bitterly contested by the Somaliland government. Not only does it mean that the arrivals get none of the U.N. benefits associated with refugee status, making them a costly burden on a penniless administration, it is another reminder of Somaliland's lack of statehood.

⁹ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, Section 3, p.26, OGD95BE927354

¹⁰ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, Section 2(d), p.23, OGD95BE927354

¹¹ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, Section 1(e), p.11, OGD95BE927354

¹² ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, Section 1(e), p.11, OGD95BE927354

¹³ DFAT Country Information Report – Somalia', Department of Foreign Affairs and Trade, 13 June 2017, p.19, CISED50AD4497

¹⁴ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, Section 2(d), p.24, OGD95BE927354

¹⁵ ['Report of the Independent Expert on the situation of human rights in Somalia'](#), UN Human Rights Council, A/HRC/36/62, 6 September 2017, p.12, CISED50AD5754

¹⁶ ['Country Report on Human Rights Practices 2016 – Somalia'](#), US Department of State, 3 March 2017, Section 2(d), p.25, OGD95BE926904

¹⁷ ['Country Report on Human Rights Practices 2016 – Somalia'](#), US Department of State, 3 March 2017, Section 2(d), p.24, OGD95BE926904

The government in Hargeisa argues that those whose origins are in Somalia are foreign arrivals in Somaliland and should be treated as refugees, not returnees. While Somaliland presses its argument with the U.N., hoping for a symbolic victory, many of those who fled the war in Yemen wait amid uncertainty.¹⁸

The March 2018 Bertelsmann Stiftung country report on Somalia also notes that '[i]n the Somaliland Citizenship Law of 2002, patrilineal descent from clans or people living in Somaliland was reaffirmed as the basis of citizenship. A similar principle of descent from regionally dominant groups also underpins citizenship in Puntland'. The report also indicates that 'the new Somali constitution refers to jus sanguinis as a basis of citizenship. But given Somaliland's claim for independence, the notion of a common Somali state identity is contested in the northwest (territory of Somaliland), especially in the central and western parts of Somaliland, Somali state identity has been gradually replaced by a Somaliland state identity'.¹⁹

Although dated, UNHCR eligibility guidelines regarding asylum-seekers from Somalia dated 5 May 2010 indicate that 'neither Puntland nor Somaliland accept an entitlement to return to or reside in their territory except for persons able to establish that they originate from those territories. Such origin is primarily established through membership of a clan considered to originate from Puntland or Somaliland'.²⁰ In Somaliland, Somalis not considered to originate from that area were 'considered as "foreigners" under the Constitution of the self-declared independent State', while in Puntland, there were national security concerns against persons from southern and central Somalia.²¹

An April 2018 UK Home Office country policy and information note on women fearing gender-based violence in Somalia comments that 'Somaliland and Puntland in general only accept back persons who were former residents of those regions and were members of locally-based clans or sub-clans'.²² A June 2017 UK Home Office country policy and information note on majority clans and minority groups in south and central Somalia also comments that '[i]nternal relocation to Somaliland and Puntland from other areas of Somalia would only be viable for former residents and/or those who are members of locally-based minority groups'.²³

The USDOS report on human rights practices in Somalia for 2017 also states that '[l]ocal civil society organizations in Somaliland reported that gang rape continued to be a problem in urban areas, primarily perpetrated by youth gangs and male students. It often occurred in poorer neighborhoods and among immigrants, returned refugees, and displaced rural populations living in urban areas'.²⁴ The report also indicates that in relation to Somalia generally, 'Somali returnees and IDPs from marginalized clans suffered discrimination, since they often lacked powerful clan connections and protection'.²⁵ Also in relation to Somalia generally, the June 2017 DFAT country information report on Somalia indicates that '[i]n 2015, the Federal Government of Somalia released a policy paper on returnees to Somalia, which welcomed voluntary returnees but acknowledged that Somalia cannot accept them on a large scale, given security, political and economic instability'.²⁶

¹⁸ ['Yemeni Refugees Seek Safety In One Of The World's Poorest Places'](#), Refugees Deeply, 22 August 2016, CX6A26A6E26525

¹⁹ ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, p.11, CIS7B83941557

²⁰ ['UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Somalia'](#), UN High Commissioner for Refugees, HCR/EG/SOM/10/1, 5 May 2010, p.9, CIS29798

²¹ ['UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Somalia'](#), UN High Commissioner for Refugees, HCR/EG/SOM/10/1, 5 May 2010, p.34, CIS29798

²² ['Country Policy and Information Note: Somalia: Women fearing gender-based violence'](#), UK Home Office, April 2018, p.9, OG9EF767918

²³ ['Country Policy and Information Note – Somalia: Majority clans and minority groups in south and central Somalia'](#), UK Home Office, June 2017, p.9, OG6E7028825; See also: ['Country Policy and Information Note – Somalia \(South and Central\): Security and humanitarian situation'](#), UK Home Office, July 2017, p.6, OG6E7028843

²⁴ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, Section 6, p.32, OGD95BE927354

²⁵ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, Section 6, p.37, OGD95BE927354

²⁶ ['DFAT Country Information Report – Somalia'](#), Department of Foreign Affairs and Trade, 13 June 2017, p.23, CISED50AD4497

An earlier September 2015 article in *The Guardian* refers to tensions existing between local residents in Hargeisa, the capital of Somaliland, and diaspora visitors to the city.²⁷

Additional Reading

- A December 2017 DIBP COISS situational update on Somalia refers to sources that provide information on the situation for returnees in Somalia generally. 'Situational Update – Somalia', DIBP COISS, 15 December 2017, CRF00C22F185

2. Please provide country information about the security situation in Somaliland.

A conflict with Puntland about Sanaag and Sool, in addition to drought, is reported to be the main threat in Somaliland. The Somaliland Army and the Somaliland Police Force are reported to control most of Somaliland unchallenged, apart from the contested areas of Sanaag and Sool. While the security situation reportedly remained relatively calm in Somaliland during the latter part of 2017, there was some unrest before and after the presidential election of 13 November 2017, mainly involving violent demonstrations by supporters of opposition parties.

A December 2017 European Asylum Support Office (EASO) report refers to a fact-finding mission report on Somalia by Switzerland's State Secretariat for Migration (SEM) and Austria's Federal Office for Immigration and Asylum (BFA), which considers that the main threat to security in Somaliland is the conflict with Puntland over Sanaag and Sool [administrative regions].²⁸

It is stated in the December 2017 EASO report on the security situation in Somalia that:

The main armed actors in Somaliland are the Somaliland Army (SLA), which comprises four to five divisions, and the Somaliland Police Force (SPF), which consist of approximately 6 000 officers. These forces control most of Somaliland unchallenged – apart from the contested areas Sanaag and Sool... Other armed units under government control are the Special Police Unit responsible for the protection of international organisations and NGOs [non-governmental organisations], the Rapid Reaction Unit, the National Coast Guard and the National Security Service... The Liyu Police are reported to operate on the Somaliland side of their common border, in Buuhoodle...

The conflict with Puntland about Sanaag and Sool, in addition to the drought, is highlighted as the main threat in Somaliland...

There have been no recorded terror attacks by AS [Islamist militant group Al-Shabaab] in Somaliland since 2008 and the group is deemed incapable of executing targeted assassinations in Somaliland... In the disputed areas in eastern Somaliland, around Laascaanood, there have been cases where AS has tracked down deserters... As mentioned in 2.2.3.3. Ahlu Sunna Wal Jama'a, deserters from South/Central Somalia are in a difficult position in Somaliland as they do not know who they can trust or who is close to AS... However, there have never been reports from Hargeysa of an AS deserter being killed... According to BFA/SEM sources it must be assumed that AS has a covert presence in Somaliland, including Hargeysa, but its capacities are low...²⁹

The September 2017 report of the Independent Expert on the situation of human rights in Somalia also indicates that 'Somaliland has been able to contain the threats from Al-Shabaab, making it the most secure region in Somalia'.³⁰

²⁷ ['Somalis returning to the motherland are finding their foreign ways out of favour'](#), *The Guardian*, 11 September 2015, CXBD6A0DE19655

²⁸ ['Somalia: Somaliland, including government structure, security, and presence of internally displaced persons \(IDPs\) from Somalia \(2016-March 2018\)'](#), Immigration and Refugee Board of Canada, SOM106058.E, 23 March 2018, OG690C1A38

²⁹ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, p.114, CISED50AD8017

³⁰ ['Report of the Independent Expert on the situation of human rights in Somalia'](#), UN Human Rights Council, A/HRC/36/62, 6 September 2017, p.16, CISED50AD5754

The December 2017 EASO report refers to information from the Armed Conflict Location and Event Data Project (ACLED) organisation, which indicates that '[d]uring the reporting period of January 2016 to 31 August 2017, ACLED... registered 242 incidents in Somaliland (excluding Sool and Sanaag), which resulted in an estimated 65 fatalities...' Of the 242 incidents, ACLED 'recorded 36 incidents in 2016 as violence against civilians, estimating 19 deaths as a result, and in 2017, 8 incidents with an estimated 8 fatalities...'³¹

The March 2018 Bertelsmann Stiftung country report on Somalia also notes that '[t]he power of Somaliland does not reach to Somaliland's eastern borders. Especially the regions of Sool, Sanaag and Cayn were contested between Somaliland and Puntland, with both claiming these regions as part of their state's territory. However, neither Somaliland nor Puntland has established real control over the regions, and Somaliland was not able to conduct elections in most parts of the contested areas'.³² The USDOS report on human rights practices in Somalia for 2017 indicates that '[c]onflict in contested territories of Sool and Sanaag, between Somaliland and Puntland, restricted humanitarian access. NGOs reported incidents of harassment by local authorities in both Somaliland and Puntland'.³³

The March 2018 Bertelsmann Stiftung country report on Somalia also states:

The unrecognized secessionist state of Somaliland in the northwest of Somalia has also not established a fully functioning monopoly on the use of violence, but nonetheless remained comparatively peaceful during the review period. It has, however, increased its military presence in the contested eastern borderlands with Puntland, where a breakaway movement known as Khaatumo state has fought against Somaliland and Puntland forces. Al-Shabaab has allegedly also built up its presence in the border region.³⁴

The USDOS report on human rights practices in Somalia for 2017 indicates that in July 2017, 'the Somaliland government signed a peace agreement with the Khatoumo group, a rebel organization purportedly representing the interests of the politically marginalized Dhulbahante subclan and minority communities in the Sool contested region'.³⁵

A December 2017 United Nations report on Somalia also states:

On 19 October, "Somaliland" and the self-proclaimed "Khatumo State" signed a five-point agreement in Caynabo, in the Sool region, to pave the way for unity between the two and to undermine Puntland's claims to the disputed regions of Sool, Sanaag and Togdheer. Tensions between "Somaliland" and Puntland in the disputed regions flared up prior to the presidential elections in "Somaliland" on 13 November. Puntland President Abdiweli Mohamed Ali "Gaas" was instructed by the Puntland Parliament to prevent "Somaliland" from holding elections in the disputed regions, using military force if necessary. On the eve of the presidential election, Puntland forces were reinforced in Tukarak and near Buhoodle in Togdheer region, prompting "Somaliland" to deploy heavy military contingents in both areas. Tensions deescalated when Puntland drew the forces back following engagement with the "Somaliland" and Puntland leadership by my Special Representative and representatives of the international community.³⁶

An April 2018 report on the security situation in Somalia by the European Country of Origin Information Network,³⁷ refers to further information from the December 2017 United Nations report on

³¹ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, p.115, CISED50AD8017

³² ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, p.6, CIS7B83941557

³³ ['Country Reports on Human Rights Practices for 2017 - Somalia'](#), US Department of State, 20 April 2018, Section 1(g), p.17, OGD95BE927354

³⁴ ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, p.9, CIS7B83941557

³⁵ ['Country Reports on Human Rights Practices for 2017 - Somalia'](#), US Department of State, 20 April 2018, Section 3, p.29, OGD95BE927354

³⁶ ['Report of the Secretary-General on Somalia'](#), UN Security Council, S/2017/1109, 26 December 2017, p.6, CIS7B83941193

³⁷ ['Security Situation in Somalia'](#), European Country of Origin Information Network, 26 April 2018, CXBB8A1DA26580

Somalia,³⁸ which indicates that '[w]hile the security situation remained relatively calm in "Somaliland" during the reporting period [23 August to 20 December 2017], there was some unrest before and after the presidential election of 13 November, mainly violent demonstrations in New Hargeysa, Erigavo, in the disputed Sanaag region, and in Burao, in "Somaliland", by supporters of opposition parties'³⁹. The December 2017 United Nations report also refers to 'the successful conclusion of the delayed presidential election in "Somaliland" on 13 November. Notwithstanding minor disturbances, the peaceful voting and the acceptance of results serves as another example of the strong commitment of "Somaliland" to democratic processes'. The Secretary-General called 'upon the new administration to further the democratization process in "Somaliland" by respecting constitutional timelines and holding parliamentary elections without delay. It is my hope that "Somaliland" and the Federal Government of Somalia will now revive their stalled dialogue, for which they have both previously expressed readiness'.⁴⁰

Another report from December 2017, published by the UN Office of the High Commissioner for Human Rights and the United Nations Assistance Mission in Somalia, indicates that '[i]n Somaliland, inter-clan conflicts were the principal cause of civilian casualties'. The report further states that '[m]ore specifically, clan fighting in the Sool region (a disputed area between Somaliland and Puntland) between Qayaad and Bahararsame sub-clans of Dhulbahante (Daarood) in Laascaanood, resulted in the killing of 78 people (including three women) since the eruption of hostilities in 2016'. In June 2016, following a decision of the Sharia Court and mediation committee to end the clan fighting in South Laascaanood, negotiations commenced between the two parties, in the presence of the Somaliland Minister of Interior.⁴¹

Additional Reading

- ['Somalia: Somaliland, including government structure, security, and presence of internally displaced persons \(IDPs\) from Somalia \(2016-March 2018\)'](#), Immigration and Refugee Board of Canada, SOM106058.E, 23 March 2018, OG690C1A38

3. Is there any country information about the return of failed asylum seekers to Somaliland?

Little specific information was located about the return of failed asylum seekers to Somaliland.

The USDOS report on human rights practices in Somalia for 2017 indicates that Somaliland authorities have 'cooperated with UNHCR and the International Organization for Migration to assist IDPs, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern'.⁴²

In relation to Somalia generally, the June 2017 DFAT country information report on Somalia indicates that 'DFAT understands that it is not a crime in Somalia to seek asylum elsewhere and is not aware of any credible reports of mistreatment of failed asylum seekers stemming specifically from their having sought asylum overseas'.⁴³ The report also indicates that the Federal Government of Somalia

³⁸ ['Report of the Secretary-General on Somalia'](#), UN Security Council, S/2017/1109, 26 December 2017, C/S7B83941193

³⁹ ['Report of the Secretary-General on Somalia'](#), UN Security Council, S/2017/1109, 26 December 2017, p.3, C/S7B83941193

⁴⁰ ['Report of the Secretary-General on Somalia'](#), UN Security Council, S/2017/1109, 26 December 2017, p.17, C/S7B83941193

⁴¹ ['Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia'](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, December 2017, p.20 & f/n 67, C/SED50AD7824

⁴² ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, Section 2(d), p.23, OGD95BE927354

⁴³ 'DFAT Country Information Report – Somalia', Department of Foreign Affairs and Trade, 13 June 2017, p.23, C/SED50AD4497

received 'failed asylum seekers on a case-by-case basis' where they met certain criteria set out in the report.⁴⁴ The report further states:

In practice, Somalia has a large diaspora in the West and there are regular flows of Somalis returning to visit, work or invest in Somalia. DFAT understands that exit and entry procedures in Somalia are not technologically advanced. A failed asylum seeker would not necessarily be identifiable at a border crossing and there is no central database that monitors whether an individual had departed illegally. DFAT understands that when a returns process is arranged by another country or organisation, the returnee is cleared by Somalia's Department of Immigration prior to their arrival at Mogadishu airport and the returnee is not questioned by authorities upon arrival.⁴⁵

Additional Reading

- Nil

4. What is the situation of minority clans in Somaliland?

The clan representation in Somaliland reportedly makes it more homogeneous than South/Central Somalia, but the clan still plays a central role in politics, business and everyday life. It has been reported that there is a more tolerant atmosphere for minorities in Somaliland than in the rest of Somalia, although representatives of minority groups have complained about the difficulties faced by those groups in integrating into society in Somaliland. Minority groups have faced lower political representation, educational levels and employment opportunities. There are reports of attempts to concentrate power in Somaliland in the hands of ruling elites, which strengthened the position of some clan groups while marginalising others.

While in relation to clans in Somalia generally, the USDOS report on human rights practices in Somalia for 2017 states:

More than 85 percent of the population shared a common ethnic heritage, religion, and nomad-influenced culture. In most areas the predominant clan excluded members of other groups from effective participation in governing institutions and subjected them to discrimination in employment, judicial proceedings, and access to public services.

Minority groups, often lacking armed militias, continued to be disproportionately subjected to killings, torture, rape, kidnapping for ransom, and looting of land and property with impunity by faction militias and majority clan members, often with the acquiescence of federal and local authorities. Many minority communities continued to live in deep poverty and to suffer from numerous forms of discrimination and exclusion.

Representatives of minority clans in the federal parliament were targeted by unknown assailants, whom minority clan members alleged were paid by majority clan members. Somali returnees and IDPs from marginalized clans suffered discrimination, since they often lacked powerful clan connections and protection.⁴⁶

A 2018 Minority Rights Group International report on minorities in Somalia indicates that 'minorities are splintered within society, and generally lack political and military organization compared to majority groups'. Minorities overall in Somalia 'are not evenly distributed throughout the country; South-Central Somalia is believed to have a higher concentration of minorities than Somaliland and Puntland'.⁴⁷

⁴⁴ 'DFAT Country Information Report – Somalia', Department of Foreign Affairs and Trade, 13 June 2017, p.23, CISED50AD4497

⁴⁵ 'DFAT Country Information Report – Somalia', Department of Foreign Affairs and Trade, 13 June 2017, p.24, CISED50AD4497

⁴⁶ '[Country Reports on Human Rights Practices for 2017 – Somalia](#)', US Department of State, 20 April 2018, Section 6, pp.36-37, OGD95BE927354

⁴⁷ '[World Directory of Minorities and Indigenous Peoples – Somalia](#)', Minority Rights Group International, May 2018, CXBB8A1DA27367

Somaliland consists of five regions, being Awdal, Woqooyi Galbeed, Togdheer, and the disputed regions of Sanaag and Sool. The December 2017 EASO report on the security situation in Somalia indicates that 'Somaliland, excluding Sool and Sanaag, is mainly inhabited by the Isaaq clans Habar Awal, Habar Yonis, Habar Jeelo and Idagala, and to the west in Awdal the Dir clans Gadabursi and Issa. This clan representation makes Somaliland more homogeneous than South/Central Somalia but the clan still plays a central role in politics, business and everyday life'.⁴⁸ An article on minorities in Somalia in a 2015 issue of *Ethnic and Racial Studies* by Markus V. Hoehne, a Lecturer at the Institute of Anthropology at Leipzig University, refers to 'minority groups that traditionally resided in the north' being 'mostly Midgaan, Tumaal and Yibir'.⁴⁹

A March 2018 article by Stefano Recchia of the Department of Politics and International Studies at the University of Cambridge indicates that Somaliland's 'initial stages of postwar governance were marked by a representative, if entirely undemocratic, political process: for several years, the government was essentially a power-sharing coalition of Somaliland's main clans and subclans'. Somaliland's '2001 constitution, which has been in force ever since, established a new hybrid political system that combines elements of electoral democracy with traditional clan-based governance', with a democratically elected lower legislative chamber, and a non-elected 'upper house, or house of elders (known as the Guurti)... whose membership is drawn from the clan elders'. According to the article, Somaliland's experience with hybrid governance 'has not been unproblematic', but, 'measured by the standards of other conflict-torn societies in sub-Saharan Africa, Somaliland has enjoyed impressive successes. It maintains a high level of public security, has built up a modest but functioning state, and, according to the Minority Rights Group, an international nongovernmental organization, "awareness and action for minority rights have advanced further and faster in Somaliland than in south-central Somalia" and elsewhere in the region...'⁵⁰

The March 2018 article, along with an August 2014 EASO report which indicates that '[a]ccording to Minority Rights Group International, there is a "more tolerant atmosphere" for minorities in Somaliland than in the rest of Somalia', refer to a 2010 Minority Rights Group International report on Somalia's minorities.⁵¹ It is stated in the Minority Rights Group International report that:

Awareness and action for minority rights have advanced further and faster in Somaliland (particularly in the last few years) than in south-central Somalia and Puntland. The region has been characterized by peace, democratic development including multi-party elections, and civil society activism. Minority rights organizations such as VOSOMWO [Voice of Somaliland Minority Women Organization] and Ubah Social Welfare Organization (USWO), have developed gradually alongside the traditional minority community structures headed by sultans and elders.

...Progress, however, has been limited by government inaction, failures of the judicial system, limited action by the Somaliland National Human Rights Commission, negative government attitudes towards human rights defenders generally, and persistence of prejudicial social attitudes among members of the majority clans.⁵²

The report also indicates that '[d]ue to their lack of political representation, low educational levels and poor employment opportunities, very few minority members are in positions of prominence or leadership'.⁵³

⁴⁸ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, p.113, CISED50AD8017

⁴⁹ ['Continuities and changes regarding minorities in Somalia'](#), Hoehne, M V, *Ethnic and Racial Studies*, vol. 38, no. 5, 2015, pp.792–807, at p.802, CISEC96CF15247

⁵⁰ ['Should humanitarian interveners promote democracy after genocide?'](#), Recchia, S, *International Theory*, vol. 10, issue 1, March 2018, pp.1-30, at pp.19-22, CIS7B839411007

⁵¹ ['EASO Country of Origin Information report – South and Central Somalia Country overview'](#), European Asylum Support Office, August 2014, p.102, CISEFCB23F7342

⁵² ['No Redress: Somalia's Forgotten Minorities'](#), Minority Rights Group International, 23 November 2010, p.17, CIS19542

⁵³ ['No Redress: Somalia's Forgotten Minorities'](#), Minority Rights Group International, 23 November 2010, p.17, CIS19542

The information in the August 2014 EASO report is also referred to in a June 2017 UK Home Office country policy and information note on majority clans and minority groups in south and central Somalia, which includes information on Somaliland.⁵⁴ The UK Home Office report also mentions a December 2012 Immigration and Refugee Board of Canada response to information request in relation to '[t]he Gabooye [also spelled Gaboye, Gabooyo; also known as Midgan], a minority group in Somalia', which refers to the comments of 'the Secretary of the Gabooye Minority Organisation for Europe and North America (Gabooye Organisation), a UK-based NGO that monitors the social, economic and political situation of the Gabooye in East Africa', who 'stated that, although the Somaliland government claims that the situation has improved, discrimination against the Gabooye in Somaliland is "bad" and violence against them continues to occur'.⁵⁵

More recently, the September 2017 report of the Independent Expert on the situation of human rights in Somalia indicates 'that representatives of minority groups complained to the Independent Expert about the difficulties faced by those groups in integrating into society in Somaliland. One example was that of marriage between minority and majority clans; in one case, a couple had fled after getting married, but had been found and beaten by members of the majority clan, to which the wife belonged. Another problem facing minorities was their lack of representation in the Federal Parliament'.⁵⁶ An October 2013 Immigration and Refugee Board of Canada response to information request refers to the comments of an associate with the Max Planck Institute for Social Anthropology, who had published academic papers on topics related to Somalia and performed field research in northern Somalia, who said that 'marriage between Gabooye and "most other Somali groups" is "taboo"', and '[a]t least in Somaliland, this taboo is adhered to rather strictly (there are always exceptions on an individual basis)'.⁵⁷

The October 2017 article in *International Migration* indicates that '[t]he clan system permeates all aspects of Somaliland life'.⁵⁸ The March 2018 Bertelsmann Stiftung country report on Somalia also notes that 'clan-based patronage networks permeate all levels of governance' in Somaliland.⁵⁹ While '[i]n Somaliland, elected political decision-makers have greater sovereignty and executive power in governing their territories, except in the contested borderlands, and the area of the Khaatumo State and areas in the Galgala Mountains', decisions still 'usually have to be taken with the consent of influential clan heads, and the failure of state officials to do so usually leads to tensions and sometimes triggers violence'.⁶⁰ Corruption in Somaliland 'continues to be a serious problem and is often practiced on a clan basis'.⁶¹ There was some basic rule of law established in the centres of Somaliland, 'and the police force, the judiciary and other government institutions are working reasonably well', but 'in the more remote rural areas, local authorities, mostly elders, provide for legal order. In such contexts, the rights of women, children and local minority groups are frequently insufficiently guarded'.⁶² The Bertelsmann Stiftung report also indicates that '[t]he review period saw attempts to concentrate power in the hands of the ruling elites, which strengthened the position of some clan groups while sidelining others'. The original aim of the Guurti, which 'is composed of 82 elders from different clan groups... was to oversee the peace and reconciliation process, and ensure that minorities and smaller clans have a voice in politics through clan-based representation. However,

⁵⁴ ['Country Policy and Information Note – Somalia: Majority clans and minority groups in south and central Somalia'](#), UK Home Office, June 2017, p.32, OG6E7028825

⁵⁵ ['Somalia: The Gabooye \(Midgan\) people, including the location of their traditional homeland, affiliated clans, and risks they face from other clans'](#), Immigration and Refugee Board of Canada, SOM104239.E, 4 December 2012, OG32EAFEB188

⁵⁶ ['Report of the Independent Expert on the situation of human rights in Somalia'](#), UN Human Rights Council, A/HRC/36/62, 6 September 2017, p.16, CISED50AD5754

⁵⁷ ['Somalia: Distinguishing characteristics of the Gabooye \(Midgan\) people; whether it is possible for a member of the minority clan living in Mogadishu to hide that they are part of the Gabooye from his or her spouse and in-laws, who are members of a majority clan'](#), Immigration and Refugee Board of Canada, SOM104589.E, 7 October 2013, OG4162C1535

⁵⁸ ['Perceptions of Returnees in Somaliland Politics: The Grounds for Legitimacy'](#), Rock, A I R, International Migration, Vol. 55, Issue 5, October 2017, pp.205-216, at p.208, CISED50AD8582

⁵⁹ ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, p.6, CIS7B83941557

⁶⁰ ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, p.15, CIS7B83941557

⁶¹ ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, p.20, CIS7B83941557

⁶² ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, p.21, CIS7B83941557

members of the Guurti, who have held their seats since 1997, are increasingly perceived as corrupt and as distanced from affairs on the ground'.⁶³ It is further stated in the report:

Even Somaliland, which underwent in the 1990s a quite successful reconciliation process that established power-sharing principles, seems to increasingly rely on military solutions, especially when dealing with the dissident factions in the east of the country. This fuels the perception that the state is centralized and in the hands of particular clan groups, which marginalizes other clans.

...In Somaliland, a successful reconciliation process was completed in the 1990s, and was the basis for the independent and comparatively successful state-formation. The peace in Somaliland, however, remains fragile and the current political elites would be well advised to embark on further reconciliation processes especially when dealing with the borderlands.⁶⁴

Additional Reading

- A December 2016 query response by the Norwegian Country of Origin Information Centre, Landinfo, includes reference to sources that provide information on low status groups in Somaliland. '[Somalia: Low status groups](#)', Landinfo, 12 December 2016, CIS38A80127500

⁶³ '[BTI 2018 Country Report Somalia](#)', Bertelsmann Stiftung, 23 March 2018, p.21, CIS7B83941557

⁶⁴ '[BTI 2018 Country Report Somalia](#)', Bertelsmann Stiftung, 23 March 2018, p.38, CIS7B83941557



Standard Q&A Report

Somalia: CI180419161539113 – Security situation Baidoa – Security situation Mogadishu – Rahanweyn – Al Shabaab – Weyten clan – Safety of returnees

Date of Report

12 June 2018

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Background

I require further information around conditions in Baidoa and Mogadishu in particular and country information on the Wayten or Weyten clan.

Questions

1. [What is the current security situation in Baidoa – in particular Baidoa town?](#)
2. [What is the situation for the Rahanweyn in Baidoa?](#)
3. [Are the Rahanweyn targeted by any groups including Al-shabaab in Baidoa?](#)
4. [Are there any recent reports of targetted Al-shabaab attacks in Baidoa?](#)
5. [What is the current status of Al-Shabaab in Baidoa in particular Baidoa town?](#)
6. [What is the current economic situation in Baidoa?](#)
7. [Is there any information available regarding returnees to Baidoa?](#)
8. [What is the situation for the Rahanweyn in Mogadishu?](#)
9. [Are the Rahanweyn targeted by any groups including Al-shabaab in Mogadishu?](#)
10. [Are there any recent reports of targetted killings by Al-shabaab in Mogadishu?](#)
11. [What is the current status of Al-Shabaab in Mogadishu?](#)
12. [What is the current economic situation in Mogadishu?](#)
13. [Is there any information available regarding returnees to Mogadishu?](#)
14. [I note SOM105094.E contains information regarding the diaspora returning to Somalia, in particular Mogadishu - Is there any updated information to suggest that the Somali diaspora from countries such as the US, UK and Australia or members of the EU, are returning to Somalia and what influence this is having on cities like Baidoa and Mogadishu?](#)

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15. Is there any information to suggest that Al-shabaab targets the family members of those that have threatened harm?
16. Where is the Wayten clan located?
17. Is there any information about the history of the clan?
18. Is there any information to suggest that the Wayten clan have a presence or have ever had a presence in Kismayo or Mogadishu?

Answers

1. What is the current security situation in Baidoa – in particular Baidoa town?

Somali authorities, with international assistance, control Baidoa town, which is considered to be relatively safe. Surrounding areas, including the outskirts of town and Baidoa's hinterlands are controlled by Al-Shabaab. Al-Shabaab maintain control over much of Bay region and the South West State more generally.¹ Al-Shabaab continues to launch attacks proximate to Baidoa and, on occasion, to retake territory.

Baidoa is the capital of the Southwestern Bay region, and the administrative capital of the South West State, also known as the Interim South West State of Somalia (ISWA).² Al-Shabaab controlled Baidoa from 2009 to February 2012, at which point Ethiopian and Somali troops drove them out.³

Reports indicate that the government currently exercises control over Baidoa town, though Al-Shabaab maintains control over a significant portion of south and central Somalia.⁴ Al-Shabaab maintains the ability to regain territory proximate to Baidoa.⁵ In April 2017, the group retook Goofgaduud, 30 kilometres north of Baidoa.⁶

According to the US Department of State's (USDOS) 2018 Somalia country report, the Ministry of Defense exerts a measure of control over Baidoa:

The Ministry of Defense's control over the army remained tenuous but improved somewhat with the support of international partners. At year's end, the army consisted of 11,000 to 14,000 soldiers, according to estimates by international organizations...The Ministry of Defense exerted some control over forces in the greater Mogadishu area, extending as far south as Lower Shabelle Region, west to Baidoa, Bay Region, and north to Jowhar, Middle Shabelle Region.⁷

On 26 January 2018, the UNHCR published an article reporting on 'Go and See' missions undertaken by Somali refugee leaders in Kenya to Mogadishu and Baidoa. The purpose of the visits was to enable refugee leaders to assess the situation in the two locales. According to the article, '[i]n Somalia, along with Mogadishu and Baidoa, only 10 other areas are considered safe to return to, Kismayu, Luuq, Beletweyne, Afgooye, Balad, Jowhar, Wanylaweyn, Belet Hawa, Diinsor town, and Afmadow'.⁸ The article quotes one leader as stating, '[w]e saw great improvements in Baidoa especially in security. We could walk around late into the night. There are, however, still challenges of water, sanitation and health which need to be looked into'.⁹

Somali police soldiers alongside African Union troops launched an operation in early 2018 to rid Al-Shabaab militants from the Baidoa region. According to one police officer, the operation will continue until the region is free of the militants. Two arrests of Al-Shabaab members were made in Daynunay in April 2018.¹⁰

The Armed Conflict Location and Event Data Project's (ACLED) most recently published online material on Somalia indicates ongoing Al-Shabaab activity in the Bay Region through to February 2018. ACLED indicates that 23 'conflict events' involving Al-Shabaab occurred between 31 December

¹ See maps below on pp.6-8

² The ISWA was officially launched in June 2014 comprising the three regions of Bay, Bakool and Lower Shabelle: '[BTI 2018 Country Report Somalia](#)', Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.12

³ '[Sector 3 – Baidoa](#)', African Union Mission in Somalia, undated (Accessed 8 June 2018), CIS7B839411236

⁴ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.9

⁵ '[Crisis Analysis: Somalia](#)', ACAPS, 2 May 2018, CIS7B83941941

⁶ '[Crisis Analysis: Somalia](#)', ACAPS, 2 May 2018, CIS7B83941941

⁷ '[Country Reports on Human Rights Practices for 2017 – Somalia](#)', US Department of State, 20 April 2018, OGD95BE927354, sect.1D, p.7

⁸ '[Somali refugee leaders from Dadaab camp on "Go and See" visit to Mogadishu and Baidoa, Somalia](#)', UNHCR, 26 January 2018, CXBB8A1DA26598

⁹ '[Somali refugee leaders from Dadaab camp on "Go and See" visit to Mogadishu and Baidoa, Somalia](#)', UNHCR, 26 January 2018, CXBB8A1DA26598

¹⁰ '[Somali police arrests Al Shabaab suspects near Baidoa](#)', Mareeg, 3 April 2018, CXBB8A1DA26645

2017 and 4 February 2018.¹¹ In response, ACLED notes that the US conducted four airstrikes targeting Al-Shabaab in the Bay Region between July 2017 and January 2018.¹² Commenting on these airstrikes, ACLED writes that while 'the areas where AFRICOM [US Africa Command] airstrikes have occurred have generally observed a decreased [sic] in al-Shabaab activity since the middle of January 2018... in Bay... al-Shabaab activity has been minimally impacted'.¹³ An accompanying map illustrating the locations of airstrikes shows several in close proximity to Baidoa.¹⁴

Human Rights Watch's 2018 world report states that '[o]n June 9 [2017], at least 13 civilians were killed and 20 injured when fighting broke out between government forces at an aid distribution site in Baidoa'.¹⁵ It is not clear who the combatants involved in this incident were.

In July 2017, the UK Home Office issued the following statement on Al-Shabaab's capacity to take control of Baidoa:

Most urban areas are now held by the Somali authorities with assistance from AMISOM [African Union Mission to Somalia]. Al Shabaab is unable to hold areas if AMISOM decides to seize and maintain control of them, but if lack of resources should force AMISOM to withdraw, Al Shabaab will, in most cases, immediately seize the vacated areas and take retribution against the local population. Al Shabaab has limited resources and sources consider it unlikely that it would be able to take major cities such as Mogadishu, Kismayo, Baidoa and Belet Weyne.¹⁶

In an August 2017 photo-essay covering the impact of drought on Baidoa, *The Guardian* indicated that Al-Shabaab controlled territory surrounding Baidoa town:

The town of Baidoa is facing some of the harshest conditions. Surrounded by territory controlled by al-Shabaab militants and amid ongoing attacks, 160,000 people have had to leave their farms and are surviving in camps where hunger, thirst and cholera await them.¹⁷

In March 2017, the Danish Refugee Council reported the following on the security situation in Bay region:

Most urban centres, including Dinsoor and Baidoa, are controlled by AMISOM/SNA/ISWA [Somalia National Army/Interim South West Administration] and an independent organisation compared the situation in Baidoa to Kismayo, however more insecure. An anonymous source deemed the urban centre of Baidoa relatively safe. Rural areas, including Dinsoor district and the outskirts and hinterlands of Baidoa, are controlled by al-Shabaab.¹⁸

... Baidoa is regarded to be penetrated by al-Shabaab. Two months ago, an attack was carried out against the government.¹⁹

One anonymous source quoted by the Danish Research Council stated that '[t]he urban centre of Baidoa is relatively safe, but the outskirts are dominated by al-Shabaab and five kilometres out of

¹¹ ['Somalia – Has the recent western involvement in Somalia been effective?'](#), ACLED, 16 February 2018, CIS7B83941922

¹² ['Somalia – Has the recent western involvement in Somalia been effective?'](#), ACLED, 16 February 2018, CIS7B83941922

¹³ ['Somalia – Has the recent western involvement in Somalia been effective?'](#), ACLED, 16 February 2018, CIS7B83941922

¹⁴ ['Somalia – Has the recent western involvement in Somalia been effective?'](#), ACLED, 16 February 2018, CIS7B83941922, Figure 1

¹⁵ ['Human Rights Watch World Report 2018'](#), Human Rights Watch, 18 January 2018 NGED867A63, p.483

¹⁶ ['Country Policy and Information Note – Somalia \(South and Central\): Security and humanitarian situation'](#), UK Home Office, July 2017, OG6E7028843, para.2.3.28, p.9

¹⁷ ['From Baidoa, Somalia. 'We have no hope' – in pictures'](#), The Guardian, 7 August 2017, CXC90406620775

¹⁸ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.16

¹⁹ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.51

town al-Shabaab is in full control'.²⁰ A Western source stated that 'Kismayo and Baidoa are safe compared to their respective hinterlands but not as safe as Mogadishu'.²¹

For reference, and for the sake of completeness, the Danish Research Council provides the following security situation account for Kismayo, to which Baidoa is compared:

Kismayo urban centre is regarded as AMISOM/SNA controlled and an international organisation and an anonymous source considered the city of Kismayo a relatively safe place. The international organisation added that as of December 2016 there have been no attacks in Kismayo for some time. One of the sources stressed that the security situation is, however, fragile, especially for persons not from Kismayo. The same source stated that local civilians can move freely and carry out their day-to-day activities. Two sources explained that the local administration and AMISOM in Kismayo is seen as being successful in controlling the urban centre. According to an anonymous source, al-Shabaab is present in the outskirts of Kismayo urban centre and is in full control outside the city. The road to and from the airport, which is located outside the city centre is therefore exposed.²²

The Danish Research Council also note that by the end of 2016, around 100 former Al-Shabaab defectors had been reintegrated into Mogadishu and Baidoa.²³ This may be taken to be indicative of a level of government-control in and of Baidoa.

In his January 2017 report on Somalia, the UN Secretary-General noted the presence of 1,000 regional police officers 'in Baidoa and Kismaayo'.²⁴

In his December 2017 report, the UN Secretary-General noted the presence of 'United Nations entities' in Baidoa.²⁵

A December 2017 EASO Somalia country report indicates that Al-Shabaab controls the entire Bay region apart from garrisoned towns located between Baidoa and Waajid.²⁶ Baidoa itself is described as relatively safe, with security forces conducting regular security operations and raids.²⁷

The same report notes that the ISWA has its own police force and a small army, with the SWS [South West State] Police Force stationed in Baidoa.²⁸ The operational capacity of the police is stated as having improved following the recruitment of local officers.²⁹ At August 2017, 900-1000 SNA troops were stationed in Baidoa and other surrounding garrison towns.³⁰

²⁰ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.57

²¹ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.59

²² ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.14

²³ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.29

²⁴ 'Report of the Secretary General on Somalia' UN Security Council, 9 January 2017 cited in ['Country Policy and Information Note – Somalia \(South and Central\): Security and humanitarian situation'](#), UK Home Office, July 2017, OG6E7028843, para.5.24, p.17

²⁵ ['Report of the Secretary-General on Somalia'](#), UN Security Council, 26 December 2017, CIS7B83941193, para.72, p.15.

²⁶ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, CISED50AD8017, p.91

²⁷ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, CISED50AD8017, p.91

²⁸ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, CISED50AD8017, p.86

²⁹ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, CISED50AD8017, p.91

³⁰ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, CISED50AD8017, p.92

The following BBC map³¹ updated in February 2018 indicates Al-Shabaab's ongoing presence throughout South and Central Somalia, including Baidoa:

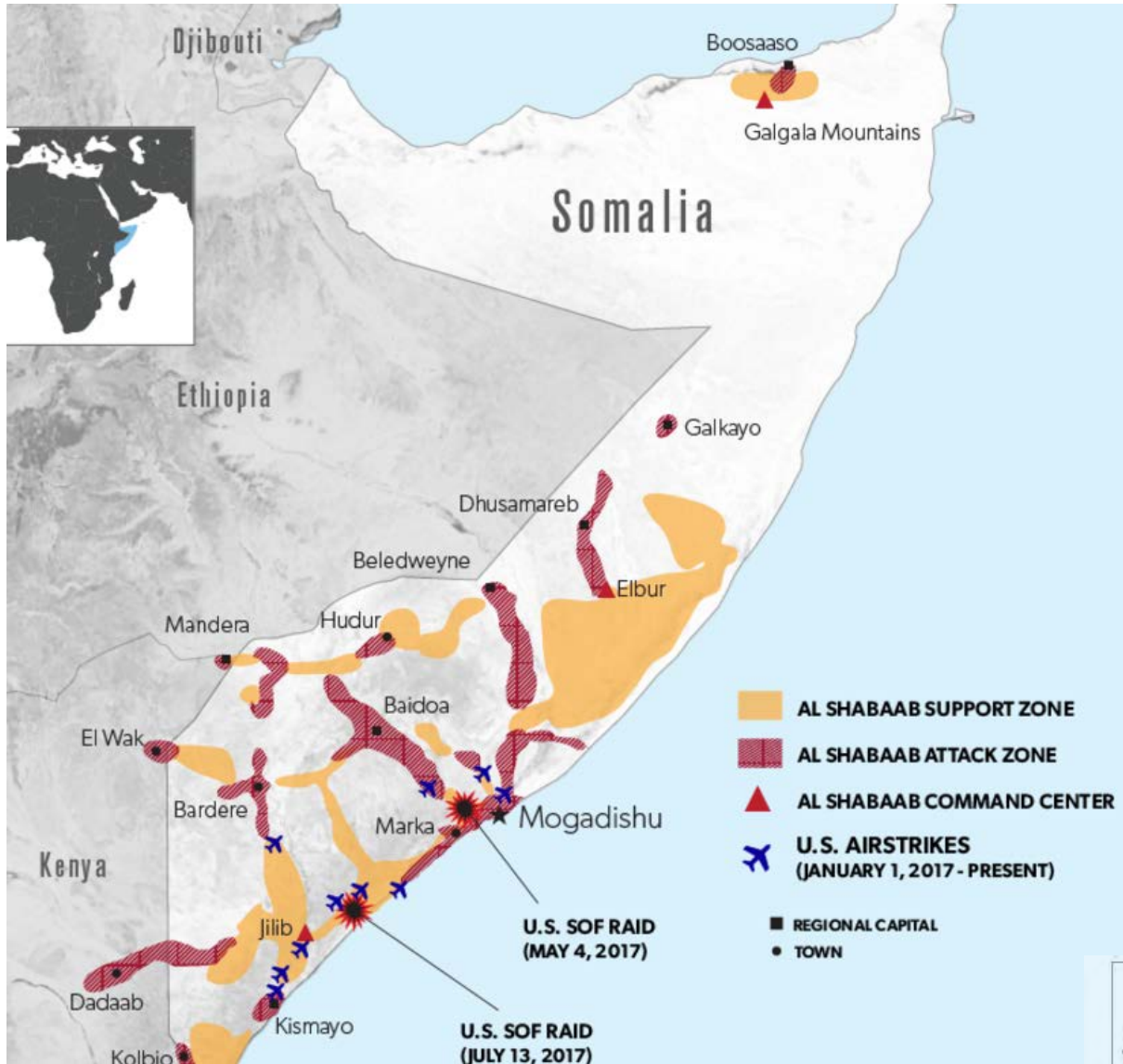
Map 2. How much of Somalia does al-Shabab control?



³¹ ["Who are Somalia's al-Shabab?"](#), BBC News, 22 December 2017, CXC90406620805

The following map³² published in October 2017 indicates that Baidoa Town sits within an Al-Shabaab 'attack zone':

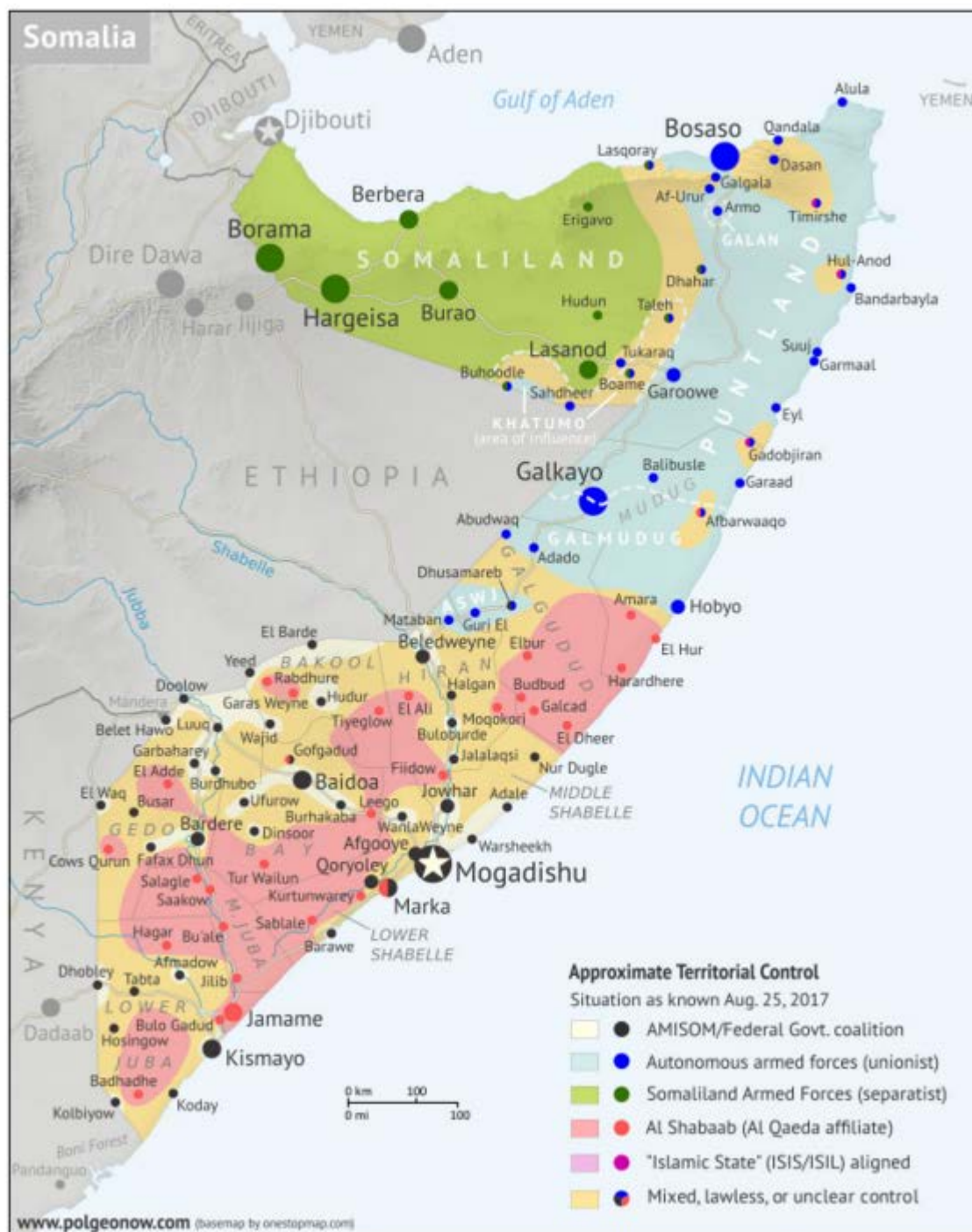
Map 1: Al Shabaab area of Operation (16 October 2017)



³² [‘Al Shabaab Area of Operations in Somalia - October 2017’](#), Critical Threats, 17 October 2017, CXC90406620804

The following map reproduced in ACAPS' May 2018 'Crisis Analysis' for Somalia demarcates territorial control in Somalia as known at 25 August 2017:³³

Somalia Control Map - August 2017



Source: <http://www.polgeonow.com/2017/08/somalia-war-who-controls-somalia-map.html>

Additional Reading

- Nil.

³³ 'Crisis Analysis: Somalia', ACAPS, 2 May 2018, CIS7B83941941

2. What is the situation for the Rahanweyn in Baidoa?

A December 2017 report by the European Asylum Support Office (EASO) indicates that the Rahanweyn dominate the army in Baidoa.³⁴ A 2016 IOM report states that the Rahanweyn 'dominate the city [Baidoa]' itself, 'especially the Mirifle sub-clan, with the Sideed and Sagaal sub-clans'.³⁵

More generally, Bertelsmann Stiftung reports that the Rahanweyn have transitioned from a marginalised to an empowered group: '[t]raditionally the agro-pastoralist Rahanweyn (Digil and Mirifle) clan groups were marginalized, but with their military successes in the 1990s and full participation in the federal institutions have gained social and political power'.³⁶

While not specific to the question of the situation of the Rahanweyn in Baidoa, a 2014 Brookings-Bern Project report explains that clan membership determines protection and security realities more generally, noting that the Rahanweyn may be more vulnerable than other groups:

UNHCR points out that "who you are" is absolutely key to how much protection a displaced family can expect to receive. IDPs who are members of the Rahanweyn and Bantu communities, or who belong to weak sub-clans within predominant clans, face extra vulnerabilities and protection threats. Clan membership and identity are "predominant factors in the security and safety of people...and plays a key part in protection," UNHCR states.³⁷

Additional Reading

- Provides information on the Rahanweyn up until September 2015: '[SOM105305.E Somalia: The Biyomal \[Biimaal, Biyomaal, Biymaal, Biyamal\] clan, including work, history, religious affiliation, location within the country, particularly Nus Dunya; the Rahanweyn \[Rahanwen\] clan, including location in the country; treatment of the Biyomal clan by the Rahanwen clan \(2013- September 2015\)](#)', Immigration and Refugee Board of Canada, 2 October 2015, OGFDFC61A111.

3. Are the Rahanweyn targeted by any groups including Al-shabaab in Baidoa?

No information has been located indicating that Al-Shabaab target the Rahanweyn. Sources do reveal however that the Rahanweyn have, at various times, formed part of Al-Shabaab fighting forces.

An 8 September 2017 African Confidential article reports on factional disputes within Al-Shabaab, noting that in the late 2000s, Rahanweyn fighters comprised more than half of Al-Shabaab's rank and file.³⁸

More generally, the Rahanweyn may become involved in intra-clan conflict. The International Organization for Migration (IOM) note that the creation of the Interim South West State has fed tensions among the Rahanweyn themselves:

The creation of the South West state has fed serious tensions between two factions within the Digil-Mirifle. After months of protracted crises, the ISWA was finally created, but the grievances of the supporters of a state inclusive of other regions were not fully addressed. There is an upcoming election of state representatives, which, if not managed, could revive tensions between sub-clans and reactivate latent sources of conflict.³⁹

³⁴ '[EASO Country of Origin Information Report - Somalia - Security Situation](#)', European Asylum Support Office, 21 December 2017, CISED50AD8017, p.25

³⁵ '[Youth, employment and migration in Mogadishu, Kismayo and Baidoa](#)', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.70

³⁶ '[BTI 2018 Country Report Somalia](#)', Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.10

³⁷ '[Internal Displacement in Somalia](#)', Brookings-Bern Project on Internal Displacement, December 2014, CISA447F084852, p.12

³⁸ '[The split that never was](#)', Africa Confidential, 8 September 2017, CXC90406614060

³⁹ '[Youth, employment and migration in Mogadishu, Kismayo and Baidoa](#)', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.87

Additional Reading

- Nil.

4. Are there any recent reports of targeted Al-shabaab attacks in Baidoa?

Several sources report on recent targeted Al-Shabaab attacks in Baidoa:

- On 6 May 2018, an Al-Shabaab attack targeting a Somali military convoy left three soldiers dead 'near Baidoa'.⁴⁰ Militants reportedly 'raided army vehicles transporting supply to government military bases in Deynunay situated on the outskirts of Baidoa city'.⁴¹ The attacks occurred 'amid joint military operations by Somali and African Union forces... aimed at recovering rural villages in the region from the Al-Qaeda-linked Al-Shabaab group'.⁴²
- A similar attack occurred in January 2018, with Al-Shabaab militants launching an attack on Somali military bases in Goofgaduud and Deynune, 'about 30km north of Baidoa'. While repelled, Al-Shabaab claimed to have seized weapons, munitions and military vehicles.⁴³

A slightly less recent attack is described as follows:

On 28 February 2016, a minibus filled with explosives exploded near Dahabshiil office in Baidoa where locals assembled. A few seconds later a suicide bomber exploded his suicide vest in the very popular Beder restaurant. The restaurant is frequented by traditional elders, politicians, and members of the diaspora. Reportedly, 37 people died in the two attacks and 50 were seriously injured; other sources say 55 people died.⁴⁴

A September 2015 report published by the Danish Immigration Service notes that 'Al Shabaab carries out frequent assassinations of government officials and moderate religious leaders perceived to be supporting the government' in Baidoa.⁴⁵ It proceeds to state that '[c]lan elders are in general respected and not targeted, unless they are outspoken against Al Shabaab or perceived as such. Religious leaders opposing Al-Shabaab interpretation of religion are the main target in the communities'.⁴⁶

More generally, the US Department of State's (USDOS) most recent country report on Somalia reports that clashes between clan-based forces and Al-Shabaab resulted in deaths in Baidoa in 2017.⁴⁷ Further, in the period spanning January 2016 to October 2017, Al-Shabaab was attributed with committing one complex attack in Baidoa.⁴⁸

⁴⁰ ['Somalia: Al-Shabab raid on army convoy near Baidoa kills six'](#), Garowe Online, 6 May 2018, CIS7B83941924

⁴¹ ['Somalia: Al-Shabab raid on army convoy near Baidoa kills six'](#), Garowe Online, 6 May 2018, CIS7B83941924

⁴² ['Somalia: Al-Shabab raid on army convoy near Baidoa kills six'](#), Garowe Online, 6 May 2018, CIS7B83941924

⁴³ ['Somalia - Al Shabaab Attacks Military Bases Near Baidoa Town'](#), All Africa, 16 January 2018, CXBB8A1DA26619

⁴⁴ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office, 21 December 2017, CISED50AD8017, p.93

⁴⁵ ['South Central Somalia: Country of Origin Information for Use in the Asylum Determination Process: Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia 2-12 May 2015'](#), Danish Immigration Service, September 2015, CISEC96CF15275, p.30

⁴⁶ ['South Central Somalia: Country of Origin Information for Use in the Asylum Determination Process: Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia 2-12 May 2015'](#), Danish Immigration Service, September 2015, CISEC96CF15275, p.30

⁴⁷ ['Country Reports on Human Rights Practices for 2017 - Somalia'](#), US Department of State, 20 April 2018, OGD95BE927354, sect.1G, p.12

⁴⁸ ['Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia'](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, December 2017, CISED50AD7824, p.19 (The same source indicates seven such attacks occurred in Mogadishu in the same period of time).

Al-Shabaab targets – generally (not specific to Baidoa)

While not specific to Baidoa, USDOS provide the following information on profiles targeted by Al-Shabaab throughout 2017:

Al-Shabaab committed politically motivated killings that targeted civilians affiliated with the government and attacks on humanitarian NGO employees, UN staff, and diplomatic missions. Al-Shabaab often used suicide attacks, mortar attacks, and improvised explosive devices (IEDs). It also killed prominent peace activists, community leaders, clan elders, electoral delegates, and their family members for their roles in peace building, and it beheaded persons accused of spying for and collaborating with Somali national forces and affiliated militias. Targeted assassinations, particularly of electoral delegates and elders, humanitarian workers, and civilians, increased in the first half of the year compared with prior years, as did violent punishments including amputations and stonings.⁴⁹

For its part, the Office of the High Commissioner for Human Rights (OHCHR) includes the following information on general Al-Shabaab targets: 'Al Shabaab explicitly targets locations where government officials and their counterparts work and reside.⁵⁰ OHCHR also indicates that Al-Shabaab tend to launch attacks against military camps, with civilians residing near such camps at risk of being caught in the cross-fire.⁵¹ Civilians affiliated with the state or involved in activities banned by Al-Shabaab (such as trading charcoal) may also be targetted. Such attacks mostly occur in main population centres (such as Mogadishu).⁵²

The Danish Refugee Council notes that 'the main supply routes from Mogadishu to Baidoa and Belet Weyne, respectively, are affected by al-Shabaab attacks'.⁵³

Additional Reading

- Nil.

5. What is the current status of Al-Shabaab in Baidoa in particular Baidoa town?

As covered in [Question 1](#), Al-Shabaab control areas around Baidoa town, with the town itself generally under the control of Somali forces and considered relatively safe.

In addition to the information provided in [Question 1](#), several sources note Al-Shabaab's control of areas surrounding Baidoa. DFAT notes that Al-Shabaab controls significant amounts of territory in south-central Somalia.⁵⁴ The USDOS reports that Al-Shabaab retained control of the Juba River Valley throughout 2017, and operated with freedom of movement in many other areas in the south-central part of the country.⁵⁵ The Danish Refugee Council echo this final point, stating that Al-Shabaab controls most rural areas in south and central Somalia, with capacity to carry out asymmetric warfare throughout the country:

⁴⁹ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, OGD95BE927354, sect.1G, p.13

⁵⁰ ['Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia'](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, CISED50AD7824, p.19

⁵¹ ['Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia'](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, CISED50AD7824, p.20

⁵² ['Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia'](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, CISED50AD7824, p.20

⁵³ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.10

⁵⁴ ['DFAT Country Information Report Somalia'](#), DFAT, 13 June 2017, CISED50AD4497, para.2.2, p.4

⁵⁵ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, OGD95BE927354, Exec.Sum., p.1

Al-Shabaab is in control of most rural areas in S/C Somalia. Al-Shabaab is not militarily present everywhere under its control and is described to rule by remote control through fear and intimidation. According to a UN source, al-Shabaab has set up blockades around most towns where AMISOM/SNA is in military control. At night al-Shabaab is able to move around in urban centres that during the day is controlled by AMISOM/SNA while AMISOM/SNA stay in their barracks. Al-Shabaab can carry out hit-and-run attacks and assassinations everywhere, including inside Mogadishu. According to an international organisation al-Shabaab's strategy is usually not to engage in direct military confrontation with AMISOM/SNA but instead engage in asymmetric warfare.⁵⁶

A March 2017 report based on a joint fact-finding mission undertaken by the Danish Refugee Council and Danish Immigration Service notes that it is difficult to clearly state who is in control of particular areas:

It is difficult to make a clear demarcation of what areas are under the control of what group, and there exists grey areas of mixed or unknown control. A UN source added that it does not make much sense to talk about AMISOM/SNA being in 'effective control' of a given city. The control situation is more nuanced and according to a Somalia Country Director of a humanitarian agency, Al-Shabaab can infiltrate and move around in cities at night, which during the day are controlled by AMISOM/SNA.⁵⁷

The same report notes that Al-Shabaab has a 'hidden presence in most urban centres, though AMISOM has restructured its focus to consolidate its presence in larger towns:

Al-Shabaab is in control of, or at least has influence over, most rural areas in S/C Somalia and has a hidden presence in most urban centres. Two sources mentioned that due to al-Shabaab's military gains during the second half of 2016, AMISOM had restructured its presence by abandoning smaller bases in order to consolidate at larger bases.⁵⁸

In late 2016, in Bakool province (neighbouring Bay province and bordering Ethiopia), Al-Shabaab retook control of areas abandoned by Ethiopian troops, retaliating against persons (including civilians) considered to have collaborated with the Ethiopian forces:

During the second half of 2016 Ethiopian bilateral troops (ENDF) withdrew from the following locations: Tayeeglow, Garas Weyne, Rab Duuure, and Buur Dhuxunle (Bakool); Ceel Cali, Halgan, and Moqokori (Hiraan); and Galcad and Bulbud (Galgaduud). In all cases, al-Shabaab has immediately moved in and taken control. According to a UN source, civilians in these areas have reportedly been subjected to retribution attacks, including torture, forced recruitment, and killings. A Somali NGO concurred that the retaliation has been against persons accused of collaborating with the Ethiopian troops. The pattern of retaliation is not restricted to these cases of ENDF withdrawals. An independent organisation and a Somali NGO explained that it also applies whenever AMISOM/SNA withdraws and whenever AMISOM/SNA/ENDF takes over an area from al-Shabaab.⁵⁹

Bertelsmann Stiftung similarly reports on Al-Shabaab retaking parts of Southern Somalia:

However, the FGS [Federal Government of Somalia] and SNA [Somali National Army] have not been able to hold most newly recovered areas effectively, and al-Shabaab has retaken parts of southern Somalia over the past year. The FGS continues to rely mainly on AMISOM forces in the provision of security of key installations. It also found itself under continued attack from al-Shabaab, which still holds rural areas in south and central Somalia. Al-Shabaab launches daily small-scale attacks on AMISOM, the SNA and FGS targets, and executes major terrorist attacks every few weeks. Al-Shabaab continues to pose a significant threat to security and political stability in the country.⁶⁰

Additional Reading

- Nil.

⁵⁶ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.10

⁵⁷ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.7

⁵⁸ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.7

⁵⁹ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.8

⁶⁰ ['BTI 2018 Country Report Somalia'](#), Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.7

6. What is the current economic situation in Baidoa?

Baidoa's economic system continues to be affected by ongoing conflict in Somalia. Unemployment remains a problem, potentially pushing young people into the ranks of Al-Shabaab. The labour market appears reasonably diversified, though still largely dependent on agriculture. Access to available job opportunities tends to be dependent on clan affinities.

USDOS states that Al-Shabaab and other non-state armed actors hindered commercial activities in the Bay Region (of which Baidoa is the capital) throughout 2017.⁶¹

Baidoa's economy – summary

An undated (internal references indicate it post-dates 2013) AMISOM profile report on Baidoa includes information on the town's economy:

Baidoa is traditionally a major economic centre of southern Somalia, with strong economic links to neighbouring rural and urban centers, including Mogadishu's Bakaara market, Merka, and Qoriyoley (Lower Shabelle region), Bardera and Beled Hawa (Gedo region) and Hudur and Wajid (Bakool region).

The region is also one of the most important markets in southern Somalia, conducting significant trade in local and imported cereals, livestock and non-food items. Main economic activities in the town include small, medium and large scale business, casual labour, selfemployment, and livestock and agricultural trade.

Baidoa is the main sorghum trading market of Somalia's Sorghum-Belt. The Bay region has the highest surplus sorghum production in Somalia. Bay regional surplus sorghum is traded through Baidoa markets, supplying surrounding southern regions, as well as Somalia's northeast regions and parts of neighbouring Kenya and Ethiopia.

Livestock trade (camel, cattle, sheep and goat) is a major profitable business within Baidoa. Livestock are transported from surrounding districts within the Bay region, as well as from Bakool, Gedo and the Lower Shabelle regions. Baidoa also serves as a transit point for cattle trade to Kenya's main northern livestock market, Garissa.⁶²

Baidoa's labor market

The Danish Refugee Council indicates that a lack of employment opportunities around Baidoa leads to young people joining Al-Shabaab:

...the extreme lack of possibilities for youth in Somalia is a key factor in understanding recruitment to al-Shabaab. For instance, the source referred to young people living in the villages surrounding Baidoa, who does not have anything to do. Al-Shabaab will come to the villages and induce them by preaching militant Islam, telling them that in order to be a good Muslim; they must fight and at the same time offer them minor salaries.⁶³

The same source continues, noting that a lack of employment opportunities may also lead some returnees (here, returnees from Kenya are envisaged) to join Al-Shabaab:

Al-Shabaab have successfully made use of unemployed youth, and it is feared that returnees settling in Kismayo and Baidoa will be more prone to recruitment from al-Shabaab, as they consider the return from Kenya involuntary and are faced with the lack of possibilities in Somalia.⁶⁴

A February 2016 report published by IOM covers unemployment in Baidoa, noting:

⁶¹ ['Country Reports on Human Rights Practices for 2017 – Somalia'](#), US Department of State, 20 April 2018, OGD95BE927354, sect.2d, p.23

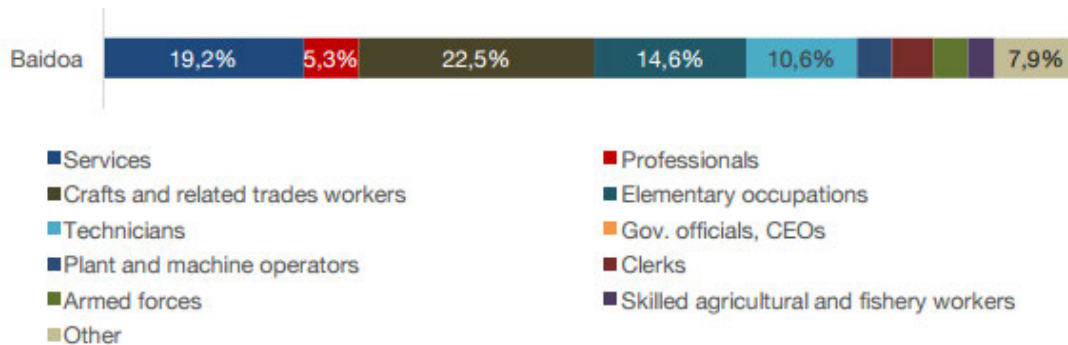
⁶² ['Sector 3 – Baidoa'](#), African Union Mission in Somalia, undated (Accessed 8 June 2018), CIS7B839411236

⁶³ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.52

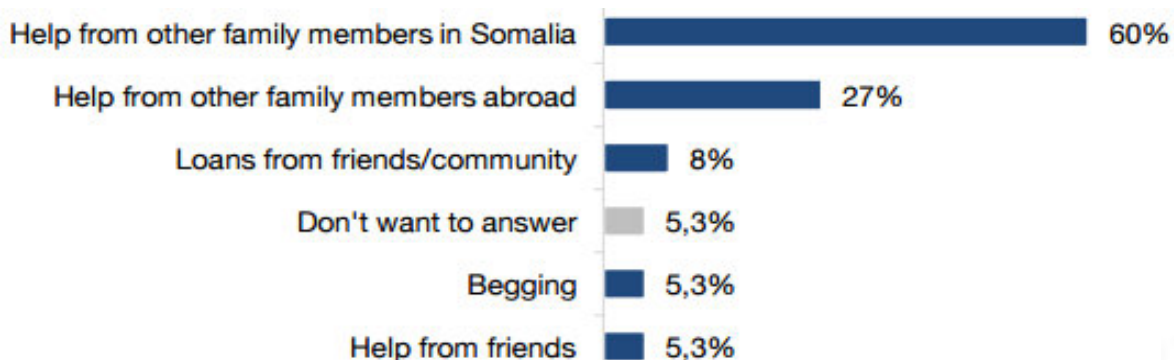
⁶⁴ ['South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups'](#), Danish Refugee Council, March 2017, CISED50AD8539, p.52

- a youth unemployment rate of 24 per cent among youths⁶⁵
- many of the economic activities of the city revolve around farming⁶⁶
- local participants in the report stated an 'ideal salary' in Baidoa as USD230 per month⁶⁷
- none of the local participants in the report earned more than USD400 per month⁶⁸
- 'there are plenty of business opportunities... in Baidoa'⁶⁹

The report provides a breakdown of the labor market in Baidoa:⁷⁰



Coping mechanisms deployed by the unemployed are graphed as follows:⁷¹



The report provides the following summary of Baidoa's labor market:

The town has traditionally been at the centre of the sorghum production of the country and its location has made it a strategic trade post for southern Somalia. Other main crops include maize and vegetables. Agriculture and trade activities have reportedly resumed, but growth remains fragile due to persistent instability and limited infrastructure. Given its reliance on agriculture and livestock, the region is heavily dependent on rain and revenues can consequently be irregular. Residents also reported difficulties

⁶⁵ "Youth, employment and migration in Mogadishu, Kismayo and Baidoa", Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.12

⁶⁶ "Youth, employment and migration in Mogadishu, Kismayo and Baidoa", Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.14

⁶⁷ "Youth, employment and migration in Mogadishu, Kismayo and Baidoa", Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.27

⁶⁸ "Youth, employment and migration in Mogadishu, Kismayo and Baidoa", Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.38

⁶⁹ "Youth, employment and migration in Mogadishu, Kismayo and Baidoa", Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.73

⁷⁰ "Youth, employment and migration in Mogadishu, Kismayo and Baidoa", Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.37

⁷¹ "Youth, employment and migration in Mogadishu, Kismayo and Baidoa", Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.42

moving merchandise to other parts of the country because AS [Al-Shabaab] imposed a tax at makeshift roadblocks on any products that pass along roads they control.⁷²

The most dynamic labor sectors in Baidoa are stated (in descending order) as construction, retail (food, clothes, hardware), agriculture, water, telecommunications, money transfers, electricity, oil stations and livestock.⁷³

Day labor is available in Baidoa, described as follows:

For low paid jobs with construction, logistics or trade companies, uneducated and unskilled workers go to main streets in the three cities and wait for job offers. Every morning, from 6 a.m. to 8 a.m., casual workers go to Bakara market and wait at Golol Place in Kismayo and Kilo 7 in Baidoa. People line up for positions such as porters and manual workers, usually for USD 1 to USD 5 a day (al-yawn, the daily wage). There is often a "leader", or "gatekeeper", who manages the recruitment and gets a share of the earnings. Women typically sell tea and food on these streets while men are recruited for physical work.⁷⁴

A May 2015 fact-finding mission conducted by the Danish Immigration Service provides a summary of Baidoa's labour market:

Mirife subclans⁷⁵ tend to occupy the majority of top level jobs such as accounting, engineering, managerial functions within NGOs, and heads of larger business companies. These clans include Leysan, Hareen, Hadama, Elay, and Luway, and typically come from Bay or Bakool districts.

Less well-educated people, often from minority clans tend to be self-employed conducting petty trade activities with low levels of skills requirements.

Many rural populations have been pushed to urban areas in search for work; however, increased competition in these areas leaves very limited opportunities for employment. Job opportunities are mostly offered through clan affiliation, making it particularly challenging for people who come from other parts of the country to find employment in Baidoa.

Economic opportunities are almost exclusively determined by familial and clan ties, making the district very hostile to minority groups, widowed women, and migrants without families.⁷⁶

Additional Reading

- Reports on the cash transfer system assisting internally displaced person in and around Baidoa: '[Cash transfers enable small businesses to grow in Somalia displacement camp](#)', Devex, 24 January 2018, CXBB8A1DA26625

7. Is there any information available regarding returnees to Baidoa?

Baidoa has functioned as one of the main urban destinations for returnees and IDPs. Many returnees to Baidoa themselves end up as IDPs however due to challenges reintegrating into the town. Food, water and general insecurity remain hardships faced by returnees, as does access to shelter.

A December 2017 report by Amnesty International draws on research conducted among returnees to Baidoa from Kenya in the period April-May 2017.⁷⁷ According to the report, along with Mogadishu and Kismayo, Baidoa is one of the 'principal urban destinations for returnees', to which hundreds of

⁷² '[Youth, employment and migration in Mogadishu, Kismayo and Baidoa](#)', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, pp.55-56

⁷³ '[Youth, employment and migration in Mogadishu, Kismayo and Baidoa](#)', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.56

⁷⁴ '[Youth, employment and migration in Mogadishu, Kismayo and Baidoa](#)', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.66

⁷⁵ Note that the Mirife, along with the Digil, are the two main clans comprising the Rahanweyn people.

⁷⁶ '[South Central Somalia: Country of Origin Information for Use in the Asylum Determination Process: Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia 2-12 May 2015](#)', Danish Immigration Service, 1 September 2015, CISEC96CF15275, p.29

⁷⁷ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.4

thousands of internally displaced persons (IDPs) have fled in search of humanitarian assistance.⁷⁸ As a result, such areas have 'swelling IDP population[s]'.⁷⁹ Amnesty notes that UNHCR 'has suspended returns to Baidoa since August due to the humanitarian situation'.⁸⁰

ACAPS⁸¹ produces a monthly 'Crisis Analysis' for Somalia. Relevantly, its May 2018 update indicates recent flash flooding around Baidoa, a 'crisis stage' of food insecurity in and around Baidoa and a 'critical' nutrition situation in Baidoa.⁸²

In 2016, some 6,682 people returned to Baidoa from Dadaab refugee camp.⁸³

Amnesty notes that prior to their report, 'there is little data available on the experiences of returnees and their ability to cope; nor on the extent to which returnees may be competing with local and IDP populations for scarce resources'.⁸⁴ Key excerpts from Amnesty's research on the experience of returnees include:

Nearly all the returnees interviewed by Amnesty International – all of whom were repatriated under the Tripartite Agreement's voluntary repatriation program – stated that they and their families still faced serious hardship in Somalia. Most of the returnees said that they were unable to go back to their home villages, because of the drought and insecurity in the areas and many have ended up living in or adjacent to IDP camps in Baidoa and Kismayo.⁸⁵

One of the main issues of concern was, unsurprisingly, access to water. The drought has resulted in a shortage of water in Kismayo and Baidoa, with Baidoa suffering from a particularly acute water shortage. In the interviews conducted by Amnesty International the interviewees spoke about the challenges of finding clean drinking water.⁸⁶

As a result, the price of water has become prohibitive for many returnees: 'the limited water that is available for sale is sometimes prohibitively expensive. Several returnees said water cost 7,000 shillings (US\$12) per jerrycan'.⁸⁷

Food security is also a problem for returnees:

For example, one UN official in Baidoa told researchers that "the region does not have capacity to absorb returnees, especially with the drought. Service delivery is the biggest issue. Returning people to areas affected by drought is inappropriate." Another humanitarian aid worker in Baidoa said: "It's already a disaster... if they close Dadaab it will be worse... people are already sleeping under the sky and waiting 36 hours for water!"⁸⁸

Access to shelter, particularly for those without land, is a further problem:

Access to adequate shelter is a major challenge for the IDP population in Somalia. Returnees settling in or close to IDP settlements in urban areas with no land tenure face the same challenges as IDPs. UNHCR

⁷⁸ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.14

⁷⁹ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.13

⁸⁰ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.14

⁸¹ Source note: According to its website: 'ACAPS is an independent information provider, free from the bias or vested interests of a specific enterprise, sector, or region. As independent specialists in humanitarian needs analysis and assessment, we are not affiliated to the UN or any other organisation'. See: <<https://www.acaps.org/about-acaps/in-short.html>> (Accessed 16 May 2018)

⁸² '[Crisis Analysis: Somalia](#)', ACAPS, 2 May 2018, CIS7B83941941, pp. 6,10,14

⁸³ '[BTI 2018 Country Report Somalia](#)', Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.29

⁸⁴ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.14

⁸⁵ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.14

⁸⁶ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.15

⁸⁷ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.15

⁸⁸ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.16

has recognized that this puts returnees at risk of forced evictions, which are regular occurrences in urban areas in south and central Somalia.

Access to land is a priority for returnees from Dadaab, but returnees, the majority of whom are not returning to their areas of origin, face multiple challenges obtaining secure access to land on which to construct shelter. Nearly all the returnees interviewed by Amnesty International said that they had been unable to secure adequate shelter, despite UNHCR's commitments to providing shelter support, in the form of cash assistance with a value of up to \$1,000, as part of the returns package. This support does not address the persistent challenges, referred to above, with regard to tenure. Many of those interviewed were living in or around IDP settlements in Kismayo or Baidoa. The lack of adequate shelter has made the returnees extremely vulnerable to the elements and susceptible to illness.⁸⁹

Amnesty summarises the situation of returnees to Baidoa as follows:

Testimony from returnees to whom Amnesty International spoke in Kismayo and Baidoa indicates that they face severe water shortages and difficulties securing adequate housing/shelter. In this regard, their situation appears similar to IDPs, and many returnees become de facto IDPs.⁹⁰

In December 2017, OHCHR reported on refugees returning from Kenya to Baidoa, noting that this contributed to the vulnerability of women and girls in the area to gender-based violence.⁹¹

IOM administers a 'movement trend tracking' service for people entering and exiting Baidoa. The most recently published report – covering the period 13 – 19 April 2018 – states that 92 new arrivals passed through the town's three main checkpoints, an increase from 45 from the previous week. All of the latest week's new arrivals cited insecurity as the key driving factor for their entry into Baidoa.⁹²

Additional Reading

- Article reporting on a Baidoa journalist who appears to have successfully returned from Mogadishu to Baidoa in recent years: '[Overcoming financial hardship and bullet wounds to report the news – a Somali journalist's story](#)', UN Assistance Mission in Somalia (UNSOM), 11 February 2018, CXBB8A1DA26633

8. What is the situation for the Rahanweyn in Mogadishu?

Limited information has been located addressing the question of the situation of the Rahanweyn in Mogadishu. One source indicates that most of the IDP groups in Mogadishu come from 'the Rahanweyn and minority clans'.⁹³ Another source indicates that Rahanweyn land ownership in Mogadishu is uncommon.⁹⁴

Additional Reading

- Nil.

9. Are the Rahanweyn targeted by any groups including Al-shabaab in Mogadishu?

⁸⁹ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.17

⁹⁰ '[Not Time to Go Home: Unsustainable Returns of Refugees to Somalia](#)', Amnesty International, 21 December 2017, CISED50AD8012, p.23

⁹¹ '[Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia](#)', UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, CISED50AD7824, p.22

⁹² '[Movement Trend Tracking](#)', IOM, 20 April 2018, CIS7B83941925,

⁹³ '[Youth, employment and migration in Mogadishu, Kismayo and Baidoa](#)', Altai Consulting/IOM, 01 February 2016, CIS38A80128168, p.70

⁹⁴ '[EASO Country of Origin Information Report - Somalia - Security Situation](#)', European Asylum Support Office (EASO), 21 December 2017, CISED50AD8017, p.79

No information has been identified indicating that the Rahanweyn are targeted in Mogadishu, either by Al-Shabaab, or any other groups. More generally, clan disputes remain a widespread issue in the capital, in particular with regards to land ownership (noting that the Rahanweyn are one of the four main clans in Somalia).⁹⁵

For a general list of Al-Shabaab target profiles, including in Mogadishu, see [Question 4](#) and [Question 15](#).

Additional Reading

- Nil.

10. Are there any recent reports of targetted killings by Al-shabaab in Mogadishu?

Al-Shabaab kills on average 20 people per month in the capital, with attacks primarily targeting government related persons or buildings.⁹⁶ Hotels and restaurants are also common targets, either because they are known to be places frequented by Somali and international officials, or because the owner did not pay required taxes to Al-Shabaab.⁹⁷ Al-Shabaab attacks account for around one third of recorded violent incidents and fatalities in Mogadishu; perpetrators of most such incidents in the capital are unknown.⁹⁸

(Select) recent Al-Shabaab attacks in Mogadishu

- In late April 2018, Al-Shabaab launched an attack on an AMISOM base in Mogadishu.⁹⁹
- In early April 2018, an Al-Shabaab attack killed two security officials in Mogadishu. The attack involved the use of a suicide vehicle-borne improvised explosive device (SVBIED).¹⁰⁰
- In late March 2018, attacks carried out by Al-Shabaab over a period of four days killed around 20 people in Mogadishu.¹⁰¹
- In late February 2018, two car bombs killed at least 18 people in an attack on government buildings in Mogadishu.¹⁰² Al-Shabaab was held responsible.
- In October 2017, hundreds of people were killed in a truck bomb attack in the centre of Mogadishu which was blamed on Al-Shabaab.¹⁰³

⁹⁵ [‘Youth, employment and migration in Modadishu, Kismayo and Baidoa’](#), Altai Consulting/IOM, 01 February 2016, CIS38A80128168, p.14

⁹⁶ [‘EASO Country of Origin Information Report - Somalia - Security Situation’](#), European Asylum Support Office (EASO), 21 December 2017, CISED50AD8017, p.81

⁹⁷ [‘EASO Country of Origin Information Report - Somalia - Security Situation’](#), European Asylum Support Office (EASO), 21 December 2017, CISED50AD8017, p.81; [‘BTI 2018 Country Report Somalia’](#), Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.9

⁹⁸ [‘EASO Country of Origin Information Report - Somalia - Security Situation’](#), European Asylum Support Office (EASO), 21 December 2017, CISED50AD8017, p.82

⁹⁹ [‘Al-Shabaab militants attack Burundian AMISOM base in Somalia's Mogadishu’](#), Jane's 360, 26 April 2018, CXBB8A1DA27488

¹⁰⁰ [‘Al-Shabaab SVBIED attack kills two security officials in Somalia's Mogadishu’](#), Jane's 360, 10 April 2018, CXBB8A1DA27489

¹⁰¹ [‘Militants Linked to Al Qaeda Unleash Deadly Car Bombings in Somalia’](#), The New York Times, 25 March 2018, CXBB8A1DA24494

¹⁰² [‘Mogadishu attack - Al-Shabab militants attack government buildings in Somalia's capital, killing civilians’](#), Newsweek, 23 February 2018, CXBB8A1DA27487

¹⁰³ [‘Death Toll for October Somalia Attack Rises to 512’](#), Voice of America (VOA), 02 December 2017, CXC90406618633; [‘Buried in the wreckage’](#), Africa Confidential, 17 November 2017, CXC90406617737. Note that this incident was selected to indicate the scale of some Al-Shabaab attacks.

Additional Reading

- Nil.

11. What is the current status of Al-Shabaab in Mogadishu?

While Al-Shabaab has no military camps in Mogadishu, the city remains under constant threat to the group.¹⁰⁴ Sources indicate that Mogadishu is infiltrated by Al-Shabaab, 'including Mogadishu International Airport and Villa Somalia [the presidential residence and seat of the government]'.¹⁰⁵ This infiltration includes the capacity to target people and conduct complex attacks inside Mogadishu on a regular basis.¹⁰⁶ Further, as Mogadishu is home to a large number of potential Al-Shabaab targets (government/international community-related persons), the largest number of targeted attacks take place in the capital.¹⁰⁷

Prior to October 2017, the security situation in Mogadishu had improved somewhat due to the formation of a Mogadishu stabilisation force that led to a decrease in the number of Al Shabaab attacks.¹⁰⁸ However, a truck bombing on 14 October 2017 was unprecedented in scale, killing at least 512 people.¹⁰⁹ Two weeks after the truck bombing, Al Shabaab attacked a hotel in Mogadishu, killing 28 people.¹¹⁰

DFAT's 2017 Somalia country report notes that the majority of large-scale Al-Shabaab attacks occur in Mogadishu, providing the following list as example of such attacks:

- In June 2016, al-Shabaab bombed two hotels in Mogadishu resulting in the deaths of two parliamentarians and injury to several civilians.
- On 11 December 2016, over 35 people were killed when al-Shabaab exploded a minivan at the Mogadishu seaport.
- Throughout October to December 2016 (while parliamentary elections were underway), suspected al-Shabaab members shot six clan elders and two electoral delegates.
- On 25 January 2017, al-Shabaab bombed the Dayah Hotel in Mogadishu, killing 38 people including two parliamentarians, three security services personnel and six hotel guards.
- Al-Shabaab claims to have killed 57 Kenyan troops, following its attack on the Kenyan Defence Force's base in remote southern Somalia on 27 January 2017. There have also been other significant attacks on AMISOM troops over the last couple of years.¹¹¹

A March 2017 report issued by the Danish Refugee Council provides a lengthy account of the security situation in Mogadishu, including the role of Al-Shabaab. Key excerpts include (and noting the caveat

¹⁰⁴ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office (EASO), 21 December 2017, CISED50AD8017, p.79

¹⁰⁵ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office (EASO), 21 December 2017, CISED50AD8017, p.79

¹⁰⁶ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office (EASO), 21 December 2017, CISED50AD8017, p.79

¹⁰⁷ ['EASO Country of Origin Information Report - Somalia - Security Situation'](#), European Asylum Support Office (EASO), 21 December 2017, CISED50AD8017, p.80

¹⁰⁸ ['Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia'](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, CISED50AD7824

¹⁰⁹ ['Death Toll for October Somalia Attack Rises to 512'](#), Voice of America (VOA), 02 December 2017, CXC90406618633; ['Buried in the wreckage'](#), Africa Confidential, 17 November 2017, CXC90406617737

¹¹⁰ ['Mogadishu bombings: Daytime ban on trucks to stop attacks'](#), British Broadcasting Corporation (BBC), 31 October 2017, CXC90406616708

¹¹¹ ['DFAT Country Information Report Somalia'](#), DFAT, 13 June 2017, CISED50AD4497, para.2.26, p.8

that Al-Shabaab is said to have a 'hidden presence' in urban centres under AMISOM/SNA control, and that the security situation at night may differ):

Mogadishu is to some extent under the control of AMISOM/SNA and al-Shabaab has no military camps in Mogadishu. The city is, however, under constant threat as al-Shabaab has reach inside Mogadishu, and the city is by several sources considered as infiltrated by al-Shabaab, including Mogadishu International Airport and Villa Somalia. A Somalia Country Director of a humanitarian agency deemed the security situation in Mogadishu significantly improved compared to the 1990's but added that in the last five years the picture is more blurred. There was a peak in security incidents in 2013, and the number has been falling since. The source assessed that the decline in the number of incidents is linked to a shift in tactics by alShabaab from quantity to quality. Previously, a lot of smaller attacks took place, for instance detonating hand grenades. Now, larger explosions are carried out, and the city has seen a rise in large scale attacks and complex attacks, for instance at market places or hotels... A UN source mentioned that inside Mogadishu the number of attacks in the second half of 2016 has doubled compared to the first half of 2016.¹¹²

... According to a UN source there are certain neighbourhoods where the government has little or no presence and during the night half of Mogadishu is not controlled by the government. It is not specified which armed actor there is in control of what neighbourhood during the night but the outskirts of Mogadishu are regarded as being controlled by al-Shabaab. Several sources mentioned that despite alShabaab not having military presence in Mogadishu, al-Shabaab is still collecting tax and delivering verdicts in some legal disputes.

As the capital Mogadishu is characterised by the presence of many high value targets, most assassinations and attacks (IED's, shootings, and car bombs) in Somalia, take place in Mogadishu. For the civilian population the highest risk is being in the wrong place at the wrong time and become collateral damage. Mogadishu has been the scene of several attacks with a number of civilian casualties but terror attacks against e.g. market places with no presence of high value targets are deemed unusual.⁷⁵ A UN source added that civilians perceived to be associated with the government and the international community are seen by al-Shabaab as legitimate targets.¹¹³

In the March 2017 report, the Danish Refugee Council stated that Al-Shabaab had been dislodged from Mogadishu in 2011.¹¹⁴ As stated above however, 'Al-Shabaab can carry out hit-and run attacks and assassinations everywhere, including inside Mogadishu'.¹¹⁵ Moreover, 'Al-Shabaab has an extensive network of sympathisers, informants/spies, and other collaborators throughout Somalia and several sources considered al-Shabaab to be everywhere in S/C [South/Central] Somalia'.¹¹⁶

Administratively, Al-Shabaab is reported to continue to systematically collect taxes (*zakat*) in Mogadishu, with Al-Shabaab tax collectors considered 'untouchable'.¹¹⁷ Moreover, decisions issued by Al-Shabaab run courts are respected in Mogadishu, with those there who oppose them fearing for their life.¹¹⁸

Additional Reading

- Provides a compilation of recent country information on the security situation in South and Central Somalia, including on attacks by Al-Shabaab: '[Security Situation in Somalia](#)', European Country of Origin Information Network, 26 April 2018, CXBB8A1DA26580

¹¹² '[South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups](#)', Danish Refugee Council, March 2017, CISED50AD8539, pp.11-12

¹¹³ '[South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups](#)', Danish Refugee Council, March 2017, CISED50AD8539, p.12

¹¹⁴ '[South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups](#)', Danish Refugee Council, March 2017, CISED50AD8539, p.7

¹¹⁵ '[South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups](#)', Danish Refugee Council, March 2017, CISED50AD8539, p.10

¹¹⁶ '[South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups](#)', Danish Refugee Council, March 2017, CISED50AD8539, p.10

¹¹⁷ '[South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups](#)', Danish Refugee Council, March 2017, CISED50AD8539, p.11

¹¹⁸ '[South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups](#)', Danish Refugee Council, March 2017, CISED50AD8539, p.11

- Provides a compilation of recent country information on the security situation – including Al-Shabaab attacks – in Mogadishu until time of publication: '[Country Policy and Information Note – Somalia \(South and Central\): Security and humanitarian situation](#)', UK Home Office, July 2017, OG6E7028843 paras.7.1-7.3, pp. 24-31

Additional Reading

- Nil.

12. What is the current economic situation in Mogadishu?

Mogadishu's economy is variously stated to be booming, growing, positively developing, though distorted by the ongoing violence. Salaries are generally higher in Mogadishu and while the labor market is reasonably diversified, access to jobs tends to be dependent on personal networks.

The urban economies in southern and central Somalia, and especially in Mogadishu are reportedly showing signs of recovery, 'with supermarkets, restaurants and shops being reopened. The continuous attacks by al-Shabaab, however, continue to distort economic opportunities'.¹¹⁹ With Mogadishu and other towns now under government control, sources suggest that there is a feeling of optimism, with many Somalis having returned from exile, bringing their money and skills with them. Basic services such as street lighting, dry cleaning and rubbish collection have resumed in the capital.¹²⁰

According to an August 2017 article published in *The Guardian*, Mogadishu's economy is 'booming', despite ongoing violence affecting the capital:

Despite the ongoing violence, the economy is growing, hundreds of expatriates are returning from the west or African nations, scores of colleges are opening to cater for the phenomenally young population and there is growing investment from the diaspora. Estate agents thrive.¹²¹

In February 2018, the Countries of the World¹²² website issued the following update to its regular overview of Somalia's economy:

In recent years, Somalia's capital city, Mogadishu, has witnessed the development of the city's first gas stations, supermarkets, and airline flights to Turkey since the collapse of central authority in 1991. Mogadishu's main market offers a variety of goods from food to electronic gadgets. Hotels continue to operate and are supported with private-security militias. Formalized economic growth has yet to expand outside of Mogadishu and a few regional capitals, and within the city, security concerns dominate business. 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.¹²³

A 2016 report co-authored by the IOM provides the following summary of the economic situation in several locations, including Mogadishu:

The economies in Mogadishu, Kismayo and Baidoa have demonstrated positive development, with the dynamic of reconstruction, investments of the Somali diaspora and foreigners (although limited), the rise of public services, and a shift toward development projects for some donors and UN agencies. Labour

¹¹⁹ '[BTI 2018 Country Report Somalia](#)', Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.26

¹²⁰ '[Who are Somalia's al-Shabab?](#)', BBC News, 22 December 2017, CXC90406620805

¹²¹ '[Three tales of Mogadishu: violence, a booming economy ... and now famine](#)', The Guardian, 15 May 2017, CXC9040667772

¹²² Source note: 'Countries of the World' is a website consisting of more than twenty million pages providing information about the world's countries, focusing on history, geography, population, government and economy. See: <<https://theodora.com/wfb/about.html>> (Accessed 16 May 2018)

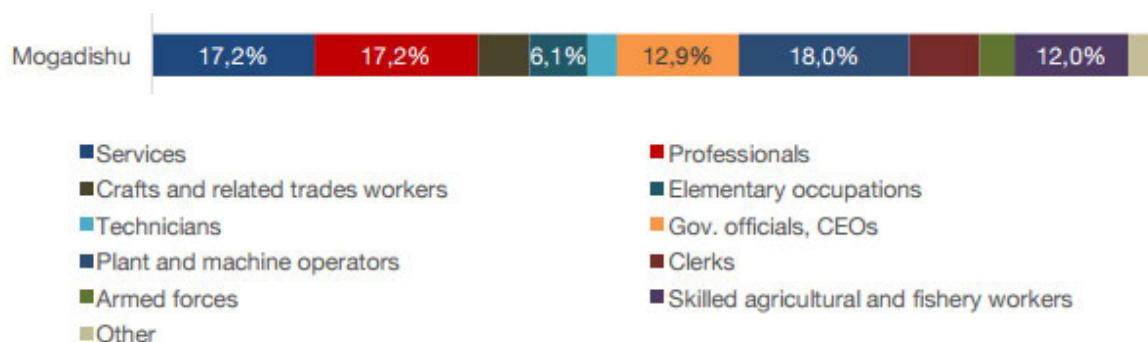
¹²³ '[Somalia Economy 2018](#)', Countries of the World, 28 February 2018, CXBB8A1DA27419

demand remains, however, insufficient to meet the youth job needs and recruitment processes sometimes create frustrations for being clan-based or politicized.¹²⁴

Specific to Mogadishu, the same report states:

Mogadishu demonstrates the highest dynamism. As the capital, it attracts most of the investment and benefits from the presence of international aid agencies and the diaspora. Construction is one of the most active sectors in the capital, with new hotel complexes, the development of government offices and the rehabilitation of buildings previously destroyed during the civil war. Retail is another attractive market and more shopping centres are being established, especially in busy areas such as Maka Almukarama street. Financial institutions have grown, including the establishment of Premier Bank, IBS Bank, TAB Bank, and Salama Bank. Finally, the business community reports an important drive in the health sector, with both domestic and foreign investors opening large private hospitals.¹²⁵

The report goes on to provide the following infographic illustrating labour market segments in Mogadishu¹²⁶:



According to the report, salaries are generally higher in Mogadishu than other parts of Somalia, with nearly 10 per cent of employees earning more than USD400 per week.¹²⁷ Respondents indicated that a salary of USD1,530 represented a 'satisfactory level of income' in Mogadishu.¹²⁸ Some 6 per cent of Mogadishu youth surveyed for the report indicated that they were unemployed.¹²⁹ The labour market in Mogadishu remains frequently beholden to personal networks and clan alignment.¹³⁰

Additional Reading

- Nil.

13. Is there any information available regarding returnees to Mogadishu?

According to a January 2018 UNHCR article, Mogadishu is one of a dozen areas considered 'safe to return to... Safety is based on the security situation and humanitarian access for UNHCR and other

¹²⁴ 'Youth, employment and migration in Mogadishu, Kismayo and Baidoa', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.99

¹²⁵ 'Youth, employment and migration in Mogadishu, Kismayo and Baidoa', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.54

¹²⁶ 'Youth, employment and migration in Mogadishu, Kismayo and Baidoa', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.37

¹²⁷ 'Youth, employment and migration in Mogadishu, Kismayo and Baidoa', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.38

¹²⁸ 'Youth, employment and migration in Mogadishu, Kismayo and Baidoa', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.49

¹²⁹ 'Youth, employment and migration in Mogadishu, Kismayo and Baidoa', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, p.42

¹³⁰ 'Youth, employment and migration in Mogadishu, Kismayo and Baidoa', Altai Consulting/IOM Somalia, February 2016, CIS38A80128168, pp.66-71

agencies'.¹³¹ The article indicates that over 70,000 refugees had returned from Dadaab to Somalia, with a further 18,000 registered to go back.¹³²

Bertelsmann Stiftung reports that 6,153 refugees returned from Dadaab to Mogadishu in 2016.¹³³

While not specifically naming Mogadishu, the USDOS's 2018 country report on Somalia notes limited employment opportunities, scant access to services and discrimination facing (some) returnees:

Employment opportunities were limited for refugees, Somali returnees, and other vulnerable populations. Refugee returnees from Kenya reported limited employment opportunities in the southern and central sections of the country.

...Refugees and Somali returnees had limited access to basic services.¹³⁴

Somali returnees and IDPs from marginalized clans suffered discrimination, since they often lacked powerful clan connections and protection.¹³⁵

Mindful of the previously stated information about the security situation in Mogadishu ([Question 11](#)), the Danish Refugee Council provides the following information about the situation of returnees – though not focussed specifically on Mogadishu:

Whether returnees from abroad are targeted or not by al-Shabaab will depend on how they behave and dress and who they are affiliated with. Several sources mentioned that persons returning will be under close monitoring, as al-Shabaab in general will be aware of newcomers, and a new face will be reason enough for background checks and questioning. An NGO working in Somalia concurred that an outsider risks being stopped and questioned at checkpoints, as a new face will raise suspicion of spying. The questioning will often be about the determination of the person's identity. According to the source it is rather easy for al-Shabaab to identify a Somali person by the person's name, his/her mother's name, grandmother's name, and home village.

According to an international organisation the fact that a person has been abroad, including in the West, is not in itself important when returning to an al-Shabaab area. What is important is his/her clan, and the returnee will need relatives who are not in bad standing with al-Shabaab and who can vouch for them. If returnees are related to clans or individuals that are well regarded in al-Shabaab, they are likely to be safe. If not, he/she might face at least some initial scrutiny.¹³⁶

In 2015, the Danish Immigration Service indicated that without family networks, returnees to places controlled by Somali or international forces would end up as internally displaced persons:

Question: Would you agree that persons leaving Al Shabaab areas and attempting to relocate to cities or towns with AMISOM/SNAF presence will end up as IDPs unless they have family or relatives in those places. Family should be understood as the extended family?

Answer: Yes. And also unless they have capacity to rent houses in the peri-urban or urban areas. Family may be either nuclear or extended.¹³⁷

¹³¹ [Somali refugee leaders from Dadaab camp on "Go and See" visit to Mogadishu and Baidoa, Somalia](#), UNHCR, 26 January 2018, CXBB8A1DA26598

¹³² [Somali refugee leaders from Dadaab camp on "Go and See" visit to Mogadishu and Baidoa, Somalia](#), UNHCR, 26 January 2018, CXBB8A1DA26598

¹³³ [BTI 2018 Country Report Somalia](#), Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.29

¹³⁴ [Country Reports on Human Rights Practices for 2017 – Somalia](#), US Department of State, 20 April 2018, OGD95BE927354, sect.2d, p.25

¹³⁵ [Country Reports on Human Rights Practices for 2017 – Somalia](#), US Department of State, 20 April 2018, OGD95BE927354, sect.6, p.37

¹³⁶ [South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups](#), Danish Refugee Council, March 2017, CISED50AD8539, p.24

¹³⁷ [South Central Somalia: Country of Origin Information for Use in the Asylum Determination Process: Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia 2-12 May 2015](#), Danish Immigration Service, September 2015, CISEC96CF15275, p.33

Additional Reading

- Nil.

14. I note SOM105094.E contains information regarding the diaspora returning to Somalia, in particular Mogadishu - Is there any updated information to suggest that the Somali diaspora from countries such as the US, UK and Australia or members of the EU, are returning to Somalia and what influence this is having on cities like Baidoa and Mogadishu?

Sources indicate that returnees from the Somali diaspora have generally fuelled economic growth in places like Mogadishu. On occasion, their presence has however led to greater competition for scarce resources, and led to an upswing in property prices.

As noted in [Question 12](#), 'with Mogadishu and other towns now under government control, there is a feeling of optimism and many Somalis have returned from exile, bringing their money and skills with them. Basic services such as street lighting, dry cleaning and rubbish collection have resumed in the capital.'¹³⁸

According to Bertelsmann Stiftung, the large Somali diaspora is an important driver of economic development in Somalia, focussing investment on Mogadishu and regional capitals.¹³⁹ Some diaspora members are buying up land in Mogadishu, potentially contributing to land disputes given the lack of a functioning land registry.¹⁴⁰

The return of diasporic Somalis may cause problems between returnees and locals. For example, the Danish Immigration Service explains that:

The fact that many Somalis return from abroad to start businesses can create violent conflicts and even murder. One such example could be a local tailor or cobbler in Mogadishu that would feel threatened by the competition from a new tailor with experience from abroad.¹⁴¹

An older (2013) source indicates that the influx of returnees to Mogadishu from the Somali diaspora had resulted in a minor economic boom. The article notes a surge in rental prices, a construction boom, the opening of a new university and a commercial bank.¹⁴²

Additional Reading

- Nil.

15. Is there any information to suggest that Al-shabaab targets the family members of those that have threatened harm?

See [Question 4](#) above for information on Al-Shabaab target profiles. No information has been identified specifically stating that family members of people who have threatened Al-Shabaab may be targeted by the group. Family members of defectors or UN actors may, however, be targeted.

The Department of Foreign Affairs and Trade provides the following assessment of potential targets:

¹³⁸ ['Who are Somalia's al-Shabab?', BBC News, 22 December 2017, CXC90406620805](#)

¹³⁹ ['BTI 2018 Country Report Somalia', Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.29](#)

¹⁴⁰ ['BTI 2018 Country Report Somalia', Bertelsmann Stiftung, 23 March 2018, CIS7B83941557, p.29](#)

¹⁴¹ ['South Central Somalia: Country of Origin Information for Use in the Asylum Determination Process: Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia 2-12 May 2015', Danish Immigration Service, 1 September 2015, CISEC96CF15275, p.44](#)

¹⁴² ['Business is booming in a relatively peaceful Mogadishu', The Economist Intelligence Unit, 8 January 2013, CXBB8A1DA27420](#)

DFAT assesses that parliamentarians, government officials, supporters of the Federal Government of Somalia or people who have spent time in the West face a moderate risk of violence from al-Shabaab and where those individuals have a high profile, are visible in the media, or do not have adequate personal security measures in place, they face a high risk of violence from al-Shabaab.¹⁴³

A Danish Refugee Council report from March 2017 provides a lengthy list of possible Al-Shabaab targets. In areas under AMISOM/SNA control, these include: people associated with the state and international organisations, including those associated with the Federal Government of Somalia, AMISOM and the SNA; Al-Shabaab defectors; family members of Al-Shabaab defectors; journalists, human rights activists and NGO employees (particularly those who have criticised Al-Shabaab); business people (particularly those perceived as collaborating with the government).¹⁴⁴

The report proceeds to note that civilians who do not belong to the above-listed categories are generally not considered targets.¹⁴⁵

In areas under Al Shabaab control, the Dutch Refugee Council states the following in terms of possible target profiles:

With regard to who can become a target profile in areas under the full control of al-Shabaab sources referred particularly to three factors: The background of a person, i.e. the links the person has, his/her behaviour in relation to conformity with al-Shabaab's interpretation of Sharia law, and finally acts and attitudes that can raise suspicion of spying.

Anyone linked to AMISOM/SNA/ENDF/KDF,FGS, and international organisations would also become a target in al-Shabaab controlled areas.

In general, people under al-Shabaab rule must follow the al-Shabaab way of life ("play by the rules of alShabaab"), otherwise they would be at risk.¹⁴⁶

The Danish Immigration Service stated in March 2017 that 'family members [of] Al-Shabaab defectors are in general not considered a target for Al-Shabaab'.¹⁴⁷

In a May 2015 report, the Danish Immigration Service indicated that they were not aware of Al Shabaab threatening family members if they attempted to stop the recruitment of a young family member to Al Shabaab.¹⁴⁸ The report does state however that Al Shabaab targets family members of UN staff.¹⁴⁹

Additional Reading

- Nil.

¹⁴³ 'DFAT Country Information Report Somalia', DFAT, 13 June 2017, CISED50AD4497, para.3.14,p.12

¹⁴⁴ 'South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups', Danish Refugee Council, March 2017, CISED50AD8539, pp.17-19

¹⁴⁵ 'South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups', Danish Refugee Council, March 2017, CISED50AD8539, p.19

¹⁴⁶ 'South and Central Somalia Security Situation, al-Shabaab Presence, and Target Groups', Danish Refugee Council, March 2017, CISED50AD8539, p.23

¹⁴⁷ 'Security Situation, al-Shabaab Presence and Target Groups', Danish Immigration Service, 1 March 2017, CISED50AD5757, p.18

¹⁴⁸ 'South Central Somalia: Country of Origin Information for Use in the Asylum Determination Process: Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia 2-12 May 2015', Danish Immigration Service, 1 September 2015, CISEC96CF15275, p.38

¹⁴⁹ 'South Central Somalia: Country of Origin Information for Use in the Asylum Determination Process: Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia 2-12 May 2015', Danish Immigration Service, 1 September 2015, CISEC96CF15275, p.44

16. **Where is the Wayten clan located?**
17. **Is there any information about the history of the clan**
18. **Is there any information to suggest that the Wayten clan have a presence or have ever had a presence in Kismayo or Mogadishu?**

Limited information located on the Wayten indicates that they live predominantly in Ethiopia and Kenya. No information has been located indicating a presence in Mogadishu.¹⁵⁰

A 2002 OCHA source cited in a 2004 ACCORD report provides general information on the Wayten clan, indicating that they live in Ethiopia and Kenya:

The clan "Wayten" is listed in a genealogical table of Somali clans compiled by UNHCR Somalia. According to UNHCR, the Wayten live in Ethiopia and Kenya. The clan structure is described as follows (descending order):

Clan: Darod

Subclan: Kablalah

Subclan: Kumade

Subclan: Absame

Subclan: Wayten (UNHCR, November 2000, para 1.2.2.2)

According to OCHA, Darod is one of the major clans in Somalia.

Regretfully, no information regarding the situation of the Wayten or the Absame could be found in the sources consulted by ACCORD.¹⁵¹

An academic journal article published in 2016 likewise links the Wayten (Weyten) to the 'Darood' clan, though provides no additional information about them.¹⁵²

A blogspot of unknown provenance or quality includes a posting indicating that Weyten (at August 2010) were living in Garissa (Kenya).¹⁵³

Additional Reading

- Nil.

¹⁵⁰ Sources consulted include CISNET, EBSCOhost, RefWorld, ECOInet, ANU Super Search, and online search engines.

¹⁵¹ 'Somalia: Situation of the "Shakhal", "Ajuran", "Shashi", and "Wayten" clans', Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), 15 March 2004, CXBD5D20921308

¹⁵² 'The political ecology of resource-based inter-ethnic violence: The case of the Jarso and the Girhi in Eastern Ethiopia', Jeylan Wolyie Hussein *et al*, Journal of Asian and African Studies Vol.51(4), CIS38A80128169, p.449

¹⁵³ Given the problems around the source's provenance, COISS has not uploaded this source onto CISNET. If used in a decision record, COISS recommends, in line with COISS' policy, that the case officer save the source to TRIM and use a TRIM reference number – see: 'Re: Hey is there and ogaden city', somalinet.com, 15 August 2010



Australian Government

Department of Immigration and Border Protection

Standard Q&A Report

Somalia: CII70828151239027 – Yemenis – Discrimination and Persecution – Marriage and Divorce

Date of Report

25 September 2017

This Q&A Report was prepared by the Country of Origin Information Services Section (COIS Section), DIBP in response to a request for country information within time constraints. It is current at the time of completion. This Q&A Report should not be cited in a decision or any other document. Anyone wishing to use this information should only cite the source material contained herein.

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Background

An applicant [redacted]

Questions

1. [Is there any information about Yemenis living in Somalia and whether they face discrimination or persecution due to their racial background?](#)
2. [What is required for a female Somali refugee to marry and divorce in Yemen?](#)

Released by Department of Home Affairs
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Answers

1. Is there any information about Yemenis living in Somalia and whether they face discrimination or persecution due to their racial background?

Several sources provide information about Yemenis living in Somalia. None indicate mistreatment based on their racial background. Rather, they focus on the various support services available to them, noting that these are usually limited, and often reliant on non-state actors.

The US Department of State's (USDOS) 2017 'Country report on human rights practices – Somalia' indicates some 4,500 Yemeni refugees and nearly 30,000 Somali nationals have fled conflict in Yemen:

Somalis and citizens from other countries fleeing the conflict in Yemen sought refuge in Somalia. While flows from Yemen have declined since August 2015, more than 33,500 individuals have fled to Somalia since March 2015. This included more than 28,800 Somali nationals, 4,500 Yemeni refugees, and approximately 300 migrants of other nationalities. UNHCR protected IDPs and provided them with temporary lodging and financial assistance. Since March 2015 the IOM has assisted more than 10,500 arrivals with onward transportation to their final destinations; the majority traveled to Mogadishu.¹

The UNHCR similarly stated in a 2016 report:

As a result of renewed fighting in Yemen, more than 31,000 persons fled from Yemen to Somalia, including more than 27,000 Somalis refugees who had initially fled from Somalia to Yemen and who subsequently fled from Yemen to Somalia. The remainder are Yemeni nationals and third-country nationals who fled from Yemen to Somalia. More than half of persons who arrived in Somalia from Yemen, including the returned Somali refugees, have expressed an intention to go to Mogadishu. Concerns have been raised about the limited absorption capacity in Somalia and the wide array of challenges faced by the returnees. At the same time and despite the conflict in Yemen, throughout 2015 thousands of Somalis arrived in Yemen.²

A further UNHCR report from 2016 notes the limited access to services available for (Yemeni) refugees in Somalia:

Consequently, access to shelter, infrastructure, health, water and sanitation, education, and livelihood opportunities continues to be a challenge for refugees, returnee and IDPs alike; durable solutions remain limited. [...] The sudden and rapid increase in the number of refugees, returnees and migrants from Yemen in 2015 has strained the capacity of agencies to provide adequate assistance, and urban areas like Hargeisa and Bossaso have struggled and continue to struggle to absorb the number of new arrivals looking for food, shelter and housing.³

In July-August 2016, refugee-focussed news outlet *NewsDeeply* published a two-part profile covering the situation of Yemeni refugees in Somaliland. Part one notes forms of assistance provided by the UNHCR and the work of other local organisations:

¹ '[Country Report on Human Rights Practices 2016 – Somalia](#)', US Department of State, 3 March 2017, OGD95BE926904, Sect. 2d, p.23

² '[UNHCR Position on Returns to Southern and Central Somalia \(Update I\)](#)', UNHCR, May 2016, UN6C8EFBB4, p.11

³ '[Yemen Situation Regional Refugee and Migrant Response Plan: October-December 2015 – January-December 2016](#)', UNHCR, October 2015, CISEC96CF15609, p.37

The United Nations refugee agency (UNHCR) provides some assistance to refugees arriving in Somaliland from Yemen. Here, Yemeni women in Hargeisa wait to receive information and basic “dignity kits,” which include sanitary products, clean underwear and basic toiletries.

...“The relationship between Yemenis and Somalilanders is good because of the historical business and religious links,” the executive director of the Comprehensive Community-Based Rehabilitation in Somaliland (CCBRS), Abib Ahmed Hirsi, said. “There are no obvious security threats or problems faced by Yemenis since they’ve arrived in Somaliland, but small incidents can happen as usual in any place. CCBRS has observed that a number of Yemenis have already made self-integration after they open some businesses in Hargeisa.”⁴

A February 2016 article published by *IRIN News* reports on the situation of Yemenis seeking refuge in Somaliland, noting a range of challenges for the new arrivals:

...for the Yemeni refugees, who have no previous knowledge of Somalia, the experience can be daunting.

“In view of the deprivation around them, in a country still suffering from conflict, it’s not an easy situation,” de Clerq told IRIN. “It’s a very small group. They don’t speak Somali. And their intention is to return to Yemen as soon as the situation permits.”

...The Somaliland and Puntland authorities have granted *prima facie* refugee status to Yemeni nationals, but there is no legal framework or established procedures in place to cope with any mass influx. Both regions “require support and capacity-building for the reception and assistance of new arrivals,” the UN refugee agency, UNHCR said.

Abokor Abdullahi, a father of five, landed in the port city of Bossaso in Puntland, and was later transferred with other refugees 250 kilometres south to Gardo.

“I was fleeing war, conflict, destruction, famine and lack of economic opportunities. But I don’t see much of a difference here in Somalia,” Abdullahi told IRIN. The family lives in a single room in a small house shared with two other Yemeni families, and pays \$25 a month rent.

“We don’t get enough support from the local administration and international development organisations. Only UNHCR gives \$150 per month to my family. This does not cover the cost of electricity, water, and house rent, so it’s rubbish. We as refugees want [official] shelters.

“I don’t have employment opportunities to feed my children, and they don’t have access to schools. We desperately need social services like health and education,” he said.⁵

IRIN proceeds to note the limited assistance local authorities are able to provide Yemeni refugees:

“Since the arrival of Yemen refugees in this region, the worry has always been whether we can accommodate that large number of refugees/returnees from Yemen due to our limited resources and the little support we receive from international partners. But we are coping,” Puntland’s deputy minister of interior, Abdullah Hashi, told reporters last week.

The refugees, however, say far more needs to be done. “We desperately need help with food and shelter as a priority number one,” said Falastine Abdullahi, Abokor’s wife. “Sometimes we take only lunch and forget about supper. It’s bad.”⁶

⁴ ‘[Stranded in Somaliland – Part 1](#)’, News Deeply, 18 July 2016, CX6A26A6E17085

⁵ ‘[Somalia offers Yemenis a safer home](#)’, Integrated Regional Information Network, 2 February 2016, CX6A26A6E782

⁶ ‘[Somalia offers Yemenis a safer home](#)’, Integrated Regional Information Network, 2 February 2016, CX6A26A6E782

A May 2015 article published by *Al Jazeera* reports on the efforts of Somali-based Yemeni organisations in assisting arriving Yemeni refugees:

Nadia [a Yemeni refugee] called her [Somali] neighbour for advice. She told the young woman to go to Somaliland. "There are Yemenis there, they can help you," Nadia recalled the neighbour saying.

Nadia did find Yemenis in Hargeisa, Somaliland's capital, who are offering help.

"There is no embassy, no consul for Yemenis here," said Hussam Al-Eyashi, the chairman of the Yemeni Community Center in Hargeisa. "We have had to take that responsibility on."

The Yemeni Community Center has a nascent presence in Hargeisa. Established at the end of 2014 as a burgeoning Yemeni population, it started to take root in this Horn of Africa nation.

The community centre was meant to assist Yemenis in Somaliland - many of whom are business men. They found opportunity in Hargeisa - as Yemen's economy collapsed during its 2011 anti-government uprising - and adjusted to a new culture and language. They didn't anticipate taking charge of war relief. But that's exactly where they find themselves.

Relying on charitable donations from community members, the centre officials say they are doing their best to lend a hand. They have been providing transport from Berbera to Hargeisa for those that need it and call on their networks to provide housing for those with no other option.

According to government officials, there are no plans to establish a refugee camp. Locals are scrambling to fill this gap in services.⁷

Despite these efforts, the article notes concerns about the long-terms prospects of the refugees:

However, Saed, who himself is currently hosting two refugee families, worries about how the country will serve refugees and returnees. "You already see some begging on the streets," said Saed. "People sympathise with them but for how long?"

Somaliland isn't well-equipped for an influx of people. It already grapples with its own staggering unemployment rates - 75 percent among youth. Saed believes many Yemenis might have an easier time finding work here, as they bring skill sets not found on the local market. Yemenis, he added, have already proven their ability to establish businesses, but that "it will be a struggle for survival" as more arrive.⁸

A May 2015 article published on the International Committee of the Red Cross (ICRC) website notes the work of the Somali Red Crescent Society (SRCS) in assisting Yemeni refugees:

The ICRC, in collaboration with the SRCS, have been trying to assist victims of the Yemen crisis in re-establishing contact with their relatives, including tracing people and seeking to clarify the fate of those who remain missing.

According to ICRC representative Ayman Touhami, currently based in Berbera port, this is challenging work given the growing number of new arrivals from Yemen.

"There are difficulties in accommodating the large number of arrivals at the reception centre in Berbera. Language is a barrier as the refugees do not speak Somali, and it will take time for them to adjust to a foreign culture."

⁷ [‘Yemenis fleeing to Somaliland “struggle for survival”’](#), Al Jazeera, 21 May 2015, CXBD6A0DE19596

⁸ [‘Yemenis fleeing to Somaliland “struggle for survival”’](#), Al Jazeera, 21 May 2015, CXBD6A0DE19596

...Amina lost contact with both her parents amid the confusion and arrived in Berbera, Somaliland, with little hope of seeing them again. However, with the help of the Somali Red Crescent Society (SRCS), which has been receiving refugees and returnees from Yemen, she was able to trace the whereabouts of her parents.⁹

A 2015 report by the International Committee of the Red Cross indicates limited support for select Yemeni refugees: ‘Some 200 vulnerable people (30 families) from Yemen received a one-time distribution of food and hygiene items’.¹⁰

Additional Reading

- Nil.

2. What is required for a female Somali refugee to marry and divorce in Yemen?

Limited information has been located addressing the question of marriage and divorce requirements for Somali refugees in Yemen. Some information has been located addressing aspects of marriage and divorce proceedings more generally.

While not specifically addressing requirements for female Somali refugees, the US Department of State (USDOS) 2017 Country Report on Human Rights Practices – Yemen discusses divorce proceedings in general and the situation of citizens marrying foreigners:

A husband may divorce a wife without justifying the action in court. In the formal legal system, a woman must provide justification. Under tribal customary law, however, a woman may divorce without justification.

Some local interpretations of sharia prohibit a Muslim woman from marrying a non-Muslim man, others permit marrying a Christian or Jewish man. All interpretations allow a Muslim man to marry a Christian or Jewish woman. The foreign wife of a male citizen must remain in the country for two years to obtain a residency permit.

Any citizen who wishes to marry a foreigner must obtain the permission of the Ministry of Interior (see section 1.f.)... A foreign woman who wishes to marry a male citizen must prove to the ministry that she is “of good conduct and behavior.”¹¹

The same USDOS report elsewhere provides additional information on the proceedings around citizens marrying foreign women:

No citizen may marry a foreigner without permission from the Ministry of Interior, the NSB, and, in some instances, the PSO, under a regulation authorities enforced arbitrarily... The ministry typically approved marriages to foreigners if the foreigner provided an embassy letter stating that the government of the non-Yemeni spouse had no objection to the marriage and presented a marriage contract signed by a judge. Frequently, bribes facilitated approval; there was no available information on current practice.¹²

⁹ ‘[Somalia - The plight of a Yemeni refugee](#)’, ICRC, 15 March 2015, CXBD6A0DE19597

¹⁰ ‘[ICRC Annual Report 2015 – Somalia](#)’, ICRC, 9 May 2016, CIS38A80122402

¹¹ ‘[Yemen - Country Report on Human Rights Practices 2015](#)’, US Department of State, 13 April 2016, OGD95BE926334, Sect.5, pp.38-39

¹² ‘[Yemen - Country Report on Human Rights Practices 2015](#)’, US Department of State, 13 April 2016, OGD95BE926334, Sect.1f, pp.13-14

Additional Reading

- Includes discussion on marriage and divorce proceedings as set out in Yemen's Personal Status Law: '[The Rule of Law in Yemen: Prospects and Challenges](#)', HiIL Rule of Law Quick Scan Series, September 2012, CIS961F9402790, pp.42-43

Response by the Department of Immigration and Border Protection (DIBP), Australia on 31 May 2017 to questions submitted by Norway on IGC States' practices and information in relation to Article 1C (5) of the Refugee Convention and the security situation in Mogadishu, Somalia.

1. **What is your state practice related to cessation of refugee status according to article 1C (5)?**
 - a. **If article 1C has been used, has it included Somali nationals?**
 - b. **If not, why so?**

DIBP response:

Australia's Department of Immigration and Border Protection makes an assessment of whether or not a person engages Australia's protection obligations. The relevant sections of the *Migration Act 1958 (Cth)* codify Australia's non-refoulement obligations under the 1951 Convention relating to the Status of Refugees as amended by the 1967 Protocol, the International Covenant on Civil and Political Rights and its Second Optional Protocol, and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. This assessment process is used for all nationalities, including Somalis. If a person was granted a protection visa on the basis of being found to engage Australia's protection obligations but their visa was cancelled as a result of providing false information that was integral to the reasons they were found to engage these obligations or due to the person being found not to be of good character, non-refoulement obligations would again be assessed. Australia does not have domestic legislation that operates specifically to cease an individual's refugee status purely on the basis of Art 1C(5) once they have been found to be a refugee.

2. **Are you familiar with court judgments considering this practice? Does your state have court jurisprudence regarding the Refugee Convention Article 1C (5)?**

DIBP response:

The High Court of Australia has affirmed that the language of Art 1C(5) allows for the status of a person permitted to reside in an asylum country to change, and that recognition of an individual's refugee status does not continue until a cessation event occurs. Rather, a person must continue to be a person who satisfies the definition of refugee under Article 1A (*MIMIA v QAAH of 2004* [2006] HCA 53).

Change in circumstances have been found to satisfy Art 1C(5) (*Ahmed v Minister for Immigration and Multicultural Affairs* (1999) 55 ALD; a Somali case) but this has not been recently tested. Change in circumstances for the application of Art 1C(5) needs to be clear and lasting (*NBGM v Minister for Immigration and Multicultural Affairs* (2006) 150 FCR 522).

3. How do you consider the security situation in Mogadishu today? Do you consider the situation in Mogadishu as fundamentally changed for the better since 2011?

DIBP response:

Country of origin information indicates that the security situation in Mogadishu remains largely as outlined by United Nations High Commissioner for Refugees in May 2016: a volatile situation with conflict dynamics involving Al-Shabaab, clan militias and other inter-communal violence, often fuelled by disputes over land and political control.¹ Somalia's new leadership faces persistent security problems stemming from the jihadist Al-Shabaab insurgency, clan rivalries, tensions among newly formed sub-federal states and criminality.² Al-Shabaab has stated that it has the ability to strike any target in Mogadishu and has intensified its attacks against the government since Somalia's new president, Mohamed Abdullahi Mohamed, declared war on the group following his election in February 2017.³ Despite the presence of Somali Federal Government (SFG) and African Union Mission in Somalia (AMISOM) peacekeepers in Mogadishu, Al-Shabaab attacks in the capital killed or injured hundreds of civilians in 2016.⁴ Al-Shabaab continues to undertake attacks against military and civilian targets, especially in Mogadishu's heavily guarded centre.⁵ It reportedly collects taxes from businesses in the capital and throughout much of the country.⁶

Mogadishu's situation is considered to have improved somewhat since 2011 and the establishment of the SFG, however its improved security situation remains largely contingent on the presence of AMISOM troops.⁷ It may be relevant to note that there were 826 civilian deaths and injuries from 'explosive violence' recorded in Somalia in 2016 – lower than the 1,326 civilian deaths and injuries recorded in 2011, but significantly higher than the 451 civilian deaths and injuries recorded in 2015. In 2016, just over half of Al-Shabaab's attacks took place in Mogadishu.⁸

Somalia is facing famine as well as the ongoing Al-Shabaab insurgency, and the influx of displaced people from the countryside to Mogadishu is placing strains on the basic services available to the capital's two million inhabitants.⁹ The current drought is more widespread than that of 2011 and the extent to which Somalia's state apparatus can cope with the emerging food security crisis is not yet known.¹⁰ Incidents including an attack on a UN World Food Programme convoy in Mogadishu's KM-3 district in April 2017 suggest Al-Shabaab may be intent on using violence to disrupt aid operations.¹¹ Officials say the areas around Mogadishu are a 'no man's land' and that it is impossible for police or government officials to enter at least two neighbourhoods of the city known to be strongholds of support for Al-Shabaab.¹² Forced evictions of IDPs and the urban poor also remain a problem in Mogadishu where tens of thousands of people were evicted in 2016 and over 14,000 evicted in January 2017, most moving to insecure and isolated locations on the edge of the capital.¹³

¹ 'UNHCR Position on Returns to Southern and Central Somalia (Update I)', UN High Commissioner for Refugees, 20 May 2016, pp.2-3, <http://www.refworld.org/docid/573de9fe4.html>

² Felbab-Brown, V, 'Securing Somalia – The Challenges Awaiting Its New President', *Foreign Affairs*, 20 February 2017, <https://www.foreignaffairs.com/articles/east-africa/2017-02-20/securing-somalia>

³ Mohamed, H, 'Suicide Bombing at Somalia Army Camp Kills at Least 7', *The New York Times*, 10 April 2017, <https://www.nytimes.com/2017/04/10/world/africa/somalia-army-camp-suicide-bombing.html>

⁴ 'Amnesty International Report 2016-2017', Amnesty International, 23 February 2017, p.326 https://static.amnesty.org.au/wp-content/uploads/2017/02/air201617-english_2016-17.pdf?x66249

⁵ 'Watch List 2017', International Crisis Group, 24 February 2017, p.18 <http://www.refworld.org/docid/58b051c04.html>
'Human Rights Watch World Report 2017', Human Rights Watch, 13 January 2017, p.537, https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf

Reports of incidents in Mogadishu in 2017 include: 'Somalia: UN mission condemns Al-Shabaab attack on popular Mogadishu hotel', *UN News Centre*, 25 January 2017, http://www.un.org/apps/news/story.asp?NewsID=56039#.WJ0rO_67pMw

⁶ Felbab-Brown, V, 'Securing Somalia – The Challenges Awaiting Its New President', *Foreign Affairs*, 20 February 2017, <https://www.foreignaffairs.com/articles/east-africa/2017-02-20/securing-somalia>

⁷ 'Land Matters in Mogadishu – Settlement, ownership and displacement in a contested city', The Rift Valley Institute and the Heritage Institute for Policy Studies, 1 January 2017, p.7, <http://www.refworld.org/docid/58b973e84.html>

⁸ 'Explosive Truths: Monitoring explosive violence in 2016', Action on Armed Violence, 15 May 2017, p.14, <https://aoav.org.uk/wp-content/uploads/2017/05/AOAV-Explosive-Monitor-2017v9single-pages.pdf>

⁹ Burke, J, 'Three tales of Mogadishu: violence, a booming economy ... and now famine', *The Guardian*, 15 May 2017, <https://www.theguardian.com/cities/2017/may/15/mogadishu-violence-booming-economy-famine>

¹⁰ 'Famine in Somalia: Twice in six years?', *IRIN News*, 28 March 2017, <http://www.irinnews.org/analysis/2017/03/28/famine-somalia-twice-six-years>

¹¹ 'Instruments of Pain (III): Conflict and Famine in Somalia', International Crisis Group, Crisis Group Africa Briefing No.125, 9 May 2017, pp.4-5, <https://www.crisisgroup.org/africa/horn-africa/somalia/b125-instruments-pain-iii-conflict-and-famine-somalia>

¹² Burke, J, 'Three tales of Mogadishu: violence, a booming economy ... and now famine', *The Guardian*, 15 May 2017, <https://www.theguardian.com/cities/2017/may/15/mogadishu-violence-booming-economy-famine>

¹³ 'Amnesty International Report 2016-2017', Amnesty International, 23 February 2017, p.328 https://static.amnesty.org.au/wp-content/uploads/2017/02/air201617-english_2016-17.pdf?x66249



Situational Update

Somalia

Country of Origin Information Services Section (COISS) Refugee and Humanitarian Programme Branch

Effective from 15 December 2017

Key reports

Please read this Situational Update in conjunction with the following reports:

- [‘Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia’](#), UN Office of the High Commissioner for Human Rights, United Nations Assistance Mission in Somalia, 10 December 2017, CISED50AD7824
- [‘Report of the Secretary-General on Somalia’](#), UN Security Council, 05 September 2017, CISED50AD5602
- [‘Report of the Independent Expert on the situation of human rights in Somalia’](#), United Nations Human Rights Council, 06 September 2017, CISED50AD5754
- [‘Country Policy and Information Note – Somalia \(South and Central\): Security and humanitarian situation’](#), UK Home Office, 01 July 2017, OG6E7028843
- [‘Country Policy and Information Note – Somalia \(South and Central\): Fear of Al Shabaab’](#), UK Home Office, 01 July 2017, OG6E7028839
- [‘DFAT Country Information Report Somalia’](#), Department of Foreign Affairs and Trade (DFAT), 13 June 2017, CISED50AD4497
- [‘Country Policy and Information Note – Somalia: Majority clans and minority groups in south and central Somalia’](#), UK Home Office, 01 June 2017, OG6E7028825
- [‘Country Report on Human Rights Practices 2016 – Somalia’](#), US Department of State, 03 March 2017, OGD95BE926904
- [‘UNHCR Position on Returns to Southern and Central Somalia \(Update I\)’](#), UN High Commissioner for Refugees, 20 May 2016, UN6C8EFBB4
- [‘International Protection Considerations with Regard to people fleeing Southern and Central Somalia 2014’](#), UN High Commissioner for Refugees, 17 January 2014, UN4E592C05

Refugee Convention Claims

In January 2014, the United Nations High Commissioner for Refugees (UNHCR) assessed that people from Mogadishu and other areas of south-central Somalia with the following profiles may be in need of international refugee protection:

- Individuals associated with, or (perceived as) supportive of the SFG and the international community, including the AMISOM forces;
- Individuals (perceived as) contravening Islamic Sharia and decrees imposed by Al-Shabaab, including converts from Islam, other “apostates” and moderate Islamic scholars who have criticised Al-Shabaab extremism;
- Individuals (perceived as) opposing the SFG and related interests and individuals (suspected of) supporting armed anti-Government groups;
- Individuals in certain professions such as journalists, members of the judiciary, humanitarian workers and human rights activists, teachers and staff of educational facilities, business people and other people (perceived to be) of means;
- Individuals (at risk of being) forcibly recruited;
- Members of minority groups such as members of the Christian religious minority and members of minority clans;
- Individuals belonging to a clan engaged in a blood feud;
- Women and girls;
- Children;
- Victims and persons at risk of trafficking;
- Sexual and/or gender non-conforming persons (lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals);
- Persons with a mental disability or suffering from mental illness.¹

UNHCR confirmed in May 2017 that these guidelines remain valid and relevant.²

Security situation

The security situation in Somalia is highly volatile and varies by region. Security incidents and crime are common.³ Factors that contribute to Somalia’s instability include armed conflict between clans or warlords, severe humanitarian conditions, widespread corruption, piracy, border disputes, and the presence of Al Shabaab and other Islamist groups.⁴

The main conflict is between national security forces, supported by the African Union Mission to Somalia (AMISOM), and Al Shabaab, a major armed group that controls territory in south-central Somalia.⁵

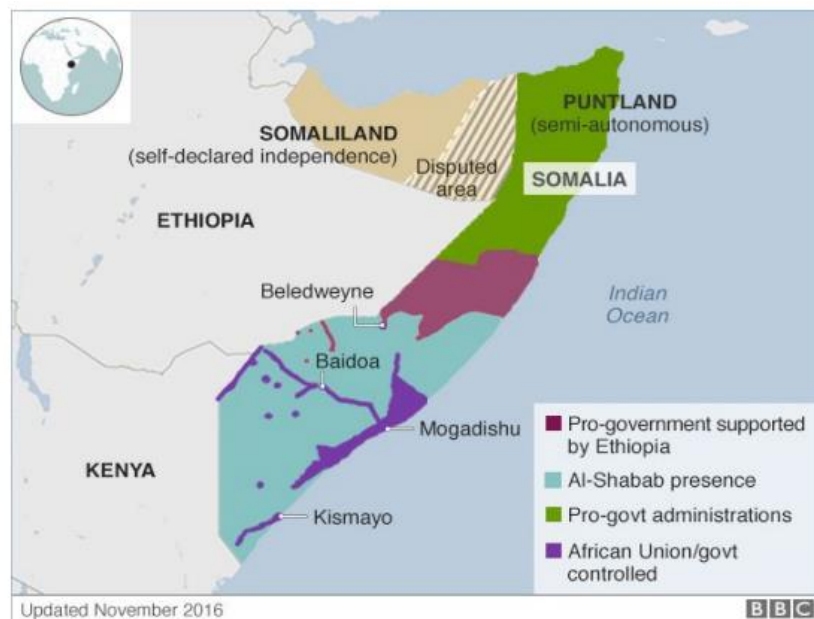


Figure 1 – Areas of influence and control by various groups in Somalia⁶

Unclassified

Civilian casualties

Between 1 January 2016 and 14 October 2017, at least 2,078 civilians were killed and 2,507 injured. Sixty per cent of these casualties were attributed to Al Shabaab, 13 per cent to militia, 11 per cent to state actors, 4 per cent to the African Union Mission to Somalia (AMISOM), and 12 per cent to other actors.⁷ In the same period, Al Shabaab abducted 729 civilians, carried out 86 targeted assassinations and executed 46 persons.⁸

A significant number of civilian casualties are due to clan militia engaged in conflict in areas where state security forces are largely absent.⁹ Clan conflicts are often over land and resources, and this has intensified during the current period of drought.¹⁰

Mogadishu

The security situation in Mogadishu is volatile.¹¹ Prior to October 2017, the situation had improved somewhat due to the formation of a Mogadishu stabilisation force that led to a decrease in the number of Al Shabaab attacks.¹² However, a truck bombing on 14 October 2017 was unprecedented in scale, killing at least 512 people.¹³ No group has claimed responsibility for the 14 October attack but Somali officials blame Al Shabaab.¹⁴ Two weeks after the truck bombing, Al Shabaab attacked a hotel in Mogadishu, killing 28.¹⁵

Crime is a serious issue, particularly in Mogadishu. Violent robbery, kidnapping and personal violence are all problems and are largely due to high rates of poverty and widespread impunity.¹⁶

Al Shabaab

Al Shabaab currently controls significant amounts of territory in south-central Somalia, but also has an ability to operate or launch attacks in other parts of the country, such as Mogadishu.¹⁷ Despite some recent setbacks and defections, Al-Shabaab is believed to command a force of between 7,000 and 9,000 fighters.¹⁸

Political situation

From 1991 until 2012, Somalia was generally considered a failed state. In 2012, the Federal Government of Somalia (FGS) was formed. While the government has made some progress in state-building, the political, security and humanitarian situation remains complex and unstable and the government's capacity to provide for the needs of Somalis remains low.¹⁹

In February 2017, Mohamed Abdullahi Mohamed 'Farmajo' was elected President of the Federal Government of Somalia and formed a cabinet under the Prime Minister, Hassan Ali Kheyre.²⁰ The elections were not entirely free and fair but there was no widespread violence, other than some incidents by Al Shabaab.²¹

Somaliland, while not formally recognised as an independent country, runs a government parallel to the FGS and conducts its own elections.²²

Availability of effective state protection

Protection of civilians is a significant challenge due to the extremely difficult security situation and weak or absent rule of law.²³ Civilian authorities do not have effective control over the security forces.²⁴ Impunity is the norm.²⁵

The Somali National Army (SNA) comes under the federal government's Ministry of Defence; however, control by the ministry is tenuous.²⁶ The army has between 11,000 and 14,000 soldiers with most located in Middle Shabelle and Lower Shabelle regions.²⁷ While most civilian casualties are caused by Al Shabaab and other non-state actors, a smaller number of casualties are attributed to government security forces.²⁸

Unclassified

Police are generally ineffective and lack sufficient equipment and training.²⁹ There are reports police engage in corrupt practices.³⁰ The federal government tends to use the National Intelligence Service Agency (NISA) for police work, regularly calling on them to arrest and detain civilians without warrants.³¹ Police forces come under a mix of local and regional administrations and the government.³²

Somaliland has its own security and police forces. Some of Puntland's security forces are being integrated into the SNA.³³

Forced detention, arbitrary detention and extrajudicial killings

State and non-state actors carry out extrajudicial executions, arbitrary arrests and detention, and abductions.³⁴

The Constitution provides for arrested persons to be brought before judicial authorities within 48 hours; however, in practice long periods of pre-trial detention and detention without charge are common.³⁵ The National Intelligence Service Agency (NISA) regularly violates international human rights law when arresting and detaining suspects.³⁶ The NISA often justifies the use of arbitrary arrest by accusing those arrested of links to Al Shabaab.³⁷

Government authorities have executed people without due process.³⁸

Al Shabaab has killed civilians, including those accused of spying for the government, and journalists.³⁹

In areas controlled by Al Shabaab, individuals are detained in poor conditions for a number of acts considered 'offenses' including listening to music, watching or playing soccer, wearing a bra, smoking, having illicit content on cell phones, or not wearing a hijab.⁴⁰ Women and girls are sometimes detained for disobeying their husbands or parents.⁴¹

Prison conditions

There is no central oversight of the prison system and the federal government does not know how many prisons exist in the country.⁴² Somaliland and Puntland run their own prisons, as do several regional governments. In addition, there are many informal places of detention, some run by clans and others by Al Shabaab and other non-state actors.⁴³

Prison conditions are harsh. Sanitation is poor, overcrowding is common, food is inadequate and disease is widespread.⁴⁴ Men and women in detention are separated, but juveniles are often detained with adults.⁴⁵ Infrastructure is typically dilapidated and guards are unable to provide adequate security.⁴⁶

There is one modern prison in Mogadishu which was funded by the international community and meets international standards, although overcrowding is a problem.⁴⁷ Garowe Prison in Puntland was established in 2014, and, along with Hargeisa Prison in Somaliland which was established in 2011, meets international standards and is reportedly well managed.⁴⁸

Double jeopardy

The *Penal Code* generally prohibits re-prosecution where a person has been convicted of a crime and served their sentence overseas.⁴⁹ However, there are five offences, mostly related to crimes against the state of Somalia, which would attract retrial whether or not a person had completed their sentence or been acquitted abroad. These offences may attract the death penalty.⁵⁰ As well, article 8 of the *Penal Code* provides for re-prosecution of some crimes under certain conditions, an ambiguity that is made worse by inconsistent application of laws and lack of judicial capacity.⁵¹

Unclassified

Treatment of criminal returnees

Limited information was found on the treatment of criminal returnees.

In a 2015 policy paper on returnees, the government said it would not accept certain violent criminals and that all returnees with a criminal background must have completed their sentences in their host country before arriving in Somalia.⁵² The government also said that countries wishing to return offenders to Somalia must disclose a full criminal background check to Somali authorities before a decision can be made on return.⁵³

Situation for returnees and possibility of internal relocation

Returnees

The federal government welcomes voluntary returnees but acknowledges it has a limited capacity to accept on a large scale due to security, political and economic instability.⁵⁴

The federal government receives failed asylum seekers on a case-by-case basis where they meet the following criteria:

- They are Somali nationals, originating from within the borders of the Federal Republic of Somalia
- A risk assessment is completed for every candidate for repatriation by the country they are being deported from and by the relevant Somali authorities
- All returnees must have a fixed address in an accessible part of Somalia
- Returnees in need of psychological and mental health support cannot be returned to Somalia at present
- Somalia will not accept the repatriation of certain categories of offenders including radicalised people, sexual predators, and certain violent criminals
- All returnees with a criminal background must have completed their sentences in their host countries before arriving in Somalia
- Governments wishing to return offenders must disclose a full criminal background check to the relevant Somali authorities before a decision can be made
- Deporting governments must give each deportee \$10,000 USD to restart their lives in Somalia.⁵⁵

Returnees have limited access to basic services⁵⁶ and face a number of obstacles to resettlement including tensions with local populations, difficulties with land and property rights, limited employment opportunities and Somalia's volatile security situation.⁵⁷

Reportedly, some refugees have returned to Yemen despite continuing conflict due to poor refugee reception services in Somaliland.⁵⁸

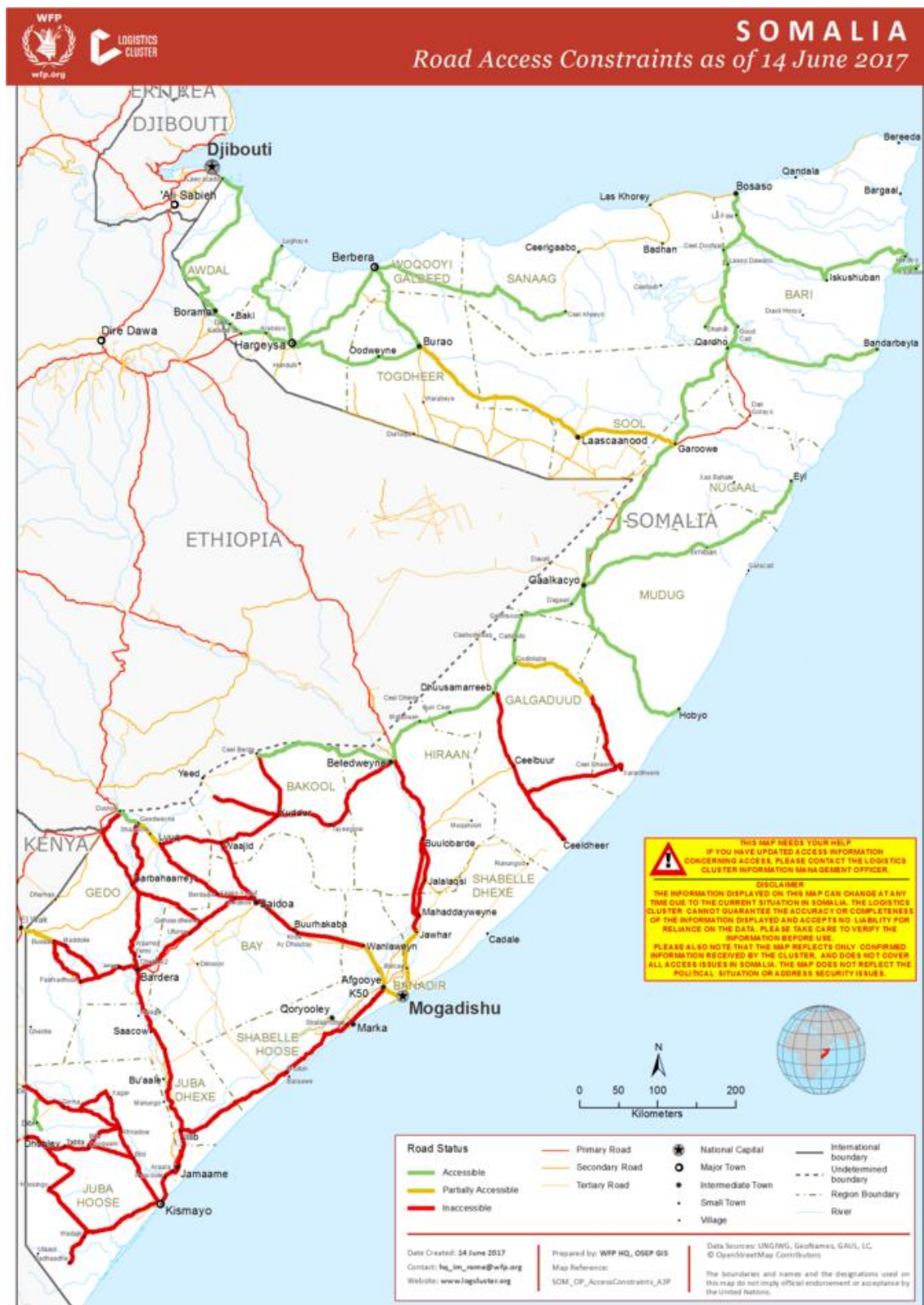
Internal relocation

Many clans are nomadic and there are no legal impediments to relocation in south-central Somalia. Internal displacement is common.⁵⁹

Relocation options can be severely limited by a lack of financial resources or clan connections. Somalis generally depend on the support of their clan for protection and necessities like food and shelter.⁶⁰

Security conditions can also hinder freedom of movement. DFAT notes that, while urban centres may be relatively secure, moving between areas often requires travelling through areas and along roads controlled by Al Shabaab.⁶¹ The map below shows areas considered inaccessible (red lines) to humanitarian workers as of June 2017.

Unclassified

Figure 2: Somalia – Road Access Constraints as of 14 June 2017⁶²

Unclassified

Infrastructure and availability of humanitarian assistance

Infrastructure is poor due to decades of conflict and instability.⁶³

The humanitarian situation has deteriorated in 2017, with drought severely impacting food security and livelihoods.⁶⁴ Between November 2016 and October 2017, 949,000 people were displaced due to drought.⁶⁵

Many parts of Somalia, in particular Lower Juba, Upper Juba and Gego, are mostly inaccessible to humanitarian actors.⁶⁶ Between January and October 2017, humanitarian organisations were affected by at least 130 incidents, with 15 humanitarian workers killed, 31 injured, and 17 detained.⁶⁷ Kidnapping of aid workers and extortion at checkpoints is also an issue, with at least 30 humanitarian workers abducted in 2017.⁶⁸

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