



COUNTRY OF ORIGIN INFORMATION REPORT

SOMALIA

24 FEBRUARY 2009

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Preface

- i This Country of Origin Information Report (COI Report) has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 31 January 2009. The 'Latest News' section contains further brief information on events and reports accessed from 1 February 2009 to 24 February. This report is published on 24 February 2009.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the UKBA as below.

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

ADVISORY PANEL ON COUNTRY INFORMATION

- xi The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UK Border Agency's country of origin information material. The APCI welcomes all feedback on the UKBA's COI Reports, Key Documents and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk
- xii In the course of its work, the APCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. The APCI may or may not have reviewed this particular document. At the following link is a list of the COI Reports and other documents which have, to date, been reviewed by the APCI: www.apci.org.uk/reviewed-documents.html
- xiii Please note: It is not the function of the APCI to endorse any UKBA material or procedures. Some of the material examined by the Panel relates to

countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

Advisory Panel on Country Information:

Email: apci@homeoffice.gsi.gov.uk

Website: www.apci.org.uk

Latest News

EVENTS IN SOMALIA, FROM 1 FEBRUARY 2009 TO 22 FEBRUARY 2009

24 February Garowe Online reported that 21 people were killed and many others wounded, with Medina Hospital receiving 50 casualties in a major security incident. "The fighting erupted after African Union (AMISOM) peacekeepers and Somali government forces expanded into several Mogadishu districts under insurgent control, witnesses said. Fighters loyal to two insurgent groups – Al Shabaab and Party of Islam – took to the streets and sparked 'the worst battle since Ethiopian troops left,' according to Radio Garowe's correspondent in Mogadishu."

Garowe Online, Somalia: 21 killed in 'worst battle' since Ethiopia pullout, 24 February 2009

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_21_killed_in_worst_battle_since_Ethiopia_pullout.shtml

Date accessed 24 February 2009

23 February Garowe Online reported that fighting had broken out between former TFG and former ARS militiamen in one of the units of the new combined security force. The report notes that the new force is intended "to create a 10,000-strong police force that can secure the capital from Islamist hardliners."

Garowe Online, Somalia: Govt forces fight each other as President returns

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Govt_forces_fight_each_other_as_President_returns.shtml

Date accessed 24 February 2009

22 February The BBC report stated that "Somali Islamist insurgents have killed 11 African Union peacekeepers from Burundi in a deadly attack on an AU military base in Mogadishu. The al-Shabaab group said two of its members had carried out a suicide car bomb attack on the base. The AU confirmed that 11 Burundian troops had died in the Somali capital and 15 others had been seriously hurt."

BBC News, Bombs kill Somalia peacekeepers, 22 February 2009

<http://news.bbc.co.uk/1/hi/world/africa/7904613.stm>

Date accessed 23 February 2009

The Garowe Online report added: "Abu Mansur [al Shabaab's spokesman] demanded that AU soldiers leave Somalia or continue to face more attacks. He said Al Shabaab welcomes all groups who want to find a solution to the Somali crisis, but denied having knowledge of a group of Somali Muslim scholars who recently issued a declaration calling on the AU force to leave Somalia within 120 days. The scholars also called on Islamist rebels to stop the insurgency and allow AU peacekeepers time to withdraw."

Garowe Online, 11 African Union peacekeepers killed in Somalia, 22 February 2009

http://www.garoweonline.com/artman2/publish/Somalia_27/11_African_Union_peacekeepers_killed_in_Somalia.shtml

Date accessed 23 February 2009

- 20 February The meeting of Islamic scholars called as advisors by the new Government has called for the withdrawal of the African Union Mission (AMISOM) troops from Somalia within 120 days, and for insurgent groups to allow the mission a peaceful withdrawal.

Garowe Online, Somalia: Islamic scholars' council demands African Union pullout 'within 120 days', 20 February 2009
http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Islamic_scholars_council_demands_African_Union_pullout_within_120_days.shtml
 Date accessed 23 February 2009

- 18 February SAACID sent out a global email, commenting on the situation in Mogadishu. The situation was still very tense, with an "explosion of freelance militiamen on the streets after the Ethiopian military withdrew - from about 8-12,000 before to 30,000-35,000 after withdrawal (to the end of January - things have continued to worsen since then)" SAACID also talks of a change in the dynamic of protection, "Apart from Ayr, Habir Gadir, very little clan mobilisation has still taken place. SAACID increasingly believes that a new phenomena is in play here, whereby clans should no longer be seen as the defining phenomena in terms of military activity or potential (in Mogadishu). That business, or religious or secular motivation and aggregation may now well be a better defining feature for military propensity and potential."

SAACID global email, January 2009, 18 February 2009
 Date received 18 February 2009

- 17 February Al Shabaab has condemned the National Security meeting that was called by President Sheikh Sharif on Monday 16 February and ending 17 February. The meeting had decided upon the integration of the insurgent and TFG forces; the implementation of Shari'a law; and had condemned activities of al Shabaab.

Puntland Post, Al Shabaab condemns move to stabilize security situation in Somalia, 17 February 2009
<http://www.puntlandpost.com/englishnewspage.php?articleid=6017>
 Date accessed 18 February 2009

Also

Voice of America News, Ongoing Islamic conference discusses future of Somalia, 16 February 2009
<http://www.voanews.com/english/Africa/2009-02-16-voa2.cfm>
 Date accessed 16 February 2009

- 13 February President Sheikh Sharif appoints a new Prime Minister, Omar Abdirashid Ali Sharmarke. Mr Sharmarke has one month in which to appoint a cabinet.

BBC News, New Somali prime minister named 13 February 2009
<http://www.bbc.co.uk/1/hi/world/africa/7889330.stm>
 Date accessed 16 February 2009

- 10 February TFG forces and al Shabaab from Baidoa were involved in "military tensions" in the town of Haddur.

Garowe Online, Tensions in SW Somalia between govt forces, al Shabaab, 10 February 2009
<http://www.garoweonline.com/>
Date accessed 11 February 2009

9 February There are reports that the new president has met with the spokesman for al Shabaab, Muktar Robow 'Abu Mansur'; Garowe Online suggests that this may indicate a split in al Shabaab, regarding cooperation with new Government.

Garowe Online, Al Shabaab spokesman 'meets' Somalia president: reports, 9 February 2009
<http://www.garoweonline.com/>
Date accessed 10 February 2009

Also

BBC News, Somali president makes peace plea, 9 February 2009
<http://www.bbc.co.uk/1/hi/world/africa/789754.stm>
Date accessed 10 February 2009

Information for the period 1 – 9 February 2009 is set out thematically in Conflict Update Eleven in Annex G

See [Conflict Update Eleven](#)

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REPORTS ON SOMALIA PUBLISHED OR ACCESSED BETWEEN 1 AND 23 FEBRUARY 2009

LandInfo, Country of Origin Information Centre, (Oslo),

Report: documents in Somalia and Sudan 5 January 2009

http://www.landinfo.no/asset/769/1/769_1.pdf

Date accessed 10 February 2009

LandInfo, Country of Origin Information Centre, (Oslo),

Conflict, Security and Clan Protection in South Somalia, 2009, 8 November 2008

http://www.landinfo.no/asset/784/1/784_1.pdf

Date accessed 19 February 2009

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12 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

Background Information

GEOGRAPHY

- 1.01 Europa Regional Surveys of the World online version, accessed 21 January 2009 recorded:

“The Somali Democratic Republic lies on the east coast of Africa, with Ethiopia to the north-west and Kenya to the west. There is a short frontier with Djibouti to the north-west...The national language is Somali, but Arabic is also in official use. English and Italian are widely spoken. The state religion is Islam, and the majority of Somalis are Sunni Muslims... Mogadishu is the capital.” [1a] (Location, Climate, Language, Religion, Flag, Capital)

- 1.02 The Economist Intelligence Unit (EIU), in its Somalia Country Profile for 2007, updated 5 April 2007, noted that the population was 10.4m, and that the main towns were the capital Mogadishu, Hargeisa, Gaalka'yo, Kismayu, Bossaso [Bossaso, Bosaso], Laascaanood, Berbera, and Borama. [17a] (p3)

- 1.03 Somali society is characterised by membership of clan-families, which are sub-divided into clans, and many sub-clans; in addition there are a number of minority groups, many of which are also divided into sub-groups. The clan structure comprises the four major 'noble' clan-families of Darod, Hawiye, Isaaq and Dir. 'Noble' in this sense refers to the widespread Somali belief that members of the major clans are descended from a common Somali ancestor. Two further clans, the Digil and Mirifle (also collectively referred to as Rahanweyn), take an intermediate position between the main Somali clans and the minority groups. Large numbers of ethnic Somalis also live in neighbouring Ethiopia, Kenya and Djibouti. (Joint British, Danish and Dutch Fact-finding Mission report, December 2000) [7a] (p1-15)

See [Somali clans](#) and [Annex C: Somali clan structure](#)

MAP

1.04 Map of Somalia.



Further maps of Somalia are available from the following websites:

United Nations Cartographic Section,
<http://www.un.org/Depts/Cartographic/english/htmain.htm>

Date accessed 26 October 2006.

Reliefweb

<http://www.reliefweb.int/rw/rwb.nsf/doc404?OpenForm&rc=1&cc=som>

Date accessed 26 October 2006.

UN OCHA maps documenting flows of IDPS

Date accessed 19 January 2009.

Mogadishu Periphery – IDP settlements (25 April 2008) [47a]

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1090291>

Date accessed 19 January 2009

Horn of Africa: Smuggling routes to Yemen (March 2008) [47b]

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1090134>

Date accessed 19 January 2009

Food aid distributions (April-May 2008) [47c]

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1090676>

Date accessed 1 July 2008

Health interventions in south and central (February 2008) [47d]

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1086915>

Date accessed 1 July 2008

Mogadishu

- 1.05 There is a large map of Mogadishu, highlighting landmarks, key features and IDP settlements, produced by the UNHCR, dated 18 December 2007, at:

http://www.depha.org/unhcr/Somalia/Maps/UrbanIDPs/SOM_Mog_POI_A1L_C_18Dec07.pdf

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ECONOMY

- 2.01 The CIA World Fact book, updated 18 December 2008, stated that despite the lack of effective national governance, Somalia has "...maintained a healthy informal economy, largely based on livestock, remittance/money transfer companies, and telecommunications. Agriculture is the most important sector, with livestock normally accounting for about 40% of GDP and about 65% of export earnings. Nomads and semi-pastoralists, who are dependent upon livestock for their livelihood, make up a large portion of the population." [39a]

See [Drought and famine, 2008](#)

- 2.02 The CIA World Fact book, updated 18 December 2008, continued:
- "Livestock, hides, fish, charcoal, and bananas are Somalia's principal exports, while sugar, sorghum, corn, qat, and machined goods are the principal imports. Somalia's small industrial sector, based on the processing of agricultural products, has largely been looted and sold as scrap metal. Somalia's service sector also has grown. Telecommunication firms provide wireless services in most major cities and offer the lowest international call rates on the continent. In the absence of a formal banking sector, money exchange services have sprouted throughout the country, handling between \$500 million and \$1 billion in remittances annually. Mogadishu's main market offers a variety of goods from food to the newest electronic gadgets." [39a]
- 2.03 The Economist Intelligence Unit (EIU), in its Somalia Country Profile for 2007, updated 5 April 2007, reported:
- "The economy has long been heavily dependent on livestock and agriculture. Stock rearing is practised throughout the country and accounted for about 40% of GDP [Gross Domestic Product] and 65% of export earnings in 2000, according to World Food Programme (WFP) estimates. Most of the farmland lies between the Jubba and Shabeelle rivers in the south of the country. The small manufacturing sector is based on the processing of agricultural products. In the south, the absence of a central government has meant that no economic data have been produced by national sources since 1990. In Somaliland, by contrast, the government collects tax and duties levied on trade." [17d] (p16)
- 2.04 The EIU in its 2007 profile added:
- "There is little formal economic policy beyond the collection of duties and tax. In southern Somalia, taxes are often levied by local warlords or clan leaders and used to pay militiamen. Some factions in the south have made attempts to manage various cities, in some cases using collected funds to restore schools and hospitals. Elsewhere, collection of taxes and duties is more like extortion by armed groups in the areas that they control." [17d] (p16)
- 2.05 The EIU in its 2007 profile added:
- "In Somaliland, duties levied at the port of Berbera generate an estimated 85% of government revenue, although these duties were depleted severely during the ban on livestock imports by Saudi Arabia and other Gulf states ...

Consequently, Somaliland's government revenue, which is mostly spent on the armed forces and civil service salaries, has been extremely modest in recent years. The US\$25m total for 2005 was an increase of 13% over the 2004 budget of US\$22m. In many areas, all over Somalia, duties on the import of a mild narcotic, khat, represent a significant source of income for those in power." [17d] (p16)

CURRENCY

- 2.06 The Economist Intelligence Unit (EIU), in its Somalia Country Profile for 2007, reported:

"In Somalia at least two forms of Somali shilling circulate. Hussein Mohamed Aideed's administration imported several million dollars' worth of new bank notes in 1997 and 1999. The Puntland administration imported new notes in 2000 and 2006, and several similar deliveries arrived in Mogadishu under the Transitional National Assembly (TNA) from 2000 to 2003. In Somaliland the Somaliland shilling became legal tender in February 1995. Money-changers operate legally and freely, even though multiple currencies continue to circulate." [17d] (p16)

- 2.07 The US State Department Background Note, updated November 2008, stated:

"The absence of central government authority, as well as profiteering from counterfeiting, has rapidly debased Somalia's currency. By the spring of 2002, the Somali shilling had fallen to over 30,000 shillings to the U.S. dollar. The self-declared Republic of Somaliland issues its own currency, the Somaliland shilling, which is not accepted outside of the self-declared republic." [2d](Economy)

- 2.08 The head of Somalia's Central Bank, Bashir Isse, announced in April 2008 that the transitional federal government is in the process of printing new Somali Shillings to replace the old Shilling. He indicated that the new shillings, in contrast to those that are currently in circulation, will be difficult to duplicate. Mr Isse added that the Somali government is not responsible for the hyperinflation that has affected Somalia's economy over recent months. (Garoweonline, 15 April 2008) [35e]

- 2.09 Protests were held in Mogadishu on 5 May 2008 against rising food prices and the business community's refusal to accept 1,000 note Somali Shillings. Garowe Online, 5 May 2008, notes: "At least four people were killed and five others wounded during the violent protests, which affected many neighborhoods in Mogadishu. Some of the dead were killed by police gunfire, witnesses reported." (Garoweonline, 5 May 2008) [35n] SAACID's November 2008 email noted: "The Somali currency remains stable and completely worthless at 35,020 SS to the USD. SAACID continues to forecast that the Shilling will trade in the range of 34-36,000, as this is the current cost range at which the ubiquitous 1,000 Shilling note can be produced." [53f]

See [Freedom of Assembly](#)

DROUGHT AND FAMINE, 2008

- 2.10 The seasonal rains failed in the period April-June 2007 (the *Gu* rains) and were less than hoped for in the period October-December 2007 (the *Deyr* rains). (UN Office for the Coordination of Humanitarian Affairs (OCHA), Somalia Humanitarian Overview February 2008) [26p] By March 2008, OCHA reported that the drought had affected most of the country. [26q] The drought has been exacerbated by the lack of fuel, or money to purchase fuel, or the safe access to and deliver of fuel, to power water-pumps. (OCHA, Somalia Humanitarian Overview February 2008) [26p] The 2008 *Gu* rains were less than needed to replenish water levels, and by May 2008, "...pastoralists in many parts of the country are struggling to cope with three consecutive seasons of rain failure which have caused rangelands conditions and livestock conditions to deteriorate." (OCHA, Somalia Humanitarian Overview May 2008) [26s]
- 2.11 As a result of the drought, local food supplies have been exhausted, and many are reliant upon food imports and humanitarian relief. Humanitarian NGOs estimate that 2.6 million people in Somalia need assistance, with a projection of up to 3.5 million by the end of 2008. (IRIN, 26 June 2008) [10t] The number of people who are in need of food assistance may have reached 3.2 million in August 2008. (UN OCHA Humanitarian Overview report July 2008) [26u]
- 2.12 In addition to local climatic problems, Horn of Africa countries have been adversely affected by rising prices on the world food market. This has been further exacerbated for the urban poor in Mogadishu with the change of currency crises in May 2008. (Garowe Online, 5 May 2008) [35n]

See [Currency](#)

- 2.13 On 26 June 2008, IRIN reported that Médecins sans Frontières (MSF) considered the scale of the humanitarian crisis to far outstrip the response available. [10t] Distribution points are also points of conflict: the US State Department report on Human Rights Practices covering 2007 (USSD report for 2007) stated: "Persons assembled at food distribution centers were killed and injured. In March [2007] TFG-allied militias injured two elderly women when they shot into the air to disperse a crowd gathered at a food distribution centre in Jilib, lower Juba." [2a] (**Arbitrary or Unlawful Deprivation of Life**)

The OCHA February 2008 food distribution point map at <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1090676> gives details of locations of the main distribution points in early 2008. [47c]

TELECOMMUNICATIONS

- 2.14 The EIU, in its Somalia Country Profile for 2007, noted:

"Small private companies linked to overseas satellite operators provide telecommunications in major towns. Mogadishu is served by three companies set up in 2002 following the closure of the Al-Barakat phone company in November 2001. Its international lines, operated by the US company AT&T, were cut following allegations of association with terrorist

networks. Local calls within Mogadishu are free, whereas local cellular calls cost US\$0.11 per minute, cheaper than in neighbouring Kenya. Four firms serve Hargeisa, all offering mobile phones and direct international calls at cheaper rates than in neighbouring Djibouti and Kenya. A new gateway system has been installed in Somaliland following a five-year agreement signed between the Ministry of Telecommunications in Hargeisa and a US-based company, Transcom Digital (TDI). Somalia's largest mobile-phone operator, Telsom Mobile, placed an order for products and services worth US\$1.4m with US-based AirNet Communications in July 2005 to upgrade its system within Somalia. The order brings the company's total investment in AirNet equipment and services to more than US\$10m since 2000. Two new television companies, Horn Afrique and Somali Television Network, were set up in 2000. Several ISPs [Internet Service Providers] have opened in recent years and are servicing areas of the country, as well as Somaliland. Strangely, Somalia enjoys better Internet connectivity than some other African countries, including Eritrea." [17d] (p15)

HISTORY

COLLAPSE OF CENTRAL GOVERNMENT AND CIVIL WAR

- 3.01 Europa Online, accessed 21 January 2009, gives a comprehensive account of the period between the implementing of a new Constitution in September 1979 and the fall of the Barre Government in 1991. In summary it recounts how the new Constitution ushered in elections in December 1979, which Said Barre won, and who then assumed all political powers to the Presidency. Barre confirmed his hold on the presidency in 1987. In October 1981 the Democratic Front for the Salvation of Somalia (DFSS, later renamed the Somali Salvation Democratic Front—SSDF) was formed, and attempted a coup in 1982. Protests in Mogadishu in 1989 “were violently suppressed by the armed forces, resulting in the deaths of more than 400 demonstrators.” In 1989 the President’s clan power-base was reduced, at the point the armed opposition in southern Somalia gained support. Concessions towards democratising the political process in 1990 did not placate the opposition. (EuropaWorld) [1a] **(Recent History)** As the Foreign and Commonwealth Office (FCO), in its Country Profile on Somalia dated 2 March 2007 (accessed 21 January 2009), stated:

“Barre fled the country in January 1991 when another rebel group, the United Somali Congress (USC) gained control of Mogadishu. A full-blown civil war developed in the capital when the USC fragmented into rival, clan based factions. This contest remains unresolved and control of Mogadishu is divided among a variety of principally Hawiye warlords.” [16a] **(History)**

- 3.02 The FCO in its profile dated 2 March 2007 (accessed 21 January 2009), continues:

“In January 1992 the UN established a small Cease-fire Observer Force operation (UNOSOM I). It failed to make any impact and as civil war escalated a massive humanitarian crisis developed. In December 1992 a US-led task force (UNITAF) intervened to create a secure environment for relief operations. It succeeded in securing the main relief centres in the starvation area but did not attempt to disarm the Somali clan militias or the warlords. UNITAF handed over to UNOSOM II in May 1993. In response to militia attacks, the Security Council authorised UNOSOM to take all necessary measures against those responsible and to arrest General Aideed. In the confrontation that ensued, 18 US Rangers were killed, which prompted the departure of US troops in March 1994. The last UNOSOM troops withdrew in March 1995 after the loss of thousands of Somalis and 70 UN peacekeepers.” [16a] **(History)**

- 3.03 Clan elders and senior figures attempted to reconcile warring militias by setting up a transitional government in August 2000. However by April 2001 Somali warlords, backed by Ethiopia, had announced their intention to form a national government within six months, in direct opposition to the country’s transitional administration. The fourteenth attempt to restore central government since 1991 was made in August 2004, when a new transitional parliament was inaugurated in Kenya. (BBC Timeline, 1 January 2009) [8g]

- 3.04 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact Finding Mission report on human rights and security in central and southern Somalia, published August 2007 noted:

"The present Transitional Federal Government (TFG) in Somalia was formed in 2004, but internal and physical divisions within the TFG as well as insecurity in central and southern Somalia, and in Mogadishu particularly, hindered it from being a functioning, unified government. However, in early 2006 the TFG became physically unified for the first time in Baidoa. Insecurity in Mogadishu had forced the TFG to establish itself elsewhere in Somalia and for some time it was divided between Baidoa and Jowhar. This brief period of fragile optimism soon vanished as the Union of Islamic Courts (UIC) in Mogadishu suddenly took control of the capital. [The] UIC is a union of various Sharia courts, and the Hawiye clans in particular supported it. During the spring of 2006 the UIC fought against the warlords in central and southern Somalia and a number of former Mogadishu-based warlords founded a coalition that was named Alliance for the Restoration of Peace and Counter-Terrorism (ARPCT). However, the UIC defeated ARPCT in May 2006 and from then on UIC gradually took control of most of central and southern Somalia, including Mogadishu. UIC never gained control of Baidoa, the seat of the TFG." [7e] (p5)

- 3.05 The FCO profile, dated 2 March 2007 and accessed 28 January 2009, added:

"In summer 2006 a coalition of warlords – claiming to be against extremism and terrorism - attacked the ICU. The latter's successful counter-attack threatened the security of the TFG. Arab League sponsored talks in Khartoum, from June 2006 onwards, between representatives of the TFG and failed to stave off direct confrontation. In December 2006 Ethiopia, in response to a perceived threat to the TFG in Baidoa, launched an attack on the ICU. The latter retreated into the countryside, allowing the TFG to instal itself in Mogadishu in January 2007." [16a] (Politics)

- 3.06 Summarising the BBC Somalia timeline's account of events, updated 1 January 2009, between the TFG / Ethiopian occupation of Mogadishu in January 2007 and the upsurge of violence in October / November 2007, the key developments were:

- the authorising and arrival of AMISOM in February 2007, the African Union peacekeeping mission (See [AMISOM](#));
- the period of intense fighting in Mogadishu in March and April 2007, with 320,000 IDPs fleeing Mogadishu since February 2007;
- the National reconciliation conference opened in Mogadishu in July 2007
- Opposition groups form a new alliance, the Alliance for the Re-liberation of Somalia, in Asmara, Eritrea in September 2007; and
- In October 2007, Ethiopian forces fire on demonstrators in Mogadishu and an upsurge in violence begins, with the Ethiopian forces bringing in reinforcements. [8g]

- 3.07 The United Nations Office for the Coordination of Humanitarian Affairs (OCHA), in its monthly Humanitarian Analysis for November 2007 noted:

“During the month of November [2007], security operations by Ethiopian/TFG forces intensified particularly in six districts within the city believed by the TFG to be harbouring anti-government elements. Fierce attacks ensued between the warring factions killing, wounding and terrifying civilians in indiscriminate shelling, roadside bombs and artillery attacks.” [26i]

- 3.08 In the same report OCHA noted that the violence in Mogadishu rose to such a level in November 2007 that it triggered the movement of more than 240,000 people out of the city. [26i] The report noted:

“Six of 17 districts in Mogadishu which have been the scene of almost daily confrontations between Ethiopian/Transitional Federal Government Forces (TFG) forces and anti-government elements have been nearly deserted for most of the month due to insecurity and forced eviction. Communities who returned to areas where troops had temporarily withdrawn witnessed the almost complete destruction of homes and public infrastructure. Religious places were desecrated, as well as other public areas ... Ad hoc roadblocks that charge taxes ranging from US\$70 – US\$500 to move in and out of Mogadishu have caused huge hindrances to the humanitarian community in accessing vulnerable people. In November, Non-Governmental Organisations (NGOs) reported delays and payment of taxes of up to US\$ 475 at eight roadblocks on the Mogadishu/Afgooye road – a major area of humanitarian operations. The highest number of roadblocks since the beginning of 2007 – 336 in total – was recorded in November [2007].” [26i]

See [Checkpoints](#)

PEACE INITIATIVES 2000-2007

- 3.09 The US State Department in its Background Note of June 2008 noted:

“In early 2002, Kenya organized a reconciliation effort under IGAD auspices known as the Somalia National Reconciliation Conference, which concluded in October 2004. In August 2004, the Somali Transitional Federal Assembly (TFA) was established as part of the IGAD-led process. Abdullahi Yusuf Ahmed was elected Transitional Federal President of Somalia on October 10, 2004 and Ali Mohamed Gedi was approved by the Transitional Federal Assembly as Prime Minister on December 24, 2004 as part of the continued formation of a Transitional Federal Government (TFG), the components of which are known as the Transitional Federal Institutions (TFIs).” [2d] **(Political conditions)**

- 3.10 On 20 February 2007 the UN Security Council authorized the African Union to establish a peace keeping mission in Somalia for six months with the aim of supporting the planned National Reconciliation Conference. After opening on July 15 2007 and then adjourning after insurgent mortar fire targeted its venue, the conference resumed on July 19 and conducted regular sessions into the second week of August. (BBC Timeline, April 2007) [8g]

See [AMISOM](#)

- 3.11 The National Reconciliation Conference ended on 30 August 2007 with mixed opinion on its success. Although organisers of the conference and the TFG praised the ‘historic’ results of the NRC, (Garowe Online, 17

22 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

September 2007) [35a]. An article by IRIN dated 30 August 2007 noted that many analysts have expressed their doubts, with Timothy Othieno, Horn of Africa analyst at the Institute for Global Dialogue in Johannesburg describing the conference as “a total failure.” [10p] This was due to the selective nature of the way the participants were chosen and the arbitrary tactics of the TFG. “The TFG determined who was going to attend and who wasn’t. You cannot place conditions on participants if you are trying to reconcile a nation.” The Hawiye clan and the Union of Islamic Courts (UIC) were left out of the process which “signalled the end of the ‘conference’ even before it began.” [10p] IRIN also noted the opinion of Francois Fall, the UN Special Representative for Somalia, on behalf of the International Advisory Committee, said: “Whilst the conclusion of this Congress marks yet another milestone in the quest for peace and reconciliation in Somalia, it does not however, signify the end of the reconciliation process.” [10p]

‘SOUTH WEST STATE OF SOMALIA’ (BAY AND BAKOOL)

3.12 Europa Online, when accessed on 3 April 2007, reported:

“The reconciliation process in Somalia was further endangered in early April 2002, when the Rahanwin Resistance Army (RRA) announced that it had established a new autonomous region in south-western Somalia, based in Baidoa, to be known as the ‘State of South-western Somalia’. The Chairman of the RRA, Mohamed Hasan Nur, was elected as ‘President’ of the new region for a four-year period.” [1a] (Recent History)

‘PUNTLAND’ REGIONAL ADMINISTRATION

3.13 Europa Online, accessed on 14 January 2009, noted:

“In July 1998 Col Abdullahi Yussuf Ahmed, a former leader of the SSDF [Somali Salvation Democratic Front], announced the formation of ‘Puntland’, a new autonomous administration in north-eastern Somalia. In August [1998] Abdullahi Yussuf, as President of the new administration, appointed a cabinet, which was subsequently approved by the recently inaugurated 69-member parliament (empowered to act as the legislature for a three-year transitional period, prior to the holding of regional elections). A charter for ‘Puntland’, released shortly afterwards, precluded ‘Puntland’ from seceding from Somalia, while it envisaged the adoption of a federal system of national government, with similar regional governments emerging around the country. Hussein Aidid declared his opposition to the administration, accusing the Ethiopian authorities of encouraging ‘Puntland’ to secede. In late June 2001 Yussuf’s mandate was controversially extended for a further three years by the ‘Puntland’ parliament, at the behest of clan elders. The constitutionality of the decision was challenged by several opposition figures, and the ‘Puntland’ High Court issued a decree, effective from 1 July [2001], placing all security services and other government institutions under its supervision. The Chief Justice of ‘Puntland’, Yussuf Haji Nur, subsequently proclaimed himself President of the territory; senior clan elders confirmed Haji Nur as acting President until 31 August [2001]. However, Yussuf rejected this decision, and heavy fighting ensued between followers of Yussuf and Haji Nur. In late August [2001] a general congress, attended by representatives of all major ‘Puntland’ clans, opened in

Garowe, the region's capital, to elect a new President and Vice-President, as well as members to a new 'Puntland' assembly, and in mid-November [2001] Jama Ali Jama and Ahmad Mahmud Gunle were sworn in as President and Vice-President, respectively. Just days later violent clashes were reported to have taken place in Garowe between troops loyal to Yussuf and Ali Jama. In April 2002 Yussuf and Ali Jama met for talks in Ethiopia, but no agreement was reached. Fighting continued in 'Puntland' during 2002 and early 2003, with numerous casualties reported on both sides. In May 2003 Yussuf sought to stabilize 'Puntland' by concluding a power-sharing agreement with opposition forces, under the terms of which opposition members were granted a number of ministerial portfolios. In July 2004, following a presidential decree which reduced the Government's term in office from two years to six months, Yussuf formed a new 15-member Government. In October [2004] Yussuf was elected President of Somalia (see above) and Mohamed Abdi Hashi succeeded him as President of 'Puntland' in an acting capacity. In early January 2005 Gen. Mohamud Muse Hersi 'Adde', a former Somali diplomat, secured the support of 35 members of the 'Puntland' parliament, thus defeating Hashi, who won 30 votes, and was elected President of 'Puntland'. Hassan Dahir Afqurac was elected Vice-President. In late February 2006 an armed confrontation near the parliament building between security forces and a group loyal to the Minister for Planning, Abdirahman Farole, resulted in at least three deaths. Security forces had surrounded the building, which the group had occupied the previous day. In early March [2006] members of parliament approved a new Cabinet, in which incumbent ministers retained their portfolios, with the exception of Farole, whom Hersi had dismissed following the siege. Meanwhile, in October 2005 it emerged that 'Puntland' had issued mineral and oil exploration rights to Range Resources of Australia in an agreement that included the regions of Sanaag and Sool, disputed by 'Puntland' and the neighbouring region of 'Somaliland', prompting vociferous criticism from the 'Somaliland' administration. From September 2004 troops from both regions had reportedly been engaged in heavy fighting near the border between the two self-declared states." [1a] (Recent History)

THE 'REPUBLIC OF SOMALILAND'

- 3.14 The Foreign and Commonwealth Office (FCO), in its Country Profile on Somalia dated 2 March 2007, (accessed 21 January 2009), noted:

"In May 1991, the north-western region of Somalia (ie: the former British Protectorate of Somaliland) declared unilaterally its independence as the 'Republic of Somaliland'. A government was elected for an initial 2-year period at a conference of elders and in May 1993 former Somali Prime Minister Mohamed Ibrahim Egal was elected President. Egal was re-elected for a five-year term by the National Communities Conference in Hargeisa in February 1997. A Parliament composed of members nominated by their clans was established, a new government was formed and a Constitution approved. A referendum on the Constitution took place on 31 May 2001. 97% of those voting supported the new constitution, which confirmed the region's unilateral secession from the rest of Somalia. Municipal elections were held in January 2003." [16a] (Somaliland)

- 3.15 The FCO profile, dated 2 March 2007, (accessed 21 January 2009), added:

“After the death of Egal in May 2002, Vice-President Dahir Riyale Kahim was sworn in as President. Presidential elections were held in May 2003 in which Riyale narrowly beat his opponent. Parliamentary elections were held on 29 September 2005. Somaliland's stability has been widely acknowledged but it has not received formal recognition from the international community. It has stood aside from wider reconciliation processes but indicated its readiness to discuss relations with Somalia on a basis of equality once a new government is established in Mogadishu.”
[16a] (Somaliland)

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RECENT DEVELOPMENTS

- 4.01 The Human Rights Watch World Report 2009, covering events in 2008 released on 15 January 2009, summarised the recent events in Somalia as:

“In 2008 violence escalated in scale and brutality while internationally supported peace talks struggled to get traction. Even traditional systems of clan protection have broken down in many areas. Key civil society activists whose talents are essential to hopes of rebuilding were killed or driven out of the country. The number of Somalis in need of humanitarian assistance surpassed 3 million, even as criminal violence, rampant piracy off the northern coasts, and targeted attacks on humanitarian workers impeded the flow of aid. Somalis attempting to flee this chaos faced brutal attacks by freelance militias along the roads.” [30b]

- 4.02 Security situation in south and central Somalia changed as the insurgents began taking towns as territorial gains from March 2008. Kismayo was taken by Islamist forces from clan-based militias on 22 August 2008. (Garowe, 22 August 2008) [35p] (See [Kismayo](#)) Jowhar, taken in May 2008, was fought over by two rival Islamist groups in September 2008. (IRIN, 2 September 2008) [10aa] (See [Jowhar](#)) Beletweyne was taken on 22 July 2008. (BBC, 22 July 2008) [8p] (See [Beletweyne](#)). On 12 November 2008, the port of Merka, 40km south of Mogadishu, fell to Al Shabaab forces. (Garowe 12 November 2008) [35p] In January 2009, Baidoa was taken: Baidoa was reported to be calm after al Shabaab took the town on 26 January 2009, and imposed Shari'a law. The local population are reported to be supportive of the new administration. (BBC, 28 January 2009) [8i] (See [Baidoa](#)),
- 4.03 The security situation in Mogadishu has been turbulent in 2008 until the Ethiopian Forces's withdrawal on 13 January 2009. (See [Security, Mogadishu](#)) The conflict was characterised by increasingly open battles in the residential areas of northern Mogadishu. Most incidents were between the insurgent groups and the combined TFG / Ethiopian Forces. AMISOM, the African Union Mission was directly targeted in 2008. (see [AMISOM](#)) In September 2008, the airport was closed for a time, after being declared a target by al Shabaab, the main insurgent group. (see [Freedom of movement, airports](#)) SAACID's assessment of the security situation in Mogadishu in December 2008 was that “it was the worst month for security it [SAACID] had ever seen in its history (since 1990).” [53h] (also see [Latest news](#))
- 4.04 The security situation in Mogadishu was initially tense after the withdrawal of the Ethiopian forces on 13 January 2009, but apart from an incident involving AMISOM, and one attack by al Shabaab on Villa Somalia, the current presidential compound, reported incidents have ceased. (see [Conflict Update Eleven](#).) The new President Sheikh Sharif, in conjunction with the new administration in Mogadishu, has called all TFG forces back to base for reassignment (see [Conflict Update Eleven](#).) and a conference is debating the introduction of Shari'a law to Mogadishu. (See [Latest news](#)) SAACID have reported that the security situation was very tense in January 2009. (See [Latest news](#))

For a fuller account of security issues in Mogadishu in 2008, see [Security situation, Mogadishu](#)

- 4.05 There were political upheavals in the TFG (Transitional Federal Government) in 2008, with a widening rift between President Yusef and his Prime Minister, Nur Adde, which involved the sacking of Mohamed Dheere, the Mayor of Mogadishu, and key Yusef ally by Nur Adde. (See Political system, [Central and southern Somalia](#)) In response to collaboration with the Alliance for the Reliberation of Somalia, Djibouti faction, Nur Adde agreed to double the size of the Parliament to accommodate the 'moderate' Islamists. The rift between President and PM deepened, and on 31 December 2008, in the face of impeachment by the Parliament, Yusef resigned as President. (See [Political system](#) and Conflict Update Eleven on [the presidential election result](#)) Presidential elections were held in Djibouti on 31 January 2009; Sheikh Sharif, the head of the ARS Djibouti faction won, and on 13 February, announced the appointment of his Prime Minister, Omar Abdirashid Ali Sharmarke (See [Latest news](#)).

For more recent political developments in Somalia, see [Latest News](#).

- 4.06 The number of IDPs increased over 2008. In Mogadishu, the numbers leaving the city particularly increased during October and November as the conflict between the TFG / Ethiopian forces and the insurgents intensified in previously relatively untouched residential zones of the city. (IRIN, December 2008) [26f] (protection) (See IDPs, [Mogadishu](#)) The number of IDPs in the Agfooye corridor number 350,000, with a further 600,000 IDPs in other areas outside and away from Mogadishu. (See IDPs. [Afgooye-Mogadishu Road](#)) About 1,600 IDPs have returned to Mogadishu since the Ethiopian Forces's withdrawal. (Agence France Presse, 17 January 2009) [18g] Over 3.5 million Somalis are faced with food security, with drought directing affecting lower Somaliland and central Somalia. Mogadishu has relatively lower rates of malnutrition. All forms of humanitarian assistance have been disrupted by the security situation in 2008: NGOs have seen a shrinkage in the scope of their operations. (See [Human Rights organisations](#))
- 4.07 Attacks by combatants on journalists and the media generally, and on humanitarian aid workers, have been increasing throughout 2008. (See [Journalists as targets of violence](#); [Human Rights organisations, International NGOs](#))
- 4.08 In Puntland, a new President was elected on 3 January 2009. (BBC, 8 January 2009) [8k] (See Political system, [Puntland](#))

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CONSTITUTION

- 5.01 Europa Regional Surveys of the World, online version, accessed on 12 January 2009 recorded that:

“The Constitution promulgated in 1979 and amended in 1990 was revoked following the overthrow of President Siad Barre in January 1991. In July 2000 delegates at the Somali national reconciliation conference in Arta, Djibouti, overwhelmingly approved a national Charter, which was to serve as Somalia's constitution for an interim period of three years. The Charter, which is divided into six main parts, guarantees Somali citizens the freedoms of expression, association and human rights, and distinctly separates the executive, the legislature and the judiciary, as well as guaranteeing the independence of the latter.” [1a] **(The Constitution)**

‘PUNTLAND STATE OF SOMALIA’ CHARTER

- 5.02 The US State Department report on human rights practices 2007 (USSD report for 2007) recorded that the autonomous ‘Puntland State of Somalia’ also has a Charter. As noted by the USSD, this prohibits torture except where this is imposed by Shari’a courts in accordance with Islamic law. [2a] **(Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)**

‘REPUBLIC OF SOMALILAND’ CONSTITUTION

- 5.03 The USSD report for 2007 mentioned that the self-declared ‘Republic of Somaliland’ adopted a new Constitution based on democratic principles but continued to use the pre-1991 Penal Code. [2a] **(Denial of Fair Public Trial)**

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POLITICAL SYSTEM

6.01 The US State Department in the ???

"The territory, which was recognized as the Somali state from 1960 to 1991, was fragmented into regions led in whole or in part by three distinct entities: the Transitional Federal Institutions, with the Transitional Federal Parliament (TFP) in Baidoa, and the presidency and most of the Transitional Federal Government (TFG) in Mogadishu; the self-declared Republic of Somaliland in the northwest; and the semi-autonomous region of Puntland in the northeast. The TFG was formed in late 2004, with a five-year transitional mandate to establish permanent, representative government institutions following national elections scheduled for 2009." [2a] (p1)

6.02 The US State Department in its Background note of November 2008 noted:

"A transitional government, the components of which are known as the Transitional Federal Institutions (TFIs) was formed in 2004 following the conclusion of a 2-year reconciliation process. The TFIs include a transitional parliament, known as the Transitional Federal Assembly (formed in August 2004), as well as a Transitional Federal Government (TFG) that includes a transitional President, Prime Minister and a cabinet known as the 'Council of Ministers.' For administrative purposes, Somalia is divided into 18 regions; the nature, authority, and structure of regional governments vary, where they exist." [2d] (Government)

CENTRAL AND SOUTHERN SOMALIA

6.03 On 30 July 2008, the BBC reported that the Mayor of Mogadishu, Mohammed Dheere, had been sacked by the Prime Minister, Hussein Nur Adde, on the grounds of insubordination and adding to the city's insecurity. [8o] Dheere was detained without charge by the Ethiopian forces for three weeks in December 2008 / January 2009, being released without charge on 21 January 2009. (Garowe online, 22 January 2009) [35q]

6.04 Parliament assembled on 26 January 2009 to give mandate to a new expanded Parliament and to announce Presidential elections, with Garowe reporting on 27 January 2009:

"At least 16 presidential candidates are competing to replace ex-President Abdullahi Yusuf, who resigned last month and was widely seen as an obstacle to the peace process. Sheikh Sharif Ahmed, chairman of the ARS opposition faction, is one of the leading contenders for the Somali presidency. His closest challengers include a list of remarkable characters: current TFG Prime Minister Nur "Adde" Hassan Hussein; ex-PM Ali Mohamed Gedi; ex-PM Hassan Abshir; ex-PM Ali Khalif Galayr; ex-Interior Minister Mohamed Mohamud "Gamodheere"; ex-Mogadishu warlord Mohamed Qanyare; and ex-Kismayo warlord Gen. Mohamed Hersi "Morgan." [35v]

See Conflict Update Eleven on [the presidential election result](#)

- 6.05 On 26 January 2009, Al Shabaab took the town of Baidoa, including the Somali Parliament building and other institutions of the TFG. (BBC, 27 January 2009) [8e]

See [Recent developments](#) and [Latest news](#)

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PUNTLAND

- 6.06 The US State Department in its Background Note of November 2008 noted:

“The area of Puntland declared itself autonomous (although not independent) in 1998 with its capital at Garowe. General Mohamed Adde Muse was elected President by the Puntland parliament in January 2005. Puntland declared it would remain autonomous until a federated Somalia state was established.” [2d] (**Political conditions**)

- 6.07 The USSD report for 2007 noted, in addition:

“In 1998 Puntland declared itself a semi-autonomous regional government during a consultative conference with delegates from six regions who included traditional community elders, the leadership of political organizations, members of local legislative assemblies, regional administrators, and civil society representatives. Puntland has a single-chamber quasi-legislative branch called the Council of Elders, which has played a largely consultative role. Political parties were banned. General Mohamud Muse Hersi was elected president by the Puntland Parliament in January 2005. Some Puntland cabinet ministers had their own militias, which contributed to a general lack of security.” [2a] (**Elections and Political Participation**)

- 6.08 The EIU, in its Somalia Country Profile 2007, reported more details about Puntland’s move away from Somali federalism:

“The lack of progress towards a peaceful solution to differences among southern groups prompted north-eastern-based clan factions to declare regional autonomy for Puntland in July 1998, under the presidency of Abdullahi Yusuf Ahmed, following a 70-day conference at Garoe. Colonel Abdullahi stepped down from his post during the conference of reconciliation between Somali factions in Kenya in 2002-03. Representatives of Puntland’s 65 districts elected a new president, General Adde Muse Hirsi, for a three-year term in Garoe in January 2005. Puntland claims to comprise the Bari, Nugaal and Mudug regions and the Sanaag and Sool regions, which Somaliland also claims. Somaliland disputes any territorial claims made by the Puntland administration, and armed clashes between forces from Puntland and Somaliland continue to occur occasionally to the present day.” [17d] (p10)

- 6.09 The Foreign and Commonwealth Office (FCO), in its Country Profile on Somalia dated 2 March 2007 (accessed 12 January 2009), stated:

“Puntland established a parliament and a Regional Government in 1998 and enjoys relative peace and stability. It defines itself as a federal state and has no aspirations to independence. A political crisis occurred in 2001 when

30 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

President Colonel Abdullahi Yusuf (now TFG President) refused to stand down at the end of his constitutional term. Col. Jama Ali Jama won fresh elections but Yusuf refused to accept the vote. After clashes between their respective militias, Yusuf eventually triumphed and went on to consolidate his position. Gen Ade Musa has taken over the leadership in Puntland since Yusuf's election as TFG President." [16a] (Puntland)

- 6.10 The BBC reported that the Puntland presidential elections of 8 January 2009 were won by Abdirahman Mohamed Farole. "Mr Farole beat his main rival Abdullahi Ilkajir in the final round of voting by winning 49 of the 66 votes cast by MPs." He has pledged to make security and the elimination of piracy key issues for his administration. [8k]

SOMALILAND

- 6.11 The USSD report for 2007 stated:

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

- 6.12 The US State Department in its Background Note of November 2008 noted:

"In Somaliland, which is made up of the former British protectorate, Dahir Riyale Kahin was elected President in presidential elections deemed free and fair by international observers in May 2003. ...In 1991, a congress drawn from the inhabitants of the former Somaliland Protectorate declared withdrawal from the 1960 union with Somalia to form the self-declared Republic of Somaliland. Somaliland has not received international recognition, but has maintained a de jure separate status since that time. Its form of government is republican, with a bicameral legislature including an elected elders [sic] chamber and a house of representatives. The judiciary is independent, and various political parties exist. In line with the Somaliland Constitution, Vice President Dahir Riyale Kahin assumed the presidency following the death of former president Mohamed Ibrahim Egal in 2002. Kahin was elected President of Somaliland in elections determined to be free and fair by international observers in May 2003. Elections for the 84-member lower house of parliament took place on September 29, 2005 and were described as transparent and credible by international observers." [2d] (Government)

- 6.13 The USSD report for 2007 stated:

"In May 2006 President of Somaliland Dahir Riyale Kahin postponed elections for the parliament's House of Elders and initiated a process to extend the mandate of the upper house for four years. Opposition parties declared the process illegal. In July [2007] authorities arrested three opposition politicians planning to form a new political party. The opposition figures--Mohamed Abdi Gaboose, Mohamed Hashi Elmi, and Jamal Aideed Ibrahim--were affiliated with the Qaran political association and charged with founding an illegal organization and creating instability. As of October [2007]

they remained in detention. In October [2007] the National Electoral Commission announced that local government and presidential elections scheduled for December 2007 and April 2008 had been postponed, respectively, to July and August 2008 by agreement of the three official political parties.” [2a] (Elections and Political Participation)

For information about the further postponed elections and the split in the ruling party in January 2009, see [Latest News](#)

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Human Rights

INTRODUCTION

- 7.01 The Foreign and Commonwealth Office (FCO) in its profile of 2 March 2007, (accessed 12 January 2009), stated:

“The human rights situation is defined by the absence of effective state institutions. Somalis enjoy substantial freedoms – of association, expression, movement – but live largely without the protection of the state, access to security or institutional rule of law. Institutions are emerging in some parts of the country, especially Somaliland. Islamic courts play a significant role in Mogadishu. Overzealous application of supposedly Islamic law in the aftermath of the [Islamic Courts Union]’s successful struggle to secure Mogadishu attracted widespread media attention. Women generally have difficulty making their voices heard in the political arena but are currently playing a very active role in civil society organisations, which are flourishing in the absence of government.” [16a] (Human Rights)

- 7.02 UN Security Council’s ‘Report of the Secretary-General on the Situation in Somalia’, 14 March 2008 notes:

“Violations of human rights and international humanitarian law continue unabated in Mogadishu. Civilians bear the brunt of indiscriminate shelling and shootings. For example, on 9 November, about 75 people died and 200 were reportedly wounded following heavy fighting. Members of civil society, particularly journalists and human rights activists, have been targeted for abuse and persecution. Public servants are also targets of political assassination.” [3d](p10)

“...Human rights monitors and organizations have very limited capacity to operate. In addition, they are confronted by threats and intimidation from the authorities, and access to independent information for the purposes of monitoring is therefore hampered.” [3d](p11)

See [International human rights organisations](#)

- 7.03 The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in its Monthly Analysis report, dated August 2007, stated:

“Violence permeated daily life in Mogadishu in August with civilians under fire as Ethiopian and TFG troops responded to attacks by firing indiscriminately. According to a human rights NGO in Somalia, more than 200 civilians were killed and 400 others wounded in the month of August, the highest death toll since the beginning of intense conflict in February 2007. Assassination of TFG officials, including the District Commissioner for Yaaqshid and his deputy, as well as other leaders also continued unabated; a prominent clan elder involved in reconciliation negotiations was also killed. Additionally, media continued to be targeted with the killing of two prominent journalists on 11 August [2007] within a space of hours.” [26e]

- 7.04 UN Security Council’s ‘Report of the Secretary-General on the Situation in Somalia’, 14 March 2008 noted:

“Violations of human rights and international humanitarian law continue unabated in Mogadishu. Civilians bear the brunt of indiscriminate shelling and shootings. For example, on 9 November, about 75 people died and 200 were reportedly wounded following heavy fighting. Members of civil society, particularly journalists and human rights activists, have been targeted for abuse and persecution. Public servants are also targets of political assassination (p10)...Human rights monitors and organizations have very limited capacity to operate. In addition, they are confronted by threats and intimidation from the authorities, and access to independent information for the purposes of monitoring is therefore hampered.” [3d](p11)

See Security Situation, [Mogadishu](#)

- 7.04 Human Rights Watch (HRW), in their report ‘Shell Shocked: Civilians under siege in Mogadishu’ dated August 2007, asserted that “successive political and military upheavals [in Somalia] generated a human rights and humanitarian crisis on a scale not seen since the early 1990s.” The report argued that the deployment of insurgent forces in densely populated neighborhoods and the deliberate bombardment of these areas by Ethiopian forces ‘strongly suggests’ the commission of war crimes. [30a] The report added that the conflict was typified by insurgents using mortars, followed by heavy weapons response from TFG and Ethiopian forces in such a way as to disregard any distinction between military and civilian targets. Both sides executed prisoners. [30a]

See [Extrajudicial Killings](#)

- 7.05 Human Rights Watch, in their World Report 2009, noted that “In 2008 violence escalated in scale and brutality” and that “The human rights and humanitarian situation in Somalia deteriorated to levels perhaps unseen since the collapse of the country’s last unified central government in 1991.” The report went on to explain the various violations of international humanitarian law that occurred throughout the year by the various groups of combatants, and especially emphasising the attacks against journalists, NGO workers, and civil society members. [30b] (p157)

See [Journalists](#), and [Humanitarian aid](#)

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SECURITY SITUATION

OVERVIEW

- 8.01 This section includes information on the security situation up to November 2008. Since then the situation in south and central Somalia has changed rapidly. The Country of Origin Information Service has documented these changes in periodic conflict updates, which have been made available to UKBA officials via the Home Office's (internal) intranet but have not been published on the Home Office website. The last eight conflict updates, covering the period between 3 October 2008 and 26 January 2009, are reproduced in Annex G Conflict updates. Where still relevant to the current situation, detail from these updates has been incorporated into the main text of this report. The updates are added to give as full a record as possible of a fast-moving country situation.

See [Annex G: Conflict Updates](#)

CENTRAL AND SOUTHERN SOMALIA

- 8.02 The UN Secretary-General's report to the Security Council of 17 November 2008 stated that "Between July and October [2008], the security situation in south-central Somalia deteriorated dramatically. ...The reporting period was marked by continuous fighting between anti-government elements and the Transitional Federal Government –backed Ethiopian forces in different locations throughout the country." [3b](p6)
- 8.03 The Human Rights Watch Report 2009 stated, "Since the beginning of 2007 more than 870,000 civilians have fled war-torn Mogadishu alone and more than 6,000 civilians have been killed in the fighting. Untold numbers of Somalis bear the scars of seeing family members killed or raped." [30b]
- 8.04 The UN Secretary-General's report to the Security Council, dated 14 March 2008, (UNSC report, 14 March 2008) mentions a fact-finding team of UN protection experts that went to Somalia from 7 to 25 January 2008. [3d](p5) On the security situation outside Mogadishu, in central and southern Somalia, the report noted:

"Hostilities over the past year [2007] have included targeted assassinations, hand and rocket-propelled grenade attacks, mortar attacks, small arms clashes, roadside bombs and the use of landmines. While some areas of Mogadishu are the epicentre of violence, there have also been attacks in Kismaayo, Jawhar, Beledweyne, Baidoa and Galkayo in southern and central Somalia. In those regions the targets of the attacks generally have been Ethiopian armed forces, Government troops, police and police stations; and Government authorities. Some 12 District Commissioners have been assassinated since August 2007. Although suicide attacks have been rare in Somalia, the United Nations country team statistics indicate that seven body-borne and vehicular suicide attacks targeted Ethiopian troops and Government officials from April to October 2007." [3d](p28-29)

See [Map of Somalia](#)

Baidoa

- 8.05 On 8 July 2008, Baidoa was attacked for the first time since 2006. (BBC, 8 July 2008) [8s] On 26 January 2009, Al Shabaab took the town and the administrative base of the TFG. (BBC, 27 January 2009) [8e] Rule by Shari'a law was announced on 28 January 2009 (Garowe, 27 January 2009) [35w]

See [IDPs in Baidoa](#) and Conflict Update Eight, [Baidoa](#)

Beletweyne

- 8.06 The BBC reported on 25 July 2008 that fighting in Beletweyne, 350km north of Mogadishu, led to insurgent forces taking the town from combined TFG / Ethiopian forces for over two days. 19 people were reported killed. (BBC, 22 July 2008) [8p]
- 8.07 On Friday 12 September 2008, the Ethiopian forces killed a mentally ill man, thus totalling four civilian deaths over two days. (World News Connection, 12 September 2008). [63b] On Saturday 13 September 2008, the Ethiopian forces withdrew entirely from Beletweyne. The force had been the third largest Ethiopian force in Somalia. (Garowe, 13 September 2008) [35af] On 12 September 2008, inter-clan fighting between the Hawadle and Abgal clans was reported in the village of El Dhere, 330km north of Mogadishu, and 50km north east of Beletweyne. Nine people killed. (Associated Press, 12 September 2008) [25a]
- 8.08 The Ethiopian forces withdrew from Beletweyne in September 2008. There was a dispute between the two factions of Alliance for the Re-liberation of Somalia (ARS) as to why the Ethiopians finally left: the faction based in Djibouti said they left as part of the Djibouti peace agreement; while Indha Ade, who claimed to be the Defense Secretary for the ARS faction based in Eritrea, claimed that the Ethiopians "left after we fought them". (Garowe, 30 September 2008) [35u]

See [IDPs in Beletweyne](#) and [Latest news](#)

Jowhar

- 8.09 On 2 September 2008, IRIN reported on the situation in Jowhar:
- "Tension is high in the strategic town of Jowhar, 90km north of Mogadishu, two days after factions of opposition militia clashed in the area, locals told IRIN. The weekend clashes pitted militias of the Union of Islamic Courts (UIC), which support the Djibouti agreement with the Transitional Federal Government, against a faction of the opposition Alliance for the Reliberation of Somalia. ...Another source said the UIC militia, which has controlled the town since February [2008], had split. 'One side supports Sheikh Sharif [Sheikh Ahmed, the former leader of the UIC], and the agreement; while the other side is opposed,' he said. 'This is our worst nightmare. We were enjoying a few months of peace and now this'." [10aa]

See Conflict Update six, [Jowhar](#)

Kismayo

- 8.10 Kismayo was taken by Islamist forces from clan-based militias on 22 August 2008. (Garowe, 22 August 2008) [35p] On 13 October 2008, Garowe reported that the Harti clan militia leader, Salah OJ Hassan had been arrested and then executed by the Kismayo Islamist forces. [35x]
- 8.11 Previously, in January 2008, the UN fact-find team were the first UN mission to visit Kismayo since mid-2006, and the UNSC report, 14 March 2008, stated:

“While the city was free of fighting on the day the team visited, the situation in the city remains volatile, particularly because of fighting for control over the port and airport. Although the team met with Government officials representing an alliance of clans who claim to control most of ‘Jubaland’, it was clear to the team that the security situation is fluid and far from stable (p29) ...[On Biadoa and Merka] the situation is assessed to be more stable although underlying tensions remain.” [3d](p29)

See Insurgent groups, [Kismayo](#)

Merka

- 8.12 On 12 November 2008, the port of Merka, 40km south of Mogadishu, fell to Al Shabaab forces. (Garowe 12 November 2008) [35p] The town had been under the control of the Habar Gedir warlord Indha Ade since the Ethiopian invasion of December 2006; he was issued with an ultimatum on 13 November to disarm, which he refused. He was then reported to have fled to the central regions. (Garowe, 13 November 2008) [35ad] On 15 November 2008, the al Shabaab spokesman Muktar Robow ‘Abu Mansur’ announced that al Shabaab was instituting an Islamic court in Merka to serve the Lower Shabelle region. (Garowe, 15 November 2008) [35ae]

See Conflict Update Seven, [Merka](#)

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Mogadishu

- 8.13 The general security situation in Mogadishu has been in flux for the latter part of 2008 and early 2009, for further details see [Annex G Conflict updates](#). SAACID noted in its general assessment of competing forces in Mogadishu, contained in their global email of 3 October 2008:

“It is no longer just the elite of Somali society that are aware that the TFG is finished and the Ethiopians will withdraw, but the average militiaman is also now also well aware; and this is causing a continuing devolution of clan and sub-clan solidarity, as young want-to-bes are seeing their chance to carve out something for themselves. Clans, warlords and UIC/ARS factions continue to fracture as part of the process. Shabaab factions are also fracturing - largely on clan and sub-clan lines - but have kept greater coherence, as they have more ability to share resources (cash and weapons) with subordinates.” [53e]

- 8.14 Previously, the UNSC report, 14 March 2008, summarised analysis of the violence of 2007, stating:

“The Department of Safety and Security [UN DSS] has undertaken a trend analysis of the types of attacks against certain targets throughout Somalia, including Mogadishu, in 2007. The general security trend in Mogadishu appears proportional to the level of military effort undertaken by the coalition of Ethiopian armed forces and Transitional Federal Government troops to defeat the anti-Government elements or conduct forcible disarmament. From June to September 2007, there was a sharp increase in standoff attacks, improvised explosive device incidents, mine attacks and assassinations but a marked decrease in armed clashes. During this period, it was assessed that the more radical anti-Government elements were active, while the remainder were awaiting the outcome of the National Reconciliation Congress and the decision of the Transitional Federal Government to carry out the recommendations of the Congress. Since September, actions of the Ethiopian and Government forces have increased, with a concerted effort to eradicate the radical anti-Government elements within Mogadishu. Reported retaliatory fire by the Ethiopian armed forces, using field guns and heavy mortars against the anti-Government elements in heavily populated civilian areas, has caused significant loss of life and damage to civilian property. Moreover, it prompted the mass evacuation of civilians from Mogadishu in November, creating thousands of internally displaced persons. It is noteworthy that during the last quarter of 2007 attacks by the anti-Government elements have become more coordinated and have begun to be conducted during daylight hours.” [3d](p32)

- 8.15 Other sources have previously given details of incidents over 2007, which follow the UN DSS’s analysis. To begin with, despite efforts to broker a ceasefire after the main bombardments of March and April 2007, violence continued in Mogadishu during April 2007. There were estimates that over 1,000 people were killed in clashes between Ethiopian forces, and Hawyie/Islamist militias. UNHCR is reported to have estimated that 124,000 persons have left Mogadishu due to the violence. (BBC 10 April 2007) [8j] (p1-2) (*Agence France-Presse (AFP)* 11 April 2007) [18e] (p1-2) The BBC reported on 2 April 2007 that “Many used a lull in the fighting to flee the city on Monday, after four days of Ethiopian troop attacks on Islamist insurgents and local militias...Hospitals have reported scores of people killed, while residents have spoken of indiscriminate shelling.” [8h] (p1)

- 8.16 The UK Border and Immigration Agency’s fact finding mission report on Somalia dated 20 July 2007 (UK FFM 20 July 2007) noted:

“A journalist from an international news agency stressed to the delegation that Mogadishu is in effect ‘the centre of the [security] problem’ as it is the city in which the majority of fighting had taken place and where the TFG continues to focus its efforts. He stressed that the current conflict (post the heavy fighting during March – April 2007) is the worst time that the country has faced for sixteen years. This is due to the sheer volume of hostility and mistrust among officials and civilians alike.

“Seven sources stressed the unpredictability and volatility of the security situation in Mogadishu. Three sources explained that the north of the city is more dangerous than other parts of Mogadishu. A relevant department of the UN stated that although the north of the city is more volatile and

dangerous than the south, in both areas a degree of relative normality has returned, more so in the south, but even in the areas in the north which are most unstable.” [7f] (p12)

- 8.17 UK FFM 20 July 2007 also noted that: “Six sources agreed that most of the violence in Mogadishu has become more sophisticated and political in nature, precisely targeting TFG and Ethiopian forces, high profile political targets, law enforcement agencies, Ethiopian troops and occasionally at African Union forces... However this contrasted with the information provided by one source who claimed that the TFG and Ethiopian troops were attacking anyone and any visible target that they perceive to be a threat to them. He told the delegation that “anyone who is remotely perceived to be anti-TFG, and anyone who is perceived to be Arabic, anyone who is perceived to be a radical Islamist (to give just three examples), are targets.” [7f] (p12)
- 8.18 In July 2007, 25,000 people fled from Mogadishu as civilian deaths rose. (OCHA, Monthly analysis, July 2007) [26d] “According to a human rights NGO in Somalia, more than 200 civilians were killed and 400 others wounded in the month of August, the highest death toll since the beginning of intense conflict in February 2007.” (OCHA, Monthly analysis, August 2007) [26e] By late September 2007, “...insecurity persists in Mogadishu as anti-government elements target Ethiopian/TFG forces. Assassinations of those perceived to support the TFG continue” (OCHA, Weekly report, 21 September 2007) [26f]
- 8.19 OCHA, in its monthly Humanitarian Analysis for November 2007 noted: “During the month of November [2007], security operations by Ethiopian/TFG forces intensified particularly in six districts within the city believed by the TFG to be harbouring anti-government elements. Fierce attacks ensued between the warring factions killing, wounding and terrifying civilians in indiscriminate shelling, roadside bombs and artillery attacks.” [26i]
- 8.20 In the same report OCHA noted that the violence in Mogadishu rose to such a level in November 2007 that it triggered the movement of more than 240,000 people out of the city. [26j] The report noted:
- “Six of 17 districts in Mogadishu which have been the scene of almost daily confrontations between Ethiopian/Transitional Federal Government Forces (TFG) forces and anti-government elements have been nearly deserted for most of the month due to insecurity and forced eviction. Communities who returned to areas where troops had temporarily withdrawn witnessed the almost complete destruction of homes and public infrastructure. Religious places were desecrated, as well as other public areas ... Ad hoc roadblocks that charge taxes ranging from US\$70 – US\$500 to move in and out of Mogadishu have caused huge hindrances to the humanitarian community in accessing vulnerable people. [26j]
- See [Checkpoints](#)
- 8.21 Despite the ongoing reconciliatory efforts, fighting between the Transitional Federal Government and the insurgency continued throughout January 2008. OCHA’s Humanitarian Overview, dated January 2008, noted:

“Fighting between the Transitional Federal Government/Ethiopian Forces and insurgents continues to gravely impact civilians. Reports indicate that fierce fighting in just one two-day period between 17-18 January [2008] in Mogadishu injured some 150 civilians and may have killed as many as 35 people. Violence and ‘security operations’ seem to be bleeding into areas previously considered safe or relatively safer – and consequently into which many IDPs have fled. For example, confrontation between TFG forces, backed up by Ethiopians, in Daynile on 8 January killed 12 and injured a further 30. Daynile is one of the sixteen districts in the Banadir region where thousands of IDP families have fled to from other areas of Mogadishu. An estimated 36,000 people have been displaced from and within Mogadishu during the month [January 2008].” [26i]

8.22 OCHA, in its Monthly Cluster report for March 2008 noted:

“Mogadishu continued to experience heavy fighting and attacks from the warring parties throughout the month of March [2008]. Sustained attacks on suspected TFG/Ethiopian bases, indiscriminate shelling and general lawlessness resulted in the death of many civilians and left many others with serious injuries. During the month of March [2008], 276 war-wounded were admitted to the two main hospitals in Mogadishu, Medina and Keynaney, bringing the total for the first quarter of the year to 848.” [26m]

8.23 The UNSC report, 14 March 2008 also recounted, bringing information into a then current (early 2008) focus:

“The fact-finding team spent three days and two nights in Mogadishu, meeting officials and travelling in United Nations civilian armoured vehicles to many districts to assess the security situation in the city. Hostilities seem to be generally confined to five districts, including Yaqshid, Wardhigley, Hawl-Wadag, Hodan and Bondhere. While a number of districts were deserted, as an estimated 60 per cent of the population has temporarily fled the city, several other districts that were assessed to be safe at the time of the visit were seen to be populated: stores were open, transport was moving and the port was active.

“The three days of relative calm experienced by the team belie the volatility of the security situation. Before the team arrived, there was serious fighting in Mogadishu that killed more than 30 people and wounded 60. In the days after the team departed, fighting once again broke out. Mortars were fired at the airport, where the African Union Mission in Somalia (AMISOM) is based, one mortar exploding close to the United Nations common compound. Those attacks coincided with the completion of the Burundian battalion's deployment to AMISOM and illustrate how quickly the security situation can change.” [3d](p29-30)

8.24 By 9 June 2008, the fighting was reported by IRIN “mostly concentrated in the districts of Wardigley in the south, and Yaqshid in north Mogadishu, according to a local journalist. He said Bakara market, the country's largest market, was hardest hit.” [10u] By August 2008, the UN OCHA July 2008 Humanitarian Overview report stated “the Insecurity in Mogadishu varies from district to district and in some cases is neighbourhood specific. For example, on 21 July, 184 people fled from Abdi Qassim neighbourhood in Hodan district, while on 22 July nearly 470 people fled to Garas-Baaley

40 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

neighbourhood in the same district. Both movements were caused by fighting between TFG/Ethiopian troops and insurgents.” [26u]

- 8.25 IRIN reported on 29 September 2008 on the conflict in Mogadishu. The report quoted the acting chairman of Elman Human Rights Organisation, a Mogadishu-based NGO, “From 20 September [2008], our figures show that 18,500 people have fled their homes due to the fighting and shelling’.” [10ab] The report stated that the conflict was most intense in southern Mogadishu, with heavy fighting in the Hodan and Haal Waraag districts. [10ab]
- 8.26 SAACID’s overview assessment of security in Mogadishu, dated 3 October 2008, included, “The Ethiopian/TFG military/police forces now only fully control 1 road in the city (Maka al Mukarama Road). Groups of Ethiopian/TFG clones, opposition militias and an every burdening number of freelance and criminal militias continue to plunder what remains of economic activity in the city. Apart from some Shabab and [Union of Islamic Courts / Alliance for the Reliberation of Somalia] militias, that have their eye on the big picture, most militias from all sides are only now intent upon looting, extorting and raping. The incessant level of harassment and intimidation by all militarised actors in the city is making living conditions for the civil population intolerable. As pure a form of anarchy as is possible now prevails in Mogadishu.” [53e] The email report added, “As a response to the prevailing anarchy in Mogadishu, the civil population has now largely rearmed, and has begun stocking ammunition. New coalitions (apart from the Islamic and TFG coalitions) are now forming, or have been formed. There remains enormous anxiety amongst those groups as to who they can trust, and how coalitions can be formed, because of the traditional blurring of clan allegiances... The situation in Mogadishu remains in utter anarchy. ... In Mogadishu, there is now no discernable difference between a TFG militiaman and that of a shabaab, UIC/ARS, warlord, clan or freelance militiaman. All militiamen are on the streets looting, extorting and raping where they can. The shabaab are though also more focussed in taking the fight to the Ethiopians; and the shabaab and an increasing number of clan-based militias are very keen to take the fight to the AU [African Union] troops.” [53e]

See [Recent developments, Mogadishu](#)

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Somaliland and Puntland

- 8.27 The UNSC report, 14 March 2008, on the fact-finding team’s findings in the northern parts of Somalia, January 2008, stated:

“Security in the north of Somalia remains fragile, but the situation there is relatively better than in southern and central Somalia. The fact-finding mission attempted to visit Hargeysa in ‘Somaliland’ but was prevented from doing so by security concerns caused by a political rally. ‘Somaliland’ and ‘Puntland’ continue to dispute their border in the Sool and Sanag regions, centred on the city of Laascaanood. This issue is related to the administrative border that allocates the region to Somaliland, although the people who live in the area belong to the Darod-Dolbohanta clan of ‘Puntland’. The state identity of these two lands will require careful consideration in any future Somali federation. Although ‘Somaliland’ has

officially indicated its desire to secede from Somalia, no country has recognized it as a separate State. The self-declared autonomous State of 'Puntland' has stated its desire to remain a part of Somalia as an autonomous region, but it has significant security problems, including piracy and kidnapping, as well as the border dispute with 'Somaliland'." [3d](p28)

- 8.28 OCHA, in its Humanitarian Overview dated January 2008, gave further details of the Sool and Sanag clashes, stating:

"[Clashes and troop movements] raised fears that another outbreak of fierce fighting was imminent and triggered minor new displacements. In response to the some armed clashes in Dhansabar, people started to move again from Laas Caanood. In addition to a possible new influx of IDPs, water shortage in many parts of Puntland is becoming a major humanitarian issue. The water situation in Galgaduud is becoming more serious due to the poor Deyr rains and drought is a threat in areas in the north from Hiraan to Mudug. In Buhoodle (Togdheer region), for example, meager water resources for the population are now having to be further stretched due to the influx of IDPs from Laas Caanood." [26]

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POLICE AND SECURITY FORCES

MOGADISHU AND SOUTHERN AND CENTRAL SOMALIA

Transitional Federal Government (TFG)

- 8.29 The US State Department in its Background Note of November 2008 stated:

"The Transitional Federal Government and other various groups throughout Somalia are estimated to control militias ranging in strength from hundreds to thousands. Some groups possess limited inventories of older armored vehicles and other heavy weapons, and small arms are prevalent throughout Somalia." [2d] (Defence)

- 8.30 The US State Department report on Human Rights Practices covering 2007 (USSD report for 2007) stated:

"The police were generally ineffective, underpaid, and corrupt. With the possible exception of approximately 2, 000 UN-trained police known as the Somali Police Unit, members of the TFG titular police forces throughout the country often directly participated in politically based conflict and owed their positions largely to clan and familial linkages to government authorities. There were continued allegations that TFG security officials were responsible for extrajudicial killings, indiscriminate firing on civilians, arbitrary arrest and detention, rape, extortion, looting, and harassment." [2a] (Role of the Police and Security Apparatus)

- 8.31 Human Rights Watch (HRW), in their report 'Shell Shocked: Civilians under siege in Mogadishu' dated August 2007, added that: "...The Transitional Federal Government forces failed to provide effective warnings when alerting civilians of impending military operations, committed widespread

42 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

pillaging and looting of civilian property, and interfered with the delivery of humanitarian assistance.”[30a]

8.32 UK FFM 20 July 2007 noted:

“A relevant department of the UN explained: ‘At the moment it is unclear where real power lies in Mogadishu. It is difficult to identify exactly who is behind the armed groups, the general opposition and the media shutdowns. There is a proliferation of government uniforms, with three different types of police or militias claiming to be police or government security forces. There is also no way for lay observers to tell the difference between TFG and Ethiopian troops.’” [7f] (p14)

8.33 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact Finding Mission report on Human rights and security in central and southern Somalia, published August 2007 noted: “Abdulle confirmed that the TFG’s police force is virtually non-existent on the ground and it cannot offer any kind of protection. The present environment in Somalia is not conducive for a police force as every police officer is a potential target for insurgents. An international organisation (C) and Lazzarini confirmed that the police force is a target like any other TFI.” [7e] (p10)

8.34 Amnesty International in its report, ‘Routinely targeted’, 1 June 2008, stated “Amnesty International received multiple reports indicating that among all parties to the conflict, the conduct of TFG forces had, until mid to late 2007, been widely perceived as comparatively more aggressive toward civilians, unprofessional, and prone to theft and looting.” [6b](p8) The AI report adds “No one is being held accountable for human rights and international humanitarian law violations committed by TFG forces. Forces of the TFG are frequently reported to act as if they believe they are immune from accountability, investigation or prosecution, including for crimes under international law.” [6b](p9-10)

8.35 The Human Rights Watch report, ‘So much to fear’, published December 2008, noted “Many of the abuses documented by Human Rights Watch took place in the context of search-and-seizure operations in residential areas that TFG forces have carried out regularly since the beginning of 2007.” [30c] (p47) The report added that since mid-2008, the Ethiopian Forces were involved or directing such raids. [30c] (p47) The report stated that both forces have used such raids as opportunities for rape, murder, assault [30c] (p48-50) and looting. [30c] (p50-52)

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AMISOM (African Union Mission to Somalia)

8.36 AMISOM was set up by the UN Security Council under UNSC Resolution 1744, authorised February 2007, with the intention of providing a ‘peace-support’ force of 8,000 troops drawn from African Union member states. (AI, ‘Routinely targeted’, 1 June 2008) [6b](p5,6). The UN Security Council report of 17 November 2008 stated: “To date [November 2008], of the authorized strength of 8,000 troops, AMISOM consists of two Burundian battalions and two Ugandan battalions, which make a total of 3,400 troops in Mogadishu. The second Burundian battalion was deployed to Somalia between 11 and

13 October [2008].” [3b](s60, p13) AMISOM’s mandate was renewed on 22 December 2008 for a further two months. (BBC, 22 December 2008) [8v]

8.37 The UK FFM July 2007 noted that “there was some discrepancy [amongst sources] as to whether the AU could be classed as a fifth security force on the streets.” [7f] (p14) Amnesty International added in a report dated 1 June 2008, “Due to a severe lack of capacity, the AMISOM mission has been limited to providing VIP escort ‘confidence-building patrols’ within its area of operations, protection of the Mogadishu airport, seaport and Villa Somalia (presidential office), and providing some security during the National Reconciliation Congress (NRC) [July 2007]. It has neither the mandate nor the capacity to protect civilians in Somalia.” [6b](p6)

8.38 The UN Secretary-General’s report to the Security Council of 17 November 2008 states:

“Since 21 September 2008, there have been unprecedented and unprovoked attacks against AMISOM positions; these were preceded by a spate of similar hostilities against AMISOM troops a week earlier, in which the peacekeepers lost two soldiers and four sustained injuries. There were also several attacks against AMISOM positions in August and one soldier was killed.” [3b] (point 59, p13)

8.39 On 23 May 2008, the BBC reported that a report by the United Nations monitoring group on the Somali arms embargo cited incidents of African Union troops based in Mogadishu selling seized arms back to Islamist insurgents. [8o]

8.40 SAACID reported on 3 October 2008 that “The AU military response to opposition attacks on its forces - by mortaring markets in Mogadishu (essentially following the Ethiopian/TFG practice of random murder as a collective punishment response) - has now made the AU ‘peacekeeping’ intervention a complete anathema to all Somalis from all clans as part of any proposed political solution that Western and UN interests continue to aspire to.” [53e]

See Conflict Update Nine, [AMISOM](#) ; Conflict Update Ten, ([AMISOM incident](#))

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Ethiopian Forces

8.41 The Ethiopian forces withdrew entirely from Mogadishu on 13 January 2009, and from Somalia on 25 January 2009. (Garowe, [35g])

8.42 Details of abuses linked with the Ethiopian forces were set out by Amnesty International in their report dated 1 June 2008, *Routinely targeted: attacks on civilians in Somalia* (available at <http://www.amnesty.org/en/library/asset/AFR52/009/2008/en/31f9f60b-363e-11dd-9db5-cb00b5aed8dc/afr520092008eng.pdf>) [6b]

See [Extrajudicial killings](#) ; Conflict Update Nine, [Ethiopian Forces Withdrawal](#)

44 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

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Somaliland

- 8.43 The US State Department report on Human Rights Practices covering 2007 (USSD report for 2007) stated “In Somaliland an estimated 60 percent of the budget was allocated to maintain a militia and police force comprised of former soldiers. Abuses by police and militia members were rarely investigated, and impunity was a problem. Police generally failed to prevent or respond to societal violence.” [2a] (Role of the Police and Security Apparatus)

Puntland

- 8.44 The USSD report for 2007 stated “In May [2007] more than 800 Puntland militia members, who were employed as Puntland’s security force, reportedly abandoned their posts in protest over unpaid wages. In July [2007] police from Bossaso erected a roadblock to protest not receiving wages.” [2a] (Role of the Police and Security Apparatus)

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TORTURE

- 8.45 The USSD report for 2007 stated:

“The Transitional Federal Charter (TFC) prohibits torture. The Puntland Charter prohibits torture ‘unless sentenced by Islamic Shari’a courts in accordance with Islamic law’. However, there were reports of the use of torture by the Puntland and Somaliland administrations and warring militiamen against each other or against civilians. Observers believed that many incidents of torture were not reported. The TFG, militias allied to the TFG, and various clan militias across the country tortured and abused detainees. Unlike in the previous year, there were no reports of public floggings; in 2006 such floggings were frequently ordered by the Council of Islamic Courts.

“... There were no reports of action taken against Somaliland or Puntland forces, warlord supporters, or members of militias responsible for torturing, beating, raping, or otherwise abusing persons in 2006 or 2005. There also was no action taken against members of the defunct Council of Islamic Courts for torture and abuse committed in 2006.” [2a] (Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)

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EXTRA-JUDICIAL KILLINGS

- 8.46 The USSD report for 2007 stated:

“The government summarily executed persons during the year. For example, in July two former members of the TFG forces were executed at a police station in Hamar Jajab district for killing a TFG police officer at Ex

Control Point Balad two months prior. Unconfirmed reports indicated that one of the men was executed for assisting anti-TFG militia.

“Use of excessive force by government forces, TFG militia, and ENDF troops resulted in the deaths of demonstrators during the year.” [2a] (Arbitrary or Unlawful Deprivation of Life)

- 8.47 The USSD report for 2007 also noted “Throughout the year government and ENDF forces and security forces killed street children. In at least two incidents, militia members or soldiers shot and killed shoe-shine boys in disputes over payment. In July [2007] TFG militia reportedly attacked and beat a 13-year-old boy on his way to a madrassa.” [2a] (Arbitrary or Unlawful Deprivation of Life)

- 8.48 AI, in its report, ‘Routinely targeted’, 1 June 2008, stated, “There was a marked increase in reported extrajudicial executions of civilians by Ethiopian soldiers in November and December 2007.” [6b](p10) The AI report continued that the Ethiopian troops were disproportionate in their reaction to attacks; practicing killing by the slitting of throats; using snipers in residential areas; and where liable to attack civilians in the event of language difficulties. [6b](p10 -11, *pace* 11-13) OCHA, in its monthly analysis report (November 2007), had previously noted such activities:

“The TFG and Ethiopian forces have been carrying out security operations including house-to-house searches and arbitrary arrests, instilling fear amongst the population with summary executions reported during these operations. Allegations of rounding up and executing civilians including slitting throats of men following attacks on their forces as collective punishment have been reported.” [26i]

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UNION OF ISLAMIC COURTS (UIC)

- 8.49 The UN Integrated Regional Information Networks (IRIN) in a report dated 6 July 2006 noted the success of the UIC [Union of Islamic Courts]:

“Key to the military success of the UIC was the fact that it was already an established and accepted presence in local communities, with a demonstrated social welfare policy. Apart from bringing security to areas under its control, through its own militia and justice system, it had also set up farms, schools, water points, health clinics and orphanages. Some key businessmen in Mogadishu worked with the Courts. Although the UIC did not initially have strong popular support – some were suspicious of its agenda – there was a feeling that it upheld moral standards and discipline and had a uniting and familiar ideology in Islam. This ensured the UIC received popular backing during the battle for Mogadishu.” [10g] (How was victory achieved?)

- 8.50 Since February 2007, the term “Union of Islamic Courts” has been used rarely to denote any active organisation until reports began to emerge centred on the power struggle in Kismayo. (Garowe, 22 August 2008) [35p] The organisation UIC is considered by SAACID, in December 2008, to be defunct, though added, “The UIC was a direct product of the Ayr, Habir Gadir clan. As the UIC imploded from without, it has already begun to

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vigorously renew itself within Ayr, Habir Gadir. Traditional Ayr stakeholder businessmen have renewed ties, and are again funding the rebuilding of UIC on the Ayr template. Awes also continues to receive good support from Saudi, Egyptian and Sudanese interests; and [Awes] knows that his input into this reconstituted UIC is critical for Ayr to retain its military dominance within Mogadishu and central Somalia.” [53h]

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ABUSES BY NON-GOVERNMENT ARMED FORCES

- 9.01 Amnesty International, in 'Routinely targeted', 1 June 2008, summarised the armed groups in conflict with the TFG, Ethiopian and less directly, AMISOM, as:

"Armed groups in Somalia include remnants of the ICU [Union of Islamic Courts], supporters of the ARS [Alliance for the Re-liberation of Somalia], and radical Shabab youth militia. They also include clan, sub-clan and local political leaders and militias who have acted as bandits, perpetrating raids, robberies and other abuses against civilians, including rape and other forms of sexual violence. For example, those called *Mooryaan* ['bandits'] are described as 'gun totting young men' or 'street kids,' who behave as criminals against civilians. Armed group fighters and criminal elements are generally more difficult to identify by dress, vehicle or appearance. The command structures of these entities are opaque in most cases, but leaders whose identity is commonly known should be held accountable for the conduct of their forces." [6b](p13)

INSURGENTS

- 9.02 SAACID's assessment of al Shabaab in November 2008 stated:

"The shabaab umbrella of factions though are different. With it now being self-evident that the Ethiopians and TFG are about to exit left, much larger amounts of money, equipment and personnel are entering Somalia from a number of other countries; and planning is now well advanced on taking out the remaining AU capacity, and then taking over the country - essentially presenting an Iranian-style coup-de-main (both locally and internationally), that will leave Somalia permanently in the hands of extremists that are planning a hardline theocracy. Many of their training camps have been well established for more than a year now, and their forward-looking capacity will only grow significantly from here on out. The attacks in the north are not a 1-off event, but are the tip on an iceberg that is only expanding in mass and depth. The shabaab umbrella is now best placed for a post-Ethiopian occupation." [53f]

- 9.03 An article of 27 May 2008 talks of three rival factions amongst the insurgents. (*Los Angeles Times*, 27 May 2008) [48a] The BBC published an article, dated 12 November 2008, that gives further details about the various groupings in the Islamist insurgency; The International Crisis Group report of 23 December 2008, 'Somalia: to move beyond the failed state', sets out three main groups, in detail, amongst the insurgents. [24a](p11) The three are:

- al Shabaab ("the Youth"), with roughly three main operational groups based respectively in Mogadishu and Galguduud / Hiran; in Bay / Bakool / Shabelle; and in the Juba area. [24a](p11) al Shabaab are the most active in terms of recruitment (through pay of US\$200 per fighter per month, and ideological recruitment through halqah - mosque study groups). [24a](p11, 12)
- The multiclan group of former Union of Islamic Courts (UIC) leaders who style themselves as 'Al-Muqawamah' (the Resistance), "... nominally loyal to the executive leadership under Sheikh Sharif Sheikh Ahmed and

with an appeal to nationalist groups who dislike Ethiopia's intervention and are wary of Al-Shabaab's more militant tendencies." [24a](p11)

- Clan militia mainly from the Hawiye clan, "the bulk of whose fighters in Mogadishu now come from the Habar Gidir clans." [24a](p11)

9.04 The ICG report of December 2008 referred to a military campaign characterised by temporary occupations, and stated: "Islamist fighters moved in and out of villages and towns almost at will, often meeting little or no resistance.... Such audacious military forays have been replicated widely across the south, designed primarily to send a message about who held the initiative." [24a](p12)

9.05 The USSD report for 2007 reported:

"Several deaths resulted from random shootings by Islamic extremists trying to impose strict social edicts. For example, a May explosion at a cinema hall in Bardera resulted in the deaths of three adults and two children. In June [2007] five persons were killed in a Baidoa cinema after Islamic extremists lobbed an explosive device inside the hall." [2a] (Arbitrary or Unlawful Deprivation of Life)

9.06 The USSD report for 2007 stated:

"Politically motivated killings by antigovernment groups and extremist elements resulted in the deaths of approximately 30 senior TFG officials.

"Prominent peace activists, clan elders, and their family members became targets and were either killed or injured for their role in peace-building. In March gunmen killed Issa Abdi Issa, a prominent Kismayo peace activist who was attending a workshop in Mogadishu. Like all previous killings of peace activists, the perpetrators were not arrested by year's end." [2a] (Arbitrary or Unlawful Deprivation of Life)

See [Kismayo](#)

9.07 Garowe Online Media reported that on 24 January 2009, 13 people were killed in an explosion and attendant street fighting in Mogadishu, after a suicide bombing at an AMISOM checkpoint along the Maka al Mukarrama Road. al Shabaab claimed responsibility. [35o]

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TERRORISM

9.08 The US State Department's Country Reports on Terrorism, published 28 April 2008, recounted the following with regard to Somalia:

"Somalia's fragile central government, protracted state of violent instability, long unguarded coastline, porous borders, and proximity to the Arabian Peninsula made the country an attractive location for international terrorists seeking a transit or launching point for conducting operations in Somalia or elsewhere. Despite the late 2006 defeat of the Council of Islamic Courts (CIC) in Mogadishu by Ethiopian and Transitional Federal Government (TFG) forces, the ensuing low-level conflict that engulfed Mogadishu and parts of south central Somalia for the remainder of the year continued to

make Somalia a permissive operating environment and safe haven for both Somali and foreign terrorists. The extremist al-Shabaab (The Youth), the militant "shock troops" of the CIC whose radicalism and violent means led to the CIC's undoing, initially dispersed and fled south along the Kenyan border. Al-Shabaab, some of whom are affiliated with AQ, consists of radicalized young men, between 20 and 30 years of age. A few of its senior leaders are believed to have trained and fought with AQ in Afghanistan. Al-Shabaab extremists participated in attacks against Ethiopian and TFG security forces. Al-Shabaab and other extremists were also behind suicide bombings, the use of landmines, remote controlled roadside bombs, and targeted assassinations against Ethiopian and TFG security forces, other government officials, journalists, and civil society leaders. The African Union Peace Support Mission (AMISOM), which deployed in March to secure the air and sea ports and presidential compound, lost six soldiers to extremist attacks during the year.

"Among the foreign AQ operatives believed to have enjoyed protection by the former CIC and al-Shabaab leadership were individuals wanted for the 1998 embassy bombings in Kenya and Tanzania and a 2002 hotel bombing in Kenya, including Fazul Abdallah Mohammed (aka Harun Fazul), and Saleh Ali Saleh Nabhan. At the end of the year, Ethiopian and TFG forces remained nominally in control of Mogadishu and southern and central Somalia, though institutions of government remained weak and ineffective. Regional efforts to bring about national reconciliation and establish peace and stability in Somalia are ongoing. The capability of the TFG and other Somali local and regional authorities to carry out counterterrorism activities was limited." [4e](Somalia)

- 9.09 On 29 January 2009, the Somaliland cabinet approved a new anti-terrorism law. (Garowe, 29 January 2009) [35h] The announcement referred to and sought to address concerns after the bombing of the UN compound in Hargeisa on 29 October 2008 (UN OCHA, Monthly cluster report, October 2008) [26ae] The UN OCHA Situation report for 31 October 2008 gave full details about the Hargeisa bombing. [26af]

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CLAN-BASED MILITIAS

Overview

- 9.10 SAACID, in the global email of November 2008, stated that "Forecasting becomes increasingly problematic as more freelance militias emerge, and more civil actors begin to mobilise resources for a potential new civil war." [53f]
- 9.11 The Joint UK-Nordic Fact-Finding Mission Report of January 2004 (JFFMR March 2004) has previously noted that there were three types of militia operating in Somalia at that time: those that were supported and run by the business community; those that are controlled by warlords; and freelance militias. The basis for recruitment into all three was clan affiliation. [7c] (p31) According to the JFFMR July 2002, Musa Sude was the only faction leader who could effectively raise and maintain a militia. Musa Sude achieved this

and thus retained the loyalty of his militia by distributing money fairly equitably across his forces. Ali 'Ato' and Hussein Aideed had militias that fought for them but they had to provide for themselves on a day-to-day basis. [7b] (p36)

9.12 The USSD report for 2007 noted:

"During the year an estimated hundreds of civilians were killed in inter- or intra-clan militia clashes. Killings resulted from clan militias fighting for political power and control of territory and resources, revenge reprisals; criminal activities and banditry; private disputes over property and marriage; and revenge vendettas after such incidents as rapes, family disagreements, murders, and abductions. With the breakdown of law and order, very few of these cases were investigated by the authorities, and there were few reports that those cases resulted in formal action by the local justice system.

"In April [2007] seven persons were killed and an estimated 15 injured in fighting between Haber Gedir subclans of the Sa'ad and Saleban; fighting between the same subclans in May [2007] resulted in 10 deaths and a dozen other persons injured." [2a] (Arbitrary or Unlawful Deprivation of Life)

Kismayo

9.13 The USSD report for 2007 reported on Kismayo in 2007, when the town was dominated by clan militias: "...in April [2007], in Lower Juba, clashes between Darood subclans of the Marehan and Majerten over revenue collection resulted in 12 deaths and 18 persons injured. Clashes in June [2007] between the Marehan and Majerten over control of Kismayo resulted in approximately 10 deaths and numerous injured." [2a] (Arbitrary or Unlawful Deprivation of Life)

9.14 The conflict had been characterised by roadblocks around Kismayo which had limited access for observers since mid-2006: it has been a dangerous place for international agencies to work in, with a UN national staff member abducted in Kismayo, and three fatalities from a roadside bomb prompting Médecins sans Frontières to withdraw its international staff from southern Somalia. (UNSC report, 14 March 2008) [3d](p29-30) The first observers to break the cordon were of the 7-25 January UN fact-finding team who "met Government officials representing an alliance of clans". [3d](p29) Garowe online, on 23 May 2008, then gave detail about Kismayo's changing power structure: "Islamist rebels spearheading a bloody insurgency against Somalia's UN-endorsed Transitional Federal Government (TFG) have entered into a secretive agreement with the clan militia ruling the southern port of Kismayo, reliable local sources tell Garowe Online. Earlier this week [late May 2008], Kismayo's ruling clan militia leaders met secretly with guerrilla commanders loyal to the Islamic Courts and al Shabaab, splinter groups within Somalia's fractured Islamist movement." [35f]

See [Checkpoints](#) on roadblocks around Kismayo and [Security in Central and Southern Somalia, IDPs](#)

9.15 Clan-based militias were ousted by Islamist groups in Kismayo and a new administration was set up with a clan / Islamist mix. The nightly curfew was lifted on 14 September 2008, but night patrols by Islamists would continue. (Shabelle Media Network, 14 September 2008) [37f]

- 9.16 The ICG report of December 2008 notes that the Juba group of al Shabaab, known as 'Khalid Ibn Walid', was formed in late 2007 and "instrumental in the capture of Kismayo in September 2008." [24a](p11)

Mogadishu

- 9.17 SAACID reported in December 2008 that:

"Mogadishu is often referred to as 'the place of 200 villages'. The village mentality is now clearly to the fore in Mogadishu, as clan-based and freelance militias are now openly defending their 'village' and are increasingly hostile to entry from anyone they do not know well. The magnitude and speed of destabilisation amongst grassroots communities has genuinely surprised SAACID. For example, at the beginning of the month, SAACID estimated that there were about 5,000 active freelance and clan-based militia operating in Mogadishu. By the end of the month, SAACID is estimating that the magnitude of freelance and clan-based militia had risen to 20,000 (with a sharp upward trend continuing). SAACID did not expect this sort of disintegration until Ethiopian units actually began leaving Mogadishu completely. This 'mobilisation' was completely spontaneous, and there was virtually no clan leadership attached to this process. Clan-based planning and mobilisation remained at very low and uncoordinated levels. So, while individuals, businessmen and some sub-sub-sub clans have been purchasing weapons and stockpiling ammunition, there are still no serious coalitions forming at all." [53g]

See [Latest News](#), 18 February, SAACID global email

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JUDICIARY

- 10.01 The US State Department's (USSD) report on human rights practices covering 2007, dated 11 March 2008 noted:

"The TFC [Transitional Federal Charter] provides for an independent judiciary, but there was no functioning judicial system for the TFG [Transitional Federal Government] to administer. The TFC outlines a five-year transitional process that includes the drafting of a new constitution to replace the 1990 constitution; however, for many issues not addressed in the charter, the former constitution still applies in principle.

"The TFC provides for a high commission of justice, a supreme court, a court of appeal, and courts of first reference; however, no such courts existed. Some regions established local courts that depended on the predominant local clan and associated factions for their authority. The judiciary in most areas relied on some combination of elements from traditional and customary law, Shari'a, and the penal code of the pre-1991 government... .

"Clans and subclans frequently used traditional justice, which was swift. For example, in August [2007] Mohamed Madei, a member of the Galje'el subclan, was publicly executed for a killing allegedly committed by his uncle against a Marehan man in accordance with an execution agreement between the two subclans. In October [2007] Garane Noor Mohamed was publicly put to death in Kismayo by agreement of Sade clan elders the day after he allegedly killed a policeman in downtown Kismayo. In August [2007] Horarsame Marehan subclan elders apprehended and handed over one of their kin for execution to the elders of the Rer-Ahmed Marehan subclan for allegedly killing a Rer-Ahmed Marehan subclan member. Traditional judgments sometimes held entire opposing clans or sub clans responsible for alleged violations by individuals." [2a] (**Denial of Fair Public Trial**)

- 10.02 As noted in the US State Department's International Religious Freedom Report, Somalia, released on 14 September 2008 (USSD IRF 2008): "The judiciary in most regions relies on some combination of Shari'a, traditional and customary law (Xeer), and the penal code of the pre-1991 Siad Barre government." [2b] (**Legal/Policy Framework**)
- 10.03 The USSD IRF 2008 report also added that: "In January 2008 a new Prime Minister and cabinet of ministers took office under the mandate of the TFG and established a Ministry of Justice and Religious Affairs. The Ministry is authorized to register religious organizations; however, the Ministry has no capacity to enforce this provision." [2b] (**Legal/Policy Framework**)

CENTRAL AND SOUTHERN SOMALIA

- 10.04 Garowe Online reported on 1 June 2008 that a new Islamic Court had appeared in the town of Jowhar, with the town's residents filing land dispute cases with the court. [35i] On 31 August 2008, Garowe online reported that an Islamic Court had been set up in Bulo Burte, Hiran, central Somalia, and land dispute cases had been filed with the court. [35t]

See [Union of Islamic Courts](#)

PUNTLAND

10.05 The USSD Country Report for 2007 recorded:

“The Puntland Charter provides for an independent judiciary; however, the judiciary was not independent in practice. The charter also provides for a Supreme Court, courts of appeal, and courts of first instance. In Puntland clan elders resolved the majority of cases using traditional methods; those with no clan representation in Puntland, however, were subject to the administration's judicial system.” [2a] (Trial Procedures)

SOMALILAND

10.06 The USSD Country Report for 2007 stated:

“The Somaliland Constitution provides for an independent judiciary; the judiciary was not, however, independent in practice. The Somaliland Constitution is based on democratic principles, but the region continued to use pre-1991 laws. There was a serious lack of trained judges and of legal documentation in Somaliland. Untrained police and other unqualified persons reportedly served as judges. The UNIE [UN Independent Expert on Human Rights in Somalia] reported in 2006 that local officials often interfered with legal matters and that the Public Order Law in Somaliland was often to detain and imprison persons without trial.” [2a] (Trial Procedures)

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ARREST AND DETENTION – LEGAL RIGHTS

- 11.01 The US State Department Report on Human Rights Practices covering 2007, dated 11 March 2008 (USSD report for 2007) noted:

“Judicial systems were not well established, were not based upon codified law, did not function, or simply did not exist in most of the country. The country's previously codified law requires warrants based on sufficient evidence issued by authorized officials for the apprehension of suspects; prompt judicial determinations; prompt access to lawyers and family members; and other legal protections for the detained. However, adherence to these procedural safeguards was rare. There was no functioning bail system or the equivalent.” [2a] (Arrest and Detention)

- 11.02 The USSD report for 2007 also stated “Arbitrary arrest was a problem in southern and central Somalia, Somaliland, and Puntland. Authorities in each region arbitrarily arrested journalists during the year. [2007] TFG forces also arrested NGO and UN employees during the year.” [2a] (Arrest and Detention)

- 11.03 Human Rights Watch (HRW), in their report ‘Shell Shocked: Civilians under siege in Mogadishu’ dated August 2007, noted that “TFG security forces committed mass arrests and have mistreated persons in custody.” [30a] The Human Rights Watch report, ‘So much to fear’, published December 2008, detailed the human rights abuses of the TFG forces, in terms of arbitrary detention and their use of torture on detainees. [30c] (p52) The report added “There is no meaningful judicial review of the legality of detentions, both because the police generally make no attempt to charge detainees in court and because the judicial system has collapsed to the point of inutility.” [30c] (p53)

- 11.04 The HRW report, ‘So much to fear’, December 2008 added that Somali police force offices detain arbitrarily for the purpose of extortion. [30c] (p55-57)

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PRISON CONDITIONS

12.01 The USSD report for 2007 noted:

“Prison conditions remained harsh and life threatening in all regions of the country. The main Somaliland prison in Hargeisa, designed for 150 inmates, held more than 700 prisoners. Overcrowding, poor sanitary conditions, lack of access to health care, and inadequate food and water supply persisted in prisons throughout the country. Tuberculosis, HIV/AIDS, and pneumonia were widespread. Abuse by guards was common. Detainees' clans generally were expected to pay the costs of detention. In many areas prisoners depended on food received from family members or from relief agencies.” [2a] (Prison and Detention Center Conditions)

12.02 The USSD report for 2007 also noted that convicted juveniles continued to be kept in jail cells with adult criminals. The report also notes that “the incarceration of juveniles at the request of families who wanted their children disciplined continued to be a major problem.” [2a] (Prison and Detention Center Conditions)

See [Children](#)

12.03 The Independent Expert appointed by the Secretary-General to report on the situation of human rights in Somalia noted on 17 March 2008, that “...authorities had been unlawfully detaining people in hidden makeshift prisons, as well as notorious jails such as that reputed to lie underground near the State house, ‘Villa Somalia’ in Mogadishu. There were also allegations that detainees were being held by Ethiopian forces in Somalia.” [4b] The Human Rights Watch report, ‘So much to fear’, published December 2008, added more details about the facility near Villa Somalia, locating the prison in the Baarista Hisbiga building: torture is reported to be practiced during interrogations. [30c] (p54)

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DEATH PENALTY

- 13.01 The death penalty is retained in Somalia. Amnesty International, in its International Report on Somalia 2008, covering events from January to December 2007, noted:

“Death sentences were imposed by courts in all areas. Some sentences were commuted to diya (compensation payments to victims’ families), but there were also several executions.

- A former TFG militia member was publicly executed by shooting in Mogadishu in July after a swift and unfair trial for homicide.
- In Somaliland, death sentences imposed in 2004 on seven men allegedly linked to al-Qa’ida who were convicted of killing three international aid workers were commuted on appeal by the Supreme Court.
- Three people were executed in 2007.” [6a]

- 13.02 Islamist groups have been applying the death penalty, with one incident attracting particular criticism. The UN OCHA situation report of 7 November 2008 stated:

“The Independent Expert on the Situation of Human Rights in Somalia, Dr. Shamsul Bari, and UNICEF condemned the stoning to death of a girl who was charged with adultery. A statement by UNICEF on 4 November, explained that Aisha Duhulow was stoned to death in a stadium full of spectators in Kismayo, Lower Juba region, on 27 October. Reports indicate that she was raped and when she sought protection from authorities, she was accused of adultery and was sentenced to death.” [26x]

- 13.03 UN Security Council, in its Report of the Secretary-General on the Situation in Somalia, 25 June 2007 stated:

“On 3 May [2007], the Transitional Federal Parliament enacted an anti-terrorism bill introduced by the Transitional Federal Government three months earlier, which provides, *inter alia*, for the freezing of property of those suspected of carrying out terrorist acts. It also provides for the death penalty for those convicted of participating in the establishment of a terrorist organization and those carrying out or attempting to carry out terrorist acts. The law raises serious concerns about its direct implications on basic freedom. Close monitoring of its application will be required.” [3c]

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POLITICAL AFFILIATION

- 14.01 The USSD report for 2007 noted: "The TFC provides for freedom of association; however, the TFG did not respect freedom of association during the year [2007]." [2a](Section 2b, Freedom of association)

PUNTLAND

- 14.02 The USSD report for 2007 noted: "The Puntland Charter provides for freedom of association; however, the Puntland administration continued to ban all political parties". [2a](Section 2b, Freedom of association)
- 14.03 The USSD report for 2007 added: "In May [2007], in the Sanaag region, Puntland police reportedly arrested six persons for demonstrating in support of Somaliland. Police subsequently fired warning shots at relatives of those arrested, who had gathered at police station." [2a](Section 2b, Freedom of association)

See Political System, [Puntland](#)

SOMALILAND

- 14.04 The USSD report for 2007 noted:
- "The Somaliland Constitution provides for freedom of association, and this right was generally respected in practice; however, in July [2007] Somaliland authorities arrested three opposition politicians who were planning to form a new political party. In July [2007] the Somaliland minister of interior warned that any person from Somaliland who participated in the NRC in Mogadishu would be accused of treason and punished. Police were instructed to monitor the borders for such individuals." [2a](Section 2b, Freedom of association)
- 14.05 The USSD report for 2007 added:
- "Legislation governing the formation of political parties in Somaliland limits the number of parties allowed to contest general elections to three. An ad hoc commission nominated by the president and approved by the legislature was responsible for considering applications. The law provides that approved parties obtaining 20 percent of the vote are allowed to operate. There were three approved political parties." [2a](Section 2b, Freedom of association)

See Political System, [Somaliland](#)

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FREEDOM OF POLITICAL EXPRESSION

- 15.01 The US State Department's (USSD) report on human rights practices covering 2007 stated that "The TFC [Transitional Federal Charter] and the Somaliland Constitution provide for freedom of assembly; however, ban on demonstrations continued, and the lack of security effectively limited this right in many parts of the country. Use by security personnel of excessive force to disperse demonstrators resulted in numerous deaths and injuries." [2a] (Freedom of Assembly)

CHARTER PROVISIONS IN PUNTLAND

- 15.02 The USSD report noted: "The Puntland charter provides for freedom of association; however, the Puntland administration continued to ban all political parties." [2a] (Freedom of Association)

See [Punt elections](#)

CONSTITUTIONAL PROVISIONS IN SOMALILAND

- 15.04 However, the USSD report for 2007 noted:

"In January [2007], Somaliland authorities arrested four students who were peacefully demonstrating against the arrest of the three Haatuf journalists arrested earlier in the same month. The students were detained in Mandera Prison and then sentenced to six months' imprisonment after a secret emergency court hearing in Hargeysa. The students were denied the right to appeal the sentence. In February Ali Dool Ahmed, a writer, and Bo'aud, an activist, were arrested for distributing leaflets demanding the release of the same three journalists." [2a] (Freedom of Assembly)

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FREEDOM OF ASSOCIATION AND ASSEMBLY

16.01 The USSD report for 2007 stated:

“The TFC [Transitional Federal Charter] and the Somaliland Constitution provide for freedom of assembly; however, a ban on demonstrations continued, and the lack of security effectively limited this right in many parts of the country. Use by security personnel of excessive force to disperse demonstrators resulted in numerous deaths and injuries.

“...In October [2007] Somaliland forces allegedly used excessive force to disperse demonstrators opposed to their military presence in Las Anod.

“The use of excessive force, by security forces in south central Somalia, resulted in the deaths and injuries of persons assembled at food distribution centers.” [2a] (Freedom of Assembly)

16.02 Protests and demonstrations have occurred spontaneously on occasion in Mogadishu: for instance, there was a demonstration against the Israeli Government's actions in Gaza on 9 January 2009 (PanAfrican newswire, 12 January 2009) [15a]; a mass demonstration against President Yusef's attempted sacking of PM Adde Nur on 15 December 2008 (Shabelle media, 15 December 2008) [37e]; and the May 2008 protests at the rise in food prices. (Garowe Online, 5 May 2008) [35n]

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FREEDOM OF SPEECH AND MEDIA

- 17.01 The US State Department (USSD) Report on Human Rights Practices covering 2007 stated:

“The TFC [Transitional Federal Charter] and the Somaliland Constitution provide for freedom of speech and press. However, there were instances of harassment, arrest, and detention of journalists in all regions of the country, including Puntland and Somaliland. The Puntland Charter provides for press freedom ‘as long as they respect the law’; however, this right was not respected in practice. Freedom House has ranked the country as ‘not free’ every year from 1972 to 2007. Reporters Without Borders also gave the country a low rating for press freedom. Journalists engaged in rigorous self-censorship in order to avoid reprisals.” [2a] (Freedom of Speech and Press)

MEDIA INSTITUTIONS

Radio

- 17.02 The Economist Intelligence Unit (EIU), in its Somalia Country Profile for 2007, noted:

“Radio is the principal form of mass communication, drawing on the longstanding Somali oral tradition. Political factions or Islamist groups control stations, with Mogadishu being serviced by four stations. In Somaliland, Radio Hargeisa is government-run, as is Radio Gaalcakyo in Puntland. Radio Kismayu began broadcasting in March 2000. The BBC World Service also has a Somali language service broadcast from London and is widely relied on for information.” [17a] (p15)

- 17.03 The USSD report for 2007 stated:

“Most citizens obtained news from foreign radio broadcasts, primarily the BBC, which transmitted a daily Somali-language program. There were reportedly eight FM radio stations and one short-wave station operating in Mogadishu. A radio station funded by local businessmen operated in the south, as did several other small FM stations in various towns in the central and southern parts of the country. There were at least a half dozen independent radio stations in Puntland and one government-owned FM radio station in Somaliland. In February [2007] the Voice of America Somali Service began Somali-language daily broadcasts.

“Although the Somaliland constitution permits establishment of independent media, the Somaliland government has consistently prohibited the establishment of independent FM stations. The only FM station in Somaliland is the government-owned Radio Hargeysa.” [2a] (Freedom of Speech and Press)

Newspapers

- 17.04 The BBC Country Profile updated 1 January 2009 reported that there were four main newspaper titles in Mogadishu and three in Somaliland. [8f] (p3) The profile also noted that Somaliland’s third weekly newspaper is produced in the English language. The BBC Country Profile also stated that the authorities in Somaliland operated their own radio station. HornAfrik was

well respected as one of Somalia's main independent radio stations and one of two independent TV stations. [8h] (p3)

- 17.05 The Economist Intelligence Unit (EIU), in its Somalia Country Profile for 2007, noted: "Newspapers, many of which are allied to political factions, circulate in most towns. Print runs are small because of antiquated equipment and the inability of the poor population to buy newspapers." [17a] (p15)

- 17.06 The USSD report for 2007 stated:

"The print media consisted largely of short, photocopied dailies published in the larger cities and often affiliated with one of the factions. Several of these dailies were nominally independent and published criticism of prominent persons and political leaders.

"In Somaliland there were six independent daily newspapers: Jamhuuriya, Haatuf, Ogaal, Geeska, Saxansaxo, and Maalmaha. There was also one government daily, Maandeeq, and two English language weeklies, Somaliland Times and the Republic. There were two independent television stations, Hargeysa TV and Hargeysa Cable TV, and one government-owned station, Somaliland National TV." [2a] (Freedom of Speech and Press)

JOURNALISTS AS TARGETS OF VIOLENCE

- 17.07 The Observatory for the Protection of Human Rights Defenders noted in its report *Steadfast in protest*, published 19 June 2008:

"The parties to the conflict are clearly bent on silencing human rights organisations. In such a situation, independent journalists try to fill the gap by denouncing human rights violations, becoming in turn the subjects of serious exactions. Consequently, most of those responsible for independent media have left the country. For instance, according to the Somalia Press Freedom Observer, eight journalists were killed in 2007, half of them in targeted assassinations carried out by contract killers." [49a](p81)

- 17.08 The USSD report for 2007 stated:

"Opposition elements, many affiliated with the ousted Council of Islamic courts and other extremists, continued to harass journalists. Journalists reported that antigovernment groups threatened to kill them if they did not report on antigovernment attacks conducted by al-Shabaab. Journalists added that publishing criticism of the opposition ingratiated them with the TFG, but subjected them to opposition threats, and vice versa.

"Journalists and media organizations in all regions reported harassment including killings, kidnappings, detention without charge, and assaults on persons and property. Most of the experienced field reporters and senior editors have fled the country due to direct threats from both the TFG security forces and antigovernment groups." [2a] (Freedom of Speech and Press)

- 17.09 UN Security Council's Report of the Secretary-General on the Situation in Somalia, 14 March 2008,

62 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

“Threats to independent media and journalists based in Somalia have increased. In 2007, eight journalists were killed in southern and central Somalia and 47 media professionals were reportedly arrested in the course of their work. A significant number of journalists have been arbitrarily detained and media outlets are intermittently shut down for allegedly disseminating false and hostile information against the Transitional Government. New regulations were enacted preventing independent media from reporting military operations conducted by the Transitional Federal Government and Ethiopian forces.” [3d](p10)

17.10 OCHA, in its Humanitarian Analysis, dated January 2008, noted:

“The Somali media continue to be targeted with arrests, beatings, death threats and other forms of harassment. Several international advocacy groups raised the alarm in January. The New York based freedom of expression advocacy group, Committee to Protect Journalists (CPJ) wrote to the Somali Prime Minister to express their concern about the ‘ongoing pattern of arbitrary arrests and threats by government officials against Somali journalists’ which the group noted were ‘contrary to international standards of press freedom.’ Earlier in the month Reporters Without Borders called the Somali government’s indifference to the safety and freedom of the press ‘astounding’ and noted ‘the authorities not only refuse to protect them from targeted murders but also continue to let the security forces carry out arbitrary arrests without any explanation.’ In a positive move, the new Prime Minister announced from Mogadishu, where his cabinet relocated during the month, that ‘violations against press freedom are over.’ Even so, January [2008] was a month of turmoil for Somali journalists.” [26I]

17.11 Reporters Without Borders (RWB) reported in RWB’s annual report 2008, published 13 February 2008:

“The heavy toll for the Somali press reads as follows : Eight dead, four injured, some 50 journalists in exile, and others holed up at home after abandoning their work in fear. To this terrible toll, must be added 53 journalists arrested while doing their job, either in southern Somalia, where the capital Mogadishu is sited, in semi-autonomous Puntland in the north or in the self-proclaimed state of Somaliland in the north-west.” [14a]

DETENTION OF JOURNALISTS

17.12 The CPJ’s (Committee to Protect Journalists), Attacks on the Press, 2007, noted:

“Politically motivated attacks, arrests, harassment, and threats came from both sides in the conflict. In October [2007], for example, insurgents targeted Mogadishu-based Radio Simba with threatening telephone calls and e-mails because of the station’s anti-violence programming. That same month, government officials detained two Radio Simba journalists for broadcasting an interview with an ICU military leader. Many of the reprisals were triggered by the media’s reporting on human rights abuses by both rebels and government forces. Nationwide, CPJ documented the arrests of at least 60 journalists in 22 separate cases, the vast majority of which were conducted without warrants or even formal charges.” [12a]

- 17.13 During 2007, the USSD noted that there were incidents of harassment, arrest and detention of journalists throughout Somalia:

“Numerous journalists were arrested and detained during the year [2007]. In January [2007] Somaliland authorities arrested journalists Yusuf Abdi Gabobe and Ali Abdi Dini at the offices of Haatuf Media Network in Hargeysa. The police originally came to arrest Dini and investigative reporter Muhamad Rashid Farah, who escaped. Later in January security forces arrested Haatuf correspondent Mohammed Omar Sheikh Ibrahim.

“In March [2007], at Mandera Prison, trials took place against the three detained journalists and the fugitive Farah; their lawyers failed to appear. Gabobe was sentenced to two years in prison, Dini and Ibrahim to 29 months, and Farah was sentenced in absentia to 29 months. Amnesty International characterized the imprisoned journalists as “prisoners of conscience” and declared their arrest and trial a clear violation of human rights. Following local and international pressure, the government released the three journalists in late March [2007]. In March [2007] Hasan Sade Daqane of Radio HornAfrik and Abdirahman Yusuf Al-Adala, from Shabelle Media Network, were detained by the TFG in Mogadishu for two weeks before being released. In April TFG security forces arrested Universal TV crew members Abdulkadir Nadara, Bashir Naleye, and Hamid Mohamed, who were held for 40 days and released after significant international pressure.” [2a] (Freedom of Speech and Press)

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HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

LOCAL HUMAN RIGHTS ORGANISATIONS

18.01 The USSD report for 2007 noted:

“The Mogadishu-based Dr. Ismael Jumale Human Rights Center (DIJHRC), Isha Baidoa Human Rights Organization in the Bay and Bakol regions, KISIMA in Kismayo, and other local human rights groups were active during the year. The DIJHRC investigated the causes of the continuing conflict in the Mogadishu area and conducted human rights monitoring. The Mogadishu-based National Union of Somali Journalists (NUSOJ) continued to advocate for media freedom throughout the country. The Mogadishu-based Center for Research and Dialogue, several women's NGOs, and other civil society organizations also played a role in promoting intra-clan dialogue, national reconciliation, and dialogue between the TFG/Ethiopians and elders of the dominant Hawiye clan in Mogadishu.

“Somaliland human rights organizations accused authorities of meddling in its internal affairs and promoting conflict among them. In October [2007] SHURONET, an umbrella organization for human rights organizations in Somaliland, accused authorities of supporting a parallel state-supported organization that convened a workshop in the name of SHURONET. There were reports that Somaliland authorities subsequently deported Livia Hadorn, a UNDP official in charge of human rights activities in Hargeisa, for declining to provide funding for the parallel government-convened workshop.” [2a] (Section 4, Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights)

INTERNATIONAL HUMAN RIGHTS ORGANISATIONS

18.02 The USSD report for 2007, observed “A number of domestic... human rights groups generally operated throughout the country investigating and publishing their findings on human rights cases.” [2a] (Section 4, Governmental Attitude) The same source noted that along with specific examples of aid workers being targeted for assassination, kidnapping and extortion, which it drew from all parts of Somalia:

“Attacks and incidents of harassment against humanitarian, religious, and NGO workers resulted in numerous deaths. TFG officials accused NGOs and civil society organizations of siding with opposition groups and exaggerating human rights abuses committed by TFG forces. The TFG intimidated and arrested NGO workers, who also received death threats from regional administrators, clan militias, and criminals.

“There were numerous occurrences of looting, hijacking, and attacks on convoys of WFP [World Food Programme] and other humanitarian relief shipments during the year [2007].” [2a] (Section 4, Governmental Attitude)

18.03 On 1 February 2008, Médecins sans Frontières announced that it was withdrawing its entire international staff out of Somalia after three of its workers were killed by a roadside bomb. A statement issued by the organisation noted that eighty-seven international staff have been withdrawn from 14 projects across Somalia. An article by the *Mail and Guardian Online*

(Zambia) explained: “The MSF action comes as Somalia is facing a critical emergency with escalating violence, massive displacement and what the aid group described as ‘acute unmet medical needs’. MSF said the majority of the international staff being withdrawn would go to neighbouring Kenya, with no specific date for their return to Somalia.” [38e] On 6 July 2008, Osman Ali Ahmed, the head of the UN Development Programme in Somalia, was shot as he left a mosque in Bulohube district, south Mogadishu, and died of his injuries in hospital. (BBC News, 6 July 2008) [8t] On 14 July 2008, the BBC reported that after two fatal incidents in Mogadishu, international aid agencies considered suspending all operations in south and central Somalia and Mogadishu. Foreign aid workers have been targeted in recent months for kidnapping. [8r]

- 18.04 In October 2008, Amnesty International produced a report on attacks against aid workers, ‘Fatal Insecurity’, which stated:

“While these assaults are not universal or uniform, it is clear that humanitarian workers no longer enjoy the limited protection they previously held based on their status in the community as impartial distributors of food and emergency services, or as advocates of peace and human rights. These attacks have now become one of the defining features of the conflict in Somalia in 2008, with the significant increase in attacks targeting this group resembling a similar earlier rise in attacks targeting journalists in 2007, as documented in the Amnesty International report ‘Journalists under attack’ (Index: AFR 52/001/2008, March 2008).” [6e](p6)

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FREEDOM OF RELIGION

- 19.01 Freedom House, in its 'Freedom in the World' report covering 2007, published 2008, noted "Nearly all Somalis are Sunni Muslims, but there is a very small Christian community. It is difficult to claim that the religious freedom has improved markedly since the ICU's ouster in late 2006 and early 2007, but the TFG is not as overtly Islamist as the ICU." [19a]

- 19.02 The US State Department's (USSD) Report on Human Rights Practices covering 2007 noted:

"There were no legal provisions for the protection of religious freedom, but there were limits on religious freedom in practice. The TFC [Transitional Federal Charter], Somaliland Constitution, and Puntland Charter establish Islam as the official religion.

"In Puntland only *Shafi'lyyah*, a moderate Islamic doctrine followed by most citizens, is allowed. Puntland security forces closely monitored religious activities. Religious schools and places of worship must receive permission to operate from the Ministry of Justice and Religious Affairs, but such permission was granted routinely.

"In Somaliland religious schools and places of worship must obtain the Ministry of Religion's permission to operate. Proselytizing for any religion except Islam is prohibited in Puntland and Somaliland and effectively blocked by informal social consensus elsewhere in the country. Apart from restrictions imposed by the security situation, Christian-based international relief organizations generally operated freely as long as they refrained from proselytizing.

"In May [2007] TFG forces confiscated face veils from women in Mogadishu and subsequently burned the veils. TFG authorities stated that hooded criminals disguised as women had participated in attacks against security forces, which warranted banning of the face veil within the capital. Following a public outcry, the mayor of Mogadishu denied any responsibility for the ban and called for its immediate suspension.

"In September [2007] police in Belet-Weyne reportedly arrested and detained an estimated 15 persons found eating during the daytime at a local restaurant during Ramadan. Those arrested were each ordered to pay \$25 (34, 000 Somali Shillings) in fines." [2a] (Freedom of Religion)

- 19.03 The US State Department's Report on Religious Freedom (IRF report 2008) released in September 2008 noted:

"While the Transitional Federal Charter (Charter) provides for religious freedom, there were limits on the extent to which this right was respected in practice.

"The Transitional Federal Government (TFG) generally did not enforce legal restrictions or protections concerning religious freedom. There was no change in the status of respect for religious freedom during the period covered by this report [1 July 2007 to 30 June 2008]

“Militia groups, particularly those associated with al-Shabaab and individuals previously affiliated with the Union of Islamic Courts (UIC), at times imposed a strict interpretation of Islam on communities under their control. There were reports that individuals who do not practice Islam were discriminated against and at least four may have been killed because of their religious beliefs.” [2b]

19.04 The IRF report 2008 observed that: “Citizens are overwhelmingly Sunni Muslims of a Sufi tradition. There also is a very small, extremely low-profile Christian community, and small numbers of followers of other religions. The number of adherents to strains of conservative Islam and the number of Islamic schools supported by religiously conservative sources continued to grow.” [2b] (Religious Demography)

19.05 The IRF report 2008 also noted:

“Non-Muslims who practiced their religion openly faced occasional societal harassment. Although not legally prohibited, conversion from Islam to another religion was considered socially unacceptable. Those suspected of conversion faced harassment or even death from members of their community.

“There was strong societal pressure to respect traditions that reflect the traditional Somali interpretation of Sunni Islam. In April 2008 a worshipper was stabbed in a mosque in Somaliland after two groups clashed in a mosque over differences in interpretation of Islamic beliefs.” [2b] (Societal Abuses and Discrimination)

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ETHNIC GROUPS

SOMALI CLANS

Overview

20.01 The US State Department's (USSD) Report on Human Rights Practices covering 2007 stated: "More than 85 percent of the population shared a common ethnic heritage, religion, and nomad-influenced culture." [2a] (National/Racial/Ethnic Minorities)

20.02 The Report of the Joint British, Danish and Dutch Fact-Finding Mission (JFFMR) of December 2000, observed that Somali society is characterised by membership of clan-families. These are sub-divided into clans, and many sub-clans (clan members are classified as ethnic Somali), or minority groups (minority groups are usually defined as those of non-ethnic Somali origin). [7a] (p6-7) The JFFMR December 2000 also noted that the clan structure comprises four major 'noble' clan-families of Darod, Hawiye, Isaaq and Dir [7a] (p7) (The term 'noble' is strongly rejected by Adan Ali Bulle, a Somali genealogist, in a 2005 mapping of the clans [55a]) The JFFMR 2000 also highlighted a major clan group outside the noble clans of the Digil and Mirifle / Rahanweyn, as a group that "seem[s] to take a middle position between a Somali clan and a minority" and in terms of a political entity within the Transitional National Assembly, as an 'Alliance Clans Community'. [7a] (p65) The minority / lower caste clans are summarised by the USSD report for 2007 as:

"Minority groups and low-caste clans included the Bantu (the largest minority group), the Benadiri, Rer Hamar, Brawanese, Swahili, Tumul, Yibir, Yaxar, Madhiban, Hawrarsame, Muse Dheryo, and Faqayaqub. The UNIE estimated that minority groups may constitute 22 percent of the population. Intermarriage between minority groups and mainstream clans was restricted. Minority groups had no armed militias and continued to be disproportionately subject to killings, torture, rape, kidnapping for ransom, and looting of land and property with impunity by faction militias and majority clan members. Many minority communities continued to live in deep poverty and to suffer from numerous forms of discrimination and exclusion." [2a] (National/Racial/Ethnic Minorities)

20.03 The FCO Analyst's report of May 2008 gave a background to the development of the current strata of clans and minorities:

"In the past – especially before the full development of state structures - minority groups would have had some relationship of protection with majority clans. The rise of the modern state (colonial and post-colonial) ostensibly ended the necessity for some of these historical relationships of protection. Some relationships will have endured, others may have lapsed. However, the modern state itself became the active protector and sponsor of some minority groups. Siad Barre's regime in particular, used weak clans or minorities as strategic allies in their government and employed them selectively in the security forces and other government agencies, as reliable and dependant allies. This association has added to the vulnerability of some minority groups and small clans. The situation since the breakdown of state and formal structures of law and order has left most 'minority' groups as second, if not third 'class' citizens. The revival of 'neo-traditional' customs

in stateless Somalia, may have led to new agreements between minority groups and major clans, though these will be precarious and one-sided agreements (i.e. to the advantage of the protecting clan).” [60a] (points 7,8)

CLANS AND PROTECTION

20.04 Any political affiliation was held to generally follow clan lines. (JFFMR 2000) [7a] (p6-7) Menkhaus’ ‘State collapse and the threat of terrorism’, published 2003, noted: “In the south of Somalia, local polities have tended to be much less generous to smaller and weaker clans; indeed most local and regional polities in south-central Somalia are associated with clannish hegemony dressed up as formal administration.” [51a] (p23)

20.5 However, a comment in a SAACID global email, released 3 August 2008, typified the view that since 2007 the dominance of the clan has declined: “The once ever predictable clan matrix has been significantly muddled by the multiple nodes of identity that have solidified over the past decade (business, warlord, religious, civil, etc), and there is deep distrust at even the sub-sub clan level about who to trust, and who to make an alliance with.” [53b] SAACID had previously pointed out in June 2008 that “the increasing need to find enough food to feed family members is forcing more and more men to take up arms and use violence or the threat of violence. Clans and sub-clans are under increasing economic stress, and they are beginning to fracture under the current economic burden. Precursors for conflict beyond the current TFG/Ethiopian and Hawiye clan opposition divide are now materialising.” [53c] SAACID, when conducting the UNHCR IDP household survey in February 2007, stated the reasoning why the surveys avoided designation of clan:

“A word of caution is necessary before dealing with clan affiliation. The issue of clan affiliation in connection with the present IDP profiling is complicated because the clan structure is complex and referred to in varying ways depending on socio-political context and time. The clan structure is often described as having a small number of clan families at the top which branch off into a number of clans, lineages, and smaller socio-political groups as you move down in the system. The clan system is dynamic in the sense that it reflects both political and demographic developments, illustrated by the creation of new offshoots when demanded by circumstances, or, for instance, elevation in status of what used to be a sub-section of a larger clan entity. As this happens over time and in a political environment, there will often be questions as to whether a particular entity is a clan or rather a sub-clan, and whether a particular clan name is associated with one or the other level in the clan structure. Besides, asked about clan and sub-clan affiliation, Somalis can choose different points of entry depending on the context. Given this complexity, the clan data in the present survey are difficult to handle. Respondents may refer to a clan that others would regard as a sub-clan and visa versa. This inconsistency means that data on clan affiliations often can not be treated straightforward if a detailed and ‘fully correct’ picture is desired. However, for the purpose of the present report, no attempt has been made to ‘clean up’ clan data by joining data on clans that might actually refer to the same entity (or one being a sub-section of the other) - clan data are presented as given by the respondents. If more advanced analysis involving clan affiliation is wanted, data cleaning will have to be done first. A majority of 80.4% of the respondents belong to seven

70 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

clans as given in the table below, and of these the two clans Hawiye and Rahanweyn account for 62.2% of the total. The rest belong to 63 other clans. The full list of 70 clan affiliations can be seen in the Standard Report that also has a list of 329 sub-clans given by the respondents.” [53d]

20.06 Further, SAACID stated in a November 2008 global email that:

“The civil elite of clans and sub-clans continue to attempt to form coalitions within and between other sub-clans and clans. This also extends to warlords attempting to make new clan-based alliances with civil elite/UIC/ARS/AI Ittiad/shabaab factions; and with every other variation in between. This process is being effectively negated by a lack of trust and fear of betrayal. This [is] because of muddled clan solidarity from religion, business and external actor interest. Thus, sub-clan and clan resource mobilisation and planning remains at low and uncoordinated levels. So, while individuals and small groups are stocking weapons and ammunition, the lack of serious trust means that no sustained planning - even at the sub-sub-sub clan level - is being implemented. Most are deferring until the Ethiopians leave the stage and then reviewing the landscape at that time.” [53f]

20.07 The International Crisis Group report of December 2008, ‘To move beyond the failed state’, also made comments on clan dynamics, saying that many other factors such as business, political, ideological (such as Islamic) interests have eroded strict clan relationships. However, it also stated “large swathes of the country [are] revert[ing] back to a style of clan government that predates colonialism.” [24a](p4)

20.08 The same IGC report concluded that:

“That clan elders are now targets in the violence sweeping the country is the best indicator that the classical clan system is fraying. Even during the worst of inter-clan feuds, elders had always been respected and played a recognised conflict mediation role, with access to the key players. The apparent erosion of their power does not mean, however, that they no longer wield influence. Part of the crisis in the south stems from the inability, perhaps the unwillingness, to bring them fully into the political decision-making process.” [24a](p4)

20.09 Clan association is distinct from familial association, though clan is developed and cemented by marriage and lineage. Somali words for familial and similar relations include:

aabbe – father	inanka eey walalaha dhaleen – nephew
adeer ama abti – uncle	inankage – son
awoowe – grandfather	inanta eey walalaha dhaleen – niece
ayeeyo – grandmother	jaar – neighbour
cunug – child, baby	jiiran – neighbour
gebartaada – daughter	ninka naagta qaba – husband
habar-yar – aunt	ninka xaaska leh – husband
ina abtida – cousin	qoys – family
ina abtiga – cousin	walaal – brother
ina adeerka – cousin	walaasha – sister
ina adeerta – cousin	walalka – brother
inaantaada – daughter	xaas – family, wife

(Somali to English, Beginning English for Somali speakers)[58a]

- 20.10 The US State Department report for 2007 noted that clan affiliation could be a crucial factor in the experience of a person: "In most areas members of groups other than the predominant clan were excluded from effective participation in governing institutions and were subject to discrimination in employment, judicial proceedings, and access to public services." [2a] (National/Racial/Ethnic Minorities) This position is modified in a longer explanation of the role of clan affiliation, given in the LandInfo (Norwegian Country Information Center), *Security and human rights in southern Somalia*, published November 2007:

"According to the delegation's interview partners, the concept of protection is complex, and an individual's vulnerability or opportunity to win protection and support is dependent on a number of factors. [There is no further explanation of such factors in the document]. The UNHCR explained that the situation is complicated and unclear with regard to whether a person will find safety or protection in a clan's traditional home area. Conflicts over scarce resources have complicated the situation and made it unpredictable." [45a](p20)

- 20.11 Previously, before the current period of conflict (February 2007 to date), the JFFMR March 2004 noted "... in general Somalis would be safe within his or her own sub-clan's area as long as the sub-clan is not involved in any conflict. It was added that civilians are not normally targeted by armed clan conflicts and very often they will know either how to escape or how to avoid being involved in such conflicts." [7c] (p11)

- 20.12 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact Finding Mission report on 'Human rights and security in central and southern Somalia', published August 2007 noted a difference in opinion regarding clan protection:

"An international organisation (A) explained that individual persecution *per se* does not take place in Somalia. Any Somali has the opportunity to attain security within his or her own clan. This is even applicable if a person does not have any close relatives in the country. As long as a person is living inside the traditional area of the clan he or she enjoys the protection of that clan." [7e] (p29)

- 20.13 However, the report also noted "An international organisation (C) stated that it is too broad to say that everyone upon return to Somalia from abroad will have access to protection from his or her clan in Somalia. The clan may try to assist and protect a person at the initial stage but not in the long term." [7e] (p29)

- 20.14 The report went on to note:

"[Philippe] Lazzarini [UN OCHA] explained that in general clan protection is better in northern Somalia than in the south. In central and southern Somalia the situation is very complex when it comes to clan protection. In these areas there is no guarantee that a person will enjoy protection from his or her own clan. Many clans are rather dispersed and the mixture of clans is much more blurred. Lazzarini, however, acknowledged that in principle one could expect to be protected by one's own clan if he or she is living among clan members. Lazzarini emphasized that it is not possible to say something

72 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

reasonable as to whether a person will be certain to enjoy clan protection in central and southern Somalia. It was added that many Somalis living abroad or as IDPs would not be able to return safely to central and southern Somalia. The IDPs experience no clan protection and accordingly there is no negotiation of compensation if an IDP is a victim of a crime.

“Yassin considered that ‘clanism’ is generally no longer an issue in Somalia. This has been the situation during the last three to four years. No one is being persecuted or targeted solely because of their clan affiliation and in principle anyone can expect to enjoy protection by his or her own clan.” [7e] (p30)

- 20.15 The FCO Analyst report of May 2008 modified this position of ‘clan as no longer important’ stating: “It is not my opinion that there is no ‘comparative difference in levels of safety between majority clan and minority group members’. However, there may be little detectable difference between some individual circumstances.” [60a](Point 3)

See [Latest news](#), 18 February 2009, SAACID global email

Land dispute and *diya* (blood-compensation)

- 20.16 The traditional system of resolving inter-clan disputes on land and grievance issues is governed by *Xe'er*, traditional law and precedent, adjudicated by elders (*oday*): a full description of the role of *oday* and such systems is given in a 2006 Danish Refugee Center / Novib-Oxfam report ‘The predicament of the Oday’ by Joakim Gundel. [59a] Gundel notes that the Rahanweyn have a different mechanism for *diya*. [59a](p30-31)

See [Rahanweyn](#)

- 20.17 On compensation, the Danish Refugee Council report on human rights 2007 noted:

“Regarding blood-compensation (*Diya*) Yassin explained that minority groups cannot expect to obtain compensation from major clans such as the Hawiye or the Darod, and to obtain compensation from the Abgal clan is also very difficult since this clan is dispersed over a large area. However, if blood-compensation is being negotiated on a lower, sub-sub clan level it is very likely that compensation may take place. Even the Reer Hamar, Shekhal and other ethnic minority groups today have profiled elders who can negotiate blood compensation.” [7e] (p19)

- 20.18 The LandInfo report of November 2007 added “... [Philippe] Lazzarini [UN OCHA] added that internal refugees have no clan protection because they are by definition outside their native clan areas. Nor do they receive any compensation if a kinsman is injured or killed.” [45a](p22)

MAPPING OF CLANS

- 20.19 The ‘mapping’ of clans has changed with sources published over the years. Geographical maps on clan distribution include A. Abikar’s map dated 15 April 1999, that details all clans / minorities that are rooted in a specific geographic locality, “based on Somali ethnographic studies and mapping carried out by various scholars in the last 100 years and is supported with

the author's field surveys and interviews." [57a] Another geographic representation is a major clan map produced by Food Security Analysis Unit – Somalia, dated February 2005, which seems to indicate a contraction of Hawiye and Rahanweyn areas in Galgadud and Bay / Bakool respectively. [57c]

- 20.20 In terms of lineage, the lineage diagrams vary considerably on relative depth, often in variance on major divisions, and all differing in detail (Jane's [61a]; Menkhaus [51a](p24); December 2000 JFFMR [7a](Annex 3 Genealogical table of Somali clans, p80-87); Bulle [55a]). [Annex C – Somali clan structure](#) draws together the main elements held in common. The JFFMR 2000 is the oldest clan lineage drawn upon. [7a](Annex 3 Genealogical table of Somali clans, p80-87) The complex nature of clan maps is highlighted in Luling's discussion of the Digil / Mirifle / Rahanweyn. [51d](p83-85)

See [Rahanweyn](#)

- 20.21 The FCO Analyst's report of May 2008 adds a further note of caution about clan mapping: "Most knowledge is maintained by oral tradition and not recorded systematically. Individuals themselves hold this knowledge, and one account will never exactly match another." [60a](Point 13)

INTERMARRIAGE BETWEEN CLANS

- 20.22 There is little information regarding majority/minority clan alliances through marriage. However, 'Somalia: the untold story: The war through the eyes of Somali women' by Gardner and Bushra, published 2004, made reference to male majority clan members marrying female minority clan members. [51f] There is no indication as to whether this refers to clans in general or only certain minority groups. I.M Lewis, in 'Saints and Somalis', published 1998, refers to the Bravanese (non-clan minority group, see [Bravanese](#)) as occasionally marrying into major clan families [51c] (p63) but does not specify whether this has been the case for both male and female Bravanese. The Danish Refugee Council report on human rights 2007 notes:

"An international organisation (C) confirmed that a wife is absorbed into her husband's clan irrespective of her own clan affiliation. This is so except for when she has married below her own clan's position. However, if the husband dies a problem may arise regarding the widow's clan affiliation.

"According to NOVIB a woman's marriage against the wishes of her family or clan may lead to the death of the man if he comes from a lower clan than his wife. NOVIB gave an example of a couple in which the woman's own clan sent her away to the other end of the country. The couple later found each other again and had to go into hiding or they would be killed." [7e] (p31)

- 20.23 The LandInfo report of November 2007 gave details of men known as 'black cats', namely "a man belonging to the Hawiye clan who marries a minority woman and moves in with her family. For Rer Hamar families, such marriages have served as protective mechanisms, but they often violate the true will of the woman and her family." [45a](Footnote 28, p26) The report notes that few 'black cats' remain amongst the Benadir population now [November 2007]. [45a](p26)

74 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

See [Benadiri and Bravenese](#)

RAHANWEYN CLANS

20.24 As reflected in the JFFMR December 2000, the Rahanweyn clans, comprising the Digil and Mirifle, are considered as a minority group by some experts and related to the major Somali clans though considered as less 'noble' by others. However, the Digil and Mirifle were included as one of the major Somali clan-families and allotted 49 seats distinct from the recognised official minorities who formed a separate grouping when seat allocations for the TNG were decided upon at the Arta conference of 2000. [7a] (p56)

20.25 As an alliance of groups rather than a unified, distinct group, sources differ as to which groups are Rahanweyn or not. Luling, in the 2002 publication 'Somali sultanate' notes that there are at least three different ways of defining the Digil and Rahanweyn, and subclassifying their sub-clans. [51d](p84,5) Luling previously notes, along with Lewis's observations of 1957, that:

"The 'total genealogy' [a genealogy that link all clans back to connections with the founders of Islam], in other words, is an intellectual construct and the construct of intellectuals. Ordinary people are simply concerned with the day-to-day political relations which are worked out via the genealogical links at lower levels of segmentation, and beyond this their ideas are hazy (Lewis, 1957:71). The Digil and Reewiin/Raxanweyn, for instance, tend to refer to all nomadic pastoral clans as 'Haawiye', or even 'Daarood' or 'Daame' (in the contrasted pair of *Digil iyo Daame*), while the latter call the Reewiin / Raxanweyn indiscriminately 'Eelaay'." [51d](p83)

20.26 The Gundel 2006 study on traditional law comments on the Rahanweyn, noting that the Rahanweyn organise their property rights and social systems differently from other Somali clan structures, allowing a certain fluidity of acceptance in Rahanweyn areas, and looking for *diya* at a higher collective level than the pastoralist clans, namely to a leader of the clan not the elders. Traditionally, the 'families' the jilib elect council leader, a Gob, who in turn assembles a elders' council, Akhayyar, and a leader for the confederation of councils, a Malaakh. The Malaakh heads the whole clan and is the person to whom *diya* requests are presented. [59a](p30-31, 3.3.6)

20.27 The chapter by Bernhard Helander in the 2003 publication, 'The struggle for land in Southern Somalia': the war behind the war, gives information about different modes of differentiation between 'clan' and 'non-clan' Somalis amongst the Rahanweyn. The particular sub-clan, the Hubeer, that Helander studied, recognised members by "birth" and by "culture"; and that the main determinant was access, possession and rights (under Xe'er) to land. [51b](pp50, 52f)

See also [Annex C – Somali clan structure.](#)

MINORITY GROUPS

20.28 The Joint Fact-Finding Mission Report (JFFMR) of December 2000, observed that minority groups within Somalia included the Bajuni, Bantu, Benadir, Bravenese, Eyle, Midgan (Gaboye), Tumaal and Yibir. As with the majority clans several of these individual groups are divided into sub-groups.

The minority groups were the only people in Somalia who, when Siad Barre was overthrown in 1991, did not have their own armed militia to protect them. During the civil war minority groups were among the most vulnerable and victimised populations in the country. [7a] (p20-22) [26a] (p1) The JFFMR December 2000 noted that certain minority groups, most notably the Benadiri and Bravanese, were particularly disadvantaged and targeted by clan militia since the collapse of central authority in 1991. [7a] (p48) The FCO Analysts report of May 2008 further explained: "The term minority has come to cover a wide and diverse range of peoples in Somalia. Some minorities may be more identifiable (e.g. appearance, dialect, accent) than others. Others, especially those are treated as lower 'castes' - due to the stigma associated with their way of life, profession, putative ancestors, etc. - will be indistinguishable from majority Somali clan groups." [60a](Point 2)

20.29 The JFFMR December 2000 stated: "Minority groups are not evenly distributed throughout Somalia; there is a higher concentration in the central and southern parts of the country." [7a] (p21) However, some groups, such as those with special occupational skills (Midgan, Tumul and Yibir), are more likely to be found in different parts of the country. [7a] (p87) The USSD report for 2006 and the JFFMR December 2000 reflected that politically weak social groups are less able to secure protection from extortion, rape and other human rights abuses by the armed militia of various factions. [2a], [7a] (p21) The UN Office for the Coordination of Humanitarian Affairs (OCHA) Minorities Study of August 2002 stated: "In a country where there is no national Government that would be responsible for safeguarding and upholding the rights of minority groups, Somalia minorities are truly in a vulnerable position." [26a] (p1)

20.30 The FCO Analysts' report of May 2008 similarly noted that:

"Though some minority groups were primarily associated with geographical locations e.g. Bravanese, Benadiri, others were identified by their 'occupational caste' and might be found in any given area. Different 'Bantu' groups are traditionally found in many of the river valleys of the Juba and Shabelle. However many minority groups will have migrated to bigger towns and cities in search of work, social services (health, aid, education) or protection (e.g. previous UN presence)." [60a](Point 10)

20.31 During the JFFM of January 2004, the delegation asked the UN High Commissioner for Refugees (UNHCR) branch officer for Somalia about the discrepancy which seems to exist between the information collected on the 2004 mission and previous missions, regarding the situation in Somalia for persons belonging to minority groups, and the information provided during refugee status determination interviews in some European countries:

"[The UNHCR source] firstly stated that she obviously did not know whether the case profiles of the persons referred to by the delegation were the same profiles as the ones who approach UNHCR in the region. With this reservation in mind, and presuming that the persons referred to are in fact coming from minority clans, the UNHCR source said that the discrepancy could to some extent be caused by the difference in conception between the person interviewing the asylum-seeker and the asylum-seeker him/herself as to what, for example, constitutes forced labour. If an asylum seeker has been used to working for example two hours every day for someone (belonging to a 'noble' clan) without being paid, the asylum-seeker may

consider this normal and would not define it as forced labour if asked. It was suggested that the interviewer would have to ask specifically about all the small details of the asylum-seekers daily life in order to assess whether the person had in fact been subjected to forced labour or other human rights violations. Specifically with regard to sexual abuse including rape, she stated that pride and status might often prevent an asylum-seeker from coming forward with this information during an asylum interview or elsewhere.”
[7c] (p37)

- 20.32 The United Nations Commissioner on Human Rights (UNHCHR), in its report by its independent expert Ghanim Alnajjar dated 13 September 2006, stated:

“It is estimated that minority groups living in Somalia may constitute up to one third of the Somali population, approximately 2 million people. These groups, including the ‘African’ Bantu/Jarir, the Benadir/Rer Hamar and the Midgan (Gaboye), are most often landless and unarmed in Somalia. These labourers, metalworkers, herbalists and hunter-gatherers continue to live in conditions of great poverty and suffer numerous forms of discrimination and exclusion. They are prohibited from inter – marrying and often face discrimination in accessing the limited social services that exist in Somalia, and are as well targeted for all forms of harassment and violence. The women members of the Bantu ethnic group are particularly at risk of rape and sexual assault.” [4a] (Minorities)

- 20.33 The FCO Analyst’s report of May 2008 made the following observation when categorising those outside the Somali clan structure, stating:

“Previously groups like the Bantu, Bajuni and Benadiri, and particularly their sub-groups were made up of isolated and discrete communities each with its own set of external relationships, internal histories, hierarchies and areas of concentration. The experience of the state in Somalia during the twentieth century has tended to deemphasise difference between communities, against which these small groups have often fought a rear-guard action. Conversely in the aftermath of state collapse, small sub-groups of vaguely common ancestry or custom have come together to produce larger identities such as Bantu, Bajuni, Brawanese or Benadiri, or even Midgan/Madhiban. These are constructs made in the face of common adversity and common historical experience, but as ‘identities’ may have little historical precedence. It is therefore extremely difficult to expect standardised accounts or beliefs.” [60a](points 18,19)

- 20.34 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact Finding Mission report on Human rights and security in central and southern Somalia, published August 2007 noted:

“Hibo Yassin, Regional Coordinator, Cooperazione per lo Sviluppo dei Paesi Emergenti (COSPE) explained that minority populations in Somalia, i.e. members of ethnic minority groups and members of clans being in a minority position are no longer victims of targeted looting and other targeted human rights violations. However, it was added that any person in Somalia who does not enjoy strong clan protection because he or she is from a weak clan or minority group has to keep a low profile. Such a person should never be outspoken or express political opinion openly or he or she will have to go into hiding or conceal his/her identity. During the period of UIC control

members of minority populations were in a much better position and some were even able to reclaim property, however today this is no longer so. Everyone is now under threat and many are afraid, not least members of minority groups. ... Regarding blood-compensation (Diya) Yassin explained that minority groups cannot expect to obtain compensation from major clans such as the Hawiye or the Darod, and to obtain compensation from the Abgal clan is also very difficult since this clan is dispersed over a large area. However, if blood-compensation is being negotiated on a lower, sub-sub clan level it is very likely that compensation may take place. Even the Reer Hamar, Shekhal and other ethnic minority groups today have profiled elders who can negotiate blood compensation.” [7e] (p18)

- 20.35 The report noted that OCHA and NOVIB continue to regard minorities in Somalia as vulnerable and targeted. The report continues:

“Jabril Ibrahim Abdulle, Director, Center for Research and Dialogue – Somalia (CRD-Somalia) explained that ‘social capital’ in Somalia is not for members of minorities. The minority groups are vulnerable, but on the other hand as they do not have access to the same resources as the rest of the population they are often not involved in direct conflicts. However, Abdulle acknowledged that members of minority groups and clans are often victims of human rights violations.

“Regarding the land issue Abdulle explained that there have always been land disputes and that there has always been inequality at all levels of society. Looting of property still takes place and the minorities are still targeted, but there is not much land anymore to take away from these populations. However, looting of humanitarian aid from minorities still continues. ... Members of minority groups are also more vulnerable during armed conflicts as they do not have the same access to medical treatment and hospitals as many others have. Member of minority groups also find it harder to flee and move around to escape the fighting, as they are not as easily accepted in new surroundings, as is the case for many other IDPs from major clans. IDPs from more influential clans often have a better chance of being tolerated in the area to which they have fled.

“According to Abdulle the UIC provided the minorities with some kind of protection and freedom. There was an enormous relief among the minorities when the UIC took over in June 2006. Many members of minorities were accorded prominent or high positions in the UIC administration, in the education and health sectors.” [7e] (p20)

- 20.36 However, the report also noted: “On the other hand Abdulle also pointed to the fact that there are members of minority populations that have strong positions in society. The deputy speaker of the Transitional Federal Parliament (TFP) is a *jarrer*, i.e. Bantu.” [7e] (p19) The FCO Analyst’s report of May 2008 also notes that “Access to wealth, the social status of the minority group in question, as well as individual connections, can subvert or mediate this prevailing inequality of power. Many individuals from minority groups remain in Somalia. Some may be able to hold on to property, or attend school, or access medical care.” [60a](Point 5)

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GENERAL SECURITY POSITION FOR MINORITY GROUPS

- 20.37 The JFFMR March 2004 noted that the delegation asked a number of UN and NGO sources whether the security and human rights situation of the minority groups and minor clans in southern and central Somalia had undergone any significant change since the situation described in the JFFMR of December 2000 "The response from all sources consulted was that no change for the better had taken place, either with regard to their security or human rights situation." [7c] (p36)

BAJUNI

- 20.38 The JFFMR December 2000 recorded that the Bajuni are mainly sailors and fishermen who live in small communities on the coast south of Kismayo and on islands between Kismayo and the border with Kenya. The Bajuni are of mixed Arabic, Bantu, Somali and possibly Malay ancestry. Bajuni Elders stated that the Bajuni do not regard themselves as Benadiri people, although they had some trading links with the Bravanese people. [7a] (p26-28)
- 20.39 The JFFMR December 2000, and the OCHA minority groups report of August 2002 observed that the Bajuni had traditionally held a low status in Somalia. As Siad Barre's administration collapsed in the early 1990s, the Bajuni were attacked by groups of Somali militia who wanted to force them off the islands. Many Bajuni left Somalia for Kenya, the majority having fled during 1992. Some Bajuni earned money by transporting refugees out of towns such as Brava and Kismayo to Kenya. In Kenya the Bajuni went to the Jomvo refugee camp in Mombasa. When the Jomvo camp was closed in 1997 many Bajuni were returned by the UN High Commissioner for Refugees (UNHCR) to the Bajuni islands, which at the time were considered safe. However, with the fall of Kismayo in 1999 to the allied forces of the Somali National Front (SNF) and Aideed's Somali National Alliance (SNA), and subsequent attacks on the Bajuni islands, the UNHCR suspended returns. (JFFMR December 2000) [7a] (p28-30) (OCHA Minorities Study, August 2002) [26a] (p5-6)
- 20.40 The OCHA Minorities Study of August 2002 recorded that though recent Marehan settlers still have effective control of the islands, Bajuni can work for the Marehan as paid labourers. This is an improvement on the period when General Morgan's forces controlled Kismayo and the islands, when the Bajuni were treated by the occupying Somali clans as little more than slave labour. The position of the Bajuni is more one of denial of economic access by Somali clans than outright abuse. [26a] (p4)
- 20.41 The JFFMR March 2004 observed that the Bajuni population is estimated to number 11,000. Clan militias routinely occupy parts of the islands and force the Bajuni to work for them, demanding 50 per cent of the revenue. [7c] (p38)

Bajuni language issues

- 20.42 The FCO Analyst's report of May 2008 stated, "There are also a few distinct languages spoken in Somalia that are distinct from the broad Somali language group (e.g. some of the Bantu languages such as the Brawanes language Chimini, or the Bajuni language KiBajuni, etc.)." [60a](Point 16) The JFFMR 2000 noted that the principal language of the Bajunis is Kibajuni, a

dialect of Swahili. Bajuni Elders who met with the delegation of a joint British-Danish-Dutch Fact-Finding Mission on Somali minority groups to Nairobi in September 2000 informed the delegation that most Bajuni also speak Somali. [7a] (p26-28) The JFFMR March 2004 went into a further refinement of which language was spoken by Bajunis, stating:

“When asked what languages are spoken and understood by the Bajuni in the Lower Juba, Abdalla Bakari stated that the Bajuni in Kismayo and the outlying islands speak their own dialect. He estimated that 50% of these are also able to speak Somali, but noted that the vast majority of those that can understand Somali are from the mainland (the Kismayo coast, rather than the islands). ... When asked what proportion of the younger generation of the mainland-based Bajuni was able to understand Somali, Abdalla Bakari confirmed that all such persons were able to understand and speak Somali.” [7c] (p37-38)

- 20.43 It was highlighted in the JFFMR 2004 that the island-based populations tended not to be able to speak Somali due to their social isolation from the mainland. [7c] (p37-38)

BANTU

- 20.44 The US State Department's (USSD) Report on Human Rights Practices covering 2007 and the JFFMR July 2002 recorded that the Bantu, the largest minority group in Somalia, are an agricultural group found in small groups, usually in the river valleys of southern Somalia in Hiran region (the Reer Shabelle and Makanne groups), Gedo (the Gobaweyne), Lower and Middle Shabelle (the Shidle and “Jereer”) and Lower Juba (the Gosha). [2a] (National/Racial/Ethnic Minorities) [7b] (p59) Besteman, in ‘The Invention of Gosha’ (published in Jimale’s ‘The Invention of Somalia’), notes that along the Jubba Valley, “villages rather than lineages or clans hold and allocate land, and the village functions as a single entity in the payment of blood money, which among Somalis is a lineage affair.” [51e] (p55)
- 20.45 The JFFMR July 2002 stated: “Some Bantu have adopted Somali clan identity while others maintain their East African tribal identity. Some Bantu are descendants of pre-Somali Bantu populations while others are descendants of slaves taken from East Africa to Somalia.” [7b] (p56) The JFFMR December 2000 noted that other Somalis, including those of Bantu origin commonly refer to Bantu as “*Jarer*.” [7a] (p29) *Jarer* may have hardened into a perjorative term: Gosha comments “conceptions of identity – from both an internal and external perspective – continue to change, as Somali society has changed with the development and disintegration of the State.” [51e] (p55)
- 20.46 The JFFMR December 2000 observed that the Bantu mainly occupy the territory between the two main rivers in Somalia, the Shabelle and the Juba, the so-called inter-riverine area of Somalia. The area covers eight regions in southern and central Somalia. The Elders stated that in the regions of Middle and Lower Shabelle, Middle and Lower Juba, Bay, Benadir and former Upper Juba (parts of which are now in Gedo region) the Bantu population was still [in 2000] actually a majority. [7a] (p31) Jane’s Information Group placed the Bantu population at 14 percent of the total population before 1991, and that large numbers have since 1991 left for Kenya and Tanzania. [61a] (Bantu Somalis)

80 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

- 20.47 There are different accounts regarding the language of the Bantu. Some Bantu groups have maintained their own Bantu dialect or language whilst others have completely lost theirs. The Mushunguli of the Lower Juba still have their own dialect called kiziguua. M Eno noted that “linguistically it [the Somali dialect] is indistinguishable between a Jareer speaker and an Abgaal counterpart who both grew up in Johar”. [51g] However, Luling noted that she refuses to call Bantu by the name ‘Bantu’, instead using the term ‘Jareer’ to describe them because: “it [Bantu] is properly speaking a linguistic term, and the people concerned do not (or not any longer) speak a Bantu language.” [51d] (p115)
- 20.48 There are issues of appearance mentioned in academic studies. Helander mentions a distinction, stating: “The distinction between nobles and commoners is based partly on racial stereotypes, according to which commoners have more pronounced ‘African’ features than do nobles.” [51b] (p51) Luling also noted that Bantu are distinguished by their more ‘African’ appearance but also stresses that it would be difficult to identify a Bantu by their appearance alone. [51d](p94)
- 20.49 Luling noted that was traditionally an occupational difference: “Some specialised trades were and are only practised by jareer. They are carpenters and housebuilders, weavers, and potters, and will butcher animals for payment, where a Noble would only do so for his own family.” [51d] (p94)
- 20.50 The JFFMRs December 2000 and July 2002, noted conditions for Bantu reportedly vary according to the region in which they live. [7a] (p35-37) [7b] (p56-57) As stated in the JFFMR July 2002 and the OCHA minorities report of August 2002, Bantu have been largely displaced along the Juba and Shabelle rivers. They are usually able to remain in their home areas, to work mainly as labourers for the Somali clans (mainly the Marehan, Ogadeni and Habr Gedir) that have taken their traditional land. They can usually retain about 10 per cent of their land for their own use. [7b](p57-58), [26a](p4) However, the JFFMR December 2000 noted that in some cases Bantu work as plantation labourers in what Bantu Elders describe as situations of near slavery. [7a](p35)
- 20.51 The JFFMR July 2002 noted that in Bay and Bakool, Bantu had largely been incorporated into the Rahanweyn clan structure and were able to retain their land. Bantu that had assimilated themselves with the indigenous clans they live with were reportedly known as “*sheegato*”, which means they were not bloodline clan members, but adopted. [7b] (p28-29) Helander also describes *sheegato*. (Bestemann, 2003) [51b](p50) As noted in the JFFMR March 2004:
- “The Somali Bantu population is now the best known of these minorities; representing about 5% of the total population, the Bantu are prone to theft of their land, rape, forced labour, and a range of discriminatory behaviour. Minority and low status groups such as the Bantu are afforded little protection under customary clan law and have virtually no recourse to a system of justice when victimized. Those who do bring complaints to clan, legal, or religious authorities place themselves at great risk of intimidation and assault.” [7c] (p17)

- 20.52 A UN Integrated Regional Information Networks (IRIN) article of 25 June 2003 noted that the Bantu are represented by Somali African Muki Organisation (SAMO), which is aligned to the Somali Salvation Alliance (SSA) that aligned itself with the G8 group at the Eldoret/Nairobi peace talks. [10b] Luling, in the 2002 'Somali sultanate', has a fuller account of the development of SAMO and states "It is notable that, though they may seem to represent the nearest thing to a clan-based political movement that Somalia has seen, the SAMO supporters do not present themselves in this way, but as another clan family, equal with the existing ones." [51d] (p136) The USSD report for 2007 states "There were 31 members of the minority Bantu or Arab ethnic groups in the TFP and four in the TFG cabinet. There were no members of minority groups in the Somaliland parliament and cabinet." [2a] (Elections and Political Participation)

BENADIRI AND BRAVANESE

- 20.53 The JFFMR December 2000 noted that the Benadiri are an urban people of East African Swahili origin, living mainly in the coastal cities of Mogadishu, Merka and Brava; and the Bravanese are a people long established in the city of Brava, believed to be of mixed Arab, Portuguese and other descent. These groups suffered particularly badly at the hands of armed militia and bandits as their home areas were fought over by competing United Somali Congress (USC) factions and the Somali Patriotic Movement (SPM). USC/SNA (a sub-group of the USC) forces in particular singled out the Benadiri and Bravanese, with a campaign of systematic rape of women. Members of the minority populations, such as the Reer Hamar, the original Benadiri population of Mogadishu (known in Somali as Hamar) living in the Hamar Weyne and Shingani districts found themselves particularly exposed at times of heavy fighting. Most homes belonging to the Benadiri and Bravanese in Mogadishu had been taken over by members of clan militias, although sometimes the clan occupants allowed them to reside in one room. [7a] (p28, 38-41, 44-45)
- 20.54 Jane's Information Group, in its Country Risk Assessment for Somalia, noted: "Reer Hamar (Benadiiri) in general practice commercial occupations. Their group has the greatest number of professionals (e.g. bankers, businessmen, skilled personnel) and most live in Mogadishu. ...Benadiris were easy prey during the civil war. Their land, property and businesses were taken. Most Benadiris fled in the early years of the fighting and have little or nothing to return to." [61a] (Bajuni, Migdgan, Tumul, Reer Hamar)
- 20.55 Information obtained by a British-Danish fact-finding delegation in May/June 2002 suggested that Bravanese have mostly fled from the coastal town of Brava, although some are still living in the town, which is controlled by the Habr Gedir. Information suggested that Bravanese who remained faced abuses including forced labour, sexual slavery and general intimidation. [7b] (p57) The JFFMR March 2004 observed that it was estimated that 90% of the Rer Hamar population in Mogadishu have left the city as a consequence of civil war and lack of security. The majority of Rer Hamar who are still in Mogadishu are older people who live in Mogadishu's traditional Rer Hamar district, Hamar Weyn, which is controlled by militias of the Habr Gedir sub-clan, Suleiman. As to how those Rer Hamar families still living in Mogadishu were able to cope with the situation in the city, it was explained that some of the families have agreed, or have been forced to marry off their daughters to members of the majority clans such as Habr

Gedir. Such a marriage can provide a Rer Hamar family with some degree of security but the alliance is not an even one, as the Habr Gedir son-in-law (nicknamed "Black Cat") to a large degree controls the economy of his family-in-law. [7c] (p39) The LandInfo report of November 2007 states that few 'black cats' now remain in Mogadishu. [45a](p26)

See [Intermarriage between clans](#)

- 20.56 The Institute for Cultural Partnerships, in a 1997 document that is primarily concerned with Somalis identified as Bravanese entering USA, stated, "Rer Brava are a distinct ethnic Somali minority from Brava Town which is located along the southern coast of Somalia. Like many communities of the East African coast, Rer Brava are a complex population blending African and non-African origins. Rer Brava people are sometimes referred to as Bravan or Barawan. Ethnically, the Rer Brava are part of the greater Somali clan of Tunni. Rer Brava are also part of what is collectively known and described as the Benadir communities." [54]
- 20.57 'Somalia: The Untold Story' noted: "They [Bravanese] traditionally practice endogamous marriage, that is marrying within the extended family; this is in contrast to the exogamous marriage practice of pastoral groups." [51f] (p8) The book also stated that the Bravanese traditionally practice cross-cousin marriage [51f](p62) and that they can be linked through extended family, to one of the major clan families [51f](p59).
- 20.58 One article (from *the Earth Times*) published in February 2007, suggested that Benadiri youth had been recruited by UIC forces in late 2006. [52a]

HAMAR HINDI

- 20.59 The JFFMR July 2002 noted:

"Informed sources from an international organisation in Baidoa stated that the Indian community in Somalia had numbered, at the most, 200 families. They were mainly engaged in cloth dying in Mogadishu and, in fewer numbers, Merka. The Indians came to Somalia to establish businesses in the 1940s and 1950s. There were also some Indians recruited by the Italians in the 1940s and 1950s to run plantation farms as foremen, mainly around Qoryoley (the plantations begin past Afgoi, where the Shabelle flood plains lie). The Indians were mainly from the Bohora community, which is also present in Mombasa, Kenya, and were mostly Muslims. One source stated that there had been approximately 200 Indians in Kismayo at one time but they had left the city, mostly for Mogadishu, by the early 1980s. The Indians were recruited directly from India rather than from the established Indian community in British East Africa. Traditionally, Indians and Somalis were business rivals. Virtually all Indians had left Somalia by the time that Siad Barre's regime fell in 1991, mostly relocating to Mombasa, although one source had met two Indians, who had married Somalis, in Mogadishu recently.

"The above-mentioned sources stated that the name 'Hamar Hindi' has been applied to the Indian community in Somalia, meaning 'Mogadishu Indians'. The area where Indian businesses were concentrated was also known as Hamar Hindi, a small area near the fish market and national museum, close to the Hamar Weyne district. District names in Mogadishu tend to relate to

the original home of the inhabitants, e.g. Shingani is named after an area in Tanzania from where the original inhabitants, brought as slaves from Tanzania, had come.

"The same sources stated that all Indians in Somalia could speak the Somali language, usually to a good standard but at the very least all would have had a basic command of the language. In the cities, the Indian businessmen would have had to speak Somali to be able to engage in business activities. Likewise, the Indian foremen on the Italian plantations, who each managed between 100 and 150 plantation workers, had to speak Somali in order to communicate with their men. Also, under Siad Barre's rule, society was much regulated and a good command of Somali would have been essential for Indians to be able to deal with official bureaucracy." [7b] (p58)

MIDGAN, TUMAL, YIBIR AND GALGALA

- 20.60 The JFFMRs of December 2000 and July 2002, noted the Gaboye/Midgan (usually referred to as the Midgan but also known as the Madhiban), Tumul and Yibir (a group said to have Jewish origins) traditionally lived in the areas of the four main nomadic clan families of Darod, Isaaq, Dir and Hawiye in northern and central Somalia. In the last few decades many of them migrated to the cities. These groups are now scattered throughout the country but are mainly found in northern and central regions. Midgan have been able to settle in Puntland. [7a] (p49-50) [7b] (p57-58)
- 20.61 The JFFMR December 2000 noted that these groups are called 'occupational castes' as they traditionally perform specialist services and settle in areas where they obtain protection from a clan and build up an economic activity. [7a] (p49)
- 20.62 The OCHA Minorities Study of August 2002 noted that the Midgan, or Madhiban, have always been placed at the lower end of Somali society. In Hargeisa there are five telephone companies, six money transfer companies, and several light industries, transportation and construction companies, all of which create hundreds of job opportunities. The minorities claim that these jobs are offered according to the ethnic identity of the individual. The Gaboye, Tumul and Yibir have no access to those jobs because of their ethnicity. Midgan can trade freely, although they are usually unable to own property and livestock. [26a] (p4) Further, Luling noted: "[The caste groups] are seen as even lower in status than Jareer. ...The Eyle, professional hunters and leather workers, live a separate and nomadic life out in the bush, but occasionally appear in town. At festivals they can be seen doing their special leaping dance, *hiyaat Eyle*. They are seen by the rest of the population as lower in status than anyone else, and even Jareer would not marry them." [51d] (p111) Eno noted the words of Asha Samad: "Midgaan-Madhiban have never had any secure rights or protection in Somali society. Even in overseas Somali society, they still face hatred, harassment and abuse". [51h] The JFFMR July 2002 noted that the position of the Midgan/Gaboye improved at times of stability and recovery. [7b] (p57-58)
- 20.63 The Midgan are outside the Somali clan system in as much as they are unable to marry into it: Seid gave the examples of Madhiban and Muuse-Dhariyo clans: "both are Midgo, yet they do not have common ancestor nor any other feature distinguishing them from other Somalis, except their

intermarriage as neither of them is not allowed to intermarry with other Somalis. The same is true with other groups and clans within Midgo.” [51h]

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OROMOS

- 20.64 The Norwegian Country Information Centre, LandInfo, stated in their report ‘Security and human rights conditions in southern Somalia’, published November 2007: “Phillipe Lazzarini, the OCHA representative, estimated the number of Oromos in Mogadishu at 20,000 to 30,000 and said they have been more vulnerable to arrest than other non-Somali groups since the TFG and its Ethiopian military backers took control of the capital.” [45a] (4.6.1, p27)

See also [Annex D: Main minority groups.](#)

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LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

- 21.01 A report by the International Lesbian and Gay Association (ILGA) in 1999, and the African organisation Behind the Mask in 2004, noted that sexual intercourse with a person of the same sex is punishable under Article 409 of the Somali Penal Code by imprisonment from three months to three years. An “act of lust” other than sexual intercourse is punishable by imprisonment from two months to two years. Under Article 410 of the Somali Penal Code, a security measure, which normally means police surveillance to prevent re-offending, may be attached to a sentence for homosexual acts. It was not clear whether the laws on homosexual acts applied to lesbian sexual acts. The ILGA and Behind the Mask reports both drew the conclusion that the law probably does not apply to lesbian acts. The basis for this view was that the Somali Penal Code was based on the Indian Penal Code that applied in the former British Somaliland protectorate. Therefore, Articles 409 and 410 of the Somali Penal Code would not apply to female same-sex acts, as the Indian laws that they were based upon do not. (ILGA, 1999) [28a] (Behind the mask, 2004) [29a]
- 21.02 In May 2004, Behind the Mask reported on the activities of ‘Queer Somalia’ (a community group based in Ethiopia), which indicated that the problems for homosexuals in Somalia relate to the lack of central government, loosely applied Islamic law and pressures from families. [29b] Behind the Mask reported a story from *Huriyahmag*, dated 22 October 2004, which stated:
- “A queer rights group called *Qaniisiinta Soomaaliyeed* (Queer Somalis) held talks with a newly-elected president of Somalia. The group’s Executive Director, Hadiyo ‘Boston’ Jimcale, said the new president promised to her that under his government all Somalis would be safe, over a telephone conversation she had with the president on Wednesday [20 October 2004]. She stated that the country’s new laws (put in the books in 2000 by a worldwide recognized temporary national government in Mogadishu) call for all Somalis to be treated equal under the law, regardless of their sexualities or religious beliefs.” [29c]
- 21.03 However, the article also noted “But in 2001, a lesbian couple in northwest Somalia was executed after the local Islamic government found out they were to be married. ‘We are confident this government will help us as people of sexual minority,’ said Jimcale. Back in July [2004], the group had its 4th international conference in London with more than 200 participants from all over the world.” [29c]
- 21.04 The Behind the Mask article of May 2004 stated:
- “Whether through suicide following pressure from families or via loosely applied Islamic law that is uncontrolled due to the lack of a central government, their [homosexuals] greatest fear is death – a sentence that can be brought upon them just for being homosexual, or for being perceived to be homosexual. ... The situation for queer people in Somalia is very dangerous. Without official recognition and without a government to lobby, Queer Somalia can do little more than report on the plights of individuals and to host meetings with small groups, acting as a link to the outside world. There are a lot of people who are queer [in Somalia] but they are afraid they will miss their basic rights if they express themselves.” [29b]

DISABILITY

- 22.02 The US State Department's (USSD) Report on Human Rights Practices covering 2007 noted:

"In the absence of functioning governance institutions, the needs of persons with disabilities were not addressed. Several local NGOs in Somaliland provided services for persons with disabilities. Associations of disabled persons reported numerous cases of discrimination to the UNIE [UN Independent Expert on Human Rights in Somalia].

"There was widespread abuse of persons with mental illness. It was common for such persons to be chained to a tree or within their homes."
[2a] (Persons with disabilities)

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WOMEN

- 23.01 The US State Department's (USSD) Report on Human Rights Practices covering 2007 noted:

"Women have suffered disproportionately in the country's civil war and inter-clan fighting.

"Prostitution is illegal and there were no statistics on its prevalence. In the country's overwhelmingly patriarchal culture, women do not have the same rights as men and are systematically subordinated. Polygamy was permitted. Under laws issued by the former government, female children could inherit property, but only half the amount to which their brothers were legally entitled. Similarly, according to the Shari'a and local tradition of blood compensation, anyone found guilty in the death of a woman must pay half the amount paid to the aggrieved family if the victim was male.

"Women's groups in Mogadishu, Hargeisa (Somaliland), Bossaso (Puntland), and other towns actively promoted equal rights for women and advocated the inclusion of women in responsible government positions, and observers reported some improvement in the profile and political participation of women in the country." **[2a] (Women)**

- 23.02 The UN Office for the Coordination of Humanitarian Affairs (OCHA), in their Protection Factsheet, dated May 2006, summarised:

"Somali women are systematically discriminated [against] and subordinated... [They face] limited inclusion in decision making structures and leadership roles, limited access to reproductive health, higher rates of stigmatization from HIV/AIDS and sexually transmitted diseases, denial of due process rights, abuse of women's rights in divorce cases, denial of custody of children [and] denial [of] women's rights of property ownership and inheritance under customary law." **[26j]**

- 23.03 Amnesty International (AI) in its annual report covering events in 2006, stated:

"Several women's rights organizations, grouped in coalitions such as the Coalition of Grassroots Women's Organizations (COGWO) based in Mogadishu, and Nagaad women's coalition in Somaliland, campaigned actively, particularly against female genital mutilation, rape and domestic violence. The UIC, however, refused to meet or recognize women's NGOs." **[6a] (Women's rights)**

- 23.04 An article by Afrol, dated 22 January 2007, noted that Somali women are now more involved in household decision making than before the civil war started in 1991. The article explains:

"The new socio-economic survey of Somalia, the first such report in over two decades, earlier this week was released by the World Bank and the UN's development agency (UNDP). While mapping the participation of Somali women in decision-making processes, the UN agencies found that more than one decade of political chaos had left women with some more powers, although still very limited.

“Traditionally, Somali women been ‘considered to play a passive role in both family and public spheres’, the survey notes. However, it is now thought that they are becoming more active in the economic and social front after the civil war.

“The survey schedule therefore had incorporated a section to assess the role of women in household decision-making and their participation in various economic and social activities. These questions were administered only to the female members of the households.

“Women are either consulted or they make decisions on purchasing durable/semi-durable household items (73 percent), entertaining guests (68 percent), supporting relatives (77 percent), spending on ceremonies (71 percent), managing the family budget (79 percent), educating children (81 percent) and selling household produce (50 percent), the survey found.

“On the other hand, Somali women were left to make final decision only in very few issues. When it came to spending and budgeting, only around 20 percent of the surveyed women said they were left to ‘make decisions’. Only 8 percent were left to decide on selling household produce.” [32a]

- 23.05 However, the article also noted that while women's participation in decision-making processes was increasing, general social conditions for Somalia's women have ‘rapidly deteriorated’ during the years of no central government:

“Social services are close to non-existing as there is no central or regional government. As a result of this, only 13 percent of Somali girls are now enrolled in primary schools. Further, access to medical aid has severely deteriorated. For birth-giving women, the decay of social services has been extra hard, as almost two in every 1000 women die giving birth.

“The survey results show that most childbirth takes place without adequate medical facilities. ‘In fact, for the country as a whole, 88.2 percent of childbirths during one year prior to the survey took place at home; only 8.8 percent were in hospitals or other health facilities’, the UN report says.

“Medical assistance is usually absent during childbirth in rural and nomadic areas as only about 0.5 percent deliveries are handled at hospitals or other health facilities, the survey says. ‘This appears to be mainly due to lack of access to adequate health facilities. Only 2.9 percent of the rural and nomadic households confirmed the availability of a hospital’.

“The main sources of assistance during childbirth are traditional birth attendants. About 43 percent of all childbirths in urban and 61 percent in rural and nomadic areas are attended by these attendants.

“Health facilities however exist. About 95 percent of the urban population and 60 percent of the rural and nomadic population had confirmed the availability of at least one health facility within an average distance of 1.3 km and 2.4 km respectively. Half of the households also found the affordable.” [32a]

- 23.06 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact Finding Mission report on Human rights and security in central and southern Somalia, published August 2007, noted:

“An international organisation (B) explained that there are powerful women in Somalia, but socially such women may be treated badly and their own community may marginalize them. Powerful women of minority origin may even be treated worse than powerful women from major clans.

“An international organisation (B) added that women are not vulnerable just because they are women. A woman’s vulnerability depends on particular circumstances and it is not right to state that all women in Somalia are vulnerable.

“Abdulle considered that women are still victims of human rights violations throughout Somalia, and they are exposed to all the usual abuses and violations ... In addition the majority of all those being killed and wounded in the recent fighting are women and children.” [7e] (p31)

- 23.07 Further:

“An international organisation (C) acknowledged that there are many really strong women in Somalia, but stated that there are a number of cases where even such women have been victims of human rights violations, even from persons within their own family. Women with good jobs in many families are regarded as bringing shame onto the family and can become targets for their own family members. For example, a father may not tolerate that his wife or his daughter has gained a strong position. On the other hand some women know how to manage even if they have been threatened.

“An international organisation (C) added that even local NGOs in Somalia, that defend the rights of women, put themselves at risk and such NGOs can be attacked.

“An international organisation (C) explained that if a woman is left without a husband’s protection she is in concrete danger, especially if she is an IDP, and belongs to a minor or weak clan or an ethnic minority group.” [7e] (p32)

- 23.08 The United Nations Development Fund for Women (UNIFEM), in their ‘Gender Profile of the Conflict in Somalia’, last updated 1 March 2007, added:

“Africa News reported [23 June 2003] that militias and other gunmen reportedly rape women and girls of opposing clans and other vulnerable groups, particularly internally displaced people and the severally underprivileged Somali minorities such as Bantu, Midgan, Tumul, Yibir, Bravanese and also wealthier Benadiri community.” [33a]

LEGAL RIGHTS

- 23.09 The USSD report 2007 noted:

“In the country’s overwhelmingly patriarchal culture, women do not have the same rights as men and are systematically subordinated. Polygyny was

90 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

permitted. Under laws issued by the former government, female children could inherit property, but only half the amount to which their brothers were legally entitled. Similarly, according to the Shari'a and local tradition of blood compensation, anyone found guilty in the death of a woman must pay just half as much to the aggrieved family as for the death of a male." [2a] (Women)

- 23.10 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact Finding Mission report on Human rights and security in central and southern Somalia, published August 2007 added:

"NOVIB explained that there is almost general impunity for violence against women in Somalia. Traditional law is not focused on the victim as an individual and women as victims are normally not covered by the compensation system. Even in Hargeisa, Somaliland it is the male who decides whether or not a case should be tried according to traditional law or the legal system." [7e]

POLITICAL RIGHTS

- 23.11 The United Nations Development Fund for Women (UNIFEM), in their 'Gender Profile of the Conflict in Somalia', last updated 1 March 2007, noted:

"Despite factional fighting, famine and general chaos in their country, Somali women achieved a great success at the Arta Conference in 2000 when women were allowed to represent themselves as a 'sixth clan' at the negotiations, joining four major clans and a coalition of smaller ones. Two years later, UNIFEM helped women delegates prepare for the IGAD sponsored Somalia National Reconciliation Conference in Nairobi, which are ongoing. However, these achievements in the political sphere underscore the need to improve the basic well-being of Somali women who continue to face continuous 'complex emergencies', pervasive violence and harmful traditional practices so women can continue to participate in the stabilization and reconstruction of Somalia at all levels." [33a]

- 23.12 The US State Department (USSD) Report on Human Rights Practices covering 2007, dated 11 March 2008, noted:

"There were 23 women in the 275-seat Transitional Federal Parliament; the number fell short of the requirement stipulated in the TFC [Transitional Federal Charter] that at least 12 percent of parliamentary seats be reserved for women. The minister for gender and family affairs was a woman, as were one state minister and three deputy ministers. In the Somaliland government, a woman held the post of gender and family minister and two women were elected to the lower house of Parliament. There were four women in the 69-seat Puntland Council of Elders, and a woman held the position of minister of gender and family. There were no women in the governing council of the Islamic Courts." [2a] (Elections and Political Participation)

- 23.13 The UNHCR's position paper of January 2004 noted that women face particular challenges upon return to Somalia after a long stay in exile, which may have changed some of their habits and affected their ability to speak Somali without an unfamiliar accent. [23a] (p10)

23.14 The USSD report for 2007 stated that:

“Women's groups in Mogadishu, Hargeisa (Somaliland), Bossaso (Puntland), and other towns actively promoted equal rights for women and advocated the inclusion of women in responsible government positions, and observers reported some improvement in the profile and political participation of women in the country.

“Women's groups were active in efforts to promote peace and reconciliation between the Islamic Courts and the TFG. For example, women's groups were part of numerous civil society delegations that visited both the TFG and Islamic Courts to urge a return to the Khartoum talks.” [2a] (Women)

23.15 Freedom House, in its ‘Freedom in the World’ report covering 2006, published 2007, notes:

“Women’s groups were instrumental in galvanizing support for Somalia’s peace process. The country’s new charter prohibits sexual discrimination, but women experience intense discrimination under customary practices and variants of Sharia. The ICU’s advances in 2006 threatened to amplify the influence of the latter. UN agencies and NGOs are working to raise awareness about the health dangers of female genital mutilation.” [19a]

23.16 An article by Afrol, dated 22 January 2007, recounting a socio-economic survey of Somalia by the World Bank and UNDP dated January 2004, noted:

“Female members of the household were also questioned on their participation in women's group and local councils. A popular community based women's group is uruurka haweenka, normally formed at district level by female representatives from different communities.

“Only 6.4 percent and 16.8 percent of the urban households and 3.6 percent and 13 percent of the rural and nomadic households confirmed regular and occasional participation in women's groups respectively.

“Women from 71.2 percent of the households in urban and 78 percent from non-urban areas stated that they had ‘never participated in any women's group.’ Similarly, their participation rates in local councils were reported to be ‘quite low’, according to the UN survey.

“Even though comparative figures are not available for the pre-war period, the general impression is that these rates represent an upward trend, the survey nevertheless found.” [32a]

VIOLENCE AGAINST WOMEN

Also see [Female Genital Mutilation](#) (FGM)

23.17 The JFFMR July 2002 noted that there were no laws that specifically address domestic violence. This was treated through traditional means rather than as a legal issue, although both customary law and Shari’a law addressed the resolution of family disputes. [7b] (p59)

92 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

23.18 The JFFMR March 2004 recorded that the number of reported violations against women in the capital increased considerably in 2003. A UNHCR source stated that there were serious human rights violations in Mogadishu towards women. These violations included savage killings and mutilation. It was stressed that these incidents were unusual given that women and children are not overtly targeted in clan conflict. When commenting on the killings of women in Mogadishu (and in Baidoa) in the second half of 2003, a further source suggested that such incidents might have happened before but that they had not been reported. An international NGO suggested that women and children had become a new target of human rights violations in Mogadishu. The source added that there was a tendency that women in general had become much more cautious about their movements. Many women did not dare to go to the market or other public places, especially those belonging to minority groups or minor clans. [7c] (p20-21)

23.19 The Danish Joint Fact Finding Mission report on Somalia, published August 2007, noted:

“An international organisation (A) explained that rape is no longer widespread in Somalia. Generally it is only members of militias and bandits who would rape a woman. They will do this with impunity.

“AI reported in May 2007 that refugees interviewed in Dadaab refugee camp in Kenya ‘were particularly concerned about sexual and gender based violence against women and girls.’ According to AI these concerns are reflected in reports from NGOs working with IDPs in Somalia. AI reported about the mother of two teenage daughters who were both raped by members of an armed group who were manning a road block that they encountered while fleeing. The mother explained that rape by members of armed groups (mainly clan-based) manning road blocks was common.

“Lazzarini referred to a network called Protection Monitoring Network (PMN), which undertook a research of Sexual Gender-Based Violence (SGBV). The research covered 600 reported cases of rape. After a period of six months 10% of the assaulted women had committed suicide and 25% had disappeared. The culprits were typically militiamen at check points or individual militiamen who would approach their victims when they went to fetch water or went on their own to the toilet during the night. The women are fairly safe inside the settlement where they are together with many other people. The culprits are not prosecuted and enjoy impunity.

“Women who have been sexually abused or raped are stigmatised, according to NOVIB. An unmarried and raped woman will typically meet a demand from her own family and clan to marry the rapist as she will not have a chance to marry anyone else. As a consequence many rapes go unreported by the women. An unmarried woman who gets raped and refuses to marry the rapist may face severe consequences from her own family and clan, and she may be excluded from the clan. A married woman who has been the victim of rape may also risk being divorced by her husband. NOVIB added that divorced women might be stigmatised, depending on their particular situation. NOVIB added that even though rape of women and killings comprise the majority of the reported human rights violations in Somalia many rapes go unreported.” [7e] (p32)

23.20 The Danish fact-finding mission report continued:

“Dr. Bourzat explained that the UIC permitted its Jihad-fighters to spend the night with a girl before they were sent off to fight against the Ethiopian troops and the TFG. This was very dishonourable for the families of these girls and Bourzat described it as rape. This abuse has serious consequences for the victims and their families, especially since the UIC has been defeated.” [7e] (p33)

23.21 There have been accusations of rape made against Ethiopian soldiers since their occupation in Somalia [41a] (**Hiraan Online, Somali woman accuses Ethiopian soldiers of rape and torture, 13 March 2007**). USSD Report for 2007 stated “Police raped women, and there continued to be reports of rape by militias, which used rape to punish and intimidate rivals. Rape was commonly perpetuated in inter-clan conflicts.” [2a] (**Women**)

23.22 An article published by UNHCR News, dated 25 October 2007, highlighted that “sexual violence remains part of daily life in many settlements where internally displaced people (IDPs) gather. “ The article explains:

“In a society where rape is taboo, perpetrators are rarely brought to justice. Cases are usually dealt with through traditional means, with the attacker having to pay compensation to the victim's father or husband, but never to her. ‘When raped women come, they are so ashamed that they feel as if they were already dead,’ the nurse explained.

“To ensure survivors of sexual violence receive support, a network of UN agencies – including UNHCR, UNFPA and UNICEF – has launched a Sexual and Gender-Based Violence (SGBV) prevention and response plan. It is meant to be implemented with local partners, such as medical providers and civil society organizations, to strengthen health-care capacities, train local psycho-social counsellors and raise awareness about sexual violence in Galkayo. Awareness-raising is being further strengthened to support local efforts to prevent SGBV from occurring in the first place. The plan will build upon local NGOs, where fully committed Somali men and women intend to put an end to sexual violence.” [23f]

23.23 The USSD Report 2007 summarised:

“Laws prohibiting rape exist; however, they were not generally enforced. There were no laws against spousal rape. There were no reports that rape cases were prosecuted during the year [2007]. NGOs documented patterns of rape of women with impunity, particularly of women displaced from their homes due to civil conflict or who were members of minority clans. Police and militia members engaged in raped, and rape was commonly practiced in inter-clan conflicts. Traditional approaches to dealing with rape tended to ignore the victim's situation and instead communalized the resolution or compensation for rape through a negotiation between members of the perpetrator's and victim's clans. Victims suffered from subsequent discrimination based on attributions of ‘impurity.’ Women and girls in IDP camps were especially vulnerable to sexual violence, contributing to the spread of HIV/AIDS. Criminal elements attacked and raped some IDPs fleeing from Mogadishu in March and April [2007]. In Somaliland there was an increase in gang rape in urban areas, primarily by youth gangs, members of police forces, and male students. Many of these cases occurred in poorer

neighborhoods and among immigrants, refugee returnees, and rural displaced populations. Many cases were not reported.

“Domestic violence against women remained a serious problem. There are no laws specifically addressing domestic violence; however, both Shari’a and customary law address the resolution of family disputes. No statistical information was available on the extent of domestic violence. Sexual violence in the home was reportedly a serious problem, linked to general gender discrimination.” [2a] (Women)

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CHILDREN

OVERVIEW

24.01 The UN Secretary-General's 'Study on Violence towards Children' stated, in 'A Situational Analysis of Child Trafficking in East Africa', "Somalia has neither signed nor ratified any of the relevant conventions and agendas pertaining to trafficking in persons or the protection of children's rights." [62a]

24.02 UNHCHR, in its report dated 13 September 2006, noted:

"The human rights of Somalia's children are threatened and violated on many fronts. Infant mortality is the highest in the world and enrolment for school-age children is about 22 per cent, according to UNICEF figures. Children in IDP camps are malnourished and often at risk of assault, abuse, exploitation and rape. Children are imprisoned (often with adults); children of minority groups and clans face discrimination and abuse, child labour is rampant, and the basic needs of children with physical and mental disabilities are not met. There are reportedly scores of homeless and orphaned children on the streets and in the camps in Somalia. The recent upsurge of fighting between rival militias in Mogadishu has resulted in the loss of lives of innocent civilians, including many children and an increase in the number of IDPs. This militia also recruit children from schools and the streets for their militias. . [4a] (The human rights of children)

24.03 The UNHCR's paper of January 2004 stated that children and adolescents face particular challenges upon return to Somalia after a long stay in exile, which may have changed some of their habits and affected their ability to speak Somali without an unfamiliar accent. The same source referred to a 2003 UN-OCHA report about the experience that stated that 'Bi-cultural separated Somali minors who are returned to their homeland under duress or through deception are in danger of harassment, extortion, rape and murder.' Perceived unacceptable and culturally insensitive behaviour by girls results in harsher discrimination and punishment than for boys. [23a] (p10)

24.04 The UN Security Council's May 2008, 'Report of the Secretary-General on children and armed conflict in Somalia', notes that "Children over the age of 15 are considered adults, and therefore it is culturally acceptable for boys to carry arms and for girls to work, usually in a domestic or logistics capacity, for armed groups." [3e](p5, section 22)

See [Child soldiers](#)

CHILD RIGHTS – CIVIL RIGHTS AND FREEDOMS

24.05 The USSD report for 2007 states "Authorities were generally not committed to children's rights and welfare." [2a] (Children)

24.06 The USSD report for 2007 noted, "In its 2006 report, the UNIE expressed concern about the practice of *asi walid*, a custom whereby parents placed their children in prison for disciplinary purposes and without any legal procedure. Many of these juveniles were incarcerated with adults." [2a] (Children)

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CHILDCARE AND PROTECTION

- 24.07 The US State Department report on human rights practices covering 2007 (USSD report for 2007) noted:

“Child abuse was a serious problem, although no statistics on its prevalence were available. A 2003 UNICEF report noted that nearly a third of all displaced children reported rape as a problem within their family, compared to 17 percent of children in the general population. ... Child prostitution was practiced; however, because it was culturally proscribed and not reported, no statistics were available on its prevalence.”[2a](children)

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Trafficking of children

- 24.08 The USSD report for 2007 stated:

“Armed militias reportedly also trafficked Somali women and children for forced labor or sexual exploitation, and some of those victims also may have been trafficked to the Middle East and Europe. ... There continued to be reports that children were sent out of the country to relatives and friends in western countries, where they worked or collected welfare and sent money back to family members in the country.” [2a] (Trafficking in Persons)

- 24.09 The UN Secretary-General's ‘Study on Violence towards Children’ stated, in ‘A Situational Analysis of Child Trafficking in East Africa’:

“Somalia abides by Sharia law, which prohibits various forms of trafficking. No cases have been tried however, mainly due to the lack of capacity among government officials in the area of trafficking. Several NGO's are actively working with internally displaced persons, of which some may be trafficking victims. There are no organizations working specifically to tackle the issue of trafficking in children.” [62a]

- 24.10 The same report added:

“A recent IRIN special on separated Somali children examined the smuggling of Somali children to Europe. [*In-Depth: Separated Somali Children* dated January 2003] The situation in Somali territories means that child smuggling is on the rise in an environment which enables rather than limits international criminal networks. The study addressed the exploitation experienced by many of these children upon arrival in destination countries, a consequence of being unaccompanied and without protection. These children are left vulnerable to trafficking, and many have gone missing.” [62a]

See [Trafficking](#) for wider overview

Orphans

- 24.11 An IRIN report published in June 2001, principally focusing on Somaliland, noted there were very few orphans in Somali society. Few children were abandoned, even during the hardest of times. It is explained that before the introduction of the modern nation state, the clan structure effectively

prevented the very concept of 'orphan' – relatives would take in a child who had lost its parents. Within Somalia a case of pregnancy outside of marriage is almost unthinkable; however, the report refers to a Somaliland social worker's comment that 'Urbanisation, prostitution and drugs are the most common reason now for unwanted pregnancies.' [10a]

- 24.12 The IRIN report of June 2001, noted that after reaching 15 years of age Somali children were considered to have reached the age of independence, and were unlikely to be kept in orphanages; this left orphaned teenagers with very little support. With regard to the possibility of adoption the report suggested that the clan structure worked prohibitively against adoption, a practice that was not regarded as a 'cultural norm.' In the self-declared independent 'Republic of Somaliland' the Hargeisa Orphanage Centre had been run by the local administration since 1991. Since 2001 the centre had come under the auspices of the Ministry of Education which provided for the running costs; the Ministry of Justice and the prison service had formerly operated it. As of June 2001, the centre had a total of 355 children, approximately 60 full and part-time staff, and received some support from the UN World Food Programme and the international NGO Hope World Wide. [10a]

- 24.13 In February 2004 IRIN reported that the Islamic aid agency-sponsored orphanages formally closed down, leaving around 3,000 orphans homeless. [10c]

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EDUCATION

- 24.14 As recorded in Europa World, accessed 12 January 2009:

"Following the overthrow of Siad Barre's Government in January 1991 and the descent of the country into anarchy, Somalia's education system collapsed. In January 1993 a primary school was opened in the building of Somalia's sole university, the Somali National University in Mogadishu (which had been closed in early 1991). The only other schools operating in the country were a number run by Islamist groups and some that had been reopened in 'Somaliland' in mid-1991." [1a] (Education)

- 24.15 The USSD report for 2007 continued the account of education in Somalia:

"Since the collapse of the state in 1991, education services have been revived in various forms, including: a traditional system of Koranic schools; public primary and secondary school systems financed by communities, foreign donors, and the administrations in Somaliland and Puntland; Islamic charity-run schools; and a number of privately run primary and secondary schools, universities, and vocational training institutes. Few children who entered primary school completed secondary school. Schools at all levels lacked textbooks, laboratory equipment, toilets, and running water. Teachers were poorly qualified and poorly paid; many relied entirely on community support for payment. The literacy rate was estimated at 25 percent. There was a continued influx of foreign teachers to teach in private Koranic and Madrassa schools. These schools were inexpensive and provided basic education; however, there were reports that they required veiling of small

girls and other conservative Islamic practices not traditionally found in the local culture.” [2a] (Children)

24.16 IRIN, in an article dated 15 December 2005, reported:

“Only one out of every five children in Somalia is enrolled in primary school, the UN Children’s Fund (UNICEF) said in its State of the World’s Children report for 2006.” [10e] (p1)

24.17 The IRIN article added: “‘The net primary attendance ratio is lower than anywhere in the world, at just 12 percent for boys and 10 percent for girls,’ the report said. ‘Years of underinvestment have left Somalia lagging behind the rest of the developing world in education’.” [10e] (p1) This compares with a UNICEF article (undated) that stated, “Net primary school enrolment is estimated at only 13 per cent for boys – and only 7 per cent for girls. [27a] (p1-2) The USSD report for 2007 repeats and adds information: “‘An estimated 28 percent of the school-age population attended school, according to a recent UNICEF school survey: 34 percent of boys and 22 percent of girls. Due to the increased level of insecurity in Mogadishu, school enrollment rates in the city dropped to 18-20 percent, a 50 percent reduction from 2006.” [2a](Children)

24.18 The US State Department’s International Religious Freedom Report released in 2007 noted:

“In Somaliland religious schools and places of worship are required to obtain the Ministry of Religion’s permission to operate. There are a significant number of externally funded madrassahs throughout the country. These schools provide inexpensive basic education but adhere to conservative Islamic practices. Mogadishu University, the University of East Africa in Bosasso, Puntland, and many secondary schools in Mogadishu are externally funded and administered through organizations affiliated with Al-Islah, an Islamic organization.” [2b] (Legal/Policy Framework)

24.19 During the intensified conflict of 2008, IRIN reported on 3 September 2008 that schools closed temporarily in Mogadishu as part of three-day protest because they have been targeted in the latest fighting in the city. Ninety per cent of schools were affected. A civil society activist stated that the education system was “almost broke”, He mentioned that two dozen schools had been destroyed in the last two years. While a spokesman for an umbrella organisation of education networks in Mogadishu stated “‘After the collapse of Somalia’s central government in 1991, schools and universities were destroyed as the city was torn apart by militia. But private schools have been gradually re-established over the past few years. In the past 18 years we have not experienced these kinds of [recent] attacks on schools’”. [10z]

24.20 The USSD report for 2007 noted:

“There were two universities in Mogadishu, two in Somaliland, and one in Puntland; however, there was no organized higher education system in most of the country. There were restrictions on academic freedom, and academicians practiced self-censorship. In Puntland a government permit was required before conducting academic research.” [2a] (Academic Freedom and Cultural Events)

HEALTH AND WELFARE

- 24.21 UNICEF, in an article (undated), outlining the background of health care in Somalia, stated:

“Infant and maternal mortality rates are among the world’s highest. The under five mortality rate is a staggering 225 per 1,000 live births. The main causes of death are diarrhoeal diseases, respiratory infections and malaria (an estimated 87 per cent of Somalis are at risk of malaria).

“Less than 30 per cent of the country has access to safe water. Malnutrition is rampant; acute malnutrition afflicts 17 per cent of children.

“The nomadic lifestyle of Somalia’s rural population makes regular immunization programmes difficult to implement. Measles and cholera are serious threats against which few have been vaccinated. [27a] (p1-2)

SPECIAL PROTECTION ISSUES

Children as victims of conflict

- 24.22 The USSD report for 2007 noted:

“Children remained among the chief victims of continuing societal violence. Child protection monitors verified that at least 40 children were killed or wounded during the year [2007] as a direct result of conflict. ...Militia members raped children during the conflict and departure of civilians from Mogadishu. In May, for example, militias stopped a minibus at a checkpoint and raped five children and eight women.” [2a] (Children)

The UN SC report of May 2008 gives different statistics of children killed and wounded, stating that in the period May 2007 to May 2008, 125 children killed and 217 wounded by weapons. [3e](p6, section 26)

Child soldiers

- 24.23 The USSD report for 2007 stated, “The recruitment and use of children in militias and other fighting forces was a longstanding practice in the country and continued during the year.” [2a](Children) OCHA, in its Protection Factsheet dated December 2007, notes:

“The recruitment of children into armed militia has been a reality in Somalia for the last several years. It escalated in Mogadishu and other urban centres of south/central Somalia during the recent conflict [post October 2007]. Eyewitnesses, child protection monitors and media have reported armed children, mostly between the ages of 14 and 18 (though some as young as 12), working checkpoints and visible on the back of militia vehicles. Recruitment has been carried out by all parties to the conflict.” [26h]

- 24.24 During the fighting in December 2006, it was reported that the Union of Islamic Court [UIC] closed schools and recruited children and teenagers into its militia. There are reports that these suffered a high level of casualties, as they opposed the professional army of Ethiopia. This led, indirectly, to clan leaders withdrawing their support from the UIC. (IRIN, 2 January 2007) [10i]

100 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

(p1-2) The UNSC's report of May 2008 suggests that though attacks on schools and hospitals have not been a major feature of the post February 2007 conflict, incidents have occurred (the TFG raids in July and August 2007) and are on the rise, citing attacks in mid-May 2008. [3e](p9, section 40-41)

See [Education](#) , [Latest news](#)

24.25 The USSD report for 2007 stated:

"Children continued to be recruited into militias on both sides of the conflict by the TFG and its related forces, as well as by clan militias and antigovernment groups. This recruitment was on occasion forced. Local human rights organizations reported that antigovernment groups paid children \$20 (400, 000 Somali shillings) to lob grenades and other explosives at TFG-allied militias and international peacekeepers."

24.26 The report added:

"In July the UN Security Council Working Group on Children and Armed Conflict called on all parties to stop recruiting children and demobilize those serving as soldiers. In some administrations in Somalia, like that of Jowhar, authorities committed to demobilize child soldiers with UNICEF's assistance.

"The TFG pledged to address the issue of child recruitment when ministers signed the Paris Commitments in February; however, all parties to the conflict continued to recruit child soldiers during the year, including the TFG. UNICEF implemented a public outreach program with radio broadcasts to highlight the problem of child soldiers.

"The Somaliland Constitution contains no minimum age for recruitment into the armed forces, but there were no reports of minors in its forces; however an inadequate system of birth registration made it difficult to establish the exact age of recruits." [2a] (Children)

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Female Genital Mutilation (FGM)

24.27 Sources agree that FGM is widespread in Somalia, with the LandInfo study of December 2008 quoting World Bank and UNFPA 2004 estimates of between 80 and 98 percent of Somali women [45c](p12) and the USSD report for 2007 stating "as many as 98 percent". [2a] (Section 5 – Women) Both sources stated that most women have been subjected to infibulation, which the USSD report for 2007 described as "the most severe form of FGM". (USSD report for 2007) [2a] (Section 5 – Women); (Landinfo Report 2008) [45a](p23) Though the LandInfo study stated "Some sources... claim to have observed a transition from infibulation to sunna in recent years, however it is difficult to ascertain with any degree of certainty how extensively patterns might have changed. Sunna is common among the Benadir population in the coastal areas. In these population groups, the procedure is performed on newborns (ibid)." [45c](p12)

- 24.28 These findings on numbers of women affected by and the different forms of FGM used are reflected in older material, such as the JFFMR March 2004, which stated:
- “According to Jones [Gary P. Jones, Country Director, Somalia, Kenya and Djibouti, Norwegian People’s Aid (NPA), Horn of Africa Programme], FGM is still the norm in Somalia. The main mode of the FGM is the ‘pharaonic’ form, but still many would claim that they only practice ‘Sunna’ which is a lighter version of FGM. Jones stated that this was done from a business point of view, explaining that people promoting ‘Sunna’ would receive financial support. In reality, however, girls are circumcised in the same manner as usual, i.e. ‘Pharaonic’ style. ...Nearly 100% of women are affected by FGM in Somalia. Jones did not expect that any significant change would emerge in this respect during the next 15 years, even though some modest progress has been made in some areas. It was emphasised that it is extremely difficult to change the attitude towards FGM, and providing education and information to young girls might be the only way to make any impact on the issue.” [7c] (p33)
- 24.29 The age when FGM is performed is in later childhood: the LandInfo report of December 2008 stated that it is usually between the ages of five and eight in Somalia generally and much older in the Somali diaspora [45c](p13); the JFFMR March 2004 states between the ages of four and seven. [7e] (p33)
- 24.30 The USSD report for 2007 noted that “In Somaliland FGM is illegal; however, the law was not enforced. Puntland also has legislation prohibiting FGM, but the law was not effectively enforced. UN agencies and NGOs have made intensive efforts to educate the population about the dangers of FGM, but there were no reliable statistics to measure the success of their programs.” [2a] (Section 5 – Women) The LandInfo report of December 2008 has detail about the amount of societal pressure on families to perform FGM. [45c](p14-15)
- 24.31 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact Finding Mission report on Human rights and security in central and southern Somalia, published August 2007 noted “In case the father or brother (in the father’s absence) decides not to go through with the FGM of the daughter/sister the father/brother will be attacked by family or clan members. Anti-FGM is in Somali translated into ‘anti-purity’ ... It was added that a girl who has not undergone FGM would be very difficult to marry off.” [7e] (p32)
- 24.32 The LandInfo report of December 2008 added: “In Somalia, genital mutilation is not a rite of passage that marks the transition from child to adult. The practice is linked to tradition and notions about purity, virginity and control of unwanted sexuality.” [45a](p12)
- 24.33 The JFFMR March 2004 noted:
- “[Jones] stated that, until recently, no NGOs worked with FGM in Somalia. Presently there are several NGOs that are addressing the issue of FGM. Jones explained that NPA is one of a small number of NGO’s in Somalia, which attempts to educate people with the purpose of eradicating FGM. NPA seeks to change the culture of FGM by educating young girls. However, Jones explained that it is very difficult for girls in primary schools to complete

their education due to them being kept at home to undertake domestic duties. It was suggested that boarding schools might be the only way to enable girls to focus on their education without their parents interfering.” [7e] (p32)

DOCUMENTATION

- 24.34 “In the absence of a consistent central authority, births were not registered in Puntland or southern and central Somalia. Birth registration was taken seriously in Somaliland for hospital and home births; however, limited government capacity combines with the nomadic lifestyle of many Somalis made birth registration a complex undertaking.”(USSD report for 2007) [2a](Children)

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TRAFFICKING

- 25.01 The US State Department report on human rights practices, Somalia, covering 2007, published 11 March 2008, (USSD report for 2007) stated:

“The pre-1991 law prohibits trafficking. The TFC [Transitional Federal Charter] does not explicitly prohibit trafficking. Information regarding trafficking in the country's territory was extremely difficult to obtain or verify; however, the Somali territory was known to be a source, transit, and possibly destination country for trafficked women and children, and there were reports of trafficking during the year. Ethiopian women were believed to be trafficked to and through the country to the Middle East for forced labor or sexual exploitation. ...Trafficking networks were reported to be involved in transporting child victims to South Africa for sexual exploitation.

“Puntland was noted by human rights organizations as an entry point for trafficking. The UNIE reported that trafficking in persons remained rampant and that the lack of an effective authority to police the country's long coastline contributed to trafficking. Various forms of trafficking are prohibited under some interpretations of Shari'a and customary law, but there was no unified policing in the country to interdict these practices, nor any effective justice system for the prosecution of traffickers.

“...At various times, political authorities in the regional administrations of Somaliland and Puntland expressed a commitment to address trafficking, but corruption and lack of resources prevented the development of effective policies and programs. Many officials in these administrations were known to condone human trafficking. No resources were devoted to trafficking prevention or to victim protection. There were no reports of trafficking-related arrests or prosecutions. Somaliland and Puntland officials were not trained to identify or assist trafficking victims. NGOs worked with IDPs, some of whom may have been trafficking victims.” [2a] (Trafficking in Persons)

- 25.02 The USSD ‘Trafficking in Persons report 2008’; published 4 June 2008 states that, under ‘Special cases’, Somalia is listed as a country of particular concern. “Information regarding trafficking in Somalia remains extremely difficult to obtain or verify; however, the Somali territory is believed to be a source, transit, and destination country for trafficked men, women, and children.” [2f] (Somalia)

HUMAN SMUGGLING

- 25.03 OCHA, in its Human Smuggling and Human Trafficking Factsheet dated December 2007, defined human smuggling:

“The United Nations Protocol Against the Smuggling of Migrants by Land, Sea, and Air defines the smuggling of migrants as ‘the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.’ In most cases, individuals will contact smugglers themselves in the hope of crossing a border illegally in search of a better life and improved economic prospects.” [26i]

- 25.04 OCHA, in its Human Smuggling and Human Trafficking Factsheet, dated December 2007, noted:

“Human smuggling continues unabated from the northeast coast of Puntland, to Yemen, resulting in the death of hundreds, mostly Somalis and Ethiopians ... According to UNHCR, tragic incidents involving people crossing the Gulf of Aden have been consistently increasing since 2005. Since the start of 2007 until the end of October, with the smuggling season at its pick in September and October, already an estimated 23,532 people had arrived at the Yemen shores (13,796 Somalis and 9,713 Ethiopians) while at least 838 people have died during the crossing and 524 are known to be missing, with twice as many Ethiopians deaths compared to Somalis. The overall estimated figure for last year was around 26,000 people (about 14,250 Somalis and 11,750 Ethiopians) crossed the Gulf of Aden, with at least 330 deaths and another 300 reported missing (and now believed to be dead). The main reason of these deaths is smugglers forcing Somalis and Ethiopians into stormy seas off the coast of Yemen. Survivors reported that those who resisted were stabbed and beaten with wooden and steel clubs, then thrown overboard. Some were then attacked by sharks. Recovered bodies showed signs of severe mutilation. Upon arrival to the Yemeni shore, some passengers reportedly had their money confiscated by security forces.

“Passengers also frequently report that some travellers are being tied up and/or thrown overboard by the smugglers in an attempt to lighten their load and avoid capsizing. Others drift for days at a time with little food or fresh water on board. Both during the journey and en route to Bossaso, women report having been sexually abused, exploited and/or raped by the smugglers, police and the multitude of militias operating illegal checkpoints on the roads to Bossaso. When the boats reach Yemen’s coast, passengers – including children – are routinely forced to swim the last kilometres so that the boats are not detected by the Yemen authorities. Some never make it to the coast. Fatality figures are difficult to verify as the trade is secret and many bodies are never found.” [26i]

- 25.05 The UN Secretary-General’s ‘Study on Violence towards Children states’, in ‘A Situational Analysis of Child Trafficking in East Africa’:

“Reports indicate that hundreds of women and children leave Ethiopia each day via Bossaso, a port in Northern Somalia. Traffickers promise safe journey to Somaliland and the facilitation of a boat trip to Yemen. Almost all expenses during the in-land trip are covered by the victim (i.e transportation, lodging, food etc for both the victim and traffickervellers). Two options are available upon reaching the border with Somaliland. The trafficker either hands the victim over to another trafficker and disappears, or facilitates the continuation of the journey to the port of Bossasso, in which case the victim will continue bearing the costs. Under both options, the victim will eventually reach Bossaso where she will wait for a boat to take her to Yemen. Reports by BBC confirm that hundreds of people, mostly Ethiopians and Eritreans are waiting at Bossaso to cross the sea to Yemen.

“The danger of this 20 hour crossing has received public media attention in the past year, with continuous reports of boat-loads of migrants drowning at sea. Despite this there has been no let-up in the numbers chancing their luck. The port has become a haven for smuggling, with parents paying up to

\$7,000 per child to make the journey. While smuggling and trafficking are not the same, these children often face the same levels of exploitation and violence upon arrival in the Middle East.

“...The acting President and Governor of Bari region in Puntland (North East part of Somalia) reported that an additional 120 emigrants were arrested on the 29th of September 2003 and two boats ready to depart to Yemen were confiscated. The organisers (Puntland businessmen) and their accomplices were also arrested. Currently, 600 persons of different nationalities (mostly Ethiopians, Sri Lankans, Tanzanians, Somalis) are in police custody, while 180 more are confined in different residential places in Bossasso. The Acting President expressed his fear that Bossasso had become a transitory gate from all parts of Somalia, Ethiopia, Djibouti, Tanzania, and Sudan.”
[62a]

25.06 OCHA, in its Humanitarian Analysis, dated January 2008 noted:

“The ‘mixed migration’ – the smuggling and trafficking of Somalis to other countries – has also been on the rise. In 2007, more than 29,500 people arrived on the shores of Yemen and 1,400 people died while making the perilous journey or are missing and presumed dead. The number of deaths was a sharp increase nearly fourfold from 2006 where at least 330 deaths and another 300 reported missing and presumed dead. The trend looks likely to continue in 2008. As of 19 January, at least 2,252 people were recorded arriving at the Yemen coast, majority of them were Somalis. On 18 January, 116 people from one boat died after smugglers ordered passengers to jump overboard, a large wave capsized the boat, killing all 114 passengers and two the crew (smugglers).” [261]

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MEDICAL ISSUES

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

26.01 The Report of the Joint British-Nordic Fact-Finding Mission of January 2004 (JFFMR March 2004), stated that Doctors Without Borders/Médecins Sans Frontières (MSF) officials noted that the overall level of healthcare and possibilities for treatment in central and southern Somalia were very poor. There was a lack of basic medical training amongst the personnel (doctors and particularly nurses) operating at the limited number of hospitals and clinics in the region. It was estimated that up to 90 per cent of the doctors and health staff in hospitals were insufficiently trained. It was stated that for those with sufficient funding to pay for treatment, primary healthcare was available in all regions. MSF indicated that women and children had a better chance of receiving treatment on the grounds that they were less likely to be the target of militias. It was explained that women and children were in a position to move more freely because they could cross clan borders more easily than single men whose clan affiliation may hinder their freedom of movement. It was added that single men, without the financial backing of their clan, would find it very difficult to access medical treatment. It was also noted that, due to the distance, security situation, and poor road networks in most regions, referral cases were difficult to arrange without sufficient financial support from clans. [7c] (p47-49)

26.02 The JFFMR of March 2004 noted an interview with Ayham Bazid, Representative of MSF:

“It was stated that for those with the sufficient funding to pay for treatment, primary healthcare was available in all regions. Bazid indicated that women and children had a better chance of receiving treatment on the grounds that they are less likely to be the target of militias. It was explained that women and children are in a position to move more freely in Somalia, because they can cross clan-borders much easier than single men whose clan affiliation may hinder their freedom of movement. Querol and Bazid added that single men, without the financial backing of their clan, would find it very difficult to access medical treatment. It was also noted that, due to the distance, security situation, and poor road networks in most regions, referral cases are difficult to arrange without sufficient financial support from clans.” [7c] (p47)

26.03 MSF in its report of January 2007, entitled ‘Top ten under-reported humanitarian stories of 2006’, gave the following overview:

“The current conflict in Somalia may generate fleeting worldwide attention, but the abysmal day-to-day living conditions faced by Somalis remains largely forgotten. For the past 15 years, Somalia has been in the grip of internal conflict that has had catastrophic consequences on the health of its people. Somalia has some of the world's worst health indicators: it is estimated that life expectancy is 47 years and more than one quarter of children die before their fifth birthday.

“...MSF teams are trying to fill some of the huge gaps in medical care through primary care and surgical hospitals and clinics, as well as treatment programs for malnutrition, tuberculosis and kala azar in several regions, including Bakool, Bay, Galguduud, Lower Juba, Mudug, Middle Shabelle

and Mogadishu. Few aid agencies choose to work in Somalia, though, because violence is so widespread and the country's clan structure so complex. But with no state medical services, there is a desperate need for increased assistance." [11a] (Somalis trapped by war and disaster)

- 26.05 IRIN, in its 'The Somali Democratic Republic humanitarian country profile' dated February 2007, stated:

"The status of health in Somalia is among the poorest in the world, with much of the population lacking access to basic healthcare and an acute shortage of trained medical personnel.

"In the past 10 years, considerable resources have been invested by the international community in rehabilitating the water and sanitation systems damaged during the civil war.

"However, extensive contamination of surface supplies remains a problem, with only 29 percent the population having access to clean drinking water, according to UNFPA [United Nations Population Fund].

"After being Polio-free for almost three years, Somalia became re-infected in 2005. There were a total of 215 confirmed cases of polio by November 2006. Fourteen of Somalia's 19 regions have been infected, according to the WHO." [10m] (Health)

- 26.06 The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Somalia, in its situation report covering February 2007, provided an overview of health care issues within the country:

"Between 30 December [2006] and 2 March 2007, a total of 3,633 Acute Watery Diarrhea (AWD) cases have been reported throughout southern Somalia, including 143 deaths. The upsurge of cases is linked to post-flooding conditions coupled with a lack of access to safe drinking water and poor hygiene and sanitation practices.

"The situation is most critical in Hiran region, with the heaviest case load of AWD in Somalia: a total of 1,229 cases and 30 deaths between 30 December 2006 and 23 February 2007 in Beletweyne, Jalalaqsi and Buloburti districts. That said, adequate supplies have been dispatched to Beletweyne and the number of new reported cases has decreased with increasing water and sanitation interventions. Partners are conducting hygiene promotion and chlorination activities, and UNICEF [United Nations International Childrens Fund] and the Hiran Water Supply authority are rehabilitating thirteen shallow wells and repairing nine existing water sources. In total, nine hygiene promotion sessions were organized for 270 participants.

"Similar decreasing trends were also noted among IDPs in Galkayo (Mudug) owing to humanitarian interventions such as water chlorination, hygiene promotion, rehydration and treatment of the affected people.

"In Middle Shabelle, between 15 January [2007] and 2 March [2007], 974 cases were reported with 18 deaths. Similar activities are ongoing and adequate supplies have also been dispatched to Jowhar, including a full diarrhoeal disease kit (for 100 severe and 400 moderate patients) by WHO.

108 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

In total, 360 hygiene promoters have been trained by the Somalia Red Crescent Society (SRCS) and UNICEF from Balad, Mahadey and Jowhar. According to a recent report, communities around Jowhar are using river water for drinking and cooking purposes because water from the functional wells is too saline. The water from the wells is instead used for bathing and washing. A total of 43 shallow wells are in the process of being constructed/rehabilitated through local NGOs WOCA and Farjano.

“In Lower Shabelle, the number of cases of AWD is increasing with the influx of IDPs from Mogadishu, especially in rural areas. A total of 687 cases and 56 deaths were reported from this region between 2 February [2007] and 2 March [2007]. WHO [World Health Organization] is sending a full diarrhoeal disease kit, while UNICEF is sourcing required supplies. Water and sanitation activities (such as chlorination) and hygiene promotion require special attention although security and access remain a challenge. UNICEF and CEFA hosted hygiene promotion training sessions in five different villages targeting 320 people.

“In Lower and Middle Juba regions, Kismayo and Jamame registered a total of 352 cases and 30 deaths between 30 January [2007] and 26 February [2007]. The two localities have received adequate supplies, including two full diarrhoeal disease kits in Kismayo by WHO, and health partners continue to monitor developments carefully.

“A total of 391 cases were reported from Mogadishu, between 24 February [2007] and 2 March [2007], with nine deaths. Partners are dispatching necessary supplies, including WHO that has sent one full diarrhoeal disease kit, and UNICEF that is sending thirty extra diarrheal [sic] kits by boat and plane. Chlorination and sanitation activities also carry-on. While Mogadishu has not reported the largest number of cases, insecurity in the city gives rise to serious concerns over how conditions will evolve. On the one hand, increasing numbers of people fleeing the capital increase the risk of AWD spreading to other locations. On the other, limited mobility within the city to target beneficiaries also poses logistical and security concerns for aid workers. Aside from scaling up supplies and services within Mogadishu to the extent possible, pre-positioning of supplies in accessible hubs is also being done to provide services and assistance in other locations. The response will likely continue into April [2007] and May [2007], particularly in the Juba regions where access remains limited and coverage is thus the most challenging. WHO is coordinating outbreak task forces in all affected regions.

“The sub-National Immunization Days (SNIDs) campaign conducted between 22 and 24 January 2007 in Togdhere and Sool regions, and Burtinle district of Nugal region reached more than 90% percent of the 1.7 million children targeted for polio vaccination. Complete coverage data for the 20-25 February [2007] NIDs campaign is pending since start-up was delayed in a number of zones. The next NIDs campaign, synchronized with Kenya, is scheduled between 25 and 27 March 2007.

“For the last seven months, the poliovirus circulation has been limited to Togdhere region of Somaliland. The total number of confirmed polio cases reported continues to decline markedly from 185 cases in the last six months of 2005, to 36 cases in 2006 (over an 80% case reduction). Around 80% of the 2006 cases were reported in the first half of the year with only

seven cases reported in the last six months of 2006 (last case reported in December [2006] in Burao district, Somaliland). Since the beginning of 2007, two polio cases have been reported from Togdhere region. Aggressive and intensified efforts to curb the circulation of the wild poliovirus which broke out in July 2005 continue with support of all polio eradication partners and donors. So far, seventeen polio vaccination campaigns have been conducted in Somalia.

“Somalia suffers from a paucity of Reproductive Health (RH) care services. Emergency obstetric care and ‘safe motherhood services’ in particular are a recognized gap in the provision of basic social services. Somalia has one of the highest maternal mortality ratios in the world (estimated at around 1,013 deaths per 100,000 live births – preliminary results from Multiple Indicator Cluster Survey 2006, UNICEF), and the situation risks getting worse (particularly in South/Central) as abnormally high levels of stress caused by growing insecurity and lack of protection result in increased miscarriages and complicated deliveries. Furthermore, endemic diseases in the area place pregnant and lactating women at higher risk.

“To identify gaps in existing health facilities that provide RH services in South/Central (mainly MCHs), during January and February 2007, UNFPA in cooperation with Muslim Aid–UK conducted an assessment in 23 MCHs in the Benadir, Lower and Middle Shabelle, Hiran, Lower and Middle Juba regions, as well as in three hospitals in Benadir and Lower Shabelle, to review RH skills and knowledge. The data is currently being analyzed and will serve as guidance for RH responses in the future. UNFPA is meanwhile training staff of the same health facilities on how to provide RH services, and has provided RH kits for clean deliveries assistance and Post-Exposure Prophylaxis (PEP) to prevent HIV infections, as well as medical equipment and drugs to these facilities.

“To meet some of the basic needs of women’s reproductive health among IDPs in Mogadishu, UNFPA in partnership with Muslim Aid-UK and the SRCS have, since January 2007, established mobile health teams to service the ‘Coca Cola’, ‘21 October’, and ‘Polytechnic’ IDP sites. The teams consist of midwives, community health workers, Traditional Birth Attendants, and community mobilizers who can provide on the spot services or referrals to the SOS hospital in Mogadishu. UNFPA coordinates closely with WHO, UNICEF, and ICRC [International Committee of the Red Cross] on all activities.” [26b] (Health)

HIV/AIDS

- 26.07 The JFFMR March 2004 referred to a representative of Médecins Sans Frontières (MSF) who highlighted that there was no social recognition of the virus in southern and central regions. It was stated that MSF did not provide treatment for the virus. It was emphasised that there was no availability of anti-retroviral medicine in Somalia. According to United Nations High Commissioner for Refugees (UNHCR), medical facilities in all parts of Somalia were not equipped to render the necessary assistance for HIV/AIDS sufferers. Except for those few who could afford to import the drugs, anti-retroviral treatment was not available in Somalia. Accordingly the UNHCR recommended that the involuntary removal of persons with HIV/AIDS should be strictly avoided. [7c] (p36)

110 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

- 26.08 IRIN, in its 'The Somali Democratic Republic humanitarian country profile' dated February 2007, noted:

"The HIV/AIDS prevalence rate among adults aged 15 to 49 is estimated at 0.9 percent, with 44,000 people living with HIV, according to UNAIDS.

"At least 3.3 percent of pregnant women are receiving treatment to reduce mother-to-child transmission while only one percent of HIV-infected women and men are receiving antiretroviral therapy.

"UNAIDS has AIDS Commissions in the three Somali entities: Somaliland, Puntland and areas of south-central Somalia. A roadmap is also being developed to scale up the work of the commissions and form a tripartite Somali AIDS Coordination Body.

"Other issues of concern include addressing gaps in the response related to universal access to prevention, treatment care and support; and focus on the most vulnerable women and girls.

"The major impediments to the AIDS response are insecurity and lack of capacity among government departments and other service providers. There is little effective Somali institutional and human capacity to develop resource-mobilisation strategies, making the response dependent on Nairobi-based international community leadership." [10m] (HIV/AIDS)

- 26.09 The EIU, in its Somalia Country Profile for 2007, noted "Data on HIV/AIDS are limited; according to UNAIDS (the international body co-ordinating the fight against AIDS), two studies conducted in Hargeisa and Bossaso in 1997 found that around 2 percent of women in antenatal clinics were HIV positive." [17d](p14)

- 26.10 IRIN, in an article dated 5 December 2006, reported:

"Somalia's HIV prevalence of about one percent is low, but the cross-border movement of people is causing an increase in infection rates, according to Dr Fernando Morales of the UN Children's Fund's Somalia office. Northwestern Somalia, which shares a frontier with Ethiopia, is particularly at risk.

"Leo Kenny, UNAIDS country coordinator for Somalia, told PlusNews: 'The prevalence rate is very high for a Muslim society and it is heading towards a generalised epidemic. Somalia is at the same stage that South Africa was 10 years ago.'

"The country is divided into three distinct regions: the self-declared republic of Somaliland in the northwest, the self-declared autonomous region of Puntland in the northeast, and south-central Somalia. According to a 2004 study by the UN World Health Organisation, HIV prevalence in Somaliland was 1.4 percent, hitting 2.5 percent in the port city of Berbera – the highest in the country – compared to 0.6 in south-central Somalia.

"Prevalence in neighbouring Ethiopia is about 3.5 percent, but in some border areas that figure can jump to 10 percent, said Morales.

“Somalia has had no legitimate government for the past fifteen years and suffers from chronic food insecurity. Hundreds of thousands of Somalis live and work in the neighbouring countries of Kenya and Ethiopia, and often travel to and from their homeland for economic or social reasons, while thousands more are refugees.

“A 2006 UNAIDS report on cross-border mobility in the Horn of Africa found it was not uncommon for men who were away from home, such as truckers and traders, to have unprotected sex with commercial sex workers. For displaced and vulnerable women, transactional sex was often a coping mechanism that placed them at increased risk of infection.

“Among mobile populations, various social, cultural, and linguistic barriers increased the difficulty of accessing HIV/AIDS services. The problem in Somalia was being compounded by the general unavailability of condoms and lack of adequate healthcare, said Kenny of UNAIDS.

“Regional governments have begun recognising the importance of confronting the issue of migration as a factor in the spread of HIV/AIDS. At a meeting in November in Somaliland, representatives of national AIDS commissions from Djibouti, Eritrea, Ethiopia, Kenya, Somalia and southern Sudan cited greater cooperation between governments in the Horn of Africa as the key to winning the regional fight against the pandemic.

“‘We have a long history of movement across borders in our region, and we know that mobile population groups may have limited access to HIV prevention and treatment services,’ Muse Kassim, executive director of the Somaliland AIDS Commission, told delegates. ‘This is a challenge to the region in its entirety, and cannot be solved through national responses alone’.” [10j] (p1)

26.11 IRIN, in an article dated 22 November 2006, added:

“‘People are reluctant to come ... there is quite a lot of stigma. Only one year ago did someone say publicly that they were HIV-positive, and they were like a hero to us,’ said Inwani.

“The most recent survey by the United Nations World Health Organization in 2004, estimated a national HIV prevalence rate of 0.9 percent, with variations between south-central Somalia at 0.6 percent, Puntland at 0.9 percent and the self-declared republic of Somaliland, in the northwest, at 1.4 percent.

“‘HIV prevalence is low compared to surrounding countries, but being an Islamic country there is lots of denial. We are working to ensure that the rate stays low,’ Inwani said.

“Morales suggests protective factors have been at work. The country's unrest since 1991 reduced mobility to high prevalence areas such as Kenya, with a 5.9 percent infection rate, while a combination of religious and cultural conservatism has also had an impact.

“However, Morales said there were several risk factors, such as widespread ignorance around issues of HIV/AIDS, and gender inequality. The latest fighting has also sent nervous refugees spilling across the country's borders

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where, uprooted and vulnerable, they face increased risk of HIV exposure.”
[10i] (p1-2)

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HOSPITALS

- 26.12 The ICRC report for 2007 added detail regarding the operation of hospitals in relation to weapon-wounded patients in southern and central Somalia:

“ICRC-supported hospitals and clinics in and outside Mogadishu treated over 5,000 weapon-wounded, 40% more than in 2006. A total of 206 tonnes of ICRC medical supplies, compared with 140 tonnes in 2006, were distributed to help facilities cope. Over 4,000 weapon-wounded were admitted to the hospitals of Keysaney (run by the Somali Red Crescent) and Medina (community-run) in Mogadishu, the two main referral facilities for central and southern Somalia. As in past years, both hospitals received ICRC funds for salaries and running costs, as well as medical supplies, equipment, training, on-the-job supervision and help with general maintenance. During heavy fighting, the two hospitals set up tents to accommodate an extra 300 patients and hired more staff. A two-person ICRC surgical team helped out at both hospitals over seven days in May to relieve staff who had been working around the clock. From August, two surgeons and an anaesthetist from the Qatari Red Crescent, working in partnership with the ICRC, joined Keysaney hospital. Most of the other ICRC-supported hospitals were located far from the capital, lacked the resources to perform war surgery and faced security and logistic constraints in transferring wounded patients to Mogadishu. ICRC surgical staff worked briefly, for example, at Baidoa and Galkayo district hospitals, while Garowe and Las Anod hospitals and Hargeisa health officials received medical supplies following fighting in September between Puntland and Somaliland forces. In the 11 ICRC-supported hospitals that provided data:

- 7,602 patients (including 1,419 women and 946 children) admitted: of whom 5,143 weapon-wounded (including 799 women, 432 children, and 134 people injured by mines or explosive remnants of war),
- 1,673 other surgical cases,
- and 740 medical and 46 gynaecological/obstetric patients
- 10,255 surgical operations performed
- 12,813 outpatients given consultations, including
- 12,805 attending surgical or medical consultations and
- 8 attending gynaecological/obstetric consultations

“People with injuries, including weapon wounds, also had access to treatment at five first-aid posts situated in the regions of Bay, Galgudud, Lower Juba and Middle Shabele, which regularly received ICRC supplies. A small number of other first-aid facilities were given ad hoc supplies to meet demand. In the 6 ICRC-supported first-aid posts that provided data: 4,910 patients with injuries (including 1,268 women and 1,673 children) treated.”
[5a] (Treating the weapon-wounded)

- 26.13 The head of ICRC operations in Somalia, Pascal Hundt, stated in an interview dated 30 June 2008, that the ICRC operations in Somalia had changed significantly since 2005 (when he took office), stating:

“Three and a half years ago we could work on a daily basis almost anywhere in central and southern Somalia. Now, the worsening security situation and the unpredictability of the conflict have made it a lot more difficult for us to maintain that level of presence on the ground. We are still present, but we have had to adapt our operations. In 2005, we were able to implement large-scale community projects whereas today we are mainly involved in carrying out major relief operations.” [5c]

- 26.14 The ICRC Somalia operations page, accessed 11 July 2008, stated:

“The ICRC supports the two surgical referral hospitals in Mogadishu, namely Medina and Keysaney. Since August 2007, an ICRC-backed team of surgeons from the Qatar Red Crescent Society has been working at Keysaney Hospital, which is managed by the Somali Red Crescent Society.

In 2007, the two hospitals treated more than 4,000 people who had been wounded in the conflict – twice the number of war-wounded admitted to the two hospitals in 2006. One third of these were women and children under 15 years of age.” [5b]

- 26.15 IRIN reported on 13 May 2008 that the hospital in Kismayo had suspended services since January 2008. [10r]

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PROVISION OF HOSPITAL CARE BY REGION AS REFLECTED IN JFFMR

- 26.16 The JFFMR for Somalia of March 2004 gave the following breakdown by region for medical provision:

“Southern Mudug and Galgadud. It was emphasised that the vastness of the region greatly limited the scope for the provision of medical facilities. Bazid referred to two areas: Galkayo (where there is a functioning hospital supported by the International Committee of the Red Cross (ICRC) and the coastal districts around Hobyo where Coordinating Committee of the Organisation for Voluntary Service (COSV) until recently supported the provision of basic medical care. It was noted that this region is particularly susceptible to cholera epidemics. There are no hospitals in Galgadud where other sources of basic healthcare are even more limited due to the prevalence of major clan conflict. Clan conflict severely hampers the freedom of movement in the conflict area and under such circumstances the availability of treatment is closely related to clan affiliation.

“Hiran. The hospital in Belet Weyne has been closed for a considerable length of time. There are very few private clinics. Save the Children Fund (SCF) and International Medical Corps (IMC) have established small dispensary posts in the region.

“Middle Shabelle. It was indicated that this was the most stable of regions in terms of the provision of medical facilities. Basic treatments are available at the large hospital in Jowhar, where surgeons operate. A number of INGOs administer dispensary posts in the region.

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“Benadir (Mogadishu). It was stated that most medical facilities in the capital are expensive, private clinics that provide a variable standard of treatment. It was noted that the Islamic community usually establishes these clinics, with Al Islah being the dominating donor. There are two hospitals in Mogadishu; Medina and Keysane. The majority of the patients in the two hospitals are victims of clan conflicts. Bazid suggested that Keysane hospital operated more effectively than Medina, as it is located outside the centre of the city. It was also noted that maternity facilities in these hospitals are limited.

“Lower Shabelle. It was emphasised that access to this strategically important region is obstructed by clan conflicts. COSV provide basic dispensary posts in Merka, though these provide very basic treatments. Persons in this region mainly rely on medical facilities in Mogadishu. The region is also susceptible to cholera epidemics.

“Bay and Bakool. The hospital in Baidoa has been closed since August 2002 but MSF has a basic operation in Bay and ICRC has issued health kits in the region. However, the prevalence of high profile security incidents since 2002 has prevented these INGOs from maintaining a permanent presence. In Bakool there are a number of small clinics with surgery provision that are supported by MSF and the region has relatively good provision of basic healthcare. It was underlined of those people who have undergone an operation, 50% do not survive the immediate post-operation period.

“Gedo. IMC operates dispensary posts in the region, providing basic medical treatments. Bazid also referred to malnutrition treatments provided by CARE International. It was noted that most persons requiring medical treatment travel to Mandera in Kenya.

“Middle and Lower Juba (Kismayo). Bazid confirmed that Kismayo hospital was open and provides basic treatments and MSF operates in Marere (on the border between Middle and Lower Juba) where basic healthcare is available. Other INGOs such as ICRC provide similar treatments and TB programmes in Jamame and Kismayo. ICRC operates two to three health dispensaries in Kismayo. A number of doctors operate in private clinics in Kismayo and some are also able to perform surgery.”
[7c] (p48-49)

PRIVATE SECTOR AND NGO PROVISION

- 26.17 MSF sources stated in the JFFMR of March 2004 that the Somali private health sector had grown considerably in the absence of an effective public sector. Of the population who get any care at all, about two-thirds of them get it from the private health sector. Such growth had thrown up a range of problems. These have included the dispensing of out-of-date drugs, over-the-counter drug prescriptions and inadequately trained staff, which has led to misdiagnoses. Private health care is characterised by high charges for services, pricing the poor out of healthcare. [7c] (p47)

MENTAL HEALTH CARE

- 26.18 In its 2005 Somalia Country Profile, the World Health Organization (WHO) reported:

“The whole mental health set-up of Somalia is based on the efforts of NGOs – GRT-UNA of Italy and General Assistance and Volunteer Association (GAVO), a local Somali NGO. They help in the provision of services to mental patients and street children and provide training for primary health care personnel.” [9a] (p2)

- 26.19 The report added:

“There are only three centres for psychiatry, the mental hospital in Berbera and the general psychiatric wards in Hargesia and Mogadishu. Until the arrival of the NGO from Italy, the condition of the mental hospital was appalling. Patients were kept in chains, and supply of food was largely dependent on charity. UNDP [United Nations Development Programme] is supporting the psychiatric ward in Hargesia in terms of structural facilities and supplies. There is no private psychiatric inpatient facility though there are a few private clinics in Mogadishu and Hargesia. There is no specialized drug abuse treatment centre and there is no mental health training facility in the country. Only limited data about one area of Somalia, Somaliland is available. Psychiatrists have private clinics.” [9a] (p1)

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FREEDOM OF MOVEMENT

- 27.01 The United States Department Report on human rights practices, Somalia, covering 2007 (USSD report for 2007) stated “The TFC [Transitional Federal Charter] and the Puntland Charter provide for freedom of movement within the country; however, this right continued to be restricted in some parts of the country.” [2a] (**Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**)

Checkpoints

- 27.02 The UK Border and Immigration Agency's Fact Finding Mission report on Somalia, 11 – 15 June 2007, outlined the issue of checkpoints in terms of how they operated in June 2007. [7f] (p22-26) The USSD report for 2007 summarised the situation in late 2007 as “Checkpoints operated by the TFG, TFG allied militias, and armed clan factions inhibited passage and exposed travellers to looting, extortion, rape, and harassment, particularly of civilians fleeing conflict.” [2a] (**Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**) The Amnesty International report, *Routinely targeted*, published 1 May 2008 noted that multiple checkpoints and road blocks operated on the roads out of Mogadishu, with “...displaced persons from southern and central Somalia frequently reported being attacked on the road from Mogadishu to several destinations to the north and the southwest where they sought safety.” [6b](p20) Violence was reported to have escalated in the period September to November 2007. (Amnesty International, 1 June 2008) [6b](p21)
- 27.03 “According to the UN, there were 235 checkpoints in south and central Somalia, with 13 alone on the road between Baidoa and Mogadishu.” (USSD report for 2007) [2a] (**Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**) AI's 'Routinely targeted' notes a source that mentions in November 2007 there were 88 check points between Mogadishu and Bossasso, and 150 from Mogadishu to the southwest. [6b](p21) OCHA reported in its November 2007 *Monthly Analysis* that “Ad hoc roadblocks that charge taxes ranging from US\$70 – US\$500 to move in and out of Mogadishu have caused huge hindrances to the humanitarian community in accessing vulnerable people. ...In November, Non-Governmental Organisations (NGOs) reported delays and payment of taxes of up to US\$ 475 at eight roadblocks on the Mogadishu/Afgooye road – a major area of humanitarian operations. The highest number of roadblocks since the beginning of 2007 – 336 in total – was recorded in November.” [26i] The May 2008 UN Security Council report on children and armed conflict in Somalia stated that of the 396 roadblocks as of February 2008, “77 are in Hiran [north of Mogadishu], on the central Somalia coast [south and east of Mogadishu] and in Galgudud [north east of Mogadishu]. Seventeen of those 77 roadblocks are manned by local militias, and the remaining 60 are reportedly manned by [TFG] and local government forces.” The report states that the roadblocks impede access to medical assistance in Mogadishu. [3e](p10, section 47) The UN Security Council report on Somalia, dated 16 July 2008 states “there are now almost 400 roadblocks and checkpoints country-wide.” [3a](p11) A March 2008 UN Country Team in Somalia news release stated that “On the Mogadishu to Afgooye road, eight separate checkpoints are set up and convoys were being charged from \$50 to \$150 for every 35 metric tons of cargo.” [42a] The UN Security Council report on Somalia, dated 16 July 2008 added, regarding this road that “there

have been more than 40 security incidents, including seven roadside bomb explosions since the beginning of the year [2008].” [3a](p11)

- 27.04 “Until September 2007, some drivers had been able to travel relatively safely through areas by virtue of their clan affiliation, but this changed in November and December 2007” [6b](p21) Clan militias have been particularly active around Kismayo, with reports of 24 January 2008 noting that all roads to the town had been blocked in January by militias demanding back pay from clan elders. (UNSC, 14 March 2008) [3d](p29) IRIN reported on 13 May 2008 that access to the city was still beset with roadblocks. [10r] A western journalist gave an account on 3 May 2008 of travelling south of Mogadishu to a point where clan territories abutted and militia guards were to change: there was a tense situation between militia and TFG forces described, with confusion as to who had been paid off for safe passage. [44a]

See [Kismayo](#)

- 27.05 Other than incidents at checkpoints, travellers and displaced persons may experience illegal road blocks and attacks on the road. The AI report ‘Routinely targeted’ stated that AI “received reports of violations committed against IDPs on the road in Somalia by all parties to the conflict, as well as common bandits and clan militias. Sometimes perpetrators covered their faces to mask their identity, but often survivors believed that they could still identify them by language or appearance.” [6b](p20) A Somali journalist, fleeing Mogadishu in December 2007, paid US\$ 220 for a place on a minibus going south to the Kenyan border: it was stopped twice for payment at roadblocks in the towns of Afmadow and Young Hargeisa, where the fighters “wore long white robes or camouflage, and their faces were covered – sure signs of Islamist militiamen.” [43a] The 14 March 2008 UN Secretary-General’s report to the Security Council on Somalia notes: “The number of roadblocks significantly increased during the last quarter, with a total of 336 roadblocks countrywide reported by the United Nations. In November [2007], non-governmental organizations reported forced payments of up to US\$ 475 at eight roadblocks spread along the Mogadishu-Afgooye road – a major area of humanitarian operations.” [3d](p9) OCHA reported on 6 June 2008 that “incidents of carjacking targeting humanitarian aid organizations continue to increase along the Afgooye-Mogadishu road, hindering the aid operations ...in the area.” [26n](p1) AI’s ‘Routinely targeted’ states that one of the most dangerous routes is the road between Jowhar and Beletweyne, the main road north out of Mogadishu; the attacks were particularly close to Beletweyne town, and may have a clan-based element, though victims were unsure of who their attackers were. [6b](p20-21)

See [Beletweyne](#)

- 27.06 Islamist insurgent groups have been keen to portray themselves as eradicating criminal roadblocks and extortion, with the ICG report of December 2008 stating: “It is common to hear of al Shabaab fighters dismantling the illegal checkpoints that are a great public nuisance and source of much anger against the TFG and the Ethiopians.” [24a](p14)

Landmines

- 27.07 The Somalia section of the 2008 Landmine Monitor Report noted that though landmines have been used extensively in Somali conflicts, landmines

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are less of a problem than 'explosive remnants of war' (ERW), particularly in relation to ERWs in areas of Mogadishu that had been shelled by the Ethiopian forces. [20a](Landmine/ERW problem) IRIN reported on 30 January 2009 that IDPs returning to Mogadishu were in grave danger of uncovering and detonating unexploded ordnance of many different kinds. [10ac]

- 27.08 The 2008 Landmine Monitor Report however reported that a UN group monitoring the arms embargo on Somalia reported transfers of antipersonnel mines from Eritrea and Ethiopia to Somalia; the sale of mines in Bakara market, Mogadishu,; and notable people in Mogadishu had stocks of these weapons, specifically naming Mohamed Dheere as purchasing a "variety of anti-tank mines and antipersonnel mines". [20a](Transfer) also (BBC, 23 May 2008) [8o] De-mining, summarised the report, was effectively limited to Somaliland and Punt, through the activities of the Somaliland Mine Action Center and the Puntland Mine Action Center; in Mogadishu, the AMISOM Ugandan contingent had detonated collected matériel in mid-2007. [20a](Landmine/ERW casualties) Landmine casualties were recorded as being 401 casualties in 2006, but there is no comparable data for 2007, though one monitoring agency suggested 359 casualties. [20a](Data collection)

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EXTERNAL MOVEMENT

- 27.09 In the absence of effective governance institutions, few citizens had the documents needed for international travel. There is little information on the present availability of passports and other documents. See section [Citizenship and Nationality](#) for information on the new passports issued by the TFG on 1 July 2007.

Airports

- 27.10 The EIU, in its Somalia Country Profile for 2007, reported:
- "Private and chartered aircraft use an estimated 61 airports, most with unpaved runways. Ethiopian Airways began twice-weekly flights between Addis Ababa and Hargeisa in March 2001, and the private carrier, Daallo Airlines, links Hargeisa, Mogadishu, Burao, Bossasso and Kismayu with Asmara (Eritrea) and Djibouti. Construction of a new US \$9m runway at Bossasso international airport began in November 2006. Control of Somali air space has been conducted from Nairobi since the UN pulled out of Somalia in 1995." [17d] (p15)
- 27.11 OCHA, in its Situation Report, dated 21 September 2007, noted:
- "All airfields are accessible except for Bardera, Garbahare (Gedo), Bullo Burti (Hiran), Dinsor (Bay) which are closed due to constant insecurity, while Galkayo (Mudug – Puntland) and Merka (Lower Shabelle) are open but subject to UNDSS security clearance." [26f]
- 27.12 The BBC reported on 19 September 2008 that khat flights to airstrips outside Mogadishu are uninterrupted by the ongoing conflict. [8u]

- 27.13 Aden-Adde International Airport (renamed July 2007) is the international airport for Mogadishu. (Aviation safety network, n.d.) [46a] The UK Border and Immigration Agency, in its Fact Finding Mission report on Somalia, 11 – 15 June 2007 noted: “All sources who were asked agreed that Mogadishu International Airport (MIA) was operational with flights regularly arriving and departing.” [7f] (p22)
- 27.14 Mogadishu airport was attacked by insurgents on 1 June 2008, with several mortar shells hitting the airport as the President’s plane left for talks in Djibouti. (Garowe, 1 June 2008) [35m] Three more mortar shells were fired at the presidential convoy at the airport on 12 June 2008, as the President prepared to fly to Addis Ababa. (Agence France Presse, 13 June 2008) [18f]; (Garowe, 12 June 2008) [35j] There have been previous attacks, such as the attack described by a journalist on 27 January 2008 as the chartered flight of the African Union Commissioner arrived at the airport: “Airport staffers shrug. ‘Al-Qaida’, they explain, matter-of-factly. ‘It’s just al-Qaida letting us know they are still here’.” (VOA, 27 January 2008) [34c] Two incidents of aircraft were downed by missiles in March 2007, as they respectively flew in on 9 March 2007 and out of on 23 March 2008 the airport. (Aviation safety network, n.d.) [46a] The airport is one of the facilities patrolled by AMISOM (African Union) troops. (Amnesty International, ‘Routinely targeted’, 1 June 2008) [6b](p6)
- 27.15 Al Shabaab issued a threat to attack users of the airport from 16 September 2008. On the 19 September 2008, the first plane to attempt landing at MIA after the Tuesday 16 September ‘closure’ date, was a military AU flight. (BBC News, 19 September 2008) [8u] Garowe reported that the plane was met by insurgent mortar fire, which was responded to by Government forces: “at least” 12 people were killed and 35 were wounded in the exchanges over Hawl-Wadaag district. (Garowe, 19 September 2008) [35y] Garowe reported on 22 September that a second plane, chartered from Galad airlines, landed on 22 September under the cover of an artillery barrage from troops defending the airport. [35z] It landed safely but was met with mortar fire, which Al Shabaab later claimed was from their forces. (Garowe, 23 September 2008) [35aa] A battle ensued, lasting between 1 and 4:30 am, with exchanges killing 13, over the district of Hodan. The fighting spread into other districts and a further 20 people were killed. (Garowe, 22 September 2008) [35z] The UN Security Council report of 17 November 2008 comments on the threat, stating that it “points to the significant deterioration of the security situation in Mogadishu.” [3b](p6) The UN OCHA Monthly Cluster report, September 2008, reiterated the importance of the airport, stating under logistics, “Following a ban on use of the Mogadishu Airport imposed by Al Shabaab on 16 September, UN flights into Mogadishu and K-50 were suspended. Mogadishu Airport is the lifeline for many of the remaining residents in the city. Normally, at least five commercial flights arrive and depart on a weekly basis to and from the rest of Somalia, Kenya, Djibouti and Dubai.” [26ad]
- 27.16 The BBC article reported that “Meanwhile, Mohamed Sheikh Ali, head of Somalia’s civil aviation, said on Friday that authorities had revoked the licenses of private airlines including Daalo, Jubba, African Air and Galad that had refused to operate out of Mogadishu because of the threat.” [8u]; (Garowe, 19 September 2008) [35y] On 25 September, Garowe reported that a plane carrying the Prime Minister Nur Adde back from the Djibouti talks

landed in MIA arrived safely on the morning of Thursday 25 September. [35ab]

- 27.17 An Al Shabaab spokesman, Muktar Robow 'Abu Mansur', said Al Shabaab would reconsider mortaring the airport (i.e. not to attack again) "if the people talk". (Garowe, 9 October 2008) [35ac] The same report added that a Jubba Airways plane had landed safely on Thursday 9 October. (Garowe, 9 October 2008) [35ac] Reuters added that it was "a civilian plane carrying 120 Somali deportees from Saudi Arabia" and "managed to land without incident". (Reuters News Alert, 11 October 2008) [38b] Likewise, an AMISOM plane arrived unhindered on 11 October 2008. (Reuters News Alert, 11 October 2008) [38b]
- 27.18 Since mid-October 2008, the airport has remained open and accepting flights, though there have been subsequent incidents on the road leading to the airport. One incident was reported on Friday 2 January 2009, of two Ethiopian troops killed by a roadside Improvised Explosive Device, on the road leading to the airport. (Globe and Mail (Canada), 2 January 2009) [40a]
- 27.19 Shabelle reported on 12 November 2008 that the general manager of MIA had been released from detention by the TFG. He had been detained for over a month on unspecified charges, after he had registered a complaint against the security forces who had killed his son. [37g]
- 27.20 The Voice of America article of 2 December 2008 reported that AMISOM are still in control of the airport and the seaport. [34a] SAACID has noted that the airport is a strategic target for Islamist groups, though as yet unattained: "Shabab success remains far from certain though, and it will probably more come down to how the Ethiopians and AU leave; and how they 'dispose' of the port and airport. It is certain though, that significant conflict will occur for the port and airport once the Ethiopians and AU leave, no matter how those assets are off-loaded. Control of strategic assets that can provide recurrent funding will ultimately decide the winners and losers in the coming year." (SAACID Global email, 8 December 2008) [53g]
- 27.21 As of 30 January 2009, there is no further published news regarding the airport: it is still receiving flights, with AMISOM providing security.

Seaports

- 27.22 The EIU, in its Somalia Country Profile for 2007, noted "Because Mogadishu and Kismayu ports have operated only sporadically during the civil war, Berbera and Bossaso in the north have become the focus for maritime activity. Both have undergone some modernisation in recent years. Ships near the Somali coast are vulnerable to attack by pirates." [17d] (p15)
- 27.23 UN OCHA, in May 2008, noted: "Somalia's coastal and offshore waters are becoming more dangerous for seafarers. Commercial vessel traffic and foreign fishing vessels as well as vessels transporting humanitarian assistance operating in Somali waters are at increased risk of piracy compared to the past few months. Militiamen operating from speedboats and posing as coastguards are involved in hijacking of vessels and holding crews for ransom." [26s](p3)

- 27.24 A summary of the UN Security Council's assessment of the piracy issue in the latter part of 2008 is given in sections 53 – 58 of the UN SG's report of 17 November 2008, with the general conclusion that "the delivery of relief goods has become more expensive and more dangerous, owing to the imminent and high risk of piracy off the Somali coastline, as well as road checkpoints by rogue freelance and clan militias." [3b](s.58)

EXIT POINTS

Yemen

- 27.25 Somalis have used long-established sea routes over the Red Sea to migrate to the Yemen and the numbers migrating in 2008 have increased: "More than 15,000 refugees have arrived in the Yemeni port city of Aden since January [2008], compared with 7,166 people in the first four months of 2007, according to a spokesperson for the United Nations High Commissioner for Refugees." (CNN News, 7 May 2008) [50a] The OCHA Somalia humanitarian overview, November – December 2008, updates stating "According to UNHCR, more than 35,000 people have arrived on the Yemen coast since January 2008. Some 577 people have died while another 296 are still missing and presumed death [sic]. Last year [2007] 29,500 people made the same journey." [26d]
- 27.26 The UN OCHA Somalia Humanitarian Overview of January 2008 quotes a figure of more than 29,500 arrivals in Yemen from "the 'mixed migration' – the smuggling and trafficking of Somalis to other countries", with 1,400 deaths reported. [26o](p3) The number of IDPs amassing along the northern Somali coast has led to tension: the OCHA 'Somalia Humanitarian Overview' of February 2008 reported an explosion in an IDP camp near Bossasso on 5 February 2008, killing 24 people and wounding 55 others. [26p](p3) The Puntland authorities were reported to have begun moving IDPs hoping to be "mixed migrants" along, with OCHA and UNHCR attempting to intervene on behalf of the sick and injured. [26p](p3) The UN OCHA weekly situation report dated 19 September 2008 quoted UNHCR figures of more than 28,000, of whom 19,071 are Somali, have attempted to cross from Somalia to Yemen in 2008; double the number who had attempted to cross in the period January to August 2007. [26x]
- 27.27 The United States Department Report on human rights practices, Somalia, covering 2007, (USSD report for 2007) stated:
- "The authorities in Somaliland cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers." [2a] (Protection of Refugees)

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Kenya

- 27.28 The Kenya border has been closed by the Kenyan authorities to Somali refugees since January 2007. (USSD report for 2007) [2a] (Protection of Refugees); However, 14,000 asylum seekers made their way to Dadaab camp (USSD report for 2007) [2a] (Protection of Refugees); The USSD report for 2007 notes "There continued to be reports that Somali women, girls, and

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in isolated cases men, were raped in refugee camps in Kenya during the year.” [2a] (Protection of Refugees) The UN OCHA Somalia Humanitarian Overview of May 2008 stated that so far in 2008 (up to May 2008), 17,000 refugees had managed to cross the Kenyan border and arrive at Dadaab, as opposed to 18,000 in total in 2007. [26s](p3)

- 27.29 On the Somali side of the Somalia / Kenya border, IDPs have amassed around Doble (about 30 km from the border), and in early 2007 were mainly women and children. (IRIN, 3 January 2007) [10k] (p1) In May 2008, over 10,000 people were displaced by fighting in the Lower Juba region. (OCHA, Somali humanitarian Overview, May 2008) [26s](p3)

See IDPS [Border with Kenya](#)

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INTERNALLY DISPLACED PEOPLE (IDPs)

- 28.01 The UNHCR reported in a summary of a press briefing held on 30 January 2009 that the total number of Somalis displaced within the country was 1.3 million. [23h] The UN OCHA reported that an estimated 72,500 people in nearly all parts of Somalia were displaced in November 2008 alone: 75 per cent had been displaced by violence. (OCHA, Monthly Cluster Report, November 2008) [26w]

General conditions for IDPs

- 28.02 “Many of the IDPs who traveled long distances to Hiran and Puntland reported harassment at illegal road blocks and attempted robberies as they traveled to their destination. The vast majority of those who left Mogadishu moved to areas where they benefit from clan support, or moved in with host communities. Those who left Mogadishu mostly also had the resources to do so. With fewer assets and nothing to pay their way, IDPs in Mogadishu primarily moved to safer areas in the northern districts of the city. Due to restricted mobility stemming from insecurity, these movements are hard to quantify and ascertain.” (OCHA, Situation Report, 16 March 2007) [26b] (protection)

IDPs BY LOCATION

Mogadishu

- 28.03 The UNHCR estimated on 29 January 2009 that 1 million Somalis had fled Mogadishu since fighting began in February 2007. However over 16,000 IDPs who fled northern Mogadishu had returned only two weeks before the UNHCR briefing but the situation remained volatile. In the week before 29 January 10,000 civilians fled the city. The same source observed “Thousands of the city's residents who remain in IDP sites outside Mogadishu are reluctant or fearful of returning to their homes. Some 300,000 of them live in makeshift shelters in the Afgooye area, some 30 km west of Mogadishu. The area, which extends between Mogadishu and Afgooye, has the unenviable record of being the largest concentration of IDPs in the world today.” [23h] After the Ethiopian forces' withdrawal on 13 January, 5,000 people were reported to have moved back into Mogadishu. (Agence France Presse, 17 January 2009) [18g]
- 28.04 Regarding the monitoring of IDP movements, United Nations Office for the Coordination of Humanitarian Affairs (OCHA-Somalia), in its situation report covering February 2007, stated:
- “Despite the violence in Mogadishu, the IDP profiling exercise in the capital was completed in all sixteen districts in February [2007]. In a joint initiative involving various partners, including local actors, over 4,000 household surveys were collected from IDP sites in Mogadishu, representing a 10% sample of the estimated IDP population in the city (250,000). The data is now being processed and analysed to provide much needed information on some of the IDPs living in the capital.” [26b] (protection)
- 28.05 The UK Border and Immigration Agency's fact finding mission report on Somalia dated 20 July 2007 noted:

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“In the worst affected areas the IDP population can exceed the locals by as much as 250 percent. This dramatic increase in the population has affected local resources such as agriculture, and has increased the number of human rights abuses. Instances of rape, of IDPs in particular, increased greatly during the recent hostilities [the 2006 conflict], when it was used as a weapon of war, and have remained high since. The problem now is greatest outside Mogadishu, but instances do happen in the city as well.

“The IDPs who had been settled since 1991 have been particularly badly affected by the latest conflict, with their livelihoods gone and assets now running out due to the increased number of new IDPs using their resources. One source explained that waves of IDPs will go back to wherever they feel secure, in most cases back to clan areas, where ‘the first safety net is the sub-clan.’ On the question of whether clans were disrupted by such movement, one source said that this was not the case, adding that people moved as clans, and were received as families with the sub, sub-clan structure. However, two security advisers on Somalia said that clan maps cannot be used any longer even as a guideline, because groups have been displaced and are now disputing who is the original occupant of various lands.” [7f] (p35)

- 28.06 However, after the violence in Mogadishu in November 2007, OCHA, in its Humanitarian Analysis dated January 2008, noted:

“One of the most striking changes has been the more than doubling of the number of people fleeing Mogadishu which has increased the number of vulnerable IDPs from 325,000 to 705,000 in the past six months (see related box on population figures). Most – or some 82% – of the newly displaced have concentrated in the worst-off regions: Lower and Middle Shabelle, Hiraan and the Central regions. In short, the largest numbers of IDPs are moving to areas where host communities are already in a food and nutrition crisis and cannot support them. The increase is attributed to a variety of factors, including poor Deyr-season (October-December) rains leading to a deepening drought and ever worsening civil insecurity and consequent displacement. The Shabelles remain the epicenter of rising insecurity, and conflict has also played a role in Hiraan and Laas Caanood in the North.” [26o]

- 28.07 OCHA reported in January 2008 that IDPs were leaving areas of Mogadishu hitherto considered relatively safe, such as the large northern suburb of Daynille.[26o] IRIN reported on 9 June 2008 that IDPs were fleeing from heavy fighting in the Wardhigley and Yaqshid areas of northern Mogadishu, and with Bakhara market particularly hard-hit. [10p] The UN OCHA map of IDP settlements around Mogadishu, dated 25 April 2008, shows conflict reported in parts of Heliwa, Kaaraan, and Hawi-Wadaay districts of northern Mogadishu as well. [47a]

- 28.08 IRIN reported in December 2008 that many IDPs who had fled from Mogadishu were still reluctant to return to the city. [26f] (protection)

“Nearly 37,000 were displaced because of violence in Mogadishu. A majority of them fled during the first week of October, particularly around 5-8 October. This period of heavy displacement coincided with intense conflict between insurgent groups and the Transitional Federal Government (TFG)

or AMISOM troops. Nearly half of the displaced went to other safer areas in Mogadishu, such as Dharkenley and Daynile while another 13, 000 went to Lower Shabelle, particularly Afgooye and Marka.” [26f] (protection)

Agfooye- Mogadishu road

- 28.09 This area, identified by UN OCHA as ‘Afgooye corridor’, stretches north-west of K10 up to Afgooye town, and has 221 camps of 306,000 IDPs. [47a] Though the Afgooye corridor is the main cluster of IDPs directly outside Mogadishu, the OCHA map dated 25 April 2008 also shows clusters at Kax-Shiiqaai (due west of the city) of 4 camps, and Daynille (due north) of 11 camps, numbers of which are not given. [47a] UN OCHA reported on 6 June 2008 that aid to these IDPs had been severely hampered by hijackings of NGO vehicles. [26n] One of the main security incidents in Mogadishu in August 2008 was the 15 August 2008 bus massacres, which occurred near Arbiska, on another arterial road from Mogadishu. The TFG / Ethiopian forces opened fire in a retaliatory attack on two buses outside Mogadishu, which left over 40 civilians dead. On the same day, 56 people were killed and 80 wounded in incidents in and around Mogadishu. (Garowe online, 16 August 2008) [35o] The UN Secretary Council’s Report of the Secretary-General on the Situation in Somalia, 16 July 2008, summarises, “almost 750,000 people are reported to have fled Mogadishu in the last three months [May-July 2008], bringing the estimated number of people who have fled Mogadishu since the current conflict started to well over 1 million.” [3a](p11)

IDPs north of Mogadishu

- 28.10 IRIN reported on 20 June 2008 that “Unlike the hundreds of thousands who fled southwards, the internally displaced persons (IDPs) in the northern areas have generally received much less attention and assistance.” [10o] The report reports the conditions in Ceel Ma’an camp, located 35km north of Mogadishu, referring to scarcity of food, absence of medical care, and poor shelter that has been badly affected by heavy rains. [10o]

Beletweyne

- 28.11 The BBC reported on 25 July 2008 that fighting in Beletweyne, 350km north of Mogadishu, led to insurgent forces taking the town from combined TFG / Ethiopian forces for over two days. 19 people were reported killed. [8p] The UN OCHA July 2008 *Humanitarian Overview* report noted that between 70 to 80 thousand people in total fled the town for the surrounding area. [26u]

Central and southern Somalia

- 28.12 OCHA estimated in January 2008 there to be 315,000 people in “a state of humanitarian emergency” in the rural areas of southern Somalia; and that of those fleeing Mogadishu, 82 percent have migrated to areas of southern Somalia that are in dire need. [26o] In its February update, OCHA noted that 170,000 IDPs were among the 850,000 plus people in the upper central regions directly affected by drought from the failure of the 2007 rains. [26p]

See [Drought and famine, 2008](#)

- 28.13 OCHA reported on 6 June 2008 a particular crisis arising around influxes of IDPs to Buroa town. [26n]

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- 28.14 The IDP population in Kismayo was reported in June 2008 to be an estimated 35,000. (Garowe Online, 17 June 2008) [35i] “The IDPs [internally displaced persons] in Kismayo are of three categories: those who fled the recent upsurge of violence in Mogadishu, those who were displaced by fighting in Jammame [55 km north of Kismayo], and the old ones from 1992,’ [Mohamed Adan] Dheel [a civil society activist] said on 17 June.” (Garowe Online, 17 June 2008) [35i]

Baidoa

- 28.15 IRIN reported on 8 July 2008 that after the first attack on Baidoa since 2006, many IDPs originally from Mogadishu and who had settled near the presidential compound, were again displaced. [10x] The BBC reported on 28 January 2009 that the population of Baidoa welcomed the al Shabaab regime installed after al Shabaab fighters took the town on 26 January 2009. [8i]

Border with Kenya

- 28.16 IRIN reported on 5 June 2008 that roughly 15,000 IDPs, mainly women and children, had arrived at Doble town near the Kenyan border over the past two months, equalling the population of the town. A camp has been set up to accommodate the IDP influx. [10q] There are 210,000 Somali refugees in camps in northern Kenya.
- 28.17 The OCHA Situation Report dated 19 September 2008 added: “From the start of 2008 to 15 September [2008], 45,911 refugees had been registered in Dadaab Refugee Camp, Kenya, of which 43,879 (96%) had arrived from Somalia. There are also some 6,000 persons awaiting registration, a majority of whom arrived over the last 2-3 weeks.” [26x]

See Freedom of Movement, External movement, [Kenya](#)

Puntland

- 28.18 OCHA, in its Humanitarian Analysis, dated January 2008 noted:

“Some renewed clashes and troop movements in the Sool and Sanaag in Somalia’s North East area in mid-January raised fears that another outbreak of fierce fighting was imminent and triggered minor new displacements. In response to the some armed clashes in Dhansabar, people started to move again from Laas Caanood.

“In its final figures for 2007, the United Nations estimates that 700,000 people fled from or within Mogadishu due to the ongoing and increasing levels of violence in the city during the year. In addition to new IDPs, there are some 400,000 protracted IDPs who have been displaced since the early 1990s due to Somalia’s longstanding conflict. The definition of a ‘protracted IDP’ is an individual in need of assistance and/or protection, living in a temporary settlement without the benefit of clan protection.” [26i]

- 28.19 OCHA, in its Monthly Cluster report for March 2008 noted:

“The humanitarian situation in Somalia is deteriorating faster than expected. The Food Security Analysis Unit (FSAU) has revised upwards the number of people in state of humanitarian emergency from 315,000 to 425,000 and the number of newly displaced people from 705,000 to 745,000.” [26m]

The report notes that despite the recent deterioration of the humanitarian situation in Somalia, UN agencies and NGO’s were able to respond to the needs of victims and vulnerable groups by providing aid and relief over this period (January – March 2008). [26m]

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PEOPLE RETURNING TO SOMALIA

29.01 The JFFMR March 2004 noted:

“[UNHCR representative] stated that UNHCR arranges facilitated returns only. She stated that the numbers of returnees to southern and central Somalia vary according to region but estimated that the return of 2-3 persons is facilitated each month to all of southern and central Somalia. She emphasised that less than 100 persons return annually.” [7c] (p44)

29.02 The United Nations High Commissioner for Refugees (UNHCR), in its Global Appeal 2008, referring to Somalia, estimated that 7,000 Somali refugees had returned to Somalia in January 2008. [23d] (p152) The USSD report for 2007 notes: “Unlike in the previous year [2006], there were no organized repatriations to any region of Somalia during the year [2007].” [2a] (Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)

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FOREIGN REFUGEES

29.03 The UNHCR, in its Global Appeal 2008, estimated there were 5,000 refugees and asylum seekers from other countries in Somalia in January 2008. [23d] (p152)

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CITIZENSHIP AND NATIONALITY

- 30.01 The requirements for Somalian citizenship are given in Law No 28 of 22 December 1962 – Somali Citizenship. [23c] As this legislation is not being applied, we can provide no information on the acquisition of citizenship.

Passports

- 30.02 Prior to 2007, there were reports that Somali passports could be readily acquired, and the BBC, in an article dated 18 November 2004, stated:

“Similarly, the printing of passports has been privatised. For just \$80 and in less than 24 hours, I became a Somali citizen, born in Mogadishu. As I had omitted to travel with any passport-sized photos, my supplier kindly left the laminate for that page intact, for me to stick down at home. For a slightly higher fee, I was offered a diplomatic passport, with my choice of posting or ministerial job.” [8a]

- 30.03 The Economist Intelligence Unit (EIU), in its Country Report, dated August 2007, noted:

“The new passport issued by the TFG took effect on July 1st, when the head of the immigration department, Abdullahi Gafow, said that the use of the former Somali passport would no longer be recognised at the country’s airports. The new document, which is designed to be computer-readable, is often referred to as an ‘e-passport’ because it incorporates the latest contactless chip technology, incorporating facial and fingerprint biometrics. It is unclear how immediately useful the new document will be in practice, given its high price ‘US\$100 if bought within Somalia or US\$150 outside’ and the small number of places where it will be sold (the TFG does not control the whole country and has fewer than a dozen diplomatic missions abroad).” [17c]

- 30.04 An Awdal news report of 28 March 2008 reported that from 1 April 2008, Somalis living in the United Arab Emirates (UAE) would be able to be issued with the new passports. [32b] The report continues:

“Earlier, the UAE press reported that the Somali government had selected the UAE-Emirate of Sharjah as the main centre for issuing electronic passports and electronic identification cards for its citizens around the globe. ...Mr Gafow, however, affirmed that new immigration officers to be based in Somali Embassies would issue the Somali passport while the database will be kept with the passport-printing centre in the Sharjah Airport Free Zone. ...But Mr Gafow affirmed that the Immigration Centre would later move to Mogadishu after ensuring safety and security in all parts of the country. New e-passports will be designed as per international standards defined by the International Civil Aviation Organisation (ICAO), using the latest ‘contact less chip technology’, incorporating Facial and Fingerprints Biometric Security Recognition. Passports were to be issued in four colours to various categories - red for diplomatic missions, brown for services, black for the public and light blue for travel documents only. ...’Inside the country we have already opened offices in Baidoa, Bossasso, Garowe and Laas Anod,’ he said, underlining that there will be no need for people to come to Mogadishu for a passport as the case used to be under the previous government. Answering a question on whether any foreign visas have been

issued to the holders of the new passports, Mr Gafow said: 'I have entered the UAE with the new passport and a visa has been issued to me, and the American Embassy in Nairobi has been the first to issue visas to the holders of the new Somali passports.' New passports with electronic national identity cards will cost US\$ 150 for Somalis outside Somalia and US\$ 100 for Somalis residing within Somalia, making it one of the most expensive passports issued by foreign embassies in the UAE. Passport fees for other nationalities living in the UAE range between US\$ 30-50." [32b]

See Conflict updates, [passports](#)

Fraudulent documentation

- 30.05 The Landinfo report, 'Documents in Somalia and Sudan', published on 5 January 2009, caveated throughout its accounts of documentation from Somalia and Somaliland. The report states in its overview that:

"Although a Transitional Federal Government (TFG) has been established in Somalia, no agencies have been mandated to issue personal documents. Furthermore, there are no registries containing information which can establish the identity of individual citizens. In Somaliland – the breakaway republic in the north-western part of Somalia which has failed to win the recognition of any country in the world – government agencies do however issue various documents. Lack of registration procedures and internal control mechanisms as well as corruption give serious cause to question the reliability of these documents."

The full report is at http://www.landinfo.no/asset/769/1/769_1.pdf .

See [Reports on Somalia published or accessed between 1 and 23 February 2009](#)

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EMPLOYMENT RIGHTS

TRADE UNIONS AND THE RIGHT TO STRIKE

- 31.01 The United States Department Report on human rights practices, Somalia, covering 2007, (USSD report for 2007) stated:

“The 1990 constitution allows workers to form and join unions, and the TFC [Transitional Federal Charter] respected this right; however, due to the civil war and clan fighting, the only partially functioning labor union in the country was the NUSOJ. The Puntland Charter and the Somaliland Constitution also protect workers' freedom of association. Labor laws were not enforced in all parts of the country, resulting in an absence of effective protection for workers' rights.

“The TFC allows unions to conduct their activities without interference and grants workers the right to strike. Wages and work conditions in the traditional culture were established largely on the basis of ad hoc arrangements based on supply, demand, and the influence of the worker's clan. There are no export processing zones.

“The Somaliland Trade Union Organization (SOLTUO), formed in 2004, claimed to have 26,000 members representing 21 individual unions. SOLTUO claimed to be democratic and independent, but there were no activities undertaken by the SOLTUO during the year [2007].” [2a] (**The Right of Association**)

EQUAL EMPLOYMENT RIGHTS

- 31.02 The USSD report for 2007 stated:

“Although the TFC and the Somaliland Constitution both include provisions for acceptable working conditions, there was no organized effort by any of the factions or de facto regional administrations to monitor acceptable conditions of work during the year [2007]. There is no national minimum wage. With an estimated 43 percent of the population earning less than \$1 (approximately 1,344 Somali shillings) per day, there was no mechanism to attain a decent standard of living for workers and their families.” [2a] (**Acceptable Conditions for Work**)

FORCED LABOUR

- 31.03 The USSD report for 2007 noted:

“The pre-1991 Penal Code and the TFC prohibit forced or compulsory labor, including by children; however, there were reports that such practices occurred. It could not be confirmed whether, as had been reported in 2005, local clan militias or other armed militia forced members of minority groups to work on banana plantations without compensation. It also could not be confirmed if in Middle and Lower Juba, and Lower Shabelle Bantus were used as forced labor, as in previous years.” [2a] (**Prohibition of Forced or Compulsory Labor**)

- 31.04 As noted in the Report of the Joint British-Nordic Fact-Finding Mission (JFFMR) of March 2004, members of minority groups were subjected to

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forced labour by majority clans in southern and central regions, though the prevalence of the practice could not be confirmed. Members of majority clans were dependent on the farming skills of minority groups. They are promised either food or money for their work; however, usually no payment is given. Minority clans are not in a position to object to this practice. If they refuse to work, or if they demand payment, they could be killed. [7c] (p32-33)

CHILD LABOUR

31.05 The USSD report for 2007 noted:

“The pre-1991 labor code and the TFC prohibit child labor; however, child labor was widespread.

“The recruiting and use of child soldiers was a problem. Young persons commonly were employed in herding, agriculture, and household labor from an early age. Children broke rocks into gravel and worked as vendors of cigarettes and khat on the streets. UNICEF estimated that from 1999 to 2005, 36 percent of children between the ages of five and 14 were in the workforce--31 percent of males and 41 percent of females. The actual percentage of working children was believed to be even higher. The lack of educational opportunities and severely depressed economic conditions contributed to the prevalence of child labor.”

[2a] (Prohibition of Child Labor and Minimum Age for Employment)

See [Children](#)

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Annex A - Chronology of major events

- 1960** British and Italian parts of Somalia became independent, merged and formed the United Republic of Somalia; Aden Abdullah Osman Daar elected president.
- 1991** Opposition clans ousted Barre who was forced to flee the country.
- 1991** Former British protectorate of Somaliland declared unilateral independence.
- 1992** US Marines landed near Mogadishu ahead of a UN peacekeeping force sent to restore order and safeguard relief supplies.
- 1995** UN peacekeepers left, having failed to achieve their mission.
- 1998** Puntland region in northern Somalia declared unilateral independence.
- 2000** **August - October** Clan leaders and senior figures met in Djibouti and elected Abdulkassim Salat Hassan president of Somalia. Hassan and his newly-appointed prime minister, Ali Khalif Gelayadh, arrived in Mogadishu to heroes' welcomes. Gelayadh announced his government, the first in the country since 1991.
- 2001** **April:** Somali warlords, backed by Ethiopia, announced their intention to form a national government within six months, in direct opposition to the country's transitional administration.
- 2004** **August:** A new transitional parliament was inaugurated at ceremony in Kenya. In October the body elected Abdullahi Yusuf as president.
- 2004** **December:** Prime Minister Ali Mohammed Ghedi was approved in office by parliament.
- 2006** **February:** The transitional parliament met in Somalia – in the central town of Baidoa – for the first time since it was formed in Kenya in 2004.
- 2006** **March and May:** Scores of people were killed and hundreds injured during fierce fighting between rival militias in Mogadishu. It was the worst violence in almost a decade.
- 2006** **June-July:** Militias loyal to the Union of Islamic Courts (UIC) took control of Mogadishu and other parts of the south after defeating clan warlords. A political stand-off emerged between the Islamic Courts and the transitional government based in Baidoa.
- 2006** **July-August:** Mogadishu's air and seaports are re-opened.
- 2006** **December:** UN Security Council endorsed African peacekeepers to help prop up the interim government. Islamist leaders said they will treat any foreign forces as invaders. Ethiopia confirmed it is engaged in fighting against the Islamists in Somalia, and Ethiopian troops, and TFG forces routed the Islamist militias.

- 2007 January:** Islamists abandoned their last stronghold, the port town of Kismayo. President Abdullahi Yusuf entered Mogadishu for the first time since taking office in 2004. US carried out air strikes in southern Somalia which it says targeted al-Qaeda personnel sheltering there; Somali president defended the attack. Interim government imposes three-month state of emergency.
- 2007 February:** UN Security Council authorized a six-month African Union peacekeeping mission for Somalia.
- 2007 March:** African Union troops landed at Mogadishu airport amid pitched battles between insurgents and government forces backed by Ethiopian troops.
- 2007 March-April:** During March – April 2007, heavy fighting between the insurgents and the government forces, described by the UN as the worst fighting the country had seen for sixteen years, displaced approximately 390,000 people from the city. More sophisticated, targeted attacks by the insurgents have continued since that period of the heaviest fighting, including an attempted suicide car bomb attack on Somali Prime Minister Ghedi. Many civilians have been killed in the retaliatory spray shooting by TFG/Ethiopian forces when there have been suspected insurgent attacks.
- 2007 June:** A US warship shells suspected Al-Qaeda targets in Puntland. Prime Minister Ghedi escapes a suicide car bomb attack on his compound. Ethiopian Premier Meles Zenawi visits Mogadishu, pledging to withdraw his troops once peace takes hold.
- 2007 July:** National reconciliation conference opens in Mogadishu and comes under mortar attack. Islamist leaders stay away from the talks. Refugee exodus grows amid an upsurge in violence.
- 2007 August:** Human Rights Watch accuses Ethiopian, Somali and insurgent forces of war crimes, and the UN Security Council of indifference during the recent conflict. The National Reconciliation Conference ended on 30 August 2007 with mixed opinions of its success.
- 2007 September:** Opposition groups form a new alliance to campaign for a military and diplomatic solution to the Somali conflict. They meet in Asmara, Eritrea.
- 2007 October:** Ethiopian forces fire on demonstrators in Mogadishu protesting at the presence of what they call foreign invaders. The heaviest fighting in Mogadishu since April 2007 occurred during this month. Ethiopians moved reinforcements into the city. Prime Minister Ghedi resigned. Aid agencies have warned of a catastrophe unfolding in Somalia.
- 2007 November:** The Transitional Federal Government shuts down Radio Shabelle, Radio Simba and Radio Banadir. The UN special envoy Ahmedou Ould-Abdallah describes Somalia's humanitarian crisis as the worst in Africa, and suggests using international justice to curb the violence. Nur Hassan Hussein, also known as Nur Adde, was sworn in as the new Prime Minister. The number of Somali refugees hits one million, with nearly 200,000 fleeing the capital in the past two weeks.

- 2007 December:** Ethiopian troops leave key central town of Guriel.
- 2008 January:** Burundi becomes the second nation to contribute troops to the African Union peacekeeping force, sending 440 soldiers to Mogadishu.
- 2008 March:** The United States launches a missile strike on the southern town of Dhoble targeting a suspected al-Qaeda member wanted for 2002 bombing of Israeli-owned hotel in Kenya. The Islamist-led insurgency continues to spread.
- 2008 April:** The European Union calls for international efforts to tackle piracy off the Somali coast after a series of hijackings and attacks on vessels. A United States air strike kills Aden Hashi Ayro, a leader of the Al-Shabaab insurgent group.
- 2008 July:** Heavy fighting in Beletweyn led to 70,000 people fleeing the town as IDPs.
- 2008 August:** Rift in the TFG over the sacking of Mogadishu mayor, Mohamed Dheere; Ethiopian President hints of possible Ethiopian withdrawal.
- 2008 December:** Ethiopia announces plans to withdraw all forces by end of 2008.
- 2008 December:** President Abdullahi Yusuf tries to sack Prime Minister Nur Hassan Hussein over his attempts to draw moderate Islamists into the government. Parliament declares the dismissal unconstitutional and passes a vote of confidence in Mr Nur. Mr Yusuf resigns.

Source: (BBC News timeline) 8g]

For events in Somalia since 1 September 2008, See [Events](#)

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Annex B - Political organisations

Islamic Union Party (al-Ittihad al-Islam)

Islamist group which aims to unite ethnic Somalis from Somalia, Ethiopia, Kenya and Djibouti in an Islamic state. Despite being virtually decimated following Ethiopian attacks, the group has been perceived as attempting to spread fundamentalism and was subject to international attention following the terrorist attacks in the US in September 2001. The group has in fact dropped its radical agenda and poses no terrorist threat. [17a] (p11) [1a] (Political Organizations)

DSA (Digil Salvation Army)

Clan-based group created in 1999 and allied to Mr Aideed in fighting the RRA in the Shabeellaha Hoose region. [17a] (p11)

JVA (Juba Valley Alliance)

Grouping of Ogaden, Marehan and Abar Gedir clans. Placed their territory under the control of the TNA in May 2002. Founded 2003, its President is Bare Adan Shire. [17a] (p11) [1a] (Political Organizations)

RRA (Rahawayn Resistance Army)

Clan-based group, allied to the SRRC; behind the self-proclaimed south-western Somalia administration. Its Chairman is Mohamed Hasan Nur. [17a] (p11) [1a] (Political Organizations)

RSA (Rahawayn Salvation Army)

Clan-based group opposed to RRA administration in the Bay and Bakool regions. [17a] (p11)

SDM (Somali Democratic Movement)

Hawiye group operational in Mogadishu and the Bay and Bakool regions. The SDM appears to have formed an alliance with the SNA. [17a] (p11)

SNA (Somali National Alliance)

Founded in 1992, as an alliance between the Southern Somali National Movement (which withdrew in 1993) and the factions of the United Somali Congress, Somali Democratic Movement and Somali Patriotic Movement. Its Chairman is Hussein Mohamed Aidid. A splinter group of the United Somali Congress (USC), it is itself divided into two AbarGedir/Hawiye political factions, one led by Mr Aideed and one by Mr Osman "Ato." The SNA appears to have formed an alliance with the SDM. [17a] (p11) [1a] (Political Organizations)

SNF (Somali National Front)

Founded 1991; guerrilla force active in southern Somalia, promoting Darod clan interests and seeking restoration of Somali Revolutionary Socialist Party (SRSP) Government. A rival faction (led by Omar Haji Masaleh) is active in southern Somalia. Its leader is Gen Mohamed Siad Hersi 'Morgan'. [1a] (Political Organizations)

SNSC (Somali National Salvation Council)

Alliance of 12 political groups, headed by Musa Sude Yalahow. Formed in 2003 to oppose the Nairobi peace talks. [17a] (p11)

SPM (Somali Patriotic Movement)

Darod group formed in 1989 to oppose the Siad Barre regime. Ousted from Kismayu, its base since 1993, in June 1999. Represents Ogadenis (of the Darod clan) in

southern Somalia; this faction of the SPM has allied with the SNF in opposing the SNA. Its Chairman is Gen Aden Abdullahi Noor ('Gabio'). [17a] (p11) [1a] (Political Organizations)

SPA (Somali Peace Alliance)

Political and military coalition formed in Garoe in August 1999, comprising the armed forces of Puntland, the RRA, the SPM and a faction of the SNF. [17a] (p11)

SRRC (Somali Reconciliation and Restoration Council)

Alliance of factions created to oppose the TNA in March 2001 at Awasa, Ethiopia. [17a] (p12)

SRSP (Somali Revolutionary Socialist Party)

Founded in 1976 as the sole legal party; overthrown in January 1991. Conducts guerrilla operations in Gedo region, near border with Kenya. Secretary General position is vacant; Assistant Secretary General is Ahmed Suleiman Abdullah. [1a] (Political Organizations)

SSA (Somali Salvation Alliance)

Ali Mahdi Mohamed's Abgal/Hawiye political grouping, a splinter group of the USC. [17a] (p12)

SSDF (Somali Salvation Democratic Front)

Originally a Majerteen-Darod resistance group formed in 1978 to operate against the Siad Barre regime in the north-east. It is now the political organisation behind the self-proclaimed Puntland administration. Founded in 1981, as the Democratic Front for the Salvation of Somalia (DFSS), as a coalition of the Somali Salvation Front, the Somali Workers' Party and the Democratic Front for the Liberation of Somalia. Operates in central Somalia, although a smaller group has opposed the SNA around Kismayu in alliance with the SNF. Chairman is Mohamed Abshir Monsa. [17a] (p12) [1a] (Political Organizations)

USC (United Somali Congress)

Founded in 1989; in central Somalia. Overthrew Siad Barre in January 1991. Party split in 1991, with this faction dominated by the Abgal sub-clan of the Hawiye clan, Somalia's largest ethnic group. The USC is led by Abdullahi Ma'alin, and its Secretary General is Musa Nur Amin. Initially included the Aideed faction, it is now more commonly allied with the SSA or the SNA. [17a] (p12) [1a] (Political Organizations)

UIC (Union of Islamic Courts also referred to as Islamic Court Union)

Founded in 2003 by Sheikh Sharif Sheikh Ahmed. Its main body is the Islamic Supreme Consultation Council of Islamic Courts, known as the *Shura* (council). It is made up of 91 members, and functions as an advisory body for the local courts. The Council is headed by Sheikh Hassan Dahir Aweys. The UIC has also established a 15-member executive council, with Sheikh Sharif as its Chairman, which acts as an executive branch of government and implements decisions. The UIC was expelled from Mogadishu in December 2006, and its organisation within Somalia has been effectively shattered; in light of this, there is little information on its present make up or organisation. [10g] [8d]

USP (United Somali Party)

North-eastern group involved in the creation of Puntland. [17a] (p12)

SAMO (Somali African Muki Organisation)

Represents Bantu minority population. The leader is Mowlid Ma'ane. Also part of the G8 at the Nairobi peace talks. [10b]

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Annex C - Somali clan structure

Clan family			Sub-clans/groupings	Sub-sub clans	Residential location		
DIR	Issa (Ise, Isse)				All regions of Somalia. Also Ethiopia, Djibouti, Kenya		
	Gadabursi (Medelug)						
	Bimal (Biyemal)						
	Madahwayn						
	Mehe						
The 2000 FFM identifies the Issaq as a sub-clan of the DIR, DIR-Mehe-Issaq			Habr Awal	Saad Muse Issa Muse	Ethiopia, Djbouti W/Galbed, Togdheer Sanag		
			Habr Jaalo (Habr Toljaalo; Haber Geelo)	Mohamed Abokor Ibrahim Muse Abokor Ahmad			
			Habr Tojala				
			Ayub				
			Habr Garhadjis	Habr Yunis Aidagalla (Idagale, lidagale)			
DAROD	Marehan	Red Dini Rer Hassan Eli Dheere			All regions of Somalia. Also Kenya and Ethiopia		
		Kabaleh	Absame	Ogaden		Makabul Muhamed Zubeir Aulihan	
	Jiwaq						
	Harti		Majerteen	Omar Mahamoud Issa Mahamoud Osman Mahamoud			
			Dulbahante				
			Warsangeli				
	HAWIYE	Intermediary Harti – Majerteen + Gaalgale		Harti		Agonyar Warsangeli Abokor	Hiran and Gedo Also Kenya, Ethiopia
				Waesli			
				Waculus			
				Wabudan		Da'oud Rer Mattan Mohamed Muse	
Habr Gedir		Ayr Saad Suleiman Sarur					
Hawadle							
Murasadde (Murosade)							
Sheikal		Gandershe					
Gaalgale (Galjael, Galje'el)							
Waadan							
Intermediary – from minor clan (2000) into Hawiye - Sheikal							

DIGIL-MIRIFLE	DIGIL-TUNNI	Todobo Tol "the seven clans"	Shangamas Rer Brava Warile Hatimy Hajuwa Bidda Wali Daqtira Goygal Da'farad	Mainly Lower Shabelle, also Middle Juba, Bay, Hiran, Gedo and Mogadishu. Also Kenya and Ethiopia
	DIGIL-GELEDI	Dabarre		
		Jiddu		
		Garre		
RAHANWEYN	Mirifle	Sideed The "Eight":	Maalinweyna Harien Helleda Elai (Eelay) Leysan Jiron and others	Bay, Bakool, Gedo. Also Kenya and Ethiopia
(Some commentators give Rahanweyn as main group including all Digil-Mirifle) See note in text	Sagaal The "Nine":		Gassa Gudda Hadama (Hadame) Luwai Jilible Geledi, and others	Bay, Bakool, Gedo, Middle Juba, and Hiran. and Ethiopia
	Clans existing in 2000 but no longer are classed as distinct clan entities	Shekhal	Held to have merged within Hawiye structure in late 1990s	
		Barawan		
		Bantu	Mushunguli Swahili Bajuni	Lower Juba Middle Juba
		Asharaf	The 2000 FFM states "Religious groups can be found in major towns"	
		Rer Hamar		Mogadishu
		Arabs		Mogadishu Lower Shabelle Lower Juba Bay
For persons deemed to be outside the clan system, Luling refers to <i>Jareer</i> ; Helander uses the term Commoner				

Adapted from sources () [7a], () [7d], (Jane's Information) [61a] (Menkhaus, 2004) [51a] (p24) For more detailed information on the Somali clan structure, refer to the 'Genealogical table of Somali clans' at Annex 3 of the JFFMR December 2000. See also Section 20.02 Somali clans. [7a]

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Annex D - Main minority groups

Minority group:	BANTU
Ethnic origin:	Bantu communities in East and Central Africa
Est. pop:	15% (of the 7m total)
Location:	In the riverine areas across the Juba and Shabelle rivers: Jilib, Jamame, Buale, Sakow, Merka, Qoryoley, Afgoye, Jowhar, Balad, Buloburte, Beletweyne
Language:	Somali (both Maay and Mahatiri; Mushunguli)
Religion:	Islam and small percentage of Christian (about 300 people) mainly from the Mushunguli communities in Kakuma refugee camp
Clan affiliation:	Some Bantu sub-clans in the Lower Shabelle region identify themselves with Digil and Mirifle in the Lower Shabelle region
Traditional skill:	Small scale – farming and labourers
Minority group:	RER HAMAR
Ethnic origin:	Immigrants from Far East countries
Est. pop:	0.5%
Location:	Shangani and Hamarweyne districts in Mogadishu; and Merka
Language:	Somali (Rer-Hamar Dialect)
Religion:	Islam
Clan affiliation:	Some sub-clans have patron clans within Hawadle
Traditional skill:	Business, fishing
Minority group:	BRAWAN/BRAVANESE
Ethnic origin:	Arab immigrants mainly from Yemen
Est. pop:	0.5%
Location:	Mainly in Brava
Language:	Bravanese
Religion:	Islam
Clan affiliation:	No patron clans
Traditional skill:	Business, fishing
Minority group:	BAJUNI
Ethnic origin:	Kiswahili people from Kenya Coast
Est. pop:	0.2%
Location:	Kismayo, and islands off coast: Jula, Madoga, Satarani, Raskamboni, Bungabo, Hudey, Koyama, and Jovay islands.
Language:	Bajuni
Religion:	Islam
Clan affiliation:	No patron clans
Traditional skill:	Mainly fishing
Minority group:	GALGALA
Ethnic origin:	Samale
Est. pop:	0.2%
Location:	Mogadishu and Gedihir in the Middle Shabelle region
Language:	Somali (Mahatiri)
Religion:	Islam
Clan affiliation:	Identify themselves as Nuh Mohamud; Clan patrons – Osman Mohamud and Omar Mohamud sub-clans of Majerteen
Traditional skill:	Wood craft making, pastorals
Minority group:	GAHEYLE

Ethnic origin: Samale
 Est. pop: 0.1%
 Location: Erigabo (Sanag)
 Language: Somali (Mahatiri)
 Religion: Islam
 Clan affiliation: Warsengeli (Darod)
 Traditional skill: Pastoralists

Minority group: **BONI**
 Ethnic origin: -
 Est. pop: 0.1%
 Location: Along the border between Kenya and Somalia
 Language: Somali (Mahatiri)
 Religion: Islam
 Clan affiliation: No patron clan
 Traditional skill: Hunters

Minority group: **EYLE**
 Ethnic origin: Sab
 Est. pop: 0.2%
 Location: Mainly in Burhakaba, Jowhar and Bullo Burte
 Language: Somali (Some use May, and others Mahatiri)
 Religion: Islam
 Clan affiliation: Rahanweyn
 Traditional skill: Hunters and Gatherers

Minority group: **MIDGAN (GABOYE)**
 Ethnic origin: Samale
 Est. pop: 0.5%
 Location: Scattered in the north and central Somalia, Hiran, Mogadishu and Kismayo
 Language: Somali (Mahatiri)
 Religion: Islam
 Clan affiliation: Isak in Somaliland, Darod in Puntland Hawadle, Murasade and Marehan in Galgadud region [26a] (p3)
 Traditional skill: Shoemakers

Minority group: **TUMAL and YIBIR**
 Ethnic origin: Samale
 Est. pop: 0.5% and 0.5%
 Location: North and Central Somalia, Hiran, Mogadishu and Kismayo
 Language: Somali dialect of the clan to which they are attached [7a] (p58)
 Religion: -
 Clan affiliation: Isak in Somaliland, Darod in Puntland Hawadle, Murasade and Marehan in Galgadud region [26a] (p3)
 Traditional skill: Blacksmiths/Hunters

Minority group: **ASHRAF**
 Ethnic origin: Arab immigrants from Saudi Arabia
 Est. pop: 0.5%
 Location: Merka, Brava, Bay and Bakool
 Language: Mainly May, some Mahatiri
 Religion: Islam
 Clan affiliation: Rahanweyn
 Traditional skill: Farmers and Pastoralists

See also [Minority groups](#)
[26a] (p11-12)

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Annex E - Prominent people

Col Barre “Hiirale” Aden

Leader of the Juba Valley Alliance (JVA), which controls the surrounding Juba valley area. He is a member of the TFP and was named in the cabinet but has so far declined to be sworn in as a minister. He is from the Marehan sub-clan of the Darod clan. [10d]

Mohamed Qanyare Afrah

Mogadishu faction leader allied to Mr Aideed and Minister of National Security in Mr Ghedi's cabinet. A member of the SRRC (Somali Reconciliation and Restoration Council). [17a] (p9)

Abdullahi Yussuf Ahmed

Interim president in the Federal Transitional Parliament (FTP). Mr Abdullahi is a former Somali Salvation Democratic Front (SSDF) leader and a former President of Puntland. [17a] (p9)

Sheikh Sharif Sheikh Ahmed

Head of the Union of Islamic Courts' (UIC) 15-member executive committee. [8b] [10g] The UIC was expelled from Mogadishu in December 2006, and its organisation within Somalia has been effectively shattered. [8d] Leader of the moderate Djibouti-based wing of the Islamist ARS; member of the Abgal clan. Candidate for the Presidential elections of 2 February 2009. [8i]

Hussein Mohamed Aideed

Son of General Aideed. Mr Aideed is Minister of Internal Affairs in the cabinet of Mr Ghedi. A member of the SRRC, his USC/SNA forces control much of south Mogadishu and large tracts of southern Somalia. [17a] (p9)

Abdirahman Mohamed Ali

A former general in the Somali army, appointed as Defence Minister in the cabinet of Mr Ghedi. [17a] (p9)

Sheikh Hassan Dahir Aweys

A leader of the Islamist group which controlled much of southern Somalia, including the capital, Mogadishu. The United States says it will refuse to deal with him, as he has been on the US list of people “linked to terrorism” since shortly after the 9/11 attacks in 2001. He is the head of the UICs' Shura, a consultative body, while Sheikh Sharif Sheikh Ahmed, previously Chairman, now heads the executive committee. [8b] [10g] There is no reliable information as to his present whereabouts.

Aden Hashi Ayro

Military head of al-Shabab reported killed in a US missile strike on 1 May 2008. [8n]

Hassan Abshir Farah

A former Prime Minister of the TNA and former Interior Minister of Puntland. [17a] (p9)

Abdirahman Mohamed Farole

Elected President of Puntland on 8 January 2009. [8k]

Ali Mohamed Ghedi

Former Prime Minister in the FTP. Mr Ghedi has taught at Mogadishu University and worked for the AU. He has no formal links to armed groups. [17a] (p8) Candidate in the 2 February 2009 presidential elections. [8i]

Abdikassim Salat Hassan

Former interim President in the Transitional National Assembly (TNA). Mr Hassan has close ties with the Islamic courts and the business community in Mogadishu. [17a] (p9)

Gen Ade Muse Hirsi

Former President of the self-declared autonomous region of Puntland. Lived in exile in Canada but returned to Somalia in 2001 to lead opposition forces against Abdullahi Yusuf, then leader of Puntland, until 2003 when they signed a peace deal. He is from the Majeerteen sub-clan of the Darod clan. [10d]

Gen Muhammad Said “Morgan” Hirsi

Siad Barre's son-in-law and former Defence Minister. He controlled Kismayo until his forces were defeated by forces led by Hiirale and Serar in 1999. He is a member of the Majeerteen sub-clan of the Darod clan. A member of the SRRC. [10d] [17a] (p9)

Nur Hassan Hussein “Nur Adde”

Appointed Prime Minister of the TFG on 22 November 2007. [3d](p1) Candidate for the 2 February 2009 presidential elections. [8i]

Dahir Riyale Kahin

President of the self-styled Somaliland Republic. Relatively new to politics, before being appointed Vice-President in 1997 his only experience of public administration was a 15-year stint as a secret police officer under the Siad Barre regime. [17a] (p9)

Ali Hassan “Ato” Osman

Construction Minister in the cabinet of Mr Ghedi. A former chief financier of General Aideed, his United Somali Congress (USC)/Somali National Alliance (SNA) forces control parts of south Mogadishu. He also belongs to the SRRC. [17a] (p9)

Mohamed Ali Aden Qalinleh

Former RRA spokesman. Appointed Governor of the RRA administration in the Bay region in 1999. [17a] (p9)

Mohamed Nur Shatigudud

President of the self-declared regional administration of south-western Somalia: one of five co-chairmen of the SRRC, and Minister of Agriculture in Mr Ghedi's cabinet. [17a] (p9)

Ahmed Mohamed Mohamoud Silanyo

Presidential candidate for the Kulmiye party in the Somaliland elections. A former Chairman of the Somali National Movement (SNM). [17a] (p9)

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Annex F - List of abbreviations

AI	Amnesty International
AWD	Acute Watery Diarrhoea
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EBRD	European Bank for Reconstruction and Development
EU	European Union
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
FTP	Federal Transitional Parliament
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organization for Migration
MSF	Médecins sans Frontières
NGO	Non-Governmental Organization
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organization for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Co-operation in Europe
STC	Save The Children
STD	Sexually Transmitted Disease
TB	Tuberculosis
TFA	Transitional Federal Assembly
TFG	Transitional Federal Government
TI	Transparency International
UIC	Union of Islamic Courts (also referred to as Islamic Court Union, Supreme of Islamic Courts Council and Islamic Courts Council)
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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Annex G - COIS Somalia Conflict Updates: 3 October 2008 – 9 February 2009

The following updates were made available to Home Office officials via the UKBA's intranet; they have not been published on the Home Office website. The updates begin at number five, the preceding updates relate to events earlier in 2008 and have been incorporated into the main text.

All the numbered sources for a particular update are listed beneath the narrative. The source numbers in each update do not correspond to those listed in Annex H.

CONFLICT UPDATE FIVE: 15 OCTOBER 2008, 4 OCTOBER TO 13 OCTOBER 2008

CONFLICT UPDATE SIX: 24 OCTOBER 2008, 14 OCTOBER TO 23 OCTOBER 2008

CONFLICT UPDATE SEVEN: 24 NOVEMBER 2008, 25 OCTOBER – 24 NOVEMBER 2008

CONFLICT UPDATE EIGHT: 8 DECEMBER 2008, 25 NOVEMBER TO 8 DECEMBER 2008

CONFLICT UPDATE NINE: 5 JANUARY 2009, [EARLY] JANUARY 2009

CONFLICT UPDATE TEN: 26 JANUARY 2009, [LATE] JANUARY 2009

CONFLICT UPDATE ELEVEN: 9 FEBRUARY 2009, [EARLY] FEBRUARY 2009

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CONFLICT UPDATE FIVE: RELEASED 15 OCTOBER 2008, 4 OCTOBER TO 13 OCTOBER 2008

Mogadishu International Airport

An Al Shabaab spokesman, Muktar Robow 'Abu Mansur', spoke on a number of matters in a telephone conference to local Mogadishu media on 9 October 2008. He said Al Shabaab would reconsider mortaring the airport "if the people talk". (Garowe) [1e] The same report added that a Jubba Airways plane had landed safely on Thursday 9 October. [1e] Reuters added that it was "a civilian plane carrying 120 Somali deportees from Saudi Arabia" and "managed to land without incident". [3]

The AMISOM forces were reinforced with a contingent of 400 Burundi troops on 11 October 2008. They arrived on Saturday 11 October in two military planes, also without incident. The Burundian commander stated that a further contingent of 400 would follow later. [3]

79 TFG soldiers were reported by Garowe to have been arrested by the TFG for crimes against civilians. Previously, 15 TFG soldiers have been arrested and detained in Mogadishu jails on similar charges of extortion. [1d]

An article in the Yemen Times, 10 October 2008, details the plight of Mogadishu street-children relaying the stories of shoe shiners operating at the K4 roundabout. [4]

The Reuters article states that casualties in the conflict, since early 2007, have included 10,000 civilians, an unknown number of combatants, and eight AMISOM peacekeepers (7 Ugandans and one Burundi). [3]

Political in-fighting in Islamist groups

Garowe reported on 12 October 2008, that the ARS (Asmera) Group had changed its leadership: "An Islamic Courts delegation from Eritrea now visiting the Somali capital Mogadishu told a press conference that the group elected Sheikh Omar Iman as the new chairman, replacing Sheikh Sharif Sheikh Ahmed at the top." [1b]

On 13 October, Garowe reported that the Harti clan militia leader, Salah OJ Hassan had been arrested and then executed by the Kismayo Islamist forces. [1c]

Humanitarian issues and aid

The OCHA situation report for the week ending 10 October 2008 relays incidents of aid agencies coming under attack from the combatants and criminal gangs. The report adds that "Fifty-two NGOs working in Somalia issued a statement on 6 October, on the rapidly deteriorating humanitarian crisis in the country amidst 'severely limited access' and stating that currently, 'South and Central Somalia is almost entirely off limits to international staff of aid agencies.' The NGOs called upon all parties to the conflict to allow aid agencies unhindered access to Somalis who are in desperate need of emergency assistance." [2] Al Shabaab has reiterated threats against foreign INGOs as 'US spies'. (Garowe, 9 October 2008) [1e]

[1] Garowe Online

[1a] 13 October 2008, 16 killed in south Somalia insurgent attacks

http://www.garoweonline.com/artman2/publish/Somalia_27/16_killed_in_south_Somalia_insurgent_attacks.shtml

Accessed 14 October 2008

[1b] 12 October 2008, Uproar as Islamic Courts faction appoints 'new chairman'

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Uproar_as_Islamic_Courts_faction_appoints_new_chairman.shtml

Accessed 14 October 2008

[1c] 13 October 2008, Somalia: Islamists execute militia commander in Kismayo

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Islamist_militia_execute_militia_commander

Accessed 15 October 2008

[1d] 11 October 2008, 79 Somalia soldiers to face criminal charges

http://www.garoweonline.com/artman2/publish/Somalia_27/79_Somalia_soldiers_to_face_criminal_charges.shtml

Accessed 15 October 2008

[1e] 9 October 2008, Al Shabaab address airport attacks, aid agency threats

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_s_al_Shabaab_address_airport_attacks_aid_agency_threats.shtml

Accessed 15 October 2008

[2] UN Office for the Coordination of Humanitarian Relief Agency (UN OCHA), Situation report for week ending 10 October 2008

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1094988>

Accessed 14 October 2008

[3] Reuters News Alert, 11 October 2008, More Burundi troops deploy in Mogadishu

<http://www.alertnet.org/thenews/newsdesk/LB557585.htm>

Accessed 15 October 2008

[4] Yemen Times, 10 October 2008, Street children in Mogadishu: dodging the bullets

<http://yementimes.com/article.shtml?i=1197&p=report&a=2>

Accessed 15 October 2008

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CONFLICT UPDATE SIX: 24 OCTOBER 2008, 14 OCTOBER TO 23 OCTOBER 2008**Mogadishu**

The UN OCHA situation report for week ending 17 October 2008 stated that: "Civilians continued to bear the brunt of continued fighting in Mogadishu. According to UNHCR, an estimated 5,500 people were displaced from the city during the week and over 61,000 since 21 September [2008]" [1]

Afgooye

A Garowe Online report states that over 400,000 IDPs are encamped on the Afgooye road. World Food Program are delivering monthly food rations to the displaced and are hoping to institute two-monthly rations in October. [2e]

Jowhar

Garowe Online reported on 23 October that the "Islamic Courts rulers in Somalia's Middle Shabelle region" were imposing a night time curfew in Jowhar town. [2a] "Locals told Radio Garowe that freelance militiamen have robbed civilians traveling the 90km stretch road linking Jowhar to the national capital, Mogadishu." [2a]

Gedo

"Recently, Bardhere and Elwaq districts of Gedo established Islamic Courts to restore law and order in a region that has been largely neglected by the Somali interim Government." (Garowe Online, 23 October 2008)[2a]

Bal'ad

The town of Bal'ad 30km north of Mogadishu has been the scene of violence on 20 October, between one group of Islamists identified as 'Islamic Courts fighters' and Al Shabaab fighters. (Garowe Online, 23 October 2008)[2f]

Djibouti Talks

According to a report on Garowe Online, 21 October 2008, in Sana'a, Yemen, Sheik Sharif Sheik Ahmed talked about being 'hopeful' about possible agreement between the ARS and the TFG / Ethiopians regarding the withdrawal of Ethiopian forces. [2b] The Sheikh was unilaterally deposed as Chair of the ARS Djibouti by the Asmara faction with the ARS who are in contact with the Islamic Courts faction in Mogadishu earlier in October (cf Update Five, 4-13 October).

Passports

Garowe Online reported the following story on 20 October 2008 (reproduced in full):

"Somalia's interim government announced Monday that passport fees have been lowered due to popular demand, Radio Garowe reported. Gen. Abdullahi Gafow, the top immigration official, said the government decided to lower the fees after prohibiting use of the country's old passport, 'which can be bought at markets,' he emphasized. The new E-passport is available for Somali nationals preparing to travel abroad, he said. 'The E-passport used to be sold outside the country for US\$150 but now we have lowered it to \$100,' Gen. Gafow said, adding that Somalis inside the country can now pay \$80 instead of \$100. He indicated that prices have also been

lowered for elders at \$50 and youth under 18 will now pay \$40 for the new electronic passports. The announcement comes after the African Union peacekeeping mission's spokesman accused the government of preventing civilians from traveling via Mogadishu's airport. Unconfirmed press reports said some passengers were prohibited from flying out because they were using the old passport, but immigration officials rejected the charges. Thousands of Somalis are preparing to travel to Saudi Arabia in the coming weeks to participate at the annual Muslim Hajj pilgrimage [sic]." [2c]

Previously on the 17 October 2008, at Mogadishu Airport, an East Africa Airways flight arrived and there was an incident where TFG authorities prevented 80 passengers from boarding the flight out. [2d] AMISOM later complained about the TFG's treatment of the passengers. [2d] There were reports that "government officials used force to board the plane." [2d]

Mogadishu International Airport

The UN OCHA Monthly Cluster report, September 2008, stated, under logistics, "Following a ban on use of the Mogadishu Airport imposed by Al Shabaab on 16 September, UN flights into Mogadishu and K-50 were suspended. Mogadishu Airport is the lifeline for many of the remaining residents in the city. Normally, at least five commercial flights arrive and depart on a weekly basis to and from the rest of Somalia, Kenya, Djibouti and Dubai." [3]

[1] UN OCHA, Weekly situation report, Week ending 10 October 2008, <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1095152>
Accessed 24 October 2008

[2] Garowe Online

[2a] 23 October 2008, Islamic court declared in Gedo region, curfew in Jowhar http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Islamic_Court_declared_in_Gedo_region_curfew_in_Jowhar.shtml

Accessed 24 October 2008

[2b] 21 October 2008, Opposition leader 'hopeful' for Ethiopia withdrawal http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Opposition_leader_hopeful_for_Ethiopia_withdrawal.shtml

Accessed 24 October 2008

[2c] 20 October 2008, Somalia: Government lowers passport fee http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Government_lowers_passport_fee.shtml

Accessed 24 October 2008

[2d] 18 October 2008, Somalia: AU Force Spokesman Condemns Govt Action
Via AllAfrica

<http://allafrica.com/stories/200810190001.html>

Accessed 24 October 2008

[2e] 20 October 2008, The living nightmare of Afgooye http://www.garoweonline.com/artman2/publish/Somalia_27/The_Living_Nightmare_of_Afgooye.shtml

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[2f] 20 October 2008, Somalia's Islamist guerrillas battle each other, two killed http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_s_Islamist_querrillas_battle_each_other_two_killed.shtml

Accessed 24 October 2008

[3] UN OCHA, Monthly cluster report, September 2008
[http://www.reliefweb.int/rw/rwb.nsf/db900sid/EDIS-7KNLQ2/\\$File/full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/EDIS-7KNLQ2/$File/full_report.pdf)

Accessed 24 October 2008

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CONFLICT UPDATE SEVEN: 24 NOVEMBER 2008, 25 OCTOBER – 24 NOVEMBER 2008

The general situation has, in period, been overshadowed in the media by reporting on the acts of piracy off the Somali coast. (A summary of the UN Security Council's understanding of the piracy is given in sections 53 – 58 of the UN SG's report of 17 November 2008. [1]) This emphasis in the media has been lamented by Somali media and commentators. [2b]

The north of Somalia has been unsettled "following bombing incidents in Hargeisa, Somaliland, and Bossaso, Puntland." (UN OCHA, Monthly cluster report, October 2008) [5a]

Southern and central Somalia

"The situation in central and southern continues to deteriorate, as clans and Islamic extremists jockey for position and control. Forecasting becomes increasingly problematic as more freelance militias emerge, and more civil actors begin to mobilise resources for a potential new civil war. SAACID estimates that the chance of a new civil war rose from 3 to 10% over the past month. This was the most significant single monthly deterioration in central Somalia that SAACID has ever seen." [3]

Merka

The most significant development in period, in the Islamist takeover of south / central Somalia, has been the seizing of Merka (alt. Marka) port on 12 November 2008. [7j] The town had been under the control of the Habar Gedir warlord Indha Ade since the Ethiopian invasion of December 2006; he was issued with an ultimatum on 13 November to disarm, which he refused. [7h] He was then reported to have fled north. [7h] On 15 November, the al Shabaab spokesman Muktar Robow 'Abu Mansur' announced that al Shabaab was instituting an Islamic court in Merka to serve the Lower Shabelle region. [7g]

On 15 November, it was reported that Islamist factions in the Middle Shabelle Region, centred around Jowhar, had fallen out. The ICU forces of Sheik Dahir Addow Alasow were attacked at checkpoints by a renegade group of ICU led by Sheik Abdirahman Hassan Hussein.[7f]

On 13 November 2008, it was reported by Shabelle Radio that al Shabaab groups had been moving upwards from the Lower Shabelle Region, up to Afgooye, taken over the area Elasha Biyaha between Afgooye and Mogadishu, and were poised to enter into Mogadishu in force. [9a]

Mogadishu

"The situation in Mogadishu remains in utter anarchy. ...In Mogadishu, there is now no discernable difference between a TFG militiaman and that of a shabaab, UIC/ARS, warlord, clan or freelance militiaman. All militiamen are on the streets looting, extorting and raping where they can. The shabaab are though also more focussed in [sic 'on'] taking the fight to the Ethiopians; and the shabaab and an increasing number of clan-based militias are very keen to take the fight to the AU troops." (SAACID, 9 November 2008)[3]

AMISOM

The UN SG's report of 17 November 2008 summarises AMISOM nicely: "Since 21 September 2008, there have been unprecedented and unprovoked attacks against AMISOM positions; these were preceded by a spate of similar hostilities against AMISOM troops a week earlier, in which the peacekeepers lost two soldiers and four sustained injuries. There were also several attacks against AMISOM positions in August and one soldier was killed. To date, of the authorized strength of 8,000 troops, AMISOM consists of two Burundian battalions and two Ugandan battalions, which make a total of 3,400 troops in Mogadishu. The second Burundian battalion was deployed to Somalia between 11 and 13 October." [1,s59-60]

Battles in Mogadishu

There have been reports of pitched battles around Ethiopian and TFG bases in Mogadishu, with particular battles reported on 9 November, 15 November, 19 November and 21 November.

On 6 November, al Shabaab attacked TFG / Ethiopian bases with mortars, along the Villa Somalia road, and at the Pasta Factory, and the Ethiopian forces responded with raids into Huriwa District. [7n]

On 9 November, exchanges in the Wardhigley and Hodan residential areas of Northern Mogadishu left 13 dead, 35 wounded.[7l] The latest battle reported 15 dead on Friday 21 November [2a],

On 19 November, there were attacks on Villa Somalia, and on an Ethiopian base near Huriwa district, which led to a 30-minute battle in Huriwa. Both sides were reported as having exchanged machine-gun fire. [7b]

The battles that began on 21 November were reported on the Friday (21 November) to have claimed 15 dead, 30 wounded [2a]; rising on Sunday (23 November) to 30 dead, including 15 insurgents (according to TFG sources), 35 reported wounded, and about 75 people hospitalised with gun shot wounds (hospital casualty figures).[7p] The latest set of battles are ranging across Yaaqshiid, Wardhigley and Huriwa Districts – all civilian residential districts. [7q]

The Ethiopian withdrawal

"It is no longer just the elite of Somali society that are aware that the TFG is finished and the Ethiopians will withdraw, but the average militiaman is also now also well aware; and this is causing a continuing devolution of clan and sub-clan solidarity, as young want-to-bes are seeing their chance to carve out something for themselves. Clans, warlords and UIC/ARS factions continue to fracture as part of the process. Shabaab factions are also fracturing - largely on clan and sub-clan lines - but have kept greater coherence, as they have more ability to share resources (cash and weapons) with subordinates." (SAACID, 9 November 2008) [3]

The withdrawal of Ethiopian forces from Mogadishu, scheduled for 21 November, did not take place.[7q] On 17 November, AMISOM troops did deploy Burundi troops to take over former Ethiopian positions.[7c]

Mogadishu Airport

Shabelle reported on 12 November that the general manager of Mogadishu International Airport had been released from detention by the TFG. He had been

154 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

detained for over a month on unspecified charges, but after he had registered a complaint against the security forces who had killed his son. [9b]

No new published, public domain information could be found regarding flights in and from the airport, or security incidents involving the airport and its defence.

Clans

"The civil elite of clans and sub-clans continue to attempt to form coalitions within and between other sub-clans and clans. This also extends to warlords attempting to make new clan-based alliances with civil elite/UIC/ARS/Al Ittiad/shabaab factions; and with every other variation in between. This process is being effectively negated by a lack of trust and fear of betrayal. This [is] because of muddled clan solidarity from religion, business and external actor interest. Thus, sub-clan and clan resource mobilisation and planning remains at low and uncoordinated levels. So, while individuals and small groups are stocking weapons and ammunition, the lack of serious trust means that no sustained planning - even at the sub-sub-sub clan level - is being implemented. Most are deferring until the Ethiopians leave the stage and then reviewing the landscape at that time." (SAACID, 9 November 2008) [3]

Islamist Groups

"The shabaab umbrella of factions though are different [from TFG / Ethiopians]. With it now being self-evident that the Ethiopians and TFG are about to exit left, much larger amounts of money, equipment and personnel are entering Somalia from a number of other countries; and planning is now well advanced on taking out the remaining AU capacity, and then taking over the country - essentially presenting an Iranian-style coup-de-main (both locally and internationally), that will leave Somalia permanently in the hands of extremists that are planning a hardline theocracy. Many of their training camps have been well established for more than a year now, and their forward-looking capacity will only grow significantly from here on out. The attacks in the north are not a 1-off event, but are the tip on [sic: 'of'] an iceberg that is only expanding in mass and depth. The shabaab umbrella is now best placed for a post-Ethiopian occupation." (SAACID, 9 November 2008) [3]

There have been incidents over the Islamists' application of Islamic law. On 11 November, there was conflict in Eldher town (central Somalia) between clan militias and the Islamists after the Islamist issued a ban on khat. [7k] A well-publicised incident involving the Islamists' control of local legal arrangements was the stoning of Aisha Duhulow in Kismayo on 27 October 2008. The UN OCHA situation report of 7 November states:

"The Independent Expert on the Situation of Human Rights in Somalia, Dr. Shamsul Bari, and UNICEF condemned the stoning to death of a girl who was charged with adultery. A statement by UNICEF on 4 November, explained that Aisha Duhulow was stoned to death in a stadium full of spectators in Kismayo, Lower Juba region, on 27 October. Reports indicate that she was raped and when she sought protection from authorities, she was accused of adultery and was sentenced to death." [5c]

Political situation and the Government (TFG)

The period since the PM's dismissal of Mohammed Dheere as Mayor of Mogadishu has seen many turbulent political events in the TFG. Since the dismissal of Dheere on 29 July 2008, there has been an open split between President Yusef and PM Nur Adde. [1](s2-4) The latest rift has been over Nur Adde's appointment of a 69 member

regional council to work with the acting Mayor, Mohamed Osman 'Dhagahtur'. The new Benadir Regional Council's first act was to elect Mohamed Osman 'Dhagahtur' as Mayor. [7o]

In October 2008, the entire Somali Parliament of 200 MPs were flown to attend the IGAD conference in Nairobi. On 13 November, the Speaker, Sheik Adan 'Madobe' Mohamed, returned to Baidoa under tight security, and the Parliament is to be reconvened in Baidoa. [7i]

On 15 November, President Yusuf declared that there was no TFG any longer [7e]; on the same day, PM Nur Adde announced a list of new cabinet ministers. [7d]

On 19 November, the President ordered the guards assigned to the PM's compound in Mogadishu to report back to the Presidential guard, and the guard was changed with a mixture of TFG presidential guard and Ethiopian troops. [9c]

Djibouti Agreement

The UN SG's report of 17 November details progress in the Djibouti Agreement talks in sections 6, 8 – 12, outlining the main developments of the three sets of talks to date. [1] The Djibouti Agreement was reported on 7 November to be imperilled by continuing heavy fighting in Mogadishu. [7h] On 6 November there was heavy fighting in the Huriwa District, in contravention of the ceasefire of 5 November. [7n]

A fourth round of Djibouti talks commenced on Saturday 22 November. [9d] There has been agreement on 24 November that the Somalia human rights record of recent years should be investigated, as a prelude to peace agreements. [2c]

Humanitarian Aid

The humanitarian aid efforts have been greatly curtailed by the current level of conflict. The UNSG's report of 17 November notes that "The United Nations common compound in Baidoa has experienced near misses during mortar attacks by various groups. Mortar attacks on airfields and numerous roadblocks within Somalia prevent humanitarian workers from both the United Nations and non-governmental organisations (NGOs) from discharging their duties, and sometimes leave them stranded in unsafe locations when not taken by force." [1](s.25) Throughout Somalia (including the north – namely, the Hargeisa bombing on 29 October), the UN is being targeted. [1](s.25) The UN OCHA Situation report for 31 October 2008 has more details about the Hargeisa bombing. [5b]

Human rights defenders and aid workers

An Amnesty International report, *Fatal Insecurity*, of October 2008 (AI, *Fatal Insecurity*, October 2008) outlines AI's investigations into 46 killings of aid and hr workers in southern and central Somalia in the period 1 January to 10 September 2008. [4] 40 killings emerged as the result of direct targeting. [4](introduction) One finding of AI is that "... it is clear that humanitarian workers no longer enjoy the limited protection they previously held, based on their status in the community as impartial distributors of food and emergency services, or as advocates of peace and human rights." [4](no one is safe) Women's rights organisations are held to be particularly vulnerable. [4](women's rights organizations).

Abductions are a key concern, with 23 UN and NGO officers being abducted in 2008 (to September), and instead of being isolated incidents, as in 2007, now there is a

156 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

perceived systematic threat. [4](abductions) Clan-militias are held to be main groups who threaten UN and NGO workers. [4](who is responsible)

The UN OCHA situation report of 7 November 2008 notes the worsening conditions and increased abductions of foreign aid workers, reporting the 5 November 2008 kidnapping of four expatriate staff working for Action Against Hunger (ACF), and adding that of the 23 aid workers kidnapped this year, 14 remain in captivity. [5c] The OCHA situation report of 10 November also highlights aid workers' insecurity, citing the 10 November kidnapping of two Italian nuns. [5d]

Currency

"The Somali currency remains stable and completely worthless at 35,020 SS to the USD. SAACID continues to forecast that the Shilling will trade in the range of 34-36,000, as this is the current cost range at which the ubiquitous 1,000 Shilling note can be produced." (SAACID, 9 November 2008)[3]

IDPs

Refugees International give an estimate of 35,000 people fleeing Mogadishu in October 2008 alone; in the previous month, 10,000 attempted to cross the border into Kenya; and the total number of IDPs in Somalia is more than 1.3 million. [6] The UN OCHA, Monthly cluster report, October 2008 noted that the majority of Mogadishu refugees fleeing in October, fled around 5-8 October; it estimates that 37,000 people fled in October. [5a] In October, 2,200 Somalis and 600 Ethiopians arrived in Yemen. [5a]

Kenya: Somali refugee camps

The Human Right Watch issued a short report on the conditions of Somali refugees in Kenya. The report, dated 13 November 2008, estimates that there will be 65,000 Somali refugees seeking refuge in Kenya by the end of 2008; up from 19,000 in 2007; and all illegal refugees as the border is closed. [8,p1]

HRW visited the Dadaab refugee camp complex in October 2008; they reported that new arrivals had great problems in finding shelter and assistance, as the camps were declared officially full in August 2008, and the UNHCR struggling to meet the cost of extending the camps. [8,p2] Water and sanitation are "appalling". [8,p2] UNHCR also struggles to register the new arrivals. [8,p3]

The UN OCHA, Monthly cluster report, October 2008 noted that in October, 13,500 Kenyan Somalis fled from Kenya to Lower Jubba, as clashes between the Kenyan army and clan militias intensified. [5a]

[1] UN Security Council, Report of Secretary-General, 17 November 2008, <http://daccessdds.un.org/doc/UNDOC/GEN/N08/596/44/PDF/N0859644.pdf?OpenElement>
Accessed 21 November 2008

[2] BBC News

[2a] 21 November 2008, Fierce gun battle rocks Mogadishu, <http://news.bbc.co.uk/1/hi/world/africa/7741212.stm>
Accessed 21 November 2008

[2b] 21 November 2008, 'World only cares about pirates' <http://news.bbc.co.uk/1/hi/world/africa/7740417.stm>
Accessed 24 November 2008

[2c] 24 November 2008, Move to probe Somali atrocities <http://news.bbc.co.uk/1/hi/world/africa/7746799.stm>
Accessed 24 November 2008

[3] SAACID, Global email, 9 November 2008, weapons tracking charts for Mogadishu, October 2008

Received 9 November 2008

[4] Amnesty International, 6 November 2008, Attacks on aid workers and rights defenders in Somalia,

<http://www.amnesty.org/en/library/asset/AFR52/016/2008/en/b394e651-96e5-11dd-baed-87eba7d59a3c/afr520162008en.pdf>

Accessed 19 November 2008

[5] UN Office for the Coordination of Humanitarian Relief Agency (UN OCHA),

[5a] Cluster report, October 2008

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1096283>

Accessed 21 November 2008

[5b] Situation report for week ending 31 October 2008

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1094988>

Accessed 21 November 2008

[5c] Situation report for week ending 7 November 2008

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1094988>

Accessed 21 November 2008

[5d] Situation report for week ending 14 October 2008

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1094988>

Accessed 21 November 2008

[6] Refugees International, 19 November 2008, Somalia policy overhaul required,

Via Relief web, <http://www.reliefweb.int/rw/rwb.nsf/db900sid/JBRN-7LKHNA?OpenDocument&rc=1&cc=som>

Accessed 19 November 2008

[7] Garowe Online

[7b] 19 November 2008, Insurgents attack presidential compound, Ethiopian base

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Insurgents_attack_presidential_compound_Ethiopia_base.shtml

Accessed 21 November 2008

[7c] 17 November 2008, AU peacekeepers deployed at Ethiopia army base

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_27/Somalia_AU_peacekeepers_deployed_at_Ethiopia_army_base.shtml

Accessed 21 November 2008

[7d] 16 November 2008, PM defiantly appoints new Cabinet

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_PM_defiantly_names_new_Cabinet.shtml

Accessed 21 November 2008

[7e] 15 November 2008, 'There is no government': President Yusuf

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_There_is_no_government_President_Yusuf.shtml

Accessed 21 November 2008

[7f] 15 November 2008, Intra-Islamist violence reported again in Middle Shabelle

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_27/Somalia_Intra-Islamist_violence_reported_again_in_Middle_Shabelle.shtml

Accessed 21 November 2008

[7g] 15 November 2008, Islamists to defend Lower Shabelle against 'clan or govt attack'

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Islamists_to_defend_Lower_Shabelle_against_clan_or_govt_attack.shtml

Accessed 21 November 2008

[7h] 13 November 2008, Indha Ade rejects al Shabaab's disarmament order

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Warlord_Indha_Ade_reject_al_Shabaab_s_disarmament_order.shtml

Accessed 21 November 2008

[7i] 13 November 2008, Baidoa security tightened as Speaker arrives

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Baidoa_security_tightened_as_Speaker_arrives.shtml

Accessed 21 November 2008

[7j] 12 November 2008, Islamist al Shabaab militia seize Marka port

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Islamist_al_Shabaab_militia_seize_Marka_port.shtml

Accessed 21 November 2008

[7k] 11 November 2008, Local militia violently oppose Islamist khat ban, kill 2

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Local_militia_violently_oppose_Islamist_khat_ban_kill_2.shtml

Accessed 21 November 2008

[7l] 9 November 2008, 13 killed, 35 wounded in 'hours of fighting' in Mogadishu

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_13_killed_35_wounded_in_hours_of_fighting_in_Mogadishu.shtml

Accessed 21 November 2008

[7m] 7 November 2008, Kidnapped foreign aid workers 'taken to Mogadishu': sources

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Kidnapped_foreign_aid_workers_taken_to_Mogadishu_sources.shtml

Accessed 21 November 2008

[7n] 6 November 2008, Heavy Mogadishu battles threaten ceasefire in Somalia

http://www.garoweonline.com/artman2/publish/Somalia_27/Heavy_Mogadishu_battles_threaten_ceasefire_in_Somalia.shtml

Accessed 21 November 2008

[7o] 23 November 2008, Mogadishu mayor's election deepens leadership divide

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Mogadishu_mayor_s_election_deepens_leadership_divide.shtml

Accessed 24 November 2008

[7p] 23 November 2008, Mogadishu hospitals coping with 75 wounded victims

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Mogadishu_hospitals_coping_with_75_wounded_victims.shtml

Accessed 24 November 2008

[7q] 22 November 2008, No Ethiopian pullout in sight as insurgency gains strength

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_No_Ethiopia_pullout_in_sight_as_insurgency_gains_strength.shtml

Accessed 24 November 2008

[8] Human Rights Watch, 13 November 2008, Kenya: protect Somali refugees

<http://www.hrw.org/en/news/2008/11/13/kenya-protect-somali-refugees>

Accessed 21 November 2008

[9]Shabelle Radio

[9a] 13 November 2008, UIC fighters take IDPs locale,

<http://allafrica.com/stories/200811130381.html>

21 November 2008

[9b]12 November 2008, Government releases airport manager,

<http://allafrica.com/stories/200811120725.html>

Accessed 24 November 2008

[9c] 19 November 2008, Presidential house guards handover PMs houses control,

<http://www.shabelle.net/News/ViewNews.asp?NewsID=2689>

Accessed 24 November 2008

[9d] 22 November 2008, Fourth round of peace talks,

<http://www.shabelle.net/News/ViewNews.asp?NewsID=2759>

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CONFLICT UPDATE EIGHT: 8 DECEMBER 2008, 25 NOVEMBER TO 8 DECEMBER 2008**Government**

Following the PM's restructuring of the cabinet, Parliament was reconstituted on 26 November 2008 to accommodate representatives of the ARS-Djibouti and civil society groups, doubling the number of MPs to 550. [7c], [2o] Garowe Online reported that "The new agreement intends to build a 'unity government' within the next two months, which would include members of a pro-peace opposition faction led by Islamist chief Sheikh Sharif Sheikh Ahmed. The agreement calls for expanding the current parliament from 275 to 550 seats and holding a new presidential election in January 2009, after lawmakers appoint a new parliament Speaker.[6a],[2o] Further, the power-sharing deal extends the transitional period by an additional two years from January to allow the new 'unity government' time to make progress." [2o]

The new Parliament has been condemned by commentators and analysts as "unworkable" and it has been disowned by the President. [7c] The PM's government was strongly attacked by the MP Asha Ahmed Abdalla on 28 November, rejecting the new power sharing agreement between the TFG and ARS-Djibouti. [2k] She highlighted the split between the President and the PM. [2k] The Islamic Courts have also rejected the new arrangement, calling for a Unity Government to be assembled only once the Ethiopian forces had fully withdrawn. [2h]

President Yusef arrived in Garowe, northern Somalia (his native Puntland) on 26 November 2008. [2n]

On 3 December 2008, Garowe reported that there had been a clash between TFG loyal to the President and a convoy transporting the new Mogadishu Mayor, Mohamed Osman 'Dhagahtur'. Two TFG soldiers were killed in cross-fire; the tension was diffused by the national police commander, Gen. Abdi Qeybdiid, and his forces. [2e]

Security in Mogadishu

SAACID gave an assessment of security on the ground in Mogadishu in a global email sent out 6 December 2008 stating:

"The major deterioration of security and stability was closely linked to grassroots communities realising that the Ethiopians are actually going to withdraw. This realisation amongst the grassroots has led to mass panic, as a fear of the unknown, and the fear of the potential for a new large-scale conflict. Mogadishu is often referred to as 'the place of 200 villages'. The village mentality is now clearly to the fore in Mogadishu, as clan-based and freelance militias are now openly defending their 'village' and are increasingly hostile to entry from anyone they do not know well. The magnitude and speed of destabilisation amongst grassroots communities has genuinely surprised SAACID. For example, at the beginning of the month, SAACID estimated that there were about 5,000 active freelance and clan-based militia operating in Mogadishu. By the end of the month, SAACID is estimating that the magnitude of freelance and clan-based militia had risen to 20,000 (with a sharp upward trend continuing). SAACID did not expect this sort of disintegration until Ethiopian units actually began leaving Mogadishu completely. This 'mobilisation' was completely spontaneous, and there was virtually no clan leadership attached to this process. Clan-based planning and mobilisation remained at very low and uncoordinated levels. So, while individuals, businessmen and some sub-sub-sub

clans have been purchasing weapons and stockpiling ammunition, there are still no serious coalitions forming at all.” [1]

Security incidents are frequent. On 5 December, 15 civilians were killed and 20 wounded when Ethiopian forces shelled the Livestock Market area.[2c] The period 22-23 November was held by OCHA to be a particularly violent time, with fighting in seven out of the 16 districts of the city. [3b] OCHA estimates there have been more than 100,000 IDPs fleeing the city since 1 September 2008, with a total displacement from Mogadishu in 2008 of over 250,000 people. 45,000 people went to other parts of Mogadishu; most went to the Afgooye corridor, where 360,000 IDPs live in dire conditions.[3b] (The 360,000 are part of a population of 650,000 IDPs located in the area to the north west of the city generally, and of the 850,000 IDPs on the various outskirts of the city.)

On 26 November, the Ethiopian forces working with some TFG officials threatened the former mayor, Mohamed ‘Dheere’ Omar to surrender weapons and his compound in Mogadishu.[2m]

Mogadishu International Airport

The VoA article of 2 December 2008 reported that AMISOM are still in control of the airport and the seaport. [8a] SAACID has noted that the airport is a strategic target for Islamist groups, though as yet unattained: “Shabab success remains far from certain though, and it will probably more come down to how the Ethiopians and AU leave; and how they ‘dispose’ of the port and airport. It is certain though, that significant conflict will occur for the port and airport once the Ethiopians and AU leave, no matter how those assets are off-loaded. Control of strategic assets that can provide recurrent funding will ultimately decide the winners and losers in the coming year.” [1]

AMISOM

The HRW report, *So much to fear*, published 8 December 2008, notes that “The agreement signed between ARS and TFG officials in Djibouti in October 2008 envisages an ENDF [Ethiopian Forces] relocation away from conflict zones in Mogadishu, with AMISOM forces maintaining security until a joint ARS-TFG police force is up and running.” [4] (p92)

Ethiopian Forces’ withdrawal

On 28 November, the Ethiopians announced their intention to withdraw all Ethiopian forces within the 120 days agreed between the TFG and ARS-Djibouti at the Djibouti talks [6b]; it was a move applauded by the PM Nur ‘Adde’. [2l] The Ethiopian forces withdrew from two bases in Mogadishu on 4 December, in the residential area of Yaaqshiid and on 30th Avenue. [2d] They are now mainly grouped around the Stadium. [2d] They withdrew from the outskirts of Baidoa on 23 November. [2g]

It was reported on 29 November that the Ethiopians had poured in hundreds of fresh troops into the Baidoa region, to facilitate a total withdrawal. [2j]

Islamist Groups

“There has been some extra mobilisation within the extremely fractured (on clan lines) UIC (at a low level); but they are largely a spent force now, and are increasingly being reabsorbed back into the current clan melee, as they see strong

clan links as their best chance of survival. ... The Shabab umbrella continues to be the best resourced and most disciplined entity in the field. Various factions continue to build capacity, and as other political and military alternatives melt away for Somalis, more-and-more freelance militiamen are setting themselves up as Shabab, in the hope of securing funding and resources from other, better funded factions. SAACID now assesses the potential for a new broad-based clan civil war at 20%. This is up from 3% 2 months ago. SAACID now assesses the potential for a complete Shabab take-over at 25%. The Shabab still plan a coup-de-main to take Mogadishu, and present a fait accompli to the clans. The chances of their success have increased over the last month, as they have manoeuvred very successfully against Habir Gadir UIC factions." [SAACID, 6 December 2008] [1]

On 6 December, CNN reported that there had been intra-Islamist fighting in the town of Gureil, 230km north of Mogadishu, in central Somalia left 12 people dead. [5a]

Baidoa

There have been security incidents in Baidoa, with three explosions inside the main market on 30 November 2008, with three people killed and 19 wounded. [2g] On 28 November, 4 people were killed and 15 wounded. [2g]

On 1 December 2008, ICU fighters were reported by Garowe to have taken the military base in Daynunay town, 30 km from Baidoa. They had also engaged local militias who had surrounded Baidoa with roadblocks and extortion checkpoints. [2f] The Ethiopians had vacated the base on 23 November. [2g]

Dhusamareb, Galgaduud region

On 7 December, Garowe reported that al Shabaab had taken over two districts in Central Somalia. [2a] There had previously been reports that al Shabaab had been fighting with a Sufi group, the Ahlu Sunnah Wal Jamee'a, in the area, though the Sufis later denied that conflict had taken place. [2a]

Lower Shabelle region

Al Shabaab appointed a new Islamist administration on 6 December 2008 to run the Lower Shabelle region; the new governor Sheikh Abdirahman 'Siro' Ahmed "vowed to rule the region with justice and to use Islamic law as the basis of all legislation." [2b]

Security and the civilian population

On 8 December 2008, the Human Rights Watch published a detailed report on the civilian casualties of the conflict.[4] The report was based on six weeks of field research in Kenya between June and September 2008, and then follow-up interviews by phone in September and October 2008. In June and July, interviews of refugees were conducted in Nairobi, northern Kenya, Hargeisa and Djibouti. Interviewees also ranged over TFG, (including the PM), ARS officials, UN agencies and the European Commission.[4](p15) Most of the information relates to Mogadishu. [4](p16) Pages 19 -25 give an overarching summary of the current conflict and current political situation. [4](p19-25) After a discussion of humanitarian law and the conflict (p26-30), a major section of the report details the attack and counter-attack nature of the conflict, and how civilians are the main casualties as they are caught in the cross-fire. [4] (p31-41) A large part of the report details the atrocities and abuses committed by

162 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

all the warring factions in the conflict. [4] (TFG forces, p42-52; Ethiopian forces, p58-61; Insurgent forces, p64-69)

Humanitarian aid and issues

The number of people in Somalia in need of food aid is estimated at 3.2 million; the famine is particularly acute in central Somalia, with levels of 6% of the population suffering severe levels of malnutrition. (OCHA Situation report, 5 December 2008) [3a] IRIN states that this amongst the highest levels of malnutrition in the world, with 300,000 children each year classed as acutely malnourished. [7a] The UN WFP has, in the last week of November, dispatched 1,366 mt of food aid targeting 368,322 beneficiaries in Northeeastern and south central Somalia. [3a]

On 29 November 2008, the UN's World Food Program (WFP) and the charity World Vision moved out of the Middle Jubba region (and the town of Bu'ale) because of violent incidents. [2i]

In central Somalia, Acute Watery Diarrhorea (AWD) has struck, with 26 deaths attributable, and confirmed 2,105 cases. [3b] The Somali Red Crescent Society and ICRC tackled well disinfection in October 2008, and no new cases have been reported in November. [3b] Student doctors qualified at a graduation ceremony in Mogadishu – the first cohort of trained doctors since 1991. The six year graduate scheme is only recognised in Somalia, and the doctors are not qualified to work elsewhere.[6c] Five new emergency vehicles have also been provided by NGO assistance, representing the first ambulance service in Mogadishu for 18 years. [6c]

Kenya border regions; Dadaab camp

On 27 November, IRIN reported on the escalating tension in the border regions of Kenya-Somalia, with thousands of people fleeing al Shabaab in Somalia and the Kenyan Border Police in Kenya.[7b] The HRW report *So much to fear* gives details of IDPs' journeys from Mogadishu south to Dhobley, and then on over the (closed) Kenyan border, reporting on conditions at the border and in Dadaab camp, 80km south of the border and the main refugee complex. [4](p81-85)

1] SAACID, Global email, 8 December 2008, weapons tracking charts for Mogadishu, November 2008

Received 8 December 2008

[2] Garowe Online

[2a] 7 December 2008, Al Shabaab seize Galgaduud capital, Sufi group rejects fighting

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Accessed 8 December 2008

[2b] 6 December 2008, Islamist Al Shabaab faction appoints Lower Shabelle administration

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Accessed 8 December 2008

[2c] 5 December 2008, Ethiopian army shelling kills 10 civilians in Mogadishu,

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[2d] 4 December 2008, Ethiopian soldiers vacate two sites in Mogadishu

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- [2n] 26 November 2008, President Yusuf arrives in Puntland capital
http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_President_Yusuf_arrives_in_Puntland_capital.shtml
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 [3a] Situation report for week ending 5 December 2008
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 Accessed 8 December 2008
- [3b] Situation report for week ending 28 November 2008
<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1096534>
 Accessed 8 December 2008
- [4] Human Rights Watch, 8 December 2008, 'So much to fear': War Crimes and the Devastation of Somalia
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<http://edition.cnn.com/2008/WORLD/africa/12/06/somalia.clashes/index.html>
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- [6] BBC News, World, Africa
 [6a] 26 November 2008. Somali parliament to be doubled,
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 [7a] 5 December 2008, "Highest levels of malnutrition in the world"

<http://www.irinnews.org/Report.aspx?ReportId=81832>

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[7b] 27 November 2008, Kenya-Somalia, Thousands flee amid fears of fighting along border

<http://www.irinnews.org/Report.aspx?ReportId=81698>

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[7c] 26 November 2008, Power-sharing deal reached in Djibouti as TFG split widens

<http://www.irinnews.org/Report.aspx?ReportId=81675>

Accessed 8 December 2008

[8] Voice of America

[8a] 2 December 2008, Ugandan Peacekeepers to Stay in Somalia,

<http://www.voanews.com/english/2008-12-02-voa38.cfm>

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CONFLICT UPDATE NINE: 5 JANUARY 2009, [EARLY] JANUARY 2009**Ethiopian Forces' withdrawal**

The planned Ethiopian forces' withdrawal from Mogadishu and Baidoa began on 2 January 2009, with thirty trucks reported leaving in convoy from abandoned Mogadishu positions. [4] A Reuters article reported that the convoy passed safely through to Afgoye, 30km to the west of Mogadishu, on the main road to Baidoa. [3]

The Ethiopian forces have been reported to have coalesced around the western edge of southern Somalia, with reports of their recapture from al Shabaab of the towns of Qansah Dheere and Garbaharey. [6c]

The Ethiopian Forces arrested the former mayor of Mogadishu, Mohamed 'Dheere', on 31 December 2008 in Mogadishu, and according to a Garowe Online report of 6 January 2009, is currently still being detained by the Ethiopian forces in Baidoa. [6a]

Government

The presidency of President Yusef collapsed at the end of December 2008, with President Yusef resigning in the face of impeachment by the newly constituted Parliament, and after the resignation of his attempted replacement for PM Nur Adde. [13]

There are reports of political assassinations. On 2 January 2009, the UN Special Representative for Somalia spoke out against the "impunity and 'lawlessness' " of Somalia after the killing of two prominent Somali politicians involved in the National Reconciliation Commission. [10]

The TFG forces are estimated to have dissolved from a security force of 6,000 into factions, of which President Yusef's presidential guard was the most cohesive. [11](p4-5) Members of the presidential guard left with Yusef for Puntland in December 2008. [5b] TFG forces are now hybrid forces of former TFG and ARS-Djibouti aligned fighters, with differing levels and focus of allegiance. [11]

Islamist forces

Al Shabaab is estimated by "intelligence sources" referred to within a BBC article of 1 January 2009, to number "between 2,000 and 3,000" fighters. [5c]

A new armed Islamist group, Ahlu Sunna Waljamaca, announced in December 2008 that it was declaring a 'holy war' against al Shabaab. [5b] On 30 December 2008, the Ahlu Sunna Waljamaca defeated al Shabaab in a battle for the control of the towns of Guriel and Dhusamareb. [13]

Security in Mogadishu

Islamist forces (some difference in sources as to whether ICU or Al Shabaab) have taken over police stations from TFG police forces soon after the Ethiopian forces had withdrawn and left in the care of the TFG police. The stations are located in the Hodan and Hawl-Wadaag residential districts. [6b]

On 5 January there were gun battles between TFG and insurgents in the Dharkenley residential area. [2] On 7 January, four TFG troops were killed after a TFG base was attacked in the Towfiq area of Yaqshid district: the TFG had established a

166 This Country of Origin Information Report contains the most up-to-date publicly available information as at 24 February 2009. Older source material has been included where it contains relevant information not available in more recent documents.

checkpoint that was, according to a Shabelle Media News report, “extorting” from bus passengers between Towfiiq and Bakaro (Bakaare) market. [9b]

Mogadishu International Airport

There is no new news regarding the airport: it is still receiving flights, with AMISOM providing security.

One incident was reported on Friday 2 January 2009, of two Ethiopian troops killed by a roadside IED, on the road leading to the airport. [4] (*See also AMISOM, 6 January explosion below*)

AMISOM (African Union Mission in Somalia)

The Ugandan website New Vision Online, reported on 4 January 2009 that “UGANDA is reconsidering the continued presence of her forces in Somalia following the pull-out of Ethiopian forces from the volatile country. Foreign affairs state minister Okello Oryem yesterday said consultations were ongoing to assess the magnitude of the risk facing the UPDF soldiers serving on an African Union peace keeping mission. ‘Our commanders and those of Burundi are in consultation with the AU to determine the amount of risk and if it is established that the level of risk is high, then a pull out is the most prudent thing,’ Oryem said without specifying where the consultations were taking place.” [1]

The Burundi Defence Minister was reported on 4 January 2009 to state that though Burundi would accept the AU mandate, more troops were needed “very quickly” and “If our conditions are not met, it’s normal that our troops will be withdrawn.” [7]

The BBC continued, reporting that “Uganda and Burundi gave the African Union (AU) a two-week deadline to act on their demand [of strengthening the AMISOM force].” [5a]

The BBC reported on 5 January 2009 that the AMISOM force informed them that “pro-government forces in the capital Mogadishu are plugging gaps left by departing Ethiopian troops” and who are “a mixture of forces from the government and the Alliance for the Reliberation of Somalia (ARS)”. “Major Barigye [AMISOM commander] said AU would not be directly taking up positions previously held by the Ethiopians because this could draw them into confrontation with the anti-government insurgents.” [5d]

Shabelle Media News reported on 6 January 2009 the death of one Ugandan AU peacekeeper in a road explosion on a mine-sweep of the K4-Airport road. [9a]

Kenya border regions; Dadaab camp

The BBC reported on 7 January 2009 that “the UN’s refugee agency has come in for criticism for saying recently that Somalis fleeing the civil war would be better off staying with relatives as the agency had no space in the main camp just over the border. Dadaab camp on Kenya’s eastern frontier with Somalia was designed for 90-000 refugees, but is now struggling to cope with three times that number, and hundreds more arrive every day. The BBC’s Peter Greste in Nairobi says that last year, more than 60,000 turned up at the gates after sneaking or bribing their way through the border that has been officially closed for most of the past two years. But according to Judy Wakahiu of the Refugee Consortium of Kenya, not accepting

refugees amounts to an abrogation of the UNHCR's responsibilities. 'I don't think its right to do that because according to the mandate of the UNHCR, they are supposed to receive and protect refugees regardless of the number,' she told the BBC. Kenya's immigration minister has admitted keeping the border closed has created problems, but has insisted that national security comes first. Our reporter says the government has been negotiating with local communities for the past two years to acquire land for another camp near the border, but so far those communities have remained hostile." [5e]

[1] New Vision Online (Kampala), 4 January 2009, Uganda to review Somalia deployment <http://www.newvision.co.ug/D/8/13/666950>

Accessed 5 January 2009

[2] Africa News, 5 January 2009, Somalia: Fresh Fighting Starts in Mogadishu <http://africaheadlines.wordpress.com/2009/01/05/somalia-fresh-fighting-starts-in-mogadishu/>

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[3] Reuters, 2 January 2009, Laden Ethiopian convoy seen leaving Somali capital (Via Polity.com) http://www.polity.org.za/print_version.php?a_id=150117

Accessed 5 January 2009

[4] Globe and Mail (Canada), 2 January 2009, Ethiopia begins withdrawal from Somalia <http://www.theglobeandmail.com/servlet/story/RTGAM.20090102.wethiopia0102/BNStory/International/home/IBRAHIM+MOHAMED>

Accessed 5 January 2009

[5] BBC News, <http://news.bbc.co.uk/1/hi/world/africa/>

[5a] 5 January 2009, AU plea to plug Somali troop gaps <http://news.bbc.co.uk/1/hi/world/africa/7811595.stm>

Accessed 5 January 2009

[5b] 30 December 2008, New year heralds new Somali fears <http://news.bbc.co.uk/1/hi/world/africa/7803564.stm>

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[5c] 1 January 2009, US fails to break Somali Islamists <http://news.bbc.co.uk/1/hi/world/africa/7807291.stm>

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[5d] 5 January 2009, Somalis 'filling' Ethiopian gaps <http://news.bbc.co.uk/1/hi/world/africa/7811595.stm>

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[5e] 7 January 2009, Peacekeeper killed in Mogadishu, <http://news.bbc.co.uk/1/hi/world/africa/7815147.stm>

Accessed 7 January 2009

[6] Garowe Online

[6a] 6 January 2009, Somalia MPs criticize Ethiopia detention of Mogadishu's ex-mayor http://www.garoweonline.com/artman2/publish/Somalia_27/Somali_MPs_criticize_Ethiopia_detention_of_Mogadishu_s_ex-mayor.shtml

Accessed 7 January 2009

[6b] 6 January 2009, Somalia: Lingering divisions and violent disagreements resurface http://www.garoweonline.com/artman2/publish/Somalia_27/Lingering_divisions_and_violent_disagreements_resurface_in_Somalia.shtml

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[6c] 5 January 2009, Ethiopia troops capture two districts in southwestern Somalia, http://www.garoweonline.com/artman2/publish/Somalia_27/Ethiopia_troops_capture_two_districts_in_southwestern_Somalia.shtml

Accessed 7 January 2009

[7] Agence France Presse (AFP), via Yahoo news, 4 January 2009, Burundi, Uganda call for reinforcements in Somalia http://news.yahoo.com/s/afp/20090104/wl_africa_afp/burundiugandasomalaafricanunionconflict;_ylt=AmiO5SlvyqShqMOmUyV9t6u96Q8F

Accessed 6 January 2009

[8] Voice of America

[8a] 5 January 2009, Ethiopia leaves Somalia with many questions unanswered, <http://www.voanews.com/english/2009-01-05-voa28.cfm>

Accessed 7 January 2009

[9] Shabelle Media News

[9a] 6 January 2009, AU peacekeeper killed in Mogadishu <http://www.shabelle.net/News/ViewNews.asp?NewsID=3934>

Accessed 6 January 2009

[9b] 7 January 2009, Explosion Kills Government Soldiers in Mogadishu

<http://allafrica.com/stories/200901070666.html>

Accessed 8 January 2009

[10] United Nations Press Release, 2 January 2009, Top UN envoy speaks out against killings of prominent Somalis

<http://cgi.wn.com/?action=display&article=81322092&template=worldnews/paidnews.txt&index=recent>

Accessed 6 January 2009

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http://www.crisisgroup.org/library/documents/africa/horn_of_africa/147_somalia_to_move_beyond_the_failed_state.pdf

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[12] Amnesty International, 6 January 2009, Journalists and humanitarian workers at risk in war-ravaged Somalia

<http://www.amnesty.org/en/news-and-updates/news/journalists-and-humanitarian-workers-risk-war-ravaged-somalia-20090106>

Accessed 7 January 2009

[13] Daily Times (Pakistan), 30 December 2008, Somalia's insurgents retake central towns

http://www.dailytimes.com.pk/default.asp?page=2008%5C12%5C30%5Cstory_30-12-2008_pg7_42

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CONFLICT UPDATE TEN: 26 JANUARY 2009, [LATE] JANUARY 2009

On 13 January, the Ethiopian forces withdrew entirely from Mogadishu; on 25 January (Monday) they withdrew entirely from Baidoa, and have left Somalia.

After about five days without security incidents in Mogadishu between 13 January and 18 January, there were about 35 people killed in clashes between TFG and insurgents in southern Mogadishu in the three days, 22 – 25 January. [5]

On 26 January (Tuesday), the Islamist armed group, Al Shabaab, took the town of Baidoa, the seat of the Somali TFG Parliament. It has been reported that they have taken all key installations, including the Parliament building. [2]

The election of the President (President Yusef resigned on 30 December 2008) is take place in Djibouti. 70 MPs have left for Djibouti. [4]

A key road, the main thoroughfare between the Presidential Palace / Villa Somalia area and K4, the key roundabout that connects with the airport and where the main AMISOM base is located, was closed between Saturday 23 January and Tuesday 26 January, after a major incident near K4 on Saturday. A suicide bomber detonated a minibus packed with explosives and other insurgents opened fire, targeting AMISOM troops, and the AMISOM troops responded. AMISOM has been accused of shelling houses in the Hodan district in the aftermath. Reports vary between 13 and 16 civilians killed, and 20 injured; AMISOM lost no troops and there are no reports of other combatants being killed.[3] The AMISOM spokesman, Major said that two other suicide vehicles had been intercepted by AMISOM, and stated that “ ‘AMISOM is not ready to stay here for ever; it is impossible. We have other duties to perform in our countries. AMISOM is willing and ready to go if the Somalis reach agreement,’ Brigadier Barigye Ba-huko added.” (Shabelle.net, 26 January 2009) [1]

The African Union has been reported on 27 January to have “sharply criticised” the takeover of Baidoa by al Shabaab. [1]

[1] Shabelle.net, AU Condemns Al-Shabaab Takeover of Somali Parliament Seat

<http://www.shabelle.net/News/ViewNews.asp?NewsID=4346>

Accessed 27 January 2009

[2] Garowe Online, 26 January 2009, Somalia: Islamists seize Baidoa for the first time

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_Islamists_seize_Baidoa_for_the_first_time.shtml

Accessed 27 January 2009

[3] Garowe Online, 24 January 2009, 13 killed in Mogadishu violence triggered by suicide bomber

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[4] Garowe Online, 23 January 2009, Somalia's presidential election to be held in Djibouti

http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_s_presidential_election_to_be_held_in_Djibouti.shtml

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[5] Medialine: Middle East News Source, 22 January 2009, Mogadishu Violence Claims 35 Lives

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Accessed 27 January 2009

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CONFLICT UPDATE ELEVEN: 9 FEBRUARY 2009, [EARLY] FEBRUARY 2009**New President**

The new expanded Parliament based in Djibouti elected a new president on 31 January 2009. [1a] Sheikh Sharif Ahmed ("Sheikh Sharif"), leader of the ARS-Djibouti, "comfortably won a majority in a second round of voting after one of the frontrunners, Prime Minister Nur Hassan Hussein ["Nur Adde"] withdrew." (BBC, 31 January 2009) [1a] On 4 February, the new President began the process of electing a new Prime Minister. (Shabelle.net, 4 February 2009) [8a]

President Sheikh Sharif's appointment was welcomed by the United Nation's Special Representative for Somalia, Ahmedou Ould-Abdallah, as a "historic" opportunity. (UN News Centre, 4 February 2009)[7] President Sheikh Sharif was reported by the BBC on 4 February 2009 to appeal at an African Union meeting for "foreign military assistance" (unspecific as to which bodies he was appealing to) to deal with extremists opposed to the peace process. [BBC, 4 February 2009][1b] The President called for "national unity" and to bring Islamist factions together. [Associated Press, 1 February 2009][3]

Islamist Opposition groups

President Sheikh Sharif's appointment was rejected as legitimate with Garowe stating "Islamist hardliners, namely al Shabaab and the Eritrea-based ARS faction, have refused to recognize Sheikh Sharif's presidency, labelling him a puppet of the West." (Garowe, 2 February 2009) [2b] Sheikh Hassan Yakub, al Shabaab Kismayo group, declared war on Sheikh Sharif on 2 February 2009 (Garowe, 2 February 2009)[2c]. The population of Baidoa attended anti-Government demonstrations organised by al Shabaab Baidoa group on the same day (Garowe, 2 February 2009)[2e] Four major Islamist insurgent groups met and formed a united opposition against the Sheikh Sharif Government (Garowe, 4 February 2009)[2i], forming a new political movement, the Islamic Party, led by Dr Omar Iman, the leader of the ARS-Asmara faction. The four groups are ARS-Asmara, Jabhatul Islamiya, Mu'askar Ras Kamboni, and Anole. (Garowe, 7 February 2009) [2g].

However, there were celebrations on President Sheikh Sharif's election in Hawiye clan areas of Mogadishu, Jowhar and Beletweyne. (Garowe, 2 February 2009)[2e] A group of Islamic scholars, chaired by Sheikh Yusef Al Qardawi, has called for the backing of President Sheikh Sharif's new government. (Garowe, 2 February 2009)[2c] The Jordan Times ran an article on 9 February 2009 on those Mogadishu residents who see Sheikh Sharif's government as a hopeful development. [4]

President Sheikh Sharif met with top Mogadishu officials on Sunday 8 February 2009, setting up a commission to oversee the integration of TFG and ARS security forces. He also met with a group of Muslim scholars tasked with assisting with reconciliation moves in intra-Islamist faction feuding. (Garowe, 8 February 2009)[2f]

Security incidents

President Sheikh Sharif arrived safely at the airport in Mogadishu on Saturday 7 February 2009, and moved to a Presidential compound at Villa Somalia. (Garowe, 7 February 2009)[2g] It was later reported on the same day by Garowe that "There were no reports of casualties after several mortars targeted the Villa Somalia compound in Mogadishu, the Somali capital. Locals said no retaliatory fire came from

Villa Somalia, which was often the case when ex-President Abdullahi Yusuf lived there.”[2h]

AMISOM (the African Union Mission) was caught up in an incident on 2 February 2009, that left many civilians dead, with accounts ranging from “at least 18 people killed” (VOA, 2 February 2009)[5a] to as many as 30, as AMISOM troops opened fire on four passenger buses after the explosion of a roadside bomb. (Garowe, 2 February 2009)[2b]

AMISOM was attacked on Sunday 8 February, with civilian casualties variously reported between three and five dead caught in cross-fire. (Garowe, 8 February 2009)[2f]

Al Shabaab Baidoa group spokesman Adu Mansoor called for a holy war against AMISOM at a press conference on 3 February 2009; Abdirahin Isse Adow, of the ICU group, also condemned AMISOM’s “brutal actions” against civilians. (Shabelle, 3 February 2009)[8b]

Ethiopian withdrawal

Ethiopian forces were reported to have reentered parts of Hiran province in Somalia, on 1 February 2009, taking a strategic crossroads north of Beletweyne. (Garowe, 1 February 2009)

IDPs and Refugees

The withdrawal of the Ethiopian forces and change in political actors in power has further stimulated a refugee movement of an estimated 10,000 drought-stricken Somalis to head for the Somali Region of southern Ethiopia, centring around the town of Dollo Ado. (IRIN, 4 February 2009)[6] An estimated 25,000 refugees are expected in the next few weeks. [6] Voice of America reported 7 February 2009 that the Kenyan Government had agreed with UNHCR to allocate land to a new camp able to shelter 50,000 refugees to take the pressure of the Dadaab refugee complex.[5b]

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