



COUNTRY OF ORIGIN INFORMATION REPORT

SOMALIA

19 MAY 2010

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- Annex E – References to source material

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 11 March 2010. The 'Latest News' section contains further brief information on events and reports accessed from 12 March 2010. This report was published on 19 May 2010.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts of 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 compilation of extracts 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.

Country of Origin Information Service

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

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored

UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>

- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

Independent Advisory Group on Country Information contact details:

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Latest News

The Latest News provides a non-exhaustive selection of significant events since 12 March 2010. Further information may also be available from the list of useful sources below.

EVENTS IN SOMALIA, 12 MARCH TO 19 MAY 2010

18 May Somalia's prime minister, Omar Abdirashid Ali Sharmarke, has refused to comply with an order from President Sheikh Sharif Sheikh Ahmed for him to leave office. This follows a vote by MPs to remove speaker Sheikh Aden Madobe, who has agreed to step aside. The first meeting of the TFG in Mogadishu in 2010 was marked by attacks on the parliament building by Islamist rebels and retaliatory fire by African Union peacekeepers which left 11 dead.

BBC News, Somalia stand-off as PM defies president's sacking order, 18 May 2010

<http://news.bbc.co.uk/1/hi/world/africa/10122115.stm>

Date accessed 19 May 2010

BBC News, Somali rebels fire mortar bombs at MPs' rare meeting, 16 May 2010

<http://news.bbc.co.uk/1/hi/world/africa/8685480.stm>

Date accessed 19 May 2010

See also [Security situation](#), [Political developments](#), [Political system](#)

10 May Hizbul Islam have declared that they will release hostages held by pirates in Haradheere, after they seized control of the town. They have also pledged to take control of more towns along Somalia's coast, a move that may push the pirates north into the semi-autonomous Puntland region.

Toronto Star, Islamic rebels in Somalia vow to free pirate captives, 10 May 2010

<http://www.thestar.com/news/world/article/807151--islamic-rebels-in-somalia-vow-to-free-pirate-captives>

Date accessed 12 May 2010

See also [Piracy](#), [Security situation](#)

7 May Fourteen Somali journalists exiled in Kenya have claimed that Al Shabaab have made death threats against them. The accusation follows the murder of Radio Mogadishu journalist, Sheikh Nur Abkey, who was shot dead and his mutilated body dumped in a street in the Somali capital on 4 May.

Agence France-Presse, Exiled Somali journalists threatened by hardliners, 7 May 2010

<http://www.google.com/hostednews/afp/article/ALeqM5jUG5Ti2FZ4-3NtLjJkZv952QNtPQ>

Date accessed 12 May 2010

See also [Freedom of speech and media](#)

2 May Al Shabaab have claimed that two simultaneous explosions at a mosque in Mogadishu, which killed 32, were aimed at their "head of mobilisation", Fu'ad Shongole, who later urged Somalis to "fight the African Union troops of the occupying force using the means at their disposal, including suicide attacks". Nobody has claimed responsibility for the explosions on 1 May.

Agence France-Presse, Somali Islamists threaten reprisals after blasts, 2 May 2010

http://www.google.com/hostednews/afp/article/ALeqM5glv316WiRVM-F4m1dZ8ojHjbF1_Q

Date accessed 12 May 2010

See also [Security situation](#)

28 April Desertions from the [Transitional Federal Government's] army have increased as some soldiers were not being paid their monthly wage. Some of the deserters are believed to have joined Al Shabaab.

Associated Press, Unpaid Somali soldiers desert to insurgency, 28 April 2010

<http://www.google.com/hostednews/ap/article/ALeqM5iSJ9TiZRWcVTEdVpPQTXQd8x95cAD9FBVK780>

Date accessed 29 April 2010

See also [Security situation](#)

27 April Al Shabaab claimed responsibility for a car bomb attack at an African Union base in Mogadishu. There were conflicting reports over the number killed and injured by the attack. Ali Mohamud Rage, the spokesman for Al Shabaab, claimed "the blast killed 20 peacekeepers", where as AMISOM spokesman, Major Barigye Ba-Hoku, stated that "African Union soldiers foiled the attack by killing three would-be suicide bombers inside the vehicle". Ugandan newspapers subsequently reported that five soldiers had been wounded, one seriously.

Voice of America, Islamist Rebels Claim Responsibility for Bombing in Somalia, 28 April 2010

<http://www1.voanews.com/english/news/africa/east/Islamist-Rebels-Claim-Responsibility-for-Bombing-in-Somalia-92334864.html>

Date accessed 28 April 2010

See also [Security situation](#)

25 April Following their seizure of Masagawaa in Galgadud, Al Shabaab distributed foodstuffs confiscated from a warehouse previously run by the World Food Programme.

Somalia: Al Shabaab seize town, distribute WFP food aid to residents, 25 April 2010

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

Date accessed 28 April 2010

See also [Security situation](#), [Abuses by non-government armed forces](#), [Humanitarian situation](#)

19 April A report by Human Rights Watch has stated that Al Shabaab has brought greater stability to parts of Somalia, but with a deterioration in the human rights situation.

BBC News, Somalia's al-Shabab militia 'improving security', 19 April 2010

<http://news.bbc.co.uk/1/hi/world/africa/8629976.stm>

Date accessed 29 April 2010

See also [Reports published or accessed between 12 March and 13 May 2010](#)

- 14 April At least 14 radio stations in Mogadishu stopped broadcasting music on 13 April, following an ultimatum issued by Hizbul Islam on 4 April to stop playing songs or face “serious consequences.” The group declared music to be “un-Islamic”.
New York Times, Somali Radio Stations Halt Music, 13 April 2010
<http://www.nytimes.com/2010/04/14/world/africa/14somalia.html>
Date accessed 14 April 2010
- The radio stations have started to use recorded gunfire, croaking frogs and crowing cockerels to replace the music that was previously played.
IRIN News, Broadcasters mock music ban with gunfire, frogs and cocks, 14 April 2010
<http://www.irinnews.org/Report.aspx?ReportId=88805>
Date accessed 14 April 2010
- See also [Freedom of speech and media](#)
- 13 April Hundreds of people were displaced and at least 7,000 hectares of newly sown crops destroyed by floods after a river burst its banks near Jowhar in the Middle Shabelle region
IRIN News, Floods near Jowhar displace hundreds, destroy crops, 13 April 2010
<http://www.irinnews.org/Report.aspx?ReportId=88791>
Date accessed 14 April 2010
- See also [Humanitarian Situation](#)
- 11 April Ahlu Sunna wal-Jama’a have opposed an invitation made by Hizbul Islam for Osama Bin Laden to visit Somalia.
Daily News, Somali Islamist group opposes Osama invite, 11 April 2010
<http://www.nation.co.ke/News/africa/-/1066/897494/-/1219dfyz/-/>
Date accessed 14 April 2010
- See also [Security situation](#)
- 9 April Al Shabaab banned the BBC from operating in Somalia and “closed down transmitters broadcasting the Somali language service inside the country.” Despite accusations that the BBC was progressing the case of anti-Islamists and “colonialists”, the BBC said it was “strictly impartial and spoke to all sides in the conflict”.
BBC News, Somalia Islamists al-Shabab ban BBC transmissions, 9 April 2010
<http://news.bbc.co.uk/1/hi/world/africa/8612654.stm>
Date accessed 14 April 2010
- See also [Freedom of speech and media](#)
- 8 April Fighters from Al Shabaab claimed to have taken over a UN World Food Programme base in Wajid, near Baidoa after disarming guards. However, the World Food Programme insisted that “the base was empty and the move would not affect its operations”.
BBC News, Al-Shabab militants raid UN base in Somalia, 8 April 2010
<http://news.bbc.co.uk/1/hi/world/africa/8609096.stm>
Date accessed 14 April 2010
- See also [Security situation](#), [Humanitarian situation](#)

- 7 April The European Union began a training programme in Uganda to prepare 2,000 Somali soldiers to join the transitional government forces.
BBC News, EU begins Somali training mission, 7 April 2010
<http://news.bbc.co.uk/1/hi/world/africa/8607182.stm>
Date accessed 14 April 2010
- See also [Security situation](#)
- 2 April Somaliland officials reported on a rise in human trafficking in the region, with particular concern about the number of children trafficked from south-central Somalia.
IRIN News, Human trafficking on the increase, 2 April 2010
<http://www.irinnews.org/Report.aspx?ReportId=88668>
Date accessed 14 April 2010
- See also [Trafficking](#), [Trafficking of Children](#)
- 29 March Hundreds of Somalis, mostly women and children, marched through Mogadishu to protest against Al Shabaab. It is believed to be only the second such protest.
BBC News, Somalis in rare march against al-Shabab militants, 20 March 2010
<http://news.bbc.co.uk/1/hi/world/africa/8592809.stm>
Date accessed 14 April 2010
- See also [Security situation](#), [Abuses by non-government armed forces](#)
- 23 March Somali pirates hijacked a Turkish-owned ship 1,800km from Somalia, the furthest attack from the African coast to date.
BBC News, Somali pirates move towards India, 23 March 2010
<http://news.bbc.co.uk/1/hi/world/africa/8583027.stm>
Date accessed 23 March 2010
- See also [Piracy](#)
- 22 March There were protests by refugees living near Mogadishu's main airport after the city's mayor ordered them to leave, citing "security concerns".
BBC News, Somali refugees told to leave Mogadishu airport, 22 March 2010
<http://news.bbc.co.uk/1/hi/world/africa/8579861.stm>
Date accessed 22 March 2010
- See also [Security situation](#)
- 20 March BBC News reported that Sheikh Daud Ali Hasan, a senior commander of Al Shabaab, was shot dead by unknown gunmen at close range as he left a mosque in Kismayo.
BBC News, Somali Islamist al-Shabab commander assassinated, 20 March 2010
<http://news.bbc.co.uk/1/hi/world/africa/8577986.stm>
Date accessed 22 March 2010
- See also [Security situation](#), [Abuses by non-government armed groups](#)
- 20 March Confusion surrounded a reported agreement between Ahlu Sunna Wal-Jama'a and the TFG after vice chairman Sheik Hassan Sheik Abdi denounced the agreement and questioned the leadership of

Chairman Sheikh Mahammad Sheikh Hassan, who was claimed to have led “a non-representative delegation” at the talks.

Daily Nation, Militia faction disowns Somalia peace pact, 20 March 2010

<http://www.nation.co.ke/News/africa/Militia%20faction%20disowns%20Somalia%20peace%20pact%20/-/1066/883636/-/75jc82/-/>

Date accessed 22 March 2010

See also [Security situation](#)

17 March

A United Nations Security Council report stated that “as much as half the food aid to [Somalia] was routinely stolen”. President Sheikh Sharif Sheikh Ahmed disputed the report, saying that information in the report “was not trustful” and “based on people on the street, not reality”. The report was also criticised by the UN World Food Programme.

The report is available at

<http://graphics8.nytimes.com/packages/pdf/world/20100317somalia.pdf>

New York Times, Somalia’s President Assails U.N. Report on Corruption, 16 March 2010

<http://www.nytimes.com/2010/03/17/world/africa/17somalia.html>

Date accessed 22 March 2010

However, the United Nations World Food Programme (WFP) later stated that it would “provide full assistance to any possible independent investigation into its food distribution operation in Somalia”.

UN News Centre, UN food agency welcomes review of its food distribution programme in Somalia, 17 March 2010

<http://www.un.org/apps/news/story.asp?NewsID=34110&Cr=Somalia&Cr1=>

Date accessed 22 March 2010

See also [Humanitarian Situation](#)

USEFUL SOURCES FOR FURTHER INFORMATION

A list of sources with weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in Annex E – References to source material:

Afrol News www.afrol.com

All Africa <http://allafrica.com/>

BBC News <http://news.bbc.co.uk/>

ECOI <http://www.ecoi.net/>

UNHCR Refworld <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain>

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REPORTS ON SOMALIA PUBLISHED OR ACCESSED BETWEEN 12 MARCH AND 13 MAY 2010

In addition to the reports above further information may also be available in the database websites of www.refworld.org and www.ECOI.net.

UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Somalia, published 5 May 2010
<http://www.unhcr.org/refworld/docid/4be3b9142.html>
Date accessed 13 May 2010

United States Commission on International Religious Freedom, Annual Report 2010, published May 2010
<http://www.uscirf.gov/images/annual%20report%202010.pdf>
Date accessed 13 May 2010

Human Rights Watch: Harsh War, Harsh Peace, published 19 April 2010
<http://www.hrw.org/node/89646>
Date accessed 13 May 2010

Foreign and Commonwealth Office, Annual Report on Human Rights 2009, published 17 March 2010
<http://centralcontent.fco.gov.uk/resources/en/pdf/human-rights-reports/human-rights-report-2009>
Date accessed 13 May 2010

Minority Rights Group International, Peoples Under Threat 2010, undated
<http://www.minorityrights.org/9885/peoples-under-threat/peoples-under-threat-2010.html>
Date accessed 13 May 2010

Amnesty International, Annual Report 2009, undated
<http://thereport.amnesty.org/en/regions/africa/somalia>
Date accessed 13 May 2010

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Background Information

1. GEOGRAPHY

1.01 Europa World Online, accessed on 22 April 2009, noted that: “The Somali Democratic Republic lies on the east coast of Africa, with Ethiopia to the north-west and Kenya to the west. There is a short frontier with Djibouti to the north-west ...” [1a] (**Location, Climate, Language, Religion, Flag, Capital**) The US State Department Background Note on Somalia dated January 2010 stated that “Somalia... with Ethiopia, Eritrea, Djibouti, and Kenya, is often referred to as the Horn of Africa”. [2d] (**Geography**)

1.02 The country has fragmented into three broad geographical ‘regions’: south and central Somalia partially controlled from a ‘national’ government in Mogadishu, the self-declared republic of Somaliland in the north-west and the semi-autonomous region of Puntland in the north-east. (USSD Report 2009) [2a] **South and central Somalia** consists of the following regions: Galgaduud, Hiiraan, Lower Shabelle, Middle Shabelle, Banaadir, Bakool, Bay, Gedo, Lower Juba and Middle Juba (see map below at 1.10, dated January 2007, accessed 20 April 2010). According to the Puntland Regional Government website, **Puntland** is made up of Bari, Nugal, Mudug, Sanaag, Sool, Ayn and Karkaar regions. [96a]

1.03 In March 2008, Somaliland President Dahir Riyale Kahin named the following regions of **Somaliland** and their main cities:

<u>New Regions</u>	<u>Capital</u>	<u>Previous region</u>
Gabiley	Gabiley town	Hargeysa region
Badhan	Badhan town	Sanag region
Buhoodle	Buhoodle town	Togdheer region
Salal	Zeila town	Awdal region
Sarar	Ainabo town	Sool region
Odweyne	Odweyne town	Togdheer region

[97a]

1.04 The population of Somalia has been variously estimated: Europa World, accessed on 4 February 2010, gives a mid-2009 UN estimate of 9,133,000 people [1a] (**Country statistics**); the US Department of State 2009 human rights report: Somalia, published on 11 March 2010, states: “Somalia has an estimated population of seven million.” [2a] (**Introduction**); and the Foreign and Commonwealth country profile, last reviewed on 21 May 2009, accessed on 4 February 2010, gives a 2008 estimate of 8.8 million. [16a]

1.05 The population of Puntland has been estimated as 2.4 million (Puntland government estimate, 2003) (BBC Country Profiles: Regions and territories: Puntland) [8ba]. The population of Somaliland is estimated to be around 3.5 million (Somaliland government estimate) (BBC Country Profiles: Regions and territories: Somaliland) [8bn]

1.06 The main cities in south and central region of Somalia are the capital – Mogadishu; the ports of Kismaayo and of Merka, and Baidoa, Jowhar and Gaalkayo. In Puntland, Garowe is the administrative capital, and Bosasso is the commercial capital. In Somaliland, the main city is Hargeisa, and there is the port of Berbera. (US Department of State background note, dated

August 2009) [2d] (BBC Country Profiles: Regions and territories: Puntland) [8ba]

- 1.07 Jane's Security Country Risk Assessment (JCRA), Somalia, Demography, updated 15 July 2009, stated that:

“The overwhelming majority of Somalis are Sunni Muslims of the Shafi law school. The social cleavages that have brought about Somalia's anarchic existence have developed along tribal, not religious, lines. Historically they have not been strict in their interpretation of the Islam. This has changed as a consequence of the civil war... The aggressive efforts of various Islamist movements... have made substantial inroads in converting the Somalis to a stricter interpretation of Islam. Wahhabism... has also become popular among members of the business community.” [61e]

- 1.08 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 [Ethnic Groups](#)

- 1.09 The public holidays in Somalia in 2010 are: 1 January (New Year's Day); 1 May (Labour Day); 26 June (Independence Day); 1 July (Foundation of the Republic). The following religious holidays are also celebrated, but may vary slightly from the dates given as they are based on the Islamic lunar calendar: 26 February (Mouloud, birth of the Prophet); 10 September (Id al-Fitr, end of Ramadan); 16 November (Id al-Adha, Feast of the Sacrifice); 16 December (Ashoura). [1a] (Public Holidays)

MAP

1.10 Map of Somalia, courtesy of the UN, January 2007.

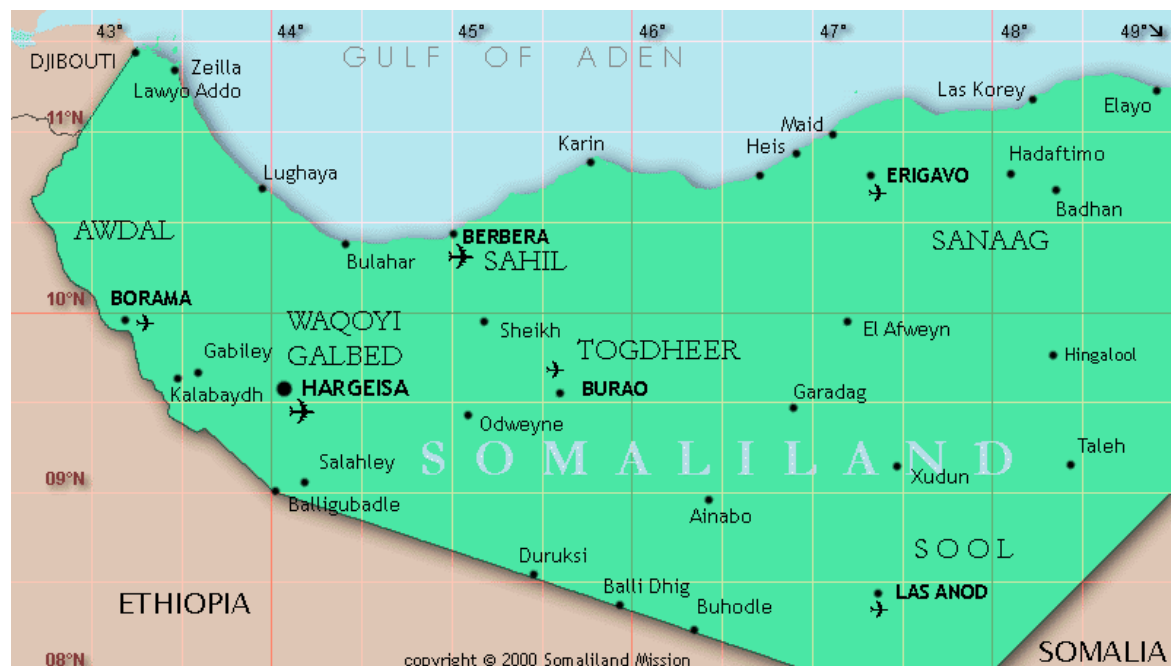


Map of Puntland, courtesy of the [Puntland Government](#), undated.

Error! Bookmark not defined.



Map of Somaliland, courtesy of the [Somaliland Government](#), 2000.



- 1.11 Further maps of Somalia are available from the following websites:

Food Security Analysis Unit Somalia
<http://www.fsasomali.org/index.php?id=26.html>
Date accessed 4 February 2010

United Nations Cartographic Section,
<http://www.un.org/Depts/Cartographic/english/htmain.htm>
Date accessed 5 June 2009

Reliefweb
<http://www.reliefweb.int/rw/rwb.nsf/doc404?OpenForm&rc=1&cc=som>
Date accessed 5 June 2009

UN OCHA maps documenting flows of IDPS

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 (September 2009) [47c]
<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1129731>
Date accessed 4 November 2009

Health interventions in south and central (February 2008) [47d]
<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1086915>
Date accessed 1 July 2008

See [Internally Displaced People \(IDPs\)](#) for latest population movements

Mogadishu

- 1.12 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_A1LC_18Dec07.pdf
Date accessed 22 April 2009

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2. ECONOMY

2.01 The CIA World Factbook, updated on 15 January 2010, stated that despite the lack of effective national governance, Somalia has "...maintained a healthy informal economy, largely based on livestock, remittance/money transfer companies, and telecommunications. Agriculture is the most important sector, with livestock normally accounting for about 40% of GDP and more than 50% of export earnings. Nomads and semi-pastoralists, who are dependent upon livestock for their livelihood, make up a large portion of the population." [39a]

2.02 The CIA World Factbook, updated on 15 January 2010, continued:

"Livestock, hides, fish, charcoal, and bananas are Somalia's principal exports, while sugar, sorghum, corn, qat, and machined goods are the principal imports. Somalia's small industrial sector, based on the processing of agricultural products, has largely been looted and sold as scrap metal. Somalia's service sector also has grown. Telecommunication firms provide wireless services in most major cities and offer the lowest international call rates on the continent. In the absence of a formal banking sector, money transfer/remittance services have sprouted throughout the country, handling up to \$1.6 billion in remittances annually. Mogadishu's main market offers a variety of goods from food to the newest electronic gadgets. Hotels continue to operate and are supported with private-security militias." [39a]

2.03 The Economist Intelligence Unit (EIU), in its Somalia Country Profile for 2008, dated 3 March 2008, 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 2008 profile dated 3 March 2008 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 2008 profile dated 3 March 2008 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)

- 2.06 The UN Food Security and Analysis Unit reported the price of cereal in Somalia:

“The highest TOT [terms of trade] (cereal/labour) in November were recorded in the maize producing areas of Jammame in Lower Juba (32kg/daily labour wage) and Qoryole in Lower Shabelle (27kg/daily labour wage). In Bay, where sorghum production was good, Qansah Dhere and Baidoa (23kg and 18kg/daily labour wage, respectively), also recorded the high TOT. Overall, the terms of trade in Nov. ‘09 are 58% and 35% higher than the 5-year average in Shabelle and Juba regions, respectively, while in Sorghum Belt these are 10% lower.” [86e]

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

“Piracy provides attractive financial rewards (the pirates receive some 10 percent of the gains, captains, boat owners and financiers some 40 percent), and gives many young Somali men an escape from the impoverished conditions that have caused severe distress throughout the country. Estimates of the sums made by Somali pirates in 2008 range from a low of US \$30 to 40 million to a high of US \$150 million. Given the absence of other sources of income in Somalia, even the lower estimate is a substantial income for individuals and for the local economy as a whole. This income is spread widely: pirates invest in lavish homes, cars, entertainment, and marriage.” [83a]

- 2.08 The article then concludes that “in the absence of development, piracy is one of the few sources of foreign cash (and thus economic growth) in the country. Lack of development locally also means that potential recruits for piracy are readily available.” [83a]

CURRENCY

- 2.09 The EIU in its 2008 profile dated 3 March 2008 stated:

“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)

- 2.10 The EIU Country Report on Somalia, published in February 2010 stated that the “TFG signed a deal on January 12th under which a Sudanese state-owned printer would produce a batch of new Somali currency, leading to

concerns from the Central Bank of Somalia about the inflationary impact of increasing the money supply.” [17c] (p3)

TELECOMMUNICATIONS

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

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

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3. HISTORY

The section following provides a brief history of Somalia from 1988 to 2009. Information on events preceding this as well as events during the same period is also available in [Annex A: Timeline](#)

CIVIL WAR (1988-1991)

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

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

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

“Somalia’s collapse was hastened by the ending of the Cold War. As Somalia’s strategic importance to the West declined, the foreign aid that had sustained the state was withdrawn. Without the resources to maintain the system of patronage politics, [President Siad] Barre lost control of the country and the army. In January 1991 he was ousted from Mogadishu by forces of the United Somali Congress (USC) drawing support from the Hawiye clans in south central Somalia.” [84a]

STATE COLLAPSE (1991-1992)

- 3.02 Europa World reported the consequences of the exit of President Barre:

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

“By mid-March 1991, however, Somalia was close to anarchy. Opposition movements rejected the USC’s invitation to take part in a national conference, and the SNM was reported to have formed an 11-member administration and a legislature to govern the former territory of British

Somaliland. In May the SNM announced its official support for the secession of that territory, and later that month the SNM Central Committee elected Abd ar-Rahman Ahmed Ali 'Tur' as President of the self-proclaimed 'Republic of Somaliland'. In June the Committee approved a 17-member government to administer the territory for a period of two years, after which free elections were to be held." [1a]

See also subsection below on [The 'Republic of Somaliland'](#)

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

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

"In the midst of drought, the destruction of social and economic infrastructure, asset stripping, 'clan-cleansing' and the disruption of food supplies caused a famine in which an estimated 250,000 died. Those who suffered most came from the politically marginalized and poorly armed riverine and inter-riverine agro-pastoral communities in the south, who suffered waves of invasions from the better-armed militia from the major clans." [84a]

UNOSOM PERIOD (1992-1995)

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

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

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

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

“However, the mission failed to mediate an end to hostilities or disarm factions. UN-facilitated peace conferences in Addis Ababa in 1993 and Kenya in 1994 did not engender a process of national reconciliation and state revival. The mission has been criticized for fuelling the war economy, causing a proliferation of factions and shoring up warlord power structures. Before long UNOSOM itself became embroiled in the conflict with General Aideed, leading to the infamous shooting down of US Black Hawk helicopters in Mogadishu and the subsequent withdrawal of US forces.” [84a]

INTERNATIONAL DISENGAGEMENT (1995-2000)

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

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

“In southern Somalia a variety of institutions emerged, including two ‘governments’ in Mogadishu, councils of elders, district councils and Shari’a courts, which provided forms of ‘governance without government’. While fragile and uncoordinated, these structures produced an incremental improvement in security, so that by the late 1990s the situation in much of Somalia was described as ‘neither war nor peace’.

“...The disengagement from Somalia of Western governments resulted in the diplomatic initiative passing [to] regional states and in particular Ethiopia. Addis Ababa’s engagement was driven as much by geo-political, security and economic interests as by concern to end Somalia’s political turmoil. Ethiopia was especially concerned by the growth of an armed Islamist group in Somalia, Al Itihad Al Islamiya, with regional ambitions. Ethiopian forces attacked and destroyed Al Itihad camps in the border areas during 1997. At the same time, Ethiopia brought Somali factions together at Sodere and attempted to broker an agreement.

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

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

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

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

“In 1999 international support for the building block approach ended when the government of Djibouti initiated a new national peace process.” [84a]

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

3.06 Europa world stated that:

“The Somali national reconciliation conference opened in Arta, Djibouti, on 2 May 2000, with some 400 delegates, representing various Somali clans and political and armed groups, in attendance. By mid-June the number of delegates had risen to around 900, although notably only one of the principal Somali faction leaders, Ali Mahdi, was present. In early July the conference produced a draft national charter, which envisaged the Somali Republic adopting a federal system of government, after a three-year interim period, comprising 18 regional administrations. Furthermore, it provided for the creation of the Somali Transitional National Assembly (TNA), which would consist of 225 members, of whom 25 would be women. Each of the four major Somali clans (Dir, Hawiye, Darod and Rahanwin) was allocated 44 parliamentary seats, and an alliance of small clans was to receive 24 seats; the remaining 25 seats were reserved for women from the four major clans and the alliance of small clans, each of which would receive five seats.” [1a]

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

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

“In the climate of international insecurity that followed the 9/11 attacks on the US, the failed state of Somalia attracted renewed interest as a potential

haven and breeding ground for international terrorists. The TNG's reputation suffered as the growing influence of Islamic Courts and Islamic charities increased suspicions about its links with militant Islamists.

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

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

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

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

"Power was concentrated in a narrow clan coalition and Abdulahi Yusuf was viewed as a client of Ethiopia. His immediate call for a military force from the African Union (AU) to help him establish his authority in the capital alienated his slender support base in Mogadishu. Without dogged international financial and military support the TFG would not have survived either its internal divisions or the rise of the Islamic Courts Union (ICU) in 2006." [84a]

ISLAMIC COURTS UNION AND THE AFRICAN UNION MISSION TO SOMALIA (2005-2006)

3.08 *Endless war: a brief history of the Somali conflict states:*

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

"The ICU won public support for creating an unprecedented degree of security in the capital and quickly established a presence across most of south-central Somalia. It seemed to offer an alternative political system that

could deliver services and security to the population, in sharp contrast to the failing authority of the TFG.

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

“In early 2007 a small contingent of AU peacekeepers (the AU Mission in Somalia – AMISOM) was deployed to Mogadishu to protect the Transitional Federal Institutions (TFIs).” [84a]

INSURGENCY AGAINST TFG, ETHIOPIAN INTERVENTION AND RISE OF THE SECOND TFG (2007- FEBRUARY 2009)

3.09 *Endless war: a brief history of the Somali conflict* stated that from 2007, “over the next two years efforts by the TFG and Ethiopia to impose a ‘victor’s peace’ provoked violent resistance from a mixture of clan militia and remnants of the militant wing of the ICU – Harakat al Shabaab (‘the youth movement’).” [84a]

3.10 The report went on to state that:

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

“...The three years from 2006-08 were catastrophic for Somalis. Military occupation, a violent insurgency, rising *jihadism* and massive population displacement has reversed the incremental political and economic progress achieved by the late 1990s in south central Somalia. With 1.3 million people displaced by fighting since 2006, 3.6 million people in need of emergency food aid, and 60,000 Somalis a year fleeing the country, the people of south central Somalia face the worst humanitarian crisis since the early 1990s.” [84a]

3.11 *Endless war: a brief history of the Somali conflict* concluded that “When UN-mediated talks between the ARS and the TFG in Djibouti agreed a timetable for Ethiopian withdrawal in late 2008, Abdullahi Yusuf resigned paving the way for the creation of a new TFG under the presidency of the former Chair of the ICU, Sheikh Sharif Sheikh Ahmed.” [84a]

3.12 BBC News reported that there were “celebrations in the Somalia capital Mogadishu after Ethiopian troops withdrew from their two main bases in the city” on 13 January 2009. [8bb]

3.13 On 26th January, BBC News further reported that “Islamist insurgents...captured most of Somalia's central city of Baidoa - one of the last strongholds of the fragile transitional government. Officials and

witnesses say Islamists have seized the parliament building in the city, some 250km (155 miles) north-west of the capital Mogadishu.” [8e]

- 3.14 Sheikh Sharif Ahmed, the leader of Alliance for the Re-Liberation of Somalia (ARS) – Djibouti, was elected Somalia's new president on 31 January 2009, with 149 members of his party sworn in to parliament. However “al-Shabab says it will not recognise the new government.” [8aa] On 13 February, the new President appointed a new Prime Minister, Omar Abdirashid Ali Sharmarke. (BBC News, 13 February 2009) [8ab]
- 3.15 Four major Islamist insurgent groups met and formed a united opposition against the Sheikh Sharif Government, named Hisbul Islamiya (also known as Hisbul Islam or 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) [35ay].

‘PUNTLAND’ REGIONAL ADMINISTRATION (1998 TO 2009)

- 3.16 *Endless war: a brief history of the Somali conflict* reported that:

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

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

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

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

“Puntland has experienced acute internal divisions and more recently has become internationally known as the home of Somali pirates. However it has remained a relatively stable polity and is in the process of reviewing its constitution and democratizing its political systems.” [84a]

THE ‘REPUBLIC OF SOMALILAND’ (1991 TO 2009)

- 3.17 *Endless war: a brief history of the Somali conflict* stated that:

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

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

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

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

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

“And yet a generation has grown up in Somaliland that knows no other country than the one they have been educated in, and no other government than the one that they are now able to vote for. Continuing international ambivalence over the status of Somaliland entrenches the vulnerability of the new state and ensures that it remains, in essence, a ‘fragile state’.” [84a]

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4. RECENT DEVELOPMENTS

This section covers the period March 2009 to March 2010 and provides a selection of incidents as reported by a number of sources. The section is organised thematically and then, where appropriate, geographically. Information within each subsection is ordered chronologically, from the oldest to most recent events.

For further information, see the following links: [International Institute for Strategic Studies: Armed Conflict Database](#), [International Crisis Group: CrisisWatch Database](#), [Food Security and Nutrition Analysis Unit](#), [IRIN News](#) and [UN Protection Cluster updates](#).

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

SECURITY SITUATION

- 4.01 The UN Security Council's *Report of the Secretary-General on the situation in Somalia* dated 31 December 2009 (December UNSC Report) stated that

“Insecurity remained widespread throughout Somalia...Clashes in Mogadishu continued to restrict the ability of the international community to fully implement critical humanitarian programmes. In Bay and Bakool, Al-Shabaab continued to prevent the return of a United Nations presence, insisting that a memorandum of understanding be signed and that registration fees, amounting to several thousand dollars for each United Nations agency, be paid prior to re-entry. This led to disruptions in the presence of international staff from the World Food Programme (WFP) and World Vision, but programmes continued under the supervision of national personnel.

“While Mogadishu remained the focus of the insurgency, fighting occurred in other parts of the country, especially in Beledweyne and Kismayo, as well as in Gedo and Bakool regions. The northern regions of Galgaduud and Mudug remained tense, with numerous clashes occurring between rival armed groups. Tensions between the regional authorities of 'Puntland' and 'Somaliland' also continued. 'Puntland' has become increasingly unstable as a result of several violent incidents, including assassinations. Efforts by the 'Puntland' authorities to improve security suffered a setback when a senior judge and a member of Parliament were assassinated on the same day by unknown gunmen. The judge was known for having handed down strong sentences for Al-Shabaab members, human traffickers and pirates.

“In Kismayo, fighting continued between Al-Shabaab and Hizbul Islam over control of the region. A series of targeted assassinations carried out by the two rival groups claimed the lives of several senior Hizbul Islam and Al-Shabaab members. Those assassinations appear to have triggered the re-emergence of clan-based warlordism oriented towards economic gain, rather than ideology or strategy.” [3j] (p4-5)

- 4.02 The Food Security and Nutrition Analysis Unit (FSNAU) *Technical Series Report No VI. 31*, issued 3 March 2010, stated that:

“Civil insecurity remains one of the key driving factors of the protracted food and livelihood insecurity in Somalia. Violent conflict continued throughout 2009, and worsened further in the second half of the year, particularly in southern and central Somalia. At the same time, the number of security incidents has increased in parts of the northern regions where security levels had been relatively better. These incidents had both direct and indirect impacts on the population, particularly urban populations, including human casualties, destruction of property, disruption in trade, human displacement and complete loss of livelihoods. The areas of high and moderate impact are highlighted in Map 6. Given the current military operations and mobilizations among the opposing groups, the insecurity situation is likely to continue or deteriorate further over the next 6 months.

“Mogadishu remains the epicentre of the chaos and violence in Somalia. Continuous confrontations between the Transitional Federal Government (TFG) and opposing groups generate frequent threats to the city’s population causing human casualties, destruction of private and public property and massive population displacement. Beletweyne and Dusamareb are also key hotspots, while tensions are also high in regions of Galgaduud, Hiran, Bakool, Gedo and Juba, where military activities and mobilizations have taken place in the second half of 2009. Acts of violence, including suicide attacks and bombings targeting government officials were also observed in 2009 in the North, particularly in Garowe, Galkayo, Bossaso, Lasanod and Hargeisa. A number of IDPs from the South have fled from Bossaso, Garowe, and Galkayo because of growing resentment among the local population, who suspect IDP involvement in the recent conflicts.

“The escalation of political conflict in much of the country has overshadowed other types of conflict, thereby reducing the frequency of natural resource based and intra-clan conflicts in rural areas... However, tension persists in the pastoral zone between Hiran and Middle Shabelle, where displacement had occurred in the first half of 2009, restricting livestock movements. Acts of sea piracy continue on coastlines of central and northern regions despite the global initiative to curb piracy activities on-and-off the extended Somali coast. According to UN-OCHA access reports 45 ship hijacking occurred between July and December 2009...” [86d] (p15)

For a map of the effect conflict has had on food distribution, please see page 15 of the [report](#).

- 4.03 The International Institute for Strategic Studies’ Armed Conflict Database, Somalia, undated, accessed 10 March 2010, reported that:

“More than 2,300 people died in Somalia in 2009 [directly] as a result of the ongoing conflict between the government [TFG] and insurgent groups. Civilians carried the brunt of the suffering when caught up in suicide-bombings and as collateral damage in artillery shelling in several of Mogadishu’s districts. Aside from the physical violence, civilians became displaced as fighting spread towards their villages and homes.” [40a] (Human security)

For updates on the security situation within Somalia, please see [ICG CrisisWatch Database](#).

South and central Somalia

Please see [Geography](#) and [Maps](#) for information about which regions are contained within south and central Somalia.

- 4.04 The UN Security Council's *Report of the Secretary-General on the situation in Somalia*, dated 20 July 2009 stated that:

“In the midst of a resurgence of fighting between Government forces and armed opposition elements, the Transitional Federal Government signed a declaration with Ahlu Sunnah Wal Jama’a on 21 June by which they agreed to cooperate in the political, security, humanitarian and development areas, in the spirit of the Djibouti agreement. A former official of the Hizbul Islam insurgent group, Sheikh Yusuf Mohamed Siad Inda’ade, was earlier included in the unity Government as Minister of State for Defence...On 22 June, the Transitional Federal Government declared a state of emergency following a Cabinet meeting that concluded that the increased attacks posed a serious threat to the country.” [3g]

- 4.05 The UN Security Council's *Report of the Secretary-General on the situation in Somalia*, dated 2 October 2009 (October UNSC Report) stated: “On 23 July, the Government created a commission for security and pacification of the country, tasked with reforming the security forces of Somalia and all law enforcement agencies.” [3h]

Mogadishu

- 4.06 The Human Rights Watch, *World Report 2010*, covering events in 2009, released on 20 January 2010, (HRW Report 2010), stated:

“In 2009 Mogadishu continued to be torn apart by indiscriminate warfare. Its dwindling civilian population continues to bear the brunt of fighting between armed opposition groups, and the TFG and African Union Mission in Somalia (AMISOM) forces. Ethiopian forces withdrew from Somalia at the end of 2008, leading thousands of people to return to the capital in hope of peace. But many were forced to flee anew when the fighting resumed with familiar patterns of deadly violence.

“All parties to the conflict in Mogadishu have been implicated in war crimes in 2009. TFG and opposition forces have both recruited children into the ranks of their fighting forces, though the practice has been more widespread and coercive where practiced by opposition groups. Opposition forces including al Shabaab and Hizbul Islam have launched regular indiscriminate mortar attacks on areas of Mogadishu under TFG and AMISOM control. The use of civilians as human shields for indiscriminate attacks, often with the apparent intention of attracting reprisals that claim still more civilian lives, is a common opposition tactic. Hizbul Islam leader Sheikh Hassan Dahir Aweys has publicly acknowledged using civilians as human shields.

“On the other side of the lines, the TFG’s capacity to field fighting forces in Mogadishu was weak throughout 2009. It relied on notoriously abusive officials such as police chief Abdi Qeybdid, whose forces were responsible for serious human rights abuses throughout 2008.

“The TFG is almost entirely reliant on the 5,000-strong AMISOM force for its protection and survival. AMISOM forces have come under sustained attack, including deadly suicide bombings, and have on some occasions responded

by firing mortars indiscriminately into opposition-controlled neighborhoods, including the area around Bakara market. In February 2009, AMISOM forces were accused of firing indiscriminately into crowds of civilians after coming under attack in Mogadishu. AMISOM opened an inquiry into the incident—the only time it has apparently done so—but no final report was produced.” [30g]

4.07 There were numerous attacks on the Transitional Federal Government (TFG) reported in the July UNSC Report, including: “On 7 May, a group of insurgents launched an attack on the presidential palace. Outnumbered Government forces succeeded in repelling the attack.” [3g]

4.08 The UN Security Council’s *Report of the Secretary-General on the situation in Somalia*, dated 2 October 2009 (October UNSC Report) stated:

“Following their unsuccessful assaults against the Transitional Federal Government in May and June, insurgents led by Al-Shabaab and Hizbul Islam reinforced their ranks with militia from outside Mogadishu and foreign fighters. In the second week of July, these groups launched a full-scale attack on key strategic positions, aimed at dislodging the Transitional Federal Government. Fighting raged for several days, culminating in fierce battles on 12 July. Insurgents came within 300 metres of the presidential palace (Villa Somalia), and attempted to take over key locations, including the old seaport, which would have allowed them to control access to Mogadishu port. Government forces, supported by AMISOM, forced the insurgents to retreat.” [3h]

4.09 The report also stated that:

“...On 16 August and 11 September, supply vessels contracted by the United Nations Support Office for AMISOM (UNSOA) carrying goods for AMISOM were attacked by insurgent mortars while in Mogadishu port, resulting in the death of 5 and 17 civilians, respectively. Another vessel contracted by UNSOA was attacked by pirates on 27 August near Mogadishu, but evaded capture.” [3h] (p4)

4.10 The October UNSC Report noted that:

“[O]n 17 September...two vehicles carrying explosives drove into the AMISOM-controlled area at the Mogadishu airport and were detonated at the AMISOM Force headquarters and a building used by a contracted supply company. The vehicles used in the attack were identified as United Nations vehicles that were stolen by Al-Shabaab during raids at United Nations compounds earlier in 2009. According to the estimates provided by AMISOM on 18 September, at least 21 people have been confirmed killed, comprising 17 AMISOM soldiers — 12 Burundians, including the AMISOM Deputy Force Commander, and 5 Ugandans. At least 40 people were injured in the attack, including several Government officials and contractors.” [3h] (p4)

4.11 The UN Security Council’s *Report of the Secretary-General on the situation in Somalia* dated 31 December 2009 (December UNSC Report) stated that in “October, on two separate occasions, insurgent groups launched mortar attacks on the aircraft transporting President Sharif.” [3j] (p4) On 22 October, BBC News reported that “Islamist insurgents fired mortars towards the

airport as the president was leaving for a conference in Uganda. African Union peacekeepers and government troops responded by shelling insurgent strongholds of Mogadishu's main market and residential areas." At least 20 people, thought to be mostly civilians, were killed. [8be] On 28 October, the "airplane that transported Somali President Sheikh Sharif Ahmed back to the capital Mogadishu was targeted by insurgent mortars... at least 10 people were killed in attacks". The same article reported 10 people were also killed when insurgents blew up an AMISOM vehicle in Mogadishu; AMISOM responded by shelling Bakara Market, Hodan, Wardhigley, Waberi, Medina and Howlwadaag districts. (Garowe Online, 28 October 2009) [35ak]

4.12 The December UNSC Report stated that on "3 December, a terrorist attack was launched during a graduation ceremony for medical students being held at a hotel in Mogadishu. Reports indicate that at least 23 people were killed, including three cabinet ministers as well as graduating students and journalists. In addition, faculty members, parliamentarians and family members of the students were wounded." [3j] (p2) IRIN News further reported on 3 December that "Somali government spokesman Abdi Haji Gobdon confirmed that 'the ministers for health, Qamar Aden Ali, higher education, Prof Ibrahim Hassan Adow, and Ahmed Abdullahi Wayeel, minister for education, were killed in a suicide attack this morning.'" [10bk] On 13 February 2010, the Washington Post reported that Saleban Olad Roble, Sports Minister in the TFG, had died of injuries sustained at the graduation ceremony. [92a]

4.13 Al Shabaab claimed responsibility for a co-ordinated attack on a ceremony held on 29 January in Mogadishu to mark President Sharif's first year in office. At least 11 people, including civilians, were reported to have been killed. (BBC News, 29 January 2010) [8bg]

4.14 Garowe Online reported on 12 February 2010 that the fighting in Mogadishu began to escalate:

"At least five people are killed and 15 others injured on Friday in fresh clashes that rocked parts of Somalia's restive capital Mogadishu, medics and witnesses said.

"Witnesses said clashes erupted on the evening in Mogadishu's Shibis, Abdiasis and Bondhere neighbourhoods where several mortar shells fired by warring forces landed at residential areas, killing at least five civilians and injuring more than 35 others.

"The shelling comes as newly deployed Al-Shabaab fighters take positions in the northern districts ahead of planned government offensives.

"Almost the entire residents of those neighborhoods have vacated their homes for fear of being caught in the middle of the disarray.

"The clashes come as top Al-Shabaab official declares jihad against the UN-backed Somali government and African Union troops." [35bv]

4.15 On 15 February 2010, BBC News reported that "Somalia's defence minister has survived an assassination attempt by a suicide bomber in the capital Mogadishu. Yusuf Mohamed Siyad told the BBC how a car was driven

towards his vehicle and explosives on board were detonated, injuring two of his security guards. He said more explosions went off as he tried to collect the wounded guards.” [8bk]

- 4.16 Also on 15 February the UN News service reported “that... the latest spike in violence in the capital, Mogadishu... has killed at least 80 civilians and forced more than 8,000 others to flee their homes since the start of the month.” The worst of the fighting between the TFG and al Shabaab took place on 10 February, when 24 were killed and nearly 160 were hospitalised. The fighting was concentrated in “northern Mogadishu, especially the districts of Heliwa, Yaaqshiid and Wardhiigleey.” [71d]
- 4.17 The same source reported on 5 March 2010 that further clashes between the TFG and “insurgents” took place in the preceding week, leaving 35 dead with many more injured. The UNHCR estimated that 26,000 people had left Mogadishu since 1 February 2010. [71e]

Hiraan

- 4.18 The July UNSC report stated that on “19 June, Omar Hashi Aden, the Minister of National Security, was killed in a large-scale suicide car bomb in Beletwyne. Over 30 other people were killed in the attack, which was strongly condemned by the international community and a broad cross-section of Somali society.” [3g]
- 4.19 On 29 August 2009, the BBC News reported that the Ethiopian army had reoccupied Beletweyne with Islamist forces withdrawing from the town “without a fight”. [8aI]
- 4.20 Islamist forces returned to Beletweyne in January 2010. The UN Office for the Co-ordination of Humanitarian Affairs (OCHA) reported that:

“On 22 January, two Islamist groups Al Shabaab and Hisbul Islam recaptured Belet Weyne town, Hiraan, following fighting with pro-TFG militia. At least 10 people were killed and more than 21 others were wounded. On 25 January, more fighting was reported in Elgal village, 15 Km on the outskirts of Belet Weyne town killing five people and wounding seven others. According to UNHCR, at least 25,100 civilians have been displaced.

“Following the recapture, the Islamist groups seized computers, guard's weapons and other equipment from offices belonging to the United Nations and International Non-Governmental Organisations. Some of the looted items were later returned.

“Other reports indicate that on 26 and 27 January, the Islamist militia beheaded eight people in the outskirts of Belet Weyne town.” [26am]

Bay and Bakool

- 4.21 The October UNSC Report stated that on “20 July [2009], Al-Shabaab militia looted United Nations compounds in Baidoa and Wajid, and stole security equipment and seven United Nations vehicles. The raids were conducted in the presence of insurgent commanders who had previously provided security assurances to humanitarian operations.” [3h]

- 4.22 The October UNSC Report further stated that “on 16 August, Al-Shabaab militia again attacked the World Food Programme (WFP) compound in Wajid, triggering a firefight in which three insurgents were killed.” [3h] (p5)

Lower and Middle Juba

- 4.23 The October UNSC report stated that in “late August, several NGO compounds in the Lower and Middle Juba regions were raided by Al-Shabaab, and seven NGOs were reportedly expelled from the area.” [3h] (p5)

- 4.24 On 1 October, Hizbul-Islam and al Shabaab began fighting over control of Kismayo, leaving 20 dead and 70 injured, after tensions had escalated in the previous week “... when al-Shabab named a new administration [in Kismayo] which excluded Hizbul-Islam.” Al Shabaab declared on 2 October that the fighting was over as they had taken control of the city. (BBC News, 2 October 2009) [8bc] However, al Shabaab claimed on 21 October that the ceasefire had been broken as they “had fought off an attack from the Hizbul-Islam group, killing some of their fighters.” (BBC News, 21 October 2009) [8bd] Kismayo is described as “a key source of revenue for the Shebab as well as a crucial potential entry point for weapons supplies.” [18a]

- 4.25 The December UNSC Report stated that, from October to December:

“In Kismayo, fighting continued between Al-Shabaab and Hizbul Islam over control of the region. A series of targeted assassinations carried out by the two rival groups claimed the lives of several senior Hizbul Islam and Al-Shabaab members. Those assassinations appear to have triggered the re-emergence of clan-based warlordism oriented towards economic gain, rather than ideology or strategy.” [3j] (p5)

- 4.26 Tension again increased in Kismayo in February 2010, as Al Shabaab warned Kenya “against providing military assistance to the Mogadishu government for a planned massive nationwide offensive against the militia.” [18a]

Lower and Middle Shabelle

- 4.27 Reuters reported on 18 May 2009 that “Hardline al Shabaab rebels seized Jowhar on Sunday and witnesses said hundreds of gunmen from another insurgent group -- Hizbul Islam -- marched into nearby Mahaday on Monday and took control without firing a shot...Jowhar, 90 km (60 miles) from Mogadishu, is [President] Ahmed's hometown and links the capital to Somalia's volatile central region” [38g]

- 4.28 There were reports of Al Shabaab carrying out punishments in accordance with their interpretation of Shari’a Law during October and November. The UN News Service reported that “a man was stoned to death for rape in the port town of Merka, south of Mogadishu” [71b], and on 6 November 2009, BBC News reported that “Islamists in southern Somalia have stoned a man to death for adultery but spared his pregnant girlfriend until she gives birth. Abas Hussein Abdirahman, 33, was killed in front of a crowd of some 300 people in the port town of Merka. An official from the al-Shabab group said the woman would be killed after she has had her baby.” [8b]

Galgaduud

- 4.29 On 27 January 2010, Reuters reported that
- “Fighting in Somalia between a pro-government militia and hardline Islamist rebels killed at least 16 people and injured 34 others in the central Galgaduud region on Wednesday [27 January 2010], a rights group said.
- “...Residents said the clashes took place in the central towns of Warhole and Owsweyne and pitted Ahlu Sunna Waljamaca militia against an alliance of Hizbul Islam and al Shabaab insurgents.” [38f]
- 4.30 The UN Somalia Humanitarian Overview, covering events from 15 December - 30 January 2010 stated that “According to UNHCR, nearly 30,000 people were displaced by fighting in Dhuusamarreeb, Galgaduud region...As of early February, the newly displaced in Dhuusamarreeb...were slowly returning to their homes as there was a break in the fighting.” [26an]

Puntland

- 4.31 The December UNSC report stated that Puntland became::
- “... increasingly unstable as a result of several violent incidents, including assassinations. Efforts by the ‘Puntland’ authorities to improve security suffered a setback when a senior judge and a member of Parliament were assassinated on the same day by unknown gunmen. The judge was known for having handed down strong sentences for Al-Shabaab members, human traffickers and pirates”. [3j] (p5)
- 4.32 Garowe Online reported on 16 November 2009 that:
- “Unknown assailants have gunned down Sheikh Mohamed Abdi Aware, the head of Puntland's 1st Law court in the commercial port city of Bossasso. According to eyewitness, masked men opened fire on Sheikh Aware shortly after leaving a mosque in the town
- “The killing of the judge comes days after he sentenced to jail terms, four people affiliated with Somali hardline insurgent group Al-Shabaab.
- “Meanwhile, a Puntland lawmaker called Ibrahim Elmi Warsame was gunned down by unknown gunman armed with pistol in Garowe town, the administrative capital of Puntland.” [35bw]
- 4.33 There were further assassinations during January 2010. Garowe Online reported on 31 January:
- “An unknown assailant has killed... MP Mahammed Hassan Jibril while inside his bookshop on Tuesday night...]The lawmaker died of gunshot wounds later at the hospital.
- “Puntland police units immediately arrived at the scene and arrested a suspect who is currently held in police custody, according to reports that reached Garowe Online....Security officials who were contacted by Garowe Online confirmed the arrest of a main suspect and two other people who are suspected of having aided the killer.

“Jibril is the second lawmaker to be assassinated during this month of January.

“Two gunmen were arrested earlier this month after they killed MP Abdullahi Ali Osman in Bossaso.” [35bx]

4.34 Shabelle Media Network reported on 2 February 2010 that:

“The officials of the semi-autonomous region of Puntland have Tuesday said that they had captured more people who were allegedly masterminding insecurity actions against the stability of the region.

“General Abdullahi sa'id Samatar, a security minister of Puntland who was attending a meeting for the security of the regions in the port town of Bosaso late on Monday afternoon, said that their forces had managed to seize many people who were disrupting the security of the region.

“During the press conference, the security minister of Puntland Mr. Samatar pointed out that those people were caught from different towns under the control of Puntland like Garowe, Bosaso and Galka'o, vowing that those perpetrators would be brought before the justice.

“He lastly promised to achieve restoring the peace and stability of the region calling for all the people in the Puntland to work with the troops of the administration to protect any activity against the security.” [37I]

Somaliland

4.35 The International Crisis Group, in the report *The Trouble with Puntland*, published on 12 August 2009, while discussing the tension over Sool and Sanaag, stated:

“A similar dynamic is developing in Mudug, the central region of which is inhabited by non-Darood clans, principally the Sa'ad sub-clan of the Habar Gedir (part of the Hawiye clan grouping). It is unclear where a definitive Puntland border might be drawn, but the de facto border runs through main town, Galkacyo, which is divided into two clan sectors – the north for the Majerten, the south for the Sa'ad. Clan militias have clashed repeatedly in and around Galkacyo in the past five years.” [24b](p10)

4.36 On 8 September 2009, Garowe Online reported that “Police and military units in Somalia's breakaway republic of Somaliland...assumed full control of the region's elected parliament”. [35cb] It was further reported on 12 September that a “peaceful protest turned into a violent confrontation after protestors attempted to forcefully enter the parliament building...Police officers opened fire to disperse the rowdy crowd, police officials said. At least three civilians were killed in the crossfire and six other people wounded, including three Somaliland police officers”. [35cc] It was further reported by Garowe on 16 September 2009 that following the riots, Somaliland authorities “sentenced 40 young men to jail terms without a court appearance...The 40 men were sentenced to serve six-month jail terms by a ‘security committee’ in Hargeisa without the due process of law, judicial sources in Hargeisa said.” [35cd]

4.37 Reuters reported on 25 January 2010 that:

“A bomb hidden near a mosque killed four policemen in Somalia's northern breakaway enclave of Somaliland on Monday [25 January] in the latest attack on security forces in the region, police sources said...No group immediately claimed responsibility for Monday's blast, which came just days after unidentified attackers hurled hand grenades and fired at the main police station in Las Anod near the Puntland border on January 12, wounding three officers...Earlier this month, Somaliland's security forces said they had foiled an attack on a Hargeisa mosque where the imam had spoken out against suicide bombings carried out by al Shabaab insurgents in southern Somalia.” [38h]

4.38 IRIN News reported on 29 January 2010:

“The latest bomb explosion in Somalia's self-declared independent republic of Somaliland raises concerns over the lack of government presence in the Las-anod area, says an analyst.

“Among those injured in the blast, which killed one person and injured five on 28 January, was the governor of Sool region, Askar Farah Hussein, who was admitted to a hospital in the town of Las-anod...The latest incident brings to five the bombings since October 2009 in Las-anod, capital of a region in contention between Somaliland and Puntland. Las-anod is part of Sool and Sanag region, to which the governments of Somaliland and Puntland both lay claim.

“According to EJ Hogendoorn, the International Crisis Group's Horn of Africa Project Director, the Somaliland government is strong enough to get the situation under control in Las-anod ‘but the problem is that there is minimal government presence in the area’.

“ ‘The area remains largely unadministered by both Puntland and Somaliland,’ Hogendoorn said, adding that the region is inhabited mainly by the Dhulbahante clan, which has family ties to the ruling Harti clan in Puntland.

“...Hogendoorn said analysts did not have any evidence that the bombings in Las-anod were orchestrated by Al-Shabab.

“...Police Commissioner Mohamed Saqadhi Dubad told IRIN that 23 arrests had been made in relation to the incidents and that investigations were ongoing to establish those behind the attacks.

“On 26 January 2010, Dubad said, reports were made to police that a suspect package had been seen in Las-anod. The police collected the package but it turned out to be a remote-controlled bomb and it went off, killing two soldiers, Dubad said.

“On 14 January, unknown armed men shot dead the Las-anod police commissioner minutes after he left a mosque.

“...In late October 2009, an army commander and another official were killed following a bomb explosion.

"Dubad said: 'Most of the incidents involved remote-controlled bombs, but more than 23 suspects, including officials from Somaliland, have been arrested and they will be on trial soon.'

"'We captured some explosive material in Hargeisa after a woman in the area notified us that a man had placed what looked like explosive elements on the road near Hawadle Mosque,' Dubad said. 'One man was arrested over the incident.' [10b]

POLITICAL DEVELOPMENTS

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

4.39 On 5 November 2009, Saudi Arabia "lifted a ban on the import of livestock from Somalia imposed nine years ago to prevent the spread of Rift Valley fever". (BBC News, 5 November 2009) [8bf] The measure "was hailed by the Somali cabinet, livestock farmers and the business community as a measure that will contribute to increasing Government revenues." (December UNSC Report) [3j] (p2)

4.40 Riots in Nairobi, Kenya, on 15 January 2010 resulted in the arrest of around 300 people in the Eastleigh area of the city, where many ethnic Somalis live. BBC News reported on 18 January 2010 that:

"Somalia...sent a formal letter of protest to Kenya after 12 MPs and other government officials were arrested by police investigating Friday's riots....Kenyan Internal Security Minister George Saitoti has accused Somali militant Islamist group al-Shabab of links to the clashes, which left at least one person dead, with several unconfirmed reports of five deaths. But an al-Shabab spokesman told the BBC they were not involved in the protests." [8bh]

4.41 BBC News subsequently reported on 20 January 2010 that Kenyan authorities charged "141 with immigration offences and release[ed] the rest. Among those detained and later released were 12 Somali MPs and several government officials." The same report noted that "Kenya has warned MPs from Somalia to stop using Nairobi as a safe haven from the chaos in their own country. Immigration Minister Otieno Kajwang told the BBC he was on the verge of telling the MPs to register as refugees if they wanted to stay in Kenya." [8bi]

South and central Somalia

4.42 The UN Security Council's *Report of the Secretary-General on the situation in Somalia*, dated 20 July 2009 (July UNSC Report), stated that on "18 April, Parliament, in an effort to meet some of the demands of opposition groups, unanimously voted to endorse the implementation of sharia law in the country." [3g]

4.43 The October UNSC report reported that:

"On 23 July, the Government... announced the appointment of Abdullahi Mohamed Alim as Minister of National Security, to replace the assassinated Omar Hashi Adan.

“On 19 August, President Sheikh Sharif Ahmed announced a reshuffle of his cabinet, as part of an internal reorganization aimed at improving the coherence and overall ability of the Transitional Federal Government to deliver services. He assigned the key Ministries of Foreign Affairs and Defence to officials who had served under the previous administration, in an attempt to add experience and technical expertise to the cabinet. The United Nations and other members of the international community have continued to assist the Government with capacity building initiatives...On 19 August, the Parliament endorsed the President’s decision of 22 June to declare a three-month state of emergency.” [3h] (p1-2)

4.44 The December UNSC Report further stated that:

“The [Transitional Federal] Parliament reconvened on 21 December 2009, after being unable to meet for four consecutive months due to the absence from Somalia of several members of Parliament. The cabinet approved both the appointment of Mohamed Omar Farah as Chief Judge of the Somali Supreme Court and the replacement of its senior military and police leadership in an attempt to shore up its internal security apparatus. Colonel Mohamed Gelle Kahiye was appointed as the new military commander, and General Ali Mohammed Hassan took command of the Somali Police Force.” [3j] (p2)

Puntland

4.45 The December UNSC Report stated that a “cooperation agreement [was] signed on 23 August between the [TN]Government and ‘Puntland’ authorities, which covers political cooperation, including locating the Independent Federal Constitutional Commission in ‘Puntland’, and security cooperation, notably in the area of counter-piracy.” [3j] (p2)

Somaliland

4.46 The presidential elections due to take place on 27 September 2009 were postponed. The October UNSC Report stated that:

“Opposition parties, civil society and the legislature rejected the decision made by the National Electoral Commission, with the support of the executive branch, to hold elections without a voters’ roll. On 11 August, “Somaliland” Parliament passed a motion calling on the Commission and the executive branch to rescind their decision. On 21 August, the Ethiopian Minister of State for Foreign Affairs met with the “Somaliland” President, opposition parties, civil society groups and elders urging them to reach an agreement. On 25 August, the “Somaliland” Minister for Foreign Affairs requested Ethiopia to act as mediator. However, with no breakthrough imminent, on 30 August, the Parliament established a committee composed of representatives of the three main political parties to undertake mediation efforts and report back. In parallel, mediation efforts by regional and international actors are ongoing to bring the parties to agreement.” [3h] (p2)

4.47 The December UNSC Report stated that “tension escalated in early September” following the postponement of the election. The report continued:

“This was the fifth deferral of the ballot, which had initially been planned for April 2008. The resulting tension eased with the extension for one month of the terms of the President and the Vice-President and with the signing on 30 September of a memorandum of understanding between the ruling party, the United People’s Democratic Party, and the two opposition parties, Kulmiye and the Justice and Welfare Party. The memorandum, mediated by Ethiopia and the United Kingdom of Great Britain and Northern Ireland, outlined the steps to be taken towards the holding of the presidential election. Under the memorandum, the three political parties agreed to postpone the elections pending the completion of the voter registration, to advance the presidential poll ahead of local council elections, to establish a new local National Electoral Commission; and to establish a technical committee responsible for implementing confidence-building measures and for facilitating a consensual approach to future problems.” [3j] (p2-3)

For further information about the elections in Somaliland, see the International Crisis Group report, [Somaliland: a Way out of the Electoral Crisis](#).

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HUMANITARIAN ISSUES

- 4.48 The December UNSC Report noted the disruption to aid programmes as a result of the conflict between insurgents and the TFG:

“Clashes in Mogadishu continued to restrict the ability of the international community to fully implement critical humanitarian programmes. In Bay and Bakool, Al-Shabaab continued to prevent the return of a United Nations presence, insisting that a memorandum of understanding be signed and that registration fees, amounting to several thousand dollars for each United Nations agency, be paid prior to re-entry. This led to disruptions in the presence of international staff from the World Food Programme (WFP) and World Vision, but programmes continued under the supervision of national personnel.” [3j] (p4-5)

- 4.49 On 5 January 2010, following “escalating attacks from armed groups”, the World Food Programme announced that its “offices in Wajid, Buale, Garbahare, Afmadow, Jilib and Belet Weyne in southern Somalia are temporarily closed, and food supplies and equipment have been moved, along with staff, to safer areas in order to ensure that food assistance continues to reach as many vulnerable people as possible.” [85a]

- 4.50 The Food Security and Nutrition Analysis Unit (FSNAU) reported its *Special Brief - Post Deyr '09/10 Analysis* issued on 12 February 2010 that Somalia has:

“... 42% of the population, or an estimated 3.2 million people, in need of emergency humanitarian assistance and/or livelihood support until June 2010. The results indicate that although there are some positive indicators in terms of the lifting of the livestock export ban and improved crop and livestock production in southern parts of the country, the food security and nutrition situation in central regions remains in crisis, where 70% of the population require assistance. The situation is exacerbated by escalating conflict and displacements, creating a double burden for drought affected

populations in central regions, having to support those recently displaced yet with reduced access to assistance from aid agencies due to the insecurity.

“Emergency levels of acute malnutrition continue to be reported, with 1 in 6 children in Somalia acutely malnourished and in need of specialist care. Of these children, 1 in 22 is severely malnourished and at a 9 times increased risk of death compared to well-nourished children. However, in south and central Somalia the rates are higher, with 1 in 5 children acutely malnourished of which 1 in 20 is severely malnourished. These national rates of acute malnutrition continue to be amongst the highest in the world. Currently, these rates translate into estimated 240,000 children under 5 years of age in Somalia being acutely malnourished, of which 63,000 are severely malnourished. More than two thirds of these children are located in south and central Somalia, the area’s most affected by the current conflict. The people currently in crisis include 1.25 million rural people affected by drought, 580,000 urban people who struggle with very high food and non-food prices, and 1.39 million internally displaced people (IDPs) who are fleeing from the conflict.” [86d]

See also: [Human Rights Institutions, Organisations and Activists, Humanitarian Issues, Internally Displaced People.](#)

DISPLACEMENT

- 4.51 The FSNAU *Technical Series Report No VI. 31*, dated 3 March 2010, stated that

“Population displacement remains the largest outcome of the ongoing violence, hostilities and political tensions in the country. UNHCR estimates of IDP numbers in Somalia are equivalent to about 1.4 million, people, with the majority from Mogadishu. Most recent (Sep '09 - Jan '10) displacements registered by UNCHR’s population movement tracking system are due to insecurity, clan conflict, drought, loss of livelihood and estimated at 172,000 people... A major displacements [sic] occurred in January 2010 when about 77,000 people were displaced due to the recent intensification of conflicts in Mogadishu, Galgadud, and Hiran regions. According to UNHCR, key areas of the new displacements were Dusamareb (29,000), Beletweyne (23,000) and Mogadishu (18,000), followed by Elbur (4,200) and Galkayo civil insecurity. Most of these IDPs moved towards rural areas of Dusamareb (21,200), Beletweyne (8,700) and Elbur (5,100), as well as Jowhar (13,600), Afgoye (5,000) and Galkayo (3,900). Few others have also moved to parts in central (Elder and Abudwaq), Balad (Middle Shabelle) and Wadajir (Mogadishu).” [86d] (p15-16)

See also [Internally Displaced People](#)

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PIRACY

- 4.52 Piracy continued to be a problem off the coast of Somalia. The UN Security Council, *Report of the Secretary-General pursuant to Security Council resolution 1846 (2008)*, dated 13 November 2009 reported:

“The International Maritime Organization (IMO) issues monthly reports and quarterly and annual summaries of all incidents of piracy and armed robbery against ships reported to the Organization... In the period from 1 January to 30 September 2009 160 [incidents of hijacking] occurred in the East African area. In the waters off the coast of Somalia, 34 ships were hijacked and in excess of 450 seafarers were taken hostage during the same period.

“5. Two successful hijacking attempts were carried out between July and September 2009. The number of alleged attempts and attacks brought to the attention of IMO dropped from 95 in the second quarter of 2009 to 26 in the third quarter, owing largely to seasonal weather conditions. Since then there has been resurgence in the number of attacks, in particular in the western Indian Ocean. As of 27 October 2009, eight ships and 178 seafarers were being held hostage.

“6. No significant observable change occurred during the reporting period in the modus operandi of pirate attacks, except that the locus of such activities shifted from the Gulf of Aden to the western Indian Ocean and, more recently, closer to Seychelles, largely as a result of successful naval action. There is also some information to suggest that smaller ships, such as fishing vessels and pleasure craft, are increasingly being targeted, but as yet there is insufficient data for a detailed analysis.” [2k]

- 4.53 There are indications that Somaliland officials are attempting to combat piracy. On 15 February 2010 it was reported that a “court in Somalia handed out 15-year prison sentences to 11 pirates on Sunday, the presiding judge said. Prosecutors at the court in Berbera, in the breakaway northern state of Somaliland, brought a number of charges against the men, including piracy and attempted armed kidnapping”. [18b]

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5. CONSTITUTION

5.01 Europa Online, Somalia, accessed on 22 April 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.” [1a] (The Constitution)

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

“The Charter shall have legal effect pending the eventual enforcement of the National Federal Constitution...The 1960 Somalia Constitution and other national laws shall apply in respect of all matters not covered and not inconsistent with this Charter...The present Charter shall be the basis for the federal constitution whose draft shall be completed within two and half (2 1/2) years and be adopted by popular referendum during the final year of the transitional period.” [87a]

A full copy of the charter is available at [UNHCR Refworld](#).

5.03 The UN Development Programme in Somalia operates the Somalia Constitution Making Support Project (SCMSP) which “promotes reconciliation, peace and stability through a constitution-making process at the federal level, in line with the stipulations of the Transitional Federal Charter.” The project has been active since June 2006 and is scheduled to run until December 2010. [88a]

5.04 The UN Security Council’s *Report of the Secretary-General on the situation in Somalia*, dated 31 December 2009 (December UNSC Report) stated that:

“The constitution-making process for Somalia gathered pace in mid-October with the reconstitution of the Independent Federal Constitutional Commission and the doubling of its membership to 30, including six women commissioners. The consortium of international partners re-launched capacity-building programmes and partnered with the Ministry of Constitutional and Federal Affairs to develop an action plan that will guide the constitution-making process over the next three months. An induction course, involving the Commission, a delegation from ‘Puntland’ and members of Parliament, is scheduled to take place in Djibouti.” [3j] (p3)

5.05 Following this, on 1 December 2009, Daily Nation reported that the “cabinet of ministers of the Transitional Federal Government approved a Federal Constitution during a meeting in Mogadishu on Sunday. The document was discussed by the Cabinet ministers chaired by Prime Minister Omar Abdurashid Ali Sharmarke and later endorsed by the portfolio holders.” [89a]

THE PUNTLAND CHARTER

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

46 The main text of this COI Report contains the most up to date publicly available information as at 12 March 2010. Further brief information on recent events and reports has been provided in the Latest News section to 19 May 2010.

- Islamic Sharia
- The system of idea sharing and collective decision making
- The proportionality of Government Powers: Legislative, Executive and Judiciary
- Decentralization of the governmental power
- The multi-party system
- Ensuring the existence of private ownership and the free market
- Ensuring the individual fundamental rights and life, security and general stability. [90a]

The full constitution is available on the website of the [Puntland Government](#).

'REPUBLIC OF SOMALILAND' CONSTITUTION

- 5.07 The US State Department Report on Human Rights Practices in Somalia for 2009 mentioned that: "The Somaliland constitution is based on democratic principles, but the region continued to use laws that predate the constitution, some of which contradict democratic principles." [2a] (Denial of Fair Public Trial)

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6. POLITICAL SYSTEM

- 6.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, released on 11 March 2010, (USSD report for 2009) stated:

“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 Government (TFG) in Mogadishu; the self-declared Republic of Somaliland in the northwest; and the semiautonomous region of Puntland in the northeast. The TFG was formed in late 2004, with a five-year transitional mandate to establish permanent, representative governmental institutions and organize national elections. In January an expanded Transitional Federal Parliament (TFP) extended the TFG's mandate until August 2011. For the first time, the Transitional Federal Institutions were all located in Mogadishu after the TFP relocated from Baidoa in February.”
[2a] (Introduction)

- 6.02 The USSD report for 2009 also stated:

“There were 60 members of the minority Bantu and Arab ethnic groups in the [Transitional Federal Parliament] TFP and four in the [Transitional Federal Government] TFG cabinet. There were no members of minority groups in the Somaliland parliament and cabinet. There are 136 distinct subclans in Puntland, 46 of which were represented in the Council of Elders. These are the largest subclans, and each has one to four representatives in the 66-member parliament. The other subclans do not necessarily consider themselves "minorities," and most thought they were represented within the larger Darod/Harti clan and the parliament.” [2a] (Elections and Political Participation)

CENTRAL AND SOUTH SOMALIA

- 6.03 The US State Department in its Background Note of January 2010 noted that the Government based in Mogadishu:

“... known as the Transitional Federal Government (TFG), [was] established in October 2004 with a 5-year mandate leading to the establishment of a permanent government following national elections in 2009. In January 2009, the Transitional Federal Parliament (TFP) extended this mandate an additional two years to 2011 and expanded to include 200 Members of Parliament (MPs) from the opposition Alliance for the Re-liberation of Somalia and 75 MPs from civil society and other groups, doubling the size of the TFP to 550 MPs.” [2d] (Government – summary)

- 6.04 The Background Note added:

“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 conference. The TFIs include a transitional parliament, known as the Transitional Federal Parliament (TFP) (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 – main)

6.05 The USSD Background Note of January 2010 further stated:

“Following the December 29, 2008, resignation of former TFG President Abdullahi Yusuf Ahmed, Sheikh Sharif Sheikh Ahmed was elected by the TFP as President of the TFG on January 30, 2009. On February 13, 2009, President Sharif appointed Omar Abdirashid Ali Sharmarke as the new Prime Minister of the TFG and Sharmarke was confirmed by the TFP on February 14. Following a no-confidence motion against former Speaker of Parliament Sharif Hassan Sheikh Aden on January 17, 2007, the TFP elected Speaker Sheikh Aden Mohamed Nur ‘Madobe’ on January 31, 2007. A cabinet known as the Council of Ministers also exists; a new cabinet of 36 ministers was appointed on February 20, 2009, and approved by Parliament on February 21, 2009. Prime Minister Sharmarke restructured his cabinet on August 18, 2009, appointing several new ministers, including the ministers of foreign affairs and defense, and creating several new posts. This shake-up brought the number of ministers to 39.” [2d] (Government – Principal Government Officials)

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PUNTLAND

6.06 The US State Department in its Background Note of January 2010 noted: “The area of Puntland declared itself autonomous (although not independent) in 1998 with its capital at Garowe. President Abdirahman Mohamed Farole was elected by the Puntland parliament in January 2009. Puntland declared it would remain autonomous until a federated Somalia state was established.” [2d] (Political conditions)

6.07 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

6.08 The Human Rights Watch report of July 2009, *‘Hostages to peace’: threats to human rights and democracy in Somaliland*, related that Somaliland’s bicameral legislature is made up of the House of Representatives, with elected members serving five year terms, with the first elections held in 2005. The *Guurti* or House of Elders is composed of clan elders appointed by traditional tribal negotiations, and is “an outgrowth of the Council of Elders” (the appointed presidential cabinet). [30f](p17)

6.09 Human Rights Watch, in its *2010 Annual Report*, stated that:

“The self-declared republic of Somaliland has maintained a remarkable degree of peace and stability since 1991. Despite the fact that its independence has not been recognized by any country in the world, Somaliland laid the foundations for democratic institutions of governance and has held its people apart from the pervasive abuses affecting Somalis

further south. But Somaliland's achievements in the areas of governance and human rights are now under threat, largely due to the repeated postponement of a key presidential election originally scheduled for April 2008. Those polls should have consolidated progress toward democracy; their postponement now calls into question the Somaliland government's commitment to democracy and could threaten the territory's stability. Somaliland's government has also failed to address a range of systemic human rights problems such as the government's use of illegal security committees to imprison people, including children, without trial for a range of criminal offenses." [30g] (p160-162)

See [Recent Developments](#)

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Human Rights

7. INTRODUCTION

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

- 7.01 The Human Rights Watch Annual Report 2010 gives a summary of the situation in Somalia:

“Somalia’s people continue to endure one of the world’s worst human rights catastrophes. Hopes of peace following the installation of a new Transitional Federal Government (TFG) under President Sheikh Sharif Ahmed in early 2009 have been dashed. The capital Mogadishu is wracked by indiscriminate warfare in which all parties are implicated in war crimes or other serious human rights abuses. Much of the rest of the country is now under the control of local administrations linked to armed opposition groups. In many of these areas the population has suffered abusive application of Sharia law and forced conscription of civilians, including children, as militia fighters.

“A humanitarian crisis of enormous proportions is unfolding, fueled by years of drought and insecurity that has often prevented the effective delivery of aid. Some 3.75 million people—roughly half of Somalia’s remaining population—are in urgent need of humanitarian assistance. More than a million people are displaced from their homes within Somalia and tens of thousands fled the country as refugees in 2009.” [30g]

- 7.02 The US Department of State *Country Report on Human Rights Practices, Somalia, 2009*, released on 11 March 2010, summarised Somalia’s human rights record:

“The [Transitional Federal Government] TFG’s respect for human rights improved. It appointed a human rights focal point and participated in international efforts to encourage better human rights practices; however, the poor human rights situation deteriorated further during the year, especially in the areas controlled by al-Shabaab and allied extremist groups. Also contributing to the worsening picture was the absence of effective governance institutions and rule of law, the widespread availability of small arms and other light weapons, and continued conflicts. As a consequence, citizens were unable to change their government through peaceful, democratic means. Human rights abuses included unlawful and politically motivated killings; kidnappings; torture, rape, amputations, and beatings; official impunity; harsh and life-threatening prison conditions; and arbitrary arrest and detention. In part due to the absence of functioning institutions, perpetrators of human rights abuses were rarely punished. Denial of fair trial and limited privacy rights were problems, and there were restrictions on freedoms of speech, press, assembly, association, religion, and movement. Discrimination and violence against women, including rape; female genital mutilation; child abuse; recruitment of child soldiers; trafficking in persons; abuse of and discrimination against clan and religious minorities; restrictions

on workers' rights; forced labor, including by children; and child labor were also problems." [2a] (Introduction)

7.03 The UN Security Council's *Report of the Secretary-General on the situation in Somalia*, 31 December 2009 noted:

"Armed groups, including Al-Shabaab, continued to attack the Transitional Federal Government and AMISOM from areas frequented by civilians. The urban nature of the conflict and the frequent failure by all parties to restrict the fighting to clearly identified military targets inevitably placed civilians at great risk in the affected areas.

"Incidents reported by displaced persons and refugees included rape, looting and beatings during flight. Particularly disturbing were increasing reports of genderbased violence in settlements for the internally displaced, particularly in 'Puntland' and 'Somaliland'.

"Al-Shabaab and other armed groups continued to violate women's rights in southern and central Somalia. Women faced arbitrary detention, restriction of movement and other forms of abuse for failure to obey orders, including non-observance of the dress code. The rising pattern of inhuman and degrading treatment, including stoning, amputations, floggings and corporal punishment, is of the utmost concern. Somalis in areas controlled by insurgents are reportedly tried in 'courts' established by Al-Shabaab, without due-process guarantees and on the basis of Al-Shabaab's interpretation of sharia law. In November, two women who had been found guilty of adultery by Al-Shabaab courts were stoned to death in Wajid and a man was stoned to death in Merka for rape.

"Additionally, journalists were repeatedly subjected to threats and short-term arbitrary detentions, particularly in Baidoa and Kismayo. In 2009, nine journalists were murdered, in Mogadishu, Afgooye and Beledweyne. These abuses resulted in the closure of Radio Warsan, Jubba Radio and another radio station in Baidoa and caused many journalists to flee to Kenya, Uganda and Djibouti.

"Hundreds of children have been wounded, killed or maimed as a direct result of the conflict. The Somalia protection monitoring network has verified reports that at least 350 children have been wounded and 175 killed by the conflict. In southern and central Somalia, there is evidence that children are being exposed to recruitment into armed forces by all parties to the conflict.

"On 2 October [2009], following a presentation to the Human Rights Council by the Independent Expert on the situation of human rights in Somalia, the Council adopted its resolution 12/26, which called on all parties to refrain from all forms of violence against the civilian population and to prevent and end abuses. It also urged increased technical assistance to help prevent violations and abuse."

SOUTH AND CENTRAL SOMALIA

7.04 The *Report of the independent expert on the situation of human rights in Somalia*, Shamsul Bari, (advanced unedited edition), dated 8 March 2010, stated that:

“As the fighting between the TFG and the armed Islamists and in some places within the armed groups, had been primarily concentrated in the South-Central region, it is there that most of the human rights violations were concentrated. The spill-over effect was also felt in the North.

“In the absence of an effective central government and in the context of ongoing armed conflicts, the civilians, especially women and children, continued to suffer from indiscriminate attacks as well as retaliatory acts from both sides. The continuous flow of arms to all parties to the conflict and the lack of accountability for serious violations of human rights and humanitarian law exacerbated the culture of impunity.” [4c] (p17)

PUNTLAND

7.05 The *Report of the independent expert on the situation of human rights in Somalia*, Shamsul Bari, (advanced unedited edition), dated 8 March 2010, stated that:

“Out of 1.5 million IDPS in Somalia, Puntland hosted 104,000 of them. The Vice President reiterated the commitment of the authorities to continue to welcome them. However, with limited resources, Puntland felt overburdened with them and with refugees and asylum seekers from Ethiopia and Eritrea. The Government saw the new arrivals as a major security threat, in the context of infiltration of hard-line Islamists from the South. It claimed that some IDPS had committed politically motivated assassinations. This had led the Government at one point to ask the IDPs to return to places in the South where circumstances were peaceful.” [4c] (p20)

7.06 The report further stated:

“It appeared...that the Government of Puntland had made some significant achievements in reorganizing police and security forces and had shown its commitment to rule of law and democracy. However, a continuous influx of new arrivals of IDPs from South-Central, in addition to piracy and human trafficking remained challenging for the stability of Puntland. Whatever the reason, the high-handedness of Government’s response to what it considered to be threats emanating from Islamist infiltrators coming from the South remained a matter of concern. There were reports of arrest/harassment of IDPs, refugees, asylum seekers, journalists and media people...with UNDP funds provided under a project, a team of 15 lawyers and 16 paralegals were employed to improve access to justice for vulnerable groups, particularly through monitoring human rights violations committed against minorities, IDPs, economic migrants and refugees...Murder cases were more often than not dealt with under Sharia law. The same judge could decide to apply both the Italian criminal law and the Sharia law in a case. While the majority of the population appeared to be in favour of the application of the Sharia law, the issue of harmonization of the various Somali laws appeared not to be a priority. Minorities who lacked the protection of the major clans were likely to be victims of the discrepancies between customary, criminal and Sharia law.

“From my visit to an IDP camp in Bossaso I learnt that while the living conditions in the camp, like those of the local population in the vicinity, remained harsh, the relative stability of Puntland provided the IDPs with

opportunities to improve their social and economic conditions. Among human rights violations for the majority of the residents of the camp, who were women and children, the lack of physical security, rape and other instances of sexual and gender-based violence in and around the settlements as well as domestic violence were reported to be common. Access to primary education for IDP children and the health care at the General Hospital of Bossasso remained limited. Despite this, however, many IDPs said they preferred the durable solution of local reintegration to risk travelling to Yemen or returning to the South.” [4c] (p22-23)

SOMALILAND

7.07 The *Report of the independent expert on the situation of human rights in Somalia*, Shamsul Bari, (advanced unedited edition), dated 8 March 2010, stated that:

“Somaliland’s constitution required that individuals taken into custody be brought before a judge within 48 hours of arrest. Police officials regularly flouted this requirement and judges normally did not challenge them. Journalists were often targets of intimidation and abuse by Government officials. While these detentions sometimes lasted only a few hours, the fact remained that Government officials at all levels, as well as the police had, for example, ordered on occasions arrests of journalists in response simply to critical reporting, or to pre-empt such reporting.

“According to the Minister of Justice, many journalists lacked professionalism and had never studied or got a degree on journalism. It was important that they abide by the rules and regulations governing media ethics. He, however, readily recognized concerns relating to abuses committed by the Regional Security Committees (RSCs)...The main problem with the Regional Security Committees (RSCs) was the fact that their acts were, according to a scholar, ‘based on Siad Barre’s draconian decrees and not the 1963 law.’ The 1963 Public Order law did not grant broad powers of detention and other extraordinary powers to the authorities, except in a state of emergency. The current Somaliland administration, however, claimed that the law made the Security Committees legal and gave them the power to detain anyone “seen as a menace to public order.” However, the committees were primarily used not for alleged national security offences but to deal with ordinary criminal and juvenile cases in order to save the government the trouble of proving charges in court.

“It appeared...that the RSCs were used in some regions of Somaliland as much as or even more frequently than the courts to incarcerate people, including juveniles...a large number of juveniles were in jail at the request of parents who alleged that their children were disobedient, involved with gangs, drank alcohol or were violent. Many were not accused of anything amounting to a criminal offence under the law but were simply sent there by the RSCs who took decisions based on traditional Somali law, or Xeer. I was, in particular, saddened to see a teacher being held in jail in order to be protected against clan revenge for a murder committed by his cousin who ran away to Kenya and was believed to be dead now. Although, I respect the local culture and tradition, a way must be found to deal with individual and collective fundamental freedoms in compliance with international standards.” [4c] (p24-25)

For further information see [International human rights organisations](#), [Extrajudicial Killings](#), [Journalists](#) and [Humanitarian aid](#)

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8. SECURITY FORCES

See [Recent developments, Security situation](#) for details about the civil conflict generally.

OVERVIEW

- 8.01 Jane's Sentinel Country Risk Assessment (JSCRA), Somalia, Security and Foreign Forces, updated 6 October 2009, reported that

"Somalia has lacked an effective central government since the overthrow of the Siad Barre regime in 1991. Local clan militia groups provide a semblance of policing. These groups are loosely controlled by whoever can pay them a regular salary. Their paymasters are typically traditional clan elders, sharia courts, businessmen, or warlords. When the militias have not been not paid in the past, they have traditionally turned to banditry or piracy. The lack of a central government with effective, nationwide police and security forces has meant that Somali-based pirates have been free to prey on international shipping." [61d]

- 8.02 The US State Department 2009 Human Rights Report: Somalia, (USSD report for 2009) released on 11 March 2010, observed that:

"The police [in areas under Transitional Federal Government (TFG) control, mostly confined to parts of Mogadishu] 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 in Mogadishu often directly participated in politically based conflict and owed their positions largely to clan and familial links to government authorities. There were fewer allegations that TFG security officials were responsible for extrajudicial killings, indiscriminate firing on civilians, arbitrary arrest and detention, extortion, looting, and harassment than in the previous two years.

"In Somaliland an estimated 60 percent of the budget was allocated to maintaining a militia and police force composed of former soldiers. Abuses by police and militia members were rarely investigated, and impunity remained a problem. Police generally failed to prevent or respond to societal violence.

"The Puntland police force was not paid on a regular basis. Puntland's armed militia was not aligned with the TFG armed forces, although the TFG prime minister and the Puntland president began negotiations for collaboration in the security sector and over the formation of a coordinated Somali National Army." [2a] (Section 1d)

SOUTHERN AND CENTRAL SOMALIA

Transitional Federal Government forces (based in Mogadishu)

- 8.03 JSCRA, Somalia, Security and Foreign Forces, update 6 October 2009, stated that:

“The Transitional Federal Government (TFG) has been building up the strength of the Somali Police Force based in Mogadishu with international assistance. It is proposed that the force will have a strength of 10,000. A police training team arrived in Mogadishu in 2009 under the auspices of the African Union's peace support body AMISOM (African Union Mission in Somalia) to help with training the police force. A police school has been operating in Mogadishu and senior officers have also been trained in Uganda. The United Nations Development Programme has supported the rehabilitation of police stations, the training of a Special Police Unit and traffic police.” [61d]

- 8.04 The UN Security Council's *Report of the Secretary-General on the situation in Somalia* dated 31 December 2009 (December UNSC Report) commented on the progress of the TFG Security institutions:

“While working towards the preparation of a national security strategy in accordance with resolution 1872 (2009), the United Nations has continued to assist the Transitional Federal Government in developing its national security institutions. Progress was made during the reporting period on assessments and on identifying priorities of the institutions related to the military, police, intelligence, justice, corrections and finance areas.

“The training of new recruits for the Somali Police Force continued, despite adverse security conditions. In November, 150 recruits from ‘Puntland’ and 450 from southern and central Somalia graduated from the Armo Police Academy in “Puntland”. The training, conducted by Somali police instructors trained by UNDP, followed a commonly agreed curriculum approved by the Transitional Federal Government. The Somali Police Force currently stands at 5,000 strong. UNDP is in the process of relocating training from Mogadishu to the Armo Police Academy, involving 450 new Somali police cadet officers. A decision on the participation of AMISOM police in the training of the Somali Police Force recruits in Mogadishu would be informed by the pending review of the security situation in Mogadishu.

“The effective deployment of the Somali Police Force following training will require substantial additional support, including the rehabilitation of police stations, the provision of equipment, sustainable arrangements for the payment of stipends, and professional support, including ongoing mentoring. With regard to stipends, UNDP facilitated two rounds of pilot payments, in February and June, through the stipend monitoring committee. This included civil servants from the Prime Minister's Office, the Central Bank, the ministries of Finance and Internal Affairs and the Somali Police Force. In total, 1,816 beneficiaries were paid in June, while 753 eligible officers were not positively identified during the payment period. During the reporting period, UNDP received 10,000 uniforms for distribution to the Somali Police Force; however, in the absence of international police monitors in Mogadishu to ensure that the uniforms would be distributed to authorized recipients, the distribution was temporarily suspended.” [3j] (p14)

- 8.05 The report also stated:

“During the reporting period, the United Nations Development Programme (UNDP) continued to engage with donors on acceptable arrangements for the payment of stipends, including 15 months' worth of arrears, to 2,500 trained and certified civilian police. By November, the European

Commission had released approximately €4 million of the €13 million pledged for the UNDP Rule of Law and Security Programme. Payment of arrears for the police commenced on 5 December 2009 and then was temporarily suspended for operational reasons at the request of the Government. It is anticipated that payment will resume before 31 December.” [3j] (p8)

8.06 The US State Department in its Background Note of January 2010 stated:

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

8.07 On 29 August 2009, Garowe Online reported that a TFG spokesman stated that AMISOM was to begin training police recruits in Mogadishu. [35bk] Also announced on 29 August 2009, the BBC reported that the European Union was to send a planning team to begin organising and training Somali security forces to tackle pirate bases along the Somali coast. [8ak]

8.08 It was further reported on 4 February 2010 that:

“[T]he Council of the EU adopted a decision on a European Union Common Security and Defence Policy (CSDP) military mission to contribute to the training of Somali Security Forces (EUTM Somalia). Under the Decision, the EU will conduct a military training mission in order to contribute to strengthening the Somali Transitional Federal Government (TFG) as a functioning government serving the Somali citizens.

“In particular, the objective of EUTM Somalia will be to contribute to a comprehensive and sustainable perspective for the development of the Somali Security Sector by strengthening the Somali Security Forces through the provision of specific military training of 2000 Somali recruits up to and including platoon level, including appropriate modular and specialised training for officers and non commissioned officers. The EU military training carried out to that end will take place mainly in Uganda.

“The Decision to launch EUTM Somalia will be adopted by the Council following approval of the Mission Plan. EUTM Somalia is due to terminate in 2011 after two consecutive training periods of six months.” [94a]

For information about security and policing in areas beyond the TFG’s control (i.e. most areas outside of Mogadishu) in southern and central Somalia see also [Abuses by non-government armed groups](#) and [Annex B](#) below.

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African Union Mission to Somalia (AMISOM)

- 8.09 AMISOM was set up by the UN Security Council under UNSC Resolution 1744, authorised in February 2007, with the intention of providing a 'peace-support' force of 8,000 troops drawn from African Union member states. (Amnesty International, *Routinely targeted*, 1 June 2008) [6b] (p5, 6).
- 8.10 The December UNSC Report stated that:
- “AMISOM has continued to play a significant and commendable role in carrying out its mandate, despite serious challenges. Nevertheless, the Mission continues to be constrained by a variety of pressures, especially with regard to force generation and the provision of equipment. Since my previous report, there has been no change in the deployed strength of AMISOM, which remains at around six battalions, or 65 per cent of its mandated strength. The planned deployment of one additional battalion each from Uganda and Burundi, together with 400 troops from Djibouti, has been delayed by logistics constraints. Meanwhile, the African Union has requested additional specialist assistance in the medical, engineering and military police areas.” [3j] (p11)
- 8.11 The December UNSC Report further stated:
- “Although the AMISOM police component was evacuated from Mogadishu following the 17 September 2009 suicide attack on Mission headquarters, the unit continued predeployment training for 61 African Union police in Ghana and Kenya for a possible deployment to Mogadishu, security conditions permitting.” [3j] (p11)
- 8.12 A Writenet report of April 2009, commissioned by the UNHCR, *Somalia: a national and regional disaster?*, written by Ken Menkhaus, stated that: “One of the most important roles AMISOM plays at present is controlling key installations such as the Mogadishu seaport and airport. Were AMISOM to withdraw, these would almost certainly become sites over which heavy fighting would break out, posing a risk to the TFG, the capital, and the flow of commerce and food aid into the country.” (p13) The same report noted that: “There were fears in late 2008 that AMISOM forces would not be able to maintain their positions in Mogadishu with the final withdrawal of Ethiopian forces. Despite numerous insurgency attacks on AMISOM, however, they have been able to hold their own.” [21a] (p13)
- 8.13 The Amnesty International report *Somalia: International military and policing assistance should be reviewed*, published 21 January 2010, stated that “Today, the TFG controls little more than a few districts of the capital Mogadishu and constantly faces attacks by armed groups. Many observers believe that without AMISOM, the TFG would not be able to maintain a presence in the country.” [6i]
- 8.14 On 28 January 2010, the UN Security Council agreed to authorize the Member States of the African Union to maintain AMISOM until 31 January 2011, which shall be authorized to take all necessary measures to carry out its existing mandate and requested “AMISOM to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other member States or organizations inside and outside Somalia”. [3i] (p3)

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Ethiopian forces

- 8.15 The Ethiopian forces withdrew entirely from Mogadishu on 13 January 2009, and from Somalia on 25 January 2009. (Garowe, 25 January 2009) [35g]
- 8.16 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* and also the Human Rights Watch report, *So Much to Fear*.

See [Extrajudicial killings](#)

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SOMALILAND

- 8.17 JSCRA, Somalia, Security and Foreign Forces, updated 6 October 2009 stated that:

“There is a police force in Somaliland known as the Somaliland Police Force (SLPF). The force receives assistance from the United Nations Development Programme (UNDP) under the latter's Rule of Law and Security programme. The strength is about 5,000 officers. It was reported in August 2006 that the UK had agreed to assist in strengthening the police force's law enforcement capabilities, as well as overhauling the Somaliland Immigration Department, in order to assist Somaliland in countering the threat of terrorism. In addition to the police force and an army, there is an intelligence service known as National Security Intelligence which comes directly under the control of the president.

“Of particular interest to non-government organisations (NGOs) in Somaliland is a unit of the police, known as the Special Protection Unit (SPU). The unit was set up to protect the premises and staff of international NGOs and diplomatic missions. The 300-strong unit provides round-the-clock security, as well as nighttime security patrols and armed escorts for staff travelling in Somaliland” [61d].

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PUNTLAND

- 8.18 The International Crisis Group issued a report entitled *The trouble with Puntland* on 12 August 2009 that gives a summary of the security services in Puntland:

“On the establishment of Puntland, a new police force, intelligence service and army were created, the bulk of whose members were ex-SSDF [Somali Salvation Democratic Front] guerrillas loyal to Yusuf. By 2001, the most powerful state institution – arguably more so than the presidency – was the U.S.-backed intelligence service, the PIS [Puntland Intelligence Service]. It accumulated extensive authority and acted with impunity, targeting perceived enemies and routinely using torture to extract information.

Ethiopian Ogadeni and Oromo rebels seeking temporary refuge and Islamist militants were often arbitrarily 'rendered' to Ethiopia.

"The Islamists were particularly targeted following suicide attacks in Hargeysa and Boosaaso in late 2008. Suspected Islamist militants with alleged links to the powerful Al-Shabaab movement in the south were rounded up and detained. The arrests and renditions further eroded public support for the regime, which became increasingly dependent on the PIS for survival. A disproportionate share of the \$20-million public budget was routinely allocated to the service, even as thousands of police and soldiers went for months without salary.

"Lack of pay, allegations of clan bias, favouritism and cronyism caused morale to plummet in the security and justice sectors. This in turn intensified inter-agency friction at a time when crime syndicates were beginning to overwhelm the state's weak law enforcement machinery. Many in the police force could not resist the lure of easy money from crime barons. The authorities were sluggish in tackling these problems, and their remedial measures, including arbitrary dismissals and transfers of officials, often were half-hearted and cosmetic. The net result of attempts to clean up the police was minimal, and the problem of corruption was left to fester." [24b](p7)

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

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

ARBITRARY ARREST AND DETENTION

8.19 The USSD report 2009 noted:

"In the absence of enforced constitutional or other legal protections, the TFG, militias allied with it, and various clan militias across the country continued to engage in arbitrary arrest and detention, and there was no system of due process. Although precise figures were unobtainable, local human rights organizations and international organizations reported that, although there were fewer arrests than the previous year, the TFG continued to arrest and detain persons, most of whom were quickly released; however, there were allegations that detainees were subjected to beatings, other mistreatment, and torture. Reports by NGOs and other international organizations indicated that mistreatment continued during the year... Arbitrary arrest was a problem countrywide.

"During the year authorities in Somaliland and Puntland arbitrarily arrested journalists during the year... however, unlike in previous years, TFG forces did not arrest journalists, NGO workers, or UN employees... Unlike in previous years, there were no reports of TFG-allied militia arresting persons at random and demanding 'bail' from their family members as a condition for their release.

“There were no reports of TFG police detaining persons without charge.” [2a] (Section 1d)

- 8.20 The Human Rights Watch report, *Hostages to Peace*, released in July 2009, observed that in Somaliland:

“On several occasions in recent years the Riyale administration has attempted to impose long prison terms on individuals seen as political threats. While such acts of heavy-handed government repression are not a regular feature of Somaliland’s political landscape, government officials have on many occasions targeted journalists, government critics, and others for less severe forms of harassment and abuse... The heavy-handed acts of repression...are an exception rather than the norm. But low-level harassment and brief arbitrary detention of government critics, opposition activists, and journalists is not uncommon and curtails basic freedoms. Often such abuses occur at the order of lower-level government officials rather than as part of any systematic scheme, but impunity is the norm. Where journalists and others are detained illegally on orders of government officials, many local activists believe that part of the problem is that rank-and-file police officers do not feel empowered to refuse to carry out those orders or simply do not know that they are improper.” [30f] (p 36-38)

See also [Abuses by non-government forces](#).

TORTURE

- 8.21 The USSD report for 2009 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.’ Unlike in previous years, there were no reports of the use of torture by the TFG, Puntland, or Somaliland administrations. Various clan militias and al-Shabaab continued to torture their rivals and civilians. Observers believed that many incidents of torture were not reported.

“Unlike in previous years, there were no reports of persons assembled at food distribution centers being killed or injured.

“Unlike in previous years, there were no reports of police raping women; however, there continued to be reports of militias using rape to punish and intimidate rivals. Rape was commonly perpetrated in interclan conflicts.

“There were no reports of action taken against TFG and Somaliland government forces, warlord supporters, or members of militias responsible for torturing, beating, raping, or otherwise abusing persons in 2008 or 2007. Unlike in previous years, Puntland police took action against a police officer for abuse. On August 26, in Garsor District of Mudug Region, local authorities arrested a police officer for using excessive force that resulted in the death of a businessman who refused to pay his license tax. Similarly, on September 27, police in Bossasso arrested a police officer who was implicated in the death of a civilian.” [2a] (Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)

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EXTRAJUDICIAL KILLINGS

- 8.22 The USSD report for 2009 stated “There were some reports that the [TFG] government or its affiliated militia committed arbitrary or unlawful killings, but fewer than during the prior two years.” [2a] (Arbitrary or Unlawful Deprivation of Life)
- 8.23 The report also stated that “Unlike in previous years, there were no reports that the government summarily executed persons during the year and no reports that excessive force by the TFG resulted in the death of demonstrators.” [2a] (Arbitrary or Unlawful Deprivation of Life)
- 8.24 The report continued “Use of excessive force by Somaliland government forces resulted in the deaths of demonstrators during the year” [2a] (Arbitrary or Unlawful Deprivation of Life)

For further information on abuses by Government forces throughout Somalia, see the Human Rights Watch report, [So Much to Fear](#). For further information on abuses in Somaliland, please see the Human Rights Watch report, [Hostages to Peace](#).

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9. ABUSES BY NON-GOVERNMENT ARMED FORCES

OVERVIEW OF ARMED GROUPS

- 9.01 Jane's observed in its Sentinel Country Risk Assessment, Somalia, section on security updated on 30 November 2009 that:

"Somalia remains very unstable and prone to terrorist and insurgent attack as a variety of ethnic, political and religious factions compete for influence. The Union of Islamic Courts (UIC; later renamed the Supreme Council of Islamic Courts: SCIC) was removed from power in December 2006 by TFG and Ethiopian troops but its members went on to dominate the Alliance for the Re-Liberation of Somalia (ARS), a larger umbrella organisation of opposition groups created in Asmara, Eritrea in September 2007, which has forces on the ground in Somalia and is one of the groups fighting for control of Mogadishu. Militant Islamist elements that operated within the SCIC have organised themselves into the Shabab militia which succeeded in the second half of 2008 in taking control of large areas of south and central Somalia...since the beginning [sic] of 2009, a pro-TFG alliance of convenience representing a wide variety of actors and interests, and operating under the umbrella name of Ahlu Sunna wal Jamaa has emerged as a serious counterweight to further militant Islamist expansion." [61b]

- 9.02 Ken Menkhaus in his Writenet report of April 2009, commissioned by the UNHCR, *Somalia: a national and regional disaster?* summarised the security situation:

"Somalia is replete with violent non-state actors operating either independently of the TFG or in a very loose affiliation with it. Most clans can muster a militia at short notice; most businesses possess private security forces; some municipal and regional polities possess paid security forces; and armed criminal gangs are ubiquitous and now include pirates.

"As of early 2009, only one category of armed group is actively opposing the TFG, the collection of Islamist movements which in late 2008 agreed to form a loose coalition known as Hizbul Islamiyya, an alliance on paper which failed to survive even three months before falling apart. No clan-based militias openly oppose the government, though several militia leaders with a past reputation as spoilers (or 'warlords') have regrouped inside Ethiopia and have the potential to re-emerge in Somali affairs.

"Of the several Islamist militias in the now defunct Hizbul Islamiyya coalition, [a] Shabaab, Ras Kamboni, and Jebiso are the most powerful, and of these Shabaab is clearly the strongest." [21a] (p10)

- 9.03 The IRIN report *Who is fighting whom in Somalia*, published on 2 September 2009, reported that:

"In January 2009, a peace deal signed in Djibouti between the UN-backed TFG and a faction of the opposition, the Alliance for the Re-liberation of Somalia (ARS) saw the creation of a parliament which elected Sheikh Sharif Sheikh Ahmed as president of the TFG. The former UIC chairman was considered by many as a moderate Islamist.

“Many Somalis hoped Ahmed’s election and the departure of Ethiopian troops would end the violence and launch a new era of peace in the country. They were wrong.

“Ahmed’s government was opposed by a breakaway group from his own ARS, led by his former ally Sheikh Hassan Dahir Aweys. Aweys, who was based in Asmara, Eritrea, returned to Somalia and set up Hisbul-Islam (Party of Islam).

“The Djibouti peace deal was also opposed by Al-Shabab, which had long split from the main UIC.

“Whereas previous struggles for power in Somalia were fought along the lines of the country’s complex clan system, the current conflict is, ostensibly at least, a war between groups with different interpretations of Islam.” [10bg]

See [Annex B](#) for more details on various armed groups.

Al Shabaab

- 9.04 A BBC Monitoring background briefing on Somalia, Profiles: Leaders of Somalia’s Al Shabab, dated 12 May 2009, reported:

“Al-Shabab is an Islamist movement which controls parts of Somalia and presents a serious challenge to the tenuous authority of the UN-sponsored transitional government. It says it is fighting to implement [strict interoretation [sic] of] shari’ah law across the country....Al-Shabab is an Arabic term for ‘The Youth’.

“Formed around 2004, Al-Shabab was initially a youth wing of the Union of Islamic Courts (UIC), a group led by Muslim clerics which briefly controlled large swathes of southern Somalia before it was ousted by the Ethiopian-backed forces of Somalia’s Transitional Federal Government.

“After the ouster of the UIC, Al-Shabab appeared to have broken out on its own and become more militant, attacking government troops and their Ethiopian allies as well as African Union peacekeepers.

“In 2008, the group took control of parts of Somalia following the withdrawal of the Ethiopian troops, and imposed new shari’ah-based regional administrations, posing a challenge to the authority of the unity government led by their former UIC chief Shaykh Sharif Shaykh Ahmad.

“The group appears to be more united than many political groups in Somalia not least because its top leadership comprises people from almost all Somali clans, which makes it less prone to the clan rivalry that besets its rivals.” [98a]

- 9.05 The Council for Foreign Relations report, *Somalia: A New Approach*, dated 10 March 2010, stated that:

“The Shabaab...faces significant and growing resistance from clan and moderate Islamist groups. The movement is also internally fractured along both ideological and clan lines. The Shabaab’s radical leadership is believed to be concentrated along the southern coast, primarily in the port city of

Kismayo. These leaders—Abdi Godane ('Sheikh Mokhar Abu-Zubeyr'), Ibrahim Haji Jama ('al-Afghani'), and Fuad Mohamed Khalaf ('Fu'ad Shangole')—have known connections to international jihadist groups and are committed to the Salafi-Wahabist strand of Islam. Access to extensive resources and support from the Middle East (and allegedly Eritrea, though these claims have been poorly substantiated) has allowed these Shabaab leaders to develop an unusual degree of centralized control over several mixed-clan militia groups. The size of these militias is probably only in the hundreds, but their capacity has been enhanced by the presence of foreign experts who provide training in insurgent tactics, including the use of explosive devices and the Wahabi ideology.

“The mixed-clan militias, with their disciplined, indoctrinated fighters—some of them foreigners from the United States, Australia, Denmark, Yemen, and Afghanistan, among other countries—represent only a fraction of the Shabaab forces. Most Shabaab fighters are illiterate neighborhood youths, some of them recruited at gunpoint, prone to defection, and possessed of little military training. Many more of the recruits have been opportunistically drawn to the Shabaab from Somalia's many clan and bandit militia factions. A Shabaab-held neighborhood in Mogadishu, for example, may host as many as seven separate militia factions, all of whom identify themselves as Shabaab, but nevertheless compete violently against one another for taxes and territory. The ability of the central Shabaab leadership to exercise command and control of these factions is limited. Indeed, rather than rejecting all Western influence in Somalia, the majority of Shabaab factions have actively cooperated with Western humanitarian relief efforts (if only for a fee). Likewise, a number of Shabaab factions have publicly denied any involvement in terrorist activities or banditry. A major Shabaab leader and U.S.-designated terror suspect, Muktar Robow (also known as Abu Mansoor), has publicly dissented from the Shabaab's strategy of imposing a harsh sharia law on Somalia. He has called instead for the adoption of pragmatic, nationalist strategies that are more in keeping with Somali social custom. Other fighters and militia leaders have been alienated by the Shabaab's deference to foreign tactics and leaders, particularly in the wake of the December 3, 2009, suicide attack, which killed twenty-four people and destroyed the first medical graduation to be held in Somalia in two decades. The attack provoked unprecedented outrage among Somalis, and it was blamed on “foreigners” within the Shabaab.

“The capacity of relatively middle-ground Islamist leaders such as Robow and Hassan Turki to influence Shabaab policy is limited. Although they often represent strong local constituencies, they are neither radical nor moderate enough to attract external financial backing, and they are easily held hostage to the demands of the Shabaab's better-funded radical leadership. Robow's recent promise to send troops to support the Islamist insurgency in Yemen has been taken by many experts as a proof of his vulnerability. The ability of the Shabaab's most radical leaders to dictate policy, however, may backfire. The Shabaab's increasing reliance on foreigners, and its declared commitment to the global jihad, has alienated both its rank-and-file fighters and the broader Somali public.” [99a]

- 9.06 The Report of the Secretary-General [to the UN Security Council] on the situation in Somalia, dated 20 July 2009, summarised al Shabaab [and other Islamist insurgent forces'] tactics:

“Insurgent groups, such as Al-Shabaab, are alleged to be extorting money from private companies and recruiting young people to join the fight against the Government in Mogadishu, including child soldiers. Al-Shabaab has confirmed the presence of foreign fighters within its ranks and has stated openly that it is working with Al-Qaida in Mogadishu to remove the Government of Somalia. The foreign fighters, many of whom reportedly originate from Pakistan and Afghanistan, appear to be well trained and battle-tested. They have been observed wearing hoods, directing offensive operations against Government forces in Mogadishu and neighbouring regions. Al-Shabaab has intensified its strategy to coerce and intimidate the Somali population, as reflected in the carefully selected ‘high gain’ assassinations and arrests of clan elders, several of whom have been murdered.” [3g] (p3, paragraphs 10-11)

- 9.07 The IRIN report *Who is fighting whom in Somalia*, published on 2 September 2009, gave the following overview of Al Shabaab:

“The main threat to the TFG is posed by Al-Shabab. It is on a US terror list and is accused of having links with Al-Qaeda. The group controls much of southern and central Somalia, including parts of Mogadishu. Al-Shabab is reportedly led by a shadowy figure who goes by the name of Abu Zubeyr. His real name, according to Somali sources, is Ahmed Godane and he is originally from secessionist Somaliland. His main contact is through taped messages given to Somali radio stations. The group's professed aim is to spread Islam across the globe.

“The movement has been accused of kidnapping, assassinating government officials and journalists, and other criminal activity.

“While a keynote of Al-Shabab's official rhetoric is that clan affiliation and geographic origin should play no part in governance, and that any Somali should be able to serve as ‘amir’, or leader, in any part of the country, this policy does not appear to be followed in central Somalia, where only locals are appointed amirs.

“Al-Shabab views President Ahmed as a traitor to the Islamic cause and has described him and his government as “Murtadiin” (apostates). It believes in the strict application of Sharia law.” [10bg]

- 9.08 Al Shabab are to become a proscribed terrorist organisation in the UK (BBC News, 1 March 2010) [8br].

See [Latest News](#) and [Recent developments](#) for information about recent actions by al-Shabab. Also see [Political affiliation and expression](#), [Freedom of speech and media](#), [Freedom of religion](#), and [Annex B](#).

Hisbul Islam

- 9.09 The IRIN report, *Who is fighting whom in Somalia*, published on 2 September 2009, gave the following information on Hisbul Islam:

“Like Al-Shabab, Hisbul-Islam is also fighting the TFG but is not known to engage in kidnapping and assassinations. It also differs in outlook. Hisbul-Islam is inward-looking and concerned with local rather than international issues, according to Somali analysts. Aways, its leader, considers the

Djibouti peace deal a betrayal. The group is reportedly supported by Eritrea, a charge Eritrea consistently denies.

“Hisbul-Islam insists it will stop fighting if all ‘foreign forces’ leave Somalia, including AMISOM troops.” [10bg]

- 9.10 On 30 April 2009 Sheikh Aweys, leader of the ARS-Asmara faction, returned to Mogadishu (Garowe, 23 April 2009) [35ar], rebuffed overtures from President Sharif and was elected leader of Hisbul on 26 May 2009 (Garowe, 26 May 2009) [35ap]

Ahlu Sunna Waljama

- 9.11 The IRIN report, *Who is fighting whom in Somalia*, published on 2 September 2009, gave the following information on Ahlu Sunna Waljama:

“Ahlu Sunna Waljama is a Sufi sect, regarded as more moderate in its interpretation of Islam than Al-Shabab. It joined the fighting in late December 2008, dislodging Al-Shabab from the towns of Guri-Eil and Dusamareb in Galgadud region. It now controls all of Galgadud in central Somalia.

“Ahlu Sunna Waljama has two branches. The first was formed by Sufi clerics and enjoys support from Ethiopia. This branch is mainly concentrated in central regions. The other is led by former warlords, who apparently are using the name to reinvent themselves. This group is mainly in the south around Gedo, Bay and Bakol regions. They have some links to the TFG.” [10bg]

Clan-based militias

- 9.12 The US State Department Report on Human Rights in Somalia for 2009 stated that “larger clans had armed militias at their disposal, and personal quarrels and clan disputes frequently escalated into killings”. [2a] (Introduction)

HUMAN RIGHTS VIOLATIONS BY ARMED GROUPS

For details of recent significant acts of violence committed by the various armed groups see [Recent developments](#) and [Latest news](#) above.

- 9.13 The Human Rights Watch *World Report 2010*, covering events in 2009, released on 20 January 2010, stated:

“Most of south-central Somalia was under the control of local administrations linked to al Shabaab and other opposition groups throughout 2009. A level of peace and stability prevailed in some opposition-controlled areas, but many of their administrations carried out serious abuses against the populations they control.

“Al Shabaab in particular has grown notorious for abusive and often arbitrary applications of Sharia law, which in at least a few cases have seen alleged crimes punished with amputations, beheadings, and, in October 2008 in Kismayo, the stoning to death of a young woman on charges of adultery. Residents of the southern town of El Wak told Human Rights Watch that in early 2009 the local al Shabaab militia forced women to stop working as tea

sellers and also beat women illicitly selling the mild narcotic *qat*, which al Shabaab has sought to ban.

“In some areas al Shabaab and other opposition groups have forcibly recruited men and boys into militia forces. In Jowhar, for example, al Shabaab militiamen reportedly press-ganged men into military service in 2009. Many opposition militias include children within their ranks; in at least some parts of Somalia al Shabaab has deliberately targeted children for recruitment through a mix of promises, threats, and indoctrination.” [30g]

- 9.14 The Human Rights Watch (HRW) report, *So Much to Fear*, dated 10 December 2008, stated that:

“Insurgents fighting against TFG and ENDF forces [Ethiopian National Defence Force – left Somalia in January 2009] in Somalia have committed rampant violations of the laws of war as well as serious human rights abuses against Somali civilians. These have included death threats, targeted killings, coerced recruitment, and use of child soldiers. As discussed separately, members of Al-Shabaab and other insurgent groups have also attacked and threatened humanitarian workers and obstructed the delivery of humanitarian assistance.

“The confusing array of groups fighting under the banner of the insurgency in Somalia often makes it difficult or impossible to determine precise responsibility for serious abuses...” [30c] (p64)

- 9.15 The same source noted that: “Insurgent groups have routinely violated the laws of war through their indiscriminate use of mortars and remote-detonated explosive devices in populated areas and by using civilian neighborhoods as cover to launch mortar attacks and ambushes. Insurgent groups also make no effort to remove local residents from areas in which they deploy their forces.” [30c] (p64)

- 9.16 The HRW report, *So Much to Fear*, also stated:

“Insurgents in Mogadishu are expanding their ranks through the use of forced recruitment and of child soldiers. International humanitarian law prohibits the forcible recruitment of adults and any recruitment of children into armed groups.

“Human Rights Watch interviewed three people from Mogadishu whom local Al-Shabaab fighters attempted to recruit as fighters. They and other Mogadishu residents, including parents whose children had faced similar pressures, said that young men and boys in Mogadishu face a combination of peer pressure, promises of cash payments, and threats from insurgent fighters seeking to recruit them into their ranks...A man named Mohammed told Human Rights Watch that he, his father, and his uncle were all approached by men who identified them as Al-Shabaab fighters and pressured into joining them. He said he thought his father and uncle were especially targeted because they had military and police experience, respectively, in their younger days. All of the men rebuffed these attempts at recruitment, and all then received several phone calls where the callers threatened to kill them if they did not reconsider. One day in August 2008 Mohammed heard a series of gunshots and raced over to his father’s house

to find him lying dead in a pool of blood along with his uncle and brother. He fled Mogadishu the next day.” [30c]

- 9.17 The BBC Somali service reported on the recruitment of children by al Shabaab, claiming that they were recruiting children “as young as eight years old”. The report further stated:

“A Mogadishu resident says he has seen 10-year-old children on street corners in Mogadishu armed with AK47s.

“‘A child of about 12 years old, armed with a gun and a whip works at a crossroads in Mogadishu's Bakara market,’ he says.

“‘The boy stops public transport and checks if there are men and women passengers sharing the seats.

“‘If he finds them, he tells them to get off the bus and flogs them in public while other members of al-Shabab sit under roadside trees nearby.’” [8aj]

- 9.18 The report also stated that:

“Hundreds of Somali youngsters are recruited and trained in camps in southern Somalia by al-Shabab, according to a senior police officer.

“‘The people involved in training children are foreigners who speak English or Arabic and they use translators to help them,’ says Colonel Abdullahi Hassan Barise...He said a few months ago, the police caught a small bus carrying teenagers at a police checkpoint outside Mogadishu.

“The children were from villages and towns in Lower Juba and they had been transported by al-Shabab.

“In their inquiries, he said they had found that some of the children had been threatened while others were brainwashed into believing that they would go to paradise if they took part in what was described as the defence of Somalia and Islam.

“...A worker for a children's rights group in Somalia says that, while using children as soldiers is not new, the scale, number and age of those involved is worrying.

“Parents try to stop their children from being recruited - but the lack of schools or other activities as well as, in some cases, peer pressure makes it difficult.” [8aj]

See also Children, [Child soldiers](#)

- 9.19 The HRW report, *So Much to Fear*, dated 10 December 2008, observed that:

“Insurgent forces have both threatened and carried out dozens of assassinations against perceived TFG collaborators and other Somali civilians. These abuses have increased in frequency in 2008. Their victims have included civilian TFG officials; police officers; Somalis working at menial jobs that involve contact with TFG offices or ENDF soldiers; civil

society activists; journalists; cinema owners; and people from many other walks of life. Under no circumstances are any of these categories of people, including civilian TFG officials not directly taking part in armed hostilities, legitimate military targets under international humanitarian law.” [30c] (p70)

9.20 The USSD report for 2009 reported:

“Prominent peace activists, clan elders, and their family members became targets and were either killed or injured for their roles in attempted peace-building. There were no reports of government involvement in these killings, but the government neither identified nor was able to punish the perpetrators. Reports indicated that al-Shabaab and its affiliated militias were behind many of these killings [the report listed a number of killings associated with al Shabab].” [2a] (Arbitrary or Unlawful Deprivation of Life)

9.21 The USSD report for 2009 also stated that “Islamic extremists trying to impose strict social edicts killed several persons.” [2a] (Arbitrary or Unlawful Deprivation of Life)

9.22 The US State Department *Country Reports on Terrorism 2009, released on 30 April 2009, observed that:*

“Since the end of 2006, al-Shabaab and disparate clan militias led a violent insurgency, using guerrilla warfare and terrorist tactics against the Ethiopian presence in Somalia and the Transitional Federal Government of Somalia, and the African Union Mission in Somalia (AMISOM) peacekeepers... Al-Shabaab has used intimidation and violence to undermine the Somali government and regularly kills activists working to bring about peace through political dialogue and reconciliation. The group has claimed responsibility for several high profile bombings and shootings in Mogadishu targeting Ethiopian troops and Somali government officials. It has been responsible for the assassination of numerous civil society figures, government officials, and journalists. Al-Shabaab fighters or those who have claimed allegiance to the group have also conducted violent attacks and targeted assassinations against international aid workers and nongovernmental aid organizations.” [2e] (Chapter 6: Terrorist organisations)

See also [Latest News](#), [Recent Developments](#), [Death Penalty](#), [Judiciary: Shari’a Law](#).

For further information on recruitment by armed groups, see the Landinfo report, [Armed groups and recruitment](#).

Inter- and intra-clan conflict

9.23 There were also incidents of abuses as a result of inter-clan rivalry. The USSD report for 2009 noted:

“During the year hundreds of civilians were killed in inter- or intraclan militia clashes. The killings resulted from clan militias fighting for political power and control of territory and resources, revenge attacks, banditry and other criminal activities, private disputes over property and marriage, and vendettas after such incidents as rapes, family disagreements, killings, and abductions. With the breakdown of law and order, authorities investigated

very few of these cases, and there were few reports that any of the cases resulted in formal action by the local justice system.

“Tension remained high in Galkayo with intermittent gunfights between clan militias. After a July 20 clash in Galkayo, several prominent persons were killed in retribution attacks.

“Between July and September, intraclan conflict in Harar Dhere, Mudug Region, resulted in the deaths of an estimated 20 persons and injuries to numerous others. On August 5, intraclan fighting killed five persons; on September 6, six others were killed in the same area. These deaths followed the collapse of clan elders' conflict mediation efforts. During the year recurrent intraclan conflicts caused several deaths along the border of Hiraan and Middle Shabelle regions.

“On August 12, a land- and water-related dispute between two subclans in Ufweyn and Qandala districts of Puntland's Bari Region resulted in the killing of five persons and wounding of several others. The dispute further escalated, killing an estimated 40 persons and wounding several others during the year. In late September President Farole visited the areas of conflict to bolster conflict mediation efforts by local political and traditional leadership. On October 21, a delegation of Puntland elders and government officials led by President Farole returned to Ufweyn with a set of binding resolutions for all parties to the conflict.

“In April five persons were killed in disputes over the El-Berdaale farming land in Gabiley, Somaliland. More than 100 clan elders went to Kalabeyd, used traditional mediation strategies, and brokered a ceasefire. In a related incident on July 11, unidentified militia members stopped travelers along the Borame-Gabiley road; they took 10 hostages and summarily executed four of them. Somaliland authorities did not make any arrests in connection with the killings. Clan elders sought to capture and hand over the suspects to police.” [2a] (Arbitrary or Unlawful Deprivation of Life)

See also [Latest News](#), [Recent Developments](#), [Death Penalty](#), [Judiciary](#), [Shari'a Law](#) and [Ethnic groups](#).

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10. JUDICIAL SYSTEM

- 10.01 The US State Department Background Note, Somalia, updated in January 2010 summarised the judicial system stating that there is "... no functioning nationwide legal system... " instead there is an "... informal legal system based on previously codified law, Islamic (shari'a) law, customary practices, and the provisions of the Transitional Federal Charter." [2d] Jane's Sentinel Country Risk Assessment, Somalia, Internal Affairs updated on 29 April 2009, stated that: "There is currently no nationwide judicial system so some regions have reverted to sharia (Islamic law) or secular courts. However, in March 2009, Parliament approved a proposal by President Sheikh Sharif Sheikh Ahmed that the judicial system would be based on sharia." [61e] On 10 May 2009 Shari'a was implemented by the Transitional Federal Government (USSD IRF Report 2009) [2c] **(Legal/Policy Framework)**
- 10.02 In the Landinfo response, Somalia: Protection and conflict resolution mechanisms, dated 2 June 2009, it was stated that:
- "The Somali transitional institutions, including the legal system, are weak and the transitional authorities' ability to protect the population's rights is extremely limited.
- "Law enforcement in Somalia is currently carried out in three different ways; traditional common law practiced through the councils of elders/clan leaders, Islamic law practiced through Sharia courts and secular law practiced through an ordinary court authority. However, the ordinary court authority was destroyed during the civil war, and is still almost non-existent in Southern Somalia. Traditional common law is the most widespread and most commonly used legal system in present day Somalia." [45g]
- 10.03 The USSD report for 2009 stated:
- "Traditional clan elders mediated in and resolved intra- and interclan conflicts throughout the country. During the year, in Somaliland traditional elders intervened during political disputes between the government and opposition political parties. Clans and subclans frequently used traditional justice [customary law or xeer], which was swift. Traditional judgments sometimes held entire opposing clans or subclans responsible for alleged violations by individuals....**(Denial of Fair Public Trial)** The inability of the judiciary to handle civil cases involving such matters as defaulted loans or contract disputes encouraged clans to take matters into their own hands and led to increased interclan conflict. There were no lawsuits seeking damages for, or cessation of, a human rights violation. With the breakdown of the rule of law and the lack of a coherent legal system or effective government, individuals were not afforded adequate protection or recourse." [2a] **(Civil Judicial Procedures and Remedies)**
- 10.04 The UN Security Council's *Report of the Secretary-General on the situation in Somalia* published 31 December 2009 (December UNSC Report) stated that: "During the reporting period [October to December 2009 inclusive], the United Nations country team expanded the provision of legal aid both in 'Somaliland' and in 'Puntland'. In southern and central Somalia, UNDP continued to support the provision of such aid by civil society, including in Mogadishu through two women's organizations." [3j] (p14-15)

- 10.05 The USSD Report for 2009 reported that “In areas that al-Shabaab controlled, Shari'a was applied; however, there were no trained Shari'a judges to preside over cases, resulting in uneven and at times draconian sentencing.” [2a] (Denial of fair public trial)

See [Sharia Law](#) for further information on this. For further information on customary law (xeer) see [Ethnic groups](#).

SOUTH AND CENTRAL SOMALIA

- 10.06 The US State Department *Country Report on Human Rights Practices 2009, Somalia* (USSD report for 2009), released on 11 March 2010, stated:

“The [Transitional Federal Charter] TFC provides for an independent judiciary, but there was no functioning judicial system for the [Transitional Federal Government – which controls parts of Mogadishu] TFG to administer. The TFC outlines a five-year transitional process that includes the drafting of a new constitution to replace the 1960 constitution that was in force prior to the 1991 collapse of the Barre regime; 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 instance; however, in practice 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. On May 13, President Sharif ratified a parliamentary bill establishing Shari'a nationwide; however, by year's end there were no official institutions charged with the administration of Shari'a. On August 5, President Sharif established a military court for members of the TFG armed forces, but this court did not operate in practice. In areas that al-Shabaab controlled, Shari'a was applied; however, there were no trained Shari'a judges to preside over cases, resulting in uneven and at times draconian sentencing. For example, on January 28, in Kismayo, a man's hand was amputated for stealing three sacks of fishing nets. On March 9, four male youths ages 15-18 were sentenced to death for raping an 18-year-old girl. Their sentences were commuted to a public flogging of 100 lashes each, since none of the boys had been previously married.” [2a] (Denial of Fair Public Trial)

- 10.07 As noted in the US State Department's *International Religious Freedom Report, Somalia*, released on 26 October 2009 (USSD IRF 2009), covering events between 1 July 2008 and 30 June 2009:

“On May 10, 2009, the TFG ratified legislation to implement Shari'a law nationwide. In practice, the TFG does not have the capacity or mechanisms to implement the legislation uniformly.

“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. Legal frameworks vary considerably, as each

community individually regulates and enforces religious expression, often on an ad hoc basis.” [2c] (Legal/Policy Framework)

- 10.08 The UN Security Council's *Report of the Secretary-General on the situation in Somalia* published 31 December 2009 (December UNSC Report) stated that:

“In southern and central Somalia, the Transitional Federal Government established a military court to prosecute violations committed by its own soldiers, in which several soldiers were reportedly sentenced to death after having been found guilty of murder. In accordance with Somali law, those convicted by a military court have the right to appeal to the Supreme Court on certain grounds, once the Court becomes operational.” [3j] (p14-15)

- 10.09 On 23 January 2010, Garowe Online reported that Somalia's Judiciary High Commission has held “its first meeting since the appointment of new Chief Justice Mohammed Omar Farah (Indho Buur) in the capital Mogadishu. The meeting was discussed on how best the high court will conduct its business.” [35bu]

- 10.10 The USSD IRF Report 2009 observed that on 10 May 2009 “...the TFG ratified legislation to implement Shari'a law nationwide. In practice, the TFG does not have the capacity or mechanisms to implement the legislation uniformly.” [2c] (Legal/Policy Framework)

- 10.11 Amnesty International public statement against reported amputations and stonings carried out by al Shabab, dated 24 November 2009, stated:

“Al Shabaab spokespeople have claimed that such acts [amputations, stonings and other (forms of) executions] are committed in order to enforce their own interpretation of Islamic law (shari'a) in the areas they control. Some of these acts of torture and killings have been ordered by 'Al Shabaab courts', which seem to be quasi-judicial bodies charged with dispensing 'justice' in Al Shabaab controlled areas. Such acts are contrary to international humanitarian law, which prohibits *“the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court”* (Common Article 3 to the Geneva Conventions.)

“Little is known about the proceedings of “Al-Shabaab courts”, since no independent observer has been able to watch them. However, people tried in such “courts” do not appear to benefit from any due process guarantees, including legal representation or possibility of appeal.

“Al Shabaab armed groups have taken advantage of the breakdown of the rule of law in south and central Somalia. The country lacks an effective justice system since the state effectively collapsed in 1991. Al Shabaab claim that their actions are intent on restoring law and order in Somalia.” [6h]

PUNTLAND

- 10.12 The USSD report for 2009 stated:“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. These courts functioned, although they lacked the capacity to provide equal protection under the law.” [2a] (Denial of Fair Public Trial)

- 10.13 The Puntland authorities declared in April 2009 that they did not consider the vote in the Somali Parliament on the adoption of Shari’a law to be applicable to Puntland. (Garowe, 20 April 2009) [35ah]

SOMALILAND

- 10.14 The USSD report for 2009 stated:

“The Somaliland constitution provides for an independent judiciary; however, the judiciary was not independent in practice. The Somaliland constitution is based on democratic principles, but the region continued to use laws that predate the constitution, some of which contradict democratic principles. Functional courts exist, although there was a serious lack of trained judges and a shortage of legal documentation to build judicial precedence. Untrained police and other unqualified persons reportedly served as judges. International NGOs reported that local officials often interfered in legal matters and that the Public Order Law in Somaliland was often used to detain and incarcerate persons without trial.” [2a] (Trial Procedures)

- 10.15 The Human Rights Watch report of July 2009, ‘*Hostages to peace: threats to human rights and democracy in Somaliland*’, stated that Somaliland has a four-tiered court system – District Courts as lower courts, with Regional Courts, Regional Appellate Courts, and a Supreme Court. (p17) *The report* noted the power of Security Committees as extra-legal institutions designed for the executive branch of government to bypass the judiciary (p18) and stated that “In practice much of the work of the lower courts in criminal justice matters has been usurped by the executive’s Regional Security Committees.” [31f](p17)
- 10.16 The *Hostages to peace* report outlined the deficiencies of the judiciary in terms of resources and competence. [31f](p23-25)

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11. ARREST AND DETENTION – LEGAL RIGHTS

- 11.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia* (USSD report for 2009), released on 11 March 2010, stated

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

- 11.02 The USSD report for 2009 also stated: “Arbitrary arrest was a problem countrywide.” [2a] (Arrest and Detention)

For details of arbitrary arrest and detention committed by the security forces of the TFG, Somaliland and Puntland authorities see Security forces above.

SOUTH AND CENTRAL SOMALIA

- 11.03 The Human Rights Watch report, *So much to fear*, published in 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 officers detain arbitrarily for the purpose of extortion. [30c] (p55-57)

SOMALILAND

- 11.05 The Human Rights Watch report, *Hostages to peace*, published July 2009, stated that in Somaliland, the legal requirement of bringing detainees before a court within 48 hours is frequently flouted. The report states:

“Police officials regularly flout this requirement and judges do not challenge them. One judge told Human Rights Watch that in minor criminal cases in his jurisdiction the police simply punished defendants by imprisoning them for several days or a week rather than bothering to take them to court, and that he saw nothing wrong with this. As one prominent activist in Hargeisa lamented, ‘The law says within 48 hours you must be brought before a judge—but people sit in police stations for days and weeks without even knowing why they were arrested.’

“When police do bring criminal suspects to court, they frequently and often repeatedly ask the court to recommit the suspects for further custody without producing any evidence against them. The courts acquiesce to these remand requests with such regularity that they effectively allow indefinite detention without charge. A UN official estimated to Human Rights Watch that on average there are between 30 and 40 remand prisoners in each of

Somaliland's six main prisons at any given time—a large proportion of the overall prison population.” [31f](p25-26)

See also [Security forces](#) and [Abuses by non-government armed groups](#)

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12. PRISON CONDITIONS

- 12.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia* (USSD report for 2009), released on 11 March 2010, stated:

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

SOUTH AND CENTRAL SOMALIA

- 12.02 The Human Rights Watch report, *So much to fear*, published in December 2008, added more:

“The TFG’s National Security Agency maintains a dungeon-like detention facility in the Baarista Hisbiga building near Villa Somalia in southern Mogadishu. Human Rights Watch gathered detailed accounts of the appalling conditions of detention there from four former NSA detainees.

“The detention facility consists of a long basement corridor with seven rooms branching off of it. Five of those rooms are holding cells and two of them serve as communal toilets and washrooms. There is no source of natural light or fresh air and as many as 200 detainees are held there at one time. The cramped holding cells cannot hold such large numbers so the doors are usually left open and detainees compete for space inside of the cells and along the corridor.” [30c] (p53-54)

- 12.03 The USSD report for 2009 added:

“According to Mogadishu-based human rights organizations, TFG prison conditions improved and wardens were generally responsive on human rights problems. There were far fewer prisoners and detainees held in TFG prisons than in previous years. There were an estimated 400 prisoners held at Mogadishu central prison, the only TFG-operated prison during the year. The reduction in the number of TFG prisoners was largely due to a reconciliation policy that did not emphasize arrests and a lack of capacity to detain those who sought to undermine or attack the government. United Nations Development Program (UNDP) Somalia supported local partners to institute judicial and rule of law reforms. Through such initiatives as the UNDP-supported Police Advisory Committee, authorities released more than 5,000 prisoners in the previous two years.

“Unlike in previous years, there were no reports of TFG-allied militias operating detention centers. Antigovernment groups, extremist elements, and clan leaders reportedly continued to operate detention centers in which conditions were harsh and guards frequently abused detainees. Al-Shabaab and affiliated extremist armed groups operated dilapidated detention centers in areas under their control in the south and central regions. Thousands of prisoners were incarcerated in inhumane conditions for relatively minor offenses such as smoking, listening to music, and not wearing the hijab. For example, on July

19, al-Shabaab in Baidoa jailed 20 women for disobeying the decree requiring them to wear the hijab. In October al-Shabaab flogged women in Mogadishu for not wearing the hijab, and on October 25 arrested 20 women and detained them in Bakara market. The women were released after three days, some after paying a fine of 600,000 Somali shillings (\$15). Unlike in previous years, there were no reports by human rights organizations and civil society leaders in Mogadishu of the existence of makeshift detention centers in Mogadishu where prisoners were held during and after episodes of heavy fighting.” [2a] (Prison and Detention Center Conditions)

- 12.04 The USSD report for 2009 also added: “In prisons and detention centers, juveniles frequently were held with adults. The incarceration of juveniles at the request of families who wanted their children disciplined continued to be a major problem. Female prisoners were separated from males. Particularly in the south central region, pretrial detainees were often not separated from convicted prisoners.” [2a] (Prison and Detention Center Conditions)

See [Children](#)

PUNTLAND AND SOMALILAND

- 12.05 On the monitoring of prison conditions in Puntland, the USSD report for 2009 stated:

“The Puntland and Somaliland administrations permitted prison visits by independent monitors. The September 17 UNIE report described conditions at Puntland's Garowe central prison as ‘terribly bad.’ According to UNIE, this was due to lack of capacity to hold large numbers of prisoners rather than intentional abuse. A project of Somaliland and the UNDP resulted in the formation of an independent prisoner monitoring committee. The UNDP also extensively trained the prison custodial corps on a variety of human rights problems. There were no visits by the International Committee of the Red Cross to prisons in Somaliland or in the rest of the country during the year; however, a prisons conditions management committee organized by the UNDP and composed of medical doctors, government officials, and civil society representatives continued to visit prisons in Somaliland. During the year the UNDP managed a program to improve Somaliland prisons by building new facilities and assisting in training wardens and judicial officials.” [2a] (Prison and Detention Center Conditions)

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13. DEATH PENALTY

- 13.01 The death penalty is retained in Somalia. Amnesty International, in its *International Report on Somalia 2009*, published on 28 May 2009, covering events from January to December 2008, noted:

“Death sentences were reportedly carried out by those claiming local authority in Kismayo, including on 22 April when a man accused of murder was executed by shooting. Authorities of al-Shabab factions reportedly unlawfully killed several men accused of murder.

“In Baidoa two men were executed without trial and a third killed in police custody on 26 November following a grenade attack that killed 10 people, including a TFG military officer ... Puntland authorities announced that they would apply the death penalty in cases of piracy in that region, but no executions were reported.” [6a]

- 13.02 Islamist group, al Shabab, has sentenced to death and executed people, applying a strict interpretation of Shari’a. An Amnesty International public statement, issued on 24 November 2009, reported that

“On 17 November, a woman was buried to her waist and stoned to death in a village close to Wajid in the Bakool region... This follows the stoning to death on 6 November of a man named Abas Hussein Abdirahman in the city of Merka, controlled by Al Shabaab since November 2008. An Al Shabaab spokesperson said that the woman accused with Abas Hussein Abdirahman of ‘adultery’ would also be stoned to death once she has given birth. Information received by Amnesty International indicates that the woman is 32 years old, about six months pregnant and lives in the Afgoye district.” [6h]

- 13.03 The statement went on to report that:

“In October 2008, members of Al Shabaab in Kismayo stoned to death a 13-year-old girl who was raped by three men. Al Shabaab claimed that she was in her twenties and had committed “adultery”. The unlawfulness and arbitrariness of such “courts” and their apparent links with Al Shabaab place civilians living under the control of Al Shabaab at serious risk of being tortured and unlawfully killed.

“In recent months, members of Al Shabaab have also carried out public executions of individuals accused of collaborating with the Transitional Federal Government (TFG). On 28 September, an Al Shabaab firing squad shot dead two young men in Masla, near the livestock market in northern Mogadishu, in front of a crowd of residents. They accused the two men, Hasan Moalim Abdulahi and Mohamed Ali Salad, of spying for the US Government, the TFG and the African Union Mission in Somalia (AMISOM). On 25 October, they also shot dead two other young men in Merka, claiming that they had “confessed” to spying against them.” [6h]

- 13.04 BBC News reported on 18 November 2009 that:

“A 20-year-old woman divorcee accused of committing adultery in Somalia has been stoned to death by Islamists in front of a crowd of about 200 people. A judge working for the militant group al-Shabab said she had had an affair with an unmarried 29-year-old man. He said she gave birth to a

still-born baby and was found guilty of adultery. Her boyfriend was given 100 lashes.” [8b]]

13.05 The report continued:

“BBC East Africa correspondent Will Ross says the stoning is at least the fourth for adultery in Somalia over the last year. Earlier this month, a man was stoned to death for adultery in the port town of Merka, south of Mogadishu. His pregnant girlfriend was spared, until she gives birth.

“A girl was stoned to death for adultery in the southern town of Kismayo last year. Human rights groups said she was 13 years old and had been raped, but the Islamists said she was older and had been married. Last month, two men were stoned to death in Merka after being accused of spying.

“President Sheikh Sharif Sheikh Ahmed, a moderate Islamist, was sworn in as president after UN-brokered peace talks in January. Although he says he also wants to implement Sharia, al-Shabab says his version of Islamic law would be too lenient.” [8b]]

See also: [Judiciary: Shari’a Law, Abuses by Non Government Armed Groups](#)

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14. POLITICAL AFFILIATION AND EXPRESSION

SOUTH AND CENTRAL SOMALIA

For freedom of expression generally, see [Freedom of speech and media](#)

- 14.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia* (USSD report for 2009), released on 11 March 2010, stated:

“In the absence of effective governing institutions, citizens could not exercise the right to change their government. In January, through the Djibouti Process, the parliament was expanded, and it extended the TFG mandate until 2011, to prepare the country for national elections. Unlike in previous years when clan leaders operated as de facto rulers in most regions under the nominal control of the TFG, much of the country fell under the rule of armed militias, many associated with the al-Shabaab terrorist group. Although al-Shabaab often collaborated with clan leaders in the areas it controlled, many clan leaders continued to face opposition from intraclan groups and political factions.” [2a] (Section 3, Respect for political rights)

- 14.02 The USSD report for 2009 observed that: “The TFC provides for freedom of association, and unlike in previous years, there were no reports that the TFG restricted freedom of association.” [2a] (Freedom of Assembly)

- 14.03 Shabelle Media Network reported on 15 February 2010 that “At least 4 people have been killed and more others injured in Mogadishu after big blasts targeted to the military convoy led by the state minister of the transitional Federal Government of Somalia Sheik Yusuf Mohamed Siad (Inda'ade) who escaped the explosions” [37m]

See Recent Developments, [Political Developments](#), [Political System, Central and southern Somalia](#), [Freedom of Speech and Media](#), [Freedom of Association](#). For examples of treatment of civilians by non-state armed groups, please see [Abuses by non-state armed groups](#).

SOMALILAND

- 14.04 The Human Rights Watch (HRW) report *Hostages to peace*, published July 2009, stated that in Somaliland, “The Somaliland Government has regularly violated Somalilanders’ rights to free expression and assembly. On at least several occasions the Regional Security Committees have sentenced people to prison terms for protesting government actions.” [31f](p42)

- 14.05 The report further stated that in Somaliland, “The government, through the Ministry of the Interior, has also issued several blanket bans on any kind of political assembly while offering no legal justification for such moves.” [31f](p42)

- 14.06 The International Crisis Group report, *Somaliland: A Way out of the Electoral Crisis*, dated 7 December 2009, gave the following overview of the political situation in Somaliland:

“President Rayale’s third term of office should have expired on 15 May 2008. The election that was to have been held at least one month earlier

has been rescheduled five times, most recently for 27 September 2009. The new National Electoral Commission (NEC) has yet to set a sixth date.

“The latest delay was ostensibly caused by the unilateral decision of the previous NEC not to use a voter registration list tainted by massive, systematic fraud.” [24c] (p1)

The International Crisis Group report is available [here](#).

14.07 The USSD report 2009 further stated:

“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. These persons were released in December 2007. President Riyale stated that he issued an official pardon; however, their judicial record was not cleared, and the leaders remained effectively blocked from participating in the electoral process as candidates for any party.

“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 in a general election are allowed to function. There were three approved political parties.” [2a] (Section 2b, Freedom of Peaceful Assembly and Association)

PUNTLAND

14.08 The International Crisis Group report, *The Trouble with Puntland*, dated 12 August 2009, stated that:

“Puntland has officially had a ‘non-party’ system since its inception, on the rationale that time was needed to consolidate and institutionalise democracy before introducing multiparty politics. In fact, the regime has been in the hands of ex-SSDF apparatchiks and their clan allies. A transition from the current system of clan representation to meaningful multiparty elections with universal suffrage will face significant challenges.” [24b] (p8)

14.09 The USSD report for 2009 stated the “Puntland Charter provides for freedom of association; however, the Puntland administration continued to ban all political parties.” [2a] (Section 2b, Freedom of Peaceful Assembly and Association)

See sections on [Political System](#), [Freedom of speech and media](#), and [Puntland elections](#)

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15. FREEDOM OF SPEECH AND MEDIA

See also sections on [Political affiliation and expression](#), and [Human rights institutions, organisations and activists](#).

- 15.01 The Human Rights Watch *World Report 2010*, covering events in 2009, released on 20 January 2010, stated that:

“Somalia’s once-vibrant independent press and civil society have been decimated by violence and threats over the course of the past three years. At least six journalists were reportedly killed in 2009, some targeted for assassination and others killed by the stray gunfire that has claimed so many civilian lives. TFG and opposition forces alike have been implicated in threats directed at journalists who produce reporting they dislike.” [30g] (p160)

- 15.02 The US State Department *Country Report on Human Rights Practices 2009, Somalia* (USSD report for 2009), released on 11 March 2010, stated

“The TFC and the Somaliland constitution provide for freedom of speech and press; however, there were instances of violence including murder, 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 journalists respect the law’; however, this right was not respected in practice. Journalists engaged in rigorous self-censorship to avoid reprisals.” [2a] (**Freedom of Speech and Press**)

- 15.03 The report further stated:

“Journalists and media organizations in all regions reported harassment, including killings, kidnappings, detention without charge, and assaults on persons and property. Most experienced field reporters and senior editors had fled the country due to direct threats from antigovernment groups. During the year nine journalists were killed in targeted or collateral incidents.” [2a] (**Freedom of Speech and Press**)

- 15.04 The Committee to Protect Journalists report, *Attacks on Press Freedom 2009 – Somalia*, released on 16 February 2010 headlined three points:

- “Al-Shabaab terrorizes media through violence, threats, censorship.
- Many local journalists flee into exile, leaving a void in coverage...
- 6: Journalists killed in direct relation to their work in 2009.” [12f]

- 15.05 The same report continued that

“Somalia was among the world’s deadliest countries in 2009, surpassing violent hot spots such as Iraq and Pakistan. As conflict continued between the weak Transitional Federal Government and multiple insurgent groups, nine journalists were killed in direct connection to their work, seven of them in the volatile capital, Mogadishu. An exodus of local journalists continued throughout the year, and few international journalists dared travel into the country for firsthand reporting, according to CPJ research. As a result, the amount and quality of news coverage of Somalia’s political and humanitarian crisis suffered greatly, CPJ found.” [12f]

- 15.06 The Report of the UN independent expert on the situation of human rights in Somalia, Shamsul Bari, (advanced unedited edition), dated 8 March 2010, observed that:

“As in most conflict situations, freedom of opinion and expression became a particular victim in the South-Central region. To muzzle the media, targeted attacks against the media by the Islamist opposition claimed the lives of media executives, reporters, photojournalists and cameramen working with electronic media. Large numbers of journalists were also wounded and arrested.

“According to the National Union of Somali Journalists (NUSOJ), in 2009 nine journalists were killed either in the line of duty or in targeted brutal attacks in Mogadishu, Afgoye and Beledweyne, making Somalia the most dangerous place for journalists in Africa. Seven out of the nine journalists were killed in Mogadishu. One was killed in Afgoye and another in Beledweyne. A total of 12 journalists were wounded and 15 others arrested in Somalia in 2009.

“Another 100 journalists reportedly received death threats, causing many of them to leave their respective areas or to exercise self-censorship.” [4c] (p 18-19)

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SOUTH AND CENTRAL SOMALIA

- 15.07 The BBC Country Profile for Somalia, updated on 11 February 2010, reported that:

“Somalia's disintegration is reflected in its media, which tends to be fragmented and often partisan.

“Broadcasters and journalists operate in an atmosphere which is hostile to free expression, and often dangerous. Reporters Without Borders describes Somalia as ‘Africa's deadliest country for journalists’. Islamist groups have often taken action against media outlets with which they disagree.

“Nevertheless, diverse and increasingly professional media outlets have emerged in recent years - in particular, FM radio stations with no explicit factional links.

“The TV and press sectors are weak and radio is the dominant medium. There are around 20 radio stations, but no national, domestic broadcaster. Many listeners tune to Somali-language media based abroad... The Somali diaspora - in the West, the Gulf states and elsewhere - sustains a rich internet presence. But domestic web access is hampered by practicalities such as limited access to mains electricity. There were 102,000 internet users by September 2009 (Internetworldstats).” [8f]

Radio

- 15.08 The BBC Country Profile for Somalia, updated on 11 February 2010, listed the following radio stations in Central and Southern Somalia:

- Radio Mogadishu - FM station operated by transitional government, coverage limited to the capital
- Radio HornAfrik - popular private FM station based in Mogadishu, rebroadcasts BBC
- Radio Shabelle - private FM station in Mogadishu, Marka
- Radio Banaadir - private, Mogadishu-based FM station
- Holy Koran Radio - private, Mogadishu FM station
- Radio Simba - private, Mogadishu [8f]

15.09 The USSD report for 2009 stated:

“Most citizens obtained news from foreign radio broadcasts, primarily the BBC's Somali Service and the Voice of America's Somali Service that transmitted daily Somali-language programs. 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.” [2a] (Freedom of Speech and Press)

15.10 Radio stations in Mogadishu have been damaged as they are caught in the crossfire between insurgents and TFG forces. On 21 December 2009, the Committee to Protect Journalists reported:

“Mortar shells destroyed the Radio Voice of Democracy building this morning in the Somali capital, Mogadishu, killing Amal Abukar, 22, the wife of the director of the station, Abdirahman Yasin. Abukar died instantly after three mortar shells landed on the station's building in northern Mogadishu at 10:30 a.m., local journalists told CPJ...Local journalists told CPJ they believe the station was caught in crossfire between insurgents, government soldiers, and African Union peacekeepers after insurgents fired mortars near the parliament building, according to local news reports...On Sunday, mortar shells hit the newly constructed satellite dish and antenna for Shabelle Television, a new station, the management of Shabelle Media Network reported. It is unclear whether the shelling was a targeted attack, local journalists said. The station has remained off the air since.” [12c]

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Newspapers

15.11 The BBC Country Profile, updated on 11 February 2010, listed the following newspapers in Mogadishu:

- Qaran
- Xog-Ogaal
- Codka Xoriyadda
- Ayaamaha [8f]

15.12 The USSD report for 2009 stated: “The print media consisted largely of short, photocopied dailies published in the larger cities and often affiliated with one or another of the factions. Several of these dailies were nominally independent and published criticism of political leaders and other prominent persons”. [2a] (Freedom of Speech and Press)

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Journalists

15.13 The USSD report for 2009 stated:

“The relationship between journalists and the TFG improved, and unlike in the previous year, journalists did not receive direct threats from the TFG; however, opposition elements, especially al-Shabaab and other extremists, continued to harass journalists, and the overall climate for freedom of speech and press deteriorated. Journalists reported that al-Shabaab threatened to kill them if they did not report on antigovernment attacks conducted by al-Shabaab. Reporters also remained under threat if they published criticism of the government. The Kismayo al-Shabaab administration continued to enforce rules for journalists, including a requirement to refrain from reporting news that undermined Islamic law. [2a] (Freedom of Speech and Press)

15.14 The USSD report for 2009 also stated:

“There were two targeted killings of journalists during the year, compared to one such killing in 2008. On February 4, *HornAfrik Mogadishu* director Said Tahlil Ahmed was killed while walking with nine other media leaders to a meeting with al-Shabaab representatives. On June 7, *Shabelle* director Muktar Mohamed Hirabe was killed in Bakara Market. Al-Shabaab reportedly instigated both of these killings.

“Seven journalists were killed during the year as a result of cross fire, stray bullets, and proximity to the December 3 suicide bombing in Mogadishu in which three journalists were killed. There were no arrests in connection with any killings or attempted killings of journalists during the year.

“Numerous journalists were arrested and detained during the year, but unlike in previous years, there were no reports that the TFG ordered such arrests. For example, on January 23, Muhammad Hasan Haji Abukar, a Holy Koran Radio reporter, was reportedly arrested by al-Shabaab authorities in Baidoa and tortured; they also confiscated his equipment. On April 18, al-Shabaab arrested Mohiddin Hassan Mohamed of *Shabelle* in Baidoa; he was released a day later. On August 22, the al-Shabaab administration of Gedo Region ordered Radio Markabley to fire two journalists and submit to edicts issued that day.” [2a] (Freedom of Speech and Press)

15.15 The Committee to Protect Journalists, in the article *Philippines, Somalia fuel record death toll*, dated 17 December 2009, reported that

“... [V]iolence soared in Somalia, where nine local journalists were murdered or killed in combat situations. Throughout 2009, Al-Shabaab militants waged a terror campaign against the Somali press, murdering journalists and seizing news outlets. Among the victims was Said Tahlil Ahmed, director of the independent broadcaster HornAfrik, who was gunned down as he and other journalists were walking through Mogadishu’s Bakara Market to a press conference.” [12e]

15.16 Three journalists were killed in the explosion at the Shamo Hotel on 3 December 2009. The Committee to Protect Journalists reported that:

“Hassan Zubeyr, a cameraman for the Saudi-owned Al-Arabiya television network and Radio Shabelle reporter Mohamed Amin were killed instantly in the explosion, local journalists told CPJ. Abdulkhafar Abdulkadir, who recently took up freelance photography part-time, died of injuries in the hospital, according to local journalists. CPJ was unable to determine immediately if Abdulkadir was on assignment for a specific outlet.” [12d]

- 15.17 On 21 November 2009, Reporters Sans Frontiers stated that “Canadian freelance reporter Amanda Lindhout and Australian freelance photographer Nigel Brennan were released today in Mogadishu” after being held for 15 months. [14b]

Further details about incidents involving journalists and media workers can be found on the websites of the [RSF](#) and the [CPJ](#).

SOMALILAND

- 15.18 The BBC Profile for Somaliland, updated 25 August 2009, gave the following summary of the media in Somaliland:

“Since 1991, Radio Hargeisa has been the Somaliland government's official mouthpiece. The government also owns Somaliland National Television (SLNTV).

“The authorities maintain a tight hold on broadcasting. Radio is the most accessible form of media, although Radio Hargeisa is the only permitted domestic outlet. The BBC is available in Hargeisa on 89 FM.

“A private TV station, Somaliland Television (SLTV), is permitted to operate. A cable TV service is run by Hargeysa Cable.

“The press can carry criticism of the government but the market for printed publications is small.” [8bn]

Television and Radio

- 15.19 The BBC Profile for Somaliland listed the following TV and radio stations as operating in Somaliland:

- Somaliland National TV (SLNTV) - government-controlled, Hargeisa area
- Somaliland Television (SLTV) - private
- Radio Hargeisa - government-controlled [8bn]

Newspapers

- 15.20 The BBC Profile for Somaliland stated that the following publications are distributed in Somalia:

- Somaliland Times - Hargeisa, English-language weekly published by Haatuf Media Network
- Haatuf - Hargeisa, private daily
- Jamhuuriya - Hargeisa, private
- Mandeeq - Hargeisa, state-owned [8bn]

Journalists

- 15.21 The National Union of Somali Journalists, in *Report on Somaliland: Media Freedom Kept within Bounds*, published 2 October 2009, reported that:

“Following the rescheduling of presidential elections and extensions of the term of office of President Dahir Rayale Kahin’s government several times, Somaliland has been slowly slipping into political uncertainty at an unprecedented scale.

“The right to express opinions without censorship or restraint consequently has become under attack. A number of journalists have been arrested and officially charged in courts. A privately owned Radio station was denied registration and consequently outlawed.

“A strategy deviously planned to stifle or divert the professional independence of the privately owned print press has been brought into effective implementation.

“The quality of newspapers in Somaliland, which consist of folded unstapled sheets of news, features, and advertorials have descend (sic) to very low levels or have gone contrary to the standards expected in the journalistic profession due to pressure and have resulted into poor quality journalism. The media in Somaliland has also been accused of resorting to using confrontational, insulting and offensive language.” [91a]

- 15.22 The USSD further stated:

“Journalist arrests and detentions increased in Somaliland. On February 26, in Hargeisa, Somaliland authorities arrested Mohamed Abdi Guled, editor of the privately owned weekly *Yoo’!*; he was released on March 20. On March 29, Ahmed Suleiman Dhuhul, a member of the executive committee of the Somaliland Journalists Association and producer of Horyaal private radio, was arrested for trying to report on a meeting of the upper house of Somaliland’s parliament to debate the extension of the mandates of Somaliland’s president and vice president. On July 13, in Hargeisa, two Radio Horyaal journalists were arrested after reporting on a clan conflict over land rights. On July 29, Somaliland authorities ordered the closure of Horn Cable TV and arrested its chief editor. On August 4, Somaliland.org Web site reporter Foosi Saleban Awbiindhe was arrested in Burao after writing a report on corruption involving the governor. He was freed on August 26.” [2a] (Freedom of Speech and Press)

PUNTLAND

Television and Radio

- 15.23 The BBC Profile for Puntland listed the following TV and radio stations as operating in the region:

- Somali Broadcasting Corporation (SBC) - private, Bosasso
- Eastern TV Network (ETN) - private
- SBC Radio - private, Bosasso

- Radio Midnimo - private, Bosasso
- Radio Galkayo
- Radio Garowe - community station [8ba]

Journalists

15.24 In an open letter to President Abdirahman Mohamed Mohamud Farole, the Committee to Protect Journalists was “concerned about deteriorating press freedom conditions in Puntland, including detentions, censorship, harassment, and direct attacks by police officers. Many of these disturbing attacks have targeted the U.S. government-funded Voice of America and one of its reporters, although several local reporters say they are seeing an overall pattern of harassment.” [12b]

15.25 The Committee to Protect Journalists reported on 21 December 2009 that:

“In the northeast semi-autonomous region of Puntland, the Puntland Intelligence Service arrested Voice of America correspondent Mohamed Yasin and took him to the capital city, Garowe, according to local journalists. Roughly 30 security agents visited Yasin’s home in Galkayo Sunday evening, local journalists said. He is now being held at the Puntland Intelligence Service offices, they told CPJ. The reason for the arrest is still unknown although local journalists said they suspect it may be due to Yasin’s report on displaced Somali citizens who complained of mistreatment in Puntland. A police officer fired at Yasin’s car on November 17 at a checkpoint in front of the regional governor’s office, according to the Media Association of Puntland.” [12c]

15.26 The USSD for 2009 further stated:

“There were also several incidents in the Puntland region during the year. For example, on March 26, in Bossaso, security forces arrested Jama Ayanle Siti, a reporter for *Laas Qoray* newspaper and its Web site, and Abdiqani Hassan, a freelance reporter. On March 30, also in Bossaso, Jama Ayanle Feyte was sentenced to two years in prison after being accused of defamation and disseminating false information about the Puntland authorities. On August 25, Voice of America reporter Mohamed Yasin Isaq was arrested in northern Galkayo after releasing a report on the failure of the Puntland administration to curb growing insecurity in the town. On December 21, Puntland security forces again arrested Isaq, held him for 17 days, and released him without charge.” [2a] (Freedom of Speech and Press)

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16. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

- 16.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia* (USSD report for 2009), released on 11 March 2010, stated:

“A number of domestic and international human rights groups operated in some of the country, investigating and publishing their findings on human rights cases; however, security considerations constrained their ability to operate freely. In contrast with previous years, government officials were responsive to their views, although the TFG had limited capacity to implement human rights programs. There was also an increase in al-Shabaab's targeting of civil society groups, peace activists, media, and human rights organizations. The Mogadishu-based Dr. Ismael Jumale Human Rights Center (DIJHRC), Elman Peace and Human Rights Center (EPHRC), Peace and Human Rights Network (INXA), Isha Baidoa Human Rights Organization in the Bay and Bakol regions, KISIMA in Kismayo, Coalition of Grassroots Women's Organization (COGWO), and other local human rights groups were active during the year, although less than previously because of the increased targeting by al-Shabaab. The DIJHRC, EPHRC, and COGWO continued to investigate and document human rights violations, study the causes of the continuing conflict in the Mogadishu area, and conduct human rights monitoring. The Mogadishu-based National Union of Somali Journalists (NUSOJ) continued to advocate for media freedom throughout the country. The Mogadishu-based Center for Research and Dialogue, several women's NGOs, and other civil society organizations also played a role in promoting intraclan dialogue in Puntland and parts of the south central region.” [2a] (Section 4, Governmental Attitude)

- 16.02 The Human Rights Watch *World Report 2010*, covering events in 2009, stated: “Attacks targeting human rights defenders were much less frequent in 2009 than in 2008. But in part this reflects the fact that many of Somalia's most prominent human rights defenders have fled the country. Those who remain have seen their capacity to operate effectively dramatically diminished by the prevailing insecurity and by specific threats against them.” [30g]

- 16.03 The same report also stated:

“The delivery of humanitarian assistance to Somalia has been severely hampered by the prevailing insecurity and by threats specifically targeting humanitarian agencies. Most of the humanitarian agencies operating in Somalia have had to dramatically curtail their operations or have been driven out of south-central Somalia altogether. In opposition-controlled areas where millions of Somalis are in need of assistance, humanitarians have come under regular threat by al Shabaab and other groups who accuse them of colluding with international efforts to back the TFG in its war effort. In October 2009 leaflets circulated in Mogadishu accused hospitals of collaborating with the TFG and threatened them with violence.” [30g]

- 16.04 Ken Menkhaus, in the Writenet report *Somalia: a national and regional disaster*, published in April 2009, noted that:

“The past two years of strife have had devastating effects on civil society. Targeted assassinations, threats, and general insecurity forced most of the professional and civic leadership in Mogadishu to flee abroad or to

Hargeisa. Civic leaders who had learned to navigate the dangers of life in Somalia through 2006 were unable to cope with the fact that they were being targeted by both sides in the violence, making Mogadishu more unpredictable than at any time since 1992.” [21a] (p9)

SOUTH AND CENTRAL SOMALIA

- 16.05 The UN Security Council’s *Report of the Secretary-General on the situation in Somalia* dated 31 December 2009 (December UNSC Report) reported that:

“Clashes in Mogadishu continued to restrict the ability of the international community to fully implement critical humanitarian programmes. In Bay and Bakool, Al-Shabaab continued to prevent the return of a United Nations presence, insisting that a memorandum of understanding be signed and that registration fees, amounting to several thousand dollars for each United Nations agency, be paid prior to re-entry. This led to disruptions in the presence of international staff from the World Food Programme (WFP) and World Vision, but programmes continued under the supervision of national personnel.” [3j] (p4-5)

- 16.06 On 5 January 2010, following “escalating attacks from armed groups”, the World Food Programme announced that its “offices in Wajid, Buale, Garbahare, Afmadow, Jilib and Belet Weyne in southern Somalia are temporarily closed, and food supplies and equipment have been moved, along with staff, to safer areas in order to ensure that food assistance continues to reach as many vulnerable people as possible.” (World Food Programme, 5 January 2010) [85a]

For further information, please see [Abuses by Non-Government Armed Forces](#), [Humanitarian Issues](#), [Internally Displaced People](#).

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17. FREEDOM OF RELIGION

- 17.01 The US State Department's *International Religious Freedom Report 2009* (USSD IRF report 2009), covering the period from 1 July 2008 to 30 June 2009, published on 26 October 2009 noted:

"The [Transitional Federal] Charter establishes Islam as the national religion. The Constitution and charters governing the various regions provide the right to study and discuss the religion of one's choice. Proselytizing for any religion other than Islam is strictly prohibited, however, and the TFG neither observes nor enforces constitutional provisions guaranteeing the free exercise of religion. Moreover, statutes and regulations provide no effective recourse for violations of religious freedom.

"Similarly, Somaliland and Puntland establish Islam as the official religion in their regions. Article 5 (1-2) of the Somaliland Constitution establishes Islam and prohibits the promotion of any other religion. Article 313 of the Somaliland criminal code outlines penalties for Muslims who change their religion. Articles 41 and 82 state that candidates for president, vice president, or the House of Representatives must be Muslim. Article 15 stipulates that Islamic education is compulsory at all levels and that the promotion of Qur'anic schools is the responsibility of the state. The Constitution further states that the laws of the nation shall derive from and not contradict Islam.

"The Puntland Constitution guarantees every person the freedom to worship; however, it also states that Muslims cannot renounce their religion. In May 2009 the Puntland cabinet approved a new Constitution; on June 30, 2009, the Puntland parliament approved the Constitution and it went into immediate effect. Article 8 of the new Constitution prohibits propagation of any religion other than Islam. Article 12 states that non-Muslims are free to practice their religion and cannot be forced to convert. However, the same article prohibits Muslims from converting from Islam. Puntland security forces closely monitored religious activities." [2c] (Legal/Policy framework)

- 17.02 The same report also stated:

"Although 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 protections of religious freedom. There was a decline in the status of respect for religious freedom during the reporting period, primarily as a result of extremist militias taking control over significant territory in the country.

"Militia groups, particularly those associated with the U.S.-designated Foreign Terrorist Organization (FTO) al-Shabaab, often imposed through violence a strict interpretation of Islam on communities under their control. There were also reports that individuals who do not practice Islam experienced discrimination, violence, and detention because of their religious beliefs." [2c] (Introduction)

- 17.03 The USSD IRF report 2009 observed that: “A large majority of citizens are Sunni Muslims of a Sufi tradition. There is a very small, extremely low-profile Christian community, and small numbers of followers of other religions. The number of adherents of strains of conservative Islam and the number of Islamic schools supported by religiously conservative sources continued to grow.” [2c] (Religious Demography)
- 17.04 The USSD report for 2009 also observed:
- “In Puntland only Shafi’iyyah, a moderate Islamic doctrine followed by most citizens, is allowed in public religious expression. 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; such permission was granted routinely to schools and mosques espousing Shafi’iyyah.
- “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. Apart from restrictions imposed by the security situation, Christian-based international relief organizations generally operated freely as long as they refrained from proselytizing; however, there were reports that a few Somalis who converted to Christianity were killed by al-Shabaab and allied extremist groups during the year.” [2a] (Section 2c: Freedom of religion)
- 17.05 Regarding the Sufi traditions of Somalia, the BBC reported that key to the conflict in Webho, central Somalia and tensions elsewhere is the difference between Sufi groups, following an Islam that incorporates a number of local Somali variants, such as veneration of the tombs of Sufi saints, and the Islam interpreted along strict Saudi Arabian-inspired Wahhabi lines, espoused by al Shabaab and Hisbul Islam, that reject such practices. Since achieving their territorial gains, the hardline Islamists have embarked on a programme of eradication of Sufi shrines. The town of Brava is mentioned as an example where there has been destruction of graves. (BBC, 8 June 2009) [8af] Ahlu Sunnah, a Sufi group based around the town of Dusamareb, has militias that successfully contested al Shabaab in the central region of Somalia. (BBC News, 3 July 2009) [8aq]

See also section [Judiciary, Sharia law, Abuses by Non-Government Armed Forces](#).

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18. ETHNIC GROUPS

OVERVIEW

- 18.01 Dr Joakim Gundel's report, *The Predicament of the 'Oday'*, dated November 2006, gave the following overview:

"Somalia is often misrepresented as a country with an ethnically homogeneous population, culture and language. Indeed, the perceived majority of the population are composed of the ethnic nomadic-pastoralist Somalis who speak Af-Maxaa-tiri, which became the official language of Somalia after independence. The other big group is composed of the largely sedentary agro-pastoralist people, residing in the inter-riverine area between the Juba and Shabelle rivers in Southern Somalia, known as Digil-Mirifle or Raxanweyn. They speak Af-Maay-tiri, which is quite distinct from Af-Maxaa-tiri. Outside this homogeneity, you also find the minority 'outcaste' groups, or bondsmen known collectively as sab, and groups of ethnic Bantu descent, as well as of Arabic descent, such as the Bajunis and Barawanis. It is important to realise that the traditional structures of the Raxanweyn, the minorities, and the people of Bantu and Arabic descent are often very different from the nomadic culture... The lineages of the [nomadic] pastoral Somalis are united by a common, mythological perception of direct lineal descent from the forefather Samaal and the household of the prophet Mohammed, notably the Qurayshi clan, and specifically his cousin, Aqil Bin Abi-Talib. Today, this segmentary clan system is represented by three to four main clan families descending from Darood, Hawiye, Dir and depending on who you ask, Isaaq... the Raxanweyn are distinct from the pastoralist Somalis, and has a different genealogy as they stem from the forefather Saab. However, they still claim to be Somalis via a similar mythological descent to the Qurayshi." [59a] (p4-5)

- 18.02 The US State Department 2009 Human Rights Report: Somalia, released on 11 March 2010 (USSD report for 2009) stated:

"More than 85 percent of the population shared a common ethnic heritage, religion, and nomad-influenced culture. The UNIE [UN's Independent Expert] estimated that minority groups constitute approximately 22 percent of the population. In most areas members of groups other than the predominant clan were excluded from effective participation in governing institutions and were subject to discrimination in employment, judicial proceedings, and access to public services.

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

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CLAN SYSTEM

18.03 *The Predicament of the 'Oday'*, dated November 2006, reported that:

“The clan-system is the most important constituent social factor among the nomadic-pastoralist Somalis [i.e. the clan-families of the Darood, Hawiye, Dir and Isaaq]. I. M. Lewis wrote in 1961 that ‘the segmented clan system remains the bedrock foundation of the pastoral Somali society and ‘clannishness’ - the primacy of clan interests - is its natural divisive reflection on the political level’ ... In short, the Somali society is based on a vertically oriented segmentary lineage system in which individuals take their position according to their patrilineal descent (traced through the male line). Hence, according to Lewis, all the pastoral Somalis belong to genealogical lineages, which also function as their basic political units. The segmentary lineage system can be differentiated into categories of clan-family, clan, sub-clan, primary lineage and mag-paying [blood compensation also known as *diya*] group as divisions of varying size (Lewis 1961: 4)...

“The Clan (often 20 generations) can act as a corporate political unit, and do tend to have some territorial exclusiveness, following their regular seasonal movements for pasture and semi-permanent settlements. Clan-members derive their identity from their common agnatic descent rather than the sense of territorial belonging. The clan is in other words the upper limit of political action, has some territorial properties, and is often led by a clan-head, but remains without centralized administration or government. The most distinct descent group within the clan is the ‘primary lineage’, defined as the lineage to which a person describes himself as a member (most often between 6 and 10 generations).

“Marriage is usually outside the primary lineage, and links them together, which functions to reduce the otherwise endless feuds between primary lineages (Lewis 1961: 5).

“The most basic and functional lineage unit is the mag-paying group or diya-paying group... Diya is the Arabic word for blood-compensation. Mag is the Somali word... The mag-paying group is above or beyond the uterine family (qoys or xaas), and is the most important level of social organisation for each individual. It is a small corporate group of a few lineages who reckon descent to a common ancestor some 4 to 8 generations, and is sufficiently large in numbers (few hundred to a few thousand men) to be able to pay the mag (according to Sharia: 100 camels for homicide) if need be. Hence, all men are defined by their belonging to a mag-paying group, and their social and political relations are defined by contracts called xeer – the Somali customary laws – that are entered within and between mag-paying groups.... It should be noted that the described segmentary lineage system is not absolute, but rather in a constant process of relative change. This is due to population growth whereby the number of primary lineages grows too. Hence forth, the primary lineages and even mag-paying groups will eventually split, and when they do, every ancestor in the genealogy is in principle a point of potential division, as well as of unity.” [59a] (p4-7)

18.04 The International Crisis Group (ICG) report of December 2008, *To move beyond the failed state*, commented on clan dynamics, stated that many factors such as business, political and ideological interests have eroded

strict clan relationships. However, it also stated: “large swathes of the country [have] revert[ed] back to a style of clan government that predates colonialism.” [24a] (p4)

18.05 The same IGC report observed that:

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

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CUSTOMARY LAW (XEER) AND BLOOD-COMPENSATION (DIYA OR MAG)

18.06 *Clans in Somalia, Report on a Lecture by Dr Joakim Gundel, COI Workshop Vienna, 15 May 2009* (Revised Edition) published by ACCORD, December 2009, (Gundel Lecture 2009) provided a useful overview of customary laws and blood compensation, [summarising Dr Gundel’s earlier paper, *The predicament of the Oday* [59a] (for detail see pages 7 to 13)]:

“The Somali traditional ‘political contract’ consists of customary laws – referred to in Somali as xeer – through which ‘members of a mag-paying group are obliged to support each other in political and jural responsibilities, especially in paying and receiving compensation for acts committed by members of one group against another - even over vast distances, since it is the kinship that bonds them. It is the responsibility of the elders (oday) of the mag-paying groups to oversee that the terms of the xeer are honoured (Lewis 1961: 6).’ (Gundel, 2006, p. 6)

“They are historically based on precedents, hence, unlike fixed law, they are constantly capable of evolving, with future decisions based on ones made in the past. Today the xeer are particularly important in rural areas where the presence of modern political institutions is weak. They are however also applied in urban areas with local administrations and even here the xeer, instituted through traditional elders, is usually the first recourse in dispute management, settlement and reconciliation among both ordinary citizens and between business people. The importance of the xeer is indisputable, especially in Northern Somalia as the xeer are applied in solving perhaps 80-90% of all disputes and criminal cases. In Southern Somalia with increasing pre-dominance of radical Islamic groups, strict versions of Sharia are increasingly applied as the ruling law rather than the traditional xeer. However, while the xeer is simultaneously a force for justice and social cohesion, it may also conflict with both international human rights standards and Islamic Sharia law. In general, the collective responsibility imposed on mag-groups by the xeer is seen as removing responsibility from individual perpetrators of crimes. (Gundel, 2006, iii)” [77a] (p9-10)

18.07 The Landinfo response, *Somalia: Protection and conflict resolution mechanisms*, dated 2 June 2009, stated that:

“The Somali transitional institutions, including the legal system, are weak and the transitional authorities’ ability to protect the population’s rights is extremely limited.

“Law enforcement in Somalia is currently carried out in three different ways; traditional common law practiced through the councils of elders/clan leaders, Islamic law practiced through Sharia courts and secular law practiced through an ordinary court authority. However, the ordinary court authority was destroyed during the civil war, and is still almost non-existent in Southern Somalia. Traditional common law [xeer] is the most widespread and most commonly used legal system in present day Somalia.

“The fundamental unit in the clan system is the Diya group (the blood compensation group, *mag* in Somali). The Diya group consists of the male members of one or more family lines, who have the same forefathers going back four to eight generations, and who are collectively responsible for the members’ actions. The Diya groups are large enough to be able to pay compensation and it is between these groups that the traditional legal framework is practiced and agreements (*xeer*) are entered into. The members of the Diya group are therefore obliged to support each other in the political and legal responsibilities that are defined in the *xeer* agreements (Gundel 2006). The Diya group is also responsible for providing assistance to members who are in difficult financial situations, etc. *Xeer* is the most important element that links alliances between clans in Somalia, and is considered to be the glue that holds the community together. However, *xeer* is only entered into between Somali clans, with the minority groups normally being excluded from *xeer* and the Diya system.

“Some observers have claimed that the traditional legal system and the conflict resolution mechanisms in Somalia no longer work. A well-informed international aid organisation representative who had worked in Somalia for a long time pointed out in March 2009 that the traditional leaders are losing their hold on power. This worrying trend is evident throughout Southern Somalia, and it is more prevalent in the towns than in the country. Globalisation and, not least, the long-standing conflict in the country has led young people to dismiss the elders’ advice in favour of that of others. The influence of the media and the warlords’ undermining of the old authorities have weakened the position of elders (interview in Nairobi, 24 March 2009). Gundel (2006) estimates however that *xeer* is used to resolve between 80 and 90 per cent of all disputes and criminal cases. All of the sources that Landinfo met in Nairobi in 2007 also believed that the system still works, albeit to varying degrees. This was confirmed by Landinfo’s interlocutors in Nairobi in June 2008 and in March 2009.” [45g]

For more information on the judicial process in Somalia, see [Judiciary](#)

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CLAN PROTECTION

- 18.08 The Landinfo response *Somalia: Vulnerability – minority groups, weak clans and vulnerable individuals*, published June 2009, gave the following information:

“According to Somali traditions, weak groups – i.e. women, children, the sick, the elderly, the disabled, religious men, unarmed and neutral groups, prisoners of war, travellers etc. – shall not be attacked but protected during conflicts (ICRC 1998). Both during and after the civil war, however, protection of these groups has been weakened, and the tradition is far less respected today.

“In the present situation, vulnerability in Somalia is closely linked to clan or group affiliation, the presence or absence of conflict and the power situation in the area in question. However, individuals can also find themselves in a vulnerable position because of their political or ideological views.” [45f]

18.09 The Gundel Lecture 2009 report noted:

“One aspect of the Somali tradition is that the rights of groups effectively are protected by force, or threat of force. Tenure of rights thus ultimately depends on the ability to defend them, by coercion if necessary. This is also the case for individual security, which rests upon the individual’s mag-paying group’s ability to fight, and the solidarity between the mag-groups of the wider clan and their fighting capability. They must therefore both be able to retaliate and pay compensation. Hence, the lack of impartial enforcement mechanisms becomes apparent in cases when a judgment is passed that favours a militarily weak clan, and a militarily strong clan then openly refuses to comply with it. As a result, Somali minority groups are heavily discriminated against through xeer application...

“In the Somali tradition, weak and scattered clans who are driven to seek protection from the stronger clans can enter a protection status with them. The protecting clans naturally expect something in return. Such alliances based on contractual agreements between weak and strong clans are known as gaashaanbuur, meaning ‘pile of shields’. Hence, minorities can seek protection by attachment to stronger lineages by joining a gaashaanbuur coalition. There exist varying degrees of adoption and incorporation within stronger lineages. These range in degree of dependent status with associated inferiority from neighbour (deris), appendage (saar - parasitic creepers), followers (soo raac), to pretenders (sheegad - those who claim to be what they are not.) In the case of sheegad, the weak group may assume the lineage affiliation of its protectors and may claim a common agnatic origin. The Somali family to which the sab [‘traditionally bondsmen to the pastoral clan groups...’ (p15)] are attached protects them vis à vis other Somali and are responsible for any damage inflicted on them. The extent to which the sab presently have managed to set up their own independent map-paying [sic] groups needs to be investigated further. The lesson is that adoption of weak clans does occur, and it is possible to move the stronger clans into compromise with their traditional position. When this happens, the stronger clans may even pay mag for the adoptives...” [77a] (p21-22)

18.10 The same source noted, in light of the current conflict, that:

“It is a traditional code in Somali culture that when a person comes to your house and seeks protection, one is obliged to protect this person. Thus failing to protect a person is considered dishonourable, signifying that one did not live up to his obligations. However, in the light of the massive displacements of recent times, the numbers of people have become too

large for the local host clans to service this traditional obligation – which has increased their vulnerability. In this context, it should be noted in particular that women and children are at the bottom in all the social hierarchies. Women from minority clans or other groups not part of the main nomadic local clans are in particularly bad positions, even the more if they belong to a minority in an IDP camp. Due to this destruction of the social fabric and state structures, there is a high level of lack of law and order. There are many young men who are often armed (or have access to arms) who abuse the situation of big IDP camps and feel free to harass IDPs, rape women, force people into certain kinds of labour, extort money etc. As these men usually originate from the host clans, they are in a position of impunity.

“The only possible way of bringing change into such a situation can be found in entering a new xeer agreement between the elders of the host clans and those representing the IDPs and the other clan communities, in which the host clan promises to protect them against this kind of abuse. However, members of the sab-minorities or the Rahanweyn will in this context stand weaker compared to those who belong to one of the bigger nomadic clans, one of the reasons for this being that the nomadic clans have a clear xeer between them.

“Particularly in South Central Somalia, where these traditional structures are not sufficient due to prevailing lawlessness, Sharia, as it was practiced by the Islamic Courts, is being brought forward, as the common perception is that the only possible way to deal with high levels of crime and freelance gangs is by implementing a harsh rule and exerting severe punishments. Hence there are clans in the South which claim that it is not sufficient to pay the diya compensation (usually, in the Somali tradition, one is obliged to pay the 100 camels per person who has been killed), but the “wrongdoer” has to be killed as a punishment.” [77a] (p23)

- 18.11 The Landinfo response of 2 June 2009, *Somalia: Protection and conflict resolution mechanisms*, stated:

“Individual security in the traditional Somali society was dependent on the clan’s, i.e. the Diya group’s ability to pay compensation and to defend itself in the event of attacks. This situation has not changed significantly in modern times, and the clan has remained the safety net of the Somali population since the collapse of the government institutions in 1991. Vulnerability and protection in Somalia are therefore closely linked to a clan’s strength. However, weak clans or groups have traditionally been able to seek protection from and affiliation with the dominant clans in a specific area.

“The internal clan conflicts that have characterised the situation in recent years, however, mean that affiliation to a dominant clan does not necessarily provide protection (interviews in Nairobi March 2007, June 2008 and March 2009). Clans are still important, but it is evident that clan loyalty is superseded by political, ideological and international conditions.

“A clan’s ability to provide protection is contingent on the clan’s military strength. In the current situation, however, in which al-Shabaab and other Islamist groups control large parts of Southern Somalia, protection from one’s own clan in, for example, an al-Shabaab controlled area is not very realistic. Al-Shabaab maintains its distance to the clan dimension, and has

the support of various clans and minority groups in the areas it controls. Numerous dominant clans in many districts are therefore currently subordinate to al-Shabaab, and must, among other things, abide by al-Shabaab's enforcement of Sharia law.

"In meetings with Landinfo in Nairobi in March 2007, June 2008 and March 2009 respectively, all of the interlocutors referred to the fact that the protection aspect is composed of a number of factors, and the individual's vulnerability and potential to obtain protection and support are dependent on several conditions. Moreover, conflicts relating to scarce resources have contributed in particular to undermining the mechanisms. Clan protection is still relevant, but primarily in relation to ordinary crime. With regard to the situation linked to ideological or political conditions – which were particularly important when Ethiopian forces were present in Somalia – clan protection is not realistic (interviews in Nairobi, June 2008 and March 2009). The current dividing line is more between al-Shabaab/extremist groups on the one hand and GNU, the government of national unity, on the other hand. Moreover, clans cannot offer protection against random violence or grenade and bomb attacks. As pointed out during interviews in Nairobi, the violence is often indiscriminate 'Your clan cannot protect you from bombs' (Nairobi, June 2008 and March 2009.) However, clans continue to be important in relation to where a person flees (interview UNHCR, June 2008).

"These conflicts often trigger a number of revenge killings. The ideological/political dimension that made its entry with the TFG, and not least the Ethiopian entry in December 2007, has further strengthened this trend (interviews with international observers in Nairobi, June 2008). However, according to a well-informed international organisation, those leaving conflict areas still tend to go to their clan areas, and the protection issue nowadays is primarily linked to the situation in the arrival areas (interview in Nairobi, June 2008 and March 2009).

"In response to the question of protection for Midgan groups, a well-informed international source explained (interview in Nairobi, March 2009) that protection for these groups often entails various forms of paid protection. The same source described protection in Mogadishu as a protection racket. Another well-informed international source told Landinfo during a meeting in June 2008 that minorities that are forced to leave their homes due to difficult security conditions seek to establish a client relationship to a host clan at their new place of residence (interview in Nairobi, June 2008)." [45g]

- 18.12 With regard to the protection of minority groups by dominant clans, the Foreign and Commonwealth Office Africa research analyst, Dr Cedric Barnes' paper dated 16 May 2008 (FCO Analyst Paper 2008) commented that:

"In the past – especially before the full development of state structures - minority groups would have had some relationship of protection with majority clans. The rise of the modern state (colonial and post-colonial) ostensibly ended the necessity for some of these historical relationships of protection. Some relationships will have endured, others may have lapsed. However, the modern state itself became the active protector and sponsor of some minority groups. Siad Barre's regime in particular, used weak clans or minorities as strategic allies in their government and employed them selectively in the security forces and other government agencies, as reliable

and dependant allies. This association has added to the vulnerability of some minority groups and small clans.

“The situation since the breakdown of state and formal structures of law and order has left most ‘minority’ groups as second, if not third ‘class’ citizens. The revival of ‘neo-traditional’ customs in stateless Somalia, may have led to new agreements between minority groups and major clans, though these will be precarious and one-sided agreements (i.e. to the advantage of the protecting clan). Sometimes relationships of protection may work through marriage alliances; generally involving a minority or minor clan female marrying a majority clan male. But again the weakness of the minority group or clan would favour the majority clan in this agreement; the effectiveness of protection or willingness to give it would vary depending on individuals and families involved. Minority groups will always occupy a junior position in any socio-political arrangement in which they might be included. Again this specific information can be best sourced by people with direct links to minority groups still resident in Somalia. Direct contact with human rights organisations and local NGOs in Somalia would provide a detailed and up-to-date assessment.” [60a] (paragraphs 7-8)

See [Minority groups](#) below

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MAIN CLANS

- 18.13 The Gundel Lecture 2009 report provided an overview of the main (nomadic or pastoral) clan families (as identified by Dr Gundel in the quote cited in paragraph 18.01) and where they are approximately located:

“Darood

“The Darood are commonly divided into three major groups referred to as Ogaden, Marehan, and Harti. The Harti are composed of the Majerteen who now are found in Puntland mainly, and the Dulbahante and Warsangeli who mainly live within the borders of Somaliland. Puntland almost entirely overlaps with the Majerteen clan family. The Marehan inhabit South-Central Somalia, where they are dominant in Gedo region. The Ogaden can be found in Southern Somalia where, over the last years, they have gained increased control of Lower and Middle Juba, as well as in Ethiopia and Kenya. Since the Darood are present in the North, in South-Central Somalia as well as inside Ethiopia, and Kenya, they can be considered the strongest pan-Somali nationalists.

“Hawiye

“As to the Hawiye, the two most important and commonly used sub-divisions are the Habar Gedir and the Abgal. The Hawiye can be found in central and southern Somalia,¹⁵ and particularly its Abgal and Habr Gedir groups are dominant in Mogadishu. The Hawiye are not as present in the other areas, and would generally be content with control over South Central Somalia.

“Dir

“The Dir include groups such as Issa, Gadabursi, and Biymaal. Dir groups live in Somaliland as well as in South-Central Somalia.

“Isaaq

“... there is a controversy as to whether they constitute a clan family of their own. This is being affirmed by the Isaaq themselves, while southern Somalis and the Majerteen claim that Isaaq are part of the Dir. The Isaaq have cousin links to the Dir groups such as the Biymaal, Issa and Gadabursi. Isaaq are the primary inhabitants of Somaliland (although its current president is from the Gadabursi group).” [77a] (p12-13)

The UNHCR have produced a genealogical table of clans, including minority groups dated circa 2000 as a guide to the clans and where they are located.

Digil and Mirifle (Rahanweyn)

For information about protection generally see subsection Clan protection above.

- 18.14 The report of a joint fact-finding mission conducted by the Danish Immigration Service, the Home Office and the Netherlands Ministry of Foreign Affairs between 17 and 24 September 2000 in Nairobi, Kenya, titled Report on Minority Groups in Somalia (JFFMR 2000) stated that

“Digil and Mirifle, or Rahanweyn, seem to take a middle position between a Somali clan and a minority. They are considered as a minority group by some experts (such as the UN Special Rapporteur on human rights in Somalia, Ms Mona Rishmawi). By others they are considered as clans related to the major Somali clans, though considered as less 'noble'... Different use is made of the names Digil, Mirifle (Merifle) and Rahanweyn. A UN source in Nairobi explained that this is a consequence of an effort made by Siad Barre to amalgamate all these clans under the one name Rahanweyn (the largest group). Originally, however, the Somali distinguished two clan-families, one called the Digil and another variously called Rahanweyn or Mirifle.

“The Digil and Mirifle are related ethnically to the four main Somali clan-families in various ways. Both Somali and Digil-Mirifle trace their origins back to the same ancestor, at the highest genealogical level: the ancestor of the Digil-Mirifle, Sab, and the ancestor of the four main Somali clan-families, Somali (or Samaale), are traced back to a common ancestor... The descendants of Sab are segmented into three families: the Digil, Mirifle (or Rahanweyn) and Tunni; the Mirifle and Tunni derive from the Digil. The Mirifle and Tunni are numerically the most important, but the Digil survive as a small independent confederacy.” [7a] (p56)

- 18.15 The report further stated:

“The Digil and Mirifle are held in contempt by the nomadic Somali clans for their lowly origins, stemming from Sab as opposed to Somali, for their heterogeneous composition that includes Bantu elements, for their lack of a clear, politically significant genealogical structure, and, more important perhaps, because they are predominantly cultivators. They were shunned as

marriage partners by the 'noble' Somali clans. They do have *diya* paying groups, and thus fall within this aspect of clan law. Villages could function as *diya* paying groups, even if villagers were members of different kinship-based *diya* paying groups." [7a] (p58)

- 18.16 The Gundel Lecture 2009 report gave background information on the groups:

"The Somali agro-pastoralists refer to themselves as originating from Saab...and encompass the two groups of Mirifle and Digil, as well as the Rahanweyn who sometimes refer to be identical with Mirifle and Digil. The agro-pastoralist clan structure is considerably different from that of the nomadic groups. As far as the Rahanweyn are concerned, they do not trace their genealogy as far backwards as the nomads and 'the segmentation at the larger units of the clan is one of the important features that make the Rahanweyn social organisation different. Their clans are composed of 4-7 jilib that pays diya together. Hence, the diya-paying group structure of the Rahanweyn is different as they pay diya collectively at a much higher level in their lineage structure than the pastoralists do...These differences are due to the fact that these groups do not practice transhumance migration in the same way as nomads, but agriculture. They also keep camels as a last resort strategy for severe droughts, in which case they may also migrate, however this needs to be distinguished from nomadic ways of migration. Hence their basis is location, and their home state is more important for their identity than the clan. Their structure of elders are considerably more hierarchical and tightly related to the villages and home states.

"Politically, since 1999, the Rahanweyn clans have increasingly gained control of their 'own' regions of Bay and Bakool in the inter-riverine area between the Juba and Shabelle rivers in Southern Somalia. While traditionally, the Rahanweyn were traditionally peaceful people and not involved in the original civil war, they have now established their own army and seek to control their own areas (where Al-Shabaab is predominant today). However, they generally do not appear to be concerned with controlling other areas." [77a]

Tunni

Sources distinguish between 'rural' and 'urban' Tunni. The latter are linked with the minority Benadir (see subsection on [Benadir](#) below).

- 18.17 As noted in paragraph 18.14 above, the JFFMR 2000 stated that the Tunni are "derived" from the Digil. The report also stated that "Lewis describes the Tunni as a large tribe, or rather tribal confederacy... [which] eventually settled in and around Brava." [7a] (p57) An Immigration and Refugee Board of Canada response to an information request dated 1 August 1997 observed that: "Author Lee Cassannelli in *Victims and Vulnerable Groups in Southern Somalia*, states that the Tunni are one of the seven subclans of the minority Digil clan... Together, the Digil and Mirifle comprise the Rahanweyn (Reewin) clan, which is one of Somalia's minority clans (ibid.)." The same response reported that:

"... a representative of the Toronto-based Benadir Somali Association, who has done extensive research on the cultural history of the Benadir coast... emphasized that there is a difference between urban Tunnis who are

Barawans and rural Tunnis who are not Barawans. He explained that the difference between urban Tunnis and rural Tunnis is linguistic, with the rural Tunnis speaking the Tunni language, which is not comprehensible to the majority of urban Tunnis.” [79a]

For information about the ‘urban’ Tunni see subsection on Reer Brava (also Bravanese or Baravani) and Tunni below.

Language/dialect

- 18.18 The Digil-Mirifle (Rahanweyn) speak “... Af-Maay-tiri, which is quite distinct from Af-Maxaa-tiri.[standard Somali]” (Gundel, *Predicament of the Oday* November 2006) [59a] (p4) The JFFMR 2000 stated that

“The Mirifle speak a separate Somali dialect (called Af-may or Af-maymay), which serves as a lingua franca among the various Mirifle groups, several of whom also speak distinct local dialects, and some of their Bantu neighbours. Also the Digil speak Af-may, although some will speak standard Somali. Both Digil and Mirifle generally understand the standard Somali spoken elsewhere.” [7a] (p57)

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MINORITY GROUPS

- 18.19 The term ‘minority groups’ is taken to include all of the population outside the Somali lineage system (i.e. the ‘clan system’). These include occupational and out-caste groups (such as the Tumul, Midgan and Yibir), the urban coastal communities of the Benadir region of southern and central Somalia (including the Reer Hamar, Barawani - also referred to as the Reer Brava or Bravanese - and Bajuni) and the ethnically ‘African’ population (usually referred to as the Bantu). The position of the agro-pastoral population – the Digil and Mirifle (Rahanweyn) – is complicated (some commentators consider them to be a minority although they fall within the clan system) and they are not covered in this section (see preceding subsection).

Background

- 18.20 The Gundel Lecture 2009 report stated that:

“Among the minorities, one can find the ‘outcaste’ groups, or bondsmen known collectively as sab, as well as groups of ethnic Bantu descent and the coastal groups, including those of Arabic descent such as the Bajunis and Barawanis. Minorities are not counted and their languages and cultures are neither accepted nor respected...in terms of their size, the notion of ‘minorities’ is sometimes misleading. Many minorities, such as Bantus, are in many places in South Central Somalia in fact local majorities. However, they are being oppressed by the militarily stronger nomadic clans. Globally, in the Somali context, they are a minority, because they are not overall dominant. The sab are an exception to this, as they are in numbers a clear-cut minority due to the fact that, unlike the Bantus, who live in certain locations, they are scattered over many places.” [77a] (p14)

- 18.21 Dr Cedric Barnes, in the Foreign and Commonwealth Office's Africa Research Group, observed in a paper dated 16 May 2008 (FCO Analyst Paper 2008) that:

"The term minority has come to cover a wide and diverse range of peoples in Somalia. Some minorities may be more identifiable (e.g. appearance, dialect, accent) than others. Others, especially those are treated as lower 'castes' – due to the stigma associated with their way of life, profession, putative ancestors, etc. – will be indistinguishable from majority Somali clan groups. The groups that are associated by occupation may no longer exclusively practice the occupation with which they are traditionally identified." [60a] (paragraph 2)

- 18.22 Dr Barnes also observed that:

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

- 18.23 Dr Barnes also commented that:

"Information on cultural practices and traditional histories (including lineages, leading personalities) are not widely recorded in the published literature. Most knowledge is maintained by oral tradition and not recorded systematically. Individuals themselves hold this knowledge, and one account will never exactly match another.... It should be remembered that the degree and depth of knowledge will differ from one individual to another. Generally the older generation should have better knowledge, as might be expected, but this is not always the case.

"Cultural practices vary from group to group, some of which are common throughout a 'cultural region' e.g. the East African coast, or Bantu speaking communities, and some of which are specific to one group. However one group may practice similar customs to another with some slight internal differences." [60a] (paragraphs 13-15)

- 18.24 There is no definitive 'list' of minority groups. The JFFMR 2000 divided the report into sections which covered the following broad minority groups (each section provided further detail on various subgroups). This provides a useful guide to the main groups. (Detail on the Bajuni, Bantu, Benadiri and the outcaste or Sab groups is provided in the following subsections):

- Bajuni;
- Bantu;
- Benadiri;

- Eyle;
- Midgan, Tumul, Yibir (Sab ['outcaste groups']);
- Shekhal; and
- Digil and Mirifle (Rahanweyn) [Their position in Somali society is complex: JFFMR 2000 observed the Digil and Mirifle "... seem to take a middle position between a Somali clan and a minority..." See preceding sub-section] [7a] (p19-21)

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Size and location

Readers should note that there are no reliable census statistics and estimates vary for the total population of Somalia (between 7 and 9 million; see section on [Geography](#)). The population has also been subject to massive displacement (see section on [Internally Displaced Persons](#)) and migration (see section on [Somalis refugees in the region](#)).

- 18.25 The USSD HRP 2009, referring to an estimate made by the UN's Independent Expert, stated that minority groups represented around 22% of the total Somali population. [2a] (**National/Racial/Ethnic Minorities**) A UN paper, *Minorities of Somalia*, dated August 2002, (UN Report 2002) stated:

"Until recently, many people perceived Somalia as a country with a population of 7,000,0000 people who share one culture, one language and one religion. This was the impression given during previous regimes in order to sustain the illusion of homogeneity... estimates indicate that... [minorities] constitute one third of the total Somalia population; approximately 2,000,000 people. The minority groups include Bantu, Bravenese, Rerhamar, Bajuni, Eyle, Galgala, Tumul, Yibir and Gaboye. These groups continue to live in conditions of great poverty and suffer numerous forms of discrimination and exclusion." [26a] (p2)

- 18.26 The Gundel Lecture 2009 report stated that:

"It can be observed that the area between the Juba and Shabelle rivers in Southern Somalia is characterised by considerably greater population density than the areas inhabited by nomadic groups. Therefore, particularly the Rahanweyn groups may constitute at least 25 to 30 per cent of the full population, and hence be larger in size than they are commonly said to be. The Bantus who are often referred to as small groups of perhaps 6 per cent may in fact constitute 20 per cent of the population, and in South-Central there may even be local districts where they form even 50 per cent of the local population. However, these groups are politically suppressed and 'hidden away in Somali figures which favour the nomadic clans.'" [77a] (p12)

- 18.27 The UN Report 2002 estimated that approximately 15% of the total Somalia population (representing around half of the minority groups' population) were Bantu. Though, the size of the other main minority groups identified were a much smaller proportion of the total population. The report also provided some background information to the groups, such as where they were located, language and traditional skills. [26a] (Table 1)

- 18.28 The JFFM report 2000 stated: "Minority groups are not evenly distributed throughout Somalia; there is a higher concentration in the central and

southern parts of the country.” [7a] (p21). The FCO Analyst Paper 2008 reported that:

“Minorities are present in all areas of Somalia. Minority groups are not necessarily exclusively present in the areas they were traditionally associated with, or if they are still resident in their traditional locations, they are no longer present in the concentrations they were before the 1990s. Even before the breakdown of the Somali state in the early 1990s, during the 1970s and 1980s (earlier in some cases) there was a great deal of internal migration-emigration throughout Somalia. Certain areas not traditionally associated with minority groups, will have become home to families or communities of minority groups (pursuing business opportunities or in their role as government servants).

“Though some minority groups were primarily associated with geographical locations e.g. Brawanese, Benadiri, others were identified by their ‘occupational caste’ and might be found in any given area. Different ‘Bantu’ groups are traditionally found in many of the river valleys of the Juba and Shabelle. However many minority groups will have migrated to bigger towns and cities in search of work, social services (health, aid, education) or protection... Minority groups are also found in Somaliland and Puntland as residents and as refugees.” [68a] (paragraphs 9-11)

- 18.29 The UNHCR has produced [a genealogical table of clans](#), including minority groups, dated circa 2000, which is useful as a guide to the minority groups and where they were located.

General situation

For information about protection generally see subsection [Clan protection](#) above.

- 18.30 The FCO Analyst Paper 2008 commented that:

“It is difficult – under current conditions in south Somalia [early 2008] - to ascertain with any certainty whether minorities are more or less vulnerable than they were at other periods. However, minorities, by their very nature, will be more vulnerable than ‘majority’ clan’ Somalis since many will not have the protection of a larger clan network/militia who may act with greater impunity against minority clan members since there is little chance of retribution or accountability. It is not my opinion that there is no ‘comparative difference in levels of safety between majority clan and minority group members’. However, there may be little detectable difference between some individual circumstances.

“While the active persecution of some minority groups is less evident than it was, for example, in the early 1990s in the immediate aftermath of the collapse of the Somali state, there is no reason to believe social attitudes have changed markedly in present day Somalia. Moreover, it should not be presumed that discrimination and persecution will be perpetrated by all members of Somali society. Nevertheless, in the Somali context there is an inherent disparity in power between majority clans, and smaller clans and minority groups.

“Access to wealth, the social status of the minority group in question, as well as individual connections, can subvert or mediate this prevailing inequality of power. Many individuals from minority groups remain in Somalia. Some may be able to hold on to property, or attend school, or access medical care. Again confirmation and evidence should be sought from those organisations still working on the ground, e.g. Islamic charities or charitable health provider that have the most immediate contact with vulnerable groups.” [60a] (paragraphs 3-5)

- 18.31 The Landinfo response, *Vulnerability – minority groups, weak clans and vulnerable individuals* dated June 2009 stated:

“In 2008, the UN High Commissioner for Human Rights described the situation for Somali minorities as follows:

‘Discrimination against minorities and persons with disabilities was also consistently reported, by recently asylum-seekers to Dadaab and in Somaliland. Social constraints put obstacles to inter-marriage, access to work is restricted to traditional jobs – normally those enjoying the lowest social status and pay. In a context of total breakdown of law and order, lack of protection from clans detracts them even from this shelter provided by customary law’ (OHCHR 2008).

“This situation remains unchanged. In his report from February 2009, the UN’s Independent Expert on the human rights situation in Somalia underlines that conditions for minorities are difficult (UN Human Rights Council 2009). A lack of understanding and, to some extent, racist attitudes characterise many people’s views of these groups, who have traditionally had low status in Somali society. The Islamist groups, including al-Shabaab, therefore represent something positive to people who belong to a minority, since clan affiliation is not a criterion for social status and protection. Moreover, the strict law enforcement in areas controlled by the Islamists prevents the crime that for years has affected these groups in particular (interviews in Nairobi, March 2009). Consequently, in regions such as the Lower Shabelle, we note that the minorities support al-Shabaab.

“While, in June 2008, several of Landinfo’s interlocutors pointed out that everyone is affected by the ongoing conflict – grenades and bombs do not discriminate between people – one well-informed observer underlined that minorities such as Midgan, unlike other groups that find themselves in the crossfire between the rebels and the government forces, do not have alternative places to stay in Somalia. However, another international source reported that minorities who are forced to leave their homes due to difficult security conditions will endeavour to establish a client relationship to a host clan in their new place of residence (interview in Nairobi, June 2008). But this strategy only applies to Midgan and Bantu groups, who have traditionally had this type of affiliation to local Somali clans, not to Rer Hamar or other Benadir groups. In many cases, however, these groups have established protective relationships through marriages or by making payments.

“... In a conversation with Landinfo in Nairobi in March 2009, a representative of an international organisation stated that all groups or clans that are outnumbered and lack military strength in their area of residence can be characterised as minorities and at risk of abuse in a conflict situation.

However, another well-informed international source gave the impression that no particular groups are especially vulnerable in the current situation, but that the difficult humanitarian situation affects large parts of the population. As an example, the source in question informed us that the population of the Badhaade district (and the neighbouring district) in Lower Juba share three watering holes that are meant to supply everyone with water, including livestock.” [45f] (p1-2)

18.32 The Minority Rights Group International report, ‘State of the World’s Minorities and Indigenous Peoples 2009 – Somalia’, reported that minorities had “suffered disproportionately from the violence” during 2008, this had included “looting of their land and property by militias and majority clan members”. The report went on to state that marriage “between minority groups (including the Bantu – the largest minority group – the Benadiri, Brawanese, Faqayaqub, Hawrarsame, Madhiban, Muse Dheryo, Rer Hamar, Swahili, Tumul, Yaxar and Yibir) and the majority clans remained restricted.” [80a]

18.33 The report of Shamsul Bari, an independent expert appointed by the UN General Assembly Human Rights Council to report on the situation of human rights in Somalia, published on 24 February 2009, includes a general note on the situation of minorities:

“Discrimination and abuses against minorities and vulnerable groups continue unabated. Somali minorities such as the Benadir/Rer Hamar, Midgan (Gadoye) and Tomal, in particular the African Bantu/Jarir population, who have been traditionally discriminated against in Somali society, continue to face abuses and human rights violations because of their ethnic origin. ...The fighting in South and Central region has adversely affected their ability to earn a livelihood as labourers, metalworkers, herbalists and hunters, their traditional occupation[s].” [72a](p16, paragraph53)

18.34 The LandInfo report of November 2008, *Conflict, security and clan protection in South Somalia*, stated: “According to a well-informed observer, the Hawiye clan Suleiman is still represented in Hamar Weyne, Hamar Jabjab, Karaan and Medina, but those who do not control areas in the capital have mostly left. The minorities’ areas are ghost towns and it is unknown how many minority group members remain in Mogadishu.” [45d] (p13, s.3.1.1.)

For further information on the current situation for minority groups in Somalia, please see the full report of the [Gundel Lecture 2009](#).

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Marriage between minority groups and dominant clans

18.35 There is little information regarding majority/minority clan alliances through marriage. However, *Somalia: the untold story: The war through the eyes of Somali women* by Gardner and Bushra, published in 2004, made reference to male majority clan members marrying female minority clan members. [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 in 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)

See also [Women](#) and subsection on [Clan protection](#).

Bajuni

For further information on the current situation for the Bajuni, please see [General situation](#). For further information on protection mechanisms, please see [Clan protection](#).

Background

- 18.36 The JFFM report 2000 stated that the Bajuni are mainly sailors and fishermen who lived in small communities on the coast south of Kismayo, and on islands between Kismayo and the border with Kenya. The Bajuni are of mixed Arabic, Bantu, Somali and possibly Malay ancestry. Bajuni Elders stated that the Bajuni do not regard themselves as Benadiri people, although they had some trading links with the Bravanese people. [7a] (p26-28)
- 18.37 The JFFMR December 2000, and the OCHA Minorities Study of August 2002 observed that the Bajuni had traditionally held a low status in Somalia. As Siad Barre’s administration collapsed in the early 1990s, the Bajuni were attacked by groups of Somali militia who wanted to force them off the islands. Many Bajuni left Somalia for Kenya, the majority having fled during 1992. Some Bajuni earned money by transporting refugees out of towns such as Brava and Kismayo to Kenya. In Kenya the Bajuni went to the Jomvo refugee camp in Mombasa. When the Jomvo camp was closed in 1997 many Bajuni were returned by the UN High Commissioner for Refugees (UNHCR) to the Bajuni islands, which at the time were considered safe. However, with the fall of Kismayo in 1999 to the allied forces of the Somali National Front (SNF) and Aideed’s Somali National Alliance (SNA), and subsequent attacks on the Bajuni islands, the UNHCR suspended returns. (JFFMR December 2000) [7a] (p28-30) (OCHA Minorities Study, August 2002) [26a] (p5-6)
- 18.38 The OCHA Minorities Study of August 2002 stated that Marehan settlers had 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)

- 18.39 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)
- 18.40 A Canadian Immigration and Refugee Board response, *Information on the treatment of the Bajuni in Kismayo since 1989, and on the names of Bajuni towns in Somalia currently, and prior to the civil war*, published February 1996, stated that “Bajuni are a trans-national coastal people found along the Somali and Kenyan coasts”. [79c]

Language/dialect

- 18.41 The main language spoken by the Bajuni is Kibajuni [‘Ki’ meaning language], a dialect related to Swahili. Bajuni elders considered “... their language is very different to the Swahili dialect spoken in areas of Kenya immediately below the Kenyan-Somalia border... although there are some common words”. (JFFMR 2000) [7a] (p26) An Immigration and Refugee Board of Canada response dated 14 November 2005, based on consultations with three linguistic experts/organisations (see source for full details) stated that Bajuni was a dialect of Swahili, noting that “...there are some phonological, syntactical and lexical differences between the two languages.” The response also stated that Kibajuni is:

“... a ‘cross-border’ language spoken in both Somalia and Kenya... in the past, the Bajuni used to live ‘on the coast and offshore islands of [southeastern] Somalia and [northeastern] Kenya’ while today, Somali Bajuni have moved or are moving to northeastern Kenya... Bajuni is spoken only in a zone that extends from Kisimayu in Southern Somalia to the Lamu archipelago in Kenya by a community of which there are estimated to be between 15,000 and 20,000 members...” [79b]

- 18.42 The JFFMR 2000 noted that:

“... according to the elders most Bajuni speak some Somali, although the main language spoken by the Bajuni is Kibajuni, a dialect related to Swahili. The Bajuni elders advised the delegation that younger Bajuni, who have lived mainly in exile, alienated from mainstream Somali society, may have only a very limited knowledge of Somali but they stressed that they should know at least some key words in Somali as their family elders would have taught them”. [7a] (p26-28)

- 18.43 The Joint Fact Finding Mission Report of March 2004 (JFFMR 2004) stated:

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

- 18.44 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)

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Bantu

For further information on the current situation for the Bantu, please see [General situation](#). For further information on protection mechanisms, please see [Clan protection](#).

Background

- 18.45 The origins of the Bantu are discussed in the Ken Menkhaus paper, *Bantu Ethnic Identity in Somalia*, 2003. The paper opined that the notion of Somali Bantu did not exist before 1991 (p323) and further stated:

“[W]hat we today call the Somali Bantu is actually a very diverse group linked only by a common physical trait (specifically, tightly curled or ‘hard hair’ [*tiimo jareer*], distinguishing them from ‘soft-haired’ ethnic Somalis); low or no status within the Somali lineage system; an historical identity as subsistence farmers in a predominantly pastoral and agro pastoral society; and a shared history of discrimination and oppression.. Until the 1990s, many of these scattered Bantu communities had little knowledge of one another and hence no common sense of identity. The one physical marker that sets them apart from ethnic Somalis – their ‘hard hair’ – earned them the common nickname ‘Jareer’ (‘hard’) from their Somali countrymen ... some Bantu Somalis... retain a tribal identity outside the Somali lineage system. But it should be stressed that only a portion of the Bantu population remain outside the Somali lineage system. The bulk of the Bantu population has affiliation with a Somali clan.” [81a] (p326)

- 18.46 The JFFMR 2000 explained that “normally a Somali of Bantu as well as of non-Bantu origin will refer to a Bantu as a ‘Jarer’, which indicates that the person has strong curly hair. According to Perouse de Montclos the Bantus are also called habash (meaning servants) by the Somali and shanqila by the Ethiopian Oromo along the River Shabelle.” [7a] (p29) The same source reported that:

“The term jareer means ‘hard (or kinky) hair’ and literally denotes hair texture and other physical characteristics such as particular bone structures and facial features, which are negatively valued by Somalis. Gosha are said to be bulkier while so-called ‘pure’ Somalis are said to have longer, more slender fingers. But most significantly according to Besteman, the people who are jareer are considered more ‘African’, as distinct from Somalis, who are considered more ‘Arabic’.” [7a] (p30)

- 18.47 The report further stated:

“According to Besteman the term *jareer* has its greatest significance in the cultural values embedded in being *jareer* (or ‘African’). It is a term that refers to history, that of non-Somali pagan slave origins, a history devalued in Somali culture and ideology. This has the effect in social terms that carrying a *jareer* identity is a denigrated status within the Somali social structure. On

this basis Besteman concludes that the people of the Gosha, grouped together as jareer, share a lower status within Somali society.

“The Bantu elders with whom the delegation met urged that the Bantu population in Somalia should not be considered as a minority population in Somalia, because, they argued, the Bantu constitute a majority in a number of regions in Somalia...According to Perouse de Montclos (1997) the Bantu population in Somalia includes nearly one hundred thousand Swahili-speaking Gosha that are sometimes called *dalgoleet* ('forest people' in Somali), *molema* (or *mlima*, 'mountain people' in broken Swahili), *watoro* ('runaway slaves' in Oromo) or *oji* (from the Italian word *oggi*, 'today', because these Bantu were said not to think beyond the present day).

“According to the Bantu elders the Bantu mainly occupy the territory between the two main rivers in Somalia, the Shabelle and the Juba, the so-called inter-riverine area of Somalia. The area covers eight regions in southern and central Somalia. The elders stated that in the regions of Middle- and Lower Shabelle, Middle- and Lower Juba, Bay, Benadir and former Upper Juba (parts of which are now in Gedo region) the Bantu population is still today actually a majority.” [7a]

18.48 The JFFMR 2000 gave some information about sub groups within the Bantu:

“According to the Bantu elders the Bantu population is made up of a number of lineages, some of which live in certain areas and some of which are mixed and/or have resettled in other places in Somalia. Only a few groups are distinguished by their location, such as the Mushunguli, almost all of whom live in Lower Juba region. There are a number of well-known Bantu groups that are not attached and have not been swallowed up by the non-Bantu Somali clans. All of these Bantu groups are referred to as lineage-groups:

- Shabelle
- Shiidle
- Kabole
- Mushunguli
- Gabaweyn (Garbaweyn)
- Eyle (Eile)
- Makane

“There is another group of less well-known Bantu-lineages, most of which are living in the Lower and Middle Juba areas:

- Manyasa
- Miyau
- Majindo
- Makua
- Mlima
- Pokomo
- Manyika

“The Bantu elders explained that many Bantu groups would readily identify themselves with the non-Bantu clan that they are attached to and a Bantu from such a group will say, for example, that he is a Hawadle or an Abgal etc. Such a person considers his identity as totally incorporated into the non-

Bantu clan with which he is affiliated. The above-mentioned second group of less well-known Bantu lineages originally came from one of the first-mentioned more well-known groups but have lost their identity to other non-Bantu groups. Migration and intermarriage can also result in a situation where a Bantu will not identify himself as belonging to one of the Bantu groups.” [7a] (p32-33)

Language/dialect

- 18.49 There are different accounts regarding the language spoken by the Bantu. The JFFMR 2000 stated that:

“Some Bantu groups have maintained their own Bantu dialect or language while others have completely lost their dialects. The Mushunguli of the Lower Juba still have their own dialect called ‘kiziguua’ and the Mushunguli call themselves ‘waziguua’. Any other Somali will call them Mushunguli. According to Perouse de Montclos the Zigua are of Tanzanian origin and they claim to be the first to have arrived in the Kismayo hinterland where they settled along ethnic lines in order to preserve their culture.” [7a] (p33)

General situation

- 18.50 The June 2009 Landinfo response Vulnerability – minority groups, weak clans and vulnerable individuals states:

“The situation for the Bantus in the Hiraan region deteriorated during 2007-2008, according to one international organisation (interview, June 2008). The fears that the large clans would be attracted by the relatively good conditions for agriculture that the Bantus had enjoyed until 2007 (interview March 2007) proved to be well-founded. The local clans moved in with heavy agricultural machinery, and the Bantu population no longer had access to their irrigation equipment, for example. According to well-informed local and international sources, the current situation is more complex. There are armed Bantu groups in the Juba valley and elsewhere, and, in addition, the Bantu population is being armed and used by local clans in conflicts (interviews in Nairobi, March 2009).” [45f]

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Benadiri

For further information on the current situation for the Benadiri see [General situation](#). For further information on protection mechanisms, please see [Clan protection](#).

- 18.51 ‘Benadiri’ is an umbrella term for a number of minority groups from the coast of south and central Somalia. The JFFMR 2000 reported that:

“... Benadiri is used... [to] indicate the coastal population of Somalia roughly between Mogadishu and Kismayo, who share an urban culture and who are of mixed origin (Persian/Portuguese/Arabian/Swahili/Somali), separate from the major Somali clans... According to Perouse de Montclos, the name Benadiri does not correspond to any well defined sociological reality. In the context of resettlement programmes for Somali refugees in Kenya, the

Somali refugee traders of the coastal ports decided to regroup under the generic term 'Benadir', which designates greater Mogadishu. Those indigenous to this area succeeded in calling themselves 'Benadiri'.

“Perouse de Montclos adds that the term Benadiri, as a community, did not fully appear before the 1990 civil war (N.B. This is also in accordance with other, UN, sources)... [Benadiri] applies to the traders who were the first inhabitants of Mogadishu but have always been seen as foreigners by the Somalis: the Bandhabow, the Morshe-Iskashato, the Abdisamad, the Sadiq Gedi, the Bafadal, the Amudi, the Duruqo, the rer Shikh, the rer Manyo, the Gudmane in Hamar Weyne district and the rer Faqi in Shingani district.

“Other sources use the names Reer Hamar or Reer Brava. Reer Hamar means people from Mogadishu (Hamar Weyne), but some sources (such as the elders interviewed by the delegation) use it to include the whole coastal population of mixed origin. Reer Brava means people from Brava, and is generally used only to indicate people from Brava of mixed origin.” [7a] (p38-39))

18.52 The JFFMR 2000 stated:

“The delegation gained the impression by comparing information from the discussions with the groups of elders they met with in Nairobi with information gathered in an earlier Danish mission and with information gathered earlier from informants by the Netherlands Embassy in Nairobi, that not all Benadiri would know all the sub-groups, and that there exist many more sub-groups than the ones mentioned by the elders in Nairobi. It also appears that sub-groups mentioned as living in one town or city quarter may have spread to other coastal towns, and sometimes to inland towns like Baidoa.” [7a] (p39)

18.53 The same source noted that the Benadiri “do not put as much weight on genealogical descent as do the Somali clans. They do not count back many generations although life is clan-based.” They can be categorised into groups and sub groups (although the list given below is far from exhaustive):

Hamar groups:

- Qalmashube
- Dhabar Weyne
- Shanshiya
- Morshe (Moorshe)
- Bandhawaw
- Reer Faqi

Shangani groups, including:

- Amudi
- Baa Fadal
- Reer Sheikh
- Abakarow

Sub-groups in Merka, including:

- Shukereere
- Ahmed Nur
- Reer Maanyo

- Ali'iyo Mohamed
- Duruqbe
- Gameedle

The Ashraf. [7a] (p39-40)

18.54 According to Benadiri elders interviewed in the JFFMR 2000:

“... before the civil war the Benadiri in Mogadishu used to live only in the quarters of Hamar Weyne, Shingani and Bondere. Now Benadiri live in all quarters of Mogadishu.

“Another sub-division is made between 'light-skinned' ('gibil ad') and 'black-skinned' ('gibil madow') Benadiri.

“Benadiri intermarry, but the elders stated that 'light-skinned' Benadiri do not marry 'black-skinned' Benadiri like Moorshe or Dhabar Weyne.” [7a] (p40)

18.55 The JFFMR 2000 noted, with regard to occupations, that:

“The Benadiri elders stated that the Benadiri were an urban and educated people, who worked almost exclusively in commercial occupations. The elders mentioned business, fishery, construction, metal work, carpentry, tailoring, weaving and gold smithing as the occupational sectors of the Benadiri. They also mentioned that some Benadiri were medical doctors, engineers or economists. Benadiri women might sell snacks or handicrafts.” [7a] (p43)

18.56 Jane's Information Group, in its *Country Risk Assessment for Somalia*, updated 15 July 2009 noted:

“Reer Hamar (Benadiiri) in general practice commercial occupations. Their group has the greatest number of professionals (for example bankers, businessmen, skilled personnel) and most live in Mogadishu. When order disintegrated in 1991, they were among the wealthiest Somalis, which caused resentment, but their neutral, unarmed status left them unable to defend themselves. Unaligned with any faction and with no links to Somali lineage, Benadiris were easy prey during the civil war. Their land, property and businesses were taken. Most Benadiris fled in the early years of the fighting and have little or nothing to return to.” [61a] (Bajuni, Migdgan, Tumul, Reer Hamar)

18.57 The Benadiri suffered particularly badly during the civil war in 1991-1992, as they were “attacked and targeted by looters, who considered them to be very rich”. Many Benadiri women were raped or forced into marriage. (JFFMR 2000) [7a] (p28, 38-41, 44-45) The JFFMR March 2004 observed that it was estimated that 90 per cent of the Reer Hamar population in Mogadishu left the city as a consequence of civil war and lack of security. [45a] (p26)

Ashraf

18.58 The Ashraf are a distinct group who identify themselves as Benadiri. Ashraf elders interviewed for the 2000 FFMR “made it clear that only one Ashraf group (or clan) exists in Somalia”, but also noted that the group is “further

sub-divided on the lines of their male ancestors". The Ashraf elders sub-divided the Ashraf in the following way:

"Hussein:

- Reesharif Magbuul
- Sharif Ahmed
- Sharif Baalawi

Hassan:

- Mohammed Sharif
- Sharif Ali
- Sharif Ahmed
- Ashraf Sarman." [7a] (p39)

18.59 The elders further stated that the Ashraf:

"... trace their origin to the Prophet Mohamed, whose daughter Fatima had two sons with Ali, named Hassan and Hussein. Any member of the Ashraf community belongs to one of these two lines of descent, from Hassan or Hussein, and any Ashraf (both females and males from the age of two) is able to identify her- or himself as belonging to one of these two lines... [Ashraf] have the name Sharif as part of their name, added to the personal name and the father's, and sometimes the grandfather's, name. From this comes the name of the group, Ashraf being the plural of Sharif." [7a] (p41)

18.60 The JFFMR 2000 further stated:

"The Ashraf elders indicated that the Ashraf are living in southern and central Somalia, especially in urban locations like Bardera, Kismayo, Baidoa, Hoddur, Merka, Brava and Mogadishu. In Mogadishu the largest concentration of Ashraf was to be found in the Shingani district, but they also lived in Hamar Weyne. Ashraf used to live also in Ethiopia. Some Ashraf from Ethiopia became exiled in Somalia at the time of the Ogaden war in 1977. These Ashraf came from Ogaden, Oromia, Dire Dawa and Harar in Ethiopia and some of them fled Somalia in 1991-92. Those remaining in Somalia reside with other Ashraf. UN sources confirmed that Ashraf communities are also to be found in the Ogaden district of Ethiopia." [7a] (p41)

18.61 The JFFMR 2000 also noted with regard to the Ashraf traditional occupations, that:

"The Ashraf elders explained that the Ashraf are a religious people. They were traditionally considered a highly respected clan whose members travelled throughout Somalia as religious teachers. Before the civil war a relatively large number of Ashraf received education in Somalia, and during the Siad Barre administration a number of Ashraf were employed as civil servants in the administration while others were businesspeople and therefore travelled frequently throughout the country." [7a] (p43)

Language/dialect

18.62 The JFFMR 2000 stated:

“According to the Benadir community in Nairobi the Benadir populations in Somalia generally speak a dialect that is different from the dialect of the major Somali clans. Even within this dialect there are sub-dialects: the dialect spoken by the Benadiri of Mogadishu is called Af-Reer Hamar, that spoken by the Benadiri of Merka is called Af-Merka, and the dialect spoken by the Benadiri in Brava and further south is called Af-Brava. The Af-Brava dialect is not understood by the other Benadiri. An informant of the Netherlands Embassy stated earlier that the Ashraf in Bay area speak the Rahanweyn dialect.” [7a] (p42)

- 18.63 A Landinfo response, *Somalia: Reer Hamar*, dated 17 December 2009, reported on the languages spoken by the various Benadiri groups in Mogadishu that:

“No linguistic work has been done in Somalia since the 1980s, and Marcello Lamberti’s study *Die Somali-Dialekte* (1986) is one of the very few existing comparative studies of the various Somali dialects. According to this study, as well as other Somali sources, including Dr Ahmed Sharif Abbas, leader of the United Somali Benadiir Council in London (interview in London, 16 March 2005), the Hamar-dialect is still spoken by Reer Hamar members in Hamar Weyne [in Mogadishu]. Dr Abbas also stated that Reer Hamar living outside Hamar Weyne, particularly the older generation, have kept their dialect. Dr Abbas... did, however, not exclude non-Hamar speaking applicants from being Reer Hamar since obviously not all actually speak the dialect.

“Dr. Martin Orwin, lecturer in Somali and Amharic at University of London’s School of Oriental and African Studies (SOAS), has underlined (personal communication 16 November 2006) another important aspect: Other Somalis growing up and living in the same neighbourhood as the Reer Hamar probably also know and speak the Hamar dialect. Moreover, in most countries speakers of one dialect or language naturally come into direct or indirect contact with those of neighbouring (or culturally) dominant languages or dialects through business and trade relations, daily life or intermarriages. Whatever the degree or nature of contact between neighbouring peoples, it is generally sufficient to lead to some kind of linguistic interinfluencing, affecting not only the ethnic Somalis [i.e. non minority groups] living in the Reer Hamar neighbourhood, but also the Reer Hamar within Hamar Weyne and in other parts of the city.” [45h]

- 18.64 Sprakab, a Swedish company that supplies language analysis services to immigration authorities and is contracted to do so for the UK Border Agency, in a text sent on 24 February 2009 stated “The Reer-Hamar dialect of Somali is not only spoken by members of the Reer-Hamar clan. It is also spoken by persons who have had their language socialized in Reer-Hamar speaking areas or among Reer-Hamar speaking persons.” [69a]

For more information on the Benadiri, please see Landinfo’s [report](#).

Reer Brava (also Bravanese or Baravani) and Tunni

See subsection on [Digil and Mirifle \(Rahanweyne\)](#) for information about the ‘rural’ Tunni.

For further information on the current situation for the Reer Brava, please see [General situation](#). For further information on protection mechanisms, please see [Clan protection](#).

18.65 The JFFMR 2000 observed that within Brava, elders described “two sub-groups: the Bravanese and the Tunni. Both groups are from Brava and they share to a large extent the same culture. They intermarry between their groups. However, the Bravanese consider themselves Benadiri, while the Tunni do not.” The divisions of the Bravanese were:

- Bida
- Hatimi
- Ashraf [7a] (p41-42)

18.66 The Tunni are sub-divided into the Tunni Torre plus five *gamas* (sub-groups):

- Da'afarad
- Goygal
- Daqtiro
- Hayo
- Werile (JFFMR 2000) [7a] (p41-42)

18.67 An Immigration and Refugee Board of Canada response to information request dated 14 November 2005 stated:

“In an 11 August 1997 telephone interview with the DIRB, a representative of the Toronto-based Benadir Somali Association, who has done extensive research on the cultural history of the Benadir coast...clarified that the Dafard, Werile, Daqtira, Hafuwa and Goygal are Tunnis-Barawans or urban Tunnis who live in Merka and Barawa and speak the Barawan language (ibid.). However, he emphasized that there is a difference between urban Tunnis who are Barawans and rural Tunnis who are not Barawans. He explained that the difference between urban Tunnis and rural Tunnis is linguistic, with the rural Tunnis speaking the Tunni language, which is not comprehensible to the majority of urban Tunnis (ibid.).” [79a]

18.68 The Report on Minority Groups in Somalia. Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000 (JFFMR 2000) noted:

“Historically, in Brava (like in Merka) the Arabs from Zanzibar allied with the Tunni, a Digil clan, in order to counter the Hawiye from the hinterland. Brava was the scene of numerous battles, against the Portuguese, Omanis, British, Egyptians, Italians and Somali of the interior (Rahanweyn and Dir), many of them establishing lineage. As a consequence, the races in the city were completely 'mixed up'. Although the common hardships and tragedies experienced during and after the 1990 civil war certainly reinforced the sentiment of an identity and uniqueness, on closer inspection we discover communities with very diverse backgrounds despite numerous instances of intermarriage. On the one hand there are immigrants of Arab origin, while on the other hand there are the Somali of the Brava surroundings, whose minority status is more doubtful because they are part of the Tunni lineage of the Digil.” [7a] (p42)

- 18.69 *Somalia: The Untold Story* noted: "... [the Reer Brava/Bravanese] traditionally practice endogamous marriage, that is marrying within the extended family; this is in contrast to the exogamous marriage practice of pastoral groups." One account in the book is by a Bravanese woman whose husband and mother were both from major clans. No indication is given about how common such 'exogamous' marriage might be among the Bravanese but evidently it did exist. [51f] (p8)
- 18.70 The JFFMR 2000 noted that "The Bravanese and Tunni elders said their people were also [like other Benadir groups – see paragraph 18.55 above] commercially orientated or working as craftsmen." [7a] (p43)

Language/dialect

- 18.71 A Canadian Immigration and Refugee Board information response dated 1 August 1997 which considered, amongst other things, the language spoken by the Reer Brava, stated that:

"[according to a document entitled Barawan Refugees from Somalia published by the Migration and Refugee Services (MRS) of the United States Catholic Conference in Washington] the formal Barawan language of Chimbalazi, written with an Arabic script, is spoken mostly by older Barawans. Chimini, which is different from both Somali and other Benadir languages, incorporates some Somali, Swahili, and even Portuguese vocabulary and is the Barawans' common language... However, the representative of the Benadir Somali Association insisted that while Chimbalazi is the archaic poetic version of Chimini, the two languages are one and the same. He agreed, however, that Chimini is the language commonly spoken by the Barawans (ibid.)." [79a]

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'Caste' groups (Sab) - Midgan, Tumul, Yibir and Galgala

For further information on the current situation for the Reer Brava, please see [General situation](#). For further information on protection mechanisms, please see [Clan protection](#).

- 18.72 The JFFMR 2000 stated that:

"In traditional Somali society a number of 'occupational castes' lived scattered in a client status among the majority of 'noble' Somali clans. Various names are used for these groups, and their use is not always consistent.

"The northern Somali pastoral society distinguishes three occupational castes, the Midgan, Tumul (also called Tum Tum, Tumaal, Tomal) and Yibir (also called Yibro, Hebrew), referred to collectively as *sab* (which means low-caste). These names are also used by the southern Darod. Another collective term used for these groups in northern Somalia is Gaboye (Geboyo), but Gaboye is also used as another name for the Midgan only. A third collective name used for the three groups is *Baidari*. The terms Midgan, Gaboye and *sab* are derogatory terms.

“According to Perouse de Montclos the word *sab* refers to professional castes without territorial, genealogical or ethnic foundation, less than 1% of the country's population. Three quarters of them are shoemakers or barbers who carry out circumcision: they are called 'untouchables', Midgan, and try to impose a new name since the beginning of the war, the 'harmless' Madhiban. Less than a quarter are Tumaal blacksmiths. One also finds a handful of Yibir hunters, said to have magic power, and some weavers called Yahhar in the south (according to the name of the shuttle of their weaving loom)... In the inter-riverine area of southern Somalia, occupational caste groups were scattered through the clan system, but the words Midgan and Yibir used to be unknown, while Tumaal was simply the name of the occupation of smith and not of a descent group. Here, the occupational castes were collectively known as boon or gum. But again, by others, Boon and Midgan were used interchangeably.” [7a] (p49)

18.73 Further information from the JFFMR 2000 stated that a “staff member of a UN organisation informed the delegation that the Midgan, Tumaal and Yibir live to this day scattered all over Somalia, but especially in the central and northern areas.” [7a] (p50)

18.74 The Gundel Lecture 2009 report stated that:

“The *sab* are traditionally bondsmen of the pastoralist clan groups and they can only have relations with the Somali through an *abbaan* (Somali patron). Internally the *sab* may have segmented lineage systems along the Somali pattern. Intermarriage is not allowed nor accepted between these minorities/sub-minorities and the ‘noble’ nomadic clans. The *sab* are traditionally denied the right to own land or livestock, to participate in the local businesses, market economy, or politics.

“The *sab* practice various but despised [by main clans] professional skills. Hence *sab* often refer to groups identified in terms of their occupation. They protect themselves by keeping their own affairs secret, this being their only power to resist the dominance of the Somali nomads, as this creates a dependency of the latter on these groups when it comes to house construction and various kinds of handicraft.” [77a] (p15)

18.75 The same report noted that:

“*Sab* include the following groups:

“GABOoye/MIDGAN

“In the North, the Gabooye are composed of the Tumaal (blacksmiths), Midgan (shoemakers, hunters and gatherers, poison makers, and hairdressers), and Yibir (see below for details). Groups which belong to Gabooye/Midgan include the Madhibaan, Muuse Dhariyo, Howleh, Hawraar Same, and Habar Yaquup. These groups are also found scattered in Southern Somalia.

“YIBR

“The Yibr or Yibro (some find Yibro is a mispronunciation) live along the coast in Mogadishu and in Bosasso, Borama, and Burco. In the South, they

are described as being distinct from Gabooye. The Yibr are often claimed to be descendants of early Hebrews who settled in the Horn of Africa. According to Virginia Luling, the 'Hebrew' idea is not an anti-Semitic invention by others, but was and is maintained by the Yibr themselves, who have found in this a way of dignifying their outcast status. However, while this Hebrew descendancy is disputed, it is not entirely baseless. While it is true that the 1970's produced a myth about their descent, which was related to a political effort at discrediting them by playing on anti-Semitic sentiments, there is some historical merit to the notion that ancient Somali people prior to Islam and Christianity did have a connection to Jewish or similar religions, and the present group may derive from the 'losing' part in an ancient religious dispute at Aw-Barkhadle (a religious centre commemorating Sheikh Yusuf Al-Kownin) in present day Somaliland, which still is a location of pilgrimage located between Hargeysa and Berbera. This, however, needs more research outside our present scope.

"Members of Yibr used to have mythological functions in society (and do not involve themselves in other tasks in traditional Somali society): They collected the Samanyo (a birth gift) from new-born babies and newly-married girls in exchange for giving them a good fortune. Historically, the Yibr enjoyed some protection before independence through this superstitious practice that prevailed about them, and which is now no longer widely practiced. After independence they suffered from the banning of the Samanyo custom and other related traditions by the government.

"With the presence of radical Islamic groups like Al-Shabaab with strong anti-Jewish attitudes, the Yibr who claim historical descent from the Hebrews have been increasingly suspected by Somalis with a radical Islamic orientation. Therefore members of the Yibr may be targeted in South Central Somalia, despite the fact that they are Muslims today.

"Further sab groups present in the South are the Yahhar, Galgalo (woodcarvers), Boon, and Eyle." [77a] (p15-16)

- 18.76 The Galgale (Galgala or Galgalo) are described in the OCHA report 2002 as making up 0.2% of the population of Somalia. They were, at that time, found in Mogadishu and Gedihir within the Middle Shabelle region and have the traditional skills of woodcraft and pastoral activity. [26a] (p12)

Language/dialect

- 18.77 The JFFMR 2000 stated that "Lewis (1994a) notes that the Midgan, Tumul and Yibir speak the Somali language of the clan to which they are attached. The Midgan and Yibir also have a special, secret dialect that the major Somali clans would not understand." [7a] (p50). Dr Gundel noted that "[the Sab]... speak a language of their own, although it is disappearing." (Gundel Lecture 2009) [77a] (p15)

For more information on issues that affect ethnic minorities, please also see [Latest News](#), [Recent developments](#), [Security Forces](#), [Abuses by non-state armed groups](#), [Women](#), [Children](#), [Internally Displaced Persons](#) and [Humanitarian Situation](#).

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19. LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT) PERSONS

LEGAL RIGHTS

- 19.01 The International Lesbian and Gay Association's report, *State sponsored homophobia*, updated in May 2009, (ILGA Report 2009) noted that same-sex relations between men and between women are illegal and referred to the relevant parts of the Somali penal code:

"Article 409 Homosexuality 'Whoever (a) has carnal intercourse (b) with a person of the same sex shall be punished, where the act does not constitute a more serious crime, with imprisonment from three months to three years. Where a) the act committed b) is an act of lust different from carnal intercourse, the punishment imposed shall be reduced by one-third."

"Article 410 Security Measures 'A security measure may be added to a sentence for crimes referred to in Articles 407, 408, and 409

"Somalia has not had a functioning central government since the fall of the dictator Mohamed Siad Barre in 1991, and the enforcement of the national Penal Code can be questioned. In the southern parts Islamic courts rule, having imposed Islamic Sharia law punishing homosexual acts with death penalty or flogging. However, Somaliland in the north has declared itself independent, and it still applies the Penal Code.'" [28a] (p38)

- 19.02 Behind the Mask, Somalia country page, undated, accessed on 1 June 2009, also reported that "homosexuality" is illegal and referred to Somali law:

"Article 409 punishes sexual intercourse with a person of the same sex with imprisonment from 3 months to 3 years, and an act of lust different from sexual intercourse from 2 months to 2 years.

"According to Article 410, a security measure may be added to a sentence for homosexual acts. This is normally police surveillance – to guarantee that the person convicted does not engage in these activities again'. (Arno Schmitt and Jehoeda Sofer – 'Sexuality and Eroticism Among Males in Moslem Societies') ... Jehoeda Sofer does not specifically confirm whether the above Articles apply to lesbian sex. On the basis that they are based on the Indian Penal Code, it is assumed that they do not ..." [29a]

- 19.03 The Amnesty International report, *Sexual Minorities and the Law: A World Survey*, dated July 2006, concurred that "homosexuality" was illegal and added that the death penalty applied to both men and women in some areas where Shari'a was in place. The same report noted that there was "No data or legal situation unclear" with regard to transgender persons. [6g] (p11)

TREATMENT BY, AND ATTITUDES OF, STATE AUTHORITIES

- 19.04 An article reported on Behind the Mask dated 22 October 2004 gave an example of an execution of a lesbian couple. 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]

SOCIETAL TREATMENT AND ATTITUDES

19.05 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]

19.06 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, released on 11 March 2010, observed that: “Sexual orientation is considered a taboo topic, and there is no public discussion of this issue in any region of the country. There were no reports of societal violence or discrimination based on sexual orientation.” [2a] (Section 5: Discrimination, Societal Abuses, and Trafficking)

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20. DISABILITY

20.01 The US State Department's *Country Report on Human Rights Practices 2009, Somalia* released on 11 March 2010, noted :

"The TFC, the Somaliland constitution, and the Puntland Charter all prohibit discrimination against persons with disabilities.

The TFC states that the state is responsible for the welfare of persons with disabilities, along with orphans, widows, heroes who contributed and fought in defense of the country, and the elderly.

"The Somaliland constitution notes that the state is responsible for the health, care, development, and education of mothers, children, the disabled, persons who have no one to care for them, and mentally handicapped persons.

"The Puntland Charter safeguards and advocates for the rights of orphans, disabled persons, and whoever needs the protection of the law. There are no laws in any of the three areas to ensure building access. In the absence of functioning governing institutions, the needs of most persons with disabilities were not addressed. Several local NGOs in Somaliland provided services for persons with disabilities. Associations of persons with disabilities reported numerous cases of discrimination to the UNIE.

"There was widespread abuse of persons with mental illness. Without a public health infrastructure, there were no specialized institutions to provide care or education for the mentally ill. It was common for such persons to be chained to a tree or restrained within their homes." [2a] (Persons with disabilities)

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21. WOMEN

OVERVIEW

- 21.01 Minority Rights Group International, *State of the World's Minorities and Indigenous Peoples 2009 - Somalia*, 16 July 2009 reported that:

“Women in Somalia continued to experience widespread discrimination – the laws prohibiting rape in the country remain largely unenforced and, according to the US State Department: 'NGOs documented patterns of rape perpetrated with impunity, particularly of women displaced from their homes due to civil conflict or who were members of minority clans.' Women remain 'systematically subordinated'. Female genital mutilation (FGM) remains a major problem in Somalia. According to UNICEF, it has a prevalence of about 95 per cent in the country, primarily being performed on girls between the ages of 4 and 11.” [80a]

- 21.02 Somalia is not a signatory to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). (Countries as signatories are set out in the [CEDAW official signatories list](#), accessed on 23 February 2010.) In a statement of the United Nations Special Representative for Somalia (SRS) – Francois Lonseny Fall – to the Opening ceremony of the IGAD/UNIFEM Experts Group Meeting in Nairobi on 21 February 2006, the SRS stated:

“To secure the participation and representation of Somali women, UNPOS will work with Somali authorities to ratify the CEDAW to which Somalia is not a signatory, and to ensure that women have access to information regarding national and international safeguards for their rights, included in the Transitional Federal Charter, CEDAW, and the Declaration on Violence against Women, among others. The institutional and other barriers that prevent women from accessing information concerning women’s rights are a major impediment to raising awareness about women’s rights in Somalia.” [64a]

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

“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.” [26]

- 21.04 The Freedom House report, *Freedom in the World 2009, Somalia*, covering events in 2008, released in July 2009, observed that: “Women in Somalia face a great deal of discrimination. Female genital mutilation is still practiced in some form on nearly all Somali girls. Sexual violence is rampant due to lawlessness and impunity for perpetrators, and rape victims are often stigmatized. In October 2008, a 13-year-old rape victim was stoned to death after an Islamic court in Kismayo found her guilty of adultery.” [19c]

- 21.05 Human Rights Watch, in its *World Report 2010*, stated that people in “the southern town of El Wak told Human Rights Watch that in early 2009 the local al-Shabaab militia forced women to stop working as tea sellers and also beat women illicitly selling the mild narcotic *qat*, which al-Shabaab has sought to ban.” [30g]

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LEGAL RIGHTS

- 21.06 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, (USSD report for 2009), dated 11 March 2010, noted:

“In the country's overwhelmingly patriarchal culture, women do not have the same rights as men and are systematically subordinated. Polygamy is permitted. Under laws promulgated by the former government, girls and women could inherit property, but only half the amount to which their minor and adult brothers were entitled. Similarly, according to Shari'a and the local tradition of blood compensation, anyone found guilty of the death of a woman must pay half the amount that would be payable to the aggrieved family if the victim were male.

“Women do not have the right to decide freely the number, spacing, and timing of their children and often faced discrimination, coercion, and violence when they attempted to exercise these rights. In part because of cultural sensitivities, there was limited information about and access to contraception. With inadequate health care, women rarely had skilled attendance during childbirth or essential obstetric and postpartum care. In Somaliland and Puntland, international programs ensured that women were equally diagnosed and treated for sexually transmitted infections, including HIV. There were limited programs in the southern and central regions.

“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)

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

See [Violence against women](#), and subsections on Rape and general violence, Redress and Violence against women, Domestic violence

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POLITICAL RIGHTS

- 21.08 The United Nations Development Fund for Women (UNIFEM), in their *Gender Profile of the Conflict in Somalia*, last updated on 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]

- 21.09 The USSD report for 2009 noted:

“There were 37 women in the expanded 550-seat TFP; there were only seven women selected as MPs out of the additional 275 MPs that were appointed when the ARS entered the TFG. The number fell short of the TFC requirement that at least 12 percent of parliamentary seats be reserved for women. Among the 39 ministers and six state ministers appointed in February and August, there were only three women ministers. Minister of Health Qamar Aden Ali, who was killed in the December 3 suicide bombing, was not replaced.

“In the Somaliland government of 28 ministers, a woman held the post of gender and family minister, and two women were elected to the 82-member lower house of parliament.

“In Puntland there have never been any women on the Puntland Council of Elders. In December there were two women selected as representatives to the 66-member parliament, down from five in the previous parliament. Asha Gelle was reappointed minister of gender and family and as in the previous administration was the only female minister in the new Puntland administration. In January three women deputy ministers were appointed to the cabinet out of a total of 22 deputy ministers.” [2a] (**Elections and Political Participation**)

- 21.10 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 groups 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]

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

“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)

- 21.12 Further, in the Danish JFFMR of August 2007:

“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.” [7e]

- 21.13 The Danish JFFMR of August 2007 noted: “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)

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SOCIAL AND ECONOMIC RIGHTS

Marriage

21.14 The OECD SIGI for Somalia undated noted that:

“The Somali Family Code provides very little protection for women. According to the 1975 Family Code, the legal minimum age for marriage is 18 years for both men and women, but women can marry at the age of 16 years with parental authorisation. Reliable statistics are lacking, but early marriage appears to be common. During the last civil conflict, many marriages were arranged with members of the military or tribal chiefs as a means of guaranteeing the safety of the bride’s family.

“Polygamy is permitted under Somalia’s customary and religious systems. Under the civil system, men who wish to take a second (or subsequent) wife must obtain authorisation from a district court of justice. Authorisation is granted if the first wife is ill or sterile, has been imprisoned for more than two years or has been ‘unjustifiably absent’ from the marital home. It is also given in the case of ‘social necessity’, which is not defined in the source documents.

“According to civil legislation, men head their families and have sole parental authority. If a couple divorces or separates, the mother is typically granted custody of boys up to the age of 10 years and girls up to the age of 15 years.” [73a](p1)

21.15 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 [have] 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]

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Dress code

- 21.16 The OECD SIGI report stated: “Customary laws also restrict women’s freedom of dress: the Islamic courts have applied Sharia law very strictly, obliging women to wear the veil. Many women opt to veil themselves as a protection against rape.” [73a](p2)
- 21.17 The BBC reported on 20 May 2009 that women in areas dominated by Islamist groups, particularly in places like Kismayo where hard-line interpretations of Shari’a are enforced, are obliged to buy full hijabs, known locally as *jalaabiibs*, in order to be seen in public. [8b]
- 21.18 There have been reports that women who do not adhere to the dress code enforce by al Shabaab are liable to arrest. OCHA reported that on 9 January 2010, a “17 year old girl was allegedly harassed by a member of the Al Shabaab in the district of Marka in Shabelle Hoose for being ‘indecently dressed’ as she did not have her veil. The teenage girl was on her way to school before she was detained by the militant though she was later released when her family brought her a veil.” (Protection Cluster update, 15 January 2010) [26ap]

See section on Judiciary, [Shari’a](#)

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Inheritance and property rights

- 21.19 The OECD SIGI report noted:

“Before the current civil war began, the government of Somalia adopted inheritance rights based on the principles of Sharia law. As a result, daughters inherit only half the amount awarded to sons. No information is available about the inheritance rights of widows... Somali women encounter significant discrimination in regard to property ownership. When a woman marries, she becomes the property of her husband and his tribe, although she does retain a few ownership rights relating to her family and tribe of origin.

“Access to land is governed by Sharia law and patriarchal ideology. Women are largely excluded from owning land: it is the collective property of the family and is passed from father to son. Married women also have major difficulties gaining access to property other than land. This has changed recently because of large-scale male emigration; a significant number of Somali women now head their families and are thus entitled to become land owners. The civil conflict in Somalia has resulted in women playing a more important role in economic activities; they are strongly represented in such sectors as retail.

“Tradition restricts Somali women’s access to bank loans.” [73a](p1,2)

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Assistance for women

- 21.20 An article by Afrol, dated 22 January 2007 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 [sic]." [32a]

- 21.21 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)

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Prostitution

- 21.22 Prostitution is illegal and there were no statistics on its prevalence.(USSD report for 2009) [2a] IRIN published a series of reports on prostitution in Somaliland in March/April 2009. One reported the link of khat addiction and prostitution (IRIN, 14 April 2009) [10ad] Another report emphasised that many sex workers were vulnerable to contracting HIV, especially as condom use was low, sex workers were vulnerable to violence, lacked support networks and have difficulty, because of social stigma, accessing health services. (IRIN, 31 March 2009) [10av]
- 21.23 Piracy off the coast of Puntland has led to an increase in prostitution in the region. Garowe Online reported that the "preacher [at Garowe's Sahaba Mosque] offered three stories as typical examples of pirates' negative social

impact on local communities. In one example, he strongly warned against the spread of HIV/AIDS in the community as 'prostitutes from everywhere' have been drawn to Puntland by the pirates' ransom money." [35ca]

VIOLENCE AGAINST WOMEN

For information about the security situation and human rights violations committed by the security forces and non-government groups see [Latest news](#), [Recent developments](#), [Security forces](#) and [Non-government armed groups](#). Female Genital Mutilation is typically practised on female children between four and seven years, and is covered in the section on Children, [Female Genital Mutilation \(FGM\)](#).

21.24 The OECD SIGI entry for Somalia stated in general terms: "The physical integrity of Somali women is insufficiently protected. It is very difficult to obtain statistics to assess the scale of violence against women, but it is believed to be widespread. As there is no legislation that specifically covers domestic violence, family conflicts are addressed under customary and Sharia laws." [73a]

21.25 The *Report of the independent expert on the situation of human rights in Somalia*, Shamsul Bari, (advanced unedited edition), dated 8 March 2010, (UNIE Report March 2009) observed that:

"... the situation of women and children had turned more precarious as they bore the plight of the Somali conflict. Somalia has one of the highest maternal mortality rates (14-17% face mortal birth risk) due to the collapse of public medical institutions. The rate of women literacy is around 12-14% and 80% of young girls got married early. Although the Somali constitution of 1991 criminalized Female Genital Mutilations (FGM), 97% of young girls still face the phenomenon.

"There are no credible statistics on violence against women. Cases of gender based violence (GBV) recorded by women's organizations, support programmes and others show that reports of rape are increasing in some areas, though this could be due in part to more willingness to report. As Somali women are more dynamic in the market place since they have to earn a living and support the family, they are exposed to vulnerable situations. Women are often victims of rape from warlords." [4c] (p11)

21.26 The Independent Expert also reported, noting discussions with representatives of the UN, that:

"Women, victims of [sexual and gender based violence] SGBV, had no functioning judicial system to turn to. Rape and other forms of SGBV were dealt with by clans as a civil dispute, not involving the victim, and were often solved by either the payment of blood-money or a forced marriage between the victim and the perpetrator.

"Women reportedly continued to face cruel, inhuman and degrading treatment on a daily basis, particularly in Al Shabaab controlled areas. On November 18, 2009, according to reports from a village near the town of Wajid, a 20-year-old divorcee woman accused of committing adultery was reportedly taken to an open area where she was buried up to her waist and then stoned to death in front of a large crowd... men too are subjected to

inhuman and cruel treatment for their illicit relationship with women. In November 2009, a man was stoned to death for rape in the port town of Merka. Under the Al Shabaab's interpretation of Sharia law, anyone who was ever married – even a divorcee – who had an affair, was liable to be found guilty of adultery and punished by stoning to death.” [4c] (p19)

21.27 The USSD report for 2009 stated:

“Laws prohibiting rape exist; however, they were not enforced. There were no laws against spousal rape. There were no reports that rape cases were prosecuted during the year. NGOs documented patterns of rape perpetrated with impunity, particularly of women displaced from their homes due to civil conflict or who were members of minority clans. Police and militia members engaged in rape, and rape was commonly practiced in interclan conflicts. Traditional approaches to dealing with rape tended to ignore the victim's situation and instead communalized the resolution or compensation for rape through a negotiation between members of the perpetrator's and the victim's clans. Victims suffered from subsequent discrimination based on attributions of 'impurity.' Women and girls in IDP camps were especially vulnerable to sexual violence, contributing to the spread of HIV/AIDS. In March 2008 the UNIE reported that in Mogadishu and Kismayo IDP women and girls, particularly those belonging to minority groups, were increasingly becoming the targets of sexual violence by youth gangs. In Somaliland gang rape continued to be a problem 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 displaced rural populations living in urban areas. Many cases were not reported. According to UNIE's October report, sexual violence, including gang rape of teenage girls, was on the rise. In the report, UNICEF monitors reported 11 rape cases in IDP camps in Puntland and 13 cases in Somaliland camps; victims included mentally and physically handicapped children.” [2a] (Women)

21.28 The report of Shamsul Bari, an independent expert appointed by the UN General Assembly Human Rights Council to report on the situation of human rights in Somalia, published on 24 February 2009, includes a general note on sexual and gender-based violence (SGBV):

“Traditionally, these violations are seldom reported. However, Somali NGOs working with SGBV-victims indicated to the United Nations that this type of violence occurs on a daily basis by different controlling authorities, as part of the conflict, e.g. during cordon and search operations, or in other circumstances, often in IDP camps. Women and young girls are doubly affected, since they have no effective justice and support system to turn to and the traditional conflict resolution mechanisms at the clan level do not provide them with the necessary protection. This is because SGBV is treated more as a civil dispute than a criminal matter in Somalia.” [72a] (p15, paragraph49)

21.29 On the issue of impunity, the Danish JFFMR of August 2007 stated that: “The culprits are not prosecuted and enjoy impunity.” [7e](p32) The LandInfo report of November 2008 on impunity stated: “Escaping punishment for violence against women is extremely common, both because traditional law does not focus on the victim and because women's rights are not protected

in the same way as men in the compensation system (interview, Oxfam Novib, March 2007).” [45d] (p18, s.3.9.2)

21.30 The Danish JFFMR of August 2007 continued that:

“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.” [7e] (p32)

21.31 The LandInfo report of November 2008, *Conflict, security and clan protection in South Somalia*, has updated information about the issue of rape in Somalia, and stated:

“Some of the international sources that Landinfo met in June 2008 believed that rape is a tool in the conflict, but no distinct groups or clans appear to be particularly subjected to sexual violence. How widespread the assaults are is also unclear, but no increases in rape have been registered in for example the Keysaney hospital in Mogadishu. This does not necessarily mean that the number of rapes has fallen, since rape is associated with shame, and women rarely speak of the attack. Opportunities to open criminal proceedings against the perpetrators are also rare because the perpetrators are unknown in most cases. The rapes are committed by government soldiers, freelance militia and other criminal elements. It is claimed that government soldiers are more often responsible for the rapes than the insurgents, and that the Islamists commit such offences to a lesser extent than others (interview June 2008).” [45d] (p18, s.3.9.2)

21.32 The OECD SIGI for Somalia noted:

“Although there are laws prohibiting rape, these are not generally applied, and there is no legislation against spousal rape. Traditional approaches to dealing with rape typically involve making ‘arrangements’ between the clans of the victim and the rapist. Such arrangements rarely take into account the situation of the victim. This leaves women in a precarious position as rape victims are considered to be ‘impure’ and are subjected to social discrimination.” [73a]

21.33 The Danish JFFMR of August 2007 observed that:

“Women who have been sexually abused or raped are stigmatised, according to NOVIB. ... A married woman who has been the victim of rape may also risk being divorced by her husband. NOVIB added that divorced women might be stigmatised, depending on their particular situation. NOVIB added that even though rape of women and killings comprise the majority of the reported human rights violations in Somalia many rapes go unreported.” [7e] (p32)

21.34 The Danish JFFMR of August 2007 also stated that: “Lazzarini [Oxfam NOVIS source] referred to a network called Protection Monitoring Network

(PMN), which undertook a research of Sexual Gender-Based Violence (SGBV). The research covered 600 reported cases of rape. After a period of six months 10% of the assaulted women had committed suicide and 25% had disappeared.” [7e] (p32)

21.35 The Danish JFFMR of August 2007 added that:

“An unmarried and raped woman will typically meet a demand from her own family and clan to marry the rapist as she will not have a chance to marry anyone else. As a consequence many rapes go unreported by 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.” [7e] (p32)

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Domestic violence

21.36 UNIE Report March 2009 stated “Domestic violence victimizing women continued to be a major problem in all parts of Somalia.” [4c] (p11) The USSD report for 2009 noted:

“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. The UNIE reported that "honor" or revenge killings continued. 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. Women suffered disproportionately in the country's civil war and interclan fighting.” [2a] (Women)

21.37 The OECD SIGI for Somalia, undated, observed “Sexual violence within Somali households appears to be a serious problem, and is linked to the general issue of gender discrimination.” [73a]

Trafficking of women

21.38 The USSD *Trafficking in Persons Report 2009*, published on 16 June 2009 states that, under ‘Special cases’, Somalia is listed as a country of particular concern:

“Somali women are trafficked to destinations in the Middle East, including Iraq, Lebanon, and Syria, as well as to South Africa, for domestic labor and, to a lesser extent, commercial sexual exploitation. Female Somali refugees residing in Yemen are trafficked by Somali men into prostitution in Aden and Lahj governorates. Somali men are trafficked into labor exploitation as herdsmen and menial workers in the Gulf States. Some Somalis transit Djibouti to reach Yemen. ...Members of the Somali diaspora use fake offers of marriage to traffic unsuspecting victims, many of whom are relatives, to Europe for commercial sexual exploitation. Ethiopian women are trafficked through Somalia to Yemen and onward to other destinations in the Middle East for forced domestic labor and sexual exploitation.” [2e] (Special cases – Somalia, p307)

See [Trafficking](#) for a wider overview

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22. CHILDREN

This section should be ready in conjunction with the section on Women.

OVERVIEW

22.01 The Council of Ministers of the Transitional Federal Government has “announced its intention to ratify the Convention on the Rights of the Child and agreed to set up a committee to look into harmonizing its provisions with national legislation and sharia law.” (Report of the Secretary General, 31 December 2009) [3j] (p7)

22.02 The *Report of the independent expert on the situation of human rights in Somalia*, Shamsul Bari, (advanced unedited edition), dated 8 March 2010, (UNIE Report March 2009) observed that: “... the situation of women and children had turned more precarious as they bore the plight of the Somali conflict... 80% of young girls got married early. Although the Somali constitution of 1991 criminalized Female Genital Mutilations (FGM), 97% of young girls still face the phenomenon.” (p1) The report continued:

“The most important violation of human rights of children was the recruitment of child soldiers by all parties to the conflict in Somalia. The Islamists normally recruited them from Madrasas and Quranic schools. A survey commissioned by UNICEF revealed the alarming scale and nature of child recruitment. Children were being recruited even for use on the frontline. They were also victims of rape and other forms of sexual violence. Children’s education continued to suffer as more and more schools closed as a result of the conflict, especially in Mogadishu.

“Despite this grim picture, the good news was that efforts by UNICEF benefited some 1.8 million people in 2009, mostly children, with basic health and nutrition services through, among other things, a network of maternal and child health centers. Child Health Days (CHD) with an essential life-saving health and nutrition package benefited over 1 million children under five and 800,000 women of child-bearing age. These interventions were able to reach even most difficult areas like Afgoye and parts of Mogadishu, in South Somalia. UNICEF also supported access to quality education for more than 157,000 emergency-affected children by providing school supplies and text books.” [4c] (p19)

22.03 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)

22.04 The UNICEF website, country page on Somalia undated, accessed on 24 February 2010, identified a number of issues that children face in Somalia:

- “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.
- Net primary school enrolment is estimated at only 13 per cent for boys – and only 7 per cent for girls.
- Clan rivalries have internally displaced 375,000 people, forcing them into tenuous living situations where they face hunger and human-rights abuses." [27a] (Background)

22.05 UNICEF also gave the following information about the situation in Somalia:

"With an estimated 3.6 million people in a state of humanitarian emergency and 1.3 million displaced, Somalia is burdened by violence and instability, extreme poverty, food insecurity and child protection violations. By August 2009, 19 per cent of children under five were acutely malnourished, with acute malnutrition rates in some areas reaching 27 per cent. Children are also increasingly being denied access to education as a result of school closures due to fighting, especially in Mogadishu. Of those in need of urgent humanitarian assistance, 75 per cent are located in central and southern Somalia, which are largely inaccessible because of escalations in violence. In the two northern zones, children and women are facing deepening drought, loss of livestock and the risk of malnutrition as the arrival of newly displaced populations into the region continues to place increasing strain on limited available resources." [27f]

Socio-economic data on children in Somalia covering, amongst other things, child mortality, nutrition, health, prevalence and treatment for HIV/AIDS, education, demographic and economic indicators and child protection, is available in annexes to [UNICEF's State of World's Children 2009](#), dated November 2009.

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LEGAL RIGHTS

22.06 The USSD for 2009 stated:

"The practice of 'asi walid,' a custom whereby parents placed their children in prison for disciplinary purposes and without any legal procedure, continued. Many of these juveniles were incarcerated with adults. Close to 100 of the estimated 400 prisoners in the TFG-operated Mogadishu central prison were children detained at the request of their parents or guardians for truancy and disobedience.

"A UNICEF monitoring trip at the beginning of the year revealed that many children were imprisoned in Somaliland, most without passing through the court system, usually for disobedience to parents or for petty crimes. UNICEF and the UNDP started a project to provide the children with legal assistance, and many were released. The juvenile justice program also educated justices and lawyers about human rights problems for children." [2a] (Children)

See [Prison conditions](#)

VIOLENCE AGAINST CHILDREN

- 22.07 The US State Department *Country Report on Human Rights Practices 2009, Somalia* (USSD report for 2009) noted:

“Child abuse and rape were serious problems, 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 families, as did 17 percent of children in the general population.

“Children remained among the chief victims of continuing societal violence. Child protection monitors verified that hundreds of children were killed or injured during the year as a direct result of conflict.

“Militia members raped children during the conflict and departure of civilians from Mogadishu.” [2a] (Children)

See [Latest news](#) and [Recent developments](#), for information on the security situation. Also [Security forces](#), subsection [Human rights violations by security forces](#), [Abuses by non-government armed groups](#) and [Minority groups](#).

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Trafficking of children

- 22.08 The USSD report for 2009 stated:

“Because of an inability to provide care for all family members, some persons willingly surrendered custody of their children to persons with whom they shared family relations and clan linkages. Some of these children may have become victims of forced labor or commercial sexual exploitation. 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. Some officials in these administrations were known to facilitate or 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)

- 22.09 The USSD *Trafficking in Persons Report 2009*, published on 16 June 2009 states that, under ‘Special cases’, Somalia is listed as a country of particular concern:

“Armed militias also purportedly traffic Somali women and children within the country for sexual exploitation and forced labor. Because of an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share family relations and clan linkages; some of these children may become victims of

forced labor or commercial sexual exploitation. There are anecdotal reports of children engaged in prostitution within the country, but the practice is culturally proscribed and not publicly acknowledged. ... Somali children are reportedly trafficked to Djibouti for commercial sexual exploitation and forced labor, as well as to Saudi Arabia through Yemen for forced begging.” [2e] (Special cases – Somalia, p307)

See [Trafficking](#) for wider overview

Female Genital Mutilation (FGM)

22.10 The USSD for 2009 stated:

“The practice of female genital mutilation (FGM) was widespread throughout the country. As many as 98 percent of women had undergone FGM; the majority were subjected to infibulation, the most severe form of FGM. In Somaliland and Puntland, FGM is illegal, but the law was not enforced. UN agencies and NGOs tried to educate the population about the dangers of FGM, but there were no reliable statistics to measure the success of their programs.” [2a] (Children)

22.11 Although there have been more recent studies that have summarised key aspects of FGM issues, the most comprehensive source found is the World Bank study of November 2004, [Female Genital Mutilation / Cutting in Somalia](#). [76a]

22.12 Sources agree that FGM is widespread in Somalia, with the LandInfo study of December 2008 quoting World Bank and UNFPA 2004, stating estimates of between 80 and 98 per cent of Somali women [45c] (p12); the USSD report for 2009 has stated “as many as 98 percent” [2a] (Section 5 – Women); the Population Council’s *Population brief* of December 2008 stated “nearly all Somali girls”. [75a]

22.13 The USSD report for 2009 and the LandInfo report both stated that most women have been subjected to infibulation, which the USSD report for 2009 described as “the most severe form of FGM”. (USSD report for 2009) [2a] (Section 5 – Women); likewise, the LandInfo report *Security and human rights conditions in southern Somalia* (LandInfo Report 2008) [45a] (p23) The LandInfo study stated: “Some sources ... claim to have observed a transition from infibulation to *sunna* [excising of part of the female genitals] in recent years, however it is difficult to ascertain with any degree of certainty how extensively patterns might have changed. *Sunna* is common among the Benadir population in the coastal areas. In these population groups, the procedure is performed on newborns (ibid).” [45c] (p12) The World Bank 2004 study rejects the use of the term *sunna* as the authors consider it a euphemism that grants the practice a false sense of religious obligation and acceptance. [76a](p18) The World Bank 2004 study states: “Type II or excision of the clitoris accounts for 80 percent of all operations in Africa. Among Somali and Sudanese women, 80 to 90 percent undergo type III or infibulation, which accounts for only 15 percent of cases in Africa. Ethnic Somalis in Kenya and Ethiopia practice infibulation which is also common among other ethnic groups in Ethiopia and Eritrea.” [76a](p17) The Somali term for infibulation is *gudnin fircooni*. (IRIN, 3 November 2008)[10v]

- 22.14 These findings on numbers of women affected by and the different forms of FGM used are reflected in older material, such as the JFFMR March 2004, which stated:

“According to Jones [Gary P. Jones, Country Director, Somalia, Kenya and Djibouti, Norwegian People’s Aid (NPA), Horn of Africa Programme], FGM is still the norm in Somalia. The main mode of the FGM is the ‘pharaonic’ form [infibulation], but still many would claim that they only practice ‘Sunna’ which is a lighter version of FGM. Jones stated that this was done from a business point of view, explaining that people promoting ‘Sunna’ would receive financial support. In reality, however, girls are circumcised in the same manner as usual, i.e. ‘Pharaonic’ style. ... Nearly 100% of women are affected by FGM in Somalia. Jones did not expect that any significant change would emerge in this respect during the next 15 years, even though some modest progress has been made in some areas. It was emphasised that it is extremely difficult to change the attitude towards FGM, and providing education and information to young girls might be the only way to make any impact on the issue.” [7c] (p33)

- 22.15 The World Bank 2004 study summarised information about the practitioners of FGM:

“In most parts of Somalia, traditional circumcisers, *guddaay*, conduct most operations. The number of professional health providers who circumcise girls is also increasing. Interviews with two members of the Professional Nursing Association in Mogadishu revealed that almost all the association’s members carry out a ‘milder form of circumcision’ for a fee. They also discourage the work of traditional circumcisers and the Pharaonic FGM/FGC. Complications arising from FGM/FGC are turning more families towards health providers, trained TBAs and nurses who perform whatever type of FGM/FGC parents’ desire. This medicalisation of FGM/FGC started at the dawn of Somalia’s independence when a Lebanese medical practitioner, began circumcising girls in Martini Hospital in Mogadishu under sterilized and anaesthetic conditions. He claimed to minimize damage and dangers associated with FGM/FGC. He conducted partial or total clitoridectomies without infibulations for those who demanded ‘Sunna’ circumcision. Other health providers emulated him, spreading services to Mogadishu’s elite. WHO, UNFPA and UNICEF condemn health providers who perform FGM/FGC.” [76a](p19)

- 22.16 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); an IRIN report of February 2009 stated that full infibulation at about five to seven years, was practised in Dadaab camp, Kenya. [10ay] The World Bank 2004 study noted that “Girls are now circumcised between the ages of five and eight, often within the privacy of their homes.” [76a](p19)
- 22.17 The LandInfo report of December 2008 has detail about the amount of societal pressure on families to perform FGM. [45c] (p14-15) An IRIN report of February 2009 highlights a mother’s fears for her daughters, as she has resisted FGM coercion; her family is still facing societal discrimination in Dadaab refugee camp, Kenya. [10ay]

- 22.18 The Danish Refugee Council and the Danish Immigration Service, in their Joint Fact-Finding Mission report on human rights and security in central and southern Somalia, published in August 2007, noted: “In case the father or brother (in the father’s absence) decides not to go through with the FGM of the daughter/sister the father/brother will be attacked by family or clan members. Anti-FGM is in Somali translated into ‘anti-purity’ ... It was added that a girl who has not undergone FGM would be very difficult to marry off.” [7e] (p32)
- 22.19 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.” [45c] (p12) The LandInfo comment effectively summarises a complex, detailed explanation within the World Bank 2004 study, on perceptions of purity and other reasoning behind the practice. [76a](pp22-25)
- 22.20 Education and discussion about FGM has been organised on occasion in southern / central Somalia; for example, a two day symposium held in Mogadishu on 4-5 February 2007, organised by Save Somali Women and Children (SSWC). [44a]
- 22.21 An IRIN article dated 7 April 2008 noted that local organisations, such as We Are Women Activists (WAWA) in Bossasso, were developing in Puntland to support women objectors and to lobby for FGM’s eradication. The article added “Puntland officials said they were encouraging civil society organisations to fight FGM and making it part of the fight for human rights and women’s rights.” [10s]

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Child soldiers

- 22.22 The USSD report for 2009 stated: “Children were occasionally enlisted in the TFG security forces. Antigovernment groups routinely recruited and used child soldiers”. [2a] (Children) The same source elaborated:

“The recruitment and use of children in militias and other fighting forces was a longstanding practice in the country and continued during the year. Without established birth registration systems, it is often difficult to determine the exact age of persons, including recruits to armed groups. Children continued to be recruited into militias by the TFG and its allied forces. An October UN report, The Recruitment and Use of Children by Armed Forces or Armed Groups in the Somali Conflict, indicated that while all parties recruited children, the TFG was not systematic in its practice. The TFG reportedly targeted older children between the ages of 14 and 18, while extremist opposition groups recruited younger children into their militias. During the year the TFG improved its recruitment practices and formal troop training to stop child soldier recruitment. New forces, trained in Uganda and Djibouti, were thoroughly vetted, and underage soldiers were purged from the units that were formed once the soldiers returned to the country.

“Children were recruited, as well as forcibly conscripted, more often by clan militias and antigovernment groups. The July report of the UN Security

Council Working Group on Children and Armed Conflict cited the TFG, Ahlu Sunna wal Jama'a, al-Shabaab, Hisbul Islam, clans, and the Puntland regional administration as having continued recruitment of children into their militias. For example, on July 30, it was reported that al-Shabaab near Baidoa was recruiting children as young as eight years old to train in Labatan Jirow and Daynuunay, former TFG bases. UNICEF monitors identified children between the ages of 13 and 17 who were recruited and used as child soldiers. Because of the risk in intervening directly with militia groups, UNICEF protection partners engaged in low-profile condemnation of child recruitment while undertaking public education of youth to empower them to decline offers by any of the armed groups. In some administrations in the country, like that of Jowhar, authorities committed to demobilize child soldiers with UNICEF's assistance; however, no progress was made.

"The TFG pledged to address child recruitment when ministers signed the Paris Commitments in February 2007; however, children were enlisted into TFG forces. During the year all parties to the conflict continued to recruit child soldiers. UNICEF continued its public outreach program with radio broadcasts to highlight the problem of child soldiers.

"Al-Shabaab conscripted children into armed conflict and military operations in addition to using them to plant roadside bombs and other explosive devices. According to the UN, al-Shabaab recruited children as young as eight from schools and madrassas and trained them to plant bombs and carry out assassinations for financial reward... 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] (Child soldiers)

See [Education](#) , [Latest news](#), [Abuses by non-state armed groups](#)

22.23 An IRIN report of 9 July 2009 stated that many of the IDPs flowing through Dhobley, estimated to be between 8,000 and 15,000 people between early May to early July 2009, are "young men trying to avoid being conscripted into the various militias". [10n]

22.24 The BBC reported on 29 July 2009 that the issue of child soldiers was apparent in the latest round of conflict, and stated that there was "widespread alarm that the practice is now becoming entrenched in Somalia." [8aj] The article also stated:

"Children as young as eight years old are going missing. Some are drugged, others brainwashed and some paid [US]\$50 (£30) for every month they fight. Most people are frightened to speak openly, but those who can afford it are sending their children out of the country to safety. ...A Mogadishu resident says he has seen 10-year-old children on street corners in Mogadishu armed with AK47s. 'A child of about 12 years old, armed with a gun and a whip works at a crossroads in Mogadishu's Bakara market,' he says. 'The boy stops public transport and checks if there are men and women passengers sharing the seats. If he finds them, he tells them to get off the bus and flogs them in public while other members of al-Shabab sit under roadside trees nearby'." [8aj]

22.25 The USSD *Trafficking in Persons Report 2009* stated that:

“During the year, the widespread use of children in fighting forces in the country was noted; the extremist groups opposed to the TFG conscripted and recruited children as young as eight years of age, including girls, for use in armed conflict, including soldiering, planting bombs, carrying out assassinations, portering, and domestic servitude. There were reports that militias loyal to the TFG or associated with members of the TFG conscripted children.” [2e] (Special cases – Somalia, p307)

See also: [Abuses by Non-State Armed Groups](#)

Child labour

22.26 The USSD report for 2009 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 (see section 1.g.). Young persons commonly were employed in herding, agriculture, and household labor from an early age. Children broke rocks into gravel and worked as vendors of cigarettes and khat on the streets. UNICEF estimated that from 1999 to 2005, 36 percent of children between the ages of five and 14 were in the workforce--31 percent of males and 41 percent of females. The actual percentage of working children was believed to be higher. The lack of educational opportunities and severely depressed economic conditions contributed to the prevalence of child labor.

“In Somalia the Ministries of Labor and Social Affairs and Gender and Family Affairs were responsible for enforcing child labor laws. In Somaliland it was the Ministry of Family and Social Development, and in Puntland it was the Ministry of Labor, Youth and Sports. In practice none of these ministries enforced these laws.” [2a] (Prohibition of Child Labor and Minimum Age for Employment)

22.27 IRIN reported in March 2009, the case of a 12-year-old girl who washes windscreens in Hargeisa, Somaliland, noting that a local NGO has stated that over 30 per cent of children in Somalia are engaged in some form of work. [10ar] An IRIN report of 14 July 2009 highlights the situation of a 14-year-old boy who was the sole income-earner of a large household in Mogadishu, noting that “The situation for orphaned and vulnerable children such as Sid is especially critical in Somalia as there is no government support and assistance for them. The absence of a central government since the ousting of President Siad Barre in 1992 resulted in the collapse of the government's support system for the vulnerable across the country.” [10j]

CHILDCARE AND PROTECTION

22.28 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]

- 22.29 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.' [10a]
- 22.30 UNICEF and its partners "have created an innovative network of child-protection advocates to aid vulnerable children in more than 75 communities. Action plans have been developed on issues like sexual abuse, female genital mutilation and child prostitution." [27a]

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EDUCATION

- 22.31 The 2009 Minority Rights Group International Report, *State of the World's Minorities and Indigenous Peoples 2009 - Somalia* reported that:

"Education is a major problem in Somalia – statistics are unreliable because of the conflict, but the latest data (from 2003-4) suggests that there is a 19.9 per cent enrolment ratio, one of the lowest in the world. UNICEF says that 'education and formal classroom learning opportunities are limited and unavailable for a majority of children in Somalia', and only a third of those who are educated are girls. There is also a lack of female teachers – only about 13 per cent of teachers in Somalia are women. Most existing schools are in urban areas, while more remote areas lack any facilities. [80a]

- 22.32 The same report also stated:

"In November 2008 IRIN reported on the issue of children from minority groups in Somalia, and particularly Somaliland, missing out on school. The Ubah Social Welfare Organization said that the low economic status and 'social exclusion' of minority groups such as the Gaboye, Tumul and Yibir, were the main obstacles stopping children going to school. In collaboration with UNICEF, the organization has built an education centre for minority children in Daami and enrolled almost 300 pupils." Parents from minority groups said that discrimination prevented them from sending their children to public schools. Minority groups used to have a representative in the lower house of Somaliland's parliament but the seat was lost in the last election. However, two officials from minority communities – the Deputy Minister of Health and Labour, Mahdi Osman Buri, and Jirde Sa'id Mohamoud, a member of the standing committee of the upper house of parliament – remain in government." [80a]

- 22.33 IRIN further reported in December 2009 that:

"School enrolment has risen sharply in Somalia's self-declared independent region of Somaliland since 1991, raising the literacy rate from 20 percent to 45 percent, education officials have said.

“School enrolment [in primary and secondary schools] has increased dramatically. In 1991, we had only 1,019 students enrolled in schools but by the year 2009 some 45,223 students were in school,’ Abdi Abdillahi Mohamed, the director of planning in Somaliland's ministry of education, told IRIN....Ali Abdi Odowa, director-general in the education ministry, attributed the increase to rising awareness and the construction of many primary schools.

“Hundreds of schools have been built both in urban and rural areas and adult education has also started,’ he said.

“According to Mohamed, 225,853 students attended primary school and 21,331 attended secondary school in 2008/2009, while 26,156 were in adult education.

“Some 6,820 students are currently enrolled in technical colleges and vocational schools... However, the ministry had received complaints from displaced persons and pastoralists about school fees and the lack of access by their children to schools.

“Somaliland's constitution stipulates that all elementary and secondary education is free; there are no fees paid by students but of course there is what we call contributions paid by parents to support voluntary teachers and teachers' salaries,’ he said.

“In remote areas, the ministry has established a pilot project where teachers follow pastoralists and teach in mobile schools.

“This project is in Togdheer region... Teachers and the school follow the pastoralists wherever they go, and we pay such teachers more than the others,’ Mohamed said.

“We have also started school feeding centres: Pastoralists' children are fed in boarding schools in villages when their families are on the move in search of pasture.” [10bt]

- 22.34 The report of Shamsul Bari, an independent expert appointed by the UN General Assembly Human Rights Council to report on the situation of human rights in Somalia, published on 24 February 2009, stated that:

“Somalis have managed to organize an independent schooling system in many places, giving children a chance to enjoy basic education. In the last two years, however, these institutions have also been targeted by both sides to the conflict. In October and November 2008, TFG forces have reportedly closed down 34 schools, including 7 universities, for security reasons, preventing some 30,000 students from attending classes. The fact that the Deputy Prime Minister of Somalia had to publicly condemn these closures also indicated the lack of coordination between different branches of the Government that should work in a concerted team spirit.” [72a](p15, paragraph51)

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HEALTH AND WELFARE

- 22.35 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)

- 22.36 IRIN interviewed a paediatrician working in Mogadishu – Lul Mahmamud Mohamed, head of the paediatric department, Benadir Hospital – and reported in an article of 7 April 2009 that “on average, at least 1,000 children seek treatment at the hospital every month.”[10ah]

The [UNICEF website](#) country page provides basic socio-economic statistics

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DOCUMENTATION

- 22.37 The USSD report for 2009 noted:

“In the absence of functioning central authority, births were not registered in Puntland or southern and central Somalia. The failure to register births was not a key factor in the denial of public services. Birth registration was taken seriously in Somaliland for hospital and home births; however, limited government capacity, combined with the nomadic lifestyle of many persons, caused numerous births to go unregistered. In Somaliland some public services may not be available to children who were not properly registered.” [2a] (Section 5: Children)

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23. TRAFFICKING

- 23.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, (USSD report for 2009), dated 11 March 2010, noted:

“The TFC does not explicitly prohibit trafficking. In February 2008 Puntland authorities announced that persons who were caught engaging in human trafficking would be punished by death. During the year Puntland authorities combated human trafficking. For example, on February 15, Puntland police raided the small coastal hamlet of Marera, seized three boats, and arrested 12 suspected traffickers. On July 2, Puntland authorities arrested six Yemeni in Zaylac District for trafficking. On July 24, Bosasso police arrested six human traffickers and dispersed 84 persons who were attempting to use the trafficker's services. In December, off the coast of Bossaso, the Puntland coast guard arrested four human smugglers whom they also suspected of piracy. At year's end they remained in detention pending a continuing investigation. The seven human traffickers who were arrested in April 2008 in the Maydh District of Sanaag Region were prosecuted through Puntland's court system. One person was released and the other six were sentenced to prison terms of three to six years.” [2a] (**Trafficking in Persons**)

- 23.02 The USSD *Trafficking in Persons Report 2009*, published on 16 June 2009 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. ...Human smuggling is widespread in Somalia and there is evidence to suggest that traffickers utilize the same networks and methods as those used by smugglers.” [2f] (**Special cases – Somalia, p307**)

See [Trafficking of children](#) ; [Trafficking of women](#) and [Somalis refugees in the region](#)

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24. HUMANITARIAN ISSUES

- 24.01 Human Rights Watch summarised the current humanitarian situation in Somalia in their *World Report 2010*, covering events in 2009, released on 20 January 2010 :

“A humanitarian crisis of enormous proportions is unfolding, fueled by years of drought and insecurity that has often prevented the effective delivery of aid. Some 3.75 million people— roughly half of Somalia’s remaining population—are in urgent need of humanitarian assistance. More than a million people are displaced from their homes within Somalia and tens of thousands fled the country as refugees in 2009.” [30g] (p156)

- 24.02 The *Report of the independent expert on the situation of human rights in Somalia*, Shamsul Bari, (advanced unedited edition), dated 8 March 2010, (UNIE Report March 2009) commented:

“The humanitarian situation in Somalia continued to be severely affected by the ongoing fighting, particularly in South-Central region. Factors which continued to drive Somalia’s protracted and complex humanitarian emergency included the following:

“Armed Conflict in South-Central which created generalized insecurity and conditions that increased criminality and protection concerns, all of which lead to a reduction in access for humanitarian actors. Eight humanitarian aid workers were killed from January to October 2009 and ten are still held captive inside Somalia.

“Significant internal population displacement, particularly in and around Mogadishu, and along the Afgoye Corridor due to conflict, with increasing displacement due to drought and loss of livelihood in other parts of Somalia. As a result of the big attack launched in May 2009 by the hardliner armed groups, the Afgoye Corridor was home to an estimated 360,000 IDPs. Over 150,000 of these IDPs reportedly arrived in the corridor since May 2009, mainly fleeing Mogadishu-based violence.

“An economic crisis prompted by a devalued currency, continuing high food prices and a sharp decrease in remittances from the Diaspora;

“A severe drought in parts of South-Central region that had expanded northward into Somaliland and Puntland affecting a large number of pastoral and agro-pastoral communities;

“On 2 February, 2010 UNHCR reported that a sharp rise in violence in Somalia in January which regrettably left nearly 260 civilians dead, in addition to uprooting over 80,000 and causing widespread destruction. According to UNHCR, many IDPs were reported to be sleeping in the open with dwindling shelter and little water. There were growing concerns about health conditions of particularly vulnerable groups such as children, women and the elderly.” [4c] (p16-17)

- 24.03 The UN Office for the Co-ordination of Humanitarian Affairs, Consolidated Appeal for Somalia 2010, dated 30 November 2009, gave the following

overview of humanitarian and development statistics and indications in Somalia:

Population	7,502,6541 (UNDP 2005)	
Gross domestic product per capita	[US]\$291.1 (United Nations Statistics Division)	
Percentage of population living on less than \$1 per day	43.2% (Somalia MDG Report 2007)	
Adult mortality	381/1,000 (male 447/1,000, female 312/1,000) (WHO World Health Statistics 2009)	
Maternal mortality	1,400 /100,000 (WHO World Health Statistics 2009)	
Under-five mortality	142/1,000 (male 140/1,000; female 144/1,000) (WHO World Health Statistics 2009)	
Life expectancy	45 (male 44, female 46) (WHO World Health Statistics 2009)	
Number of health workforce (nurse+midwife) per 10,000 population	2/10,000 (WHO World Health Statistics 2009)	
Number of health workforce (MD) per 10,000 population	>1/10,000 (WHO World Health Statistics 2009)	
Measles vaccination rate	19% (UNICEF 2006)	
Prevalence of under-nourishment in total population	71% (WHO World Health Statistics 2009)	
Under-five global acute malnutrition (GAM) rate	19% (FAO/FSNAU Post-Gu 2009)	
Food security indicator	2,085,000 million people in AFLC [Acute Food and Livelihood Crisis] and HE [Humanitarian Emergency]; 1.55 million new IDPs; 3.6 million people in need. (FAO/FSNAU Post-Gu 2009)	
Proportion of population without sustainable access to an improved drinking water source	71% (UNDP HDR 2009)	
Internally displaced people	1.55 million (UNHCR, October 2009)	
Refugees	In-country	1,746 (UNHCR October 2009); 18,600 registered asylum seekers (UNHCR, October 2009)
	Abroad	529,700 (Yemen, Kenya, Eritrea, Djibouti, Ethiopia, Uganda, Tanzania only) (UNHCR, October 2009)
ECHO [Humanitarian Aid department of the European Commission] Vulnerability and Crisis Index score	3/3 (Most severe rank) (ECHO GNA 2008-2009)	
UNDP Human Development Index (HDI) score	(not measured)	
IASC Early Warning - Early Action rating	Red alert	

[26ao]

DROUGHT / FLOODS

- 24.04 The Food Security and Analysis Unit publication *Somalia Deyr 09-10 Climate Outlook*, dated 1 February 2010, gave the following information:

“Somalia Deyr 09/10 rainfall was characterised by an un-even distribution in time and space. Most of the southern parts of Somalia received an above average total amount (according to RFE and SWALIM rain gauge data) however, the distribution was not uniform with most of the rains experienced in October followed by a dry spell...In the southern regions which had normal or above normal rainfall, a substantial increase in sorghum production was noted as compared to Deyr 08/09 seasons. This is also confirmed by the vegetation index (NDVI) analysis for Sakow, Wanleweyn and Barawe districts. Sorghum production increased above the 5 year average and post war average while maize production was slightly below the post war average but above the 5 year average.

“In Juba, where close to average rainfall was recorded but with a more uniform distribution than in other regions in the south, both sorghum and maize production almost doubled compared to the previous Deyr season. In Gebilley district of Galbeed and Dolow of Gedo, performance of the agricultural seasons appears to be significantly lower than the long term average and the five year average.” [86a]

Further information on the Post-Deyr and the Post Gu (summer rainfall) analysis can be found in the FSAU Post-Deyr [report](#) and Post Gu [report](#) respectively.

- 24.05 Access to water is limited. UNICEF estimates that only 29 per cent of the population have access to clean drinking water. (UNICEF, 6 January 2010) [27e] On 3 April 2009, OCHA reported that: “UNICEF and partners continue to respond to water shortages across Somalia” with 39,500 in central and 46,000 in southern Somalia benefiting from water-trucking. [26ag]
- 24.06 UNICEF reported on 6 January 2010 that their “water and sanitation interventions in Somalia have also included promoting hygiene and sanitation in schools and health facilities. By constructing latrines and hand-washing facilities, UNICEF was able to benefit 12,000 children and women.” [27e]

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FAMINE

- 24.07 The Food Security Analysis Unit reported on 12 February 2010 that:

“[A] widespread Humanitarian Crisis still persists in Somalia, with 42% of the population or estimated 3.2 million people in need of emergency humanitarian assistance and/or livelihood support until June 2010. The results indicate that although there are some positive indicators in terms of the lifting of the livestock export ban and improved crop and livestock

production in southern parts of the country, the food security and nutrition situation in central regions remains in crisis, where 70% of the population require assistance.

“Emergency levels of acute malnutrition continue to be reported, with 1 in 6 children in Somalia acutely malnourished and in need of specialist care. Of these children, 1 in 22 is severely malnourished and at a 9 times increased risk of death compared to well-nourished children. However, in south and central Somalia the rates are higher, with 1 in 5 children acutely malnourished of which 1 in 20 is severely malnourished. These national rates of acute malnutrition continue to be amongst the highest in the world. Currently, these rates translate into estimated 240,000 children under 5 years of age in Somalia being acutely malnourished, of which 63,000 are severely malnourished. More than two thirds of these children are located in south and central Somalia, the area’s most affected by the current conflict. The people currently in crisis include 1.25 million rural people affected by drought, 580,000 urban people who struggle with very high food and non-food prices, and 1.39 million internally displaced people (IDPs) who are fleeing from the conflict.” [86c]

24.08 The authorities in Somaliland feared a further bad harvest after the failure of the *Gu* rains in 2009: on 7 July 2009, IRIN reported that seed that had been distributed by the Somaliland Government had produced less than sown, and had been further decimated by locust attacks. The report added that there is a shortage of seed for the next crop. [10h]

24.09 The World Food Programme issued a statement on 5 January 2010 reporting that:

“Rising threats and attacks on humanitarian operations, as well as the imposition of a string of unacceptable demands from armed groups, have made it virtually impossible for the World Food Programme (WFP) to continue reaching up to one million people in need in southern Somalia.

“WFP’s humanitarian operations in southern Somalia have been under escalating attacks from armed groups, leading to this partial suspension of humanitarian food distributions in much of southern Somalia.

“WFP’s offices in Wajid, Buale, Garbahare, Afmadow, Jilib and Belet Weyne in southern Somalia are temporarily closed, and food supplies and equipment have been moved, along with staff, to safer areas in order to ensure that food assistance continues to reach as many vulnerable people as possible.”

24.10 The statement also said that

“WFP is continuing to provide life saving food distributions in the rest of the country, including the capital, Mogadishu, reaching more than two-thirds of the hungry it has been targeting - or 1.8 million people. In addition, resources and relief workers are being re-deployed from southern areas in the event that people start moving away from areas where food distributions have been suspended.” [85a]

24.11 The BBC reported on 16 June 2009 that the WFP was launching an inquiry into the ‘illegal’ reselling of WFP food aid on the open market in Mogadishu;

and that food traders were manipulating the WFP into supplying them via requests to fictional refugee camps. [8av] However, it was reported by Reuters on 17 February 2010 that the “World Food Programme said its investigation into the possible diversion of aid had absolved staff and partner organisations distributing food in Somalia”. [38i]

For further information see [Human rights organisations](#) and [Non-state armed groups](#). Also see [Internally Displaced Persons](#)

OCHA situation reports for Somalia are produced frequently, and are available on its [website](#). For maps of food aid distribution in Somalia, visit the [OCHA Thematic Maps](#) page.

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25. MEDICAL ISSUES

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

For a list of health services in Somalia, please see the OCHA Health Cluster [website](#).

- 25.01 The IRIN publication, *The Somali Democratic Republic, Humanitarian Country Profile* dated May 2008, stated:

“Much of the population lacks access to basic healthcare and there is an acute shortage of trained medical personnel. However, one notable success was achieved recently: In March 2008 Somalia was declared polio-free.

“Considerable resources have been invested by the international community in rehabilitating the water and sanitation systems, but extensive contamination of surface supplies remains a problem, with only 29 percent of the population having access to clean drinking water, according to the UN Population Fund (UNFPA).

“Life expectancy at birth is 43 years for men and 45 years for women (UNAIDS).” [10m] (Health)

- 25.02 On 4 December 2008, BBC News reported on the first student doctors to qualify from Benadir University, Mogadishu, since 1991. The twelve men and eight women “said they would not leave the country because their profession was in high demand in Somalia - and some of them have already joined hospitals in Mogadishu.” The same report goes on to say that in December 2008, Mogadishu “got its first public ambulance system in 18 years, raising hopes residents will no longer have to resort to wheelbarrows to transport their wounded”. [8ax]

- 25.03 Médecins Sans Frontières (MSF) in its report of 21 December 2009, entitled *Top ten under-reported humanitarian stories of 2009*, gave the following overview:

“In 2009, the Somali population continued to fall victim to indiscriminate violence, while severe drought plagued parts of the country. Millions of people urgently require health care, yet the enormous gap between the needs of Somalis and the humanitarian response on the ground continues to widen. Ongoing abductions and killings of international and Somali aid workers is thwarting the efforts of humanitarian organizations to respond, and the public health-care system remains in near total collapse.

“...The impact of such high levels of violence and insecurity stretches far beyond MSF’s surgical units, contributing to a general lack of access to basic lifesaving medical care countrywide. MSF’s ability to provide assistance was further diminished when in April two MSF staff members were abducted in Huddur in Bakool region leading to the closure of its largest health centre in south and central Somalia and four other health posts. In June an MSF employee died in an explosion in Belet Weyne, Hiraan region, which killed 30 other people. In July, the heightened insecurity forced MSF, for the first time in 17 years, to close activities in its pediatric hospital and three other health clinics in northern Mogadishu as staff were forced to flee for their own safety.

“Another major challenge is the lack of qualified medical staff in Somalia, with so many health workers among those who have fled the violence and no medical universities open. In December 2008, there was a ray of hope with the graduation of 20 doctors from Benadir University in Mogadishu—the first graduating class of new physicians in two decades. This hope was short-lived with the bombing of the next graduation ceremony on December 3, 2009, killing 23 people, mostly graduates, and wounding more than 50 others.

“The lack of free medical care available throughout the country exacerbates the health issues people face as a result of chronic poverty and this year’s severe drought. Although little reliable data is available at the national level, health-care indicators in Somalia are among the worst in terms of immunization, maternal mortality, malnutrition and access to basic health care services. According to the World Health Organization, women have a one in ten lifetime risk of dying during pregnancy or childbirth. One in five children under the age of five is acutely malnourished.” [11e]

- 25.04 MSF also reported on their activities in Somalia, stating that the organisation “is providing medical care in nine projects in the country.” The report goes on to state that:

“In the first six months of 2009 alone, MSF teams provided 376,000 outpatient consultations, including 164,000 for children under five. More than 22,000 women received antenatal care consultations and more than 13,300 people were admitted as inpatients to MSF supported hospitals and health clinics. There were 3,300 surgical operations, 1,975 of which were injuries due to violence. Medical teams treated more than 1,400 patients for malaria and started 660 people on tuberculosis treatment. Nearly 15,000 people suffering from malnutrition were provided with food and medical care and 126,700 vaccinations were given.” [11d]

- 25.05 The World Health Organisation reported in January 2009 that the “Somali Young Doctors’ Association (SOYDA) is providing mobile health services to IDPs in Mogadishu, after a brief halt due to colleagues being lost in the 3 December suicide bombing in Mogadishu.” [9d]

See also: [IDPs, General Conditions for IDPS](#)

HIV/AIDS

- 25.06 The United Nations Development Programme in Somalia (UNDP) in an article dated 13 December 2009 reported that:

“UNDP works closely with the three AIDS Commissions in Somalia, line ministries, networks of PLHAs as well as CSOs and other development partners to ensure a well coordinated and effective response to HIV & AIDS in Somalia. UNDP has been working on HIV & AIDS issues in Somalia for the last 5 years. UNDP will continue to support the implementation of the second National Strategic Framework for HIV & AIDS which covers the period 2009 – 2013.

“Most recently, UNDP Somalia has been supporting the three zonal AIDS Commissions – the Somaliland AIDS Commission (SOLNAC), the South Central AIDS Commission (SCAC) and the Puntland AIDS Commission (PAC) - to finalize an HIV & AIDS Policy for each zone as well as an HIV/AIDS Bill in collaboration with Members of Parliament as well as each AIDS Commission.” [88b]

25.07 The UNDP also reported:

“UNDP Somalia’s ‘Most at Risk Populations’ project seeks to reduce the vulnerability and risk of HIV transmission amongst high risk groups in Somalia, such as truck drivers, staff of uniformed services, Internally Displaced People (IDPs) and People Living with HIV & AIDS (PLHAs). The project uses behavior change communication to try and reduce the vulnerability of these groups to HIV transmission.

“At the beginning of this project, UNDP conducted a Training Or Trainers (TOT), focusing on peer education: there are now 574 Peer Educators in Somaliland, Puntland and South Central Somalia, who have trained approximately 12,000 people on HIV Prevention, Stigma Reduction, Care and Treatment. In addition, three Peer Education Networks have been established (one in each zone) to support the work of all Peer Educators working in a particular zone.

“Currently, and because Somalia has a concentrated HIV & AIDS epidemic, the focus of this project is to conduct workshops for those populations which are at greatest risk of HIV infection.

“In order to implement this project UNDP has formed partnership agreements with three local NGOs, one in Somaliland, Puntland and South Central Somalia.” [88c]

25.08 IRIN, in its *The Somali Democratic Republic, Humanitarian Country Profile* dated May 2008, noted:

“The HIV/AIDS prevalence rate among adults aged 15-49 is estimated at 0.9 percent, with 44,000 people living with HIV, according to UNAIDS (2006).

“At least 3.3 percent of pregnant women are receiving treatment to reduce mother-to-child transmission. Only one percent of HIV-infected women and men are receiving antiretroviral therapy. UNAIDS also estimates that only 12.5 percent of men and 7.9 percent of women are able to correctly identify ways to prevent HIV.

“UNAIDS has AIDS commissions in the three Somali entities. There are plans to scale up the work of the commissions and form a tripartite Somali AIDS coordination body.

“Major impediments to the HIV/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)

- 25.09 IRIN reported that in Puntland, people infected with HIV are stigmatised by the local community (IRIN, February 2009) [10at] and likewise in Somaliland (IRIN, 27 March 2009) [10au]. The IRIN article of 27 March 2009 reported that in Somaliland, religious leaders have been involved in HIV prevention efforts and “are now stepping in to persuade communities to treat people with HIV more humanely.” [10au]
- 25.10 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, (USSD report for 2009), dated 11 March 2010, noted:

“Persons with HIV/AIDS continued to face discrimination and abuse in their local communities, and by employers in all parts of the country. UNICEF reported that persons with HIV/AIDS were subjected to physical abuse, rejected by their families, and subjected to workplace discrimination and dismissal. Children with HIV-positive parent(s) also suffered discrimination, which hindered prevention efforts and access to services.” [2a] **(Other Societal Violence or Discrimination)**

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HOSPITALS

- 25.11 The International Committee of the Red Cross report for 2008, published on 27 May 2009, added detail regarding the operation of hospitals in relation to weapon-wounded patients in southern and central Somalia:

“Some 3,200 weapon-wounded were treated in ICRC-supported medical facilities, the majority in Keysaney and Medina hospitals, the two main referral units for surgery in Mogadishu. The surgical team from the Qatar Red Crescent Society, which had been working in Keysaney Hospital since August 2007 in partnership with the ICRC, withdrew from the hospital in November [2008] because of security risks... In the 34 ICRC-supported health centres (catchment population by year-end: 417,000):

- 328,871 people given consultations, including 62,197 attending ante/post-natal consultations and 266,674 attending curative
- consultations
- 96,787 vaccine doses administered (including 81,437 to
- children aged five or under and 15,350 to women of
- childbearing age)
- 1,985 patients referred to a second level of care
- 1,255 health education sessions held.” [5a]

- 25.12 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]

- 25.13 On 2 October 2009, BBC News published an interview with a young Somali doctor based in Marere. She described the hospital as having “about 200 beds”, and although there are “no machines in the hospital”, there is “a generator so the hospital has electricity and...internet. Wells provide clean water. The most common complaints are malaria, TB, cholera and bilharzias”. [8ay]

Hospitals in Mogadishu

- 25.14 On 27 June 2009, Garowe reported that “There are upwards of 650 wounded persons currently receiving treatment at Mogadishu’s three main hospitals – Medina, Keysaney and Daynile. The hospitals are operated by ICRC and MSF.” [35a1] On 17 July 2009, the International Committee of the Red Cross (ICRC) stated in a press release:

“Doctors and nurses are working strenuously to care for the patients,’ said Valery Sasin, a surgeon working for the ICRC who coordinates the organization’s health activities in Somalia. ‘Their capacities are often stretched to the limit. Nevertheless, they have been able to cope with the influx of new arrivals. The hospitals receive enough medical supplies from the ICRC to be able to maintain all services even in times of great demand.’ Both Medina and Keysaney hospitals accept all patients, regardless of their clan or their religious or political background. Since last weekend, ICRC said almost 300 weapon-wounded patients have been admitted to Keysaney Hospital, run by the Somali Red Crescent Society, and the community-based Medina Hospital.” [74a]

- 25.15 The LandInfo report of 12 November 2008, *Conflict, security and clan protection in South Somalia*, gave the following information from an interlocutor: “One of Landinfo’s interlocutors in June 2008 compared the situation in Mogadishu with the situation in Gaza, where despite the blockade, the Palestinian population has working hospitals and ambulances etc. This is not the situation in Mogadishu. Although there are hospitals and doctors there is a lack of equipment and there are no other services.” [45d] (section 3.1, p12)

- 25.16 IRIN reported on the hospitals in Mogadishu in two articles in April 2009. In the first article, of 7 April 2009, Abdirizaq Ahmed Dalmar, head of the Somalia Medical Association gave an overview, stating that in 2007/2008, 37 hospitals and clinics were closed due to fighting, and remaining medical facilities operated with great difficulty as various military factions commandeered facilities and services. [10ah] The other IRIN article, dated April 2009, reported Mohamed Yusef, director-general of Medina Hospital, stressing that the hospital treated all who came to the hospital, irrespective of which group they belonged. [10ai] Both articles noted that doctors and medical staff had been threatened, attacked and some killed; one doctor said: “doctors in Mogadishu suffered with the population in terms of the insecurity” [10ah] and Dr Yusef was unsure of the reason why he himself was attacked on 23 March 2009. [10ai]

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Mental health care

25.17 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)

25.18 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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26. FREEDOM OF MOVEMENT

- 26.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, (USSD report for 2009), dated 11 March 2010, noted: “The TFC and the Puntland Charter provide for freedom of movement; 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)

INTERNAL MOVEMENT

Checkpoints

- 26.02 The USSD report for 2009 summarised the situation in 2009:

“Checkpoints operated by the TFG and its associated militias decreased. Checkpoints operated by armed militias, clan factions, and groups associated with al-Shabaab and its affiliates inhibited passage and exposed travelers to looting, extortion, rape, and harassment, particularly of civilians fleeing conflict. In the absence of effective governance institutions, few citizens possessed the documents needed for international travel.

“There were no reports of armed clan factions operating checkpoints during the year. Puntland security forces dismantled ad hoc checkpoints by armed clan militias. According to a report by UNOCHA, al-Shabaab established checkpoints at the exit/entry routes of the towns under its control for security reasons. There were no reports of checkpoints between towns or within towns, as was common in previous years.” [2a] (Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)

- 26.03 The Amnesty International report, *Routinely targeted*, published on 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)

- 26.04 The LandInfo report of 12 November 2008, *Conflict, security and clan protection in South Somalia*, stated:

“Approximately 400 roadblocks were set up in southern and central Somalia between February and March 2008, and the risk of being robbed or raped at these roadblocks was high (interview with international organisation, June 2008). ‘Taxation’ at these roadblocks also contributes to food prices (which have increased considerably anyway) rising even more when the goods finally reach the markets. There were previously 10 roadblocks in and around the town of Jowhar alone, but when the Islamists took control of the town in spring 2008, these roadblocks disappeared.” [45d] (section 3.8.1,p17)

- 26.05 Previously, 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)

- 26.06 The AI report, *Routinely targeted*, dated 1 May 2008, observed that: “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 [Kismaayo](#)

- 26.07 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 organisations 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) Al’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](#)

26.08 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)

26.09 On 29 August 2009, a Garowe Online article reported that the TFG Minister of Justice admitted that TFG forces operating a major checkpoint on the Afgooye-Mogadishu road routinely extorted cash from motorists. The same checkpoint has been a frequent target of insurgent attacks. [35bs]

26.10 On 29 October 2009, a BBC journalist reported on a short road journey out of Mogadishu:

“Most of war-ravaged central and southern Somalia is now controlled by al-Shabab, an Islamist group which the US believes has links to al-Qaeda.

“Yet their fighters are not completely in control; I see roadblocks run by three different groups as I head to Agfoye, a town 29km (18 miles) north-west of Mogadishu.

“Despite intense and bloody battles, the government is still in charge of parts of the capital and they run the first checkpoint where passengers have to pay them money to carry desperately needed goods in and out of the city.

“Then just a little further along I come across the first checkpoint manned by al-Shabab, the very secretive but well-organised militia at the centre of the conflict in Somalia.

“They do not collect money but they check goods and search people.

“Not far from this checkpoint is another run by al-Shabab’s supposed allies, Hizbul-Islam...Hizbul-Islam militias also check and search people, and do not demand money from passengers...Heading beyond Agfoye in the direction of the coastal town of Merka, there are more checkpoints...At Laanta Buur, I am surprised to see that people can travel safely without fear of being ambushed...At Laanta Buur checkpoint, al-Shabab militia members search men one at a time, while leaving women in the cars.

“Men and women are not allowed to sit together when using public transport.

“The militia also search mobile phones, to make sure there is no indecent audio or video-like songs recorded on them, as music is banned by the group.

“Men who have fringes have their heads shaved by al-Shabab members.”
[10bo]

Landmines

26.11 The Somalia section of the 2009 *Landmine Monitor Report*, dated 12 November 2009 noted that:

“Landmines and explosive remnants of war (ERW) affect Somalia as a result of internal and international conflicts which have taken place in the country since 1964. The Landmine Impact Survey identified 35 impacted communities in nine districts in the Puntland area and a further 90 impacted communities in Sanaag and Sool regions. The extent of the problem in southern Somalia is less well known. There is no centralized mine action program in Somalia. In 2008, clearance of ERW was coordinated through mine action centers in Baidoa in south central Somalia and Garowe in the northeast of the country.”[20b] (Ten Year Summary)

26.12 IRIN reported on 29 January 2009 that IDPs returning to Mogadishu were in grave danger of uncovering and detonating unexploded ordnance of many different kinds. [10ac]

26.13 The 2009 *Landmine Monitor Report* also stated that “several Somali factions have renounced use of antipersonnel landmines by signing the Deed of Commitment administered by Geneva Call. Most of these signatories are members of the Transitional Federal Institutions (government and parliament), but some may also continue to control independent militia forces and territory.” [20b] (Mine Ban Policy)

26.14 The report continued:

“In February 2009, it was reported that the Russian Navy had captured three boats of ‘Somali pirates’ smuggling arms in the Indian Ocean, and a spokesperson cited landmines (type unspecified) among the weapons seized.

“Landmines are evidently still being bought and sold at arms markets in Somalia. In June 2009, Reuters reported the continued sale of landmines and other weapons at markets in Mogadishu. It said that one dealer claimed to sell landmines (type unspecified, but likely antivehicle) for approximately US\$100 apiece.” [20b] (Transfer)

26.15 However, the report also stated that “Landmine Monitor has not identified any confirmed reports of new use of antipersonnel mines from May 2008 to May 2009 by government forces or any of the non-state armed groups (NSAGs) operating in Somalia. NSAGs continued to use IEDs in large numbers, with media sources often referring to command-detonated bombs and IEDs as ‘landmines’.” [20b] (Use)

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Airports

26.16 The Economist Intelligence Unit (EIU), in its Somalia Country Profile dated 3 March 2008 reported:

“Private and chartered aircraft use an estimated 61 airports, most with unpaved runways. Ethiopian Airways began twice-weekly flights between Addis Ababa and Hargeisa in March 2001, and the private carrier, Daallo Airlines, links Hargeisa, Mogadishu, Burao, Bossasso and Kismayu with Asmara (Eritrea) and Djibouti. Construction of a new US \$9m runway at Bossasso international airport began in November 2006. Control of Somali air space has been conducted from Nairobi since the UN pulled out of Somalia in 1995.” [17d] (p15)

- 26.17 The BBC reported on 19 September 2008 that khat flights to airstrips outside Mogadishu are uninterrupted by the ongoing conflict. [8u]
- 26.18 Aden-Adde International Airport (renamed July 2007) is the international airport for Mogadishu. (Aviation safety network, accessed 12 July 2008) [46a] The, then-named, 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) 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.” [26ad]
- 26.19 News stories concerning the airport since the Ethiopian withdrawal/the new President’s election have included a BBC News account of the firing of mortars at a plane carrying US Congressman Donald Payne out of Mogadishu on 13 April 2009. [8w] On 26 May 2009, the President sent a detachment of 600 TFG troops to secure the airport. (BBC, 26 May 2009) [8ad]
- 26.20 The Report of the Secretary-General to the UN Security Council on the situation in Somalia, dated 20 July 2009, recorded that IGAD Council of Ministers had called for a no-fly zone in parts of Somalia: “At its thirty-third extraordinary session, held on 20 May, the IGAD Council of Ministers called upon the Security Council to impose a no-fly zone, except for humanitarian purposes authorized by the Government, on the airports of Kismayo, Baidoa, KM50, Balidoogle, Waajid and Hudur, all airports in Gedo region, Isaley and Johar.” [3g](p3, paragraph8)
- 26.21 The UN Security Council’s *Report of the Secretary-General on the situation in Somalia* dated 31 December 2009 (December UNSC Report) stated that the “security situation in Mogadishu will continue to affect the delivery of key aspects of the United Nations support package for AMISOM. At its current strength, and given the urban nature of the conflict, the Mission is unable to secure an area wide enough to prevent the mortaring of Mogadishu airport and seaport.” [3j] (p12)
- 26.22 The UN News Service reported on 29 October 2009 that “extremists yesterday [28 October 2009] tried to assassinate the president as he was returning to Mogadishu. This followed a similar attempt last Thursday [22 October 2009] at Mogadishu airport as he boarded a plane for Uganda to attend an African summit.” [71f]

26.23 Reuters reported on 30 December 2009 that

“Security officers arrested a young Somali man attempting to board a Dubai-bound plane in November in the capital Mogadishu with a suspicious white powder, liquid and syringes, Somali officials said on Wednesday [30 December].

“Somali officials said they initially thought the chemicals were for use in the so-called ‘black dollar’ scam in which fraudsters convince people they can turn black bills into U.S. dollars using chemicals.

“But the botched attempt to blow up a U.S.-bound plane on Dec. 25 by a Nigerian who says he was trained by al Qaeda aroused suspicions the Somali may have had similar aims.” [38j]

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27. INTERNALLY DISPLACED PERSONS (IDPs)

OVERVIEW

27.01 The UNHCR estimate, released 12 February 2010, stated that there were “more than 1.4 million internally displaced persons (IDPs) in... [Somalia] owing to escalating violence and a worsening humanitarian situation, with another 560,000 Somalis living as refugees in neighbouring and nearby countries.” [71c]

27.02 The UNHCR Somalia Briefing Sheet, February 2010, stated that:

“As of end of December 2009, the number of IDPs in Somalia is estimated to be 1.4 million. Among them, one million Somalis have fled Mogadishu in 2007 and 2008, following an outbreak of violence between the Transitional Federal Government (TFG) and insurgents starting in February 2007. Over 366,000 of them now live in makeshift shelters along the road linking Mogadishu to Afgooye, some 30 kilometers to the west of the capital, which is the place with the highest concentration of internally displaced people in the world today.

“Following relative improvements in the security situation in Mogadishu between February and April 2009, over 65,000 internally displaced people and refugees had traveled back to the capital from various areas of South Central Somalia and Somaliland, as well as from neighboring countries, such as Kenya and Yemen. Nonetheless, after the eruption of fighting between Government forces and armed opposition groups on May 7th [2009], over a quarter of a million people fled from their homes in Mogadishu.” [23n]

27.03 IRIN News reported on 3 February 2010 that “fighting between various groups in central Somalia and in Mogadishu escalated in January, displacing an estimated 80,000 people.” [10bm]

27.04 The UN Security Council’s *Report of the Secretary-General on the situation in Somalia* dated 31 December 2009 stated that “by November, the total number of internally displaced persons in Somalia had reached 1.55 million, 93 per cent of whom were concentrated in the southern and central areas, including 524,000 in the Afgooye corridor.” [3j] (p6)

27.05 UNHCR estimated on 12 March 2010 that “more than 100,000 Somali civilians have been forced to flee their homes across the country since the beginning of this year [2010].” [23o]

See also the section on [Humanitarian issues](#) and [Latest News](#) for more recent information. For updates on the location and number of IDPs within Somalia, please visit the [UNHCR website](#).

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GENERAL CONDITION FOR IDPs

27.06 Information on the general conditions in IDP populations in Somalia has been collated by the Norwegian Refugee Council’s Internal Displacement Monitoring Centre (IDMC), with a thematic collation updated on 10

December 2009, entitled [Somalia: Political and security crises, access limits and donor cuts increasing IDP vulnerability](#). The report contains thematically linked articles covering the general condition of IDPs in Somalia. [36b] The BBC on 2 June 2009 reported that:

“The ‘very dire’ humanitarian crisis in Somalia is the worst in Africa for many years, says Oxfam’s co-ordinator for the failed Horn of Africa state [Hassan Noor]. Many of its hundreds of thousands of internally-displaced people, the world’s largest such concentration, have little food or shelter, he said ... Many thousands of people, mainly women and children, have fled to Afgooye, just south of [Mogadishu] where most are sheltering under trees with little to eat or drink ... ‘The situation is really appalling,’ he said. ‘There are hundreds of children all over the area with tubes on their faces and [saline] drips on their hands. Some of them are actually unconscious and suffering from all sorts of diseases, mainly acute diarrhoea and cholera.’” [8c]

- 27.07 The World Health Organisation reported in January 2010 that the “Somali Young Doctors’ Association (SOYDA) is providing mobile health services to IDPs in Mogadishu, after a brief halt due to colleagues being lost in the 3 December suicide bombing in Mogadishu.” [9d]

“Abdirizaq Yusuf, a member of SOYDA, said: ‘We have decided that once a week we will visit the camps for the displaced around the city [Mogadishu.] We started on Friday [3 December] with the Lafoole IDP camps.’

“...[Doctor Abdiqani Sheikh] Omar said of the 400 patients they saw, most were children.

“Most of the children under five were suffering from respiratory tract infections and malnutrition, while those between five and 15 were suffering mainly from skin diseases, due to the terrible sanitation and hygiene conditions in the camps,’ Omar said. ‘Most adults we saw were suffering from hypertension, diabetes and urinary tract infections.’

“The displaced were living in appalling conditions, he said. ‘They [camps] are overcrowded, with very little water.’ Food, especially for small children, was another problem.

“Omar said there were no aid agencies on the ground due to insecurity. ‘It is a very difficult environment,’ he said.” [10bn]

For further information on the situation for IDPs in Somalia, see the Internal Displacement Monitoring Centre Report, [Political and security crises, access limits and donor cuts increasing IDP vulnerability](#).

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SOUTH AND CENTRAL SOMALIA

Mogadishu

- 27.08 It was reported by UNHCR that:

“Despite the election of a moderate, former member of the Islamic Courts as President in January 2009, fighting between the Transitional Federal Government (TFG) and Islamist fundamentalist insurgents of Al Shabaab and Hizbul Islam continued unabated. In May, the fighting intensified in Mogadishu and displaced more than 270,000 people, causing the number of internally displaced persons (IDPs) to reach 1.5 million people.” [23n]

27.09 The UN News Service on 12 February 2010 reported that:

“Many have reportedly gone to other relatively safe areas of the capital or to the Afgooye corridor, where there are already an estimated 366,000 people displaced by previous conflicts,’ said Ms. Fleming [spokesperson for the UN High Commissioner for Refugees (UNHCR)].

“The corridor, which stretches some 30 kilometres west of Mogadishu, has one of the largest concentrations of displaced people in the world. Over a quarter of a million civilians have been forced to flee Mogadishu since May 2009 when armed opposition groups first launched attacks aimed at ousting the newly installed Transitional Federal Government (TFG).” [71c]

27.10 IRIN reported on 9 February 2010 that:

“Community leaders in the Somali capital, Mogadishu, are filling the gaps in aid distribution by raising funds to assist thousands displaced by fighting, leaders said.

“‘We started last week and we did it because we see the plight of the displaced every day,’ Sheikh Abdifatah Aweys, a religious leader, told IRIN on 9 February. ‘For now we are addressing the most pressing problem, and that is water.’

“Aweys said their efforts were not meant to replace aid agencies who were absent on the ground at present: ‘We know we cannot cover everything, so we are doing what we can. These are our people and our religion dictates that you help those less fortunate.’

“Aweys said the group went around Bakara market collecting donations from the business community and had set up billboards showing the poor living conditions of internally displaced persons (IDPs).

“‘People have been amazing; even those with little contribute,’ he said.

“The group has so far helped about 8,500 [51,000 people] families with water.” [10bo]

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Returns to Mogadishu

27.11 IRIN News reported on 6 February 2010 that

“In Mogadishu, where at least 18,000 have fled ongoing clashes [in January 2010], most of those affected had returned to the city, thinking it was more peaceful. However, on 31 January ‘parts of the city experienced some of the

most intense shelling we have seen in a long time,' said Ali Sheikh Yassin, deputy chairman of the Mogadishu-based Elman Human Rights Organization (EHRO).

"The worst-hit Mogadishu areas included Huriwa, Yaqshiid in the north and Dayniile (northwest). 'Many of those who fled had returned from camps thinking that the situation was better,' he said. [10bm]

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Afgooye 'corridor'

27.12 The Afgooye 'corridor' "stretches some 30 kilometres west [out] of Mogadishu" (UN) [71c] The Internal Displacement Monitoring Centre Report, *Political and security crises, access limits and donor cuts increasing IDP vulnerability*, reported that "UNHCR has estimated numbers of IDPs in different areas based on reported population movements: in November 2009 there were an estimated 610,000 around Afgooye". [93a]

27.13 The same report further stated that "in September, Oxfam reported that poor sanitation and the lack of access to basic services were creating a public health emergency in camps. Oxfam said that the Afgooye settlements were the world's densest concentration of displaced people and described the situation as a human tragedy of 'unthinkable proportions'." [93a]

27.14 The UN Somalia Humanitarian Overview for December 2009 to January 2010 stated:

"The most recent (December 2009) population estimates indicate there are 366,000 in the Afgooye corridor, a figure representing a decrease in the estimated figure of 524,000 in August 2009. It is important to emphasise that the new figure does not reflect a decrease in the number of IDPs arriving in Afgooye, but rather represents an increase in the accuracy of the methodology used to estimate numbers." [26an]

27.15 The UN Security Council's *Report of the Secretary-General on the situation in Somalia* dated 31 December 2009 stated that "Mogadishu and Afgooye host some 400,000 and 460,000 internally displaced people, respectively, along with other beneficiaries." [3j] (p6)

For a map of the settlements in the Afgooye 'corridor', please see OCHA's [website](#).

IDPs north of Mogadishu

27.16 IRIN reported on 27 August 2009 that: "Two months after food deliveries to Somalia's south-central town of Jowhar were halted, several thousand internally displaced persons (IDPs) are facing a food crisis, sources said." The report also states that: "An estimated 9,000 IDP families (49,000 people), live mostly in seven camps in the town, 90km north of the capital, Mogadishu. The camps are Dayah, Kalagoye, Bada Cas, Baryare, Bulu Matuuni, Biyafo and Sheikh Omar Camp." [10bh]

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KENYAN BORDER

27.17 The Human Rights Watch report *[From horror to hopelessness](#)* is a study of the Dadaab camps; of the Kenyan Government's approach to border control, refoulement, smuggling over the closed border; and of UNHCR registration processes. On 11 April 2009, the HRW issued a follow-up plea to the Kenyan Government to instruct border officials to give proper protection to refugees. [30e]

27.18 UNHCR estimated on 12 March 2010 that the "three camps at [Dadaab](#) currently host some 270,000 refugees." [23o]

See Freedom of Movement, [Kenya](#)

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PUNTLAND AND SOMALILAND

27.19 In January 2010, UNHCR estimated that there were 104,000 IDPs in Puntland and 67,000 in Somaliland [23p], with 28,000 of those in Puntland's Bari region and 35,000 of in Woqooyi Galbeed region. [23q] For further information on distribution and numbers, please see the [map of 7 January](#) [23p], or [map of 19 January](#) [23q]

27.20 The UN Security Council's *Report of the Secretary-General on the situation in Somalia*, dated 31 December 2009, stated that between October 2009 and December 2009 inclusive, "Incidents reported by displaced persons and refugees included rape, looting and beatings during flight. Particularly disturbing were increasing reports of gender based violence in settlements for the internally displaced, particularly in "Puntland" and "Somaliland"." [3j]

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28. SOMALI REFUGEES IN THE REGION

- 28.01 In its *World Report 2010*, covering events in 2009, released on 20 January 2010, Human Rights Watch noted that:

“Kenya and Yemen each host large numbers of Somali refugees. Kenya’s desperately overstretched Dadaab refugee camps, built for 90,000 people, are now home to some 300,000 mostly Somali refugees. Negotiations for the land required to build a badly needed new refugee camp near Dadaab stalled in 2009. Yemen’s government has generally welcomed the at least 100,000 Somali refugees who reside in the country.” [30g]

- 28.02 UNHCR reported on 12 January 2010 that: “More than 110,000 Somalis sought asylum in Kenya (55,000), Yemen (32,000), Ethiopia (22,000) and Djibouti (3,000) in 2009, bringing the total number of Somali refugees in the region to over 560,000.” [23m]

For a map demonstrating the movements of Somali refugees into surrounding countries, see the [UNHCR website](#)

YEMEN

- 28.03 The Human Rights Watch report *Hostile Shores: Abuse and Refoulement of Asylum Seekers and Refugees in Yemen* dated December 2009 stated:

“The Yemeni government recognizes all Somalis who arrive in the country as prima facie refugees—meaning they are not individually required to prove that they are eligible for refugee status—and they are free to remain in Yemen. There are no reliable statistics on the number of Somalis living in the country. UNHCR has registered some 150,000. Some Yemeni government officials, without citing any empirical basis for their figures, believe that the true number of Somalis living in the country could be several times higher, since an unknown number do not bother to register even though they are automatically entitled to refugee status. At the same time, many Somalis simply pass through Yemen, moving on to other countries in search of work or for other reasons.” [30h]

- 28.04 The report continued:

“There are two primary routes used to smuggle people into Yemen by sea. The first begins on beaches around the port city of Bosasso in Somalia’s semi-autonomous region of Puntland. Boats plying this route cross the Gulf of Aden to transport their passengers to points along Yemen’s Arab Sea coast. The second route originates around Obock, on the coast of Djibouti, and ends along Yemen’s western, Red Sea coast.” [30h]

- 28.05 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, (USSD report for 2009), dated 11 March 2010, noted:

“Somaliland authorities cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. The UNHCR estimated that during the year more than 60,000 citizens attempted more than 900 illegal boat crossings from Somaliland, Puntland, and Djibouti to Yemen, resulting in at least 273 confirmed deaths. By the end of September, there were 50,486 recorded new arrivals in Yemen, a 50 percent increase

over the number of arrivals during the same period in 2008. The UNHCR estimated that 158,000 Somali refugees were in Yemen at year's end.”
[2a] (Protection of Refugees)

28.06 UNHCR reported in December 2009 that “more than 74,000 Africans...crossed the Gulf of Aden and the Red Sea on smugglers' boats and reached the shores of Yemen this year...According to the latest UNHCR statistics, at least 309 people drowned or did not survive the trip this year.” [23k]

28.07 The report continued:

“Unlike in previous years, Somalis are no longer the majority of arrivals. With nearly 32,000 Somali arrivals this year their number remains steady in comparison to 2008. However, the number of Ethiopians reaching Yemen more than doubled this year to above 42,000.

“While virtually all arriving Somalis approach the two, strategically positioned reception centres in Mayfaa and Ahwar, where they receive protection and assistance, only some 9,000 Ethiopians went to these venues this year.”
[23k]

For a detailed report on the subject of migration to Yemen, including details about the conditions for Somali migrants in Yemen, please see the Human Rights Watch report: [Hostile Shores: Abuse and Refoulement of Asylum Seekers and Refugees in Yemen](#)

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KENYA

28.08 UNHCR estimated in January 2010 that there were 309,800 Somali refugees in Kenya, with 266,800 of them in Dadaab refugee camp near the Somali border, 38,200 in Kakuma near the Ugandan border and 4,100 in Nairobi. [23p]

28.09 UNHCR reported on 12 March 2010 that “nearly 10,000 new Somali refugees were registered [in Dadaab refugee camp] over the first nine weeks of this year. UNHCR fears that the overcrowded Dadaab refugee complex in northern Kenya will soon see a significant increase in the number of new arrivals. The three camps at Dadaab currently host some 270,000 refugees.” [23o]

28.10 Doctors Without Borders stated that they are “still very concerned about the situation in one of the world’s most congested camp complexes, located in Dadaab, in northeast Kenya. MSF has been providing medical care for one year in Dadaab's Dagahaley camp, and while there have been some improvements during that time, the camp remains overcrowded, and refugees are only receiving the bare minimum to survive.” [11f]

28.11 The report continued:

“Established in the 1990s to accommodate 90,000 people, the three camps are now inhabited by almost three times that number. Health facilities are overstretched and the massive concentration of refugees into such a small area is a public-health time bomb.

“Every month, thousands more Somalis cross the border between Kenya and Somalia, which is officially closed, to seek refuge. Today, over 260,000 people are living in the Dadaab camp complex.” [11f]

See IDPs [Border with Kenya](#)

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ETHIOPIA

28.12 UNHCR estimated in January 2010 that there were 59,000 Somali refugees in Ethiopia. [23p]

28.13 On 16 February 2010, UNHCR reported that:

“The UN refugee agency has begun relocating Somali refugees from a transit centre in eastern Ethiopia to a new camp some 65 kilometres away. The first convoy, consisting of 11 buses and two trucks carrying their luggage, transported 247 Somali refugees last Friday from Dolo Ado to the camp at Melkadida.

“The refugees had fled worsening security and limited access to humanitarian aid in central and southern Somalia over the past weeks. They are part of a group of 7,000 Somalis who have recently been recognized as refugees by the Ethiopian government with UNHCR expert support.

“Melkadida is the second camp in south-east Ethiopia and the fifth camp in Ethiopia accommodating Somali refugees. The first one in the south-east, Bokolmanyo, which opened in April last year to accommodate 20,000 refugees, has reached full capacity.” [23]

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29. FOREIGN REFUGEES

- 29.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, (USSD report for 2009), dated 11 March 2010, noted::

“The 1990 constitution and TFC do not include provisions for granting asylum or refugee status in accordance with the 1951 Convention relating to the Status of Refugees and its 1967 protocol. The country signed the African Union Convention Governing the Specific Aspects of the Refugee Program in Africa in 1969, but neither ratified it nor deposited it. The TFC states that political asylum may be granted to persons who flee their or another country because of political, religious, and cultural persecution; however, there was no official system for providing such protection. The authorities provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened (complete with new standard language as applicable), and in practice the authorities granted refugee status or asylum.” [2a] (Section 2d: Freedom of movement)

- 29.02 On 7 September 2009, BBC News reported that Mogadishu “has become a haven for hundreds of refugees from the Zanzibari island of Pemba”. [8bp]

- 29.03 The report continued:

“The refugees originally left the semi-autonomous Tanzanian islands in 2001 when political riots began between the Tanzanian ruling party and the opposition, the Civic United Front.

“Several people, including policemen, were killed.

“‘We first stayed in Kenya,’ says Salim Ahmed Khadib, the leader of the Zanzibari community in Mogadishu.

“‘But because of the relationship between Kenya and Tanzania we feared repatriation and decided to go to Somalia, regardless of the risks.’

“The Zanzibari residents in Mogadishu say that out of the 192 families living in Somalia, 85 of them are still living in Mogadishu.

“The rest have gone further north to Puntland or Somaliland, areas which are relatively more peaceful.” [8bp]

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30. 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 An Awdal news report of 28 March 2008 reported that from 1 April 2008, Somalis living in the United Arab Emirates (UAE) would be able to be issued with passports. The report stated:

“Earlier, the UAE press reported that the Somali government had selected the UAE-Emirate of Sharjah as the main centre for issuing electronic passports and electronic identification cards for its citizens around the globe... Mr Gafow, however, affirmed that new immigration officers to be based in Somali Embassies would issue the Somali passport while the database will be kept with the passport-printing centre in the Sharjah Airport Free Zone. ... But Mr Gafow affirmed that the Immigration Centre would later move to Mogadishu after ensuring safety and security in all parts of the country. New e-passports will be designed as per international standards defined by the International Civil Aviation Organisation (ICAO), using the latest ‘contact less chip technology’, incorporating Facial and Fingerprints Biometric Security Recognition. Passports were to be issued in four colours to various categories – red for diplomatic missions, brown for services, black for the public and light blue for travel documents only. ... ‘Inside the country we have already opened offices in Baidoa, Bossasso, Garowe and Laas Anod,’ he said, underlining that there will be no need for people to come to Mogadishu for a passport as the case used to be under the previous government. Answering a question on whether any foreign visas have been issued to the holders of the new passports, Mr Gafow said: ‘I have entered the UAE with the new passport and a visa has been issued to me, and the American Embassy in Nairobi has been the first to issue visas to the holders of the new Somali passports.’ New passports with electronic national identity cards will cost US\$ 150 for Somalis outside Somalia and US\$ 100 for Somalis residing within Somalia, making it one of the most expensive passports issued by foreign embassies in the UAE. Passport fees for other nationalities living in the UAE range between US\$ 30-50.” [32b]

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31. FORGED AND FRAUDULENTLY OBTAINED DOCUMENTS

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

“Although a Transitional Federal Government (TFG) has been established in Somalia, no agencies have been mandated to issue personal documents. Furthermore, there are no registries containing information which can establish the identity of individual citizens. In Somaliland – the breakaway republic in the north-western part of Somalia which has failed to win the recognition of any country in the world – government agencies do however issue various documents. Lack of registration procedures and internal control mechanisms as well as corruption give serious cause to question the reliability of these documents.” [45e]

See also: [Passports](#)

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32. EMPLOYMENT RIGHTS

- 32.01 The US State Department *Country Report on Human Rights Practices 2009, Somalia*, (USSD report for 2009), dated 11 March 2010, noted:

“The 1960 constitution allows workers to form and join unions, and the TFG respected this right; however, due to the civil war and clan fighting, the only partially functioning labor union in the country was the journalist association NUSOJ. Other unions existed in name but engaged in no activities during the year. The Puntland Charter and the Somaliland constitution also protect workers' freedom of association; however, labor laws were not enforced in the country, resulting in an absence of effective protection for workers' rights.

“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.

“The TFC allows unions to conduct their activities without interference and grants workers the right to strike. In practice there were no reports of workers attempting to strike.

“Collective bargaining is protected by laws in Somalia, Somaliland, and Puntland, but they are generally not enforced.

“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.

“The TFC allows unions to conduct their activities without interference and grants workers the right to strike. There were no reports of antiunion discrimination.

“There are no export processing zones.” **[2a] (Worker Rights)**

- 32.02 The USSD report for 2009 further 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. There is no national minimum wage. There was no information on the existence or status of foreign or migrant workers in the country. With an estimated 43 percent of the population earning less than 40,000 Somali shillings (less than \$1) per day, there was no mechanism to attain a decent standard of living for workers and their families. During the year high inflation, continued insecurity, and other factors significantly decreased the standard of living in all areas of the country.” **[2a] (Acceptable Conditions for Work)**

FORCED LABOUR

- 32.03 The USSD report for 2009 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]

” [2a] (Prohibition of Forced or Compulsory Labor)

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

See [Ethnic groups](#), [Abuses by Non-State Groups](#)

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Annex A - Chronology of major events

See also: [History](#) and [Recent Developments](#)

For a comprehensive account of the conflict in Somalia, please see [Accord Issue 21, Whose Peace Is It Anyway?](#)

The IRIN report, *In-Depth: Somali National Peace Conference*, published in 2000, gave the following information about the history of Somalia, up to 2000.

- 1960** 26 June: The former British Somaliland Protectorate gains independence. [10bu]
- 1 July: The former Italian colony becomes independent. The former British (northwest) and Italian (south) colonies unite. [10bu]
- 1969** 15 October: Democratically elected President Abdirashid Ali Sharmarke is assassinated by one of his police bodyguards. [10bu]
- 21 October: The army under Major-General Muhammad Siyad Barreh overthrows the civilian government, after parliament hits deadlock trying to select a new president. The army suspends the constitution, bans all 86 political parties, and promises to end corruption. Siyad Barreh heads the 25-member Supreme Revolutionary Council, consisting of army and police officers. [10bu]
- 1970** 21 October: The army junta declares Somalia a socialist country and adopts 'Scientific Socialism'. This signals a shift towards Soviet backing, and security organs and intelligence networks are given greater powers. [10bu]
- 1972** 21 October: A written script for the Somali language is established. A modified Roman alphabet is adopted as the official orthography for the Somali language. [10bu]
- 1974** Somalia becomes a member of the Arab League. [10bu]
- 1977** July: A low-level war of attrition between Somali-backed insurgents and the Ethiopian army becomes an all-out battle between Somalia and Ethiopia, when Somalia declares war on Ethiopia. The war goes down in history as the fiercest Cold War battle on the continent, played out in the Ethiopian Ogaden region. [10bu]
- 13 November: Somalia expels about 6,000 of Russian, Cuban and other Soviet allies, after the Soviet Union switched sides and allied itself with the Ethiopia. [10bu]
- 1978** March: The Somali Government announces the withdrawal of its forces from the Ogaden. [10bu]
- 8 April: After the defeat of the Somali army, a group of army officers try to topple the Siyad Barreh regime. The attempted coup is crushed and Siyad Barreh tightens his grip further. He begins a process of putting power into the hands of his relatives, and sub-clan, the Darod Marehan. He also

empowers the related Dulbahante and Ogadeni sub-clans. [10bu]

1988 May: The Somali National Movement (SNM) mounts an offensive in the north of the country, as a result of the regime's brutal post-Ethiopian war policies. Siyad Barreh responds by bombing the area. Hundreds of thousands of civilians are displaced, and many killed. It is the first real challenge to Siyad Barreh's rule, and the beginning of the proliferation of armed opposition to the regime. [10bu]

1990 May: A manifesto is published in Mogadishu calling for an all inclusive national reconciliation convention to avert protracted civil war. It is signed by 144 people, including politicians, religious leaders, professionals and business people, representing all Somali clans. [10bu]

December: Armed uprising erupts in Mogadishu. [10bu]

1991 27 January: Siyad Barreh flees Mogadishu. Forces loyal to the Hawiye-based United Somali Congress (USC) capture the city. [10bu]

28 January: The Manifesto Group of USC appoints an hotelier, Ali Mahdi Muhammad, as president. The military wing of USC, led by General Muhammad Farah Aydid, rejects the appointment. [10bu]

Full-scale fighting starts between the two factions of the USC. [10bu]

3 March: A ceasefire comes into effect between the warring factions in Mogadishu. [10bu]

Fighting erupts in the northeast region between the Al-Ittihad Islamic fundamentalists and militia loyal to the Somali Salvation Democratic Front (SSDF), lead by Colonel Abdullahi Yusuf Ahmad. [10bu]

18 May: The former British Protectorate of Somaliland declares independence from the rest of Somalia, in the town of Burao. [10bu]

July: A conference was held in Djibouti, in which Ali Mahdi in which was chosen as interim president. [10bu]

1992 April: The United Nations Operation in Somalia, UNOSOM I, begins work in Somalia. [10bu]

December: UNITAF forces under American leadership land in Mogadishu. [10bu]

1993 February: A three month conference in Borama seeks a new leader for the self-declared state of Somaliland. Muhammad Haji Ibrahim Egal, a former prime minister, is elected in May. [10bu]

March: The next serious attempt at peace talks. An Ethiopian initiative evolves into a joint UN-Ethiopian sponsored reconciliation conference held in Addis Ababa. [10bu]

4 May: UNITAF hands over to UNOSOM II. [10bu]

5 June: 23 Pakistani peacekeepers are killed by Aydid loyalists. [10bu]

12 July: American helicopter gunships kill over 50 unarmed Somalis holding a meeting in a private house in Mogadishu, increasing local hostility to the international intervention forces. [10bu]

3 October: American-led forces looking for Aydid's senior aides are involved in a shoot-out, which leaves 18 Americans and hundreds of Somalis dead. The body of a dead American is dragged through the Mogadishu streets, and, caught on camera, sparks an international outcry. [10bu]

1996 August: Aydid dies of gunshot wounds sustained in operations against his former lieutenant, Osman Ali Atto. His son, a former American marine, Husayn Muhammad Aydid, is chosen by the clan to replace his father. [10bu]

November: Ethiopian government-sponsored reconciliation conference brings most of the factions together, but it is boycotted by Aydid's son. [10bu]

1997 November: All faction leaders met in Cairo, with limited success, leaving Somalia without a national leader and Mogadishu still divided and insecure. [10bu]

2000 2 May: On the initiative of the Djibouti government, the Somali National Peace Conference brings together more than 2,000 participants in Arta, Djibouti. It is the first conference where the warlords do not have control of the conference agenda. [10bu]

26 August: A 245-strong Transitional National Assembly, based on clan representation, elects Abdiqasim Salad Hasan as the new president of Somalia. [10bu]

27 August: President Abdiqasim Salad Hassan is sworn in an inauguration ceremony attended by the heads of governments of Eritrea, Ethiopia, Sudan, Yemen, and the host country Djibouti, along with representatives from the UN, EU, Arab league, OAU, France, Italy, Kuwait, and Libya. [10bu]

The BBC article *Timeline: Somalia* gave the following information about Somalia following the 2000 conference in Arta.

October: Hassan and his newly-appointed prime minister, Ali Khalif Gelayadh, arrive in Mogadishu to heroes' welcomes. Gelayadh announces his government, the first in the country since 1991. [8g]

2001 April: Somali warlords, backed by Ethiopia, announce their intention to form a national government within six months, in direct opposition to the country's transitional administration. [8g]

August: UN appeals for food aid for half a million people in the drought-hit south. [8g]

2004 August: In 14th attempt since 1991 to restore central government, a new transitional parliament inaugurated at ceremony in Kenya. In October the body elects Abdullahi Yusuf as president. [8g]

December: Tsunami waves generated by an undersea earthquake off Indonesia hit the Somali coast and the island of Hafun. Hundreds of deaths are reported; tens of thousands of people are displaced. [8g]

2005 February to June: Somali government begins returning home from exile in Kenya, but there are bitter divisions over where in Somalia the new parliament should sit. [8g]

November: Prime Minister Ali Mohammed Ghedi survives an assassination attempt in Mogadishu. Gunmen attack his convoy, killing six people. [8g]

2006 February: Transitional parliament meets in Somalia - in the central town of Baidoa - for the first time since it was formed in Kenya in 2004.
March and May: Scores of people are killed and hundreds are injured during fierce fighting between rival militias in Mogadishu. It is the worst violence in almost a decade. [8g]

June to July: Militias loyal to the Union of Islamic Courts take control of Mogadishu and other parts of the south after defeating clan warlords.

Ethiopian troops reported in Somalia. [8g]

July to August: Mogadishu's air and seaports are re-opened for the first time since 1995. [8g]

September: Transitional government and the Union of Islamic Courts begin peace talks in the Sudanese capital, Khartoum.

Somalia's first known suicide bombing targets President Yusuf outside parliament in Baidoa. [8g]

October: About 35,000 Somalis escaping drought, strict Islamist rule and the possibility of war have fled to Kenya refugee since the start of 2006, the UN reports.

War of words between Ethiopia and Somalia's Islamists. Premier Meles says Ethiopia is "technically" at war with the Islamists because they had declared jihad on his country. [8g]

December: UN Security Council resolution endorses African peacekeepers, specifies that neighbouring states should not deploy troops. Islamist leaders react by saying they will tackle foreign forces as invaders.

Ethiopian and transitional government engage the Islamists in battle and soon put them to flight. [8g]

December 27: African Union, Arab League urge Ethiopia to pull out its troops. UN Security Council fails to agree on a statement calling on foreign forces to withdraw. [8g]

December 28: Joint Ethiopian and Somali government force captures Mogadishu. [8g]

2007 January: Islamists abandon their last stronghold, the port town of Kismayo.

President Abdullahi Yusuf enters Mogadishu for the first time since taking office in 2004.

US carries out air strikes in southern Somalia which it says targeted al-Qaeda figures, and which reportedly kill an unknown number of civilians. It is the first known direct US military intervention in Somalia since 1993. The strikes are defended by President Yusuf. They are condemned for killing innocent civilians.

Interim government imposes three-month state of emergency. [8g]

February: UN Security Council authorises a six-month African Union peacekeeping mission for Somalia. [8g]

March: African Union peacekeepers land at Mogadishu amid pitched battles between insurgents and government forces backed by Ethiopian troops. The Red Cross says it is the worst fighting in 15 years. [8g]

April: UN says more than 320,000 Somalis have fled fighting in Mogadishu since February.

Hundreds of people are reported killed after several days of fierce clashes in the capital. [8g]

May: The World Food Programme says a resurgence of piracy is threatening food supplies. [8g]

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. [8g]

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. [8g]

August: Human Rights Watch accuses Ethiopian, Somali and insurgent forces of war crimes, and the UN Security Council of indifference during the recent conflict. [8g]

September: Opposition groups form a new alliance to campaign for a military and diplomatic solution to the Somali conflict. They meet in Asmara, Eritrea. [8g]

October: Ethiopian forces fire on demonstrators in Mogadishu protesting at the presence of what they call foreign invaders.

Heaviest fighting in Mogadishu reported since April. Ethiopians move reinforcements into the city.

Prime Minister Ghedi resigns.

Aid agencies warn a catastrophe is unfolding in Somalia. [8g]

November: Government shuts down Radio Shabelle, Radio Simba and Radio Banadir.

UN special envoy Ahmedou Ould-Abdallah describes Somalia's humanitarian crisis the worst in Africa, suggests using international justice to curb the violence.

Nur Hassan Hussein, also known as Nur Adde, sworn in as new prime minister.

Number of Somali refugees hits one million, with nearly 200,000 fleeing the capital in the past two weeks, the UN reports. [8g]

December: Ethiopian troops leave key central town of Guriel. [8g]

2008 January: Burundi becomes the second nation to contribute troops to the African Union peacekeeping force, sending 440 soldiers to Mogadishu. [8g]

March: US launches missile strike on southern town of Dhoble targeting suspected al-Qaeda member wanted for 2002 bombing of Israeli-owned hotel in Kenya.

Islamist-led insurgency continues to spread. [8g]

April: EU calls for international efforts to tackle piracy off the Somali coast after a series of hijackings and attacks on vessels.

US air strike kills Aden Hashi Ayro, a leader of the Al-Shabab insurgent group. [8g]

May: Ethiopian Prime Minister Meles Zenawi says he will keep troops inside Somalia until "jihadists" are defeated.

The UN Security Council unanimously votes to allow countries to send warships into Somalia's territorial waters to tackle pirates. [8g]

June: Government signs three-month ceasefire pact with opposition Alliance for Re-Liberation of Somalia. The deal, which provides for Ethiopian troops to leave Somalia within 120 days, is rejected by Islamist leader Hassan Dahir Aweys, who says Union of Islamic Courts will not stop fighting until all foreign troops have left country. [8g]

July: Head of the UN Development Programme in Somalia, Osman Ali Ahmed, killed by gunmen in Mogadishu. [8g]

September: Somali pirates' hijacking of a Ukrainian ship carrying 33 tanks prompts widespread international concern. The US and other countries deploy navy ships to Somali waters. [8g]

October: Nato agrees to despatch a naval force to patrol to waters off Somalia by the end of 2008, in an effort to control piracy.

A wave of coordinated bombings across the self-governing and relatively peaceful regions of Somaliland and Puntland, in Somalia's north, kill at least 27 people. [8g]

November: Somali pirates hijack an oil-laden Saudi super-tanker and demand a 25m dollar ransom for its return. [8g]

December: Ethiopia announces plans to withdraw all forces by end of 2008.

President Abdullahi Yusuf tries to sack Prime Minister Nur Hassan Hussein over his attempts to draw moderate Islamists into the government. Parliament declares the dismissal unconstitutional and passes a vote of confidence in Mr Nur. Mr Yusuf resigns. [8g]

2009 January: Ethiopia completes the withdrawal of its troops. Fighters from the radical Islamist al-Shabab militia take control of the town of Baidoa, formerly a key stronghold of the transitional government. [8g]

Meeting in neighbouring Djibouti, Somalia's parliament swears in 149 new members from the main opposition Alliance for the Re-Liberation of Somalia. It elects a moderate Islamist, Sheikh Sharif Sheikh Ahmed, president, and extends the transitional government's mandate for another two years. [8g]

February: President Ahmed selects Omar Abdirashid Ali Sharmarke as prime minister. Mr Sharmarke, a former diplomat, is widely seen as a bridge between Islamists within the Somali government and the international community. [8g]

May: Islamist insurgents launch onslaught on Mogadishu. [8g]

June: Somalia's security minister and more than 20 other people are killed in a suicide bombing at a hotel in Beledweyne, north of the capital Mogadishu. President Ahmed declares a state of emergency as violence intensifies. Somali officials appeal to neighbouring countries to send troops to Somalia, as government forces continue to battle Islamist insurgents. [8g]

September: Al-Shabab proclaims allegiance to Al-Qaeda leader Osama Bin Laden. [8g]

October: Al-Shabab wins control over the southern port city of Kismayo after defeating the rival Hizbul-Islam Islamist militia, which withdraws to villages to the west. At least 20 are killed and 70 injured in fighting that threatens to spread to the rest of the Islamist-controlled south. [8g]

November: Pirates seize a supertanker carrying oil from Saudi Arabia to the US, one of the largest ships captured off Somalia. The Greek-owned Maran Centaurus was about 1,300km (800 miles) off Somalia when it was hijacked.

Kidnappers released journalists Amanda Lindhout and Nigel Brennan after 15 months in captivity. [8g]

December: Al-Shabab denies being behind suicide attack that killed 22 people in Mogadishu, including three ministers. [8g]

2010 January: Al-Shabab declares it is ready to send fighters to support Islamist rebels in Yemen. [8g]

February: Al-Shabab formally declares alliance with al-Qaeda, begins to concentrate troops in southern Mogadishu for a major offensive to capture the capital. [8g]

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Annex B – Armed groups and political organisations

Alliance for the Re-Liberation of Somalia - Djibouti faction (ARS-D)

This group incorporates various clans but is dominated by the Hawiye clan. Led by Sheikh Sharif Sheikh Ahmed and an integral part of the TFG. [61c]

Alliance for the Re-Liberation of Somalia - Asmara faction (ARS-A)

Led by Sheikh Hussein Dahir Aweys, this group are based in Asmara, Eritrea and are informally aligned with Al-Shabaab and JIS as a part of the insurgency against the TFG. [61c]

Al Shabaab

Al-Shabaab (aka the Harakat Shabaab al-Mujahidin, al-Shabab, Shabaab, the Youth, Mujahidin al-Shabaab Movement, Mujahideen Youth Movement, Mujahidin Youth Movement), is an Islamic organization that controls much of southern Somalia, excluding the capital, Mogadishu. It has waged an insurgency against Somalia's transitional government and its Ethiopian supporters since 2006. Originally the militant wing of the Islamic Courts Union, the group that controlled Somalia prior to the country's invasion by Ethiopian forces, Shabaab leaders have claimed affiliation with al-Qaeda since 2007. [99b]

Estimates of Shabaab's size vary, but analysts generally agree that the group contains several thousand fighters, many of whom are from the Hawiye clan. [99b] Shabaab has engaged in forced recruitment among Somalis, and foreign fighters have traveled to Somalia to fight with Shabaab, as have Somalis from the United Kingdom and the United States. [99b] They are thought to be led by Abu Zubeyr, whose real name, according to Somali sources, is Ahmed Godane. [61c] [10bg] Al Shabaab pledged allegiance to Al Qaeda in February 2010, and were proscribed under the UK Terrorism Act 2000 on 1 March 2010. [8br]

See also: Non-government armed forces, [Al Shabaab](#)

Ahlu Sunna Waljama

Ahlu Sunna Waljama are a Sufi Islamist group, founded in 1991 and led by Sheikh Omar Sheikh Muhammad Farah. They are comprised of a number of Sufi clerics based in the Somali capital Mogadishu. The group's founders aimed to unify the three main Sufi religious orders in the country, with the objective of protecting Sufism in Somalia from the encroaching influence of militant Islamist groups. Initially the group adopted non-violent strategies, however, with the emergence of Shabab in early 2007 the group faced a more direct and violent challenge, and responded by forming a number of local self-defence militias. While remaining committed to non-violence in principle, since late 2008 the group has played an increasingly prominent role within the Somali conflict. At present, the group is supportive of the current Somali government under President Sheikh Sharif Sheikh Ahmed. [61f]

See also: [Ahlu Sunna Waljama](#)

Digil Salvation Army (DSA)

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

Hisbul Islam

Led by Sheikh Hassan Dahir Aweys, this group are fighting the TFG and are concerned with local and national issues, rather than engagement with international actors. [10bg]

See also: [Hisbul Islam](#)

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)

Jabhadda Islamiyya Somalia (JIS)

Led by Sheikh Abdulqadir (Kudmandoos), this group are aligned with ARS-A and Al Shabaab. [61c]

Juba Valley Alliance (JVA)

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)

Puntland Regional State

The dominant faction in Puntland, led by Abdirahman Mohamed Mohamud (Puntland president) and Abdullahi Yusuf Ahmed (former TFG president). [61c]

Rahawayn Resistance Army (RRA)

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)

Rahawayn Salvation Army (RSA)

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

Somali African Muki Organisation (SAMO)

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

Somali Democratic Movement (SDM)

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

Somali National Alliance (SNA)

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)

Somali National Front (SNF)

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

Somali National Salvation Council (SNSC)

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

Somali Patriotic Movement (SPM)

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)

Somali Peace Alliance (SPA)

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)

Somali Reconciliation and Restoration Council (SRRC)

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

Somali Revolutionary Socialist Party (SRSP)

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

Somali Salvation Alliance (SSA)

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

Somali Salvation Democratic Front (SSDF)

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)

Transitional Federal Government (TFG)

Dominated by Hawiye, Darod, Rahanwhein and Abgal clans, headed by President Sheikh Sharif Sheikh Ahmed and Prime Minister Omar Abdirashid Sharmarke Nur Hassan Hussein Ali Mohamed Gedi. The TFG incorporates many different political groups such as ARS-D and RRA. [61c]

Transitional National Government (TNG)

The TNG was formed in 2000 of 225 members, mostly Dir, Hawiye, Darod and Rahanweyn clans. It was supported by the UN and several Arab states but it failed to win the backing of Ethiopia or the confidence of major donor governments. The TNG was succeeded by the TFG in November 2004. [84a]

See also: [History, Arta-TNG and TFG \(2000-2004\)](#)

United Somali Congress (USC)

Founded in 1989; in central Somalia. Overthrew Siad Barre in January 1991. Party split in 1991, with this faction dominated by the Abgal sub-clan of the Hawiye clan, Somalia's largest ethnic group. 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)

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

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

United Somali Party (USP)

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

Political organisations in Somaliland

Democratic United Peoples' Movement (UDUB)

The ruling party in Somaliland, led by President Rayale, largely draws its support from the Gadabuursi and the Habar Yunis. [24c] (p3)

Kulmiye

The main opposition party, led by Ahmed Mohamed Mohamud "Silanyo", a veteran politician who served two consecutive terms as Somali National Movement chairman, is heavily supported by the Habar Je'elo. [24c] (p3)

Party for Justice and Democracy (UCID)

Led by Faisal Ali "Waraabe", a civil engineer who spent many years in Finland, and obtains much of its support from the 'Iidagale clan and other groups in the Hargeysa area. [24c] (p3)

Qaran

Political organisation in Somaliland whose leaders have been imprisoned, and then released, for holding illegal political meetings. [24c] (p12)

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Annex C - Prominent people

The political situation in Somalia is dynamic and fast-changing, the information below provides a guide to significant persons and is not exhaustive.

CENTRAL AND SOUTH SOMALIA

Sheikh Sharif Sheikh Ahmed

Leader of the moderate Djibouti-based wing of the Islamist ARS; elected by the Transitional Federal Parliament (TFP) as President of the Transitional Federal Government (TFG) on 30 January 2009. He is a member of the Abgal clan. [8i] [78a]

Omar Abdirashid Ali Sharmarke

Appointed as the new Prime Minister of the TFG by President Ahmed on February 13 2009 and confirmed by the TFP on February 14. [78a]

Sheikh Aden Mohamed Nur 'Madobe'

Elected as Speaker of the TFP on January 31, 2007. [78a]

TFG ministers

Abdirahman Aden Ibrahim

Deputy Prime Minister and Minister of Fisheries and Ocean Resources. [78a]

Sharif Hassan Sheikh Aden

Deputy Prime Minister and Minister of Finance. [78a]

Abdiwahid Elmi Gonjeeh

Deputy Prime Minister of Energy and Petroleum Resources. [78a]

Mohamed Abdullahi Omaar

Minister of Foreign Affairs. [78a]

Mohamed Abdi Mohamed

Minister of Defense. [78a]

Abdirahman Abdishakur Warsame

Minister of National Planning and International Cooperation. [78a]

Madobe Nunow Mohamed

Minister of Constitution and Federal Affairs. [78a]

Abdulkadir Ali Omar

Minister of Interior. [78a]

Abdullahi Mohamed Ali

Minister of Security. [78a]

Elmi Ahmed Duale

Ambassador to the United Nations. [78a]

Former TFG officials

Abdullahi Yussuf Ahmed

Mr Abdullahi is a former Somali Salvation Democratic Front (SSDF) leader and a former President of Puntland. [17a] (p9) Resigned as TFG President on 29 December 2008. [78a]

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]

Nur Hassan Hussein “Nur Adde”

Appointed Prime Minister of the TFG on 22 November 2007, but sacked by President Abdullahi Yusuf Ahmed on 14 December 2008. [3d] (p1) [18c]

Sharif Hassan Sheikh Aden

Elected as Speaker of the Transitional National Parliament in 2005, then suffered a vote of no confidence from Parliament on 17 January 2007 resulted in his loss of the position. [8bs] [78a]

Islamist Leaders

Abu Zubeyr

Also known as Ahmed Godane, the head of Al Shabaab. [61c] [10bg]

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. [8b] [10g] He returned to Mogadishu on 28 April 2009 as head of Hizbul Islam. [8y] [10bg]

SOMALILAND

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)

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)

PUNTLAND

Abdirahman Mohamed Farole

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

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Annex D - List of abbreviations

AI	Amnesty International
AMISOM	African Union Mission in Somalia
AWD	Acute Watery Diarrhoea
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EIU	Economist Intelligence Unit
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 Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
ODPR	Office for Displaced Persons and Refugees
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 (ICU), 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
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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