



General country of origin information report on Somalia

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Contents

	Publication details.....	1
	Contents	3
	Introduction	5
1	Political situation.....	6
1.1	Federal member states.....	6
1.2	Political developments.....	6
1.2.1	Elections	6
1.2.2	Appointment of prime minister and cabinet.....	8
1.2.3	Start of new president’s term of office.....	8
1.2.4	Military offensive against al-Shabab.....	9
1.2.5	African Union Mission	10
1.2.6	United Nations Mission	11
1.3	Drought and food shortages.....	11
1.4	Areas of influence.....	12
2	Security situation	13
2.1	General security situation	13
2.1.1	Civilian casualties	13
2.1.2	United States airstrikes	15
2.1.3	Conflicts between clans	15
2.1.4	Crime.....	15
2.1.5	Disputed territories	16
2.2	Regional developments	16
2.2.1	Mogadishu	16
2.2.2	Galmudug.....	20
2.2.3	Hirshabelle	22
2.2.4	South-West State	24
2.2.5	Jubbaland.....	28
2.3	Disputed territories.....	29
2.4	Forced recruitment	31
2.4.1	Recruitment of minors.....	31
2.5	Al-Shabab	32
2.5.1	Areas of influence and power	32
2.5.2	Forced recruitment	33
2.5.3	Taxation	37
2.5.4	Settling outside al-Shabab territory	39
2.5.5	Attacks inside and outside the area of control	40
2.6	Clans	41
2.6.1	Conflicts between clans	41
2.6.2	Relations between clans and the federal government	42
2.6.3	Relations between clans and al-Shabab.....	42
2.7	Freedom of movement	43
2.7.1	Flight connections.....	44
2.7.2	Boat connection between Mogadishu and Marka	44
3	Identity, nationality and documents.....	45
3.1	Identification obligation and identifying documents	45
3.1.1	Identification obligation and identifying documents.....	45

3.1.2	False and forged documents	45
3.1.3	Issuance of documents by representation in Brussels	45
3.2	Nationality	46
4	Human rights.....	47
4.1	Position of specific groups.....	47
4.1.1	Protection for civilians	47
4.1.2	Ethnic minorities, occupational groups and clans	48
4.1.3	Religious minorities.....	49
4.1.4	LGBTQI+	50
4.1.5	Women	51
4.1.6	Minors (including unaccompanied minors)	55
4.1.7	Businesspeople	56
4.1.8	Religious leaders	57
4.1.9	Clan elders	57
4.1.10	Members of opposition parties and political activists.....	58
4.1.11	People active in politics and government officials.....	58
4.1.12	State military personnel	59
4.1.13	Members of the judiciary	59
4.1.14	Journalists	59
4.1.15	Human rights activists.....	61
4.1.16	Employees of humanitarian organisations	61
4.2	Oversight and legal protection.....	62
4.2.1	Judicial system and law enforcement	62
4.2.2	Judicial system in areas under al-Shabab control	63
4.2.3	The death penalty.....	64
4.2.4	Corporal punishment.....	65
5	Refugees and displaced persons.....	66
5.1	Displaced persons.....	66
5.1.1	IDP sites	66
5.2	Refugees in Somalia	67
5.3	Reception in the region	67
5.3.1	Kenya	68
5.3.2	Ethiopia.....	68
6	Somalis returning to Somalia	69
6.1	Returns from the region	69
6.2	Situation after return	69
6.3	Returning to the area under al-Shabab control	70
7	Appendixes.....	71
7.1	Sources consulted	71
7.1.1	Reports and publications	71
7.1.2	News sources.....	82
7.1.3	Websites	82
7.2	Abbreviations used	83
7.3	Map of Somalia	84

Introduction

This report was prepared on the basis of the questions and points of focus in the Terms of Reference (ToR) drawn up by the Dutch Ministry of Justice and Security. The ToR for this report was adopted on 13 October 2022. Together with the country report, the ToR is available on the website of the Dutch Government.

This general country of origin information report describes the situation in Somalia insofar as it is relevant for the assessment of asylum applications by persons coming from Somalia, and for the decision-making process regarding the return of rejected Somali asylum-seekers. The emphasis is on the situation in South and Central Somalia.¹ Where the ToR explicitly requests attention to be paid to Somaliland and Puntland, these areas are discussed. The report covers the period from December 2021 to June 2023. It is a factual, neutral and objective representation of the findings that were made during the period under consideration. It is not a policy document and it does not reflect the government's vision or policy in relation to a country or region or contain conclusions about immigration policy.

This report was prepared on the basis of public and confidential sources, using carefully selected, analysed and verified information. Information from non-governmental organisations (NGOs), specialist literature, media coverage and relevant government agencies was used to compile it. Unless stated otherwise or when the facts are generally undisputed, the content is based on multiple sources. The public sources that were consulted are listed in the appendices.

Part of the information used was obtained during a fact-finding mission to Nairobi in Kenya that took place in February 2023. The report uses information from the interviews with relevant expert local sources that were conducted during this mission. Use is also made of information obtained from the diplomatic mission of the Netherlands for Somalia, as well as from conversations and correspondence outside the official mission. This information has chiefly been used to corroborate and supplement the content based on public information. The sources are referred to as a 'confidential source' in the footnotes and are dated.

Chapter 1 deals with political developments in Somalia during the reporting period. Chapter 2 explains developments in the security situation. Chapter 3 examines Somali documents and nationality legislation. Chapter 4 describes compliance with and violations of human rights. Chapter 5 describes the position of refugees and displaced persons. Chapter 6 deals with the possible risks for Somali nationals returning forcibly or voluntarily) to Somalia.

¹ 'South and Central Somalia' refers to the capital Mogadishu/Benadir and the federal member states Galmudug, Hirshabelle, South-West State and Jubbaland.

1 Political situation

1.1 Federal member states

Somalia is a federal state made up of six separate federal member states and the administrative region of Benadir. The federal member states have their own parliament, constitution and armed forces. Southern and Central Somalia includes the Benadir region and the federal member states of Galmudug, Hirshabelle, South-West State and Jubbaland. The federal member state of Puntland in the north has a large degree of autonomy within the federal state of Somalia. Somaliland declared independence from Somalia in 1991, but is not internationally recognised as an independent country.²

1.2 Political developments

Political developments in Somalia during the reporting period were dominated by the postponed elections of 2022, which resulted in the election of Hassan Sheikh Mohamud as the country's president. Mohamud declared the fight against al-Shabab to be the top priority for his presidency, leading to a large-scale offensive by federal forces against the group. This was set against the backdrop of the severest drought in the past thirty years, and the resulting food instability and displacements.

1.2.1 Elections

The four-year term of President Mohamed Abdullahi Mohamed (alias *Farmaajo*) ended in February 2021. However, no new elections were held at that time. Farmaajo and his cabinet remained in office while various political and social actors negotiated a timeline for new presidential and parliamentary elections and a new electoral system. The negotiations took place against a backdrop of violent incidents between armed supporters and opponents of the election's postponement, and attacks by the Islamist terrorist movement al-Shabab.³

From August 2021, new elections finally took place in three phases. Although President Farmaajo had signed a law in February 2020 to change the electoral system to a one-person, one-vote system,⁴ these elections were held, as before, on the basis of an indirect tiered electoral model.⁵ Clan elders elected over 14,000 delegates to electoral colleges, which in turn elected the 275 members of the Lower House⁶ and 54 members of the Senate⁷. These members of parliament then elected a president, who in turn appointed a prime minister. The seats in the electoral colleges and parliament were distributed according to a distribution formula known as the '4.5 system': the four largest clan families (Hawiye, Daarood, Dir and

² Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 10, 21 December 2021 (Dutch only).

³ For background on the run-up to the elections, see: Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 7-9, 21 December 2021 (Dutch only).

⁴ I.e. direct elections and universal suffrage.

⁵ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 7-9, 21 December 2021 (Dutch only).

⁶ Full English name: House of the People of Federal Parliament.

⁷ English name: Senate.

Rahanweyn⁸) each occupied an equal share of the seats, and the minority clans together occupied the remaining half share. Thus the majority clans each received 61 seats in the Lower House, while the minority clans together occupied 31 seats.⁹

The elections took place in three phases: elections for the Senate, for the House of the People and finally for a president. The elections for the Senate took place between 1 August 2021 and 13 November 2021.¹⁰ The elections for the Lower House followed from 1 November 2021 to 31 March 2022.¹¹ During this process, national and international observers frequently pointed to the fraudulent conduct of both electoral rounds. Formal election procedures were not followed and candidates made open attempts to buy votes. Some individuals with legislative or executive experience were refused permission to stand as candidates on political grounds. Others who were elected seemed to be mainly interested in holding parliamentary immunity in order to avoid responsibility for crimes they had committed. Foreign governments, including those of Qatar, the United Arab Emirates, Russia and China, also allegedly made financial donations to candidates, apparently in the hope of receiving favours following an election victory.¹²

Twenty percent of the members of the Lower House and Senate elected during these elections were women. This fell short of the target set by Prime Minister Mohamed Hussein Roble before the elections, that thirty percent of parliamentary seats should be filled by women. In fact, the percentage of female members of parliament fell compared to the nearly twenty-five percent of women elected to parliament in the 2016 election.¹³

The presidential election took place on 15 May 2022. There were 33 candidates for the presidency, including one woman. The 324 members of parliament who elected the president cast their votes in a high-security tent at Mogadishu's Aden Adde International Airport. Security was controlled by the African Union Transition Mission in Somalia (ATMIS).¹⁴ The members of parliament elected Hassan Sheikh Mohamud as the new president in three rounds of voting. The final vote split between him and

⁸ The Rahanweyn clan family is also known as the Digil-Mirifle.

⁹ United Nations Assistance Mission in Somalia (UNSOM), *Fact sheet on Somalia's 2016 electoral process*, 23 October 2016; Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 36, 21 December 2021 (Dutch only); Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; BBC News, *Somalia's elections – where the people don't vote*, 14 April 2022; Deutsche Welle (DW), *Somalia finally holds long-delayed elections*, 13 May 2022; Reuters, *Factbox: Old faces compete for presidency of turbulent Somalia*, 15 May 2022; International Crisis Group (ICG), *A welcome chance for a reset in Somalia*, 31 May 2022.

¹⁰ United Nations - Meeting Coverage and Press Releases, *Despite election to 14 seats in Somalia's Upper House, women's full inclusion crucial for peace, development, briefers tell Security Council*, 17 November 2021.

¹¹ Hiiraan Online, *FEIT Electoral Commission announced list of members of both Houses of the Somali parliament*, 1 April 2022.

¹² Hiiraan Online, *It's time to stand up to the Somali election extortion*, 12 February 2022; The New York Times, *Somalia elects new president, but terrorists hold true power*, 15 May 2022; ICG, *A welcome chance for a reset in Somalia*, 31 May 2022; Confidential source, 10 December 2021; Confidential source, 17 May 2022.

¹³ Reuters, *Somali women demand guarantee of 30% of parliament in 2021 elections*, 28 October 2020; The New Arab, *Somali PM to reserve nearly one-in-three parliamentary seats for women*, 12 January 2021; UN - Meeting Coverage and Press Releases, *Realizing women's 30 per cent quota, political participation in Somalia 'a game changer' for sustainable peace, deputy Secretary-general tells Security Council*, 28 September 2021; Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 9, 21 December 2021 (Dutch only); UN - Meeting Coverage and Press Releases, *Despite election to 14 seats in Somalia's Upper House, women's full inclusion crucial for peace, development, briefers tell Security Council*, 17 November 2021; Hiiraan, *FEIT Electoral Commission announced list of members of both Houses of the Somali parliament*, 1 April 2022; UN - Meeting Coverage and Press Releases, *Peaceful transfer of power in Somalia offers long-awaited opportunity to advance urgent national priorities, Special Representative tells Security Council*, 23 May 2022; Electoral Institute for Sustainable Democracy in Africa (EISA), *Women's participation in politics and electoral processes in Somalia*, p. 9, 29 August 2022; Institute for Democracy and Electoral Assistance (IDEA), *Gender quotas database – Somalia*, www.idea.int, accessed 4 October 2022; UN Women-Africa, *Somalia*, africa.unwomen.org, accessed 4 October 2022.

¹⁴ Hiiraan Online, *ATMIS to take charge of security of presidential elections*, 9 May 2022; United Nations Security Council, *Report of the Secretary-General: Situation in Somalia (S/2022/665)*, p. 1, 1 September 2022.

incumbent President Farmaajo was 214 votes to 110, in an election that observers said was fair and transparent. Mohamud was the leader of the Union for Peace and Development Party (UPD). He had campaigned on a programme of national unity and security, and on a promise to step up the fight against al-Shabab. Mohamud had also served as president between 2012 and 2017 before being replaced by Farmaajo.¹⁵

1.2.2

Appointment of prime minister and cabinet

In an inaugural ceremony on 23 May 2022, Farmaajo formally handed over presidential power to Hassan Sheikh Mohamud, who thus became the tenth president of the Federal Republic of Somalia. National and international observers welcomed the peaceful transfer of power after a difficult election period marred by violence (see also 2.2).¹⁶

On 15 June 2022, President Mohamud appointed MP Hamza Abdi Barre as prime minister. Barre was from Jubbaland and had served as secretary general of the Peace and Development Party (PDP - the predecessor of the UPD) during Mohamud's first term in office.¹⁷ On 25 June 2022, the new parliament approved Barre's nomination, making him the twenty-first prime minister of Somalia.¹⁸

On 3 August, 2022, Barre announced the formation of his cabinet. Parliament approved the proposed appointments on 7 August 2022. The new cabinet had 26 ministerial posts.¹⁹ One of the most notable appointments was that of Mukhtar Robow as minister for religious affairs. Robow is a co-founder and former senior member and spokesperson of al-Shabab. He left the group in 2013 and surrendered to the Somali authorities in 2017.²⁰

1.2.3

Start of new president's term of office

President Mohamud inherited a wide range of social, economic and security problems from his predecessor. Farmaajo's presidency had been marked by widespread corruption, mismanagement and rising tensions between regional and federal political actors. This had exacerbated the fragility of the state of Somalia. In the area of security, al-Shabab had taken advantage of the political instability that

¹⁵ BBC News, *Hassan Sheikh Mohamud: Who is Somalia's new leader?*, 16 May 2022; De Volkskrant, *Hassan Sheikh Mohamud wint Somalische verkiezingen*, 16 May 2022; Eastern Africa Standby Force, *Somalia presidential elections transparent but with high security threats*, 16 May 2022; Al Jazeera, *Hassan Mohamud: The second coming of Somalia's new president*, 18 May 2022; Confidential source, 17 May 2022.

¹⁶ United Kingdom Foreign, Commonwealth & Development Office, *Speech: Conclusion of Somali electoral process provides opportunity to re-focus on issues of urgent national importance*, 23 May 2022; UN - Meeting Coverage and Press Releases, *Peaceful transfer of power in Somalia offers long-awaited opportunity to advance urgent national priorities, Special Representative tells Security Council*, 23 May 2022; Associated Press (AP News), *UN envoy urges Somalia's new leaders to tackle urgent issues*, 24 May 2022; UN Security Council, *S/2022/665*, p. 15, 1 September 2022.

¹⁷ Al Jazeera, *Somali president nominates Hamza Abdi Barre as prime minister*, 15 June 2022; France24, *Somali president picks lawmaker Hamza Abdi Barre as prime minister*, 15 June 2022; Voice of America News (VOA), *New Somali president appoints prime minister*, 15 June 2022.

¹⁸ African Union Transition Mission in Somalia (ATMIS), *ATMIS congratulates Prime Minister Hamza Abdi Barre on his approval by the federal Parliament*, 25 June 2022; Hiiraan Online, *Hamza Barre gets confidence vote to become Somalia's 21st prime minister*, 25 June 2022.

¹⁹ Hiiraan Online, *Somalia's Prime Minister appoints 26-member cabinet*, 2 August 2022; Hiiraan Online, *Somali parliament approves new cabinet*, 7 August 2022; VOA, *Somali parliament endorses new cabinet amid al-Shabab attacks*, 7 August 2022; UN Security Council report, *September 2022 Monthly Forecast, Somalia*, 31 August 2022.

²⁰ CNN, *Somalia names former al-Shabaab spokesperson as cabinet minister*, 3 August 2022; Al Jazeera, *From al-Shabab to the cabinet: Somalia's move fuels debate*, 5 August 2022; BBC News, *Somalia and al-Shabab: The struggle to defeat the militants*, 24 August 2022; Counter Extremism Project, *Extremist leaders: Mukhtar Robow*, www.counterextremism.com/extremists/mukhtar-robow, accessed 10 October 2022.

had arisen to strengthen its operational capacity. Other armed militias had also gained influence during Farmaajo's presidency, particularly in and around Mogadishu. President Mohamud was faced with the task of incorporating these militias, some of which had been trained by the Somali National Army (SNL), into the structure of the armed forces in order to step up the fight against al-Shabab. In the political and social field, Mohamud still faced the old power structures driven by corruption and clan interests. The postponement of the elections under Farmaajo had further clouded power relations. All of this was set against the backdrop of soaring inflation, which was further undermining the country's already weak economy, and the severest drought of the past thirty years and resulting food shortages.²¹

The main priorities named by Mohamud for his presidency included promoting and strengthening federalism and national reconciliation, improving relations between Mogadishu and the federal member states and addressing the humanitarian situation.²² However, the top priority in the first phase of his presidency was to step up the military fight against al-Shabab.²³

1.2.4 *Military offensive against al-Shabab*

In the summer of 2022, local militias known as *Macawisleeey* in the Hiiraan region rose up against al-Shabab. Not long afterwards, the SNL joined this uprising. This sparked a large-scale allied offensive against al-Shabab. The extensive operational cooperation between the SNL and the militias was a new phenomenon. In previous years, various clan militias had taken up arms against al-Shabab, but never before had the federal government provided them with significant support. Partly for this reason, the militias had not been able to make a stand against al-Shabab. However, President Mohamud decided to support the militias. He felt emboldened by the fact that local communities that had lived under al-Shabab's rule for years had increasingly begun to resist the movement. Their growing dissatisfaction had several causes. The persistent drought was making it increasingly difficult for these communities to meet the tax obligations imposed on them by al-Shabab. The group's draconian measures and the violence it used against clan leaders who cooperated with the federal government or participated in the election process also caused a lot of resentment.²⁴

In the second half of 2022 the alliance between the federal government and the clan militias led to the fiercest fighting since 2011-2012, when al-Shabab had been driven from the capital, Mogadishu, and established itself in the rural areas of Somalia. The majority of ground operations on the government side were conducted by Macawisleeey militias and SNL special units trained by Turkey and the United

²¹ ICG, *A welcome chance for a reset in Somalia*, 31 May 2022; United States Institute of Peace (USIP), *Somalia's critical transition comes amid al-Shabab and hunger challenges*, 1 June 2022; Chatham House, *What challenges does the new president of Somalia face?*, 28 June 2022; Geopolitical Intelligence Services (GIS), *The Somali president's 'mission impossible'*, 19 August 2022; Belgian Office of the Commissioner General for Refugees and Stateless Persons (CGRS), *COI Focus; Somalië; Veiligheidssituatie in Mogadishu*, 9 September 2022; Confidential source, 17 May 2022.

²² UN Security Council report, *September 2022 Monthly Forecast, Somalia*, 31 August 2022; Heritage Institute, *Security sector reform in Somalia: Challenges and opportunities*, p. 4, January 2023.

²³ BBC News, *Somalia and al-Shabab: The struggle to defeat the militants*, 24 August 2022; Amnesty International, *Somalia: Al-Shabaab must urgently stop carrying out attacks against civilians*, 31 October 2022; VOA, *Scores of al-Shabab militants killed in Somalia, army forces say*, 4 November 2022.

²⁴ DW, *Somalia continues offensive against al-Shabab*, 10 June 2022; Critical Threats, *Africa File: Clan uprising bolsters anti-al Shabaab offensive in central Somalia*, 15 September 2022; AP News, *With support from allied militia, Somalia hunts al-Shabab*, 21 September 2022; VOA, *Somalia military makes gains in large-scale offensive against Al-Shabab*, 26 September 2022; VOA, *'Ma'awisley' militias in Central Somalia mobilizing against al-Shabab*, 4 October 2022; Heritage Institute, *Security sector reform in Somalia: Challenges and opportunities*, pp. 4-5, January 2023; Confidential source, 11 October 2022; Confidential source, 19 December 2022.

States. The United States also provided air support to government-affiliated forces.²⁵

The focal point of the allied offensive during the reporting period was the central federal member states of Galmudug and Hirshabelle. In the summer of 2022, federal troops and clan militias in the Hiiraan region (Hirshabelle federal member state) succeeded in driving al-Shabab out of dozens of villages. The battle then spread to the neighbouring regions of Middle Shabelle and Galguduud (Galmudug federal member state). There too, al-Shabab was driven out of dozens of villages and areas by allied troops in the autumn of 2022.²⁶ President Mohamud announced in December 2022 that all districts of Hiiraan had been liberated from al-Shabab, and that only one district in Middle Shabelle was still under al-Shabab control.²⁷ In January 2023, federal troops captured the port of Harardhere, the capital of the Mudug region (Galmudug federal member state). The capture of Harardhere was seen as the most significant victory of government forces to date.²⁸

At the end of March 2023, President Mohamud announced phase two of the military offensive. The offensive, which until then had focused on Hirshabelle and Galmudug, would be extended to the southern federal member states of South-West State and Jubbaland.²⁹ At the end of the reporting period, however, the offensive had not yet been extended on a large scale to these southern states.

1.2.5 *African Union Mission*

The African Union has been conducting the African Union Mission in Somalia (AMISOM) peacekeeping operation since 2007, with the approval of the UN Security Council. AMISOM's strategic goals were to counter the threat posed by al-Shabab, to gradually transfer security tasks to the Somali federal security apparatus and to assist this security apparatus in securing the political process and promoting stabilisation, reconciliation and peace in Somalia.³⁰ According to AMISOM's original timetable, all security tasks were supposed to be transferred to the Somali federal security apparatus by 2021. However, this goal was not achieved, mainly because the military struggle against al-Shabab had not been sufficiently successful. The international community therefore started looking for a new definition of the peace

²⁵ US President Biden had pledged the redeployment of US troops and operational support to the SNL on 15 May 2022, the day of Hassan Sheikh Mohamud's election (UN Security Council report, *June 2022 Monthly Forecast, Somalia*, 31 May 2022).

²⁶ DW, *Somalia continues offensive against al-Shabab*, 10 June 2022; Critical Threats, *Africa File: Clan uprising bolsters anti-al Shabaab offensive in central Somalia*, 15 September 2022; AP News, *With support from allied militia, Somalia hunts al-Shabab*, 21 September 2022; VOA, *Somalia military makes gains in large-scale offensive against Al-Shabab*, 26 September 2022; VOA, *'Ma'awisley' militias in Central Somalia mobilizing against al-Shabab*, 4 October 2022; New York Times, *Somalia asks U.S. to step up drone strikes against Qaeda-linked fighters*, 27 October 2022; The Economist, *Somali clans are revolting against jihadists*, 3 November 2022; Le Monde, *Somalia: Breakthrough in the war against Al-Shabab*, 20 November 2022; Confidential source, 11 October 2022.

²⁷ BBC Monitoring, *Briefing: Somalia president says al-Shabab 'has lost the war'*, 7 December 2022; CTC Sentinel, *The 2022 Somalia offensive against al-Shabaab: Making enduring gains will require learning from previous failures*, December 2022.

²⁸ Al Jazeera, *Somalia claims capture of key port town from al-Shabab*, 16 January 2023; VOA, *Analysts say Somali government needs to protect gains in war against al-Shabab*, 17 January 2023.

²⁹ Armed Conflict Location & Event Data Project (ACLED), *Somalia: Counter-insurgency operation gains regional support in phase two as al-Shabaab attacks and political differences persist*, 21 April 2023.

³⁰ African Union Mission in Somalia (AMISOM), *AMISOM Mandate*, amisom-au.org/amisom-mandate/, accessed 23 October 2022.

mission's purpose.³¹ On 21 December 2021, the UN Security Council extended AMISOM's mandate for another three months.³²

On 1 April 2022, the African Union replaced AMISOM with a new peacekeeping mission, the African Union Transition Mission in Somalia (ATMIS).³³ The UN Security Council had authorised the African Union to do this.³⁴ ATMIS's mandate included countering the threat from al-Shabab, promoting security in urban centres and along the country's major trade routes, promoting capacity-building for the federal government's security and judicial structures and developing the capacity of the federal security forces in order to hand over security responsibilities to them in December 2024.³⁵

1.2.6 *United Nations Mission*

Since 2013, the United Nations has also deployed a mission with a political mandate: the United Nations Assistance Mission in Somalia (UNSOM). UNSOM's duties include supporting the federal government in areas such as promoting human rights and women's emancipation, children's rights and combating gender-based violence. In addition, UNSOM has a mandate to monitor, report on and make recommendations on the situation in Somalia, in particular with regard to human rights violations committed by the various parties.³⁶ During the reporting period, the UN Security Council extended UNSOM's mandate on 26 May 2022³⁷ and 31 October 2022.³⁸ The current mandate runs until 31 October 2023.

1.3 **Drought and food shortages**

Somalia has been dealing with very severe drought for a long time, mainly arising from four consecutive failed harvest seasons. As a result of the war in Ukraine, fuel prices rose during the reporting period and the supply of grain – for which Somalia was largely dependent on Ukraine and Russia – broke down. The continuing political instability in the country made it more difficult to deal with the consequences of the climate crisis and to protect vulnerable groups. This combination of factors led to a serious food shortages. Approximately eight million Somalis – about half of the total population – depended on humanitarian aid for survival during the reporting period. More than 1.5 million children were close to acute malnutrition.³⁹ Figures from UNHCR show that the drought led to 1,179,000 displaced persons in 2022, and an

³¹ The New Humanitarian, *Countdown to AMISOM withdrawal: Is Somalia ready?*, 28 February 2017; ICG, *Crisis Group Africa Briefing No 176: Reforming the AU mission in Somalia*, 15 November 2021; Institute for Security Studies (ISS), *Is the AU mission in Somalia changing in name only?*, 29 March 2022.

³² UN Security Council, *Resolution 2614 (2021)*; *Adopted by the Security Council at its 8939th meeting, on 21 December 2021 (S/RES/2614)*, 21 December 2021.

³³ African Union, *Press Release: African Union Mission in Somalia (AMISOM) transitions to African Union Transition Mission in Somalia (ATMIS)*, 1 April 2022.

³⁴ UN Security Council, *Resolution 2628 (2022)*; *Adopted by the Security Council at its 9009th meeting, on 31 March 2022 (S/RES/2628)*, 31 March 2022.

³⁵ African Union Peace and Security Council, *Communiqué (PSC/PR/COMM.1068)*, 8 March 2022.

³⁶ UNSOM, *Mandate*, unsom.unmissions.org/mandate, accessed 1 November 2022.

³⁷ UN Security Council, *Resolution 2632 (2022)*; *Adopted by the Security Council at its 9044th meeting, on 26 May 2022 (S/RES/2632)*, 26 May 2022.

³⁸ UN Security Council, *Resolution 2657 (2022)*; *Adopted by the Security Council at its 9177th meeting, on 31 October 2022 (S/RES/2657)*, 31 October 2022.

³⁹ Trocaire, *Fact check: Is hunger in Somalia getting worse?*, 13 March 2023; International Rescue Committee, *10 countries at risk of climate disaster*, 20 March 2023; Amnesty International, *Report 2022/23: The state of the world's human rights; Somalia 2022*, 27 March 2023; OCHA, *Somalia: Drought – 2015-2023*, reliefweb.int/disaster/dr-2015-000134-som,m accessed 13 April 2023.

additional 429,000 displaced persons in the first three months of 2023. This was a significant increase from 2021, when 544,000 persons were displaced by drought.⁴⁰

1.4 Areas of influence

The spheres of influence of the various actors in Somalia were fluid during the reporting period and varied over time. It was not possible to describe precisely and unambiguously which delineated areas and villages were controlled by which actor.

It is clear, however, that the military offensive by the SNL and clan militias during the reporting period caused al-Shabab to lose areas it had controlled for years, particularly in the federal member states of Hirshabelle and Galmudug. However, the situation was not yet stable at the end of the reporting period. Although the coalition forces occupied many areas, they often lacked the capacity to control these areas on a lasting basis. As a result, al-Shabab succeeded fairly regularly in retaking areas or localities it had lost. A similar dynamic of rapidly changing control over areas could be seen in Hirshabelle, especially after the coalition forces shifted the focus of their offensive from Hirshabelle to Galmudug in late 2022. This offered al-Shabab opportunities to retake certain areas in Hirshabelle.⁴¹

Mogadishu was under the control of the federal authorities during the reporting period.

Al-Shabab retained control of large parts of rural areas in South-West State. The government controlled the larger cities in the state,⁴² such as Baidoa, Marka, Afgooye, Barawe, Wanla Weyn, Hudur, El Barde, Ato, Yeed and Dinsor.

As in the previous reporting period, al-Shabab also controlled most of Jubbaland federal member state. Only a few larger villages and towns, such as Kismayo, Bardera, Dolow, Dhobley, Belet Hawo and Koday, were under government control.⁴³

Political Geography Now released a map on 16 June 2023 showing which areas were controlled by the various actors. The organisation itself spoke in terms of 'approximate territorial control', emphasising the fluid nature of power relations in Somalia. The map is included in section 7.3 of this country report.

⁴⁰ UNHCR, *Operational Data Portal; Refugee Situations; UNHCR Somalia Internal Displacement*, data.unhcr.org/en/dataviz/1?sv=1&geo=192#, accessed 1 May 2023.

⁴¹ Immigration and Refugee Board of Canada, *Response to information requests (SOM201366.E)*, 7 March 2023; BBC Monitoring, *Troops advance on key Somali town as al-Shabab withdraws*, 3 April 2023; ACLED, *Somalia: Counter-insurgency operation gains regional support in phase two as al-Shabaab attacks and political differences persist*, 21 April 2023.

⁴² Somali Signal, *Somalia's South West state braces for offensive against Al-Shabaab*, 12 December 2022; European Union Agency for Asylum (EUAA), *Somalia: Security situation*, pp. 82-107, February 2023; Immigration and Refugee Board of Canada, *Response to information requests (SOM201366.E)*, 7 March 2023; BBC Monitoring, *Briefing: Somalia planning second phase of offensive against al-Shabab*, 18 January 2023.

⁴³ Bahadur, J., *Terror and taxes; Inside al-Shabaab's revenue-collection machine*, p. 22, December 2022; EUAA, *Somalia: Security situation*, pp. 59-81, February 2023; Critical Threats, *Salafi-Jihadi movement weekly update*, 8 March 2023.

2 Security situation

2.1 General security situation

The security situation in South and Central Somalia deteriorated during the reporting period. The federal government and clan militias launched a large-scale offensive against al-Shabab. This was accompanied by combat operations along various fronts, particularly in the federal member states of Hirshabelle and Galmudug. Al-Shabab responded to the offensive by increasing the frequency of its attacks on government targets and the international military force.⁴⁴ The security situation also grew worse in the areas disputed by Somaliland and Puntland.⁴⁵

2.1.1 Civilian casualties

Various sources show that the number of civilian casualties increased during the reporting period compared to the previous period. The UN Security Council released five reports on the situation in Somalia during the reporting period, quoting the numbers of civilian casualties recorded by UNSOM. The reports showed an increase in the number of recorded civilian casualties from the start of the offensive in 2022. UNSOM reported the following numbers:

Period	Civilian casualties (total)	Civilian casualties (fatalities)
6 November 2021 – 31 January 2022 ⁴⁶	183	82
1 February 2022 – 6 May 2022 ⁴⁷	428	167
7 May 2022 – 23 August 2022 ⁴⁸	419	173
24 August 2022 – 7 February 2023 ⁴⁹	1,059	382
8 February 2023 – 7 June 2023 ⁵⁰	546	159
Total	2,635	963

During the 20 months between November 2021 and June 2023 to which these UN reports relate, which roughly coincide with the period covered by this country of origin report, there was an average of 132 civilian casualties per month, including 48 fatalities. It should be noted that from the second half of the reporting period the figure was higher, with an average of 160 victims per month between August 2022 and June 2023, including 54 fatalities. During the previous reporting period, which covered the period between May 2020 and November 2021, there was an average of 93 civilian casualties per month, including 44 fatalities.⁵¹

⁴⁴ ICG, *Crisiswatch Digest January 2023: Somalia*, 16 January 2023; UN Security Council, *Report of the Secretary-General: Situation in Somalia (S/2023/109)*, pp. 11 and 16, 16 February 2023; ACLED, *Context assessment: Heightened political violence in Somalia*, 3 March 2023; Confidential source, 22 February 2023; Confidential source, 28 March 2023.

⁴⁵ OCHA, *Somalia; Flash Update No. 1; Fighting in Laas Caanood, Sool region*, 9 February 2023; Al Jazeera, *What's driving conflict in the disputed Somali city of Las Anod?*, 20 February 2023.

⁴⁶ UN Security Council, *Report of the Secretary-General: Situation in Somalia (S/2022/101)*, p. 9, 8 February 2022.

⁴⁷ UN Security Council, *Report of the Secretary-General: Situation in Somalia (S/2022/392)*, p. 9, 13 May 2022.

⁴⁸ UN Security Council, *S/2022/665*, p. 8, 1 September 2022.

⁴⁹ UN Security Council, *S/2023/109*, p. 11, 16 February 2023.

⁵⁰ UN Security Council, *Report of the Secretary-General: Situation in Somalia (S/2023/443)*, p. 11, 15 June 2023.

⁵¹ The previous reporting period covered 18 months, during which UNSOM reported 1,669 civilian casualties, including 802 fatalities (see: Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 14, 21 December 2021 (Dutch only)).

The UN stated that there were 60% more civilian fatalities in 2022 than in 2021, and that 2022 had been the deadliest year in Somalia since 2017.⁵²

The Armed Conflict Location and Event Data Project (hereinafter: ACLED) recorded a near doubling in the number of violence-related fatalities in 2022 compared to 2021. ACLED makes no distinction in the data between civilian casualties and combatants.⁵³

The NGO International NGO Safety Organisation (INSO) also monitors security incidents in Somalia. Figures published by INSO likewise show that more security incidents took place in 2022 than in 2021, and that there were more civilian fatalities.⁵⁴

Perpetrators of violence against civilians

As in the previous reporting period, al-Shabab was the main perpetrator of violence against civilians. According to figures in the four reports published by the UN Security Council, al-Shabab was responsible for approximately 65% of civilian casualties in the period between November 2021 and February 2023. Forces affiliated with the federal authorities were responsible for about 14% of the casualties, and clan militias for about 5%. Most of the remaining civilian casualties were attributed to unidentified perpetrators.⁵⁵

Several other sources confirmed that al-Shabab caused the most civilian casualties during the reporting period.⁵⁶

Types of violence resulting in civilian casualties

Many of the civilian casualties were due to the use of explosives. For example, in 2022, UNSOM recorded an increase of 30% compared to 2021 in the number of civilian casualties caused by the use of explosives. In particular, the use of improvised explosive devices (IEDs) led to more civilian casualties than in previous years. The UN attributed at least 94% of instances of IED use to al-Shabab.⁵⁷ The United Nations Mine Action Service (UNMAS) reported that 61% of all IED casualties in 2022 were civilians.⁵⁸

The NGO Action On Armed Violence (AOAV) also noted an increase during the reporting period in the number of civilian casualties due to the use of explosives. AOAV recorded a slight increase in incidents involving explosive weapons, which led to the number of civilian casualties being more than doubled. In particular, the number of casualties resulting from the use of IEDs rose sharply.⁵⁹

⁵² UN Security Council, *S/2023/109*, p. 11, 16 February 2023; VOA, *Somalia deaths highest since 2017: UN*, 22 February 2022; United Nations Meetings Coverage and Press Releases, *Amid devastating drought, ongoing rights violations, Somalia pushes forward in fight against Al-Shabaab terror group*, Security Council hears, 22 February 2023; UN Security Council, *Report of the Secretary-General: Protection of civilians in armed conflict (S/2023/345)*, p. 2, 12 May 2023.

⁵³ ACLED, *Context assessment: Heightened political violence in Somalia*, 3 March 2023.

⁵⁴ International NGO Safety Organisation (INSO), *Conflict data dashboard*, ngosafety.org/conflict-data-dashboard/, accessed 23 May 2023.

⁵⁵ UN Security Council, *S/2022/101*, p. 9, 8 February 2022; UN Security Council, *S/2022/392*, p. 9, 13 May 2022; UN Security Council, *S/2022/665*, p. 8, 1 September 2022; UN Security Council, *S/2023/109*, p. 11, 16 February 2023.

⁵⁶ Action On Armed Violence (AOAV), *2022: a year of explosive violence harm reviewed*, 11 January 2023; Human Rights Watch (HRW), *World Report 2023: Somalia*, 12 January 2023; ACLED, *Context assessment: Heightened political violence in Somalia*, 3 March 2023; EUAA, *Somalia: Security situation*, p. 40, February 2023.

⁵⁷ United Nations Office of the High Commissioner for Human Rights (OHCHR), *Somalia: Türk decries steep rise in civilian casualties amid surge in Al-Shabaab attacks*, 14 November 2022.

⁵⁸ United Nations Mine Action Service (UNMAS), *Somalia*, www.unmas.org/en/programmes/somalia, accessed 10 March 2023.

⁵⁹ AOAV, *Explosive violence: Projections for 2023*, 12 January 2023.

UNHCR and Human Rights Watch also found during the reporting period that the highest numbers of civilian casualties were due to the use of IEDs, suicide bombings and landmine explosions.⁶⁰

2.1.2 *United States airstrikes*

In 2022, ACLED recorded a thirty percent increase compared to 2021 in the number of airstrikes carried out by the US military in Somalia. At least seven civilian deaths from these airstrikes were reported.⁶¹ The NGO Airwars also recorded an increase in the number of American airstrikes in 2022. However, in both 2021 and 2022, the number of civilian casualties in these attacks was significantly lower than in the previous four years.⁶²

2.1.3 *Conflicts between clans*

Conflicts between clans and sub-clans continued to be another source of insecurity. These conflicts have long been a regular occurrence in Somalia. They are usually rooted in political or territorial disputes and contested access to natural resources such as water and land.⁶³ These conflicts again occurred during the reporting period. However, there was no large-scale revival of violent conflicts between sub-clans or clans.⁶⁴

See 2.6.1 for further information on this subject.

2.1.4 *Crime*

Earlier country reports also mentioned crime as a source of insecurity in Somalia.⁶⁵ There are no indications that the situation in this respect changed significantly during the reporting period.⁶⁶ The European Union Agency for Asylum (EUAA) continued to identify crime as a major cause of insecurity in 2022 and 2023. Crime was 'pervasive' in Somalia, according to the EUAA.⁶⁷ The organisation also reported an increase during the reporting period in the number of Somali youths joining criminal gangs, particularly in the urban centres.⁶⁸ Research covering the period 2019-2021 published by the project Enhancing Africa's Ability to Counter Transnational Crime (ENACT⁶⁹) showed a slight decrease in crime, but ENACT still

⁶⁰ UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 9, September 2022; HRW, *World Report 2023: Somalia*, 12 January 2023.

⁶¹ ACLED, *Context assessment: Heightened political violence in Somalia*, 3 March 2023.

⁶² PAX, *Protection of civilians: 'It is too much to kill three or four Al Shabaab'; Civilian perceptions on Al Shabaab and harm from US airstrikes in Jubbaland, Somalia*, December 2022; Airwars, *US Forces in Somalia*, airwars.org/conflict/us-forces-in-somalia/, accessed 10 March 2023.

⁶³ The Hill, *The violence in Somalia needs to be addressed*, 7 July 2021; UN Security Council, *Letter dated 5 October 2021 from the Chair of the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2021/849)*, p. 13, 6 October 2021; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 88-89, September 2022.

⁶⁴ UN Security Council, *S/2021/849*, p. 13, 6 October 2021; UN Office for the Coordination of Humanitarian Affairs (OCHA), *2022 Somalia humanitarian needs overview*, 24 October 2021; Heritage Institute, *State of Somalia report 2021*, p. 6, 8 February 2022; EUAA, *Somalia: Security situation*, p. 21, February 2023; Confidential source, 19 December 2022; Confidential source, 21 February 2023; Confidential source, 22 February 2023.

⁶⁵ Dutch Ministry of Foreign Affairs, *General country of origin information report on South and Central Somalia*, p. 17, March 2019 (Dutch only); Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 13, March 2020 (Dutch only); Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 19, 21 December 2021 (Dutch only).

⁶⁶ EUAA, *Country Guidance: Somalia*, p. 36, June 2022; EUAA, *Somalia: Security situation*, p. 23, February 2023; Tana Copenhagen, *Safety and security in Mogadishu; A research note*, pp. 13-22, 6 March 2023.

⁶⁷ EUAA, *Country Guidance: Somalia*, p. 36, June 2022; EUAA, *Somalia: Security situation*, p. 23, February 2023.

⁶⁸ EUAA, *Somalia: Security situation*, p. 23, February 2023.

⁶⁹ ENACT is an EU-funded collaborative project between the Institute for Security Studies (ISS), Interpol and the Global Initiative Against Transnational Organized Crime.

ranked Somalia as one of the African countries most affected by a combination of high crime and low resilience.⁷⁰

2.1.5 *Disputed territories*

Areas in the Sool and Sanaag regions and the Buuhoodle district (also known as *Cayn* or *Ayn*) are disputed by Somaliland and Puntland. Insecurity in these areas increased during the reporting period. After a period of relative calm, fighting broke out in and around Las Anod in January 2023 (alternative spelling: *Laascaanood*; the capital of Sool) between Somaliland security forces and local militias affiliated to the Dhulbahante clan. The fighting resulted in dozens of civilian casualties and a large flow of displaced persons.⁷¹

See 2.3 for more information on this subject.

2.2 Regional developments

2.2.1 *Mogadishu*

Mogadishu is formally part of the administrative region of Benadir. In fact, that region consists solely of the capital, Mogadishu.⁷² According to data from the Integrated food security Phase Classification (hereinafter: IPC), the city's population was about 2,777,000 (including more than 1 million displaced persons) in August 2022.⁷³

The security situation in Mogadishu deteriorated during the reporting period.⁷⁴ There was a clear increase in the number of violent incidents, especially in the run-up to the April 2022 parliamentary elections and the May 2022 presidential elections, and after the intensification of the military offensive against al-Shabab from the summer of 2022. This increase was mainly due to al-Shabab, which stepped up its operations in the city. The numerous attacks that the group carried out also claimed many civilian casualties.

The increase in security incidents is also reflected in data collected by ACLED. These data can serve as an indication of trends in the number of incidents. Most of the data that ACLED collects come from public, secondary reporting. Data for numbers of casualties can be subjective and, according to ACLED itself, are the least accurate component of conflict data. ACLED states that it uses the most conservative estimates available. In addition, ACLED only records fatalities. Information about injuries and victims of looting and kidnapping is not included.⁷⁵

⁷⁰ ENACT, *Africa Organized Crime Index 2021; Evolution of crime in a Covid world; A comparative analysis of organized crime in Africa, 2019-2021*, pp. 39 and 93, 27 May 2022.

⁷¹ OCHA, *Somalia; Flash Update No. 1; Fighting in Laas Caanood, Sool region*, 9 February 2023; Al Jazeera, *What's driving conflict in the disputed Somali city of Las Anod?*, 20 February 2023.

⁷² Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 10, 21 December 2021 (Dutch only); EUAA, *Benadir/Mogadishu*, euaa.europa.eu/country-guidance-somalia-2022/benadirmogadishu, accessed 14 March 2023.

⁷³ Integrated food security Phase Classification (IPC), *The IPC population tracking tool*, www.ipcinfo.org/ipc-country-analysis/population-tracking-tool/en/, accessed 14 March 2023.

⁷⁴ UN Security Council, *S/2022/392*, p. 3, 13 May 2022; UN Security Council, *S/2022/665*, p. 3, 1 September 2022; CGRS, *COI Focus; Somalië; Veiligheidssituatie in Mogadishu*, p. 11, 9 September 2022; EUAA, *Somalia: Security situation*, pp. 115-117, February 2023; Confidential source, 15 December 2022; Confidential source, 19 December 2022; Confidential source, 21 February 2023.

⁷⁵ see: ACLED, *ACLED Codebook*, January 2021, accessed at: acleddata.com/acleddatanew/wp-content/uploads/2021/11/ACLED_Codebook_v1_January-2021.pdf.

ACLED recorded more security incidents in Mogadishu in 2022 and 2023 than in 2020 and 2021:

Year	Incidents	Fatalities
2020 ⁷⁶	460	840
2021 ⁷⁷	509	549
2022 ⁷⁸	709	665
2023 (to March) ⁷⁹	177	184

Al-Shabab in Mogadishu

Al-Shabab has not had any part of Mogadishu under its de facto control for years. Despite this, the group still maintained a considerable network of members and informants in the city during the reporting period. This network enabled al-Shabab to continue to carry out attacks. As before, the group mainly carried out targeted attacks in Mogadishu during the reporting period, which also resulted in civilian casualties. The main targets of the attacks were government officials, politicians and ATMIS and SNL forces. Electoral delegates, journalists, human rights activists, NGO workers, pro-government clan elders, businesspeople who cooperated with the authorities or refused to cooperate with al-Shabab, and locations where these individuals were in the habit of gathering - such as certain hotels and restaurants - could also be targets for al-Shabab violence.⁸⁰

The following are some examples of large-scale attacks carried out by al-Shabab in Mogadishu during the reporting period. These examples are only provided for illustration purposes and should not be considered exhaustive.

On 22 April 2022, al-Shabab carried out a suicide attack on the Pescatore seafood restaurant in southern Mogadishu. The restaurant was reportedly frequented by government officials. Six people who were present were killed.⁸¹

On 19 August 2022, al-Shabab stormed the Hayat hotel in Mogadishu. The hotel was known as a meeting place for government officials. Al-Shabab fighters used explosives to gain entry to the hotel and then took control of it. After about 30 hours, Somali security forces successfully stormed the hotel. At least 22 people were killed.⁸²

⁷⁶ ACLED, acleddata.com, accessed 8 December 2022. Selected criteria: From: 01/01/2020; To: 31/12/2020; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Keyword: Mogadishu (admin 1 = Benadir).

⁷⁷ ACLED, acleddata.com, accessed 8 December 2022. Selected criteria: From: 01/01/2021; To: 31/12/2021; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Keyword: Mogadishu (admin 1 = Benadir).

⁷⁸ ACLED, acleddata.com, accessed 13 March 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Keyword: Mogadishu (admin 1 = Benadir).

⁷⁹ ACLED, acleddata.com, accessed 8 December 2022. Selected criteria: From: 01/01/2023; To: 31/03/2023; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Keyword: Mogadishu (admin 1 = Benadir).

⁸⁰ Landinfo, *Somalia: The security situation in Mogadishu and al-Shabaab's influence in the city*, 8 September 2022; CGRS, *COI Focus; Somalië; Veiligheidssituatie in Mogadishu*, pp. 28-29, 9 September 2022; EUAA, *Somalia: Security situation*, p. 113, February 2023; Confidential source, 19 December 2022; Confidential source, 22 February 2023.

⁸¹ BBC News, *Somalia: At least six killed in Mogadishu attack near beach*, 22 April 2022; Reuters, *Six people killed in blast at restaurant in Somalia's capital*, 23 April 2022; Long War Journal, *Shabaab targets Somali police chief in Mogadishu suicide bombing*, 24 April 2022.

⁸² France24, *Death toll mounts as Somali forces battle to end al-Shabaab hotel siege*, 20 August 2022; Volkskrant, *Somalische troepen beëindigen bloedige gijzeling in hotel Mogadishu*, 21 August 2022; BBC News, *Somalia hotel siege: More than 20 die in al-Shabab attack*, 21 August 2021; EUAA, *Somalia: Security situation*, p. 117, February 2023.

On 29 October 2022, al-Shabab detonated two car bombs at a busy intersection near a crowded market. The target of the attack was the nearby Ministry of Education. At least 121 people were killed.⁸³

On 27 November 2022, al-Shabab fighters stormed the Villa Rose hotel. The hotel was frequented by businesspeople, diplomats and politicians. The incident lasted more than 12 hours. At least nine people were killed.⁸⁴

On 22 January 2023, al-Shabab fighters stormed a complex in the Hamarweyn district that included the mayor's office and the premises of Mogadishu's city authorities. At least six civilians were killed. Al-Shabab claimed to have killed 34 employees of the city authorities.⁸⁵

On 9 June 2023, al-Shabab stormed a restaurant in Mogadishu described by sources as 'upmarket' and held it for six hours. There were several deaths - media sources mention figures between six and fifteen.⁸⁶

Airport and access roads to the airport

The heavily secured 'airport zone' around Mogadishu's Aden Adde International Airport includes UN offices, the headquarters of ATMIS and foreign diplomatic posts. Access to the walled airport zone is only possible through three gates with tight security checks. Around the airport is the 'green zone', where other international organisations and hotels are located and where many government officials live. This green zone also has numerous checkpoints and is guarded by Somali security forces.⁸⁷ Due to the presence of Somali government officials, security personnel and foreigners, the area around the airport has been a prominent target for al-Shabab for years. More large-scale attacks took place in this area during the reporting period.

The following are some examples of attacks carried out by al-Shabab in and around Mogadishu airport during the reporting period. These examples are only provided for illustration purposes and should not be considered exhaustive.

On 12 January 2022, al-Shabab detonated a car bomb on a road leading to the airport. The target of the attack was a convoy of vehicles. Al-Shabab claimed the convoy was carrying Somali and foreign officials. At least eight people died.⁸⁸

⁸³ NRC, *Zeker honderd doden door bomaanslag Mogadishu*, 30 October 2022; HRW, *Somalia reeling from devastating attack on Education Ministry*, 1 November 2022; VOA, *Death toll rises to 121 in Somalia Al-Shabab attacks*, 1 November 2022.

⁸⁴ France24, *Somalia forces end deadly hours-long siege in hotel by Al Shabaab*, 28 November 2022; Nu.nl, *Bij Somalische politici geliefd hotel in Mogadishu bestormd door Al Shabaab*, 28 November 2022; NOS Nieuws, *Zeker negen doden bij terreuraanval op hotel in Somalië*, 28 November 2022.

⁸⁵ France24, *Explosion, gunfire near mayor's office in Mogadishu*, 22 January 2023; BBC Monitoring, *Briefing: Militants in army fatigues strike at heart of Somali capital*, 23 January 2023; Reuters, *At least five injured after blast at mayor's office in Mogadishu*, 23 January 2023.

⁸⁶ Al Jazeera, *Several killed in hotel siege in Somalia's Mogadishu*, 9 June 2023; Reuters, *Nine killed in restaurant attack in Somali capital*, 10 June 2023; BBC Monitoring, *Somali media say 15 killed in Mogadishu hotel attack*, 10 June 2023.

⁸⁷ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 22, 21 December 2021 (Dutch only).

⁸⁸ The New York Times, *Car bomb kills 8 in Somalia's capital*, 12 January 2022; France24, *Explosion outside Somalia's Mogadishu airport kills at least eight*, 12 January 2022; U.S. News, *Car bomb hits outside Mogadishu airport in Somalia; 8 killed*, 12 January 2022; VOA, *At least 9 killed in Mogadishu suicide car bombing*, 12 January 2022; CGRS, *COI Focus: Somalië; Veiligheidssituatie in Mogadishu*, pp. 25, 28, 32, 9 September 2022.

On 23 March 2022, al-Shabab fighters carried out a coordinated attack on the securest part of the airport zone. They attacked airport security personnel and set fire to several buildings. At least seven people were killed in the attack.⁸⁹

On 11 May 2022, a few days before the presidential election, a suicide bomber attacked a checkpoint on a road leading to the airport. The target was electoral delegates taking part in the elections, which were held in the airport zone. At least four people were killed.⁹⁰

On 9 June 2022, al-Shabab fired mortars at the airport. An unknown number of people were killed.⁹¹

High-risk groups

During the reporting period, government officials, politicians and security personnel from AMISOM/ATMIS and the SNL were the main targets of al-Shabab attacks. Electoral delegates, businesspeople, journalists, human rights activists, NGO employees and pro-government clan elders were also at risk of being targeted in attacks (see also 4.1).

According to various sources, senior government officials were particularly in danger of being targeted by al-Shabab. According to these sources, less prominent officials were a lower priority for the group. For security personnel such as police officers or SNL military personnel, this distinction between higher and lower ranks applied to a lesser extent.⁹²

Businesspeople in Mogadishu were mainly at risk if they were suspected by al-Shabab of supporting the federal government, for example if they belonged to sub-clans or clans that supported the military offensive or refused to pay tax to al-Shabab.⁹³

During the military offensive against al-Shabab, the group also targeted clan elders from sub-clans or clans that supported the offensive, including in Mogadishu, such as the Hawadle and the Saleban.⁹⁴

Civilians

Most sources consulted stated that, as a rule, al-Shabab's acts of violence were not specifically directed against civilians, provided they did not belong to a group seen by al-Shabab as a legitimate target (such as government officials, certain businesspeople, journalists, NGO workers or others perceived as loyal to the government or foreign powers). However, because al-Shabab regularly carried out

⁸⁹ AP News, *Al-Shabab gunmen attack airport in Somalia's capital*, 23 March 2022; VOA, *At least 7 dead in Somalia after Al-Shabab attacks*, 23 March 2022; Al Arabiya, *Gunfire near Somali capital's main airport, al-Shabaab claims responsibility*, 23 March 2022; DW, *Somalia: Security forces kill attackers at Mogadishu airport*, 23 March 2022; Al Jazeera, *Somalia: Five dead in attack on military base near airport*, 24 March 2022.

⁹⁰ Al Arabiya, *Suicide explosion kills four in Somalia ahead of presidential vote: Police*, 11 May 2022; AP News, *Police: 4 killed in Somalia blast ahead of presidential vote*, 11 May 2022; VOA, *Somali police say three killed, seven wounded in bombing at presidential election site*, 11 May 2022; AOA, *At least four killed and seven injured in Al Shabaab suicide attack at site of upcoming Somali presidential elections*, 12 May 2022.

⁹¹ KeyMedia, *Several dead as mortar shells fired at Mogadishu airport*, 9 June 2022; Intelligence Briefs, *Bi-weekly counter-terrorism intelligence brief for East Africa (Kenya & Somalia) Shabaab Al-Mujahideen in period of June 1st - June 14th, 2022*, 14 June 2022.

⁹² European Asylum Support Office (EASO), *Somalia: targeted profiles*, p. 86, September 2021; CGRS, *COI Focus: Somalië; Veiligheidssituatie in Mogadishu*, p. 29, 9 September 2022; Confidential source, 19 December 2022.

⁹³ Confidential source, 19 December 2022; Confidential source, 22 February 2023.

⁹⁴ Confidential source, 19 December 2022; Confidential source, 22 February 2023.

large-scale attacks, often in busy areas of Mogadishu, citizens of the city were at risk of becoming victims of such attacks.⁹⁵

Some sources stated that al-Shabab tried to minimise civilian casualties in its attacks. Especially with more and more of the Somali population turning away from the group and with the military offensive intensifying, it was not in al-Shabab's interests to be responsible for large numbers of civilian casualties, it was claimed. The group was also said to warn citizens not to go to the hotels, restaurants and government buildings that it regarded as legitimate targets.⁹⁶ However, al-Shabab clearly accepted the risk of civilian casualties in opting for large-scale attacks in often crowded places in Mogadishu.⁹⁷ During the reporting period, large numbers of civilian casualties once again occurred in al-Shabab attacks in the city, such as the August 2022 attacks on the Hayat hotel⁹⁸ and the October 2022 attack on the Ministry of Education.⁹⁹

2.2.2

Galmudug

The federal member state of Galmudug consists of two regions: Mudug and Galguduud. The state's population was approximately 1,090,000 in August 2022, according to IPC.¹⁰⁰ The previous country report noted that almost the entire eastern coastal area and some central parts of Galmudug were controlled by al-Shabab, while the rest of the federal member state was controlled by a patchwork of militias loyal to local sub-clans.¹⁰¹

During the reporting period, Galmudug was one of the states where the military offensive against al-Shabab raged most heavily, especially from the end of 2022. As a result, the security situation deteriorated.¹⁰² ACLED therefore recorded more security incidents in Galmudug during the reporting period than in the previous period (note: these are conservative estimates of the number of incidents and casualties which are only included here to show a trend - see 2.2.1 on ACLED's data collection method):

Year	Incidents	Fatalities
2020 ¹⁰³	151	245
2021 ¹⁰⁴	189	575

⁹⁵ CGRS, *COI Focus; Somalië; Veiligheidssituatie in Mogadishu*, pp. 29-32, 9 September 2022; Confidential source, 19 December 2022; Confidential source, 20 February 2023; Confidential source, 24 February 2023.

⁹⁶ Confidential source, 19 December 2022; 22 February 2023; Confidential source, 24 February 2023.

⁹⁷ Amnesty International, *Somalia: Al-Shabaab must urgently stop carrying out attacks against civilians*, 31 October 2022; Confidential source, 19 December 2022.

⁹⁸ France24, *Death toll mounts as Somali forces battle to end al-Shabaab hotel siege*, 20 August 2022; Volkskrant, *Somalische troepen beëindigen bloedige gijzeling in hotel Mogadishu*, 21 August 2022; BBC News, *Somalia hotel siege: More than 20 die in al-Shabab attack*, 21 August 2021; EUAA, *Somalia: Security situation*, p. 117, February 2023.

⁹⁹ NRC, *Zeker honderd doden door bomaanslag Mogadishu*, 30 October 2022; HRW, *Somalia reeling from devastating attack on Education Ministry*, 1 November 2022; VOA, *Death toll rises to 121 in Somalia Al-Shabab attacks*, 1 November 2022.

¹⁰⁰ IPC, *The IPC population tracking tool*, www.ipcinfo.org/ipc-country-analysis/population-tracking-tool/en/, accessed 14 March 2023.

¹⁰¹ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 26, 21 December 2021 (Dutch only).

¹⁰² ACLED, *Somalia situation update: March 2023*, 24 March 2023.

¹⁰³ ACLED, acleddata.com, accessed 8 December 2022. Selected criteria: From: 01/01/2020; To: 31/12/2020; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Mudug/Galguduud.

¹⁰⁴ ACLED, acleddata.com, accessed 8 December 2022. Selected criteria: From: 01/01/2021; To: 31/12/2021; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Mudug/Galguduud.

2022 ¹⁰⁵	188	880
2023 (to March) ¹⁰⁶	74	635

In the months following September 2022, the SNL and the Macawisleye succeeded in driving al-Shabab out of several districts in Galmudug. In January 2023, the government announced that key areas of Galmudug had been retaken after being under al-Shabab control for 15 years. In particular, the capture of al-Shabab strongholds such as Galcad, Harardhere and Eldher were seen as significant victories for the coalition.¹⁰⁷ At the time of publication of this country report, it was not yet possible to state concretely whether the expulsion of al-Shabab from large parts of Galmudug had led to a lasting improvement in the security situation. Indicative of the fluidity of the situation was the fact that some areas and towns that were captured returned to al-Shabab control later in the reporting period, only to be recaptured by coalition forces in some cases. This was the case, for example, with Galcad, which after being captured by the coalition in January 2023 was taken back by al-Shabab – only to be retaken by the coalition in April 2023.¹⁰⁸

Galmudug has also historically experienced conflicts between different sub-clans and clans, which usually have their origins in political or territorial disputes and contested access to natural resources such as water and land.¹⁰⁹ During the reporting period, reports appeared that, in addition to the military offensive against al-Shabab, conflicts between different sub-clans and clans were also taking place in Galmudug.¹¹⁰

According to UNHCR data, armed clashes in Galmudug led to 131,000 displaced persons in 2022.¹¹¹ In the first three months of 2023, the conflict led to more than 176,000 displaced persons.¹¹² See also 5.1 on displaced persons.

Galkayo

Galkayo (*Gaalkacyo*) is the largest city in the federal member state of Galmudug and capital of the Mudug region. The northern part of the city is governed by the state of Puntland, the southern part by Galmudug.

¹⁰⁵ ACLED, acleddata.com, accessed 13 March 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Mudug/Galgudud.

¹⁰⁶ ACLED, acleddata.com, accessed 26 April 2023. Selected criteria: From: 01/01/2023; To: 31/03/2023; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Mudug/Galgudud.

¹⁰⁷ Reuters, *Somalia says it has taken control of key port from al Shabaab*, 16 January 2023; Al Jazeera, *Somalia claims capture of key port town from al-Shabab*, 16 January 2023; VOA, *Analysts say Somali government needs to protect gains in war against al-Shabab*, 17 January 2023; Hiiraan Online, *More than 300 terrorists killed in recent military operations in Somalia: Information minister*, 26 January 2023; ATMIS, *The Federal Government of Somalia and ATMIS reiterate joint military collaboration in the fight against Al-Shabaab*, 26 January 2023; UN Security Council report, *February 2023 Monthly Forecast, Somalia*, 31 January 2023; UN Security Council, *S/2023/109*, p. 3, 16 February 2023.

¹⁰⁸ BBC Monitoring, *Troops advance on key Somali town as al-Shabab withdraws*, 3 April 2023; ACLED, *Somalia: Counter-insurgency operation gains regional support in phase two as al-Shabaab attacks and political differences persist*, 21 April 2023.

¹⁰⁹ Berghof Foundation, *Conflict assessment, Galmudug state; An analysis of local perspectives*, 2019; Interpeace, *Galmudug reconciliation: Processes, challenges, and opportunities ahead*, February 2021; Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 27, 21 December 2021 (Dutch only)

¹¹⁰ Hiiraan Online, *Clan conflict over grazing leaves 20 dead in Galgudud*, 28 August 2022; Galmudug Center for Peace and Development Studies, *Policy Brief; Analysis of the pastoral conflicts in the Galmudug states*, 1 October 2022; UN Security Council, *Letter dated 10 October 2022 from the Chair of the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2022/754)*, p. 37, 10 October 2022; EUAA, *Somalia: Security situation*, p. 141, February 2023.

¹¹¹ UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/yearly-displacement, accessed 14 March 2023. Selected criteria: Departure regions: Galgudud | Mudug; Reasons: Conflict/Insecurity.

¹¹² UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/dashboard/displacement-report, accessed 26 April 2023. Selected criteria: Start date: 01-01-2023; End date: 31-03-2023; Previous regions: Galgudud | Mudug; Top reasons: Conflict/Insecurity.

ACLED recorded 28 violent incidents in Galkayo in 2022. This represented a slight decrease compared to 2021, when 34 violent incidents were recorded.¹¹³ In Galkayo, compared to many other districts of Somalia, relatively few of these incidents were attributed to al-Shabab: ten in 2021 and three in 2022. The responsibility for security incidents in the city seemed to lie mainly with militias affiliated with local clans and sub-clans. Civilian casualties also occurred in Galkayo during the reporting period. For example, on 13 September 2022, soldiers from the Danab Brigade opened fire on civilians on the road between Galkayo and Dagaari.¹¹⁴

2.2.3

Hirshabelle

The federal member state of Hirshabelle consists of two regions: Hiiraan and Middle Shabelle (*Shabelle Dhexe*). According to IPC, the state had a population of about 995,000 in August 2022.¹¹⁵ It was in this state that the insurgency against al-Shabab began, which was later supported by government forces and culminated in the large-scale offensive of 2022. That offensive raged heavily in both regions of Hirshabelle during the reporting period, causing the security situation to deteriorate.

ACLED recorded more security incidents in Hirshabelle during the reporting period than in the previous period, including significantly more fatalities (note: these are conservative estimates of the number of incidents and casualties which are only included here to show a trend – see 2.2.1 on ACLED’s data collection method):

Year	Incidents	Fatalities
2020 ¹¹⁶	366	386
2021 ¹¹⁷	315	606
2022 ¹¹⁸	453	2,806
2023 (to March) ¹¹⁹	125	789

The situation in large parts of Hirshabelle during the reporting period was marked by fighting on several fronts between coalition forces and al-Shabab fighters. From June 2022, Somali government forces and fighters from the Macawisley militia steadily drove al-Shabab from villages and districts in Hirshabelle.¹²⁰ President

¹¹³ ACLED, acleddata.com, accessed 14 March 2023. Selected criteria: From: 01/01/2021; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 2 = Gaalkacyo.

¹¹⁴ EUSA, *Somalia: Security situation*, p. 151, February 2023; ACLED, acleddata.com, accessed 14 March 2023. Selected criteria: From: 01/01/2021; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 2 = Gaalkacyo.

¹¹⁵ IPC, *The IPC population tracking tool*, www.ipcinfo.org/ipc-country-analysis/population-tracking-tool/en/, accessed 14 March 2023.

¹¹⁶ ACLED, acleddata.com, accessed 8 December 2022. Selected criteria: From: 01/01/2020; To: 31/12/2020; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Hiiraan/Middle Shabelle.

¹¹⁷ ACLED, acleddata.com, accessed 8 December 2022. Selected criteria: From: 01/01/2021; To: 31/12/2021; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Hiiraan/Middle Shabelle.

¹¹⁸ ACLED, acleddata.com, accessed 14 March 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Hiiraan/Middle Shabelle.

¹¹⁹ ACLED, acleddata.com, accessed 26 April 2023. Selected criteria: From: 01/01/2023; To: 31/03/2023; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Hiiraan/Middle Shabelle.

¹²⁰ DW, *Somalia continues offensive against al-Shabab*, 10 June 2022; Critical Threats, *Africa File: Clan uprising bolsters anti-al Shabaab offensive in central Somalia*, 15 September 2022; AP News, *With support from allied militia, Somalia hunts al-Shabab*, 21 September 2022; VOA, *Somalia military makes gains in large-scale offensive against Al-Shabab*, 26 September 2022; VOA, *'Ma'awisley' militias in Central Somalia mobilizing against al-Shabab*, 4 October 2022; New York Times, *Somalia asks U.S. to step up drone strikes against Qaeda-linked fighters*, 27 October 2022; The Economist, *Somali clans are revolting against jihadists*, 3 November 2022; Le

Mohamud announced in December 2022 that all districts of Hiiraan had been liberated from al-Shabab, and that only one district in Middle Shabelle was still under al-Shabab control.¹²¹ At the time of writing, it was not yet possible to state concretely whether the expulsion of al-Shabab from large parts of Hirshabelle had led to a lasting improvement in the security situation.

According to UNHCR data, the armed conflict in Hirshabelle led to approximately 302,000 displaced persons in 2022.¹²² In the first three months of 2023, the conflict led to about 29,000 displaced persons.¹²³ See also 5.1 on displaced persons.

Hiiraan

Heavy fighting took place in Hiiraan between coalition forces and al-Shabab during the reporting period. Al-Shabab carried out a large number of attacks, in particular on SNL and AMISOM/ATMIS military bases and on local politicians. Most of the incidents took place in the capital, Beledweyne, and in the districts of Bulo Burto and Jalalaqsi.¹²⁴ After al-Shabab had been driven out of most of the region's cities and districts in December 2022, skirmishes still took place fairly regularly in rural areas and smaller towns in the region. Al-Shabab mainly focused on carrying out hit-and-run and suicide attacks, which also resulted in many civilian casualties.¹²⁵ EUAA stated in an April 2023 report that since the capture of large parts of Hiiraan in the autumn of 2022, al-Shabab had mainly retained a presence in areas to the west of the River Shabelle, from where it was attacking coalition forces east of the river.¹²⁶

The following are some examples of attacks carried out by al-Shabab in Hiiraan during the reporting period. These examples are only provided for illustration purposes and should not be considered exhaustive.

In February 2022, al-Shabab carried out a suicide attack on a restaurant in Beledweyne that was frequented by local administrators and electoral delegates. At least thirteen people were killed.¹²⁷

In September 2022, al-Shabab fighters attacked a convoy carrying water and food from Beledweyne to Mahas (*Maxaa*). About twenty civilians were killed.¹²⁸

In October 2022, al-Shabab killed about 25 people in a suicide attack near a military base in Beledweyne. The dead included Hirshabelle's health minister and Hiiraan's deputy governor in charge of finance. The attack came a day after Abdullahi Nadir, a leading member of al-Shabab, was killed in a US airstrike.¹²⁹

Monde, *Somalia: Breakthrough in the war against Al-Shabab*, 20 November 2022; Confidential source, 11 October 2022.

¹²¹ BBC Monitoring, *Briefing: Somalia president says al-Shabab 'has lost the war'*, 7 December 2022; CTC Sentinel, *The 2022 Somalia offensive against al-Shabaab: Making enduring gains will require learning from previous failures*, December 2022.

¹²² UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/yearly-displacement, accessed 14 March 2023. Selected criteria: Departure regions: Hiiraan | Middle Shabelle; Reasons: Conflict/Insecurity.

¹²³ UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/dashboard/displacement-report, accessed 26 April 2023. Selected criteria: Start date: 01-01-2023; End date: 31-03-2023; Previous regions: Hiraan | Middle Shabelle; Top reasons: Conflict/Insecurity.

¹²⁴ EUAA, *Somalia: Security situation*, p. 124, February 2023.

¹²⁵ BBC Monitoring, *Army seizes villages in central Somalia held by al-Shabab*, 1 February 2023.

¹²⁶ EUAA, *COI Query; Somalia; Security situation update*, pp. 8-9, 25 April 2023.

¹²⁷ NOS Nieuws, *Zeker veertien doden bij aanslag op restaurant in Somalië*, 19 February 2022; VOA, *Two Pre-Election Attacks in Somalia Kill at Least 15*, 19 February 2022.

¹²⁸ The Guardian, *At least 19 killed in Somalia in attack by al-Shabaab insurgents*, 3 September 2022; Reuters, *At least 18 killed in al Shabaab attack in Somalia*, 3 September 2022.

¹²⁹ AP News, *Somalia says a top al-Shabab extremist leader is killed*, 3 October 2022; NOS Nieuws, *Zeker 25 doden bij zelfmoordaanslagen in Somalië*, 3 October 2022; AP News, *Al-Shabab attack kills 20, wounds 36 in town in Somalia*, 3 October 2022; AOA, *30 killed in Al Shabaab attacks over past week, Somalia*, 25 October 2022.

On 4 January 2023, al-Shabab fighters detonated two car bombs in the centre of Mahas. Dozens of people, mostly civilians, were killed.¹³⁰ On 14 January 2023, al-Shabab carried out three suicide attacks in Jalalaqsi and Buulobarde. A total of thirty people were killed, including civilians.¹³¹

Middle Shabelle

Middle Shabelle has historically been one of Al-Shabaab’s power bases. The armed conflict between al-Shabab and coalition forces raged fiercely here during the reporting period. From the summer of 2022, SNL troops together with Macawisley militias were able to capture districts and towns Middle Shabelle. Many of these areas had been under al-Shabab control for fifteen years.¹³² Coalition forces drove al-Shabab from the Balad district in October 2022, and from Adan Yabaal in December 2022. Both were known as al-Shabab strongholds.¹³³

2.2.4

South-West State

South-West State consists of three regions: Bay, Bakool and Lower Shabelle (*Shabelle Hoose*). According to IPC, the state had a population of about 2.5 million in August 2022.¹³⁴ Al-Shabab retained control of large parts of rural areas in South-West State during the reporting period.¹³⁵ The allied offensive against al-Shabab had not yet led to fighting on such a large scale in South-West State as in the states of Galmudug and Hirshabelle. Nevertheless, as in the previous reporting period, Bay and Lower Shabelle remained the regions of Somalia (together with Mogadishu) where the most security incidents occurred.¹³⁶ Many of these incidents were al-Shabab attacks on SNL or AMISOM/ATMIS military bases.

The number of security incidents recorded by ACLED in South-West State remained just as high during the reporting period (note: these are conservative estimates of the number of incidents and casualties which are only included here to show a trend – see 2.2.1 on ACLED’s data collection method):

Year	Incidents	Fatalities
2020 ¹³⁷	853	1,352

¹³⁰ NRC, *Tientallen doden bij aanslag terreurmilite Al-Shabaab in Somalië*, 4 January 2023; Le Monde, *Somalia: Twin car bombings claimed by al-Shabaab kill at least 19*, 4 January 2023.

¹³¹ AOAV, *Hiiiran: 30 killed in three Al Shabaab suicide attacks, 14 Jan*, 17 January 2023.

¹³² BBC Monitoring, *Some 300 said killed in recent fighting with Somali militants*, 10 December 2022; BBC Monitoring, *Somali army reportedly captures another areas from al-Shabab*, 12 December 2022; BBC Monitoring, *Somali army kills 50 militants in southern clashes*, 17 December 2022; BBC Monitoring, *Al-Shabab militants surrender to Somali army in south*, 19 December 2022; BBC Monitoring, *Somali army enters al-Shabab-held district in southern region*, 20 December 2022; BBC Monitoring, *Somali forces kill 67 al-Shabab fighters in southern region*, 23 December 2022.

¹³³ Somali Dispatch, *Somali government forces expel Al-Shabaab from areas in the Middle Shabelle*, 17 October 2022; CTC Sentinel, *The 2022 Somali offensive against al-Shabaab: Making enduring gains will require learning from previous failures*, Volume 15, Issue 11, November/December 2022; BBC Monitoring, *Report explores implications of al-Shabab loss of key Somali town*, 6 December 2022; BBC Monitoring, *Army seizes al-Shabab’s last bastion in southern Somali region*, 22 December 2022; VOA, *Somali military takes Al-Shabab’s last stronghold in Middle Shabelle*, 22 December 2022.

¹³⁴ IPC, *The IPC population tracking tool*, www.ipcinfo.org/ipc-country-analysis/population-tracking-tool/en/, accessed 14 March 2023.

¹³⁵ Somali Signal, *Somalia’s South West state braces for offensive against Al-Shabaab*, 12 December 2022; Immigration and Refugee Board of Canada, *Response to information requests (SOM201366.E)*, 7 March 2023; BBC Monitoring, *Briefing: Somalia planning second phase of offensive against al-Shabab*, 18 January 2023.

¹³⁶ UN Security Council, *S/2022/392*, p. 3, 13 May 2022; UN Security Council, *S/2022/665*, p. 3, 1 September 2022; EUAA, *Somalia: Security situation*, p. 93, February 2023.

¹³⁷ ACLED, acleddata.com, accessed 17 March 2023. Selected criteria: From: 01/01/2020; To: 31/12/2020; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Bay/Bakool/Lower Shabelle.

2021 ¹³⁸	1,017	768
2022 ¹³⁹	1,018	1,492
2023 (to March) ¹⁴⁰	178	313

According to UNHCR data, the armed conflict in South-West State led to approximately 152,000 displaced persons in 2022.¹⁴¹ In the first three months of 2023, the conflict led to about 13,000 displaced persons.¹⁴² South-West State, particularly the Bay region, was also one of the areas of Somalia most affected by drought and food shortages during the reporting period.¹⁴³ The humanitarian situation led to significantly more displaced persons than the armed conflict. According to UNHCR data, approximately 656,000 persons in South-West State were displaced as a result of the drought in 2022. In the first three months of 2023, the figure was approximately 181,500.¹⁴⁴ See also 5.1 on displaced persons.

Lower Shabelle

Lower Shabelle is crossed by two of Somalia's main connecting roads (from Mogadishu to Baidoa and to Kismayo), and is known for its fertile farmland. It has therefore long been one of the most strategically important regions of the country.¹⁴⁵ Al-Shabab has controlled large parts of the region for years. Lower Shabelle has therefore frequently been the scene of violent incidents, particularly between forces affiliated with the Somali government and al-Shabab forces. Even after the SNL and AMISOM had captured four key cities on the River Shabelle (Jannalee, Sabiid, Bariirre and Awdhiigle) in 2020, the group continued to maintain an active network that enabled it to conduct offensive operations in Lower Shabelle.¹⁴⁶ For most of the reporting period, the rural areas of Lower Shabelle were under al-Shabab control. The urban areas were under the control of the federal government and AMISOM/ATMIS forces.¹⁴⁷

¹³⁸ ACLED, acleddata.com, accessed 17 March 2023. Selected criteria: From: 01/01/2021; To: 31/12/2021; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Bay/Bakool/Lower Shabelle.

¹³⁹ ACLED, acleddata.com, accessed 17 March 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Bay/Bakool/Lower Shabelle.

¹⁴⁰ ACLED, acleddata.com, accessed 26 April 2023. Selected criteria: From: 01/01/2023; To: 31/03/2023; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Bay/Bakool/Lower Shabelle.

¹⁴¹ UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/yearly-displacement, accessed 17 March 2023. Selected criteria: Departure regions: Bay | Bakool | Lower Shabelle; Reasons: Conflict/Insecurity.

¹⁴² UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/dashboard/displacement-report, accessed 26 April 2023. Selected criteria: Start date: 01-01-2023; End date: 31-03-2023; Previous regions: Bay | Bakool | Lower Shabelle; Top reasons: Conflict/Insecurity.

¹⁴³ UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/yearly-displacement, accessed 17 March 2023. Selected criteria: Departure regions: Bay | Bakool | Lower Shabelle; Reasons: Drought-related; UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/dashboard/displacement-report, accessed 26 April 2023. Selected criteria: Start date: 01-01-2023; End date: 31-03-2023; Previous regions: Bay | Bakool | Lower Shabelle; Top reasons: Drought.

¹⁴⁴ OCHA, UNHCR, IOM, *Somalia; Drought displacement monitoring dashboard (July 2022)*, July 2022; UNICEF, *Somalia; Humanitarian situation report No. 12*, December 2022; IPC, *Somalia: Acute food insecurity situation January – March 2023 and projection for April – June 2023*, 28 February 2023.

¹⁴⁵ Landinfo, *Somalia: Lower Shabelle*, p. 9, 18 October 2013; Food Security and Nutrition Analysis Unit – Somalia (FSNAU), *Subsistence farming in Lower Shabelle riverine zone*, p. 5, 6 November 2013; EUAA, *Country Guidance: Somalia*, pp. 148-150, June 2022.

¹⁴⁶ Landinfo, *Somalia: Lower Shabelle*, 18 October 2013; Dutch Ministry of Foreign Affairs, *General country of origin information report on South and Central Somalia*, p. 25, March 2019 (Dutch only); Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 14, 18, 20, 37, March 2020 (Dutch only); Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 25-26, 21 December 2021 (Dutch only); EUAA, *Country Guidance: Somalia*, pp. 148-150, June 2022.

¹⁴⁷ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 25-26, 21 December 2021 (Dutch only); EUAA, *Country Guidance: Somalia*, pp. 148-149, June 2022.

Lower Shabelle remained one of the regions of Somalia with the greatest number of violent incidents during the reporting period (note: these are conservative estimates of the number of incidents and casualties which are only included here to show a trend – see 2.2.1 on ACLED’s data collection method):

Year	Incidents	Fatalities
2020 ¹⁴⁸	596	896
2021 ¹⁴⁹	669	519
2022 ¹⁵⁰	693	799
2023 (to March) ¹⁵¹	99	241

As a result, about a quarter of all violent incidents recorded by ACLED in Somalia in the years 2020, 2021 and 2022 took place in Lower Shabelle.¹⁵²

The most common violent incidents were al-Shabab attacks on SNL and AMISOM/ATMIS forces, often using improvised explosive devices.¹⁵³ In the run-up to the 2022 elections, al-Shabab also carried out frequent attacks on individuals involved in those elections, such as electoral delegates, polling station workers, government officials or election observers.¹⁵⁴

During the offensive that the SNL and Macawisley militias launched against al-Shabab in the summer of 2022, hostilities in Lower Shabelle also escalated. Forces affiliated with the federal government regularly captured parts of the region in the second half of the year.¹⁵⁵ Al-Shabab also stepped up its military activities. Lower Shabelle was the region of the country where the most al-Shabab attacks took place during this period.¹⁵⁶

The following are some examples of incidents involving al-Shabab and the SNL and AMISOM/ATMIS during the reporting period. These examples are only provided for illustration purposes and cannot be considered exhaustive.

On 8 March 2022, fighting broke out between al-Shabab forces and SNL and AMISOM forces around the village of Siigale. The village was shelled with mortars, probably by AMISOM forces. Eight people were killed. After being forced to withdraw, al-Shabab forces returned to Siigale the next day. They accused the

¹⁴⁸ ACLED, acleddata.com, accessed 15 March 2023. Selected criteria: From: 01/01/2020; To: 31/12/2020; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Keyword: Lower Shabelle (admin 1).

¹⁴⁹ ACLED, acleddata.com, accessed 15 March 2023. Selected criteria: From: 01/01/2021; To: 31/12/2021; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Keyword: Lower Shabelle (admin 1).

¹⁵⁰ ACLED, acleddata.com, accessed 15 March 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Keyword: Lower Shabelle (admin 1).

¹⁵¹ ACLED, acleddata.com, accessed 26 April 2023. Selected criteria: From: 01/01/2023; To: 31/03/2023; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Keyword: Lower Shabelle (admin 1).

¹⁵² The data from the footnotes above compared to: ACLED, acleddata.com, accessed 6 December 2022. Selected criteria: From: 01/01/2020; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia.

¹⁵³ EUAA, *Country Guidance: Somalia*, p. 149, June 2022; UN Security Council, *S/2022/665*, p. 3, 1 September 2022.

¹⁵⁴ ACLED, *Regional Overview: Africa; 22-28 January 2022*, 3 February 2022; Anadolu Agency, *4 killed, 6 wounded in mortar attacks during voting in Somalia*, 9 February 2022; Garowe Online, *Al-Shabaab strikes thrice amid elections in Somalia*, 10 February 2022; UN Security Council, *S/2022/392*, p. 4, 13 May 2022.

¹⁵⁵ ACLED, *Regional Overview: Africa; 23-29 July 2022*, 4 August 2022; ACLED, *Regional Overview: Africa; 24-30 September 2022*, 6 October 2022; ACLED, *Regional Overview: Africa; 5-11 November 2022*, 17 November 2022; BBC Monitoring, *Somali troops seize southern villages from al-Shabab*, 19 April 2023.

¹⁵⁶ ACLED, *Regional Overview: Africa; 14-20 May 2022*, 26 May 2022; ACLED, *Regional Overview: Africa; 11-17 June 2022*, 23 June 2022; ACLED, *Regional Overview: Africa; 16-22 July 2022*, 28 July 2022; BBC Monitoring, *Analysis: Al-Shabab attacks rise as Somalia offensive gathers pace*, 17 October 2022.

villagers of spying for SNL/AMISOM, executed one of them and kidnapped 33 villagers.¹⁵⁷

Both at the end of March 2022 and at the end of June 2022, al-Shabab carried out large-scale attacks on the SNL base near Bulo Mareer. After the March 2022 attack, the group managed to hold the nearby village for some time.¹⁵⁸

On 27 July 2022, al-Shabab carried out a suicide attack on the Marka district offices. At least eleven people were killed, including the district commissioner, Abdullahi Ali Waafow. Two days later, al-Shabab carried out a similar attack on South-West State's minister of justice, Hassan Ibrahim Hassan (alias *Lugbur*). The minister and his son were killed.¹⁵⁹

In early July 2022, al-Shabab carried out an attack on the police chief of Afgooye, Mohamed Abdi Madobe. He was killed.¹⁶⁰

In July and August 2022, large-scale fighting between al-Shabab and the SNL and local Macawisley militias took place in the Wanla Weyn, Marka and Qoryooley districts.¹⁶¹

In early September 2022, SNL special units attacked a 'financial centre' of al-Shabab in the town of Mubarak. They killed the local commander during the attack.¹⁶²

In November 2022, the federal government stated that 49 al-Shabab militants had been killed in an offensive in Lower Shabelle, in a combined action by the SNL, ATMIS, local militias and airstrikes carried out by an unspecified international coalition partner.¹⁶³

On 26 May 2023, al-Shabab fighters attacked an ATMIS base in Buulo Mareer, where mainly Ugandan military personnel were stationed. Dozens of Ugandan soldiers were killed.¹⁶⁴

Baidoa

Baidoa (*Baydhabo*) is the largest city in South-West State. Connecting the port of Mogadishu and the fertile farmland of Lower Shabelle to Ethiopia and Kenya, the city

¹⁵⁷ ACLED, *Regional Overview: Africa; 5-11 March 2022*, 16 March 2022; UN Security Council, *S/2022/754*, pp. 36, 85-86, 10 October 2022.

¹⁵⁸ Intelligence Briefs, *Monthly counter-terrorism intelligence brief for East Africa (Kenya & Somalia)*, 4 April 2022; ACLED, *Regional Overview: Africa; 26 March-1 April 2022*, 7 April 2022; UN Security Council, *S/2022/665*, p. 3, 1 September 2022.

¹⁵⁹ Al Arabiya, *Suicide bombing in Somalia kills 11*, 27 July 2022; Horn Observer, *Somalia Prime Minister condemns IED attack that targeted regional minister in Southern Somalia town of Baidoa*, 29 July 2022; Hiiraan Online, *Somali Prime Minister condemns killing of Southwest state minister of justice*, 30 July 2022; UN Security Council, *S/2022/665*, p. 4, 1 September 2022; UN Security Council, *S/2022/754*, p. 8, 10 October 2022.

¹⁶⁰ Anadolu Agency, *Bomb blast kills senior police officer near Somali capital*, 6 July 2022; VOA, *Separate blasts kill 2 in Somalia*, 6 July 2022; ACLED, *Regional Overview: Africa; 2-8 July 2022*, 14 July 2022.

¹⁶¹ ACLED, *Regional Overview: Africa; 30 July-5 August 2022*, 11 August 2022; ACLED, *Regional Overview: Africa; 13 August-9 September 2022*, 14 September 2022.

¹⁶² Shabelle Media Network, *Somali military raids Al-Shabaab base in Lower Shabelle region*, 10 September 2022; VOA, *Somali military kills senior Al-Shabab figures, frees hostages*, 10 September 2022; Hiiraan Online, *Al Shabab leader killed in Lower Shabelle region*, 10 September 2022; Critical Threats, *Gulf of Aden Security Review*, 12 September 2022.

¹⁶³ VOA, *Somalia: Military operation kills 49 Al-Shabab militants*, 23 November 2022; Reuters, *Somalia says 49 al Shabaab fighters killed in military operation*, 23 November 2022, Shabelle Media Network, *Somalia announces 49 Al-Shabaab killed in Lower Shabelle ops*, 23 November 2022; BBC Monitoring, *Air strikes kill 49 al-Shabab militants in southern Somalia*, 23 November 2022.

¹⁶⁴ BBC Monitoring, *Briefing: Al-Shabab attacks Somali base 'killing over 137' AU troops*, 26 May 2023; UN - Meeting Coverage and Press Releases, *Secretary-General condemns attack against African Union Transition Mission in Somalia*, 29 May 2023; France24, *More than 50 Ugandan peacekeepers killed in Al-Shabaab attack in Somalia*, 4 June 2023; African Union, *AUPSC condemns the heinous attack by the Al Shabaab*, 9 June 2023.

has historically been of strategic importance. Due to its location, Baidoa is also home to the second largest number of internally displaced persons in Somalia after Mogadishu.¹⁶⁵ During the reporting period, Baidoa was under the control of the government, in conjunction with AMISOM/ATMIS forces. The area surrounding the city was under the control of al-Shabab.¹⁶⁶

Although the allied military offensive did not lead to large-scale fighting in and around Baidoa during the reporting period, the city experienced security incidents. In July 2022, for example, the liquidation of Minister of Justice Lugbur, mentioned above, took place in Baidoa.¹⁶⁷ The village of Daynunay, just outside Baidoa, was captured from al-Shabab by local militias in December 2022. Al-Shabab recaptured the village the next day.¹⁶⁸ Also in December 2022, fighting broke out in Baidoa between supporters of Abdiiaziz Mohamed Hassan (alias *Laftagareen*), the president of South-West State, and opposition politician Mohamed Adan Ibrahim (alias *Fargeti*). At least eight fighters were killed.¹⁶⁹

2.2.5 Jubbaland

The federal member state of Jubbaland consists of three regions: Lower Jubba, Middle Juba and Gedo. According to IPC, the state had a population of about 2.5 million in August 2022.¹⁷⁰ Jubbaland, and in particular the Middle Juba region, is al-Shabab's heartland. The group controlled a large part of the state in this reporting period, as it did in the previous period. The allied offensive against al-Shabab did not lead to large-scale fighting in Jubbaland during the reporting period.¹⁷¹

The number of security incidents recorded by ACLED in Jubbaland in the reporting period was about the same as during the previous period (note: these are conservative estimates of the number of incidents and casualties which are only included here to show a trend – see 2.2.1 on ACLED's data collection method):

Year	Incidents	Fatalities
2020 ¹⁷²	414	489
2021 ¹⁷³	434	631
2022 ¹⁷⁴	468	515

¹⁶⁵ Norwegian Refugee Council (NRC), "I want my land. You have to go." *Understanding the eviction phenomenon in Baidoa*, p. 32, August 2021; Médecins sans Frontières (MSF), *An alarming cycle of drought, malnutrition and disease in Baidoa*, 12 October 2022; UN Habitat, *Baidoa City Strategy*, 23 March 2023.

¹⁶⁶ National Public Radio (NPR), *In Baidoa, Somalis live at the epicenter of drought, hunger and conflict*, 17 December 2022; EUAA, *Somalia: Security situation*, p. 92, February 2023.

¹⁶⁷ VOA, *At least 10 killed in Al-Shabab attack of town on Somalia-Ethiopia border*, 29 July 2022; UN Security Council, *S/2022/665*, p. 4, 1 September 2022.

¹⁶⁸ BBC Monitoring, *Somalia army recaptures village near south-west Baidoa town*, 14 December 2022; BBC Monitoring, *Al-Shabab retakes village in south-west Somalia*, 16 December 2022.

¹⁶⁹ BBC Monitoring, *Briefing: Violence in south-west Somalia threatens planned reconciliation talks*, 23 December 2022; Hiiraan Online, *Calm returns to Baidoa after state security forces clash with fighters loyal to opposition candidates*, 24 December 2022.

¹⁷⁰ IPC, *The IPC population tracking tool*, www.ipcinfo.org/ipc-country-analysis/population-tracking-tool/en/, accessed 14 March 2023.

¹⁷¹ Bahadur, J., *Terror and taxes; Inside al-Shabaab's revenue-collection machine*, p. 22, December 2022; EUAA, *Somalia: Security situation*, pp. 59-81, February 2023; Critical Threats, *Salafi-Jihadi movement weekly update*, 8 March 2023.

¹⁷² ACLED, acleddata.com, accessed 17 March 2023. Selected criteria: From: 01/01/2020; To: 31/12/2020; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Gedo/Lower Jubba/Middle Jubba.

¹⁷³ ACLED, acleddata.com, accessed 17 March 2023. Selected criteria: From: 01/01/2021; To: 31/12/2021; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Gedo/Lower Jubba/Middle Jubba.

¹⁷⁴ ACLED, acleddata.com, accessed 17 March 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Gedo/Lower Jubba/Middle Jubba.

2023 (to March)¹⁷⁵

93

241

Most of the incidents took place in the Gedo and Lower Juba regions. Middle Juba experienced fewer security incidents: of the 468 incidents recorded in 2022, only ten occurred in Middle Juba.

According to UNHCR data, the armed conflict in Jubbaland led to 19,000 displaced persons in 2022. However, drought and food insecurity resulted in an even greater number of displaced persons: 111,000.¹⁷⁶ In the first three months of 2023, the conflict led to more than 9,500 displaced persons, but the drought resulted in more than 52,000 displaced persons.¹⁷⁷ The effects of the drought and food shortages were exacerbated by al-Shabab allowing little or no humanitarian aid into the areas under its control.¹⁷⁸

Most of the security incidents in Jubbaland during the reporting period involved skirmishes between al-Shabab and AMISOM-ATMIS and SNL forces, usually when al-Shabab attacked military bases in the area. The Kenyan air force and the US air force also carried out air and drone strikes against al-Shabab targets. In addition, fighting took place in Gedo between the SNL and forces affiliated with the government of Jubbaland. This ceased when cooperation between the federal government and Jubbaland was restored under President Mohamud.¹⁷⁹ In March 2023, al-Shabab carried out an attack on a meeting of government officials in Bardhere. At least five people were killed.¹⁸⁰

Kismayo

Kismayo is the largest city in Jubbaland, and was controlled by the Jubbaland authorities during the reporting period. During the reporting period, skirmishes in and around the city mainly took place between al-Shabab and troops from Jubbaland, the SNL and AMISOM/ATMIS.¹⁸¹ Al-Shabab also carried out a suicide bombing on a hotel in the city in October 2022, killing nine civilians.¹⁸²

2.3 Disputed territories

Since 1998, there has been a dispute between Somaliland and Puntland over a number of regions in their border area. This concerns large parts of the regions of Sool and Sanaag, and the district of Buuhoodle (also known as *Cayn* of *Ayn*) in the Togdheer region bordering Sool. Somaliland claims the areas because they lie within the borders of the former British protectorate of British Somaliland. Puntland, on the other hand, bases its claim to the territory on clan affiliation. Because the dominant

¹⁷⁵ ACLED, acleddata.com, accessed 26 April 2023. Selected criteria: From: 01/01/2023; To: 31/03/2023; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1 = Gedo/Lower Juba/Middle Juba.

¹⁷⁶ UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/yearly-displacement, accessed 17 March 2023. Selected criteria: Departure regions: Gedo | Lower Juba | Middle Juba; Reasons: Conflict/Insecurity | Drought related.

¹⁷⁷ UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/dashboard/displacement-report, accessed 26 April 2023. Selected criteria: Start date: 01-01-2023; End date: 31-03-2023; Previous regions: Gedo | Lower Juba | Middle Juba; Top reasons: Conflict/Insecurity | Drought.

¹⁷⁸ United States Department of State (USDoS), *2021 Country report on human rights practices: Somalia*, pp. 2 and 17, 12 April 2022; EUAA, *Somalia: Security situation*, p. 72, February 2023.

¹⁷⁹ EUAA, *Somalia: Security situation*, pp. 61-62 and 75-76, February 2023.

¹⁸⁰ BBC Monitoring, *Briefing: Suicide attack hits Somali officials in anti-al-Shabab meeting*, 14 March 2023; VOA, *Al-Shabab bombing targets regional officials*, 14 March 2023.

¹⁸¹ EUAA, *Somalia: Security situation*, pp. 74-76, February 2023.

¹⁸² NOS Nieuws, *Bomaanslag en bestorming van hotel in Somalische stad Kismayo*, 23 October 2022; Al Jazeera, *Attack on hotel in Somalia's Kismayo ends with 9 civilians dead*, 23 October 2022.

sub-clans¹⁸³ in the disputed areas are part of the Daarood clan, which is also dominant in Puntland, Puntland considers these areas as its territory.¹⁸⁴ Puntland has therefore included in its transitional constitution of 2001 that its territory includes:

- the Sool region,
- the Sanaag region, excluding the El Afweyn (*Ceel Afweyn*) district and the north-east of the Erigavo (*Ceerigaabo*) district, and
- the Buhoodle district in the region of Togdheer.¹⁸⁵

These are the areas disputed by Somaliland and Puntland. According to numerous public sources, the westernmost part of Sool is not actually part of the disputed territory. This is because the dominant group there is not the sub-clans belonging to the Daarood, but the sub-clans belonging to the Isaaq clan, which is dominant in Somaliland.¹⁸⁶

In practice, Somaliland controlled the western parts of Sanaag (as far as the city of Erigavo) and Sool (roughly as far as the village of Tukaraq) during the reporting period. The parts of Sool and Sanaag to the east of these places were largely controlled by local clan militias. However, no large-scale fighting took place in the disputed areas between Somaliland and Puntland troops during the reporting period, although there were regular violent confrontations between clan militias, even before December 2022.¹⁸⁷

In December 2022, riots broke out in Las Anod (*Laascaanood*; the capital of Sool) following the assassinations of several politicians in the region. The protesters accused the Somaliland government of being behind the attacks. Somaliland security forces intervened violently, killing at least twenty protesters. Clan elders of the Dhulbahante clan reacted by declaring that the disputed areas should not be governed by Somaliland but by the Federal Republic of Somalia. This call led to fighting between Dhulbahante militias and the Somaliland army. In February and March 2023, between one hundred and two hundred people were killed in clashes, including numerous civilians. Puntland's military forces were not directly involved in the clashes.¹⁸⁸

¹⁸³ The Warsangali and Dhulbahante sub-clans.

¹⁸⁴ Global Policy Forum, *Somaliland: The little country that could*, 29 November 2002; Leonard, David K. and Mohamed Samantar, *Reconstructing political order among the Somalis: The historical record in the south and centre*, p. 44, January 2013; ISS, *Overlapping claims by Somaliland and Puntland: The case of Sool and Sanaag*, pp. 4-5, November 2019; Landinfo, *Somalia: The security situation in northwestern Somalia (Somaliland)*, 7 April 2020; EUAA, *Country Guidance: Somalia*, pp. 166-169, June 2022; BBC Monitoring, *Briefing: Clans demand Somaliland forces leave disputed region amid violence*, 8 January 2023.

¹⁸⁵ *Somalia: Transitional Constitution of Puntland Regional Government*, 1 July 2001, accessed www.refworld.org; Battera, F. / UN Development Office for Somalia, *Remarks on the 1998 Charter of Puntland state of Somalia*, 1998; Marchal, R., *The Puntland state of Somalia; A tentative social analysis*, p. 14, May 2010.

¹⁸⁶ Leonard, David K. and Mohamed Samantar, *Reconstructing political order among the Somalis: The historical record in the south and centre*, p. 46, January 2013; Hoehne, Markus V., *Between Somaliland and Puntland: Marginalization, militarization and conflicting political visions*, pp. 26-27, 2015; ICG, *Averting war in northern Somalia*, 27 June 2018; Landinfo, *Somalia: The security situation in northwestern Somalia (Somaliland)*, p. 3, 7 April 2020; EASO, *Somalia: Security situation*, p. 132, September 2021.

¹⁸⁷ Landinfo, *Somalia: The security situation in northwestern Somalia (Somaliland)*, 7 April 2020; UNSOM, *Photo story: A week on the road to Sool and Sanaag*, 30 July 2022; Confidential source, 19 December 2022.

¹⁸⁸ BBC Monitoring, *Briefing: Somaliland warns Mogadishu and Puntland over Las Anod violence*, 4 January 2023; BBC Monitoring, *Briefing: Clans demand Somaliland forces leave disputed region amid violence*, 8 January 2023; OHCHR, *Türk urges investigation after scores killed in Somalia clashes*, 7 February 2023; OCHA, *Somalia; Flash update no. 1: Fighting in Laas Caanood, Sool region*, 9 February 2023; BBC Monitoring, *Briefing: Groups fighting Somaliland in Las Anod claim Djibouti involvement*, 12 February 2023; Al Jazeera, *What's driving conflict in the disputed Somali city of Las Anod?*, 20 February 2023; International Committee of the Red Cross (ICRC), *Las Anod violence sends families fleeing for safety in the scorching heat*, 15 March 2023; VOA, *Over 200 killed in fighting in disputed Somaliland town*, 6 March 2023; AOV, *Somaliland: Fighting between Somaliland forces and tribal*

According to UNHCR data, the armed conflict around Las Anod led to approximately 195,000 displaced persons in the first three months of 2023.¹⁸⁹ There had only been about 1,400 in the whole of 2022.¹⁹⁰ The International Committee of the Red Cross (ICRC) reported in mid-March 2023 that 185,000 persons had been displaced.¹⁹¹ See also 5.1 on displaced persons.

2.4 Forced recruitment

Forced recruitment took place in Somalia during the reporting period, as it did during the previous period. The majority of the cases were attributed to al-Shabab and took place in areas under its control (see 2.5.2). There were also a few reports in which the SNL was associated with forced recruitment. For example, media reported protests by parents of 5,000 recruits against the SNL's recruitment 'under false pretences' of their sons, who were then said to be held by the SNL against their will. Some of the parents stated that their sons had been told that they were being recruited for training in Qatar, but that they were then transported to Eritrea to join Eritrean troops in fighting in Tigray (Ethiopia).¹⁹²

2.4.1 Recruitment of minors

Reports on the recruitment of minors also appeared during the reporting period. For example, in May 2022, the UN reported on 2,852 verified cases of child recruitment by the warring parties. The children performed various tasks for these parties, including serving as combatants or bodyguards, manning checkpoints, or performing support activities. The UN attributed 80% of the verified cases to al-Shabab, 17% to the SNL and the Somali police, and the remaining cases to clan militias and armed forces of the various federal member states.¹⁹³ UNHCR and EUAA also reported during the reporting period that recruitment of minors was undertaken by all warring parties, but in the vast majority of cases by al-Shabab.¹⁹⁴

leadership claims civilian lives and puts hospitals out of action, 19 April 2023; Amnesty International, *Somaliland: Urgent investigation needed as fighting takes heavy toll on civilians in Las Anod*, 20 April 2023; Confidential source, 21 February 2023.

¹⁸⁹ UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/dashboard/displacement-report, accessed 26 April 2023. Selected criteria: Start date: 01-01-2023; End date: 31-03-2023; Previous regions: Sol | Sanaag | Togdheer; Top reasons: Conflict/Insecurity.

¹⁹⁰ UNHCR, *Somalia; Protection & Return Monitoring Network*, prmn-somalia.unhcr.org/dashboard/displacement-report, accessed 17 May 2023. Selected criteria: Start date: 01-01-2022; End date: 31-12-2022; Previous regions: Sol | Sanaag | Togdheer; Top reasons: Conflict/Insecurity.

¹⁹¹ ICRC, *Las Anod violence sends families fleeing for safety in the scorching heat*, 15 March 2023.

¹⁹² Anadolu Agency, *Somali parents take to streets over 'missing' army recruits*, 10 June 2021; Reuters, *Somalia says 5,000 missing soldiers to come home soon from Eritrea*, 19 July 2022; UN Security Council, *S/2022/754*, p. 13, 10 October 2022; AP News, *Somali troops returning from once-secret training in Eritrea*, 21 December 2022; BBC Monitoring, *Somalia government accused of 'forceful military recruitment'*, 22 December 2022; Reuters, *Somalia repatriates troops from Eritrea after protests over recruitment*, 22 December 2022.

¹⁹³ UN Security Council, *Children and armed conflict in Somalia; Report of the Secretary-General (S/2022/397)*, p. 6, 16 May 2022.

¹⁹⁴ EUAA, *Country Guidance: Somalia*, p. 117, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 82-83, September 2022.

2.5 Al-Shabab

During the reporting period, al-Shabab¹⁹⁵ came under pressure as a result of the military offensive by the SNL and the clan militias. The group lost direct control of large parts of Hirshabelle and Galmudug, where the population rebelled against its rule and was supported in this by the federal forces. In these areas, al-Shabab was forced to engage in guerrilla tactics during the reporting period, such as carrying out hit-and-run attacks and suicide bombings against government targets. Because al-Shabab lost control of areas, the group also lost some of its tax revenue and some of its ability to recruit fighters.

Despite the coalition forces' successes on the battlefield, particularly in Hirshabelle and Galmudug, the Somali government was unable to defeat al-Shabab decisively during the reporting period. In the southern states of South-West State and Jubbaland, there was no popular uprising against the group. Al-Shabab therefore continued to control the greater part of these states. Moreover, al-Shabab continued to exert influence in areas not under its direct control. For example, the group was still able to force traders to pay taxes in the port of Mogadishu and regularly succeeded in recapturing villages that had been taken by coalition forces. Al-Shabab sometimes formed alliances with local communities. The group also stepped up the frequency of its attacks on government targets in Mogadishu and other urban centres.¹⁹⁶

Whether al-Shabab's influence was permanently reduced in the liberated areas depended mainly on the Somali authorities' ability to offer the population an acceptable alternative to the group's rule. The establishment of a 'social contract' between government and citizens was seen by many sources as the main prerequisite for a stable and peaceful future in these areas. It was not yet clear during the reporting period whether the central government was able to offer a sustainable alternative of this kind. As a result, the areas liberated from al-Shabab remained susceptible to renewed influence from the group during the reporting period. Another factor that played a role was that al-Shabab seemed to have learned from the popular uprising in Hirshabelle and Galmudug. In those states, dissatisfaction with the group's repressiveness had played a major role in the emergence of organised resistance from the population. In the second half of the reporting period, according to some sources, al-Shabab seemed keen to come across as more conciliatory towards the population.¹⁹⁷

2.5.1 Areas of influence and power

The previous country report stated that al-Shabab controlled large parts of the territory of South and Central Somalia, especially the rural areas. However, al-Shabab's influence was also felt in areas outside its direct control. This applied to the whole of Somali society. For example, the group often maintained cells of

¹⁹⁵ For more background information on al-Shabab, see also the *Kennisbank Terroristische Organisaties* of the National Coordinator for Counterterrorism and Security (Dutch only): kennisbankterrorisme.nctv.nl/organisaties/al-shabaab.

¹⁹⁶ ICG, *A welcome chance for a reset in Somalia*, 31 May 2022; UN Security Council, *S/2022/754*, p. 3, 10 October 2022; ICG, *Sustaining gains in Somalia's offensive against Al-Shabaab*, 21 March 2023; Confidential source, 19 December 2022; Confidential source, 22 February 2023; Confidential source, 24 February 2023; Confidential source, 28 March 2023.

¹⁹⁷ ICG, *Sustaining gains in Somalia's offensive against Al-Shabaab*, 21 March 2023; Confidential source, 22 February 2023; Confidential source, 24 February 2023.

fighters in these areas that could carry out attacks, it was able to recapture lost areas or villages on a fairly regular basis and it remained able to collect taxes.¹⁹⁸

During the reporting period, al-Shabab lost direct control over most of the federal member states of Hirshabelle and Galmudug. In contrast, most of the rural areas of South-West State and Jubbaland remained under al-Shabab's direct control. The group also continued to exert influence in areas that were not (or were no longer) under its direct control. For example, it still had sufficient capacity in all federal member states of South and Central Somalia to carry out attacks on government targets.¹⁹⁹

In Puntland, al-Shabab had no areas under its direct control during the reporting period, as was the case in the previous period. However, the group was still able to carry out activities there, particularly in the Bari region.²⁰⁰ For example, in February, March and October 2022, al-Shabab attacked army bases and convoys of regional security forces with improvised explosive devices and mortars.²⁰¹ On 9 February 2022, al-Shabab carried out a suicide attack on a restaurant in Bosaso, the largest city in Bari. Four civilians were killed.²⁰² In March 2023, there were reports of skirmishes in the Bari region between al-Shabab fighters and fighters from the Somali branch of Islamic State (ISS, which operates on a small scale in the mountainous areas of Puntland).²⁰³

2.5.2 *Forced recruitment*

Since its formation, al-Shabab has used a variety of methods to recruit members, fighters and informers. The picture that emerges from the sources consulted is that the majority of the recruits joined al-Shabab on a voluntary basis, but that forced recruitment also occurred on a smaller scale. In a 2016 study, 11% of former combatants surveyed stated that they had been forcibly recruited by al-Shabab or had joined out of fear of repercussions.²⁰⁴ In a 2017 study, 10% of former combatants stated that they had been forcibly recruited.²⁰⁵ More recent quantitative research is not known.

¹⁹⁸ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 29-30, 21 December 2021 (Dutch only).

¹⁹⁹ ICG, *A welcome chance for a reset in Somalia*, 31 May 2022; UN Security Council, *S/2022/754*, p. 3, 10 October 2022; ICG, *Sustaining gains in Somalia's offensive against Al-Shabaab*, 21 March 2023; Confidential source, 19 December 2022; Confidential source, 22 February 2023; Confidential source, 24 February 2023.

²⁰⁰ ACLED, acleddata.com, accessed 27 March 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1: Bari / Nugaal; Actor 1: Al Shabaab.

²⁰¹ Hiiraan Online, *Al-Shabaab attacks Af-Urur village in Puntland's Bari region*, 27 March 2022; Shabelle Media Network, *Al-Shabaab attacks army base in Puntland*, 27 March 2022; Somali Dispatch, *Roadside bomb kills five Puntland soldiers*, 9 October 2022; Garowe Online, *Al-Shabaab's attack leaves five soldiers dead in Somalia's Puntland*, 9 October 2022; ACLED, acleddata.com, accessed 27 March 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Somalia; Admin 1: Bari / Nugaal; Actor 1: Al Shabaab.

²⁰² Xinhua, *4 killed, 7 injured in Somali explosion*, 9 February 2022; Hiiraan Online, *Turkiye condemns terror attacks in Somalia*, 11 February 2022.

²⁰³ The East African, *Al Shabaab factions clash in fight for territory in Puntland*, 13 March 2023; Critical Threats, *Gulf of Aden Security Review*, 13 March 2023; CTC Sentinel, *The Islamic State Somalia propaganda coalition's regional language push*, April 2023.

²⁰⁴ Anneli Botha and Mahdi Abdile, *Radicalisation and al-Shabaab recruitment in Somalia*, p. 11, 2016.

²⁰⁵ Richard Barrett, "Why they fight and why they quit: An analysis of interviews with current and former Al-Shabaab fighters," in: Michael Keating and Matt Waldman (eds), *War and peace in Somalia: National grievances, local conflict and Al-Shabaab*, pp. 324, 2018.

Most sources state that al-Shabab only recruited members under direct duress in exceptional cases.²⁰⁶ In some cases, however, the distinction between 'voluntary' and 'forced' membership of al-Shabab was not obvious. The sources show that recruitment by al-Shabab was firstly based on economic and social discontent among the population. That discontent could be fuelled and exploited by al-Shabab, leading recruits to join the group apparently on their own initiative. For example, people could be inspired to join the group by a combination of factors such as religious zeal, poor socio-economic prospects, grievances against dominant clans, grievances against the federal authorities or the international community, and fear of repercussions from al-Shabab.²⁰⁷ It was not possible to state unequivocally in all these cases to what extent they had joined under duress.

Secondly, al-Shabab ordered communities and sub-clans on a large scale to hand over specified numbers of young people to the group. These were then inducted into al-Shabab's ranks, or were first sent to religious schools (*madrassas*) affiliated with the group with a view to induction at a later date.²⁰⁸

The UN also stressed before and during the reporting period that forced recruitment by al-Shabab was occurring, especially of children. The UN emphasised that the coercive aspect of recruitment could take various forms. In some cases, al-Shabab kidnapped children to fill the group's ranks. In other cases, it instructed clan representatives to provide a specified number of young people to the group, or to buy off this obligation. Al-Shabab also sometimes ordered clan representatives to hand over boys to schools run by members or sympathisers of the group. The group later recruited fighters at those schools. In impoverished communities, al-Shabab recruited with promises of money or by exploiting local grievances against dominant clans or the federal government. At the same time, these recruitment methods were sometimes accompanied by repercussions and threats against those who did not join the group.²⁰⁹ In November 2021, UNICEF named al-Shabab the largest recruiter of children worldwide.²¹⁰ UNHCR also stated in September 2022 that al-Shabab was forcibly recruiting children.²¹¹

²⁰⁶ Richard Barrett, "Why they fight and why they quit," in: Keating and Waldman (eds), *War and peace in Somalia*, pp. 319-327, 2018; Mohamed Haji Abdullahi "Ingiriis", "Al-Shabaab's youth recruitment project," in: Keating and Waldman (eds), *War and peace in Somalia*, pp. 339-347, 2018; Roland Marchal, "Rivals in governance; Civil activities of Al-Shabaab," in: Keating and Waldman (eds), *War and peace in Somalia*, pp. 349-357, 2018; Finnish Immigration Service, *Somalia: Fact-finding mission to Mogadishu in March 2020*, p. 18, 7 August 2020; Austrian Centre for Country of Origin & Asylum Research and Documentation (ACCORD), *Somalia: Al-Shabaab und Sicherheitslage; Lage von Binnenvertiebenen und Rückkehrer-innen; Schutz durch staatliche und nicht-staatliche Akteure: Dokumentation zum COI-Webinar mit Markus Höhne und Jutta Bakonyi am 5. Mai 2021*, p. 36, 31 May 2021; Landinfo, *Somalia: Rekruttering til al-Shabaab*, p. 10, 17 October 2022; Confidential source, 19 December 2022.

²⁰⁷ Stig Jarle Hansen, Linnéa Gelot, "Anatomy of counter-jihad," in: Keating and Waldman (eds), *War and peace in Somalia*, p. 385, 2018; Vanda Felbab-Brown, "The problem with militias in Somalia: Almost everyone wants them despite their dangers," in: Adam Day (ed), *Hybrid conflict, hybrid peace: How militias and paramilitary groups shape post-conflict transitions*, p. 120, 2020; Finnish Immigration Service, *Somalia: Fact-finding mission to Mogadishu in March 2020*, pp. 17-18, 7 August 2020; EUAA, *Somalia: Actors*, p. 55, July 2021; EASO, *Somalia: targeted profiles*, pp. 17-26, September 2021; Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 92-93, March 2022; EUAA, *Country Guidance: Somalia*, p. 84, June 2022; Landinfo, *Somalia: Rekruttering til al-Shabaab*, 17 October 2022; Confidential source, 20 February 2023; Confidential source, 24 February 2023.

²⁰⁸ UN Security Council, *S/2022/754*, pp. 35-36, 10 October 2022; EUAA, *Somalia: Defection, desertion and disengagement from Al-Shabaab*, p. 52, February 2023; Confidential source, 19 December 2022; Confidential source, 20 February 2023; Confidential source, 23 February 2023; Confidential source, 24 February 2023.

²⁰⁹ UN Security Council, *Letter dated 28 September 2020 from the Chair of the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2020/949)*, pp. 34, 80, 28 September 2020; UN Security Council, *S/2021/849*, p. 31, 6 October 2021; UN Security Council, *S/2022/397*, p. 7, 16 May 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 83-85, September 2022; UN Security Council, *S/2022/754*, pp. 35-36, 10 October 2022.

²¹⁰ UNICEF, *Grave child rights violations in Somalia*, 2 November 2021.

²¹¹ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 81-83, September 2022.

Several sources emphasised that al-Shabab usually combined promises and threats in its interactions with local communities. The refusal by clan elders to hand over recruits to the group could lead to repercussions. For example, uncooperative clan elders might be kidnapped or killed.²¹² However, the threat from al-Shabab could also be more subtle, as it did not have to be stated explicitly. Particularly in areas under the group's direct control, it was clear to the population that failure to comply with al-Shabab's requests for recruits could have negative consequences. In the areas that had been controlled by al-Shabab for many years, the population might also be more willing to hand over recruits in exchange for the security and stability that the group was usually able to guarantee. In many cases, al-Shabab was in a better position than the federal government to provide this stability. In this context, some sources emphasised that after years of domination by al-Shabab, the population of these areas had become so indoctrinated with the group's philosophy that joining was a logical step for many.²¹³ Researcher Tricia Bacon also stated that al-Shabab presented its order to communities to provide young people to the group as a transactional agreement in which the communities handed over young people in exchange for stability. In practice, however, a refusal to hand over young people could lead to reprisals from al-Shabab such as the kidnapping of clan elders, in order to force the handing over of the young people. Bacon also noted that some communities were able to buy off their obligation with payments of money, weapons or livestock. In other cases, wealthier clans that were asked for recruits by al-Shabab paid money to poorer clans to hand their children over to the group instead.²¹⁴

The extent to which al-Shabab has engaged in forced recruitment has historically depended very much on the situation. Thus there has been more forced recruitment in periods when al-Shabab felt a greater need to replenish its ranks, for example after losses on the battlefield or during offensives directed against it.²¹⁵ In recent years, there have been signs that forced recruitment by al-Shabab has declined, as local communities have increasingly resisted the group's indoctrination and the practice of recruitment. This growing resistance from communities was one of the main reasons why many clans joined the offensive against al-Shabab in the second half of 2022.²¹⁶ However, there were also signs in the initial phase of the uprising against the group that the same offensive had in fact led to an increase in forced recruitment, because al-Shabab needed to replenish its ranks.²¹⁷ The UN found in May 2022 that al-Shabab was shifting its recruitment efforts to religious schools due to opposition from local communities.²¹⁸ The picture that emerges from sources is that al-Shabab has been able to find recruits since the 2022 offensive, but on a

²¹² EUSA, *Country Guidance: Somalia*, p. 84, June 2022; Confidential source, 23 February 2023.

²¹³ Hussein Yusuf Ali, "Youth radicalization; Causes, consequences and potential solutions," in: Keating and Waldman (eds), *War and peace in Somalia*, pp. 329-338, 2018; Roland Marchal, "Motivations and drivers of Al-Shabaab," in: Keating and Waldman (eds), *War and peace in Somalia*, pp. 309-317, 2018; Confidential source, 24 February 2023.

²¹⁴ Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 92-93, March 2022.

²¹⁵ ACCORD, *Somalia: Al-Shabaab und Sicherheitslage*, p. 36, 31 May 2021; EASO, *Somalia: targeted profiles*, p. 23, September 2021; UN Security Council, *S/2021/849*, p. 31, 6 October 2021; UN Security Council, *S/2022/397*, p. 7, 16 May 2022; Landinfo, *Somalia: Rekruttering til al-Shabaab*, p. 10, 17 October 2022.

²¹⁶ UN Security Council, *S/2020/949*, p. 34, 28 September 2020; Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, p. 93, March 2022; UN Security Council, *S/2022/397*, p. 7, 16 May 2022; Somali Signal, 'Enough is enough': *Somali clans' revolt against Al-Shabaab*, 24 September 2022.

²¹⁷ UNICEF, *Grave child rights violations in Somalia*, 2 November 2021; UN Security Council, *S/2022/397*, p. 7, 16 May 2022.

²¹⁸ UN Security Council, *S/2022/397*, p. 7, 16 May 2022.

smaller scale than before. Al-Shabab is said to be still recruiting members, mainly in areas still under the group's direct control.²¹⁹

Groups vulnerable to forced recruitment

According to all sources, there was forced recruitment by al-Shabab particularly in areas under its direct control. Forced recruitment also took place outside these areas, but to a considerably lesser extent. In the areas controlled by al-Shabab, underage boys were particularly at risk of forced recruitment.²²⁰

However, the sources do not provide a clear picture as to which (minority) clans were at especial risk. Most sources state that in areas under its control, al-Shabab played on local tensions between populations by telling minority groups that joining al-Shabab would put them in a more powerful position.²²¹ Members of these minority clans would voluntarily join al-Shabab under the influence of this promise, and would not usually have to be 'forced' to do so. However, if a minority clan did not voluntarily meet the imposed quota, coercive measures could follow. Locally stronger clans, by contrast, could pay al-Shabab if they were faced with recruitment quotas so that they did not have to fulfil them. This option was less available to clans with fewer financial resources, which meant that their members were at greater risk of forced recruitment.²²²

Al-Shabab forces generally reflected the clan structure in Somalia. The group had members from all clans.²²³ However, the lower ranks of al-Shabab were populated mainly by members of minority clans, according to various sources. This could be related to a lack of career opportunities for members of minority clans within the group.²²⁴ It was also due to the fact that al-Shabab mainly sought recruits in areas under its control. This meant that fighters who belonged to clans that were strongly represented in those areas were in the majority. For example, there were reportedly many fighters from the Rahanweyn, a clan that is large in the southern regions under al-Shabab control.²²⁵

²¹⁹ Confidential source, 19 December 2022; Confidential source, 21 February 2023; Confidential source, 28 March 2023.

²²⁰ UN Security Council, *S/2020/949*, pp. 34, 80, 28 September 2020; EASO, *Somalia: targeted profiles*, p. 18, September 2021; UN Security Council, *S/2021/849*, p. 31, 6 October 2021; The Borgen Project, *Child soldiers in Somalia*, 10 October 2021, borgenproject.org, accessed 28 November 2022; Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, p. 93, March 2022; UN Security Council, *S/2022/397*, p. 7, 16 May 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 83-85, September 2022; UN Security Council, *S/2022/754*, pp. 35-36, 10 October 2022; Confidential source, 23 February 2023.

²²¹ Roland Marchal, "Motivations and drivers of Al-Shabaab," in: Keating and Waldman (eds), *War and peace in Somalia*, pp. 309-317, 2018; Africa Center for Strategy & Policy, *Justice and terror: Al-Shabaab's informal justice mechanism*, 5 January 2019; EUAA, *Somalia: Actors*, p. 56, July 2021; Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 91-93, March 2022; Confidential source, 19 December 2022.

²²² Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, p. 93, March 2022; Confidential source, 19 December 2022.

²²³ EUAA, *Somalia: Actors*, p. 55, July 2021; Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 17-19, March 2022.

²²⁴ Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 90-91, March 2022; Landinfo, *Somalia: Rekruttering til al-Shabaab*, pp. 7-8, 17 October 2022.

²²⁵ Hossein Solomon, "Al Shabaab in Somalia: Between clan and faith," in: Hossein Solomon, *Terrorism and counter-terrorism in Africa; Fighting insurgency from Al Shabaab, Ansar Dine and Boko Haram*, 2015; EASO, *Somalia: targeted profiles*, p. 28, September 2021; Landinfo, *Somalia: Rekruttering til al-Shabaab*, pp. 7-8, 17 October 2022; Confidential source, 19 December 2022.

Evasion of forced recruitment

During the reporting period, as in the previous period,²²⁶ individuals had opportunities to evade forced recruitment, but these depended on a number of factors. For example, the financial clout of the clan to which the intended recruit belonged was one of these factors. In some cases, a clan was able to make a payment to al-Shabab instead of surrendering recruits.²²⁷ Families with young people who were considered vulnerable to forced recruitment also sometimes chose to settle in other areas, for example in areas under government control.²²⁸ In the case of this last option, however, the potential recruits were dependent on the actual possibilities for going elsewhere. They were also dependent on a social network in the area where they went. In general, people fleeing areas under al-Shabab control preferred to move to areas or cities where many members of their clan were located. This was the main way to ensure their safety in the new area. According to sources, the same applied to fighters who deserted from al-Shabab: whether they were in danger from al-Shabab in their new area usually depended on the clan network's ability to offer them protection there (see also 2.5.4).²²⁹

2.5.3

Taxation

Al-Shabab collected various types of taxes, both in the area under its control and beyond. One of these forms of taxation was *zakat*. *Zakat* is a religious obligation for citizens to give part of their wealth every year to those in need. *Zakat* is usually 2.5% of an individual's or company's net worth every year. Both during the reporting period and before, al-Shabab collected money from individuals and companies as '*zakat*'. Various sources point out that this was not actual *zakat*, but a form of protection racket that al-Shabab legitimised under the name of '*zakat*'. According to these sources, al-Shabab did not donate much of the income generated in this way to those in need, but used it to strengthen its own financial position.²³⁰

In addition, al-Shabab raised taxes on commercial activities, such as the importing of goods into its territories, the transit of goods through its territories, and the sale of crops, livestock, real estate and land. Traders paid these taxes not only under the threat of violence from al-Shabab, but also because it was the only way to gain access to the fertile and densely populated (and therefore economically lucrative) areas under the group's control.²³¹

Because al-Shabab collected taxes both inside and outside the areas under its control, citizens and businesses in areas not under its control could face double taxation. This tax might be demanded in kind as well as in cash.²³² Al-Shabab was able to collect taxes from traders when their consignments passed through al-

²²⁶ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 18, December 2021 (Dutch only)

²²⁷ Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 92-93, March 2022; UN Security Council, *S/2022/754*, p. 36, 10 October 2022; Confidential source, 19 December 2022.

²²⁸ Somalia Protection Cluster, *Protection Analysis Update; February 2022*, p. 6, February 2022; UN Security Council, *S/2022/397*, p. 7, 16 May 2022; UN Security Council, *S/2022/754*, p. 36, 10 October 2022.

²²⁹ EASO, *Somalia: targeted profiles*, p. 28, September 2021; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 86, September 2022.

²³⁰ Rift Valley Institute, *Briefing Paper: Tax and the State in Somalia*, p. 8, May 2020; UN Security Council, *S/2020/949*, p. 10, 28 September 2020; Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 85 and 100, March 2022; Africa Center for Strategic Studies, *Reclaiming Al Shabaab's revenue*, 27 March 2023; Confidential source, 28 March 2023.

²³¹ Bahadur, J., *Terror and taxes; Inside al-Shabaab's revenue-collection machine*, p. 5, December 2022; Confidential source, 22 February 2023.

²³² Hiraal Institute, *The AS financial system*, July 2018; Rift Valley Institute, *Briefing Paper: Tax and the State in Somalia*, May 2020; UN Security Council, *S/2020/949*, p. 10, 28 September 2020; Africa Center for Strategic Studies, *Reclaiming Al Shabaab's revenue*, 27 March 2023; Confidential source, 22 February 2023.

Shabab territory. For this purpose, the group had a network of checkpoints along transit roads where goods were checked. The finance department then contacted the owner of the goods who was outside al-Shabab territory to collect the tax. If the owner did not pay, the goods were confiscated.²³³ According to Jay Bahadur, who conducted research in 2022 on behalf of the Global Initiative against Transnational Organized Crime into taxation by al-Shabab, the group applied three tax brackets: a high rate for products destined for export, a middle bracket for products transiting between government-held areas and a low rate for products destined for al-Shabab territory.²³⁴

Al-Shabab also had a strong information position in the port of Mogadishu, which enabled it to be aware of all imported goods, the value of those goods and the importer. Members of the group then contacted the importer and summoned him to a prearranged place where he had to pay the tax.²³⁵

In addition, information about traders who were not living in al-Shabab territory and whose goods were not transported through that area could also be passed on to al-Shabab by informants. This allowed the group to keep a list of local traders and an estimate of their income. Once a year, the finance department contacted them to collect a tax of 2.5% on their estimated sales. The traders were summoned to areas under al-Shabab control to pay the tax in cash. If they refused to appear, the finance department could pass on their details to al-Shabab's intelligence service, the *amniyaat*.²³⁶ In areas not under its control, al-Shabab also taxed nomadic herders by claiming a fixed part of their livestock.²³⁷

Taxpayers could remit tax money to al-Shabab in various ways. For example, payment could be made in cash or by handing over a portion of the taxed goods. The money could also be transferred to al-Shabab bank accounts or via EVC Plus, a mobile money transfer service.²³⁸ In all cases of tax collection by al-Shabab, it was customary for the taxpayer to receive a receipt. This prevented double taxation.²³⁹

Reprisals for non-payment of taxes

Individuals or companies that did not remit the tax to al-Shabab sometimes faced reprisals both before and during the reporting period. The group could, for example, confiscate goods, under threat of violence, from those who refused to pay, or force traders to close their businesses. Explosives were sometimes planted at the premises of businesses that failed to pay taxes, and in some cases al-Shabab killed people who refused to pay. The threat posed by the group, even outside the areas it directly controlled, was often sufficient to enforce tax payment.²⁴⁰ The UN reported

²³³ Hiraal Institute, *The AS financial system*, July 2018; Hiraal Institute, *A losing game: Countering Al-Shabab's financial system*, October 2020; Bahadur, J., *Terror and taxes; Inside al-Shabaab's revenue-collection machine*, pp. 4-17, December 2022.

²³⁴ Bahadur, J., *Terror and taxes; Inside al-Shabaab's revenue-collection machine*, p. 19, December 2022.

²³⁵ Confidential source, 21 February 2023; Confidential source, 22 February 2023.

²³⁶ Hiraal Institute, *The AS financial system*, pp. 2-4, July 2018; Hiraal Institute, *A losing game: Countering Al-Shabab's financial system*, October 2020; UN Security Council, *S/2020/949*, p. 10, 28 September 2020.

²³⁷ Hiraal Institute, *The AS financial system*, p.1, July 2018; Rift Valley Institute, *Briefing Paper: Tax and the State in Somalia*, p. 5, May 2020.

²³⁸ UN Security Council, *Letter dated 7 November 2018 from the chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council (S/2018/1002)*, p. 27, 9 November 2018; Rift Valley Institute, *Briefing Paper: Tax and the State in Somalia*, p. 5, May 2020; Confidential source, 19 December 2022; Confidential source, 22 February 2023.

²³⁹ Hiraal Institute, *The AS financial system*, p.1, July 2018; Rift Valley Institute, *Briefing Paper: Tax and the State in Somalia*, p. 5, May 2020; Bahadur, J., *Terror and taxes; Inside al-Shabaab's revenue-collection machine*, December 2022.

²⁴⁰ EUAA, *Country Guidance: Somalia*, pp. 88-89, June 2022; Hiraal Institute, *The AS financial system*, p. 3, July 2018; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 92-93,

on an incident in 2022 in which the organisation in Galmudug attacked a community of livestock farmers who had refused to pay taxes. Several farmers were killed.²⁴¹ Families who could not afford the taxes might also be forced to hand over their children to al-Shabab.²⁴² In addition, UNHCR reported in 2022 on cases of torture of those who failed to pay.²⁴³

Tax-raising since the military offensive

Strict taxation was one of the causes of discontent and resistance among the population of areas under al-Shabab control. Because the group came under severe pressure from the allied military offensive and lost parts of its territory, its opportunities to raise taxes were also reduced. Al-Shabab's tax-raising came under particular pressure in areas not under its control. During the reporting period, the federal authorities called on traders to no longer comply with the tax obligations imposed by the group. This reportedly led to a growing number of traders in areas outside al-Shabab control refusing to pay the taxes.²⁴⁴ The organisation also lost income because federal authorities were able to identify and freeze approximately 250 bank accounts linked with al-Shabab.²⁴⁵

Despite this, al-Shabab remained able to collect taxes following the military offensive, even outside its area of control. For example, it still had enough informants in the port of Mogadishu to raise taxes on imported goods. It also remained able to carry out targeted attacks outside areas under its control. The deterrent effect of this meant that even during the military offensive, there were still individuals and businesses that paid taxes to the group.²⁴⁶ Moreover, two confidential sources stated that during the offensive, the group asked businesspeople to pay taxes several months, or even more than a year, in advance.²⁴⁷

2.5.4 *Settling outside al-Shabab territory*

The previous country report stated that no clear answer could be given to the question of whether individuals experiencing problems with al-Shabab could safely settle elsewhere in South or Central Somalia.²⁴⁸ This remained the case in the reporting period. Whether someone could safely settle outside al-Shabab territory depended first of all on the possibilities he or she had to travel safely to the area concerned. Al-Shabab checkpoints were very likely to be encountered on roads to

September 2022; UN Security Council, *S/2022/754*, pp. 16, 92-93, 10 October 2022; Garowe Online, *Report: How complex Al-Shabaab's taxation system in Somalia works*, 10 December 2022; Africa Center for Strategic Studies, *Reclaiming Al Shabaab's revenue*, p. 2, 27 March 2023; Confidential source, 19 December 2022; Confidential source, 22 February 2023.

²⁴¹ UN Security Council, *S/2022/754*, pp. 92-93, 10 October 2022.

²⁴² UN Security Council, *Letter dated 12 October 2-2- from the Chair of the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2020/1004)*, pp. 10-11, 15 October 2020; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 92-93, September 2022.

²⁴³ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 92-93, September 2022.

²⁴⁴ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 92-93, September 2022; BBC Monitoring, *Website says al-Shabab 'financially weakened' amid offensive*, 20 January 2023; BBC Monitoring, *Somali state TV says traders disobeying al-Shabab summons*, 20 February 2023; BBC Monitoring, *Somali traders defy summons by al-Shabab*, 24 February 2023; Confidential source, 15 December 2022; Confidential source, 16 December 2022.

²⁴⁵ Hiiraan Online, *Somalia says millions seized from Al Shabaab bank accounts*, 29 January 2023; ISS, *Al-Shabaab on the defensive: is it time to celebrate?*, 8 March 2023.

²⁴⁶ Africa Center for Strategic Studies, *Reclaiming Al Shabaab's revenue*, p. 3, 27 March 2023; Confidential source, 19 December 2022; Confidential source, 21 February 2023; Confidential source, 22 February 2023; Confidential source, 28 March 2023.

²⁴⁷ Confidential source, 19 December 2022; Confidential source, 22 February 2023.

²⁴⁸ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 34-35, 21 December 2021 (Dutch only).

other areas. Individuals who knew that the group was interested in them because of their profile or activities might be stopped there. Once they had arrived in another area, their safety mainly depended on their individual circumstances and the social network they had there. In general, people fleeing al-Shabab territory preferred to move to areas or cities where there were many members of their clan. This was the main way for them to ensure their safety in the new area. Members of minority clans therefore had fewer opportunities to settle in other areas.²⁴⁹

The EUAA and UNHCR, in their June 2022 and September 2022 reports respectively, considered that a reasonable relocation option in Mogadishu was only available in exceptional cases. In Mogadishu, such an option was said only to be available to single and healthy young men or childless couples without any vulnerabilities who belonged to a local majority clan and who had sufficient opportunity to provide for themselves. In Garowe, according to UNHCR and EUAA, a reasonable relocation option was available to single and healthy young men or childless couples without any vulnerabilities who belonged in the male line to a clan that was dominant in Puntland and who could reach Garowe by air. In Hargeisa, a reasonable relocation option was considered to be available to single and healthy young men or childless couples without any vulnerabilities who originally came from Somaliland and had access to a local social network.²⁵⁰

Deserters

The previous country report stated that there were centres in government-controlled areas in South and Central Somalia where deserters from the ranks of al-Shabab could report. Under the Defector Rehabilitation Programme (DRP), they were rehabilitated and given vocational training to help them with their reintegration process.²⁵¹ These centres and the DRP remained operational during the reporting period.²⁵² There are no indications that al-Shabab carried out attacks on these centres during the reporting period. However, individual deserters who fled to government territory remained at risk of being discovered by al-Shabab. The group continued to search actively for former senior members in government territory. According to UNHCR, al-Shabab did not actively look for lower-ranking deserters, but they too might be murdered if they were discovered.²⁵³

2.5.5 *Attacks inside and outside the area of control*

During the reporting period, al-Shabab continued to carry out complex attacks both inside and outside its area of control, including against government officials and members of the federal armed forces. The frequency and deadliness of the attacks increased during the reporting period.²⁵⁴ The most prominent attacks during the reporting period are listed above in 2.2.

²⁴⁹ EASO, *Somalia: targeted profiles*, p. 28, September 2021; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 86, September 2022; Confidential source, 21 February 2023.

²⁵⁰ EUAA, *Country Guidance: Somalia*, pp. 186-204, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 12-14, September 2022.

²⁵¹ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 18 and 34, 21 December 2021 (Dutch only).

²⁵² EUAA, *Somalia: Defection, desertion and disengagement from Al-Shabaab*, pp. 17 and 22-29, February 2023.

²⁵³ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 86-87, September 2022.

²⁵⁴ ACLED, *Context assessment: Heightened political violence in Somalia*, 3 March 2023; Confidential source, 8 September 2022.

2.6 Clans

The four major family clans or lineages of Hawiye, Daarood, Dir and Rahanweyn together account for most of the Somali population. They are also called the majority clans. Each of these family clans consists of several clans, sub-clans and sub-sub-clans. In addition, minority clans and ethnic minorities can be distinguished (see 4.1.2). Somali clans are spread throughout Somali territory and in neighbouring countries.²⁵⁵ The different clans do not have clearly defined areas, although each of the Somali federal member states has a dominant clan. For example, the Hawiye are dominant in Galmudug, Hirshabelle and Mogadishu, the Daarood in Puntland, the Rahanweyn in South-West State and the Rahanweyn and the Daarood in Jubbaland.²⁵⁶

2.6.1 Conflicts between clans

Conflict between clans and sub-clans has historically been a regular occurrence in Somalia, particularly in parts of the country where the influence of the authorities is weak. These conflicts are usually rooted in political or territorial disputes and contested access to natural resources such as water and land.²⁵⁷ In 2021, according to various sources, there was an increase in the frequency of such conflicts. This was mainly due to the political instability caused by the postponement of the elections and the impact of climate change on the availability of natural resources. In turn, these conflicts between clan groups increased the number of internally displaced persons in 2021.²⁵⁸

In areas controlled by al-Shabab there were generally fewer clan conflicts than outside those areas. According to analysts, one of the risks of the 2022 military offensive against al-Shabab was that long-simmering conflicts between clan groups in the areas from which al-Shabab had been expelled could be revived.²⁵⁹ This happened on a small scale, but the feared large-scale revival did not occur during the reporting period.²⁶⁰

Despite this, reports of conflicts between clans and sub-clans continued to appear during the reporting period, particularly in the state of Galmudug. These conflicts were usually related to the prolonged drought. For example, the UN Office for the Coordination of Humanitarian Affairs (OCHA) and UNHCR reported that in February 2022, 14,100 persons in Galguduud were displaced following clan conflicts over farmland and water resources²⁶¹, and in August 2022, 20 people in the same region

²⁵⁵ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 35, 21 December 2021 (Dutch only).

²⁵⁶ Home Office, *Country policy and information note; Somalia: majority clans and minority groups in south and central Somalia*, January 2019; Hiiraan Online, *Clan federalism in Somalia*, 16 June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, September 2022.

²⁵⁷ UNSOM, OHCHR, *Protection of civilians report; Building the foundation for peace, security and human rights in Somalia*, pp. 16-17, 3 November 2019; The Hill, *The violence in Somalia needs to be addressed*, 7 July 2021; UN Security Council, *S/2021/849*, p. 13, 6 October 2021; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 88-89, September 2022.

²⁵⁸ UN Security Council, *S/2021/849*, p. 13, 6 October 2021; OCHA, *2022 Somalia humanitarian needs overview*, 24 October 2021; Heritage Institute, *State of Somalia report 2021*, p. 6, 8 February 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 90-91, September 2022.

²⁵⁹ Brookings, *Somalia's challenges in 2023*, 27 January 2023; ICG, *Sustaining gains in Somalia's offensive against Al-Shabaab*, 21 March 2023.

²⁶⁰ Confidential source, 19 December 2022; Confidential source, 21 February 2023; Confidential source, 22 February 2023 and 15 May 2023.

²⁶¹ UNHCR Somalia, *Protection and return monitoring; Flash alert #4*, 11 February 2022; OCHA, *Drought response and famine prevention plan, Somalia*, p. 21, June 2022.

were killed in a land dispute between two clans/sub-clans.²⁶² These clan conflicts could be accompanied by rape and other forms of sexual and gender-based violence against women.²⁶³

2.6.2 *Relations between clans and the federal government*

During the reporting period, there was more cooperation than before between various clans and sub-clans and the federal authorities in the fight against al-Shabab. However, it was not possible to specify which clan families supported the government and which did not. This often depended on the situation and local conditions. However, it was clear during the reporting period that many Hawiye clans and sub-clans, which were dominant in Hirshabelle and Galmudug, were cooperating with government forces in the offensive against al-Shabab. On the other hand, members of the same Hawiye clan were also dominant in the higher echelons of al-Shabab.²⁶⁴

2.6.3 *Relations between clans and al-Shabab*

Al-Shabab has historically presented itself as a national/regional movement inspired by Islam, which transcends Somali clan rivalries. At the same time, the group has been able to use these same clan rivalries to its advantage, by exploiting local grievances between clans. Areas with a diverse clan composition are therefore traditionally more susceptible to al-Shabab's influence than those with a more homogeneous clan composition. Al-Shabab is able to act as a protector of local minority clans or vulnerable sub-clans in these areas, thereby expanding its influence. Another factor that plays a role is that dominant clans usually have their own armed militias that can offer them protection. Smaller clans do not usually have their own militias, and may therefore be more inclined to rally behind al-Shabab.²⁶⁵

During the reporting period, this power tactic by al-Shabab may have played a role in the reluctance of minority clans to join the uprising against the group.²⁶⁶ With regard to support for al-Shabab, however, it was similarly not possible to specify which clan families supported the group and which did not. This often depended on the situation and local conditions. Al-Shabab's ranks generally reflected the clan structure in Somalia during the reporting period. The group had members from all clans.²⁶⁷ In the upper echelons of al-Shabab, members of majority clans - especially the Hawiye - were often dominant, while members of minority clans were mainly represented in the lower ranks, according to various sources. In this sense, al-Shabab perpetuated existing clan rivalries.²⁶⁸

²⁶² Hiiraan Online, *Clan conflict over grazing leaves 20 dead in Galgaduud*, 28 August 2022; Somaliland.com, *Several dead in a clan clash that erupted in Galgaduud region, Somalia*, 28 August 2022.

²⁶³ UN Security Council, *S/2022/392*, p. 10, 13 May 2022; EUAA, *Country Guidance: Somalia*, p. 70, June 2022.

²⁶⁴ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 35, 21 December 2021 (Dutch only); Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 24, 43 and 92, March 2022; Landinfo, *Somalia: Rekruttering til al-Shabaab*, pp. 7-8, 17 October 2022; ICG, *Sustaining gains in Somalia's offensive against Al-Shabaab*, 21 March 2023.

²⁶⁵ Najum Mushtaq, "State-building amidst conflict," in: Keating and Waldman (eds), *War and peace in Somalia*, p. 101, 2018; EUAA, *Somalia: Actors*, p. 56, July 2021; Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 91-92, March 2022.

²⁶⁶ Confidential source, 22 February 2023.

²⁶⁷ EUAA, *Somalia: Actors*, p. 55, July 2021; Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 17-19, March 2022.

²⁶⁸ Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, pp. 90-91, March 2022; Landinfo, *Somalia: Rekruttering til al-Shabaab*, pp. 7-8, 17 October 2022.

2.7 Freedom of movement

Although freedom of movement within Somalia was not restricted by law or regulation during the reporting period²⁶⁹, road travel remained dangerous in large parts of the country. A source cited by the EUAA in a February 2023 report stated that the average Somali was able to travel through the country by road.²⁷⁰ However, travelling was not without risks. Particularly since the intensification of the military offensive in the summer of 2022, skirmishes between the warring factions could take place along the main roads throughout South and Central Somalia. Al-Shabab regularly carried out attacks on military convoys, government officials' convoys and aid convoys on these roads. Even in the regions where the group had been driven out of the urban centres and larger towns, it retained sufficient capacity outside those centres to carry out violent actions.²⁷¹ According to a confidential source, this made road travel more dangerous than before during the reporting period.²⁷² Al-Shabab made more use of improvised explosive devices along connecting roads across the country during the reporting period than during the previous period, resulting in more civilian casualties.²⁷³

In addition, regional and federal government parties, clan militias and al-Shabab continued to use checkpoints on major roads throughout South and Central Somalia. Some of these were permanent, others temporary. At these checkpoints, travellers could face robbery, extortion, intimidation and violence. At many of the checkpoints, travellers had to pay to continue their journey.²⁷⁴

Even in areas where al-Shabab had been driven out of the urban centres and larger towns, it continued to maintain checkpoints on connecting roads. Those most at risk at al-Shabab checkpoints were officials, politicians and military personnel from the SNL, ATMIS or other military groups. They ran a high risk of being kidnapped or killed by al-Shabab. Many senior officials and politicians reportedly only travelled between Somali cities by air.²⁷⁵

In addition, al-Shabab continued to hinder commercial activities and the delivery of relief supplies in areas it controlled. The group raised taxes on the transport of commercial goods, and in many cases blocked the operations of humanitarian organisations. Al-Shabab also regularly attacked convoys carrying employees and goods of humanitarian organisations.²⁷⁶ According to the *Humanitarian Access Overview*, OCHA recorded 656 access incidents in 2022, in which humanitarian aid could not be provided for security reasons.²⁷⁷ In 2020, there were only 255 such

²⁶⁹ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 32-33, March 2020 (Dutch only); USDoS, *2022 Country report on human rights practices: Somalia*, p. 19, 20 March 2023.

²⁷⁰ EUAA, *Somalia: Security situation*, p. 51, February 2023.

²⁷¹ Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; International Federation of Red Cross and Red Crescent Societies (IFRC), *Operational Strategy, Somalia | Hunger crisis 2021-2022; 18 July 2021 to 31 July 2023*, 20 May 2022; ICG, *A welcome chance for a reset in Somalia*, 31 May 2022; UN Security Council, *S/2022/754*, p. 3, 10 October 2022; ICG, *Sustaining gains in Somalia's offensive against Al-Shabaab*, 21 March 2023; Confidential source, 19 December 2022; Confidential source, 24 February 2023.

²⁷² Confidential source, 22 February 2023.

²⁷³ OHCHR, *Somalia: Türk decries steep rise in civilian casualties amid surge in Al-Shabaab attacks*, 14 November 2022; Confidential source, 22 February 2023.

²⁷⁴ EUAA, *Somalia: Security situation*, pp. 51-52, February 2023; USDoS, *2022 Country report on human rights practices: Somalia*, p. 19, 20 March 2023.

²⁷⁵ EUAA, *Somalia: Security situation*, pp. 51-52, February 2023.

²⁷⁶ USDoS, *2021 Country report on human rights practices: Somalia*, pp. 2 and 17, 12 April 2022; Assessment Capacities Project (ACAPS), *CrisisSight: Humanitarian access overview*, p. 15, July 2022; UN Security Council, *S/2022/754*, pp. 14-15, 10 October 2022; ACAPS, *CrisisSight: Humanitarian access overview*, p. 20, December 2022; OCHA Somalia, *2022 Annual Humanitarian Access Overview*, 19 January 2023; EUAA, *Somalia: Security situation*, p. 72, February 2023.

²⁷⁷ OCHA Somalia, *2022 Annual Humanitarian Access Overview*, 19 January 2023.

incidents.²⁷⁸ Most of the 656 incidents reported by OCHA in 2022 took place in the states of South-West State, Hirshabelle and Galmudug. 515 of these incidents were related to the armed conflict. Violence was used against aid workers in 37 cases.²⁷⁹ According to one source, it was only safe for humanitarian personnel to travel on connecting roads in Somalia in armoured vehicles.²⁸⁰

Because a concrete delineation of the exact areas under al-Shabab control since the intensification of the military offensive cannot yet be given, it is also not possible to specify between which cities it is possible to travel by land without passing through al-Shabab territory. As indicated above, although al-Shabab lost control of towns and villages in several regions during the reporting period, it still has sufficient capacity to create insecurity in the rural regions and along the main roads in those areas.²⁸¹

2.7.1 *Flight connections*

According to the Flight Connections website, the following foreign destinations could be reached from Mogadishu airport: Nairobi (Kenya), Entebbe (Uganda), Addis Ababa (Ethiopia), Djibouti, Dubai, Doha (Qatar), Jeddah (Saudi Arabia) and Istanbul (Turkey).²⁸²

The Somali airline Jubba Airways operated domestic flights from Mogadishu to Adado, Baidoa, Bosaso, Galkayo, Garowe, Guriel, Hargeisa and Kismayo, according to its website.²⁸³

The Djiboutian airline Daallo Airlines operated domestic flights from Mogadishu to Bosaso and Hargeisa, according to its website.²⁸⁴

2.7.2 *Boat connection between Mogadishu and Marka*

Two confidential sources confirmed that a passenger boat connection existed between Mogadishu and Marka. The boat had space for 15 to 20 passengers and, in principle, departed daily. On days when there were not enough passengers or the weather conditions at sea were unfavourable, the boat sometimes did not depart. The price of a one-way ticket was 30 US dollars.²⁸⁵ According to one of the sources, the boat connection was mainly used by civil servants and soldiers, to avoid the presence of al-Shabab on the roads between Mogadishu and Marka.²⁸⁶ No indications were found that al-Shabab carried out attacks on this boat connection during the reporting period. It is unknown whether boat connections existed between Mogadishu and other cities.

²⁷⁸ OCHA Somalia, *2020 Annual Humanitarian Access Overview*, 4 April 2021.

²⁷⁹ OCHA Somalia, *2022 Annual Humanitarian Access Overview*, 19 January 2023.

²⁸⁰ Confidential source, 22 February 2023.

²⁸¹ Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; International Federation of Red Cross and Red Crescent Societies (IFRC), *Operational Strategy, Somalia | Hunger crisis 2021-2022; 18 July 2021 to 31 July 2023*, 20 May 2022; ICG, *A welcome chance for a reset in Somalia*, 31 May 2022; UN Security Council, *S/2022/754*, p. 3, 10 October 2022; ICG, *Sustaining gains in Somalia's offensive against Al-Shabaab*, 21 March 2023; Confidential source, 19 December 2022; Confidential source, 24 February 2023.

²⁸² Flight Connections, www.flightconnections.com/flights-from-mogadishu-mgg, accessed 3 April 2023.

²⁸³ Jubba Airways, *Destinations*, jubbaairways.com/destinations-mogadishu.html, accessed 3 April 2023.

²⁸⁴ Daallo Airlines, www.daallo.com, accessed 3 April 2023.

²⁸⁵ Confidential source, 26 February 2023; Confidential source, 31 March 2023.

²⁸⁶ Confidential source, 31 March 2023.

3 Identity, nationality and documents

3.1 Identification obligation and identifying documents

3.1.1 *Identification obligation and identifying documents*

The previous country report explained that the possession of identifying documents does not play a major role in Somali society. Many Somali citizens were not in possession of any identifying document.²⁸⁷ This did not change in the reporting period. Somalia does not yet have a comprehensive national registration system or civil registry. Somalis must therefore rely on a patchwork of separately operating systems and documents to prove their identity.²⁸⁸ Once again, few births were officially registered in the reporting period. In October 2022, UNICEF reported that only 6% of children under the age of five were officially registered.²⁸⁹ The World Bank indicated the same percentage in 2020.²⁹⁰ In a survey conducted by UNHCR in September 2022 among Somali asylum-seekers and refugees who had returned to Somalia after a stay abroad, 87% of those surveyed said that they did not possess official identity documents. 86% said that this did not hinder them in their daily activities.²⁹¹

3.1.2 *False and forged documents*

The previous country report stated that verifying the authenticity of identity documents was impossible because there was no reliable government registration of personal data. Citizens could arrange identity documents with the help of fixers. In this context, the high level of corruption at Somali government bodies needed to be taken into account.²⁹²

There are no indications that this situation changed in the reporting period. Among other sources, the Norwegian Refugee Council (NRC) and the UN reported that, due to the lack of a reliable personal registration system, it was still relatively easy to obtain forged documents or documents with false identity data.²⁹³ In Transparency International's *Corruption Perceptions Index*, Somalia was ranked 178 (out of 180 countries) in 2022.²⁹⁴

3.1.3 *Issuance of documents by representation in Brussels*

The Somali diplomatic representation in Brussels issues identity documents to Somali nationals.

²⁸⁷ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 40-41, 21 December 2021 (Dutch only).

²⁸⁸ Landinfo, *Query response: Somalia: Date of birth, age and calendar*, 17 February 2021; United Nations Population Fund (UNFPA), *Somalia CRVS country profile*, p. 4, December 2021; NRC, "Who are you?"; *Linkages between legal identity and housing, land, and property rights in Somalia*, p. 2, November 2022.

²⁸⁹ UNICEF, *A statistical update of birth registration in Africa*, p. 29, October 2022.

²⁹⁰ World Bank, *Data; Completeness of birth registration (%) – Somalia; 2011-2020*, data.worldbank.org, accessed 16 January 2023.

²⁹¹ UNHCR, *Somalia; Post refugee return monitoring snapshot*, p. 4, September 2022.

²⁹² Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 41-42, 21 December 2021 (Dutch only).

²⁹³ UN Security Council, *S/2022/754*, pp. 18-19, 10 October 2022; NRC, "Who are you?"; *Linkages between legal identity and housing, land, and property rights in Somalia*, p. 41, November 2022; Immigration and Refugee Board of Canada, *Response to information requests (SOM201368.E)*, 28 February 2023.

²⁹⁴ Transparency International, *Corruption Perceptions Index*, www.transparency.org, accessed 4 April 2023.

The application procedure for a passport at the diplomatic representation in Brussels was described in the country report of March 2020.²⁹⁵ There are no indications that this procedure has changed since then. Applicants must submit their application to the embassy in person. The application must be accompanied by an application form and documents proving residence in the country of residence. A Somali birth certificate must also be submitted. In addition, the details of at least two relatives residing in Somalia who can confirm the applicant's identity must be provided. An interview is also part of the procedure. The Somali Immigration and Naturalization Directorate (IND) assesses the applications and issues the passports.²⁹⁶ The representation in Brussels does not issue national identity cards through a separate procedure. Identity cards are only issued as part of the procedure for obtaining a national passport. When a passport application is granted, the IND in Mogadishu sends the passport to the embassy together with a national identity card.²⁹⁷

The diplomatic representation in Brussels also issues birth certificates on request.²⁹⁸ According to a source, applications must be accompanied by sufficient identifying documents, such as a previously issued birth certificate or other identity documents legalised by the Somali Ministry of Foreign Affairs.²⁹⁹ An interview at the embassy is also part of the procedure.³⁰⁰

In addition, the representation in Brussels issues nationality certificates on request. The application procedure is the same as for birth certificates.³⁰¹

3.2 Nationality

The previous country report included a passage about the Somali nationality law of 1962.³⁰² There were no significant changes with respect to this law in the reporting period. In June 2021, however, the Somali authorities launched a national action plan to combat statelessness, linked to UNHCR's Global Action Plan to end Statelessness. The Somali plan was intended to rectify several provisions in the 1962 nationality law that were regarded as incompatible with the provisional constitution of 2012.³⁰³ These included the provision that a woman cannot transfer her citizenship to her children or foreign husband (whereas the provisional constitution prescribes equal treatment), and the absence of a provision allowing dual nationality (whereas the provisional constitution does allow dual nationality). However, partly because of the resurgence of the armed conflict, the plan did not lead to any new legislation during the reporting period.³⁰⁴

²⁹⁵ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 35, March 2020 (Dutch only).

²⁹⁶ Confidential source, 21 March 2023; Confidential source, 11 April 2023.

²⁹⁷ Confidential source, 28 November 2022; Confidential source, 11 April 2023.

²⁹⁸ Confidential source, 21 March 2023; Confidential source, 11 April 2023.

²⁹⁹ Confidential source, 21 March 2023.

³⁰⁰ Confidential source, 21 March 2023; Confidential source, 11 April 2023.

³⁰¹ Confidential source, 11 April 2023.

³⁰² Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 42, 21 December 2021 (Dutch only).

³⁰³ A provisional constitution was drafted in 2012. Since then, parliament has been working on drawing up a definitive constitution (Heritage Institute, *On reviewing Somalia's Provisional Constitution; Background, challenges, and future prospects*, August 2022).

³⁰⁴ Somali Women Development Centre (SWDC) et al., *Joint submission to the Human Rights Council; Universal periodic review; 38th session, 3rd cycle, May 2021*, 15 October 2020; UNHCR, *Citizenship and statelessness in the Horn of Africa*, p. 59, December 2021; NRC, "Who are you?"; *Linkages between legal identity and housing, land, and property rights in Somalia*, pp. 17-18, November 2022; UNHCR, *Somalia; Strategy 2022*, reporting.unhcr.org/somalia, accessed 4 April 2023.

4 Human rights

The human rights situation in Somalia remained a cause for concern during the reporting period. Ongoing armed conflicts, lack of security, lack of state protection and recurring humanitarian crises meant that Somali civilians continued to be exposed to serious violence. Due to lack of security and drought, many people were displaced. All parties to the armed conflict committed violations of international humanitarian law. In general, impunity remained the norm.³⁰⁵

4.1 Position of specific groups

4.1.1 *Protection for civilians*

During the reporting period, it remained difficult for Somali citizens to gain access to justice and protection from government and judicial institutions. As a rule, the institutions responsible for the safety of citizens lacked the capacity or willingness to provide them with effective protection.³⁰⁶

It is clear from the sources consulted that due to a succession of political, humanitarian and security crises over the years, the authorities had very little capacity to act decisively and ensure the safety of citizens. The successive crises, the chronic understaffing of security bodies and the pervasive corruption in state and judicial institutions weakened those institutions and citizens' confidence in their actions.³⁰⁷

In addition, both the federal authorities and the authorities of the federal member states were usually organised on political and clan lines, and in the event of conflict often sided with their own community. In practice this meant that the possibilities for members of a local majority clan to obtain protection from the government were greater than the possibilities for members of local minority clans.³⁰⁸

Due to the lack of decisiveness and willingness on the part of the authorities to assist all citizens, during the reporting period, as had previously been the case, many citizens preferred to resolve disputes through informal structures within their own community. Traditional customary law (*xeer*) or Islamic law was generally used in this context to settle disputes (see also 4.2).³⁰⁹

³⁰⁵ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 41-46, September 2022; USDoS, *2022 Country report on human rights practices: Somalia*, 20 March 2023; Amnesty International, *Report 2022/23; The state of the world's human rights; Somalia 2022*, 27 March 2023.

³⁰⁶ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 44-46, September 2022; Confidential source, 22 February 2023.

³⁰⁷ International Development Law Organization (IDLO), *Accessing justice: Somalia's alternative dispute resolution centers*, pp. 8-9, 20 January 2021; Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 44-46, September 2022; Bertelsmann Stiftung, *BTI 2022 Country Report - Somalia*, 2022; Confidential source, 24 February 2023.

³⁰⁸ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 44-46, September 2022; Confidential source, 24 February 2023.

³⁰⁹ Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 44-46, September 2022; Confidential source, 22 February 2023; Confidential source, 24 February 2023.

Due to this combination of factors, women, internally displaced persons and members of minority clans and groups had especial difficulty in obtaining effective protection from local, state or federal authorities.³¹⁰

4.1.2 *Ethnic minorities, occupational groups and clans*

Somalia's political and social system has traditionally been based on clan descent. Ethnic minorities, certain occupational groups and minority clans are marginalised within this system (see 4.1.2). As in previous reporting periods, exact data on the size of the group of minorities did not exist during the reporting period. The UN still used a figure of approximately thirty percent of the Somali population.³¹¹

The picture that emerges from the sources is that during the reporting period there was no systematic persecution of minorities such as occurred in the 1990s. However, members of minorities could face discrimination and disadvantage in areas such as access to a social safety net or humanitarian aid. Moreover, unlike the dominant clans, minorities did not have their own armed militias. As a result, members of minority groups were at increased risk of becoming victims of human rights violations, kidnapping, land grabbing and displacement. Because the traditional customary law (*xeer*) was also dominated by the large clan groups, the minorities lacked the means to enforce their rights or to negotiate effectively in the event of disputes.³¹²

Reer Hamar

The Reer Hamar population group is considered part of the Benadiri. 'Benadiri' is a collective name for various minorities that mainly live on the coast of Benadir. Hamar is the local name for the neighbourhoods in the old part of Mogadishu, and 'Reer Hamar' refers to the population of that part of the city. Many Benadiri fled the country in the early 1990s.³¹³ During the reporting period, as in the previous reporting period, EUAA estimated that approximately 10,000 Benadiri were still living in Mogadishu.³¹⁴

The sources consulted suggest that although the Reer Hamar faced discrimination, there were no significant security threats due to their ethnicity during the reporting period. Their position was judged to be better than that of other minority groups.³¹⁵ UNHCR stated that some members of the Reer Hamar held government positions, and members of the group sometimes entered into marriages with members of majority clans.³¹⁶ The UK Home Office also noted that the Reer Hamar had managed

³¹⁰ ESCWA, UNFPA, UN Women, UNDP, *Somalia; Gender justice & the law*, p. 13, 2018; IDLO, *Accessing justice: Somalia's alternative dispute resolution centers*, pp. 8-9, 20 January 2021; Confidential source, 22 February 2023; Confidential source, 24 February 2023.

³¹¹ OCHA, *2022 Humanitarian needs overview*, October 2021; EUAA, *Country Guidance: Somalia*, pp. 99-103, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 69-75, September 2022; OCHA, *Humanitarian response plan; Somalia*, pp. 9, 30, February 2023.

³¹² OCHA, *2022 Humanitarian needs overview*, October 2021; EUAA, *Country Guidance: Somalia*, pp. 99-103, June 2022; UN General Assembly, *Situation of human rights in Somalia (A/HRC/51/65)*, p. 16, 19 August 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 69-75, September 2022; OCHA, *Humanitarian response plan; Somalia*, pp. 9, 30, February 2023.

³¹³ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 44-45, 21 December 2021 (Dutch only).

³¹⁴ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 45, 21 December 2021 (Dutch only); Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; EUAA, *Country Guidance: Somalia*, p. 102, June 2022.

³¹⁵ EUAA, *Country Guidance: Somalia*, p. 102, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 70, 73, September 2022; UK Home Office, *Guidance: Country policy and information note: security and humanitarian situation in Mogadishu, Somalia, May 2022 (accessible); Updated 17 October 2022*, 17 October 2022.

³¹⁶ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 70, 73, September 2022.

to gain a stronger position by forming marriage ties with majority clans. In addition, there were no known examples of members of the Reer Hamar staying at IDP camps.³¹⁷

Bantu and Bajuni

The Bantu and Bajuni were also among the most marginalised ethnic groups during the reporting period. Members of the majority clans often see them as inferior because they do not have Somali roots. These groups fall outside the traditional clan structures that dominate Somalia socially, economically and politically, and therefore have far less access to natural and economic resources, social influence and protection. During the reporting period, they faced problems such as discrimination, social exclusion, stigmatisation, land grabbing and limited access to justice. They were also systematically excluded from regular government positions, and the few of them who did hold official positions had little influence to take effective action on behalf of their communities.³¹⁸

Occupational groups

Some groups in Somalia are defined by the traditional occupations of their members. The three largest of these occupational groups are the Gabooye, Tumaal and Yibir. The Gabooye traditionally work for the dominant clans as hunters, hairdressers, shoemakers, tanners, well-diggers, basket-makers or water-carriers among other occupations. The Tumaal mainly work as ironsmiths and carpenters and the Yibir as tanners and traditional doctors. These groups also fall outside the traditional clan structures and experienced discrimination, exclusion and lack of protection during the reporting period. They were often poorly educated and had little access to the labour market outside their traditional occupations.³¹⁹

4.1.3

Religious minorities

Almost the entire population of Somalia is Sunni Muslim. Other religious groups make up less than one percent of the population, including a small Christian community. According to the sources consulted, the public profession of a religion other than Islam is generally not accepted in Somalia. During the reporting period, as previously, suspected apostasy or conversion to another religion, or making statements that could be considered blasphemous, could lead to discrimination or intimidation from the community. As a rule, non-Muslims did not practise their faith in public.³²⁰

Article 2 of Somalia's provisional constitution states that Islam is the country's national religion, that no religion other than Islam may be propagated, and that all laws must be compatible with *sharia*. Although Article 17(1) of the Constitution prescribes that every individual is free to practise his or her religion, paragraph 2

³¹⁷ UK Home Office, *Guidance: Country policy and information note: security and humanitarian situation in Mogadishu, Somalia, May 2022 (accessible)*; Updated 17 October 2022, 17 October 2022.

³¹⁸ Somalia Protection Cluster, *Protection Analysis Update; February 2022*, pp. 8-9, February 2022; EUAA, *Country Guidance: Somalia*, pp. 101-102, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 72-73, September 2022; Minority Rights Group, *Minority exclusion in Somalia: shortcomings of aid agency feedback mechanisms*, p. 26, October 2022; USDoS, *2022 Country report on human rights practices: Somalia*, p. 31, 20 March 2023.

³¹⁹ EASO, *Somalia: targeted profiles*, pp. 61-65, September 2021; EUAA, *Country Guidance: Somalia*, p. 100, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 74-75, September 2022; Minority Rights Group, *Somalia; Occupational groups*, minorityrights.org/minorities/occupational-groups/, accessed 13 April 2023.

³²⁰ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 46, 21 December 2021 (Dutch only); Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; USDoS, *2021 Report on international religious freedom: Somalia*, 2 June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 64-69, September 2022; USDoS, *2022 Report on International Religious Freedom: Somalia*, 15 May 2023.

reiterates the prohibition against propagating religions other than Islam.³²¹ The individual federal member states have their own constitutions. The US State Department states that these constitutions also prescribe Islam as the official religion and prohibit laws that are not compatible with sharia.³²²

The Somali Penal Code (PC) is valid in all federal member states. The PC does not contain a provision criminalising apostasy. However, sharia prohibits apostasy. The PC does have a provision criminalising blasphemy. Article 313 of the code prescribes a two-year prison sentence for anyone who 'brings into contempt' or 'insults' Islam in public.³²³ During the reporting period, more reports on the situation of converts appeared in Somaliland than in South and Central Somalia. Thus at least two people in Somaliland were convicted in 2022 on the basis of, among other things, Article 313 PC. Both had converted to Christianity and had announced this on social media.³²⁴ No other cases of criminal prosecution for apostasy were reported during the reporting period.³²⁵

Al-Shabab again used violence during the reporting period to impose its interpretation of Islam in the areas it controlled. The group applied a strict interpretation of sharia, banning televisions, cinemas, music, the Internet, smoking and other things it considered 'un-Islamic'. Strict action was taken against non-compliance with the religious rules. Among other sanctions, al-Shabab used corporal punishment and the death penalty. Public sources reported the execution of those suspected of apostasy and blasphemy.³²⁶

4.1.4 LGBTQI+

The country reports of 2020 and 2021 explained that little concrete information was available on the situation of LGBTQI+ people in Somalia.³²⁷ There was no significant change to this during the reporting period. For this reason, a number of questions from the Terms of Reference on this subject have remained unanswered. According to several sources, the lack of information during the reporting period, as previously, was due to the fact that LGBTQI+ issues were a taboo subject in Somalia. This taboo put individuals at risk of stigma, isolation and discrimination. As a rule, this prevented LGBTQI+ people from speaking openly about their sexual preference or gender identity.³²⁸

All public sources consulted that dealt with the position of LGBTQI+ people in Somalia emphasised that the lack of concrete information about their position was mainly due to the strong stigma attached to the subject, which prevented people from speaking openly about their experiences. The picture that emerges from the

³²¹ *Constitute, Constitution Somalia 2012*, www.constituteproject.org/constitution/Somalia_2012?lang=en, accessed 17 April 2023.

³²² USDoS, *2021 Report on international religious freedom: Somalia*, p. 3, 2 June 2022.

³²³ *Somalia: Penal Code*, 3 April 1964, www.refworld.org/docid/4bc5906e2.html, accessed 17 April 2023.

³²⁴ UN Special Rapporteur on the freedom of religion or belief, *Ref.: AL SOM 4/2022*, 8 November 2022; Confidential source, 21 February 2023; Confidential source, 22 February 2023.

³²⁵ Confidential source, 21 February 2023.

³²⁶ Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; USDoS, *2021 Report on international religious freedom: Somalia*, 2 June 2022; EUAA, *Country Guidance: Somalia*, pp. 91-95, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 64-69, September 2022; USDoS, *2022 Report on International Religious Freedom: Somalia*, 15 May 2023.

³²⁷ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 41, March 2020 (Dutch only); Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 47-49, 21 December 2021 (Dutch only).

³²⁸ Landinfo, *Somalia: Situation for homosexuals*, p. 1, 16 June 2021; EUAA, *Country Guidance: Somalia*, pp. 107-108, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 115, September 2022; USDoS, *2022 Country report on human rights practices: Somalia*, p. 34, 20 March 2023; Human Dignity Trust, *Somalia*, www.humandignitytrust.org/country-profile/somalia/, accessed 18 April 2023.

sources consulted is that LGBTIQI+ people in Somalia are at great risk of experiencing discrimination and violence, particularly from within their own community.³²⁹

Legislation

Same-sex intercourse is a criminal offence in Somalia. Prosecution can take place on the basis of Article 409 PC. Convictions under this article can result in a prison sentence of up to three years.³³⁰ There are no known cases of this article of the law being applied during the reporting period. However, Somalia has a pluralistic legal system in which customary law (*xeer*), religious law (*sharia*) and secular law exist alongside each other. The vast majority of disputes are settled using the informal legal system. A strict interpretation of sharia could legitimise the application of the death penalty in cases of homosexuality. It is not known whether the death penalty was applied for this reason during the reporting period, although sources gave examples of executions of alleged homosexuals al-Shabab that took place before the reporting period.³³¹

4.1.5

Women

As in the previous period,³³² the position of women in Somalia was a cause for concern. According to various sources, women increasingly met with gender-based violence and there was a lack of effective legal protection and assistance options in this respect. In addition, their situation was characterised by marginalisation in areas such as social and political participation.³³³

Ahead of the 2022 elections, Prime Minister Mohamed Hussein Roble had announced a target of thirty percent of parliamentary seats to be filled by women. However, this target was not achieved: twenty percent of the elected members of the Lower House and Senate were women. The percentage of female members of parliament thus fell compared to the nearly twenty-five percent of women elected to parliament in the 2016 election.³³⁴ In Somaliland's parliament, the role of women was even smaller: that parliament had no female parliamentarians for most of the reporting

³²⁹ Landinfo, *Somalia: Situation for homosexuals*, p. 1, 16 June 2021; EUAA, *Country Guidance: Somalia*, pp. 107-108, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 115, September 2022; USDoS, *2022 Country report on human rights practices: Somalia*, p. 34, 20 March 2023; Human Dignity Trust, *Somalia*, www.humandignitytrust.org/country-profile/somalia/, accessed 18 April 2023; Confidential source, 22 February 2023.

³³⁰ *Somalia: Penal Code*, 3 April 1964, www.refworld.org/docid/4bc5906e2.html, accessed 18 April 2023.

³³¹ EUAA, *Country Guidance: Somalia*, p. 108, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 114, September 2022; USDoS, *2022 Country report on human rights practices: Somalia*, p. 34, 20 March 2023; Human Dignity Trust, *Somalia*, www.humandignitytrust.org/country-profile/somalia/, accessed 18 April 2023.

³³² Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 49-50, 21 December 2021 (Dutch only).

³³³ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 94-97, September 2022; USDoS, *2022 Country report on human rights practices: Somalia*, 20 March 2023; Save the Children, *Policy Position Paper – Forgotten rights: Somali women & girls bearing the brunt of crisis*, 8 March 2023.

³³⁴ Reuters, *Somali women demand guarantee of 30% of parliament in 2021 elections*, 28 October 2020; The New Arab, *Somali PM to reserve nearly one-in-three parliamentary seats for women*, 12 January 2021; UN - Meeting Coverage and Press Releases, *Realizing women's 30 per cent quota, political participation in Somalia 'a game changer' for sustainable peace, deputy Secretary-general tells Security Council*, 28 September 2021; Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 9, 21 December 2021 (Dutch only); UN - Meeting Coverage and Press Releases, *Despite election to 14 seats in Somalia's Upper House, women's full inclusion crucial for peace, development, briefers tell Security Council*, 17 November 2021; Hiraan, *FEIT Electoral Commission announced list of members of both Houses of the Somali parliament*, 1 April 2022; UN - Meeting Coverage and Press Releases, *Peaceful transfer of power in Somalia offers long-awaited opportunity to advance urgent national priorities, Special Representative tells Security Council*, 23 May 2022; Electoral Institute for Sustainable Democracy in Africa (EISA), *Women's participation in politics and electoral processes in Somalia*, p. 9, 29 August 2022; Institute for Democracy and Electoral Assistance (IDEA), *Gender quotas database – Somalia*, www.idea.int, accessed 4 October 2022; UN Women – Africa, *Somalia*, africa.unwomen.org, accessed 4 October 2022.

period. In May 2023, the first female parliamentarian was sworn in. She took the place of a deceased male parliamentarian.³³⁵

Gender-based and sexual violence

According to various sources, women in Somalia experienced increasing levels of gender-based and sexual violence during the reporting period.³³⁶ This was firstly due to the continuation of the armed conflict. UNSOM verified 340 cases of conflict-related sexual violence in 2021, mainly perpetrated by clan militias and al-Shabab.³³⁷ In addition, the continuing drought and food shortages and the intensification of the armed conflict led to large flows of displaced persons. As more women and girls became displaced, they became more vulnerable to gender-based and sexual violence.³³⁸ In IDP camps, for example, they had to cope with living spaces (often tents) that were relatively easy for strangers to enter, and often with poor lighting and longer distances to water points, health centres, schools and markets. Partly as a result of this, the risk for women and girls of facing violence increased.³³⁹

Opportunities for women to obtain protection against gender-based and sexual violence remained limited during the reporting period.³⁴⁰ The UN Population Fund (UNFPA) reported in 2022 that these limitations were related to a combination of factors, such as the absence of a robust legal framework, the lack of capacity among aid workers, interference from communities and families, the stigmatisation of victims, and limited support with accessing legal services.³⁴¹ In addition, cases of gender-based and sexual violence were often handled by clan elders using traditional customary law (*xeer*). This system focused more on the interests of the clan and mutual relations than on the interests of the victim.³⁴² According to a confidential source, some victims of sexual violence preferred al-Shabab courts. These were said to be more effective than state courts in prosecuting perpetrators of sexual violence.³⁴³

Legislative proposals

In 2018, the Somali cabinet drafted a bill on sexual offences. The Sexual Offences Bill was seen as progressive. It aimed to criminalise a wide range of gender-based violence, including rape and child marriage. The bill set clear tasks for police, investigators and prosecutors and provided specific protection to vulnerable groups

³³⁵ Somali Dispatch, *Somaliland Parliament welcomes the first female MP*, 14 May 2023; Confidential source, 16 May 2023.

³³⁶ HRW, *World Report 2022: Somalia*, 16 December 2021; SOS Children's Villages International, *Threat of gender-based violence on the rise in Somalia*, 21 December 2022; UNFPA, *Women and girls in Somalia face critical life-threatening drought and conflict situations*, 1 January 2023; UN News, *Somalia: UN official underlines need to advance women's participation in public life*, 22 February 2023.

³³⁷ United Nations Secretary-General, *Conflict-related sexual violence (S/2022/272)*, p. 30, 29 March 2022; UNSOM, *Women in Somalia live through pain of displacement and trauma of conflict-related sexual violence*, 19 June 2022.

³³⁸ HRW, *World Report 2022: Somalia*, 16 December 2021; SOS Children's Villages International, *Threat of gender-based violence on the rise in Somalia*, 21 December 2022; UNFPA, *Women and girls in Somalia face critical life-threatening drought and conflict situations*, 1 January 2023; UN News, *Somalia: UN official underlines need to advance women's participation in public life*, 22 February 2023.

³³⁹ UNFPA Somalia, *Overview of gender-based violence in Somalia*, pp. 3, 9, 2022; UNFPA, *Women and girls in Somalia face critical life-threatening drought and conflict situations*, 1 January 2023; Confidential source, 20 February 2023.

³⁴⁰ IDLO, *Accessing justice: Somalia's alternative dispute resolution centers*, pp. 8-10, 20 January 2021; Confidential source, 22 February 2023; Confidential source, 20 February 2023; Confidential source, 24 February 2023.

³⁴¹ UNFPA Somalia, *Overview of gender-based violence in Somalia*, p. 6, 2022.

³⁴² Clayton Boeyink et al., 'Pathways to care: IDPs seeking health support and justice for sexual and gender-based violence through social connections in Garowe and Kismayo, Somalia and South Kivu, DRC,' in: *Journal of Migration and Health* (6), p. 8, 2022; UNSOM, *Protecting displaced Somalis from gender-based violence highlighted at roundtable discussion*, 14 December 2022.

³⁴³ Confidential source, 20 February 2023.

such as children, people with disabilities and displaced persons. In response, religious conservative MPs introduced a counter-proposal in 2020 known as the Sexual Intercourse Bill. According to the sources consulted, many of the improvements from the Sexual Offences Bill were reversed in this. Contrary to the provisions of the Sexual Offences Bill, the provisions of the Sexual Intercourse Bill actually eroded the protection of victims of gender-based violence.³⁴⁴ At the end of the reporting period, neither bill had yet been passed by parliament.

A similar process took place in Somaliland during the reporting period. There, President Bihi Abdi had signed the relatively progressive Rape and Sexual Offences Act in 2018. However, religious conservative forces rebelled against this and forced the law to be repealed. They introduced a replacement bill in 2020, known as the Rape, Fornication and Other Related Offences Bill. Many of the improvements and protection provisions of the earlier law were nullified in this. At the end of the reporting period, the bill had not yet been passed by the Somaliland parliament.³⁴⁵

In Puntland, a law has been in place since 2016 that criminalises all forms of sexual violence in the federal member state. However, sources published since then indicate that the law has not yet been fully implemented, and that many court decisions still use the old Somali PC.³⁴⁶

Single women

Single women in Somalia remained vulnerable, especially when living in IDP camps or at informal IDP sites. Here they were at increased risk of experiencing sexual violence. The risk was even higher for women belonging to a minority clan.³⁴⁷ The main source of protection in Somalia remained the woman's extended family.³⁴⁸ When a woman was not with her extended family, her safety decreased. Women who belonged to a majority clan could therefore expect some degree of protection, but according to a source this protection was not complete, as sexual violence could also be committed by members of one's own clan.³⁴⁹

There were no formal restrictions on women's access to the labour market in Somalia. According to one source, the extent to which single women in Somalia could survive economically and their economic room for manoeuvre depended mainly on a few individual factors. The extended family and clan or sub-clan played an important role. Through the family or clan/sub-clan network, the woman could, for example, arrange work or access to financial resources. In addition, the woman's educational level was important. It was easier for women with a higher level of education to survive economically. The biggest challenge for women in the labour market was often not the fact that they were single, but their lack of education, as education was generally given to boys rather than girls.³⁵⁰

³⁴⁴ Legal Action Worldwide, *Somalia Sexual Intercourse Bill: A brief*, 8 August 2020; Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 51, 21 December 2021 (Dutch only); Strategic Initiative for Women in the Horn of Africa (SIHA), *Stop using religion to justify sexual violence against women and girls in Somalia*, 17 January 2023.

³⁴⁵ Open Democracy, *Religious backlash threatens Somaliland's progressive rape law*, 19 August 2022; Confidential source, 20 February 2023; Confidential source, 22 February 2023.

³⁴⁶ UNFPA Somalia, *Puntland passes new law against sexual offences*, 5 September 2016; UNFPA, *Enforcing the sexual offences law in Puntland*, 23 September 2020; Danish Refugee Council, *Protection Monitoring System – Quarterly joint analysis workshop – Puntland*, 15 July 2021; HRW, *Submission to the committee on the rights of the child review of Somalia, 90th session*, 14 April 2022.

³⁴⁷ EASO, *Somalia: targeted profiles*, p. 43, September 2021; EUAA, *Country Guidance: Somalia*, p. 116, June 2022; Peter Chonka et al., *Safety and security in Mogadishu*, pp. 18, 24-25, March 2023; Confidential source, 23 February 2023.

³⁴⁸ The extended family may include grandparents, uncles, aunts, nieces and nephews in addition to father, mother and children.

³⁴⁹ Confidential source, 20 February 2023.

³⁵⁰ Confidential source, 20 February 2023.

Forced marriage

Forced marriages were common both before and during the reporting period. This was a culture-related phenomenon found throughout Somalia, particularly in the more rural areas. Girls could be married off from puberty onwards. In rural areas this happened from the age of eleven or twelve, while in urban areas it was often several years later - but usually before the age of eighteen.³⁵¹ According to data collected by UN Women, 17% of Somali women aged 20 to 24 were married before the age of fifteen. 36% of women were married before the age of eighteen.³⁵² The NGO Girls not Brides gave the same percentages.³⁵³ However, UNHCR pointed out that there were no complete data available on the prevalence of forced marriage and that it was very likely to be underreported.³⁵⁴ This could also be related to the circumstance pointed out by the EUAA in a June 2022 report, that in the Somali context the distinction between 'forced' and 'arranged' marriages could be subtle.³⁵⁵

Al-Shabab also continued to force girls and women into marriage during the reporting period. Displaced persons and members of minority clans were particularly at risk of falling victim to this. In addition, when families or clans/sub-clans were unable not meet the group's financial demands, it could rape or kidnap women and girls or force them into marriage.³⁵⁶

It is clear from the sources that the ongoing drought and food shortages faced by the Somali population led to an increase in child marriages. Displaced families in particular were said to be increasingly inclined to marry off their daughters.³⁵⁷

FGM

The previous country report stated that 99% of women in Somalia had undergone some form of genital mutilation (FGM). There was little difference in the prevalence of FGM between urban and rural areas, or between population groups. Although the provisional constitution contained a provision prohibiting FGM, in practice there was no prosecution of those guilty of it.³⁵⁸

The sources consulted show that this situation did not change significantly during the reporting period. Sources published on the subject of FGM during the reporting period continued to quote the rate of women who had undergone FGM as 99%. This percentage was roughly the same in both South and Central Somalia, Puntland and Somaliland.³⁵⁹ According to sources consulted by Norway's Landinfo, al-Shabab had banned FGM in areas under its control. In practice, however, almost all girls in those areas were still circumcised.³⁶⁰

³⁵¹ EUAA, *Country Guidance: Somalia*, p. 112, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 101-102, September 2022; Confidential source, 20 February 2023.

³⁵² UN Women, *Women Count – Somalia*, data.unwomen.org/country/somalia, accessed 13 April 2023.

³⁵³ Girls not Brides, *Somalia*, www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/somalia/, accessed 13 April 2023.

³⁵⁴ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 101-102, September 2022.

³⁵⁵ EUAA, *Country Guidance: Somalia*, p. 112, June 2022.

³⁵⁶ UN Security Council, *Conflict-related sexual violence (S/2022/272)*, p. 16, 29 March 2022; USDoS, *2022 Trafficking in Persons Report: Somalia*, 29 July 2022.

³⁵⁷ UNICEF, *Child marriages on the rise in Horn of Africa as drought crisis intensifies*, 29 June 2022; Confidential source, 23 February 2023.

³⁵⁸ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 52-53, 21 December 2021 (Dutch only).

³⁵⁹ UN Women, *From knowledge to action: Ending female genital mutilation in Somalia*, 31 May 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 103, September 2022; Landinfo, *Somalia: Female genital mutilation*, 14 September 2022; USDoS, *2022 Country report on human rights practices: Somalia*, 20 March 2023; 28 Too Many, *Somalia*, www.28toomany.org/country/somalia/, accessed 13 April 2023.

³⁶⁰ Landinfo, *Somalia: Female genital mutilation*, pp. 15-16, 14 September 2022.

According to various sources, both the Somali government and the government of Somaliland are currently preparing bills that criminalise the performing of FGM. However, these have not yet been ratified.³⁶¹

4.1.6 *Minors (including unaccompanied minors)*

The previous country report examined the legal provisions regarding minors in detail.³⁶² There was no significant change to this during the reporting period.

Persistent lack of safety, armed conflicts, drought and food insecurity took a heavy toll on children in Somalia during the reporting period. UNICEF stated in December 2022 that among the approximately 8 million people in urgent need of humanitarian aid, some 5 million were minors.³⁶³ According to UNHCR data, 66% of displaced persons were minors in 2022.³⁶⁴ The percentage was the same in the first three months of 2023.³⁶⁵

The number of child marriages increased (see 4.1.5).³⁶⁶ Furthermore, as more girls became displaced, they became more vulnerable to gender-based and sexual violence.³⁶⁷ In addition, the number of children attending school in Somalia fell during the reporting period.³⁶⁸ OCHA and UNICEF reported in 2023 that 4.84 million out of 7.59 million school-age children were not attending school. This was 15% more than in 2021.³⁶⁹

Children were also sometimes sent by their parents from their homes in rural parts of Somalia to IDP camps or urban centres where security conditions and access to humanitarian aid were better. The number of unaccompanied minors living in IDP camps increased during the reporting period. In the urban centres, children without parental supervision generally sought care from extended family or members of their own clan or sub-clan.³⁷⁰

As far as is known, the Somali government had no formal, organised child protection system. It is not known whether orphanages under government control existed, for example. During the reporting period, the most common form of alternative care in Somalia was still informal family care, in which children were cared for by extended family members. Where this proved impossible, UNICEF worked to trace family

³⁶¹ OHCHR, *Experts of the Committee on the rights of the child praise Somalia for its efforts to improve political governance, ask about the prevalence of female genital mutilation and corporal punishment*, 10 May 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 102-103, September 2022; Legal Action Worldwide, *Somalia: Female genital mutilation*, www.legalactionworldwide.org/where-we-work/somalia/female-genital-mutilation-fgm/, accessed 13 April 2023.

³⁶² Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 54-55, 21 December 2021 (Dutch only).

³⁶³ UNICEF, *Humanitarian Action for Children; Somalia*, December 2022.

³⁶⁴ UNHCR, *Internal displacements monitored by Protection & Return Monitoring Network (PRMN)*, December 2022.

³⁶⁵ UNHCR, *Internal displacements monitored by Protection & Return Monitoring Network (PRMN)*, March 2023.

³⁶⁶ UNICEF, *Child marriages on the rise in Horn of Africa as drought crisis intensifies*, 29 June 2022; Confidential source, 23 February 2023.

³⁶⁷ HRW, *World Report 2022: Somalia*, 16 December 2021; HRW, *Submission to the Committee on the Rights of the Child; Review of Somalia; 90th session*, April 2022; SOS Children's Villages International, *Threat of gender-based violence on the rise in Somalia*, 21 December 2022; UNFPA, *Women and girls in Somalia face critical life-threatening drought and conflict situations*, 1 January 2023; UN News, *Somalia: UN official underlines need to advance women's participation in public life*, 22 February 2023.

³⁶⁸ HRW, *World Report 2023: Somalia*, 12 January 2023; OCHA, *2023 Humanitarian needs overview*, p. 24, February 2023.

³⁶⁹ OCHA, *2023 Humanitarian needs overview*, p. 24, February 2023; Unicef, *Somalia: Out of school children*, 25 June 2023.

³⁷⁰ OCHA, *Drought response and famine prevention plan, Somalia*, p. 12, June 2022; UNHCR Protection Cluster Somalia, *Protection Analysis Update*, pp. 8-9, September 2022; OCHA, *2023 Humanitarian needs overview*, pp. 29, 32, 88, February 2023; Confidential source, 20 February 2023; Confidential source, 20 February 2023.

members and otherwise place children in alternative care. This was usually organised by communities themselves, for example through mosques.³⁷¹

4.1.7 *Businesspeople*

Businesspeople were at risk of violence from al-Shabab under certain circumstances during the reporting period, as they were during the previous period.³⁷² The risk they ran was mainly related to their assets and their willingness to pay tax to the group. Businesspeople who refused to pay could face sanctions from al-Shabab. For example, the group might confiscate their goods or detonate explosives at their business premises. In some cases, al-Shabab killed businesspeople who refused to pay.³⁷³

As stated in 2.5.3 of this report, al-Shabab also succeeded in collecting taxes outside areas under its control during the reporting period. In those areas too, the threat of violence was often sufficiently powerful to induce businesspeople to pay.³⁷⁴ Al-Shabab was also able to obtain information about traders and the volume of their trade outside al-Shabab territory. The traders were then summoned to pay taxes. If they refused, their data might be forwarded to al-Shabab's intelligence service, the *amniyaat*³⁷⁵ (see also 2.5.3).

According to two confidential sources, leading businesspeople during the reporting period were also in danger if they were suspected by al-Shabab of supporting the federal government, for example if they belonged to clans or sub-clans that supported the military offensive.³⁷⁶

During the reporting period, the federal authorities called on traders to no longer comply with the tax obligations imposed by al-Shabab. This reportedly led to a growing number of traders in areas outside al-Shabab control refusing to pay the taxes.³⁷⁷ Moreover, two confidential sources stated that during the offensive, the group had asked businesspeople to pay taxes several months, or even more than a year, in advance.³⁷⁸

³⁷¹ Unicef, Somalia; *Consolidated emergency report 2021*, March 2021; OCHA, *Drought response and famine prevention plan, Somalia*, p. 39, June 2022; Unicef, *Country office annual report 2022*, date unknown; Unicef, *Somalia; Humanitarian situation report No 1*, 31 January 2023; Confidential source, 20 February 2023.

³⁷² Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 57, 21 December 2021 (Dutch only).

³⁷³ EUAA, *Country Guidance: Somalia*, pp. 88-89, June 2022; Hiraal Institute, *The AS financial system*, p. 3, July 2018; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 92-93, September 2022; UN Security Council, *S/2022/754*, pp. 16, 92-93, 10 October 2022; Garowe Online, *Report: How complex Al-Shabaab's taxation system in Somalia works*, 10 December 2022; Africa Center for Strategic Studies, *Reclaiming Al Shabaab's revenue*, p. 2, 27 March 2023; Confidential source, 19 December 2022; Confidential source, 22 February 2023.

³⁷⁴ Africa Center for Strategic Studies, *Reclaiming Al Shabaab's revenue*, p. 3, 27 March 2023; Confidential source, 19 December 2022; Confidential source, 21 February 2023; Confidential source, 22 February 2023; Confidential source, 28 March 2023.

³⁷⁵ Hiraal Institute, *The AS financial system*, pp. 2-4, July 2018; Hiraal Institute, *A losing game: Countering Al-Shabab's financial system*, October 2020; UN Security Council, *S/2020/949*, p. 10, 28 September 2020.

³⁷⁶ Confidential source, 19 December 2022; Confidential source, 22 February 2023.

³⁷⁷ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 92-93, September 2022; Hiiraan Online, *Somali warns entrepreneurs against Al-Shabaab financial dealings*, 16 October 2022; BBC Monitoring, *Website says al-Shabab 'financially weakened' amid offensive*, 20 January 2023; Horn Observer, *Somalia's NISA issues warning to local businessmen dealing with Al-Shabaab*, 16 February 2023; BBC Monitoring, *Somali state TV says traders disobeying al-Shabab summons*, 20 February 2023; BBC Monitoring, *Somali traders defy summons by al-Shabab*, 24 February 2023; Confidential source, 15 December 2022; Confidential source, 16 December 2022.

³⁷⁸ Confidential source, 19 December 2022; Confidential source, 22 February 2023.

4.1.8 *Religious leaders*

In the past, al-Shabab has carried out targeted attacks on religious leaders who opposed it or did not adhere to its strict interpretation of the faith.³⁷⁹ During the reporting period, as during the previous reporting period, no information was found in the sources consulted to indicate that al-Shabab had specifically targeted religious leaders. Leading figures in Somalia with a wide public reach who openly spoke out against al-Shabab risked falling victim to the group. This included religious leaders.

Despite this, during the reporting period some Somali spiritual leaders began to speak out against al-Shabab more than before. The most visible event was a three-day religious conference in Mogadishu in January 2023. More than three hundred spiritual leaders from different Islamic movements came together, including Wahhabi leaders, whose movement has often been suspected of sympathising with al-Shabab. After the meeting, the leaders released an official statement distancing themselves from al-Shabab, calling on their followers not to provide information, finance or manpower to the group, and authorising them to take up arms.³⁸⁰

4.1.9 *Clan elders*

In the reporting period, as in the previous period,³⁸¹ clan elders experienced targeted violence from al-Shabab. In areas under its direct control, al-Shabab used traditional clan structures to consolidate its grip. Clan elders played an important role in this. For example, the elders were expected to meet al-Shabab's recruitment quotas and pay taxes on behalf of the clan. Clan elders who failed to cooperate or did not cooperate sufficiently with the group ran the risk of becoming victims of violence. There were instances of al-Shabab intimidating, kidnapping or killing these elders.³⁸²

Clan elders also traditionally play an important role in the election process. They designate the delegates to electoral colleges, which in turn designate the members of the Lower House and Senate. Al-Shabab viewed democratic elections as un-Islamic, and election participants as apostates. As a result, during the election process of 2021 and 2022, clan elders who played a role in that process were at risk of becoming victims of acts of violence by the group.³⁸³

During the military offensive against al-Shabab, the group also targeted clan elders from sub-clans or clans that supported the offensive, such as the Hawadle and the Saleban.³⁸⁴

³⁷⁹ Tricia Bacon, *Inside the minds of Somalia's ascendant insurgents: An identity, mind, emotions and perceptions analysis of Al-Shabaab*, p. 38, March 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 68-69, September 2022; Africa Center for Strategic Studies, *Reclaiming Al Shabaab's revenue*, 27 March 2023.

³⁸⁰ VOA, *Clerics in Somalia vow to counter al-Shabaab*, 27 January 2023; BBC Monitoring, *Briefing: War against Al-Shabab unites rival Somalia scholars*, 27 January 2023; Hiraan Online, *Somalia's Islamic scholars declare jihad against Al Shabaab following conference*, 27 January 2023.

³⁸¹ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 60-61, 21 December 2021 (Dutch only).

³⁸² UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 57-58, September 2022; Africa Center for Strategic Studies, *Reclaiming Al Shabaab's revenue*, 27 March 2023.

³⁸³ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 60-61, 21 December 2021 (Dutch only); EUAA, *Country Guidance: Somalia*, pp. 81-82, June 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 57-58, September 2022.

³⁸⁴ EUAA, *Country Guidance: Somalia*, pp. 81-82, June 2022; BBC Monitoring, *Gunmen kill prominent clan elder in central Somali town*, 17 February 2023; ACLED, *Context assessment: Heightened political violence in Somalia*, 3 March 2023; Confidential source, 19 December 2022; Confidential source, 22 February 2023.

4.1.10 *Members of opposition parties and political activists*

Article 16 of the provisional Somali constitution provides for freedom of association and assembly.³⁸⁵ In practice, however, the government restricted this right during the reporting period, as it did in the previous period. The general lack of security in the country also effectively curtailed the right to association and assembly. The Federal Ministry of Internal Security still required permission to be sought for all public gatherings. It cited security risks, such as the risk of al-Shabab attacks, as the basis for this.³⁸⁶

In South and Central Somalia, there does not appear to have been any large-scale repression of political opponents during the reporting period. In December 2021, however, reports appeared of violent action by the police in Mogadishu during protests against the president at the time, Farmaajo. The police were alleged to have cracked down on the protests, but denied the allegation.³⁸⁷

There were more reports of repression of political opposition in Somaliland during the reporting period. The hostilities that broke out in the areas disputed by Somaliland and Puntland from December 2022 were fuelled by the police crackdown on demonstrators in Las Anod and the suspicion that the authorities were responsible for politically motivated killings of opposition members (see also 2.3).³⁸⁸ In August 2022, security forces had already opened fire on protesters and opposition politicians who took to the streets in several cities in Somaliland to demand elections.³⁸⁹ Reports also appeared with some regularity about the arrest and detention in Somaliland of opposition politicians, especially politicians affiliated with the opposition *Waddani* party.³⁹⁰

4.1.11 *People active in politics and government officials*

During the reporting period, al-Shabab threatened to target government officials and all participants in the political process, including politicians and electoral delegates. It also regularly acted in accordance with this threat. For example, several public places where officials, politicians, electoral delegates and others gathered became the target of suicide attacks. Targeted attacks also took place on prominent politicians, including federal ministers and administrators of federal

³⁸⁵ Constitute, *Constitution Somalia 2012*, www.constituteproject.org/constitution/Somalia_2012?lang=en, accessed 18 April 2023.

³⁸⁶ UN General Assembly, *A/HRC/51/65*, pp. 11, 19 August 2022; USDoS, *2022 Country report on human rights practices: Somalia*, 20 March 2023.

³⁸⁷ Anadolu Agency, *Somali police disperse protesters in capital*, 29 December 2021; Somali Guardian, *Police break up protests held in Somalia's capital to support PM after 'coup attempt'*, 29 December 2021; UN General Assembly, *A/HRC/51/65*, p. 11, 19 August 2022.

³⁸⁸ ICG, *Overcoming Somaliland's worsening political crisis*, 10 November 2022; BBC Monitoring, *Briefing: Somaliland warns Mogadishu and Puntland over Las Anod violence*, 4 January 2023; BBC Monitoring, *Briefing: Clans demand Somaliland forces leave disputed region amid violence*, 8 January 2023; OHCHR, *Türk urges investigation after scores killed in Somalia clashes*, 7 February 2023; OCHA, *Somalia; Flash update no. 1; Fighting in Laas Caanood, Sool region*, 9 February 2023; BBC Monitoring, *Briefing: Groups fighting Somaliland in Las Anod claim Djibouti involvement*, 12 February 2023; Al Jazeera, *What's driving conflict in the disputed Somali city of Las Anod?*, 20 February 2023; The Guardian, *Tens of thousands of refugees flee from Somaliland clashes*, 22 February 2023; International Committee of the Red Cross (ICRC), *Las Anod violence sends families fleeing for safety in the scorching heat*, 15 March 2023; VOA, *Over 200 killed in fighting in disputed Somaliland town*, 6 March 2023.

³⁸⁹ Reuters, *At least five people killed, 100 hurt in Somaliland protests*, 12 August 2022; Al Jazeera, *Somaliland: Clashes between protesters, police turn deadly*, 12 August 2022; USDoS, *2022 Country report on human rights practices: Somalia*, 20 March 2023.

³⁹⁰ Horn Diplomat, *Somaliland: HRC unequivocally calls for the release of the journalists, opposition leaders*, 28 June 2022; Somali Dispatch, *The Human Rights Center calls for the release of imprisoned journalists and politicians in Somaliland*, 29 June 2022; Somaliland, *Waddani party criticizes the government for arresting a youth wing member in Gabiley*, 23 October 2022; Somali Dispatch, *Somaliland: Police arrests Kaah operative*, 29 October 2022; Somali Dispatch, *Somaliland: opposition leader and journalist arrested*, 10 November 2022.

member states.³⁹¹ According to various sources, senior government officials and prominent politicians were the main targets of al-Shabab. According to these sources, less prominent officials were a lower priority for the group.³⁹²

4.1.12 *State military personnel*

SNL military personnel also continued to be among al-Shabab's main targets during the reporting period. According to UNHCR, soldiers were at risk of being attacked, even when off-duty.³⁹³ The picture that emerges from the sources is that there was little or no difference in the risk faced between military personnel with a prominent or less prominent profile.³⁹⁴

4.1.13 *Members of the judiciary*

Al-Shabab attacks on members of the judiciary have been reported before. The most visible example of this was the attack on the Mogadishu court building in April 2013.³⁹⁵ In a December 2019 report, the NGO DefendDefenders wrote that working in the judiciary meant being in danger from al-Shabab, since the group used violence against all members of public institutions that it considered to be 'un-Islamic'.³⁹⁶ Al-Shabab continued to carry out regular attacks on state institutions and their employees during the reporting period (see 2.2 and 2.5). No specific examples of attacks on court buildings or members of the judiciary were found in the sources consulted.

4.1.14 *Journalists*

Journalists continued to be at risk of violence from federal member state and federal authorities as well as from al-Shabab over the reporting period. On the annual *Global Impunity Index* of the Committee to Protect Journalists (CPJ), the country was ranked number one in 2022 for the eighth consecutive year as the country with the most unsolved murders of journalists in the world (per capita).³⁹⁷ In the *World Press Freedom Index* of Reporters Without Borders (RSF), Somalia rose from 161st place in 2021 to 140th place in 2022 (out of 180 countries).³⁹⁸

According to sources, in South and Central Somalia the federal member state and federal authorities were responsible for the most incidents involving intimidation, threats, arbitrary arrest and persecution of journalists. Journalists who published independently on politically sensitive topics, security-related topics, human rights

³⁹¹ Al Jazeera, *Several killed in attack targeting Somalia election delegates*, 10 February 2022; DW, *Attacks grow as Somalia prepares for presidential election*, 29 March 2022; EUAA, *Country Guidance: Somalia*, pp. 79-82, June 2022; Landinfo, *Somalia: The security situation in Mogadishu and al-Shabaab's influence in the city*, 8 September 2022; CGRS, *COI Focus; Somalië; Veiligheidssituatie in Mogadishu*, pp. 28-29, 9 September 2022; EUAA, *Somalia: Security situation*, p. 113, February 2023; ACLED, *Context assessment: Heightened political violence in Somalia*, 3 March 2023; USDoS, *2022 Country report on human rights practices: Somalia*, p. 11, 20 March 2023.

³⁹² EASO, *Somalia: targeted profiles*, p. 86, September 2021; CGRS, *COI Focus; Somalië; Veiligheidssituatie in Mogadishu*, p. 29, 9 September 2022; Confidential source, 19 December 2022.

³⁹³ UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 61, September 2022.

³⁹⁴ EASO, *Somalia: targeted profiles*, p. 86, September 2021; CGRS, *COI Focus; Somalië; Veiligheidssituatie in Mogadishu*, p. 29, 9 September 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 61, September 2022; Confidential source, 19 December 2022.

³⁹⁵ CNN, *Dozens dead in Somali courthouse attack*, 15 April 2013; The Guardian, *Somalia supreme court attack kills at least 20*, 14 April 2013; Reuters, *Somali judges need protecting from Islamist rebels - rights group*, 16 April 2013.

³⁹⁶ DefendDefenders, *Navigating justice: Lawyers as human rights defenders in Ethiopia and Somalia/Somaliland*, pp. 37-38, December 2019.

³⁹⁷ Committee to Protect Journalists (CPJ), *Killing with impunity: Vast majority of journalists' murderers go free; 2022 Global Impunity Index*, 1 November 2022.

³⁹⁸ Reporters Without Borders (RSF), *Index: Somalia*, rsf.org/en/index, accessed 24 April 2023.

and corruption were particularly at risk. Women journalists were reportedly at extra risk.³⁹⁹

The authorities in South and Central Somalia regularly prosecuted journalists on the basis of provisions in the Somali PC such as 'spreading false news', 'promoting sectarianism', 'incitement', or 'undermining national security'. These provisions were worded so broadly in the PC that they provided the authorities with wide-ranging powers to deal with journalists who published unwelcome facts or opinions.⁴⁰⁰ The National Union of Somali Journalists (NUSOJ) reported 34 arrests of journalists in 2021,⁴⁰¹ and 47 arrests in 2022.⁴⁰² Most of the arrests were reported to be of short duration, and mainly intended to intimidate the journalists.⁴⁰³

An incident that generated attention during the reporting period was the arrest and detention of Abdalle Ahmed Munim, the secretary general of the Somali Journalists Syndicate (SJS). He was arrested in October 2022 after the SJS released a statement calling for attention to be paid to freedom of expression. Munim was released in February 2023.⁴⁰⁴

According to the NUSOJ, the repression of journalists in Somaliland worsened during the reporting period. The organisation reported that in 2022, approximately 43% of the 56 violations of journalists' rights in Somalia took place in Somaliland.⁴⁰⁵ In 2021 the figure was 23%.⁴⁰⁶ For example, in April 2022, Somaliland police arrested fifteen journalists reporting on a prison riot in Hargeisa.⁴⁰⁷ Twelve of them were released soon afterwards, according to the NUSOJ. However, three journalists were prosecuted. Two of them were eventually sentenced to sixteen months in prison, according to NUSOJ, on 'fabricated charges'. The third journalist was acquitted.⁴⁰⁸

Al-Shabab was also responsible during the reporting period for attacks on journalists who reported critically about it.⁴⁰⁹ According to the NUSOJ's annual reports, four

³⁹⁹ Somali Mechanism for the Safety of Journalists (SMSJ), *Journalists safety and media freedom in Somalia; Annual report – 2021*, June 2022; EUAA, *Country Guidance: Somalia*, p. 90, June 2022; UN General Assembly, *A/HRC/51/65*, pp. 10-11, 19 August 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 76-82, September 2022; National Union of Somali Journalists (NUSOJ), *State of the media report 2022*, 14 February 2023; Amnesty International, *Report 2022/23: The state of the world's human rights; Somalia 2022*, 27 March 2023; UNDP, *It's dangerous being a female journalist in Somalia. But, one year on, we are still shining our light*, 12 April 2023; Confidential source, 21 February 2023.

⁴⁰⁰ Somali Mechanism for the Safety of Journalists (SMSJ), *Journalists safety and media freedom in Somalia; Annual report – 2021*, June 2022; EUAA, *Country Guidance: Somalia*, p. 90, June 2022; UN General Assembly, *A/HRC/51/65*, pp. 10-11, 19 August 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 76-82, September 2022; The Coalition of Somali Human Rights Defenders, *Joint alternative report; Somalia: Patterns of unlawful killings, torture and other ill-treatment*, p. 10, November 2022; NUSOJ, *State of the media report 2022*, 14 February 2023.

⁴⁰¹ NUSOJ, *State of the media; Trial of violence: Somali journalists bear the brunt of impunity*, p. 18, February 2022.

⁴⁰² NUSOJ, *State of the media report 2022*, p. 9, 14 February 2023.

⁴⁰³ NUSOJ, *State of the media; Trial of violence: Somali journalists bear the brunt of impunity*, p. 6, February 2022; UN General Assembly, *A/HRC/51/65*, p. 11, 19 August 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 78, September 2022; UN General Assembly, *A/HRC/51/65*, pp. 10-11, 19 August 2022.

⁴⁰⁴ HRW, *Somalia: Free detained journalist*, 14 October 2022; Amnesty International, *Somalia: Authorities must immediately and unconditionally release journalist Abdalle Ahmed Munim*, 14 October 2022; VOA, *Somali journalist jailed, then freed*, 13 February 2023; BBC Monitoring, *Somalia prison officers defy court in journalist's case*, 14 February 2023.

⁴⁰⁵ NUSOJ, *State of the media report 2022*, p. 10, 14 February 2023.

⁴⁰⁶ NUSOJ, *State of the media; Trial of violence: Somali journalists bear the brunt of impunity*, p. 18, February 2022.

⁴⁰⁷ VOA, *Journalists arrested while covering prison scuffle in Somaliland*, 13 April 2022; RSF, *Massive wave of arrests in Somaliland: 14 journalists behind bars*, 14 April 2022; CPJ, *Fifteen journalists detained for covering prison fight in Somaliland*, 15 April 2022; NUSOJ, *State of the media report 2022*, p. 15, 14 February 2023.

⁴⁰⁸ NUSOJ, *State of the media report 2022*, p. 15, 14 February 2023.

⁴⁰⁹ UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 81-82, September 2022; NUSOJ, *State of the media report 2022*, 14 February 2023;

journalists were killed in Somalia in 2021 and 2022 while carrying out their work, all by al-Shabab.⁴¹⁰

4.1.15 *Human rights activists*

During the current reporting period, human rights organisations also continued to report on the intimidation and, in some cases, the arrest and detention of human rights defenders. According to the sources consulted, the federal authorities, the federal member state authorities and al-Shabab were all guilty of this. They were said to target the activists for the same reason that journalists were targeted, namely because they expressed opinions that were displeasing to the official or de facto authorities.⁴¹¹ One source added that not many human rights activists remained active in Somalia. The role of 'activist' was mainly fulfilled by journalists.⁴¹²

4.1.16 *Employees of humanitarian organisations*

Employees of humanitarian organisations were at risk of being accused by al-Shabab of collaborating with Western powers, and might therefore become targets for violence or kidnapping by the group. In addition, al-Shabab continued during the reporting period to hinder the delivery of relief supplies in areas it controlled. In many cases, it blocked the operations of humanitarian organisations, for example by attacking convoys carrying humanitarian organisations' employees and goods.⁴¹³ According to the *Humanitarian Access Overview*, OCHA recorded 656 access incidents in 2022.⁴¹⁴ In 2020, there were only 255 such incidents.⁴¹⁵ Most of the 656 incidents reported by OCHA in 2022 took place in the states of South-West State, Hirshabelle and Galmudug. 515 of these incidents were related to the armed conflict. Violence was used against aid workers in 37 cases.⁴¹⁶ According to a confidential source, it was only safe for humanitarian personnel to travel on connecting roads in Somalia in armoured vehicles.⁴¹⁷

A confidential source pointed out that during the reporting period, international humanitarian aid mainly focused on the safer areas of the country. In the less safe areas, especially those under al-Shabab control, aid was mainly provided by local personnel.⁴¹⁸ According to OCHA data, in 2021 and 2022 two employees of humanitarian organisations in Somalia were killed by al-Shabab and one employee was kidnapped. This was an improvement on 2020, when twenty employees were

⁴¹⁰ NUSOJ, *State of the media; Trial of violence: Somali journalists bear the brunt of impunity*, p. 7, February 2022; Somali Mechanism for the Safety of Journalists (SMSJ), *Journalists safety and media freedom in Somalia; Annual report – 2021*, p. 15, June 2022; NUSOJ, *State of the media report 2022*, p. 7, 14 February 2023.

⁴¹¹ UNSOM, OHCHR, *Shattering the foundation of peace, security and human rights; The use of improvised explosive devices by Al-Shabaab*, p. 3, January 2022; UN General Assembly, *A/HRC/51/65*, p. 19, 19 August 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 78, September 2022; VOA, *Somalia grappling with humanitarian, human rights crises*, 6 October 2022; Confidential source, 21 February 2023.

⁴¹² Confidential source, 21 February 2023.

⁴¹³ USDoS, *2021 Country report on human rights practices: Somalia*, pp. 2 and 17, 12 April 2022; ACAPS, *CrisisSight: Humanitarian access overview*, p. 15, July 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 61-62, September 2022; UN Security Council, *S/2022/754*, pp. 14-15, 10 October 2022; ACAPS, *CrisisSight: Humanitarian access overview*, p. 20, December 2022; HRW, *World Report 2023: Somalia*, 12 January 2023; OCHA Somalia, *2022 Annual Humanitarian Access Overview*, 19 January 2023; EUAA, *Somalia: Security situation*, p. 72, February 2023; Confidential source, 20 February 2023.

⁴¹⁴ OCHA Somalia, *2022 Annual Humanitarian Access Overview*, 19 January 2023.

⁴¹⁵ OCHA Somalia, *2020 Annual Humanitarian Access Overview*, 4 April 2021.

⁴¹⁶ OCHA Somalia, *2022 Annual Humanitarian Access Overview*, 19 January 2023.

⁴¹⁷ Confidential source, 22 February 2023.

⁴¹⁸ Confidential source, 20 February 2023.

killed and 24 were kidnapped.⁴¹⁹ In 2022, UNHCR noted a similar decrease in the number of incidents against humanitarian personnel.⁴²⁰ A confidential source also stated that it did not know of any deadly al-Shabab attacks on humanitarian workers since the intensification of the 2022 military offensive.⁴²¹ In June 2023, however, five humanitarian aid workers were kidnapped by al-Shabab on a road near Beledweyne (Hiraan).⁴²²

4.2 Oversight and legal protection

Lack of access to a fair and just judicial system remained one of the most serious problems in Somalia on the way to stability and reconstruction. In the absence of an adequately functioning formal judicial system, the informal judicial system still played a vital role in delivering justice and maintaining social peace.

4.2.1 *Judicial system and law enforcement*

Somalia has a pluralistic legal system in which customary law (*xeer*), religious law (*sharia*) and secular law exist alongside each other. These different sources of law are not fully integrated into one formal legal system.⁴²³

Courts use a combination of secular law, sharia and *xeer*. However, the provisional constitution stipulates that no law can be promulgated that is not in accordance with the general principles of sharia. Somali justice was described by sources during the reporting period as corrupt, slow, expensive and lacking in transparency. The authorities also lacked sufficient capacity to enforce court decisions. As a result, many Somalis had little or no confidence in this formal system, and still preferred the informal legal system. An estimated eighty to ninety percent of disputes were settled using this informal legal system. Many Somalis felt this system to be more accessible and transparent, faster and more economical than the formal judicial system.⁴²⁴

The traditional judicial system, the *xeer*, is not a national, static judicial system. It is a dynamic and unwritten system of dispute resolution that can vary from region to region. In this system, justice is administered by the clan elders. *Xeer* focuses more on the interests of the clan or sub-clan and mutual relations between clans/sub-clans than on the interests of the victim of a crime. Furthermore, *xeer* is only pronounced by male clan elders. As a rule, women have no voice in dispute resolution, even if they themselves are victims. Practices tolerated within *xeer* include marrying off girls to another clan in order to protect clan relations, forced marriages between widows and relatives of the deceased husband, and forced marriages between a rape victim and her rapist. During the reporting period it was

⁴¹⁹ OCHA, *Somalia: Attacks on aid operations and health care | 2020-2023 Somalia aid worker KIKA*, data.humdata.org/dataset/somalia-violence-against-civilian-and-vital-civilian-facilities, accessed 23 April 2023.

⁴²⁰ UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 62, September 2022.

⁴²¹ Confidential source, 24 February 2023.

⁴²² Hiiraan Online, *Al-Shabab militants abduct medical aid workers in Hiiraan region*, 7 June 2023; BBC Monitoring, *Al-Shabab kidnaps five medical aid workers in central Somalia*, 7 June 2023.

⁴²³ René Brosius, *Challenges and chances in the Somali legal system*, 11 December 2020; Confidential source, 22 February 2023.

⁴²⁴ René Brosius, *Challenges and chances in the Somali legal system*, 11 December 2020; Abdifatah Ismael Tahir, 'Legal pluralism, obscure reforms and adjudication of land conflicts in Hargeisa, Somaliland' in: *Land Use Policy (120)*, p. 1, 2022; Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; Al Jazeera, *In Somalia, al-Shabab's courts win more converts*, 14 September 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 18, September 2022; Harvard International Review, *No justice, no peace: Al-Shabaab's court system*, 27 March 2023; Confidential source, 22 February 2023.

therefore still difficult for women to obtain effective legal protection through this system. Displaced persons and members of minority clans and groups also experienced difficulties. These groups had less protection from locally dominant clans and sub-clans, which put them in a disadvantageous position when xeer was used to settle disputes.⁴²⁵

In order to promote the access of vulnerable groups to an effective legal system, international actors such as UNDP and the International Development Law Organisation (IDLO) have set up alternative dispute resolution centres in several federal member states. A group of adjudicators that includes both men and women act as mediators in disputes at these centres. Use is sometimes made in this context of traditional xeer practices, and in some cases of principles based on sharia law.⁴²⁶

4.2.2 *Judicial system in areas under al-Shabab control*

In areas under al-Shabab control, the group's courts administered justice based on a strict interpretation of sharia. According to some sources, the al-Shabab courts also used elements of xeer.⁴²⁷ Punishment by these courts could be brutal. For example, courts could impose corporal punishment, including amputation or execution, following conviction for crimes such as murder, theft, apostasy or homosexuality.⁴²⁸

According to the sources consulted, al-Shabab's courts had a reputation among part of the Somali population for being more accessible, transparent, fair, swift and economical than the formal Somali judicial system. Unlike the Somali authorities, al-Shabab was also able and willing to enforce court rulings vigorously and strictly.⁴²⁹ Furthermore, according to some sources, individuals who were vulnerable under the formal or xeer justice system, such as women and members of minority groups, received more effective legal protection under al-Shabab justice than under the other judicial systems.⁴³⁰

During the reporting period, al-Shabab administered justice not only within the areas under its control, but also beyond. The lack of confidence many Somalis have in the formal judicial system led some of them to opt for dispute resolution under the al-Shabab judicial system. For example, during the reporting period, people in government territory were reported to travel to al-Shabab territory to present their

⁴²⁵ ESCWA, UNFPA, UN Women, UNDP, *Somalia; Gender justice & the law*, p. 13, 2018; Africa Center for Strategy & Policy, *Justice and terror: Al-Shabaab's informal justice mechanism*, 5 January 2019; IDLO, *Accessing justice: Somalia's alternative dispute resolution centers*, pp. 8-9, 20 January 2021; UNDP, *How to improve justice for women in Somalia*, 31 January 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 18, September 2022; Confidential source, 22 February 2023; Confidential source, 24 February 2023.

⁴²⁶ IDLO, *Accessing justice: Somalia's alternative dispute resolution centers*, pp. 8-9, 20 January 2021; Confidential source, 22 February 2023.

⁴²⁷ Africa Center for Strategy & Policy, *Justice and terror: Al-Shabaab's informal justice mechanism*, 5 January 2019; Harvard International Review, *No justice, no peace: Al-Shabaab's court system*, 27 March 2023.

⁴²⁸ Africa Center for Strategy & Policy, *Justice and terror: Al-Shabaab's informal justice mechanism*, 5 January 2019; EUSA, *Country Guidance: Somalia*, pp. 34-35, 108, 121, 123, June 2022; Harvard International Review, *No justice, no peace: Al-Shabaab's court system*, 27 March 2023.

⁴²⁹ Africa Center for Strategy & Policy, *Justice and terror: Al-Shabaab's informal justice mechanism*, 5 January 2019; Expanding access to justice program, *The shari'ah in Somalia*, p. 25, March 2020; Anadolu Agency, *Somali government vows to eliminate al-Shabaab terrorists' so-called courts*, 16 August 2022; Al Jazeera, *In Somalia, al-Shabab's courts win more converts*, 14 September 2022; Harvard International Review, *No justice, no peace: Al-Shabaab's court system*, 27 March 2023; Confidential source, 20 February 2023; Confidential source, 20 February 2023; Confidential source, 22 February 2023; Confidential source, 24 February 2023.

⁴³⁰ Africa Center for Strategy & Policy, *Justice and terror: Al-Shabaab's informal justice mechanism*, 5 January 2019; ICG, *Crisis Group Africa Report No 309; Considering political engagement with Al-Shabaab in Somalia*, p. 7, 21 June 2022; Confidential source, 20 February 2023.

disputes in al-Shabab courts.⁴³¹ According to a source, these courts could also issue judicial decisions remotely, for example via a mobile phone or video call connection.⁴³²

4.2.3

The death penalty

Under to the Somali PC, the death penalty can be imposed on those convicted of various crimes, including murder, high treason, espionage, disclosure of state secrets and taking up arms against the state. The death penalty may also be imposed for endangering public safety, such as for contaminating food or water supplies or causing an epidemic with deadly consequences.⁴³³

Amnesty International recorded 27 death sentences handed out in Somalia in 2021 and 21 death sentences carried out. All these executions took place in Puntland. Of the 27 death sentences handed out, 26 were in Puntland and one in Somaliland. All those convicted and executed were members of al-Shabab.⁴³⁴ In 2022, the number of death sentences recorded by Amnesty fell to ten handed out and six carried out. Amnesty did not specify in the 2022 report the reason why the sentence was imposed or the federal member state where it was imposed.⁴³⁵ Amnesty did not include executions carried out by al-Shabab in its figures. The Cornell Center on the Death Penalty Worldwide recorded 22 death sentences carried out in 2021: 21 in Puntland and one in Jubbaland. The Cornell Center recorded 23 in 2022.⁴³⁶

In 2022 and 2023, Somali media regularly reported on death sentences being handed out and carried out. Most of the cases concerned alleged members of al-Shabab who had been convicted by military courts.⁴³⁷

In February 2022, human rights organisations reported the death sentence being handed out to four minors in Galkayo.⁴³⁸ It is not known what the current situation in this case is. The Somali government denied in November 2022 that minors were executed in Somalia.⁴³⁹

⁴³¹ Africa Center for Strategy & Policy, *Justice and terror: Al-Shabaab's informal justice mechanism*, 5 January 2019; Expanding access to justice program, *The shari'ah in Somalia*, p. 25, March 2020; EUAA, *Country Guidance: Somalia*, p. 44, June 2022; Somali Guardian, *Al-Shabaab-run courts in Mogadishu's Daynile district must be closed: interior minister*, 16 August 2022; Al Jazeera, *In Somalia, al-Shabab's courts win more converts*, 14 September 2022; Harvard International Review, *No justice, no peace: Al-Shabaab's court system*, 27 March 2023; Confidential source, 24 February 2023.

⁴³² Confidential source, 24 February 2023.

⁴³³ *Somalia: Penal Code*, 3 April 1964, www.refworld.org/docid/4bc5906e2.html, accessed 17 April 2023; The Advocates for Human Rights, *Somalia: Stakeholder report for the United Nations universal periodic review*, p. 3, 8 October 2020; UN Committee against Torture, *Concluding observations on the initial report of Somalia (CAT/C/SOM/CO/1)*, 2 December 2022.

⁴³⁴ Amnesty International, *Death sentences and executions 2021*, pp. 52 and 58, 24 May 2022.

⁴³⁵ Amnesty International, *Death sentences and executions 2022*, p. 34, 16 May 2023.

⁴³⁶ Cornell Law School / Cornell Center on the Death Penalty Worldwide, *Database results: Somalia*, deathpenaltyworldwide.org/database/#/results/country?id=67, accessed 26 April 2023.

⁴³⁷ BBC Monitoring, *Somali court executes three al-Shabab militants*, 31 October 2022; BBC Monitoring, *Somalia court 'executes militant' for killing soldier*, 1 November 2022; BBC Monitoring, *Somali court 'executes' al-Shabab militants*, 3 November 2022; BBC Monitoring, *Ex-Somali soldier sentenced to death over Al-Shabab links*, 12 January 2023; BBC Monitoring, *Somali military executes soldiers for 'killing colleagues'*, 2 February 2023; BBC Monitoring, *Somalia executes two police officers convicted of murders*, 13 March 2023; BBC Monitoring, *Briefing: Al-Shabab disowns Somalia man facing death penalty*, 14 March 2023; BBC Monitoring, *Briefing: Somalia executes three convicted al-Shabab militants*, 15 March 2023; BBC Monitoring, *Somalia executes two ex-security officers in south-west Baidoa*, 20 March 2023.

⁴³⁸ Save the Children, *Somalia: Calls for justice as four children sentenced to death over involvement with armed groups*, 11 February 2022; HRW, *Submission to the Committee on the Rights of the Child; Review of Somalia; 90th session*, April 2022.

⁴³⁹ OHCHR, *Experts of the Committee against Torture commend Somalia on progress in rebuilding state and government institutions, raise questions on the definition of torture and the death penalty*, 9 November 2022.

Reports of executions in areas under al-Shabab control appeared during the reporting period. Public sources reported among other things the execution of people suspected of apostasy, blasphemy and espionage. It is not possible to give a complete overview of the number of executions, or the reasons for the convictions.⁴⁴⁰

4.2.4 *Corporal punishment*

The Somali PC has no penal provisions on the imposition of corporal punishment. There is no prohibition on carrying out corporal punishment in penal institutions. Corporal punishment is allowed under sharia law.⁴⁴¹

It is not known to what extent corporal punishment was practised in South and Central Somalia during the reporting period. A prison director stated in response to a question from the Coalition of Somali Human Rights Defenders that corporal punishment was not used on convicted prisoners.⁴⁴² In response to questions from two UN committees that expressed concern about the use of corporal punishment in Somalia, the Somali delegation stated that a bill was being prepared to abolish the use of corporal punishment.⁴⁴³

According to public sources, al-Shabab sometimes used corporal punishment. For example, the limbs of alleged thieves might be amputated.⁴⁴⁴

⁴⁴⁰ Advocates for Human Rights, *Somalia; Stakeholder report for the United Nations universal periodic review*, p. 3, 8 October 2020; Freedom House, *Freedom in the world 2022 – Somalia*, 24 February 2022; USDoS, *2021 Report on international religious freedom: Somalia*, 2 June 2022; EUAA, *Country Guidance: Somalia*, pp. 91-95, June 2022; VOA, *Al-Shabab militants execute 7 by firing squad*, 31 July 2022; UNHCR, *International protection considerations with regard to people fleeing Somalia*, pp. 64-69, September 2022; BBC Monitoring, *Al-Shabab kills five in Somalia over espionage claims*, 4 May 2023; BBC Monitoring, *Al-Shabab hangs five alleged spies in southern Somalia*, 27 May 2023; BBC Monitoring, *Al-Shabab 'executes five spies' in south-western Somalia*, 2 June 2023.

⁴⁴¹ End Corporal Punishment, *Corporal punishment of children in Somalia: Briefing for the Universal Periodic Review, 24th session, 2016*, p. 3, June 2015; EUAA, *Country Guidance: Somalia*, p. 97, June 2022; End Corporal Punishment, *Country report for Somalia (last updated: December 2022)*, endcorporalpunishment.org/reports-on-every-state-and-territory/somalia/, accessed 26 April 2023.

⁴⁴² The Coalition of Somali Human Rights Defenders, *Joint alternative report; Somalia: Patterns of unlawful killings, torture and other ill-treatment*, p. 14, November 2022.

⁴⁴³ OHCHR, *Experts of the Committee on the rights of the child praise Somalia for its efforts to improve political governance, ask about the prevalence of female genital mutilation and corporal punishment*, 10 May 2022; OHCHR, *Experts of the Committee against Torture commend Somalia on progress in rebuilding state and government institutions, raise questions on the definition of torture and the death penalty*, 9 November 2022.

⁴⁴⁴ EUAA, *Country Guidance: Somalia*, p. 92, June 2022; DW, *Terror in Somalia: Who are the al-Shabab militants?*, 31 October 2022; AP News, *'They are on the run': Somalia leads fight against al-Shabab*, 15 January 2023; Harvard International Review, *No justice, no peace: Al-Shabab's court system*, 27 March 2023.

5 Refugees and displaced persons

5.1 Displaced persons

Hundreds of thousands of Somalis were displaced during the reporting period. At the beginning of 2023, the country was estimated to have a total of 3.8 million internally displaced persons.⁴⁴⁵ The main reasons for displacement were drought and conflict. However, there was clear variation in the proportions attributable to these two factors during the reporting period. In 2022, 65% of the total number of people affected were displaced by drought and 33% by armed conflict. In the first three months of 2023, 30% of total displacement was caused by drought, 52% by conflict and 16% by floods. The proportion of people displaced by armed conflict thus increased.⁴⁴⁶

The annual number of displaced persons increased during the reporting period. According to UNHCR data, 874,000 persons were displaced in 2021. 1,816,000 were displaced in 2022, and 822,000 in the first three months of 2023. This means that the number of new displaced persons in the first three months of 2023 was already almost the same as that for the whole of 2021.⁴⁴⁷

In 2022, most of the displaced came from the regions of Bay, Hiiraan, Lower Shabelle, Galguduud, Bakool and Mudug. In the first three months of 2023, many displaced people came from the same regions, with Sool and Gedo being the first and second most common regions of origin. In Sool, many people were displaced during this period by the conflict in the areas disputed by Somaliland and Puntland. In Gedo, many were displaced by drought and flooding. Gedo had no displaced persons due to conflict during this period.⁴⁴⁸

5.1.1 IDP sites

Most of the displaced persons lived in overcrowded settlements in urban areas.⁴⁴⁹ The Camp Coordination and Camp Management Cluster (CCCM) counted more than 2,700 registered IDP sites as of March 2023. More than half of these were in and around Mogadishu and Baidoa.⁴⁵⁰ 85% of these settlements were on private land.⁴⁵¹ However, not all settlements are registered. In some locations, informal settlements had been spontaneously set up by displaced persons on private land. According to a confidential source, there were about 2,000 of these in Mogadishu alone.⁴⁵² The situation at the IDP sites was described by many sources as concerning during the reporting period. The displaced persons had to deal with problems such as poor

⁴⁴⁵ IOM, *Displacement in Somalia reaches record high 3.8 million: IOM deputy director general calls for sustainable solutions*, 28 February 2023; UN News, *Somalia: \$2.6 billion appeal to aid millions still on the brink of famine*, 5 April 2023.

⁴⁴⁶ UNHCR, *Operational Data Portal; Refugee Situations; UNHCR Somalia Internal Displacement*, data.unhcr.org/en/dataviz/1?sv=1&geo=192#, accessed 27 April 2023.

⁴⁴⁷ UNHCR, *Operational Data Portal; Refugee Situations; UNHCR Somalia Internal Displacement*, data.unhcr.org/en/dataviz/1?sv=1&geo=192#, accessed 27 April 2023.

⁴⁴⁸ UNHCR, *Operational Data Portal; Refugee Situations; UNHCR Somalia Internal Displacement*, data.unhcr.org/en/dataviz/1?sv=1&geo=192#, accessed 27 April 2023.

⁴⁴⁹ UNHCR, *Operational Data Portal; IDP Situations*, data.unhcr.org/en/situations/cccm_somalia, accessed 27 April 2023.

⁴⁵⁰ OCHA, *CCCM Cluster Somalia: List of IDP sites in Somalia; IDP Site Master List - 1st Quarter 2023*, data.humdata.org/dataset/somalia-idp-site-master-list-2nd-quarter-2022, accessed 27 April 2023.

⁴⁵¹ UNHCR, *Operational Data Portal; IDP Situations*, data.unhcr.org/en/situations/cccm_somalia, accessed 27 April 2023; Confidential source, 23 February 2023.

⁴⁵² Confidential source, 23 February 2023.

hygiene, shortages of health care, food and clean water, and outbreaks of infectious diseases. For example, OCHA reported that more than 1.8 million displaced persons had limited access to basic facilities such as clean drinking water and toilets. About 33% of IDP camps are said to have primary education institutions.⁴⁵³ Due to the spontaneous and unregulated nature of many settlements, there was also a risk of the displaced persons being evicted by the landowners, forcing them to look for new places to stay.⁴⁵⁴

Given the large number of IDP sites and the circumstances described above, it was not possible to provide concrete details such as names and sizes of the individual camps, although the website of CCCM Cluster Somalia indicates in detail where the registered settlements are located.⁴⁵⁵

5.2 Refugees in Somalia

Somalia is a party to the 1951 Refugee Convention, the Protocol on the Status of Refugees, New York, 31 January 1967, and the 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa.⁴⁵⁶ In South and Central Somalia, the *National High Commission for Refugees & IDPs* (NCRI) is responsible for registering asylum-seekers. In Puntland, this responsibility lies with the Human Protection Department of the Ministry of the Interior. In Somaliland, the National Displacement and Refugee Agency (NDRA) is responsible. UNHCR coordinates the registration process and data collection in the context of asylum applications. In South and Central Somalia and Somaliland, the NCRI and NDRA respectively are responsible for initial registration of asylum-seekers, after which they are sent to UNHCR for the rest of the procedure. In Puntland, UNHCR also handles the initial registration. UNHCR issues proof of registration to asylum-seekers in all three areas. The final status determination is in the hands of UNHCR.⁴⁵⁷

In March 2023, according to UNHCR figures, there were 35,381 refugees and asylum-seekers in Somalia. About 67% were from Ethiopia. About 29% came from Yemen and about 3.5% from Syria. The overwhelming majority of these refugees and asylum-seekers were staying in Somaliland (around 47%) and Puntland (around 36%).⁴⁵⁸

5.3 Reception in the region

Many Somali asylum-seekers and refugees were received in the region. UNHCR mentioned 658,397 persons in September 2022.⁴⁵⁹ In March 2023, according to

⁴⁵³ OCHA, *2023 Humanitarian needs overview*, pp. 70, 105, 24 February 2023.

⁴⁵⁴ Swedish International Development Cooperation Agency (SIDA), *Humanitarian Crisis Analysis 2022: Somalia crisis*, p. 2, March 2022; IOM, *Four challenges facing displaced persons in Somalia*, 13 September 2022; Confidential source, 20 February 2023; Confidential source, 23 February 2023.

⁴⁵⁵ <https://cccm-cluster-somalia.github.io/OPSMAP/>.

⁴⁵⁶ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 67-68, March 2020 (Dutch only).

⁴⁵⁷ UNHCR, *Displaced and disconnected; East and Horn of Africa and Great Lakes region*, pp. 22-23, July 2022; UNHCR, *Help Somalia*, help.unhcr.org/somalia/en/, accessed 27 April 2023.

⁴⁵⁸ UNHCR, *Somalia: Refugees and asylum seekers*, 31 March 2023.

⁴⁵⁹ UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 53, September 2022.

UNHCR data, most Somali refugees and asylum-seekers were staying in Kenya (281,000),⁴⁶⁰ Ethiopia (254,000),⁴⁶¹ Uganda (70,000)⁴⁶² and Yemen (64,000).⁴⁶³

5.3.1 Kenya

The Kenyan government has not allowed any further registration of Somali asylum-seekers since 2016. However, UNHCR recorded the personal data of asylum-seekers, after which they had access to basic facilities, such as food aid, pending registration by the government. Somali asylum-seekers who arrived in Kenya after 2016 were unable to obtain residence documents in Kenya. From March 2023, the Kenyan authorities resumed registration of Somali asylum-seekers.⁴⁶⁴ However, they still have major backlogs to contend with.⁴⁶⁵

5.3.2 Ethiopia

The situation of Somali asylum-seekers and refugees in Ethiopia is described in the previous country report on Somalia and in the November 2022 country report on Ethiopia.⁴⁶⁶ There are no indications that significant changes have occurred in that situation. However, the number of Somali asylum-seekers and refugees in Ethiopia increased during the reporting period. During the previous reporting period the number of these was 200,000,⁴⁶⁷ whereas it is now 254,000. The increase seems to be mainly related to the flare-up of the conflict in the areas disputed by Somaliland and Puntland. Several public sources reported in March 2023 that since the flare-up of this conflict, 100,000 people from those areas had fled to Ethiopia.⁴⁶⁸

⁴⁶⁰ UNHCR, *Operational Data Portal; Refugee Situations; Kenya*, data.unhcr.org/en/country/ken, accessed 27 April 2023.

⁴⁶¹ UNHCR, *Operational Data Portal; Refugee Situations; Ethiopia*, data.unhcr.org/en/country/eth, accessed 27 April 2023.

⁴⁶² UNHCR, *Operational Data Portal; Refugee Situations; Uganda*, data.unhcr.org/en/country/uga, accessed 27 April 2023.

⁴⁶³ UNHCR, *Operational Data Portal; Refugee Situations; Yemen*, data.unhcr.org/en/country/yem, accessed 27 April 2023.

⁴⁶⁴ International Rescue Committee, *Humanitarian needs mount as almost 60,000 refugees from Somalia arrive in Dadaab camp due to impact of climate change, warns IRC*, 7 November 2022; Mixed Migration Centre, *MMC Eastern and Southern Africa | Egypt and Yemen; Quarter 1 2023*, p. 14, March 2023; European Commission, *European Civil Protection and Humanitarian Aid Operations: Kenya*, https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/kenya_en, accessed 27 April 2023; Confidential source, 20 February 2023 and 23 June 2023; Confidential source, 20 February 2023 and 5 June 2023.

⁴⁶⁵ Confidential source, 20 February 2023 and 23 June 2023; Confidential source, 5 June 2023.

⁴⁶⁶ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, pp. 65-66, 21 December 2021 (Dutch only); Dutch Ministry of Foreign Affairs, *General country of origin information report on Ethiopia*, pp. 101-105, 30 November 2022 (Dutch only).

⁴⁶⁷ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 65, 21 December 2021 (Dutch only).

⁴⁶⁸ BBC Monitoring, *Somalis continue fleeing into Ethiopia following clashes*, 28 February 2023; Africa News, *Somaliland: UNHCR warns of humanitarian crisis as thousands take refuge in Ethiopia*, 9 March 2023; UNHCR, *100,000 new Somali refugees arrive in Ethiopia in the past month, UN and partners are calling for urgent funding*, 22 March 2023; UN News, *New settlement opens for latest Somali refugees in Ethiopia*, 11 April 2023.

6 Somalis returning to Somalia

6.1 Returns from the region

Figures collected by UNHCR show that more than 3,000 Somali asylum-seekers and refugees returned from countries in the region to Somalia during the reporting period. In 2022, UNHCR registered 3,014 returnees. In the first three months of 2023, the number of registered returnees fell to 257. By far the greatest number of Somali returnees in this period came from Yemen (2,051), followed by Kenya (439). The remaining 781 came from other countries.⁴⁶⁹ All of these individuals returned to Somalia either unassisted or with the assistance of UNHCR, the International Organization for Migration (IOM), NRC or other organisations.⁴⁷⁰ According to data collected by IOM, there were approximately 224,000 people living in Somalia in August 2022 who had returned from abroad at some point.⁴⁷¹ No cases of refoulement of Somali refugees from Kenya during the reporting period were found in the sources consulted.⁴⁷²

6.2 Situation after return

As in the previous reporting period,⁴⁷³ little concrete information is available on any problems that returning asylum-seekers and refugees may encounter in Somalia. In a general sense, the picture which emerges from the sources is that the degree to which returnees are at risk in Somalia is closely related to their individual circumstances and their social network. Returnees who could afford to live in secure districts of Mogadishu, and those who returned to an area where they had strong clan or other social ties, were generally less at risk.⁴⁷⁴

In September 2022, UNHCR conducted a survey of Somali asylum-seekers and refugees who had returned to Somalia after a stay abroad⁴⁷⁵. The data were collected in July and August 2022. Most of the respondents had returned from Kenya. 87% of respondents stated that they were generally satisfied with their return to Somalia. 95% of the respondents stated that they or their family members had not experienced any threats, intimidation or violence directed at them after their return, and 90% stated that they had not experienced any discrimination. However, 57% of the respondents indicated that they did not have sufficient sources of income to meet the needs of their household.⁴⁷⁶ A survey conducted by IOM in 2022 also showed that returnees could face problems with economic integration in Somalia. For example, more than half of the returnees surveyed in Mogadishu were unable to do work that generated income.⁴⁷⁷ A confidential source also confirmed that it was difficult for returnees to Somalia to find paid work. According to the same

⁴⁶⁹ UNHCR, *Somalia; Refugee returns*, 31 March 2023.

⁴⁷⁰ Confidential source, 23 February 2023; Confidential source, 11 April 2023.

⁴⁷¹ IOM, *Displacement Atlas; Baseline 2 report – Somalia*, August 2022.

⁴⁷² Confidential source, 20 February 2023.

⁴⁷³ Dutch Ministry of Foreign Affairs, *General country of origin information report on Somalia*, p. 71, 21 December 2021 (Dutch only).

⁴⁷⁴ EASO, *Somalia: targeted profiles*, p. 28, September 2021; UNHCR, *International protection considerations with regard to people fleeing Somalia*, p. 86, September 2022; Confidential source, 21 February 2023; Confidential source, 23 February 2023.

⁴⁷⁵ This mainly concerned returnees from Kenya, Yemen and Ethiopia.

⁴⁷⁶ UNHCR, *Somalia; Post refugee return monitoring snapshot*, p. 4, September 2022.

⁴⁷⁷ IOM Somalia, *Areas with high incidence of return migration in Somalia: Community profiling and mapping of support providers*, 2022.

source, returnees from Western countries were in particularly danger because they were assumed to be wealthy. This made them vulnerable, for example, to extortion or robberies.⁴⁷⁸ Another confidential source stated that the phenomenon of circular migration (see the Somalia country report of December 2021, page 70) was still occurring.⁴⁷⁹

According to a confidential source, returnees from Western countries were usually easily recognised after returning to Somalia. This applied particularly to returnees who had been out of Somalia from a young age. According to the source, they often had difficulty acquiring Somali everyday practices, which meant they could face discrimination and exclusion.⁴⁸⁰ This picture broadly corresponds to the picture that emerged from earlier public sources, namely that returnees from Western countries often brought with them practices that were unknown in Somalia, and could be seen as un-Islamic or un-Somali in Somali society.⁴⁸¹ Returnees from the West were also said to be recognisable due to having a different accent, way of dressing, gait or posture. They could therefore have difficulty integrating into Somali society.⁴⁸² Another confidential source confirmed that this was still potentially the case during the reporting period.⁴⁸³ A 2018 Finnish report noted that many returnees from abroad therefore preferred not to travel outside Somalia's urban centres.⁴⁸⁴

6.3 Returning to the area under al-Shabab control

During the reporting period there was again a lack of concrete and verifiable information about Somalis who returned to al-Shabab territory. A confidential source stated that al-Shabab monitored returnees from Western countries because they were seen as a threat to the group.⁴⁸⁵ Another source stated that it had no indication that al-Shabab had used violence against returnees during the reporting period.⁴⁸⁶

⁴⁷⁸ Confidential source, 23 February 2023.

⁴⁷⁹ Confidential source, 20 February 2023.

⁴⁸⁰ Confidential source, 23 February 2023.

⁴⁸¹ EASO, *Somalia: targeted profiles*, p. 55, September 2021.

⁴⁸² Finnish Immigration Service, *Somalia: Fact-finding mission to Mogadishu and Nairobi, January 2018*, p. 10, 5 October 2018; Sylvester Tabbe Arrey, Francisco Javier Ullán de la Rosa, 'The contribution of Somali diaspora in Denmark to peacebuilding in Somalia through multi-track diplomacy,' in: *Journal of Ethnic and Cultural Studies* (8), p. 245, 2021; EASO, *Somalia: targeted profiles*, p. 55, September 2021; IOM Somalia, *Areas with high incidence of return migration in Somalia: Community profiling and mapping of support providers*, p. 83, 2022; Confidential source, 23 February 2023.

⁴⁸³ Confidential source, 28 March 2023.

⁴⁸⁴ Finnish Immigration Service, *Somalia: Fact-finding mission to Mogadishu and Nairobi, January 2018*, p. 10, 5 October 2018.

⁴⁸⁵ Confidential source, 23 February 2023.

⁴⁸⁶ Confidential source, 28 March 2023.

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7.1.2 *News sources*

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7.1.3 *Websites*

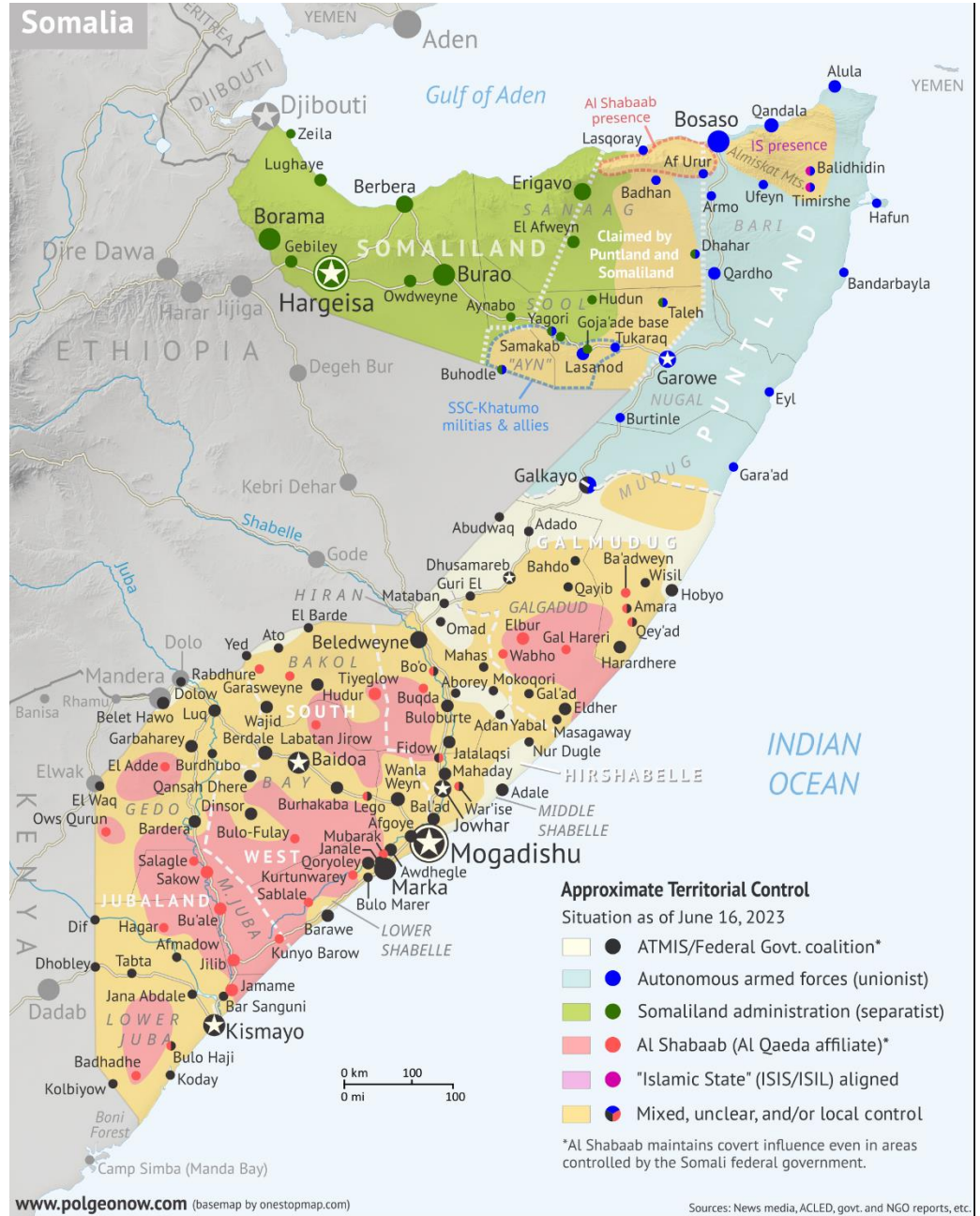
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7.2 Abbreviations used

ACLED	Armed Conflict Location and Event Data Project
AMISOM	African Union Mission in Somalia
AOAV	Action On Armed Violence
ATMIS	African Union Transition Mission in Somalia
CPJ	Committee to Protect Journalists
CCCM	Camp Coordination and Camp Management Cluster
DRP	Defector Rehabilitation Programme
ENACT	Enhancing Africa’s Ability to Counter Transnational Crime
EUAA	European Union Agency for Asylum
FGM	Female genital mutilation
ICRC	International Committee of the Red Cross
IDLO	International Development Law Organization
IED	Improvised explosive device
IND	Immigration and Naturalization Directorate
INSO	International NGO Safety Organization
IOM	International Organization for Migration
IPC	Integrated food security Phase Classification
ISS	Islamic State in Somalia
NCRI	National High Commission for Refugees & IDPs
NDRA	National Displacement and Refugee Agency
ngo	Non-governmental organisation
NRC	Norwegian Refugee Council
NUSOJ	National Union of Somali Journalists
OCHA	Office for the Coordination of Humanitarian Affairs (UN)
RSF	Reporters Without Borders
SJS	Somali Journalists Syndicate
ToR	Terms of Reference
UNFPA	UN Population Fund
UNMAS	United Nations Mine Action Service
UNSOM	United Nations Assistance Mission in Somalia
PC	Penal Code

7.3 Map of Somalia



Source: Evan Centanni / Political Geography Now (<https://www.polgeonow.com/>), 16 June 2023