

**Home Office
Country Information and Guidance
Somalia**

Review

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Introduction

Updated Country Information and Guidance (CIG) on Somalia was released by the UK Home Office in April 2014.
(<https://www.gov.uk/government/publications/somalia-country-information-and-guidance>)

The IAGCI (<http://icinspector.independent.gov.uk/>) commissions country experts or experienced researchers to evaluate and report upon the country of origin information contained in its information products. IAGCI invited tenders for an evaluation of the material on April 15. This review has been conducted by the author, who has extensive experience in the Horn of Africa and lived in Mogadishu from June 2013 to February 2014, with attention to the following guidelines:

- “To help ensure that it [the CIG] is as accurate, balanced, impartial and up to date as possible”
- “Assessing the extent to which information from source documents has been appropriately and accurately reflected in the CIG Report.”
- “Identifying additional sources detailing the current human rights situation in the country with respect to main grounds for asylum claims (which are noted in each CIG Report).”
- “Noting and correcting any specific errors or omissions of fact.”
- “Making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.”

Furthermore, the terms of reference mention:

- “The Country Information and Guidance Report should be reviewed in the context of its purpose as set out in paragraph 4 above, and the stated ‘cut off’ date for inclusion of information.”
- “The review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.”
- “When suggesting amendments, rather than ‘tracking changes’ on the original CIG report, a list of suggested changes should be provided as part of a stand-alone review paper.”
- “Any suggestions for additional information (or corrections to information in the document) must be referenced to a source document for the Home Office to be able to use it. “

<http://icinspector.independent.gov.uk/the-independent-advisory-group-on-country-information-invites-tenders-to-evaluate-the-uk-home-office-country-information-and-guidance-on-kuwait-and-somalia/>

General observations

Timing

This updated Country Information is timely: since the withdrawal of Al Shabab from Mogadishu in mid-2011, there have been positive changes in the security situation relevant to the considerations of the document, in the capital and elsewhere.

However, the security situation that prevailed from late 2011 to late 2013 remained fragile and is still fluid and unpredictable. Early 2014 showed a continuation of high-profile attacks in Mogadishu, including on the presidential compound, Villa Somalia, on 21 February.

On the national stage, there had been a prolonged period of military stalemate until a new offensive starting early March 2014 began, enabled in part by the absorption of Ethiopian forces into the enlarged AU force, AMSIOM. Pockets of instability unrelated directly to Al Shabab were evident, for example in Kismayo in the south and related to contested territories straddling Puntland and Somaliland.

Even before the offensive, Al Shabab had already launched a series of attacks in the capital and elsewhere, which continue, some striking at the heart of government, most recently in May on the Parliament building in Mogadishu.

A significant number of towns in central and southern Somalia have been recovered from Al Shabab control since that offensive began.

The cutoff date for the report is 3 March, whereas the capture of the first town from Al Shabab, Radbure/Rabdhure, was announced on 6 March (<http://www.bbc.co.uk/news/world-africa-26467047>).

While the offensive started after the cutoff date, it is worth noting that there will have been changes affecting areas of control and freedom of movement that are probably still too fluid to pin down. However there are indications that blockading towns and villages may now be a tactic employed by Al Shabab.

Durability

The year 2014 may be a turning point in determining whether patchy gains in territorial control, law and order and governance will be consolidated or unravel. This would not be a good time to predict which way it will go. Therefore the statement in paragraph 363 of *AMM and others* regarding the uncertain “durability” of improved security in Mogadishu remains pertinent.

Mogadishu

The upsurge in economic, international and diplomatic activity in Mogadishu is pronounced, and some modest benefits and improvements are evident in infrastructure and services.

However in terms of security incidents, according to ACLED data, there were 152 civilian fatalities countrywide in January and February 2014. Of these, 76 (50%) were in the Banadir region, which is that of Mogadishu (<http://www.acleddata.com/data/>, 2014 real time data processed by the author).

Twenty-six of the fatalities were recorded at Villa Somalia, the seat government in Mogadishu.

Rather than being a haven, therefore it could be argued Mogadishu is in fact a hotspot. See below for the “bubble of optimism” analysis from CSIS.

Table: Total fatalities January and February 2014 in incident type “violence against civilians”. Source: ACLED real time data.

| | |
|-------------------|----|
| Banaadir | 76 |
| Jubbada Hoose | 16 |
| Gedo | 12 |
| Shabeellaha Hoose | 12 |
| Bay | 10 |
| Shabeellaha Dhexe | 6 |
| Bakool | 5 |
| Sool | 4 |
| Galguduud | 3 |
| Hiiraan | 3 |
| Mudug | 3 |
| Nugaal | 1 |
| Togdheer | 1 |
| Awdal | 0 |
| Jubbada Dhexe | 0 |
| Sanaag | 0 |
| Woqooyi Galbeed | 0 |

Mogadishu attracts disproportionate Al Shabab terrorist-type activity due to its symbolic and strategic value and the targets it contains. Its political and commercial significance also contributes to its volatility, while crime and competition for resources add to the security cocktail. Its population size may appear to skew data, as would the likelihood of more media reporting compared to lesser towns and regions. However, Mogadishu's seemingly unending instability and a perception that it is increasingly dominated by a single clan, contributes to unease, has even led some (including politicians from Puntland) to hint at a change in the national capital. This may not be a serious constitutional possibility, but the fact that it is even discussed indicates some of the discourse at the pessimistic end of the spectrum. The sacking of the Mogadishu mayor in February appears to have done little to improve security.

Conflict trends

As discussed above, ACLED's update covering March 2014 was issued after the cutoff date (the exact publication date is not available), but its findings for January and February should certainly be considered relevant to the updating of the Country Information and its real-time data for January and February were probably published before the cutoff date.

See http://www.acleddata.com/wp-content/uploads/2014/03/ACLED-Conflict-Trends-Report-No-24-March-2014_final.pdf and <http://www.acleddata.com/data/realtime-data-2014/>.

In any case, the picture in early 2014 became more worrisome, partly because, observers suggest, Al Shabab was pre-empting the long-signalled offensive by AMISOM with more asymmetric attacks to undermine confidence in the state and its institutions and disrupt political and military preparations and cohesion. In addition, the report reiterates that Al Shabab only accounts for a portion of the instability and insecurity that affects civilians. Sources have been suggested below to illustrate this significant point: even if Al Shabab were to disappear, other drivers of conflict would not evaporate.

In summary, it is without question that the static frontlines and pitched Mogadishu combat between Al Shabab and AMISOM/SNAF ended mid-2011, but different patterns of violence have developed.

1.1.10 states that fighting is "sporadic and localized", referring to *AMM and others*. The latest offensive by AMISOM and Somali National Armed Forces from early March 2014 has upped the tempo but the characterization probably need not be qualified. [See <http://amisom-au.org/2014/03/amisom-and-somali-national-army-drive-al-shabaab-out-of-six-towns/> and <http://www.bbc.co.uk/news/world-africa-26467047>].

Extract from ACLED March 2014 report:

“Conflict event levels increased in Somalia for the first time in five months with reported fatalities trending upwards in February as well (see Figure 8). The driver of this increase is two-fold.

“First, Al Shabaab activity in the country increased from just over 60 conflict events in January, to over 90 in February. In proportional terms, Al Shabaab was involved in over 40% of conflict events in February, up from 35% the previous month. While this is a substantial increase, it remains roughly in line with levels of activity since mid- 2013, when the group was involved in an average of 3.5 conflict events per day. Increased activity has largely taken the form of battles against other armed groups, although increased fatalities (which were also driven up this month) have escalated most significantly in the area of non-combatant targeting.

“Al Shabaab is more active in battles, but violence against civilians by the group is more intense, resulting in higher rates of casualties, and a much higher ratio of average fatalities to conflict events (3.7 for violence against civilians in February; 1.5 for every battle event in the same month).

“However, sustained Al Shabaab activity is not the only driver of conflict in Somalia: communal and clan militias, as well as unidentified armed groups together were active in over half of all conflict events in Somalia in February.

As in Mali, the prevalence of unidentified armed groups speaks to several dynamics: the first is that some of these units are Al Shabaab-aligned or sympathetic, and are engaging in violence which is either unacknowledged by central Al Shabaab commanders, or is only carried out in broad sympathy with the aims of the group.

A second, and potentially coterminous dynamic is that an increasingly diffuse range of diverse and nascent militant units are operating across the country, reflecting the growing complexity of a security context in which Al Shabaab may be persistent, but may no longer enjoy primacy. “

Politics

Moving on from general remarks about security, the political processes that would inspire confidence are late, lacking, in trouble or off track, and the military gains led by the AU forces are now far ahead of the civilian capacity to cement them into lasting stability. In fact, the short-term effects of the offensive may be to disrupt lines of control and provoke asymmetric attacks, instability and a deterioration of law and order in some areas of southern and central Somalia including those previously controlled by Al Shabab. The political picture will provide pertinent clues as to the likelihood of Somalia turning the corner or heading for a reversal of the limited gains.

At the time of this review, the tone of international partners towards the Federal Government is becoming more strident. The UN envoy has spoken about the situation approaching a “danger zone”, and a joint statement by the UN, IGAD and EU envoys in May 2014 called for “faster and greater delivery

by all". International and domestic patience is wearing thin, and optimism is in less abundant supply.

A strong political analysis underlining the dangers of over-simplification can be found in Matt Bryden's paper for CSIS of August 2013 (http://csis.org/files/publication/130819_Bryden_SomaliaRedux_WEB.pdf). In the introduction, he cautions "Despite having earned an unprecedented degree of international recognition and breathlessly upbeat media coverage, the SFG remains frail and embattled, dependent upon African Union troops to protect its leaders and defend its sovereignty. The stream of returnees, investors, aid workers, and diplomats to Mogadishu has not been replicated elsewhere in the country, creating an artificial, almost surreal bubble of optimism around the capital. Most of Somalia's territory is governed or controlled by other authorities whose relations with the SFG range from pragmatic to openly hostile. Rarely has it been so important to bear in mind the old maxim: Mogadishu is not Somalia. "

Risk profiles

The document at various points highlights different risk profiles but some are not stated, including, for example, cases regarding sexual orientation. The UNHCR document of January 2014 contains a list that could be inserted at some point in the document to ensure all potential risk profiles are flagged. (See: <http://www.refworld.org/docid/52d7fc5f4.html>).

"Potential Risk Profiles:

1. Individuals associated with, or (perceived as) supportive of the SFG and the international community, including the AMISOM forces;
2. Individuals (perceived as) contravening Islamic Sharia and decrees imposed by Al-Shabaab, including converts from Islam, other "apostates" and moderate Islamic scholars who have criticized Al-Shabaab extremism;
3. Individuals (perceived as) opposing the SFG and related interests and individuals (suspected of) supporting armed anti-Government groups;
4. Individuals in certain professions such as journalists, members of the judiciary, humanitarian workers and human rights activists, teachers and staff of educational facilities, business people and other people (perceived to be) of means;
5. Individuals (at risk of being) forcibly recruited;
6. Members of minority groups such as members of the Christian religious minority and members of minority clans;
7. Individuals belonging to a clan engaged in a blood feud;
8. Women and girls;
9. Children;
10. Victims and persons at risk of trafficking;
11. Sexual and/or gender non-conforming persons (lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals);
12. Persons with a mental disability or suffering from mental illness. "

Terminology and acronyms

- The Federal Government of Somalia (FGS) may be the most widely-accepted acronym for the central government. The document uses various terms including “Somali National Government”.
- The Monitoring Group on Somalia and Eritrea is known in UN circles by the acronym SEMG.
- The UN Office on Drugs and Crime should be UNODC, not UNDOC.

Typos

- The DIS/Landinfo report is misspelled as Laindinfo in six places.

Review of the full document

Module 1: Security and humanitarian situation in south and central Somalia

While noting the reviewer is requested not to tackle the policy guidance directly, a couple of points can be raised with regard to the Introduction and Guidance sections of Module one. “(ii) The review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.”

(<http://icinspector.independent.gov.uk/the-independent-advisory-group-on-country-information-invites-tenders-to-evaluate-the-uk-home-office-country-information-and-guidance-on-kuwait-and-somalia/>)

Introduction

This includes the phrase: “...depend on whether the person can get to that area safely and, if so, the general humanitarian situation in that area.”

This sentence should refer to the security situation as well as the humanitarian situation as indeed the later sections from 1.1.9 onwards do. It is unclear whether the term “humanitarian” also can be taken to refer to the ability to earn a living.

In 1.1.6 reference is made to *AMM and others* mentioning the declaration of famine. It would be worthwhile to note here and later in the humanitarian section that the UN famine declaration, which applied to only some parts of the country, was made in July 2011 and lifted from all areas in February 2012 (<http://www.fao.org/news/story/en/item/122091/icode/>).

1.1.12 refers to the risk of someone being accused of spying for western governments, or the FGS or AMISOM. It might be more comprehensive to say spy for “foreign” governments, so as to correctly capture the risk. For example, in May 2014 Al Shabab reportedly executed a man for spying for Ethiopia, rather than AMISOM, of which Ethiopia is a contributing nation (<http://www.bar-kulan.com/2014/05/30/al-shabaab-executes-three-men-in-lower-shabelle-region/>).

1.1.13 mentions “Al Shabab’s reasons for imposing its requirements” – whereas elsewhere its edicts are characterized less affirmatively. In that context, it may be better to replace “reasons” with “justifications”.

The translation of the word “kufr (apostasy)” needs checking – typically apostate is translated as *murtad*, while *kufr* would mean “unbeliever” (<http://sunnahonline.com/library/beliefs-and-methodology/87-types-of-kufr-disbelief>).

1.1.15 raises the question of religious belief. This may also be relevant to risk outside Al Shabab controlled areas. The UNHCR January 17 2014 document,

under section III A, lists 12 potential risk profiles including “Members of minority groups such as members of the Christian religious minority and members of minority clans” (<http://www.refworld.org/docid/52d7fc5f4.html>). The FGS banned any celebration of Christmas in 2013: <http://mobile.nation.co.ke/news/Somalia-bans-Christmas-celebrations/-/1950946/2125192/-/format/xhtml/-/774d8c/-/index.html>

1.2 indicates the material is updated to 3 March 2014. This text may be better placed at the beginning to cover the whole text. As stated above, the AMISOM-led offensive started at about the same time so the uptick in violence in February and a mention of the upcoming offensive could justifiably be mentioned within the cutoff date.

The table of contents lists UNSOM as a “pro-government force” – however it is a civilian political mission, not a force. The mandate from the UN Security Council is here: <http://www.unmissions.org/Default.aspx?tabid=6255&language=en-US> (renewed on 29 May 2014: <http://www.un.org/apps/news/story.asp?NewsID=47921>).

Other pro-government forces are not mentioned in the table of contents (see comment on 1.2.3 below).

1.2.2 Despite the text on the AMISOM website, the AMISOM mission is a “peace-support” mission, not a peace-keeping mission, as is stated in the initial mandate from the AU Peace and Security Council: <http://www.ausitroom-psd.org/Documents/PSC2007/69th/Communique/CommuniqueEng.pdf> . It was authorised by UN Security Council resolution 2124 (2013) to increase troop strength from 17,731 to 22,126 uniformed personnel for an initial period up to October 2014. According to AMISOM, its police component, within that total, is 515 police officers (<http://amisom-au.org/mission-profile/amisom-police/>).

UNSOA, not UNSOM, is the UN entity charged with providing logistical support to AMISOM (footnote 2 correctly refers to paragraph 57 of the September 2013 report of the SG to the SC which provides an update on UNSOA). An additional text could be added to 1.2.3 to summarize the logistic support functions of UNSOA, described in detail here: ([http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2093\(2013\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2093(2013))). UNSOA was furthermore mandated by UNSCR 2124 to provide logistical support to the SNA “...through the provision of food and water, fuel, transport, tents and in theatre medical evacuation, decides that this exceptional support shall be provided only for joint SNA operations with AMISOM...” ([http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2124\(2013\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2124(2013)))

1.2.3 (revision) As mentioned above, the UN itself performs no active military function, however, there are other organized military actors in the Somalia theatre, broadly operating in alliance with the Mogadishu government.

Leaving aside non-combat military assistance and training, these (excluding Puntland and Somaliland) could perhaps be grouped in three categories (governments, private companies and militia) in 1.2.3 whilst a fourth element could retain a mention of UNSOM's broad political and security sector reform coordination role.

1. The UN Somalia Eritrea Monitoring Group in July 2013 mentions Ethiopian and Kenyan military (land and air) actions outside the AMISOM mandate, as well as reports of US and UK activity without notification to the Sanctions Committee. (http://www.un.org/ga/search/view_doc.asp?symbol=S/2013/413). President Obama confirmed US drone strikes on Somalia in a speech in May 2014 (<http://www.bbc.co.uk/news/world-us-canada-27606537>).

2. The SEMG also reported on private security companies: "The activities of private security companies continue to grow, at times in violation of the arms embargo." The UN Working Group on Mercenaries reported on Somalia on 1 July 2013 in report A/HRC/24/45/Add.2. (http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/24/45/Add.2). The report is also online at: http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/A_HRC_24_45_Add.2.pdf

It catalogues some of the PMSCs working in Somalia, urges a robust regulatory regime, and warns: "...an influx of PMSCs could increase instability in an already fragile security environment and, as PMSC employees interact with the civilian population, raise the scepter [sic] of human rights violations of the type documented by the Working Group in Iraq and Afghanistan. "

It also touched on the possibility of local private security companies acting as a front for clan-based militia:

"The Working Group was informed that several local security providers in Somalia are clan-based militia which operate behind a corporate façade in order to conceal the involvement of individual warlords. Although the Working Group was unable to verify this information, it notes that this pattern has been seen in other countries and is an issue that international organizations and NGOs should be cognizant of when they enter into agreements for the provision of private security."

3. In addition, a number of regions have militia which are broadly anti-Al Shabab. Andre Le Sage in testimony to Congress stated: "Many major clans whose warlords had been disarmed by Al Shabab have worked to reestablish their political position and began to resist the movement. This includes major segments of the Marehan and Ogaden in Gedo Region, former supporters of the Rahanweyn Resistance Army (RRA) in Bay and Bakol Regions, the Hawadle in Hiraan, and the Habr Gedir who supported formation of the Sufist movement Ahlu Sunna wal Jama'a (ASWJ) movement, Galmudug State and Himan and Heeb State. With assistance from Ethiopia and Kenya, these groups began to create local administrations and participate in anti Shabab

military activities.”

(http://www.foreign.senate.gov/imo/media/doc/Le_Sage_Testimony.pdf)

For more on the Ahlu Sunna Wa Jamaa group, and its current tense relationship with Mogadishu see:

http://sabahionline.com/en_GB/articles/hoa/articles/features/2014/03/27/feature-01 .

1.2.10 refers to the ACLED report of 22 January 2014. As mentioned above in the general observations, the text from its March report is of relevance to the trend in early 2014 and but falls after the cutoff date.

1.2.12 – missing opening bracket before “see comments...”

1.2.13 [addition] For a useful analysis of Al Shabab, with reference to its internal splits, the Westgate attack and possible impacts of the AMISOM-led offensive, also see *The Reinvention of Al-Shabaab: A Strategy of Choice or Necessity?* By Matt Bryden for CSIS:

http://csis.org/files/publication/140221_Bryden_ReinventionOfAlShabaab_Web.pdf

1.2.22 Again, AMISOM is referring to “peacekeepers” whereas more commonly the force is described as a “peace-support” mission as there is no formal peace agreement it is there to help enforce.

1.2.31 [check xxx with consultant]

1.2.35 As mentioned earlier, if it does not contradict the cutoff date, the later ACLED graphic including February could be used.

1.2.37 While the ICRC annual report for 2013 was published after the cutoff date, it is worth noting that the trend in weapons-related wounded admissions in 11 hospitals in Somalia is stated as 2,424 in 2013, compared to 2,503 in 2012. However, the 2013 figures are from only eight reporting hospitals, suggesting the like-for-like figure would show a significant increase were all 11 hospitals reporting.

(see: <http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-africa.pdf>)

However, the WHO data in 1.2.52 indicates a decrease in admissions in Mogadishu compared to 2013.

Also there is a typo: “admissions” is repeated.

1.2.41 has a formatting error on footnotes 49 and 50

1.2.52 – See comments on 1.2.37 – it is hard to determine the trend in weapons injuries outside Mogadishu, but here WHO's figures support a reduction.

1.2.53 Footnote 68 is wrongly formatted.

1.2.62 There are typos “upt to” and “Al shabab”.

1.2.65 could add reference to the detailed analysis of Al Shabab capacity in Puntland contained in the SEMG report of July 2013 in Annex 1.7 (http://www.un.org/ga/search/view_doc.asp?symbol=S/2013/413).

1.2.67 contains an apparent misspelling: the key location of Sool region is Taleh or Talex.

1.2.79 A recommended additional source on displaced people (IDPs) is a report from Refugees International of 11 July 2013:
<http://refugeesinternational.org/policy/field-report/when-push-comes-shove-displaced-somalis-under-threat>

Module 2: Major clans and their sub-clans

Policy Summary

As another reviewer is considering this section, I shall only draw attention to a few points that stand out.

The policy states that clan-related conflict has increasingly been “superseded” by conflict based on interpretations of Islam outside Mogadishu. This is a broad claim. For example, the recent conflicts described in 1.2.31 in Lower Shebelle, Jowhar and around Beledweyne all have a clan dimension in the sense of clan-based competition over resources and territory. Two of these situations are in fact mentioned in 2.2.16 (US DoS) and 2.2.17 (UN). And in Mogadishu, some of the violence, crime and security incidents have a clan ingredient at least, as reported in 1.2.44 and 1.2.55 (DIS) and 1.2.47 (UN). The DIS material is in fact repeated below in 2.2.15, casting doubt on the policy statement above.

2.2.1 contains the phrase “The majority of the Somali population is composed of ethnic nomadic pastoralists...” The word “ethnic” has doubtful relevance or meaning in this context.

Module 3: Women

3.1.6 The meaning of this sentence is unclear: “women who have a well founded fear of persecution as a result of their gender are members of a particular social group”.

Module 4: Prison conditions

The US DoS 2013 annual reports were issued on 27 February 2014 . Footnote 148 refers to the 2012 report, but the text in 4.2.1 appears to use the latest edition, whose URL is <http://www.state.gov/documents/organization/220370.pdf>

4.2.2 contains a typo: “who’s” should be replaced by “whose”.

4.2.6 The new prison “due to open at the end of 2013” in Puntland was opened in April 2014 (<http://www.unodc.org/unodc/en/frontpage/2014/April/new-prison-marks-a-significant-improvement-in-bringing-justice-to-the-horn-of-africa.html?ref=fs1>). Footnote 155 for the December 2012 UNODC document is missing. In any case, a newer UNODC update can be found at http://www.unodc.org/documents/easternafrika//piracy/UNODC_Brochure_Issue_11_wv.pdf from March 2013 which updates the same project information.

Module 5: Actors of Protection

5.2.17 Regarding the security of courts and the judiciary, the serious attack of April 2013 on the Mogadishu courts should be mentioned, as evidence of insecurity inhibiting the expansion of the rule of law and also as it marked the beginning of a new phase of Al Shaba complex attacks in the capital: <http://bigstory.ap.org/article/gunmen-attack-mogadishu-court-complex-witnesses>

Module 6: Internal Relocation

6.1.7 refers to “famine conditions” – better to refer to “humanitarian situation” as the formal famine declaration was lifted in February 2012, although the food security situation in 2014 is already of concern to humanitarian agencies (see above).

6.2.11 has a typo in its reference to a media report from Sabahi.