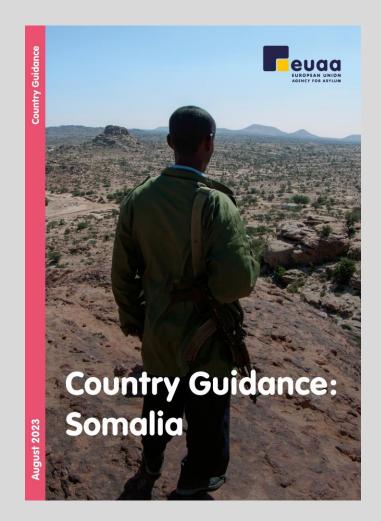
Country Talks: Somalia Country of Origin Information reports and Country Guidance







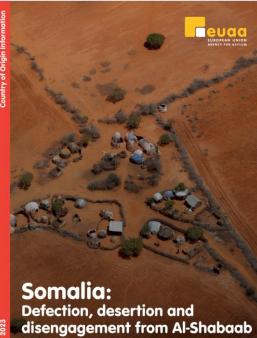
- **1.** General remarks
- 2. Actors of persecution or serious harm
- 3. Refugee status (analysis of profiles)
- 4. Subsidiary protection
- **5.** Actors of protection
- 6. Internal protection alternative
- 7. Exclusion





Country of Origin Information Reports and Queries





		COLO	UERY
Country of Origin	SOMALIA		
Title	Security situation update	Country of	Origin SOMALIA
Reference period	1 December 2022 to 14 April 2023	Title	Forms and prevalence
Topics	Major security developments	Reference	period Information available at
	1. <u>Major security developments</u> 2. Humanitarian situation	Topics	
	3. Update on desertion, defection, disengagement from Al-Shabaab	-	1. Prevalence of F 2. Forms and prev
Date of completion	25 April 2023	Date of co	mpletion 21 April 2023
Query Code	Q13-2023	- Query Cod	Q12-2023
Contributing EU+ COI unit		- Contributi	ng EU+ COI units N/A



1. Prevalence of FGM/C in Somalia 2. Forms and prevalence of repeated FGM

3

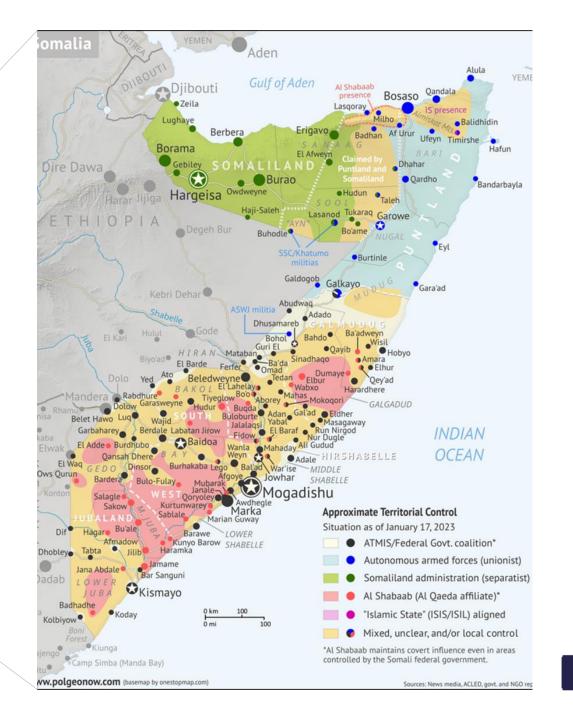




Areas of control and influence

Situation as of 17 January 2023





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EUROPEAN UNION

Actors of persecution or serious harm









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EUROPEAN UNION ABENCY FOR ASYLUM

List of profiles

3.1. General remarks

- 3.2. Persons associated with the government of Somalia and/or international actors
 - 3.2.1. Overview
 - 3.2.2. Federal and state officials
 - 3.2.3. Members of the federal and state armed forces
 - 3.2.4. Electoral delegates
 - 3.2.5. Civilians perceived as 'spies' by Al-Shabaab
- 3.3. Persons fearing forced recruitment by Al-Shabaab
- 3.4. Deserters and defectors from Al-Shabaab
- 3.5. Individuals refusing to pay 'taxes' to Al-Shabaab
- 3.6. Humanitarian workers and human rights defenders
- 3.7. Journalists
- 3.8. Individuals (perceived as) contravening social or religious laws/tenets
 - 3.8.1. Individuals (perceived as) contravening Islamic laws in Al-Shabaab controlled areas
 - 3.8.2. Individuals (perceived as) contravening Islamic and customary tenets outside Al-Shabaab controlled areas
- 3.9. Individuals involved in blood feuds/clan disputes
- 3.10. Individuals accused of crimes in Somalia

3.11. Minorities 3.11.1. Overview 3.11.2.Low status occupational minorities 3.11.3. Ethnic minorities 3.11.4. Groups specialised in religious services 3.11.5. Clans which can be considered minority groups in local contexts 3.11.6. Individuals in mixed marriages 3.12. LGBTIQ persons 3.13. Women and girls 3.13.1. Violence against women and girls: overview 3.13.2. Female genital mutilation or cutting (FGM/C) 3.13.3. Women and girls fearing forced recruitment by Al-Shabaab 3.13.4. Women and girls who have left Al-Shabaab 3.13.5. Child marriage and forced marriage 3.13.6. Women and girls in clan conflicts 3.13.7. Single women and female heads of households 3.14. Children 3.14.1. Violence against children: overview 3.14.2. Child recruitment by Al-Shabaab

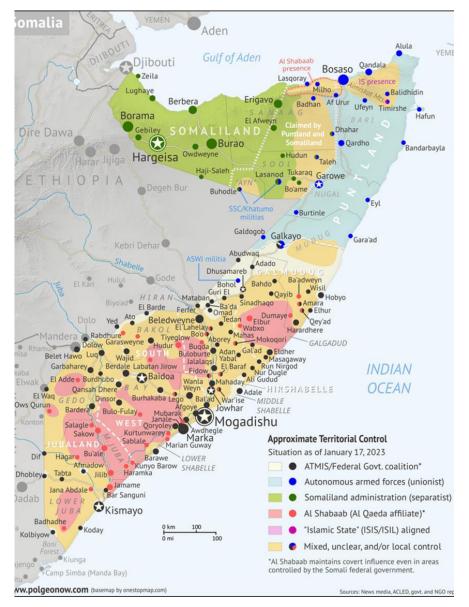
3.15. Persons living with disabilities or with severe medical issues



Persons fearing forced recruitment by Al-Shabaab: COI [1]

AL-SHABAAB RECRUITMENT? 'Members'? Associated? Living under? Wives?

Supportive?



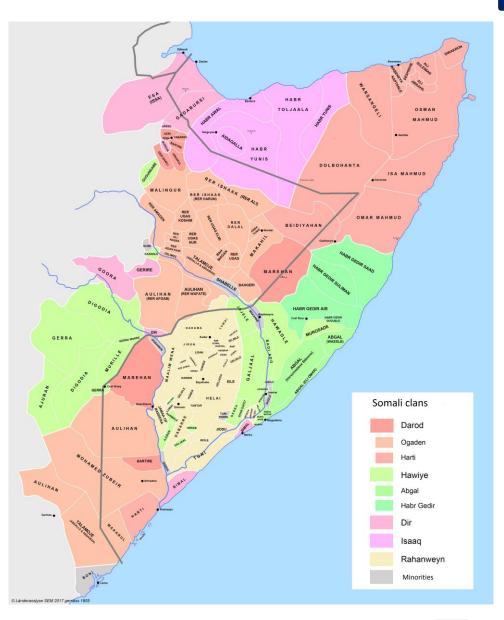




Persons fearing forced recruitment by Al-Shabaab: COI [2]

SOMALI CLANS DISTRIBUTION

[Lewis, 1955]





Persons fearing forced recruitment by Al-Shabaab: CG conclusions

This profile refers to adult males fearing recruitment by Al-Shabaab against their will.

In the case of Al-Shabaab, recruitment is for a wide range of purposes, such as fighting, providing administrative support, collecting taxes, propelling outreach, intelligence gathering, etc.

This profile also contains information on individuals refusing to provide recruits to Al-Shabaab.

Persecution: legal qualification

Forced recruitment amounts to persecution. The consequences of refusal of forced recruitment, including for elders or families refusing to provide recruits, could also amount to persecution (e.g. killing).

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age (young men are at higher risk), area of origin and the control or influence of Al-Shabaab, clan affiliation, educational background, (prior) profession(s), socio-economic situation of the family, etc.

Potential nexus to a reason for persecution

Highly likely to be for reasons of (imputed) political opinion.





Profiles Deserters and defectors from Al-Shabaab

Deserter:

A man leaving Al-Shabaab without Al-Shabaab's permission.

Defector:

A man who has left Al-Shabaab without Al-Shabaab's permission and then has reported to the Somali authorities.





Deserters and defectors from AI-Shabaab: COI

- Threatening, Hunting, Targeting, including Executions by AS
- Retaliation against family members
- Arrest and treatment by authorities
- Stigma
- Community Reintegration
- Wife inheritance
- Stigma
- IDP camps
- Street children

FGS CLAIMED DEFECTIONS DURING THE OFFENSIVE

FORMAL PATHWAYS

- Overall 107 AS fighters defected in the period July August 2023
- TUBSAN: 'RightPath' National Center for Preventing and Countering Violent Extremism, established in July 2023 - Nor and Sheikh Nadara

AMNESTY

✓ New call for Amnesty made on 19 August 2023





This profile refers to men, having deserted or defected from Al-Shabaab, as well as to boys who had been actively involved in the group, especially as fighters.

Persecution: legal qualification

Criminal prosecution in itself does not amount to persecution. However, acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical violence, torture, death penalty, detention or execution by Al-Shabaab). When the acts in question are of less severe nature (e.g. stigmatisation by the community), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.

Well-founded fear: risk analysis

In the case of deserters and defectors from AI-Shabaab, well-founded fear of persecution would in general be substantiated in **South-Central Somalia and Puntland**. Additionally, well-founded fear of persecution by the government may be substantiated.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in **Somaliland** should take into account risk-impacting circumstances, such as: the rank and role in Al-Shabaab (e.g. being considered 'high-risk' by the state authorities), the reach of Al-Shabaab in the area of origin, clan affiliation, clan and family views towards Al-Shabaab, distance of the area of deployment of boys for Al-Shabaab from the area of origin and possibility to be reunited with the family, level of assistance by a support/clan network, socio-economic situation, etc.

Family members of individuals under this profile, especially their wives, may also have a well-founded fear of persecution.

Potential nexus to a reason for persecution

Highly likely to be for reasons of (imputed) political opinion and/or religion.





Women and girls in Somalia

men and girls in Somalia	
FGM, SGBV	General situation
Child marriage	8.4 % of women married before the age of 15 45.3% of women married before the age of 18 [UN WOMEN]
Intermarriage	Majority/noble clans (Samale) and minority groups: occupational minorities, ethnic minorities (Bantu, Benadiri, Bajuni), religious service groups, Rahanweyn (Sab)
Marriage and Al-Shabaab	'frequent' wife in-heritance [within three months] the Bantu special case
Living under Al-Shabaab rule/influence	What role?

Leaving Al-Shabaab

Consequences



Female genital mutilation or cutting (FGM/C): COI [1]

99.2 % OF SOMALI WOMEN AGED **15–49** HAVE BEEN SUBJECTED TO **FGM/C**

[Somalia, The Somali Health and Demographic Survey 2020, April 2020, <u>url]</u>



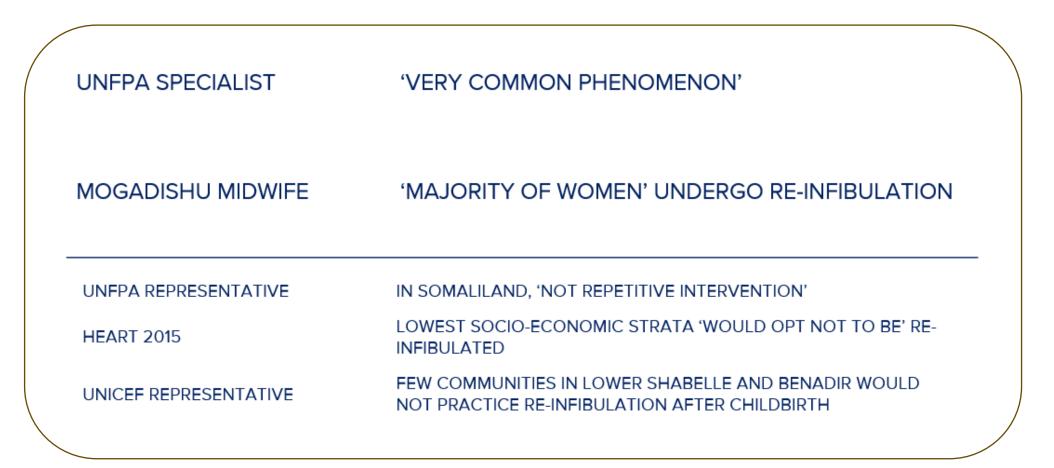


Female genital mutilation or cutting (FGM/C): COI [2]

AFTER CHILDBIRTH	when de-infibulation is performed as a precondition for childbirth, subsequent repairs are made in a re-infibulation procedure
OF UNMARRIED GIRLS/WOMEN WHO HAVE LOST THEIR VIRGINITY	parents of female victims of rape or whose virginity is lost due to secret relationship often force their daughter to undergo re- infibulation so as to restore her honour and protect her marital status
NOT PERFORMED PROPERLY	an initial FGM procedure can be repeated shortly afterwards when it is found that the FGM had not been 'properly' carried out
ON HEALTH GROUNDS	re-infibulation carried out by cutters on perceived health-related grounds/complications
OF WOMEN WHO UNDERWENT A SUNNI TYPE FGM/C	woman who has 'only' undergone the Sunni type may be pressured to undergo infibulation



Repeated Female Genital Mutilation or Cutting (FGM/C): COI









Female genital mutilation or cutting (FGM/C): CG conclusions

Persecution: legal gualification FGM/C amounts to persecution. Well-founded fear: risk analysis In the case of girls who have not been subjected to FGM/C, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including South-Central Somalia, Puntland and Somaliland. In the case of women who have not been subjected to FGM/C, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to be subjected to FGM/C should take into account risk-impacting circumstances, particularly the age of the applicant, her marital status, and the views of her family on the practice. The circumstances under which the applicant had managed to avoid being subjected to FGM/C should also be given due consideration. In the case of women and girls who have been subjected to FGM/C, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to be subjected to repeated FGM/C should take into account risk-impacting circumstances, such as: age, family status, type of FGM/C experienced, family perceptions and traditions towards the practice, etc. Potential nexus to a reason for persecution May be for reasons of membership of a particular social group. For example, women and girls who have not been subjected to FGM/C, may be subjected to persecution for reasons of this innate characteristic and/or common background which cannot be changed (not being subjected to FGM/C) and their distinct identity in Somalia. Persecution of this profile may also be for reasons of religion.





Women and girls fearing forced recruitment by Al-Shabaab: CG conclusions

This sub-profile refers to women and girls fearing recruitment by Al-Shabaab against their will.

Persecution: legal qualification

Forced and child marriage by Al-Shabaab amount to persecution. Furthermore, women and girls could be exposed to acts by Al-Shabaab which are of such severe nature that they would amount to persecution (e.g. killing, abduction, sexual violence, domestic slavery).

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account riskimpacting circumstances, such as: age, area of origin and the control or influence of AI-Shabaab, clan affiliation, family/community perception, etc.

Potential nexus to a reason for persecution

May be for reasons of race (e.g. in the case of Bantu women) and/or religion (see also profile 3.8. Individuals (perceived as) contravening social or religious laws/tenets).





Women and girls who have left Al-Shabaab: CG conclusions

This profile refers to women and girls who had been wives of AI-Shabaab members or who were actively engaged in the group's activities and who have left AI-Shabaab.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution and imprisonment, certain forms of physical violence including sexual violence, torture, death penalty). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.

Well-founded fear: risk analysis

In the case of women and girls having left Al-Shabaab, well-founded fear of persecution by the group would in general be substantiated in **South-Central Somalia and Puntland**. Furthermore, women and girls may have a well-founded of persecution by the community and the government in individual cases. Risk-impacting circumstances could include: past role in Al-Shabaab, clan affiliation and protection, displacement situation, etc.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in **Somaliland** should take into account risk-impacting circumstances, such as: the past role in Al-Shabaab, the area of reintegration, participation in a rehabilitation programme, clan affiliation, level of assistance by a support/clan network, displacement situation, having left with their child(ren), distance of the area of deployment of girls for Al-Shabaab from the area of origin and possibility to be reunited with the family etc.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion. Persecution of women who have left Al-Shabaab marriages may also be for reasons of membership of a particular social group based on their common background which cannot be changed (past marriage to an Al-Shabaab member) and distinct identity in Somalia (in relation to stigmatisation).





HUMANITARIAN AND SECURITY SITUATION





Humanitarian situation [1]

- DROUGHT
 - **8.25 million** in need of humanitarian assistance
 - More than 6.6 million projected to face acute food insecurity in 2023 [UN OCHA, February 2023, TW WFP 23 May 2023]
 - **1.8 million children estimated to be acutely malnourished in 2023**, including **477 700 severely malnourished** [FAO, WFP Hunger Hotspots 2023] more than 50% of children under 5
 - UN Report (20 March 2023): 43000 deaths in 2022 (half of them children); projections first half of 2023: 18000-34000
 - Situation remains 'extremely serious', but famine is averted for the time being [UN OCHA]
 - Drought induced displacement: over 1.3 million, Jan Oct 2022 [UN OCHA, December 2022]
 - EU suspended funding to WFP (aid diversion): USD 7 million out of USD 1 million received by WFP in 2022 – IDPs, gatekeepers, local authorities, security forces
 - Livestock: large decrease in livestock since August 2022 (REACH, February 2023)





Humanitarian situation [2]

- 3.8 million IDPs [IOM, February 2023]
- 667 000 Somali refugees in neighbouring countries [UNHCR]

DRIVERS: Violence/Conflict/Insecurity [~1/3], Disasters (drought, floods, etc.) [~2/3]

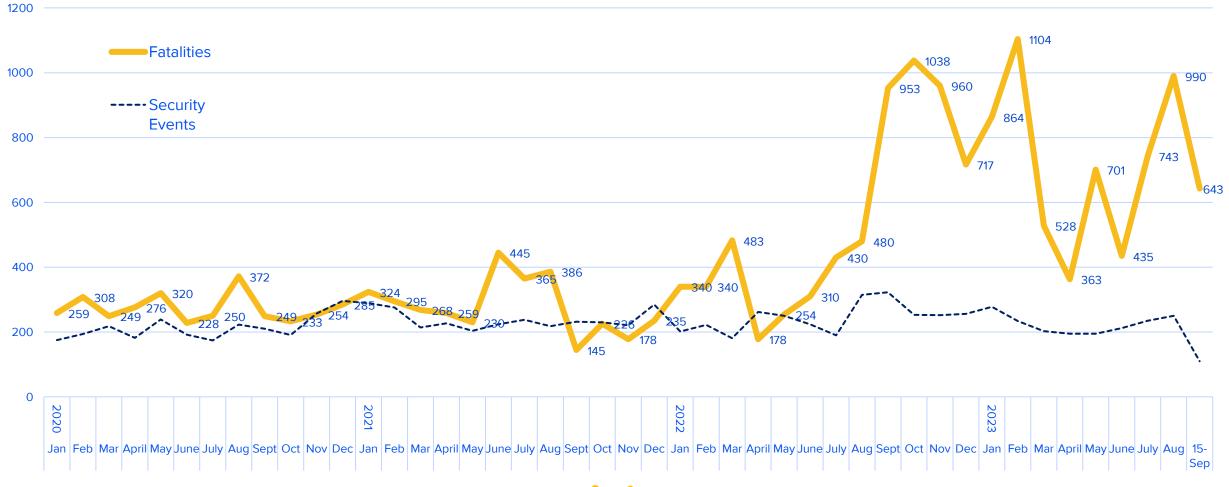
... as of October 2023 impending El-Nino rains



Security situation [1]

SECURITY TRENDS 2020 – SEPTEMBER 2023 10 251 EVENTS * 19 493 FATALITIES

January 2020 – 15 September 2023, based on ACLED data



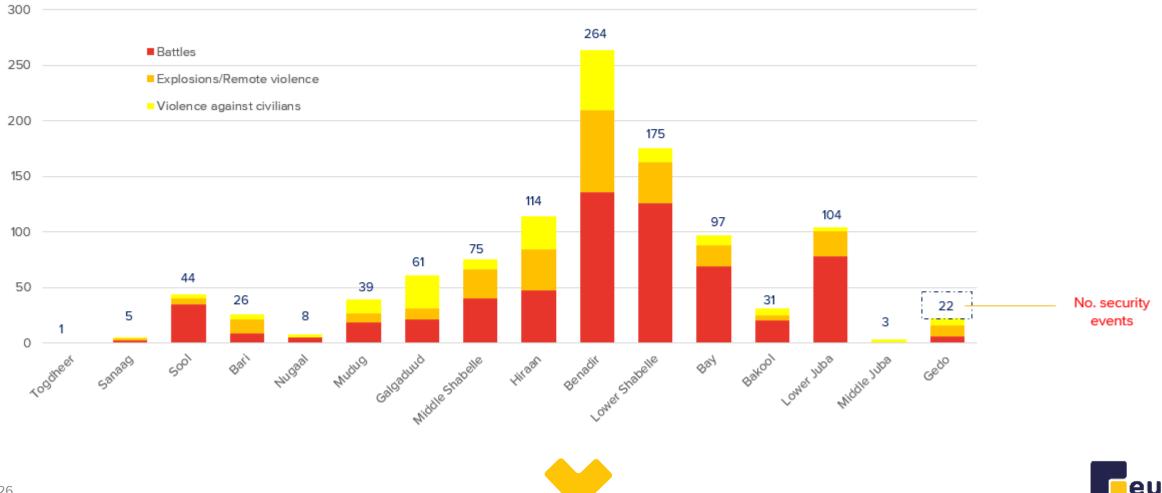


Security situation [2]

SECURITY INCIDENTS - BY TYPE AND REGION - AND OVERALL FATALITIES: 1069 * 3 324 FATALITIES [4,5 MONTHS]

December 2022 – Mid-April 2023, based on ACLED data – 4,5 months

EUROPEAN UNION ABSHET FOR ASYLUM



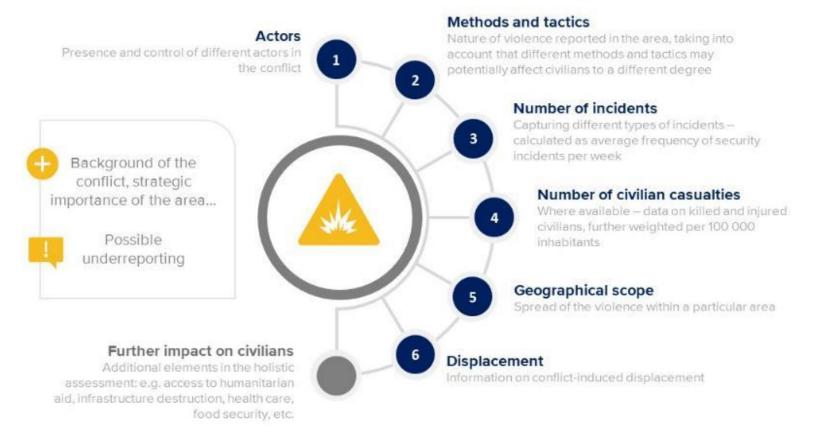






Subsidiary protection [1]

Article 15(c) QD: Indicators in the assessment of the level of indiscriminate violence CG conclusions





Subsidiary protection [2] Article 15(c) QD: Indiscriminate violence in Somalia CG conclusions

Territories where 'mere presence' in the area would not be sufficient to establish a real risk of serious harm under Article 15(c) QD, but where, however, indiscriminate violence reaches **a high level**, and, accordingly, **a lower level of individual elements** is required to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

This includes the regions of Bay, Benadir/Mogadishu, Galgaduud, Hiraan, Lower Juba, Lower Shabelle, and Middle Shabelle.

Territories where indiscriminate violence is taking place, however **not at a high level** and, accordingly, **a higher level of individual elements** is required in order to show substantial grounds for believing that a civilian, returned to the territory, would face a real risk of serious harm within the meaning of Article 15(c) QD.

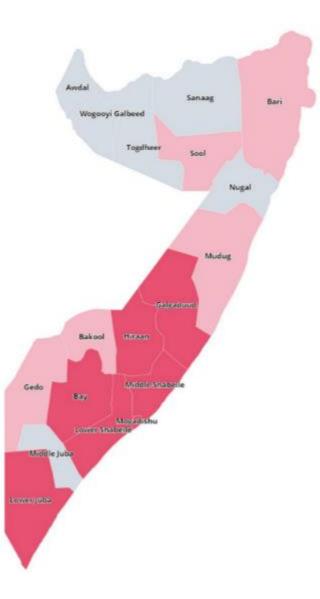
This includes the regions of Bakool, Bari, Gedo, Mudug, and Sool.

It can be noted that, at the time of writing, the indiscriminate violence in Sool primarily affects the district of Laas Canood and its surroundings.

Territories where, in general, there is **no real risk** for a civilian to be personally affected within the meaning of Article 15 (c) QD. This may be because the criteria for an armed conflict within the meaning of this provision are not met, because no indiscriminate violence is taking place, or because the level of indiscriminate violence is so low, that in general there would be no real risk for a civilian to be affected by it.

This includes the regions of Awdal, Middle Juba, Nugal, Sanaag, Togdheer and Wogoyi Galbeed.

While Middle Juba is significantly affected by human rights violations by Al-Shabaab, who is in control of the area, these violations should be examined in the context of refugee status or Article 15(b) QD.







Subsidiary protection [3]

Article 15(b) QD: torture or inhuman or degrading treatment or punishment: CG conclusions

- Arbitrary arrests, illegal detention and prison conditions
 => overcrowding; harsh life-threatening conditions
- Criminality
 - => pervasive; drifting of youth towards organised criminal gangs
- Corporal punishments
 - => may be imposed by Sharia or Al-Shabaab courts in case of hadd crimes

Forced evictions

⇒ far-reaching impacts on already marginalised populations, including increased vulnerability to violence, loss of assets and social networks, sexual assault, destruction of livelihoods, and separation of families.

Healthcare unavailability and socio-economic conditions

=> the humanitarian situation in Somalia remained precarious during the reference period, making the country one of the least developed countries

Serious harm must take the form of conduct of an actor (Article 6 QD). In itself, the general unavailability of healthcare, education or other socio-economic elements (e.g. situation of IDPs, difficulties in finding livelihood opportunities, housing) is not considered to fall within the scope of inhuman or degrading treatment under Article 15(b) QD, unless there is intentional conduct of an actor.







Internal Protection Alternative [1]

Mogadishu, Garowe and Hargeisa



In relation to **Mogadishu**, the requirement of safety may be satisfied only in exceptional cases. Individual circumstances are to be taken into consideration.

In relation to **Garowe and Hargeisa**, the requirement of safety may be satisfied, depending on the profile and the individual circumstances of the applicant.

Safely travel: some security concerns with regard to the safety of travel to Mogadishu. With regard to Garowe and Hargeisa, in general, a person can access these cities without serious risks.

Travel and

Admittance

Legally travel: the lack of identification documents may render the applicant vulnerable to ill-treatment at checkpoints to the three cities. The possession of a 30-day visa would not be sufficient to consider that the applicant can settle in Hargeisa.

Gain admittance: Clan affiliation does not constitute a legal requirement to travel and gain admittance in the three cities, however it would be a crucial factor to take into account when examining the requirements of reasonableness to settle in one of these cities.



General situation: Significant hardship => However, not unreasonableness to settle in the cities as such. A careful examination should take place, particularly when assessing the reasonableness of IPA to Mogadishu.

Reasonable-

ness to settle

Individual circumstances: access to clan support and financial means => reasonableness requirement may be satisfied in individual cases.



Internal Protection Alternative [2]

IPA: Conclusions on reasonableness to settle in Mogadishu





Internal protection in Mogadishu may be reasonable <u>only in exceptional cases</u>:

Some able-bodied men and married couples without children with no additional vulnerabilities

- who belong to locally majority clans
- and who have educational and professional background facilitating their access to employment
- or a support network which is able to assist them in accessing basic subsistence
- or those who otherwise have sufficient financial means.

In case of couples, basic subsistence in Mogadishu has to be ensured for both spouses.







Internal Protection Alternative [2]

IPA: Conclusions on reasonableness to settle in Garowe and Hargeisa



In the case of single able-bodied men and married couples without children, internal protection alternative may be reasonable for those who belong to the local majority clan and can rely on its support and who have no additional vulnerabilities.

 In the case of families with children and unaccompanied children, internal protection alternative would in general not be reasonable. Individual circumstances and the best interests of the child should be duly assessed.

- In the case of applicants from minority groups, including clans who can be considered minorities in the local context, internal protection alternative would in general not be reasonable.
- In the case of **other profiles**, the individual circumstances of the applicant, in particular in relation to clan affiliation, gender, age, the existence of a support/clan network, etc. should be given due consideration, when assessing the reasonableness to settle in these cities.



The Country Guidance concludes that:

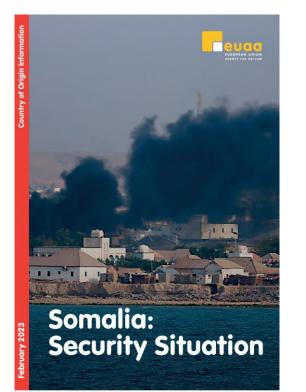
- Al-Shabaab remains the main actor of persecution in Somalia;
- Due to the ongoing counter-offensive against Al-Shabaab, the security situation remains volatile, especially in South-Central Somalia;
- The international protection needs of women and girls fearing Female Genital Mutilation remain high.

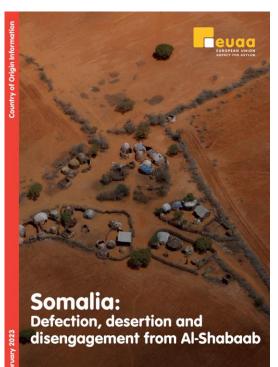




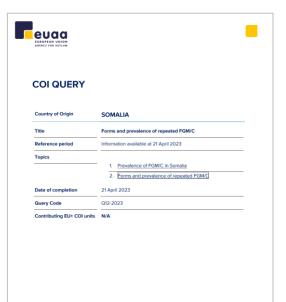


Country of Origin Information online





COI QUERY			
Country of Origin	SOMALI	A	
Title	Security si	tuation update	
Reference period	1 Decembe	r 2022 to 14 April 2023	
Topics			
	1.	Major security developments	
	2.	Humanitarian situation	
	3.	Update on desertion, defection, disengagement from Al-Shabaab	
Date of completion	25 April 20	123	
Query Code	Q13-2023		
Contributing EU+ COI units	N/A		



To access EUAA COI queries,

https://coi.euaa.europa.eu/administration/easo/PLib/2023_04_EUAA_COI_Query_Response_Q13_Somalia_Security_Situation.pdf

And

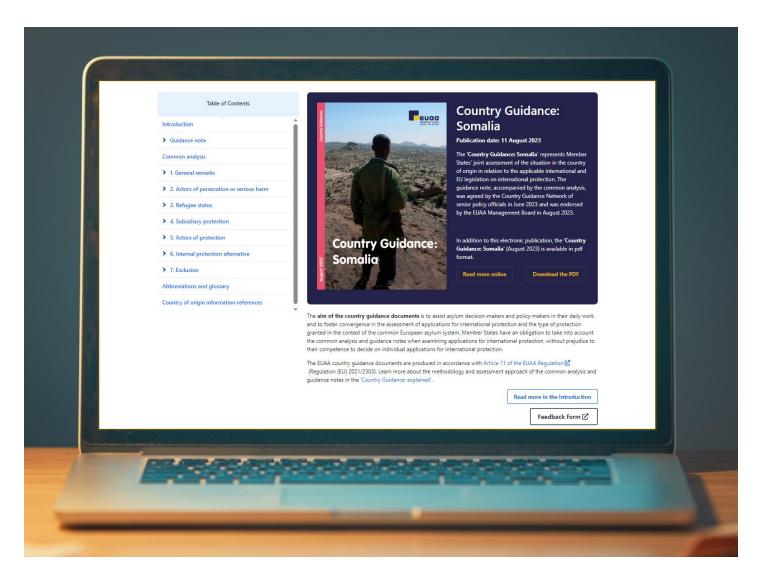
COI Query Somalia: Formas and prevalence of repeated FGM/C (europa.eu)





To access EUAA COI reports, visit https://euaa.europa.eu/country-reports.

Country Guidance Somalia online

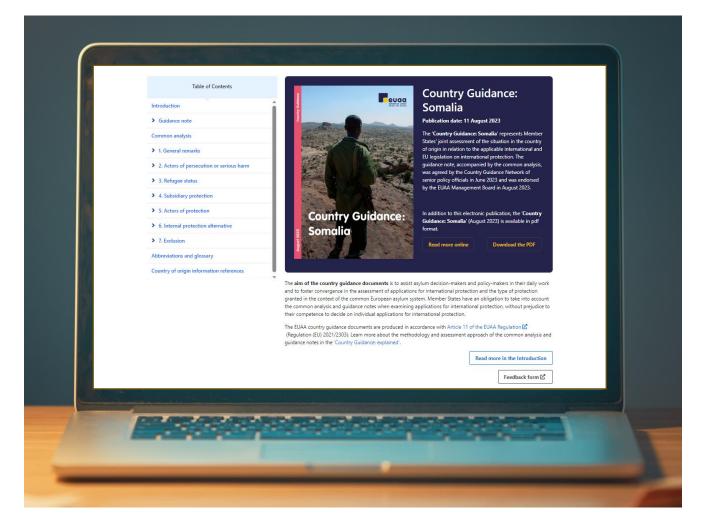






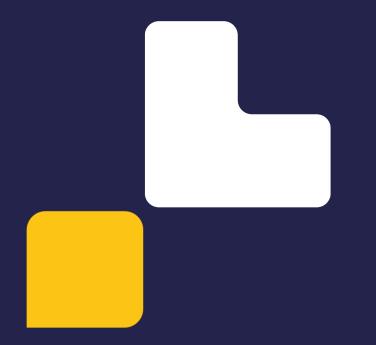


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Feed	dbac	k forı	n 🗹
Your feedback			
* 6. Do you consider the conte	ent of this Country Guida	ance useful for your work?	
6A. Suggestions on how to impro	ove the content of the doc	ument:	
* 7. Do you consider the forma	at of this Country Guida	nce user-friendly?	
7A. Suggestions on how to impre	ove the format of the docu	ment:	
8. In which language would you p English National language Both would be useful for r		Guidance, if translations were	, made available?
9. Overall, how would you rate		try Guidance document on	a scale from 1 (very low)





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