

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	346
Land:	Somalia
Kilde:	Udlændingestyrelsen
Titel:	Security and human rights issues in South-Central Somalia, including Mogadishu. Report from Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia. 30 January to 19 February 2012
Udgivet:	1. april 2012
Optaget på baggrundsmaterialet:	26. april 2012

2/2012

ENG



UDLÆNDINGESTYRELSEN
DANISH IMMIGRATION SERVICE

Security and human rights issues in South-Central Somalia, including Mogadishu

*Report from Danish Immigration Service's fact finding mission to Nairobi, Kenya and
Mogadishu, Somalia*

30 January to 19 February 2012

Copenhagen, April 2012

Danish Immigration Service
Ryesgade 53
2100 Copenhagen Ø
Phone: 00 45 35 36 66 00
Web: www.newtodenmark.dk
E-mail: us@us.dk

Overview of Danish fact finding reports published in 2010, 2011 and 2012

Honour Crimes against Men in Kurdistan Region of **Iraq (KRI)** and the Availability of Protection, Report from Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah and Dahuk, KRI, 6 to 20 January 2010

2010: 1

Entry Procedures and Residence in Kurdistan Region of **Iraq (KRI)** for Iraqi Nationals, Report from Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah, Dahuk, KRI and Amman, Jordan, 6 to 20 January and 25 February to 15 March 2010

2010: 2

Human rights issues concerning Kurds in **Syria**, Report from a joint fact finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), 21 January to 8 February 2010

2010: 3

Allegations against the National Agency for the Prohibition of Traffic in Persons (NAPTIP) and warnings against return to **Nigeria**, Report from Danish Immigration Service's fact-finding mission to Abuja, Nigeria, 9 to 17 June 2010

2010: 4

Security and Human Rights in South/Central **Iraq**, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq, 25 February to 9 March and 6 to 16 April 2010

2010: 5

Human Rights and Security Issues concerning Tamils in **Sri Lanka**, Report from Danish Immigration Service's fact-finding mission to Colombo, Sri Lanka. 19 June to 3 July 2010

2010: 6

Rohingya refugees in **Bangladesh and Thailand**, Report from Danish Immigration Service's Fact finding mission to Bangladesh and Thailand, 4 to 17 February 2011

2011: 1

Update on Entry Procedures at Kurdistan Regional Government (KRG) Checkpoints and Residence in Kurdistan Region of **Iraq (KRI)**, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dohuk, KRI, 7 to 24 March 2011

2011: 2

Iranian Kurdish Refugees in the Kurdistan Region of **Iraq (KRI)**, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dohuk, KRI, 7 to 24 March 2011

2011: 3

Chechens in the **Russian Federation**, Report from Danish Immigration Service's fact finding mission to Moscow and St. Petersburg, the Russian Federation, 12 to 29 June 2011
2011: 4

Update (2) On Entry Procedures At Kurdistan Regional Government Checkpoints (Krg); Residence Procedures In Kurdistan Region Of **Iraq (Kri)** And Arrival Procedures At Erbil And Suleimaniyah Airports (For Iraqis Travelling From Non-Kri Areas Of Iraq), Joint Report of the Danish Immigration Service/UK Border Agency Fact Finding Mission to Erbil and Dahuk, Kurdistan Region of **Iraq (KRI)**, conducted 11 to 22 November 2011
2012: 1

Security and human rights issues in South-Central **Somalia**, including Mogadishu, Report from Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia, 30 January to 19 February 2012
2012: 2

Contents

Introduction and disclaimer	4
Background	7
1 Security and political situation in South-Central Somalia	9
1.1 Security situation in Mogadishu and Benadir region	9
1.1.1 Mogadishu's District Commissioners and security issues	16
1.1.2 Security situation for women in Mogadishu	19
1.1.3 Civilian casualties in Mogadishu	20
1.1.4 Daily life and security in Mogadishu	21
1.1.5 Security and humanitarian situation for IDPs in Mogadishu	23
1.2 Security situation in other areas of South-Central Somalia	26
1.2.1 Security situation in Kismayo, Lower Juba Region, and Gedo Region	30
1.2.1.1 Who controls the Bajuni Islands?	31
1.2.2 Security situation in Hiran Region, including Belet Weyne	32
1.2.3 Security situation in Galgaduud Region and Galkayo	33
1.3 Political and security scenarios in Mogadishu and South-Central Somalia	34
2 Military operations in South-Central Somalia	40
2.1 Military operations in Central Somalia by AMISOM and the TFG	40
2.2 Military operations in South-West Somalia by the Kenyan army	42
2.3 Military operations in Central Somalia by the Ethiopian army	43
2.4 Eritrean engagement in South-Central Somalia	44
3 Human rights issues in South-Central Somalia, including Mogadishu	45
3.1 Human rights issues in Al-Shabaab controlled areas	48
3.1.1 Forced recruitment of minors	49
3.1.1.1 Forced recruitment in Mogadishu	50
3.1.2 Forced marriage	50
3.1.3 Non-Islamic behaviour	51

3.2 Human rights issues in TFG/AMISOM controlled areas.....	52
3.2.1 Human rights issues related to NGO and civil society activists	55
3.2.2 Forced recruitment of minors.....	57
3.2.3 Forced marriage and rape.....	58
3.3 Tracking down defectors from Al-Shabaab	59
3.3.1 Treatment of Al-Shabaab defectors by the TFG and the NSA	62
4 Freedom of movement in South-Central Somalia.....	64
4.1 Freedom of movement in Mogadishu	64
4.2 Freedom of movement in South-Central Somalia.....	68
4.2.1 Freedom of movement between TFG/AMISOM and Al-Shabaab controlled areas.....	68
4.3 Freedom of movement for women.....	71
4.3.1 Freedom of movement for women in Al-Shabaab controlled areas	71
4.3.2 Freedom of movement for women in TFG/AMISOM controlled areas	72
5 Protection and legal justice in South-Central Somalia.....	73
5.1 Clan protection	73
5.1.1 Clan protection and women	76
5.2 Protection by the TFG.....	77
5.2.1 Avenues to seek redress	78
5.3 UN assistance to TFG law enforcement forces.....	80
6 Internal Flight/Relocation Alternative	83
7 Return to Mogadishu and South-Central Somalia	85
7.1 New Somali passports.....	85
7.2 Arrival at Mogadishu airport.....	85
7.2.1 Other airports in South-Central Somalia.....	86
7.3 Returnees to Mogadishu.....	86
7.3.1 Benadiri returnees	88
7.4 Perception of returnees in Mogadishu and South-Central Somalia	89

Organisations, individuals and authorities consulted.....	90
Abbreviations	91
Annexes.....	94
Annex 1: Terms of References.....	94
Annex 2: Map of Somalia	96
Annex 3: Map of Mogadishu	97
Annex 4: Map - Military situation in S-C Somalia.....	98
Annex 5: Map - Total IDPs by region – March 2012	99
Annex 6: Movement of IDPs within Somalia – February 2012	100
Annex 7: Map - Somali refugees in the region – March 2012.....	101
Annex 8: Summary of General Security incidents in Mogadishu 1 January - 28 February 2012.....	102
Annex 9: Protection incidents affecting civilians Mogadishu 1 January - 16 March 2012	125
Annex 10: Protection violations against IDPs in Somalia 1 January - 16 March 2012.....	130
Annex 11: Freedom of Movement in Somalia 1 January - 16 March 2012.....	135

Introduction and disclaimer

This fact finding mission to Nairobi, Kenya and Mogadishu, Somalia was conducted by the Danish Immigration Service (DIS), Documentation and Research Division. The purpose of the mission was to gather updated Country of Origin Information (COI) on South-Central (S-C) Somalia on matters related to security and human rights issues, including freedom of movement.

The mission took place between 30 January and 19 February 2012 and comprised a series of interviews with interlocutors in Nairobi and in Mogadishu. The delegation consulted with non-governmental organisations, international non-governmental organisations, international organisations, government officials and individuals. A full list of interlocutors interviewed can be found at the end of the report at hand.

The list of interlocutors interviewed was decided by the delegation, based on the expertise, remit and role of each interlocutor, relevant to the Terms of Reference (ToR) of the mission (see Annex 1). Additionally the list of interlocutors was decided by advice from consultations with key interlocutors and the Royal Danish Embassy as well as by availability. Altogether the delegation consulted 22 interlocutors. A few of these were consulted more than once.¹

Due to security advice from the Royal Danish Embassy in Nairobi the delegation only visited Mogadishu for one day. The United Nations Department for Safety and Security (UNDSS) gave the delegation a security briefing prior to its visit to Mogadishu. All meetings in Mogadishu were held at the UN Common Compound (UNCC) near the Aden Adde International Airport in Mogadishu.² UN Office for the Coordination of Humanitarian Assistance (OCHA) in Nairobi assisted the delegation in organising the meetings held at the UNCC, and OCHA also assisted the delegation in identifying relevant local Non-Governmental Organisations (NGOs) in Mogadishu according to the delegations ToR and requests by the delegation. Altogether the delegations held seven meetings in Mogadishu.

All interlocutors who were interviewed were informed that the delegation's fact finding report would be a public document, and all, except one³ agreed to have their approved meeting notes included in the report at hand. Each interview note has been approved with the interlocutor before publication. Only one interlocutor, the Mayor of Mogadishu/Governor of Benadir Region, did not respond to repeated reminders sent by the delegation. Thus, the meeting note from this meeting has

¹ On one occasion the delegation agreed to pay an interlocutor – Rashid Abdi – a fee of 300 USD to compensate for his time spent on a written review of a number of additional questions forwarded by the delegation after its meeting with him. Rashid Abdi is an independent Horn of Africa Analyst and he was previously a Somalia analyst for the International Crisis Group (ICG) in Nairobi.

² Mogadishu International Airport is also being referred to as Aden Abdulle International Airport.

³ The delegation held two meetings with United Nations Political Office for Somalia (UNPOS), and UNPOS did respond to the forwarded meeting notes but requested to revise these. However, UNPOS never forwarded any notes. Thus the meeting notes forwarded to UNPOS is not included in the report at hand.

been included as originally sent to the Mayor/Governor. Altogether nine interlocutors requested to be referred to anonymously. These interlocutor's statements have been referred to as either an international organisation, an international NGO, a local NGO or a UN organisation.

The fact finding report includes no policy or analysis and, unless otherwise indicated via a footnote, is based entirely on the approved interview notes and/or other documentary material provided by the listed interlocutors. Whenever the delegation found it relevant it has included some references to already published material, especially news reports and reports by international organisations and researchers. Where it has been necessary to explain or clarify a point or phrase made by an interlocutor, the authors (i.e. the delegation) have provided short additional supplementary explanations. These have been marked in closed brackets [...].

The delegation would like to thank OCHA and the Royal Danish Embassy in Nairobi for providing logistical support and assistance to the mission. The delegation would also like to thank all interlocutors for their kind support as well as their patient and professional cooperation with the delegation during and after its fact finding mission.

A draft version of the report at hand was presented by DIS at the COI Expert Workshop on Somalia, 21 – 23 March 2012 in The Hague, the Netherlands. DIS presented key findings from its fact finding mission to Nairobi and Mogadishu, especially issues related to human rights and security. The workshop was organised by Intergovernmental Consultations on Migration, Asylum and Refugees (IGC) and the Netherlands Immigration and Naturalisation Service, and it comprised participants from 12 European countries, and the United States (US) and Canada as well as UNHCR Somalia. In addition three academic researchers from Norway, United Kingdom and the Netherlands participated in the workshop.

Following the above mentioned workshop the delegation requested Stig Jarle Hansen, Associate Professor/Head of the International Relations Program, Norwegian University of Life Sciences, by e-mail and asked him to comment on a draft version of the report at hand as well as to respond to a number of questions. Stig Jarle Hansen participated in the workshop as an academic researcher, and his comments and responses have all been included in the final report.

It should be noted that this report includes a few news reports and bulletins regarding the most recent developments in S-C Somalia. The report does not contain any information published or gathered after 4 April 2012.

The mission took place amidst ongoing and developing security and political processes in S-C Somalia, including significant military gains against the Islamist organisation Al-Shabaab by the military forces of the African Union (AU), Kenya, Ethiopia and the Transitional Federal Government (TFG) in many parts of S-C Somalia and not least in Mogadishu (see Background section below).

The delegation to Nairobi and Mogadishu comprised of Jens Weise Olesen, Chief Advisor (Head of Delegation), and Andreas Rune Nielsen, Regional Adviser, both Documentation and Research Division, DIS.

The report is available at the DIS's website www.newtodenmark.dk

Background

Since the fall of the Siad Barre regime in Somalia in 1991 Somalia has been without a functioning government. From 1991 and up to this day Somalia has been suffering from a civil war. Warlords, supported by clan-based militias established themselves as local rulers throughout Somalia, and the country became divided between the various Somali clans. Clan-based conflicts since 1991 have continued to divide the country into local clan fiefdoms and despite 14 attempts to establish a government it was not until 2004 that all main politicians and warlords in Somalia agreed to set up a transitional government.

However, this government – the Transitional Federal Government (TFG) – immediately faced the extremely complicated task in bringing reconciliation and cohesion to a fragmented and clan based society. These tasks were further complicated with the rise of Islamism in South-Central (S-C) Somalia. Despite international support to the TFG the warlords and politicians supporting the TFG never succeeded in providing a durable solution to the formidable problems in Somalia.

Thus, in early 2006 militias of the Islamist movement Union of Islamic Courts (UIC) gained military control of much of S-C Somalia, including the capital Mogadishu. The warlords became marginalised for the first time during the civil war, and the UIC succeeded in establishing some kind of security, law and order in its areas of influence in S-C Somalia. However, this law and order was based on a strict interpretation of Islamic law, and human rights suffered from the UIC's implementation of Sharia. In addition the UIC had close contacts with radical Islamist groups in other countries, and the international community became increasingly concerned that Somalia would fall into the hands of radical Islamists with connections to international terrorist groups such as Al-Qaeda.

Ethiopian troops, backed by several countries, intervened in Somalia in 2006 and by the end of this year Ethiopia and forces loyal to the TFG gained military control of large parts of S-C Somalia, including Mogadishu. Following the ousting of UIC from Mogadishu the TFG Parliament swiftly decided to relocate from Baidoa to Mogadishu. By January 2007 the TFG and its supporter, the Ethiopian forces, controlled most of S-C Somalia, including Mogadishu.

However, radical elements of the UIC formed Al-Shabaab, an insurgent organisation which fought back against the Ethiopians and the TFG. Soon Al-Shabaab turned out to pose a real threat to the authority of the TFG.

In January 2009 Ethiopia pulled out its troops and Al-Shabaab took control of Baidoa and other locations while the TFG's military control of S-C Somalia gradually weakened, and in May 2009 Al-Shabaab began its attacks on Mogadishu. Soon the TFG in Mogadishu only controlled a small portion of the city while Al-Shabaab succeeded in gaining control over large parts of S-C Somalia and Mogadishu. Al-Shabaab's authority in S-C Somalia is strongly influenced by extremist Islamic policies, resulting in severe violations of basic human rights.

As the TFG came under serious threat the President of the TFG appealed for international help, and in 2007 the African Union (AU) deployed its peacekeeping forces known as African Union Mission in Somalia (AMISOM) in Mogadishu. AMISOM's mandate was originally for a six months period, but this period has been extended repeatedly and AMISOM is still the major military force operating in S-C Somalia.

Al-Shabaab came under increasing pressure by AMISOM in Mogadishu and in August 2011 Al-Shabaab made what it called a tactical retreat from Mogadishu, and since then the allied forces of AMISOM, the TFG, Ethiopia and Kenya have launched an offensive against Al-Shabaab in many other areas of S-C Somalia. This offensive has so far had the outcome that Al-Shabaab no longer has the military control of Mogadishu and in many other cities and areas in S-C Somalia. Al-Shabaab is continuously being pushed out of its former areas of control, and the allied forces are gaining military influence in an increasingly larger part of S-C Somalia.

However, the military gains by the allied forces have not been filled in by a parallel political development, and in many parts of S-C Somalia recovered from Al-Shabaab there are now a political vacuum. This vacuum is slowly being filled in by various military and political actors, including the TFG, clan-based militias and local self-declared administrations/states.

As a result of this development there are now some 20 local, often clan based, administrations, and many of these administration have territories which are overlapping each other. These territorial claims and the ongoing fight against Al-Shabaab pose a serious threat not only to the security situation in S-C Somalia but also to the ongoing political processes in S-C Somalia. The TFG has not been able to fill in the power vacuums in all the areas liberated from Al-Shabaab influence and there is a risk that a return to warlordism will be the reality in many parts of S-C Somalia (see Section 1.3 below).

As a result of the continuous fighting in S-C Somalia since 1991 a very large number of Somalis have become internally displaced persons (IDPs). There are approximately 184.000 IDPs in Mogadishu and its surroundings alone. The total figure for IDPs in all of Somalia is now estimated to be 1.129.000 persons⁴, (see Annex 5).

Many Somalis have also fled the country since 1991 and they are now living as refugees in neighbouring countries as well as in Europe, North America, Asia and Australia. It is estimated that there are close to one million Somali refugees in neighbouring countries alone, (see Annex 7).

Another result of the dissolution of the Somali state, warfare, droughts and insecurity is a recurring humanitarian crisis in many parts of the country, especially in S-C Somalia. Due to insecurity and inaccessibility – Al-Shabaab has denied the international community access to areas under its control – it is often very difficult for donors to reach those in need in S-C Somalia, and thousands of people have become victims in what is often called “the worst humanitarian disaster in the world”.

⁴ These figures are fluctuating and they are dependent on the fluid security situation in many parts of S-C Somalia.

1 Security and political situation in South-Central Somalia

1.1 Security situation in Mogadishu and Benadir region

According to Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir region there are huge human rights abuses in Mogadishu and no one is protecting basic human rights. All citizens of Mogadishu, irrespective of clan affiliation, are suffering from the insecurity and lack of protection; in addition IDPs lack shelter and food, which is only provided at an absolute minimum. There are armed gangs and clan militias which make people think twice before they go out in the streets. However, Mohamoud Nur Ahmed added that if your clan is armed people will think twice before abusing or harassing you, but minorities and IDPs do not have this option.

UNHCR Somalia explained that Al-Shabaab has withdrawn from 14 of Mogadishu's 16 districts, (see Annex 3). However, during night-time Al-Shabaab infiltrates the two districts Yaqshid and Karaan while two other districts, namely Deynile and Huriwa, remain under mixed control, i.e. controlled partly by the TFG/AMISOM and partly by Al-Shabaab. UNHCR Somalia provided the delegation with a summary of security incidents in Mogadishu (see Annex 8: Summary of General Security incidents in Mogadishu, 1 January to 28 February 2012).

By Al-Shabaab's withdrawal from most parts of Mogadishu, the security situation in the city became more volatile due to overstretching of the AMISOM forces, as these forces have had to widen their military operations in order to control a larger area. The withdrawal by Al-Shabaab was out of tactical reasons and Al-Shabaab now resorts to infiltration and asymmetric warfare in Mogadishu. Al-Shabaab now employs Improvised Explosive Devices (IEDs) and makes use of suicide attacks. It is a paradox that the security situation has worsened as a result of Al-Shabaab's retreat but, on the other hand, this is due to the abovementioned overstretching of AMISOM forces.

The security situation in Mogadishu for the international community remains difficult. Regarding the rest of S-C Somalia the security situation for the international community is now much more complicated, i.e. risky and deadly. UN's Somalia operations are the most dynamic UN operations in the world as the security and political situation is highly volatile. Anarchy and clan conflicts followed by fighting flare up repeatedly in some areas.

UNHCR Somalia explained that Al-Shabaab exerts pressure on the population in areas beyond its control. Thus, Al-Shabaab is capable of infiltrating criminal gangs to undertake attacks on the UN in S-C Somalia, including Mogadishu. Recently [in January 2012] there were three hand grenade attacks on the UN [Common] Compound (UNCC) in Mogadishu [but] there is no risk of Al-Shabaab regaining control of Mogadishu. However, a so-called asymmetrical warfare now takes place, and this includes IEDs, car bombs, and suicide attacks.

Stig Jarle Hansen, Associate Professor/Head of the International Relations Program, Norwegian University of Life Sciences explained that [asymmetrical warfare] is standard Al-Shabaab modus operandi, and it should be noted that Al-Shabaab in 2007-2009 systematically targeted vendors,

petty businessmen and low level TFG politicians in order to scare people away from the TFG and the Ethiopians. It was added that this strategy was highly successful.

Regarding the security situation in Mogadishu Peter Klansø, Regional Director, Danish Refugee Council (DRC), did not consider it a likely scenario that Al-Shabaab would be able to retake the city unless AMISOM pulled out. However, this would be very unlikely.

When asked if there would be any risk that Al-Shabaab may return to Mogadishu and take control of the city the Mohamoud Nur Ahmed responded “No!”, and the Mayor/Governor considered Al-Shabaab to be finished. Mohamoud Nur Ahmed reiterated that Al-Shabaab will never be able to retake Mogadishu.

A local NGO (C) in Mogadishu stated that Al-Shabaab will not be able to retake Mogadishu and since Al-Shabaab officially declared its alliance with Al-Qaeda on 10 February 2012 people are commonly referring to Al-Shabaab as Al-Qaeda. No one in Mogadishu believes that Al-Shabaab will ever be able to come back and retake Mogadishu.

An international NGO (B) explained that before Al-Shabaab withdrew from Mogadishu there was heavy fighting in the heart of the city, including indiscriminate shelling of civilian areas. In some areas almost all building had been destroyed. The fighting between Al-Shabaab and AMISOM/the TFG has lasted for approximately two years and for six months the fighting took place in the centre of the city. The areas surrounding Villa Somalia and areas in Shangaani, Shibis, Wardighley, Hawalwadag (near the Bakara market) and Bondheere were severely destroyed as a result of these battles. Some areas were literally ruined with all buildings completely ruined. Even today many of these areas are like ghost towns.

Regarding the situation in Mogadishu an international NGO (B) explained that during the fighting between Al-Shabaab and AMISOM/the TFG Al-Shabaab deployed ground forces as well as employing guerrilla warfare while AMISOM made use of heavy shelling. The international NGO (B) criticized AMISOM for calling this type of fighting for “liberation” of Mogadishu as many areas became completely destroyed by the shelling and there were many civilian casualties. However, in August 2011 Al-Shabaab unilaterally withdrew from Mogadishu. It was added that many of those who return to Mogadishu from abroad will at least have some relatives abroad that can support them financially while rebuilding their homes.

An international NGO (B) stated that suicide attacks and IEDs can take place anywhere and at any time in the city of Mogadishu and referred to an incident 8 February 2012 where a large car bomb went off in front of a cafe near the Muna Hotel close to the presidential compound in the Hamar Weyne district in Mogadishu.⁵ Suicide attacks and IEDs are a major concern to the people of Mogadishu.

⁵ BBC World News. *Somalia: Al-Shabaab bombs Mogadishu cafe*. 9 February 2012. <http://www.bbc.co.uk/news/world-africa-16947804>

According to an international NGO (B) the security situation in Mogadishu today is more unpredictable compared with the situation in the early nineties when there were clear front lines between the various militias. Today Al-Shabaab has withdrawn from the city and the organisation has resorted to unpredictable attacks in random places.

On 20 March 2012 UNHCR Somalia raised alarm over the resumption of mortar attacks in the Somalia capital of Mogadishu, which led to the deaths of at least four IDPs, including two children. Mortars landed in a small IDP settlement in the Wardhigley district on Monday morning, marking the first attack of its kind since August when anti-government forces withdrew from the majority of districts in the capital.⁶ On 27 March 2012 UNHCR expressed concern of the “continuation in mortar attacks in Mogadishu, which claimed three more lives yesterday. Several mortars landed in the Beerta Darawiishta (Darwish) settlement for internally displaced people near the Somali Parliament building in the Waardhiigley district of the Somali capital at around 0215 on Monday morning. It is reported that three internally displaced people, including a father and his three year old child, were killed and eight others – five women and three men – were seriously injured.”⁷

When asked if the resumption of mortar attacks in Mogadishu is a sign of a new and more dangerous strategy by Al-Shabaab, or if Al-Shabaab is definitely in the process of being eliminated by the allied forces Stig Jarle Hansen, explained that Al-Shabaab is under heavy pressure, but have been so before. Stig Jarle Hansen explained that the forces under AMISOM are not large enough to control the central Somali countryside, and the TFG does not function, and this might enable Al-Shabaab to continue to operate in a vacuum in the countryside, as long as TFG remains weak. It also seems like external actors, except Ethiopia, now are quite static.

Stig Jarle Hansen stated, “I think Al-Shabaab can survive, and will engage in more and more insurgency, and will assassinate their civilian enemies when they can, in order to create a regime of fear, they have done it before. However, it is hard to say, Shabaab cannot seriously challenge Kenya, Ethiopia or AMISOM in open combat.”

The Inter-Agency Standing Committee Somalia (IASC Somalia) Protection Cluster Update dated 16 March 2012 reported that “over the past two weeks, sporadic fighting between Al Shabaab and AMISOM troops persisted in Mogadishu, including in the Dayniile, Heliwa, and Yaqshiid districts. [...] IASC further reported that a reputable judge was shot and seriously injured in Wadajir district. This is the third apparently politically motivated assassination carried out in Mogadishu since the beginning of the year. A Person-Borne Improvised Explosive Device (PBIED) attack took place

⁶ UN High Commissioner for Refugees, *UNHCR alarmed by resumption in mortar attacks in Somalia's Mogadishu*, 20 March 2012, <http://www.unhcr.org/refworld/docid/4f6ad7e32.html>

⁷ UN High Commissioner for Refugees, *UNHCR calls for respect for civilian life and aid agencies as mortar attacks continue in Somali capital*, 27 March 2012. <http://www.unhcr.org/refworld/docid/4f7d76d32.html>

inside the Villa Somalia compound in Wardhiigleey district resulting in at least four civilian casualties and an unconfirmed number of injuries.”⁸

Rashid Abdi, an independent Horn of Africa Analyst stated that while AMISOM has put pressure on Al-Shabaab and pushed them to the periphery of Mogadishu, 1,500 Al-Shabaab fighters loyal to Sheikh Ali Rage and the Murusade clan remain in the Deynile area. A previous attempt by Burundian AMISOM forces to attack Al-Shabaab in Deynile failed and resulted in heavy fighting with 30 Burundian soldiers being killed. This was partly due to the rather poor training and equipment of the Burundian soldiers. The Ugandan AMISOM soldiers are much better equipped and well trained.

When asked to compare the number of security incidents/attacks in Mogadishu since August 2011 as compared to the previous six months, an international organisation (B) stated that it did not have the figures to hand, however there were 20 security incidents alone reported through TFG in August 2011 which when compared to previous months is nearly twice as many.

Bediako Buahene, Policy and Protection, OCHA clarified that the conflicts in S-C Somalia are generally on a small scale except for the war that took place in Mogadishu. Presently, the warfare in Mogadishu can be described as asymmetrical warfare. The previous urban warfare in Mogadishu between the Ethiopians and the [Union of] Islamic Courts (UIC) in 2007 as well as the urban warfare between AMISOM and Al-Shabaab before the summer of 2011 took place with heavy weaponry, including Ugandan tanks. In the rural areas there is no heavy weaponry.

An international organisation (B) explained that Al-Shabaab has partially withdrawn from Mogadishu and replaced its previous military approach with asymmetric warfare tactic, which means more suicide attacks, IEDs, VBIEDs (Vehicle Born Improvised Explosive Device, i.e. car bombs) and better prepared attacks on selected high-value targets.⁹ The numbers of IEDs have increased since August/October 2011, but so has the sophistication of these devices. In its battle against the anti-Al-Shabaab forces¹⁰, Al-Shabaab makes use of young men and sometimes women in order to deploy explosive devices and undertake hand grenade attacks. These young men and

⁸ This update provides information on the protection environment in Somalia, including apparent violations of Human Rights and International Humanitarian Law as reported during the last two weeks through the IASC Somalia Protection Cluster monitoring systems. Incidents mentioned in this report are not exhaustive. They are intended to highlight credible reports to inform and prompt programming and advocacy initiatives by the humanitarian community and national authorities. IASC Somalia, *Protection Cluster Update, weekly report*, 3-16 march 2012. <http://reliefweb.int/node/484051>

⁹ Somalia Report. *Suicide Blast at Villa Somalia*. 14 March 2012. http://www.somaliareport.com/index.php/post/3069/Suicide_Blast_at_Villa_Somalia. BBC News. *Somalia: Suicide bomber targets presidential palace*. 14 March 2012. <http://www.bbc.co.uk/news/world-africa-17364680> and *Somalia: Al-Shabab bombs Mogadishu cafe*. 9 February 2012. <http://www.bbc.co.uk/news/world-africa-16947804>

¹⁰ The international organisation (B) explained it tends to use the term “anti-Al-Shabaab forces” rather than pro-TFG. This term is used largely because it is more accurate as it is defeating Al-Shabaab that binds these groups together, albeit temporarily.

women are sometimes paid 50 USD for their actions. It was added that the wider use of indiscriminate explosive devices in Mogadishu has made the city a more dangerous place for everyone.

On 5 March 2012 Somalia Report¹¹ reported that “Al-Shabaab seems to have adopted a new tactic in targeting Transitional Federal Government (TFG) and African Union peacekeepers (AMISOM) after losing of most of their bases in the Somalia capital of Mogadishu. They are accused of concealing an explosive device in a car belonging to a well-know businessman and elder, Omar Ahmed Hassan Kiley, who died when his car exploded near Six Piano in Mogadishu on Saturday. Residents in Mogadishu have been subjected to explosions, roadside bombs including hit-run-attacks by al-Shabaab since they vacated the city last year, but this incident is the first of its kind and illustrates the lengths the militant group will go to in their efforts to regain control of Mogadishu and most of Somalia.”¹²

Stig Jarle Hansen explained that a senior Al-Shabaab leader, Ahmed Abdi Godane, announced the change of strategy on Radio Andalus as well. According to the US Congressional Research Service Ahmed Abdi Godane is also known as Mukhtar Abu Zubair, and he is a senior leader in Al-Shabaab, and some reports identify him as the group’s emir. Godane was one of the original founders of al Shabaab.¹³

When asked if Al-Shabaab’s suicide attacks could be undertaken by youngsters Bediako Buahene, OCHA explained that there are reports that this is the case, and that in the past many suicide attacks in Mogadishu have been undertaken by youngsters from the Diaspora. However Bediako Buahene, OCHA did not have any specific reports that this is also the case today.

When asked if the majority of suicide attacks are being undertaken by youngsters from the Diaspora, an international organisation (B) stated that it does not have any specific report that this is the case. It was added that it is the leader of Al-Shabaab who personally directs suicide operations. The international organisation (B) did not agree that there are an increasing number of persons from the Diaspora who undertake suicide attacks in S-C Somalia or Mogadishu. Actually, at present there has been an exodus of foreign Al-Shabaab fighters from Somalia following the fragmentation of Al-

¹¹ According to its website Somalia Report is a “privately funded, non-partisan website that hires Western editors to work with Somali journalists inside the country to cover all aspects of the region: piracy, conflict, terrorism, government, local news, culture and key issues. The hour-by-hour coverage is targeted to professionals who need expertise, situational awareness and in-depth background to breaking news.”
<http://www.somaliareport.com/index.php/post/263/About%20Us>

¹² Somalia Report, *Shabaabs New Tactic Victimizes Trusted Leader*. 5 March 2012.
http://www.somaliareport.com/index.php/post/3000/Shabaabs_New_Tactic_Victimizes_Trusted_Leader

¹³ Ted Dagne, *Somalia: Current Conditions and Prospects for a Lasting Peace*, Congressional Research Service, April 20, 2011. p. 6. http://assets.opencrs.com/rpts/RL33911_20110420.pdf

Shabaab and its struggle to continue fighting. However, the recent announced union between Al-Shabaab and Al-Qaeda is likely to attract an influx of jihadists to Somalia.

An international NGO (B) stated that many suicide bombers are young men from the US and the United Kingdom (UK) and they only receive a few days of training before being sent off to undertake their attacks. Al-Shabaab has recruiters in the Afgoye Corridor as well as in Mogadishu looking for young men to recruit. This has been an increasing problem during the last two years involving boys from as young as 12 to the early twenties. Especially families returning from abroad to the Afgoye Corridor are at risk that their sons would be recruited to Al-Shabaab, including suicide attacks.

Decreasing popular support to Al-Shabaab in S-C Somalia has forced the organisation to retreat to central Somalia where it has always been present. It was added that Al-Shabaab's support base in Mogadishu specifically may have been decreased. Al-Shabaab's withdrawal from Mogadishu has meant that the city is now experiencing resurgence in business with traffic and people going in and out of the city. The city has become livelier, especially in the district of Hamar Weyne where daily life is now very close to normal especially since about June 2011. An international organisation (B) explained that key routes in Mogadishu are now congested with traffic and there is a more upbeat atmosphere in the city. Commodities and second hand cars are being imported to a greater extent than previously.

An international organisation (B) explained that it is a high priority for AMISOM to continue with operations to exercise greater control over the district of Deynile.¹⁴ However, this will be a challenge and a major effort is required in order for AMISOM/TFG to be able to exercise actual control over the entire district. Should AMISOM take over control of Deynile and thereby push Al-Shabaab further away from Mogadishu there is a high risk that it will retreat to the Afgoye Corridor and the city of Merka in order to consolidate its forces. Should this happen there is a high risk that major battles between AMISOM/TFG forces and Al-Shabaab will take place in the populous Afgoye Corridor. This will inevitably result in civilian displacement and civilian casualties. An international organisation (B) described this scenario as a potential "bloody affair".

However, it was added that the present level of approximately 9.000 AMISOM troops in Mogadishu is not sufficient to attempt the securing of the Afgoye Corridor proper. AMISOM forces are

¹⁴ Somalia Report reported on 16 March 2012 that "Troops from Somalia's Transitional Federal Government (TFG) backed by African Union peacekeeping forces (AMISOM) advanced into al-Shabaab's remaining strongholds northeast of Mogadishu, seizing the areas from the militants, officials and witnesses told Somalia Report on Friday" [16 march 2012]. However, Somali Report later updated the story and reported that "Witnesses told Somalia Report that suspected al-Shabaab fighters launched what seemed to be a counter-attack and fired rockets at the bases of the allied forces, around the areas of Galgalato on Friday evening. Both sides exchanged heavy shelling for approximately 30 minutes late this evening as lights from the mortars could be seen over the area, according to the residents". Somalia Report. *TFG-AMISOM Seize Remaining Areas of Mogadishu*. 16 March 2012. http://www.somaliareport.com/index.php/post/3086/TFG-AMISOM_Seize_Remaining_Areas_of_Mogadishu

currently [late February 2012] positioned around KM11 and it is awaiting additional troops expected in April/May before decisive engagement in Afgooye.

Even if a military victory over Al-Shabaab should take place in the Afgooye Corridor the post-military situation in this area will be extremely complex because of the presence of powerful clans and militias with conflicting interests. A similar situation may also occur in Kismayo if AMISOM, Kenya and the TFG attack and then adequately secure this city.

Regarding the influx of Somalis from the Diaspora to Mogadishu an international organisation (B) stated that there are many Somalis returning from Canada, USA, and Europe. Most of them are looking for political or economic opportunities, investments and business in the liberated areas, but they normally leave their families behind in order to uphold the opportunity to go back to their country of asylum or residence. Many Somalis from the Diaspora are now seeking to position themselves politically in Somalia. An international organisation (B) considered this process to be a clear indication of an improved security situation in S-C Somalia, especially in Mogadishu. On the other hand, it is to be expected that Al-Shabaab will continue its asymmetric warfare in S-C Somalia, but Al-Shabaab will not be able to regain control of Mogadishu. The international community, as well as AMISOM and the TFG will not let this happen. However, these military gains are simply territorial, and these gains do not imply that humanitarian relief assistance can easily be undertaken. The military gains cannot always be translated into humanitarian gains or greater access to affected populations.

The military developments in Mogadishu and elsewhere in south-central Somalia was seen by the international organisation (B) as very positive, but it is to be hoped that the international community will develop a more robust and consolidated approach to the political processes in Somalia. Political developments in Somalia are lacking behind the military gains. The United Nations Political Office for Somalia (UNPOS) is not adequately prepared to take on a key role in the political process and it could have done much better. The real vacuum is a political one, and it is caused by the conflicting interests among Somali politicians.

When asked how it was possible for the [UN] Secretary-General to have safely visited Mogadishu¹⁵, an international organisation (B) explained that the TFG military [and] police, the District Commissioners (DCs), the Benadir Governor/Mayor [of Mogadishu] and AMISOM cooperated on an unprecedented scale. The security for the visit was the responsibility of the TFG Ministry of Interior with support from the National Security Agency (NSA)¹⁶, and it took place without any incidents.

¹⁵ UN Secretary-General visited Mogadishu on 9 December 2011. UN News Centre. *Somalia at 'critical' juncture, UN chief says in historic visit to Mogadishu*. 9 December 2011.
<http://www.un.org/apps/news/story.asp?NewsID=40675&Cr=Somali>

¹⁶ The NSA is also called the National Security Service Agency (NSSA).

An international organisation (B) explained that a group of so-called ‘fence sitters’, including elders and more influential persons, as well as the businessmen adopt a wait and see approach in order to see who will be the winner, i.e. whenever there is political and military uncertainty. Only then will they choose side. Since the autumn of 2011, when one could see which way the wind would blow in Mogadishu and other parts of S-C Somalia Somalis in large numbers have adjusted their support from Al-Shabaab to the TFG. This phenomenon is especially dominant within the business community.

1.1.1 Mogadishu’s District Commissioners and security issues

When asked if the various militias in Mogadishu pose a threat to security in the city Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir Region stated that these militias are controlled by the DCs and they observe the orders of the DCs. Mohamoud Nur Ahmed explained that the TFG police force is still weak and badly equipped, and therefore there is a need for militias, which will also function as bodyguards for prominent persons. However, Mohamoud Nur Ahmed admitted that from time to time those militias may create instability in the sense that they might clash with each other, sometimes with the result that somebody is being killed.

An international NGO (B) stated that it is impossible for the Mayor of Mogadishu/[Governor of Benadir Region] to control the DCs and made reference to the DC of Karaan district who was arrested and sentenced to 15 years in prison for looting food but was released after only 15 days in prison. A new DC was appointed for the district. The DCs are clan based and very often they have corrupted the clan elders in order to get their support. The DCs enjoy complete impunity and neither the Mayor/Governor nor the TFG President can do anything as their influence on the 16 DCs is minimal. It was added that the TFG is very weak in Mogadishu.

When asked if the presence of the DCs and their militias in Mogadishu is an illustration of the political and military weakness of the TFG, and if there is a risk that these DCs will turn into real warlords and thereby posing a threat to the role of the TFG Stig Jarle Hansen stated “Yes”, and confirmed that there is a risk that the DCs may turn into real warlords. However, Stig Jarle Hansen added that “as long as AMISOM is there the DCs will not openly dare to challenge them, they will act as independent kings in their own turf though.”

Peter Klansø, DRC, explained that the situation in Mogadishu depends on the behaviour of AMISOM and TFG and the level of strength with which they assert themselves. AMISOM has provided a basic level of military security in Mogadishu but underneath there is a wide array of conflicts. At this level the key players are the 16 DCs and their militias which are either clan based or form a conglomerate of clans. These 16 DCs are the “strong men” below the level of basic military security provided by AMISOM. It was added that many incidents in Mogadishu are not related to the battles between the TFG/AMISOM and Al-Shabaab. Clans are positioning themselves and there is a lot of local intra-clan fighting and local scores are being settled. Peter Klansø explained that many of those who supported Al-Shabaab were the ones who saw Al-Shabaab as their chance for a livelihood and as a certain guarantee for security.

Killian Kleinschmidt, Deputy Humanitarian Coordinator, OCHA, Mogadishu¹⁷ stated that all influential persons in Mogadishu will have an armed militia or at least some private guards at their disposal. However, there is no cohesion or common political project among the influential individuals in S-C Somalia today and this state of affairs, i.e. the presence of autonomous militias constitute a significant challenge for UNPOS. These militias will have to come under some form of control very quickly, and Killian Kleinschmidt added that due to this uncertainty and insecure environment the work of UNPOS is most urgent.

Killian Kleinschmidt, OCHA, explained that these influential persons have not yet become regular warlords, but they are building up their strength and capacity, and they could quickly turn into real warlords. It is essential that this potential development is curbed and this should be done with huge investments in police training, recruitments techniques and building security institutions in Somalia.

When asked if there are any clan based militias operating in Mogadishu a local NGO (C) stated that this is not the case. However, it was emphasized that some of the DCs and their militias act as if they were warlords. They collect taxes and they pay their fighters as if they were regular soldiers. In reality these militias are outside any proper control.

Bediako Buahene, OCHA explained that many DCs in Mogadishu have their own militias, and that almost all of them are the same persons who were also DCs when Al-Shabaab controlled Mogadishu. Today the DCs are formally under the authority of Mohamed Nur Ahmed, who is Governor of Benadir region as well as Mayor of Mogadishu. However, the DCs are powerful in the districts they control and whenever the UN and NGOs needs a clearance from the authorities in order to undertake an operation in any district of Mogadishu it is wise to also obtain a clearance from the DC, not just the Governor or the Mayor.

When asked if the various militias under the control of the DCs pose a threat to civilians in Mogadishu UNHCR Somalia stated that these militias have been reportedly involved in armed diversion of humanitarian assistance and exchange of small fires, all causing civilian casualties, as well as protection racket, extortion and illegal extraction of taxes. Private militias are common in Mogadishu; even the Mayor of Mogadishu/Governor of Benadir Region has his own security service, i.e. a militia, and there are members of the parliament who have their own militia. Some militias are clan based while others are professional security services.

Stig Jarle Hansen explained that some former warlords, for example Bashir Rage, have re-established themselves as “criminals”.

¹⁷ According to OCHA the Humanitarian Coordinator is the senior-most United Nations official in a country experiencing a humanitarian emergency. The Humanitarian Coordinator is appointed by the United Nations Emergency Relief Coordinator when a new emergency occurs or an existing humanitarian situation "worsens in degree and/or complexity". <http://www.unocha.org/what-we-do/coordination/overview>

According to Peter Klansø, DRC, the central actors in Mogadishu are the 16 DCs. These DCs have been in office for some time and they all have their own militias. These militias are to a certain degree clan based. The DCs' militias are sometimes behaving violently and anyone in disagreement with one of the DCs could be at risk of reprisals. The Mayor of Mogadishu/Governor of Benadir region is a man with good intentions and will. However, he does not have much power compared to the power of the DCs. Peter Klansø explained that the DRC does not request authorization from the Mayor/Governor when it wants to operate in Mogadishu but from the DC in charge of the area where the NGO wants to work. It was added that AMISOM wants to limit the power of the DCs, but the issue is very sensitive. According to anecdotal reports the TFG is also planning to have a showdown with the powerful DCs of Mogadishu, but so far local and international NGO's have no other choice than to ask the DCs to provide security when providing humanitarian assistance in the districts controlled by the various DCs. Peter Klansø considered it a likely scenario that the DC's could establish themselves as new warlords, further undermining the authority of the TFG in Mogadishu.

Stig Jarle Hansen stated that militias of the DCs often get no pay, and have too loot to survive.

An international organisation (B) confirmed that many of the DCs in Mogadishu are potential warlords and some are already acting as warlords. Any NGO or humanitarian or UN agency planning to undertake activities in an area of Mogadishu will need the security assurances of the DC in control of this area. However, some of these DCs are better than others but some are controlling rather strong armed militias. However, an international organisation (B) emphasized that the presence of these DCs and their militias as well as the checkpoints they manage do not imply that the security situation is becoming more precarious for ordinary people in the city except when armed clashes erupt between opposing militia forces. People, including women can move around in the city without having to fear for these militias even when they have to cross between districts or areas of influence.

Regarding the present 16 DCs of Mogadishu an international NGO (B) stated that they were all appointed by the TFG in the period 2008-2009. However, when Al-Shabaab controlled most of Mogadishu the DCs moved into areas under TFG control. The DCs all have their own militia although some only have 10-15 bodyguards while others have large militias. The most powerful DC in Mogadishu is Ahmed Hassan (known as Ahmed Da'i) in the Wadajir (Medina) district.¹⁸ The international NGO referred to an [incident] in September 2011 when Ahmed refused to remove his checkpoints as the TFG had ordered. Ahmed's militia fought and killed TFG soldiers until AMISOM forces occupied the area and stopped the fighting.

¹⁸ Jane's Terrorism and Insurgency Monitor reported in February 2012 that Ahmed Da'i is one of the most powerful DCs in Mogadishu and that "he is hated by the Shabab and many within the Islamist faction of the TFG for his role in battling the insurgency during and after the Ethiopian intervention in 2007 and 2008. (jtic.janes.com).

1.1.2 Security situation for women in Mogadishu

A UN organisation explained that there are many militias as well as checkpoints controlled by militias in Mogadishu. It is common that these checkpoints are manned by youngsters. Especially women are at risk of rape, extortion and harassments when they pass through these checkpoints. The UN organisation raised the issue of sexual violence against women in the context of Gender Based Violence (GBV) and reports received of GBV against women and girls by men in uniform. If TFG soldiers are not responsible for these incidents but rather men from armed militias, then the question arises as to the effective control of these many groups by the TFG so as to address this issue.

Regarding the human rights situation for women a local NGO (A) in Mogadishu stated that rape is no longer committed on a systematic basis. Most rapes in Mogadishu are committed by TFG soldiers during night-time and especially IDP and minority women are victims of such crimes. In addition to this there are a number of free-lance militias which violate women's rights and these also commit rape crimes during the night-time. These crimes are mostly committed in IDP camps. When asked if these militias are the ones controlled by the DCs of Mogadishu the local NGO stated that it is not. Free-lance militias are beyond control, but some may be based on clan affiliation while others are just criminal gangs. They are all free-lance militias/gangs and they are to be considered as criminals.

Amina Abdulkadir Arale, Representative, Somali Women Development Centre (SWDC), a local NGO in Mogadishu explained that free-lance militias supporting the TFG are among the worst human rights violators. These militias regularly commit crimes.

Elman Peace and Human Rights Center (EPHRC), a local NGO in Mogadishu explained that there are no human rights in S-C Somalia for anyone, and [stated that] if you are a woman you are even worse off than the rest of the people. Human rights abuses take place not only at the various checkpoints, but also in the IDP camps as well as in other places. IDPs are particularly vulnerable no matter where they are. EPHRC emphasized that all women living in Mogadishu are at risk of becoming victims of human rights abuses, especially sexual violence. Violence against women is culturally acceptable, and the occurrence of rape and other forms of Sexual and Gender Based Violence (SGBV) is a taboo in Somalia. The TFG has denied the occurrence of rape and it is commonly accepted that women should not speak publicly about GBV.

According to EPHRC women are poorly represented in Somali politics. Women only hold 5% of all seats in the Parliament and Muslim women are not supposed to speak openly in Somali society. In addition the group of female members of Parliament is fragmented and clan oriented.

EPHRC reiterated that it is dangerous for women to talk about rape and other forms of sexual abuses. Women who have become victims of rape do not dare to report such crimes to the police as they risk being killed by the perpetrator if it becomes known that they have done so. In addition it would be exceptional if the police would take any action against a rapist.

According to EPHRC it is the women who suffer most in S-C Somalia irrespective of where they are living. It does not make any difference where the woman is living as abuses and violence against women happen in areas controlled by Al-Shabaab as well as in areas controlled by the TFG and its allies.

Amina Abdulkadir Arale, SWDC emphasized that women and children are the ones suffering the most irrespective of who is in charge of the power and she added that a lot of human rights violations are still being committed in Mogadishu.

On 16 December 2011 the Special Rapporteur of the United Nations Human Rights Council on violence against women, Ms. Rashida Manjoo, announced her preliminary findings following the conclusion of her official visit to Somalia from December 9th to 16th. The Special Rapporteur heard anecdotal evidence of sexual violence, especially affecting internally displaced women; Female Genital Mutilation (FGM) and forced and early marriages, and noted a lack of substantive reporting of violence against women and girls. Also, the absence of proper statistics and data, by the authorities, international agencies and civil society was confirmed in discussions with all stakeholders. The absence of accountability mechanisms and specialized services for women and girl victims of various forms of violence, also contributes to such invisibility and silencing. In the absence of accountability mechanisms, impunity for acts of violence against women and girls is the norm. Furthermore, the use of traditional dispute forums to resolve issues of violence against women results in little or no justice for such victims.¹⁹

1.1.3 Civilian casualties in Mogadishu

An international organisation (C) stated that some International Non-Governmental Organisations (INGOs) and NGOs are reluctant to provide data on human rights violations to it, because of fear of reprisals. Data on civilian casualties for example are difficult to access, as they may show lack of compliance with the rules of warfare in certain operations. It was added that Al-Shabaab does not care about these reports, but the TFG and AMISOM are concerned about the numbers of war-related injuries.

An international organisation (C) stated that civilian casualties and weapon related injuries in Mogadishu have decreased since August 2011. Mogadishu is now a much safer environment in terms of civilian casualties. However, the international organisation (C) [was concerned] that violence may increase up to the elections and the end of the transition period in August 2012.

When asked about the number of casualties during the fighting in S-C Somalia and in Mogadishu Bediako Buahene, OCHA explained that there are no exact figures on this. However, thousands have been injured during these fights and many have been killed. The International Committee of

¹⁹ Office of the High Commissioner for Human Rights (OHCHR), *Violence against women: UN expert concludes visit to Somalia*, 16 December 2011.

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11719&LangID=E>

the Red Cross (ICRC) may be able to provide more exact figures on the number of casualties in Mogadishu but there are no figures for the country as a whole.

ICRC explained that there is generally no exact number of civilian casualties in Mogadishu or in other locations in S-C Somalia due to weak reporting and patient registration in Somalia. However, ICRC supports two medical facilities specialised in war wounded patients in Mogadishu, namely Medina Hospital and Kesaney Hospital and ICRC do have relatively accurate records of persons being admitted to these two hospitals. In 2012 [up to early March 2012], both hospitals have treated some 4.200 war-wounded people.

UNHCR Somalia provided the delegation with a overview of protection incidents in Mogadishu, (see Annex 9: Protection incidents affecting civilians in Mogadishu, 1 January to 16 March 2012).

1.1.4 Daily life and security in Mogadishu

Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir Region explained that he is responsible for the delivery of services in Mogadishu; however there was nothing to take over when he took office as Mayor on 14 July 2010. Mohamoud Nur Ahmed is also Governor of Benadir region and as such he is also responsible for the political side of the administration and he supervises with the 16 DCs of Mogadishu and sets the paths for the implementation of policies.

Mohamoud Nur Ahmed explained that the civil administration in S-C Somalia, including in Mogadishu suffers from overlaps between the governors' duties and some TFG ministers' work and duties. This problem is due to the fact that the TFG ministers' influence is so far limited to Mogadishu. This confusion creates tensions from time to time, but they are always resolved peacefully.

When asked if there is a political rift between the Mayor of Mogadishu and the TFG, and if so, does it imply anything important in relation to the security development in the city Stig Jarle Hansen said "Yes, and it might develop over time, depending on the TFGs status in August." According to the International Crisis Group (ICG) the TFG's mandate expires in August 2012.²⁰

According to Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir Region, life is hard to ordinary people living in Mogadishu. There is no livelihood in the city so many, especially young people will join Al-Shabaab or one of the militias in order to make a living. Mohamoud Nur Ahmed added that Mogadishu is badly damaged by the fighting that has taken place since many years. The damage has hit private houses and dwellings as well as government buildings. Today there is no electricity in Mogadishu, and there is no clean water as the wells have been contaminated. For such reasons many people have left Mogadishu. On the other hand, Mohamoud Nur Ahmed explained that there are reconstruction efforts underway in the city, among other things

²⁰ ICG, *Somalia: An Opportunity that Should Not Be Missed*, 22 February 2012.
http://www.ecoi.net/file_upload/2016_1330332640_b87-somalia-an-opportunity-that-should-not-be-missed.pdf

some government buildings, including court houses are being rehabilitated and the Danish Government is supporting the reconstruction of a hospital.

Mohamoud Nur Ahmed explained that even though Mogadishu is a city of some two and a half million citizens there is no fire department whatsoever to assist in case of fire outbreaks.

Mohamoud Nur Ahmed added that since street lights have been reinstalled in some markets, streets and neighbourhoods in Mogadishu people are once again moving around in those areas after dark.

According to Mohamoud Nur Ahmed there are good investment opportunities in Mogadishu today and Mohamoud Nur Ahmed encourages the Somali Diaspora to make investments. Already many people are optimistic about their future and since August 2011 there have been a number of initiatives that have made people beginning to build or rebuild houses. This development has been remarkable since the administration started to reconstruct the roads and streets and put up street lights in some places.

Killian Kleinschmidt, Deputy Humanitarian Coordinator, OCHA, explained that the TFG “is Diaspora” and that the Diaspora is the key to political development in Somalia. The Diaspora comprises Somali families who have family members abroad as well as in Somalia. It is a common coping strategy for many Somali families to uphold a presence in their home country as well as abroad. Mogadishu is driven by the Diaspora, their business and the money they bring with them. Killian Kleinschmidt emphasized that it is crucial to support trade and business in Somalia.

Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir Region stated that the only real protection mechanism which people will have at their disposal is their own arms as well as their traditional clan protection mechanisms. People cannot rely on protection by the authorities; the police force does not even have cars at its disposal. In addition police officers are badly paid or not paid at all. People have to protect themselves with their own guns. Everybody carries a gun in Mogadishu and there is no law prohibiting anyone from being armed. However, Mohamoud Nur Ahmed emphasized that life is improving in Mogadishu and there is a clear sign that people are coming back home to Mogadishu in increasing numbers.

Rashid Abdi, an independent Horn of Africa Analyst stated that daily life has slightly improved in parts of Mogadishu, and its citizens are now in a better mood than when Al-Shabaab was controlling most of the city. This is evident in most areas of the city. People feel freer and they are generally more optimistic about the future. Business is picking up slowly. However, the overall situation in Mogadishu is not particularly comfortable, according to Rashid Abdi.

When asked if the general security situation for ordinary people in Mogadishu has improved since August 2011 Stig Jarle Hansen stated “Yes”.

Regarding the general security situation for ordinary people in Mogadishu an international NGO (A) stated that today Mogadishu is a very lively city. This is a dramatic and positive change compared to the period before the summer of 2011 when the frontline between Al-Shabaab and

AMISOM/the TFG was inside the city. Now the frontline is no longer in Mogadishu and it is no longer a ghost town. However, this is not due to the fact that Al-Shabaab is out of Mogadishu, in fact Al-Shabaab still has spies, operatives, gun-men and business-men in Mogadishu, but rather due to the fact that the frontline is no longer in Mogadishu.

UNHCR Somalia explained that on the surface the situation has improved for ordinary people living in Mogadishu. From being a ghost town Mogadishu is now lively and there is freedom of movement as people move freely around in the city. The city is now overflowing with traffic and trade compared to March 2010. Al-Shabaab no longer controls the Bakara market, which was previously a major source of income for Al-Shabaab. The Bakara market is now a busy centre for business and trade. The difference for ordinary people was said to be very appreciable.

A local NGO (C) in Mogadishu explained that business in Mogadishu is improving steadily since early August 2011. The well-known Bakara market opened in August 2011, and there is also the Suuq Bacad market in Yakshid district as well as the market in Hamar Weyne. In addition there are now many shops and small enterprises in Mogadishu.

A local NGO (C) in Mogadishu considered that Mogadishu is at “a good beginning” and that the people now have a glimpse of hope. All citizens, including members of minority groups can now speak out freely in all areas of the city.

According to Amina Abdulkadir Arale, Representative, Somali Women Development Centre (SWDC), a local NGO in Mogadishu there has been an improvement of the security situation for ordinary people living in Mogadishu since Al-Shabaab was ousted from the city in August 2011. However, the large influx of IDPs has put an enormous pressure on the resources and many IDP are suffering severely.

When asked if people are moving around freely in Mogadishu Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir Region explained that there is free access to the markets in the city. These market places are the only places where real job opportunities are being created. Mohamoud Nur Ahmed considered the reopening of markets in Mogadishu as encouraging as this gives the business community confidence in the future. Presently there are three open markets in Mogadishu and there are no restrictions of freedom of movement in the city except for the Al-Shabaab controlled areas in the outskirts of the city. Mohamoud Nur Ahmed reiterated that there may be threats against people but there are no restrictions in their freedom of movement.

1.1.5 Security and humanitarian situation for IDPs in Mogadishu

When asked about the humanitarian situation, including food security and access to clean water, of those IDPs who are arriving in Mogadishu from the Afgoye Corridor, Killian Kleinschmidt, Deputy Humanitarian Coordinator, OCHA, explained that the situation of some 200.000 IDPs living in squalid conditions in unorganized camps throughout the city is of utmost concern. Basic humanitarian standards have not been met as to camp management as such was impossible. None of

the standards as for space, shelter, food, health and water and sanitation is met, although food is available in the market. Protection and particularly against SGBV is very difficult if not impossible to provide. Security is of concern as there has been no registration and profiling of the IDP population.

Killian Kleinschmidt, OCHA explained that [his office] is now attempting to re-organize these locations and open new structured sites to achieve these standards. Smaller settlements will need to be closed to provide space for city development and also to 'free' IDPs from the so called gatekeepers taxing assistance reaching the individuals. Land has now been allocated by the government. A common strategy to move forward on the IDP issue is now being discussed which involves the TFG leading the process, [the] Organisation of Islamic Cooperation (OIC), Turkey and the UN supporting the process.

According to Killian Kleinschmidt, OCHA, the arrival of large number of IDPs from Afgoye was largely a return of Mogadishu citizens, including the traders of Bakara Market. However large numbers of poorer IDPs joined the makeshift camps in addition to people evicted from public buildings by the TFG prior to the agreement of developing a joint strategy. Many people remain displaced within the city as not areas have been fully secured as yet.

According to Peter Klansø, Regional Director, DRC, the humanitarian situation in Mogadishu is still severe. From a humanitarian standpoint it does not make sense to distinguish between the situation for IDPs and the poor people in Mogadishu. Only some 40% of the people of Mogadishu are able to feed themselves. There are 16 international organisations, including United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC) which assist people in need. It was added that most NGOs in Somalia are unable to operate in areas controlled by Al-Shabaab.

Peter Klansø, DRC, stated that the Afgoye Corridor is at the moment under the control of Al-Shabaab. However, the Afgoye Corridor would be the next target for AMISOM. At the moment people living in the Afgoye Corridor are fleeing due to expected fighting between Al-Shabaab and AMISOM.

An international NGO (B) explained that the situation in the Afgoye Corridor differs from that of other areas around Mogadishu. The Afgoye Corridor is developing into a big city with markets, university and schools, and is not really different from Mogadishu in terms of business and trade. The movement of people and trade between Mogadishu and Afgoye Corridor is large and it is growing. The IDP families living in the Afgoye Corridor are those who are better off than the IDPs living in Mogadishu. The IDPs with fewer resources have gone back to Mogadishu by now.

An international organisation (C) emphasised that the humanitarian situation in Mogadishu area is still very serious and referred to the displacement issues, in particular the Afgoye Corridor and the extremely vulnerable situation of IDPs.

An international NGO (B) explained that IDPs are returning to Mogadishu from the Afgoye Corridor because they expect this area could be the next area where fighting between Al-Shabaab and AMISOM/TFG will take place. In this way the IDPs from the Afgoye Corridor are seeking to get behind the next frontline which could be the Afgoye Corridor.

Regarding the situation of IDPs in S-C Somalia an international NGO (A) explained that there are many more IDPs in Somalia than realized by the international observers. The reason for this is the fact that many IDPs are being incorporated into families of distant relatives. Many IDPs are living in this context and they enjoy some degree of protection because of this. However, those IDPs who do not have this opportunity are at high risk of being or are already being abused by all clans in Somalia. It is only those IDPs who can accommodate themselves among relatives, even distant relatives that are safe. It was added that the majority of IDPs in S-C Somalia are residing in areas where they feel relatively safe. Those living in open, i.e. unprotected camps, in for instance Mogadishu are constantly under threat and they enjoy no protection. This is particularly the case for those IDPs who are members of minority clans and groups. When asked if the so-called gate-keepers still control IDP camps in Mogadishu an international NGO (A) explained that this is true in most cases as many IDP camps are located on private land. Gate-keepers extract money from IDPs when they return to their camp after a day's work outside the camp. These gate-keepers are offering protection for money. The international NGO (A) explained that some of the militias controlled by some of the DCs in Mogadishu are taking up positions as gate-keepers. It was added that in government controlled camps IDPs receive less protection, have less access to livelihood opportunities, less access to their relatives/clans and they are also being taxed by TFG officials.

EPHRC, a local NGO in Mogadishu explained that IDPs in Mogadishu are now being forced out of those public buildings where they have sought refuge. The TFG does not assist the IDPs in any way and they have nowhere to go for assistance and protection. Many public buildings in Mogadishu have housed IDPs throughout the years as most of these buildings have been out of use and/or have been partially destroyed during the civil war. In addition, the recent fighting between Al-Shabaab and AMISOM/TFG forces outside of Mogadishu and near the Afgoye Corridor has resulted in an influx of IDPs into Mogadishu, and there is no policy or programme in place to assist all these IDPs. There is no solution to this grave humanitarian situation.

Ali Abdullahi Abdi, Information & Communication Officer, SWDC, a local NGO in Mogadishu explained that a renewed offensive against Al-Shabaab insurgents by Somali government forces, backed by Ethiopian, Kenyan and African Union troops, has sparked another influx of civilians to the capital Mogadishu. Since 18 February, SWDC estimates that between 10,000 and 11,000 families (60,000-66,000 people) have arrived in Mogadishu, fleeing fighting or the fear of fighting in their home areas.

Ali Abdullahi Abdi, SWDC explained that with displacement and arrival of new IDPs into Mogadishu, there is also infiltration by Al-Shabaab members into Mogadishu.

The Inter-Agency Standing Committee Somalia (IASC Somalia) Protection Cluster Update dated 16 March 2012 reported that “IDPs continued arriving in Mogadishu from Afgooye corridor of Lower Shabelle and Balcad districts of Middle Shabelle region. The majority of IDPs fleeing Afgooye have reportedly settled in Zona K IDP camp in Hodan, the Ex-US Embassy compound located in Wadajir and Odweyne IDP camp in the Dayniile district of Mogadishu.”²¹

On 21 March 2012 OCHA reported that “AMISOM recently announced a continued offensive against Al Shabaab on the Afgooye corridor which is expected to cause further civilian casualties and displacements. The deputy commander of AMISOM did not give a timeframe for the offensive but believed that civilian casualties will be kept to a minimum as Al-Shabaab are not expected to put up resistance. OCHA further reported that “an upsurge in conflict will most likely lead to a further displacement of internally displaced people (IDPs) from the Afgooye corridor into Mogadishu and the surrounding areas. This will place further stress on the capital where numbers of IDPs are currently estimated at 184,000. There are growing concerns that the already overcrowded camps in Mogadishu cannot absorb a new influx of people. The UN is pressing for a substantial improvement of the poor living conditions of the IDPs settlements around Mogadishu and lodged a request with the local authorities to grant extra space allocation to relieve congestion.”²²

UNHCR Somalia provided the delegation with an overview of violations against IDPs in various locations in Somalia, including Mogadishu, (see Annex 10: Protection violations against IDPs in Somalia, 1 January to 16 March 2012, and Annex 6: Movement of IDPs within Somalia, February 2012).

1.2 Security situation in other areas of South-Central Somalia

Peter Klansø, Regional Director, DRC referred to the present existence of a power vacuum in the areas recently cleared from Al-Shabaab, and stated that at the moment there is a power struggle between various clans and militias to establish power in these areas. Many security incidents and human rights violations in Mogadishu are not related to Al-Shabaab but to this power struggle. It was added that there are a lot of personal or local scores being settled and repositioning now takes place between different clans and militias. At the moment no uniform political leadership has materialized in S-C Somalia and the result is that small ‘kingdoms’ are positioning or establishing themselves.

According to Rashid Abdi, an independent Horn of Africa Analyst local militia groups supported by AMISOM and nominally loyal to the TFG have been tasked to maintain some semblance of order and suppress criminality. In effect, they are the auxiliary police and security force, because the TFG police [force] lack the numbers and the equipment to police the new “liberated areas” effectively.

²¹ IASC Somalia, *Protection Cluster Update, weekly report*, 3-16 march 2012. <http://reliefweb.int/node/484051>

²² OCHA, *Humanitarian Bulletin, Somalia*, Issue 03. 21 March 2012. <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1326321>

While these militia groups are, so far, doing a satisfactory job, it will be a mistake to depend on them in the medium to long-term.

Already, there are growing fears some of these groups are creating their own fiefdoms and running parallel administrations, viewed as predatory. Despite the optimism, civilians are fearful of renewed inter-factional violence and criminality. According to informed and credible local sources, many civilians are now stockpiling weapons, presumably to protect their families and businesses. The price of AK-47 assault rifles and ammunition at the local arms markets, like Cirtogte, has risen sharply owing to the demand.

Peter Klansø, DRC, stated that Al-Shabaab will not be able to withstand the pressure from AMISOM, Ethiopian and Kenyan forces and the TFG forces. As a result, Al-Shabaab will most likely disappear as a major force in S-C Somalia.

An international organisation (B) explained that in some areas of Mogadishu and some areas of S-C Somalia insecurity prevails, even in areas controlled by the TFG. There are reports of TFG soldiers looting humanitarian aid and harassing vulnerable IDPs when they have received relief aid.

The developments in Somaliland was mentioned by an international organisation (B) as a positive example of a democratic process taken place in an inherently Somali context. However, it was emphasized that the present situation in S-C Somalia is a very long way from the situation in Somaliland.

An international NGO (A) explained that one will see more and more fighting and tensions in many locations in S-C Somalia. This is due to the fact that Al-Shabaab is under tremendous pressure and in many locations one will see a political power vacuum which will have to be filled in by other actors, i.e. the TFG and various clan based militias. This is what can be expected in Belet Weyne, Kismayo, Merka, Afmadow, and Brava as well as in Bay and Bakool regions.^{23 24} These conflicts

²³ On 22 February 2012 BBC News reported that "Somalia al-Shabab militant base of Baidoa captured. Ethiopian and Somali troops have taken a strategic stronghold of Islamist militants in south-western Somalia. Eyewitnesses told the BBC that about 50 vehicles, including some 20 tanks, had entered Baidoa, which was not defended. After the southern port of Kismayo, the town was the most important al-Shabab base." BBC News. *Somalia al-Shabab militant base of Baidoa captured*. 22 February 2012. <http://www.bbc.co.uk/news/world-africa-17127353>

On 5 March 2012 BBC NEWS asked an Ethiopian commander, "But is there a danger of Ethiopia getting bogged down in this complicated conflict and once again being portrayed as an unwanted foreign force?" "I don't think so - we don't want to stay long," says Capt Yissak. "We want to stabilise Somalia. After the country has settled we'll leave. People are asking us to stay for a long time. Our government says stay until peace comes, then we go back. "We are training the government police and military, and after they've become strong we will leave." BBC News. *Somalia conflict: Visiting al-Shabab fallen stronghold*. 5 March 2012. <http://www.bbc.co.uk/news/world-africa-17254299>

will all be based on attempts by various clans to take control of local resources. According to an international NGO (A) this is exactly the reason why Mogadishu was the scene where the strongest battles for control and access to resources took place. Mogadishu is the epicentre of these conflicts in S-C Somalia as the city is the key to many economic resources, including access to the airport and the seaport.

An international NGO (A) stated that Al-Shabaab has managed to control potential clan based disputes and conflicts in the areas it controls. In all the so-called liberated areas there are several clans and/or militias claiming to be in control. This is the case in northern Hiran, northern Bakool, Dolow, Belet Hawa, Dooble and Afmadow (Cel Barde, which is a united group of the Ogaden and Aulihan clans). All the locations and areas mentioned are suffering from ongoing clan based conflicts and tensions. As an example of this type of conflicts an international NGO (A) referred to Belet Weyne in northern Hiran where the Hawadle and the Galja'el clans are fighting each other. The situation in Belet Weyne is an example of what can be expected in many other locations in S-C Somalia when Al-Shabaab withdraws or are being pushed out of an area.²⁵ Future potential clan conflicts are a likely scenario, as it is a big question as to what will happen with the groups and clan based militias that today fight together against Al-Shabaab. An important question is what will happen if and when Al-Shabaab has been defeated.

On 7 March 2012 OCHA reported in its Humanitarian Bulletin that "Ethiopian forces launched an attack on Baidoa on 22 February and forced out Al-Shabaab who controlled the area for three years. After the expulsion of Al Shabaab from Baidoa the area is still insecure. Tension remains high in parts of Bay and Bakool regions, especially in areas not under the control of the Transitional Federal Government (TFG) and its allies. Those displaced from Baidoa are returning every day, and commercial activities in the town have resumed. Displacements of young men continue as they are

²⁴ On 16 March 2012 Somalia Report reported that "Somalia's Joint Security Committee and African Union (AU) announced on Wednesday [14 March 2012] they would be sending AU peacekeeping forces, known as AMISOM, to replace the Ethiopian troops currently in control of Baidoa in Somalia's Bay region, sparking concern from local officials and residents who fear AMISOM is incapable of securing the city. Ethiopian and Somalia's Transitional Federal Government (TFG) troops seized control of Baidoa from the al-Shabaab militant group on February 22 of this year. The deployment would be extended to other regions in central and southern Somalia, currently controlled by the Ethiopians, including Beledweyne, the capital of the Hiran region, which was seized by Ethiopian and TFG troops at the end of last year. Somali Report, *Mixed Reaction to AMISOM Replacing Ethiopians*, 16 March 2012. http://www.somaliareport.com/index.php/post/3064/Mixed_Reaction_to_AMISOM_Replacing_Ethiopians

²⁵ On 16 March 2012 Somalia Report reported that The Transitional Federal Government (TFG) officially declared a new administration in the Hiraaan region of central Somalia on Sunday, following discussion held between the TFG officials with regional elders and elites over the last two months. On December 31st, Ethiopian troops along with the TFG, Ahlu Sunna wal Jamaa and the SVA took control of Beledweyne, which had been under the control of al-Shabaab forces for a long time. Since then, there have been rifts over who will manage the town. The forming of new administration in Hiraaan region comes at a time when the Somali Prime Minister Abdiweli Mohamed Ali stated on Saturday that they are planning to create regional administrations for the areas newly captured from al-Shabaab, and urged Somali people to support the stability of the country and work closely with TFG forces to bolster security in the country and prevent the return of al-Shabaab. Somali Report, *TFG Forms New Administration in Hiraaan*, 16 March 2012. http://www.somaliareport.com/index.php/post/3054/TFG_Forms_New_Administration_in_Hiraaan

most likely to seek refuge elsewhere because they become likely suspected sympathizers of Al Shabaab. Following recent military operations in Bakool civilians displaced from the main towns, including Hudur, have not yet returned to their homes.”²⁶

IASC Somalia Protection Cluster Update for the period 3-16 March 2012 states that “after the expulsion of Al Shabaab from Baidoa tension remains high in parts of Bay and Bakool regions. PMT [UN Protection Monitoring Team] data indicates that over 950 residents fled Baidoa and arrived mainly in Banadir and in other districts of Bay region, such as Qansax Dheere, Diinsor and Buur Hakaba. Reports indicate that young men in particular continue to flee Baidoa for fear of being arrested as suspected Al Shabaab sympathizers. Baidoa is now under the control of a self-appointed Governor and his deputies. A report indicates that tensions between Al Shabaab and pro-TFG forces intensified particularly in the Garbahaarey and Luuq districts of Gedo region, causing fear among the civilian population, and prompting the closure of medical centers and schools in the area. The report also indicates that in the Al-Shabaab-administered areas schools were closed down and children were forcibly recruited to take up arms.”²⁷

On 22 March 2012 Somali Report reported that “TFG forces backed by Ethiopian troops have seized the al-Shabaab stronghold of Hudur, the capital of Bakool region, after al-Shabaab militants fled from the city early on Thursday afternoon. Hudur is the second largest city taken by allied forces in Bay and Bakool regions, after Baidoa.”²⁸

On 3 March 2012 Somalia Report reported that “TFG security forces and Ethiopian troops have arrested more than 40 people in Baidoa over the last 24 hours. [...] According to locals, 18 of the detained men [...] were seized [...] shortly after a huge explosion which targeted Ethiopian troops. [...] The others were arrested during a massive security sweep.”²⁹

On 28 March 2012 Human Rights Watch reported that it had received reports of pro-government militias in Somalia having committed summary executions, indiscriminate killings, torture and arbitrary detention in the towns of Belet Weyne and Baidoa since they were occupied by Ethiopian forces earlier in 2012.³⁰

²⁶ OCHA, *Humanitarian Bulletin Somalia*, Issue 02. 7 March 2012.
<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1323504>

²⁷ IASC Somalia, *Protection Cluster Update, weekly report*, 3-16 march 2012. <http://reliefweb.int/node/484051>

²⁸ Somali Report, *Allied Forces Take Hudur*, 22 March 2012.
http://www.somaliareport.com/index.php/post/3127/Allied_Forces_Take_Hudur

²⁹ Somalia Report, *Arrests in Baidoa*, 3 March 2012.
http://www.somaliareport.com/index.php/post/2985/Arrests_in_Baidoa

³⁰ Human Rights Watch, *Somalia: Pro-Government Militias Executing Civilians*, 28 March 2012,
<http://www.unhcr.org/refworld/docid/4f7879de2.html>

1.2.1 Security situation in Kismayo, Lower Juba Region, and Gedo Region

Bediako Buahene, OCHA explained that in Lower Juba there are smaller pockets approximately 90 kilometres from the Kenyan border controlled by Kenya forces.

On 19 March 2012 Somalia Report reported that “at least ten fighters were killed and an unconfirmed number were injured as Kenyan Defence Forces (KDF), Somalia's Transitional Federal Government (TFG) forces and pro-government clan militias of Ras Kamboni fought against the al-Shabaab insurgent group in Lower Juba region of southern Somalia on Monday, an official and residents said. TFG and KDF officials in southern Somalia have said several times they will restart operations against al-Shabaab and capture the strategic coastal town of Kismayo, while Al-Shabaab fighters vow to defend it.”³¹

According to Peter Klansø, DRC, Al-Shabaab gains part of its financial revenue from the taxation of the banana and charcoal trade. So far Al-Shabaab and clans loyal to Al-Shabaab maintain total control of Kismayo and the very important port, which is a major source of revenue as food and other commodities are imported through there. Al-Shabaab cannot afford to lose Kismayo. However, who should have the control of taxation of the trade will be a key issue wherever Al-Shabaab loses control. In this respect Kismayo will be crucial.

Stig Jarle Hansen considered that it might be that Al-Shabaab will try to hold Kismayo more thoroughly than [its positions in] the rest of Somalia. Al-Shabaab has established protective trenches to the north and to the south west of the city.

An international organisation (B) explained that managing the military success scenario in Kismayo would be a major challenge due to the many contradictory interests at stake in that city and the potentially very lucrative business opportunities. The present security situation in Kismayo is extremely tense and largely awaiting anti-Al-Shabaab forces supporting KDF to launch an attack.

On 15 March 2012 IRIN News reported that “several thousand people have been displaced by clashes between Al-Shabab insurgents and Somali troops assisted by Ethiopian and Kenyan soldiers in Somalia's southwestern Gedo region.”³²

On 4 March 2012 Somalia Report reported that “Al-Shabaab seized Diif village in Lower Juba region early on Sunday morning after small clashes between them and the Transitional Federal Government (TFG) alongside pro-government clan militias of Ras Kamboni. However, Diif was taken back later on Sunday by TFG & Kenyan troops. Diif is a strategic village located five

³¹ Somalia Report, *Al-Shabaab Ambushes Allied Troops in Lower Juba*, 19 March 2012.
http://www.somaliareport.com/index.php/post/3102/Al-Shabaab_Ambushes_Allied_Troops_in_Lower_Juba

³² IRIN News, *SOMALIA: Thousands displaced by fighting in Gedo*, 15 March 2012.
<http://www.irinnews.org/Report/95077/SOMALIA-Thousands-displaced-by-fighting-in-Gedo>

kilometres from the Kenyan border and connects many districts in Kenya and Lower Jubba region.”³³

IASC Somalia Protection Cluster Update for the period 3-16 March 2012 states that “armed clashes between Al Shabaab militias and anti-Al Shabaab forces continued in Diif displacing an unconfirmed number of residents. A significant number of these IDPs in Diif corridors are ‘pastoral dropouts’ whose livelihood support system had been lost during the recent clashes between TFG allied forces and against Al Shabaab. The majority of residents moved to Doble, while some crossed the border to Kenya.”³⁴

On 16 March 2012 Somalia Report reported that “TFG Forces aided by Kenyan troops fought against al-Shabaab insurgents on Friday morning at Taraaka, 30 kilometers south of Bardhere, Gedo region.”³⁵

In February 2012 OCHA reported in its Gedo Fact Sheet that “the TFG currently controls four districts (Belet Xaawo, Ceel Waaq, Doolow, Luuq and Garbahaarey) where humanitarian access has improved, while Burr Dhobo town in Garbahaarey and Baardheere district remain under Al-Shabaab. Since January 2012, the Ethiopian pro-TFG forces have been advancing eastwards towards Bay and Bakool regions, causing a temporary population displacement.”³⁶

On 21 March 2012 OCHA reported in its Humanitarian Bulletin that “reports in the media and from the field indicate that 5,000 people were displaced within the Gedo region over the last few weeks following clashes between the Ethiopian and Kenyan forces against Al-Shabaab. The upsurge in conflict also resulted in the closure of more than 10 health centres in the region. UNHCR estimates 77,000 IDPs live in Gedo. According to the bulletin the humanitarian access to Gedo is restricted with a ban on aid agencies by Al Shabaab since 28 November 2011 still in place.”³⁷

1.2.1.1 Who controls the Bajuni Islands?

When asked who controls the Bajuni Islands, an international organisation (B) stated that it is unknown who controls them.

When asked who is in control of the Bajuni Islands UNHCR Somalia stated that this questions is rather complicated. The islands basically stretch from Kismayo to the Kenyan border. The Kenyan

³³ Somali Report, *TFG & Kenyan Troops force Shabaab From Diif*, 4 March 2012.

http://www.somaliareport.com/index.php/post/2989/TFG_Kenyan_Troops_force_Shabaab_From_Diif

³⁴ IASC Somalia, *Protection Cluster Update, weekly report*, 3-16 march 2012. <http://reliefweb.int/node/484051>

³⁵ Somalia Report, *TFG and KDF poised to take Bardhere*, 16 March 2012.

http://www.somaliareport.com/index.php/post/3083/TFG_and_KDF_Poised_to_Take_Bardhere

³⁶ OCHA, *Gedo Fact Sheet*, February 2012. <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1322543>

³⁷ OCHA, *Humanitarian Bulletin, Somalia*, Issue 03. 21 March 2012.

<http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1326321>

navy patrols the waters around the islands. On the islands themselves, there is no Al-Shabaab, TFG or Kenyan presence although there are Al-Shabaab sympathizers on the islands.

1.2.2 Security situation in Hiran Region, including Belet Weyne

Bediako Buahene, OCHA explained that the security situation in Belet Weyne is tense and a curfew has been imposed in the city. Besides an all night curfew there is also a curfew from 0500 to 1200 hrs. It was added that AMISOM is not present in Belet Weyne and that the Ethiopian forces are not part of AMISOM. However, Ethiopia would like to withdraw from Belet Weyne and see AMISOM take over.

On 14 March 2012 Somalia Report reported that “Somalia's Joint Security Committee and African Union (AU) agreed to deploy African Union peacekeeping forces (AMISOM) in Somalia's southern and central regions beginning in April to maintain security in areas recently vacated by Al-Shabaab. Somalia Report further reported Chief of Ugandan Defense Forces General Aronda Nyakairimi stated that AMISOM troops will deploy to the southern and central parts of Somalia. The first deployment shall start in April after Ethiopian troops withdraw from Baidoa and Beledweyne districts. Beledweyne town in Hiran region will be handed over to the Djiboutian forces which are part of African Union mission in Somalia and the two battalions from Uganda and Burundi will be deployed into Bay and Bakol region.”³⁸

When asked to comment on the security situation in Belet Weyne and on political scenarios, an international organisation (B) stated that ENDF [Ethiopia National Defence Forces] control the immediate environs of Belet Weyne including out about 10 km radius. [It was added that there is a heavy ENDF presence [in this area, and that there is a] curfew in place 0530-1130 hours daily. No official night-time curfew but civilian population weary to move about given ENDF check points. ASWJ [Ahlu-Sunna Wal Jamaa] and Shabelle Valley forces [Shabelle Valley Alliance (SVA)] maintain presence also and Al-Shabaab remains on the outskirts with sympathisers inside Belet Weyne. Al-Shabaab still has capacity to lay mines and conduct small-scale attacks. Infighting (including armed clashes) between various armed actors in Belet Weyne remains an issue. The international organisation (B) added that who will administer Belet Weyne is a “real problem!”.

When commenting on the increasing clan tensions in S-C Somalia an international NGO (A) pointed to the present situation in Belet Weyne. Belet Weyne is an important trade and business centre in Somalia and the city connects many regions in central Somalia but it also connects the north with the south. Most transports of goods in S-C Somalia pass through Belet Weyne. Presently there are three or four clan-based armed groups who claim to control Belet Weyne and collect fees at checkpoints in the city, at the bridge and at the airport.

³⁸ Somalia Report, *AMISOM to Move Beyond Mogadishu*, 14 March 2012.
http://www.somaliareport.com/index.php/post/3071/AMISOM_to_Move_Beyond_Mogadishu

The international NGO (A) added that the political processes in S-C Somalia are complex and the TFG as well as various clan based militias in Belet Weyne are part of this process. Thus the situation in Belet Weyne could be a realistic scenario for the rest of S-C Somalia, i.e. a situation where clan based militias with different interests are fighting each other over local resources, control of bridges, roads, markets and airports.

According to an international NGO (B) it will not be an easy task to deal with the militias that have helped to fight Al-Shabaab. Reference was made to the situation in Belet Weyne which is a good example of what might happen once Al-Shabaab is defeated, namely a local conflict over control of resources and political positioning. The real danger is that clan based militias who have fought against Al-Shabaab and won will not accept to be controlled by an external power, i.e. the TFG and its allies. Such militias and their leaders/warlords might seek to position themselves politically.

On 19 March 2012 Somalia Report received reports from Hiran region “that indicate that Transitional Federal Government (TFG) forces backed by the Ethiopian military have taken the control of Buuq Mator village from al-Shabaab militants this morning, eyewitnesses and TFG officials confirmed to Somalia Report. Buuq Mator is located at a strategic juncture, as the town lies on a road linking Hiran and Bakool regions. Somali Report further reported that TFG and Ethiopian forces have stepped up their offensive in Hiran in recent months, capturing the regional capital, Beledweyne, in late December.”³⁹

On 28 March 2012 Human Rights Watch reported that it had received reports of pro-government militias in Somalia having committed summary executions, indiscriminate killings, torture and arbitrary detention in the towns of Belet Weyne and Baidoa since they were occupied by Ethiopian forces earlier in 2012.⁴⁰

1.2.3 Security situation in Galgaduud Region and Galkayo

Bediako Buahene, OCHA stated that both Galkayo town and the District are divided in a southern and northern part along clan lines. Everything from the northern parts of Galkayo town and the northern parts of the District belong to Puntland.

Bediako Buahene, OCHA explained that six districts in Galgaduud are controlled by the TFG-allied Sufist militia ASWJ.

When asked to comment briefly on the security situation in Galkayo and a little on scenarios an international organisation (B) stated that Galkayo is very unstable due to ongoing clan clashes across north and south Galkayo. Al-Shabaab [is] present in key areas and the threat of land-based

³⁹ Somalia Report, *Allied Forces Seize Hiran Village*, 19 March 2012.

http://www.somaliareport.com/index.php/post/3097/Allied_Forces_Seize_Hiran_Village

⁴⁰ Human Rights Watch, *Somalia: Pro-Government Militias Executing Civilians*, 28 March 2012,

<http://www.unhcr.org/refworld/docid/4f7879de2.html>

piracy/criminality prevalent although mainly in the south. Galmudug [is] experiencing control problems in terms of effective law and order. The key threat for the civilian population is getting caught in the cross-fire resulting from clan conflict. Access to water resources and pasturelands remains a key source of conflict.

See also the addendum to the 2010 UNHCR Eligibility Guidelines relating specifically to the city of Galkayo.⁴¹

UNHCR Somalia explained that IDPs from S-C Somalia trying to relocate to the north are facing a tough time, especially when they have to pass through Puntland checkpoints. The Puntland checkpoints are tighter than other checkpoints in Somalia as IDPs are largely perceived by the Puntland authorities as possible infiltrators or criminals.

Bediako Buahene, OCHA explained that the Himan and Heeb Administration is seated in the town of Adado and claims the surrounding territory all the way to the coast. The Himan and Heeb Administration was founded by members of the US Diaspora and walks a fine line as to who exactly it is supporting: ASWJ, TFG, or Al-Shabaab. This civil administration is established along clan lines with mainly with the support of Saleeban sub-clan [of the Habr Gedir clan]. However, it is the ASWJ militia who provide security in this area. See also Somalia Report, 8 December 2011.⁴²

1.3 Political and security scenarios in Mogadishu and South-Central Somalia

Regarding the ongoing military operations in S-C Somalia Bediako Buahene, OCHA expressed concern that the political processes are lacking significantly behind military operations. There is no clear strategy to set up political structures in areas where there Al-Shabaab has been defeated and a subsequent power vacuum has come about. The situation in Belet Weyne is a good example of the political challenges ahead. The TFG wants to establish a TFG-administration in Belet Weyne; however, there is local resistance to this as the local political actors would like a genuine local administration. It was added that on 12 March 2012 the TFG announced that Abdifatah Hassan Afrah is the new Governor of Hiran. Belet Weyne is just one of many examples of the need of a clear political strategy when Al-Shabaab has been defeated and has disappeared from an area. Bediako Buahene, OCHA stressed that Al-Shabaab disappeared from Belet Weyne at the end of December 2011 and there is still no administration in the area.

⁴¹ UNHCR, *Addendum to 2010 UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Somalia, relating specifically to the city of Galkacyo*, 16 March 2012, <http://www.unhcr.org/refworld/docid/4f675c5e2.html>.

⁴² Somalia Report reported in December 2011 that the Himan and Heeb administration, established in 2008, is based in Adado, which is in the west of Galmudug administrative region. It claims sovereignty over large chunks of Galmudug, which claims all of Himan and Heeb, but in reality neither "state" exists much beyond Adado and Galkayo. Himan and Heeb is inhabited by the Salebaan, while Galmudug has always been a Sa'ad project. Both are dominant sub-clans of the Habir Gedir. Somalia Report, *Himan and Heeb's Anti Piracy Plan*, 8 December 2011. <http://www.somaliareport.com/index.php/post/2248>.

Regarding the security developments and the political scenarios in S-C Somalia Peter Klansø, DRC, explained that it is extremely difficult to state what will happen in a post Al-Shabaab Somalia. One scenario could be that we will see a relatively calm period. However, this depends very much on the behaviour of the TFG and its allies, including AMISOM. It was added that the loyalty of the TFG soldiers is dependent on which politicians they may support within the TFG and in addition the commander of AMISOM is very critical towards the role of the TFG: However, a certain level of increased security has been reached by the recent expansion of the fight against Al-Shabaab. On the other hand, Peter Klansø explained that the traditional council of elders has less of an influence today than previously. They can and do play an important role in conflict resolution and mediation in conflicts over resources. However, these councils have no political influence.

UNHCR Somalia stated that if the power vacuum left by Al-Shabaab in the so-called liberated areas is not filled in quickly by the TFG and its allies, it could result in a revival of the previous clan based conflicts in Somalia, i.e. a revival of warlordism.

It was emphasized that presently there is no political consensus among the Somalis and there is no real capacity to build up a consensus. Thus, there is a high risk that chaos will return, especially when Al-Shabaab is on its back feet. It was added that a military solution alone is not the answer to sustainable peace in Somalia.

As an example of what could happen if there is no political solution to military gains, UNHCR Somalia explained that even if the Kenyan forces capture Kismayo, there is no agreement on what should happen further on. It was explained that there is an advancing political agenda but so far with no political solution. The military solution cannot stand alone and the political solution is lagging far behind. In this connection UNHCR Somalia referred to a recent publication by Ken Menkhaus.⁴³

UNHCR Somalia explained that the pressure from the Ethiopian and Kenyan forces as well as AMISOM and the TFG has resulted in a tactical fragmentation of Al-Shabaab in S-C Somalia, which seems no longer capable of carrying out/sustaining conventional warfare. Similarly, there are signs of fragmentation among the supporters of the TFG on top of the TFG's own perennial internal rivalries. This development may result in a return to warlordism in S-C Somalia, including in Mogadishu, as a way to fill the power vacuum left by the retreating Al Shabaab forces and the inability of the TFG and the international community to get their act together.

An international NGO (A) considered the TFG's top-down approach in political matters to be wrong and a mistake. The TFG does not have a proper plan for establishing a federal state and it is not in the interest of Somalis to have a centralized state and government. A so-called unity government is not a solution for Somalia.

⁴³ Ken Menkhaus, The Enough Project, *After the Kenyan Intervention in Somalia*, January 2012.
<http://www.enoughproject.org/publications/after-kenyan-intervention-somalia>

An international NGO (A) stated that the battle against Al-Shabaab in Somalia is part of the greater US-led international war on terror. An international NGO (A) considered the role of Turkey in Somalia to be economic and steered by business interests.

An international organisation (B) explained that the numbers of emerging local and regional administrations throughout Somalia is a positive development as it can be viewed as a wish to become a political entity rather than simply an armed militia. However, it is an extremely challenging path for these administrations. Presently there is a real danger for a return to warlordism in Mogadishu and areas of south-central Somalia. This is due to the power vacuum which has arisen in many locations by the defeat of Al-Shabaab and also due to the obvious split within the TFG. There are now factions within the TFG which fight against each other. In addition one can see the emergence of clan based militias trying to gain ground in the newly liberated areas. It was added that in order to get a paying job in a militia in Mogadishu you need to have a gun. An indication of this being the case is the dramatic increase of prices of arms in Somalia, according to an international organisation (B).

An international organisation (A) considered that the Road Map⁴⁴ is not going particularly well and the speaker of Parliament does not respect the Road Map. This is a real weakening of the TFG and a lot of internal struggle is taking place making the TFG less effective on the ground. This is a very dangerous development because the political process does not follow up on the military gains. The result is a power vacuum that has to be filled in. The perspective is rather grim and precarious, and there are signs of a dangerous future with warlords positioning themselves in this power vacuum.

Rashid Abdi, an independent Horn of Africa Analyst explained that the major problem for the TFG is a lack of a political strategy for Mogadishu and S-C Somalia. The Prime Minister is now looking for a strategy for limited areas of Mogadishu; however, Rashid Abdi considered this to be rather late. The military strategy should have been accompanied by a political strategy but this has not taken place. Six months have passed since Al-Shabaab left Mogadishu and the TFG has not been able to capitalize on this due the aforementioned lacking political strategy.

According to Rashid Abdi it does not make sense to talk about political control in terms of Mogadishu and the rest of S-C Somalia as there is hardly any political and administrative structures

⁴⁴ Also called the "Somalia End of Transition Roadmap". According to IRIN News the Roadmap is a list of tasks designed to steer Somalia towards more permanent political institutions and greater national security and stability. These tasks comprise security, a constitution (due by June 2012), political reconciliation, and good governance. The Roadmap includes measures for countering piracy; co-opting local militia groups (although there is no specific reference to Al-Shabaab); preventing the recruitment of children into armed groups; demarcating territorial waters; reducing the size of parliament and planning for elections; developing peace-building initiatives; and tackling corruption. It was announced in Mogadishu on 6 September 2011 and initialled by the Somali prime minister, leaders of regional entities Puntland and Galmudug, the head of the ASWJ militia group, the UN envoy to Somalia, representatives of the League of Arab States, the African Union and the Inter-Governmental Authority on Development (IGAD)." IRIN News, *Briefing: Somalia's political roadmap*, 22 February 2012. <http://www.irinnews.org/Report/94926/Briefing-Somalia-s-political-roadmap>

in place. Many areas of Mogadishu are under the control of militias loyal to the TFG, thus they are not controlled by AMISOM and the TFG.

Al-Shabaab does not pose an existential threat to Somalia, according to Rashid Abdi. The main problem is the inability of the clans to trust each other. The so-called liberated areas in Mogadishu and other parts of S-C Somalia resemble the pre Al-Shabaab Somalia where armed clans and militias were dominating and the present power vacuum has created a potential for warlordism based on armed clan militias.

Stig Jarle Hansen explained that Al-Shabaab might be chased away from the big cities. However, as the government is unable to secure the smaller cities and the rural areas, Al-Shabaab will then attack smaller TFG city administrations and use threats and violence against village dwellers. Some of this can be seen in Galmuduug already.

Rashid Abdi confirmed the relative stability in some areas of S-C Somalia, but if the power vacuum left by Al-Shabaab is not filled in quickly, it could result in a revival of old clan based conflicts and warlordism. In spite of significant changes on the ground in Mogadishu as well as in other areas of S-C Somalia where Al-Shabaab is now under immense pressure there has been no political solution so far.

Rashid Abdi emphasized that if there ever was a time for the disintegration and defeat of Al-Shabaab that time is now closer than ever. However, it was added that Al-Shabaab may regroup and change its strategy. The military pressure applied on Al-Shabaab could cause a split of the organisation into small autonomous terror units acting on their own.⁴⁵ Rashid Abdi considered it tactically unwise to completely defeat Al-Shabaab as this would have a “mercury effect”, i.e. the rise of small uncontrolled units.

Rashid Abdi explained that presently there is a market for competing militia groups in the power vacuum left by Al-Shabaab in some areas of Mogadishu. This is due to the inability of the TFG to move into those unoccupied, i.e. liberated areas. In central Somalia, various clan militia groups are waiting for the “pin to drop” before they start fighting over areas. Thus there is a creeping return to the pre-Al-Shabaab era.

An international NGO (A) emphasized that there is a lack of responsible intellectuals and politicians in S-C Somalia and it is difficult to see how a positive political development process can be brought about. It is even difficult to identify responsible and competent persons among the Diaspora.

Regarding information that there are some 20 local administrations in S-C Somalia, and that the territories these administrations claim are overlapping in some places UNHCR Somalia explained

⁴⁵ See also Somalia Report, *Al-Shabaab Factional Disputes Continue*, 15 March 2012.
http://www.somaliareport.com/index.php/post/3078/Al-Shabaab_Factional_Disputes_Continue

that most of these self-declared administrations exist on paper as a result of unilateral Diaspora-led initiatives.

When asked about further information as to where these administrations are located in Somalia and what the implications could be when their territories are overlapping, UNHCR Somalia explained that Awdal in the north-western tip of Somaliland, Khatumo state around Buhuudle in Sool, a recent attempt to revise a Benadir state stretching from Mogadishu to south and Azania in Juba and Gedo (without effective territorial control) are good examples of attempts to create “states” within Somalia. Part of the reasons why these administrations are cropping up is for different clans, political leaders and Diaspora to position themselves ahead of the constitutional process. The Garowe process⁴⁶ has recently outlined the federal structure in which “states” are expected to have certain powers and autonomy. For the time being Puntland and Galmudug are officially considered “states”. However, clan interests often assisted by Diaspora appear to take advantage of the development in the hope to be in a position to control resources.

UNHCR Somalia added that in the similar vein, recent military advance by the Ethiopia and Kenyan troops as well as AMISOM has exposed the lack of political strategy to fill the vacuum left after the Al-Shabaab withdrawal. In Belet Weyne, for instance, it is reported that TFG, ASWJ and SVA, which had earlier declared a “state”, are vying for control, necessitating the tight reign by the Ethiopian forces. Throughout the areas vacated by Al-Shabaab, one sees similar patterns of confusion and political jockeying. As a result, there is a growing concern that military advance will in fact create political vacuums and open the door to clan-based warlordism. Some observers say that there is a real risk of the situation going back to that of 1990's when Somalia was controlled by various clan-based warlords.

When asked if the above fact tells us that the risk of a return to warlordism is real UNHCR Somalia stated “Yes”, and added that, as described above, there is a stark lack of political design and agreements ahead of military advance. It should also be noted that further the intervening troops advance, the more widespread their presence will become, with less effective control of towns and cities. The troop level will remain more or less the same after the recent authorised increase. In the meantime, Al-Shabaab reportedly tries to organise and use minority clans or clans that are not part of the new political deal to their advantage. In other words, we seem to have the following pattern right now: (1) military advance, (2) Al-Shabaab withdrawal, (3) lack of political design in the “new” areas, (4) vying for political control by various Somali factions/clans, (5) security vacuum

⁴⁶ The Garowe process is a national constitutional conference which second part was held in Garowe from 15 to 17 February, 2012. The Garowe conference has been convened by the TFG and was hosted by Puntland State Government of Somalia and facilitated by the United Nations, under the auspices of the Special Representative of the Secretary General for Somalia. UNPOS, *Second Somali National Consultative Constitutional Conference*, 20 February 2012. <http://reliefweb.int/node/477803>

and (6) control by clan-based factions (warlords “legitimised” through self-appointment such as the case in Baidoa for the time being or political compromise).

When asked if the establishment of the many local administrations in S/C Somalia pose a potential threat to the role of the TFG, and if these local administrations is an expression of the inability of the TFG to fill in the power vacuum following the military gains by the allied forces Stig Jarle Hansen stated “Yes and no, it depends on the quality of the local administrations, as of today, Puntland and Somaliland fulfil general security needs that the TFG cannot fulfil.”

Stig Jarle Hansen added, “I think the Galmudug state MAYBE can reach this in the future, but are not there yet. Himaan and Heeb, Azania and Makir states are examples of entities that contribute little to local security. Local solutions have to be studied in a local context. The strong and good local entities are paradoxically the strongest rival to the TFG, but should be accepted since they provide something other entities fail to provide.”

2 Military operations in South-Central Somalia

An international NGO (B) explained that there are several open and active frontlines in S-C Somalia between Al-Shabaab and Kenyan forces, Ethiopian forces, AMISOM, the TFG allied militia ASWJ and various other militias in a variety of constellations. Mogadishu and Belet Weyne are particular active areas in terms of fighting with Al-Shabaab. In Belet Weyne it is the TFG and the Ethiopian forces against Al-Shabaab while in Mogadishu it is the TFG/AMISOM against Al-Shabaab. In Juba Valley the Kenyan forces and the TFG are fighting against Al-Shabaab forces. (See Annex 4: military situation S/C Somalia).

UNHCR Somalia explained that the AMISOM Force Commander in Mogadishu has clearly expressed the need for the mandated 12.000 troops, in accordance with the UN Security Council Resolution 1964 (2010). At present [early February 2012] the AMISOM Force Commander has 9.800 troops at his disposal.

According to BBC News, 22 February 2012, the UN is to reinforce AMISOM and increase the number of its troops in S-C Somalia to 17,731 from its current level of 12,000.⁴⁷

2.1 Military operations in Central Somalia by AMISOM and the TFG

Peter Klansø, Regional Director, DRC stated that there is no master plan for the military efforts in Somalia, but that a war on three fronts is the plan for the immediate future. Kenya is seeking to establish a buffer zone in South-Western Somalia and has been working on this for a long time. For this purpose Kenya has allied with local Ogaden-militias in the area, and Ethiopia wants to keep its buffer zone in Central Somalia. For this purpose the Ethiopian army has allied with the TFG allied militias ASWJ and SVA. However, it was emphasized that Kenya and Ethiopia may not agree on these strategies, especially as Ethiopia strongly opposes the establishment of a local Ogaden-state in South-Western Somalia.

Peter Klansø, DRC, emphasized that Al-Shabaab was never militarily strong but because it never met any substantial military confrontation it succeeded in gaining political power. Today it is AMISOM, the Kenyan and the Ethiopian army and not the TFG who can defeat Al-Shabaab.

A UN organisation explained that whenever an area in S-C Somalia, including Mogadishu has been liberated by AMISOM and allied forces, the question of who should be in charge of and control this area always arises. It is evident that the TFG is keen to cooperate with the local clans and warlords in these areas as it needs some kind of legitimacy.

Rashid Abdi, an independent Horn of Africa Analyst explained that the overall military and political situation in Mogadishu has changed in the past six months although it could not necessarily be said to have improved. Al-Shabaab has pulled out of Mogadishu but remain at the outskirts of the city.

⁴⁷ BBC News. *UN to bolster Somalia peacekeeping force Amisom*. 22 February 2012. <http://www.bbc.co.uk/news/world-africa-17120912>.

AMISOM's and TFG's control of Mogadishu has expanded and according to them, they now control 90 to 100 % of the city. However, it was added that such statements from AMISOM and TFG should be taken with a pinch of salt. The north of Mogadishu, i.e. the northern part of Deynile district is ungoverned space and AMISOM is fearful of moving into this area due to fear of ambush by Al-Shabaab.⁴⁸

According to Rashid Abdi AMISOM does not have the capacity to occupy northern Mogadishu. AMISOM's strategy is to create a more secure environment for the TFG and other local actors loyal to the TFG.

Rashid Abdi considered that although the military efforts in Somalia may at a glance seem semi-concerted, this is in fact not the case. The military successes of AMISOM are mainly due to the Ugandan army. Rashid Abdi described the joint efforts by Kenya, Ethiopia and AMISOM as a "semi-concerted campaign with no single commanding brain".

Stig Jarle Hansen, Associate Professor/Head of the International Relations Program, Norwegian University of Life Sciences emphasized that the more recent main military successes in S-C Somalia was provided by the Ethiopians.

Bediako Buahene, Policy and Protection, OCHA had the impression that the Ugandan AMISOM soldiers are more heavily armed than the Burundian AMISOM soldiers. Ugandan troops seem to employ tanks and heavy artillery when operating in Mogadishu while the Burundians are known to prefer the use of lighter arms like machineguns and mortars. This fact has made the Burundian soldiers much more vulnerable than the Ugandans, and the Burundians have suffered from many casualties. An additional factor is that Burundian soldiers mostly are on the frontlines.

When asked if there is a concerted effort to coordinate the military activities of AMISOM, the TFG, Kenya and Ethiopia an international NGO (A) stated that there is some kind of a coordinated strategy, but it was described as lacking the political perspectives for the aftermath of the fighting and take over the required responsibility, as there are no comprehensive and coordinated efforts to fill in the power vacuum that has arisen as a result of the military gains over Al-Shabaab. As an example of this an international NGO (A) made reference to the TFG Prime Ministers brief visit in Belet Weyne and stated that this visit was a deliberate show off in order to establish an idea that the

⁴⁸ On 16 March 2012 Somalia Report reported that TFG troops "backed by African Union peacekeeping forces (AMISOM) advanced into al-Shabaab's remaining strongholds northeast of Mogadishu, seizing the areas from the militants". It was reported that the event occurred "as overnight clashes between the warring sides occurred near Mogadishu University and Maslah, a military compound on the outskirts of Suuqa-holaha neighborhood in Huriwa district." However in an update it was reported that "Witnesses told Somalia Report that suspected al-Shabaab fighters launched what seemed to be a counter-attack and fired rockets at the bases of the allied forces, around the areas of Galgalato [north east of Mogadishu] on Friday evening. Both sides exchanged heavy shelling for approximately 30 minutes late this evening as lights from the mortars could be seen over the area, according to the residents. Somalia Report, *TFG-AMISOM Seize Remaining Areas of Mogadishu*, 16 March 2012.

http://www.somaliareport.com/index.php/post/3086/TFG-AMISOM_Seize_Remaining_Areas_of_Mogadishu

TFG is prepared and capable to take over control of the city and the Hiran region. However, it was emphasized that the TFG does not have a noteworthy military presence in Belet Weyne. The TFG is allied with the Governor of Hiran region, a former livestock trader, and it enjoys some political influence in the area; however everything is uncertain at the moment in Belet Weyne.⁴⁹

2.2 Military operations in South-West Somalia by the Kenyan army

On 21 March 2012 OCHA reported in its Humanitarian Bulletin that “the Kenyan Defence Forces ended Operation Linda Nchi (OLN) on 17 March and announced the beginning of its operation under AMISOM. Kenya will take 16 of the 85 agreed positions in the military council of AMISOM, based in Mogadishu, while the remaining 69 slots will be filled by other African nations. The AMISOM force is now comprised of 12,031 Ugandan and Burundi soldiers, 4,660 Kenyans, 1,000 from Djibouti and 850 from Sierra Leone. The OLN lasted 154 days and captured almost 20 towns, over 95,000 square kilometres of land under Al-Shabaab in parts of Gedo, Middle and Lower Juba regions.”⁵⁰

UNHCR Somalia stated that the Kenyan army and air force have attacked Al-Shabaab strongholds in south-western Somalia, and UNHCR Somalia expressed concern about the civilian casualty recent air strikes by the Kenyan air force in Lower Juba region.

According to UNHCR Somalia the Kenyans army has been unable to consolidate its positions inside Somalia in alliance with local militias, for example the Ras Kamboni, a largely Ogadeni-dominated militia formerly allied with Al-Shabaab. However, such an alliance may prove very dangerous as it could lead to clan based battles in for example Kismayo. UNHCR Somalia stated that it did not consider it realistic that the Kenyan forces would be able to capture Kismayo within the next few months. The Kenyan forces needs to be re-hatted under AMISOM before they will able to go any further. Following the UN Security Council Resolution 2036 (2012) of 22 February 2012 Kenya agreed to join the AMISOM.⁵¹

Regarding Kenyan troops in south-western Somalia, an international organisation (A) stated that there are far fewer Kenyan troops deployed in Somalia than reported by the Kenyan military. The main problem with the Kenyan troops is that they are not in Somalia in order to protect civilians, and they often fight through Somali allies and proxies.

⁴⁹ Somalia Report, *AMISOM to Move Beyond Mogadishu*, 14 March 2012. http://www.somaliareport.com/index.php/post/3071/AMISOM_to_Move_Beyond_Mogadishu

⁵⁰ OCHA, *Humanitarian Bulletin, Somalia*, Issue 03. 21 March 2012. <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1326321>

⁵¹ BBC news reported on 22 February 2012 that The African Union mission [AMISOM] already in the country is made up of troops from Burundi, Uganda and Djibouti but will take in Kenyan soldiers now fighting in Somalia. *UN to bolster Somalia peacekeeping force Amisom*. 22 February 2012. <http://www.bbc.co.uk/news/world-africa-17120912>. The UN Security Council Resolution 2036 (2012) of 22 February 2012 states that the Security Council is “Welcoming the willingness of the Government of Kenya for Kenyan forces to be incorporated into AMISOM and so to contribute to the implementation of AMISOM’s mandate as set out in paragraph 9 of resolution 1772 (2007) and this resolution”.

An international organisation (A) explained that Kenyan troops are repeatedly attacked by Al-Shabaab from behind the front line and this shows that the Kenyan strategy is not particularly productive.

Rashid Abdi, an independent Horn of Africa Analyst explained that there are many different reasons for Kenya's military involvement in Somalia. The number one reason for Kenya to engage in south-western Somalia was to demonstrate military force and to assert its military strength in the region. Kenya may have a strong regional role in terms of economy but not in terms of military. It was added that it may not be high on Kenya's agenda to establish a stable buffer zone along its borders with Somalia any longer.

An international NGO (A) explained that probably the worst scenario of what may happen in S-C Somalia is in Lower Juba and the regional city of Kismayo. If the Kenyan troops liberate Lower Juba (and Kismayo) from Al-Shabaab control, a major and a very complex conflict may take place in the whole region of Lower Juba. The clan situation in Lower Juba has always been complex and Kenya may have allied itself with a wrong clan when it established an alliance with the Ogaden-clan of Lower Juba. An international NGO (A) added that one cannot expect Kenya to pull out soon from this area. However, Kenya may seek support from the AU and let AMISOM take over in Lower Juba.

On 2 March 2012 Somalia Report reported that "at least 22 people were killed when an airstrike from suspected Kenyan planes struck an area called Irida, 25 km from Garbaharey in the Gedo region on Friday. Somalia Report further reported that Kenyan fighter planes launched an air strike at an al-Shabaab base in a remote area near Garbaharey, and killed more than 22 al-Shabaab fighters, while others fled."⁵²

2.3 Military operations in Central Somalia by the Ethiopian army

UNHCR Somalia stated that the Ethiopian army is present in the area along the Somali-Ethiopian border and it has begun making advance deeper inside Somalia including the strategic town of Belet Weyne. People in this city are complaining over the curfew which hampers their daily lives. UNHCR Somalia considered the curfew to be a serious human rights violation. In addition the Ethiopians are arresting and detaining Al-Shabaab suspects, and they also cooperate with local militias such as ASWJ and SVA that both have been reported to arrest Al-Shabaab suspects and they carry out summary executions. However, UNHCR Somalia explained that the Ethiopians are known for their ability to stabilize the security situation in areas under their control through draconian measures.

⁵² Somalia Report, *Suspected Kenyan Airstrikes Kill More Than 20*, 2 March 2012.
http://www.somaliareport.com/index.php/post/2976/Suspected_Kenyan_Airstrikes_Kill_More_Than_20

Bediako Buahene, OCHA explained that the Ethiopian military has taken control of Belet Weyne and the northern parts of Hiran region.

An international organisation (A) stated that the Ethiopian army will not move further south beyond Belet Weyne as it expects Al-Shabaab to disappear when Ethiopian troops move towards its fighters. Therefore there is a risk that small Al-Shabaab groups may attempt to attack the Ethiopians from behind the frontline. Both the Ethiopians and Kenyans strive to look for loyal local militias to take over the areas they have liberated from Al-Shabaab, but find it difficult.

Rashid Abdi stated that the role of Ethiopia in central Somalia is very dangerous. Ethiopia never left central Somalia after its occupation in 2007. However, Ethiopia now wants to pull out its troops from central Somalia and leave the area to AMISOM. Since 2009 the Ethiopian army has established between 15 and 20 military outposts in central Somalia. These outposts are close to the Ethiopian border and are manned with 200 soldiers stationed at each post. Altogether Ethiopia has deployed approximately 10,000 soldiers in central Somalia.

According to Stig Jarle Hansen Ethiopia has only deployed approximately 5,000 soldiers in S-C Somalia [as of mid-April 2012].

Rashid Abdi explained that Ethiopia has been desperate to maintain a stable buffer zone in Somalia but it has now realised that this is not possible. Therefore Ethiopia now wants AMISOM to take over the areas. It was reiterated that Ethiopia will never succeed in establishing a stable buffer zone. According to Rashid Abdi the Ethiopian army still has an imperial mindset which makes it unpopular in the areas where it operates. The Ethiopian army never secured the support from the Somalia people.

Regarding Ethiopia's presence in S-C Somalia an international NGO (A) considered that an Ethiopian army would never accept to let its troops in Somalia be commanded by a foreign power, i.e. AMISOM. Ethiopia's army is imperial in its nature.

2.4 Eritrean engagement in South-Central Somalia

Rashid Abdi explained that the Eritrean engagement in Somalia has been diminishing. However, Eritrea remains a spoiler as long as its border problem with Ethiopia is not resolved. However, Eritrea is not key to insurgency in S-C Somalia.

When asked if Eritrea is to be considered a political spoiler in S/C Somalia, and if Eritrea is actively engaged in the armed conflict Stig Jarle Hansen explained that Eritrea is engaged to "a less extent than many believe it to be", and added that Eritrea's main ally is Hassan Dahir Aweys, who remain a bit on the side of the Shabaab. The latter is not strong."

3 Human rights issues in South-Central Somalia, including Mogadishu

An international organisation (C) stated that verification of incidents is the major challenge when it comes to monitoring human rights violations in Somalia and that not all incidents reported can be verified. Many reports are provided by local NGOs. Clan dynamics need to be factored when receiving and verifying reported incidents.

An international organisation (C) explained that its human rights unit faces significant challenges in terms of monitoring human rights violations across the entire Somalia and particularly in S-C Somalia and Puntland, because of the severe security and access restrictions that impact the work they are able to do. The international organisation (C) has experienced more restrictions on its operations in Somalia than anywhere else in the world. The security situation makes it extremely difficult to operate. In order to move around in Mogadishu it is necessary to have the protection of AMISOM military forces, which are also fighting forces in Somalia. Such arrangements were, according to the international organisation (C) more restrictive than what is currently required in similar operations in Iraq and Afghanistan.

The international organisation (C) explained that amongst the most frequent human rights violations in S-C Somalia are arbitrary/unlawful arrest and detention, lack of fair trial, unavailability of remedy and redress measures, and a general lack of institutions, legislations and policies to ensure promotion and protection of human rights. However, it was added that when Al-Shabaab controlled most of Mogadishu there was no space for discussions or conversations on the issue of human rights violations.

The international organisation (C) stated that with the current TFG administration it is possible to discuss human rights violations. In general the human rights situation is not dramatically better but it is possible for human rights organisations and other civil society groups to work in the present space provided by AMISOM and the TFG. Daily life in Mogadishu may not have changed dramatically since August 2011, but at least there is now space for discussions and there is also a certain degree of optimism. However, people are living on the edge of a knife and they closely follow any signs of political change in order to adapt to whatever situation that may come about. People are now confident that Al-Shabaab has left Mogadishu for good and they are looking for new opportunities.

When asked if it does make any sense to believe that Somalia will go forward from this an international NGO (B) stated that “optimism is the only hope there is”. No one any longer thinks Al-Shabaab can be part of a solution in Somalia. The areas controlled by Al-Shabaab are virtually dead with no business and a population fed up with Al-Shabaab, its destructive policies and fighting in general.

Peter Klansø, Regional Director, DRC, confirmed that there is general optimism in Mogadishu but also a high degree of uncertainty about the future. It is positive that people are returning to

Mogadishu, including people from the Diaspora. Business is booming in the city and the police force has been trained. However, even though the TFG has numerous trained police officers at its disposal, these police officers have very little influence due to the power of the DCs and their militias. On the other hand newly established safe areas and the increasing activities by the international community is a positive sign.

According to Elman Peace and Human Rights Center (EPHRC), a local NGO in Mogadishu it is a major challenge for NGOs addressing human rights violations in S-C Somalia that the international community does not focus on human rights issues, including awareness raising. EPHRC considered the latter to be an important issue. The international community almost exclusively focuses on development projects.

Peter Klansø, DRC explained that the DRC via its 25 local NGO partners in Somalia monitors forced recruitment and other human rights violations committed against children and reports the incidents and figures to UNICEF. It was added that these reviews are the most systematic reports of human rights violations and the perpetrators. AMISOM also monitors human rights violations but occasionally the DRC has not been able to verify these incidents. However, on many occasions AMISOM's reports have proven wrong and they have almost exclusively focused on violations committed by Al-Shabaab.

A UN organisation referred to the recent power struggle which take place in many areas of S-C Somalia. Many women, children and elders are caught up in this struggle and they are all vulnerable to abuse and at risk of human rights violations.

Regarding human rights violations in areas under control of or influenced by the Kenyan, Ethiopian and AMISOM forces UNHCR Somalia stated that due to the withdrawal of Al-Shabaab from the large part of Mogadishu, the impact of indirect fire on the civilian population is less in the city centre of Mogadishu, as AMISOM engages with Al-Shabaab now at the outskirts of Mogadishu.

Regarding human rights monitoring a UN organisation explained that it is difficult to monitor human rights violations in areas that recently have come under the control of the TFG, and one can only hope to get the best possible picture. The UN organisation referred to the present situation in Belet Weyne which is extremely volatile as clan based militias are fighting each other. Monitoring human rights violations in such an area is complicated and risky.

The UN organisation considered that the recent investments in military operations in S-C Somalia raise many questions as to how this process can be and is being monitored. Presently security is a main concern, but it is equally important that monitoring of human rights issues and violations takes place in S-C Somalia.

When asked how the UN organisation monitors human rights in S-C Somalia the UN organisation explained that the UN has established a UN Country Task Force on Monitoring & Reporting Mechanism (MRM) on Grave Child Rights Violations under the mechanism established by Security

Council resolution 1612 and 1882. The UN organisation supports this MRM through a partnership and a network of monitors who monitor and report on such violations in most areas of S-C Somalia.

The UN organisation has received reports of TFG police rounding up dozens of children in Mogadishu and detaining them. The police would then force the parents to pay for their release. When asked when these incidents took place the UN organisation stated that unverified reports received state that there are occasions when children and others are rounded up by officials and detained on bogus charges. TFG officials would then demand money from relatives to secure release without due process. According to reports by the UN Country Task Force on MRM there are cases concerning the abduction of children and recruitment of girls by Puntland authorities.

A local NGO (B) in Mogadishu explained that it operates in partnership with UNHCR and the international NGO Norwegian Refugee Council (NRC). The focus of the local NGO (B) is on protection and livelihood, and the local NGO (B) has offices in five districts (Shingani, Bondhere, Abdiaziz, Karaan and Shibis) of Mogadishu as well as six offices in the Middle Shabelle region.

The local NGO (B) in Mogadishu monitors human rights violations in five districts of Mogadishu (Shingani, Bondhere, Abdiaziz, Karaan and Shibis) and the local NGO (B) reports to UNHCR and NRC in Nairobi on a daily basis. Each month the local NGO (B) meets with UNHCR and NRC as well as with the UN Protection Cluster Unit in Mogadishu.

When asked how human rights monitoring takes place in Mogadishu the local NGO (B) explained that it is continuously in contact with the police, religious leaders, elders, local communities and international as well as other local NGOs in Mogadishu. On a daily basis between six and ten human rights violations are being recorded in the five districts where the local NGO (B) is monitoring. The violations are often related to domestic violence, forced recruitment/child soldiers, kidnappings for ransom, discrimination of members of minority groups/clans and torture. The local NGO (B) explained that these human rights violations are committed by individuals, the TFG police and soldiers, Al-Shabaab, and free-lance militias, some of which are clan based and led by warlords. The latter establish checkpoints where they extract money from people who are passing through. In addition these militias now and then fire at people when there is food distribution and sometimes they loot food from the people. However, these militias are supporting the TFG and some of the warlords are also members of the Parliament.

The local NGO (B) in Mogadishu stated that as a result of the fighting between Al-Shabaab and AMISOM/TFG forces many women and children are facing malnutrition, insecurity, rape, harassments and torture. In addition there are free-lance militias which are theoretically under the control of the TFG. However, these militias also operate on their own.

According to the local NGO (B) in Mogadishu the human rights and the security situation in Mogadishu is generally better today than when Al-Shabaab was in control of Mogadishu. However,

the local NGO (B) would not say that today the human rights and the security situation in Mogadishu is good, only gradually improving.

A UN organisation considered it essential that asylum claims by Somalis is seen in a larger context than the specific motive of asylum. The point being that in determining asylum claims and applying the criteria under the 1951 Refugee Convention and 1967 Protocol requires that the context of Somalia is taken into account. In particular the generalized situation in S-C Somalia around the prevalence of unregulated militias and other armed groups, who are not part of the State machinery, needs to be taken into account. This, together with the generalized situation of violence in S-C Somalia and the presence of vulnerable groups within this context needs to be specifically addressed.

It should be noted that Human Rights Watch (HRW) and Amnesty International (AI) have published extensive reports on human rights violations committed by all parties to the conflict in Somalia.⁵³

3.1 Human rights issues in Al-Shabaab controlled areas

UNHCR Somalia stated that Al-Shabaab is far better to secure law and order than the TFG, as it is more disciplined and efficient. However, its law and order is maintained by terror, amputations, beheadings and other human rights violations, and a very strict interpretation of Islamic law. Also, arbitrary taxation and forced military recruitment are reportedly rampant in areas controlled by Al-Shabaab. UNHCR Somalia emphasized that people living and travelling in areas controlled by Al-Shabaab mostly accept the rules and punishments by Al-Shabaab out of fear and adaptation, and not out of sympathy or respect for the organisation.

An international NGO (A) explained that Al-Shabaab originally was a small branch of the ICU and initially Al-Shabaab only had control of rather small territories in S-C Somalia. However, when Al-Shabaab began to include various Islamic factions and militias in S-C Somalia it started to grow in strength and it enjoyed some popularity in Somalia. One reason for this popularity was the fact that Al-Shabaab established a certain level of security. However its interpretation of Islamic law became stricter and stricter over time. Initially Al-Shabaab's interpretation of Sharia law was radical and translated into a harsh rule of law for the Somali people, but when it became part of the international Islamic network it became much more radical. An international NGO (A) stated that between 2008 and 2010 the policies of Al-Shabaab were more flexible and Al-Shabaab's central command were enforcing NGO "laws" to a lesser extent and therefore more acceptable to the international organisations operating in Somalia. It was clearly less acceptable to the NGOs

⁵³ Human Rights Watch, *No Place for Children: Child Recruitment, Forced Marriage, and Attacks on Schools in Somalia*, 20 February 2012. <http://www.hrw.org/reports/2012/02/20/no-place-children>. Human Rights Watch, *World Report 2012*, 22 January 2012. <http://www.hrw.org/world-report-2012/Somalia>. Amnesty International, *Somalia: African Union: Put protection of civilians at the Forefront of Efforts to Address Peace and Security in Somalia [AFR 52/001/2012]*, 25 January 2012. <http://www.amnesty.org/en/library/asset/AFR52/001/2012/en/4a8b41d7-b353-4100-91cd-df384f77f4bb/af520012012en.pdf>. Amnesty International, *A humanitarian and human rights catastrophe*, 26 September 2011. <http://www.amnesty.org/en/library/info/AFR52/012/2011/en>

working in Somali when Al-Shabaab began to demand tax of the NGOs. However, then Al-Shabaab declared itself a government with its own police force and established different ministries and a rather well structured administration. From then on and up to August 2011 Al-Shabaab was in control of most of S-C Somalia, including large parts of Mogadishu.

When asked if Al-Shabaab is based on specific clan affiliations an international NGO (A) stated that there are various understandings of this. Officially Al-Shabaab does not recruit along clan lines. However, at the local level it is likely that clan issues influence recruitments and that particular clans contribute more to Al-Shabaab than others.

An international NGO (A) reiterated that in contrast to the TFG Al-Shabaab has adopted a policy by which it does not accept clan influences. On the other hand, the situation today is that Al-Shabaab is subject to clan disputes and tensions within itself. An international NGO (A) considered that the coming months will see a revival and an increase of clan tensions within Al-Shabaab as well as a revival of clan tensions between Al-Shabaab supporting clans and clans who do not support Al-Shabaab. In general one will see an increase in the rivalries and tensions along clan lines in S-C Somalia.

3.1.1 Forced recruitment of minors

Regarding forced recruitment by Al-Shabaab, an international organisation (A) explained that this is an ever increasing problem in all areas of S-C Somalia, but only in areas controlled by Al-Shabaab. This increase is due to the pressure put on Al-Shabaab by the AMISOM/TFG forces as well as invading forces from Kenya and Ethiopia.

Bediako Buahene, Policy and Protection, OCHA made the point that he had personally heard some women living in Al-Shabaab controlled areas state that what they feared most was that their sons would be forcibly recruited to Al-Shabaab militias. Forced recruitment in militias is a common feature in Al-Shabaab controlled areas, and as Al-Shabaab is now under pressure in many places forced recruitment is an ever increasing issue. Forced recruitment may take place among teenagers and even persons of 20 to 25 years of age may be recruited.

Regarding forced recruitment by Al-Shabaab, a UN organisation explained that this is a common phenomenon. Sometimes Al-Shabaab undertakes round-ups in villages and recruits youngsters in large numbers. There are reports of Al-Shabaab having recruited between 200 and 250 youngsters at one time. Many of these are forcibly recruited but many are also joining Al-Shabaab through coercion or persuasion. However, it is normally poverty that drives youngsters to join Al-Shabaab as they anticipate a better life by joining. Being an Al-Shabaab fighter is a survival strategy for many children and youngsters. It was added that Al-Shabaab also use schools in S-C Somalia as recruiting ground for its forces.

A significant proportion of Al-Shabaab fighters at the frontlines are minors, according to the UN organisation. It is often in connection with huge losses that Al-Shabaab recruits new fighters, many

of them children. As Al-Shabaab is presently under extreme pressure from AMISOM, the TFG, Kenya and Ethiopia, and forced recruitment to Al-Shabaab have become a major issue.

When asked if Somali clans can protect its men/minors against forced recruitment by Al-Shabaab, a UN organisation explained that there is some anecdotal evidence that communities in Al-Shabaab controlled areas have placed huge pressure on clan elders to address mass recruitment by Al-Shabaab of their children, and in some instances clan elders have advocated with Al-Shabaab to release their children but in many instances this is not possible due to fear repercussion from Al-Shabaab. However, what is important is that in many Al-Shabaab controlled areas clans are sympathetic to Al-Shabaab and this together with sheer poverty situations means that children are easy prey for Al-Shabaab recruitment and use. Furthermore, in Somalia a child is only a person under 15, i.e. once 15 they are not seen as children any longer and they can marry, fight etc., and this is contrary to the Convention on the Rights of the Child (CRC). According to the UN organisation the issue is not just one of protection but a combination of factors as set out in the CRC.

3.1.1.1 Forced recruitment in Mogadishu

An international organisation (B) stated that Al-Shabaab does not forcibly recruit persons in Mogadishu but this is more likely in other rural areas of south-central Somalia. Al-Shabaab is unable to undertake forced recruitment in areas which it does not control. However, in the rural areas there are IDPs and other poor people who are unable to pay the taxes levied on them by Al-Shabaab and they have, in some cases, had to give their sons to Al-Shabaab who will use them as fighters. Some families have sent their sons to Nairobi or other places in order to avoid their recruitment to Al-Shabaab. Al-Shabaab actively recruits in Kenya and surrounding countries. In fact Kenyans (non Somali Kenyans) make up a large portion of Al-Shabaab fighters lured by regular pay.

Laurel Patterson, Head of Partnerships & Planning Unit, Assistant Country Director, UNDP Somalia stated that forced recruitment by Al-Shabaab does not take place within Mogadishu as Al-Shabaab has no control of the city, thus it has no ability to do so. Al-Shabaab does maintain a presence in Mogadishu, but in a clandestine way and not in direct control of any area within the city. It was added that Al-Shabaab definitely has a presence and control of some areas outside Mogadishu.

3.1.2 Forced marriage

Regarding forced marriage EPHRC, a local NGO in Mogadishu explained that there are many young women and girls who are being forced to marry Al-Shabaab fighters.

Bediako Buahene, OCHA stated that forced marriage is a huge issue in areas controlled by Al-Shabaab. Girls and women are being married off to fighters in an attempt to ensure that fighters do not defect from Al-Shabaab.

A UN organisation explained that it has received reports of Al-Shabaab encouraging its young fighters to marry girls in order to ensure that the fighter does not defect. Such marriages are often not voluntary. The UN organisation has also received reports of young girls being forced into marriages with adults and much older men. Al-Shabaab believes that it is much more difficult for a married fighter to defect as he would have to leave his wife and children behind. In addition, by this strategy Al-Shabaab also ensures that it has a potential defector's wife and children as hostages, thus making it difficult to defect.

On the other hand there are also examples of elderly Al-Shabaab fighters and commanders forcing young women, including minors to marry them. If the family of the woman or girl declines, or if the woman or girl herself declines she risks being killed by Al-Shabaab. Girls and women have been stoned to death on such accounts and this occurs even today.

When asked if Somali clans can protect its women/girls against forced marriage with Al-Shabaab fighters/members a UN organisation explained that they do not have much information on this issue, save that in Al-Shabaab controlled areas clans do not seem to have much power to protect girls from forced marriage. However, there is some anecdotal evidence that communities in Al-Shabaab controlled areas have placed huge pressure on clan elders to address forced marriage with Al-Shabaab fighters/members, and in some instances clan elders have advocated with Al-Shabaab to prevent the marriage but in many instances this is not possible due to fear repercussion from Al-Shabaab. However, what is important is that in many Al-Shabaab controlled areas clans are sympathetic to Al-Shabaab and this together with sheer poverty situations means that women/girls are easy victims for forced marriage with Al-Shabaab fighters/members. Furthermore, in Somalia a child is only a person under 15, i.e. once 15 they are not seen as children any longer and they can marry, fight etc.

3.1.3 Non-Islamic behaviour

Regarding non-Islamic behaviour a UN organisation stated that it is well documented how Al-Shabaab punish such behaviour. HRW as well as AI has published reports on this issue.⁵⁴

According to UNHCR Somalia Al-Shabaab's sanctions and pressure towards those perceived as conducting non-Islamic behaviour is no longer an issue in Mogadishu. Al-Shabaab has little influence on these issues in the city.

⁵⁴ Human Rights Watch, *No Place for Children: Child Recruitment, Forced Marriage, and Attacks on Schools in Somalia*, 20 February 2012. <http://www.hrw.org/reports/2012/02/20/no-place-children>. Human Rights Watch, *World Report 2012*, 22 January 2012. <http://www.hrw.org/world-report-2012/Somalia>. Amnesty International, *Somalia: African Union: Put protection of civilians at the Forefront of Efforts to Address Peace and Security in Somalia [AFR 52/001/2012]*, 25 January 2012. <http://www.amnesty.org/en/library/asset/AFR52/001/2012/en/4a8b41d7-b353-4100-91cd-df384f77f4bb/af520012012en.pdf>. Amnesty International, *A humanitarian and human rights catastrophe*, 26 September 2011. <http://www.amnesty.org/en/library/info/AFR52/012/2011/en>

Stig Jarle Hansen, Associate Professor/Head of the International Relations Program, Norwegian University of Life Sciences stated that Al-Shabaab still have some influence in the districts of Deynile and possibly Huriwa.

3.2 Human rights issues in TFG/AMISOM controlled areas

Regarding the changing security and human rights situation in S-C Somalia Peter Klansø, Regional Director, DRC, considered that the changing power balance will imply that people will flee because of new concerns. Some people will claim as a motive of asylum that they disagree with the authorities, including the TFG, while others may claim that they are at risk of persecution because they have exposed themselves by making political statements in public. In addition there will be persons who claim asylum abroad because they worked for international or national NGOs, and such claims may be well founded, according to Peter Klansø.

An international NGO (B) stated that TFG soldiers are in general undisciplined and they commit human rights violations. There are reports of TFG soldiers having committed rape, robbery and looting as well as other forms of abuses, including shooting of civilians in IDP camps and in other areas controlled by the TFG.

An international organisation (C) explained that when AMISOM, Kenyan forces or Ethiopian forces seize an individual suspected to be a combatant they will most likely hand over the person arrested to the TFG army or the TFG police or to the NSA, or their allied forces. It was added that the human rights unit of the international organisation (C) was not aware what happens to those individuals and how many are actually arrested. However, it was emphasized that all TFG allied forces hand-over suspects, and this includes AMISOM, the Kenyan and the Ethiopian forces.

An international organisation (C) stated that it has conducted a first visit in late February 2012 to Mogadishu Central Prison via the Ministry of Justice. The Custodial Department under the Ministry of Justice have informed that as of February 2012 there are 11 women, 32 children below the age of 18 in Mogadishu Central Prison. Some of the inmates have been sentenced by military courts, even if they are civilians, including some of the female inmates. Capacity to prevent torture and mistreatment in detention is limited and there are no preventive mechanisms, despite the fact the Somalia is a party to the Convention against Torture.

An international organisation (C) explained that the TFG Ministry of Justice have established a Human Rights Unit that consists of one female staff. The effective capacity of such a small office to influence policies is in doubt.

When asked if the TFG forces commit human rights violations an international NGO (A) explained that the TFG acts as any other government under pressure would act, namely by being harsh on its own population.

An international NGO (B) stated that the establishment of military courts have somehow reduced the human rights violations committed by the TFG soldiers.

When asked if human rights violations occur in the newly liberated areas Bediako Buahene, OCHA stated that OCHA does not receive such reports. However, there are a lot of reports of GBV being committed by all parties to the conflict, as is targeted assassinations of people suspected of supporting one side or the other.

The war is not ideological, according to Bediako Buahene, OCHA. Most battles between the TFG and its allies and Al-Shabaab are brief, and people flee only temporarily and return to their place of origin when the fighting is over, irrespectively of who won the battle. It was added civilians are not deliberately targeted during these fights, though there have been allegations in the past that Al-Shabaab has used the civilian population as a shield against attack from AMISOM and TFG forces.

Bediako Buahene, OCHA stated that AMISOM does not recruit Somali nationals into its forces. It was added that on the average AMISOM does not conduct regular and constant patrols on foot and as a result has very little engagement with the local community. Apparently only Burundian contingents seem to undertake foot patrols. When asked if the AMISOM arrest persons suspected of affiliation with or sympathy for Al-Shabaab Bediako Buahene, OCHA stated he cannot confirm that.

An international NGO (B) stated that AMISOM soldiers do not detain or arrest individuals, only the TFG does that.

Regarding arbitrary killings Bediako Buahene, OCHA explained that there are no accounts of AMISOM being held responsible for having committed arbitrary killings in Somalia. It was added that – with a few exceptions – the TFG army and the TFG police force enjoy complete impunity.⁵⁵

An international organisation (B) explained that TFG soldiers generally enjoy impunity. Although there have been incidents where TFG soldiers have been tried and sentenced to death and subsequently executed but more so for killing fellow soldiers.

When asked if acts of revenge in areas liberated from Al-Shabaab occurs, an international organisation (A) stated that there are no reports on massive revenge acts committed by TFG or AMISOM soldiers, but there are reports of suspicion among people and there are personal scores that have been settled, and individuals have been reported to the NSA. However, it was reiterated that this is not taking place on a massive scale.

⁵⁵ On 18 March 2012 Somalia Report published an interview with the Mogadishu Police When asked about what challenges his police face, the Chief of Police stated as an example that “the police are keeping order in a community that is used to lawless environment. There is high degree of ignorance among the people. A person twenty years of age will tell you he has never seen anything to do with rules or constitutions so how do you expect such person to obey laws of the country”. When confronted with allegations from residents of Mogadishu that the police harass, shoot and loot people, the Police Chief stated that “those are false accusations and any complaints that comes to our attention, we deal with appropriately. People have not adopted to this system and that is where harassment comes from. Our forces are committed to serving their community without any harassment.” Somalia Report, *Interview with Mogadishu Police Chief*, 28 March 2012. http://www.somaliareport.com/index.php/post/3057/Interview_with_Mogadishu_Police_Chief

Bediako Buahene, OCHA explained that whenever there is a vacuum of political and/or military power there is a risk that clan based acts of revenge and settling of personal scores will take place. This is a worrisome and dangerous development and it could ultimately lead to a return of clan-based militia warfare as was the case before Al-Shabaab took control of most of S-C Somalia.

When asked about human rights violations committed by TFG authorities, including risk of forced recruitment to TFG forces and arrests of persons perceived of Al-Shabaab affiliation Rashid Abdi, an independent Horn of Africa Analyst explained that there is a growing body of credible evidence, gathered by independent researchers, which show human right abuses in TFG-controlled areas of the city is routine and systematic. Violent interrogation techniques and torture is widespread. Much of the abuse takes place at secret detention facilities run by the TFG. One such facility, near the presidency at Villa Somalia, is especially notorious and has been cited in a number of testimonies as the biggest torture chamber in Somalia. Hundreds of prisoners are believed to be held at the facility, most of them Al-Shabaab ex-combatants, some of them barely in their teens. The government has often dismissed the reports, and, so far, refused to allow independent investigators to ascertain the claims. Child recruitment into the TFG security forces – often coerced – has been the norm for a number of years, but is now diminishing, owing to international pressure. The current PM has been more energetic in seeking to stamp out the practice.

Bediako Buahene, OCHA stated that everybody knows the likelihood of being held accountable for criminal acts is very low, and everybody act accordingly. The TFG tries to curb this behaviour and there are reports of TFG soldiers being arrested and executed for unauthorized shootings and killings at checkpoints in Mogadishu.

Bediako Buahene, OCHA explained that AMISOM's employment of heavy artillery and tanks has not meant that AMISOM deliberately targeted civilians, however AMISOM have been very close to committing what could be described as war crimes as the Ugandans did not take the risk of civilian casualties into consideration when firing on Al-Shabaab, who were hiding in urban, built-up areas of Mogadishu. Bediako Buahene, OCHA compared this warfare with the fighting that took place between the Ethiopians and the [Union of] Islamic Courts in 2007 when the Ethiopians often fired directly on civilians. This often happened when the [Union of] Islamic Courts fired from amidst civilians on Ethiopian troops and the Ethiopians fired back. Bediako Buahene, OCHA emphasized that this type of warfare does not occur to the same extent today as the fighting now takes place outside of Mogadishu and not in the city, because as of August 2011, Al-Shabaab withdrew from most parts of the city. Bediako Buahene, OCHA added that civilian casualties may have decreased in Mogadishu because of this, but he had no figures to verify his assumption. However, it is still an issue that anyone being in the wrong place at the wrong time may be at risk of being killed or wounded. Bediako Buahene, OCHA reiterated that AMISOM has an indirect fire policy but it is not clear whether it is being implemented. What is clear is that AMISOM seems to have reduced the indiscriminate firing into civilian areas but that may be a reflection of the fighting having moved to the outskirts of Mogadishu, rather than a concerted policy.

Regarding AMISOM's fire policy UN News Service reported on 27 March 2012 that a UNHCR spokesperson had noted that "pro-government forces are implementing practices to reduce the impact of indirect fire on the civilian population, such as when civilians were given advance notice of a recent military activity in the Afgooye corridor, on Mogadishu's outskirts, which allowed them to vacate the area safely."⁵⁶

An international NGO (B) stated that the Burundian AMISOM soldiers are more professional than the Ugandan AMISOM soldiers. The Ugandans have been known to use whatever means at their disposal when attacking Al-Shabaab positions in an area, often resulting in indiscriminate firing into the civilian population. This is a strategy very similar to the one applied by the Ethiopian forces when they fought against the Union of Islamic Courts (UIC) in Mogadishu in 2007. The Burundian soldiers would be more protective of civilians and only fire directly at their enemies.

When asked if people are provoked by AMISOM and its warfare in Mogadishu Bediako Buahene, OCHA explained that resentment against AMISOM was only related to its previous shelling inside the city and not to the presence of AMISOM soldiers. Bediako Buahene, OCHA added that the UN hired professional media people, the AU-UN Information Support Team, whose task is to improve the image of AMISOM, and it seems as if this has been successfully achieved. The radio station Bar Kulan funded by the UN is also part of AMISOM's propaganda machine.

3.2.1 Human rights issues related to NGO and civil society activists

When asked if local and international NGOs can operate freely in Mogadishu Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir region stated that there are a large number of local NGOs in the city. Some of these local NGOs have become pure business and in most cases no one knows what they are doing. However, as lawlessness, i.e. Al-Shabaab's rules and laws have disappeared from Mogadishu these NGOs operate without interference.

According to an international NGO (B), staff members of the UN, NGOs, civil society actors, journalists as well as TFG soldiers and police forces are all targets of Al-Shabaab insurgents and professional killers. The NSA and other TFG intelligence forces are not well functioning and this is the main reason why the aforementioned persons and groups are in real risk of being attacked by Al-Shabaab.

An international NGO (B) explained that the NGO operates throughout Somalia. It was added that the ongoing military developments in S-C Somalia affects the activities of the NGO in S-C Somalia. The international NGO (B) explained that the direct implementation of its programmes in S-C Somalia has been affected by Al-Shabaab. In areas outside Al-Shabaab control the NGO remains fully operational.

⁵⁶ UN News Service, *UN calls for respect of civilians and aid agencies as mortar attacks continue in Mogadishu*, 27 March 2012. <http://www.unhcr.org/refworld/docid/4f75a1632.html>

EPHRC, a local NGO in Mogadishu explained that local NGOs in Mogadishu are not being harassed by the TFG or by ordinary people, but it is always a challenge to work for an NGO supporting women and one has to be prepared to accept some risks. When asked what kind of risks could be involved in this work EPHRC explained that there are risk involved as Al-Shabaab frequently employs young men or boys to undertake attacks inside Mogadishu and these attacks are often directed against NGOs and civil society groups. It was added that before august 2011 Mogadishu was divided between Al-Shabaab controlled areas and areas controlled by the TFG/AMISOM. Now the situation is more complex in the sense that Al-Shabaab can potentially strike anywhere in the city. However, the representative of EPHRC explained she fear Al-Shabaab but added that neither herself nor EPHRC have been directly threatened by Al-Shabaab. It was emphasized that should EPHRC receive threats from Al-Shabaab it would not be able to get protection from the government or by AMISOM.

When asking a local NGO (C) in Mogadishu whether it or other persons affiliated with NGOs and civil society actors had received threats from Al-Shabaab in Mogadishu the local NGO (C) stated that Al-Shabaab does not like civil society because they [perceive] civil society [actors] as Western spies.

An international NGO (A) stated that NGOs have rather difficult working conditions in areas where Al-Shabaab have withdrawn or have been ousted. This is due to the fact that obtaining the necessary protection and permissions to work are now often in the hands of various clan-based militias, either due to the power vacuum left by Al-Shabaab or to multiple power claims and general insecurity.

Regarding human rights violations committed against civil society actors, human rights activists as well as staff members of local and international NGOs in Mogadishu an international NGO (A) stated that in general such activists/staff members and their NGOs are not targeted by the TFG.

However, according to the international NGO (A) there are reports that NGO staff members or other civil society activists have been persecuted and/or harassed or even killed, but it is very difficult to estimate the extent of and reasons for these violations. It is evenly difficult to state whether any such violations are deliberate or arbitrary, and in addition it is often unclear whether a person/staff member has committed an offence or not. When asked if these incidents occurred only when Al-Shabaab was in control of Mogadishu, i.e. before August 2011 or if they also occurred after August 2011 when AMISOM and the TFG took control of Mogadishu an international NGO (A) stated that these incidents occurred before August 2011. Such incidents are much less common now and the primary targets today are TFG officials and journalists. When asked who commit these violations the international NGO (A) stated that is very difficult to know who is killing who in such cases and that the international NGO (A) refers to them as 'unknown pistolieres' and these could be TFG and/or Al-Shabaab members.

On the other hand, the international NGO (A) stated that a few local and international NGOs in S-C Somalia have well developed security procedures for its staff members, as security is a serious issue inside S-C Somalia. In general there is a 50/50 negative/positive perception of national staff

members of international and local NGOs among the population of Mogadishu. The perception depends very much of the position and profile of the individual staff member as well as the aims and type of projects undertaken by the NGO. It was added that the negative attitude towards international and local NGOs was very outspoken in areas where Al-Shabaab had control. An international NGO (A) explained that altogether WFP had 19 staff members killed in S-C Somalia in 2011. During the same year the international NGO (A) had some of its staff members arrested for not complying with rules laid down by Al-Shabaab.

Regarding threats against local staff working for international or national NGOs in S-C Somalia Peter Klansø, Regional Director, DRC, stated that for the international NGOs a typical conflict is between on the one hand, the rules and procedures of the international NGO to ensure a fair and consistent buying and distribution of relief aid, and on the other hand, the pressure from the local community to ensure that it also gets its fair share. In such a situation local staff members may be exposed to a substantial pressure from the local community, a pressure that can ultimately make it necessary to relocate or protect the individual outside of Somalia.

Peter Klansø, DRC added that another type of conflict may arise if an assistance programme is not appreciated by the authorities. Peter Klansø referred to a DRC staff member with responsibility for a conflict resolution programme in which a major part of the activities involved meetings with the elders. The programme was almost too great a success, as the former President of Puntland thought his legitimacy and authority was being undermined by the DRC staff member's meetings with the elders. In the end the President of Puntland threatened the DRC staff member to leave the country and DRC had to relocate the staff member to Yemen. The staff member did not return [to Puntland] until a new president of Puntland was sworn in.

Stig Jarle Hansen confirmed that the above mentioned issues is a major problem in Puntland.

3.2.2 Forced recruitment of minors

A UN organisation explained that recruitment of children is mainly perpetrated by Al-Shabaab. However, in areas liberated by the Ethiopian army, Somali militias are being integrated into the TFG forces. Many of these militias have children within their ranks and the concern is that these children will be integrated into the TFG forces too.

Regarding forced recruitment by the TFG Bediako Buahene, OCHA explained that there are reports that Somali youngsters were sent to Uganda to undergo training in order to be enrolled into the TFG army. However, some of these turned out to be minors and returned to Somalia. When this was reported the TFG stated that it would ensure that minors would not be sent to training in Uganda. Bediako Buahene, OCHA added that the most recent intake of 620 recruits to the TFG army almost exclusively involved highly qualified persons and none of these were minors. Bediako Buahene, OCHA doubted that the TFG recruits minors, but some of its allied militias do so. Whether one can speak of forced recruitment or not is tricky as these youngsters are tempted by the money they

might earn as a militia fighter, and most of these militias are not in need of making use of forced recruitment as many youngsters perceive recruitment as an option to make a living.

When asked if the Ethiopian forces are recruiting minors in Somalia a UN organisation expressed concern with the recent involvement of foreign troops in S-C Somalia, and stated that it is difficult to monitor this issue and in particular the issue of how foreign troops can monitor the use of children by Somali militias with whom they are working/fighting with.

3.2.3 Forced marriage and rape

EPHRC, a local NGO in Mogadishu stated that even in the TFG-controlled [areas of] Mogadishu young women and girls are subject to social and financial pressure to get them married against their own will. Women's rights are not respected, but there are a number of local NGOs which assist women who do not wish to marry or who have been divorced. EPHRC is one of those NGOs and EPHRC also referred to the NGO Sister Somalia's project 'A lifeline for rape victims in Mogadishu' by which a variety of services is provided to women affected by sexual violence. Among other things the assistance includes counselling, medical services and business starter kits.⁵⁷

Regarding the fate of victims of rape EPHRC stated that victims of rape are being stigmatized in Somali society but added that it is uncommon that a perpetrator is being forced to marry his victim. Neither is it common that the father and brother of a victim of rape evicts the victim from her own family. It was added that in most cases women would not know who the perpetrator is.

Amina Abdulkadir Arale, Representative, SWDC, a local NGO in Mogadishu explained that SWDC is an implementing partner of UNDP and UNHCR. SWDC focuses on women's and children's rights and monitors the situation of IDPs in Mogadishu and the surrounding areas. Most of the human rights violations registered by SWDC relate to GBV and these violations include rapes, killings and abductions. SWDC stated that the day before her meeting with the delegation altogether nine incidents of rape had been recorded, including the rape of a 12 year old girl. All these crimes had been committed by uniformed and armed individuals. Most victims of rape are IDPs and IDPs enjoy no protection or security in S-C Somalia. SWDC provides rape victims with basic emergency care and reports the case to the police.

Amina Abdulkadir Arale, SWDC explained that SWDC provides legal assistance to victims of GBV. Altogether 15 legal assistants and 4 lawyers are working for SWDC in Mogadishu. They report to the Benadir Regional Court and they make sure that the police are taking action on basis of their reports, i.e. that the perpetrators are being arrested.

⁵⁷ Sister Somalia launched in the summer of 2011 as a collaboration between Lisa Shannon, founder of A Thousand Sisters, Katy Grant, a seasoned aid worker and founder of Prism Partnerships, and Fartun Abdisalaan Adan, a human rights activist who heads the program in Mogadishu. <http://www.sistersomalia.org/>

3.3 Tracking down defectors from Al-Shabaab

Regarding the question of whether Al-Shabaab is capable of tracking down defectors or not an international NGO (A) stated that Al-Shabaab defectors are being tracked down by Al-Shabaab even in Mogadishu, and they are at serious risk of being killed. An international NGO (A) added that “you do not simply defect from Al-Shabaab”. However, it was added that now that Al-Shabaab is on the run, local Al-Shabaab leaders may seek for defection and use clan affiliation to cross over to the TFG side or become a civilian.

An international organisation (B) considered it unlikely that Al-Shabaab has the capacity and the will to track down defectors who reside in Mogadishu. However, whether this will take place or not depends on the specific circumstances. There is a genuine risk that this can happen if the defector had a high rank or occupied an important position within Al-Shabaab. If the defector had a position within Al-Shabaab’s secret service Amniyat he would be in real danger for being tracked down and killed. Those recruited to Amniyat are handpicked among seasoned Al-Shabaab fighters who will have a long experience from military campaigns as well as professional skills relevant to the activities of this secret service. Among other things Amniyat’s operations include counter-espionage and carrying out punishments, including assassination of Al-Shabaab defectors. Amniyat is also actively involved in indoctrination and recruitment of suicide attackers. Finally, Amniyat personnel also act as bodyguards for Al-Shabaab leaders.

Stig Jarle Hansen confirmed that defectors from Amniyat are in real danger of being tracked down and killed by Al-Shabaab, and added “maybe even in Nairobi”.

An international NGO (B) explained that Al-Shabaab will attempt to track down defectors hiding in Mogadishu since defectors could potentially provide information to the TFG, and this is a major concern to Al-Shabaab as the organisation is currently under military pressure.

When asked whether Al-Shabaab would attempt to track down any defector an international NGO (B) said “Yes”. When asked if this would also be the case irrespectively of the defector’s position within Al-Shabaab the international NGO said “Yes”.

When asked about the presence of Al-Shabaab or agents operating on behalf of Al-Shabaab in Mogadishu an international organisation (B) stated that it is difficult to estimate the extent of Al-Shabaab’s presence, but Al-Shabaab maintains a presence in Mogadishu including active terrorist cells, intelligence gathering operatives. It is a fact that Al-Shabaab makes use of so-called head spotters in Mogadishu and the loyalty of these spotters is usually based on cash payment by Al-Shabaab.

According to a UN organisation there are several reports of Al-Shabaab tracking down defectors. Al-Shabaab is particularly concerned that defectors would report to TFG intelligence agencies and that defectors may be used for the purpose of counter-intelligence. The UN organisation explained that even minors have been tracked down by Al-Shabaab abroad, including in the Dadaab Refugee

Camp in Kenya. The UN organisation added that it only has anecdotal evidence that Al-Shabaab defectors have been tracked down in Mogadishu.

According to the UN organisation Al-Shabaab is notorious for its capacity to track down defectors, not only in S-C Somalia but also in Puntland.

When asked if there are any recent reports of Al-Shabaab tracking down defectors residing in Mogadishu or in other places beyond its present control, even if the defector was an ordinary supporter/fighter the UN organisation explained that it did not have verified cases but only anecdotal reports that Al-Shabaab tracks down defectors residing in areas beyond its control.

A local NGO (B) in Mogadishu stated that Al-Shabaab is present in Mogadishu and that it is capable of killing anyone who does not obey its orders. There is Al-Shabaab infiltration in Mogadishu and individuals operate on behalf of Al-Shabaab. Everyone in Mogadishu fear Al-Shabaab.

On 1 March 2012 IRIN News reported that “a journalist, who requested anonymity, told IRIN the government had begun recruiting youths who have reportedly defected from Al-Shabaab. “The idea is they know Al-Shabab so they can be used to defeat them.” However, many of the recent killings, including the bomb blast, have been blamed on them, he said. “The so-called defectors are the biggest contributors to the current wave of insecurity.”

The journalist said the government had reportedly recruited close to 1,000 such individuals into the National Security Agency (NSA) “and the only requirement for them to get a job with the NSA is to be former Al-Shabab”. [...] However, government security forces dismissed the claim that defectors were involved in the insecurity.

Khalif Ahmed Ereg, head of the NSA in Benadir region (Mogadishu and environs), said defectors could not carry out the attacks. “These are people who are in our hands. We know where they are and what they are doing at all times.” Ereg blamed Al-Shabab members “who are still hiding among the public; we know it is them and we will catch them”.⁵⁸

On 7 March 2012 Somalia Report reported that “the Shabaab continue to assassinate government soldiers and members of the internal spy agency. The latest such attack was on Monday night, when “unknown gunmen”—very likely the Shabaab—assassinated two former Shabaab members who had joined the TFG military.

Nevertheless, not all defectors are targeted by the Shabaab; many defectors are indeed infiltrators who feign defection and repentance to get admission to the various TFG security forces. According to IRIN News, journalists in Mogadishu believe that the Shabaab defectors are responsible for the continuing insecurity in Mogadishu. TFG officials naturally disagree, claiming that the militants

⁵⁸ IRIN News, *SOMALIA: Mogadishu terror continues, despite Al-Shabab "withdrawal"*, 1 March 2012. <http://www.irinnews.org/Report/94988/SOMALIA-Mogadishu-terror-continues-despite-Al-Shabab-withdrawal>

who are still moving among the civilian population are to blame for the increase in attacks. In other words, young men who have left the Shabaab but have not joined the TFG are suspects, while the real culprits—Shabaab “defectors”—are let loose to terrorize the residents of Mogadishu. Another problem with the Islamists in government!”⁵⁹

According to Jane’s Terrorism and Insurgency Monitor (JTIM) Somalia’s security forces are using Al-Shabaab defectors to counter the organisation’s threat, but “there are fears of infiltration by double agents, [...] Shabaab defectors, including captured fighters, are apparently being recruited both as informants and intelligence officers by Somalia’s Transitional Federal Government (TFG)”. However, JTIM added that “there are mounting concerns the Shabab is exploiting this policy by infiltrating agents masquerading as defectors into TFG security structures”.⁶⁰

Jane’s Terrorism and Security Monitor (JTSM) stated on 26 January 2012 that “What is not publicised is that many of these defectors are subsequently being employed in security roles by the National Security Service Agency (NSSA), Somalia’s powerful domestic intelligence agency. Although nominally used only as informants, there is evidence that many are also recruited as NSSA officers. Concerns that this is being exploited by the Shabab to infiltrate the NSSA are not new, but have become of increasing relevance in recent months.”⁶¹

Ahmed Da’i, a powerful DC in Mogadishu’s Wadajir district has raised fears about the recruitment of Al-Shabaab defectors into the NSA. Ahmed Da’i has told JTIM that he and other senior figures who had spoken out publicly in December 2011 about Al-Shabaab infiltration of the NSA were now facing the consequences. According to JTIM Ahmed Da’i said that “our declaring that the NSSA is involved in this is the reason hostility has been directed at us, and we know it. As we were watching out for the Shabab, now we have to watch out for danger from within the government”. JTIM also reported that “several Shabab defectors were arrested in December 2011 after government officials complained that infiltrators among Shabab defectors in the security forces [NSA or NSSA] were responsible for an increase in insecurity in Mogadishu.”⁶²

As an example of infiltration by double agents Reuters reported on 20 March 2012 that “Al-Shabaab claimed responsibility for the presidential palace bombing that killed four people and injured many others on 14 March 2012. The suicide bomber, an alleged Al-Shabaab volunteer was

⁵⁹ Somalia Report, *Mubarak’s Musings. The Battle For Mogadishu Is Not Over*, 7 March 2012. http://www.somaliareport.com/index.php/post/3021/Mubaraks_Musings

⁶⁰ Jane’s Terrorism and Insurgency Monitor, *Shabab’s spying game*, February 2012, (jtic.janes.com), <http://articles.janes.com/articles/Janes-Terrorism-And-Security-Monitor-2012/Shabab-s-spying-game.html>

⁶¹ Jane’s Terrorism and Security Monitor, 26 January 2012. <http://articles.janes.com/articles/Janes-Terrorism-And-Security-Monitor-2012/Shabab-s-spying-game.html>

⁶² Jane’s Terrorism and Insurgency Monitor, *Shabab’s spying game*, February 2012, (jtic.janes.com), <http://articles.janes.com/articles/Janes-Terrorism-And-Security-Monitor-2012/Shabab-s-spying-game.html>

identified as Hassan Abdikadir. He was accompanied by an employee of the presidential palace who had joined the government after allegedly deserting Al Shabaab.”⁶³

3.3.1 Treatment of Al-Shabaab defectors by the TFG and the NSA

According to a local NGO (B) in Mogadishu there are Al-Shabaab fighters and infiltrators in Mogadishu who have been arrested and detained by the TFG. The local NGO (B) frequently pays visits to prisons in Mogadishu in which persons with affiliation to Al-Shabaab are detained. From these visits it is evident that Al-Shabaab supports and members are being tortured. The local NGO (B) visits the prisons three times per month and reports from these visits are forwarded to UNHCR and NRC in Nairobi.

According to an international NGO (B) there are reports of the TFG security agency NSA arbitrarily arresting people in their homes and that these are subsequently accused for collaboration with Al-Shabaab and beaten or even killed in secret detention facilities. The purpose of these violations committed by NSA staff and TFG soldiers can be ransom from the family or simply to show superior NSA and TFG officers that their staff members are efficient. There are reports of IDPs who do not dare to return to Mogadishu from the Afgoye Corridor as they fear that their young sons will be arrested by the NSA agents or TFG soldiers. These [NSA] agents and [TFG] soldiers are badly trained and people are being arrested by NSA and TFG soldiers on a daily basis.

An international NGO (B) referred to a rehabilitation programme for Al-Shabaab defectors. However, in some cases the defectors would be placed in detention and put before the only effective court in Mogadishu, the TFG military court. The military court can and do issue the death penalty.

When asked if there are any reports of Al-Shabaab defectors being tracked down in Mogadishu, and if so, what would happen to them a local NGO (C) in Mogadishu explained that Al-Shabaab defectors are treated in different ways: “If they surrender voluntarily, they are welcomed and join the National intelligence [NSA], but if they are caught while they are in hiding, they are taken to prison.”

It was explained by an international NGO (B) that Al-Shabaab has informants (normally youngsters called “boys”) in Mogadishu. If these informants are apprehended by TFG soldiers or the police, they could risk being killed on the spot.

Bediako Buahene, OCHA explained that the TFG has its own security service called the National Security Agency (NSA). The NSA has employed a large number of agents who operate in all areas of Mogadishu. The NSA has the authority to arrest suspicious people and two days ago (1 February 2012) the agency arrested a person suspected of having thrown a hand grenade into the UN compound in Mogadishu. It was added that the NSA do arrest people and it is also actively involved

⁶³ Reuters, *Somali rebels resume barrage on presidential palace*, 20 March 2012.
<http://af.reuters.com/article/topNews/idAFJOE82J03R20120320>

in investigations. Bediako Buahene, OCHA found it very likely that the NSA would use torture or robust methods of interrogation on suspected Al-Shabaab fighters or sympathisers.

Bediako Buahene, OCHA stated that there are no publicly available reports that document that the NSA is committing human rights violations.

An international organisation (B) stated that NSA is undertaking a very difficult task but with support from UN and EU Member States it is becoming increasingly professional and attempting to become more accountable. The NSA has a unit of about 200 armed and uniformed soldiers. In October/November 2011 NSA held approximately 300 former Al-Shabaab fighters who had defected in detention facilities in Mogadishu. NSA received a lot of support in order to process all the cases and a successful reintegration of the former detainees is ongoing.

When asked if ordinary people have any reasons to fear for the NSA and its activities, an international organisation (B) explained that NSA is not an agency to fear as it is contributing to the improvement of security in Mogadishu. However, the average citizen in Mogadishu would have little or no interaction with the NSA, but there are people who report to the NSA, the TFG Police or military whenever they are suspicious of anything. This is happening on an increasing scale and has led to bombs and explosive devices being detected more frequently than before.

4 Freedom of movement in South-Central Somalia

UNHCR Somalia provided the delegation with an overview of incidents related to freedom of movement in Somalia. (See Annex 11: Freedom of Movement in Somalia 1 January – 16 March 2012).

4.1 Freedom of movement in Mogadishu

According to UNHCR Somalia freedom of movement in Mogadishu was much more difficult before August 2011, as there were many checkpoints controlled by different groups such as Al-Shabaab, the TFG, AMISOM, and various militias. UNHCR Somalia explained that when the frontline between Al-Shabaab and the TFG was inside Mogadishu, i.e. before August 2011 its residents found it much harder to move around in the city than they do today as the frontline is now at the outskirts of the city. Mogadishu is now controlled by the TFG supported by AMISOM. However, as there are still a number of unauthorized checkpoints in Mogadishu the TFG tries to crack down on these. Some of these unauthorized checkpoints have been established by TFG police and soldiers who run these on their own, while others are controlled by clan affiliated militias supporting the TFG but otherwise beyond control. It was added that there are also checkpoints controlled by militias supported by some of the DCs of Mogadishu, some of which are clan based. Some militias are economically and politically opportunists and they may even carry out operations against payment on behalf of Al-Shabaab.

UNHCR Somalia considered that the risk of being harassed or otherwise mistreated at checkpoints is not high if one moves within Mogadishu only.

However, freedom of movement within Mogadishu is dependent of who you are, i.e. clan affiliation, social or political position, and where you are in terms of who is controlling the area. Although the TFG is trying to get rid of various militias and unauthorized checkpoints in order to improve security in the city, the presence and influence of militias remain strong, especially after the withdrawal of Al-Shabaab from most of the city in August 2011.

UNHCR Somalia explained that in general it is less risky to move around in Mogadishu than previously when the front line was within the city. However, there emerge different types of risk of being killed in Mogadishu such as an increasing number of incidents related to IEDs, falling victims of cross-fire between different armed groups, targeted killings and general lack of rule of law. It was added that there is a security vacuum in Mogadishu as AMISOM has expanded its frontline towards Al-Shabaab positions.

Peter Klansø, Regional Director, DRC, explained that since the front lines between Al-Shabaab and TFG/AMISOM are no longer inside Mogadishu, it is now possible for ordinary Somalis to move about anywhere in the city. The direct violence is gone but due to the rise in IED's and suicide attacks it can still be dangerous to move around. There is no longer open artillery fire in Mogadishu but there is a long way to go before the political and administrative issues will be solved.

Governance is lacking far behind military gains. If someone is in the wrong place at the wrong time he or she is in real danger.

Regarding freedom of movement Bediako Buahene, Policy and Protection, OCHA stated that the people now have free access to all 16 districts of Mogadishu but the outer areas of the northern districts are still dangerous areas. On the other hand, people know exactly where they can go without serious risks. People know where and when they are protected and where their clan members are residing.

Regarding the districts in northern Mogadishu Bediako Buahene, OCHA added that movement would be more difficult because some of these areas (Afgooye and Balad, for example) still are part of the frontline. The checkpoints in these areas will be between the frontlines and would require people to explain who they are and where they are going. It should be noted that such questioning generally also occurs at administrative checkpoints, which are located at nearly every town entry and exit in Somalia.

When asked if people have anything to fear in relation to their clan affiliation when moving around in Mogadishu Bediako Buahene, OCHA stated that this is not the case. A person's clan affiliation does not limit his or her freedom of movement in general. It is much more in relation to relocation that one's clan affiliation becomes crucial as a person will only be properly protected when relocating to an area where his or her clan dominates. This is also crucial when it comes to the issue of relief assistance. Bediako Buahene, OCHA emphasized that members of ethnic minority groups and minority clans do not have the same option to be protected.

An international organisation (B) explained that there is freedom of movement in all key districts of Mogadishu, i.e. the districts of Dharkenley, Wadajir, Waberi, Hodan, Hamar Jajab, Hawlwadag, Wardhigley, Abdiaziz, Bondheere, Shibis, Shanganii and Hamar Weyne. The remaining four districts [Deynile, Yaqshid, Huriwa and Karan] are to a certain degree influenced by Al-Shabaab. Of these districts it is only in the northern part of the district of Deynile that Al-Shabaab dominates and maintains an overt presence and although AMISOM/TFG have recently made significant territorial gains up to KM11 [but] actual control of the whole district has not been achieved as yet [as of mid March 2012].⁶⁴ The remaining three districts are the eastern districts of Yaqshid, Huriwa and Karan. In these three districts there is a minimal overt Al-Shabaab presence in the day-time but during night-time there is an open presence of Al-Shabaab fighters.

An international NGO (B) stated that basically ordinary people living in Mogadishu enjoy freedom of movement. However, there are checkpoints around the city controlled by the DCs militia and the TFG but it is not likely that ordinary people would be subject to human rights violations at these checkpoints. However, following a security incident the control will be stricter and those passing a

⁶⁴ See also Somalia Report, *TFG-AMISOM Seize Remaining Areas of Mogadishu*, 16 March 2012. http://www.somaliareport.com/index.php/post/3086/TFG-AMISOM_Seize_Remaining_Areas_of_Mogadishu

checkpoint near an area where a security incident took place might be subject to harsh treatment. It was added that newcomers in an area are at particular risk of being harassed at checkpoints in this area. The main purpose of the checkpoints is to extort money from travellers. It is most often bus drivers and drivers of public transports who are victims of extortion.

According to an international NGO (B) Somali women are normally more vulnerable than men in Somali society. However, following a security incident men are more at risk of being singled out at checkpoints due to suspicion of them being from Al-Shabaab.

When asked if someone who has been harassed, intimidated or otherwise abused at a TFG or militia checkpoint would be able to seek redress an international NGO (B) stated that it will be the elders of the victim's clan who will seek compensation. However, in general militia soldiers enjoy impunity and if the victim is from a minor clan he or she has no chance of seeking redress.

According to an international organisation (A), there is a relative freedom of movement in all areas of Mogadishu. However, there are still risks associated with moving around in Mogadishu. When people cross checkpoints in the city they are at risk of extortion by TFG soldiers. These soldiers are poorly paid and they extract money from IDPs and other vulnerable persons whenever they get the chance. This phenomenon is a big issue and there are some examples of persons who have been killed at checkpoints. Many TFG soldiers are not even controlled by the TFG, according to the international organisation (A). Half of them are loyal to the TFG while the other half are more or less loyal to militias under control of some of the DCs in Mogadishu. Some of these DCs are regular warlords and they dictate in their own ways. They do not act always in accordance with the TFG, and they can pose a threat in particular to members of minority groups in the future. This process is presently taking place, and only time will show if the TFG is capable of filling in this power vacuum. A number of areas in Mogadishu liberated from Al-Shabaab have already been taken over by DCs, who now act as warlords.

Regarding freedom of movement within Mogadishu and the risk of harassments at militia and TFG checkpoints Rashid Abdi, an independent Horn of Africa Analyst explained that overall, civilians now enjoy greater freedom to move around. However, this cannot be generalized, and the situation varies from one district to another. In north Mogadishu, AMISOM and the TFG are restricting movement for obvious security reasons – anxieties about Al-Shabaab infiltration and unexploded ordnances. There have also been reports ill-disciplined TFG soldiers routinely and arbitrarily erect checkpoints and seal off major routes, sometimes for valid security reasons (especially after bomb attacks or when VIP motorcades are passing through), but often to extort money from motorists and civilians.

According to a local NGO (A) in Mogadishu there is freedom of movement in Mogadishu. This also includes members of NGOs, members of Parliament and Government officials as well as other well-known or prominent persons. However, in general freedom of movement for civilians in Mogadishu is restricted in one way or the other, but it is still an improvement compared to the situation when Al-Shabaab and the TFG/AMISOM fought each other inside Mogadishu. It was

added that there is an ongoing conflict in S-C Somalia and freedom of movement may be more limited in other locations.

It was stated by a local NGO (A) in Mogadishu that although there is a positive development at community level in Mogadishu it is obvious that there are clan divisions as well as political divisions in the city. People do not trust each other and that is a core problem in Mogadishu and in the rest of S-C Somalia, according to the local NGO.

A local NGO (A) in Mogadishu stated that freedom of movement is better in Mogadishu compared to the rest of S-C Somalia. However, due to almost 20 years of fighting, there is still mistrust between the communities in Mogadishu. The reconciliation at the political level has not yet reached the grass root or community level. It was added that there is much division in Mogadishu along religious, political and clan lines.

A local NGO (C) in Mogadishu explained that there is freedom of movement in Mogadishu and the city has become a bit safer than before August 2011. All citizens, including women in Mogadishu can move freely around in those areas under control of the TFG and AMISOM. AMISOM now controls approximately 99 % of the city. However, people are still afraid of bomb blasts as there are still attacks by Al-Shabaab. Despite this many Somalis from the Diaspora are returning to Mogadishu and many are rebuilding their houses or they are building new ones. This has taken place since August 2011 and many more Somalis are now returning from abroad. The local NGO (C) believed that life will become much better from now on.

When asked if there are reports of people being harassed at TFG/AMISOM checkpoints in Mogadishu a local NGO (C) in Mogadishu stated that this is not the case, there are no harassments taking place at these checkpoints.

UNHCR Somalia explained that there are areas in Mogadishu, for example Wadajir that are dominated by strong clan militias. In such cases a person from another clan will always be fully aware of the risks involved when he or she passes through such an area, and it was reiterated that Somalis are generally aware of the level of risk they may be facing in Mogadishu as well as in the rest of the country. However, IDPs are generally very vulnerable as they sometimes are forced to move into areas unknown to them and they are very often not protected by their own clan when relocating. IDPs are often considered as an economic resource base and they easily fall prey to exploitation and other abuses by landlords, “gate-keepers”, security forces and militia members.

When asked if the international NGO (B) had any information regarding which documents, if any, one would need in order to pass through an Al-Shabaab and/or a TFG/AMISOM/militia checkpoint, the international NGO (B) responded “no documents are needed”. [It was added] that Al-Shabaab does not work that way and it has no trust in documents.

4.2 Freedom of movement in South-Central Somalia

Regarding freedom of movement in S-C Somalia UNHCR Somalia explained that the security situation in S-C Somalia has been unpredictable and is changing rapidly at the moment. Movement within the Al-Shabaab controlled area was relatively easier, as they did not put up checkpoints throughout the area of its control. It only put external checkpoints, i.e. checkpoints towards those areas that it did not control, and checkpoints at entry points at major towns.

4.2.1 Freedom of movement between TFG/AMISOM and Al-Shabaab controlled areas

When asked about freedom of movement between TFG and Al-Shabaab controlled areas, an international organisation (C) explained that people can and do move between those areas. However, it was added that there is no doubt harassment can and does happen at checkpoints along the way.

An international NGO (A) confirmed that there is freedom of movement in Mogadishu. However, if one has to cross a TFG checkpoint, i.e. passing in or out of Mogadishu the reality is that this will be much more difficult than moving around within Mogadishu. At such external TFG checkpoints the risk is that one will face a tight control, harassments and a lot of extortion takes place at these checkpoints. On the other hand, even these difficulties do not deter people from passing through TFG checkpoints. People in large numbers pass through TFG checkpoints on a daily basis. The international NGO (A) had no reports of women being victims of sexual violations, including rape at TFG checkpoints but emphasized that it was not the mandate of the NGO to monitor such incidents. Should such crimes be committed they will most likely take place at night-time, and it is only IDPs who will cross a checkpoint at this time. The international NGO (A) explained that freedom of movement within Al-Shabaab controlled areas might be more risky and difficult for those Somalis who have recently returned from the Diaspora and added that anyone who has recently returned will be noticed, and the international NGO (A) stated that “you see immediately who is Diaspora”.

When asked about the perception of persons returning to [travelling between] Mogadishu or [and] Al-Shabaab areas in S-C Somalia Rashid Abdi, an independent Horn of Africa Analyst stated that civilians moving between regions controlled by the rival Somali belligerents (TFG and Al-Shabaab) face grave risks to their safety and are often looked at with suspicion. The situation is perhaps worse in Al-Shabaab controlled areas. A number of them have actually been summarily executed in gruesome fashion on charges they are spies or sympathisers of the TFG. In TFG areas, the risks are often lengthy detention, violent interrogation and assault, but not execution.

Regarding freedom of movement between Mogadishu and the inland Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir region explained that it is risky to travel from Mogadishu into Al-Shabaab controlled areas and back again as one could risk being suspected of espionage when returning. It was added that it is also risky for anyone to travel inside an Al-Shabaab controlled area. There are busses going in and out of Al-Shabaab areas but people from for instance Mogadishu travelling in those areas risk being accused of spying for the TFG.

An international NGO (B) explained that travelling between Mogadishu and the inland area through Al-Shabaab checkpoints and into Al-Shabaab controlled areas will usually not be a problem as long as one follows the rules laid out by Al-Shabaab. For men this would mean having a long beard, trousers only to the middle of the calves and the shirt must not be tucked inside the trousers. Western songs on cell phones would also be a major problem. However, it was emphasised that these rules can and do change on a regular basis, sometimes even from day to day. The international NGO (B) added that it had no reports that could confirm whether or not gold teeth were acceptable to Al-Shabaab. Crossing an Al-Shabaab checkpoint would be significantly more difficult and dangerous if there was a rumour circulating that the TFG were trying to infiltrate Al-Shabaab areas. It was added that gathering of intelligence is considered an Al-Shabaab strongpoint and that it is at the foundation of their power.

The international NGO (B) explained that Al-Shabaab would be particularly negative to a person who recently arrived from the western Diaspora and who is passing through an Al-Shabaab checkpoint. Al-Shabaab will notice any person who recently came back from the West. However, the international NGO (B) argued that the risk for an individual crossing into Al-Shabaab controlled areas all depends on who the person is and not which area the person is coming from.

The international NGO (B) considered that it will not be everyone who arrives from abroad who will come to the attention of Al-Shabaab. A woman with children arriving in an Al-Shabaab area from abroad will not be at particular risk or attention from Al-Shabaab. However, very few women and families would attempt to leave Mogadishu in order to go back into an Al-Shabaab controlled area.

UNHCR Somalia explained that it is commonplace that for instance business people with connections travel between areas under control of Al-Shabaab and the TFG/AMISOM respectively. Somalis know their way around and they are aware of their individual security risks. Even ordinary people travelling with busses between Al-Shabaab and TFG controlled areas are aware of their individual risks and they are equally aware of what they can do and not do when undertaking such travels. This means that those who recognise an unacceptable level of risk usually do not travel between the two zones of control. Many UN national staff members working in Mogadishu refuse to visit the Al-Shabaab controlled areas due to security concern. UNHCR reiterated that the risk level varies, depending on individual profiles of persons concerned.

UNHCR Somalia stated that Somalis, including women, do travel in and out of areas controlled by Al-Shabaab without being harassed by Al-Shabaab but it all depends on the profile of each individual. In addition, such movements take place at a greater risk than movements within an area controlled by Al-Shabaab as well as between the Al-Shabaab controlled areas and zones controlled by anti Al-Shabaab forces including the TFG, as there could be a risk that Al-Shabaab might suspect a person to undertake espionage or attempt to infiltrate its organisation. Thus any able bodied man may be at risk of harassments or arrest if Al-Shabaab suspects him to be a threat.

An international NGO (A) stated that checkpoints controlled by Al-Shabaab apply a very tight security check, and these checkpoints are not corrupt as the TFG controlled checkpoints often are. There are no reports of women being raped or otherwise harassed at Al-Shabaab checkpoints. The international NGO (A) considered it unlikely that Al-Shabaab fighters would commit crimes like rape at their checkpoints. Al-Shabaab's only interest in women at checkpoints is that they comply with the dress code laid down by Al-Shabaab.

According to an international organisation (B) there is freedom of movement between TFG/AMISOM controlled areas and areas under the control of Al-Shabaab. However, it is likely that a person returning to for instance Mogadishu after having been visiting an area controlled by Al-Shabaab will be scrutinized more closely than when he or she left Mogadishu and entered an Al-Shabaab controlled area. There are reports of persons having been harassed, interrogated and held shortly at TFG checkpoints on this account including NGO and humanitarian workers, but persons are not detained or arrested at TFG checkpoints only because they have been in an area controlled by Al-Shabaab. The international organisation (B) found it generally unlikely that women would be victims of sexual violence, including rape, when passing a TFG controlled checkpoints.

When asked if there are restrictions of freedom of movement when a person wants to enter an Al-Shabaab controlled area from an area controlled by other forces, including TFG allied militias, TFG/AMISOM forces or other forces an international organisation (B) stated that this is not the case. However, when a person enters Al-Shabaab controlled areas he or she will have to conform to the regulations set up by Al-Shabaab. It was added that Al-Shabaab is becoming increasingly paranoid about spies and they may be suspicious when a stranger pass one of its checkpoints.

The international organisation (B) explained that there are mini-bus services leaving from Mogadishu to the interior. These busses will pass through areas controlled by various forces, including clan-based militias, Al-Shabaab and TFG forces, but their movement is not restricted by this fact.

UNHCR Somalia confirmed that persons who have been out of Mogadishu while visiting an Al-Shabaab controlled area could be at risk of being interrogated at a TFG controlled checkpoint when returning to Mogadishu. UNHCR Somalia added that such reports have been put forward by local NGOs monitoring human rights issues. However, there have been so far no recent reports of such persons having been tortured or otherwise mistreated at TFG checkpoints. However, there are reports of illegal taxation and extortion by various checkpoints manned by the TFG security forces as well as militias.

UNHCR Somalia stated that since the famine crisis and the military intervention by AMISOM Al-Shabaab has tried to close down main access roads to Mogadishu, but it was emphasized by UNHCR Somalia that this situation is changing all the time and it does not follow any particular pattern. Such changes occur every day, i.e. one day you can observe an inflow of IDPs from the Afgooye Corridor while the next day there is none especially with the current impeding military offensive into Afgooye by the TFG/AMISOM forces. With the ongoing armed conflict between

AMISOM and Al-Shabaab at the outskirts of Mogadishu, movement between the two zones is reported to becoming more difficult.

Regarding freedom of movement between Mogadishu and the inland, i.e. between TFG and Al-Shabaab controlled areas and risk of harassments Rashid Abdi, an independent Horn of Africa Analyst explained that the Afgooye Corridor which straddles a major highway linking the capital to the middle Juba and the port city of Kismayo is now an active war theatre. AMISOM forces supported by heavy armour have been battling Al-Shabaab forces in the area. The normally busy highway is now avoided by civilian traffic. Another major route northwest of the capital, linking Mogadishu to Baidoa, is also avoided by motorists for similar reasons. That said, civilians have learnt to cope with these restrictions, often devising detours. Determined passenger vehicles and minibuses do still operate and ferry thousands of travellers shuttling between the city and the hinterland, notwithstanding the difficulties.

The Director of a local NGO (C) in Mogadishu stated that he would personally not go to where Al-Shabaab is in control because of fear [to] be decapitated.

When asked if ordinary can people travel between Mogadishu and Al-Shabaab controlled areas inland a local NGO (C) in Mogadishu explained “Yes, Ordinary people can travel [between] Mogadishu and Al-Shabaab controlled areas with precautions but there are some people who cannot even think of that, such as local NGOs workers and international aid agencies workers, [as well as] the government [TFG] employees.”

4.3 Freedom of movement for women

Regarding protection of women and freedom of movement in S-C Somalia UNHCR Somalia explained that women and particularly IDP women are at particular risk of sexual violence when they move around. Traditional clan protection mechanisms are weak and cannot protect IDP women when they are outside the area of their own clan.

4.3.1 Freedom of movement for women in Al-Shabaab controlled areas

EPHRC, a local NGO in Mogadishu explained that women who wish to enter an Al-Shabaab controlled area in S-C Somalia will have to change dress before they approach an Al-Shabaab checkpoint.

When asked if there are examples of women being subject to harassment, extortion, physical or sexual abuses or other forms of violence when they enter/pass an Al-Shabaab checkpoint or when entering/passing a TFG or AMISOM checkpoint, EPHRC stated that before entering Al-Shabaab controlled areas women would have to stop and change their clothing to specific attire that is mandatory by Al-Shabaab. EPHRC added that women are forced to wear clothing that is not perceived as form fitting or bright colours. Those who are caught wearing such attire suffer excruciating whip lashes or beatings by the soldiers.

When asked if women can move around in S-C Somalia Bediako Buahene, OCHA explained that women are generally free to move in that there is no legal barrier. Women in Somalia dress according to established dress codes and they are often dressed in colourful clothes. However, when a woman enters an Al-Shabaab controlled area she will need to change her colourful dress before entering and she will then have to wear a black or dark dress. Colourful dresses are common among Somali women. If a woman complies with these dress codes there are no limits to her freedom of movement within an Al-Shabaab controlled area. It was added that women could travel from an Al-Shabaab area to central Mogadishu in order to go to the market, and she can also return to the Al-Shabaab area without trouble if she complies with the dress codes there. However, if a woman brings along with her goods labelled with Western or UN logos (for example food or non-foods relief items) these could be confiscated by Al-Shabaab, and she could face repercussions. Even though women are relegated to their traditional functions when living in Al-Shabaab controlled areas they are not suppressed to the same degree as women are in for example Saudi Arabia.

4.3.2 Freedom of movement for women in TFG/AMISOM controlled areas

UNHCR Somalia explained that it did not have any specific information on women being interrogated or harassed specifically at TFG checkpoints. It was added that if for example rape was an issue at TFG checkpoints, UNHCR Somalia would know about this. However, there are incidents of sexual violence perpetrated by TFG security forces and militia members at IDP settlements in Mogadishu.

Regarding freedom of movement in Mogadishu a local NGO (C) in Mogadishu stated that only IDPs, especially IDP women are at risk of harassment when they move around in Mogadishu. IDP women are even at risk of being raped when they approach a checkpoint. However, ordinary people, including women are not at risk of harassments when they pass through a checkpoint. These checkpoints are located throughout Mogadishu and they are either unauthorized or they have been established by some of the militias under control of the DCs. Harassment and rape at checkpoints only occur at night-time.

5 Protection and legal justice in South-Central Somalia

An international organisation (C) stated that trust in the [TFG] institutions such as the police is limited. Many victims do not report the crimes of which they are victims to the authorities. The international organisation (C) referred to an example involving a journalist that had received threats from Al-Shabaab on his telephone. The journalist did not want to request protection by the TFG because he believed such a move would expose him further to Al-Shabaab. In addition any person who would report security related incidents to the police or to the NSA would be concerned about his/her safety as there are no proper victim/witness protection mechanisms in particular ensuring confidentiality. There is a lot of mistrust among people and between people and the authorities.

The international organisation (C) stated that there is no confidentiality or a system of protection in Somalia. Women who have become victims of violence will not go to the police to seek redress. The UN has hired a private security company to care for its staff members' security in Mogadishu.

An international NGO (B) considered that soon it would be necessary to address the culture of impunity that prevails in S-C Somalia and referred to the war crime tribunals of Rwanda, Yugoslavia and Sierra Leone as examples of how this could be addressed.

5.1 Clan protection

Regarding clan protection and conflict resolution mechanisms in Somalia a UN organisation explained that clan protection has to be seen in a human rights perspective. One cannot be certain that traditional protection and conflict resolution mechanisms respect human rights issues. This is a particular concern with regard to women. Violations against women's rights often go under- or unreported. Especially with regard to issues such as FGM, domestic violence, forced marriage, rape, or other forms of GBV. The reason for this is the fact that women are vulnerable and subject to exposure when they report violations in the sense that they risk losing husband as well as children. It is normal that a woman will be sent away and thereby losing her husband and children if she discloses what is considered as private family matters, i.e. domestic violence or matters that involve male abusers. The UN organisation emphasized that it is only when a female victim of violence is in need of urgent medical attention that cases of human rights violations are brought forward. The vast majority of violations of women's human rights go unreported, and the UN organisation added that it is only the tip of the iceberg that is known.

When asked if clans can protect its members against punishments by Al-Shabaab the UN organisation stated that it does not have sufficient information on this issue. However it was added that there is ample evidence to suggest that Al-Shabaab punishment is often very severe.

An international organisation (C) explained that clan protection is functioning to a certain extent and that people would go to the clan before they would go to the authorities and the courts. However, justice is not equal since some clans are more powerful than others, and people have different "worths" in terms of compensation and according to the traditional clan compensation

system. Women are particularly vulnerable in this regard. It was emphasised that the clan system is a system of social peace and not individual justice, and the international organisation (C) considered this to be potentially a challenge from the perspective of human rights.

An international organisation (C) explained that if there is a dispute between two families it is normal that the families will settle the dispute according to the compensation system and then (if the case was ever filed with the police) withdraw the case from the formal system, i.e. the court system. In this way the formal system is only one of the options available to achieve a solution to a controversy or a crime. Until a court has made a judgement the suspect will always have the chance that his or her clan will settle the dispute by paying compensation to the offended clan. This is a common phenomenon and this goes for anyone, even a TFG soldier or police officer. The clan system functions, but not ideally. In S-C Somalia it is still the gun that is in command. Anyone who is a member of a militia or any other armed group will mostly enjoy impunity.

An international organisation (C) explained that the clan protection mechanisms are context specific and fluctuate depending on the situation. Whether a person may seek redress and be compensated depends on his or her status. The two extremes are IDPs and members of strong clans. However, it is not possible to state a particular way to seek redress in Somalia as there is not only the formal system for seeking redress. It was added that poverty is a driving force behind people's interest in compensation instead of forms of punishment such as detention.

UNHCR Somalia stated that the power of the elders has been weakened in areas where militias are in control. However, it was added that in some areas and for some people the clan system is functioning as inefficient as it may be. It was stated that despite the weak system of clan protection, people in general would prefer to seek support from their clan whenever they have the option.

UNHCR Somalia explained that today there is no guarantee of clan protection in Somalia, in particular members of minority clans and ethnic minority groups are vulnerable. The authority of the clan elders have been undermined in many locations by warlords, Al-Shabaab and criminals, and as a consequence the clan conflict resolution mechanisms have been weakened. Clan disputes more often leads to blood feuds due to the inability of clan elders to reach agreement by peaceful means and negotiations, and the whole conflict resolution process also takes longer time.

UNHCR Somalia stated that it is even difficult for the police to protect civilians against crime. In Galkayo, for example, there are a number of criminal gangs who belong to various local sub-clans. These gangs often comprise youngsters of 15 to 16 years of age and rape is among the crimes they commit. The police are unable to prosecute members of the gangs as they are protected by their clan elders, and the police do not dare to interfere with the traditional clan protection mechanisms.

UNHCR Somalia stated that when IDPs comprise a minority in a particular area they cannot expect clan protection, unless it is explicitly offered to them by the majority clan following an elaborate negotiation process, which is a rare occurrence. However, UNHCR is working with the local police in Puntland in order to make the police more capable of protecting minority IDPs. In general, police

forces are unable to protect minorities in S-C Somalia, and there is no reason to believe that this will change in a foreseeable future.

Regarding clan affiliation UNHCR Somalia explained that even in areas controlled by Al-Shabaab a person's clan affiliation can be critical to his or her security. If a person is a member of a major clan his or her security situation may be better than if the person in question is a member of a minor clan. On the other hand, even affiliation with a major clan is no guarantee for a person's security situation if he or she is under suspicion by Al-Shabaab. However, UNHCR Somalia explained that there are examples of persons who have been protected by their own clan even when they have been suspected by Al-Shabaab to have undertaken espionage: a staff member of a local NGO in Baidoa which had been undertaking protection monitoring was arrested by Al-Shabaab and then taken by the Amniyat (Al-Shabaab's intelligence unit) to a location where beheading had been taking place after severe torture. His clan intervened and the individual was brought back to Baidoa. This incident occurred in early 2011.

Regarding clan protection in Mogadishu as well as in the rural areas of S-C Somalia Bediako Buahene, Policy and Protection, OCHA stated that the clan based protection mechanisms are intact throughout these rural areas. Bediako Buahene added that in many rural areas of S-C Somalia clan based protection mechanisms are the only justice systems available and is still the mechanism used to solve civil and criminal disputes. Even when the elders have lost authority to Al-Shabaab, or to warlords and various militias these elders have not lost authority within their own clan or against other clans.

Regarding the issue of clan protection mechanisms in S-C Somalia, including Mogadishu and other urban areas an international organisation (B) stated that traditional clan protection exist throughout all of S-C Somalia and its urban areas. This mechanism has not been undermined by Al-Shabaab or the TFG and its allies. However, a weaker clan may need to ally itself with a major clan in order to be able to protect its members. When asked if the clan protection mechanisms can protect a person against violations committed by the TFG authorities an international organisation (B) stated that this will depend on the specific circumstances. It is normally so that each clan has at least one influential member and the authority of this person will normally determine whether or not the offended clan will be able to seek redress for violations committed by the TFG authorities. Thus, there are some examples where the Chief of Police in Mogadishu has taken disciplinary action against TFG police officers who have violated the rights of citizens. The perpetrators have been removed from office, reassigned or otherwise disciplined. An international organisation (B) has observed that police commanders are beginning to take more responsibility for wrongdoings committed by individual police officers.

An international organisation (A) had reports that clan protection mechanisms prevail throughout all of S-C Somalia, including in Mogadishu and other urban areas. This traditional conflict resolution mechanism has not been undermined by Al-Shabaab or the TFG, and the TFG does not suppress

this system. It was added that nobody stays in prison for very long in Somalia as the traditional clan conflict resolution mechanism is the only form for justice in many locations.

An international NGO (A) stated that minority clans and populations, including Bantu groups are protected by their traditional clan protection mechanisms and the Sharia system, even today and even in areas under control of Al-Shabaab and the TFG respectively. It is a normal coping mechanism in Somalia by minority groups (minor clans and ethnic minority groups) to seek to be included in and thus protected by a major clan. However, it should be noted that this protection goes with domination, abuses and limited freedom. There are even some minorities who do not benefit from “big clan protection”.

Laurel Patterson, Head of Partnerships & Planning Unit, Assistant Country Director, UNDP Somalia explained that many ordinary people, especially the most vulnerable, i.e. IDPs and minority members are unaware of their rights and the options available to them within the formal justice system. In reality access to seek redress through the formal judicial system is therefore incredibly minimal. The traditional conflict resolution mechanisms have continued to exist in all areas of Somalia regardless of who is in political control. However, in Al-Shabaab controlled areas the strength of the traditional conflict resolution mechanisms depends on if and how Al-Shabaab interferes in traditional clan conflict resolution mechanisms. It could be very difficult for councils of elders to interfere in for example cases of forced recruitment to Al-Shabaab. The families involved would simply not have any other choice than to give up their son to Al-Shabaab. It was added that there are lots of reports of violations against families who try to resist that their sons are being recruited to Al-Shabaab.

Laurel Patterson, UNDP Somalia stated that the traditional informal justice process in Somalia is the primary mechanism for accessing justice. The majority of judicial matters go through the traditional compensation system, and it is only in those very few and complicated cases where the elders have been unable to reach a settlement that the formal justice system will be involved. This could be in very complicated murder cases or difficult land disputes.

5.1.1 Clan protection and women

Regarding clan protection a local NGO (A) in Mogadishu explained that there are recent anecdotal reports and rumours that AMISOM soldiers sexually exploit vulnerable Somalia women, especially IDP women. When asked if a woman’s clan would protect her against such crimes the local NGO stated that it is only when a woman belongs to a strong clan that she may expect to be protected against crimes, and even this is not always a guarantee as it also depends on where she is i.e. if she is in her home area or outside of it. In this regard IDP women are extremely vulnerable. It was added that even if clan protection is an option it will never be an ultimate solution to women’s rights.

Bediako Buahene, OCHA explained that women’s protection in S-C Somalia is a tricky issue. It is very difficult to state anything reliable regarding the extent of rapes and other violent acts against

women. There are reports on these issues and GBV is common, and Bediako Buahene, OCHA considered that in reality it is worse to be a woman in an Al-Shabaab controlled area than in TFG controlled areas in terms of individual liberties. However, in terms of security the individual woman is actually worse off in TFG controlled areas.

5.2 Protection by the TFG

According to Killian Kleinschmidt, Deputy Humanitarian Coordinator, OCHA, it is imperative that the Somali police and military can be regarded as credible institutions in the eyes of the Somalis. The police force must become the quality reference point for the citizens of Mogadishu, including people from the Diaspora. Many of those returning from the West may have seen or experienced how Western countries function, and they bring along with them high hopes in this regard. Killian Kleinschmidt considered the police force to be the most important institution to develop and assist in order to build trust and security in Somalia for the future. It was added that it is imperative to demobilize and reintegrate former Al-Shabaab combatants into the government institutions, especially the police force.

Killian Kleinschmidt, OCHA, stated that there is a window of opportunity right now in Somalia and emphasized the urgent need for investing heavily in Somali government institutions that can provide law and order.

When asked if victims of human rights violations can expect support and protection from the authorities a local NGO (A) in Mogadishu explained that the TFG police force and its soldiers are not well organized. These forces are not under any strict control and they are committing human rights violations as well. It was added that there are no effective law enforcement institutions in S-C Somalia, including Mogadishu. Neither are there any functioning civilian courts in this area of Somalia.

An international NGO (A) made it clear that whether or not a person may expect to be protected against human rights violations committed by the TFG forces (police and soldiers) depends very much on a person's position in the community. However, an international NGO (A) had no detailed information on this issue. An international NGO (A) stated that it did not in general consider protection by the authorities to be relevant, and added that it did not consider the Police Advisory Committees (PACs) – trained and supported by UNDP – to be positive in terms of the police force's effectiveness.

When asked if the people of Mogadishu will be able to seek redress through the TFG police force and the courts an international organisation (B) stated that it is far too early to expect this to be the case and the vast majority of people in Mogadishu would still settle disputes via traditional clan mechanisms.

5.2.1 Avenues to seek redress

According to Bediako Buahene, OCHA there are no mechanisms in S-C Somalia by which a person can seek redress and there are no mechanisms which can ensure that criminals and human rights violators can be held accountable for their crimes.

Laurel Patterson, UNDP Somalia stated that there are functioning courts in Mogadishu and judges are graduating from the University of Mogadishu.

Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir region stated that there is no functioning legal system in place neither in S-C Somalia nor in Mogadishu. Mohamoud Nur Ahmed explained that the one who makes the highest bid will become the winner in a court case. Courts are corrupted and Mohamoud Nur Ahmed would not even call these institutions for real courts. Mohamoud Nur Ahmed added that he recently requested the TFG to get rid of all judges in Mogadishu. So far this has not taken place.

EPHRC, an local NGO in Mogadishu stated that women in general have no access to seek redress in Mogadishu. They cannot expect to be assisted by the police and there are no other government institutions that will assist women. The TFG does not provide any protection to the citizens of Mogadishu.

An international organisation (B) stated that it is almost exclusively influential persons who will have the prospect of seeking redress. Ordinary people's chance of seeking redress is normally limited and it is uncommon that TFG officials have been disciplined or otherwise punished for human rights violations.

It was emphasized by an international NGO (B) that there is no official avenue to seek redress from human rights violations [committed by the TFG soldiers and NSA agents] and the only option is to rely on your clan and personal status, but this is only relevant if you are from a strong clan and/or if you are a prominent person. As soon as an ordinary person is perceived as an Al-Shabaab sympathizer he will be accused and detained. As an example of this the international NGO (B) referred to a recent incident where two persons had expressed some sympathy with Al-Shabaab at a tea shop in Mogadishu. The two persons were then shot and injured by TFG soldiers. However, one of the victims was a relative of a TFG commander and this commander arranged for the arrest of the perpetrators. However, the international NGO (B) made it clear that the only reason why the TFG soldiers were arrested was because of the relationship between one of the victims and the TFG commander.

The international NGO (B) stated that TFG soldiers and the TFG police force enjoy complete impunity and that there are no formal mechanisms for civilians to seek redress in case of abuse or harassment. Members of minority clans have no chance to complain, either formally or via traditional conflict resolution mechanisms. This is one of the reasons why IDPs and minorities are particularly at risk of abuse, harassment, extortion and other human rights violations. It is especially

the TFG soldiers who commit human rights violations. On the other hand, any person from a major clan or a prominent family will have the option to seek redress.

Regarding access to seek redress and protection Peter Klansø, Regional Director, DRC, stated that the TFG police force only function to a certain extent. There are no formal protection mechanisms and institutions in place in Mogadishu and the DRC would not advise any local staff member to seek protection by the authorities. Peter Klansø added that there are numerous examples of human rights violations from TFG soldiers. Petty corruption has also been reported in relation to AMISOM soldiers.

Peter Klansø, DRC, reiterated that there are no avenues to seek redress in Mogadishu. Although perpetrators are being arrested and imprisoned there is generally no law and order, thus the authorities do not have the capacity to protect the people.

Amina Abdulkadir Arale, Representative, SWDC, a local NGO in Mogadishu stated that the Benadir Regional Court as well as the District Courts and the Appeal Court are functioning. UNDP supports some of the lawyers at these courts through legal aid projects which improve access to justice especially for vulnerable groups and economically deprived individuals. It was emphasized by SWDC that it has confidence in the courts regarding cases of concern to SWDC. However, SWDC admitted that there are many clan related issues that are being taken into account by the courts and that a perpetrator will most often be released if he is from a strong clan and if his clan demands his release.

According to Amina Abdulkadir Arale, SWDC the informal justice systems are also somehow strong here, as they have capacity to withdraw a case from court and handle it but usually it fails to favour the victims. Issues to do with domestic cases are mostly solved through the informal justice system and community leaders and at family level.

Amina Abdulkadir Arale, SWDC explained that currently UNPOS has established a Justice and Corrections Technical Working Group (JCTWG) in Mogadishu whose purpose is to strengthen partnerships among key stakeholders in the area of justice and corrections, make proposals towards policy and legal frameworks development, coordinate support to implementation of agreed priorities, and monitor and assess progress towards agreed priorities.

A local NGO (B) in Mogadishu considered that there is no law and order in Mogadishu. Even though the NGO (B) hold regular meetings with the police commanders of Mogadishu in order to discuss how one can minimize abuses and human rights violations the results are not significant. Normally the police do not take any action when human rights violations and other crimes are being reported to them. Most often the police would only register the offences and no further action takes place.

When asked about the extent of clan protection and avenues to seek redress via TFG authorities and Courts Rashid Abdi, an independent Horn of Africa Analyst explained that there are no formal

mechanisms, whether legal or under the rubric of the traditional justice system supervised by clan elders, effectively exist. There have been some patchy and erratic attempts in the last three years to create such a mechanism, following pressure from the public and rights activists. But the authorities have been extremely slow in responding positively. A number of soldiers have been court marshalled and convicted for various acts of indiscipline and abuse of civilians recently, but critics dismiss them as show trials and unserious attempts to address the problem.

Regarding property issues and disputes an international NGO (A) explained that this is not the hottest issue at the moment, but added that it will come. This will not only be an issue in Mogadishu but in many other locations, especially along the two rivers Juba and Shabelle where agricultural land is fertile and productive. Many Bantu populations have been driven by Somali clans from their traditional farmlands along these rivers during the civil war, and dominating clans took over these farmlands. An international NGO (A) stated that land disputes will become a major issue in these areas.

A local NGO (C) in Mogadishu stated that any citizen has the right to file a complaint at the police and at the courts. However, the minorities rights are not 100% guaranteed. There are many property disputes and such cases are being dealt with by the police and the courts. However, the local NGO (C) did agree to some extent with the Mayor of Mogadishu that the courts and its judges are corrupted.

UNHCR Somalia explained that the culture of impunity prevails and perpetrators are rarely arrested and prosecuted. I was stressed that IDPs would not trust the formal justice system in Mogadishu and elsewhere. Thus IDPs have no chance of seeking redress. It was emphasized that IDPs are one of the most vulnerable population groups in S-C Somalia.

5.3 UN assistance to TFG law enforcement forces

Laurel Patterson, UNDP Somalia explained that the Police Advisory Committees (PAC)⁶⁵ produce monthly reports on the TFG police's performance in S-C Somalia and in Mogadishu.

The PAC was established in the summer of 2007 with UNDP support, to monitor, mentor and train Somali police force and prison personnel in how to treat detainees with dignity. UNDP has supported the PAC since its establishment. UNDP funds the PAC and helps with logistics, training, data collection, reporting, legal issues, and the implementation of its mandate.

The PAC comprises of 12 senior representatives from civil society, law, and human rights organisations, the Ministry of Interior, and the TFG Police Force. Their role is to monitor people held in police custody and in prison, and to bring any violations of human rights or of the law to the

⁶⁵ United States Department of State, *2010 Country Reports on Human Rights Practices - Somalia*, 8 April 2011, states that, "PAC is a civilian oversight authority established to ensure prisoners and detainees are treated in accordance with international human rights standards". <http://www.state.gov/j/drl/rls/hrrpt/2010/af/154369.htm>

attention of the police for resolution. The PAC also plays a mentoring role with the police and makes recommendations to senior police officers and to the TFG on how to improve the situation.

The PAC works closely with community elders in the 16 districts of Mogadishu. The elders accompany the PAC teams during their visits and use their moral authority to mentor the police and prison staff. The PAC also negotiates the release of detainees, based on either legal grounds or humanitarian considerations.

The PAC monitors the procedural aspects of a case, checking that a detainee has been registered and that the circumstances of the arrest are clear. It ensures that an investigative officer is appointed and that the right to fair treatment is established.

There is special consideration for vulnerable groups like children and women. The committee has initiated separate holding areas for women and children, is requesting that breastfeeding mothers be treated fairly, and has secured access to clean drinking water in the central prison. It was added that PAC can make recommendations, but actual changes are made by police personnel.

The PAC that is operating in Mogadishu is being seen as a model to be rolled out elsewhere. Despite the severely adverse operating environment the PAC had been able to regularly visit police stations and prisons and to intervene successfully in thousands of cases, particularly in cases involving children or women in detention.

UNDP Somalia has supported the PAC since its establishment and will continue to do so. UNDP funds the committee and helps with logistics, training, data collection, reporting, legal issues, and the implementation of its mandate.

Laurel Patterson, UNDP Somalia explained that the PAC monitors human rights issues and violations against persons detained by the TFG police in 14 of Mogadishu's 16 districts. UNDP Somalia also works with local NGOs in Mogadishu that provide free legal aid to citizens. Human rights violations allegedly committed by the authorities are often difficult to investigate as the TFG police and local militias often wear similar uniforms. Thus, proper investigations are a challenge. When asked if the TFG police enjoy complete impunity Laurel Patterson, UNDP Somalia stated that UNDP Somalia is aware of reports of police officers being dismissed due to complaints filed by these aforementioned NGOs.

Laurel Patterson, UNDP Somalia explained that UNPOS is setting up District Safety Committees (DSCs), i.e. neighbourhood watch committees in Mogadishu. Very often women are the best source of information about newly arrived persons in an area and information provided by women is linked to these committees [i.e. DSCs].

UNHCR Somalia stated that the TFG police force to a certain degree is perceived as clan based in the sense that it has a strong Hawiye presence within its forces. Because of the clan dynamics of Mogadishu, there are certain areas of Mogadishu where the UN cannot be escorted by the TFG police force when it drives out its own vehicles.

Laurel Patterson, UNDP Somalia explained that UNDP has temporarily ceased training new police officers, and this is in order to improve the quality of the existing police force, and also to ensure that the police force would not be exclusively made up of Hawiye clan members. The Hawiye clan dominates the police as well as the TFG. Since clan affiliation matters more than anything else, a police force dominated by one clan would not be operating on an objective basis.

When asked if the TFG police force is dominated by a certain clan a local NGO (C) in Mogadishu stated that the police force is not dominated by certain clan, and it was emphasized that the Somali National Police (SNP) chief is a Benadiri. The local NGO (C) considered that this shows that the SNP is mixed.

When asked if the TFG police force recruits along clan lines an international organisation (B) explained that this is not the case. The police force is multi-clan based and it is fairly representative in this respect.

6 Internal Flight/Relocation Alternative

Regarding Internal Flight/Internal Relocation Alternative (IFA/IRA) in S-C Somalia UNHCR Somalia referred to its 2010 *Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Somalia*⁶⁶, and stated that no recent information has led UNHCR to adopt any changes on its 2010 position.

When asked to comment on why the IFA is not available in S-C Somalia, including Mogadishu UNHCR Somalia stated that “from the field perspective IFA would not be applicable inside S-C Somalia, not only because any Somali returned to a place other than that from which they originate would not enjoy clan protection and therefore would be exposed to serious violations of human rights, but also because in S-C Somalia, insecurity prevails in areas of conflict between Al-Shabaab and Kenyan, Ethiopian, TFG and AMISOM forces or, in areas firmly under the control of Al-Shabaab, serious violations of human rights are perpetrated under the harshest form of application of Sharia law.”

Regarding S-C Somalia the 2010 *Eligibility Guidelines* states that:

“On account of the general unavailability of protection from the State in southern and central Somalia due to the fact that the State has lost effective control over large parts of territory, the situation in southern and central Somalia does not meet the “relevance” test for the application of the IFA/IRA concept. Furthermore, the customary law systems cannot be considered as sources of effective and durable protection due to their fragmented nature, the recent breakdown of traditional clan protection mechanisms, bias towards majority clans and the contradictions between customary law and international human rights law, particularly in relation to the rights of women.

In the absence of a risk of persecution or other serious harm upon relocation, it must also be “reasonable” for a claimant to relocate. Such an assessment must take into account the elements of safety and security, respect for human rights and options for economic survival in order to evaluate if the individual would be able to live a relatively normal life without undue hardship given his or her situation.

In light of the risks to safety and security, ongoing armed conflict and the shifting armed fronts and ongoing widespread human rights violations, it cannot be considered reasonable for any Somali, regardless of whether the individual originates from southern and central Somalia, Somaliland or Puntland, to relocate within or to southern and central Somalia.

⁶⁶ UN High Commissioner for Refugees, *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Somalia*, 5 May 2010, HCR/EG/SOM/10/1. <http://www.unhcr.org/refworld/docid/4be3b9142.html>

Access to land, water, services and security in southern and central Somalia is generally defined by clan membership. In such situations, it would not be reasonable to expect someone to take up residence in an area or community where persons with a different clan background are settled, or where they would otherwise be considered aliens. There is evidence from the IDP settlements in urban areas across Somalia, including Puntland and Somaliland, of daily abuse faced by members of clans which are not considered to 'originate' from the area in which they find themselves displaced.

Furthermore, it would also not be reasonable for persons who have a well-founded fear of persecution to relocate within or to southern and central Somalia due to the massive displacement from Mogadishu, which has drained the absorption capacity of host communities in most areas of southern and central Somalia – even if the displaced persons are of the same clan as members of the host community. Economic collapse and massive displacement has saturated clan social and economic support in home clan areas. In Galgaduud, which has received one of the largest numbers of IDPs in 2007, it was one of the few regions which also witnessed returns to Mogadishu. Interviewees reported to UNHCR that they had reached a level of desperation so severe that they preferred the misery and insecurity in Mogadishu.

Based on the above, UNHCR considers that there is no available internal flight or relocation alternative in any part of southern and central Somalia.”

7 Return to Mogadishu and South-Central Somalia

7.1 New Somali passports

Rashid Abdi, an independent Horn of Africa Analyst explained that the TFG launched a new Somali passport “with superior security features” some two years [ago]. Government officials used the term “biometric” passport, but there is doubt whether this is the case. It is certainly much harder to forge than the old passport. Every eligible Somali can now apply for the new passport and the processing fee is 150 USD. That said, Rashid Abdi explained that there is anecdotal evidence Somalis are being forced by corrupt embassy officials abroad to pay as much as 1.000 USD to get the new passport. The old passport is still valid.

Stig Jarle Hansen, Associate Professor/Head of the International Relations Program, Norwegian University of Life Sciences confirmed that the passport issuance system is highly corrupt, and added that “passports are easily available if you have the network.”

Regarding the issuance of official Somali passports an international NGO (B) stated that an Immigration Office under the Ministry of Interior and the National Security [Agency] has been issuing passports in Mogadishu and Garowe and at some of Somalia’s embassies since 2008. A passport costs 87 USD.

7.2 Arrival at Mogadishu airport

An international organisation (B) explained that Mogadishu’s Aden Adde International Airport is relatively well functioning in the context of Somalia. There are many flights to and from Mogadishu and the private Dubai-company Skylink Arabia (SKA) manages the airport. The airport was described as civilized; there is passport control and passports are being stamped at entry and departure by the TFG immigration authorities.

However, Stig Jarle Hansen stated that corruption is still rampant within the immigration authorities, but the upper class and the international NGOs do not experience it as Immigration officials are careful to pick victims that are not resourceful.

An international NGO (B) explained that everyone returning to Mogadishu through the international airport will go through the immigration control and have their passports registered.

An international organisation (B) explained that all arriving passengers [in Mogadishu’s Aden Adde International Airport] will have to identify their own luggage and there is a security control. Significant improvements are in the pipeline particular concerning screening of passengers and baggage. The authorities have a Black List of wanted persons suspected of terrorism or criminality, and they will be arrested if they attempt to enter Somalia through Mogadishu airport. Many families from the Diaspora as well as business people and many others arrive regularly in Mogadishu by air. An international organisation (B) estimated that in 2011 approximately 350 passengers were processed through the airport per day. That number will most likely increase in 2012. Among

others, Daallo Airlines, Juba Airlines, East African Airlines and African Express Airways fly to Mogadishu's Aden Adde International Airport. Turkish Airlines have operated charter flights and will commence a regular service between Istanbul and Mogadishu shortly.⁶⁷

Regarding access to Mogadishu via its international airport an international NGO (A) explained that the arrival procedures at this airport are completely normal although rather chaotic. The security procedures upon arrival are administered by AMISOM and a private security company, and the TFG has established its own Directorate of Immigration and Naturalization (DIN) office in the airport. Passengers are arriving all the time and the international NGO (A) described the influx of travellers and the arrival procedures as impressive. Once a traveller has passed through the DIN he or she is free to enter Somalia and the traveller may be picked up by a relative or a friend, or the traveller will hire a taxi at the airport to go to his or her final destination. There are at least four or five commercial airlines flying to Mogadishu during day-time. There are no night flights due to security precautions. Among others Daallo Airlines, Turkish Airlines, Jubba Airways, Jetlink Express, and African Express Airways fly to and from Mogadishu. An international NGO (A) described Mogadishu airport as a very busy airport.

7.2.1 Other airports in South-Central Somalia

When asked about the existence of other airports and airstrips in S-C Somalia an international organisation (B) stated that there are many operational airstrips available throughout south-central Somalia including Belet Weyne, Dollow, Galkayo and Luuq. Jowhar remains under the control of Al-Shabaab so the airstrip is used by Al-Shabaab only. Charter and khat flights only generally operate on the more remote airstrips apart from Galkayo where commercial flights land and take off regularly (Daallo Airlines).

Regarding flight to and from Kismayo airport an international organisation (B) explained that there are no commercial flights there. The airport is operational and it is used by Al-Shabaab who controls Kismayo and the airport.

UNHCR Somalia explained that the airport in Kismayo is controlled by Al-Shabaab. To the best of their knowledge, the airport is not open to ordinary commercial flights.

7.3 Returnees to Mogadishu

Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir region stressed the importance of people returning to Mogadishu from abroad. Many have already come back, but there are still concerns that Mogadishu is not totally safe. However, the rising number of returnees is encouraging. It was added that the authorities in Mogadishu still lack capacity and equipment to

⁶⁷ On 6 March 2012 a Turkish Airlines flight was the first major commercial airline in more than 20 years to land at Mogadishu airport. Turkey's Deputy Prime Minister Bekir Bosdag was on board the flight, which was welcomed by the Somali president. The twice-weekly flights should make travel easier for Somali businessmen and members of the large diaspora. BBC News. *Somalia: Turkish Airlines begins flights to Mogadishu*. 6 March 2012. <http://www.bbc.co.uk/news/world-africa-17269620>

properly register and issue national IDs to all those who have returned to Mogadishu, and Mohamoud Nur Ahmed requested the international community to provide assistance for this process.

Killian Kleinschmidt, OCHA, stated that an increasing number of Somalis are returning to especially Mogadishu from abroad. Many of these are returning in order to position themselves in business and politics. However, Killian Kleinschmidt explained that it can be difficult for the international organisations in Somalia to draw on the returnees as many of them have their own agendas and ambitions within Somali politics and business. Reference was made to the present Mayor of Mogadishu who returned from UK a couple of years ago in order to become Mayor [of Mogadishu] and Governor of Benadir region, and who reportedly has the ambition of becoming President of Somalia.

Amina Abdulkadir Arale, Representative, SWDC, a local NGO in Mogadishu stated that there are many persons from the Diaspora who are now returning to Mogadishu. This is partly due to the improvement of the security situation in the city.

When asked why so many Somalis are now returning to Mogadishu an international NGO (A) explained that many of those returning from abroad are full of hopes about business prospects and political opportunities. There is an ever increasing inflow of international companies in Mogadishu. Many of these are owned by or have with links to the Diaspora. An international NGO (A) considered this development to be positive, but also made the point that this increase has taken place during the previous two to three years, i.e. when Al-Shabaab was in control of most of Mogadishu. It actually started in 2006 when ICU [Islamic Courts United] was in power, then stopped when Ethiopia and the TFG fought with Al-Shabaab until recently. Now that the TFG is in full control of Mogadishu the increase has resumed again. Whenever conditions permit, including security conditions, business people and investors come back in order to take up opportunities and establish shops, companies and trade. This already started back in 2006 when Mogadishu's airport was reopened. When it was opened one could note an increase in the inflow of people from the Diaspora.

According to an international NGO (B), everyone, irrespectively of whether they have come back to Mogadishu from abroad or they have been staying in the city all the time are in great danger for being victim of an Al-Shabaab attack. However, it was added that someone returning after a long time abroad would face challenges in navigating in the volatile security situation in Mogadishu compared to a person with more than 20 years of experience in moving around the city. However, in the current situation in Mogadishu there are different warlords, including DCs and their militias in various districts of the city, making it complicated to navigate for ordinary people.

An international NGO (B) explained that – besides the above mentioned challenges – a person can return to Mogadishu without problems if he or she is returning to an area of the city in which his or her clan is in control or if he or she is from the same clan as the warlord controlling the area.

An international NGO (B) stated that in terms of the safety of returnees, those who belong to one of the major clans would not face any problems in Mogadishu. However, if a returnee belonging to a minority clan is perceived to be wealthy, that person might risk being taken for ransom once in Mogadishu. Members of minority clans and ethnic minority groups will seek protection with influential persons they know or they may ally themselves with members of a major clan.

According to an international NGO (B) there is tight control at the airport or in Mogadishu of especially younger men returning from abroad as there is fear and suspicion that some of these may be returning in order to join Al-Shabaab's forces. This is because a number of young men in their early twenties from the Somali Diaspora have been identified as those who have carried out suicide attacks in Mogadishu.

An international NGO (B) explained that there has been an increasing inflow of people returning to Mogadishu from abroad. A substantial number of those are aspiring for positions within the TFG administration. According to the international NGO (B) many of those returnees are not qualified for the jobs they aspire to and many of them only stay temporarily in Somalia. The other large group of returnees are business people. Most business people are planning to make investments and they often stay more permanently in Somalia. It was added that returns not only take place to Mogadishu but also to many other areas of S-C Somalia. During the last year or so many Somalis have returned from abroad to start up new businesses and make investments.

Bediako Buahene, Policy and Protection, OCHA emphasized that entering Somalia is not the problem; it is much more uncertain what will happen later on to someone who have been abroad for a long time. This is an issue even in areas not controlled by Al-Shabaab. It was reiterated that the initial risk is low, but that the mediate and long-term risks depend on the profile of the individual and it is unpredictable.

7.3.1 Benadiri returnees

A local NGO (A) in Mogadishu explained that many Benadiri returnees in Mogadishu are relatives of the original Benadiri population, and added that the Benadiri population are now living in relative safety in Mogadishu.

A local NGO (C) in Mogadishu stated that many members of the Benadiri community have returned to Hamar Weyne. Today there are many Benadiri people living in Mogadishu and they are successful business people and some are also engaged or employed in the administration. The Director of Finances in the Mogadishu administration is a Benadiri. Previously, during the period of warlordism the Benadiri ethnic community were victims of many human rights violations and most of them fled the country. However, today they are living well in Mogadishu and many have reopened shops or undertaken other business activities. Many have had their previous properties, including houses returned to them and they are no longer at risk of persecution or other human rights violations. The local NGO (C) added that members of minority clans or minority ethnic groups are no longer victims of persecutions and violations in Mogadishu, and he denied that

members of those groups are being harassed in present day Mogadishu. However, members of ethnic minority groups are socially being discriminated against as they are not eligible to intermarry with members of the Somalia clans. Even the constitution of Somalia does not provide justice for members of ethnic minority groups.

7.4 Perception of returnees in Mogadishu and South-Central Somalia

According to UNHCR Somalia an increasing number of Somalis from the Diaspora are now returning to Mogadishu and other locations in S-C Somalia and UNHCR Somalia had not received reports about returnees being kidnapped for ransom upon their return to Somalia. However, a returnee will need to have connections in order to feel safe upon his or her return.

When asked if there are reports of returnees from abroad being harassed or kidnapped for ransom upon arrival in Mogadishu a local NGO (C) in Mogadishu stated that people see those returning [from] abroad as a peace sign and no one abducts them.

When asked about the common perception of persons returning from abroad to S-C Somalia, including Mogadishu, an international NGO (A) explained that those Somalis who return to Mogadishu as well as to other places in S-C Somalia know what they are doing, and they know that security has improved considerably in Mogadishu. They also know that there is a huge presence of armed AMISOM forces in the airport area. It is AMISOM who is responsible for the security within the airport area.

An international NGO (B) stated that in general there is no negative attitude towards returnees in Mogadishu. All families returning have relatives abroad, especially in Europe and the US, but those who return know how to adapt; if they don't they could be at risk that Al-Shabaab boys would undertake attacks against them. Kidnappings used to happen in the past but these days its threats in order to get money. These threats would not be made in areas controlled by the TFG but local militias might demand so called protection money from a returnee. Especially returning persons perceived to be wealthy would be at risk of receiving threats and they would often need to buy protection from armed groups.

Bediako Buahene, OCHA explained that there are no reports on whether Somalis who return to Somalia from the West are being put at risk or not. However, as Somalia is an oral society everybody knows each other and it is not possible just 'to blend in' when you return from a longer stay abroad. The risk of being kidnapped is always there but there are no reports on this issue.

Organisations, individuals and authorities consulted

Ali Abdullahi Abdi, Information & Communication Officer, Somali Women Development Centre (SWDC), Mogadishu.

A local NGO (A), Mogadishu.

A local NGO (B), Mogadishu.

A local NGO (C), Mogadishu.

A UN organisation, Nairobi.

Amina Abdulkadir Arale, Representative, Somali Women Development Centre (SWDC), Mogadishu.

An international NGO (A), Nairobi.

An international NGO (B), Nairobi.

An international organisation (A), Nairobi.

An international organisation (B), Nairobi.

An international organisation (C), Nairobi.

Bediako Buahene, Policy and Protection, Office for the Coordination of Humanitarian Affairs (OCHA), Nairobi.

Elman Peace and Human Rights Center (EPHRC), a local NGO, Mogadishu.

International Committee of the Red Cross (ICRC), Nairobi.

Killian Kleinschmidt, Deputy Humanitarian Coordinator, UN Office for the Coordination of Humanitarian Affairs (OCHA), United Nations Common Compound (UNCC), Mogadishu.

Laurel Patterson, Head of Partnerships & Planning Unit, Assistant Country Director, United Nations Development Programme Somalia (UNDP Somalia), Nairobi.

Mohamoud Nur Ahmed, Mayor of Mogadishu/Governor of Benadir region, Mogadishu.

Peter Klansø, Regional Director, Danish Refugee Council (DRC), Nairobi.

Rashid Abdi, independent Horn of Africa Analyst, Nairobi.

Stig Jarle Hansen, Associate Professor/Head of the International Relations Program, Norwegian University of Life Sciences.

United Nations High Commissioner for Refugees Somalia (UNHCR Somalia), Nairobi.

United Nations Political Office for Somalia (UNPOS), Nairobi.

Abbreviations

AI – Amnesty International

AMISOM – African Union Mission in Somalia

AS – Al-Shabaab

ASWJ – Ahlu-Sunna Wal Jamaa

AU – African Union

BBC – British Broadcast Corporation

CID – Criminal Investigation Department

COI – Country of Origin Information

CRC – Convention on the Rights of the Child

DC – District Commissioner

DIN – Directorate of Immigration and Naturalization

DIS – Danish Immigration Service

DRC – Danish Refugee Council

DSC – District Safety Committee

ENDF – Ethiopian National Defence Forces

EOD – Explosive Ordnance Disposal

EPHRC – Elman Peace and Human Rights Center

EU – European Union

FGM – Female Genital Mutilation

GBV – Gender Based Violence

HQ – Head Quarter

HRW – Human Rights Watch

IASC – Inter-Agency Standing Committee

ICG – International Crisis Group

ICRC – International Committee of the Red Cross

ICU – Islamic Courts United, also called Union of Islamic Courts (UIC)

IDP – Internally Displaced Person

IED – Improvised Explosive Device

IFA – Internal Flight Alternative

IGC – Intergovernmental Consultations

INGO – International Non-Governmental Organisation

IRA – Internal Relocation Alternative

JCTWG – Justice and Corrections Technical Working Group

JTIM – Jane’s Terrorism and Insurgency Monitor

KDF – Kenyan Defence Forces

MIA – Mogadishu International Airport

MRM – Monitoring & Reporting Mechanism

NGO – Non-Governmental Organisation

NRC – Norwegian Refugee Council

NSA – National Security Agency, also called National Security Service Agency (NSSA)

NSSA – National Security Service Agency, also called National Security Agency (NSA)

OCHA – Office for the Coordination of Humanitarian Affairs

OHCHR – Office of the High Commissioner for Human Rights

OIC - Organisation of Islamic Cooperation

OLN – Operation Linda Nchi

PAC – Police Advisory Committee

PBIED – Person-Borne Improvised Explosive Device

RCIED – Radio Controlled Improvised Explosive Device

S-C Somalia – South-Central Somalia

SGBV – Sexual and Gender Based Violence

SKA – Skylink Arabia

SVA – Shabelle Valley Alliance

SWDC – Somali Women Development Centre

TFG – Transitional Federal Government

ToR – Terms of Reference

UIC – Union of Islamic Courts, also called Islamic Courts United (ICU)

UK – United Kingdom

UN – United Nations

UNCC – United Nations Common Compound

UNDP – United Nations Development Programme

UNDSS – United Nations Department of Safety and Security

UNHCR – United Nations High Commissioner for Refugees

UNICEF – United Nations Children’s Fund

UNPOS – United Nations Political Office for Somalia

UNSOMA – United Nations Somalia Mine Action Programme

US – United States

USD – United States Dollars

VBIED – Vehicle Born Improvised Explosive Device

VIP – Very Important Persons

Annexes

Annex 1: Terms of References

DANISH IMMIGRATION SERVICE



Date: 25 January 2012

S/C Somalia: Terms of Reference

A. Security and political situation in S/C Somalia

Security situation for civilians in Mogadishu area

- Insurgent activities, suicide attacks by Al-Shabaab
- Military activities by AMISOM
- TFG forces
- Number of civilian casualties in Mogadishu since mid-2011 compared to the previous six months

Security situation for civilians in other areas of S/C Somalia, locations of those areas

- Al-Shabaab controlled areas
- Areas controlled by other militias/movements
- TFG/AMISOM controlled areas
- Areas controlled by Kenyan troops
- Areas controlled by Ethiopian troops
- Number of civilian casualties since mid-2011 compared to the previous six months

Security and humanitarian situation for IDPs in Mogadishu

Political and security scenarios in S/C Somalia and Mogadishu

B. Human rights violations in Mogadishu

Violations committed by Al-Shabaab

- Forced recruitment
- Non-Islamic behavior
- Forced marriage
- Affiliation with the TFG and AMISOM
- Affiliation with NGOs
- Punishments by Al-Shabaab
- Arbitrary killings

Violations committed by the TFG and AMISOM

- Forced recruitment by the TFG
- Affiliation with Al-Shabaab
- Arbitrary killings



C. Human rights violations in other areas of S/C Somalia

Violations committed by Al-Shabaab

- Forced recruitment
- Non-Islamic behavior
- Forced marriage
- Affiliation with the TFG, AMISOM, Kenyan and Ethiopian forces
- Affiliation with NGOs
- Punishments by Al-Shabaab
- Arbitrary killings/impunity

Violations committed by the TFG, AMISOM, Kenyan and Ethiopian forces

- Forced recruitment by the TFG
- Risk of being affiliated with Al-Shabaab
- Arbitrary killings/impunity

D. Freedom of movement in S/C Somalia

Freedom of movement within Mogadishu, including travel from Mogadishu International to Mogadishu city

Freedom of movement between Mogadishu and other areas in S/C Somalia

Flights to Mogadishu and other areas of S/C Somalia

Freedom of movement for women

E. Internal Flight Alternative in S/C Somalia

F. Return to S/C Somalia

Perception of returning Somalis having been abroad

- Al-Shabaab (including other Islamist militias) held areas
- TFG/AMISOM controlled areas
- Areas under control of Kenyan and Ethiopian troops

Risk of abduction for ransom

G. Clan-based protection and legal justice in S/C Somalia

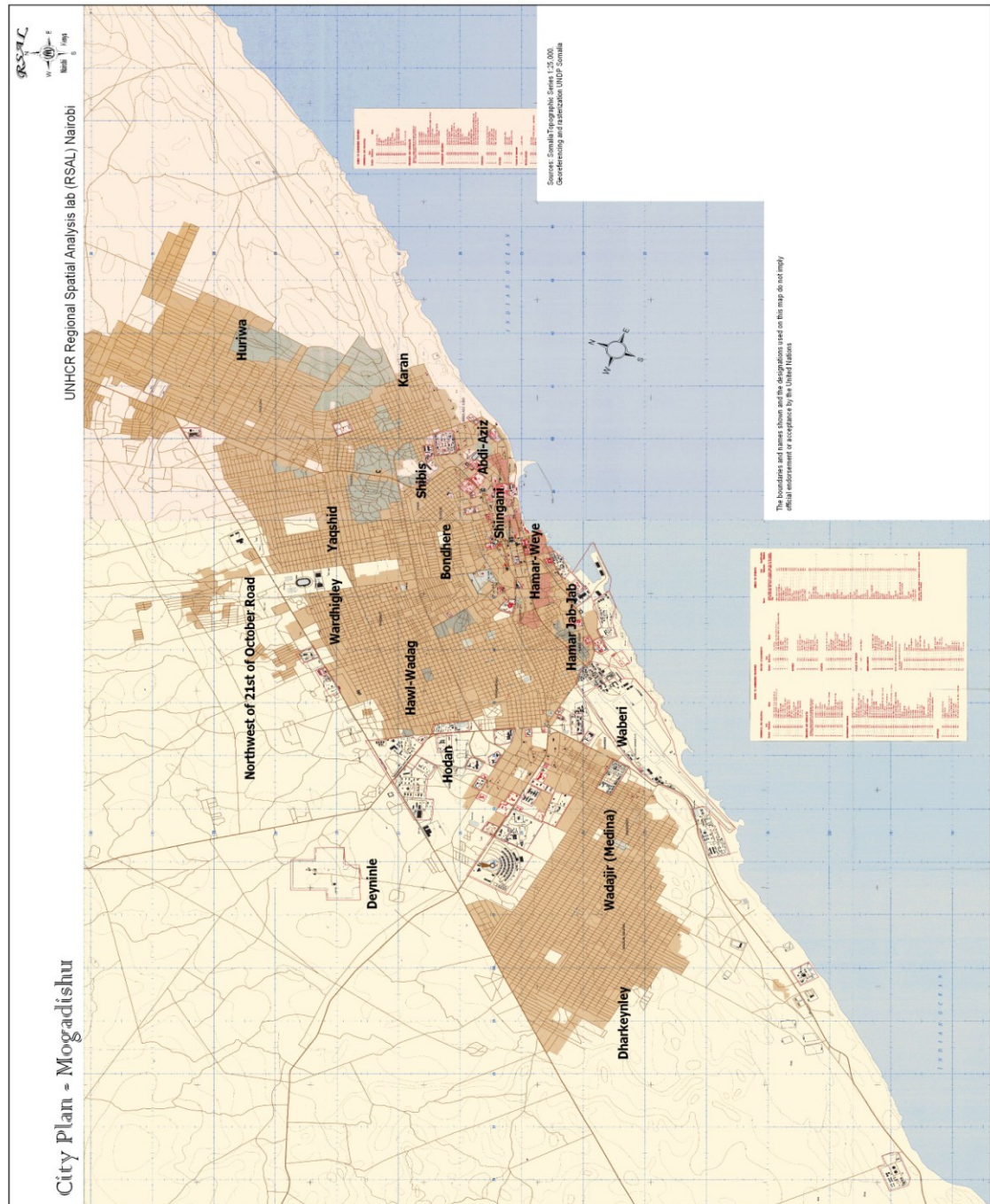
Protection against crime

Protection against Al-Shabaab

Annex 2: Map of Somalia



Annex 3: Map of Mogadishu⁶⁸



⁶⁸ UNHCR. City Plan – Mogadishu.

http://psugeo.org/Africa/DMS/Hard%20Copy%20Maps/Somalia_Mogadishu_city_plan.jpg

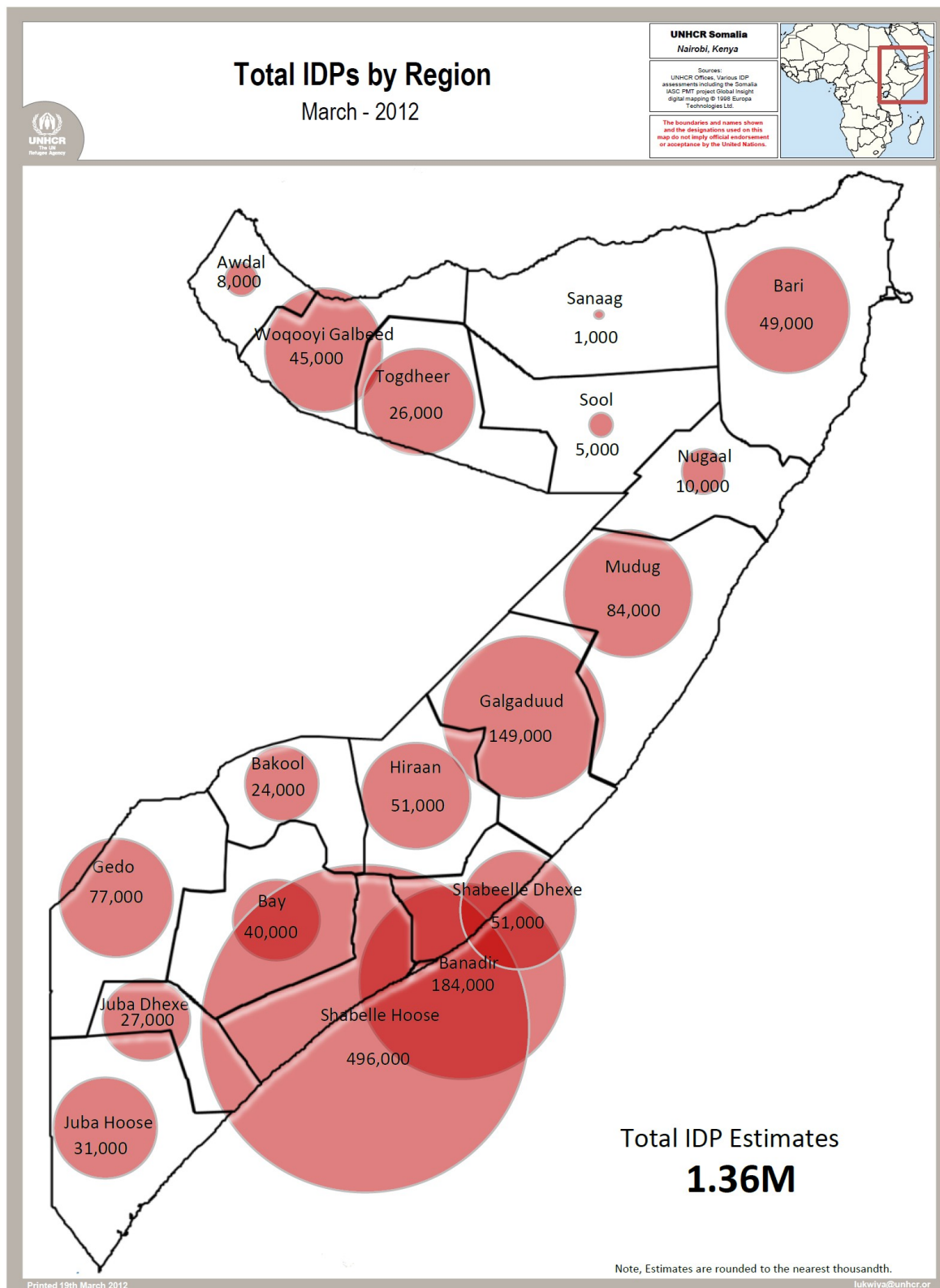
Annex 4: Map - Military situation in S-C Somalia⁶⁹

Who runs Somalia?

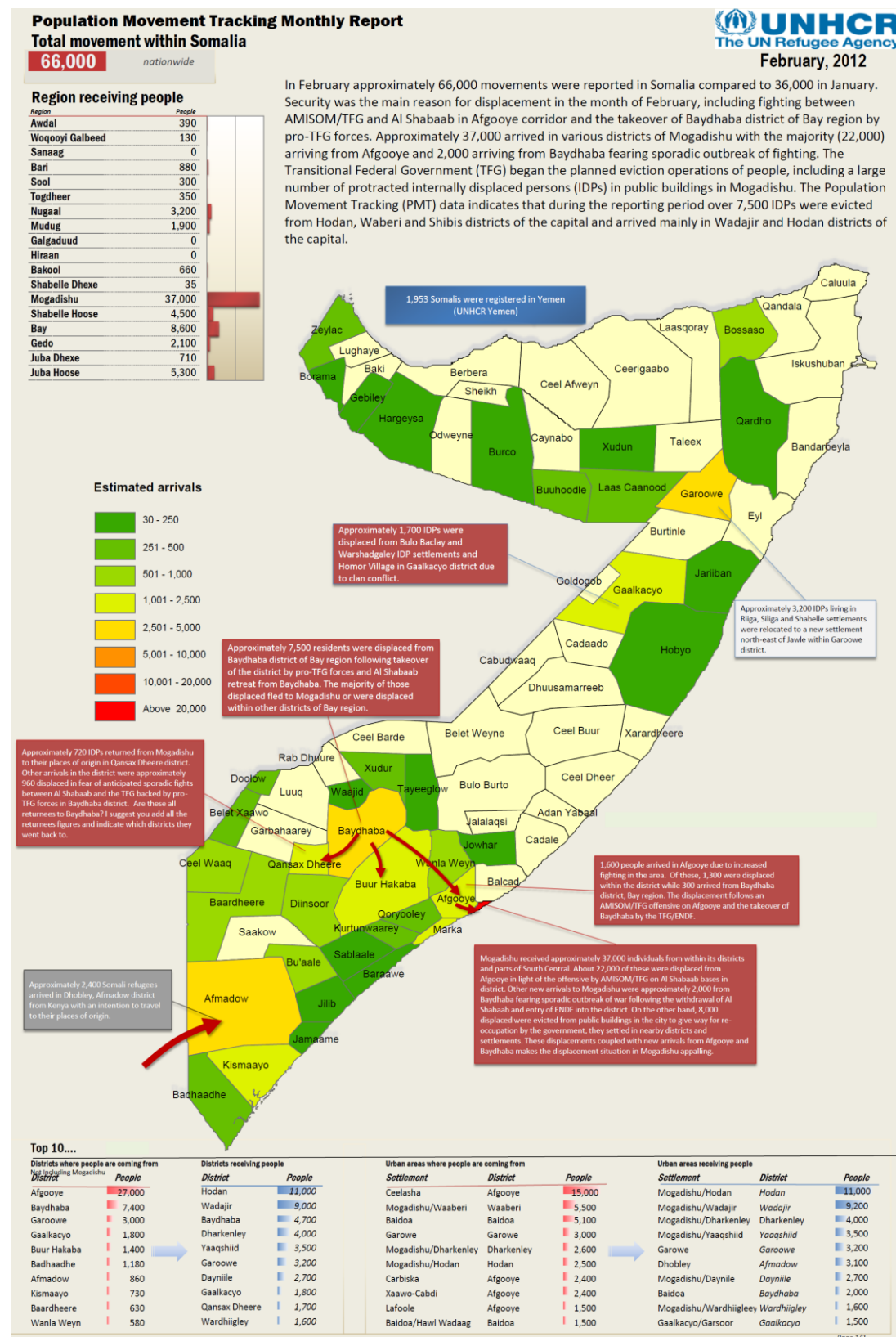


⁶⁹ BBC News, 4 April 2012. <http://www.bbc.co.uk/news/world-africa-17609047>

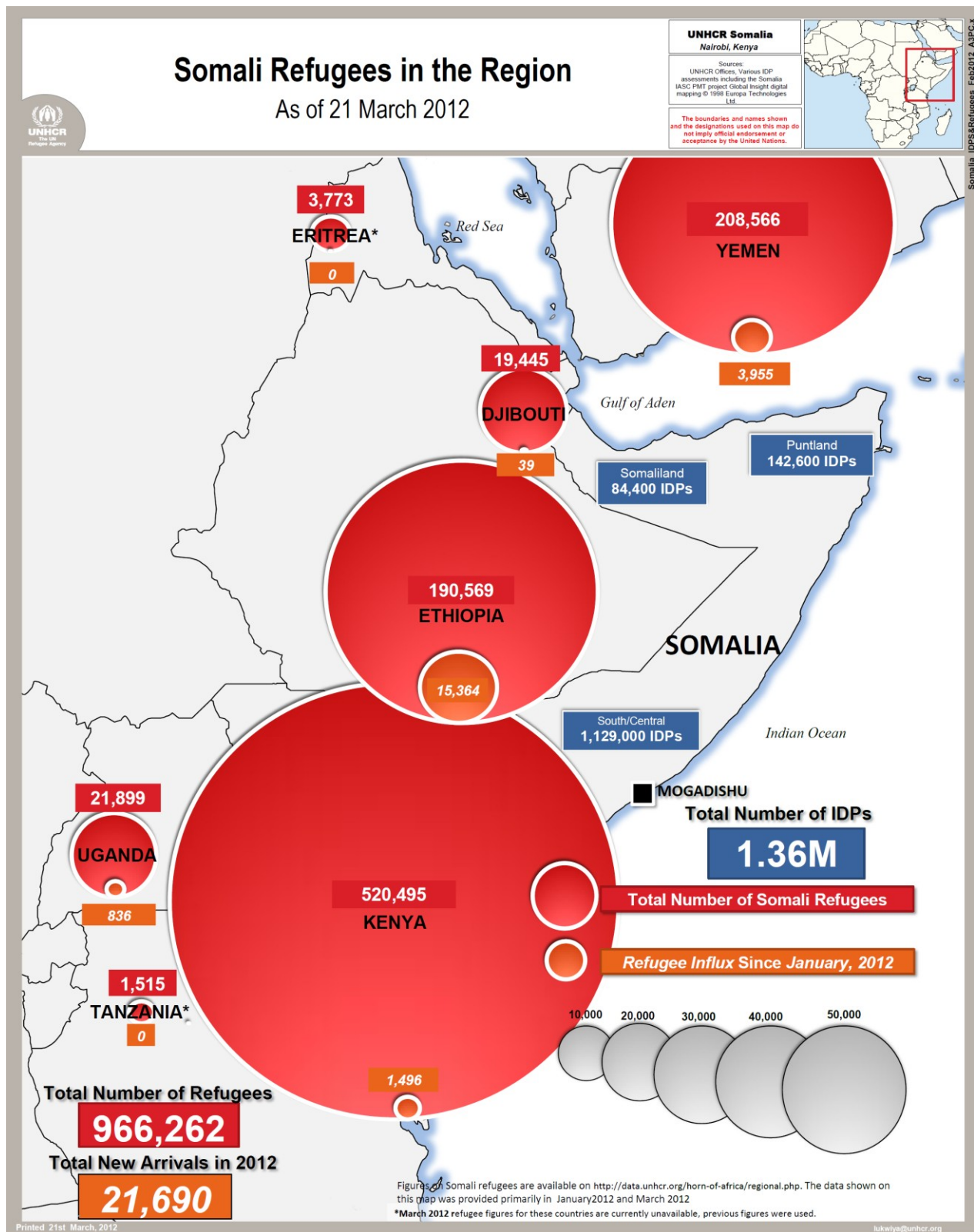
Annex 5: Map - Total IDPs by region – March 2012



Annex 6: Movement of IDPs within Somalia – February 2012



Annex 7: Map - Somali refugees in the region – March 2012



Annex 8: Summary of General Security incidents in Mogadishu 1 January - 28 February 2012

Summary of General Security incidents in Mogadishu – Recorded from 1st January – 28 February, 2012 <i>The list has been compiled by UNHCR security staff and does not purport to be exhaustive, covering all the security incidents in Mogadishu during the reporting period.</i>			
Date & Time of Incident	Type of the incident	Details/Brief Description	Casualties/fatalities
0000hrs- 01 January, 2012	Armed Conflict	Armed clashes in Hurwaa and Karan districts after AS fighters attacked TFG/AMISOM positions in the respective areas. The warring parts exchanged heavy gunfire and shelling offensives. The fighting lasted for about an hour and reportedly TFG/AMISOM forces managed to push back AS fighters	Casualties/fatalities couldn't be established
1800hrs – 01 January, 2012	Armed conflict	Armed clashes erupted in Hurwaa and parts of Karan districts when AS fighters attacked TFG/AMISOM positions in the area. Heavy gunfire and shelling offensives were reported from the area. TFG/AMISOM forces managed to push back AS fighters attacked their positions	Casualties/fatalities couldn't be established
1945hrs – 01 January, 2012	Terrorism	Two hand grenade attacks were simultaneously targeted against TFG soldiers in Bar-ubah and Howlwadag junctions in Howlwadag district. The soldiers reported fired back in retaliation of the attack. None of the perpetrators were identified.	No casualty was reported as a result of the attack
2215hrs – 01 January, 2012	Terrorism	Hand grenade attack was targeted against TFG soldiers patrol post located in Albarako junction in Hodan district. Perpetrators managed to escape unidentified.	Two military personnel sustained slight injuries as a result of the attack
1030hrs – 02 January, 2012	Armed Conflict	A mortar shell reportedly landed in Burundian army detachment in Hoosh area, Dharkenley district. Sources indicated that a number of Burundian army was injured as a result of the shell hit in the military camp. Exact information about the casualties couldn't be established.	Exact number of casualties/fatalities couldn't be established
1951hrs – 02 January, 2012	Armed conflict	Armed clashes and shelling erupted in SOS hospital and Ex-pasta factory areas in Hurwaa district. Heavy gunfire followed by sporadic shelling was reported from the area. The complex attack erupted after AS fighters	Casualties/fatalities as a result of the fighting couldn't be established

Security and human rights issues in S-C Somalia, including Mogadishu

		attacked TFG/ AMISOM military positions in the area. AS fighters were pushed after half an hour long fighting	
200hrs – 02 Jan, 2012	Terrorism	Hand Grenade attack was targeted privately owned guest house located near Bayl IDP camp in Waberi district. Perpetrators managed to escape unidentified	No Casualties/ fatalities was reported
0200hrs – 03 January, 2012	Armed conflict	Armed clash between TFG/ AMISOM forces and AS fighters was reported from Daynile district after AS fighters attacked TFG/ AMISOM positions. Heavy gunfire and shelling were exchanged by the warring sides	Casualties/ fatalities couldn't be established
1730hrs – 03 January, 2012	Crime	A gunman wearing TFG military uniform shot dead three civilians in Km4, Hodan district. Reports indicate that there were militia soldiers running illegal checkpoint at the respective area and collecting illegal taxation from public transport systems. Therefore, one of these militiamen tried to stop a mini bus in order to collect money from it however, as the driver was reluctant to stop the vehicle he opened fire against the bus and as a result killed three people. Perpetrator escaped unidentified.	3 civilian fatalities
2025hrs – 03 January, 2012	Terrorism	Hand Grenade attack was targeted against the residential house of TFG police soldier in macmacanka area, Dharkenley district. Perpetrator managed to escape unidentified.	1 civilian casualty reported as a result of the attack
100hrs – 05 January, 2012	Terrorism	Remotely controlled improvised explosive device was targeted against TFG soldiers in Florence area in Wardhigley district. Perpetrators managed to escape unidentified.	A woman was killed and two military pers. Injured as a result
1840hrs – 07 January, 2012	Armed conflict	Armed Clashes started in Karan district after AS fighters attacked TFG/ AMISOM positions in the area. Heavy gunfire and shelling exchange were reported as a result of the fighting. TFG/ AMISOM forces managed to push back AS fighters attacked their positions.	Casualties/ fatalities couldn't be established
1840hrs – 07	Armed conflict	Armed clashes erupted between TFG/ AMISOM forces and AS fighters	Casualties/ fatalities as

Security and human rights issues in S-C Somalia, including Mogadishu

January, 2012		in Xalimo Xito area at the outskirt of Karan district and it was after AS fighters attacked TFG/AMISOM frontline positions in the respective areas. The warring sides exchanged heavy shelling and gunfire. The fighting lasted about half an hour after which TFG/AMISOM soldiers managed to push back AS fighters.	a result couldn't be established
2220hrs – 07 January, 2012	Direct fire	A heavy shelling offensive between AS fighters and TFG/AMISOM forces was reported at the frontline positions in Hurwaa district. The shelling erupted after AS fighters targeted number of mortar shells against TFG/AMISOM positions in the respective area. According to sources close to the area the counteroffensive from TFG/AMISOM sides apparently targeting <i>Waxar-adde</i> area at the outskirt of Hurwaa district hit a large religious mosque locally known as “ Al-Hidaya”	Three civilian fatalities and another similar number of casualties reported as a result of the shelling
1300hrs – 08 January, 2012	Armed conflict	Armed Clashes started between TFG police soldiers and clan-based militiamen running illegal checkpoint in Dabakayo-madow area, Dharkenley district. The clashes erupted as the police attempted to clear the illegal checkpoint from the area. The district authorities mediated the situation and successfully ceased the gunfire and the police soldiers immediately disappeared leaving the illegal checkpoint being run by the militiamen.	Four fatalities (2 civilian plus 1 military) while 7 casualties (5 civilians plus two police soldiers were reported as a result of the incident
0800hrs – 08 January, 2012		TFG police discovered RCIED device in Banadir junction, Km6 in Hodan district. According to the police the RCIED was reported to AMISOM Explosive Rapid Response team for emergency deployment however, the device went off before the respective teams were deployed to remove it.	No casualty was reported as a result of the attack
0930hrs – 08 January, 2012	Terrorism	TFG police soldiers discovered Remotely Controlled IED in the former Coco-cola factory area at the vicinity of Tarbunka IDPs settlement, Hodan district. AMISOM Explosive Rapid Response team were accordingly deployed the area and safely removed the device and reportedly transported to MIA	None was reportedly harmed as a result of the incident
1640hrs – 09 January, 2012	Armed conflict	Sporadic gunfire and shelling offensives were reported in Hurwaa district (SOS hospital, Xaylo bariso, Abdiwayel Cinema and Ex-pasta	Casualties/fatalities from both military and

Security and human rights issues in S-C Somalia, including Mogadishu

		factory areas) and Karan district (Xalimo-xito area at the outskirt of karan). The complex fighting started when AS fighters started shelling and while also launching sporadic armed clashes against TFG/AMISOM positions in the respective areas.	civilians couldn't be established
2140hrs – 09 January, 2012	Armed conflict	Armed clashes started in Daynile district between TFG/AMISOM forces and AS fighters after AS launched complex offensives against TFG/AMISOM positions in the area. The warring sides exchanged heavy gunfire and shelling during a course of half an hour. However TFG/AMISOM forces pushed back AS fighters attacked their respective positions	Casualties/fatalities from both sides couldn't be established
1645hrs – 10 January, 2012	Terrorism	RCIED was targeted against the residential house of pirate resident in the Korontada area, Wadajir district. Uncorroborated info source indicated that the motive of the attack resulted from a dispute over piracy ransom sharing between pirate men however; nobody knows the real motive and responsibility of the attack.	A woman was killed and another man was injured as a result of the attack
1830hrs – 10 January, 2012	Armed conflict	An armed clash was reported from Hurwaa district (SOS hospital area, Ex-pasta factory and Cinema Abdiwayel reas) between TFG/AMISOM soldiers and AS fighters. The fighting started when AS fighters attacked TFG/AMISOM positions in the respective areas. Heavy gunfire and shelling were reportedly being exchanged by the warring parties	Casualties/fatalities from both sides couldn't be established
1830hrs – 10 January, 2012	Terrorism	Hand grenade attack was targeted against TFG police soldiers conducting post incident inspection in the location of the RCIED incident in Korontada area, Wadajir district.	None was reportedly harmed as a result of the attack
1915hrs – 10 January, 2012	Terrorism	Two simultaneous hand grenade attacks were targeted against UNCC Compound in Mogadishu, Somalia. The grenades were fired across the main road in front of the compound however none of them reached the compound. One hit behind a pharmacy in front of the compound and the other one hit near the immediate front gate of the compound.	Two civilian sustained slight injuries as a result of the attack

Security and human rights issues in S-C Somalia, including Mogadishu

200hrs – 14 January, 2012	Crime	Unidentified gunmen shot died a civilian while also injuring seriously injuring another one in Abagedo area, Dharkenley district. The gunmen were reportedly attempted to loot mobile phones and other belongings from the two victims however; as the victims were reluctant to their demand they killed one of them and injured the other and collected everything from them. The perpetrators escaped unidentified.	One civilian was killed and another injured as a result of the attack
1950hrs – 12 January, 2012	Armed conflict	Shelling offensive between TFG/AMISOM soldiers and AS fighters was reported from Xalimo xito area at the outskirt of Karan district. The shelling started after AS fighters fired mortar shells against TFG/AMISOM positions in the respective area.	Casualties/fatalities from both sides couldn't be established
1950hrs – 12 January, 2012	Armed conflict	Armed Clashes started in Macmacaanka area, Dharkenley district between clan-based militiamen. Reportedly the motive of the fighting was a dispute over the control of illegal checkpoint in the respective area. Two civilian reportedly killed as a result of the attack. Warring parties disappeared immediately after the clashes	Two civilian fatalities
1740hrs – 13 January, 2012	Armed conflict	Armed clash was reported in Jamhuriya area at the outskirt of the Karan district between TFG/AMISOM forces and AS fighters. The clashes started after AS launched complex offensive against TFG/AMISOM soldiers in the respective area. According to information sources heavy gunfire continued during a course half an hour before AS fighters were repulsed. Casualties from both sides were difficult to establish.	Casualties/fatalities couldn't be established
1330hrs – 13 January, 2012	Armed conflict	Armed Clashes started between TFG military soldiers and clan based militiamen in Tarbuunka area, Hodan district. The motive of the clash was reportedly a dispute over guns looted from the military soldiers from new TFG military recruits on the other day. Three civilians were killed and three others including one civilian and two soldiers were seriously injured as a result of the attack. Warring parties disappeared from scene immediately after the clashes.	3 civilian fatalities / 1 civilian casualty and 2 military casualties
1430hrs – 13 January, 2012	Armed conflict	Armed clashes between newly trained TFG military and police soldiers erupted in Km4 junction area, Hodan district. The motive was allegedly	Five were injured as a result of the incident (1

Security and human rights issues in S-C Somalia, including Mogadishu

		a dispute over guns looted from the new military recruits. Around five people were injured including one civilian and four soldiers. The warring parties disappeared immediately after the fighting.	civilian and 4 military casualties)
1300hrs – 14 January, 2012	Armed conflict	Armed clashes erupted between newly trained TFG soldiers and militiamen in Tarbuunka area, Hodan district. The motive was reportedly a dispute over some guns looted from the new recruits allegedly by a group of militia in the area. The fighting lasted for about 15 minutes and none was harmed as a result of the fighting.	None was reportedly harmed as result of the incident
1400hrs – 14 January, 2012	Armed conflict	Armed clashes between TFG soldiers and clan-based militias started in Km4 junction, Hodan. The motive of the fighting was reportedly a dispute over Qat (miraa) looted by the militiamen during the afternoon of the other day. The clashes lasted for about 20 minutes claiming the lives of two civilians while also seriously injuring one more. The warring sides disappeared from scene immediately undisturbed.	Two civilian fatalities and one civilian casualty reported as a result of the incident
1926hrs – 15 January, 2012	Terrorism	Hand Grenade attack was targeted against the residential house of former TFG cabinet member adjacent to the former AMISOM detachment in the neighborhood of UNCC Mogadishu, Wadajir district. The grenade hit inside the compound of the residential house. Reportedly the former TFG official already moved from the respective resident and currently a civilian family was occupying the residential house. No casualty was reported as a result of the attack. The motive why the civilian family was targeted couldn't be established so far. Perpetrators escaped unidentified	Two civilians sustained slight injuries
1300hrs – 15 January, 2012	Terrorism	RCIED attack was targeted against 4WD pickup carrying TFG police soldiers between Badbaado IDP camp and Galbeed Police station in Dharkenley district. The RCIED device was fortunately missed the target and went off as the vehicle the point of target. Reportedly none was harmed as a result of the explosion. Perpetrators escaped unidentified	None

Security and human rights issues in S-C Somalia, including Mogadishu

1700hrs – 15 January, 2012	Terrorism	AS suspect shot died a businessman at the exchange market inside Bakara market particularly the area of the market under Hodan district. The TFG security forces chased the suspect in an attempt to apprehend him however, he tried to resist and was shot died as a result. The motive why the businessman was target was difficult to establish.	1 fatality
1700hrs – 15 January, 2012	Armed Conflict	Armed clashes started among the security forces of the NSA of the TFG in Wardhigley junction area in Bakara market, part of the market under Wardhigley district. The clashes continued during a course of 15 minutes leaving one soldier died and another seriously injured from the warring sides. The motive of the clash was difficult to establish. The warring forces voluntarily ceased the gunfire and disappeared from the scene. Further details of the clash were not available.	Casualties/fatalities was difficult to establish
1745hrs – 17 January, 2012	Armed conflict	Armed clashes erupted between TFG/AMISOM soldiers and AS fighters in Daynile district (Ifka Halane and Stadium Mogadishu areas). The armed clashes started after AS fighters attacked TFG/AMISOM frontline positions in the respective areas. The warring sides exchanged heavy gunfire and shelling offensives during a course of half an hour however, TFG/AMISOM reportedly managed to defeat AS fighters. Casualties from both sides couldn't be established at this stage	Casualties/fatalities couldn't be established
1930hrs – 18 January, 2012	Crime	Unidentified gunmen wearing TFG military uniform shot to death a local resident in Jungal area in Yaqshid district. The perpetrators killed the victim as he was not complying their demand to give his mobile phone to them. According to info sources they shot the victim died, collected his belongings and disappeared unidentified.	One civilian fatality
0300hrs – 18 January, 2012	Armed conflict	AS fighters as usually launched heavy armed ambush against TFG/AMISOM positions at the areas of German Polytechnic school and Ifka Halane in Daynile district and SOS hospital area in Hurwaa district. The armed offensive lasted for about an hour and half. The warring sides used heavy gunfire and shelling during the course of the fighting. TFG/AMISOM resisted from AS offensives in the respective areas.	Casualties/fatalities couldn't be established

Security and human rights issues in S-C Somalia, including Mogadishu

		Casualties from both sides couldn't be established.	
2000hrs – 18 January, 2012	Armed conflict	AS fighters launched offensive attacks against TFG/AMISOM frontline positions in SOS hospital areas, Hurwaa district and German Polytechnic University at the industrial road in Daynile district. the warring sides exchanged heavy shelling and gunfire however, TFG/AMISOM forces resisted from the AS offensive. Casualties from both sides couldn't be established at this stage	Fatalities/casualties couldn't be established
2130hrs – 18 January, 2012	Armed conflict	AS fighters launched complex offensive against TFG/AMISOM frontline positions located in Xalimo-xito area at the outskirt of Karan district. The warring sides exchanged heavy gunfire and shelling during a course of half an hour. TFG/AMISOM forces reportedly resisted from the AS offensives. Sporadic shelling continued later on however, stopped after sometimes. Casualties from both sides couldn't be established so far.	Casualties/fatalities couldn't be established
1000hrs – 18 January, 2012	Terrorism	TFG police forces on security patrol discovered RCIED bomb in Km5 zone, Hodan district. The police restricted movement of people and traffic in and around the area. According to info sources AMISOM Explosive Ordnance Disposal team were deployed in the area and safely removed the bomb. None was harmed as a result of the attack. Perpetrators disappeared unidentified	None
1400hrs – 19 January, 2012	Terrorism	RCIED attack was targeted against a makeshift office for a gatekeeper in Ex-US embassy IDPs complex in Hodan district.	Two military fatalities
1230hrs - 19 January, 2012	Terrorism	Two simultaneous hand grenades were thrown at the new unoccupied UNHCR compound in Mogadishu.	None
0630hrs – 20 January, 2012	Armed conflict	TFG/AMISOM forces launched heavy military offensive against AS insurgents in far northern areas of Hurwaa as well as the outskirt of Yaqshid districts.	Casualties/fatalities couldn't be established
1400hrs – 21 Jan, 2012	Terrorism	Ex-Control (KM 7), Dharkeynley District, A RCIED was discovered at Km7 in Dharkeynley District. EOD attended the scene and Deactivated	None

Security and human rights issues in S-C Somalia, including Mogadishu

1530hrs – 21 Jan, 2012 KM 13	Drone Strike	Mogadishu Afgoi Road, a US drone aircraft strike killed Al-Qaeda operative who fought alongside with AS insurgents in Somalia since 2006. Al shabab Spokesman sheik Ali dhere confirmed the incident and identified the fighter as British citizen of Lebanese origin and was known as Bilal Al –Berjawi. The spokesman said “a missile fired by US drone hit Berjawi’s Car at KM 13”. The slain operative was senior Al Qaeda leader in East Africa and was the second in command to slain Al Qaeda Leader Fazul Mohamed Abdalla.	One fatality
2300hrs – 22 January, 2012	Armed Conflict	Armed clashed between TFG/AMISOM forces and AS fighters simultaneously erupted in Barakat Graveyard at the outskirt of Hurwaa district and Jamhuuriya, Keydsaney, Buurka dikow and Lido road from seabed at the outskirt of Karand district. The clashes started after AS fighters launched conventional armed attacks against TFG/AMISOM positions in the aforesaid areas.	Casualties/fatalities couldn’t be established
2330hrs – 22 Jan 2012	Conflict	Sar kuus(KM 8), Dharkeynley District, TFG/AMISOM and AS fighters clashed at Sar kuus area in Dharkeynley District after AS fighters launched an attack against TFG/AMISOM position at Sarkuus which AMISOM recently made new Base .	Casualties/fatalities couldn’t be established
1800hrs – 23 January 2012	Conflict	Armed clashes between TFG/AMISOM forces and AS fighters started in ex-Mogadishu university and Barakat graveyards in Hurwaa and Daynile district after AS fighters launched coordinated ambush in the respective TFG/AMISOM positions.	Casualties/fatalities couldn’t be established
2010hrs – 23 Jan 2012	Crime	Hotel Medina Junction, HammarJajab District, a person was shot injured by TFG soldier at Hotel medina Junction, the motive of the shot has not yet been established and The soldier managed to escape after the incident.	1 civilian casualty
2230hrs – 23 Jan 2012	Terrorism	A HG attack was targeted against TFG police patrol post in Suuq Bocale (Bocale market) area, Dharkenley district.	None
0230hrs – 23 Jan 2012	Armed conflict	Galbeed Police Station and Kah Shiikhaal area, Dharkeynley District, TFG/AMISOM and AS fighters clashed at Galbeed Police Station and	8 soldiers were killed

Security and human rights issues in S-C Somalia, including Mogadishu

		Kah Shiikhaal area in Dharkeynley District after AS fighters launched an attack against the said TFG/AMISOM positions. Eight fighters from both sides were reportedly killed as result of clash.	
1400hrs – 23 Jan, 2012	Armed conflict	Barakat Graveyard and Mogadishu University, Yaqshid District, TFG/AMISOM troops and AS Fighters clashed heavily at Barakat Graveyard and Mogadishu University in Yaqshid District after AS fighters launched an attack against TFG/AMISOM Positions in Yaqshid District.	Casualties/fatalities couldn't be established
1400hrs – 23 Jan, 2012	Armed conflict	Barakat Graveyard and Mogadishu University, Yaqshid District, TFG/AMISOM troops and AS Fighters clashed heavily at Barakat Graveyard and Mogadishu University in Yaqshid District after AS fighters launched an attack against TFG/AMISOM Positions in Yaqshid District.	Casualties/fatalities couldn't be established
1940hrs - 23 Jan 2012	Armed conflict	SOS area and Livestock Market, Heliwaa District, TFG/AMISOM troops and AS Fighters clashed heavily in SOS area and Livestock market in Heliwaa District after AS fighters launched an attack against TFG/AMISOM Positions at SOS area and Livestock market. TFG/AMISOM Carried out Massive shelling against AS positions at Maslah Camp.	Casualties/fatalities couldn't be established
2330hrs – 23 January, 2012	Armed conflict	Armed conflict in Dharkeynlay and Deynile districts: Heavy armed clash followed by shelling exchange between AS fighters and TFG/AMISOM soldiers simultaneously erupted in Hoosh area and the industrial road near Gulwadayasha area in Deynile district. AS fighters launched coordinated attack against TFG/AMISOM positions at the above said locations	Casualties/fatalities couldn't be established
1800hrs – 24 Jan 2012	Armed conflict	AS fighters launched coordinated attacks against TFG/AMISOM frontline positions in SOS and ex-coca cola factory areas in Hurwaa district. The warring sides exchanged heavy gunfire and shelling.	Casualties/fatalities couldn't be established

Security and human rights issues in S-C Somalia, including Mogadishu

		TFG/AMISOM forces managed to push back AS fighters attacked their respective military positions. Casualties from both sides couldn't be established	
2000hrs – 24 Jan 2012	Armed conflict	AS fighters launched coordinated attacks against TFG/AMISOM military positions in Jamhuuriya, Burka-dikow and Keydsaney areas at the outskirts of Karan district. The warring sides exchanged heavy gunfire and shelling for half an hour after which AS fighters were pushed back.	Casualties/fatalities couldn't be established
1900hrs – 24 Jan 2012	Terrorism	24 Jan 2012 RCIED was targeted against NSA security personnel near STN Building in Bakara market, Howlwadag district.	Two soldiers were injured
1430hrs – 24 Jan 2012	Terrorism	TFG security forces discovered IED bomb near Global Co. Ltd Building in Bakara market, Howlwadag district. AMISOM Explosive Rapid Response team were immediately deployed at the respective location and safely deactivated the IED bomb and reportedly transported to MIA.	None
1015hrs – 24 Jan, 2012	Terrorism	A hand grenade attack was targeted against TFG police patrol position at the MIA Airport Road near, Km4 junction in Hodan district.	Three casualties reported
1940hrs – 24 Jan, 2012	Terrorism	Abagedo neighborhood, Dharkeynley District: A hand grenade was thrown at Tusbaxweyne Mosque in Abagedo neighborhood by unknown perpetrators. The grenade exploded and killed two people including the clerk of Mosque and injured eight others. The motive has not yet established as the perpetrators managed to escape unidentified. It was also reported that perpetrators opened fire after the explosion.	8 casualties 2 fatalities
1730hrs – 24 Jan, 2012	Terrorism	Bakara Market, Howlwadaag District A RCIED was discovered near Abu-Hureyra Mosque at Bakara Market; TFG Soldiers condoned of the scene and informed EOD team to deactivate. On 18:30 hrs EOD team managed to deactivate the RCIED.	None
1430hrs – 24 Jan, 2012	Terrorism	Bakara Market, Howlwadaag District: RCIED accidentally exploded Between Global internet building and Aden Adde Junction at Bakara Market.	None
1400hrs – 24 Jan 2012	Terrorism	Howlwadaag Police Station, Howlwadaag District: A hand grenade was thrown at Howlwadaag Police station in Howlwadaag District.	None

Security and human rights issues in S-C Somalia, including Mogadishu

1250hrs – 24 Jan, 2012	Terrorism	Buulo Huubey neighborhood, Wadajir District, A hand grenade was hurled at TFG police who were patrolling the main road from/to MIA to K.4 junction.	None
1900hrs – 25 Jan 2012	Armed Conflict	Armed clashes between TFG/ AMISOM and AS fighters erupted Sarkuus in Dharkenley district and Tiida in Daynile district after AS fighters launched an attack against the said TFG/ AMISOM positions.	Casualties/fatalities couldn't be established
1730 – 2000hrs 25 Jan 2012	Armed Conflict	Sporadic armed conflict between TFG/ AMISOM forces and AS fighters erupted in Bangala area, Daynile district after AS fighters attacked TFG/ AMISOM positions in the respective areas. The warring sides exchanged heavy gunfire and shelling.	Casualties/fatalities couldn't be established
2300hrs – 26 Jan 2012	Armed conflict	Armed clash between TFG/ AMISOM and AS fighters erupted in Km7 (Ex-control Afgoye), Dharkenley district after AS fighter launched heavy armed attack against TFG/ AMISOM positions in the area. The warring sides exchanged heavy gunfire and shelling.	Casualties/fatalities couldn't be established
1850hrs – 26 Jan 2012	Armed Conflict	Armed conflict between TFG/ AMISOM and AS fighters erupted in Galgalato area in Daynile district after AS fighters attacked TFG/ AMISOM positions in the respective areas.	Casualties/fatalities couldn't be established
2300hrs – 27 Jan 2012	Armed conflict	Armed conflict between TFG/ AMISOM forces and AS fighters erupted in Tiida area in Daynile district after AS fighters attacked TFG/ AMISOM military establishment in the respective areas.	Casualties/fatalities couldn't be established
1940hrs – 27 Jan 2012	Terrorism	Hand grenade was hurled against the residential house of NSA soldiers in Bar-Ubah junction in Hodan district	Casualties/fatalities couldn't be established
1900hrs – 28 Jan 2012	Terrorism	Hand grenades targeted against the residential house of ex-TFG minister known as Abdurrahman Abdishakur at the neighborhood of UNCC Mogadishu particularly behind the Djibouti IDP camp next the new UNCC Compound.	A woman was injured
1845hrs – 28 Jan 2012	Crime	Two unidentified gunmen armed with pistols killed Mr. Hassan Osman Fantastic, the director of Shabelle Media Network in his residential house	A journalist killed

Security and human rights issues in S-C Somalia, including Mogadishu

		near Wadajir district.	
2000hrs – 28 Jan, 2012	Armed conflict	Armed clashes between TFG/AMISOM and AS erupted in SOS hospital in Hurwaa district. Both sides exchanged heavy gunfire and shelling.	Casualties couldn't be established
2200hrs – 28 Jan, 2012	Armed Conflict	Armed clashes between TFG/AMISOM and AS erupted in ex-Coca cola factory area in Hurwaa district. The warring sides exchanged heavy gunfire and shelling.	Casualties couldn't be established
1920hrs – 29 January, 2012	Terrorism	Hand Grenade attack was targeted against private residential accommodation for the Somali police band in Hamarjajab district.	None was injured
1900hrs – 29 th January, 2012	Terrorism	Hand grenade attack was targeted against Hamarjajab police station in Hamarjajab district. Perpetrators managed to escape unidentified	None
1430hrs – 29 January, 2012	Armed conflict	Armed conflict erupted in Kax Shigal, Dharkenley district between two AS militia groups after a group of AS soldiers attempted to defect from the group.	Casualties couldn't be established
1830hrs – 29 January, 2012	Armed conflict	Armed clashes between TFG/AMISOM and AS fighters erupted in Tida and Bangala area, Daynile district. It was after AS fighters attacked TFG/AMISOM positions in the respective area. Both sides exchanged heavy gunfire and shelling for a course of 30 minutes.	Casualties couldn't be established
1140hrs – 30 Jan 2012	Terrorism	RCIED attack was targeted against TFG soldiers boarding on 4WD vehicle in Argentina area, Karan district.	2 soldiers were injured
2100hrs – 30 Jan 2012:		Two hand grenades were targeted against police patrol post in Bar-ubah area, Hodan district. The police fired back in retaliation of the attack.	2 civilian fatalities
1930hrs – 31 Jan 2012	Armed conflict	Armed clashes between TFG/AMISOM and AS erupted in Banagala and Tida area in Daynile district. Both sides exchanged heavy gunfire and shelling and the fighting lasted for half an hour.	Casualties/fatalities couldn't be established
0530hrs – 31 January, 2012	Armed conflict	AS launched heavy armed clash in Jasira area, 13km south-west of Mogadishu Airport, Wadajir district. The AS militia capture the Jasira town and have been there for about three hours after which TFG soldiers attacked the town and defeated them. During their presence AS fighters collected number of youngsters from the Jasira town. Over eight soldiers from both sides were killed as a result of the fighting. Notably, the	8 soldiers were killed

Security and human rights issues in S-C Somalia, including Mogadishu

		fighting of yesterday inflicted mass displacement from Jasira and the movement of people from the area were reportedly flowing into stable areas of Mogadishu city. Figures of the displacement from Jasira couldn't be established.	
2130hrs – 31 Jan 2012	Crime	Unidentified gunmen armed with pistols reportedly killed one NSA security official in Ged Jecel area in Wardhigley while also injuring one more. The perpetrators managed to escape unidentified.	1 fatality (TFG soldier)
1830hrs – 01 February, 2012:	Armed conflict	Armed clashes between TFG/AMISOM and AS fighters erupted in Keydsaney, Karan district and Bangala in Daynile district. It was after AS fighters attacked TFG/AMISOM frontline positions in the respective areas. Both sides exchanged heavy gunfire and shelling during a course of 30 – 45 minutes after which AS fighters were pushed back.	Casualties/fatalities couldn't be established
0030hrs – 01 February, 2012	Armed conflict	AS fighters launched hit-and-run attack against TFG patrol positions in Bar-ubah junction in Howlwadag district. Both sides exchanged heavy gunfire for about 30 minutes after which AS fighters were defeated.	Casualties/fatalities couldn't be established
2030hrs – 01 February, 2012:	Armed conflict	Armed clashes between TFG/AMISOM and AS fighters erupted in Jamhuuriya and Keydsaney areas in Karan district. It was after AS fighters launched armed offensive against TFG/AMISOM frontline positions in the respective areas.	Casualties/fatalities couldn't be established
2130hrs – 01 February, 2012	Terrorism	Two simultaneous HG attacks were targeted against TFG patrol post in Dabaqeynka area, Dharkenley district. The TFG soldiers fired back in retaliation however, no casualties were reported as a result of the incident. Perpetrators escaped unidentified.	No casualty
2100hrs – 01 February, 2012	Terrorism	Hand Grenade attack was targeted against TFG soldiers in Hoosh area, Dharkenley. The soldiers fired back in retaliation however, no casualties were reported as a result of the incident. Perpetrators escaped unidentified.	No casualty/fatality
1430hrs – 01	Terrorism	RCIED prematurely went off in Bakara market in Hodan district. The	No causality/Fatalities

Security and human rights issues in S-C Somalia, including Mogadishu

February		RCIED was discovered by TFG police forces and AMISOM Rapid Response team was deployed in the area however, the bomb prematurely went off as the team was trying to deactivate it.	
1915hrs – 01 February 2012	Terrorism	HG attack was targeted against UNHCR office facility in Mogadishu. The HG hit at immediate front gate of the compound beneath the boom-gate.	No casualties/fatalities
0800hrs – 01 February, 2012	Terrorism	RCIED explosion was targeted against TFG patrol post in Suuq liif, Dharkenley district. None was harmed as a result of the attack. AS claimed responsibility of the attack and propagated killing 6 TFG soldiers as a result of the attack.	6 soldiers were killed
1950hrs – 01 February, 2012	Crime	Unidentified gunmen armed with pistols killed a TFG soldier in Barubah junction, Howlwadag district.	1 fatality
2100hrs – 02 February, 2012	Armed conflict	Armed clashes between TFG/AMISOM and AS fighters erupted in Jamhuuriya area, Karaan district after AS fighters launched armed attack against TFG/AMISOM positions in the area. Both sides exchanged heavy gunfire and shelling offensives however, TFG/AMISOM forces managed to repulse back AS fighters.	Casualties/fatalities
1630hrs – 02 February, 2012	Crime/Robbery	Tribal militiamen from Sa'ad clan hijacked 4WD vehicle hire for UNSOMA Mogadishu. The gunmen threatened the driver a gunpoint and collected him the key of the vehicle and escaped with it. Reportedly the motive was a dispute over car ownership between two individuals one whom works for UNSOMA.	NO casualty/fatalities
1430hrs – 03 February, 2012	Armed conflict	Armed clashes and shelling offensives between TFG/AMISOM forces and AS fighters erupted in Keydsaney and Jamhuuriya areas, Karan district. The fighting started after AS fighters launched heavy offensive against TFG/AMISOM military positions in the area. TFG/AMISOM forces managed to resist from AS attack.	Casualties/fatalities couldn't be established
0730hrs – 03 February, 2012	Armed conflict	Armed clashes between TFG/AMISOM forces and AS fighters erupted in Tiida and Bangala areas, Daynile district after AS fighters launched armed attacks against TFG/AMSIOM military positions in the respective	Casualties/fatalities couldn't be established

Security and human rights issues in S-C Somalia, including Mogadishu

		area..	
1900hrs – 03 February, 2012	Armed Conflict	Armed clashes between TFG/AMISOM forces and AS fighters erupted in Barakat graveyard in Yaqshid district after AS fighters attacked TFG/AMISOM positions in the respective area.	Casualties/fatalities couldn't be established
1320hrs – 03 February, 2012	Armed conflict	Armed clashes between TFG soldiers and ASWJ erupted in Sigaale area, Howlwadaag district. The motive of the clashes was reportedly a dispute between two military officials from the two sides. The dispute is currently being settled by TFG officials.	No casualty was reported as a result of the incident
1700hrs – 04 February, 2012	Armed Conflict	Armed clashes between TFG/AMISOM forces and AS fighters erupted at the peripherals of the former pasta factory and SOS hospital areas after AS fighters launched heavy offensive against TFG/AMISOM military positions in the respective areas. Both sides exchanged heavy gunfire and shelling however, TFG/AMISOM forces managed to resist from AS attack. Casualties from both sides couldn't be established.	Casualties/fatalities couldn't be established
2115hrs – 13 Feb 2012	Terrorism	Hand Grenade attack was targeted against the residential house of ex-TFG minister at the vicinity of UNCC compound particularly at the immediate neighbourhood of Djibouti IDP camp adjacent to UNCC2 facility, Wadajdir district. Luckily, the grenade didn't go off due to malfunction. The TFG Police EOD unit were deployed the scene (c.1140hrs – 14 Feb 2012) and successfully disposed the bomb.	No casualties/fatalities as a result of the attack
1400hrs – 13 Feb 2012	Crime	Unidentified gunmen shot wounded a TFG police officer near Hamarjajab police station, Hamarjajab district. The gunmen reportedly collected the AK47 rifle from the police soldier and disappeared from the scene.	One military casualty
1735hrs – 13 Feb 2012	Armed conflict	Armed clashes between TFG/AMISOM and AS fighters was reported from Maslax military camp near the livestock market (suuqa xoolaha) in Hurwaa district and it was after AS fighters launched attack against TFG/AMISOM based in the respective area. The warring sides	Fatalities/casualties couldn't be established

Security and human rights issues in S-C Somalia, including Mogadishu

		exchanged heavy shelling and gunfire for a course of 30 minutes and AS fighters were pushed back accordingly.	
2015hrs – 13 Feb, 2012	Armed conflict	AS fighters launched sporadic offensive against TFG/ AMISOM frontline positions based in Km7 (ex-control Afgoye), Dharkenley. The warring sides exchanged heavy gunfire and shelling and the fighting reportedly lasted for a period of half an hour after which TFG/AMISOM forces managed to resist from the AS attack.	Casualties/ fatalities couldn't be established
2100hrs – 13 Feb 2012	Terrorism	The TFG police discovered suspected RCIED bomb near the TFG Police HQ in Wardhigley district. The police reportedly restricted access of people and traffic in and around the area and deployed the Police EOD unit (c.0900hrs – 14 Feb 2012) and the EOD teams successfully deactivated the bomb and transported from the scene.	No casualties/ fatalities
2330hrs – 14 Feb 2012	Armed conflict	AS fighters launched attack against TFG/AMISOM frontline positions based Bangala area, Daynile district. Both sides exchanged sporadic gunfire and shelling for a course of 30 minutes after which AS fighters were reportedly pushed back	Casualties/ fatalities couldn't be established
0800-100hrs – 14 Feb 2012	Armed conflict	TFG/AMISOM forces established new military bases in Daynile (Maslax Mohamed Siyad Building in Km13 in Daynile district), Wadajir (Abagedo area at the outskirt of Wadajir district) and Kaxshigal at the outskirt of the Dharkenley district. The objective of the military move was reportedly to block strategic entry points for which AS fighters used to wage regular conventional attacks against TFG/AMISOM frontline positions in the respective areas. Subsequently after the military deployment AS launched heavy military offensive in the respective areas in which both sides exchanged heavy gunfire and shelling. The fighting has been sporadically going on up 1400hrs however, TFG/AMISOM forces managed to resist from the AS attacks. The military move and resultant military	Casualties / fatalities as a result of the fighting couldn't be established
2340hrs – 15 Feb 2012	Armed conflict	AS fighters launched heavy ambush against Yaqshid police station in Yaqshid district. AS fighters targeted series of Rocket Propelled	One military fatality

Security and human rights issues in S-C Somalia, including Mogadishu

		Grenades and HGs against the police stations. Heavy fighting started between the police unit based in the police station and AS fighters as a result of the attack.	
2200hrs – 15 Feb 2012	Armed conflict	AS fighters launched attack against TFG/AMISOM frontline located in SOS area, Hurrah district. Both sides reportedly exchanged heavy gunfire and shelling and the fighting lasted for a bout half an hour after which AS fighters were pushed back.	Casualties/fatalities couldn't be established
1400hrs - 17 Feb 2012	Crime	TFG soldier armed with AK47 shot died another TFG soldier at Howlwadag district office, Howlwadag district. The motive was reportedly associated with a clan-based revenge over a killing of a relative to the murderer	One military fatality
2045hrs – 17 Feb 2012	Crime	Three unidentified gunmen armed with pistols killed a local resident in Garasbaley area at the outskirt of Dharkenley district. The motive of the killing is unknown yet. However, local sources indicate that the victim was killed over having so called association with TFG government soldiers	One civilian fatality
1430hrs – 17 February, 2012	Terrorism	VBIED vehicle blew up inside the station of the police investigation department in Km4, Hodan district. The TFG police discovered the vehicle with four suspects boarded on it in Km4 area Hodan and was brought to the CID station. Police reportedly apprehended four suspects in connection of the attack	Two civilian casualties <i>plus</i> two military casualties (4)
2100hrs – 18 Feb 2012	Armed Conflict	AS fighters launched armed conflict against TFG/AMISOM frontline positions based in Xalimo xito area at the outskirt of Karan districts. Both sides exchanged heavy gunfire and shelling and the fighting lasted for half an hour. TFG/AMISOM forces managed to resist from the AS attack.	Casualties/fatalities be established.
1730hrs – 18 Feb 2012	Armed conflict	Armed conflict between two clan-based militias from Eyr and Shigal sub-clans of Hawiye clan erupted at the former zoo camp in Hodan	Two civilian fatalities <i>plus</i> one casualty

Security and human rights issues in S-C Somalia, including Mogadishu

		district. The motive of the fighting was reportedly over a dispute to accommodate new arrivals of IDPs from Afgoye corridor	
0100hrs – 18 Feb 2012	Armed conflict	AS fighters launched night ambush against TFG patrol post in Bar-ubah junction, Howlwadag district. The warring sides exchanged heavy gunfire including RPG rockets and the fighting lasted for about half an hour after which AS fighters managed to disappear from the scene.	Two military fatalities
1100hrs - 18 Feb 2012	Terrorism	TFG police discovered VBIED vehicle in Km4, Hodan district. The police restricted access of people and traffic in and around the area. The EOD police were deployed and successfully disposed the VBIED bomb.	No casualties/fatalities as a result of the incident
2100hrs – 19 Feb 2012	Crime	Unidentified gunmen armed with pistols killed NSA soldier in Laba-dhagax area, Wardhigley district. Perpetrators escaped unidentified.	
2130hrs – 19 Feb 2012	Armed conflict	AS fighters launched armed attack against TFG/AMISOM frontline positions in cinema Abdiwayel and SOS areas in Hurwaa district. The armed conflict sporadically lasted for about an hour after which AS fighters were pushed back. Casualties from both sides couldn't be established so far.	Casualties/fatalities couldn't be established
2240hrs – 19 Feb 2012:	Armed conflict	AS fighters reportedly launched armed attack against TFG/AMISOM frontline position in Tida area, Daynile district. Both sides exchanged heavy gunfire and sporadic shelling and the fighting lasted less than half an hour after which AS fighters were pushed back.	Casualties/fatalities couldn't be established
1730hrs – 19 Feb 2012	Armed Conflict	AS fighters launched armed attack against TFG/AMISOM positions in Kax-shigal area at the outskirt of Dharkenley district. Both sides exchanged heavy gunfire followed by sporadic gunfire for a course of half an hour after which AS fighters were pushed back.	Casualties/fatalities couldn't be established
1830hrs – 19 Feb 2012	Terrorism	HG attack was targeted against the residential house of former TFG minister at the vicinity of UNCC Compound in Wadajir district. Perpetrators managed to escape unidentified.	No casualty/fatality reported
1830hrs – 19 Feb 2012	Terrorism	Hand grenade attack was targeted against the residential house of TFG police office near NRC office in Bulu-hubey neighbourhood, Wadajir district. Perpetrators managed to escape unidentified.	No casualty/fatality reported

Security and human rights issues in S-C Somalia, including Mogadishu

1830hrs – 19 Feb 2012	Terrorism	Two hand grenade attacks were targeted against a checkpoint run by clan based militia in El-Qalow area in Bulohubey neighbourhood, Wadajir district. Perpetrators managed to escape unidentified.	No casualties/fatalities reported
0800hrs – 20 Feb 2012	Armed conflict	AS fighters launched armed attack against TFG/AMISOM positions in Jamhuuriya area at the outskirts of Karan district. TFG/AMISOM forces reportedly resisted from AS attack.	Casualties/fatalities couldn't be established
1230hrs – 20 Feb 2012	Armed conflict	Shootout between TFG soldiers was reported in 21 October area, Wadajir district. The motive of the shootout incident is unknown. The shootout clash between the TFG soldiers lasted for less than quarter of an hour.	One military fatality
0017hrs – 20 Feb 2012	Armed conflict	AS fighters launched armed attack against TFG/AMISOM frontline position in Km7 (ex-control Afgoye), Dharkenley district. Both sides exchanged heavy gunfire and shelling offensive and the fighting lasted for less than half an hour after which AS fighters were reportedly pushed back.	Casualties/fatalities couldn't be established
1340hrs – 20 Feb 2012	Armed conflict	Armed conflict between TFG soldiers was reported from Fagax junction in Yaqshid district and it was after TFG security forces approached to clear illegal checkpoint run by clan based militia in the respective area	Two fatalities <i>plus</i> two casualties
1209hrs – 21 Feb 2012	Terrorism	RCIED explosion was targeted against TFG soldiers in mini canteen at the industrial road in Daynile district. Perpetrators reportedly managed to escape unidentified.	No casualties/fatalities reported
0715hrs – 21 Feb 2012	Terrorism	RCIED explosion was targeted against TFG patrol post in San'a junction at the districts boundaries of Yaqshid and Karan districts. One civilian by-passer was killed and one other sustained serious injury as a result of the attack. Perpetrators managed to escape unidentified.	one civilian fatality and one casualty
1805hrs – 21 Feb 2012	Terrorism	RCIED explosion was targeted against TFG police soldiers in Badbaado IDP camp, Dharkenley district. Perpetrators managed to escape unidentified	No casualty/fatality
1000hrs – 21 Feb	Terrorism	RCIED explosion targeted against TFG patrol post in Moallin Nur area,	No casualty

Security and human rights issues in S-C Somalia, including Mogadishu

2012		Dharkenley district. Perpetrators managed to escape unidentified.	
1840hrs - 21 Feb 2012	Armed conflict	Armed Clashes between TFG/AMISOM and AS fighters was reportedly erupted in Jamhuuriya and Xalimo-xito areas at the outskirt of Karan district and it was after AS fighters launched heavy attack against TFG/AMISOM frontline positions in the respective areas. TFG/AMISOM forces managed to resist from the AS attack.	Casualties/fatalities couldn't be established
0200hrs - 21 Feb 2012	Armed Conflict	Shelling exchange between TFG/AMISOM forces and AS fighters was reported from Shirkole officialle area in Hodan district after AS fighters fired mortar shell rounds against TFG/AMISOM bases in the respective areas. The shelling offensive reportedly lasted for about half an hour.	Casualties/fatalities couldn't be established
0800hrs - 23 Feb 2012	Crime	Three unidentified gunmen reportedly killed a local resident in Hawo tako area, Wadajir district. The motive of the killing is unknown. Perpetrators escaped unidentified.	One civilian fatality
2050hrs - 23 Feb 2012	Armed conflict	AS fighters launched heavy armed attack against TFG/AMISOM positions in Kax-shigal area, Dharkeneley district. Over six soldiers were reportedly killed from both sides as a result of the fighting. TFG/AMISOM forces managed to resist from AS attack	Six military fatalities
1900hrs - 24 Feb 2012	Armed conflict	Shootout between TFG soldiers in Albarako area, Hodan. TFG soldiers on security patrol accidentally clashed with fellow soldiers in Albarako area, Hodan district. TFG soldier was killed and two others including a woman by-passer and a soldier sustained injuries as a result of the clashes.	One military fatality and one civilian casualty
1930hrs - 24 Feb 2012	Crime	Unidentified gunmen armed with pistols killed a militiaman in between Afisioni and otto otto bridge in Waberi district. The motive of the killing is unknown. Perpetrators managed to escape unidentified.	One fatality
1540hrs - 26 Feb 2012	Crime	Gunmen wearing TFG military uniformed hijacked a 4WD vehicle from Ambassador hotel area at Trepiano area, Hodan district. The motive of the carjacking incident is unknown. Reportedly the gunmen killed the driver of the vehicle while also seriously injuring another passenger boarded the vehicle. The police chased the perpetrators and successfully	One civilian casualty and one fatality

Security and human rights issues in S-C Somalia, including Mogadishu

		recovered the vehicle from the carjackers and also apprehended one of the suspected carjackers. Other perpetrators managed to escape unidentified	
1420hrs - 27 February, 2012	Crime	Unidentified gunmen boarded on 4WD pick opened gunfire against a public gathering near ex-parliament building, Wardhigley district. The motive of the attack and the personalities behind is unknown however; local sources indicated that AS operatives carried out the attack. Three civilians were reportedly killed as a result of the attack. Perpetrators escaped unidentified.	Three civilian fatalities
1630hrs - 27 Feb 2012:	Terrorism	RCIED targeted was targeted against youngsters playing football game at a playground near Xeraryale area, Wardhigley district. The motive of the attack was unknown. Two people were killed while fifteen others were injured as a result of the attack. All casualties/fatalities were civilians (Football players). In addition, the TFG police forces identified another RCIED device at the respective playground and later on deployed Police EOD team who successfully deactivated the device. The device was transported to Wardhigley police station and unfortunately, blew up inside the police station. Reportedly none was harmed as a result of the RCIED explosion at the police station. Perpetrators escaped unidentified.	Two fatalities Fifteen casualties
1530hrs - 28 Feb 2012	Crime	Two gunmen reportedly wearing TFG military uniform shot dead a TFG soldier in Madina market, Wadajir district. The motive of the killing is yet unknown. The murderers escaped unidentified and no security measures were in place to apprehend the perpetrators	One military fatality
2200hrs - 28 February, 2012	Armed conflict	Armed clashes erupted in Sarkus area (Km7-8), Dharkenley district after AS fighters attacked TFG/AMISOM frontline positions in the respective areas. Both sides exchanged heavy gunfire followed by sporadic shelling offensive and the fighting lasted over half an hour after which AS	Casualties/fatalities unknown

Security and human rights issues in S-C Somalia, including Mogadishu

		fighters were pushed back	
1030hrs – 28 Feb 2012	Armed conflict	Armed clashes between TFG/AMISOM and AS fighters was reported from Jamhuuriya area, Karan district and it was after AS fighters attacked TFG/AMISOM frontline positions in the respective areas. Reportedly the warring sides exchanged gunfire followed by sporadic shelling and the fighting lasted for half an hour after which TFG/AMISOM forces managed to resist from AS attack.	Casualties/fatalities couldn't be established
2110hrs – 28 February, 2012	Armed conflict	Armed clashes between TFG/AMISOM and AS fighters erupted in SOS area of Hurwaa district and T-zone of Daynile district after AS fighters attacked TFG/AMISOM frontline positions in the respective areas. Both sides exchanged heavy shelling however, TFG/AMISOM forces managed to push back AS fighters	Casualties/fatalities couldn't be established
2110hrs – 28 February, 2012	Armed conflict	Armed clashes between TFG/AMISOM and AS fighters erupted in SOS area of Hurwaa district and T-zone of Daynile district after AS fighters attacked TFG/AMISOM frontline positions in the respective areas. Both sides exchanged heavy shelling however, TFG/AMISOM forces managed to push back AS fighters.	Casualties/fatalities couldn't be established
1830hrs – 28 February, 2012	Crime	Unidentified gunmen armed with pistols killed Mr. Abukar Hassan Mohamud, the former director of Radio Somaliweyn (Mogadishu) near Madina market in Wadajir district. AS reportedly claimed responsibility of the killing however, the motive of the killing is unknown. Perpetrators escaped unidentified.	One civilian fatality

Annex 9: Protection incidents affecting civilians Mogadishu 1 January - 16 March 2012

Protection incidents affecting civilians Mogadishu 1 January – 16 March 2012			
Date and place	Type of incident	Incident details	victims
1 January, Hamar Wayne	Cross fire	One civilian was killed and two other were injured when TFG forces exchanged fire in Hamar weyne district.	3
3 January, Wadajir	Criminal	Two civilians were killed and another was injured after they got into an argument with a man dressed in a TFG military uniform.	3
4 January, Bondhere	Criminal	A member of the TFG police reportedly opened fired at crowded bus station in Bondhere injuring three Persons.	3
8 January, Dharkenley	Cross fire	Three civilians were killed and an unknown number injured when armed confrontations took place between eight TFG soldiers in Dharkenley district apparently due to a dispute over dismantling of a check point in the area.	Casualties could not be established
10 January, Wadajir	Hand Grenade attack	At least two civilians were injured when two unidentified perpetrators hurled hand grenades at the UN Compound in Wadajir district of Mogadishu.	2
10 January, Hamar Wayne	Cross fire	Two civilians were reportedly caught in cross fire and killed in Hamar Weyne district of Mogadishu after TFG police forces ordered gunmen dressed in TFG military uniform to lay down their weapons.	2
11 January, Heliwa	Armed conflict	Three civilians were severely injured when Al Shabaab attacked AMISOM forces in Wahara Market area in Heliwa district of Mogadishu.	3
14 January, Hodan	Cross fire	One civilian was killed and at least one other was injured in when TFG forces exchanged fire at a market in Hodan district.	1
14 January, Wadajir	Cross fire	One civilian was killed when an armed confrontation broke out between members of the TFG security forces in Wadajir district after one of the groups attempted to prevent the soldiers from collecting illegal taxes from public transport.	1
15 January, Hodan	Killing	One civilian was shot and killed in Trabuunka area by a TFG soldier who suspected that the man was an Al Shabaab affiliate.	1
18 January, Yaaqshiid	Criminal	A man was shot dead by men dressed in TFG military uniform in the Jungal neighborhood of Yaaqshiid district after he allegedly refused to hand over his	1

Security and human rights issues in S-C Somalia, including Mogadishu

		mobile phone to the soldiers.	
23 January, Dharkenley	Armed conflict	A ten year old girl was killed and a nine year old boy was wounded when heavy clashes erupted between AMISOM forces and Al Shabaab in Dharkenley district of Mogadishu.	2
28 January, Wadajir	Targeted killing	A prominent Somali journalist and the director of Shabelle Media Network shot outside his home Jiro-Miskiin area of Wadajir district. He is the third Shabelle Media Network director to be murdered since 2007.	1
30 January, Wardhigleey	Cross fire	One civilian was injured in cross fire when TFG soldiers and police officers exchanged fire in Wardhigleey district over the ownership of a building at the former National Fair Centre.	1
1 February Wadajir	Land mine	A child was injured when an explosive device detonated while he was playing with it in Medina district of Mogadishu. The child lost one of his eyes and one arm.	1
2 February, Wadajir	Hand Grenade attack	Two civilians were killed and three others wounded when an unidentified man attacked TFG soldiers with a hand-grenade.	5
2 February, Hodan	Armed conflict	Fighting erupted between Al Shabaab and AMISOM/TFG in Zona K area of Hodan district. Four IDPs who had recently been evicted from public buildings were injured.	4
8 February, Hamar Weyne	Terrorist Attack	At least 11 civilians were killed and 15 others injured when a suicide bomber detonated a Vehicle Borne Improvised Explosive Device (VBIED) in a café in the vicinity of the Muna Hotel in Hamar Weyne district.	26
12 February , Wadajir	Hand Grenade attack	Two civilians were killed and two others injured when an unknown man hurled a hand grenade at a check point in Wadajir district. The soldiers manning the check point began firing indiscriminately as a result of the attack, resulting in the killing of another civilian.	5
14 February, Dharkenley	Armed conflict	One IDP were reportedly killed and two others injured when heavy fighting erupted between Al Shabaab and AMISOM forces close to Badbaado IDP camp	3
20 February, Dharkenley	Armed conflict	Fighting erupted between Al Shabaab and AMISOM forces in Ex-control check	5 victims

Security and human rights issues in S-C Somalia, including Mogadishu

		point and Kaxshiqal in outskirt of Dharkenley at midnight. Five IDPs sleeping in their makeshift shelter were injured.	
21 February, Shibis	IED attack	IED attack took place in Shibis district. Al Shabaab is believed to be responsible for the attack.	Casualties could not be established
22 February, Yaaqshiid	IED attack	IED attack took place in Yaaqshiid district Al Shabaab is believed to be responsible for the attack.	Casualties could not be established
23 February, Wadajir	Targeted killing	Unidentified gunmen assassinated the chairman of the Hawo Tako neighborhood, in Wadajir district.	Casualties could not be established
24 February, Waberi	Targeted killing	A businessman was reportedly killed in front of his family by two armed men dressed in TFG uniform in Waaberi district. The perpetrators fled.	1
24 February, Wadajir	Assassination	A local politician was assassinated by two alleged Al Shabaab militants while he was sitting in a local coffee shop in Wadajir district.	1
27 February, Wardhiigleey	Terrorism	Four civilians, including a 16 year old boy were killed and at least 12 other injured after a land mine exploded in a football stadium in Wardhiigleey district.	16
28 February, Wadajir	Targeted killing	Two unidentified gunmen shot and killed a former director of Somaliweyn Radio Mr. Abukar Hassan Kadaf in front of his home in Wadajir district	1
28 February, Dayniile	Armed conflict	Armed Clashes erupted between Al Shabaab militias and AMISOM/TFG in Dayniile district after Al Shabaab militias launched a hit-and-run attack against TFG/AMISOM positions in Sarkuusta area.	Casualties could not be established
29 February, Hamar Jab Jab	Crime	Personal guards of the Hamar Jab Jab district Commissioner shot and killed two men and injured another one in Hamar Jab Jab district. The killing is believed to be a case of revenge for a previous attack against guards of the DC where several of them were seriously injured.	3
1 March, Hamar Jab Jab	Crime	TFG policemen manning a check-point at the Mogadishu Port opened fire at a civilian mini-bus and killed its driver after the driver ignored an order to stop.	1
2 March, Yaaqshiid	Armed conflict	Fighting erupted between TFG/AMISOM troops and Al Shabaab fighters after	Casualties could

Security and human rights issues in S-C Somalia, including Mogadishu

		Al Shabaab conducted a hit-and-run attack against TFG/AMISOM positions in Yaaqshiid.	not be established
2 March, Heliwa	Armed conflict	Fighting erupted between TFG/AMISOM troops and Al Shabaab fighters after TFG/AMISOM forces launched a small-scale offensive against their positions in the areas along the Balcad road in Heliwa district.	Casualties could not be established
2 March Wadajir	Targeted killing	A private Remote control Improvised Explosive Devise (RCIED) vehicle coming from Ceelasha exploded while passing in front the (AMISOM base)/Ex-US Embassy Compound. The driver was killed and a passenger injured. The victim was a prominent elder who was reported to have been recently openly criticizing the Al Shabaab movement.	2
4 March, Waaberi	killing	A man was seriously injured when was caught in a cross fire in Waaberi district, when a gun man missed his target.	1
5 March, Dharkenley	Hand Grenade attack	A hand grenade was thrown at TFG soldiers patrolling along Suuq-Liif road in Dharkenley.	Casualties could not be established
5 March, Wadajir	Hand Grenade attack	A hand grenade was hurled at TFG soldiers manning a checkpoint in Jiiró Miskiín neighborhood.	Casualties could not be established
5 March, Wardhiigleey	Hand Grenade attack	A hand grenade was hurled at TFG soldiers based in Wardhiigleey district.	No casualties
6 March, Wadajir	Hand Grenade Attack	Three hand grenades were hurled at a TFG soldier walking in Buló-Hubey neighborhood of Wadajir. The grenade injured three civilians.	3
7 March, Wadajir	Attempted assassination	Two unidentified men armed with pistol shot and seriously injured the district, Mr. Moallim Abdullahi Adan.	1
7 March, Heliwa	Killing	TFG/AMISOM forces conducting a security operation in Heliwa reportedly shot and killed a man and injured his son after suspecting them of having links with Al Shabaab.	2
7 March, Yaaqshiid	Armed conflict	Fighting erupted between TFG/AMISOM troops and Al Shabaab fighters in Yaaqshiid Districts involving exchanges of artillery fire.	Casualties could not be established
8 March, Karaan	Execution	The headless body of a young man allegedly executed by Al Shabaab was discovered in Gal-Galato area of Karaan.	1
8 March, Wardhiigleey	Targeted Killing	Two unidentified men armed with pistols shot and killed a prominent	1

Security and human rights issues in S-C Somalia, including Mogadishu

		businessman in his shop in Wardhiigleey.	
8 March, Karaan	Armed conflict	Fighting erupted between TFG/AMISOM troops and Al Shabaab fighters in Karaan district after AS militias conducted a hit-and-run attack against TFG/AMISOM positions.	Casualties could not be established
12 March, Dharkenley	Armed conflict	Armed clashes erupted between Al Shabaab and TFG, when mortars landed on an IDP settlement at Ex. Medicine processing Factory in KM7 area in Dharkenley district of Mogadishu.	10
14 March, Wardhiigleey	Terrorism	A PBIED attack (Person-Borne Improvised Explosive Device) took place inside the Villa Somalia Compound in Wardhiigleey district	Casualties could not be established

Annex 10: Protection violations against IDPs in Somalia 1 January - 16 March 2012

Protection violations against IDPs in Somalia 1 January- 16 March 2012			
South Central			
Date and Place	Type of violation	Incident details	Victims
5 January Kismaayo, Lower Juba	Physical assault	IDPs were injured when a plane bombarded an IDP camp in Kudha village.	5
7 January Afmadow Lower Juba	Execution	Two IDP men accused of spying for the Kenyan army were executed by Al Shabaab militants in Gubada village, Afmadow.	2
8 January Dharkenley, Banadir	Rape	An IDP woman and her daughter living in Badbaado IDP Camp, Dharkenley district of Mogadishu were raped by four alleged members of the TFG police, when they were sleeping in their shelter. The four men were reportedly guarding the camp.	2
11 January Waaberi, Banadir	Killing	One IDP was killed in crossfire when TFG forces exchanged fire in Afasiyooni area of Waaberi district.	1
13 January Hodan, Banadir	Cross fire Killing	Five IDPs were killed in crossfire when TFG forces exchanged fire in Trabuunka Square of Hodan district.	5
17 January, Kismaayo, Lower Juba	Killing, Forced marriage	A minor IDP girl was forcefully married to an elderly man by her father. She later escaped to her family and was killed by her father.	1
17 January Caynabo, Sool	Physical assault Torture	An IDP who had rejected to join Al Shabaab forces was tortured by Al Shabaab militia.	1
18 January Kismaayo, Lower Juba	Killing	One IDP man was killed when a fighter plane bombed the police station in Bulu Haji village in Kismaayo town.	1
4 February, Mogadishu	Eviction	IDPs were evicted from the EX Ministry of education.	42
6 February, Mogadishu	Forced return	IDPs were forcefully returned from Mogadishu and to Wajid district of Bakool region by TFG authorities. The TFG reportedly provided transportation support and one month food ration.	140

Security and human rights issues in S-C Somalia, including Mogadishu

6 February Kismaayo, Lower Juba	Illegal arrest Torture	An IDP accused of cooperating with a banned international INGO was arrested in Gobwein village of Kismaayo town, Lower Juba region and was later tortured by Al Shabaab militias to admit to the charges.	1
7 February Kismaayo, Lower Juba	Eviction	Eight IDP families were reportedly evicted from the ex- Somali Marine base building by Al Shabaab militants in Farajano town of Kismaayo district.	48
7 February Belet Weyne Hiraan	Discrimination illegal arrest	Some 60 IDP returned to Tayeeglow district of Bakool region from Belet Weyne district due to increased discrimination faced in Belet Weyne. Reports indicate that IDPs originating from Bay and Bakool regions have been arrested or targeted by the armed forces in Belet Weyne, as they were suspected of supporting Al Shabaab insurgents in the district.	60
14 February Mogadishu Banadir	Physical assault	An elderly IDP woman was shot during a food distribution exercise when an unknown militia opened fire at the crowd in Abdi Aziz district of Mogadishu.	1
14 February Mogadishu Banadir	Killing, Physical assault	One IDP was killed and two others injured when heavy fighting erupted between Al Shabaab militia and AMISOM forces close to Badbaado IDP camp in Dharkenley district.	3
20 February Mogadishu Banadir	Physical assault	Four IDPs, including one minor were reportedly injured by stray bullet when fighting erupted in the outskirts of Dharkenley district between AMISOM/TFG forces and Al Shabaab.	4
20 February, Mogadishu	Killing	Fighting erupted between Al Shabaab and AMISOM forces in Ex-control check point and Kaxshiqal in outskirt of Dharkenley at midnight. Five IDPs sleeping in their makeshift shelter were injured.	5 victims
21 February, Afgooye, Lower Shabelle	Forced return	IDPs living in Celeesha IDP settlement were forcefully returned by the authorities to Baardheere district of Lower Juba.	110
1 March, Baadhede, Lower Juba	Forced return	IDPs that had recently fled Baadhede district of Lower Juba region and en route to Kismaayo were reportedly prevented from continuing their journey by TFG/KDF. The IDPs were told to return back to Baadhede.	128

Security and human rights issues in S-C Somalia, including Mogadishu

6 March Baadhede, Lower Juba	Forced return	A mini bus carrying IDPs from Baadhede to Kismaayo was prevented from continuing the Journey by TFG check point guards in Baadhede. The soldiers ordered the bus driver to return the IDPs.	15
7 March Hodan Banadir	Rape	A nine years old IDP girl living in Arwada IDP settlement in Hodan district was raped by two drug addicts. The perpetrators were arrested and the girl was referred to Medina hospital.	1
11 March Kismaayo Lower Juba	Physical assault	An IDP man was physically assaulted by Al Shabaab militants patrolling in the Komon IDP settlement.	1
12 March, Dharkenley	Physical assault	Armed clashes erupted between Al Shabaab and TFG, when mortars landed on an IDP settlement at Ex. Medicine processing Factory in KM7 area in Dharkenley district of Mogadishu.	10
12 March, Heliwa, Mogadishu	Rape	A newly arrived IDP woman was raped by unidentified perpetrator, in Heliwa district of Mogadishu.	1
13 March Kismaayo, Lower Juba	Killed	Four IDP women were injured and a 17 year old girl was killed by two Al Shabaab militias when they were attending a party in Lafole IDP camp in Farjano village, Kimsayo, Lower Juba region. The women were attacked by two Al Shabaab militias who tried to stop the party. The women were referred to a medical centre in the area.	4
Puntland			
4 January Garowe, Nugaal	Attempted rape	A minor IDP girl heading to Kulmiye IDP camp was attempted raped by an unidentified man.	1
10 January Bossasso, Bari	Attempted rape	An unidentified man attempted to rape an IDP woman in Bossasso.	1
11 January Bossasso , Bari	Attempted rape Killing	An unidentified man attempted to rape an IDP woman while she was sleeping in her make shift shelter at night. One of her young children was accidentally wounded and another was killed when the women attempted to escape.	3
15 January	Child Abandonment	Six IDP children between the ages of two and nine who were living in	6

Security and human rights issues in S-C Somalia, including Mogadishu

Bossaso, Bari		Sayilada Holah IDP camp in Bossaso were abandoned by their parent in the camp due to financial hardship.	
3 February Gaalkacyo Mudug	Rape	A 21 years old IDP woman was raped in south Gaalkacyo, Mudug by gunmen. The event happened in her makeshift shelter at night	1
5 February Gaalkacyo Mudug	Rape	A 30 yrs old IPD woman was gang raped at Buulo Kontrol IDP Settlement, Gaalkacyo by armed militias when she was returning home from the market.	1
6 February Gaalkacyo, Mudug	Rape	An IDP woman was raped by an identified man while she was sleeping in her small hut with her children.	1
08 February Bossaso Bari	Rape	An deaf IDP woman from Sayladda xoolaha Camp was raped by a man in military uniform carrying a gun.	1
15 February Gaalkacyo Mudug	Rape	An IDP woman was raped in Bulo Baaley IDP camp by four clan militias.	1
18 February Gaalkacyo Mudug	Attempted rape	Two unidentified men attempted to rape a woman living in Alla Aamin IDP settlement in Gaalkacyo. The report suggests that the woman was attacked in the bush, as there is lack of latrines in the IDP camp.	1
22 February Qardho Bari	Attempted rape	An IDP woman living in Qardho town faced attempted rape as she was collecting firewood.	1
27 February Gaalkacyo, Mudug	Attempted rape	An IDP woman was attempted raped in Bulo Kontrol IDP settlement in Gaalkacyo.	1
5 March Bossaso Bari	Attempted rape	A minor IDP girl was sleeping in the tent when an unidentified person attempted to rape her.	1
Somaliland			

Security and human rights issues in S-C Somalia, including Mogadishu

1 January Burao, Togdheer	Sexual exploitation and abuse Rape	A minor IDP girl living in Aqiibo IDP camp was raped by an unidentified man.	1
9 January Caynabo, Sool	Illegal arrest, Physical assault	One IDP was beaten and arrested and his property confiscated after he brought a complaint to the police about the situation of IDPs in the area.	1
10 January, Hargeysa, Woqooyi Galbeed	Domestic violence	An IDP woman was beaten and severely injured by her husband in Daami IDP Camp the Hargeysa.	1
12 February Borama Awdal	Rape	A minor IDP girl was raped by two men.	1
14 January Borama, Awdal	Physical assault	An IDP was shot and wounded by an unidentified man. The authorities did not take any action.	1
14 January Borama Awdal	Domestic violence	An IDP woman poured boiling water on her husband.	1
9 March Hargeisa, Woqooyi Galbeed	Physical assault	The IDP victim was badly beaten by unknown gangs at mid night while the victim was crossing near Mohamed Mooge IDP camp.	1
10 March Laas Canood, Sool	Female Genital cutting	A four year old IDP girl underwent Female Genital Mutilation (FGM).	1

Annex 11: Freedom of Movement in Somalia 1 January - 16 March 2012

Freedom of Movement in Somalia 1. January- 16 March 2012

South Central: AMISOM and Transitional Federal Government (TFG) took over of Mogadishu in August 2011, while the Al Shabaab position has steadily weakened in South and Central Somalia. However the freedom of movement remains restricted and a challenge for civilians due to increased insecurity as a result of military build up in most of the southern regions, hidden IEDs and planted land mines, particularly in the capital, hand grenade attacks as well as ongoing forced eviction and forced return operations of IDPs.

On 14th Feb 2012 AMISOM/TFG forced blocked the major road that links Afgooye corridor, Lower Shabelle region and Mogadishu following the announcement that the allied forces would intensify their military offensive in Afgooye. This blockage was lifted on 15 February allowing movement Afgooye residents.

By making use of the new movements, Al Shabaab has repeatedly imposed forced tax to all means of transport heading to Mogadishu. The TFG soldiers on the other hand have also been levying people arriving in the capital via Ex-control Afgooye check point. This double-edged taxation has further contributed to the infringement of freedom of movement of vulnerable population.

The situation in Belet Weyne district, Hiraan region and Baidoa district of Bay region also remains tense, following the control of these districts by the Ethiopian Defense Forces (ENDF). The Ethiopian forces have imposed long hours of curfew in the above mentioned occupied towns, while severely restricting the freedom of movement and daily activities of the civilians.

Date and place	Violation/ type of incident	Brief description	victims
14 January, Dhuusamarreeb, Galgaduud	Prevented movement	Passengers travelling on board a bus en route to Mogadishu were reportedly shot at and injured by an Al Shabaab militia in Dhuusamarreeb district of Galgaduud region.	8
22 January, Afgooye, Lower Shabelle	Curfew	Al Shabaab authorities imposed a night curfew starting in Afgooye town resulting in movement restrictions and closure of all businesses in town.	

Security and human rights issues in S-C Somalia, including Mogadishu

4 February, Mogadishu	Eviction	IDPS were evicted from the EX Ministry of education	42
6 February, Mogadishu	Forced return	IDPs were forcefully returned from Mogadishu and to Wajiid district of Bakool region by TFG authorities. The TFG reportedly provided transportation support and one month food ration.	140
8 February Mogadishu	Eviction	IDPS were evicted from Ex sports complex	84
8 February Mogadishu	Eviction	IDPS were evicted from Polytechnico	1195
9 February Mogadishu	Eviction	IDPS were evicted from Polytechnico	313
9 February Mogadishu	Eviction	IDPS were evicted from Ex sports complex	105
10 February Mogadishu	Eviction	IDPS were evicted from Polytechnico	1096
10 February Mogadishu	Eviction	IDPS were evicted from 21 October School	1565
10 February Mogadishu	Forced return	IDPs were forcefully returned from Mogadishu and arrived in Baidoa district of Bay region after the TFG authorities facilitated their transportation and one month food ration.	560
11 February Mogadishu	Eviction	IDPS were evicted from Polytechnico	600
11 February Mogadishu	Eviction	IDPS were evicted from 21 October School	450
12 February Mogadishu	Eviction	IDPS were evicted from polytechnico	180
12 Feb February Mogadishu	Eviction	IDPS were evicted from Banadir Secondary school	300
13 February Mogadishu	Eviction	IDPS were evicted from Banadir Secondary school	120

Security and human rights issues in S-C Somalia, including Mogadishu

14 February	Eviction	IDPS were evicted from Banadir Secondary school	420
14 February	Prevented movement	AMISOM and TFG forces blocked the major road that links Afgooye and Mogadishu prior the military offensive.	
Belet Wayne, Hiraan	Curfew	In response to the tense security situation in Belet Weyne the Ethiopian Defense Forces (ENDF) imposed a curfew in town. The curfew was shortened on 22 February. The curfew now extends from 6:00 am to 10:30 am.	
15 February, Mogadishu	Eviction	IDPS were evicted from Banadir Secondary school	800
16 February, Mogadishu	Eviction	IDPS were evicted from Polytechnico	240
21 February, Afgooye, Lower Shabelle	Forced return	IDPs were forcefully returned by the authorities from Celeesha settlement and arrived in Baardheere district.	110
24 February, Afgooye, Lower Shabelle	Curfew	Al Shabaab imposed a night curfew between 19:00pm and 4:30am in Afgooye town reportedly in response to an air strike targeting the members of the movement.	
Baidoa, Bay	Curfew	In response to the tense security situation in Baidoa and fear of Al Shabaab attacks the ENDF imposed a curfew in town between	
1 March, Baadhede, Bay	Forced return	IDPs that had recently fled Baadhede district of Lower Juba region and en route to Kismaayo were reportedly prevented from continuing their	128

Security and human rights issues in S-C Somalia, including Mogadishu

Lower Juba		journey by TFG/KDF. The IDPs were told to return back to Baadhedee.	
6 March Baadhedee, Lower Juba	Forced return	A mini bus carrying IDPs from Baadhedee to Kismaayo was prevented from continuing the Journey by TFG check point guards in Baadhedee. The soldiers ordered the bus driver to return the IDPs.	15
Puntland: Freedom of movement in Puntland is a concern due to piracy, kidnapping and banditry activities and clan conflict in the region. Furthermore, security related to Al Shabaab infiltration is a major concern for the authorities, resulting in mass arrest of male IDPs fleeing from South and Central regions and arriving in Gaalkacyo and Garowe. These security measures continue to impact the freedom of movement of IDPs from Southern Somalia.			
8 January, Galgaduud	Prevented movement	A boy was killed and two other passengers wounded by armed bandits manning a checkpoint in Mareer Guur area of Galgaduud region. The victims were travelling in a passenger truck from Bossasso to Belet Weyne when the bandits attacked them.	3
Somaliland: The conflict in Buuhoodle district of Togdheer region and Sool has impacted the freedom of movement in these areas.			
1 February , Laas Caanood , Sool	curfew	Khatumo authorities imposed a curfew in Taleex district of Sool region following the assassination of a local politician and a judge Abdirashid Abdullahi Igge. Mr. Igge had been appointed as a judge at the Somaliland's Laas Caanood Court of Appeal.	1
7 March, Laas Caanood, Sool	Curfew	Somaliland authorities imposed a dawn to dusk curfew in Laas Caanood district of Sool region following a large and violent demonstration that occurred on 7 March.	