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## AI – Amnesty International

### Human Rights in Africa: Review of 2019 - Somalia [AFR 01/1352/2020]

The ongoing conflict had a devastating impact on the civilian population and over 1,000 were killed and injured. The authorities cracked down on critics, including journalists, and opposition members stifling their rights to freedom of expression and assembly, in some cases using excessive force resulting in deaths. Al-Shabaab also severely restricted journalists' ability to work. Sexual violence against women and girls remained widespread. Conflict, drought and floods displaced more than 300,000 people. Over 2.6 million displaced people remained at risk of exploitation and abuse. Impunity for human rights violations was widespread.

#### Background

Political tensions intensified throughout 2018 and 2019. The Somali federal and regional authorities, along with their international partners, focused on fighting Al-Shabaab and on managing elections including the South West regional presidential elections in late 2018, Puntland parliamentary and presidential elections in early 2019 and Jubaland parliamentary and presidential elections in August 2019. The elections were marred by political infighting and allegations of rigging, and authorities muzzled freedom of expression and assembly, in some instances using excessive force which resulted in civilian casualties.

#### Armed conflict

All parties to the conflict violated international human rights and humanitarian law. The UN Assistance Mission in Somalia (UNSOM) recorded a total of 1,154 civilian casualties by mid-November 67% of which were attributed to indiscriminate and targeted attacks, mainly by the armed group Al-Shabab. Al-Shabaab regularly targeted civilians and civilian infrastructure, launching indiscriminate attacks, and carrying out summary killings of those it perceived to be linked to the government, as well as journalists and other civilians. The group claimed responsibility for a series of attacks including a truck bombing in December which killed nearly 100 people and wounded 78 others at the ex-control junction in the capital, Mogadishu.

Military operations against Al-Shabaab resulted in dozens of civilian deaths and injuries [often as a consequence of indiscriminate attacks] by Somali and allied forces including the US military and the African Union Mission in Somalia (AMISOM).

Other civilians were killed when caught in crossfire during interclan violence which continued in parts of the country.

US AFRICOM (the US military's Africa Command, responsible for military operations including those fighting regional conflicts) continued to use drones and manned aircraft to carry out at least 63 attacks, some of which resulted in civilian casualties. At least three farmers were killed in an airstrike that hit their vehicle near the hamlet of Abdow Dibile, in Lower Shabelle, in March. Since late 2017, the US drone attacks had killed at least 17 civilians and injured eight others.

On 5 April, following several reports about civilian casualties resulting from US airstrikes, including an Amnesty International report,<sup>[1]</sup> AFRICOM admitted that it had killed two civilians in Somalia in 2018 and said it would conduct a review of its air attacks since 2017. By the end of the year, it had not provided an update about the review's status or any findings.

AMISOM did not provide any information as to the status or outcome of an investigation it launched into the apparent unlawful killings of four unarmed men by its forces in Mogadishu in November 2018.

#### Freedom of expression

Journalists were beaten, harassed, threatened, subjected to arbitrary arrests and intimidation by the authorities, including the police, military and other government officials throughout south central Somalia and in Puntland. Al-Shabaab members also targeted journalists with violence, intimidation and threats. In July, two journalists were killed in an al-Shabaab attack in Kismayo.

Authorities restricted access to information and used new techniques to suppress media freedom including by bribing media outlets to self-censor and harassing journalists and other critics both online and offline. In June, the Facebook accounts of 10 journalists were permanently disabled without their being given prior warning by the platform.

At least eight journalists fled Somalia between late 2018 and the end of 2019 following threats against their lives and remained in exile.

According to the Committee to Protect Journalists’ Global Impunity Index, published in [October], Somalia had, for the fifth consecutive year, the poorest record for prosecuting individuals suspected of murdering journalists. At least eight journalists were killed in south central Somalia and Puntland since 2017, [two] of them in 2019. With the exception of two cases including one in which a police officer was convicted *in absentia* for killing a journalist in Mogadishu in 2018, no one was held accountable for the other killings. The police officer remains at large.

In January, the authorities expelled the UN Special Representative to Somalia after he raised concerns about the killing, by security forces, of protestors in Baidoa following the South West regional state’s presidential elections. After his expulsion, the UN suspended its monthly human rights reports on the country.

### Freedom of expression in Somaliland

Censorship, harassment and prosecution of government critics increased in Somaliland. Authorities raided and shut down at least three media houses, and arbitrarily arrested and prosecuted individuals perceived to be critical of government policies, including poets, journalists and opposition politicians. The Human Rights Centre, a local organization, said that 88 people, including 26 journalists, were arrested for cases related to their exercise of the right to freedom of expression and opinion.

Senior opposition politicians, including Wadani Party members Khadar Hussein Abdi (the Secretary General), Barkhad Jama Batun (the spokesperson) and Mohamed Sidiq Dhame (the youth wing leader), were arbitrarily arrested for criticizing government policies. They were later released but Mohamed Sidiq Dhame faced trumped-up charges and prosecution.

In April, Abdimalik Muse Oldon, a freelance journalist, was arrested outside his home in Burao for criticizing President Muse Bihi Abdi on Facebook. He was charged with “spreading anti-national propaganda” and “disseminating false news” and, in July, sentenced to three-and-a-half years in prison where he remained at the end of the year.

Although Somaliland’s 2001 Constitution guarantees the right to freedom of expression, including press freedom, the authorities continued to prosecute people under the 1964 Penal Code which contains several overly broad and vaguely worded provisions that can be used to unduly restrict the right to freedom of expression.

### Gender-related violence

Sexual violence against women and girls was widespread in south central Somalia, and in Puntland. The UN documented over 100 incidents of sexual violence against girls. Attacks often went unreported due to a climate of impunity, as well as the stigma and fear associated with the crime which prevented many survivors from speaking out.

Aisha Ilyas Adan, aged 12 years, was gang raped and killed in February in North Galkayo, Puntland. After a huge public outcry, several suspects were arrested and prosecuted. In February 2020, two men were executed by Puntland firing squad in Bosaso town for their alleged involvement in Aisha’s rape and subsequent killing.

### Internally displaced people

Conflict coupled with recurrent droughts and floods, and barriers to accessing humanitarian aid, resulted in the internal displacement of over 300,000 people. More than 2.6 million internally displaced people (IDPs) remained at risk of exploitation and abuse including sexual violence and forced evictions. Women and children in IDP camps were particularly vulnerable to abuse, marginalization and exclusion.

In November, the President ratified the African Union Convention for the Protection and Assistance of Internally Displaced People (IDPs) in Africa, also known as the Kampala Convention.

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[\[1\]](#) Somalia: The Hidden US war in Somalia – Civilian casualties from air strikes in Lower Shabelle (AFR 52/9952/2019)

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