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Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Are the Al Shabab still threatening people who may be involved in the selling of cigarettes / alcohol? Do they carry out stoning on individuals suspected of committing adultery?

The 2013 Amnesty International report on Somalia, in a paragraph headed “Direct targeting of civilians”, states:

“Al-Shabab factions continued to torture and unlawfully kill people they accused of spying or not conforming to their own interpretation of Islamic law. They killed people in public, including by stoning, and carried out amputations and floggings. They also imposed restrictive behavioural codes on women and men.” (Amnesty International (23 May 2013) *Annual Report 2013: Somalia*)

The 2013 US Department of State report on terrorism in Somalia, in a paragraph headed “2012 Terrorist Incidents”, states:

“In 2012, al-Shabaab and other violent extremists conducted suicide attacks, remote-controlled roadside bombings, kidnappings, and assassinations of government officials, journalists, humanitarian workers, and civil society leaders throughout Somalia. Many killings were beheadings, stonings, or other horrific public events designed to instill fear and obedience in communities.” (US Department of State (30 May 2013) *Country Reports on Terrorism 2012 – Somalia*)

A GlobalPost article on the situation in Kismayo states:

“Al Shabaab lost control of this port city late last month, its Al Qaeda-aligned fighters either fleeing into the countryside or melting into a wary population of civilians. A coalition of Somali and Kenyan soldiers are, for now, maintaining an armed peace. But repairing the damage done by four years of brutal Al Shabaab rule might be an even more difficult task.” (GlobalPost (30 October 2012) *Somalia: Aid slow to return to key port city: One doctor says Kismayo needs help, and fast*)

This article also states:

“A destroyed column lies in chunks in the middle of Liberty Square, a tree-lined space in the center of the city created to honor Somalia’s heroes. Al Shabaab militants turned it into a public ground for executions and other brutal punishments. After a Sharia court passed judgment, accused spies were shot and adulterers stoned to death. Alleged thieves had their limbs hacked off while others were flogged for skipping prayers, smoking cigarettes or chewing khat, the popular narcotic leaf that Al Shabaab banned. The trauma is clear. ‘Everything was terrible under Al Shabaab. Everyday we lived in fear,’ said one resident who, like others interviewed by GlobalPost, did not want to be identified.” (ibid)

See also article from The Times which states:

“The square was a place for people to relax but al-Shabaab, the al-Qaeda-aligned extremists who controlled this city before being chased out a few weeks ago, saw it as a symbol of un-Islamic idolatry and a government they opposed. During al-Shabaab's four-year rule, it was turned into a public punishment and execution ground. Alleged spies and murderers were shot and adulterers stoned to death. Suspected thieves had limbs hacked off and crimes such as smoking or skipping prayers were punished by flogging. Residents were forced to watch, or face similar punishment themselves.” (The Times (26 October 2012) *Al-Shabaab militants banished from town after years of terror leave legacy of fear*)

A GlobalPost article describes the alleged treatment of a cigarette smoker by Al Shabaab as follows:

“One day, as he walked home from work, Al Shabaab's morality police stopped him. They searched his bag of groceries and found what Jibril said was a single cigarette. He had bought the contraband in the market using a code word known to the city's smokers, he said. He had planned to lock himself in his house, close the shutters and enjoy a smoke, one of the few pleasures left in a city where the traditional Somali past time of chewing khat, a mild stimulant, is banned. But Jibril was caught. He was arrested on the spot, interrogated and urged to name his conspirators. Not wanting to give up his friends, he was locked up for two days. ‘Us smokers are colleagues. We stick together. We smoke together,’ he said. After his release he was taken before a Shariah court, which sentenced him to a public flogging. It was carried out at once.” (GlobalPost (24 July 2012) *What it's like being governed by Al Qaeda: Former residents of Kismayo, which is ruled by Al Shabaab, an Al Qaeda affiliate in Somalia, offer a rare insight into what it's like to live with Al Qaeda*)

A report from the Somali news website Hiiraan states:

“Al-Shabab forces publicly stoned to death a young woman accused of committing adultery while married today in Jamaame town, Lower Jubba Region [southern Somalia]. The man with whom she committed adultery was also flogged right there.” (Hiiraan (25 October 2012) *Somalia's Al-Shabab stones woman to death for "adultery"* (translated from Somali))

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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