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Somalia: Birth registration, including the issuance of birth certificates; the registration of children attending school; title deeds; whether the owner of a home or business must obtain a title deed (2009-June 2013)

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According to a report published by the Norwegian Country of Origin Information Centre (Landinfo) and the Danish Immigration Service following a fact-finding mission to Somalia in April and May 2013, the Country Director-Somalia, International Medical Corps, stated that the issuance of official documents in Somalia is a

... real challenge. There are no official documents, and you can get some documents, if you know the right channels. The DCs [district commissioners] may issue some types of documents, based on their knowledge of the clans, but these are not official governmental documents. (Norway and Denmark May 2013, 57)

1. Birth Registration

According to UNICEF, in 2010, 3 percent of children under the age of five were registered with the Government of Somalia (United Nations n.d.). UNICEF also notes that a low birth registration rate is found among the following groups: ethnic minorities, people living in remote areas, displaced persons and children living in refugee camps or conflict zones (ibid.).

In their mission report, the Norwegian Country of Origin Information Centre and the Danish Immigration Service note that, according to the United Nations High Commissioner for Refugees (UNHCR) in Somalia, there is no official birth registration system in Somalia. According to the Elman Peace and Human Rights Centre in Mogadishu, only hospitals are registering births (Norway and Denmark May 2013, 57).

The Norwegian Country of Origin Information Centre also notes the following in a report published in 2009 on birth certificates in Somaliland, a region of northwestern Somalia that declared itself independent in 1991:

Birth certificates are rarely issued, and in principle, it is only issued if the child is born in a hospital. The majority of babies are born at home. However, in the case of home births, a declaration of the event can be given under oath (affidavit). Certificates and declarations (affidavit) [of birth] can and should be confirmed/authorized by the Ministry of Religious Affairs in Hargeisa. The Ministry is supposed to keep an overview of the regional courts' jurisdiction and over personnel within the Courts who are authorized to sign the documents. (Norway 5 Jan. 5, 2009, 11)

Country Reports on Human Rights Practices for 2012, published by the US Department of State, notes the following regarding births in Somaliland:

Birth registration occurred in Somaliland for hospital and home births; however, limited capacity combined with the nomadic lifestyle of many persons caused numerous births in this region to go unregistered. Failure to register births did not result in denial of public services such as education. (US 19 Apr. 2013, 40)

Corroborating and additional information on birth registration in Somalia could not be found among the sources consulted by the Research Directorate.

2. Registration of Children Attending School

According to an article published by the United Nations (UN) Integrated Regional Information Networks (IRIN), in Somalia in 2010, the primary school enrolment rate was 20 percent, and the secondary school enrolment rate was 10 percent (UN 23 Mar. 2011). Moreover, according to the Al-Jazeera television network, whose data were published by Islamic Republic of Iran Broadcasting, nearly 1,800,000 children aged five to seven are [translation] "not attending school in Central South Somalia" (19 Sept. 2011).

A report published in 2013 by the African Development Bank Group, an institution encompassing 53 African countries and 24 non-African countries, founded in 1964 [AfDB Group English version] "to promote sustainable economic growth and reduce poverty in Africa" (AfDB Group n.d.), notes that "the formal education system in Somalia collapsed in 1991" and that since then, the education system in Somalia "has been reorganized through private means," including the Quranic schools, called madrasahs (ibid. Mar. 2013, 4). Somali authorities cooperate with external donors with the aim of "rehabilitating" the education system (ibid.). Country Reports 2012 notes that "education needs were partially met" by different types of institutions, including Quranic schools, Islamic charity-run schools and a number of privately run primary and secondary schools (US 19 Apr. 2013, 40).

Information on whether children attending school are registered with the government by their educational institution could not be found among the sources consulted by the Research Directorate.

3. Land Certificates

According to the African Development Bank Group, property disputes have increased in Somalia because of the scarcity of land, land speculation and "illegal enclosures in common pasturelands" (Mar. 2013, VII). The Heritage Institute for Policy Studies, a non-profit think tank in Mogadishu, notes that land ownership is a "complex" issue in Somalia and that during the civil war that began in 1991, land was appropriated and some of the previous owners are reclaiming their land (Feb. 2013, 21).

The minutes of a country-of-origin information expert workshop, arranged in March 2012 as part of the Intergovernmental Consultations on Migration, Asylum and Refugees, notes that, according to a representative of the UNHCR, "there are no land certificates. People rely on personal relations, not on paper" in Somalia (IGC [2012], 10). However, the Norway and Denmark mission report notes that, according to the Elman Peace and Human Rights Centre, Somali authorities issue title deeds (May 2013, 57). Nevertheless, according to an article published in the British newspaper *The Guardian*, "in many cases the land is unregistered or ownership cannot be proven" in Somalia (11 Jan. 2013). Similarly, the Heritage Institute for Policy Studies notes that, in land disputes, there is a "lack of reliable documentation that courts can use" (The Heritage Institute Feb. 2013, 21). The Institute further reports that three mechanisms are used to adjudicate land disputes in Somalia:

Witnesses: as a Muslim and oral society, giving out verbal verification of land by neighbours, relatives and former land commission officials still passes as a powerful tool for determining ownership.

Land registry: a former land commission official, who apparently has custody of the national land registry, has been selling verifications to owners and prospective owners.

Land design: another former official living in Mogadishu who has custody of the national land design scheme, has also been selling verifications. (ibid.)

Corroborating information could not be found among the sources consulted by the Research Directorate.

In May 2012, Ali Mohamed, the co-founder of the Growth and Development Club of Somaliland, a community organization based in Ohio, in the US, which advocates better financial conditions for the indigenous people of Somaliland, published an opinion letter in *SomalilandPress*, a portal that provides information about Somaliland, Somalia and international current events (Mohamed May 31, 2012). According to the letter from Ali Mohamed, "[v]iolence related to land disputes is very common in Hargeisa, because of the highly inflated prices of real estate due to the speculations" (ibid.). The letter adds that "[i]n rural areas [of Somaliland], everyone has carved out a piece of land for grazing, and the government does not know who owns what and where" (ibid.). He also points out that, in Somaliland,

For two decades, different Somaliland's administrations deliberately encouraged the "land grabbing." Government officials used shady tactics to sell government properties such as warehouses, office buildings, houses, parks, and so-called farming lands acquired for public purposes, to the elite groups, which was not their land under any law. (ibid.)

Additional information about title deeds, or information indicating whether the owner of a home or business must obtain a title deed, could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Attempts to contact the following individuals and organizations were unsuccessful: Canada - High Commission in Nairobi; Edna Adan Hospital Foundation; International Planned Parenthood Federation; Puntland Hospital; Somali Embassy in Turkey; UNHCR in Somalia.

Web sites, including: AllAfrica; Australia - Department of Immigration and Citizenship; Daily Star; ecoi.net; European Migration Network; Factiva; Hiiraan; Hoorsed Media; Hungarian Helsinki Committee; International Committee of the Red Cross; Radio Somaliland; Somalia - Ministry of Education, Culture and Higher Education; Somaliland Sun; Today; United Nations - United Nations Human Settlements Programme, Integrated Regional Information Networks, Refworld; United States - Department of State.

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