







Somalia Country Report:

Children & Security

The Roméo Dallaire Child Soldiers Initiative

Updated as of 4 September 2018

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I. BACKGROUND

Map of Somalia¹



Central Intelligence Agency, 'Somalia', available https://www.cia.gov/library/publications/resources/the-world-factbook/geos/so.html, accessed 4 September 2018.









Children in Somalia - Struggle Within Conflict

More than two decades of poverty, marginalisation, armed violence, insecurity, political instability, natural hazards and disasters, and lack of development have greatly impacted children in Somalia. Despite progress towards the development of permanent institutions, the security situation in Somalia remains highly volatile in 2018.² This in turn continues to undermine community resilience, trigger displacement, and impede access to life-saving services.³ As one of the world's poorest countries, Somalia is reported to be "one of the least protective environments for children" in the world.⁴ In 2018, 6.2 million people in Somalia will be in need, with 3.3 million requiring urgent life-saving assistance.⁵

Somali children are increasingly vulnerable to all forms of violence, abuse and exploitation, much of which is practised in a climate of impunity, conflict, and instability. Inter-clan conflict as well as asymmetric attacks by al-Shabaab continue despite ongoing military operations by the Somali National Army (SNA), the African Union Mission in Somalia (AMISOM), and military forces of Ethiopia and Kenya, as well as airstrikes by the United States of America (US).

The scale and nature of grave violations against children has increased since 2015.⁷ Between 21 December 2017 and 28 April 2018, 1,349 cases of grave violations affecting 999 children were verified, 173 of which were committed against girls.⁸ During the same reporting period, the UN verified

See generally United Nations Human Rights Council, 'Report of the Independent Expert on the situation of human rights in Somalia' (19 July 2018), UN Doc. A/HRC/39/72 ('July 2018 Independent Expert Report'); United Nations Security Council, 'Report of the Secretary-General on Somalia' (2 May 2018), UN Doc. S/2018/411 ('May 2018 SG Report on Somalia'), para. 4. See also UN Security Council, 'Children and Armed Conflict: Report of the Secretary General' (16 May 2018), UN Doc. A/72/865-S2018/2018/465 ('2018 SGCAC Report'), para. 143; United Nations Security Council, 'Report of the Secretary-General on Children and Armed Conflict in Somalia' (22 December 2016), UN Doc. S/2016/1098 ('2016 SGCAC Somalia Report'), para. 2.

United Nations OCHA, 'Humanitarian Response Plan' (December 2017), available https://reliefweb.int/report/somalia/2018-somalia-humanitarian-response-plan, accessed 4 September 2018 ('2018 Somalia HRP').

It is estimated that 75 per cent of Somalia's population is under the age of 30 years old (July 2018 Independent Expert Report, para. 54); UNICEF, 'Child protection in Somalia', available http://www.unicef.org/somalia/cpp.html, accessed 4 September 2018 ('UNICEF Child protection in Somalia').

2018 Somalia HRP, pp. 5-7, 17.

See 2018 SGCAC Report, para. 143; Human Rights Watch, 'World Report 2018: Events of 2017' (2018) ('2018 Human Rights Watch Report'), p. 483. See generally July 2018 Independent Expert Report.

See 2018 SGCAC Report, para. 153. See e.g. United Nations Security Council, 'Report of the Secretary-General on Somalia' (9 January 2017), UN Doc. S/2017/21 ('January 2017 SG Report on Somalia'), para. 42; 2016 SGCAC Somalia Report, para. 78; United Nations Security Council, 'Report of the Secretary-General on Somalia' (6 September 2016), UN Doc. S/2016/763 ('September 2016 SG Report on Somalia'), para. 55; United Nations Security Council, 'Report of the Secretary-General on Somalia' (9 May 2016) UN Doc. S/2016/430 ('May 2016 SG Report on Somalia'), para. 58; United Nations General Assembly and Security Council 'Children and Armed Conflict: Report of the Secretary-General' (20 April 2016), UN Doc. A/70/836-S/2016/360 ('2016 SGCAC Report'), para. 112.

May 2018 SG Report on Somalia, para. 61.









550 abductions and 125 cases of killing and maiming by armed forces and groups. In 2017, a total of 931 children were killed and maimed by al-Shabaab, the Somali National Army (SNA), unidentified clan militias, Southwest forces, AMISOM, Jubaland forces, the Somali Police Force, Puntland armed forces, Kenyan Defence Forces, Galmudug forces, Ethiopian Liyu Police and other unknown armed elements.⁹

Children continue to be recruited and used in the conflict. The UN reports that between April 2010 and July 2016, 6,163 children were verified as having been recruited. The terrorist group al-Shabaab, which is fighting against the Somali government and AMISOM, has been the most prolific recruiter.¹⁰ The incidents of recruitment more than doubled between 2015 and 2016,¹¹ and increased again in 2017, with a total of 2,087 boys and 40 girls recruited and used.¹² The number of children abducted, primarily by al-Shabaab and clan militias, has spiked in recent months. The UN has verified more than 500 abductions in the first four months of 2018 alone.¹³

Children associated with armed groups are often detained without due process for their association with armed groups such as Al-Shabaab.¹⁴ AMISOM has reportedly detained children.¹⁵ Of further concern is that al-Shabaab publicly executes children, both as punishment for suspected spying, and to instil fear in the civilian population.¹⁶ Hospitals and schools continue to be used and attacked by parties to the conflict.¹⁷ Sexual violence also continues to impact both girls and boys.¹⁸

In 2017 alone, more than 1.2 million people were driven from their homes as a result of drought and conflict.¹⁹ Some 2.1 million Somalis are internally displaced and 870,000 Somalis are registered as refugees in the Horn of Africa and Yemen.²⁰ Since 2014, 81,451 Somalis have been assisted to return to

²⁰¹⁸ SGCAC Report, para. 146. In 2016, a total of 1,121 children were verified as having been killed or maimed by unknown armed elements, al-Shabaab, the SNA, clan militias, Puntland armed forces, and Ahl al-Sunnah wal Jama'a (ASWJ) (United Nations General Assembly and Security Council, 'Children and Armed Conflict: Report of the Secretary-General' (24 August 2017), UN Doc. A/72/361-S/2017/821 ('2017 SGCAC Report'), para. 137). See also United Nations General Assembly and Security Council, 'Children and Armed Conflict: Report of the Secretary-General' (5 June 2015) UN Doc. A/69/926-S/2015/409 ('2015 SGCAC Report'), para. 149, which notes that 520 children were killed or maimed in 2014.

¹⁰ 2016 SGCAC Report, para. 112.

See May 2018 SG Report on Somalia, para. 61; 2017 SGCAC Report, paras. 6, 134. See also 2016 SGCAC Report, para. 64.

¹² 2018 SGCAC Report, para. 144.

May 2018 SG Report on Somalia, para. 61. In 2017, the number of verified abductions doubled as compared to 2016: 1,634 children (2018 SGCAC Report, para. 149).

¹⁴ 2016 SGCAC Somalia Report, para. 33; 2018 SGCAC Report, para. 145.

¹⁵ 2018 SGCAC Report, para. 145; 2016 SGCAC Report, para. 38.

²⁰¹⁸ SGCAC Report, para. 146; 2017 SGCAC Report, para. 137; 2016 SGCAC Report, para. 115; 2015 SGCAC Report, para. 149.

¹⁷ 2018 SGCAC Report, para. 148; 2017 SGCAC Report, para. 139; 2016 SGCAC Report, para. 49.

¹⁸ 2018 SGCAC Report, para. 147.

UNOCHA, 'About OCHA Somalia', available https://www.unocha.org/somalia/about-ocha-somalia, accessed 4 September 2018. See also 2018 HRP, p. 26.

²⁰¹⁸ HRP, pp. 23, 43. See also Human Rights Watch, 'World Report 2016: Events of 2015' (2016) ('2016 Human Rights Watch Report'), p. 510; UNHCR, 'High Commissioner's Global Initiative on Somali Refugees', available http://www.unhcr.org/events/campaigns/550befe49/high-commissioners-global-initiative-somali-refugees-gisr-report-ministerial.html, 4 September 2018.









Somalia under a voluntary repatriation programme, 6,085 of them in 2018.²¹ Continued displacement, and the recent trend of Somalis returning from neighbouring countries such as Yemen, has placed a further strain on meagre national resources including infrastructure and social services, negatively affecting the quality of life of Somalia's children. Family separation, sexual and gender-based violence (SGBV), forced recruitment and abductions are among the main violations against displaced children.

Somali children face risks beyond those arising from conflict. Flooding as a result of the El Niño phenomenon, drought, and outbreaks of infectious disease have transpired to increase protection challenges.²² More than 230,000 people, over half of whom are estimated to be children, were displaced in April 2018 due to flooding.²³ While more recent, dryer conditions have generally provided good conditions for crop harvesting and drying activities, the production of beans and legumes has been impacted. In May 2018, a powerful cyclone hit north-western Somaliland, affecting some 168,000 people, resulting in yet more devastation and death.²⁴ Further, a persistent drought has decimated crop production and livestock industries.²⁵ While food security and potential famine remain a major concern, the latest projection by the Famine Early Warning Systems network indicated that food security is improving overall, but most poor households will experience stressed crisis acute food insecurity through January 2019.²⁶ Over 1.2 million children are projected to be malnourished in 2018 and disease outbreaks such as Acute Watery Diarrhoea (AWD), cholera and measles continue to lead to preventable deaths across Somalia.²⁷

This long-term lack of security in Somalia has hampered development and led to lack of access to healthcare and education. Unfortunately, the security situation, ongoing military operations, and the denial of humanitarian access by a number of parties to the conflict, greatly restricts access of humanitarian actors to provide life-saving assistance to affected populations, ²⁸ currently estimated to comprise 5.4 million people (down from 6.2 million) in 2017.²⁹

UNHCR, 'UNHCR Kenya Factsheet - July 2018' (31 July 2018), available https://reliefweb.int/report/kenya/unhcr-kenya-factsheet-july-2018, accessed 4 September 2018.

See January 2016 SG Report on Somalia, paras. 48, 67; 2017 UN HNO, p. 8; UNOCHA, Crisis Overview. See also May 2016 SG Report on Somalia, para. 65.

United Nations News, 'From drought to floods in Somalia; displacement and hunger worsen, says UN' (8 June 2018), available https://news.un.org/en/story/2018/06/1011741, accessed 4 September 2018.

See UNICEF, 'UNICEF support reaches families affected by Cyclone Sagar' (30 May 2018), available https://www.unicef.org/somalia/reallives 21604.html, accessed 4 September 2018.

²⁵ May 2018 SG Report on Somalia, para. 22.

Famine Early Warning System Network, 'Somalia Key Message Update, July 2018' (31 July 2018), available http://fews.net/east-africa/somalia/key-message-update/july-2018, accessed 4 September 2018.

UNICEF, 'Somalia Humanitarian situation Report' (1-30 April 2018), available https://www.unicef.org/somalia/SOM_sitrep4_Apr2018.pdf, accessed 4 September 2018. See also 2018 HRP, p. 6. See also 2017 UN HNO, p. 4.

²⁸ 2017 SGCAC Report, para. 141; 2018 SGCAC Report, para.150.

May 2018 SG Report on Somalia, para. 64.









II. SECURITY SITUATION

1. Context

After decades of conflict, Somalia continues to be a complex political, security, humanitarian, and development environment. In January 1991, Siad Barre's government collapsed, resulting in a power struggle and clan clashes in many parts of Somalia, leaving the country fragmented and without a central government. Struggles between competing armed groups led to conflict between the nascent federal government and the Islamic Courts Union (ICU) in the mid-2000s. After an intervention by Ethiopian forces against the ICU, the al-Qaeda aligned al-Shabaab terrorist group rose to prominence, conducting a war against the Somali government and carrying out terrorist attacks in neighbouring Kenya, Uganda, and Ethiopia. AMISOM is working with the Somali government to defeat al-Shabaab, restore stability, and hand over control to Somali security forces.

In February 2017, the Federal Government of Somalia (FGS) completed its first national electoral process since the 2012 transition, selecting a new federal parliament and a new president, President Mohamed Abdullahi Mohamed. The political process in late 2016 and early 2017 saw the targeted assassination of Somali government officials and electoral delegates,³² as well as human rights abuses committed before, during, and after the parliamentary election.³³ Recently, a no-confidence motion was passed against the speaker of the House of the People on 14 March 2018.³⁴

Despite the progress which has been made by the FGS towards peace and democratic institution-building, Somalia faces a number of security, political and economic challenges.³⁵ Today, the security situation is marked by inter-clan clashes and asymmetric attacks by al-Shabaab which continue to target civilians, public officials, and institutions.³⁶ Small improvised explosive device attacks, suicide bombings, and targeted assassinations have been hallmarks of al-Shabaab's activities from 2016 to 2018.³⁷ In response, the Somali National Army (SNA) and AMISOM conduct joint operations against al-Shabaab. The SNA intensified operations against al-Shabaab with the support of the military forces of Ethiopia, Kenya, and the US in southern and central Somalia as well as pro-ISIS elements in Jubaland.³⁸ By April 2018,

UNDP, 'About Somalia', available http://www.so.undp.org/content/somalia/en/home/countryinfo.html, accessed 4 September 2018.

AMISOM, 'Brief History', available http://amisom-au.org/about-somalia/brief-history/, accessed 4 September 2018.

³² 2018 Human Rights Watch Report, para. 483.

United Nations Assistance Mission in Somalia and the Office of the United Nations High Commissioner for Human Rights, 'Securing Political Participation: Human Rights in Somalia's Electoral Processes' (August 2018), available https://unsom.unmissions.org/sites/default/files/13082018_somalia_report_on_hrv_in_the_electoral process.pdf, accessed 4 September 2018, pp. 4-5.

May 2018 SG Report on Somalia, para. 3.

July 2018 Independent Expert Report, paras. 2, 7.

May 2018 SG Report on Somalia.

May 2018 SG Report on Somalia, para. 11; January 2017 SG Report on Somalia, para. 7.

In the first quarter of 2018, the US carried out 20 such airstrikes (July 2018 Report of the Independent Expert, para. 7). See also 2017 SGCAC Report', paras. 9, 133; May 2018 SG Report on Somalia, paras. 13-14.









however, Somalia's security situation was characterised as 'dire', and the Somali authorities (supplemented by AMISOM) are reported to be struggling to maintain control of key towns around the country.³⁹ Notwithstanding, international partners are reportedly seeking to strengthen the SNA in view of the pending drawdown of AMISOM.

The process of building a federal state has been marred with conflict. For instance, conflict over claims to the administrative region of north Mudug erupted between Puntland and Galmudug. Tensions also persist in relation to the regional state formation process in the Shabelle and Hiraan regions of central Somalia. While Somaliland, which declared itself independent in 1992, and the semi-autonomous federal state of Puntland have enjoyed relative peace and stability for nearly three decades, the long-standing territorial dispute between Puntland and Somaliland over Sool and Sanaag also remains volatile.

The lack of nationwide law enforcement contributed to illegal fishing by foreign ships in Somali waters and a wave of piracy in response, leading to hundreds of attacks, hijackings, deaths, and the mobilisation of international naval forces. Piracy and armed robbery at sea off the coast of Somalia remain an issue and exacerbate instability by fuelling corruption and crime. Piracy attacks diminished through 2015, due in part to joint SNA/AMISOM operations. In 2016, the UN reported that Somali pirates possessed the intent and capability to resume attacks. Subsequently, a number of incidents against vessels carrying food and oil were reported in 2017. As recently as 24 February 2018, eight armed pirates attempted to hijack a Singapore-flagged tanker in the Gulf of Aden.

2. State, Non-State, and International Actors

a) State Actors

Somali National Army (SNA)

The SNA operates alongside clan militias and regional security forces⁴⁴ and has attempted with varying degrees of success to incorporate those groups into its ranks.⁴⁵ The SNA is considered to be at an early

Center on International Cooperation, 'The Politics of Security in Somalia' (April 2018), available http://cic.nyu.edu/sites/default/files/politics_of_security_in_somalia_2018_final_0.pdf, accessed 4 September 2018, p. 4.

⁴⁰ 2016 Human Rights Watch Report, p. 507.

United Nations Security Council, 'Report of the Secretary-General on the situation with respect to piracy and armed robbery at sea off the coast of Somalia' (7 October 2016), UN Doc. S/2016/843, para. 5.

See e.g. Washington Post, 'Piracy back on the rise off Somalia, U.S. military says' (23 April 2017), available https://www.washingtonpost.com/news/checkpoint/wp/2017/04/23/u-s-monitoring-spike-in-pirate-attacks-off-horn-of-africa-officials-say/?noredirect=on&utm term=.f0a0b70b6272, accessed 4 September 2018.

May 2018 SG Report on Somalia, para. 16.

⁴⁴ 2016 SGCAC Somalia Report, para. 6.

September 2016 SG Report on Somalia, para. 33; May 2016 SG Report on Somalia, para. 28. See also generally World Bank, 'Federal Republic of Somalia: Security and Justice Sector PER' (January 2017), available http://documents.worldbank.org/curated/en/644671486531571103/pdf/Somalia-SJPER-01302017-Final-Version.pdf, accessed 4 September 2018. See also Accord, 'Understanding Civil Militia Groups in Somalia' (16 August 2016), available http://www.accord.org.za/conflict-trends/understanding-civil-militia-groups-somalia/, accessed 4 September 2018.









stage of development, and work remains to be done to transform the SNA from a militia-based force to a professional force.⁴⁶

The SNA is listed by the UN Secretary-General as a party that recruits and uses children despite its commitments to end such practices in 2012.⁴⁷ In 2017, the SNA reportedly recruited 119 children to man checkpoints, among other duties. Children have joined the SNA as a result of poverty or lack of livelihood opportunities. They receive military training following their recruitment.⁴⁸ The SNA is alleged to be responsible for indiscriminate attacks against civilians, sexual violence, arbitrary arrests and detention of children, among other things.⁴⁹ The SNA also continues to detain children for their association with armed groups such as al-Shabaab, with 156 children reported to have been detained in 2017 (down considerably from the 386 children reported to have been detained in 2016).⁵⁰ Children in detention have also been reportedly used in custody as informants, identifying al-Shabaab members.⁵¹

The SNA's lack of structure and absence of a clear chain of command and control can make it difficult to identify perpetrators of crimes against children.

Other government forces

In its 2018 report, Human Rights Watch reported that Somalia's National Intelligence and Security Agency (NISA) had arbitrarily arrested and detained individuals without charge or access to legal counsel, and noted allegations that intelligence agents had tortured and mistreated alleged terrorism suspects to extract confessions or provide information on several occasions.⁵² The UN Secretary-General's report on the commission of grave violations of children's rights in 2017 notes the existence of verified cases of violations of children's rights committed by non-military government forces, including 11 cases of the recruitment and use of children by the Somali Police Force.⁵³

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⁴⁶ 2016 SGCAC Somalia Report, para. 6. In April 2016, the SNA announced the creation of a force integration commission, intended to improve the army's ability to maintain control over Somali security (AMISOM, 'Somali National Army celebrates 56 years of existence' (13 April 2016), available http://amisom-au.org/2016/04/somali-national-army-celebrates-56-years-of-existence/, accessed 4 September 2018. See also Bertelsmann Stiftung, 'BTI 2016- Somalia Country Report' (2016), ('BTI Somalia Report 2016'), p. 6).

⁴⁷ 2018 SGCAC Report, Annex I, para. 144. See also 2018 US Department of State, 'Trafficking in Persons Report' (June 2018), ('2018 TIP Report'), p. 465. Commitments have been made to end the recruitment and use of children by the SNA. Nevertheless, the SNA reportedly conducted awareness campaigns on the importance of preventing child recruitment into the security forces in Mogadishu, Guul Wadaysha, and at the Siyad Army Base in 2016, and in Kismayo and Dhoble, Interim Jubaland Administration, and Baidoa in 2017 (United States Department of State, 'Somalia 2017 – Human Rights Report', available https://www.state.gov/documents/organization/277289.pdf, accessed 4 September 2018, p. 15).

⁴⁸ 2016 SGCAC Somalia Report, para. 26.

⁴⁹ 2018 SGCAC Report, para. 145; 2017 SGCAC Report, annex 1; 2016 SGCAC Somalia Report, paras. 44, 47; Human Rights Watch, 'World Report 2015: Events of 2014' (2015), ('2015 Human Rights Watch Report'), p. 83.

⁵⁰ 2018 SGCAC Report, paras. 144-145; 2017 Human Rights Watch Report, p. 536; 2017 SGCAC Report, para. 35.

⁵¹ 2017 Human Rights Watch Report, p. 536.

⁵² 2018 Human Rights Watch Report, p. 484.

⁵³ 2018 SGCAC Report, para. 144.









Regional Security Forces

Autonomous regions such as Puntland and Somaliland have their own security forces, largely composed of clan-based militias. With the establishment of interim federal administrations, some of the clan-based militias evolved into regional security forces while several others remained separate and operated on the periphery of the SNA. In order to minimise the occurrence of clashes between national and regional forces, a cabinet formed under Prime Minister Hassan Ali Kheyre sought to strengthen relations with federal member states.⁵⁴ Notwithstanding these attempts, ongoing attempts to reconcile with the Galmudug region have had mixed results.⁵⁵ Following the deterioration of the security situation in Puntland in 2016, when a ceasefire failed to halt clashes between forces loyal to Puntland and those loyal to Galmudug,⁵⁶ conflict flared again in mid-2017 between al-Shabaab and Puntland security forces,⁵⁷ and continued throughout 2017 and into 2018.⁵⁸

b) Non-State Actors

Numerous armed groups operate within Somalia and its autonomous regions, including local and clan militias. Groups key among them are identified below.

Al-Shabaab

Al-Shabaab – Arabic for 'The Youth' – is an armed Islamist group affiliated to al-Qaeda. Founded in 2006, al-Shabaab's roots lie in the Union of Islamic Courts group which formerly operated in Somalia, although foreign jihadi fighters, including some from Western countries, have reportedly come to Somalia to join al-Shabaab. The group has claimed responsibility for numerous grave violations of human rights such as targeting civilians, both within al-Shabaab controlled areas and in FGS-controlled areas including Mogadishu. Al-Shabaab is also responsible for carrying out deadly strikes outside Somalia, including a number of attacks in Kenya. It also extorts taxes in areas under its control.

The persistent and wide-scale recruitment and use of children by al-Shabaab has been documented, with incidents of recruitment doubling in 2016 as compared with 2015, and rising again in 2017.⁶¹ Estimates suggest that half of al-Shabaab's ranks are children,⁶² possibly arising out of the repeated reported

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United Nations Security Council, 'Report of the Secretary-General on Somalia' (5 September 2017) UN Doc. S/2017/751, ('September 2017 SG Somalia Report'), para. 2.

September 2017 SG Somalia Report, para. 9.

January 2017 SG Report on Somalia, para. 10.

September 2017 SG Somalia Report, para. 15.

United Nations Security Council, 'Report of the Secretary-General on Somalia' (26 December 2017) UN Doc. S/2017/1109, para. 12; May 2018 SG Report on Somalia, para. 13.

BBC, 'Who are Somalia's al-Shabab?' (9 December 2015), available http://www.bbc.com/news/world-africa-15336689, accessed 4 September 2018.

The Independent, 'Somalia attack: Al-Shabab claims responsibility for deadly Mogadishu bomb and gun assault' (7 July 2018), available at https://www.independent.co.uk/news/world/africa/somalia-attack-alshabab-gun-bombing-interior-ministry-mogadishu-a8436071.html, accessed 4 September 2018.

of 2018 SGCAC Report, para. 144; 2017 SGCAC Report, para. 134.

⁶² 2016 SGCAC Somalia Report, para. 17.









practice of replenishing the group's ranks with children following check losses or ahead of new offensives against the SNA.⁶³ In 2012, al-Shabbab accounted for approximately 40 per cent of the 4,313 cases of recruitment and use of children in Somalia.⁶⁴ Decreasing in 2013 and 2014, the group's recruitment and use of children has risen steadily since 2015, and now comprises 85 per cent of the verified instances of recruitment and use of children in Somalia.⁶⁵

Al-Shabaab's typical means of recruitment are abduction, coercion and deception.⁶⁶ Al-Shabaab has been documented to recruit children from mosques, Koranic schools, schools, and at religious events.⁶⁷ In December 2015, 555 children were reportedly recruited by al-Shabaab, including 150 children abducted from madrasas.⁶⁸ In 2016, over 100 boys were reported to be recruited as the result of a campaign of compelling elders in the Galguduud region.⁶⁹

Boys as young as eight years old were bribed or forcibly taken from their homes, schools, and the streets, while girls were recruited through bribery or by force for sexual servitude, marriages, and domestic labour. Al-Shabaab has trained children as young as nine years old and used them in combat and as child suicide bombers to attack civilian targets, military camps, and other government targets. Others are used as spies, to carry ammunition, or to perform domestic chores. Al-Shabaab has been reported to be responsible for 75 incidents of sexual violence against children in 2017, compared with 33 instances in 2016. In instances in 2015 and 19 in 2014.

In 2014, the African Union Mission and the Somali National Armed Forces commenced joint operations against al-Shabaab, prompting al-Shabaab to abandon several towns...⁷⁶ However, al-Shabaab retains control of large parts of south-central Somalia, ⁷⁷ and has acquired sufficient strength to carry out complex attacks on the outskirts of Mogadishu in March 2018. ⁷⁸

⁶³ 2016 SGCAC Somalia Report, para. 17.

⁶⁴ 2016 SGCAC Somalia Report, para. 16.

^{65 2016} SGCAC Report, Somalia para. 16; 2017 SGCAC, para. 134; 2018 SGCAC Report, para. 144.

⁶⁶ 2017 TIP Report, p. 434.

See 2016 SGCAC Somalia Report, para. 18. See also 2016 SGCAC Report, para. 113; US Department of State, 'Trafficking in Persons Report' (July 2015) ('2015 TIP Report'), p. 371.

^{68 2016} SGCAC Report, para. 113.

⁶⁹ 2017 SGCAC Report, para. 134.

US Department of Labor Bureau of International Labor Affairs Office of Child Labor, Forced Labor, and Human Trafficking, 'The Department of Labor's 2014 Findings on the Worst Forms of Child Labor' (30 September 2015) ('2015 Worst Forms of Child Labor Report'), p. 783.

⁷¹ 2016 SGCAC Somalia Report, para. 18.

⁷² 2016 SGCAC Somalia Report, para. 18.

⁷³ 2018 SGCAC Report, para. 147.

⁷⁴ 2017 SGCAC Report, para. 138.

⁷⁵ 2016 SGCAC Report, para. 116; United Nations Security Council Report, 'Report of the Secretary-General: Children and Armed Conflict' (5 June 2015), UN Doc. S-/2015/409, para. 150.

⁷⁶ 2015 SGCAC Report, para. 145.

⁷⁷ 2015 Human Rights Watch Report, p. 483.

May 2018 SG Report on Somalia, para. 12.









CASE STUDY – Children and al-Shabaab⁷⁹

With the encouragement of his friends, Bashir (not his real name) left home at the age of 14 to join al-Shabaab, only having a brief opportunity to speak with his family before leaving. He told of children, both younger and older than him, in the ranks of al-Shabaab, who were used not only to retrieve weapons from dead soldiers, but also as soldiers and even as human shields. Bashir related that he was 'scared and terrified of being shot' when he had to fight for the first time, and that on the morning he was captured by AMISOM forces he watched five of his friends die in front of him – an event which still causes him to have nightmares. AMISOM forces initially detained Bashir in military barracks, but once turned over to UNICEF he was transferred to an 'interim care centre' where he was able to receive the help he needed. He went on to study electrical repairs, and dreams of owning an electrical shop.

Ahl Al-Sunnah wal Jama'a (ASWJ)

Ahl al-Sunnah wal Jama'a (also known as Ahlus Sunnah wal Jammah) is a Somali-based Sufi militia⁸⁰ which has been added to the UN Secretary-General's list of groups which recruit or abuse children in recent years.⁸¹ First formed in 1991 to oppose al-Shabaab, ASWJ controls parts of south central Somalia, particularly Galmudug and Hiraan.⁸² ASWJ signed a power-sharing agreement with the Galmudug Interim Administration in December 2017, but disputes over the number of seats allocated to each faction in its united state assembly has prompted tension and intermittent violence.⁸³

In 2017, ASWJ was reported to have been responsible for the recruitment and use of 66 children, compared with 78 children in 2016, 40 children in 2015, and 109 children in 2014.⁸⁴ ASWJ has experienced a decreasing trend in the number of children it is responsible for having killed or maimed: no killed or maimed children were attributed to the group in 2017, compared with one in 2016 and three in 2015. One case of sexual violence was attributed to the group in 2017, three in 2016, and two in 2015.⁸⁵

This case study has been adapted from a story originally published by UNICEF Somalia. See: UNICEF Somalia, 'Children in Armed Conflict – stories of trauma and rehabilitation', available http://www.unicef.org/somalia/reallives 15150.html, accessed 4 September 2018.

²⁰¹⁶ Human Rights Watch Report, p. 508.

⁸¹ 2018 SGCAC Report, Annex I; 2017 SGCAC Report, Annex I, 2016 SGCAC Somalia Report, para. 1; January 2016 SG Report on Somalia, para.79.

Immigration and Refugee Board of Canada, 'Somalia: Situation of practitioners of Sufism, including treatment by al-Shabaab [al-Shabab], and role of Ahlu Sunnah Wal Jamaa [Ahlu Sunna Wal-Jamea, Ahlu Sunnah Wal Jama'a, Ahlu Sunna Wal Jama'a, Ahlu Sunna Wal Jama'a, Ahlu Sunna Wal-Jamaa, Ahlu Sunna Waljma'a] (ASWJ)' (27 March 2018), available http://www.refworld.org/docid/5ad5dd124.html, accessed 4 September 2018.

May 2018 SG Report on Somalia, para. 6.

^{84 2018} SGCAC Report, para. 144; 2016 SGCAC Report, paras. 113, 134; 2015 SGCAC Report, para. 145.

²⁰¹⁸ SGCAC Report, paras. 144-147; 2017 SGCAC Report, paras. 137-138; 2016 SGCAC Report, paras. 114-116.









In 2015, ASWJ was involved in fighting with government forces in the area of Guri'el, which resulted in civilian deaths and 'massive displacement'. Human Rights Watch estimates that approximately 90 per cent of the population of that area (approximately 65,000 people) fled, at least temporarily, due to the violence. By February 2018, the government had moved to reduce the scale of the humanitarian disaster, preparing to integrate members of ASWJ into regular Galmudug regional forces.

Islamic State of Iraq and the Levant (ISIL)

Reports of ISIL operating in Somalia emerged in April 2016, when media sources reported that a new group called 'Jabha East Africa', possibly former members of al-Shabaab, had pledged allegiance to ISIL, ⁸⁸ and when ISIL claimed an IED attack in Mogadishu. ⁸⁹ More traditionally associated with al-Qaeda, al-Shabaab has experienced internal struggle: in October 2015, 30 alleged ISIL sympathisers were arrested in Jubaland by al-Qaeda-supported al-Shabaab leaders. As a result, al-Shabaab in Puntland experienced a violent split. ⁹⁰

In October 2016, a group of fighters loyal to ISIL reportedly occupied Qandala on the coast of Puntland. At the end of 2016, this group seized control of territory but later retreated from Puntland security forces. ISIL-backed violence has persisted since ISIL emerged in Somalia: in May 2017, an ISIL-supported group claimed responsibility for a bombing in Puntland, where a bomb was detonated at a military checkpoint, killing four people. In response to the ongoing violence, the US conducted air strikes against ISIL within the territory of Somalia in November 2017, described to be "targeting terrorists, their training camps and safe havens throughout Somalia, the region and around the world". Air strikes have intensified against ISIL with 20 having been carried out by the US during the first three months of 2018.

⁸⁶ 2016 Human Rights Watch Report, p. 508.

²⁰¹⁶ Human Rights Watch Report, p. 508.

Lizze Dearden, 'Isis: New terrorist group Jahba East Africa pledges allegiance to "Islamic State" on Somalia' (The Independent, 8 April 2016), available http://www.independent.co.uk/news/world/africa/isis-new-terrorist-group-jahba-east-africa-pledges-allegiance-to-islamic-state-in-somalia-a6974476.html, accessed 4 September 2018.

Morgan Winsor, 'ISIS In Somalia: Islamic State Claims First-Ever Attack in Mogadishu While Courting Al-Shabaab' (International Business Times, 25 April 2016), available http://www.ibtimes.com/isis-somalia-islamic-state-claims-first-ever-attack-mogadishu-while-courting-al-2359373, accessed 4 September 2018.

Long War Journal, 'Islamic State in Somalia claims capture of port town' (26 October 2016), available https://www.longwarjournal.org/archives/2016/10/islamic-state-in-somalia-claims-capture-of-port-town.php, accessed 27 June 2018.

January 2017 SG Report on Somalia, para. 11.

January 2017 SG Report on Somalia, para. 11.

CNN, 'US launches first airstrikes against ISIS in Somalia' (4 November 2017), available https://edition.cnn.com/2017/11/03/politics/us-airstrikes-isis-somalia/index.html, accessed 4 September 2018.









c) International and Regional Actors

AMISOM

The African Union has had significant involvement in Somalia, most notably through AMISOM, a Peace Support Operation under the authority of the African Union and composed of military and police forces from Uganda, Burundi, Djibouti, Kenya, Ethiopia, and Sierra Leone. AMISOM was first deployed to Somalia in 2007 to reduce the threat of al-Shabaab and other armed groups. This mission, with the support of the UN, is tasked with supporting the FGS to restore peace and stability within Somalia. Over 22,000 AMISOM troops are deployed within Somalia and have been engaged in joint operations with Somali government forces with the primary mission of regaining control from al-Shabaab and other insurgent groups.

Despite its best intentions, children have suffered from violence arising out of AMISOM operations. AMISOM was found responsible for 21 incidents of killing or maiming of children in 2017, compared with 42 in 2016 and 60 in 2015. There are also verified reports of recruitment and use of children between 2012 and 2014, and in 2016. Children have been used by AMISOM in support functions and to man checkpoints. In an effort to eradicate the grave violation of children's rights by AMISOM forces, the UN engaged with AMISOM to change its practices. Notwithstanding these attempts, the UN Secretary-General reported three incidents of sexual and gender-based violence to AMISOM forces in 2016, and 17 in Galguduud region. In May 2016, 14 AMISOM soldiers allegedly raped two girls aged 15 and 17 in Galguduud region. No such incidents were reported in 2017. Use of a school for military purposes was also reported, where AMISOM used a secondary school for six days in January 2016, the reporting of continued grave violations. UN engagement with AMISOM was renewed following the reporting of continued grave violations.

The Dallaire Initiative works to build child protection capacity in Somalia through work with the FGS and AMISOM. AMISOM's first Child Protection Advisor, a graduate of Dallaire Initiative training, has

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AMISOM, 'AMISOM Military Component', available http://amisom-au.org/mission-profile/military-component/ accessed 4 September 2018.

AMISOM, 'AMISOM Mandate', available http://amisom-au.org/amisom-mandate/, accessed 26 January 2017.

AMISOM, 'Frequently Asked Questions', available https://web.archive.org/web/20150201213834/http://amisom-au.org/frequently-asked-questions/, accessed 4 September 2018.

⁹⁷ 2015 SGCAC Report, para. 145.

⁹⁸ 2015 SGCAC Report, para. 149.

⁹⁹ 2018 SGCAC Report, para. 146; 2017 SGCAC Report, para. 137; 2016 SGCAC Report, para. 115.

²⁰¹⁶ SGCAC Somalia Report, para. 30; 2017 SGCAC Report, para. 134.

²⁰¹⁶ SGCAC Somalia Report, para. 30.

¹⁰² 2016 SGCAC Report, para. 121.

¹⁰³ 2017 SGCAC Report, para. 138.

¹⁰⁴ 2016 SGCAC Report, para. 116.

September 2016 SG Report on Somalia, para. 59.

¹⁰⁶ 2017 SGCAC Report, para. 139.

¹⁰⁷ 2017 SGCAC Report, para. 143.









built collaborative relationships in Somalia, trained AMISOM and Somali government personnel, and helped improve the monitoring and reporting of children's rights violations.

In November 2017, in light of increased uncertainty and insecurity in Mogadishu, AMISOM began withdrawing its troops from Somalia. Concern has been expressed by a number of actors over the drawdown of AMISOM in light of the underdevelopment of the SNA at this time.

United Nations Assistance Mission in Somalia (UNSOM)

UNSOM was established by Security Council Resolution 2012 with the mandate to "provide 'good offices' functions" and support the Somali government during the peace process. UNSOM's mandate requires it to provide policy advice to both the government and AMISOM, in addition to monitoring and reporting functions for the Security Council on the situation in Somalia and in particular with reference to human rights violations, international humanitarian law (IHL) violations, and abuses against children or women. During the first half of 2018, UNSOM has continued to work with the FGS and state and local governments to implement a coordinated approach to support peace initiatives in Somalia. 109

EU

As part of its diplomatic and security support, the EU maintains a Somali delegation, a Special Envoy to Somalia, and Special Representative for the Horn of Africa. In addition, the EU has provided more than €1.2 billion to Somalia using various financial sources since 2008.¹¹⁰ Moreover, three missions have been launched under the EU's Common Security and Defence Policy to assist with military training, combat maritime piracy and the development of "maritime capacity" in Somalia and other states in the Horn of Africa ¹¹¹

United States (US)

The US supports AMISOM and the Somali national forces in operations throughout Somalia, and contributes financial assistance, training, and material support. Military assistance has included US drone strikes within Somalia which have increased since 2016.¹¹² In the first three months of 2018 alone, the US reportedly launched 20 strikes against al-Shabaab and ISIL. The US has drawn criticism for failing to provide public information concerning civilian casualties in such strikes.

Somalia – September 2018

United Nations Security Council, 'Security Council Resolution 2102 (2013) [on establishment of the UN Assistance Mission in Somalia (UNISOM)]' (2 May 2013), para. 2(a) available https://undocs.org/S/RES/2102(2013), accessed 30 August 2018.

May 2018 SG Report on Somalia, para. 26.

European Union, 'Somalia and the EU' (EU Delegation to Somalia), available http://www.eeas.europa.eu/delegations/somalia/eu_somalia/index_en.htm, accessed 26 January 2017 ('Somalia and the EU'); European Commission, 'International Cooperation and Building Partnerships for Change in Developing Countries: Somalia', available https://ec.europa.eu/europeaid/countries/somalia_en, accessed 4 September 2018.

Somalia and the EU.

²⁰¹⁶ Human Rights Watch Report, p. 512; 2016 SGCAC Somalia Report, para. 11.









On 9 June 2018, a US soldier was killed in an ambush north of Kismayo during a joint operation with the SNA. 113

d) Regional Actors

Kenya

Kenya has directly felt the effects of the Somali conflict, both as the result of Somalis seeking refuge and due to al-Shaabab staged attacks, including attacks within Kenya itself, such as the attacks on the Westgate Mall and Garissa University. 114

Kenya has sent troops both independently and as part of missions under AMISOM's command. As the result of concerns for national security and the intensity of refugee flows from Somalia into Kenya, and following a series of foreign tourist kidnappings in 2011, Kenya deployed 2,400 members of the Kenya Defence Force (KDF) in Southern Somalia. In February 2012, Kenyan troops came under AMISOM control, with a presence which grew to 3,664 troops. Kenyan forces are responsible for Sector 2, comprising Lower and Middle Jubba.

The KDF continues to support and train Somali-affiliated militias.¹²⁰ The KDF has also suffered casualties from al-Shabaab attacks.¹²¹ Similarly, in April 2018, an al-Shabaab attack on a KDF base on the outskirts of Bardere was reported to have sparked heavy gunfire and caused casualties on both sides. In May 2018, the KDF rescued 13 Kenyan nationals between the ages of 18 and 38 who had been lured to join Al-Shabaab while reportedly looking for jobs.

Ethiopia

In 2011, Ethiopia sent troops to Somalia, reportedly in support of AMISOM forces. ¹²² It was not until 2014, however, that Ethiopian troops formally joined AMISOM. ¹²³

BBC, 'Somalia conflict: One US soldier killed, four wounded in firefight' (9 June 2018), available https://www.bbc.co.uk/news/world-africa-44421488, accessed 4 September 2018.

BBC, 'Kenya's Westgate Shopping Mall reopens after Tragedy' (18 July 2015), available http://www.bbc.com/news/world-africa-33578890, accessed 4 September 2018; BBC, 'Kenya Attack: 147 Dead in Garissa University Assault' (3 April 2015), available http://www.bbc.com/news/world-africa-32169080, accessed 4 September 2018.

²⁰¹⁶ SGCAC Somalia Report, para. 10.

David W. Throup, 'Kenya's Intervention in Somalia' (Center for Strategic and International Studies, 16 February 2012), available https://www.csis.org/analysis/kenya%E2%80%99s-intervention-somalia, accessed 4 September 2018, ('Kenya's Intervention in Somalia').

¹¹⁷ Kenya's Intervention in Somalia.

AMISOM, 'Kenya', available http://amisom-au.org/kenya-kdf/, accessed 4 September 2018.

AMISOM, 'AMISOM Military Component', available http://amisom-au.org/mission-profile/military-component/, accessed 4 September 2018.

²⁰¹⁶ Human Rights Watch Report, p. 512.

Al-Jazeera, 'Somali leader: "200 Kenyan troops" dead in January raid' (25 February 2016), available http://www.aljazeera.com/news/2016/02/killed-al-shabab-mortar-attack-somalia-160225101227367.html, accessed 4 September 2018.

¹²² BTI Somalia Report 2016, p. 33.









Ethiopia has reportedly provided both training and support to militias affiliated with the Somali government and was involved in negotiations regarding "the creation of bordering federal states". ¹²⁴ In August 2017, Ethiopian troops were deployed to assist in the recapture of Leego following its capture by al-Shabaab. More recently, Ethiopia has expressed disagreement at AMISOM's announced intention to remove troops from Somalia, arguing that the force remain until al-Shabaab is "very much weakened". ¹²⁵

III. CHILD PROTECTION CONCERNS

Somalia became the 196th state to ratify the Convention on the Rights of the Child on 1 October 2015. despite this move, grave violations and other human rights abuses continue to be committed by all parties to the conflict, as detailed below. UNICEF notes that special protection is needed in Somalia for a number of categories of children including, *inter alia*, those who have been internally displaced, who come from minority groups or poor families, orphans, children with special needs, and children associated with armed militia 127

1. Recruitment and Use of Children

It is difficult to ascertain the exact number of children who are associated with armed forces in Somalia. The UN reports that between April 2010 and July 2016, 6,163 children were verified as having been recruited. Al-Shabaab was responsible for 70 per cent of the recruitment. UN reports further indicate that 2,127 children and youth were recruited and used by armed groups in 2017. During the first four months of 2018, the UN verified an additional 448 cases of recruitment and use. These reported statistics likely underestimate the scale of the issue, given challenges in monitoring crimes and accessing affected populations.

The SNA, the Somalia Police Force, al-Shabaab, AWSJ, regional forces from Galmudug, Southwest and Jubbaland, and clan militias are reported to recruit and use children in Somalia. Between 2015 and

AMISOM, 'Ethiopian troops formally join AMISOM peacekeepers in Somalia', available http://amisom-au.org/2014/01/ethiopian-troops-formally-join-amisom-peacekeepers-in-somalia/, accessed 4 September 2018.

¹²⁴ 2016 Human Rights Watch Report, p. 512.

Anadolu Agency, 'Ethiopia 'wants' AU mission to stay in Somalia' (26 April 2018), available https://www.aa.com.tr/en/africa/ethiopia-wants-au-mission-to-stay-in-somalia-/1128496, accessed 4 September 2018.

UNICEF, 'Joint statement on Somalia's ratification of the Convention on the Rights of the Child' (2 October 2015), available https://www.unicef.org/media/media 85718.html, accessed 4 September 2018.

UNICEF Child protection in Somalia.

¹²⁸ 2018 SGCAC Report, para. 6.

May 2018 SG Report on Somalia, para. 61.

²⁰¹⁸ SGCAC Report, para. 144; 2017 SGCAC Report, para. 134; 2016 SGCAC Somalia Report, paras. 15-16, 23, 27, 29-30; AMISOM, 'Report: AMISOM and Somali government to join hands to tackle use of child soldiers' (7 December 2016), available http://amisom-au.org/2016/12/amisom-and-somali-government-to-join-hands-to-tackle-use-of-child-soldiers/, accessed 26 January 2017; UNICEF, 'UNICEF and the EU work to end Somali child recruitment' (17 September 2015), available http://www.unicef.org/somalia/media_17020.html, accessed 26 January 2017.









2017, the UN has verified nearly 5,000 cases of recruitment and use of children in Somalia. Although reported rates of the recruitment and use of children decreased in 2013 and 2014, an upward trend starting in 2015 increased sharply in 2016, when the incidence of recruitment and use more than doubled, and persisted into 2017. In 2017, 2,087 boys and 40 girls were reportedly recruited and used by armed forces and groups.

These latest numbers only serve to reinforce the fact that the use and recruitment of children is an integral part of the conflict in Somalia, especially for al-Shabaab. While al-Shabaab does command some popular support, the preponderance of youth in its ranks demonstrates their reliance on soldiers who can more easily be coerced, forced, and indoctrinated than adults. Consequently, the Somali government and AMISOM need to be prepared to address the use of children in the Somali conflict.

Children as young as nine years old are associated with armed groups in a number of capacities. Both boys and girls are used to perform domestic chores and serve as cooks, spies, and porters; others, as young as nine years old, used as suicide bombers or taught to use weapons and sent to the front lines. Socio-economic and political exclusion, poverty, unemployment, lack of opportunities, and radicalisation are among the factors leading to recruitment in Somalia. Some children in Puntland, for instance, were approached by al-Shabaab with the false promise of education and livelihood. Al-Shabaab has both used children to pressure their peers to join, and continued its practice of abducting children to bolster its ranks. The group has also used strategies such as compelling changes in the curricula of schools in regions it controls, has detained children, and uses violence and threats to family members, teachers and elders. As a result, entire villages have reportedly been forced to give up their children to the group. In 2017, the UN Secretary-General reported that children as young as nine have been sent to al-Shabaab madrasas and training camps.

Information on the whereabouts of children recruited or abducted by al-Shabaab is difficult to obtain since children are prohibited from contacting friends and relatives, and those who contravene this rule are

¹³¹ 2016 SGCAC Report, para. 113; 2017 SGCAC Report para. 134; 2018 SGCAC Report para. 144.

²⁰¹⁷ SGCAC Report, para. 134; 2016 SGCAC Somalia Report, para. 15.

¹³³ 2018 SGCAC Report, para. 144.

¹³⁴ 2018 SGCAC Report, para. 144.

²⁰¹⁶ SGCAC Somalia Report, para. 18; United Nations Security Council, 'Letter dated 9 October 2015 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council' (10 October 2015, available http://digitallibrary.un.org/record/808015/files/S 2015 802-EN.pdf, accessed 30 August 2018

July 2018 Independent Expert Report, para. 54; 2016 SGCAC Somalia Report, para. 19.

²⁰¹⁶ SGCAC Somalia Report, para. 20.

²⁰¹⁶ SGCAC Somalia Report, para. 20.

July 2018 Independent Expert Report, para. 54; 2018 SGCAC Report, para. 149.

²⁰¹⁸ SGCAC Report, para. 144; 2016 SGCAC Somalia Report, para. 21. See also 2017 SGCAC Report, para. 134

¹⁴¹ 2018 SGCAC Report, para. 149. In September 2016, Al-Shabaab compelled elders in the Galguduud region to persuade children to join the group, leading to the recruitment of 100 boys (2017 SGCAC Report, para. 134).









punished. AMISOM states "[a]s a result, many of the parents only learn through the media that their child is either dead, injured or captured while fighting for al-Shabaab". 142

Somalia signed an action plan to end and prevent the recruitment and use of children in 2012. However, as of July 2017, its implementation remained incomplete. National measures to reduce the incidence of child recruitment include the promulgation of a code of conduct prohibiting the recruitment of children, the adoption of standard operating procedures for the reception and handover of children separated from armed groups, and the establishment of a child protection unit. The SNA has also issued General Order Number One, prohibiting commanders from recruiting children, requiring training on the protection of children's rights in armed conflict, and authorised UNICEF to inspect all military camps to verify that children are not present.

In this environment of widespread use of child soldiers and ongoing military operations against al-Shabaab by Somali security forces and AMISOM, there is a critical need for practical, on-the-ground child protection training to allow forces to better protect children from recruitment and prevent the grave violations of their rights.¹⁴⁴

Mechanisms for the reintegration of children recruited into armed groups have commenced in Somalia, assisted by the efforts of the federal and regional governments. From 2012 to 2016, more than 4,000 children benefited from reintegration services. Of particular concern, however, is the detention of children for their alleged association with al-Shabaab despite the need to treat those children primarily as victims.

2. Maritime Piracy

It has been estimated that nearly 40 per cent of all pirates operating off the coast of Somalia are under the age of 15. Children in maritime piracy and child combatants share a great deal in common, especially in terms of their perceived strategic value. While some Somali children are forcibly recruited into pirate activity, more join voluntarily. Such voluntarily enlistment, however, must be understood in terms of the limited choices and economic opportunities that are available to Somali children in their country. For example, Somali children may view piracy as a means of bettering themselves if they are extremely poor, displaced from their homes and communities, separated from their families, denied access to educational or employment opportunities, or exposed to armed conflict.

In 2016, the SNA's Child Protection Unit conducted awareness campaigns in Mogadishu, Guul Wadaysha, and at the Siyad Army Base on the importance of preventing child recruitment into the security forces (2017 TIP Report, p. 434).

AMISOM, 'Al-Shabaab Using Child Soldiers In Desperate Effort To Control Somalia' (29 March 2016), available http://amisom-au.org/2016/03/al-shabaab-using-child-soldiers-in-desperate-effort-to-control-somalia/, accessed 4 September 2018.

¹⁴³ 2017 TIP Report, p. 434.

For instance, in May 2016, the Galmudug Interim Administration released 44 children allegedly associated with Al-Shabaab to child protection actors following their capture in March. Similarly, Puntland authorities also handed over 26 children aged between 12 and 14 (2017 SGCAC Report para. 135).

²⁰¹⁶ SGCAC Somalia Report, para. 70.









Security sector actors operating in known pirate towns may encounter children who provide support to pirate gangs. These boys and girls may act as porters, cooks, cleaners, messengers, spies or sex slaves. While there are currently no international legal instruments in place to prescribe the proper handling of children involved in maritime piracy, security sector actors are advised to seek guidance from their superiors whenever they encounter children suspected of being involved in maritime piracy activities.

There are links between recruitment and use of children and child piracy: young people in Puntland and Somaliland have indicated to the UN Special Representative of the Secretary-General for Children and Armed Conflict that some of them had left al Shabaab to join piracy groups. The international community must remain aware of this potential link, as it is known that involvement in piracy is lucrative. 147

After experiencing a significant decline in 2015, the rate of piracy off the coast of Somalia doubled in 2017. One NGO predicted that the lull in piracy activities was "fragile and reversible", given that neither the Somali government nor any international actor had adequately implemented counter-piracy initiatives on land. As a result, pirate gangs remain intact, and able to redeploy when circumstances are conducive to their activities. 148

In 2017, the Security Council adopted a resolution stressing the need for a "comprehensive response to prevent and suppress such acts and tackle their underlying causes" regarding piracy off the coast of Somalia. The Security Council also urged Somali authorities to continue to expedite the passing of comprehensive anti-piracy and maritime laws, to establish security forces with clear roles and jurisdictions to enforce these laws, as well as to strengthen the capacity of its Somali courts to investigate and prosecute those responsible for piracy. 150

Case Study – Local Initiatives against Piracy: Eyl and Bargal Communities

The small community of Eyl, located in Galmudug, widely considered to be at the heart of piracy since the 1990s, has begun to take actions against pirate gangs under the leadership of community elders. A locally driven advocacy campaign was launched to send the message that "piracy is haram (forbidden)". Economic trade with the pirates was frozen and when a notorious pirate leader was unable to purchase a can of Coke for US \$100, pirate groups packed up and left. Similarly in Bargal, community members created a community police force with 80 volunteers to keep piracy out after they failed to meet a list of community

Council on Foreign Relations, 'Al-Shabab', available at https://www.cfr.org/backgrounder/al-shabab, accessed 4 September 2018.

Huggins, Jon and Liza Kane Harnett. 'Somali Piracy - Are we at the End Game?' (Oceans Beyond Piracy 2013), http://oceansbeyondpiracy.org/sites/default/files/attachments/Jon%20Cleveland%20Document%20 final.pdf, accessed 23 August 2018.

United Nations Security Council, 'Resolution 2383 (2017)' (7 November 2017), UN Doc. S/RES/2383(2017), ('2017 UN Resolution on Piracy'), para. 3.

²⁰¹⁷ UN Resolution on Piracy, para. 4.

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Whitman, Dr. S. & Suarez, C. 'Dalhousie Marine Piracy Project: Root causes and True Costs of Marine Piracy', Affairs available Marine Program Technical Report #1 (2012),https://cdn.dal.ca/content/dam/dalhousie/pdf/faculty/science/marine-affairsprogram/Technical series/MAP%20Technical%20Report%20%231.pdf, accessed 23 August 2018, pp. 33-34, 43.









demands drafted by the community regarding their lifestyle. In particular, residents from Bargal were "fed up with thefts, drinking, rowdy behaviour and the unwanted attention piracy brought to the area". 152

3. Trafficking and Child Labour

Somalia is a source, transit, and destination country for men, women, and children who are subjected to forced labour and sex trafficking, ¹⁵³ although it remains extremely difficult to obtain or verify information on the extent of the problem. ¹⁵⁴ As a result, the US Department of State has classified it as a "special case" for 16 consecutive years. ¹⁵⁵

In general, victims are trafficked from within Somalia from the southern and central regions to Puntland and Somaliland. Traffickers and smugglers prey on children from those regions, many of whom have been internally displaced due to the conflict. However, men and boys are also lured to Somalia to join networks including armed groups from countries including Kenya, often on the basis of promises of lucrative employment. Whether trafficked within Somalia or internationally, affected children may become victims of forced labour or sex trafficking. For instance, there are reports of child brides who have been trafficked to Libya, Sudan and Europe. For instance, there are reports of child brides who

It is also reported that many children are labourers within their own homes or family businesses, and engage in crushing stones, domestic work, and the selling or transporting of a mild plant-based narcotic known as 'Khat', among other things. ¹⁶¹ Poverty also plays a role in the forced labour or trafficking of children in Somalia. For instance, some Somali child victims of forced labour and sex trafficking are willingly surrendered to people with familial or clan ties. ¹⁶²

Displaced persons, and those working in the informal economy, particularly children, are extremely vulnerable to trafficking.¹⁶³ Traffickers and smugglers reportedly prey on women and children, mostly Internally Displaced Persons (IDPs) from southern and central Somalia who are lured under the false promise of lucrative jobs in Europe and North America.¹⁶⁴ Reports have also surfaced of girls being forced to provide sex acts in exchange for food or other amenities which are otherwise free to beneficiaries at IDP camps.¹⁶⁵

The Pirate Tapes, DVD, Directed by Roger Singh and Andrew Moniz (2011; Canada: Palmira Productions).

¹⁵³ 2018 TIP Report, p.466; 2016 TIP Report, p. 405.

¹⁵⁴ 2018 TIP Report, p.466; 2016 TIP Report, p. 405.

¹⁵⁵ 2018 TIP Report, p. 464.

¹⁵⁶ 2018 TIP Report, p. 466; 2016 TIP Report, p. 405.

¹⁵⁷ 2016 TIP Report, p. 405.

¹⁵⁸ 2017 TIP Report, p. 234.

¹⁵⁹ 2018 TIP Report, p. 466; 2017 TIP Report, p. 434; 2016 TIP Report, p. 405.

²⁰¹⁵ Worst Forms of Child Labor Report, p. 783; 2017 TIP Report, pp. 434.

¹⁶¹ 2018 TIP Report, p. 466; 2017 TIP Report, p. 434; 2016 TIP Report, p. 405.

¹⁶² 2018 TIP Report, p. 466; 2017 TIP Report, p. 434; 2016 TIP Report, p. 405.

¹⁶³ 2017 TIP Report, p. 434.

¹⁶⁴ 2018 TIP Report, p. 466.

¹⁶⁵ 2017 TIP Report, p. 434; 2015 TIP Report, p. 370.









Children are also trafficked outside of Somalia to countries in Europe, the Middle East, and North America. For instance, there are reports of children being trafficked to Saudi Arabia, where they are forced to beg on the streets, ¹⁶⁶ and to Kenya, where they are placed into forced labour or brothels. ¹⁶⁷ Children are trafficked to Puntland, Djibouti, and Ethiopia for domestic servitude or sexual servitude, ¹⁶⁸ or along trucking corridors to the Ethiopia-Djibouti border and Kenya for commercial sexual exploitation. ¹⁶⁹ Undocumented Ethiopians in northern Somalia also remain vulnerable to trafficking ¹⁷⁰ and Ethiopian children in Somaliland may be forced to beg on the streets. ¹⁷¹

Somalia has implemented a number of programmes in an attempt to strengthen the national criminal justice response to child labour and trafficking.¹⁷² There is, however, no evidence that the programmes have in fact been carried out to specifically assist children in other forms of child labour besides being recruited and used by armed groups. Somalia is not a party to the UN Trafficking in Persons Protocol.¹⁷³

There is no reliable evidence as to the number or success of investigations, prosecutions or convictions for crimes associated with trafficking, at either the federal or regional level.¹⁷⁴ This includes those cases which allege the complicity of Somali officials in forced labour and sex trafficking.¹⁷⁵ Somali National Police are responsible for investigating trafficking. However, they are under-staffed and under-trained.¹⁷⁶ The recent US Trafficking in Persons Report noted that Somalia lacked the investigatory capacity to deal with trafficking cases, and that officials often indicated a limited or negligible understanding of trafficking crimes.¹⁷⁷ Even though Somalia has established child protection units, and Somaliland has established its own counter human trafficking agency, research shows no evidence of mechanisms to coordinate its efforts to address trafficking and child labour. No governmental entity has systematic procedures to identify or refer trafficking victims, and no national entity has been found to provide protective services to trafficking victims.¹⁷⁸

4. Sexual and Gender-Based Violence (SGBV)

Two decades of conflict, insecurity, environmental shocks, and widespread use of traditional practices has put women and girls at significant risk of SGBV. SGBV remains widespread and exists at alarming rates

¹⁶⁶ 2017 TIP Report, p. 434; 2016 TIP Report, p. 405.

¹⁶ 2017 TIP Report, p. 435; 2016 TIP Report, p. 405.

¹⁶⁸ 2016 TIP Report, p. 405.

¹⁶⁹ 2018 TIP Report, p. 466.

¹⁷⁰ 2015 TIP Report, p. 370.

¹⁷¹ 2017 TIP Report, p. 435; 2016 TIP Report, p. 405.

¹⁷² 2015 Worst Forms of Child Labor Report, p. 940; 2017 TIP Report, p. 433.

¹⁷³ 2018 TIP Report, p. 465; 2016 TIP Report, p. 407.

See e.g. 2017 TIP Report, p. 433; 2016 TIP Report, p. 406.

¹⁷⁵ 2015 TIP Report, p. 371.

¹⁷⁶ 2016 TIP Report, p. 406.

²⁰¹⁸ TIP Report, p. 464. Somali police investigated one potential trafficking case in 2016 and another in 2017, both of which never came to be heard before the courts.

^{1/8} 2017 TIP Report, p. 434.









in Somalia. Between January and September 2016, the United Nations verified information on conflict-related sexual violence against 329 girls and one boy. 179

Although conflict is at the core of SGBV in Somalia, there are persistent inequalities between men and women that place women at particular risk. Similarly, situational inequalities make internally displaced women and children particularly vulnerable to sexual violence and forced marriage. Full-year reporting confirms that IDPs and members of minorities are the most vulnerable, as they have limited access to justice and weak clan protection. Further, there are reports of women and girls being provided with humanitarian assistance by soldiers deployed with AMISOM in exchange for sex. 183

All major parties to the conflict are reported by the UN to have committed SGBV crimes against civilians: the SNA, al-Shabaab, AWSJ, clan militias and unknown elements. In 2017, the UN verified incidents of sexual violence affecting 331 children, alleged to have been committed by clan militias, unknown armed elements, the SNA, and ASWJ. In 2016, the UN verified incidents of sexual violence affecting 311 children, alleged to have been committed by ANISOM, unknown armed elements, clan militias, the SNA, al-Shabaab, and AWSJ; this included incidents of conflict-related sexual violence, including five gang rapes, allegedly committed by al-Shabaab, the Interim South-West Administration of the Puntland Army, and the Somali national police.

Continued fighting has made children vulnerable to sexual violence, including forced marriage, common in the context of abductions. For instance, one girl was abducted by the SNA and gang-raped by five Somali soldiers in retaliation for her family accepting the marriage proposal of an al-Shabaab member. In another case, al-Shabaab abducted a boy and sodomised him. Girls are particularly at risk while conducting routine activities like domestic chores and using a latrine.

The perpetrators of sexual violence vary from region to region. ¹⁹¹ Violence and exploitation perpetrated by the SNA and associated forces, al-Shabaab, and other armed elements, is more prevalent in the south

United Nations Security Council, 'Report of the Secretary-General on conflict related sexual violence' (23 March 2018), UN Doc. S/2018/250, ('2018 SG CSV Report'), para. 62.

Somalia Gender-Based Violence Working Group Strategy 2014-2016)' (3 March 2015), available http://www.globalprotectioncluster.org/_assets/files/field_protection_clusters/Somalia/files/GBV/GBV%20W G%20Strategy%20final%20Jan%2029%202014_new.pdf, accessed 23 August 2018, ('Somalia Gender-Based Violence Working Group'), p. 5.

United Nations Security Council, 'Report of the Secretary-General on conflict-related gender violence' (15 April 2017), UN Doc. S/2017/249, ('2017 SGSV Report'), para. 54; 2018 Human Rights Watch Report, p. 486; 2018 UN HNO, p. 22; May 2018 SG Report on Somalia, para. 63; 2015 SGCAC Report, para. 150; 2016 Human Rights Watch Report, p. 509.

¹⁸² 2017 SGSV Report, para. 54.

²⁰¹⁶ Human Rights Watch Report, p. 509.

United Nations Security Council, 'Report of the Secretary-General on conflict-related gender violence' (23 March 2018), UN Doc. S/2018/250, ('2018 SGSV Report'), para. 62; 2017 SGSV Report, para. 55.

¹⁸⁵ 2018 SGCAC Report, para. 147; 2018 SGSV Report, para. 62.

¹⁸⁶ 2017 SGCAC Report, para. 138; 2017 SGSV Report, para. 55.

¹⁸⁷ 2016 SGCAC Somalia Report, paras. 45, 47; 2016 SGCAC Report, para. 116.

¹⁸⁸ 2016 SGCAC Somalia Report, para. 47.

²⁰¹⁶ SGCAC Somalia Report, para. 47.

¹⁹⁰ 2016 SGCAC Somalia Report, paras. 45-46.

Somalia Gender-Based Violence Working Group, p. 5.









and central parts of Somalia.¹⁹² In Puntland and Somaliland, incidence of SGBV is more often than not perpetrated by civilians.¹⁹³ However, it is noted that commonalities exist in all three regions in that women and children are also subjected to domestic violence, female genital mutilation (FGM), and early marriages.¹⁹⁴ UNICEF estimates about one third of all cases of SGBV in Somalia involve victims under the age of 18.¹⁹⁵ The SNA reportedly subjects children to rape and ill-treatment while in detention for their association with armed forces.¹⁹⁶ In 2014, an eight year-old girl was raped in custody.

Recourse in the event of SGBV is also limited, causing chronic underreporting of rape and other SGBV crimes. While the exact figures are unknown, internally displaced women and children are particularly vulnerable to sexual violence and forced marriage. The monitoring and reporting of rape and other forms of sexual violence remains a challenge as women face extreme social pressure not to report their experiences of SGBV as to do so can leave them vulnerable to stigmatisation. A woman who reports sexual violence in al-Shabaab controlled areas risks being accused of promiscuity or adultery, which al-Shabaab has punished with beheading or stoning. In other cases, women have been forced to marry the perpetrator as restitution or been forced to pay the government to have cases opened. Typically, SGBV incidents are addressed by Shari'a or *Xeer* (customary law), whereby justice is delivered by agreement between the perpetrator's and survivor's male heads of household. Other methods of recourse which exist outside traditional justice structures are also reported. The UN Secretary-General reported that in 2016, al-Shabaab responded to the rape of a boy by one of its fighters by summarily stoning the perpetrator to death.

Girls in Somalia also face harmful and discriminatory practices, including FGM. More than 97 per cent of girls aged seven to 12 years old had undergone some form of FGM, giving the country the highest global rate of incidence. Women and girls also face forced and early marriage and intimate partner violence, which is prevalent throughout Somalia and generally underreported. ²⁰¹

In addition, a pattern of forced marriage of women and girls to militants persisted in 2016, with 13 incidents documented involving members of Al-Shabaab, ASWJ, and the SNA. Reports have also emerged of authorities subjecting the relatives and wives of alleged al-Shabaab members to collective punishment, including extrajudicial executions, sexual violence and arbitrary arrests. The authorities justify such treatment on the grounds that the relatives of Al-Shabaab members support the insurgency by providing information and thus constitute a threat. Children separated from al-Shabaab are also being

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¹⁹² 2015 SGCAC Report, para. 150; Somalia Gender-Based Violence Working Group, p. 5.

Somalia Gender-Based Violence Working Group, p. 5.

Somalia Gender-Based Violence Working Group, p. 5.

Human Rights Watch, 'Somalia: Women Shouldn't Live in Fear of Rape' (13 February 2013), available https://www.hrw.org/news/2014/02/13/somalia-women-shouldnt-live-fear-rape, accessed 23 August 2018.

¹⁹⁶ 2016 SGCAC Somalia Report, para. 36.

United Nations Security Council, 'Conflict-Related Sexual Violence', (23 March 2015), UN Doc. S/2015/203, para. 45.

Somalia Gender-Based Violence Working Group, p. 5.

¹⁹⁹ 2017 SGSV Report, para. 55.

UNICEF Somalia, 'Child Protection: Priority Issues', available https://www.unicef.org/somalia/cpp_133.html, accessed 26 June 2018.

Somalia Gender-Based Violence Working Group, p. 5.









affected similarly, as there are documented allegations of sexual abuse against detainees at the Mogadishu Serendi camp, including in the context of intelligence-gathering. 202 Reported threats of sexual assault in settings such as the Mogadishu central prison and facilities overseen by the National Intelligence and Security Agency were also received by the UN. 203

The Sexual Offences Act was adopted in Puntland on 20 August 2016, and sexual offences bills are awaiting passage by parliament in Somalia and Somaliland. A protocol for the clinical management of rape is in place to enhance the quality of care and 17 "one-stop centres" have been established across the country. The protocol includes referrals to safe houses, which provided temporary protection to 61 survivors during the first half of 2016. Other efforts to address sexual violence include the provision of free legal services and the establishment of mobile courts. Despite these improvements, seeing these crimes prosecuted remains a challenge: families tend to withdraw complaints in favour of reaching settlements outside the formal system, which benefits clans rather than survivors. In response, the government has developed a traditional dispute resolution policy to encourage sexual violence cases to be brought before the courts. The establishment in 2016 of the Women and Child Protection Unit within the police, in line with a new approach that aims to bolster gender balance and capacity, is another positive development.²⁰⁴

5. Children outside of parental care/deprived of liberty

The traditional response to child protection in Somalia (enforced through a strong sense of clan protection) has been undermined by protracted conflict. Children living in residential care institutions, sometimes referred to as orphanages, on a long-term basis raise serious child protection concerns. There is no concrete information regarding the number of children in institutions as of August 2018, or the standard of care available to them in these facilities. There is also no indication that the UN Alternative Guidelines for the Alternative Care of Children are being implemented so to ensure that institutions are used as places of last resort and only in the short-term. ²⁰⁵

It is, however, known that some children who have escaped or been recaptured from al-Shabaab are being cared for in "rehabilitation camps" where they receive vocational training and psychosocial counselling. 206 The UN Independent Expert has called on the President of Puntland to accelerate the

²⁰² 2017 SGSV Report, para. 56.

²⁰³ 2017 SGSV Report, para. 56.

²⁰¹⁷ SGSV Report, para. 57.

While little is known about alternative care in Somalia, SOS Children's Villages reportedly operates one children's village in Mogadishu for children "whose parents cannot take care of them" (SOS Children's Villages, 'Somalia', available https://www.soschildrensvillages.ca/Somalia, accessed 4 September 2018). The Hargeisa Orphanage Centre – reported to be the only national institution in Somaliland – provides care for children who "were orphaned or abandoned or whose parents were temporarily unable to care for them because of illness or poverty" (Haregsa Orphanage advertises volunteer opportunities, demonstrating that this institution places already vulnerable children in harms way (see Haregisa Orphanage Centre, available http://www.hargeisaorphanagecentre.org/, accessed 4 September 2018).

July 2018 Independent Expert Report, para. 56.









transfer of children detained for their association with al-Shabaab to reintegration centers closer to their place of origin. 207

6. Access to Education

Education has been severely disrupted by conflict. UNICEF reports that three million of Somalia's 4.9 million children are not in school,²⁰⁸ with children living in rural areas and IDP settlements most impacted, with only 17 per cent of children enrolled in primary schools.²⁰⁹ Some 55 per cent of young people in Somalia are illiterate, reflecting "the harsh realities and can explain why some young people join al-Shabaab or other armed groups voluntarily".²¹⁰ Some parents keep their children from going to school in order to prevent their forcible recruitment by armed groups including al-Shabaab.²¹¹ In November 2015, the FGS endorsed the Safe Schools Declaration.²¹² Neither SNA nor AMISOM has been reported to have used schools for military purposes in recent years following verified findings in 2016²¹³ and December 2014 respectively.²¹⁴

Notwithstanding, schools continue to be the subject of attack and use by armed groups in violation of international humanitarian law. The UN verified 64 attacks on schools in 2017, the majority of which were attributed to al-Shabaab.²¹⁵ Al-Shabaab has used schools for recruitment, to distribute jihadist materials, and to conduct "indoctrination lectures".²¹⁶ This has resulted in many children leaving school due to the threat of recruitment. Al-Shabaab has also reportedly coerced teachers into enlisting students and threatened to kill teachers if students did not enlist, detaining them when they fail to adopt al-Shabaab's curriculum or comply with school closures.²¹⁷ In February 2018, for example, al-Shabaab reportedly closed a madrasa in Galguduud region and arrested a teacher who declined to refer his students for military training.

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²⁰⁷ 2018 SGCAC, para. 152.

²⁰⁸ 2018 UN HNO, p. 6.

²⁰⁹ 2018 UN HNO, p. 24; 2017 UN HNO, p. 8.

See July 2018 Independent Expert Report, para. 55.

UNICEF, 'Al-Shabab kidnaps Somali children to fill its ranks. Parents pull kids from school or flee to protect them.' (19 June 2018), available https://www.pri.org/stories/2018-06-19/al-shabab-kidnaps-somali-children-fill-its-ranks-parents-pull-kids-school-or-flee, accessed 4 September 2018; Human Rights Watch, 'Somalia: Al-Shabab Demanding Children - Residents Threatened to Hand Over Boys, Girls' (14 January 2018), available https://www.hrw.org/news/2018/01/14/somalia-al-shabab-demanding-children, accessed 4 September 2018.

Global Coalition to Protect Education From Attack, 'Education Under Attack 2018', available https://reliefweb.int/sites/reliefweb.int/files/resources/eua 2018 full 0.pdf, accessed 4 September 2018, p. 56.

²¹³ 2017 SGCAC Report, para. 139.

²⁰¹⁵ SGCAC Report, para. 151.

²¹⁵ 2018 SGCAC Report, para. 148.

²¹⁶ 2018 SGCAC para. 148; 2016 SGCAC Somalia Report, para. 52; 2016 SGCC Report, para. 117.

²⁰¹⁸ SGCAC Report, para. 144; 2016 SGCAC Somalia Report, paras. 19, 51.









7. Access to Healthcare

Of Somalia's total population of 12.3 million, 5.7 million lack access to essential health services. ²¹⁸ Health capacities throughout the country are reported to be severely overburdened, short of supplies and suffering from disrupted services, especially in areas affected by conflict, drought and flood. ²¹⁹ Road inaccessibility, the poor security environment, disease outbreaks, and electricity and fuel shortages have severely hampered the delivery of life-saving mechanisms. ²²⁰ The UN reports that during 2018, various urgent interventions will be required to support the health sector, particularly in Somalia's drought-affected regions. ²²¹

Somali hospitals also continue to be the subject of attack in violation of international humanitarian law. Between 2015 and 2017, the UN verified 29 incidents of attacks on hospitals, resulting in damage to clinics and healthcare centres and looting of supplies. Al-Shabaab was responsible for 60 per cent of attacks on hospitals in 2017, up from nearly half of the cases of attacks on hospitals in the first half of 2016. Healthcare workers also continue to be the subject of attack. In one reported incident, a healthcare worker was abducted by al-Shabaab to provide medical care to its wounded fighters.

Somalia's population is afflicted by specific health concerns: by the end of 2017, Somalia had a malnutrition prevalence rate in the top ten in the world. The number of children who are acutely malnourished increased over the course of 2017, and is now projected to be 1.2 million in 2018. ²²⁵ Of these, 231,829 children will suffer from severe acute malnutrition. Food insecurity and outbreaks of cholera and measles combine to create higher levels of morbidity and mortality. Moreover, the strains on resources available to counter this problem are anticipated to be worsen during 2018 on the basis that there was an inflow of more than 975,000 new IDPs in 2017, all of whom will require humanitarian assistance, including nutrition. ²²⁶

In addition to the lack of adequate access to nutrition, Somalia's ongoing drought has left 70 per cent of the population affected by water shortages, and 90 per cent of the population nationally without access to hand-washing facilities. This fact exacerbates existing vulnerability to disease, ²²⁷ further undermining the country's already struggling healthcare system.

²¹⁸ 2018 UN HNO, p. 29.

²¹⁹ 2018 UN HNO, p. 7; 2017 UN HNO, p. 18.

²²⁰ 2018 UN HNO, p. 7; 2017 UN HNO, p. 18.

²²¹ 2018 UN HNO, p. 29.

²⁰¹⁸ SGCAC Report, para. 148; 2017 SGCAC Report, para. 139; 2016 SGCAC Report, para. 117; 2015 SGCA Report, para. 152.

²²³ 2018 SGCAC Report, para. 148.

²²⁴ 2015 SGCAC Report, para. 152.

²²⁵ 2018 UN HNO, p. 31.

²²⁶ 2018 UN HNO, pp. 31-2.

²⁰¹⁸ UN HNO, pp. 37-8.







ANNEX I: KEY FACTS²²⁸

Somalia in a Snapshot

	Somalia
Geography	Climate: principally desert; northeast monsoon (December to February), moderate temperatures in north and hot in south; southwest monsoon (May to October), torrid in the north and hot in the south, irregular rainfall, hot and humid periods (tangambili) between monsoons Terrain: mostly flat to undulating plateau rising to hills in north Border countries: Djibouti (61 km), Ethiopia (1,640 km), Kenya (684 km)
	Coastline: 3,025 km
	Population: 11,031,386 ²²⁹
	Median age: 18.1 years
People	Languages: Somali (official), Arabic (official, according to the Transitional Federal Charter), Italian, English
	Ethnic groups: Somali 85%, Bantu and other non-Somali 15% (including 30,000 Arabs)
	Religions: Sunni Muslim (Islam) (official, according to the Transitional Federal Charter)
	Capital: Mogadishu
Economy	Major urban areas: Mogadishu (capital) 2.082 million
0 u 0	GDP: \$17.47 billion (2017 est.)
Ec	GDP per capita: \$400 (2014 etc.)
	GDP by sector: Agriculture 60.2%, Industry 7.4%, Services 32.5% (2013 est.)
a 4	Population under age of 25: 62.19%
dre	Unemployment (ages 15-29): 67%
Children and youth	Child labour (ages 5-14): 49% (2006 est.)
— я —	Legal age of conscription: 18

Central Intelligence Agency, 'Somalia' (The World Factbook), available https://www.cia.gov/library/publications/the-world-factbook/geos/so.html, accessed 26 January 2017.

It is to be noted that the last official census was concluded in 1975, and this July 2017 estimate is based on consideration of factors including famine and warfare. The Somali government launched its first population census in over four decades on 26 May 2015 (See Federal Republic of Somalia, 'Somalia, 26 May 2015: Government launches first population data since 1975' (UNICEF, 26 May 2015), available http://www.unicef.org/esaro/5440 som2015 population-data.html, accessed 26 January 2017.









Relevant UN Security Council Resolutions

On the arms embargo/sanctions regime/sanctions committee – Resolutions 733 (23 January 1992); 751 (24 April 1992); 1407 (3 May 2002); 1425 (22 July 2002); 1474 (8 April 2003); 1730 (19 December 2006); 1844 (20 November 2008); 2036 (22 February 2012); 2093 (6 March 2013); 2142 (5 March 2014); 2244 (23 October 2015); 2317 (10 November 2016); 2385 (14 November 2017).

On exemptions to the arms embargo/sanctions regime – Resolutions 1356 (19 June 2001); 1916 (19 March 2010); 1972 (17 March 2011); 2060 (25 July 2012); 2244 (23 October 2015).

On anti-piracy – Resolutions 1816 (2 June 2008); 1838 (7 October 2008); 1846 (2 December 2008); 1851 (16 December 2008); 1897 (30 November 2009); 1918 (27 April 2010); 1950 (23 November 2010); 1976 (11 April 2011); 2015 (24 October 2011); 2020 (22 November 2011); 2077 (21 November 2012); 2125 (18 November 2013); 2184 (12 November 2014); 2246 (10 November 2015) 2316 (9 November 2016); 2383 (7 November 2017).

On the United Nations Mission in Somalia (UNSOM) – Resolution 2102 (2 May 2013); expanded and renewed by numerous resolutions since.

On the African Union Mission in Somalia (AMISOM), formerly IGASOM – Resolutions <u>1725</u> (6 December 2006); 1744 (21 February 2007); expanded and renewed by numerous resolutions since.

On the situation in Somalia and future UN presence – Resolution 2067 (18 September 2012).

On the Monitoring Group on Somalia and Eritrea (Eritrea included since 2009) – Resolution 1519 (16 December 2003); Renewed and expanded since.

On the UN Operation in Somalia (UNOSOM I) – Resolutions 751 (24 April 1992); mandate expanded last time before expansion to UNOSOM II: 775 (28 August 1992).

On the UN Operation in Somalia II (UNOSOM II) – Resolutions 814 (26 March 1993); withdrawal: 954 (4 November 1994).









Somali Child Protection Legislation

	Somalia
National	■ Juvenile Justice Law (Law No. 36/2007).
	■ Penal Code 1962
	■ Child Protection Act 2014
	■ Criminal Procedure Code (Legislative Decree No. 1 of 1 June 1963)
	Civil Code (Law No. 37 of 2 June 1973)
	■ Somalia Labour Code (Law No. 65 of 18 October 1972)Federal Republic of Somalia Provisional Constitution of 2012
	Puntland
	■ 2001 Transitional Constitution of Puntland Regional Government
	■ Juvenile Justice Law 2003
	■ Penal Code 1962
	Somaliland
	■ 2001 Constitution of the Republic of Somaliland
	■ 2007 Juvenile Justice Law of the Republic of Somaliland
	■ Penal Code 1962
	■ The Somaliland National Human Rights Commission Law 2010
	■ Convention on the Rights of the Child (2015)
	• Optional Protocol to the CRC on the Involvement of Children in Armed Conflict (signed 2005, not ratified)
al	■ Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1990)
International	■ International Labour Organization Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (2014)
	■ International Covenant on Economic, Social and Cultural Rights (1990)
In	■ International Covenant on Civil and Political Rights (1990)
	■ African Charter on Human and Peoples' Rights (1985)
	■ International Convention on the Elimination of All Forms of Racial Discrimination (1975)









ANNEX II: TIMELINE OF NOTABLE EVENTS²³⁰

1960

<u>July</u>: The Somali Republic gains independence and a socialist state is established, led by General Muhammad Siad Barre.

1991

<u>January</u>: Rebel forces oust General Barre. The Somali National Movement (SNM) takes control of northern Somalia (the former British Somaliland) and the United Somali Congress takes control of southern Somalia and Mogadishu. A bloody and intense civil war ensues.

<u>May</u>: SNM declares its secession from Somalia and the establishment of the independent state of Somaliland in northwest Somalia. It becomes the only part of Somalia that is able to maintain a functioning government, but the international community refuses recognition. It serves as an enclave of reconstruction and relative peace.

1992

January: The UN Security Council imposes an arms embargo.

April: UN Operation in Somalia I (UNOSOM I) and a sanctions committee are established.

October: US Marines land near Mogadishu ahead of the UN peacekeeping force sent to restore order and safeguard relief supplies.

<u>December</u>: The UN Security Council unanimously approves a US-led military mission to help starving Somalia.

1993

March: UN Operation in Somalia II (UNOSOM II) is established.

October: Without knowledge or consent from the UN, US Army Rangers based in Somalia launch an operation to capture General Aidid, the leader of rebel force Somali National Alliance (SNA). In what becomes known as the Battle of Mogadishu, two US Black Hawk helicopters are shot down, eighteen American soldiers are killed, and several hundred SNA fighters and Somali civilians are killed.

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²³⁰ 'Events Related to Somalia' (TimelinesDb), available http://www.timelinesdb.com/ [search 'Somalia' for dates between 1991 and 2016], accessed 26 January 2017; Global Security, 'Somalia Civil War' (20 November 2016), available http://www.globalsecurity.org/military/world/war/somalia.htm, accessed 26 January 2017; Resource Information Center, 'Somalia: Somali National Movement from its inception through the present' (United States Bureau of Citizenship and Immigration Services, 25 August 1999), available http://www.refworld.org/docid/3ae6a6b5f.html, accessed 26 January 2017; BBC, 'Somalia Profile – Timeline' (1 March 2016), available http://www.bbc.com/news/world-africa-14094632, accessed 26 January 2017; Annabel Lee Hogg, 'Timeline: Somalia, 1991-2008' (The Atlantic, December 2008), available http://www.theatlantic.com/magazine/archive/2008/12/timeline-somalia-1991-2008/307190/, accessed 26 January 2017; 'Chronology of Events: Somalia' (Security Council Report, 4 April 2016), available http://www.securitycouncilreport.org/chronology/somalia.php, accessed 26 January 2017.









1994

March: The US formally withdraws from Somalia.

1995

<u>March</u>: UN Peacekeepers depart and UNOSOM II is fully terminated as the Somali civil war continues. Over the next five years, regional administrations emerge, but the Somali state continues to dissolve. Conflicts between rival warlords continue. No stable government emerges to take control.

1996

<u>March</u>: The Intergovernmental Authority on Development (IGAD) is established, superseding the Intergovernmental Authority on Drought and Development (IGADD). At the time, membership is comprised of Somalia, Djibouti, Ethiopia, Eritrea, Sudan, Kenya, and Uganda. In 2011, South Sudan is to be admitted.

1998

<u>August</u>: Puntland, the northeast region of Somalia, declares itself an autonomous state, in part to avoid the clan warfare engulfing southern Somalia.

2000

The Union of Islamic Courts (UIC) is formed through consolidation of disparate but related Islamic courts

<u>August</u>: Clan leaders and senior figures meet in Djibouti and elect Abdulkassim Salat Hassan president of Somalia.

October: Hassan and his newly-appointed prime minister, Ali Khalif Gelayadh, arrive in Mogadishu. Gelayadh announces his government, the first in the country since 1991. The Transitional National Government (TNG) is established under the auspices of IGAD.

2001

April: Somali warlords, backed by Ethiopia, decline to support the TNG.

2002

July: The Security Council redefines and expands the arms embargo.

2004

<u>January</u>: Two dozen or so warlords reach a power-sharing agreement after talks in Kenya. The agreement calls for a 275-member parliament.

October: In the fourteenth attempt since 1991 to restore central government, the Transitional Federal Government (TFG) is established, superseding the TNG. The TFG elects President Abdullah Yusuf Ahmed.

December: Tsunami displaces people on the Somali coast.









2005

<u>February</u>: Somali government officials begin returning home from exile in Kenya, divided about where in Somalia the new parliament should sit.

April: IGAD decides to send troops to Somalia.

May: The African Union (AU) authorises IGAD Peace Support Mission to Somalia (IGASOM).

2006

February: Transitional parliament meets in Baidoa for the first time since its establishment in 2004.

<u>May</u>: Scores of people are killed and hundreds injured during fierce fighting between rival militias in Mogadishu, marking the worst violence in nearly a decade.

<u>June</u>: Union of Islamic Courts (UIC) seizes control of Mogadishu from the TFG and takes other parts of southern Somalia. In response, a group of UN Ambassadors and intergovernmental organisations forms the International Contact Group (ICG) on Somalia.

July: Ethiopian troops enter Somalia.

August: Mogadishu's air and seaports are reopened for the first time since 1995.

<u>September</u>: TFG and UIC begin peace talks in Khartoum. Somalia's first known suicide bombing target President Yusuf in Baidoa.

<u>December</u>: In response to the UIC encircling the TFG in Baidoa, Ethiopian troops intervene and assist TFG in over-running UIC forces. Ethiopian and TFG forces capture Mogadishu from UIC forces.

2007

<u>January</u>: UIC forces abandon their last stronghold, the southern port of Kismaayo. The UIC is overthrown. In its place, militant wing al-Shabaab continues to fight against the TFG. Somali President Yusuf enters Mogadishu for the first time since taking office in 2004. The first US military intervention in Somalia since 1993 occurs in the form of air strikes against al-Qaeda figures.

February: The Security Council authorises the AU Mission to Somalia (AMISOM).

<u>March</u>: AU troops land in Mogadishu amid battles between Islamist insurgents and government forces backed by Ethiopian troops.

<u>July</u>: The International Maritime Organization (IMO) Council requests that the issue of piracy be brought to the attention of the Security Council.

2008

<u>June</u>: The TFG and a wing of the opposition Alliance for the Re-Liberation of Somalia (ARS) reach the 'Djbouti Agreement' on cessation of hostilities. The Security Council passes a resolution authorising actions against piracy and robbery in Somali territorial waters, including dispatch of warships.

<u>July</u>: Ali Osman Ahmed, head of the UN Development Programme's (UNDP) office in Somalia, is killed. August: The Djibouti Agreement is formally signed.

October: TFG and ARS agree on a ceasefire effective 5 November 2008. Suicide bombings kill 28 people, including two UN employees.

November: TFG and ARS agree on a power sharing proposal.

2009









<u>January</u>: The last Ethiopian forces leave Mogadishu. Al-Shabaab captures Baidoa, formerly a key government stronghold.

<u>February</u>: Four insurgent groups, including the Eritrea-based faction of ARS, but not al-Shabaab, announce plans to merge into a new group called Hisbul Islam (Islamic Party) to fight the newly elected president and the anticipated unity government.

April: The Somali parliament unanimously votes to institute Islamic law.

May: Islamic insurgents launch an onslaught on Mogadishu, and advance in the south.

<u>September</u>: US Special Operations forces enter southern Somalia in a daytime helicopter raid and kill Saleh Ali Saleh Nabhan, believed to be one of the most senior al-Qaeda leaders in East Africa and one the many foreigners in al-Shabaab's insurgency against the TFG.

October: Fighting breaks out for the first time between the two rebel groups al-Shabaab and Hizbul Islam. Al-Shabaab recaptures the southern port of Kismaayo in the skirmish. The International Maritime Bureau concludes that global piracy attacks significantly increased in 2009 over 2008, mostly due to piracy activity off the coast of Somalia.

2010

<u>January</u>: Al-Shabaab confirms officially for the first time that it has joined Al Qaeda's "international jihad". UN World Food Programme withdraws from al-Shabaab controlled areas of southern Somalia after threats to its staff.

February: Al-Shabaab begins to concentrate troops for a major offensive to capture the capital.

<u>March</u>: The TFG and Ahlu Suna Wal Jamma (ASWJ), the pro-government Islamist group in control of part of central Somalia, formally signs a cooperation framework agreement in Addis Ababa.

<u>April</u>: Hisbul Islam reportedly claims loyalty to al-Qaeda for the first time and invites Osama Bin Laden to Somalia.

June: A special court to try suspected pirates operating in the Gulf of Aden opens in Mombasa, Kenya.

<u>July</u>: Due to increased naval presence in the Gulf of Aden, pirate attacks decline globally nearly 20 per cent over the same six-month period in 2009.

October: Kenya ends its agreement with the EU to prosecute suspected Somali pirates. The AU Peace and Security Council urge the UN Security Council to endorse an increase in the authorised troop strength of AMISOM from 8,000 to 20,000, and impose a naval blockade and no-fly zone over Somalia.

<u>December</u>: The Security Council increases the AMISOM Troop authorisation from 8,000 to 12,000. Pirate attacks on ships worldwide hit seven-year high, with Somali pirates accounting for 49 of 52 ships seized.

2011

<u>February</u>: AMISOM, IGAD, and the UN Political Office for Somalia announce in a joint communique that they have adopted a joint regional strategy to support the TFG in the management of the transitional period.

<u>April</u>: The International Maritime Bureau reports a steep rise in piracy off the coast of Somalia in the first three months of 2011.

<u>June</u>: The Somali president and the speaker of parliament sign the Kampala Accord. Somali government continues to operate in the transitional period under the Transitional Federal Charter.









<u>July</u>: UN formally declares famine in three regions of Somalia. Al-Shabaab partially lifts ban on foreign aid agencies in south, and UN airlifts its first aid consignment in five years to Mogadishu. Al-Shabaab pulls out of Mogadishu in what it called a "tactical move".

<u>September</u>: 13.3 million people are in need of emergency assistance in the Horn of Africa due to famine. <u>October</u>: At the invitation of the TFG, the Kenyan Government launches Operation Protect the Country against al-Shabaab. American military begins flying drones from a base in Ethiopia. Ethiopian troops return to the central Somali town of Guriel (also known as Guriceel).

2012

<u>January</u>: The Security Council authorises an increase in the troop ceiling for AMISOM from 12,000 to 17,731.

<u>February</u>: UN declares an end to famine conditions in Somalia. At the height of the crisis, 750,000 people in the Horn of Africa were at risk of death. People in need of emergency assistance estimated to be 9.5 million. More than 293,000 Somali refugees have fled conflict and famine into neighbouring countries of Kenya, Ethiopia, Djibouti, and Yemen since January 2011.

<u>April</u>: Nearly 260,000 people, half of them children under five, have died in the famine since October 2010. The deaths account for 4.6 per cent of the total population, and 10 per cent of the population of children under five.

May: Al-Shabaab loses key towns of Baidoa and Afgoye to Kenyan, AU, and Somali government forces.

<u>July</u>: The Human Rights Council adopts a resolution on human rights assistance to Somalia, strongly condemning grave and systematic human rights abuses committed against the population and calling for all parties to take immediate steps to protect women and children.

<u>August</u>: Somalia's first formal parliament in more than twenty years is sworn in. Pro-government forces capture the port of Merca south of Mogadishu from al-Shabaab.

<u>September</u>: In its first presidential election since 1967, parliament elects Hassan Sheikh Mohamud, marking the end of Somalia's eight-year transitional period. The Security Council adopts a resolution to lay out the expectations for the next phase in Somalia.

October: AU and Somali government forces recapture Kismaayo, the last major city held by al-Shabaab and the country's second largest port, and the town of Wanla Weyn northwest of Mogadishu.

<u>November</u>: South Africa and Togo call for a more thorough investigation of allegations of illegal fishing and dumping of toxic waste in the waters off the coast of Somalia.

2013

<u>January</u>: US recognises Somalia's government for first time since 1991. Leila Zerrougui, the Special Representative for Children and Armed Conflict, expresses deep concern about the killing of several children during military operations conducted by AMISOM near the southern town of Leggo and urges the AU to strengthen its efforts to minimise child casualties in its operations. AMISOM promises to conduct an investigation.

<u>February</u>: UN Monitors confirm for the first time that there is a link between al-Shabaab and piracy activities.

<u>March</u>: The Security Council partially lifts the arms embargo for twelve months for weapons and training solely intended for the Somali National Security Forces.









<u>May</u>: The Security Council creates UNSOM. Its mandate includes support for AMISOM, capacity building, and human rights monitoring and reporting.

<u>June</u>: Veteran al-Shabaab leader Sheikh Hassan Dahir is ousted in favour of more extreme figure Ahmed Abdi Godane. Terrorist attacks, already occurring regularly, spike.

<u>September</u>: Al-Shabaab seizes a shopping centre and kills 60 people in Kenyan capital Nairobi in retaliation for Kenya's military involvement in Somalia. International donors promise \$2.4 billion in reconstruction aid in three-year "New Deal".

November: The Security Council increases AMISOM's troop ceiling again.

2014

<u>June</u>: Poor weather, conflict-related factors and a lack of funding for humanitarian assistance cause early-warning indicators of an impending famine similar to 2011.

<u>September</u>: Al-Shabaab leader Ahmed Abdi Godane is killed in US drone strike. He is succeeded by Ahmad Omae.

<u>October</u>: The Security Council adopts several sanctions and related measures, including authorising naval deployments to interdict charcoal exports and arms imports violating the sanctions regime and several other reauthorisations.

<u>November</u>: The Somali government launches the country's first postal service in more than two decades. Mogadishu's first ever cash withdrawal machine is installed in a hotel.

<u>December</u>: Terrorist attacks by al-Shabaab continue to occur on a regular basis. Federal parliament of Somalia issues a vote of no confidence in the Prime Minister of the FGS.

2015

February: Parliament approves the cabinet.

<u>March</u>: An al-Shabaab terrorist attack results in the death of Yusuf Bari-Bari, Somalia's ambassador to the UN in Geneva.

<u>April</u>: Multiple al-Shabaab terrorist attacks occur, including attacks on the Central Hotel and Ministry of Education in Mogadishu, as well as a UNICEF vehicle in Garow. Al-Shabaab claim responsibility for killing 148, mostly Christian students, at Garissa University College in northern Kenya. Kenya carries out air raids on al-Shabaab bases in Somalia in retaliation.

May: US Secretary of State John Kerry pays brief visit to Mogadishu.

June: Al-Shabaab overruns AU base in Lego village.

<u>July</u>: AU Troops launch Operation Jubba Corridor against al-Shabaab. MP Abdulahi Hussein Mohamud is killed by gunmen.

<u>September</u>: A high-level meeting on Somalia is held in New York, co-chaired by UN Secretary-General Ban Ki-moon, President Hassan Sheikh Mohamud, AU Commission Chairperson Nkosazana Dlamini Zuma, Organization of Islamic Cooperation Secretary-General Iyad Ameed Madani, and Secretary-General of the League of Arab States Nabil Elaraby. Al-Shabaab takes over Buqda after AU forces leave the area

October: Islamic extremists kill the Somali president's nephew in a drive-by shooting.

<u>November</u>: Flooding hits over 90,000 people in southern Somalia—almost half are forced from their homes.









<u>December</u>: Two people with ties to al-Shabaab carry out a terrorist attack in California, US, killing 14 and wounding 17. Kenya police chief announces 200 al-Shabaab rebels have split and declared allegiance to Islamic State.

2016

<u>January</u>: Somalia cuts all diplomatic ties with Iran. In southwest Somalia, 63 Kenyan soldiers are killed when al-Shabaab attacks an African Union base in El-Ade.

<u>February</u>: Government and AU troops recapture the southern port of Merca that al-Shabaab briefly seized. <u>March</u>: US airstrikes kill 130 al-Shabaab insurgents. Kenyan forces conduct various operations, inflicting dozens of casualties on al-Shabaab.

April: Several terrorist attacks occur, including a car bomb that kills a child in Mogadishu.

<u>May</u>: Al-Shabaab kills at least 11 government soldiers and retakes Runirgod, just one day after it has been taken by government forces. Al-Shabaab raids the government quarter of Mogadishu, killing 17 people.

<u>June:</u> Al-Shabaab attacks a hotel in Mogadishu, killing 16 people. Ethiopian troops are killed after al-Shabaab attack on AMISOM base.

October: ISIL reportedly capture a port city in Puntland. At least 10 people, including soldiers and civilians are killed in al-Shabaab suicide attack in Afgoye. Al-Shabaab suicide bomber drives vehicle into AMISOM base in central Somalia. Sailors held captive since 2012 are released.

<u>November:</u> Leaders of Puntland and Galmudug agree to respect a ceasefire in the disputed city of Galkayo. Fighting in the city reportedly displaces 90,000. Al-Shabaab reportedly attacks police checkpoint in Mogadishu.

<u>December:</u> FGS and AMISOM meet in Nairobi for a three-day workshop and resolve to end the recruitment and use of children. Inauguration of the new federal parliament of Somalia.

2017

<u>January:</u> Al-Shabaab suicide bombers attack main peacekeeping base in Mogadishu, killing at least three Somali security officers.

<u>February</u>: Former prime minister Mohamed Abdullahi Mohamed (Farmajo) appointed president. Al-Shabab threatens to target anyone collaborating with him. Somalia declares disaster over drought.

March: Pirates seize tanker off coast of Puntland.

<u>May</u>: President Mohamed conference calls for lifting of arms embargo. UN Secretary General Antonio Guterres says conditions are now in place in Somalia for it to become a success story.

October: Double truck bombing kills 350 people in Mogadishu.

2018

January: Three government soldiers injured in bomb explosion in the heart of Mogadishu

February: Al-Shabaab militants attack Afgooye (30 km southwest of Mogadishu)

March: Shootout between Somali security forces and al-Shabaab kills at least one soldier in Mogadishu









ANNEX III: RECOMMENDED READING

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