

**THE EXPANDING ACCESS TO JUSTICE  
PROGRAM IN SOMALIA (EAJ)**

**NEGOTIATING  
INJUSTICE:  
MAPPING THE  
DYNAMICS OF  
HYBRID ORDER IN  
LOWER SHABELLE**

**June 2021**



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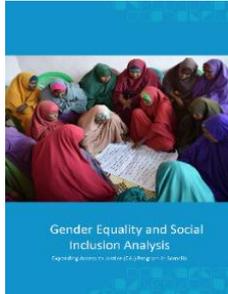
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June 2021

## PUBLICATIONS

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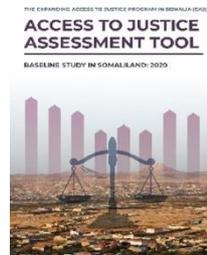
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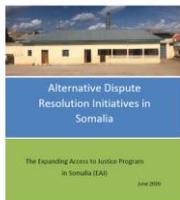
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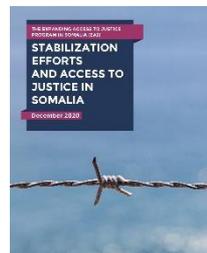
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Erica Harper, Tanja Chopra  
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**The Shari’ah in Somalia.**



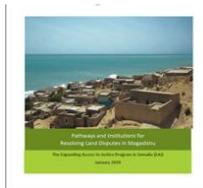
Petra Burcikova &  
Robin Mydlak (2020).  
**Access to Justice Assessment Tool – Baseline Study for Somaliland.**



Joakim Gundel (2020).  
**Alternative Dispute Resolution Initiatives in Somalia.**



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## ACRONYMS

ABA

American Bar Association

ABA-ROLI	American Bar Association – Rule of Law Initiative
AFRICOM	United States Africa Command
AMISOM	African Union Mission in Somalia
ARS	Alliance for the Re-Liberation of Somalia
CIA	Central Intelligence Agency
EU	European Union
FGS	Federal Government of Somalia
GDP	Gross Domestic Product
ICU	Islamic Courts Union
IDP	Internally Displaced Person
IED	Improvised Explosive Device
IGAD	Inter-Governmental Authority on Development
IS	Islamic State
LSPG	Lower Shabelle People’s Guard
NGO	Non-governmental Organization
NISA	National Intelligence and Security Agency
ODA	Official Development Assistance
RRA	Rahanweyn Resistance Army
SEMG	Somalia and Eritrea Monitoring Group
SGBV	Sexual and Gender-based Violence
SNA	Somali National Army
SRRC	Somali Restoration and Reconciliation Council
SWS	South West State
TFG	Transitional Federal Government
TNG	Transitional National Government
UAE	United Arab Emirates
UIC	Union of Islamic Courts
UN	United Nations
UNITAF	United Taskforce
UNOSOM	United Nations Operation in Somalia
UNSC	United Nations Security Council
US	United States of America
USC	United Somali Congress
VBIED	Vehicle-borne Improvised Explosive Device

## TIMELINE OF KEY EVENTS IN SOMALIA AND LOWER SHABELLE SINCE 1991

**1991-1992:** Overthrow of the government of Mohamed Siad Barre and outbreak of the civil war, including massive civilian-directed violence, in South Central Somalia particularly focused on control of the capital Mogadishu and the Shabelle and Juba river areas

**1991:** Somaliland secedes

### **1991-2004: Absence of functional central government with non-state actors controlling use of force and business**

**1992:** Famine in Somalia, particularly impacting Lower Shabelle's population

**1992-1993:** United Somalia Congress (USC) in power in Lower Shabelle

**1992-1995:** Unified Task Force (UNITAF) and United Nations Operation in Somalia (UNOSOM)

**1992-1994:** US 'Operation Restore Hope'

### **1995-2008: Lower Shabelle effectively under the control of Habergedir militia allied to various political and business networks**

**2000:** Transitional National Government (TNG) established during negotiations at Arta, Djibouti, with Abdiqasim Salad Hassan elected as President

**2001:** Challenge to TNG by Somali warlords and the Somali Restoration and Reconciliation Council (SRRC), supported by the United States and Ethiopia

**2001:** Emergence of the Union of Islamic Courts (UIC) with the union of Mogadishu's shari'ah courts offering better value security

**2002-2004:** National Reconciliation Conference hosted by the Inter-Governmental Authority on Development (IGAD)

**2002:** Formation of "Southwestern Somalia" state by the Rahanweyn Resistance Army (RRA), consisting of Bay, Bakool, Middle Juba, Lower Shabelle, Gedo, and Lower Juba

**2004:** Abdullahi Yusuf Ahmed elected President of Somalia for a five-year transition period

**2006:** Parliament meets in Baidoa

**2006:** The Islamic Courts Union (ICU) advance across Somalia with the support of their armed wing Al Shabaab; by September 2006 in control of Marka, Baraawe, Afgooye and Wanlaweyn

**2006-08:** Ethiopian military intervention, Transitional Federal Government (TFG) moves to Mogadishu

**2007:** Deployment of the African Union Mission in Somalia (AMISOM)

**2008:** Al Shabaab in full control of Lower Shabelle, US airstrikes begin and continue to today

**2009:** Former leader of the ICU Shariff Sheikh Ahmed elected President of the TFG

**2011:** Famine declared in Somalia, particularly impacting Lower Shabelle

**2011:** Formation of New Transitional Federal Commission of Southern Somalia authority in Baidoa

**2011:** Al Shabaab withdraws from Mogadishu and beds down in Lower Shabelle

**2012:** Election of Federal Government of Somalia (FGS) President Hassan Sheikh Mahmoud

**2012:** Al Shabaab declares allegiance to Al Qaeda

**2014:** South West State (SWS) established, uniting Bay, Bakool and Lower Shabelle

**2017:** Election of FGS President Mohamed Abdullahi Mohamed 'Farmajo'

**2017:** Drought in Lower Shabelle, large scale displacement

## I: INTRODUCTION AND OVERVIEW

Berg, Gundel and Ibrahim identify three sets of political dynamics that have posed particular challenges to the delivery of justice in Somalia: “clan-based mobilization and conflict; ideological divisions between proponents of different versions of Islamic and secular law; and rent seeking in the context of a war economy.”<sup>1</sup> Nowhere in Somalia are these three dynamics so clearly present as Lower Shabelle, the most socially and ethnically diverse—as well as a highly populous and resource-rich—region of Somalia, and a crucible of the struggle over the Somali state.

- **Clan-based mobilization:** For decades, successive phases of intense internationalized, civil and communal conflict between those vying for centralized power has been fueled by clan-based mobilization around land and the right to belong in Lower Shabelle.
- **Islamic and secular law:** Lower Shabelle has been the cradle for both the rise of, and challenge to, Al Shabaab, a Salafist Islamic insurgency that emerged in 2006, claiming to usher in a new kind of justice based on shari’ah, in which customary law and clan affiliation would play no part.
- **Rent seeking:** Shifting forms of militarized commerce in Lower Shabelle’s agricultural and trading heartland have generated a profitable and violent political and economic marketplace, which has prolonged and entrenched insecurity and conflict.<sup>2</sup>

Within this context, the people of Lower Shabelle have been subject to decades of repression, conflict and violent dispossession. Notwithstanding the wealth of their region, therefore, the experience of the majority of the population of Lower Shabelle during this time has been one of economic and political exclusion, famine and displacement. At the heart of this report therefore is the question:

What are the dynamics through which individuals and communities in Lower Shabelle negotiate equitable access to physical protection, shelter, and basic livelihoods, and challenge impunity for violations of their basic human rights?

The report focuses on describing those events, underlying forces and actors that have impacted the in/justice experience of communities resident in Lower Shabelle over the last ten years.

### POLITICAL ECONOMY

### DEFINITION

Political economy fundamentally concerns power relations: “the distribution of power and wealth between different groups and individuals, and the processes that create, sustain and transform these relationships over time.”<sup>3</sup> A political economy of justice and the rule of law therefore addresses the agency of individuals and groups to interact with both formal and informal institutions (including beliefs and customs) and structures (e.g. historical inequalities and population composition).

<sup>1</sup> Joakim Gundel, Louis-Alexandre Berg, Yahya Ibrahim (2016). *Political economy of justice in Somalia, Working Paper*. World Bank.

<sup>2</sup> See: Mohamed Haji Ingiriis (2020). Profiting from the failed state of Somalia: the violent political marketplace and insecurity in contemporary Mogadishu. *Journal of Contemporary African Studies*, 38(3), 437-458.

<sup>3</sup> “Political economy analysis is concerned with the interaction of political and economic processes in a society: the distribution of power and wealth between different groups and individuals, and the processes that create, sustain and transform these relationships over time. When applied to situations of conflict and crisis, political economy analysis seeks to understand both the political and the economic aspects of conflict, and how these combine to affect patterns of power and vulnerability [...]. A political economy approach should incorporate a wide historical and geographical perspective, explain why the relative power and vulnerability of different groups changes over time, and explain how the fortunes and activities of one group in society affect others. The view that it encourages is therefore *dynamic, broad, longitudinal and explanatory*.” Sarah Collinson (Ed.) (2003). *Power, livelihoods and conflict: case studies in political economy analysis for humanitarian action*. Humanitarian Policy Group. London: Overseas Development Institute.; See also: Lisa Denney (2016). *Using political economy analysis in conflict, security and justice programmes*. Overseas Development Institute.; Lisa Denney & Pilar Domingo (2017). *Guidance note January*

## EXECUTIVE SUMMARY AND OVERVIEW OF THE REPORT

### MAPPING INJUSTICE (PART II)

The report begins with an overview of the principal violations of human rights suffered by communities in Lower Shabelle during the last decade. Efforts by the emerging Somali state and its international partners to challenge Al Shabaab's territorial authority in Lower Shabelle since 2012 have been marred by **increased violence against civilians by all armed actors**.<sup>4</sup> This has been a consequence not just of the fighting, but of the re-ignition of clan conflict, which has tended to follow assertion of government authority and an accompanying gap in governance and dispute resolution.

The most pervasive violation is **forced displacement**, now at its highest since the 2011 famine. The population of Lower Shabelle is estimated at 1.2 million, including over a half a million internally displaced person (IDPs).<sup>5</sup> Although **Al Shabaab's use of improvised explosive devices (IEDs) make it the most violent conflict actor** in Lower Shabelle, **federal forces and their allied militia are also responsible for attacks on civilians, killing, torture, unlawful detention, sexual and gender-based violence (SGBV), looting of property and land, and extortion**. SGBV has been used at different times as a weapon of war to humiliate and displace. Lower Shabelle is also the locus of an increasing number of air strikes by the United States. **Powerful perpetrators enjoy complete impunity**.

### THE WIDER CONTEXT (PART III)

Ultimately, **the exclusion of so many in Lower Shabelle from political, security and economic power** not only **renders them vulnerable to violent conflict** but **hinders their assertion of rights** to, and capacity to pay for, access to equal justice. This exclusion is rooted in the interaction of two themes that have framed the contest for power in Lower Shabelle: questions of **identity and belonging** and the quest to control Lower Shabelle's rich **land and resources**.

**Section A of Part III, Identity and Belonging**, provides an **overview of clan families in Lower Shabelle** in historical and political context. Although Lower Shabelle traditionally was a place of welcome and integration to arriving strangers, both prior to, and after, the collapse of the state, communities in Lower Shabelle saw the customary norms regulating claims to territory of *ku dhaqmay* (right by residence) and *ku dhashay* (right by birth) violated by newcomers, whether by the bureaucratic pen or at the barrel of the gun.

As a result, the recent history of Lower Shabelle has been one of injustice and suffering, meted out and experienced by individuals as part of collectives: clan, business, religious, political or gender. This still drives a cycle of collective attribution of responsibility and retaliation, fueling inter-communal and civil conflict and, ultimately an internationalized conflict involving multiple states.

Although Al Shabaab's rule since 2008 provided a temporary respite from open inter-communal conflict, clan conflicts have re-emerged since the FGS has attempted to expand its reach. **The underlying causes of the conflict have remained unaddressed. The long-running conflict between Habergedir and Bimaal militia** which reignited in 2013 illustrates these dynamics. Not only did personnel of the SNA participate in the conflict and engage in attacks on civilians, particularly on Bimaal and Digil/Bantu communities, but in some contexts they did so jointly with Al Shabaab fighters. The resulting cycle of grievance, greed, violence and impunity has undermined prospects for both peace and state-building.<sup>6</sup>

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2017, *Political Economy Analysis – Guidance for legal technical assistance*, Role UK/Rule of Law Expertise.; Christian Weberisk, Stig Jarle Hansen & Adam Egal (2018). *Somalia: A Political Economy Analysis*. Norwegian Institute of International Affairs.

<sup>4</sup> This report is primarily concerned with the experience of communities in areas of Lower Shabelle that are currently outside territory primarily controlled by Al Shabaab, proximate to it, or who have fled from Lower Shabelle to Benadir.

<sup>5</sup> The most recent 2014 UNFPA population survey estimated Lower Shabelle's population at 1,202,219 (215,752 urban; 723,682 rural; 159,815 nomads). UNFPA (2014). *Population estimation survey*. Statistics for displaced communities generally do not include clan.

<sup>6</sup> Similar patterns of fighting and violence over control of farmland between dominant and marginalized clans, augmented by SNA, Al Shabaab and in some cases international forces also unfolded in Middle Shabelle and Hiraan, resulting in large scale attacks on civilians and

The interweaving of assets and actors from government and the international community within these clan conflicts has further eroded the legitimacy of state structures – including that of any emerging justice mechanisms.

**Section B of Part III, *Land and resources***, examines the tension between the fact that **the people of Lower Shabelle have been most vulnerable to famine and displacement while also living in one of the most fertile regions of Somalia**. Widespread insecurity has contributed to high levels of humanitarian need with Lower Shabelle’s population among the most severely impacted by Somalia’s last two famines, and again during periods of severe food insecurity in 2017 and 2019.<sup>7</sup> The section reflects on the main economic factors at play, with a focus on both historical and recent dynamics and how the interaction of the agriculture and aid sectors may be affecting food security and displacement.

Since state collapse in 1991, **businesses and their related militia have determined the kind of justice and protection that citizens could claim**. Powerful business actors also dominated the aid sector, including as transporters and port operators as Al Shabaab rose to power. The absence of the state, of regulation, of official revenue collection, control of the use of force, and participatory governance has been essential to the operation of the Lower Shabelle business model, including as a strategy to prevent the population from seeking redress from exploitation. These dynamics continue today.

#### **NEGOTIATING A HYBRID POLITICAL AND SECURITY ORDER (PART IV)**

Mapping the actors, institutions and structures (clan, business, ideological, social livelihood political, and security) at work in Lower Shabelle—and their network of relationships<sup>8</sup>—is critical to understanding both the violations to which civilians are subjected and the opportunities for some form of remedy within the hybrid political order. **Part IV** therefore **addresses some of the challenges of negotiating Lower Shabelle’s hybrid political and security order**.

As Ken Menkhaus has noted: “[o]nly by distinguishing between local interests in armed conflict, criminality and state collapse can observers make sense of the otherwise puzzling behaviour of Somali political, civic, and economic actors who promote peace and local policing systems while quietly undermining efforts to revive the state.”<sup>9</sup> Although areas in Lower Shabelle have come under the control of the FGS since 2013, the inability of the state to extend fair and effective governance and justice structures has allowed armed actors and related political and business networks to fill the gap.

Local communities therefore tend to view the **State and its apparatus** less as a source of order and protection than a venue for asset capture. The emerging state system of justice, including customary institutions, is also seen as skewed towards the politically or economically powerful. The section further examines the complexity of the **armed actors** present in the region and how they are perceived to participate in both justice and injustice. The clan composition of security forces and their relationship with both the state and clan militia limits prospects for accountability.<sup>10</sup>

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displacement of tens of thousands. The violence in Lower Shabelle was more intense due to the greater symmetry of the armed groups and the way in which the war against Al Shabaab became entwined in the conflict dynamic, as discussed in section III.A.

<sup>7</sup> When famine was declared by the UN for the first time in 19 years in Somalia in July 2011, it was declared for in Bakool and Lower Shabelle. See: BBC (2011). *UN declares Somalia famine in Bakool and Lower Shabelle*. BBC News, July 20. The last two famines in Somalia in 1991/92 and 2011 impacted Bantu and Rahanweyn communities disproportionately, particularly those from Lower and Middle Shabelle and Bay and Bakool, killing over a half a million people. See *inter alia*: Nisar Majid & Stephen McDowell (2012). Hidden dimensions of the Somalia famine. *Global Food Security*, 1(1), 36-42.

<sup>8</sup> It is important to understand power relations “in terms of networks of dispersed relations rather than between those with power and those without.” See *inter alia*: Aoife McCullough & Muhyadin Saed (2017). *Gatekeepers, elders and accountability in Somalia*. Mott Macdonald, commissioned by IAAAD & ODI.

<sup>9</sup> Ken Menkhaus (2006). Governance without Government in Somalia: Spoilers, State Building, and the Politics of Coping. *International Security*, 31(3), 74-106.

<sup>10</sup> That the new state between 2009 and 2017 was led by Sheikh Sharif Sheikh Ahmed and later Hassan Sheikh Mohamed, both from the Hawiye-Abgaal clan, created a perception that the key institutions of the state were dominated by the Hawiye. Sheikh Sharif Sheikh Ahmed

In this context, **Al Shabaab is the most powerful governance actor** in Lower Shabelle. The group maintains a tight grip on both its territory and across nominally FGS-controlled areas of Lower Shabelle. Even in towns that have been under FGS control for some time, there are no-go areas for state-allied security forces, at least without prior agreement. **In addition to its vast and efficient revenue generation powers, Al Shabaab's profile as a justice actor is a critical element of its resilience** and expansion of its jurisdiction and control. Through summoning witnesses, gathering evidence and adjudicating disputes, the group offers a sophisticated court service which provides consistent and enforceable decision making that is seen as generally fair. At the same time, Al Shabaab increasingly leverages clan fissures to serve its regional interest, replicating the inferior/superior clan dynamics which it had originally attempted to overcome.

#### **CONSIDERATIONS FOR JUSTICE PROGRAMMING (PART IV)**

The report concludes with reflection on the implications of these dynamics for the expansion of state-supported justice in Lower Shabelle. It reviews some of the assumptions that are likely to shape community encounters with new justice mechanisms and notes some of the key political, security and economic trends, which will need to be taken into account in 2021. Finally, it offers some considerations for the content and approach of justice programming in Lower Shabelle, from the creation hybrid partnerships for justice to addressing vetting of the security sector, capacity building of community paralegals and the establishment of a judicial police. It also looks at areas where a more enabling environment for justice could be fostered at the national level, from the commencement of the National Human Rights Commission to consideration of new mechanisms to deal with land disputes.

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was president of the Transitional Federal Government between 2009 and 2012, with the transitional phase coming to an end on August 20 2011. Hassan Sheikh Mohamed took power in September 2012, which he handed over to Mohamed Abdullahi 'Farmajo' in February 2017.

## METHODOLOGY

Research for this paper was conducted between July and October 2020, based on a literature review, examination of confidential security assessments and remotely conducted interviews with regional experts, current and former government officials, members of the security forces, political actors, officials of international organizations and members of local communities in Lower Shabelle. It reflects the situation on the ground as of 30 September 2020 with some contextual updates to frame the research as it was published in June 2021.

## CONSIDERATIONS

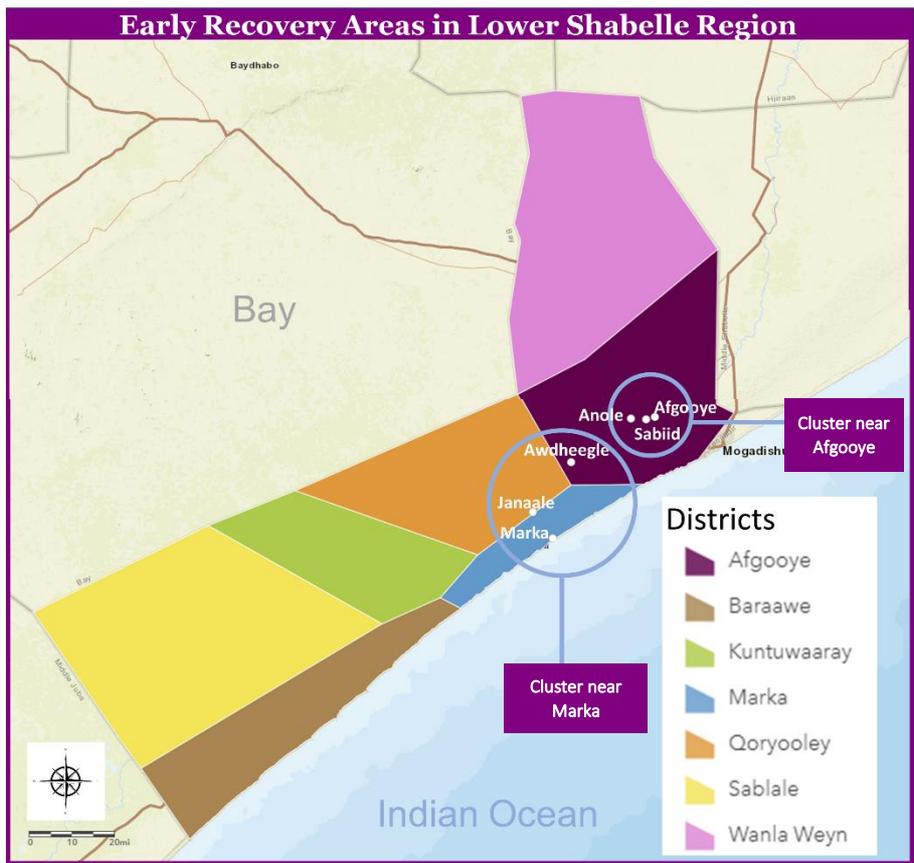
This report presupposes a general understanding of Somalia. Readers should be relatively familiar with Somalia's history of colonization, independence, military government, state collapse, civil war, peace agreements, Ethiopian incursion, violent extremist insurgency, and current state building, as these form the backdrop against which the history and current state of Lower Shabelle is unpacked. To allow for greater focus and granularity, the report does not unpack elements of Somali customary law (*xeer*) and the role of Islam and *shari'ah* in detail. This includes the mention of clan throughout the report. Rather than consistently unpacking complex networks of dispersed relations of power that utilize clan identity as a pathway for mobilization and affinity, the report does so where possible and otherwise refers to clans as a heuristic to encapsulate these dynamics, rather than denoting monolithic groups.

Readers who wish to immerse themselves further in these subjects or seek background reading on clan and customary practice can consult the research pieces listed above under '**Publications**' (page i), find further reading on the Somalia Security & Justice Hub's Somalia Customary Justice Resource Centre<sup>11</sup> or read the seminal report *The Predicament of the Oday*.<sup>12</sup> It should also be noted that especially Lower Shabelle has a rich pre-colonial history as an important commercial center for sea trade routes and was home to regionally important sultanates. This history is referenced where it pertains to the understanding of current circumstances and dynamics. Key points are highlighted in bold throughout the text.

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<sup>11</sup> <https://somhub.org/2020/03/11/somhub-presents-the-customary-justice-resource-centre/>

<sup>12</sup> Joakim Gundel & Ahmed Dharbaxo (2006). *The predicament of the 'Oday': The role of traditional structures in security, rights, law and development in Somalia*. Danish Refugee Council, Novib/Oxfam.



## II: MAPPING INJUSTICE

Over the last decade, the people of Lower Shabelle have been subject to waves of repressive political control and armed violence, against a backdrop of conflict, drought, famine, flood—and, most recently, pandemic. Communities have been caught on the front lines of the conflict between Al Shabaab and the Federal Government of Somalia (FGS) and its allies, which, coupled with a weak and corrupt central state, has set the stage for the re-emergence of clan conflict and violent struggle over access to land, agricultural production, financial flows and political power.

As a result, Lower Shabelle's population—particularly its numerous socially and economically marginalized communities—has endured multiple and widespread human rights violations committed by state, non-state and international, armed and political actors.<sup>13</sup> A comprehensive mapping of these violations is beyond the scope of this paper. What follows is an overview of recent patterns of forced displacement and conflict-related violations which have particularly impacted communities in Lower Shabelle, and their related humanitarian toll.

### A. FORCED DISPLACEMENT

Perhaps the most severe complex of human rights violations in Lower Shabelle are those related to protracted forced displacement. **The majority of the population in Lower Shabelle are Digil and Bantu farmers and agro-pastoralists**, communities which have been particularly vulnerable to displacement since the onset of the Somali civil war. Subject to multiple waves of changes in territorial control and land seizure, the dynamics of cash cropping has rendered them at risk of fluctuating harvest yields, exploitation and, ultimately, displacement. They have few connections to business and diaspora networks which act as safety nets in times of food and livelihood insecurity.

In 2017, the number of IDPs in Somalia more than doubled, primarily due to a prolonged drought which threatened famine. Riverine communities along the Shabelle were particularly hard hit as the Shabelle river dried up between December 2016 and March 2017. A total of 147,000 people were displaced from Lower Shabelle alone in 2017, more than in any other region of Somalia.<sup>14</sup> Of the estimated 45,000 killed as a result of the crisis, 2900 died in Lower Shabelle and 1200 in Benadir, where so many people from Lower Shabelle had sought refuge.<sup>15</sup> By March 2021, displacement in Somalia as a whole was at its highest level since the 2011 famine, with over 2.97 million Somalis classified as internally displaced.<sup>16</sup>

**Violent conflict significantly drives displacement.** Between January and July 2017 alone, the complex Habergedir-Bimaal conflict saw at least 87,000 people displaced in Lower Shabelle.<sup>17</sup> The

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<sup>13</sup> Abdurahman M. Abdullahi 'Baadiyow' has identified six phases of violations against civilians since state collapse in 1991. During each phase, Lower Shabelle has either been at or near the epicenter of violence: "[T]he first period (1991-1992) followed the collapse of the state and the outbreak of the civil war and resulted in more than 300,000 deaths, hundreds of thousands of injuries, and loss of countless properties. The second period (1992-1995) witnessed the international intervention of UNOSOM and was followed by a third period (1995-2001) characterized by low intensity conflicts among various warlords. The fourth period from 2001-2006 saw the launch of a Global War on Terrorism and the emergence in Somalia of the Union of Islamic Courts. Fear of Islamist radicalism prompted the Ethiopian military intervention (2006-08) and the subsequent rise of local resistance movements, including the appearance of al-Shabaab. Finally, the sixth period (2009-present) has seen the continuation and occasional intensification of the conflict between AMISOM and Somali forces on one side and Al-Shabaab insurgents on the other." Abdurahman M. Abdullahi 'Baadiyow' (research conducted 2012; publication date unknown) *Conceptions of Transitional Justice in Somalia: Findings of Field Research in Mogadishu*, on file with author.

<sup>14</sup> Internal Displacement Monitoring Centre (2018). *Global Report on Internal Displacement, Somalia*.

<sup>15</sup> Abdihamid Warsame (2020). *Weathering the storm: Findings and recommendations from a study of crisis-attributable deaths in Somalia*. Health in Humanitarian Crisis Centre & London School of Hygiene and Tropical Medicine. See also Ivana Hajžmanová & Vicente Anzellini (2018). *City of flight, New and secondary displacements in Mogadishu, Somalia*. Internal Displacement Monitoring Centre, Thematic series: UnSettlement: Urban displacement in the 21st century. As of 2018 Mogadishu had the second highest population density in the world.

<sup>16</sup> As of March 2021 there were 2.967 million IDPs in Somalia – see UNHCR population dashboard: <https://data2.unhcr.org/en/documents/details/85988>. The scale of forced displacement is not fully captured by this figure. Over 1.3 million people were displaced in 2020 alone.

<sup>17</sup> See: UNHCR (2017). *Somalia: displacement dashboard – Protection and Return Monitoring Network (PRMN), displacements during July 2017*. Office of the United Nations High Commissioner for Refugees.

majority of the almost quarter of a million Somalis recorded as newly displaced between January and July 2019 came from Lower Shabelle, Bay and Bakool, fleeing drought and violent conflict, including a new offensive against Al Shabaab in Lower Shabelle. Thousands more were forced to flee to locations around Marka and Mogadishu in the run up to the FGS effort to retake Janale in March 2020.<sup>18</sup>

In 2020, **flooding was the primary reason for displacement** in Lower Shabelle, massively disrupting daily life and accelerating outbreaks of disease.<sup>19</sup> In May 2020, for example, up to 50,000 people were affected and 24,000 displaced from their homes by *Gu* rain flash floods in Afgooye, Kurtunwarey, Marka, Qoryooley and Wanlaweyn districts.<sup>20</sup> Later in August, over 70,000 were impacted by flooding in Afgooye and Sabid/Anole, and almost 47,000 again in Marka.<sup>21</sup>

At various points in the last decade, **Lower Shabelle has also hosted the largest displaced population in Somalia**, due both to its proximity to Mogadishu and its own conflict and security dynamics. In October 2012, in the wake of famine, an estimated 406,000 IDPs took refuge in and around Afgooye town alone.<sup>22</sup> Many of those in IDP settlements today in the Afgooye corridor, K50, Marka and around Janale hail from elsewhere in Lower Shabelle, or from Bay and Bakool. Between 2018 and 2019, the numbers of newly displaced into, or within Lower Shabelle, fluctuated between 92,000 and 165,000.<sup>23</sup>

## B. SEXUAL AND GENDER BASED VIOLENCE (SGBV)

**Sexual violence is widespread in Somalia and used as a weapon of war.**<sup>24</sup> It is, however, difficult to find Lower Shabelle-specific data. Underreporting is the norm and sharing information on SGBV is met with official censure. A recent study found that: “physical and sexual violence affect 36% of women and 22% of men” in Somalia.<sup>25</sup> Between January and September 2019, UN Protection Cluster partners reported providing services to 32,635 male and female SGBV survivors.<sup>26</sup> In April 2020, the UN reported rising number of cases, echoed by a rapid assessment of SGBV incidents in the context of Covid-19 in July 2020. The increased incidence of rape of adolescents was linked to: “displacements; increased militarization of conflicts, weak community and clan protection systems and the weak state of legal protection.”<sup>27</sup>

Within this context, information publicly recorded within the UN protection system on SGBV prevalence in Lower Shabelle appears at odds with both anecdotal reports and trends for Somalia as a whole.<sup>28</sup> The aforementioned UNFPA study, for example, concluded that factors such as “[b]elonging

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<sup>18</sup> The International Displacement Monitoring Centre reported that: “8,000 people were displaced in Lower Shabelle #Somalia in mid-March during clashes in which the Somali Army retook control of Janale, a strategic agricultural town, from al-Shabaab. Many fled without belongings and now have no means of livelihood”. Twitter, #InternalDisplacementUpdate, 7 April 2020.

<sup>19</sup> The region receives moderate to heavy rains in *Gu* and *Deyr* seasons, which cause annual flash floods.

<sup>20</sup> SWS (2020). *Rapid multi-sector joint assessment of Gu’/Hagaa flash floods Lower Shabelle region*. South West State, July 23, 2020.

<sup>21</sup> See: SWS (2020a). *South West State Joint Inter-Agency Wash Assessment at Community Health Facilities and Public Schools*, August 2020.

<sup>22</sup> See: UNOCHA (2020). *Lower Shabelle – Situation Analysis October 2012*. Office for the Coordination of Humanitarian Affairs.

<sup>23</sup> UNFPA (2020). *GBV in Somalia Advocacy Brief*. United Nations Population Fund.

<sup>24</sup> The EAJ report on Gender Equality and Social Inclusion describes a “normalization” of sexual violence – “a prolonged period of violence against women for individual, political or economic gain meant that the phenomenon was carried over into more peaceful times, where it was propped up by entrenched inequality and discrimination and reinforced by impunity and lack of access to justice for survivors.” SGBV in Somalia spans: “rape; sexual exploitation, assault, abuse and harassment; harmful traditional practices including female genital mutilation and cutting; IPV; physical violence; and discrimination.” The report also notes that: “rape and sexual abuse also affect men and boys, with street children, IDP boys and those in detention seemingly most at risk.” Erica Harper (2020). *Gender Equality and Social Inclusion Analysis*. Expanding Access to Justice Program, American Bar Association & Pact Kenya.

<sup>25</sup> Andrea L. Wirtz, Nancy A. Perrin, Amelie Desgropes et al (2014). *Lifetime prevalence, correlates and health consequences of gender-based violence victimisation and perpetration among men and women in Somalia*, *BMJ Global Health* 3(4). Research was carried out in 2014/15.

<sup>26</sup> Somalia Protection Cluster (2019). *Somalia Response Overview 2019*. (<https://reliefweb.int/sites/reliefweb.int/files/resources/72049.pdf>)

<sup>27</sup> UNFPA (2020). *GBV in Somalia Advocacy Brief*; Northern Frontier Youth League & GBV Sub-cluster (2020). *GBV/FGM Rapid Assessment, Report in the Context of COVID-19 Pandemic*. United Nations Population Fund.

<sup>28</sup> NGO information provided through the UN protection database indicates that between January and July 2020 only three interlocutors in Lower Shabelle (and only in the district of Marka) recorded concern about sexual assault in their communities. See: Protection Monitoring

to a minority<sup>29</sup> clan, having a history of migration or displacement and having low economic resources” were particularly associated with women’s experience of violence.<sup>30</sup> These factors proliferate in Lower Shabelle. At the same time, the 2014/15 UNFPA study found rates of 5-10% for non-partner violence and 40-50% for intimate partner violence against women in Afgooye.<sup>31</sup> This was at a time of ongoing clan conflict, during which the weaponization of sexual violence was alleged to be widespread, whether for reprisal or to induce fear and displacement.<sup>32</sup>

**Identifying and clarifying facts in SGBV cases is extremely difficult**, both because of the stigmatization of survivors or some communities’ lack of power and fear of bringing a case to justice institutions.<sup>33</sup> This is particularly egregious when allegations involve security forces or clan militia allied to government forces. Where cases are reported, government officials have been extremely reluctant to acknowledge instances of SGBV committed by state-allied actors, particularly as SGBV has become the subject of Al Shabaab propaganda. As recently as April 2020, for example, Voice of America journalist Mukhtar Atosh was arrested by South West State (SWS) authorities for reporting on the rape of four girls and the killing of one in Wanlaweyn, allegedly by SNA soldiers. He was released on bail and no further action appears to have been taken in relation to the charges initially laid under Articles 271, 326, 327 and 328 of the Penal Code.<sup>34</sup>

Interviews with a former security sector official conducted for this report indicate that **SNA commanders are aware that SGBV and other offences are perpetrated by their personnel in Lower Shabelle** but have little incentive to act. In a number of cases, soldiers accused of SGBV in Lower Shabelle were arrested but were subsequently released. The authors of this report were unable to find evidence of security force personnel *being brought to trial* in either civilian or military courts on charges related to commission of SGBV in Lower Shabelle over the past decade—although this has happened in other locations.<sup>35</sup> In April 2020, two SNA soldiers accused of raping a girl and a pregnant woman at a checkpoint at the edge of Janale on 6 April 2020 were taken into custody in Mogadishu.<sup>36</sup> The SNA Military Court sentenced each to 15 years in prison and a fine of 5,000 USD. The soldiers, previously stationed in Janale, are currently appealing the ruling. The survivors, both from local Digil communities, sustained heavy injuries and were treated in Marka hospital. The hospital remains ill-equipped for such procedures and the survivors are recovering with little medical or psychological support.

Reports of **SGBV against women and girls in Al Shabaab-controlled areas in Somalia** are plenty, especially in the form of forced marriage or other forms of formally sanctioned SGBV by Al Shabaab fighters or officials.<sup>37</sup> There are also credible allegations of rape of women and girls by Al

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Dashboard (<https://www.globalprotectioncluster.org/2019/12/16/somalia-protection-monitoring/>). However, NGOs engaged on protection may not be the same as those providing services to survivors of SGBV, which may account for the reporting disparities.

<sup>29</sup> This report reads ‘minority’ as politically or socio-economically marginalized rather than numeric minority.

<sup>30</sup> Wirtz, Perrin, Desgroppes et al (2018). *Lifetime prevalence, correlates and health consequences*.

<sup>31</sup> *Ibid.*

<sup>32</sup> This pattern of conduct – clan militia and SNA forces using SGBV as a weapon of war against marginalized communities to induce displacement – was also documented in Middle Shabelle and Hiraan during the same time period.

<sup>33</sup> In one case documented by the EAJ program, the family members of a girl who had been raped in Afgooye district simply stopped responding to calls from the organization attempting to support a process to investigate and identify responsibility for the violation.

<sup>34</sup> NUSOJ (2020). *Journalist Mukhtar Mohamed Atosh released on bail*. Press Release, April 22, National Union of Somali Journalists. The charges are: “offence against the authorities by means of damaging information; intimidation of the public; giving false alarm to authorities; publication or circulation of false, exaggerated or tendentious news capable of disturbing public order” (unofficial translation).

<sup>35</sup> On October 1, 2020, for example, it was reported that a Somali military court had sentenced SNA soldier Mohamed Hussein to death for raping a four-year-old girl in May 2020 in Wadajir (Mogadishu). See: Shabelle Media Network, Twitter, October 1, 2020.

<sup>36</sup> Interview with SNA soldier, September 12, 2020; Report of private security analyst, April 13, 2020; UNSC (2020). *Report of the Panel of Experts on Somalia submitted in accordance with resolution 2498 (2019)*.

<sup>37</sup> The UN Monitoring Group reported, for example, that various forms of forced “marriage” are common practice in the Lower and Middle Juba and Middle Shabelle between 2013 and 2016, particularly perpetrated against Bantu women and girls. See: UNSC (2015). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2182 (2014)*.

Shabaab fighters and officials at checkpoints or in homes. In 2016, for example, the UN reported on the rape of a young boy by two members of Al Shabaab in Afgooye.<sup>38</sup> At the same time, those who have fled Al Shabaab areas report that Al Shabaab's strict governance and security mechanisms tend to dissuade potential perpetrators of SGBV (outside forced marriage) in the community at large. By contrast, the extension of territorial control by FGS-aligned forces in Lower Shabelle is viewed as associated with an increase in the commission of SGBV, whether by Somali or international forces.<sup>39</sup>

## C. OTHER CONFLICT RELATED VIOLENCE

### AL SHABAAB

Since 2017, Al Shabaab has escalated its use of violence against both civilians and military targets, particularly through asymmetrical means of warfare, such as improvised explosive devices (IEDs), vehicle-borne IEDs (VBIEDs), landmines, suicide attacks, complex attacks and targeted assassinations.<sup>40</sup> Of all conflict actors in Lower Shabelle, **Al-Shabaab is responsible for the highest numbers of casualties.**<sup>41</sup> Between January 1, 2016, and October 14, 2017, Al Shabaab conducted its largest number of IED attacks on civilian targets in Somalia in Lower Shabelle (135).<sup>42</sup> In 2019, attacks on civilians in Mogadishu and Lower Shabelle by Al Shabaab reportedly caused over 750 civilian deaths and injuries.<sup>43</sup>

Al Shabaab also frequently resorts to violence to enforce its edicts, regulations (e.g. taxation) and court judgements. This includes severe *huduud* punishments such as amputation and death by stoning, and targeted assassinations.<sup>44</sup> Between May and June 2020, for example, in Qoryooley district, one man had his hand removed for theft and another was executed for witchcraft.

In November 2017, **the Islamic State in Somalia—a rival of the Al-Qaeada aligned Al Shabaab—began to claim responsibility for killing government employees in Lower Shabelle**, in particular around Afgooye.<sup>45</sup> Since 2018, however, the group has not made statements on operations in Lower Shabelle.

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<sup>38</sup> OHCHR & UNSOM (2017). *Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia*. Office of the UN High Commissioner for Human Rights & UN Assistance Mission in Somalia (covers the period from 1 January 2016 to 14 October 2017).

<sup>39</sup> Interviews with members of Digil, Bantu and Geledi communities in Afgooye, August/September 2020; Incident reporting by private security analysts (on file with the author) and local media support these assertions. See also: Harper (2020). *Gender Equality and Social Inclusion Analysis*.

<sup>40</sup> There were 5,333 casualties associated with IED incidents in Somalia between 2017 and 2019, including 2,177 fatalities. See: SCC (2020). *Pursuant to resolution 751 (1992) concerning Somalia, Implementation Assistance Notice No. 3 Summary of the Improvised Explosive Device (IED) components ban and regulations in place for exportation of explosive materials to Somalia*. Security Council Committee, 3 August 2020.

<sup>41</sup> Assassinations in Lower Shabelle in this period have included the killing of traditional leaders, individuals associated with government structures, journalists and NGO staff.

<sup>42</sup> OHCHR & UNSOM (2017). *Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia*.

<sup>43</sup> Human Rights Watch, World Report Somalia 2020 (for 2019).

<sup>44</sup> See: BBC (2018). *Somali woman 'with 11 husbands' stoned to death by al-Shabab*. BBC News, May 9, 2018.

<sup>45</sup> Overall, the Islamic State in Somalia claimed 12 operations in Afgooye in 2018. Led by former Al-Shabaab official Sheikh Abdi Qadir Mu'min, the Islamic State (IS) in Somalia has been operational in Puntland since 2015. In December 2018, Al Shabaab declared war on IS in Somalia. For background, see: Christopher Anzalone (2018). *Black Banners in Somalia: The State of al-Shabaab's Territorial Insurgency and the Specter of the Islamic State*. *CTC Sentinel*, 11(3), 12-20.; & Caleb Weiss (2019). *Reigniting the Rivalry: The Islamic State in Somalia vs. al-Shabaab*. *CTC Sentinel*, 12(4), 29-33.

Although all armed local actors in Somalia recruit and use children, Al Shabaab does so the most systematically.<sup>46</sup> In 2017, Al Shabaab intensified its efforts to forcibly recruit and train children across Somalia and instituted its own school curriculum.<sup>47</sup> The group enforced its campaign with the threat and use of violence, including abduction, detention and killing of teachers and elders.

In Lower Shabelle, these practices were already widespread. The UN estimates that hundreds of children were the target of Al Shabaab sweeps in Lower Shabelle in the first months of 2016, often while they attended a madrassa or religious gathering. In March 2016, for example, the local community in two Bimaal villages in Lower Shabelle rejected Al Shabaab's request to 'provide' children between eight and fifteen years of age and instead presented an older group as potential recruits.<sup>48</sup> Al Shabaab did not accept the substitution and later abducted between 60 and 70 younger children from several madrassas in the area. By late 2016, a camp in Kunyabarrow on the Middle Juba/Lower Shabelle border was being used to train a group of 300 children under 15, including 50 girls, under a curriculum that included the conduct of military operations.

The threat of forced recruitment of children, including in lieu of provision of other 'assets' such as weapons or cash at both family and clan level created constant pressure for communities in Lower Shabelle during this time. In June 2016, the author spoke to recently arrived refugee families in Kenya who described the ongoing child recruitment drive in Afgooye for boys between 12 and 15 as their reason for fleeing the area.

The ability of Al-Shabab to conduct successful collective child recruitment appears to have abated in Lower Shabelle by 2019, particularly as the impact of the FGS offensive began to be felt. The UN Panel of Experts documented, for example, how in June 2020 Al Shabaab forced the Bananey community, a sub-clan of the Mirifle, in Awjabe in Kurtunwarey district to hand over fifteen children between the ages of 10 and 15 and pay \$150 per month for each child's training.<sup>49</sup> Initially held in Towfiik in Qoryooley, by August 20, however, the children were returned to the community as FGS forces pushed forward: on August 14, the SNA had released pictures of 30 young children they had identified as associated with Al Shabaab in Kurtunwarey.<sup>50</sup> The following month, 40 children were also reported to have been rescued from the group at Nuuney near Bariire.<sup>51</sup>

<sup>46</sup> Children under fifteen customarily did not traditionally participate in clan hostilities unless there was exigent necessity. These proscriptions have withered over thirty years of conflict. See: Omar Abdulle Alasow (2010). *Violations of the Rules Applicable in Non-International Armed Conflicts and Their Possible Causes, the Case of Somalia*. Leiden, NL: Brill | Nijhoff Publishers, 226.

<sup>47</sup> Although regional breakdowns are not publicly available, the UN verified the recruitment of 1,770 and 1865 children in Somalia in 2017 and 2018 respectively. UNSG (2020). *Report of the Secretary-General, Children and armed conflict in Somalia, 4 March 2020 S/2020/174*. The report covers the period August 1, 2016, to September 30, 2019.

<sup>48</sup> Email from Member of Lower Shabelle Parliament to the author, April 4, 2016.

<sup>49</sup> UNSC (2020). *Report of the Panel of Experts on Somalia submitted in accordance with resolution 2498 (2019)*. The Panel also received reports "of at least another 250 children, abducted or recruited by Al-Shabaab from different villages in Lower Shabelle, including Bisig Edaa and Toratorow, [who] were kept in a madrasa in Towfiik."

<sup>50</sup> Abdulaziz Billow Ali (journalist), Twitter, @AbdulBillowAli, August 15, 2020.

<sup>51</sup> Mohamed Dhaysane (2020). *At Least 16 Al-Shabaab Members Killed, 40 Kids Freed*. Shabelle Media Network, September 26, 2020.

## GOVERNMENT-ALLIED FORCES AND CLAN MILITIA

The origins of the post-civil war SNA complicate its current presence in Lower Shabelle. When the TFG began to pull together a national army in 2008/9, it drew on “various clan forces, former Islamic Courts militias and subsequent rebels, old SNA ‘grey soldiers,’ and other ostensibly government-aligned groups of fighters”.<sup>52</sup> This primarily clan-based recruitment drive saw “fully formed clan and warlord-based militias” directly incorporated into the army.<sup>53</sup> As the new force began to push into Lower Shabelle in 2011, those available for recruitment in Banadir tended, in particular, to be associated with the Hawiye sub-clans Habergedir, Murusade and Abgaal.

Many in this new force were immediately familiar to communities in Lower Shabelle. For example, SNA Brigade 3 under the leadership of General Mohamed Roble Jim’aale ‘Gobale’ was comprised primarily of Habergedir militia fighters and leaders aligned to the political and business actors who had violently dominated Lower Shabelle from 1999 to 2005.<sup>54</sup> These **soldiers were quickly associated with new waves of violence on civilians, including killings, torture, unlawful detention, SGBV, looting of property and land, in addition to extortion at checkpoints and over access to river water.** These abuses continued even as the SNA and its allies moved to the frontline of the anti-AI Shabaab offensive in Lower Shabelle between 2012 and 2014.

### THE SNA IN BARAWE

### ARMED FORCES

When the FGS took over Barawe in 2014 after five years of AI Shabaab rule, the SNA was accused of torture, execution, disappearances and mass roundups. An SNA paramilitary unit operating out of Mogadishu was reported for abducting young men for extortion, from well-to-do families, particularly from the Gibil’ad community.<sup>55</sup> In 2018, when the Barawe police commissioner attempted to investigate the torture and execution of two men accused by the SNA of planting an explosive device, he himself was arrested, placed under house arrest—but later released.<sup>56</sup> Current SNA units in Baraawe are led by commander Abdurrahman Elmi Jimale ‘Horagaay’ of the Habergedir community, who is viewed as effectively maintaining security. At the same time, continued impunity for civilian harm and the force’s active participation in revenue collection tends to undermine the improvements in the SNA’s relationship with local communities and the police. In late August 2020, for example, an SNA Commander, whom other sources depict as a community liaison, was accused of the murder of two young men over unpaid bribes.<sup>57</sup> The case has yet to go to court, and accounts differ on the precise chain of events, as well as on who was involved in the killing.

As AI Shabaab retreated from key towns in Lower Shabelle in 2012/2013, intercommunal **conflict erupted along clan lines, particularly between the Bimaal sub-clan of the Dir and the Habergedir.**<sup>58</sup> Over the next five years, this conflict became the context for large scale attacks on civilians, burning of villages and IDP settlements, multiple cases of SGBV, targeted assassinations of

<sup>52</sup> Paul D. Williams (2020). Building the Somali National Army: Anatomy of a failure, 2008–2018. *The Journal of Strategic Studies*, 43(3), 366-391.

<sup>53</sup> These initially comprised forces from both the TFG and the Alliance for the Re-Liberation of Somalia (ARS)-Djibouti faction, “the latter mostly militia from the Islamic Courts that seized Mogadishu from the ruling warlords in mid-2006.” Williams (2020). *Building the Somali National Army: Anatomy of a failure*. See also: Vanda Felbab-Brown (2020). Case Study Somalia: The Problem with Militias in Somalia: almost everyone wants them despite their dangers, in Adam Day, Vanda Felbab-Brown & Fanar Haddad (eds.). *Hybrid Conflict Hybrid Peace, how militias and paramilitary groups shape post-conflict transitions*. UNU-CPR, 118; & Alex de Waal (2018). *The Prairie Fire that Burned Mogadishu: The Logic of Clan Formation in Somalia*. World Peace Foundation and the Conflict Research Programme, London School of Economics and Political Science, London, UK.

<sup>54</sup> A businessman, warlord, and former USC and ICU leader known as “white eyes” Some communities accuse Indha’ade of multiple acts of violence against civilians over two decades of control and exploitation of the region. He has also been a Governor of Lower Shabelle, a General in the reconstituted SNA and a TFG Minister of Defense (2009 to 2010).

<sup>55</sup> UNSC (2015). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2082 (2014)*.

<sup>56</sup> UNSC (2018). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2385 (2017)*.

<sup>57</sup> See: Baraawe Online, @gov\_state, 27 August 2020.

<sup>58</sup> Afgooye was seized in May 2012, Marka in August 2012, Wanlaweyne in October 2012, Janale in February 2013.

leaders, and displacement of tens of thousands, exacerbated by cyclical revenge killing. The districts of Afgooye, Qoryooley and Marka were among those most affected by the violence.<sup>59</sup>

The **SNA became embroiled in the conflict along clan lines**. Due to the dominant make-up of the force, the majority of the SNA commanders and personnel who participated in the conflict, lined up behind the Habergedir and were implicated in attacks on civilians, particularly from Bimaal and Digil/Bantu communities. (On some occasions, they did so alongside Al Shabaab fighters: the role of Al-Shabaab in fueling the conflict is discussed in more detail below on page 23.)<sup>60</sup> The conflation of army and clan militia during the conflict further complicated the position of the SNA in Lower Shabelle. At one point, the author received a list from a Bimaal/Digil-run civil society organization of more than 84 civilians allegedly killed “by the SNA” between March and July 2014 alone.<sup>61</sup>

Bimaal-aligned fighters also killed civilians perceived as connected with the Habergedir community. Between February 14, 2014, and December 2014, Bimaal militia were accused of having killed eight Hawiye civilians as revenge for the attacks on Bimaal-aligned communities and individuals described above.<sup>62</sup> A former senior government official has suggested that the Bimaal militia may have been responsible for the killing of “at least 30 civilians” over the course of the conflict.<sup>63</sup>

A **major escalation point in the SNA’s co-option in the conflict was the “takeover” of Marka in June 2014** by the 3rd and 5th SNA Brigades and Habergedir militia in SNA uniform, during which operation between 30 and 40 civilians were killed and between 7000 and 28,200 displaced.<sup>64</sup> The Bimaal-led district administration was removed. The Habergedir and Bimaal entered into **a ceasefire in late 2017/early 2018 that has largely held**. Nevertheless, communities report that they continue to live in fear of SNA abuses, such as arbitrary detention, killing, disappearance, SGBV and extortion. Human Rights Watch reported that throughout 2018: “security forces unlawfully killed and wounded civilians during infighting over land, control of roadblocks, and disarmament operations, particularly in Mogadishu and Lower Shabelle.”<sup>65</sup>

As new territories have come under FGS control since **mid-2019, perceptions of SNA treatment of civilians remain unchanged in most parts of Lower Shabelle, with the exception perhaps of Marka** where there has been a significant effort to address the disposition of the force and its relationship with the community.<sup>66</sup> An analysis of a snapshot of violence incidents in Lower Shabelle and Mogadishu during three months in mid-2020, for example, found that government forces were responsible for most civilian harm. An SNA soldier who participated in the 2020 FGS offensive in Lower Shabelle described multiple cases of rape, incommunicado detention of community leaders, and extortion of the local population, by SNA soldiers in newly recovered areas.

**BANTU**

**ARMED  
FORCES**

<sup>59</sup> Eight Bimaal elders were assassinated in March 2014, near Burhakaba, allegedly by Habergedir SNA soldiers led by Liban Madahey under the command of General Gobale. For a more detailed account of the impact of the conflict on civilians see SEMG reports from 2013 to 2020 and Human Rights Watch reports for the same period.

<sup>60</sup> UNSC (2016). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2244 (2015)*, annex 6.1.; & UNSC (2017). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2317 (2016)*.

<sup>61</sup> Confidential submission from communities around K50, received July 29, 2014, on file with the author.

<sup>62</sup> Confidential information received from UN and NGO security sources, February to December 2014.

<sup>63</sup> Interview former senior government official, September 23, 2020.

<sup>64</sup> The range in the number of those displaced reflects the disparity between the number of verified displacements reported by the UN and information asserted by local officials in communication with the author at the time. See *inter alia*: UNOCHA (2014). *Inter-Agency Mission Report, Marka. Lower Shabelle region*. United Nations Office for Humanitarian Affairs, July 9, 2014,

<sup>65</sup> See also: HRW (2019). *World Report Somalia 2019*. Human Rights Watch. Report covers 2018.

<sup>66</sup> Change of control unfolded as follows: Sabiid Anole (April 2019), Bariire (May 2019), Ceel Saliini (June 2019), Awdhegle (August 2019) and Janale (March 2020) and Kurtunwarey (August 2020) The situation of the SNA in Marka is discussed below.

Lacking support networks within government administrations, members of the Bantu community are particularly vulnerable to violations by the security forces, which are rarely reported. A local activist explained that the killing of a Bantu-Bimaal man by SNA soldiers in Awdheghe “on suspicion” of being an Al Shabaab fighter in September 2020 had only received media attention “because his friend knew social media.”<sup>67</sup>

## INTERNATIONAL FORCES<sup>68</sup>

International troops have been present in Somalia continuously since the arrival of Ethiopian troops in 2006. This was followed by the deployment of the African Union Mission to Somalia (AMISOM) in 2007, the entry of Kenyan troops in 2011—later partly absorbed into AMISOM—and the arrival of the European Union (EU) Training Mission in Somalia in 2014. Other troops bilaterally and unilaterally deployed in Somalia, include forces associated with Ethiopia, Kenya and the United States (US), as well as Turkish military training officers. The main operations conducted in Lower Shabelle over the last decade have involved AMISOM and US forces alongside the FGS.<sup>69</sup> All international parties supporting FGS operations in Lower Shabelle have been responsible for the killing and maiming of civilians and/or damage to civilian objects, such as hospitals and schools.

**AMISOM is part of the political economy of the region**, conducting import and export business and maintaining long-term relationships with the main conflict actors. Sector I in Lower Shabelle and Benadir is led by the Ugandan contingent.<sup>70</sup> Between 2012 and 2017, AMISOM was viewed as associated with each party of the Habergedir/Bimaal conflict (unpacked below) at different times, which effectively undermined its operational independence. During 2016 and 2017, AMISOM increasingly **sparked public outrage as it became associated with a rising number of incidents of civilian harm** in Mogadishu and Lower Shabelle, including sexual assault, killings at roadblocks<sup>71</sup> or casualties as a result of indiscriminate fire in the aftermath of IED or landmine attacks.<sup>72</sup> Its forces were also accused of sexual exploitation and abuse, particularly of young women working alongside AMISOM, including as so-called “language assistants.”<sup>73</sup>

**Over the past two years, however, incidents of civilian harm attributable to AMISOM have decreased** following enhanced training and the commencement of Board of Enquiry investigations, as well as the establishment of a Civilian Casualty Tracking, Analysis and Response Cell.<sup>74</sup> These trainings include pre-deployment trainings on protection of civilians with sensitization on issues such as general and conflict-related SGBV, conduct and discipline, gender mainstreaming, and

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<sup>67</sup> Interview with civil society activist engaged in supporting the family of the victim, 24 September 2020.

<sup>68</sup> For an overview of the current international military coalition, see: Paul D. Williams (2020a). *Ending United States Military Operations in Somalia*. War on the Rocks, August 19, 2020.

<sup>69</sup> Ethiopian forces have been present for years in other parts of SWS regions but generally do not operate in Lower Shabelle.

<sup>70</sup> AMISOM is a regional peacekeeping mission mandated by the African Union (AU) since 2007, with the approval of the UN Security Council. Somali security forces are in theory intended to assume full responsibility for Somalia’s security by 2021, in parallel with the completion of AMISOM withdrawal. For an overview of their engagement, see: Oscar Gakuo Mwangi (2015). State collapse, peace enforcement and the responsibility to protect in Somalia. *The International Journal of Human Rights*, 19(8), 1227-1239.

<sup>71</sup> For the killing of four civilians in a vehicle travelling near a check point at Bula Marer on April 16, 2016, see: AMISOM (2016). *AMISOM regrets the loss of civilian lives in Bula Marer*. PR/017/2016, April 16, 2016; for the killing of six people travelling in a minibus near Qoryooley, December 17, 2016, see: AMISOM (2016). *AMISOM’s response to the Qoorooley and Marka incidents*. PR/042/2016, December 19, 2016.

<sup>72</sup> In addition to these incidents, the increase in the number of road accidents involving AMISOM was another visible manifestation of the foundation of public concern, prompting action by Mogadishu authorities to restrict AMISOM movement in May 2017.

<sup>73</sup> See *inter alia*: Laetitia Bader & Samer Muscati (2014). *The Power These Men Have Over Us: Sexual Exploitation and Abuse by African Union Forces in Somalia*. Human Rights Watch.

<sup>74</sup> Both bilaterally and through its Civilian Casualty Tracking, Analysis, and Response Cell (CCTARC) process, AMISOM has acknowledged some civilian losses and paid compensation (see: [https://amisom-au.org/wp-content/cache/page\\_enhanced/amisom-au.org/cctarc/\\_index.html\\_gzip](https://amisom-au.org/wp-content/cache/page_enhanced/amisom-au.org/cctarc/_index.html_gzip)). International forces have also bilaterally negotiated compensation. The Standing Operating Procedures for AMISOM civilian casualty response (CCR SoPs) were finally agreed for the mission in July 2017, 10 years after the mission was mandated. They are intended to standardize procedures for processing allegations of civilian harm, determining amends, and making referrals for other action as appropriate.

international humanitarian and human rights law. Training is accompanied by a portfolio of guidance documents and standard operating procedures on various aspects of AMISOM's engagement, as well as regular pre- and post-deployment risk assessments. AMISOM also succeeded in disentangling itself from actions that cast it as allied with different parties to the Habergedir/Bimaal clan conflict at different times. Collectively, this has contributed to easing inter-community tensions.

**The US is the primary non-AMISOM international armed actor** operating in Lower Shabelle, including through private contractors and US security forces that mentor and accompany Somali national forces and are based at Baledogle in Wanlaweyn district. In addition, **US air strikes have become a common feature of operations against Al Shabaab in Lower Shabelle**, including in advance of key phases of the Badbadho offensive since mid-2019.<sup>75</sup> The UK-based conflict monitoring organization Airwars reported 93 airstrike events in Somalia 2019 (61 officially declared) and 72 in 2020 (54 officially declared).

In March 2019, Amnesty International published a report alleging that over the previous two years in Lower Shabelle, 14 civilians had been killed and 8 injured in the course of five US airstrikes.<sup>76</sup> The United States Africa Command (AFRICOM) denied the allegations. In March 2020, Human Rights Watch reported that an attack near the town of Janale had hit a minibus and killed six passengers, including a child. It was alleged that the group had been returning to Mogadishu from an Al Shabaab court hearing for a land dispute. The case is reportedly under investigation by AFRICOM.<sup>77</sup>

**Communities have expressed concern that individuals described by the US as "terrorist" casualties of airstrikes were civilians and not Al Shabaab militants.** The injury of the well-known Somali traditional healer, Omar Abdi Sheikh 'Rambow,' in Baldul-Rahma in Afgooye district in an attack on 9 December 2018, which also killed a farmer, is a case widely discussed.<sup>78</sup> The effect of airstrikes is felt beyond their direct impact. In the run up to the operation to recover Janale in March 2020, for example, **local community members displaced from the area cited fear of air strikes as the reason for their flight.**<sup>79</sup> In K50 displaced people also reported having fled air strikes in Afgooye and Awdheghe during Operation Badbhadho.

**On 5 June 2020, AFRICOM announced that it had launched an online portal to receive reports of allegations of civilian casualties in Somalia.**<sup>80</sup> Alongside a reduction in airstrikes in early 2021, it was reported that the Biden administration was reviewing its guidance on airstrikes and other operations outside conventional battlefield zones. Somali military officials have expressed concern, however, about the potential impact of a change in airstrike policy on the fight against Al Shabaab.<sup>81</sup>

## THE HUMANITARIAN TOLL

Decades of conflict-related violence, natural disaster, political and economic exclusion and cyclical forced displacement have taken a significant humanitarian toll on the people of Lower Shabelle. In its

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<sup>75</sup> For an overview of acknowledged, unacknowledged (in contrast to AFRICOM, the CIA does not release information on its operations), and contested strikes see: [www.airwars.org](http://www.airwars.org). For investigations into five incidents of alleged civilian harm in Lower Shabelle between April 2017 and December 2018 see: Amnesty International (2019). *The Hidden US War in Somalia, Civilian Casualties from Air Strikes in Lower Shabelle*.

<sup>76</sup> Amnesty International (2019a). *USA/Somalia: Shroud of secrecy around civilian deaths masks possible war crimes*. March, 20, 2019. Available at [www.amnesty.org/en/latest/news/2019/03/usa-somalia-shroud-of-secrecy-around-civilian-deaths-masks-possible-war-crimes/](http://www.amnesty.org/en/latest/news/2019/03/usa-somalia-shroud-of-secrecy-around-civilian-deaths-masks-possible-war-crimes/)

<sup>77</sup> HRW (2020). *Somalia: Inadequate US Airstrike Investigations, Apparently Unlawful Attacks, No Redress for Civilian Deaths*. Human Rights Watch. June 16 2020, available at <https://www.hrw.org/news/2020/06/16/somalia-inadequate-us-airstrike-investigations>; UNSC (2020). *Report of the Panel of Experts on Somalia*.

<sup>78</sup> Interview with researcher currently engaging with family members of victims of airstrikes in Lower Shabelle, September 11, 2020; interview with community leader in Afgooye, September 14, 2020.

<sup>79</sup> Interview with researcher who interviewed displaced communities from around Janale in Mogadishu in June 2020, September 11, 2020.

<sup>80</sup> See: <https://www.africom.mil/civilian-casualty-reporting>; Abdifatah Hassan Ali (2020). *AFRICOM's Improved Civilian Casualty Reporting System Still Leaves Gaps for Somalia*. JustSecurity.org at the Reiss Center on Law and Security at New York University School of Law.

<sup>81</sup> See: <https://www.voanews.com/usa/somalia-fears-new-us-airstrike-guidance-benefiting-al-shabab>, Harun Maruf, Jeff Seldin, New York Times, *Somalia Fears New US Airstrike Guidance Is Benefiting al-Shabab*.

planning for 2020, UNOCHA identified 624,000 people in need of humanitarian assistance in Lower Shabelle, with 206,000 in “severe” and 87,000 in “extreme” situations of vulnerability.<sup>82</sup> The districts of Barawe and Wanlaweyn appeared most gravely affected.

As 2020 progressed, the UN Nutrition Cluster warned that Severe Acute Malnutrition (SAM) cases in Lower Shabelle were on the rise.<sup>83</sup> The immediate causes were disease outbreaks and deteriorating food security as a result of the socio-economic impacts of Covid-19, loss of harvest and reduced agricultural employment due to both delayed rains and floods.<sup>84</sup> In September 2020, the Famine Early Warning Systems Network FEWSNET again assessed that the **groups in most need of urgent nutrition and health interventions in Somalia as a whole were the Shabelle riverine community and Mogadishu’s almost half a million IDPs**,<sup>85</sup> tens of thousands of whom had fled from Lower Shabelle.<sup>86</sup>

Basic protection is a major challenge for displaced communities, which find themselves in settlements where they may not have standing to negotiate with gatekeepers and powerful security and business actors among the host population.<sup>87</sup> **Displacement exacerbates a range of intersectional vulnerabilities** from gender to childhood, old age, disability, unemployment, and social marginalization, resulting in greater exposure to violence, including SGBV and recruitment by armed groups. The humanitarian and protection situation of Lower Shabelle’s children, the largest sub-group of the displaced by an overwhelming margin,<sup>88</sup> is particularly acute: **in March 2020 the UN reported that it had verified more grave violations against children in Somalia – particularly recruitment and use of children by armed groups, abduction, rape and other forms of sexual violence – than in any other conflict situation in the world.** It is estimated that **18% of children under five in Lower Shabelle died during the 2011 famine**, the highest mortality rate for children of any region of Somalia.<sup>89</sup>

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<sup>82</sup> Lower Shabelle has the third highest proportion of households (54%) reporting not sending any of their children to school in Somalia and the highest number highest number of IDPs in need of wash support (Afgooye) in Somalia. See: UNOCHA (2019). *Humanitarian Needs Overview Somalia, 2020*. Office for the Coordination of Humanitarian Affairs.

<sup>83</sup> There were 8,422 cases in the first quarter of 2020 compared to 5,357 in 2019.

<sup>84</sup> SWS (2020). *Rapid multi-sector joint assessment of Gu’/Hagaa flash floods Lower Shabelle region*.

<sup>85</sup> FEWSNET (2020). *Up to 2.1 million people in Somalia face Crisis (IPC Phase 3) or worse outcomes in late 2020*. Famine Early Warning Systems Network.

<sup>86</sup> For the latest figures, see: [https://data2.unhcr.org/en/situations/cccm\\_somalia](https://data2.unhcr.org/en/situations/cccm_somalia).

<sup>87</sup> See: Erik Bryld, Christine Kamau & Dina Sinigallia (2013). *Gatekeepers in Mogadishu*. TANA Copenhagen & iDC, commissioned by the Somalia Cash Consortium.; McCullough & Saed (2017). *Gatekeepers, elders and accountability*.

<sup>88</sup> Somalia’s demographic growth is among the fastest in the world, at about 3% annually. A 2014 study of five of the largest IDP settlements in Mogadishu – of which the majority of the population hailed from Lower Shabelle – found 65% of those profiled were found to be under 17 and 53% 11 or below. See: Mohamed Moalim (2014). *Mogadishu, Profiling of IDPs in five settlements: Horsed, Tarabunka, Sigale, Darwish and Bondhere*. Somali Disaster Management Agency.

<sup>89</sup> UNFAO, FSNAU & FEWSNET (2013). *Press Release, Study Suggests 258,000 Somalis died due to severe food insecurity and famine, Half of deaths were children under 5*. United Nations Food and Agriculture Organization, Food Security and Nutrition Analysis Unit for Somalia & Famine Early Warning Systems Network, May 2, 2013.; UNSG (2020b). *Report of the Secretary-General, Children and armed conflict in Somalia, 4 March 2020 S/2020/174*. The report covers the period August 1, 2016, to September 30, 2019.

### III: THE WIDER CONTEXT

#### A. IDENTITY AND BELONGING

More than any place in Somalia, the last 30 years of violence and political struggle in Lower Shabelle have unfolded in a frame set by questions of identity and belonging, of **contestation over the notion of indigenous (guri or asal) and outsider (galti or farac), and access to land and resources.** This stands in stark contrast to Lower Shabelle's globalized and cosmopolitan history in which waves of 'newcomers' were generously accommodated for centuries.

#### A CONTINUUM OF BELONGING

#### CAVEAT

Any attempt to describe the communities currently present and/or with historical connection to Lower Shabelle is fraught with difficulty, not least because these references are constantly manipulated to lay claim to land, power or 'right,' or to legitimize the use of violence. The research for this study found markedly different narratives on the origins or connections of various sub-clans and their history in Lower Shabelle. Compounding the challenge is that clan identity is not immutable genealogical fact, but changes with the absorption of communities and inter-clan alliances and operates in different constellations in different locales. For example, the Wacdan are part of the powerful Hawiye-Mudlood clan grouping. At a lower level and in terms of local representation, however, they are often considered as Digil. As Yusuf and Marchal describe it:

*“[C]lans in Lower Shabelle look more like confederations of clusters of different origins than nice segmentary and genealogical units [...] everyone has a double identity with his [sic!] clan of residence and to the clan from which he [sic!] actually traces descent.”<sup>90</sup>*

Three clan statuses reflect a continuum of belonging in Lower Shabelle: *dalad* (lineage descent), *dahun* (long residents) and *shegaad* (recent additions).

#### HYBRID IDENTITIES: AN OVERVIEW OF CLAN FAMILIES IN LOWER SHABELLE<sup>91</sup>

The **'first' communities in Lower Shabelle were 'Bantu' who settled along the Shabelle river.** Later migrations brought new settlers from the Arab world, India and Iran to Lower Shabelle's coastal areas. The descendants of these communities, collectively known as **the Gibil'ad ('white skin'), today primarily live in the coastal cities of Barawe, Mogadishu and Marka and coastal areas,** and maintain unique cultures and language. These include the Bezani, Bravanese, Reer Hamar and the Twelve Kofi of Marka (among them the Shekal); others are pastoralists in the cities' hinterlands.

In the **17th century, new arrivals from the Digil-Mirifle and Bimaal clan families** moved into Lower Shabelle as the Ajuran Sultanate that had ruled disintegrated.<sup>92</sup> Although conquest was the basis for some incursions, many negotiated their assimilation, joining *diya* ('blood compensation') paying groups, accepting the local *xeer* (customary law) and sharing land. Once they had asserted themselves,

<sup>90</sup> Roland Marchal & Zakaria Yusuf (2016). *Lower Shabeelle in the civil war, historical dynamics of land conflicts in a Somali region.*, FOA and the Nordic International Support Foundation.

<sup>91</sup> This section draws upon multiple sources including: Marchal & Yusuf (2016). *Lower Shabeelle in the civil war.*; Joakim Gundel (2009). *Clans in Somalia, Report on a Lecture.* COI Workshop Vienna, May 15, 2009 (Revised Edition); de Waal (2018). *The Prairie Fire that Burned Mogadishu.*; and discussions with local experts.

<sup>92</sup> The Ajuran Sultanate (or Imamate) is notable for its repulsion of Oromo and Portuguese incursions as well as extensive hydrological constructions. The ruling Garen dynasty is variously described as having presided over an Ajuran clan or a confederacy of different Hawiye sub-clans labelled 'Ajuran'. Their theocratic 'Imamate' fractured following the Hawiye-Darandole's military seizure of Mogadishu from its Muzaffar rulers and their challenge to the Ajuran, along with other rising Hawiye sub-clans such as the Galje'el and Badhi Adde. The Darandole's foremost sub-clan Abgaal appears to have replaced the Imamate then and continues to wield considerable influence today via the Mudlood grouping of Hawiye sub-clans. See: Enrico Cerulli (1959). How a Hawiye tribe used to live (Come viveva una tribù Hawiyya), in: Enrico Cerulli (ed.). *Somalia, scritti vari editi ed inedita, Vol. 2.* Roma: A Cura dell'Amministrazione Fiduciaria Italiana della Somalia; Istituto poligrafico dello Stato, 203-342, 387-392.; Moment Green Media (2017). *The origin of the Ajuran and their defeat by the Baadicadde and Gaaljecel.* The Banadir Observatory.; Virginia Luling (2002). *Somali Sultanate – The Geledi City-State over 150 Years.* London: Haan Publishing.

the Digil—Begadi, Garre, Geladi,<sup>93</sup> Jiddou, Shante’aleen and Tuni—stood out for their openness to incorporating new members. Habergedir-Ayr families of the Hawiye which arrived in the late 19<sup>th</sup> century, for example, and were absorbed by the Tuni around Barawe. The Wacdan community, settling around Afoogye, also tended to take in other members of the Hawiye clan family. These dynamics are key to understand Lower Shabelle’s current socio-political predicament and inter-group relations.

**In the 19<sup>th</sup> century, local farmers from Mozambique, Tanzania, and Zambia were brought as slaves to Lower Shabelle,** primarily to support large-scale farming. During the colonial period, the Italian administrators continued to encourage migration into Lower Shabelle in order to promote commercial agriculture, creating: “a habit of authoritarian interventionism in the agrarian world that was not challenged after independence.”<sup>94</sup> Those slaves who did not escape ultimately became associated with the clan that “owned” their labor. The presence of large numbers of Bantu-Bimaal within the Bimaal clan family is testament to this assimilation.<sup>95</sup>

During the 1970s, **the military government resettled tens of thousands of pastoralists from communities that had suffered the brunt of the 1974/75 drought and 1977/78 Ogaden war.** It did this through compulsory acquisition of productive land in Lower Shabelle, primarily in Kurtunwarey, Qoryooley and Sablaale.<sup>96</sup> In Qoryooley district, it then established three large settlements for sub-clans of the Darood. Habergedir (Sarurr and Ayr), Duduble, Isaaq, and Darood communities settled in Sablaale. These new arrivals contributed to the perception that the government was deliberately changing the composition of the population in the region. It is estimated, however, that perhaps half of those resettled eventually migrated abroad or returned quickly to their original home areas.<sup>97</sup>

#### MINORITIES AND MARGINALISATION

In Somalia as a whole, four major clan families—Dir, Hawiye and Darood, and in some areas the Raheynweyn, particularly the Mirifle lineage—have tended to control the bulk of resources and power, albeit in different places and to differing extents at different times. A consistent structural element of the Somali State since independence has been the exclusion of Somalia’s so-called ‘minorities’ from social, economic and political power, and from the institutions of dispute contestation, negotiation and resolution.<sup>98</sup> Within the multi-clan and multi-cultural context of Lower Shabelle, however, the question of majority and minority is not straightforward.

**Many communities that are large in number wield little political power and even less control over security forces.** The Bravanese community is generally excluded from the power in Barawe, which is contested by Tuni, Hawiye and SWS/Mirifle political leaders. In Marka, the Twelve Kofi underwent a history of land and asset grabbing by armed clans, but now participate in the administration, albeit peripherally. Of the widely marginalized occupations castes, small numbers of Tummal, Jaji, Midgan, Yahar and Eyle live in Lower Shabelle, some under the protection of other clans such as the Bimaal.<sup>99</sup>

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<sup>93</sup> The Geledi Sultanate controlled the Afgooye area and significant parts of the Jubas between the 17<sup>th</sup> and 19<sup>th</sup> centuries. Scott R. Reese (2003). Review of Virginia Luling, Somali Sultanate: The Geledi City-State over 150 Years. *Sudanic Africa*, 14, 149-52.

<sup>94</sup> Marchal & Yusuf (2016). *Lower Shabeelle in the civil war*.

<sup>95</sup> Those who did escape created independent communities, particularly along the Juba river, where they are collectively known as Wagosha (eg., Mushangouli). They speak their own languages and maintain their customs, despite efforts by Al Shabaab to undermine their culture.

<sup>96</sup> Lee Cassanelli (2015). *Hosts and Guests: A historical interpretation of land conflicts in southern and central Somalia*. Rift Valley Institute.

<sup>97</sup> The then-government did attempt to settle some displaced communities in the Adale district in Middle Shabelle, but there, as elsewhere, locally dominant clans rejected the resettlement. Lower Shabelle’s multifaceted clan composition prevented such a cohesive response as no one dominant clan was able to weigh in – a pattern that is relevant to political consolidation and local legitimacy today. See: Anonymous (2008). *Land, property and housing in Somalia*. UN-Habitat, UNHCR & NRC.

<sup>98</sup> See: Martin Hill (2010). *No redress: Somalia’s forgotten minorities*. Minority Rights Group International.

<sup>99</sup> Stories on their “unholy” origins or involvement in certain occupations are deemed sufficient to set them apart from most of Somali society. See: Mohamed A. Eno & Abdi M. Kusow (2014). Racial and Caste Prejudice in Somalia. *Journal of Somali Studies*, 1(2), 91-118.

## MINORITY?

## GIBIL'AD

The **Gibil'ad collective of clan families** are a minority in Lower Shabelle and Somalia more broadly. In Barawe, however, they constitute one third of the urban population. During the civil war, their lack of protection from main Somali lineages subjected them to violent dispossession and forced displacement. Over the last ten years, they have struggled to maintain their communal integrity against attempts to undermine their culture, with some success. In April 2020, SWS authorities only briefly succeeded in banning Radio Barawe from broadcasting in their Bravanese dialect.

## HAWIYE

## MAJORITY?

The **Hawiye clan family** is not the clear numeric majority in Lower Shabelle. One expert suggested that they currently make up 10-15% of the population; another estimated this as high as 40-45%. Accounts differ. Yet, its sub-clans wield significant economic, political and security power, for reasons including linkages to and control of political offices in several administrations, important sources of revenue, and units within Somalia's armed forces. Although many arrived in recent decades, particularly since state collapse in the 90s, some Hawiye clans have long-standing ties to Lower Shabelle and historically recognized geographic connections:

- **Habergedir**: small numbers, primarily in Marka, Barawe, Sablale
- **Abgaal**: coastal areas, Qoryooley towards Buur Hakaba
- **Wacdan**: Afgooye  
(at the height of the Wacdan kingdom, Afgooye was called Afgooye-Wacdan)
- **Hawadle**: Qoryooley
- **Gaalje'el**: Wanlaweyn with significant nomadic movement
- **Mobileen**: Afgooye
- **Murusade**: four villages around Afgooye

## MINORITY?

## DIGIL & JAREERWEYNE/BANTU COMMUNITIES IN LOWER SHABELLE<sup>100</sup>

**Digil and Bantu communities make up the majority of the population, including as incorporated into other clan structures**, but have held little power. They have mostly exerted influence locally. To name but a few examples for Digil communities:

- **Tuni** in Barawe
- **Garre** in Qoryooley
- **Geledi** in Afgooye

Under the Rahanweyn umbrella, the Digil have contended for regional and national level power at various points over the past thirty years, as part of the Rahanweyn Resistance Army (RRA) or efforts to create a Southwestern Somalia State. Yet, Rahanweyn leadership rests largely with Mirifle communities from Bay and Bakool. This may shift if the SWS government transfers from the interim capital Baidoa to the constitutional capital Barawe, building closer ties with the Digil and their Hawiye neighbors.

**The situation of the Bantu in Lower Shabelle is particularly complex:** although a numerical majority, they are subjected to systematic discrimination and marginalization, cast into political invisibility as they are subsumed under other clans. Leading scholars have acknowledged that the Bantu, "seen as an ethnic group (Jareer), constitute without any doubt the most numerous group" in Lower Shabelle. It is commonplace, however, for the Bantu to be referred to as a "minority" to reflect their lack of access to political and economic power and their perception by dominant communities.

<sup>100</sup> Although the terms Bantu/Jareer (hard hair) are not anthropologically accurate and have pejorative implications, they have been reclaimed by the community and are used here.

Today, descendants of both Bantu lineages<sup>101</sup> live across Lower Shabelle, within communities recognized under the Jareer clan family umbrella (such as the Hintire around Sabiid/Anole) or absorbed into other clan families (such as the Digil-Bantu Dube).<sup>102</sup> The clans that used slaves the most, whether on plantations or as domestic servants, such as the Bimaal, Mobileen, Reer Hamar, Amarani, Geledi and Wacdan, tend to have large Bantu communities.<sup>103</sup> When slavery officially ended in the 1920s, the Bantu found themselves “members of a permanently racialized and stigmatized community within Somali society,” including in the context of their own clan.<sup>104</sup>

Today, clan belonging determines the estimation of population numbers and claims to political or territorial power. When it comes to social, economic or political spoils, such as marriage or seats in parliament, Bantu community members are often excluded and rendered invisible in population assessments and political representation, despite their superior numbers. The level to which Bantu themselves have internalized this exclusion is reflected in the fact that Bantu regularly refer to other non-Bantu Somalis, even in their own sub-clan, as simply: ‘Somalis.’ In the run up to the 2020/21 elections, Bantu communities within some clans in Lower Shabelle, in particular the Bimaal, began to organize to assert their power of numbers to seek greater representation in the parliament.

### POST-1991

Clan as a marker of insider/outsider was manipulated by the Barre military regime to hold on to power and expand control of the resources of Lower Shabelle. It has achieved much greater importance since. In the terrible violence of the civil war and state collapse, the **role of ascribed or self-associated identity became critical, “not only [as] mechanisms for organising violence, but also for organising survival.”**<sup>105</sup> As de Waal writes, “Clan” with a capital “C” became a political concept distinct from lineage: “formed through violent and extractive processes at the intersection of pastoral livelihoods, military organization and spoils politics as a strategy for seeking and sustaining political power.”<sup>106</sup>

**The experience of displacement and humanitarian response also had an ‘identity formation effect’** that compounded this dynamic. As the international humanitarian system began to categorize Somalis into distinct groups and provide differential responses to ‘minorities,’ such as the Gibil’ad and the Bantu,<sup>107</sup> each clan group responded by developing its own narrative of the war and its aftermath. This still guides interpretation of events today, as the “salience of identity markers depends on shared narratives and imaginings.”<sup>108</sup> Following repeat cycles of violence, dispossession and civil war, the remembered history of many communities in Lower Shabelle is one of “large-scale,

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<sup>101</sup> There are two lineages of Bantu in Lower Shabelle. The first are those considered descendants of the original inhabitants of the Shabelle river area as part of the Shungwaya kingdom. The second descend from slave communities, taken from across Eastern and Southern Africa in the 18<sup>th</sup> century and brought to Lower Shabelle. Scholars estimate that: “by the first decade of the twentieth century, 33 percent of Mogadishu’s population (2,233 out of 6,700), 28 percent of Baraawe’s population (830 out of 3,000), and 14 percent of Marka’s population (720 out of 5,000) were classified as slaves.” Eno & Kusow (2014). *Racial and Caste Prejudice in Somalia*.; Abdi M. Kusow & Mohamed A. Eno (2015). Formula Narratives and the Making of Social Stratification and Inequality. *Sociology of Race and Ethnicity*, 1(3), 409-423.

<sup>102</sup> Bantu and non-Bantu clan members are often referred to as “hard hair” and “soft hair” respectively.

<sup>103</sup> Mohamed A. Eno (2005). *The Homogeneity of the Somali People: A study of the Somali Bantu Ethnic Community*. Submitted in partial fulfilment of the requirements for the degree of Doctor of Philosophy in Social Studies Education, St. Clements University.

<sup>104</sup> Eno & Kusow (2014). *Racial and Caste Prejudice in Somalia*.; It has recently been estimated that Bantu communities descended from 18<sup>th</sup> century arrivals alone may in fact constitute as much as 19% per cent of the entire Somali population, not counting indigenous Bantu such as the Reer Shabelle or the Gabaweyn. Dan Van Lehman & Risa Proehl (2015). Population Estimates of Somali Bantu with East African Slave Ancestry. *Journal of Somali Studies: Research on Somalia and the Greater Horn of African Countries*, 2(1\_2), 47-66.

<sup>105</sup> Alex de Waal (2017). *Somalia synthesis paper*. Conflict Research Program, London School of Economics and Political Science, London, UK.

<sup>106</sup> de Waal (2018). *The Prairie Fire that Burned Mogadishu*.

<sup>107</sup> Markus V. Hoehne (2015). Continuities and changes regarding minorities in Somalia. *Ethnic and Racial Studies*, 38:5, 792-807.

<sup>108</sup> de Waal (2017). *Somalia synthesis paper*.; See also: Mohamed Haji Ingiriis (2016). Many Somalia(s), multiple memories: remembrances as present politics, past politics as remembrances in war-torn Somali discourses. *African Identities*, 14(4), 348-369.

clan based violence against civilians [...] a transformative factor in the history of Somalia's civil war and an obstacle to social reconstruction and moral repair in the present."<sup>109</sup>

The war also grafted a new element onto the clan narrative: **clan 'homeland' (deegan) or the association of clan with a particular territory became much more critical**, gaining "a political and psychosocial importance that it did not have to the same extent beforehand."<sup>110</sup> As a result, the question of who belongs where and who owns what in Lower Shabelle is subject to "a series of overlapping claims, dating to various historical periods and based on quite different senses of entitlement and methods of occupation, which persist into the contemporary period."<sup>111</sup>

**The ascendancy of the Islamic Courts Union (ICU) and later Al Shabaab in Lower Shabelle after 2006 enforced a temporary suspension of the importance of clan** under the cloak of a common religious citizenship. This permitted the group to manage most inter-communal conflicts. As the FGS and its international partners began to expand their reach into Lower Shabelle in 2012/2013, displacing Al-Shabaab, clan fault lines resurfaced.

With **the mechanisms of the state having failed to create the potential for equal citizenship**, communities were once again free to battle for power and resources – and for revenge. **Over the last ten years, there have been multiple small-scale inter-clan conflicts in Lower Shabelle** such as recent clashes between the Wacdan and Habergedir clans over control of land in Afgooye and Elasha Biya. To date, however, the conflict that has had the most significant impact on civilians and the balance of power in Lower Shabelle has been that between the Bimaal and the Habergedir, and their allies.

#### THE BIMAAL/HABERGEDIR CONFLICT

Between 2013 and 2017, the Bimaal, supported by some Digil communities, and the Habergedir,<sup>112</sup> fought to secure access to economic and political power in Lower Shabelle. This conflict was just the latest phase of a long-standing resistance by different communities in Lower Shabelle to those who had seized control of the territory during the civil war, particularly those perceived to have been supported by militia from outside the region.

In contrast to other Lower Shabelle communities, **the Bimaal had the resources to mount a defense**: historically large landowners throughout Marka's hinterland before the civil war, the Bimaal were stronger economically and politically than other local communities and could draw support from their diaspora and Dir communities from other parts of Somalia. They were already armed and had personnel in the SNA.

On the other side, **the Habergedir also had strong networks**, particularly in Marka town and Qoryooley, significant firepower in a Hawiye-dominated SNA and association with large businesses and non-governmental organizations (NGOs). The association of the Habergedir with the Hawiye militia that had dominated the region and plundered local wealth since 1991, however, drew battle lines along the division of *guri* and *galti*, especially as many of those fighting on the front lines had been born elsewhere in Somalia.<sup>113</sup>

The **conflict escalated as FGS forces seized the key towns of Afgooye, Marka, Wanlaweyn and Janale from Al Shabaab between May 2012 and February 2013**. With the change of controlling authority, these areas became sites of inter-clan contestation. Clashes between Habergedir and Bimaal SNA soldiers triggered the outbreak of hostilities as the locus of the fighting became the town of Marka and the surrounding fertile farmland, and later parts of Afgooye and Qoryooley.<sup>114</sup> Some Digil farmers joined the Bimaal as they began to show success in challenging the Habergedir and broader Hawiye community.

Extension of FGS control in Lower Shabelle and the fight against Al Shabaab were compromised as the SNA, AMISOM and Al Shabaab joined the inter-clan conflict on different—and varying—sides as the conflict evolved.<sup>115</sup>

The SNA's involvement in the Bimaal/Habergedir conflict had enormous ramifications for the legitimacy of the FGS and its ability to assert its capacity to govern and ensure justice and security in Lower Shabelle. The fighters who had been central to the violence against civilians in Lower Shabelle during the previous two decades returned as well-provisioned and equipped SNA in support of Habergedir fighters. Not least due to the military asymmetry between the parties, **the majority of civilians hit hardest by the conflict were Bimaal, Digil and Bantu.** The UN explicitly acknowledged that those affected by attacks and evictions from "productive farmland" in late 2013 were from "smaller or minority clans and communities."<sup>116</sup>

Despite the evident involvement of the SNA in large-scale attacks on civilians, **the FGS undertook no effective efforts to hold personnel accountable,** which further disenfranchised and distanced victim communities from the fledging government.<sup>117</sup> That the Presidents between 2009 and 2017, Sheikh Sharif Sheikh Ahmed and Hassan Sheikh Mohamed, hailed from the Hawiye-Abgaal clan compounded the perception that key state institutions had sided with the Habergedir, even though the Habergedir's relationship with power holders in Mogadishu fluctuated considerably. In response, **some local communities bargained that Al Shabaab would prove a better guarantor of land tenure and protection** and fled to Al Shabaab-held areas or outright allied with the group.<sup>118</sup>

**The perception that the FGS supported one party to the conflict also implicated the international community** as arms, ammunition and salary support provided to the SNA appeared to be used to kill and injure civilians. Some local communities saw AMISOM as allowing itself to be instrumentalized, as units often physically encamped with SNA personnel accused of siding with the Habergedir. The involvement of AMISOM troops in several incidents of civilian harm in 2014 and 2015 were widely believed to result from manipulation of information by SNA

<sup>109</sup> Lidwien Kapteijns (2013). *Response To David Laitin's Reflections On Clan Cleansing In Somalia*. World Peace Foundation, November 14, 2013.; See also: Lidwien Kapteijns (2012). *Clan Cleansing in Somalia: The Ruinous Legacy of 1991*. Philadelphia: University of Pennsylvania Press.; Mohamed Haji Ingiriis (2016a). Unmasking the Wolf in Sheep's Clothing: Towards a Critique of the Conflicting Historiographies in Somalia. *Global Journal of Human-Social Science: D History, Archaeology & Anthropology*, 16(2), 13-23.

<sup>110</sup> Rakiya Omaar & Alex de Waal (1994). *African Rights, Grass and the Roots of Peace: Pastoral land issues in Somalia and Somaliland*. London, African Rights Discussion Paper No. 3., April 1994.

<sup>111</sup> Cassanelli (2015). *Hosts and Guests*.

<sup>112</sup> There was a perception that Hawiye sub-clans supported the Habergedir at various points in the conflicts, particularly due to the involvement of the SNA. Operations of the SNA in support of Habergedir positions were led by, or had participation of, members and of the Abgaal and Murosade sub-clan and others, at different times. Claims that the Habergedir were officially supported by the Abgaal in the conflict is contested by contemporary witnesses told the author that Abgaal elders indeed approached Bimaal elders after Bimaal fighters had killed Abgaal residents, threatening to join the conflict on the side of the Habargedir should the Bimaal fail to pay compensation (*diya/mag*), which was ultimately paid. The relations between Abgaal and Habargedir leadership are too complex for this report to unpack in sufficient detail as they hark back to the schism of the United Somali Congress between the Habargedir wing led by Mohamed Aideed and the Abgaal wing led by later President Ali Mahdi, which largely concerned control over the highest offices of government and persists today. Habargedir operations were supported by members of the Abgaal and Murosade sub-clan at different times, including through involvement of SNA commanders in attacks on Bimaal communities.

<sup>113</sup> Review of material posted by Habergedir fighters on social media during the conflict; interviews with Marka residents, 2016 and 2017.

<sup>114</sup> See, for example, Somalia: Conflict Dynamics International (2013). *From the bottom up: Southern Regions - Perspectives through conflict analysis and key political actors' mapping of Gedo, Middle Juba, Lower Juba, and Lower Shabelle*. Somalia Conflict Early Warning Early Response Unit (CEWERU), vol. 2.

<sup>115</sup> The attacks on civilians carried out by all parties to the conflict were outlined in Part II.

<sup>116</sup> UN (2013). *Statement by the UN Special Representative of the Secretary-General for Somalia Nicolas Kay*, December 18, 2013. The statement also referred to similar conflicts and violence against civilians in marginalized communities, with the involvement of state security forces along clan lines in Middle Shabelle and Hiraan.

<sup>117</sup> The FGS promised an investigation into the attacking and burning of K50 village in November 2013, with no substantive outcome.

<sup>118</sup> In 2016, one Digil-Bantu farmer described to the author how two Bantu farmer friends of his near Janale had observed the course of the conflict since the FGS' "liberation," and decided to declare support for Al Shabaab in order to "get justice" and hold on to their farms. Interview with individual recently returned from a visit to Janale, Nairobi, February 16, 2016.

personnel and deepened resentment.<sup>119</sup> Later, AMISOM and US forces appeared to switch sides as they collaborated with Bimaal and Digil militia in operations against Al Shabaab, which both undermined the primacy of SNA in those areas and persuaded the Bimaal to rethink their stance towards Al Shabaab.

#### AL SHABAAB

The Bimaal/Habergedir conflict unfolded in parallel with joint SNA-AMISOM operations to dislodge Al Shabaab from key territories in Lower Shabelle. Al Shabaab thus saw advantages in supporting Habergedir, Bimaal and Digil communities at different times, departing from its historical role as a pacifier, rather than accelerator, of clan conflict. The Somalia and Eritrea Monitoring Group (SEMG) observed: “Al Shabaab played an opportunistic and complicating role, offering and soliciting support from both sides while also, sporadically, acting as peace negotiator.”<sup>120</sup>

**During the early stages of the conflict, the Bimaal supported Al Shabaab.** This was both an expression of political opposition to the perceived domination of the FGS’ political and security apparatus by Hawiye leadership, and, as a practical matter, to ensure protection against what they feared would be another Hawiye land-grab as the SNA started to fight its way into Al Shabaab territory in 2012. **The SNA, in turn, used the Bimaal’s affiliation with Al Shabaab as a justification for its attack on Bimaal and Digil militia and communities later in the conflict,** including the ‘takeover’ of Marka in June 2014.

**At the same time, seeing an opportunity to advance political, clan and business interests, Al Shabaab began to collaborate with elements of the SNA and Habergedir militia** through sharing of information, joint operations and participation in assassinations.<sup>121</sup> In early 2015, Al Shabaab participated in SNA attacks against Digil communities in Qoryooley, specifically in Buulo Sheikh, Hadoman, Farhano and Bandar. Civilians were killed and abducted, and villages burned.<sup>122</sup>

When Al Shabaab retook Marka in 2016, elements of the SNA and Habergedir militia supported the attack, pushing the Bimaal militia to cleave closer to AMISOM. In response, in October 2016, **Al Shabaab sided definitively against the Bimaal, commenced large-scale burning and looting of Bimaal villages and began abductions of civilians.** Attacks escalated in May 2017, targeting villages with Bimaal communities between Marka and Afgooye, towards the borders of Qoryooley district and in Afgooye district near K50.<sup>123</sup>

#### FINANCING THE CONFLICT

Business and political actors on both sides and from outside the region encouraged and leveraged the violence in pursuit of economic and political power, especially as the conflict unfolded in the midst of the federalization process that included the creation of the South West State.<sup>124</sup> As the SEMG described it:

**“a combination of inter-linked factors appear to have shaped a spoilers complex, or a resurgence of a new form of ‘warlord politics,’ including the alleged active involvement of senior SNA officers and soldiers in the violence, leakages of SNA arms to clan-based**

<sup>119</sup> See for example the killing of six members of the Moalim Iidey family in Marka who were shot inside their home by AMISOM soldiers on July 31, 2015, while preparing for a family wedding.

<sup>120</sup> UNSC (2016). *Somalia report of the Monitoring Group on Somalia*, annex 7.5 paragraph 22.

<sup>121</sup> . The assassination of Janale District Commissioner Garad Ibrahim Sid Ali, a Bimaal, in August 2015, was widely believed to have been conducted in order to disrupt Sid Ali’s support to farmers who were resisting pressure from Hawiye militia to sell or abandon their land. Two of his colleagues were also killed in the attack. Official accounts attributed the killing to Al Shabaab. See: Garowe Online (2015). *Janale District Commissioner killed in raid*. August 4, 2015.

<sup>122</sup> See: UNSC (2015). *Somalia report of the Monitoring Group on Somalia and Eritrea*, annex 6.1.

<sup>123</sup> HRW (2017). *Somalia: Al-Shabab forces burn villages: Raids Marked by Abductions, Arson and Looting Cause Mass Flight*. Human Rights Watch.

<sup>124</sup> These included some of the banana producers: Ahmed Duale Gelle ‘Haaf’ (Habergedir-Sa’ad, later President of Galmadug), and trade tycoons such as Mohamed ‘Deylaf’ (Habergedir-Ayr), who had managed exports from Lower Shabelle between 1995 to 2006.

**militias, use of misappropriated Government funds to fuel the conflict, driven by business interests in capturing land and attempts to violently influence the future formation of federal states.”<sup>125</sup>**

#### MULTIPLICATION OF ARMED ACTORS

The intensification of the conflict, including the perception that the government via the SNA was attacking civilians on one side of the conflict, created the context for the emergence of new militia. These included a Bantu militia led by Sheikh Salah (Digil-Dube), a former Al Shabaab fighter. He led a series of attacks on Habergedir- and other Hawiye-controlled farms, which he alleged had been unjustly seized in 2014 and 2015.<sup>126</sup> In 2016, **a new coalition of Bimaal, the Salah militia and other Digil and Bantu fighters formed as the Lower Shabelle People’s Guard (LSPG).**<sup>127</sup>

#### WIDER IMPACT

Ultimately, **the Bimaal/Habergedir conflict exacerbated tensions between different parties to the Al Shabaab conflict and eroded local community support for the FGS,** undermining the fight against Al Shabaab. By 2016, many of the locations that had come under FGS control during the 2012/13 FGS offensive had once again returned to Al Shabaab, in part as a result of a series of rapid withdrawals of AMISOM and FGS forces. Between June 2015 and January 2016, for instance, AMISOM and SNA abandoned their bases in Awdhegale, Janale, Kurtunwaarey and Tortoorow. Marka oscillated back and forth between various Al Shabaab- and non-Al Shabaab-aligned forces for most of 2016.<sup>128</sup> **The consequences for civilians in the aftermath of Al Shabaab takeovers were often severe,** rendering the local community wary of every exchange of control and weakening their trust in the FGS.

#### CEASEFIRE

**In 2018, Habergedir and Bimaal agreed on the most recent ceasefire, which, in the main, has held.**<sup>129</sup> Marka has firmly come under the control of a Bimaal-led local administration and both Bimaal and Habergedir militia have been integrated into the SNA and the National Intelligence and Security Agency (NISA) in and around Marka. Elements of the SNA command particularly responsible for civilian harm have been relocated outside the town, which has reduced communal tensions and hostility towards the SNA.

Marka’s Habergedir community has slowly returned to prominence as new alliances are forged, including across clan lines, united in a desire to revive the economic fortunes of this once-flourishing port city. Without a common enemy and with new equities to consider, however, fissures have arisen in the Bimaal political and military leadership. One experienced analyst described the current situation as a “temporary time” in which the underlying issues of access to land and power, as well as the impunity of armed actors, have remained effectively unaddressed.<sup>130</sup>

<sup>125</sup> UNSC (2014). *Somalia report of the Monitoring Group on Somalia and Eritrea*.

<sup>126</sup> The militia assisted AMISOM against Al Shabaab and in turn received a measure of protection from them, for a period of time.

<sup>127</sup> In the founding statement, the LSPG leaders declared that it had been established: “for the sole purpose of protecting the common interest of the lower Shebelle community, who desperately need to safeguard their people, territory and its resources.” Particularly cited were “atrocities such as unabated killings, massive looting and the brutal rapes targeted at the lower Shebelle people”; the “humanitarian crisis caused by the developmental retardation of the region inflicted on by both the extremist groups and government militia” and the “lack of free movement of the people due to roadblocks, extortion and ransom, as well as huge illegal taxations.” Abdiqani A. Yusuf (2016). *Press release, Announcement of Lower Shebelle People’s Guard (LSPG)*. August 10, 2016. The signatories to the press release were key Bimaal militia leaders and Sheikh Salah.

<sup>128</sup> See *inter alia*: BBC (2016). *Al-Shabab ‘retakes’ key Somalia port city of Merca*. BBC News, February 5, 2016.

<sup>129</sup> No assessment of losses was conducted, and no compensation was paid by either side. In terms of the Bimaal abandonment of Al Shabaab, the group reportedly did demand a certain number of weapons and young men. While weapons were provided, elders did not return to deliver young men. Interview with Bimaal elder, September 11, 2020.

<sup>130</sup> Interview with former senior government official, 23 September 2020.

## THE GAALJE'EL (HAWYIE) - SHANTE'ALEEN (DIGIL) CONFLICT IN WANLAWEYN

The other recent inter-clan conflict in which civilians have been deliberately targeted, and into which both Al Shabaab and SNA have inserted themselves, erupted between the Gaalje'el and the Digil-Shante'aleen communities in Wanlaweyn in 2020. **Violence escalated in April 2020 and has resulted in at least 25 civilian deaths, displacement of hundreds and the burning of homes.**<sup>131</sup>

The conflict appears to have been triggered by local Gaalje'el claiming political exclusion from SWS government structures and galvanizing support from Gaalje'el communities in Hiraan to enhance their power base in Lower Shabelle.<sup>132</sup> The restructuring and redeployment of SNA based in Baidoa appears to have heightened tensions as members of the Hirshabelle and SWS parliaments encouraged the fighting, which involved parts of the SNA's 7<sup>th</sup> Battalion.

Although Al Shabaab has historically maintained a strong alliance with the Gaalje'el in the area, during the conflict it conducted attacks on Gaalje'el civilians, members of the security forces and administration officials.<sup>133</sup> For instance, in June 2020, Al Shabaab seized Yaqberweyne village and burned down adjacent settlements. The attack may have been related to the filing of a case at Al Shabaab's Bulo Fulay court over the rape and torture of four girls by Gaalje'el SNA soldiers. One girl died of her injuries.<sup>134</sup>

The conflict drew a strong reaction from both SWS and FGS administrations. The SWS government appointed a peace committee to engage, culminating in an agreement in July, which included support for the creation of an integrated local SWS State Darwish force, comprised of 250 fighters from both sides. Unlike the Bimaal/Habergedir conflict, there were initial attempts to prosecute those with political and military responsibility for the violence.

On April 2020, Colonel Salad Tifoow, Commander of the SNA 7<sup>th</sup> Battalion, was detained by a military court and allegedly accused of war crimes.<sup>135</sup> Around the same time, a case was filed in Federal Court against a group of SWS and Hirshabelle State officials for "participating in and escalating clan conflict. It is understood that all were later released and that no charges were pursued.

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<sup>131</sup> UNSG (2020c). *Situation in Somalia, Report of the Secretary-General, 13 May 2020, S/2020/398.*

<sup>132</sup> The Gaal'jeel and the Shante'aleen have a history of conflict over access to water and pasture.

<sup>133</sup> In August 2020, for example, the Head of Finance in Wanlaweyn, Mohamed Abdullahi Costa, was killed at his residence.

<sup>134</sup> Private security analysis, incident report April 18, 2020, on file with the author.

<sup>135</sup> One expert suggests that the arrest did not reflect a desire to address accountability for SNA involvement in civilian harm, but to engineer the installation of another military commander. See report at: <https://goobiooge.net/maxkamadda-ciidamada-oo-xirtay-abaanduule-ka-tirsan-ciidamada-milateriga-oo-ku-eeedeeyan>

## B. LAND AND RESOURCES

Although Somalia's GDP per capita has been increasing since 2015, nearly 70% of Somalia's population lives on less than US\$ 1.90 per day.<sup>136</sup> **In the absence of state services, most goods and services have to be sought privately, including in the form of humanitarian aid.** The majority of Lower Shabelle's population consists of small farmers and agro-pastoralists who have few external financial safety nets.<sup>137</sup> Such communities are particularly vulnerable to natural disaster, conflict and displacement: Lower Shabelle's riverine farming, and mixed farming groups were among those Somalis most affected by Somalia's last two famines in 1992 and 2011.<sup>138</sup>

As a result, described in Part II, Lower Shabelle's populations are consistently assessed as in most humanitarian need, calculated across all humanitarian indicators and across all regions of Somalia.<sup>139</sup> At the same time, Lower Shabelle is one of the most fertile and resource rich regions of Somalia. The explanation of this paradox is found in decades of contestation over the region's bounty and have prevented the people of Lower Shabelle from prospering in their *deegan*.

### AGRICULTURE

For most of the past three decades, Somalia has operated an informal economy with **agro-pastoralism (particularly livestock, but increasingly horticulture), telecommunications and finance** as the major sectors. **Lower Shabelle is one of the two hubs for Somalia's rain- and irrigation-fed agriculture industry.** Before the civil war, Lower Shabelle's commercial fruit plantations underpinned Somalia's status as one of the largest banana exporters globally.

**Historically, land in Lower Shabelle was communally owned.** Customary *xeer* governed access for various clan lineages, resource sharing with pastoralist clans and the processes by which new arrivals were accommodated. Since the colonial era, however, Lower Shabelle has been the locus of various phases of administrative and armed efforts to control and exploit its rich farmland. Independence brought a new round of dispossession, including **legislation to nationalize customarily-held land** and institute large mechanized agricultural schemes; **enclosure practices to privatize resources**, including access to water points; and, eventually, **widespread corruption that sanctioned the granting of land to government officials.**<sup>140</sup> This pushed small farmers into penury and triggered outwards migration as well as coping mechanisms such as charcoal production, further denuding the land.

The civil war brought new waves of violence and dispossession as **powerful militias and remnants of the army vied for control in Lower Shabelle, focused on critical centers of agricultural production** such as Afgooye and Shalambood. Deliberate destruction of water points, looting of livestock and proliferation of landmines further impoverished those who attempted to remain and work the land. The Hawiye-dominated USC and its successor militias eventually gained the upper hand over routing Darood militia. **By 1995 large-scale banana trade had resumed, fueled by investment from the Brazil and US fruit multinationals and fierce rivals De Nadi and Dole.** The intensity of competition for control of production and export included the operation of

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<sup>136</sup> See *inter alia*: <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?end=2018&locations=SO&start=2011> and World Bank (2020). *Outlook Somalia, 2019*.

<sup>137</sup> Livelihoods classifications for the region primarily reflect riverine agriculture, agro-pastoralism, pastoralism (particularly in the coastal zones), in addition to fishing – today a minor commercial activity – and urban sedentary.

<sup>138</sup> For a detailed analysis of the “characteristics of smallholder farming and various factors that influence agricultural production of the riverine population” in Lower Shabelle and those that contributed to the famine in 2011, see: FEWSNET (2013). *Subsistence Farming in Lower Shabelle Riverine Zone*. Famine Early Warning Systems Network.

<sup>139</sup> Lower Shabelle is Somalia's third most populous region after Benadir and Woqooyi Galbeed (including Hargeisa and Berbera). See: UNFPA (2014). *Population estimation survey*.

<sup>140</sup> The Land Registration Act of 1975 nationalized land tenure and gave state courts, rather than customary authorities and sharia courts, jurisdiction over disputes. See: Ismail Elmi (2020). *Access to Justice Assessment Tool – Baseline Study for Somalia: Legal Review*. Expanding Access to Justice Program, American Bar Association & Pact Kenya. On land grabbing by officials, see: Omaar & de Waal (1994). *African Rights, Grass and the Roots of Peace*; Anonymous (2008). *Land, property and housing in Somalia*.

rival militias but was a short-lived experiment. The two companies withdrew from their Somalia operations in 1996.<sup>141</sup>

After the civil war, a new business model developed in Lower Shabelle in support of both the banana and other trade after the civil war. **Private businesses built up or created alliances with powerful militia to protect assets, whether seized farms or ports and airports, in order to maintain supply lines for lucrative imports** (sugar, drugs, weapons etc.) and exports (banana). These militia were the antecedents of the ICU, then Al-Shabaab, and in parallel, today's SNA and allied forces that continue to exert control in Lower Shabelle.<sup>142</sup> Local landowners and homeowners were evicted as required, with local militia unable to make much resistance.<sup>143</sup> Although some small farms have returned to Al Shabaab control, the main commercial farms are widely believed to still be in Habergedir and Murusade hands.

#### AGRICULTURE & EXPORT

#### POLITICAL ECONOMY

Although some small-scale commercial banana production and export is starting up again,<sup>144</sup> **the main focus of commercial farming today in Lower Shabelle is on other crops that are less expertise and labor-intensive.** As of 2018, Somalia's production of watermelon, tomato, onion and citrus fruits (particularly lemons and limes) was higher than, or just slightly below, peak pre-war levels, much of it grown on farms in Lower Shabelle.<sup>145</sup> The **export trade in Somali dried lemons in particular has been steadily growing**, with demand overtaking production in 2013. With additional investment pouring in, one estimate is that over 100,00 hectares are currently used for lemon farming in Lower Shabelle, with dried product sold to the United Arab Emirates (UAE), other Gulf states and Turkey.<sup>146</sup> The main farms and drying areas are in Afgooye/Bariire, Awdhegle and Kurtunwaarey. **Sesame production also appears to have skyrocketed across** Lower Shabelle since 2018.

#### THE BUSINESS OF AID

In parallel with the civil war and efforts to revive Somalia's agricultural trade, the *business* of aid also blossomed. For want of state security forces, international humanitarian organizations, private or intergovernmental, and local NGOs needed the support of powerful local actors to operate. This gave rise to **a symbiotic relationship between aid, financial flows and the sustenance of armed actors.**<sup>147</sup> In 2010/2011, as famine loomed and spread across Somalia, allegations of an alliance between the principal transporters and warehouseers of food aid for the World Food Programme, control of El Maan port in Middle Shabelle, NGOs and local militia, for purposes of trafficking in weapons, financing of armed groups and large-scale diversion of aid, convulsed the UN system.<sup>148</sup>

<sup>141</sup> For an account of what came to be called "the banana wars," see: Christian Weberisk (2005). *Fighting for the Plenty: The Banana Trade in Southern Somalia*. *Oxford Development Studies*, 33(1), 81-97.

<sup>142</sup> See: Aisha Ahmed (2015). *The Security Bazaar: Business Interests and Islamist Power in Civil War Somalia*. *International Security*, 39(3), 89-117. At the peak of the conflict in Mogadishu in 2008, Hormud reportedly spent half its personnel hiring budget on security. Weberisk, Hansen & Egal (2018). *Somalia: A Political Economy Analysis*. The alleged funders of these militias included leading Hawiye businessmen such as Ahmed Dualle Gelle 'Haaf' (Habergedir-Sa'ad, later President of Galmadug), Haji Abukar Omar Adani (Abgaal, holder of El Maan port and backer of the ICU, arrested in October 2020 by NISA on suspicion of financing Al Shabaab), and Abdirashid Ilqeyte (Habergedir-Sa'ad, killed in an attack by Al Shabaab in Mogadishu).

<sup>143</sup> Interview with former government official, and long-term resident of Lower Shabelle, September 23, 2020.

<sup>144</sup> As of 2019, farmers are cultivating banana on approximately 6,000 hectares, mainly in Lower Shabelle. See: FGS (2019). *Banana Production and Export Guide, Somalia*. Federal Government of Somalia.

<sup>145</sup> UNFAO (2018). *Somalia: Country Economic Memorandum Volume I, Rebuilding Resilient and Sustainable Agriculture in Somalia*. Food and Agriculture Organization of the United Nations & The World Bank.

<sup>146</sup> Confidential report reviewed by author, September 2020. The floods of 2020 will, however, likely impact production trends.

<sup>147</sup> In Marka, one international NGO was prominently associated with the Habergedir community and its allied militia, while a Bimaal-run national organization maintained its own militia fighters.

<sup>148</sup> UNSC (2009). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 1853 (2008)*.

The expansion of the FGS has not fundamentally changed these dynamics. They may have become less overt as compliance requirements and third-party monitoring mechanisms have become more stringent. Individuals and families with long histories of engagement in the humanitarian sector, whether for international or national organizations, frequently have interests in multiple NGOs, related businesses and in the armed security sector, creating interest-networks which span different sectors.<sup>149</sup> In some places, these networks amount to cartels, advanced through political patronage. As a result, **NGOs in Lower Shabelle—including international NGOs—and UN agencies to some extent, tend to be perceived by local communities as businesses ‘owned’ by a particular network**, usually allied with a particular sub-clan or business alliance and protected by particular militia or elements within the security forces.

**Aid flows constitute a serious business in Lower Shabelle.** In Somalia as a whole, development aid has been steadily rising over the past decade. Western and associated donors increased their contributions from US\$ 202 million in 2009 to over US\$ 874 million in 2018. In 2018, the Official Development Assistance (ODA) to Gross Domestic Product (GDP) ratio was 27%. Although separate figures are not available for Lower Shabelle, in 2018 over 300 million USD was specifically earmarked for the three regions of South West State and mostly allocated for resilience programming. This stream included significant funds for agricultural inputs, support for small-scale farmers and agriculture related infrastructure, all of direct relevance to the Lower Shabelle context.<sup>152</sup>

Figures for 2019 were similar. Resilience programs accounted for just under one third of total ODA receipts. In addition, international partners spent approximately US\$ 1.5 billion a year on peacekeeping, counterinsurgency and related activities, according to last available estimates in 2017. Lower Shabelle is likely to be the locus of a significant portion of these activities.<sup>153</sup> As a result, as Gundel and Allen point out, the “clear majority of NGOs and other organisations have largely become service providers (effectively

**AID BUSINESS EXCLUDES  
THE  
MOST VULNERABLE**

**POLITICAL  
ECONOMY**

As a result of the particular history of aid agencies, brokers and contractors in Lower Shabelle, **most humanitarian entities headquartered in Lower Shabelle are associated primarily with Hawiye clans (Abgaal, Habergedir and Murusade) and often to regional or national level government entities. A few are linked to the Bimaal, Digil and Gibil’ad clans**, and one or two small entities with the Bantu community. Since the creation of SWS, Mirifle-aligned entities have also entered the fray. The most vulnerable of Lower Shabelle’s population, therefore, may not only be denied equitable access to aid, but are also generally excluded from the business of aid, which is central to the local economy.

These **aid networks are exclusionary, whether along clan or cross-clan business network lines**. As Hamer and Majid point out: “many groups – disproportionately the more vulnerable – are often not part of such networks and redistributive practices.”<sup>150</sup> A 2015 study found that 87% of survey participants saw corruption as the single biggest obstacle to receiving humanitarian assistance in Southern Somalia.<sup>151</sup>

<sup>149</sup> See: Weberisk, Hansen & Egal (2018). *Somalia: A Political Economy Analysis*.

<sup>150</sup> Majid & Hamer (2016). *Collective resolution to enhance accountability and transparency in emergencies, Southern Somalia Report*.

<sup>151</sup> See: Secure Access in Volatile Environments (SAVE) study, cited in Majid & Hamer (2016). One large NGO engaged in significant diversion of aid was discovered during a UN investigation to be linked to a network of other NGOs that also received international funding, from which it bought services without declaring conflicts of interest. It was also connected to a range of businesses from medical clinics to construction to farming, which benefitted from sub-contracts and diversion. These various enterprises were supported by armed militia that protected and enforced the NGOs’ interests, including through attacks on civilians. The story of this NGO is not unique. Aid, politics, business and (in)security networks are common throughout Somalia. They have a particularly long history in Lower Shabelle.

<sup>152</sup> These numbers do not include key partners such as Arab States, Turkey, the Islamic Development Bank etc. See: FGS (2019a). *Investment, and Economic Development, Aid flows in Somalia*. Federal Government of Somalia Ministry of Planning.

<sup>153</sup> *Ibid*.

private businesses) to the international aid industry.”<sup>154</sup>

The **business side of aid in Lower Shabelle has rendered corruption and manipulation of aid flows a ‘normal’ way of working**, reflecting “historical and now well-established patronage networks which involve a redistribution of resources.”<sup>155</sup> Diversion and ‘taxation’ of aid occurs across the whole cycle of aid delivery, from UN agencies to partner NGOs (international and local) to government entities, local officials, third party monitors—and Al Shabaab.

## RECENT TRENDS IN AID, AGRICULTURAL INVESTMENT AND DISPLACEMENT

Over the past few years, a shift to **the use of cash for humanitarian inputs has transformed the business of aid in Lower Shabelle**. Transport and warehousing of food aid have receded in importance relative to the cash transfer sector. The overwhelming majority of cash transfers are conducted through Hormuud, the telecommunications company which controls the international money transfer company TAJ, and Salaama Bank, Somalia’s largest commercial bank. Although the level of cash transfers targeted at populations *present* in Lower Shabelle is low, displaced people *originally from Lower Shabelle* comprise a significant percentage of the IDP beneficiary lists in Mogadishu.<sup>156</sup>

At the same time, **Hormuud and other companies involved in the mobile money/hawala/money transfer business, such as Dahabshiil,<sup>157</sup> are reportedly buying up agricultural land** and engage in cash crop and milk production in Lower Shabelle, including in Al Shabaab controlled areas.<sup>158</sup> This raises questions about the relationship between: these investments in land and farming; the intended beneficiaries of cash and other inputs in and around Mogadishu and Lower Shabelle—mainly small farmers or IDPs from those same farming areas; and those who are involved in the business of aid.

Some commentators have argued that **some business networks could benefit from maintaining the displaced status quo of communities in Lower Shabelle**.<sup>159</sup> They point out that cleared land can be used for quick-profit commercial cash crop production, while the landless population constitutes a flexible and exploitable labor force. Meanwhile, the presence of IDPs displaced from rural to urban areas also serves to increase the volume of aid arriving in a district, as most of the major international agencies are prohibited from sending cash transfers into Al Shabaab controlled areas.

### AL SHABAAB

### DISPLACEMENT AS A BUSINESS MODEL

It can be argued that **Al Shabaab’s current economic and political strategy also benefits from the displacement and dispossession of particular communities**. As displacement rose in 2017 during the drought, for example, Digil-Bantu communities recounted that after receiving permission to leave their farms to access humanitarian aid in town, they were required to remit mobile money transfer payments in order to maintain land title. In Lower and Middle Jubba, there are indications that Al Shabaab may be facilitating the ‘clearance’ of indigenous communities from areas along the Juba river to allow other communities to settle.<sup>160</sup> Although this has not been documented in Lower Shabelle, anecdotal evidence suggests that Al Shabaab no longer fully protects

<sup>154</sup> See: Sean Allen & Joakim Gundel (2017). *Civil society and civic engagement on accountability in Somalia*. Katuni Consult.

<sup>155</sup> Nisar Majid & Adele Hamer (2016). *Collective resolution to enhance accountability and transparency in emergencies, Southern Somalia Report*. Transparency International.

<sup>156</sup> <https://data.humdata.org/dataset/cash-based-programming-in-somalia-2018/resource/be8993f8-ab0a-4655-b7b5-790b1dd43dc9>

<sup>157</sup> “Dahabshiil also invests in real estate and agriculture, including cash crops in Lower Shabelle, such as banana and lemon”. Susanne Jaspars, Guhad M. Adan & Nisar Majid (2019). *Food and power in Somalia: business as usual? A scoping study on the political economy of food following shifts in food assistance and in governance*. Conflict Research Programme, London School of Economics and Political Science, London, UK.

<sup>158</sup> One source identified Hormuud agricultural investments between K50 and Bariire (10,000 hectares) and Sablale (200,000 hectares).

<sup>159</sup> See: Jaspars, Adan & Majid (2019). *Food and power in Somalia: business as usual?*

<sup>160</sup> On the increasing presence of Bantu in IDP settlements in Kismayo and possible inferences, see: Jaspars, Adan & Majid (2019). *Food and power in Somalia: business as usual?*

marginalized communities from land dispossession and favors particular communities when granting permission for land use in Lower Shabelle.

At the same time, humanitarian businesses providing cash, food and non-food items gain new customers as the numbers of displaced rise. Finally, the presence of IDPs in urban areas augments the political and financial power of local administrations and those who are gatekeepers/owners of settlements, often themselves politicians or aid agency staff.<sup>161</sup> Displaced populations are often ‘fought over’ to attract resources, which generates incentives to increase the number of local IDPs. A sultan of a clan strongly impacted by displacement explained: **“This is a system to evacuate my people from their territory. They are even being adapted to being helped.”**<sup>162</sup>

## FOOD AND POWER

A recent **report from the Conflict Research Programme at the London School of Economics has examined the linkages between a set of shifting political, economic and natural environment dynamics that are impacting food and power** in Somalia as a whole. While the particular relationships between these factors require further study, the authors argue that these patterns of change have already had significant implications for food insecurity and vulnerability to famine, particularly for “large, rural and structurally marginalised groups”—the majority of Lower Shabelle’s population.<sup>163</sup>

Applying the analysis set out in the report to the specific context in Lower Shabelle, it becomes clear that shifts in agricultural practice and land use have impacted – and in turn been impacted by – cycles of dispossession, conflict, displacement and violence against civilians described in Part II. The forces and conditions in the region that impact livelihoods and power include:

- **An increase in cash crop production over the past 10-15 years and control of trade by a few buyers/traders:** sesame and lemon have been the focus of this shift, with yields little impacted by the 2017 drought and displacement of population;<sup>164</sup>
- **Altered food consumption patterns, *inter alia* linked to urbanization/displacement,** which have reduced production of local staple food crops such as maize and sorghum, the availability of aid alternatives and food security as a whole;<sup>165</sup>
- **The banning of food aid, restriction of humanitarian operations and more aggressive taxation** and land use policies by Al Shabaab, impacting populations both directly under Al Shabaab control and in internal displacement elsewhere;<sup>166</sup>
- **Reduced access to remittance safety nets:** while research on Lower Shabelle communities is not available, extrapolations from engagements with Rahanweyn and Bantu communities elsewhere in Somalia and anecdotal evidence from Lower Shabelle suggest that this is the case.<sup>167</sup>

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<sup>161</sup> Bryld, Kamau & Sinigallia (2013). *Gatekeepers in Mogadishu*.; McCullough & Saed (2017). *Gatekeepers, elders and accountability*.

<sup>162</sup> Interview with Sultan from Digil community, September 16, 2020.

<sup>163</sup> Jaspars, Adan & Majid (2019). *Food and power in Somalia: business as usual?*; Nisar Majid & Susanne Jaspars (2020). *Talking food and power in Somalia: discussions in Nairobi and Mogadishu*. London School of Economics and Political Science.

<sup>164</sup> In 2018 it was reported that sesame production had surpassed pre-war levels. On a large scale, sesame and lemon require minimum labor, water and infrastructure and can reap a swift profit. See: UNFAO (2018). *Somalia: Country Economic Memorandum Volume I*.

<sup>165</sup> Jaspars, Adan & Majid (2019). *Food and power in Somalia: business as usual?*; Majid & Jaspars (2020). *Talking food and power in Somalia*.

<sup>166</sup> In 2011, the group banned 16 aid agencies from operating in its areas of control and intensified its rhetoric against humanitarian agencies and staff over the next five years. On January 14, 2014, Al-Shabaab’s Governor for the Banadir Region and spokesperson, Sheik Ali Mohamed Hussein (Sheikh Ali Jabar), urged via radio that the population “stay away from what is called the humanitarian agencies that bring the bad things.” He warned that “people should not work for them, people should not go to their offices because they are invaders, they are people fighting against us,” whether they are “Turkish, UN agencies or others.” The statement was distributed via Somalimemo and Radio Kulmiye.

<sup>167</sup> An exception are Juba Bantu/Waghosa communities whose relatives were the beneficiaries of a targeted resettlement program to the United States out of refugee camps in Kenya in 2003. Remittances are critical not just at household level but for Somalia’s economy and balance of payments. Remittances accounted for 32 % of GDP in 2019. See: World Bank (2020). *Somalia Global Outlook for 2019*.; Nisar

- **Sale, forced or voluntary,<sup>168</sup> or outright theft (although the latter practice is recently in decline), of fertile, riverine adjacent land traditionally farmed by historically marginalized Bantu and Digil communities**, both inside and outside Al Shabaab controlled territories: A recent WB/FAO report noted that some old banana plantations are now being used to grow other fruits, such as lemon, but that “production on these farms is inefficient, because they are occupied by people from different parts of the country who lack infrastructure, machinery, and knowledge of irrigation and plant management”;<sup>169</sup>
- **Displacement of marginalized farming and agro-pastoral communities** as a result of famine, land-dispossession and conflict, violence and natural disaster, with substantially rising levels of displacement since 2017;
- **High levels of humanitarian aid available in IDP settlements in FGS-held urban areas.**

## POLITICAL ECONOMY

## OTHER MAIN BUSINESS SECTORS

Agriculture, aid, management of infrastructure, and services such as telecommunications and money transfer have not been Lower Shabelle’s only economic sectors. As Al Shabaab increased its power across Lower Shabelle, the charcoal trade took off. Barawe became the main export point from Lower Shabelle until 2014. During this period up until 2018, an average of 4 million bags a year were exported from Somalia.<sup>170</sup> Marijuana has been a consistent crop in the region. Although the trade is illegal, it appears to be growing. Khat imports are also a core business.<sup>171</sup>

Building on previous surveys and concessions, there is potential that gas and oil exploration in Lower Shabelle may bear fruit, although current focus lies offshore.<sup>172</sup> Major infrastructure projects are also underway, such as the recently completed airport in Barawe and the road from Mogadishu to Afgooye. The road is funded by the Qatar Fund for Development in collaboration with a Turkish company—and has been the target of Al Shabaab attacks.<sup>173</sup> In March 2020, heavy rains had reportedly washed away the runway at Barawe’s US\$ 4.3 million airport, prompting allegations that corruption had undermined its construction.

Majid, Khalif Abdirahman & Shamsa Hassan (2017). *Remittances and Vulnerability in Somalia: Assessing sources, uses and delivery mechanisms*. Rift Valley Institute.

<sup>168</sup> Majid et al found “that the majority of displaced representatives interviewed [in 2019] reported that they sold their land to the powerful clans in their area before leaving.” See: Jaspars, Adan & Majid (2019). *Food and power in Somalia: business as usual?*

<sup>169</sup> UNFAO (2018). *Somalia: Country Economic Memorandum Volume I*, emphasis added.

<sup>170</sup> Al-Shabaab has taken a complex approach to the charcoal business in Lower Shabelle over the last decade, oscillating between encouraging and profiting from charcoal production and export and officially banning the trade, including destroying product and killing workers.

<sup>171</sup> See: Radio Dalsan (2020). *Danab Forces Discover Marijuana Planted On A Piece Of Land In Lower Shabelle (Kuntuwarey)*. August 16, 2020, available at <https://www.radiodalsan.com/en/2020/08/16/danab-forces-discover-marijuana-planted-on-a-piece-of-land-in-lower-shabelle/>; for a historical perspective see, Aweys Warsame Yusuf (2006). *Local Business, Local Peace: the Peacebuilding Potential of the Domestic Private Sector, Case study Somalia*. International Alert.

<sup>172</sup> Joakim Gundel (2020). *What’s the oil rush in Somalia?*, Conflict Research Program, London School of Economics & Political Science, June 2020, available at <https://blogs.lse.ac.uk/crp/2020/06/17/whats-the-oil-rush-in-somalia/>; Ingiriis (2020). *Profiting from the failed state of Somali*. The Ministry of Petroleum & Mineral Resources has launched an offshore licensing round between 4 August 2020 to 12 March 2021.

<sup>173</sup> In late 2017, Somalia and Qatar Tuesday signed a US\$200 million infrastructure and job creation agreement for funds to, among other things, build roads linking the Mogadishu and the Lower Shabelle regions. See: Qatar Fund for Development (2020). *Qatar Fund for Development is laying the foundation stone for a two-road project in the Somali city of Mogadishu.*; Yvonne Rarieya (2017). *Somalia inks \$200 million infrastructure deal with Qatar*. CGTN Africa, November 30, 2017.

## IV: NEGOTIATING A HYBRID POLITICAL AND SECURITY ORDER

Somalia is a hybrid political order in which **multiple sources of power compete, dominate or accommodate** each other. Somali and international forces exert influence in both formal and informal spheres of governance and must be analyzed not as distinct but as “connected, intermingled and interpenetrated.”<sup>174</sup>

More than any other region, **Lower Shabelle has endured decades of military and political control by different actors and has borne the brunt of the convulsions of the re-emerging state.** This has profoundly shaped its security, justice and governance context and undermined trust of many inhabitants in the idea of a central protective national government. De Waal’s concept of the ‘political marketplace’ as “a system of governance where transactions or deals to buy political loyalty, dominate institutions, laws, and regulations” is particularly apt for Somalia and Lower Shabelle.<sup>175</sup>

For **most of the last three decades, except for periods during which Al Shabaab has been in control, communities in Lower Shabelle have had to rely on local forms of government.** These were cobbled together from coalitions of private or clan militia, businesses, civil society/NGOs, religious and traditional leaders, including through nodes of shari’ah courts, constituting what Menkhaus has called “governance without government”—“informal systems of adaptation, security, and governance in response to the prolonged absence of a central government.”<sup>176</sup>

- **At the municipal level**, the Marka city administration is one example that has managed to provide some level of social services in addition to basic security at various times.<sup>177</sup>
- Within the area today governed by South West State, historical initiatives to establish **regional forms of governance** have included the Rahanweyn Resistance Army’s Administration in Bay and Bakool and that of Yusuf Indha’adde’s ‘governorship’ in Lower Shabelle, although the latter governed less by consent than as a “military occupation.”<sup>178</sup>

As will be discussed below, the ascendancy of the ICU and later Al Shabaab—initially supported by business elites seeking more predictable, just and cost-effective security—challenged these local political and security entities, but also, later, the emerging State government.<sup>179</sup>

Today, Lower Shabelle is one of three administrative regions within South West State, a Federal Member State formally recognized in 2014 after a much-contested process in which various regional combinations had been proposed.<sup>180</sup> Citizens of Lower Shabelle seeking redress for harm to their person or possessions have a choice of **three principal justice providers: Al Shabaab, state courts and traditional elders.** In some places, such as Barawe, shari’ah courts also operate effectively, but primarily address issues such as inheritance and family law. An assessment of community perceptions in Afgooye carried out in early 2020 by an EAJ Program partner found that 25% of survey participants stated that they would turn for justice to state authorities, 25% to local elders, and 35% to Al Shabaab. The other 15% could not give an answer.

The following sections discuss aspects of Lower Shabelle’s political, economic and security context in which these three main sites of adjudication and arbitration operate. It also reflects on perceptions of

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<sup>174</sup> McCullough & Saed (2017). *Gatekeepers, elders and accountability.*

<sup>175</sup> Alex de Waal (2015). *The Real Politics of the Horn of Africa: Money, War and the Business of Power.* Oxford: Polity Press.

<sup>176</sup> Menkhaus (2006). *Governance without Government in Somalia.*

<sup>177</sup> Conversation with local activist, 2 August 2020.

<sup>178</sup> Menkhaus (2006). *Governance without Government in Somalia.*; Functional polities at the regional level in Somalia have emerged most successfully in Puntland and Somaliland.

<sup>179</sup> On the origins of the ICU, see: Ahmed (2015). *The Security Bazaar: Business Interests and Islamist Power in Civil War Somalia.*

<sup>180</sup> As a result of its geographic importance and diverse clan composition, Lower Shabelle at one point was the focus of competition between three competing federal state projects: the Southwestern State of Somalia (6 regions), a three-region state and the two-region “Shabelle State”. The administration of SWS is currently headquartered in Baidoa (Bay region) with an intention to move to Barawe, the constitutional capital, once security and infrastructure conditions allow.

the role of Lower Shabelle's principal armed actors in dispute resolution and generation of injustice.<sup>181</sup>

## A. AL SHABAAB

Al Shabaab plays a complex role in the delivery of justice, governance and protection in Lower Shabelle, not least as it is consistently responsible for the greatest number of violations against civilians. The group originated in the shari'ah courts movement that established zones of Islamic governance in the years following the collapse of the state, most prominently through the Islamic Courts Union (ICU), which expanded to Lower Shabelle in 2006.<sup>182</sup> When the ICU fragmented, its youth enforcement wing, Harakaat Al Shabaab A Mujahedin ('Islamic Youth Movement') remained, extending its control across Lower Shabelle, until in 2012 the FGS and AMISOM challenged its dominance.

**From its beginnings in the ICU, Al Shabaab has presented itself as a justice provider and counterpoint to the chaos of civil war and warlordism.** It promoted individual accountability based on shari'ah law, rejecting the traditional *xeer* concepts of collective gain or guilt and their basis in clan *diya* paying groups.<sup>183</sup> For communities in Lower Shabelle which had suffered violent marginalization, **Al Shabaab offered an opportunity to transcend clannism and to participate in developing an antidote to the "logics of identity and territory" which had been the cause of so much suffering.**<sup>184</sup>

Although the Salafist Al Shabaab deeply and violently opposes Sufism, killing religious leaders and destroying the graves of important sheikhs in Lower Shabelle, it is possible that the history of the *jama'a* (religious settlements) in Lower Shabelle as places of sanctuary and equality for both oppressed runaway slaves and the displaced from the 19<sup>th</sup> century up to the 1970s might have played a part in the receptivity of the community to this new movement.<sup>185</sup> The ascendancy of the Sufi orders over many centuries has contributed to religious practice and learning which has created "deep bonds between large sectors of Lower Shabelle residents beyond clan allegiance and other social hierarchies."<sup>186</sup>

## PROTECTION, CITIZENSHIP AND RESISTANCE

As the TFG/FGS evolved and the conflict against Al Shabaab expanded in Lower Shabelle, **Al Shabaab promised a refuge from the violence and chaos of the State, first and foremost through its justice and education systems.** Research conducted with 35 Al Shabaab members and leaders in 2014 found that almost every interlocutor mentioned the importance of justice and the need for a refuge from "clannism, corruption and injustice" in explaining their support for the group.<sup>187</sup> In March

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<sup>181</sup> For a detailed overview of the plural justice landscape and the perspectives and behavior of justice seekers in Somalia as a whole, see: Robin Mydlak (2020). *Access to Justice Assessment Tool – Baseline Study for Somalia*. Expanding Access to Justice Program, American Bar Association & Pact Kenya. Although the survey on which the assessment was based was conducted in other regions of SWS and not Lower Shabelle, its overall findings provide an important backdrop to understanding the experience of the justice sector in Lower Shabelle. It should be noted here that prior to the coming to power of the military government in 1969, Lower Shabelle was part of a broader Banadir region that included today's Middle Shabelle. Today, such a constellation would differ from other member states in several respects, including the lack of a shared border with Ethiopia. This also highlights the ambiguity of Lower Shabelle: administratively part of South West State with Baidoa as its *de facto* power center but in practice mainly influenced by and connected to Mogadishu and, further removed, Jowhar. The appearance of Hirshabelle's Ma'awisley militia at checkpoints in Lower Shabelle underscores this linkage.

<sup>182</sup> See *inter alia*: Matt Bryden (2014). *The Reinvention of Al-Shabaab: A Strategy of Choice or Necessity?* Sahar Research.; Karin Göldner-Ebenthal (2019). *Salafi jihadi armed groups and conflict (de-)escalation: The case of al-Shabaab in Somalia*. Case study report, Berghof Foundation.; Mary Harper (2019). *Everything that you have told me is true, the many faces of Al-Shabaab*. London: Hurst.

<sup>183</sup> Al Shabaab courts generally, but not always, oppose reference to the *xeer*, although in some places Al-Shabaab does encourage disputants to engage with the traditional system first on some issues, before coming to its courts if agreement cannot be found.

<sup>184</sup> de Waal (2018). *The Prairie Fire that Burned Mogadishu*.; Hussein Solomon (2014). Somalia's Al Shabaab: Clans vs Islamist nationalism. *South African Journal of International Affairs*, 21(3), 351-366.

<sup>185</sup> For an overview of the institution of *jam'a* in Lower Shabelle, see: Marchal & Yusuf (2016). *Lower Shabelle in the civil war*.

<sup>186</sup> *Ibid.*

<sup>187</sup> Markus V. Hoehne & Najum Mushtaq (2014). *Alternatives for Conflict Transformation in Somalia. A Snapshot and Analysis of Key Political Actors' View and Strategy*. Life and Peace Institute.

2017, another study in Afgooye found that civilian casualties caused by SNA and AMISOM operations fueled community grievances and heightened the attraction of Al Shabaab’s rule.<sup>188</sup> **The predictability of Al Shabaab’s brand of order and justice was often preferred, despite its severity.** In October 2018, when control of Bariire reverted to Al Shabaab, a local farmer told a journalist: “When the government soldiers were here, there was looting, illegal roadblocks and killing [...] but Al Shabaab cuts thieves’ hands and kills looters. [...] That way, we are at peace under Al Shabaab.”<sup>189</sup>

The role of Al Shabaab in the provision of justice and protection to local communities, however, goes beyond law and order. Saferworld’s research in Afgooye in March 2017 heard two main justifications for support to Al Shabaab’s administration: “political and economic exclusion by undemocratic local administrations that prioritise the interests of a particular clan” and Al Shabaab’s embodiment of “a legitimate means of undermining [the government] in the absence of fair processes.”<sup>190</sup> **Acquiescence with Al Shabaab’s authority, therefore, appears to be often driven less by ideological conviction than by a belief that there is little opportunity for political and economic inclusion within the emerging state.**<sup>191</sup> As Marchal and Yusuf put it: “Shabaab growth in Lower Shabelle expresses one side of a creeping citizenship crisis that has been resolved until now only in favor of the great pastoral clans.”<sup>192</sup>

## DISPUTE RESOLUTION AND JUSTICE

In a context in which identity and affiliation so consistently skews the outcome of statutory, shari’ah and xeer proceedings, **Al Shabaab can credibly offer marginalized communities protection from predatory clan, business or state-driven injustice.** Research conducted by the EAJ program suggests that Al Shabaab courts have “earned a reputation for providing efficient and fair justice services, especially with regards to women, minorities, and other vulnerable groups.”<sup>193</sup> The group’s enforcement capacities speak for themselves: anecdotal information from Wanlaweyn district tells how Al Shabaab threatens reluctant or recalcitrant disputants by sending US\$10 by mobile money— the price of a burial shroud.<sup>194</sup>

### AL SHABAAB

### ALTERNATIVE DISPUTE RESOLUTION

Over the last decade Al Shabaab has strategically presented itself as an alternative to lawlessness in Lower Shabelle, especially in the context of clan conflict. At the height of the Habergedir/Bimaal conflict, for example, a grandmother and her six grandchildren were killed and their hamlet destroyed at Essow near Marka in April 2016.<sup>195</sup> Habergedir-Saleban militia, co-located with SNA based in Shalambood, were accused of having carried out the attack. Al Shabaab officials arrived early the next day, collected forensic evidence and arrested four men, albeit later releasing them without charge. As clan revenge escalated, the-then Al Shabaab Governor of Lower Shabelle, Mohamed Abu Abdalla, organized a reconciliation conference, which produced an agreement in Janale on 28 April 2016.<sup>196</sup>

<sup>188</sup> Joanne Crouch (2018). *Counter-terror and the logic of violence in Somalia’s civil war - Time for a new approach*. Saferworld.

<sup>189</sup> Jason Burke (2018). *Al-Shabaab plundering starving Somali villages of cash and children*. The Guardian, February 23, 2018.

<sup>190</sup> Crouch (2018). *Counter-terror and the logic of violence in Somalia’s civil war*.

<sup>191</sup> For a recent survey on community perceptions of Al Shabaab and support for Al Shabaab, conducted in Baidoa, Kismayo, and Mogadishu, see: UNSOM (2017). *Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia*. UN Mission in Somalia.

<sup>192</sup> Marchal & Yusuf (2016). *Lower Shabelle in the civil war*.

<sup>193</sup> EAJ Program Description, April 2020.

<sup>194</sup> MoIFAR (2020). *Fragility Index and Maturity Model for Wanlaweyne*. Ministry of Interior, Federal Affairs and Reconciliation in collaboration with the Ministries of Interior of the Federal Member States of Galmudug, Hirshabelle, Jubaland and South West State.

<sup>195</sup> Interviews with relatives of the victims of the attack in Mogadishu and in Europe, May-June 2016; NGO and UN incident reports.

<sup>196</sup> The agreement did not hold. Abdalla was removed from this position and replaced by Mohamed Abu Usama, Al-Shabaab’s current governor of Lower Shabelle. A few months later, Al Shabaab joined the conflict against the Bimaal and began attacking civilian settlements. Habergedir-Saleban militia led by Nur Awale were based at Shalambood with SNA led by former District Commissioner Nur Jiddow, whose daughter had been killed by Bimaal militia on June 4, 2014. Nur Jiddow has since resumed the office of District Commissioner.

The **reputation of Al Shabaab’s judicial and enforcement capacities has been critical to establishing Al Shabaab as the dominant justice provider in both Mogadishu and Lower Shabelle**, covering a range of areas from family law to redress of offences against the person and commercial disputes. Land issues, for example, are mostly addressed at the group’s court in Tortoorow to where plaintiffs regularly travel from Mogadishu. Al Shabaab courts do not operate in isolation either. They are most often consulted where elders or the statutory courts cannot resolve a matter. Similarly, plaintiffs may leverage statutory courts to manipulate or accomplish stays in Al Shabaab courts.

Even as **support for the group as a whole has waned**, whether as a result of increasingly harsh governance or largescale attacks on civilians in FGS-associated areas,<sup>197</sup> **engagement with Al Shabaab’s court system has not**. Although the Badbadho military offensive in Lower Shabelle since 2019 did complicate access to Al Shabaab courts for those living outside Al Shabaab-held areas to some extent, a range of interlocutors described continuing engagement with Al Shabaab courts throughout 2020, with many travelling in and out of Al Shabaab-held areas for hearings. **Al Shabaab’s mobile courts continue to operate even after return of locations, such as Janale, to state authority**.

As Al Shabaab reviews its strategy in the context of the offensive, it is possible that the reach of its mobile court network will expand. Nevertheless, the retaking of Mubarak in September 2020 is likely to have caused some disruption to both the operation of courts and Al Shabaab’s finances: it was the court in Mubarak which enforced the group’s taxation of Mogadishu port, demonstrating sophisticated information management capacity that included comprehensive access to cargo manifests.<sup>198</sup>

#### REVENUE GENERATION IN LOWER SHABELLE

EAJ’s 2020 study *Shari’ah in Somalia* notes that **Al Shabaab: “maintains a full-fledged governance system with governors, tax collectors, and judges for each region, whether it exercises control or not.”**<sup>199</sup> Since 2011, Al Shabaab has centralized control of humanitarian agencies and information flows under its Amniyat internal security agency and increased its focus on revenue collection. Businesses, farms, livestock, irrigation, access to water points and farm equipment are all taxed.

**Transport, trade and travel, through vehicle registration and subsequent fee collection at checkpoints generate major revenue.**<sup>200</sup> In contrast with state-operated checkpoints, however, Al Shabaab provides receipts, so travelers do not pay multiple times. Businesses wishing to engage in projects in most parts of Lower Shabelle, including in territory recently reclaimed from Al Shabaab, must enter into an agreement with Al Shabaab that includes paying a set percentage of the project value. The recent resumption of work on the new Afgooye-Mogadishu road was suggested to have been facilitated in this way. Hawala and money transfer companies also negotiate tax rates for remittances.

**Funds received from humanitarian agencies or humanitarian operations have been an import resource for Al Shabaab** for the last ten years. In Lower Shabelle, this has involved both direct taxation of humanitarian assets via registration fees for organizations, project percentages, and beneficiary taxation (cash transfers and other inputs), in addition to indirect taxation, such as taxes relating to transport of aid. As Al Shabaab came under pressure from conflict and the 2016/2017

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<sup>197</sup> The October 2017 attack on Zobe in Mogadishu killed over 600 people and injured hundreds more. It was met with widespread protests.

<sup>198</sup> UNSC (2019). *Report of the Panel of Experts on Somalia submitted in accordance with resolution 2444 (2018)*.

<sup>199</sup> Abdirizak Ahmed, Sagal Ali, Erica Harper, Tanja Chopra & Robin Mydlak (2020). *The Shari’ah in Somalia*. Expanding Access to Justice Program, American Bar Association & Pact Kenya, 24.

<sup>200</sup> For movement of goods, the system usually operates a one-time truck registration (USD 600 per truck) and an ongoing rate (dependent on the size of the truck).

drought, it increasingly resorted to kidnapping and ransoming of humanitarian staff as revenue generation, framed as “detention” and “fines” for various infractions.<sup>201</sup>

Intensified military pressure on Al Shabaab has generally been accompanied by **increased taxation, forced recruitment of children, restrictions of movements and stricter application of laws** in areas under its control. In 2016, the group intensified its efforts to collect religious taxes (*zakat/infaq*) in Lower Shabelle reflected in “the quantity of goods confiscated, the frequency of collection and the coercive methods employed.”<sup>202</sup> Similarly, in the run up to the Badbadho Offensive between November 2018 and April 2019, communities in Lower Shabelle reported that Al Shabaab imposed additional forms of taxation—taxing the birth of a child, for example—and expanded the practice of abductions for ransom, particularly of individuals with family members in the diaspora or networks elsewhere in Somalia.

These activities have reportedly receded, not least due to continuing displacement of communities and the military push-back of Al Shabaab forces towards Bay and Middle Shabelle. Although it is not clear yet what impact Covid-19 has had on Al Shabaab’s income and revenue policy, as a leading analyst commented, **Al Shabaab is “no longer an insurgency but an economic power [...], a shadow state that’s out-taxing the government even in areas it doesn’t control.”**<sup>203</sup>

**Interlocutors in Lower Shabelle spoke little about the social services offered by Al-Shabaab** beyond physical security, the court system and (in some places) education – even though the group did prominently publicize its provision of humanitarian aid in some parts of Lower Shabelle during the 2017 drought.<sup>204</sup> There have also been some reports of microfinancing and granting of loans.<sup>205</sup> Overall however the trend appears to be in the opposite direction, with some evidence that Al Shabaab has been encouraging communities to establish private services, including through raising money from outside the community—in particular from diaspora—to establish private health clinics or schools that do not have to follow Al Shabaab-sanctioned curricula. This may reflect a new Al Shabaab strategy of large-scale financial accumulation and external, rather than community, investment, which the group appears to have been pursuing over the last few years.<sup>206</sup>

### **EROSION OF THE PROMISE OF JUSTICE: MANIPULATION OF CLAN AND OTHER INEQUITIES?**

For some communities in areas of Lower Shabelle under control by Al Shabaab, the narrative of equal justice that the group had initially promulgated has been challenged by its subsequent political and military posture. In its early years, Al Shabaab was highly effective in managing inter-clan conflict, from Abgaal/Garre tensions in Qoryooley to the Habergedir/Bimaal discord in Marka. Increasingly, however, **Al Shabaab’s political and military capabilities have been used in a number of places to favor one clan over another.** This has exacerbated intra-clan fissures and has communities suspect Al Shabaab of operating its own clan-bias. As of October 2020, for example, Al Shabaab has reportedly stoked tensions between Bimaal and Abgaal, and Murosade and Habergedir communities around Marka, arming fighters and provoking killings – likely to undermine the relative inter-clan peace which has held since 2018.<sup>207</sup> Al Shabaab has also played into the Gaalje’el/ Shante’aleen conflict in Wanlaweyn. The group’s courts and police appear to increasingly take sides in disputes between clans, providing facilities to detain elders or other civilians during clan conflicts or business wrangles.<sup>208</sup>

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<sup>201</sup> UNSC (2017). *Somalia report of the Monitoring Group on Somalia and Eritrea*.

<sup>202</sup> *Ibid.*

<sup>203</sup> Rashid Abdi, quoted in Abdi Latif Dahir (2020). *Feared Shabab Exploit Somali Banking and Invest in Real Estate*, *U.N. Says*. New York Times, October 11, 2020.

<sup>204</sup> Moses Rono (2017). *Somalia food crisis: Has al-Shabab adopted new approach to food aid?* BBC News, 22 March 2017.

<sup>205</sup> See: Harper (2019). *Everything that you have told me is true*.

<sup>206</sup> UNSC (2019). *Report of the Panel of Experts on Somalia*.

<sup>207</sup> Interview with Somali analyst October 4, 2020.

<sup>208</sup> Examples are the kidnapping of 30 Bimaal-Bantu community members from outside a mosque in Bandar village on March 20, 2015, and their transfer to Al-Shabaab’s Donburale base in Qoryooley during the peak of the Habergedir/Bimaal conflict. In terms of business disputes,

**Al Shabaab has begun to manage social dynamics differently** within its areas of operation. Whereas in the past, it tended to sideline traditional authorities in favor of Emirs from outside the area, in some places in Lower Shabelle it has begun to partake in the crowning of local sultans and to support other aspects of traditional governance. In 2017, Al Shabaab also began sharing the clan lineage of its ‘martyrs’ and targeting certain clans with education programs to encourage or cement their loyalty. In February 2017, for example, it publicized that young Jiddou students in Lower Shabelle had completed a course<sup>209</sup>—perhaps linked to the fact that Jiddou clan militia had been supporting AMISOM in the Qoryooley area in late 2016 and early 2017. Later, in Awdhegale in July 2017, the group issued identity cards—with a clan marker—to elders who had received religious training.

**Promotion of a clan in a particular area does not, however, necessarily imply that power is shared.** A landowner described how, although Al Shabaab had elevated his clan and provided military support in an inter-clan conflict, he or others in his clan were not permitted to engage in lucrative agricultural production in the area—a privilege that was granted to another clan. Some taxes in Al Shabaab areas, such as harvest taxes, are also applied unevenly, bestowing advantages on selected individuals and groups via much lower rates. For example, the taxation of the lemon harvest, a critical export crop, reportedly ranges between US\$ 90 and 250, depending on clan or other status.

#### MARGINALIZED EVERYWHERE?

#### AL SHABAAB / MINORITY?

There are also allegations that **Al Shabaab administrations have begun to replicate the inferior/superior clan dichotomy**, which it had originally challenged in doctrine and structure. A study of Al Shabaab’s governance in the Jubba Valley in 2013 and 2015, for example, documented discrimination against the Bantu community, including outright human rights violations. This harassment took the form of extortion and land-grabbing, repression of culture and language, taxation, investigation and punishment of offences, some of which through the group’s court system.<sup>210</sup> Although equivalent studies in Lower Shabelle are not available, Bantu interlocutors from a number of Lower Shabelle clans described incidents in which they had not felt treated as equals, particularly when access to agricultural land was in question.

In parallel with these evolutions, there has been a gradual **diminution of the diversity of Al Shabaab leadership** in Lower Shabelle.<sup>211</sup> Although the rank and file continue to reflect a broad cross-section of clan connections, the Governor of Lower Shabelle is Darood-Ogaden, his Deputy is Hawiye-Habergedir and is believed to be the main powerholder and supported by key officials such as the Head of the Courts systems (Habergedir-Sa’ad) and of the Jaysh al-Usra (Armed forces, Habergedir-Ayr). Internal security officials (both Amniyat and Hisbah) also appear to hail primarily from the Habergedir. This new dispensation has heightened community concerns about Al Shabaab’s orientation in Lower Shabelle.

Notwithstanding these changing dynamics, it is clear that **communities in Lower Shabelle still continue to view Al Shabaab’s court system (Qadaha)** – as opposed to its clan-focused political or military polices or practices more broadly – **as the most impartial justice provider** in the region. Research in and around Afgooye in mid-2020 found that 78% of interlocutors saw Al Shabaab

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the case of Moallim Abdikarim Bilaal, a well-known Bimaal-Bantu teacher in his 70s from Marka district, received widespread coverage on social media in August 2020. Further to his standing guarantor in a land deal, he was allegedly arrested by Habergedir militia when the purported seller escaped with the money without handing over possession of the land. He was allegedly handed over to Al-Shabaab and as of October 1, 2020, remains in custody. See: Shabelle Media Network, Twitter, August 24, 2020.

<sup>209</sup> See: Somalimemo (2017). *Daawo Sawirro: Arday Beesha Jiidde oo loosoo Xiray Machad Ay Ku Barteen Cilmiga Sharciga Ah*. (“The Jidou clan students completed their study of sharia”, informal translation), February 6, 2017.

<sup>210</sup> Most of the punished ‘offences’ do not constitute offences in Somali criminal law, customary *xeer* or *shari’ah* as practiced in Somalia.

<sup>211</sup> The oscillations in the Bimaal /Habergedir conflict precipitated some of this.

as the “fairest” in dealing with community members from different clans and settling issues that arise between clans, followed by clan elders (18%) and the FGS (4%).<sup>212</sup>

## B. FEDERAL AND DISTRICT GOVERNMENT ADMINISTRATIVE STRUCTURES AND ASSOCIATED SECURITY FORCES

The dynamics of how power derives from, and is wielded within, Federal and Federal Member State (FMS) structures are different in Lower Shabelle—at least outside Al Shabaab areas—to most other regions in Somalia. While regional political leadership and administration formally rests with SWS, in practice the Baidoa government exerts little influence in Lower Shabelle. **State security forces and related revenue streams continue to be primarily controlled from Mogadishu.** As a result, FGS and FMS nodes of power in Lower Shabelle are in constant competition for ascendancy, and the scales tip towards Mogadishu. The wider struggle in the balance of power between the FGS and FMSs in Somalia, which escalated in 2018 and 2019, has further undermined efforts to advance state legitimacy in Lower Shabelle.

The situation has changed little in the course of the more recent FGS offensive against Al Shabaab in Lower Shabelle. Since 2012, the frequent changes of controlling authority in key locations have resulted in civilians being detained, disappeared, executed or imprisoned by *both* Al Shabaab and FGS forces for alleged collaboration or for breaking blockades.<sup>213</sup> As Joanne Crouch put it: **“civilians [were] caught up between political fault lines in the looting, violence and taxation that comes with each actor’s pursuit of territorial, population and financial gains.”**<sup>214</sup> As a result of these experiences, local communities were initially much more reluctant to collaborate with FGS forces and engage with extension of governance during the 2019/2020 offensive, even though the SNA is now more capacitated and able to hold territory, with significant support from drone strikes.<sup>215</sup> Communities must also weigh whether it is worthwhile to try to pursue justice through the state and work with investigations, prosecutions, district courts and whoever implements and enforces judgements.

### LOCAL ADMINISTRATIONS

The EAJ Baseline Study in Benadir, SWS, and Jubaland State found that: “the lines separating executive and judicial institutions in Somalia are blurred. Many appointments are political, security forces often overlap with clan militias and are frequently affiliated with local government officials, who in turn often get involved directly in conflict resolution and justice processes.”<sup>216</sup> In 2013, for example, one of the aggravating factors for the outbreak of the Bimal/Habergedir conflict was the clan make-up of the interim district officials who had been appointed by the FGS, over 70% of which were Hawiye. Today, it is the SWS executive which appoints the Governor, district and local administrations and **district officials’ clan affiliation does generally reflect historic clan ties to those districts.**

**The level of real power held by district administrations fluctuates,** however, especially where they do not have the full backing of security forces and where Al Shabaab is in constant overt and covert attack. In Afgooye, for example, rivalry between militia and affiliated security services renders the administration’s position precarious, as both vie for control of checkpoints that secure access to and from the town and generate considerable revenue. The district administration has little control over those forces or the revenue they generate. In Marka town, the Bimal-led administration is in a strong position because it both holds political power and controls security forces. In Barawe, tensions linger between (and within) the Tuni-led administration and elements with the old administration, the

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<sup>212</sup> Study conducted by private security analysts, August 2020.

<sup>213</sup> Refs to recent SNA interview. In Qoryooley around Dar Salaam and Mubarak after the withdrawal of AMISOM in X 2016 after a four-day occupation, civilians were tortured and killed by Al-Shabab with bodies “hung up on trees” as a warning to “collaborators” (SEMG 2015)

<sup>214</sup> Crouch (2018). *Counter-terror and the logic of violence in Somalia’s civil war.*

<sup>215</sup> Interview with current SNA personnel, X August 2020.

<sup>216</sup> Mydlak (2020). *Access to Justice Assessment Tool – Somalia.*

latter which had to be ordered to hand over power in late 2018; local SNA units provide some support with revenue collection.

To complicate local governance further, **Al Shabaab consistently targets local officials**. The District Commissioner of Awdhegle, Abukar Yarow, was assassinated in December 2019. Even those associated with, rather than part of, the administration are at risk. On May 7, 2020, the head of the Afgooye district football federation was killed while praying at the mosque. As a result, neither the Governor nor all district administration officials reside in Lower Shabelle or in the district capitals, particularly those outside the main government-controlled towns of Marka, Barawe and Afgooye.

The SWS government maintains one main checkpoint in Lower Shabelle and receives a percentage from others. It also manages business and NGO taxation streams that include aid contributions for Lower Shabelle, routed and registered through Baidoa.<sup>217</sup> Little of this revenue appears to find its way back to Lower Shabelle. The ability of district administrations to raise revenue, retain it locally and provide services is still extremely weak. In Marka, the local government does manage to collect taxes from businesses in the town and through the fish and livestock markets. In Barawe, Wanlaweyn and Afgooye, market produce is also taxed, as are other businesses such as the khat trade. Yet, no administration in SWS or Lower Shabelle can as of yet claim to have established a solid financial base.

### THE CHALLENGE OF ROADBLOCKS

### POLITICAL ECONOMY

A 2016 study found that “all three political power networks [the State, Al Shabaab and clan-militia groups]” use roadblocks “for purposes of territorial control and revenue generation.”<sup>218</sup> Aggressive checkpoint taxation by security forces and militia, including where the presence of state officials enhances the veneer of legitimacy, renders travel and trading between FGS-held areas—especially Mogadishu—prohibitive for local residents.

During the preparation of this report, a number of interviewed individuals indicated that either they or others they know have had to abandon taking their goods to the city due to the checkpoints. The journey is only viable for those with the socio-political capital to negotiate, or with a sufficiently large volume of harvest. One Twitter user recounted in early October 2020: “I was riding with our van loading banana from Janaale to Xamar there were 8 isbaaro ‘checkpoints’ 1 for Al Shabaab, 3 for Biyomaal, 1 for Abgaal, 1 for Habargedir & Murusade, 1 for Deyniile district, the last one Ex control xamar; in total, they took 30% of the product cost.”<sup>219</sup>

This **isbaaro phenomenon** curtails freedom of movement of people and goods and reinforces the perception of the state as “an instrument of accumulation and domination, enriching and empowering those who control it and exploiting and harassing the rest of the population.”<sup>220</sup> As much of the takings are simply absorbed by powerful political and security networks, the scale of revenue extracted at checkpoints has no relationship with what is invested in social services and infrastructure.

### THE COURT SYSTEM

The FGS Chief Justice is responsible for the appointment of judicial officials.<sup>221</sup> Courts currently officially operate in Afgooye, Marka and Barawe – the latter the most functional of the three. Construction of court premises is underway in Awdhegle and Janale. These **courts only operate**

<sup>217</sup> In one cluster of checkpoints in Afgooye and Marka districts, an estimated 60% of the takings goes to SNA, Darawish and the police, while 40% goes to the SWS Finance Minister. Private security analysis.

<sup>218</sup> AMISOM may share in these takings in some places, but in others act as a check: SNA and AMISOM checkpoints at Sabiid bridge and Sabiid exit, for example, apparently operate as security checks only. See: Transparency Solutions (2016). *Beyond Isbaaro: Reclaiming Somalia’s Haunted Roads, An applied research study to map the political economy of roadblocks in South Central Somalia and assess ways to intervene to promote transformative change*. Mott Macdonald, commissioned by IAAAD & ODI.

<sup>219</sup> See: @muhsenoffgrid, 2 October 2020

<sup>220</sup> Menkhaus (2006). *Governance without Government in Somalia*.

<sup>221</sup> It remains to be seen if the recently established Judicial Services Commission will change this.

sporadically, seek fees throughout the process and are viewed as easily manipulated by the powerful, not least due to the level and consistency of salaries accorded to officials.

Where mechanisms are operational, **local residents tend to view the pursuit of justice through state institutions as difficult, except in relatively simple cases and where state actors are not involved in the litigation.** Capacity for investigation, case management or adjudication is limited. Most importantly, the costs of engaging with the police and the court, and the fact that the intervention of clan, business or religious leaders can frequently serve to undercut the process, dissuades petitioners.

- **In Marka**, it appears that the court was suspended in 2019 for corruption and remains barely functional. In one case, a litigant unable to pay the scale of fees demanded decided to transfer the case to elders. The court then charged him a further fee—to *not* hear the case.<sup>222</sup>
- A recent study on communal perceptions of the justice system **in Afgooye** identified the most significant obstacles for litigants: cost, lack of representation, biased decision making, and a belief that “both perpetrators and court people belong to one group.” It is understood that the senior judicial officer there is Murosade.<sup>223</sup>

As a result of the above, **locals tend to first seek out police or administrative officials for help rather than the court system.** District security or peace committees, such as that operating in Barawe, also contribute to the resolution of disputes, but these structures are not present in all

<b>JUSTICE</b>	<b>INCREASING INVESTIGATION —BUT NOT PROSECUTION – OF SEXUAL VIOLENCE AFTER PUBLIC OUTRAGE</b>
<p>The abduction and rape of two girls aged 3 and 4 in Afgooye at the end of March 2020 received widespread media attention, because of the horrific nature of the crime and the injuries sustained by the children.<sup>224</sup> Following a public outcry and the involvement of a leading women’s rights NGO in providing medical, psychosocial and legal aid response, the Criminal Investigation Division in Mogadishu became involved. Thus far, no one has yet been tried for the crimes, although up to 18 individuals were arrested and questioned with the support of the Afgooye police.</p>	

towns, and have also been alleged to be biased towards certain clans, reflecting their leadership and composition. In some towns, such as Marka where residents are split geographically along clan lines, local communities are *de facto* self-governing: the community itself handles local justice, detains suspects, carries out other steps and then decides whether or not to engage the municipal or district authorities.<sup>225</sup>

**Displaced communities struggle even more to access to justice.**

First, state-affiliated statutory

institutions in urban centers come with financial barriers and do not operate outside of clan-based politics. Second, those who have left Al Shabaab areas, particularly without receiving permission, may be wary of returning to approach the group’s courts. Finally, displaced communities cannot easily access traditional dispute settlement mechanisms because these are tied to community and territory. Not only will elders or leaders who engage in such processes not always be present, but the dispute or offence may involve members of other communities with whom there are no prior relationships.

<sup>222</sup> Interviews with community activist in Afgooye; traditional leader from Marka; and Gibil’ad community member with ties to Baraawe.

<sup>223</sup> MCA (2020). *Baseline Assessment, perceptions of justice survey*. Minority Communities in Africa.

<sup>224</sup> SWDC (2020). *Briefing note: A Situational update on Child survivors of Rape in handled in Madina One Stop Centre*. Somali Women’s Development Center.

<sup>225</sup> Interview with Bimaal elder, September 11, 2020.

Local elders and imams are often the first ports of call in Lower Shabelle for inter-communal or family-related disputes, in which both *xeer* and *shari'ah* will be applied. The importance of the *xeer* is reflected in the fact that both Al Shabaab and statutory courts will often enquire whether the issue has been addressed by elders before taking jurisdiction of the case. Inter-clan disputes tend to remain the province of *xeer*-based negotiations, although they also depend on the relative power of communities. In the absence of an effective court system (most pronounced in Marka), however, elder councils (*guurti*) in Marka and Barawe increasingly handle disputes between individuals.<sup>227</sup>

In a context in which power is asymmetrically distributed, however, not all elders can act as justice providers. In Awdegele, for example, elders have reportedly been reluctant to overtly engage in negotiation of *xeer* compensation because of Al Shabaab's continued influence, and not all traditional leaders have returned to their areas after Al Shabaab was dislodged.

The greatest challenge for elders is to have their decisions enforced: plaintiffs often go to Al Shabaab courts where enforcement fails. A recent survey in Afgooye found that "crimes committed by the holding powers in the area cannot be resolved through the elders/Imams/Sheikhs because they [the perpetrators] are armed."<sup>228</sup> Elders are thus reluctant to take on complex cases and cases involving state actors or other powerful individuals.

Finally, the quality of justice dispensed by customary mechanisms can be questionable. The "deeply patriarchal *xeer* can contradict both *shari'ah* and statutory law, especially as it is based on communal rather than individual responsibility, [and] its application can in many cases be harmful and disenfranchising for vulnerable groups," such as women and youth.<sup>229</sup> During a recent radio station discussion on justice for survivors of SGBV, a community member in Janale criticized elders strongly: "I want to say Elders are the main obstacle standing in the way of Somali women getting justice. They protect the perpetrators through back-channel negotiations. If we punished the perpetrators, these incidents would decrease."<sup>230</sup>

<sup>226</sup> For detailed information on the operation of the customary system, see *inter alia*: Robin Mydlak (2020a). *The Clan System and Customary Justice in Somalia – A Brief Introduction*. Danish Demining Group.; Gundel & Dharbaxo (2006). *The predicament of the 'Oday'*; Gundel, Berg & Ibrahim (2016). *Political economy of justice in Somalia*.

<sup>227</sup> For profiles of Barawe and Marka, see: MolFAR (2020). *Fragility Index and Maturity Model for Walnaweyne*.

<sup>228</sup> MCA (2020). *Baseline Assessment, perceptions of justice survey*.

<sup>229</sup> Ahmed, Ali, Harper, Chopra & Mydlak (2020). *The Shari'ah in Somalia*.

<sup>230</sup> Private security analyst report on a group of women in Janale listening to a panel discussion on GBV as it aired on Goobjoog FM, late August 2020. A recent examination of access to justice via customary institutions in Afmadow district found that women "may not have the same financial resources to file a case or 'purchase' justice; they are culturally not allowed to circumvent the men in their family and address a case by themselves; or they may fall victim to prevailing normative orders that prescribe a different treatment of women as opposed to men." Sean Allen, Hawo Idris & Tanja Chopra (2016). *UN Women Briefing Paper 1/2016 Women's Access to Justice and Security in Somalia's Afmadow District: A Snapshot*. UN Women.

## THE STATE SECURITY SECTOR

Security forces and their behavior and involvement in local political economies critically shape communal faith in the potential of a just political order. Despite efforts to deploy Federal police and, more recently, elements of Federal Darwish, to the region, **the SNA remains the most powerful state security provider in Lower Shabelle**, even though it is under constant attack from Al Shabaab. Many residents perceive the SNA—outside of the Danab strike forces<sup>231</sup>—as seeking to control and accrue resources rather than promote impartial security imperatives. Multiple factors undermine the potential of the SNA to act in support of justice efforts and render its personnel frequent perpetrators of injustice.

From the outset, the SNA's legitimacy in Lower Shabelle has been undermined by the presence of individuals within its ranks—including senior commanders—who committed grave violence against civilians during the previous decades.<sup>232</sup> For example, an elder of the Bimaal interviewed in February 2016 described how “Gobale’s militia”—rather than SNA soldiers—had been entering homes and raping women in Afgooye.<sup>233</sup>

**SNA soldiers are still widely perceived as operating with impunity.** Thus far, no SNA soldier has been held responsible in a state military or civilian court for civilian harm in Lower Shabelle. Only Al Shabaab has intervened in some cases. From the thousands of such incidents, there is one in which the FGS is believed to have paid compensation: the killing of Habergedir farmers by an SNA unit commanded by a Bantu General in Bariire in August 2017.<sup>234</sup>

**The Farmajo Presidency has brought some changes to the SNA command.** These include the addition of Darood and Mirifle personnel and the creation of mixed Habergedir/Bimal/Digil contingents near Marka with links to the local administration. Nevertheless, Hawiye personnel of the Habergedir, Abgaal and Murosade clans continue to dominate the composition of the SNA in Lower Shabelle. This stands in stark contrast with the alignment of security services—whether SNA, NISA, Darwish or clan militia—to regional administrations in other FMS over the past ten years. These tend to reflect the historical clan composition of the region, or of the FMS interim capital.<sup>235</sup> Fighting between SNA contingents and local forces over the past two years in various FMS notwithstanding, locally composed forces, or forces of allied clan families, tend to lead on security in most FMS. This is not the case in Lower Shabelle.

That **SNA units often collocate with clan militia and tend to be deployed in single clan groupings compounds the perception that personnel will act in line with purported ‘clan interest.’**<sup>236</sup> Of course, this is not always true. One account of the SNA observes: “it appears rare to find whole units of the armed forces acting in the interests of a clan; rather, fragments of units—former militia bands—may or may not fight for clan reasons, as circumstances dictate.”<sup>237</sup> These

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<sup>231</sup> The Danab battalion is a cross-clan special forces unit, paid regularly and operationally mentored by US contractors and security forces. They are barracked and kept separate from other SNA contingents.

<sup>232</sup> For the history and development of the SNA, see: Williams (2020). *Building the Somali National Army: Anatomy of a failure*.

<sup>233</sup> Gobale had been one of the leaders of the Habergedir militias between Kismayo and Mogadishu from 1999 to 2005, together with Yusuf Mohamed Siyad Indha’adde, the former of Governor of Lower Shabelle (1999-2001).

<sup>234</sup>Accounts both of the operation and the identity of those who died are contradictory: US authorities, whose personnel were involved in the night raid in Bariire, stated that those killed had been Al Shabaab fighters, echoed by a range of local security and community sources. Nevertheless, the Habergedir political and business community was able to exert pressure on the government to pay compensation. This case and the attendant international furor reinforced local assumptions about the underlying purpose and orientation of the SNA in Lower Shabelle. See: AFRICOM (2018). *Civilian casualty allegation assessment results released*. U.S. Africa Command Public Affairs, press release, November 29, 2018.; also based on Interviews with personnel involved in the raid and district officials.

<sup>235</sup> For an overview of SNA composition and the new FMSs, see for example, Colin D. Robinson (2019). The Somali National Army: an assessment. *Defense & Security Analysis*, 35(2), 211-221.

<sup>236</sup> UNSC (2018). *Somalia report of the Monitoring Group on Somalia and Eritrea*.

<sup>237</sup> Robinson (2019). *The Somali National Army: an assessment*.

groups may act in the interest of political or business interests, even against their clan family interest, at various levels of the lineage.

**SNA soldiers are underpaid, and often unpaid, for a job that exposes them to daily danger.** The stimulant khat has been a ubiquitous part of the soldiers ration for decades. Soldiers today also take imported prescription drugs. This all costs money, and one commentator added that these drugs also heighten the likelihood of civilian harm. Over time, the resultant **practices of extortion of communities and parallel roles in the private security sector or within clan militia have become normalized** as sources of a soldier's income. In some locations, such engagement is even more formalized. SNA and other security personnel regularly negotiate and collect taxes from certain businesses, such as money transfer companies, or manage certain sectors of the economy directly, such as the khat trade in Barawe.

As noted above, **elements of SNA Brigade 3 and 5 in Lower Shabelle have even been accused of providing assets and information to, facilitating attacks by, and even fighting alongside Al Shabaab** in Lower Shabelle on different occasions over the last ten years. A former SNA soldier who participated in operations during the 2019/2020 offensive recalled that at night Al Shabaab officials would visit his camp and hold discussions with commanders.

## ARMED FORCES

### SNA COMPOSITION IN LOWER SHABELLE AND THE STRUGGLE FOR POWER

During the Presidency of Hassan Sheikh Mohamed, tensions over power sharing between Abgaal and Habergedir at the national level played out in Lower Shabelle as the Habergedir-dominated SNA sought to demonstrate how crucial they were for fighting Al Shabaab. Especially in Marka in 2016, elements of the SNA Habergedir and allied militia stood down and appeared to switch allegiance at critical moments. This had serious repercussions on the FGS' hold over areas in Lower Shabelle.

Habergedir leaders and units cast subsequent efforts to rein in the SNA—such as the temporary relocation of a notorious commander who had led an attack against an IDP camp near K50 in July 2014—as an attempt to undermine the position of the Habergedir in the national power dispensation. This framing drew additional support from the US' decision to halt stipends for SNA Brigade 3, reportedly due to concerns about attacks and abuse against civilians, coupled with the election of the Darood-Marehan President Mohamed 'Farmajo' and the subsequent installation of Darood personnel within the SNA command.

At the same time as this power struggle was underway, the international community stepped up efforts to encourage the creation of multi-clan units that would challenge the homogeneity of Lower Shabelle's SNA. International partners supported in particular the deployment of troops under the command of General Sheegow to lead the fight against Al Shabaab. General Sheegow, a Bantu (Jareer-Hintire), had defected from Al Shabaab in 2012 and was awarded the rank of Brigadier General.

Sheegow openly voiced his intention to change the balance of power in Lower Shabelle and to exact revenge for repression of the Bantu, Digil and others in the local community. He threatened to destroy what he described as the "the informal colony" that the security forces had established. Buoyed by the support of President Farmajo, Sheegow assembled and trained a group of primarily Bantu (cross-clan), Hintire-Shiidle and Geledi soldiers, and issued a series of orders on public safety, banning tax collection by militia and carrying of weapons in Afgooye town.<sup>238</sup>

His presence in the heart of Lower Shabelle endangered key resource streams and engendered fierce resistance from contingents of the SNA and militia operating in the area, particularly from Habergedir, Abgaal and Murosade units. Following a series of challenges to General Sheegow's presence in Lower Shabelle, including accusations that Sheegow and his men partook in the killing of civilians at a farm in Bariire in August 2017 and the accidental killing of a woman in Mogadishu,

<sup>238</sup> Interview, NGO advocate from Lower Shabelle, 16 August 2020.

General Sheegow was withdrawn and his unit disbanded. Left without protection and denied access to equipment, he eventually left Somalia.

Bantu soldiers under Sheegow's command were separated and deployed to other units. At the time of writing, there is evidence that no more than 76 of the 400 soldiers initially deployed with Sheegow into Lower Shabelle remain in the SNA and are under increasing pressure to leave the force. The failure to successfully deploy an SNA Bantu General and his unit to Lower Shabelle was a setback for the regions' majority Bantu, Digil and Bimaal population. Many community members see little hope for future protection without representation at command level in the security forces. One Bantu SNA soldier described a security service without representative leadership as akin to: "digging a well and finding you have no haan (water jug) to collect the water."

## OTHER SECURITY SERVICES AND CLAN MILITIA

The SNA is the most numerous and best equipped security force in Lower Shabelle. Other security actors include Federal police (in the main towns), NISA (primarily in Marka and Wanlaweyn) and, since late 2019, Federal and other Darwish. These have variable presence, functions and capacities.

### SECURITY FORCES

### FEDERAL DARWISH

**Federal Darwish Police Units** have received training and equipment over the past two years in a new effort by the Federal police and the international community. They are intended as holding forces for territory in Lower Shabelle (and elsewhere) recovered from Al Shabaab by the SNA, until local/state Darwish and Federal and state police can take over. Over 1400 Federal Darwish—all former police officers—have now been trained in Djibouti and are headquartered in Mogadishu.<sup>239</sup> As initially recruited, the force represents the nation's major clans: 53% Hawiye, 23% Darood and 12% Mirifle. Lower Shabelle's communities make up 1.3% (Digil), 1% (Bimaal) and 2.5% (Bantu).<sup>240</sup>

Much confusion surrounds the deployment of these forces. According to official Federal police reports in mid-2020, approximately 325 Federal Darwish were deployed to Sabiid and Afgooye during late 2019 and early 2020. A further 525 were also reported to be awaiting the issue of lethal and non-lethal equipment in order to be sent to newly cleared areas such as Awdhegle.<sup>241</sup> According to one official source these forces were co-located with the SNA at two forward operating bases but cannot independently mount patrols due to insufficient weaponry and vehicles. Local community members in Sabiid and Afgooye consulted during the course of this research, however, were unaware of the deployment of Federal Darwish.

One former senior government official claimed that the personnel had "walked back to Mogadishu" as they were too lightly equipped and were not receiving "daily food." The only Darwish the local community could identify as recently arrived were Turkish-trained 'Haram'ad' Darwish. These were described as primarily Hawiye, about 40 strong in Sabiid and less than 100 in Afgooye, the latter providing security for the construction of the Afgooye Mogadishu road, which is managed by a Turkish company. A separate group that residents also described as Darwish was a force deployed in 2014/2015 under the command of Colonel Nurr Hayir Ali Gass (Habergedir-Sa'ad).<sup>242</sup>

<sup>239</sup> EEAS (2020). *EUCAP-S support Federal Darwish Police*. Working paper of the European External Action Service, 08/01/2020.

<sup>240</sup> Confidential monitoring report reviewed by the author.

<sup>241</sup> Internal memo, international organization, September 2020.

<sup>242</sup> The force comprises mainly Habergedir, Abgaal, and Murosade soldiers. They operate a range of checkpoints on the Afgooye-Mogadishu road. Although referred to locally as SNA, they are officially classified as revenue authority police (Birmidka). Operation of the Ba'ao checkpoint (near Mukoyga) is considered particularly rapacious, yielding revenue to the extent that the deputy commander was able to fund a position in the SWS legislature. Interview former senior government official, September 23, 2020.

The **SWS State Darwish** comprise 300-strong contingents planned for each SWS district as a bridge between the SNA and the expanding Federal police. There has been constant pushback against rolling out the concept in Lower Shabelle by both national political powers in Mogadishu and the SNA. One senior government official claimed that the effort to create a training camp for state Darwish in Ceel Jaale (AMISOM Headquarters) was opposed by the-then Minister of the Interior, Abdikarim Guled (later President of Galmudug State) in 2013.

Elsewhere in SWS, state Darwish—called SWS Special Police Forces since March 2016—have been trained and deployed with various degrees of success and support in several districts in Bay and Bakool. Some prospective state Darwish for Lower Shabelle appear to have been sent to Baidoa for training but ultimately were never equipped and deployed as a force.

Overall, authorities in Mogadishu and Baidoa have evinced a **marked lack of enthusiasm for the equipment and deployment of security actors in Lower Shabelle which would have the capacity to build local trust**. The response from district officials to a community delegation in Afgooye that sought help after a child had been raped in Anole in early 2020, allegedly by two SNA soldiers, is emblematic: “There is nothing we can do, you should just recruit your own militia.”<sup>243</sup>

## SECURITY FORCES

## CLAN MILITIA

Clans with active clan militia in Lower Shabelle include:

- **Hawiye:** Habergedir, Abgaal, Wacdan, Gaalje’el, Hawadle, Murosade
- **Dir:** Bimaal
- **Digil:** Garre, Shante’aleen, Geledi, Jiddou

The most powerful militias, such as the Bimaal between K50 and Marka, and the Garre, Jiddou and Leysan in Qoryooley, the Hawadle in Muuri and others all operate roadblocks and extort civilians to differing extent. Some takings are shared with an allied district, regional or Federal administration; others are kept for own use. Some clan militia may collocate with aligned national or state forces.

## FEDERAL &amp; STATE POLICE

## SECURITY FORCES

**Federal and state police** operate in key towns in Lower Shabelle, on the whole with consent of the population and an overall contribution to law and order: several interlocutors urged the strengthening and expansion of the police, frustrated with the lack of support for police salaries, premises and capacity-building.

- In **Afgooye**, the Federal police are generally viewed as connected the local community (the police commissioner is Garre). However, they appear to wield little relative power. They often require the support of the SNA to effect arrests or will need to bring in the Criminal Investigation Department in Mogadishu to investigate complex matters.<sup>244</sup> Although police do have premises and weapons, they do not receive a regular salary.
- In **Wanlaweyn**, a small but active state police engages with clan elders to enforce the law.
- In **Marka**, both state and Federal police are operational, but they appear to have little capacity vis-à-vis the 14<sup>th</sup> October forces (see below), who operate as *de facto* police in the town.
- In **Barawe**, state police are operational and work with courts to investigate and refer cases.

<sup>243</sup> Interview with community representative, Afgooye, August 2020.

<sup>244</sup> In a recent case in September 2020 in Afgooye, the local police command was unable to arrest Garre police officers who had been accused of killing a Duduble farmer. They were eventually picked up by SNA/militia in the area, although one escaped.

Recent developments suggest that changes are possible in the composition and orientation of security forces in Lower Shabelle:

- **In Marka, a group of formerly warring Bimaal and Habergedir clan militia have been formally integrated into NISA and SNA forces** at all levels of command, particularly into the 14<sup>th</sup> October SNA division.<sup>245</sup> Other militia have been removed outside the town, with some Habergedir militia sent back to their home areas of Dhusamareeb and Cadaddo. Strong opposition remains, however, to the presence of SNA units headquartered in Shalambood. These have maintained their composition and power and have a history of preying on civilians.
- **In July 2020, the SWS administration and the parties to Gaalje’el and Shante’aleen conflict agreed to create a local Darwish force in Wanlaweyn composed of integrated clan forces.**
- **It appears that over 300 SWS ‘state police’ in addition to Federal Darwish have been trained in Mogadishu** and are awaiting equipment prior to deployment: a local member of the security services in July 2019 noted that: “300 police were recruited in Afgooye” but were “left in Mogadishu and Elisha Biya.”<sup>246</sup>

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<sup>245</sup> The name of the unit evokes the biggest Al Shabaab attack to date, which was met with ubiquitous outrage and unusual hesitation by the group to claim the bombing, in a symbolic appeal to cross-clan unity against the group.

<sup>246</sup> Interview former member of the SNA, August 29, 2020.

## V: CONSIDERATIONS FOR JUSTICE PROGRAMMING

The history and experiences of communities in FGS-controlled areas of Lower Shabelle yield a number of challenges for justice programming:

- 1) **The scale of current displacement from Lower Shabelle impacts how communities perceive the role of the state and efforts to achieve peace and justice.** Elders and community leaders from Digil, Bantu and Bimaal communities interviewed for this study repeatedly asserted that the sustained and repeated displacement of their communities, currently at a ten-year peak, is the result of a deliberate strategy by power holders to remove them from their lands, weaken their ability to resist, and assert control over the resources of Lower Shabelle. Whatever the immediate cause—drought, floods, loss of livelihood, conflict, Al Shabaab or state and clan violence—communities understand displacement as *intentional* dispossession.<sup>247</sup> This impacts how some communities still in Al-Shabaab areas view the prospect of the continuing Al Shabaab offensive: they fear that government forces ‘liberating’ the area merely signifies that a second powerful armed actor will maintain the status quo.<sup>248</sup>
- 2) **Those perceived as responsible for injustice and dispossession—whether linked to state, business interests or Al Shabaab—are associated primarily with Hawiye and Darood interests from outside the region.** This clan-focused narrative builds on the long history of land-grabbing in Lower Shabelle, both before and after the civil war, framed in terms of the two major, most powerful clan families struggling for dominance over the region for decades.<sup>249</sup> Programs, actors and partners that engage in justice efforts are likely to be viewed through this prism.
- 3) **The ongoing violence and extortion of civilians perpetrated by the security forces and allied militia fuels perceptions that agents of the state are united in efforts to permanently remove certain communities from access to farms and resources** through direct attacks, intimidation into flight, or forced sale of land under economic duress. The fact that there has been little or no effort by the federal or state governments to prosecute these crimes—and that key commanders widely considered to be responsible for multiple acts of violence during Somalia’s civil war are allowed to continue to operate unchecked—strengthens the narrative.
- 4) **Al Shabaab is the primary and preferred justice provider**, delivering what are perceived as fair, or at least, enforceable, decisions, across *both* FGS-held and Al Shabaab territory.
- 5) **Civil society, NGOs or aid agencies are not automatically viewed as independent and neutral actors in Lower Shabelle.** The history of aid operations within the politics, security and economy of Lower Shabelle still informs how communities perceive this sector. **An NGO or international humanitarian entity may be viewed as a community asset, expected to both generate profits and further the interest of a clan or other**

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<sup>247</sup> On a number of occasions, it was asserted that the impact of the May/June 2020 floods around Afgooye and Awdheghe had been exacerbated by Al Shabaab and business actors deliberately destroying riverbanks in order to induce further and more permanent displacement. Al Shabaab has certainly had a history of destroying irrigation canals to slow advances of attacking forces. Interviews with members of the local community in Afgooye, including in displacement in Mogadishu, September 2020.

<sup>248</sup> Interview with former senior government executive officer, September 18, 2020.

<sup>249</sup> Where information is available, it does appear that the major businesses and NGOs operating in the region, individuals buying up or controlling access to land, SNA personnel, and the current higher echelons of Al Shabaab leadership in Lower Shabelle over the past five years are indeed connected with primarily Hawiye, albeit also increasingly with Darood and Mirifle clan families – historically those close to the center of economic and political power in Somalia. At the same time, as has been pointed out: “what is touted as a ‘clan interest’ is often driven by the personal, political, or economic interests of influential clan leaders who are not recognized as clan elders and who have also taken on roles as politicians, faction leaders, civil society activists, or businessmen.” Gundel, Berg & Ibrahim (2016). *Political economy of justice in Somalia*.

**network.** This can hinder the NGO in providing support or protection to certain communities in need due to conflicts of interest, while also complicating their ability to resist rent seeking.

- 6) **Potential beneficiary communities may be fearful to share information on protection concerns, or report violations by members of the security forces or allied militia,** because they view an NGO or service provider as allied with particular local government officials, militia or SNA units. They may also be unable, whether individually or through community elders, to take steps to challenge or hold an NGO accountable for denial of access to inputs/services, such as legal aid.
- 7) **Communities may be uneasy towards entities which appear to be able to operate in Al Shabaab territory.** Despite the fact that Al Shabaab is one of the main perpetrators of attacks on humanitarian workers, NGOs do share resources and enter into agreements with the group. Any appearance of an arrangement with Al Shabaab can dissuade communities from engaging with the NGO or questioning how an input or service is provided. These apprehensions can pose a significant—often unspoken—impediment to programming.

## A. THE BROADER ECONOMIC, HUMANITARIAN AND POLITICAL CONTEXT IN 2021

Food security for Lower Shabelle, particularly for communities in the riverine areas, is forecast to worsen into 2021 as a result of a below-average cereal harvest, the impact of Covid-19 and expected **below-average rainfall** at the end of the year.<sup>250</sup> More broadly, 2021 is likely to see Somalia's economic situation stall. The World Bank projects a decline in GDP to 2.3% in 2021 as a result of the **Covid-19 crisis and a fall in remittances** by 17% in 2020.<sup>251</sup> This is **likely to heighten humanitarian needs, increase forced displacement and render populations more vulnerable to conflict or repressive measures.**

Since the commencement of Operation Badbadho, **Al Shabaab has demonstrated a determination to continue to attack civilians, the security forces and AMISOM in the Afgooye corridor.** The most horrific attack in this area occurred on 28 December 2019 at Ex-control Afgooye, when over 85 people were killed and over 140 civilians injured. The reduction in the territory under Al Shabaab's direct control during 2020 has not appreciably impacted the group's capacity to conduct attacks in Mogadishu. It is not clear what impact potential military withdrawal by Ethiopian and US forces, and draw-down arrangements for AMISOM, will have on Al Shabaab's military and governance strategy in Lower Shabelle, including as opportunities may open up for territorial gains elsewhere.

Even though parties have reached an erstwhile agreement towards the planned 2020/2021 election, **election-related violence continues to loom as a risk.** It is also likely that Al Shabaab will attempt to influence the outcome of the process through both financial means and use of violence, if only to simply benefit from chaos and heightened political divisions.<sup>252</sup> The group's continued loss of territory over the past twelve months has created conditions in which **inter-communal and localized political conflicts are more likely to erupt, particularly if dispute resolution is not prioritized.** That the 2020/2021 election process will again adhere to the 4.5 clan-based power sharing formula instead of the promised one person one vote is a matter of huge disappointment to many in Lower Shabelle. Marginalized communities are increasingly mobilizing to challenge this approach, which distributes political spoils to those whose voices are heard the loudest in recognized clan groupings.

Within this context it was not surprising that as this report went to press, a breakdown of talks between Somalia's political leaders on the implementation of the agreed '17 September' election model had seen fighting break out between opposing factions in Mogadishu on 25 April. The violence left up to 100,000 residents fleeing and displaced. Many of the SNA and militia forces that set up areas of control along clan lines in the city had been called from their strongholds and front against Al Shabaab in Lower and Middle Shabelle. In early May, an agreement was reached for withdrawal of forces from Mogadishu, after President Farmajo was pressured to reverse his attempted mandate extension.

The fact that once again the partisan deployment of the security forces was shown to be an effective way to attain political goals is bound to set back the development of an impartial SNA—and broader State apparatus. Meanwhile, Al Shabaab is benefiting from the political instability, mounting increasing attacks and posing an enhanced threat to Somali and regional peace and security. As Somalia's elite squabble over elections, a record number of 5.9 million people are assessed as in need of humanitarian assistance. On the same day as forces clashed in Mogadishu, the humanitarian community officially

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<sup>250</sup> See: FEWSNET (2020a). *Food Security Outlook Update, Somalia: After multiple shocks, the below-average 2020 deyr is anticipated to worsen food insecurity.* Famine Early Warning Systems Network.

<sup>251</sup> UNSG (2020a). *Report of the Secretary-General.*; World Bank (2020). *Outlook Somalia, 2019.*

<sup>252</sup> See: ICG (2020). *Staving off Violence around Somalia's Elections.* International Crisis Group, Briefing Paper N° 163, November 10, 2020.

declared a drought in over 80% of Somalia, against the background of the worst desert locust outbreak in 25 years and an ongoing Covid-19 pandemic.<sup>253</sup>

## B. SUGGESTIONS FOR FUTURE JUSTICE RELATED PROGRAMMING IN LOWER SHABELLE

**1) Creating hybrid partnerships for justice:** Ken Menkhaus has argued that “the most promising formula for success in state building in Somalia is some form of a ‘mediated state’ in which the government relies on partnership (or at least coexistence) with a diverse range of local intermediaries and rival sources of authority to provide core functions of public security, justice, and conflict management.”<sup>254</sup> Any approach to advancing justice in Lower Shabelle should include a broad range of political and social leaders, involving local communities, traditional, religious and political actors and the security sector.

- The **establishment of justice committees** in Afgooye, Sabiid, Anole, Marka, Awdhegle and Janale offers an opportunity to put this model into practice. The justice committees are expected to play a formal role in monitoring and tracking the progress of both cases (investigations and prosecutions) and justice issues that arise more broadly, as well as reporting to the district administration. These committees will need to take into account the composition of, and power dynamics within, the local community, and be attuned to how these change over time, especially as the election process generates new sites of contestation.

**2) Understanding particular needs and particular contexts:** Berg, Gundel and Ibrahim recommend a “needs-based” approach to problem-focused dispute resolution in Somalia, which is particularly suited to Lower Shabelle: they suggest that: “**identifying the most salient justice needs in a given area**, including those that are most pronounced in fueling a sense of injustice and/or most likely to generate the interest of powerful actors for credible dispute-resolution systems” and conducting “**a detailed political economy**” of existing institutions should be starting points for interventions.<sup>255</sup>

- A deep understanding of the dynamics and actors within political and security apparatus of the state, private business, other armed actors, and civil society—including implementing partners, their interests and risk calculations in a particular areas—will be critical to whether justice efforts succeed. This should include **mapping of the security services and other armed militia** in the area, including their command, clan allegiance, locations and sources of revenue.
- As few in marginalized communities see the state-supported justice institutions as accessible, **a proactive justice strategy** would include a process **that actively seeks out cases and contexts that could be the subject of legal rights awareness raising, dispute resolution and civil litigation or prompting criminal prosecution efforts**. Identifying a pattern of cases and taking a systemic approach to addressing perpetrators or root causes could also provide cover, reducing the opportunity for individuals or their families to be singled out for reprisal. **Support for community human rights monitoring** across different communities could support this work and leverage the use of simple mobile phone technology.

**3) Addressing components of the justice system:** The lack of capacity within the state justice system contrasts starkly with the functionality and efficiency of Al Shabaab’s court processes. The challenge is multifaceted: personnel, skills, infrastructure and enforcement, and of information and framing.

- The capture of justice mechanisms by the powerful, from the police to the judiciary to customary entities, was a constant theme of the research. One of the most frequent suggestions

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<sup>253</sup> See FGS, UN, Press Statement. Somalia: Humanitarian Leadership Declares Drought, 25 April 2021, available at, [https://reliefweb.int/sites/reliefweb.int/files/resources/HC\\_MoHADM%20Press%20Release-%20Drought%20declaration\\_25%20April%202021.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/HC_MoHADM%20Press%20Release-%20Drought%20declaration_25%20April%202021.pdf)

<sup>254</sup> Menkhaus (2006). *Governance without Government in Somalia*.

<sup>255</sup> Gundel, Berg & Ibrahim (2016). *Political economy of justice in Somalia*, 28.

was that **those working in justice institutions be paid sufficiently well** to reduce both the necessity and opportunity for corruption. Without this, institutions are unlikely to be able to resist the overwhelming ‘business as usual’ dynamics that have characterized past efforts.

- **Training of police and judiciary in investigative methods**, from evidence collection to interviewing is vital, **in addition to training in constitutional, statutory and shari’ah law**. Particular consideration could be given to how to support training and development of shari’ah guidelines among judiciary and the legal profession in a way that advances individual rights-based justice, in particular for women and vulnerable and marginalized groups.
- The transparency and accessibility of justice institutions is critical. The program can explore ways to **document and locally disseminate decisions and legal principles and precedent**, using discussion groups, radio, theatre and other accessible modalities.
- **A specialized judicial police**, perhaps as a hybrid model building on civil law with adjustments for the particular needs of the Somalia context, could provide support to courts, assist with monitoring the enforcement of judgements and conduct certain investigative functions. The creation of this force **could counter negative associations of the justice system with problematic dynamics of the security forces more generally** if done in a conflict sensitive manner. **Local justice committees could have a role in vetting and appointments** to well-paid and well-supported positions.
- **A cadre of community paralegals** from across the clan composition of a community could support litigants and defendants with knowledge of basic legal principles and procedures and the presentation of information to court. This effort could support a bottom-up improvement in standards of the quality of justice demanded and delivered, as well as incremental confidence-building.
- Exclusion through poverty and geography is a major challenge. The establishment of **mobile courts could be linked to parallel legal rights awareness training and capacity building for community paralegals**.

**4) Land:** Political settlements to date in Somalia have focused on elite power and sharing of spoils, not on critical issues for citizens such as the safeguarding of land rights.<sup>256</sup> The **need for an independent body to support reconciliation and accommodation between communities through creative resolution of land disputes** is critical. In addition to looking at Somaliland’s nascent land tribunal system, proposals could draw on international human rights law and traditional principles of “indigenous and historically-grounded patterns of resource sharing by ‘hosts’ and ‘guests’” to identify frameworks for co-existence, and “local traditions of resource-sharing, the incorporation of newcomers into established land-holding communities, and the continual building of cross-clan alliances in the quest for security” could provide a basis for new forms of agreement in Lower Shabelle.<sup>257</sup> Lower Shabelle could be site of a pilot effort.

- **A hybrid entity** might be appropriate in the context of the intensity of contestation around access to property in Lower Shabelle. The Commission for Real Property Claims of Refugees and Displaced Persons in Bosnia Herzegovina, for example, was comprised of nine commissioners. Three of the nine commissioners were international experts appointed by the President of the European Court of Human Rights. The Commission managed to dispose of 300,000 final and binding decisions during its six-year tenure.<sup>258</sup>

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<sup>256</sup> The Transitional Federal Charter of 2004 did foresee a National Property Disputes Commission.

<sup>257</sup> Cassanelli (2015). *Hosts and Guests*.

<sup>258</sup> This Commission was established under Annex 7 of the Dayton Peace Agreement. Its mandate was to guarantee the rights of all those who had lost their property as a consequence of the war in Bosnia Herzegovina to be able to return, or to gain compensation for their loss. See the final end of mandate report of the Commission at: [http://www.nuhanovicfoundation.org/user/file/1996-2003\\_crpc\\_\(bih\)\\_end\\_of\\_mandat\\_report.pdf](http://www.nuhanovicfoundation.org/user/file/1996-2003_crpc_(bih)_end_of_mandat_report.pdf)

**5) Reconciliation:** In parallel with justice efforts, **mechanisms to address communal grievances and foster reconciliation**, such as through the creation of peace committees, are needed. The National Reconciliation Framework agreed in 2019 provides an anchor for this.

*“[T]he reconstruction of the Somali state will need to factor in community contract and not only a contract between the people and the state.”<sup>259</sup>*

**6) Composition and vetting of the police and security forces:** Clan composition of the security forces and their relationship with clan militia, whether perceived or actual, has been a critical factor in both the nature of the civil and criminal injustices committed against civilians in Lower Shabelle and prospects for accountability or resolution. Due to the particular history of Lower Shabelle, a deliberate effort is required to ensure that the **clan composition of security actors in terms of Lower Shabelle’s, not just national, demographics is taken into consideration in both recruitment and deployment.**

- Thorough **lessons learned from the Marka and Wanlaweyn integrated units** would be important input. What are the implications for practice elsewhere and where do fissures remain?
- **Human rights vetting of the security forces** should be undertaken as a matter of urgency, including as has been recommended by successive recent UN Security Council resolutions on Somalia.<sup>260</sup> One of the big challenges for justice and the state building project is the malleability of roles and positions held by the powerful within the governance and security apparatus, shifting between insider to outsider within different arrangements as new political settlements are agreed, with no acknowledgement or accountability for past actions. The international community has to date generally ignored the human rights records of individuals seeking or attaining power in Somalia, with perhaps the sole exception of efforts to conduct some form of vetting during the 2016/17 elections.<sup>261</sup>

**7) Women’s rights and SGBV:** A multi-pronged Lower Shabelle-centered strategy to address SGBV and **focus on both perpetrators and justice actors** (judiciary and customary and other leadership), **alongside addressing social norms**, could identify patterns of perpetration and advocacy with particularly conflict actors, including with respect to vetting, alongside promotion of prosecution and accompaniment of survivors. **Engagement with women and women-led implementing partners** should be the basis for this work, taking into account the need to create women-only safe spaces, and with attention to clan power structures that may affected or be present in organizations working in the sector.

**8) Perception of international community:** The association of the international community with the military, political and economic expansion of the state in Lower Shabelle necessarily ascribes an **internationalized dimension to the state justice sector.** The role of the international community, whether via the impact of military operations by international forces present or perceived as influential, or via NGO and INGO proxies needs to be directly and overtly addressed.

- **International organizations should publicly support the pursuit of accountability with respect to both international state and non-state actors where appropriate.** As AMISOM itself has recognized: “responding to all claims of civilian harm attributable to AMISOM with specific, transparent and standardized actions is a strategic imperative for AMISOM’s mission.”<sup>262</sup> **States are required to investigate war crimes allegedly committed by**

<sup>259</sup> Israel N. Nyadera, Billy Agwand & Mohamed Salah Ahmed (2019). Transformation of the Somali Civil-War And Reflections for a Social Contract Peace-building Process. *Gaziantep University Journal of Social Sciences*, 18(4), 1346-1366.

<sup>260</sup> See, most recently, resolution 2551 (2020), paragraph 4.

<sup>261</sup> See *inter alia*: Abdullahi ‘Baadiyow’ (2012). *Conceptions of Transitional Justice in Somalia*.

<sup>262</sup> Standing Operating Procedures for AMISOM civilian casualty response (CCR SOPs), paragraph 1.4. As the CCR SOPs further note: “such harm can breed resentment among the population and provide recruitment propaganda for the enemy if Somalis feel AMISOM does not appropriately recognize the harm caused and take actions to dignify any losses. CCR SOPs at paragraph 1.3.

**their nationals or armed forces in non-international armed conflicts.**<sup>263</sup> Victims of war crimes and other violations of human rights law have rights to remedy, to access to justice and to reparations, including compensation.<sup>264</sup> As one relative of a drone attack victim told a researcher: “I can accept that my brother was killed in the war. What is really the thing that hurts is that they called him a terrorist.”<sup>265</sup>

- **Accountability within the international humanitarian aid sector must be addressed,** not just as a challenge of donor-focused fraud and compliance, but as a matter of **accountability to local communities.** Consideration could be given to how organizations that implement justice programming can develop participative program design, monitoring and evaluation processes and extend transparency with local communities, including with respect to budget allocations.

**9) The broader national context:** Although the focus on programming will necessarily be on local needs in Lower Shabelle, it would be important also to promote or link with opportunities to challenge the broader environment within which accountability and inclusion is addressed. It is the wider political economy of exclusion that drives the dislocation of Lower Shabelle’s citizens and undermines the potential for justice.

- **Institutions and systems of military and civilian justice require review to ensure that individual security force members are held accountable** for violations—whether in terms of direct or command commission—and **that appropriate schemes of compensation for victims are put in place.** The financial cost of committing or facilitating the commission of violations must be high. The Bariire incident shows that with political will, compensation is possible.
- **Taxation and revenue collection must be transparent in terms of who is authorized to do it, and where it goes.** This is critical to build state legitimacy and reduce extortion, including transparency about the role of the security forces in this process.

#### **Other accountability mechanisms:**

- The **National Human Rights Commission** has a mandate to investigate violations of human rights and hold perpetrators accountable but is not yet operational. Discussions on appointment of commissioners have stalled since 2017. Any effective justice strategy must include advocacy for the establishment of this critical institution to begin to impact the broader impunity context.
- Somalia could consider **ratifying the Rome Statute of the International Criminal Court** to provide a framework for addressing some of the more egregious violations of human rights, in cases where the state is unwilling or unable to engage.<sup>266</sup>
- **Engagement with the African Commission for Human and Peoples Rights (ACHPR)** could be a channel to challenge the impunity of the security forces. Patterns of conduct and systematic obstacles to accountability may be sufficient for communication to the Commission (a case), even without exhaustion of local remedies.<sup>267</sup> The possibility of individuals considering

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<sup>263</sup> See *inter alia*: ICRC (n.d.). Rule 158, *Prosecution of War Crimes*, Customary IHL database, [http://ihl-databases.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule158#Fn\\_65\\_1](http://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule158#Fn_65_1)

<sup>264</sup> UNGA (2005). *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, General Assembly resolution 60/147, December 16, 2005.

<sup>265</sup> Interview with researcher, September 3, 2020.

<sup>266</sup> Members of previous Somali parliaments have expressed an interest in considering ratification. See, for example, the participation of Somali MPs in the 6<sup>th</sup> Meeting of Parliamentarians for Global Action, Working Group on the Universality of the Rome Statute of the International Criminal Court in the Middle East and North Africa.

<sup>267</sup> The last decade has seen Somalia less frequently the subject of Commission deliberations. Recent resolutions on Somalia have addressed foreign airstrikes (ACHPR/Res.422 2019), the food crisis in Somalia (ACHPR/Res.289 2014), terrorist acts (ACHPR/Res.276 2014) and attacks against media practitioners in Somalia (ACHPR/Res.264 2014).

civil cases in states where individuals have assets or residence rights, often the case for those in senior positions in the political or military command, could be explored.<sup>268</sup>

## BIBLIOGRAPHY

- AFRICOM (2018). *Civilian casualty allegation assessment results released*. U.S. Africa Command Public Affairs, press release, November 29, 2018. Available at: <http://www.africom.mil/media-room/pressrelease/30134/aug-25-civilian-casualty-allegation-assessment-results-released>
- Ahmed, Aisha (2015). The Security Bazaar: Business Interests and Islamist Power in Civil War Somalia. *International Security*, 39(3), 89-117.
- Ahmed, Abdirizak, Sagal Ali, Erica Harper, Tanja Chopra & Robin Mydlak (2020). *The Shari'ah in Somalia*. Expanding Access to Justice Program, American Bar Association & Pact Kenya.
- Alasow, Omar Abdulle (2010). *Violations of the Rules Applicable in Non-International Armed Conflicts and Their Possible Causes, the Case of Somalia*. Leiden, NL: Brill | Nijhoff Publishers, 226.
- Ali, Abdifatah Hassan (2020). *AFRICOM's Improved Civilian Casualty Reporting System Still Leaves Gaps for Somalia*. JustSecurity.org at the Reiss Center on Law and Security at New York University School of Law. Available at: <https://www.justsecurity.org/71854/africoms-improved-civilian-casualty-reporting-system-still-leaves-gaps-for-somalia/>
- Allen, Sean, Hawo Idris & Tanja Chopra (2016). *UN Women Briefing Paper 1/2016 Women's Access to Justice and Security in Somalia's Afmadow District: A Snapshot*. UN Women.
- Allen, Sean & Joakim Gundel (2017). *Civil society and civic engagement on accountability in Somalia*. Katuni Consult.
- AMISOM (2016). *AMISOM regrets the loss of civilian lives in Bula Marer*. PR/017/2016, April 16, 2016.
- AMISOM (2016). *AMISOM's response to the Qoorooley and Marka incidents*. PR/042/2016, December 19, 2016.
- Amnesty International (2019). *The Hidden US War in Somalia, Civilian Casualties from Air Strikes in Lower Shabelle*. Available at: <https://www.amnesty.org/download/Documents/AFR5299522019ENGLISH.PDF>
- Amnesty International (2019a). *USA/Somalia: Shroud of secrecy around civilian deaths masks possible war crimes*. March, 20, 2019. Available at [www.amnesty.org/en/latest/news/2019/03/usa-somalia-shroud-of-secrecy-around-civilian-deaths-masks-possible-war-crimes/](http://www.amnesty.org/en/latest/news/2019/03/usa-somalia-shroud-of-secrecy-around-civilian-deaths-masks-possible-war-crimes/)
- Anonymous (2008). *Land, property and housing in Somalia*. UN-Habitat, UNHCR & NRC. Available at: <https://reliefweb.int/report/somalia/land-property-and-housing-somalia>
- Anzalone, Christopher (2018). Black Banners in Somalia: The State of al-Shabaab's Territorial Insurgency and the Specter of the Islamic State. *CTC Sentinel*, 11(3), 12-20.
- 'Baadiyow,' Abdurahman M. Abdullahi (research conducted 2012; publication date unknown) *Conceptions of Transitional Justice in Somalia: Findings of Field Research in Mogadishu*, on file with author.
- Bader, Laetitia & Samer Muscati (2014). *The Power These Men Have Over Us: Sexual Exploitation and Abuse by African Union Forces in Somalia*. Human Rights Watch. Available at: [https://www.hrw.org/sites/default/files/report\\_pdf/somalia0914\\_4up.pdf](https://www.hrw.org/sites/default/files/report_pdf/somalia0914_4up.pdf)
- BBC (2011). *UN declares Somalia famine in Bakool and Lower Shabelle*. BBC News, July 20, 2011. Available at: <https://www.bbc.com/news/world-africa-14211905>
- BBC (2016). *Al-Shabab 'retakes' key Somalia port city of Merca*. BBC News, February 5, 2016. Available at: <http://www.bbc.com/news/world-africa-35502016>

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<sup>268</sup> See for example, successful proceedings by Abukar Hassan Ahmed against Colonel Abdi Aden Magan, a National Security Service officer, who was held responsible for the "brutal and egregious treatment" of Mr. Ahmed at a court in Ohio, awarding US\$ 15 million in damages in 2013. See: <https://cja.org/what-we-do/litigation/ahmed-v-magan/>.

- BBC (2018). *Somali woman 'with 11 husbands' stoned to death by al-Shabab*. BBC News, May 9, 2018. Available at: [www.bbc.com/news/world-africa-44055536](http://www.bbc.com/news/world-africa-44055536)
- Burke, Jason (2018). *Al-Shabaab plundering starving Somali villages of cash and children*. The Guardian, February 23, 2018. Available at: <https://www.theguardian.com/world/2018/feb/21/al-shabaab-extortion-indoctrination-somalia>
- Bryden, Matt (2014). *The Reinvention of Al-Shabaab: A Strategy of Choice or Necessity?* Sahar Research.
- Bryld, Erik, Christine Kamau & Dina Sinigallia (2013). *Gatekeepers in Mogadishu*. TANA Copenhagen & iDC, commissioned by the Somalia Cash Consortium. Available at: <https://www.calpnetwork.org/wp-content/uploads/2020/01/1376766704.pdf>
- Cassanelli, Lee (2015). *Hosts and Guests: A historical interpretation of land conflicts in southern and central Somalia*. Rift Valley Institute.
- Cerulli, Enrico (1959). How a Hawiye tribe used to live (Come viveva una tribù Hawiyya), in: Enrico Cerulli (ed.). *Somalia, scritti vari editi ed inedita, Vol. 2*. Roma: A Cura dell'Amministrazione Fiduciaria Italiana della Somalia; Istituto poligrafico dello Stato, 203-342, 387-392.
- Collinson, Sarah (Ed.) (2003). *Power, livelihoods and conflict: case studies in political economy analysis for humanitarian action*. Humanitarian Policy Group. London: Overseas Development Institute. Available at: <http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/289.pdf>
- Conflict Dynamics International (2013). *From the bottom up: Southern Regions - Perspectives through conflict analysis and key political actors' mapping of Gedo, Middle Juba, Lower Juba, and Lower Shabelle*. Somalia Conflict Early Warning Early Response Unit (CEWERU), vol. 2.
- Crouch, Joanne (2018). *Counter-terror and the logic of violence in Somalia's civil war - Time for a new approach*. Saferworld.
- Dahir, Abdi Latif (2020). *Feared Shabab Exploit Somali Banking and Invest in Real Estate, U.N. Says*. New York Times, October 11, 2020. Available at: <https://www.nytimes.com/2020/10/11/world/africa/feared-shabab-exploit-somali-banking-and-invest-in-real-estate-un-says.html?referringSource=articleShare>
- Denney, Lisa (2016). *Using political economy analysis in conflict, security and justice programmes*. Overseas Development Institute.
- Denney, Lisa & Pilar Domingo (2017). *Guidance note January 2017, Political Economy Analysis – Guidance for legal technical assistance, Role UK/Rule of Law Expertise*. Available at: <https://www.roleuk.org.uk/sites/default/files/files/2019%20-%20PEA%20-%20Guidance%20for%20legal%20technical%20assistance.pdf>
- de Waal, Alex (2015). *The Real Politics of the Horn of Africa: Money, War and the Business of Power*. Oxford: Polity Press.
- de Waal, Alex (2017). *Somalia synthesis paper*. Conflict Research Program, London School of Economics and Political Science, London, UK.
- de Waal, Alex (2018). *The Prairie Fire that Burned Mogadishu: The Logic of Clan Formation in Somalia*. World Peace Foundation and the Conflict Research Programme, London School of Economics and Political Science, London, UK.
- Dhaysane, Mohamed (2020). *At Least 16 Al-Shabaab Members Killed, 40 Kids Freed*. Shabelle Media Network, September 26, 2020.
- EEAS (2020). *EUCAP-S support Federal Darwish Police*. Working paper of the European External Action Service, 08/01/2020.
- Elmi, Ismail (2020). *Access to Justice Assessment Tool – Baseline Study for Somalia: Legal Review*. Expanding Access to Justice Program, American Bar Association & Pact Kenya.

- Eno, Mohamed A. (2005). *The Homogeneity of the Somali People: A study of the Somali Bantu Ethnic Community*. Submitted in partial fulfilment of the requirements for the degree of Doctor of Philosophy in Social Studies Education, St. Clements University.
- Eno, Mohamed A. & Abdi M. Kusow (2014). Racial and Caste Prejudice in Somalia. *Journal of Somali Studies*, 1(2), 91-118.
- Felbab-Brown, Vanda (2020). Case Study Somalia: The Problem with Militias in Somalia: almost everyone wants them despite their dangers, in Adam Day, Vanda Felbab-Brown & Fanar Haddad (eds.). *Hybrid Conflict Hybrid Peace, how militias and paramilitary groups shape post-conflict transitions*. UNU-CPR.
- FEWSNET (2013). *Subsistence Farming in Lower Shabelle Riverine Zone*. Famine Early Warning Systems Network.
- FEWSNET (2020). *Up to 2.1 million people in Somalia face Crisis (IPC Phase 3) or worse outcomes in late 2020*. Famine Early Warning Systems Network. Available at: <https://fewsn.net/east-africa/somalia/key-message-update/september-2020>
- FEWSNET (2020a). *Food Security Outlook Update, Somalia: After multiple shocks, the below-average 2020 deyr is anticipated to worsen food insecurity*. Famine Early Warning Systems Network.
- FGS (2019). *Banana Production and Export Guide, Somalia*. Federal Government of Somalia.
- FGS (2019a). *Investment, and Economic Development, Aid flows in Somalia*. Federal Government of Somalia Ministry of Planning.
- Garowe Online (2015). *Janale District Commissioner killed in raid*. August 4, 2015. Available at: <http://www.garoweonline.com/page/show/post/3283/somalia-janale-district-commissioner-killed-in-raid>
- Goldner-Ebenthal, Karin (2019). *Salafi jihadi armed groups and conflict (de-)escalation: The case of al-Shabaab in Somalia*. Case study report, Berghof Foundation.
- Gundel, Joakim, Louis-Alexandre Berg, Yahya Ibrahim (2016). *Political economy of justice in Somalia, Working Paper*. World Bank.
- Gundel, Joakim & Ahmed Dharbaxo (2006). *The predicament of the 'Oday': The role of traditional structures in security, rights, law and development in Somalia*. Danish Refugee Council, Novib/Oxfam.
- Gundel, Joakim (2009). *Clans in Somalia, Report on a Lecture*. COI Workshop Vienna, May 15, 2009 (Revised Edition).
- Gundel, Joakim (2020). *What's the oil rush in Somalia?*, Conflict Research Program, London School of Economics & Political Science, June 2020, available at <https://blogs.lse.ac.uk/crp/2020/06/17/whats-the-oil-rush-in-somalia/>.
- Hajžmanová, Ivana & Vicente Anzellini (2018). *City of flight, New and secondary displacements in Mogadishu, Somalia*. Internal Displacement Monitoring Centre, Thematic series: UnSettlement: Urban displacement in the 21st century.
- Harper, Erica (2020). *Gender Equality and Social Inclusion Analysis*. Expanding Access to Justice Program, American Bar Association & Pact Kenya.
- Harper, Mary (2019). *Everything that you have told me is true, the many faces of Al-Shabaab*. London: Hurst.
- Hill, Martin (2010). *No redress: Somalia's forgotten minorities*. Minority Rights Group International.
- Hoehne, Markus V. & Najum Mushtaq (2014). *Alternatives for Conflict Transformation in Somalia. A Snapshot and Analysis of Key Political Actors' View and Strategy*. Life & Peace Institute. Available at: [https://assets.ctfassets.net/jzxyrkiixcim/6sx6cjgzhBKjfkHIF9CVyr/501607c4ed90b443e4bd9e2caba58a76/Somalia\\_ACTS\\_2014.pdf](https://assets.ctfassets.net/jzxyrkiixcim/6sx6cjgzhBKjfkHIF9CVyr/501607c4ed90b443e4bd9e2caba58a76/Somalia_ACTS_2014.pdf)
- Hoehne, Markus V. (2015). Continuities and changes regarding minorities in Somalia. *Ethnic and Racial Studies*, 38:5, 792-807.

- HRW (2017). *Somalia: Al-Shabab forces burn villages: Raids Marked by Abductions, Arson and Looting Cause Mass Flight*. Human Rights Watch. Available at: <http://www.hrw.org/news/2017/07/26/somalia-al-shabab-forces-burn-villages>
- HRW (2019). *World Report Somalia 2019*. Human Rights Watch.
- HRW (2020). *Somalia: Inadequate US Airstrike Investigations, Apparently Unlawful Attacks, No Redress for Civilian Deaths*. Human Rights Watch. June 16 2020, available at <https://www.hrw.org/news/2020/06/16/somalia-inadequate-us-airstrike-investigations>.
- ICG (2020). *Staving off Violence around Somalia's Elections*. International Crisis Group, Briefing Paper N° 163, November 10, 2020.
- ICRC (n.d.). Rule 158, *Prosecution of War Crimes*, Customary IHL database, [http://ihl-databases.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule158#Fn\\_65\\_1](http://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule158#Fn_65_1)
- Ingiriis, Mohamed Haji (2016). Many Somalia(s), multiple memories: remembrances as present politics, past politics as remembrances in war-torn Somali discourses. *African Identities*, 14(4), 348-369.
- Ingiriis, Mohamed Haji (2016a). Unmasking the Wolf in Sheep's Clothing: Towards a Critique of the Conflicting Historiographies in Somalia. *Global Journal of Human-Social Science: D History, Archaeology & Anthropology*, 16(2), 13-23.
- Ingiriis, Mohamed Haji (2020). Profiting from the failed state of Somalia: the violent political marketplace and insecurity in contemporary Mogadishu. *Journal of Contemporary African Studies*, 38(3), 437-458.
- Internal Displacement Monitoring Centre (2018). *Global Report on Internal Displacement, Somalia*. Available at: <https://www.internal-displacement.org/sites/default/files/2018-05/GRID%202018%20-%20Figure%20Analysis%20-%20SOMALIA.pdf>
- Jaspars, Susanne, Guhad M. Adan & Nisar Majid (2019). *Food and power in Somalia: business as usual? A scoping study on the political economy of food following shifts in food assistance and in governance*. Conflict Research Programme, London School of Economics and Political Science, London, UK. Available at: [http://eprints.lse.ac.uk/103138/7/Food\\_and\\_Power\\_in\\_Somalia\\_business\\_as\\_usual\\_v5.pdf](http://eprints.lse.ac.uk/103138/7/Food_and_Power_in_Somalia_business_as_usual_v5.pdf)
- Kapteijns, Lidwien (2012). *Clan Cleansing in Somalia: The Ruinous Legacy of 1991*. Philadelphia: University of Pennsylvania Press.
- Kapteijns, Lidwien (2013). *Response To David Laitin's Reflections On Clan Cleansing In Somalia*. World Peace Foundation, November 14, 2013. Available at: <https://sites.tufts.edu/reinventingpeace/2013/11/14/response-to-david-laitins-reflections-on-clan-cleansing-in-somalia/>
- Kusow, Abdi M. & Mohamed A. Eno (2015). Formula Narratives and the Making of Social Stratification and Inequality. *Sociology of Race and Ethnicity*, 1(3), 409-423.
- Landinfo (2014). *Report: Lower Shabelle*. Country of Origin Information Centre, Norwegian Directorate of Immigration.
- Luling, Virginia (2002). *Somali Sultanate – The Geledi City-State over 150 Years*. London: Haan Publishing.
- Majid, Nisar & Stephen McDowell (2012). Hidden dimensions of the Somalia famine. *Global Food Security*, 1(1), 36-42.
- Majid, Nisar & Adele Hamer (2016). *Collective resolution to enhance accountability and transparency in emergencies, Southern Somalia Report*. Transparency International. Available at: [https://www.humanitarianoutcomes.org/sites/default/files/publications/create\\_somalia\\_report\\_2016.pdf](https://www.humanitarianoutcomes.org/sites/default/files/publications/create_somalia_report_2016.pdf)
- Majid, Nisar, Khalif Abdirahman & Shamsa Hassan (2017). *Remittances and Vulnerability in Somalia: Assessing sources, uses and delivery mechanisms*. Rift Valley Institute.

- Majid, Nisar & Susanne Jaspars (2020). *Talking food and power in Somalia: discussions in Nairobi and Mogadishu*. London School of Economics and Political Science.
- Marchal, Roland & Zakaria Yusuf (2016). *Lower Shabeelle in the civil war, historical dynamics of land conflicts in a Somali region.*, FOA and the Nordic International Support Foundation.
- MCA (2020). *Baseline Assessment, perceptions of justice survey*. Minority Communities in Africa.
- McCullough, Aoife & Muhyadin Saed (2017). *Gatekeepers, elders and accountability in Somalia*. Mott Macdonald, commissioned by IAAAD & ODI. Available at: <https://www.odi.org/sites/odi.org.uk/files/resource-documents/11938.pdf>
- Menkhaus, Ken (2006). Governance without Government in Somalia: Spoilers, State Building, and the Politics of Coping. *International Security*, 31(3), 74-106.
- Moalim, Mohamed (2014). *Mogadishu, Profiling of IDPs in five settlements: Horsed, Tarabunka, Sigale, Darwish and Bondhere*. Somali Disaster Management Agency.
- MolFAR (2020). *Fragility Index and Maturity Model for Walnaweyne*. Ministry of Interior, Federal Affairs and Reconciliation in collaboration with the Ministries of Interior of the Federal Member States of Galmudug, Hirshabelle, Jubaland and South West State.
- Moment Green Media (2017). *The origin of the Ajuran and their defeat by the Baadicadde and Gaaljecel*. The Banadir Observatory.
- Mwangi, Oscar Gakuo (2015). State collapse, peace enforcement and the responsibility to protect in Somalia. *The International Journal of Human Rights*, 19(8), 1227-1239.
- Mydlak, Robin (2020). *Access to Justice Assessment Tool – Baseline Study for Somalia*. Expanding Access to Justice Program, American Bar Association & Pact Kenya.
- Mydlak, Robin (2020a). *The Clan System and Customary Justice in Somalia – A Brief Introduction*. Danish Demining Group.
- Nyadera, Israel N., Billy Agwand & Mohamed Salah Ahmed (2019). Transformation of the Somali Civil-War And Reflections for a Social Contract Peace-building Process. *Gaziantep University Journal of Social Sciences*, 18(4), 1346-1366.
- Northern Frontier Youth League & GBV Sub-cluster (2020). *GBV/FGM Rapid Assessment, Report in the Context of COVID-19 Pandemic*. United Nations Population Fund.
- NUSOJ (2020). *Journalist Mukhtar Mohamed Atosh released on bail*. Press Release, April 22, National Union of Somali Journalists. Available at: <https://www.nusoj.org/journalist-mukhtar-mohamed-atosh-released-on-bail/>
- Omaar, Rakiya & Alex de Waal (1994). *African Rights, Grass and the Roots of Peace: Pastoral land issues in Somalia and Somaliland*. London, African Rights Discussion Paper No. 3., April 1994. Available at: <https://sites.tufts.edu/wpf/files/2018/12/African-Rights-Discussion-paper-3-Grass-Roots-of-Peace.pdf>
- Qatar Fund for Development (2020). *Qatar Fund for Development is laying the foundation stone for a two-road project in the Somali city of Mogadishu*.
- Radio Dalsan (2020). *Danab Forces Discover Marijuana Planted On A Piece Of Land In Lower Shabelle (Kuntuwarey)*. August, 16 2020, available at <https://www.radiodalsan.com/en/2020/08/16/danab-forces-discover-marijuana-planted-on-a-piece-of-land-in-lower-shabelle/>
- Rarieya, Yvonne (2017). *Somalia inks \$200 million infrastructure deal with Qatar*. CGTN Africa, November 30, 2017.
- Reese, Scott R. (2003). Review of Virginia Luling, Somali Sultanate: The Geledi City-State over 150 Years. *Sudanic Africa*, 14, 149-52.
- Robinson, Colin D. (2019). The Somali National Army: an assessment. *Defense & Security Analysis*, 35(2), 211-221.

- Rono, Moses (2017). *Somalia food crisis: Has al-Shabab adopted new approach to food aid?* BBC News, 22 March 2017. Available at: <https://www.bbc.com/news/world-africa-39296517>
- SCC (2020). *Pursuant to resolution 751 (1992) concerning Somalia, Implementation Assistance Notice No. 3 Summary of the Improvised Explosive Device (IED) components ban and regulations in place for exportation of explosive materials to Somalia.* Security Council Committee, 3 August 2020.
- Solomon, Hussein (2014). *Somalia's Al Shabaab: Clans vs Islamist nationalism.* *South African Journal of International Affairs*, 21(3), 351-366.
- Somalia Protection Cluster (2019). *Somalia Response Overview 2019*, available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/72049.pdf>
- Somalimemo (2017). *Daawo Sawirro: Arday Beesha Jiidde oo loosoo Xiray Machad Ay Ku Barteen Cilmiga Sharciga Ah.* ("The Jidou clan students completed their study of sharia", informal translation), February 6, 2017. Available at: <http://somalimemo.net/articles/6443/Daawo-Sawirro-Arday-Beesha-Jiidde-oo-loosoo-Xiray-Mach>
- SWDC (2020). *Briefing note: A Situational update on Child survivors of Rape in handled in Madina One Stop Centre.* Somali Women's Development Center.
- SWS (2020). *Rapid multi-sector joint assessment of Gu'Hagaa flash floods Lower Shabelle region.* South West State, July 23, 2020.
- SWS (2020a). *South West State Joint Inter-Agency Wash Assessment at Community Health Facilities and Public Schools*, August 2020.
- Transparency Solutions (2016). *Beyond Isbaaro: Reclaiming Somalia's Haunted Roads, An applied research study to map the political economy of roadblocks in South Central Somalia and assess ways to intervene to promote transformative change.* Mott Macdonald, commissioned by IAAAD & ODI.
- UN (2013). *Statement by the UN Special Representative of the Secretary-General for Somalia Nicolas Kay*, December 18, 2013. Available at: <https://news.un.org/en/story/2013/12/458202-somalia-un-envoy-condemns-deadly-attack-medical-convoy-near-mogadishu>
- UNFAO, FSNAU & FEWSNET (2013). *Press Release, Study Suggests 258,000 Somalis died due to severe food insecurity and famine, Half of deaths were children under 5.* United Nations Food and Agriculture Organization, Food Security and Nutrition Analysis Unit for Somalia & Famine Early Warning Systems Network, May 2, 2013. Available at: [https://fews.net/sites/default/files/documents/reports/FSNAU\\_FEWSNET\\_PR\\_050113\\_FINAL.pdf](https://fews.net/sites/default/files/documents/reports/FSNAU_FEWSNET_PR_050113_FINAL.pdf)
- UNFAO (2018). *Somalia: Country Economic Memorandum Volume I, Rebuilding Resilient and Sustainable Agriculture in Somalia.* Food and Agriculture Organization of the United Nations & The World Bank.
- UNFPA (2014). *Population estimation survey.* Available at: <https://somalia.unfpa.org/sites/default/files/pub-pdf/Population-Estimation-Survey-of-Somalia-PESS-2013-2014.pdf>
- UNFPA (2020). *GBV in Somalia Advocacy Brief.* United Nations Population Fund. Available at: <https://somalia.unfpa.org/en/publications/gender-based-violence-somalia-advocacy-brief-april-2020>
- UNGA (2005). *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, General Assembly resolution 60/147, December 16, 2005.
- UNHCR (2017). *Somalia: displacement dashboard – Protection and Return Monitoring Network (PRMN), displacements during July 2017.* Office of the United Nations High Commissioner for Refugees. Available at: <https://reliefweb.int/report/somalia/unhcr-somalia-flash-report-prmn-displacement-update-10-august-2017>
- UNCHR & UNSOM (2017). *Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia.* Office of the UN High Commissioner for Human Rights & UN Assistance Mission

- in Somalia (covers the period from 1 January 2016 to 14 October 2017). Available at: <http://www.ohchr.org/Documents/Countries/SO/ReportProtectionofCivilians.pdf>
- UNOCHA (2014). *Inter-Agency Mission Report, Marka. Lower Shabelle region*. United Nations Office for Humanitarian Affairs, July 9, 2014.
- UNOCHA (2019). *Humanitarian Needs Overview Somalia, 2020*. Office for the Coordination of Humanitarian Affairs. Available at: [https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/hno\\_2020-for\\_somalia.pdf](https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/hno_2020-for_somalia.pdf)
- UNOCHA (2020). *Lower Shabelle – Situation Analysis October 2012*. Office for the Coordination of Humanitarian Affairs.
- UNSC (2008). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 1853 (2008)*. [S/2008/769]
- UNSC (2015). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2182 (2014)*. [S/2015/801]
- UNSC (2016). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2244 (2015)*. [S/2016/919]
- UNSC (2017). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2317 (2016)*. [S/2017/924]
- UNSC (2018). *Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2385 (2017)*. [S/2018/1002]
- UNSC (2019). *Report of the Panel of Experts on Somalia submitted in accordance with 2444 (2018)*. [S/2019/858]
- UNSC (2020). *Report of the Panel of Experts on Somalia submitted in accordance with resolution 2498 (2019)*. [S/2020/949]
- UNSG (2020). *Report of the Secretary-General, Children and armed conflict in Somalia, 4 March 2020 S/2020/174*. The report covers the period August 1, 2016, to September 30, 2019.
- UNSG (2020a). *Report of the Secretary-General on the situation in Somalia (S/2020/798)*.
- UNSG (2020b). *Report of the Secretary-General, Children and armed conflict in Somalia, 4 March 2020 S/2020/174*. The report covers the period August 1, 2016, to September 30, 2019.
- UNSG (2020c). *Situation in Somalia, Report of the Secretary-General, 13 May 2020, S/2020/398*.
- UNSOM (2017). *Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia*. UN Mission in Somalia. Available at: [https://reliefweb.int/sites/reliefweb.int/files/resources/countering\\_al-shabaab\\_propaganda\\_and\\_recruitment\\_mechanisms\\_report\\_final\\_-\\_14\\_august\\_2017.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/countering_al-shabaab_propaganda_and_recruitment_mechanisms_report_final_-_14_august_2017.pdf)
- Van Lehman, Dan & Risa Proehl (2015). Population Estimates of Somali Bantu with East African Slave Ancestry. *Journal of Somali Studies: Research on Somalia and the Greater Horn of African Countries*, 2(1\_2), 47-66.
- Warsame, Abdihamid (2020). *Weathering the storm: Findings and recommendations from a study of crisis-attributable deaths in Somalia*. Health in Humanitarian Crisis Centre & London School of Hygiene and Tropical Medicine.
- Weberisk, Christian (2005). Fighting for the Plenty: The Banana Trade in Southern Somalia. *Oxford Development Studies*, 33(1), 81-97.
- Weberisk, Christian, Stig Jarle Hansen & Adam Egal (2018). *Somalia: A Political Economy Analysis*. Norwegian Institute of International Affairs.
- Weiss, Caleb (2019). Reigniting the Rivalry: The Islamic State in Somalia vs. al-Shabaab. *CTC Sentinel*, 12(4), 29-33.

- Williams, Paul D. (2020). Building the Somali National Army: Anatomy of a failure, 2008–2018. *The Journal of Strategic Studies*, 43(3), 366-391.
- Williams, Paul D. (2020a). *Ending United States Military Operations in Somalia*. War on the Rocks, August 19, 2020. Available at: <https://warontherocks.com/2020/08/ending-united-states-military-operations-in-somalia>
- Wirtz, Andrea L., Nancy A. Perrin, Amelie Desgropes et al (2014). *Lifetime prevalence, correlates and health consequences of gender-based violence victimisation and perpetration among men and women in Somalia*, *BMJ Global Health* 3(4). Research was carried out in 2014/15.
- World Bank (2020). *Outlook Somalia, 2019*. Available at: <http://pubdocs.worldbank.org/en/752311492188170790/mpo-som.pdf>
- Yusuf, Abdiqani A. (2016). *Press release, Announcement of Lower Shebelle People's Guard (LSPG)*. August 10, 2016. Available at: <http://www.puntlandes.com/?p=28288>
- Yusuf, Aweys Warsame (2006). *Local Business, Local Peace: the Peacebuilding Potential of the Domestic Private Sector, Case study Somalia*. International Alert.