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[Home](#)

### Extended Response to Information Request

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**Somalia:** Update on the situation of women

Research Directorate, Immigration and Refugee Board, Ottawa

This Extended Response updates information in the April 1994 IRB publication *Human Rights Brief: Women in Somalia*, available in Regional Documentation Centres and on the IRB REFQUEST database. In cases where updated information could not be found and in cases where the information in the 1994 publication has not changed, the section has been excluded.

#### General Situation in Somalia

Different regions in Somalia are currently experiencing varying degrees of stability and governance (Menkhaus and Marchal 1999, Executive Summary; UNHCR Mar. 1999, 6-11; UNCHR 18 Feb. 1999, para. 32). In northwestern Somalia, the self-proclaimed state of Somaliland, which is not recognized by the international community, has a certain level of stability and governance (Menkhaus and Marchal 1999, Executive Summary). The Somaliland administration has created a tax system (UNCHR 18 Feb. 1999, para. 103; Home Office Mar. 1999, 4.9; Menkhaus and Marchal 1999, Executive Summary) police force, courts, and basic education and health care systems (ibid.; Home Office Mar. 1999, 4.9). Although Somaliland has continuing problems of corruption, weak administrative capacity and disputed authority (Menkhaus and Marchal 1999, Executive Summary), including occasional conflict in the eastern regions of Sanaag and Sool (UNCHR 18 Feb. 1999, para. 102), the economic situation in the region is improving (ibid., para. 103) and there is greater stability than in most other regions in Somalia (Menkhaus and Marchal 1999, Executive Summary). The 1999 *Country Assessment* by the British Home Office states that the International Organization for Migration (IOM) noted in 1998 that conditions in Somaliland were favourable for the repatriation of displaced peoples (Home Office Mar. 1999, para. 4.13).

The northeastern, self-proclaimed region of Puntland was created on 23 July 1998 (*Keesing's* Aug. 1998, 42430). A 9-member "cabinet" was appointed in August 1998 (ibid.) and a 69-member "parliament" was inaugurated in September 1998 (ibid. Sept. 1998, 42478). According to the Home Office, Puntland has been the most stable part of the country since the collapse of the central government in 1991 (Mar. 1999, para. 4.3). Although the region is controlled by the Majerteen-based Somali Salvation Democratic Front (SSDF) (ibid., para. 4.4), sources state that freedom of movement is respected and that a large number of Somalis from different clans have moved to and settled in Puntland (ibid., para. 4.8). While some incidents of violence and intimidation were,

according to UNHCR, still occurring as of early 1999 (Mar. 1999, 8), the Home Office states that the IOM concluded in 1997 that the political, economic and social conditions in Puntland are suitable for the return and reintegration of a substantial number of displaced peoples (Home Office Mar. 1999, para. 4.8).

Most parts of southern Somalia continue to be classified by the United Nations as zones of crisis (UNCHR 16 Jan. 1998, 15; Menkhaus and Marchal 1999, Executive Summary). The Home Office reported in March 1999 that the city of Mogadishu was controlled by four rival factions led by Ali Mahdi in northern Mogadishu and part of the Bermuda district of southern Mogadishu, Hussein Aideed in southern Mogadishu, Ali Ato in a small section of southern Mogadishu, and Musa Sude in the Medina district of southern Mogadishu (Home Office Mar. 1999, para. 4.14). According to the Danish Immigration Service, quoted by the Home Office, security conditions vary widely throughout the city and the political landscape, although stable at times, is fluid and prone to sudden changes (ibid, para. 4.15). Although abated, there was still fighting in southern and central Somalia in March 1999, particularly in the regions of Gedo, Bay and parts of Bakool and the Lower Juba (UNHCR Mar. 1999, 8).

## **The Situation of Women**

### **Education**

According to United Nations Development Program (UNDP) figures quoted by the United Nations Commission on Human Rights (UNCHR), only 14 to 17 per cent of Somali children aged 6 to 14 are enrolled in school (18 Feb. 1999, para. 16). Of the children enrolled, girls continue to be underrepresented (ibid.; Menkhaus and Marchal 1999, Chapter 3). In *Somalia 1999 Human Development*, Menkhaus and Marchal quote UNICEF figures showing that girls make up 38 per cent of total school enrolment; the statistics vary from 39 per cent in grades one to four to 28 per cent in grades five to eight (ibid.). The northwestern part of the country has the lowest female enrolment at 30 per cent, while Mogadishu has the highest female enrolment at 47 per cent (ibid.). The lowest rate of female enrolment in the northwest is in Adwal where only eight per cent of registered students are girls (ibid.). Menkhaus and Marchal state that female enrolment is lower than male enrolment for a variety of reasons, including "traditional, Islamic constraints on the movement of young, unmarried females outside the home" and the fact that a girl's education is given less importance since Somali girls are considered temporary members of their family's homes (ibid.).

### **Political Participation**

Women continue to be politically marginalized in Somalia, in part due to the clan-based administrations and clan-based reconciliation process (*Daily Mail & Guardian* 29 Mar. 1999; Voice of Somali Women 11-13 July 1999, 7). The clan elders and militia are typically male (ibid.); women are typically excluded since they are considered "clanless" (*Daily Mail & Guardian* 29 Mar. 1999). Women were denied the right to vote or compete as candidates in the first set of Somaliland elections [in early 1997] (UNCHR 16 Jan. 1998, 11). Similarly, there were no women delegates to the 15 May to 30 July 1998 Constitutional Conference during which the State of Puntland was created (ibid. 18 Feb. 1999, para. 30). However, the newly-created Puntland Constitution does allow women to run in elections and reserves a number of seats for women (Menkhaus and Marchal 1999, Chapter 2). Of the 69 members of Puntland's parliament inaugurated in July 1998, 5 were women (*Daily Mail & Guardian* 29 Mar. 1999; All Africa News Agency 8 Mar. 1999; see also Voice of Somali Women 11-13 July 1999, 15).

There were no female delegates at the peace and reconciliation meetings in Sodere, Ethiopia

(Menkhaus and Marchal 1999, Chapter 2) in January 1997 (AI 1998). Nor were there women delegates at the Cairo meeting (Menkhaus and Marchal 1999, Chapter 2) in December 1997 (AI 1998). According to the initial proceedings of the Voice of Somali Women for Peace, Reconciliation, and Political Rights, the few women who did attend these peace negotiations as well as ones in Kenya and Djibouti did so only in support roles (Voice of Somali Women 11-13 July 1999, 6-7).

Women have helped found several NGOs, including Iida, Kenyatta Relief and Development Organization (KERDO), Committee of Concerned Somalis (CCS), Somali Aid and Development (SOMAID), and Candle Light (Menkhaus and Marchal 1999, Chapter 2). Somali women also founded the Somali Coalition of Grassroots Women's Organizations (COGWA) (*Peace and Freedom* May 1998). According to the Home Office, many local NGOs, co-operatives, and credit associations have been organized by and are run by women (Mar. 1999, para. 5.7). The UNCHR notes that women are involved with intergovernmental organizations (18 Feb. 1999, para. 19).

## **Employment**

Traditionally, a Somali woman's role was limited to childbearing, child-rearing, and household duties (*WIN News* Winter 1998, 54). Breakdowns in Somali families caused by the civil war led women to assume new economic responsibilities (UNCHR 16 Jan. 1998, 10; Menkhaus and Marchal 1999, Chapter 2). Prior to the collapse of the Somali state, the central government was the main employer (UNCHR 16 Jan. 1998, 10). After its collapse, many men lost their jobs and turned to banditry, looting or the militias (*ibid.*). This forced women to step into the economic sphere and take the jobs that men found "too demeaning" (*ibid.*). The jobs women took were predominantly in the business and commercial sectors, including selling the drug *qaat*, running coffee shops, and trading in the market (*ibid.*; see also Menkhaus and Marchal 1999, Chapter 2). According to recent reports, women in Somalia account for 90 per cent of the labour force (UNCHR 18 Feb. 1999, para. 76), predominate in the local markets (Affi 1997), and own the majority of small businesses in the country (*ibid.*; Voice of Somali Women 11-13 July 1999, 16). However, according to the UNCHR, their new role in the economic sphere has not radically changed their status in society (16 Jan. 1998, 11). In addition, according to All Africa News Agency, women involved in the market trade are in a highly vulnerable position, as young militias, sometimes under the influence of drugs, loot their wares (8 Mar. 1999; see also *Horn of Africa Bulletin* Sept.-Oct. 1998, 18-19).

## **Health**

The collapse of the central government in 1991 also saw the collapse of the centrally-run health care system (UNCHR 16 Jan. 1998, 10), which, according to *Planned Parenthood Challenges*, has resulted in increased maternal mortality and morbidity (1998). A 1997/98 UNICEF survey, referred to by Menkhaus and Marchal, indicated that 19 per cent of women in the north are attended to by a doctor, midwife, or nurse during childbirth, while in central and southern parts of the country, the figure is 10 per cent (1999, Chapter 2). According to the most recent UNICEF/WHO data available, the maternal mortality rate in Somalia was 1,600 per 100,000 in 1990 (UNICEF 1998, 120). This was the highest rate in the Horn of Africa and one of the highest rates in all of Africa, surpassed only by Sierra Leone (*ibid.*, 118-121). The main causes of maternal mortality are bleeding after childbirth; prolonged and obstructed labour; infections; and eclampsia (Menkhaus and Marchal 1999, Chapter 2). Anaemia and female genital mutilation contribute to and exacerbate these complications (*ibid.*). In addition, poor antenatal, delivery, and post-natal care; and the limited availability of emergency care for birth complications are contributing factors (*ibid.*).

For information on female genital mutilation (FGM) in Somalia, please refer to the 1994 IRB publication *Human Rights Brief: Women in Somalia*, available in Regional Documentation Centres

and on the IRB REFQUEST database, and the 1999 Information Package on Female Genital Mutilation in Africa, available in Regional Documentation Centres.

## **Domestic Violence**

According to the UNCHR, a shariah court which was operational in Jowhar, in the middle Shabelle region, between February 1995 and May 1998 presided over several cases of wife-beating and abuse which had been brought before the court by women (18 Feb. 1999, para. 65, 70). The court's decisions in these cases reportedly ranged from requesting the families to mediate between the husband and wife, requiring the husband to guarantee that he would no longer abuse his wife, and, in some cases, ordering the imprisonment of the husband for his actions (ibid.). The Jowhar court was abolished in May 1998 when the judges resigned due to conflicts between the court and Ali Mahdi, one of Mogadishu's faction leaders (ibid., para. 65). Shariah courts are also active in north Mogadishu (ibid.) and in local communities throughout the country (Menkhaus and Marchal 1999, Executive Summary).

## **Violence Against Women in the Civil War**

Since the civil war started, women have frequently been raped (Affi Sept. 1997; Voice of Somali Women 11-13 July 1999, 7; Menkhaus and Marchal 1999, Chapter 2). According to the UNCHR, rape became a "weapon of war" for both militia and bandits (18 Feb. 1999, para. 74). Although *Country Reports 1998* states that there were "no reports of systematic attacks on women" in connection with the civil violence in 1998 (1999, 378), several sources have reported recent incidents of rape and other violence within the context of the war. For example, in its annual report covering 1998, Amnesty International stated that human rights abuses, including rape, continued to be carried out by clan militias (AI 1999). The BBC reports that in a June 1999 article in a Somali newspaper, a spokesperson for the Rahanweyn Resistance Army (RRA) claimed that Hussein Aideed's militiamen raped and killed five women in a village near Baydhabo in southcentral Somalia (BBC 4 June 1999). Similarly, a spokesperson for the Somali National Front (SNF) accused RRA militiamen of "raping and robbing" Marehan women travelling through RRA controlled territories in southwestern Somalia (ibid.). The Doctor Ismail Juma'ale Human Rights Organization (DIJHRO), described by the UNCHR as the most important human rights organization in Mogadishu (18 Feb. 1999, para. 144), has also reportedly accused Hussein Aideed's USC/SNA (United Somali Congress and Somalia National Alliance) militiamen of committing systematic rape against women in the southern part of the country (AFP 19 Apr. 1999; *Horn of Africa Bulletin* Mar.-Apr. 1999, 15). According to an April 1999 press release issued by the DIJHRO, produced after 45 days of fieldwork in the district of Qoroley in the region of Lower Shabelle, women of all ages are victims of rape by the USC/SNA militia (AFP 19 Apr. 1999). According to the same source, the report claims that women living in 15 different villages, including Gaywarow, Maaya-Farax, Malaayley, Gorgal, Aayarto, Afgoy-yare and Jarrow are victims of rape by militiamen (ibid.; see also *Horn of Africa Bulletin* Mar.-Apr. 1999). In a report submitted to the *Women's International Network News*, the Juba Women Development Center, an NGO operating in the city of Kismayo, states that rape, physical mistreatment, girl-child marriage and the violation of women's basic rights are commonplace (*WIN News* Winter 1998, 54). In its annual report covering 1998, Amnesty International states that members of minority communities, including the Bantu and Benadiri, continue to be at risk of rape (AI 1999). The UNCHR also reports that Bantu and Rahanweyn women are subject to rape (18 Feb. 1999, para. 74).

## **Situation of Sex Trade Workers**

The 1997 Nordic Fact-Finding Mission to Mogadishu reported that the majority of Mogadishu's sex trade workers come from the Rer Hamar and Bantu communities, while a minority comes from

the Somali clans (Danish Immigration Services 1998, 39). At the time of the report, seven Mogadishu sex workers had reportedly recently been arrested and flogged (ibid., 40). According to a representative of the Somali Network for Prevention of and Protection against Child Abuse and Neglect (SONPPCAN), young Somali girls who run away from forced marriages are in "imminent danger of lapsing in prostitution." (ibid.). The fact-finding team stated that there were thought to be only around 80 sex trade workers in Mogadishu at the time of their mission (ibid.).

### **Situation of Women in Somaliland**

According to the UNCHR, the situation of women in Somaliland has improved recently in some respects, although there has also been a backlash in the some areas of women's rights (18 Feb. 1999, para. 110). Provisions in the 1997 Somaliland constitution prohibit discrimination on the basis of sex (*Country Reports 1998* 1999, 378). Although women have come to play dominant roles in the local business and NGO sectors, they have no presence in the political life of the region, as previously mentioned (UNCHR 18 Feb. 1999, para. 110). Even though women served as judges in the past, there are no women in the Somaliland judiciary, apart from those in administrative roles (ibid. 16 Jan. 1998, 16; see also ibid. 18 Feb. 1999, para. 115). Similarly, there are no women occupying public positions in Somaliland (ibid. 18 Feb. 1999, para. 110). According to a November 1998 AFP report, the Somaliland government was in the process of adopting Islamic law (27 Nov. 1998). Through this law, girls and boys would be educated in separate classrooms, men and women would be treated in separate hospitals, and Muslim women would have to conform to Islamic dress-codes (ibid.). Non-Muslim women would be exempt from the latter (ibid.). Further information on this law being passed was not found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Extended Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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[Top of Page](#)

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