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Somalia: The situation of minority groups and their members (January 2002 - August 2004)
Research Directorate, Immigration and Refugee Board, Ottawa

Minority groups and low-caste clans as identified by various sources include the following: the Bantu, the Benadiri, Rer Hamar, Brawanese, Swahili, Tumul, Yibir, Yaxar, Madhiban, Hawrarsame, Muse Dheryo and Faqayaqub, Bajuni, Benadir, Bandhabow, (*Country Reports 2003* 25 Feb. 2004, Sec. 5; *Smithsonian* 1 Jan. 2004; Danish Immigration Service Mar. 2004, 37, 39; Agencia de Informacao de Mocabique 1 July 2003; UNHCR/ACCORD 11-12 June 2001, 144). However, depending on geography, a member of a majority clan in one area of the country can be a minority in another area of the country (AI 27 May 2004).

There is a consensus among sources consulted by the Research Directorate that minority groups and their members face discrimination (*Country Reports 2003* 25 Feb. 2004, Sec. 5; AI 2004; *Smithsonian* 1 Jan. 2004; AFP 25 Apr. 2003), human rights violations and "vulnerab[ility] to abuses" (AI 2004; *ibid.* 27 May 2004; *ibid.* 2004; CONCERN 27 May 2004; Danish Immigration Service Mar. 2004, 17; *Country Reports 2003* 25 Feb. 2004, Sec. 5; BBC 4 Oct. 2002; *The Indian Ocean Newsletter* 15 Feb. 2003; Africa News Service 25 Jan. 2002). According to a March 2004 report by the Danish Immigration Service, "low-status and minority groups...are frequently subject to abuse and exploitation" (17). Freedom House reported in 2003 that "[m]inority clans [were] harassed, intimidated, and abused by armed gunmen." Generally speaking, minority groups are unarmed in Somalia (AI 27 May 2004; AFP 7 Apr. 2002)

In specific cases, members of minority groups have been taken hostage (AFP 7 Apr. 2002; *ibid.* 5 Mar. 2002; CONCERN 27 May 2004), raped, killed, discriminated against with regards to property rights, have inadequate access to services, are victims of forced labour, and have few employment opportunities (*ibid.*; see also *Country Reports 2003* 25 Feb. 2004, Sec. 5). That members of minority groups are forced into labour by majority groups was also stated by *Country Reports on Human Rights Practices for 2003* (25 Feb. 2004, Sec. 5) and the March 2004 Danish Immigration Service report, which added that they are also recruited against their will into the Somali militias, which make them "perform the domestic and menial roles" (32). Members of minority groups employed as traders, who attempt to exchange products in the market are also required to pay higher taxes; if they refuse, they are denied access to the market and may be arrested or killed by the militias (Danish Immigration Service Mar. 2004, 51). During a presentation on Somalia at the Ninth European Country of Origin Information Seminar held in Dublin, Ireland, on 26 and 27 May 2004, a

representative of CONCERN, a non-governmental organization based in Somalia, indicated that members of minority groups are commonly referred to as "looml ooyaan," which the representative defined as someone for whom no one will cry if he or she is killed (see also Danish Immigration Service Mar. 2004, 29). During the seminar, a representative of Amnesty International added that "minorities are killed with impunity" in Somalia (27 May 2004). According to Amnesty International's *Annual Report 2004*, "[r]ape of internally displaced women and girls, particularly from minority communities, was reported in Mogadishu."

During his presentation on Somalia in Dublin, the representative of Amnesty International declared that although it is doubted that minorities do not have any protection against discrimination and human rights violations, "they in fact do not" (27 May 2004). According to the March 2004 report by the Danish Immigration Service, minority and low-caste clans "are afforded little protection under customary clan law and have virtually no recourse to a system of justice when victimized" (17). The report explains that members of minority groups have no legal rights because they do not belong to the *Diya* compensation system (or the traditional customary law), and even if they did, there is no judicial system to which members of minority groups can turn, be it Sharia courts or courts under the *Diya* system (Danish Immigration Service Mar. 2004, 29). The only way a member of a minority group can be assured of some level of protection is by "establish[ing] an alliance with a dominant clan in their area" (ibid., 30). This can be done in one of two ways: "through intermarriage between a member of a minority group and a member of a major clan, or when a minority group submits to be dominated by a noble clan." (ibid.). However, intermarriage between minority and majority groups is "restricted" (*Country Reports 2003* 25 Feb. 2004, Sec. 5), and in such cases, according to information provided by Amnesty International in Dublin, Ireland, "the threat of death...is very real" (27 May 2004).

For additional information on the situation of minority groups in Somalia please refer to paragraphs 6.62, 6.88 to 6.109 and Annex C of the April 2004 country report on Somalia by the Immigration and Nationality Directorate of the UK Home Office.

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

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Additional Sources Consulted

Internet sites, including: European Country of Origin Information Network (ECOI), Human Rights Watch (HRW), Integrated Regional Information Networks (IRIN), Minority Rights Group, Panapress, Somalitalk.

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