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Refugee status

GUIDANCE NOTE
Last update: August 2023

This section of the guidance outlines the conclusions of the common analysis concerning the sub-profiles included in the scope of this document.

For more guidance how to read this section, see the common analysis

3.2. Persons associated with the government of Somalia and/or international actors

Read more about the general context of targeting of persons perceived to be associated with the government of Somalia and/or international actors in the common analysis.

The different subsections should be read in conjunction with the general context.

3.2.2. Federal and state officials

GUIDANCE NOTE
Last update: August 2023

Both Al-Shabaab and ISS have targeted federal and state officials, however, this sub-profile focuses on individuals targeted by Al-Shabaab.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination).



Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of **higher level federal and state officials**. With regard to **lower level officials**, not all individuals would face the level of risk required to establish well-founded fear of persecution. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature of duties, visibility of profile, area of origin and operational capacity of Al-Shabaab, etc.

In **Somaliland**, where the group has limited operational capacity, the risk of persecution for state and federal state officials is generally low. Risk-impacting circumstances (e.g. visibility of profile, nature of duties, area of origin and operational capacity of Al-Shabaab) should be given due consideration.



Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.

Read more in the common analysis

3.2.3. Members of the federal and state armed forces

GUIDANCE NOTE
Last update: August 2023

Both Al-Shabaab and ISS have targeted members of the federal and state armed forces, however, this sub-profile focuses on individuals targeted by Al-Shabaab.

Persecution: legal qualification

For members of armed forces, certain risks are inherent to their duties and the activities they take part in, and those would not amount to persecution or serious harm. However, risks outside the performance of their duties, could be of such severe nature that they would amount to persecution (e.g. targeted killing outside of fighting).

Well-founded fear: risk analysis

In **South-Central Somalia**, well-founded fear of persecution would in general be substantiated in the case of members of the federal and state armed forces.

There is limited information with regards to targeting members of the federal and state armed forces specifically in **Puntland**. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature of duties, visibility of profile and proximity to high level federal or state officials or members of the armed forces, time of service, etc. The increasing operational capacity of Al-Shabaab in Puntland in relation to the area of origin of the applicant should be carefully taken into consideration.

In **Somaliland**, where the group has limited operational capacity, the risk of persecution for members of the federal and state armed forces is generally low. Risk-impacting circumstances (e.g. visibility of profile, the rank, the time of service, nature of duties, area of origin and operational capacity of Al-Shabaab) should be given due consideration.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.



Exclusion considerations could be relevant to this profile.

Read more in the common analysis

3.2.4. Electoral delegates

GUIDANCE NOTE
Last update: August 2023

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing).

Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of (former) electoral delegates.

In **Somaliland**, where Al-Shabaab has limited operational capacity, the risk of persecution for (former) electoral delegates is generally low. However, risk-impacting circumstances (e.g. area of origin and operational capacity of Al-Shabaab) should be given due consideration.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.

Read more in the common analysis

3.2.5. Civilians perceived as ‘spies’ by Al-Shabaab

GUIDANCE NOTE
Last update: August 2023

This profile refers to civilians accused by Al-Shabaab of spying for the government, for ATMIS/AMISOM or other international actors, and for FMS forces or administrations.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution).

Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of civilians perceived as ‘spies’.

Despite the limited capacity of Al-Shabaab in **Somaliland**, civilians perceived as spies may be considered a priority target and the individual assessment should take into account risk-impacting circumstances such as: visibility of profile, area of origin, etc.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.

Read more in the common analysis

3.3. Persons fearing recruitment by Al-Shabaab

GUIDANCE NOTE
Last update: June 2022
**Minor updates: August 2023*

This profile refers to adult males fearing recruitment by Al-Shabaab against their will.

For women fearing forced recruitment by Al-Shabaab, see **3.13.3. Women and girls fearing forced recruitment by Al-Shabaab**. For child recruitment by Al-Shabaab, see **3.14.2. Child recruitment by Al-Shabaab**

In the case of Al-Shabaab, recruitment is for a wide range of purposes, such as fighting, providing administrative support, collecting taxes, propelling outreach, intelligence gathering, etc.

This profile also contains information on individuals refusing to provide recruits to Al Shabaab.

Persecution: legal qualification

Forced recruitment amounts to persecution. The consequences of refusal of forced recruitment, including for elders or families refusing to provide recruits, could also amount to persecution (e.g. killing).

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age (young men are at higher risk), area of origin and the control or influence of Al-Shabaab, clan affiliation, educational background, (prior) profession(s), socio-economic situation of the family, etc.

Potential nexus to a reason for persecution

While the risk of forced recruitment as such may not generally imply a nexus to a reason for persecution, the consequences of refusal could lead to persecution which is highly likely to be for reasons of religion and/or (imputed) political opinion.

Read more in the common analysis

3.4. Deserters and defectors from Al-Shabaab

GUIDANCE NOTE
Last update: August 2023

This profile refers to men, having deserted or defected from Al-Shabaab, including boys who had been actively involved in the group, especially as fighters.

For the situation of women and children having left Al-Shabaab, see **3.13.4. Women and girls who have left Al-Shabaab**.

Persecution: legal qualification

Criminal prosecution in itself does not amount to persecution. However, acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical violence, torture, death penalty, detention or execution by Al-Shabaab). When the acts in question are of less severe nature (e.g. stigmatisation by the community), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.

Well-founded fear: risk analysis

In the case of deserters and defectors from Al-Shabaab, well-founded fear of persecution would in general be substantiated in **South-Central Somalia** and **Puntland**. Additionally, well-founded fear of persecution by the government may be substantiated.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in **Somaliland** should take into account risk-impacting circumstances, such as: the rank and role in Al-Shabaab (e.g. being considered ‘high-risk’ by the state authorities), the reach of Al-Shabaab in the area of origin, clan affiliation, clan and family views towards Al-Shabaab, distance of the area of

deployment of boys for Al-Shabaab from the area of origin and possibility to be reunited with the family, level of assistance by a support/clan network, socio-economic situation, etc.

Family members of individuals under this profile, especially their wives, may also have a well-founded fear of persecution.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.



Exclusion considerations could be relevant to this profile.

Read more in the common analysis

3.5. Individuals refusing to pay ‘taxes’ to Al-Shabaab

GUIDANCE NOTE
Last update: August 2023

The term ‘taxes’ in the context of this profile includes protection money, extorsion and religious ‘taxes’.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination).

Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of individuals who refuse to pay ‘taxes’ to Al-Shabaab.

At the time of writing, this claim does not appear to have particular relevance for **Somaliland**.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of (imputed) political opinion and/or religion.

Read more in the common analysis

3.6. Humanitarian workers and human rights defenders

GUIDANCE NOTE
Last update: June 2022

This profile refers to employees of humanitarian NGOS and United Nations agencies as well as individual activists, and human rights defenders.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. assassination, abduction).

Well-founded fear: risk analysis

In **South-Central Somalia** and **Puntland**, well-founded fear of persecution would in general be substantiated in the case of humanitarian workers and human rights defenders, in particular in view of Al-Shabaab's pervasive presence in these areas.

In **Somaliland**, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as visibility of profile, nature of activities, area of origin and operational capacity of Al-Shabaab, etc.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion and/or (imputed) political opinion.

Read more in the common analysis

3.7. Journalists

GUIDANCE NOTE
Last update: June 2022
**Minor updates: August 2023*

This profile refers to journalists and their situation in relation to potential targeting by different actors throughout Somalia.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, abduction, physical violence).

Well-founded fear: risk analysis

In the case of journalists seen as critical of an actor particularly active in a specific area or in control of a specific area, well-founded fear of persecution would in general be substantiated in that specific area.

In the case of other journalists, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender (higher risk for women), the topic they report on, visibility of activities and public profile, reach of the actors they report on, etc.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In case of targeting by Al-Shabaab, persecution of this profile may also be for reasons of religion.

Read more in the common analysis

3.8.1. Individuals (perceived as) contravening social or religious laws/tenets

GUIDANCE NOTE
Last update: June 2022

This sub-profile refers to individuals (perceived as) contravening Islamic laws, including apostates, converts, blasphemers and individuals (perceived) as having committed

hadd crimes, in Al-Shabaab controlled areas.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution, killing, amputation, other forms of corporal punishment).

Well-founded fear: risk analysis

Individuals perceived by Al-Shabaab as contravening Islamic laws would in general have a well-founded fear of persecution in areas under its control in **South-Central Somalia**.

With regard to areas outside of the control of the group including in South-Central Somalia, Puntland and Somaliland, see With regard to areas outside of the control of the group including in South-Central Somalia, Puntland and Somaliland, see **3.8.2. Individuals (perceived as) contravening Islamic and customary tenets outside Al-Shabaab controlled areas**.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion.

Read more in the common analysis

3.8.2. Individuals (perceived as) contravening Islamic and customary tenets outside Al-Shabaab controlled areas

GUIDANCE NOTE
Last update: June 2022

This sub-profile focuses on individuals (perceived as) contravening Islamic and customary tenets, including apostates, converts, blasphemers, individuals belonging to religious minorities or (perceived) having committed hadd crimes and other individuals perceived as contravening moral norms, in areas outside the control of Al-Shabaab.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killings by Al-Shabaab, some forms of physical violence by family members/conservative elements in local community and Al-Shabaab). Prosecution for acts which are not considered criminal according to international standards (e.g. adultery) would also amount to persecution. When the acts in question are restrictions of less severe nature on the exercise of certain rights (e.g. restrictions to freedom of religion), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

When considering such applications, the case officer should take into account that it cannot reasonably be expected that an applicant will abstain from his or her religious practices in order to avoid persecution. It should be noted that the concept of religion shall in particular include the holding of theistic, non-theistic and atheistic beliefs (Article 10(1)(b) QD).

Well-founded fear: risk analysis

In the case of (those perceived as) apostates, converts, proselytisers or blasphemers, in general, well-founded fear of persecution would be substantiated in the whole of Somalia, including **South-Central Somalia**, **Puntland** and **Somaliland**.

In the case of other individuals (perceived as) contravening Islamic and customary tenets in areas outside of the control of Al-Shabaab, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: nature and visibility of activities of the applicant, belonging to a religious minority (e.g. Christians being at higher risk), area of origin in relation to presence or operational capacity of Al-Shabaab, etc.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of religion. In some cases, persecution may be for reasons of membership of a particular social group. For example, individuals seen as transgressing moral norms may have a well-founded fear of persecution based on their common background which cannot be changed (perceived past behaviour) or a shared characteristic or belief that is so fundamental to identity or conscience that they should not be forced to renounce it (opposition to cultural, social or religious norms and the unwillingness to comply with

them). They may also be considered to have a distinct identity in Somalia, as they may be viewed as being different from the surrounding society (e.g. stigmatisation).

A thorough individual assessment should take place to whether the particular characteristic or belief is fundamental to the identity or conscience of the applicant.

Read more in the common analysis

3.9. Individuals involved in blood feuds/clan disputes

GUIDANCE NOTE
Last update: June 2022
**Minor updates: August 2023*

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing).

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: gender (men have a significantly higher risk), being considered a priority target, clan affiliation, etc.

Potential nexus to a reason for persecution

The individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, lineage/clan members involved in a blood feud may have a well-founded fear of persecution for reasons of membership of a particular social group, based on their innate characteristic (i.e. being a member of the lineage/clan) and due to the fact that lineages/clans are known and may have a distinct identity in the surrounding society. Furthermore, in case of inter-clan disputes, persecution of individuals may be for reasons of race.



Exclusion considerations could be relevant to this profile.

Read more in the common analysis

3.10. Individuals accused of crimes in Somalia

GUIDANCE NOTE
Last update: June 2022
**Minor updates: August 2023*

This profile refers to people who are accused of ordinary crimes (e.g. crimes against property, life, physical integrity). This profile does not intend to cover acts which are not criminalised according to international standards (see for example profile **3.12. LGBTIQ persons**). It also refers to people who are accused of treason or espionage by the Somali authorities, as well as of crimes that endanger public safety.

Persecution: legal qualification

In general, prosecution through the official justice system, would not amount to persecution. Capital and corporal punishments, irrespective of the nature of the crime, are considered to amount to persecution. Violations of the due process of law and/or disproportionate or discriminatory punishments could also amount to such severe violations of basic human rights.



Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland** and **Somaliland**, should take into account individual circumstances, such as the legal framework and the justice system applied, the nature of the crime for which they may be accused and the envisaged punishment, etc.



Potential nexus to a reason for persecution

In the case of individuals accused of ordinary crimes, there would in general be no nexus to a Convention ground. However, where a well-founded fear of persecution is established in relation to the envisaged punishment under Sharia law, persecution may be for reasons of religion. In individual cases, the prosecution may (also) be motivated by another Convention ground or initiated or conducted on a discriminatory basis

related to a Convention ground.

With regard to treason, espionage or crimes that endanger public safety, persecution may be for reasons of (imputed) political opinion.

Where no nexus is substantiated, see sections **4.1. Article 15(a) QD: death penalty or execution** and **4.2. Article 15(b) QD: torture or inhuman or degrading treatment or punishment**, respectively.



Exclusion considerations could be relevant to this profile.

Read more in the common analysis

3.11. Minorities

Read more about the general context of targeting of minorities in the common analysis.

3.11.2. Low status occupational minorities

GUIDANCE NOTE
Last update: June 2022

This sub-profile refers to persons who belong to low status occupational minorities. These minorities include the Gabooye (Madhibaan and Muse Diriye sub-groups), the Yibir, the Tumal, the Galgale, the Gahayle, the Yahar, the Ugaadhyahan/Ugaaryahan, the Eyle, the Hawle and the Hawrasame.

Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical and sexual violence). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland** and **Somaliland** should take into account risk-impacting circumstances, such as: gender, their area of origin and the local clan dynamics, financial situation, etc.

Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for reasons of race and/or membership of particular social group, based on an innate characteristic or common background which cannot be changed (the family they are born into/inherited occupational status) and distinct identity in Somalia, as they are perceived as different in the Somali society.

Read more in the common analysis

3.11.3. Ethnic minorities

GUIDANCE NOTE
Last update: June 2022

Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killings, abductions, sexual violence). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: the specific minority group that the applicant belongs to, gender, area of origin and the local clan dynamics, etc.

Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race (ethnicity).

Read more in the common analysis

3.11.4. Groups specialised in religious services

GUIDANCE NOTE
Last update: June 2022

Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. some forms of abuse). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: their area of origin in relation to the specific minority group they belong to and the local clan dynamics, gender, etc.



Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Furthermore, persecution of groups specialised in religious services may also be for reasons of membership of particular social group, based on an innate characteristic or common background which cannot be changed (the family they are born into/inherited religious status) and distinct identity in Somalia, as they are perceived as different in the Somali society.

Read more in the common analysis

3.11.5. Clans which can be considered minority groups in local contexts

GUIDANCE NOTE
Last update: June 2022

This sub-profile refers to persons who belong to groups that are seen as majority under one aspect and as minority under another aspect. These groups include the Rahanweyn (Digil and Mirifle sub-clans), the Tunni, the Begedi and the Geledi.

Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. some forms of exploitation). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: their area of origin in relation to the specific minority group they belong to and the local clan dynamics, their status as ‘noble’ or ‘commoner’, gender, etc.



Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Persecution of minority groups in local contexts may also be for reasons of membership of a particular social group, based on an innate characteristic or common background which cannot be changed (the family they are born into) and distinct identity, as they may be perceived as different in the local context.

Read more in the common analysis

3.11.6. Individuals in mixed marriages

GUIDANCE NOTE
Last update: June 2022

Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, physical violence). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia**, **Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: gender, the clan of the partners (in particular whether one of the partners belongs to a minority clan), specific minority group that the applicant belongs to, area of origin, etc.



Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile is highly likely to be for reasons of race. Persecution of individuals in mixed marriages may also be for reasons of membership of particular social group, based on a common background which cannot be changed (entering in a mixed marriage) and distinct identity in Somalia, as they are perceived as different in the Somali society.

Read more in the common analysis

3.12. LGBTIQ persons

GUIDANCE NOTE
Last update: June 2022

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. death penalty by Sharia-implementing courts, imprisonment, violence).

Well-founded fear: risk analysis

For individuals under this profile, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia**, **Puntland and Somaliland**.

It has to be noted that an applicant cannot be expected to conceal their sexual orientation or gender identity to avoid persecution.

Potential nexus to a reason for persecution

Available information indicates that the persecution of this profile is highly likely to be for reasons of membership of a particular social group, based on a shared characteristic that is so fundamental to the identity of the applicant, that he or she should not be forced to renounce it; and based on their distinct identity in Somalia, because they are perceived as being different by the surrounding society.

Read more in the common analysis

3.13. Women and girls

Read more about the general context of targeting of women and girls in the common analysis.

3.13.1. Violence against women and girls: overview

GUIDANCE NOTE
Last update: June 2022
**Minor updates added: August 2023*

Persecution: legal qualification

Some acts reported to be committed against women and girls under this profile are of such severe nature that they amount to persecution (e.g. rape, certain forms of physical violence including of domestic violence, sexual violence). When the acts in question are of less severe nature (e.g. obstacles to employment, education and access to justice), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: age, area of origin and actor in control of the area, clan affiliation, being from a displaced or nomadic community, having a disability, level of assistance by a support/clan network, etc.

In the case of women without support network, see sub-profile **3.13.7. Single women and female heads of households**.



Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for different reasons under Article 10 QD, depending on the specific circumstances of the case. For example, women and girls who have been sexually abused may be subjected to persecution for reasons of membership of a particular social group, based on their common background which cannot be changed (past experience of sexual abuse) and distinct identity in Somalia (in relation to stigmatisation by society).

Read more in the common analysis

3.13.2. Female genital mutilation or cutting (FGM/C)

GUIDANCE NOTE
Last update: August 2023

Persecution: legal qualification

FGM/C amounts to persecution.

Well-founded fear: risk analysis

In the case of girls who have not been subjected to FGM/C, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.

In the case of women who have not been subjected to FGM/C, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to be subjected to FGM/C should take into account risk-impacting circumstances, particularly the age of the applicant, her marital status, and the views of her family on the practice. The circumstances under which the applicant had managed to avoid being subjected to FGM/C should also be given due consideration.

In the case of women and girls who have been subjected to FGM/C, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to be subjected to repeated FGM/C should take into account risk-impacting circumstances, such as: age, family status, type of FGM/C experienced, family perceptions and traditions towards the practice, etc.



Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for reasons of membership of a particular social group. For example, women and girls who have not been subjected to FGM/C, may be subjected to persecution for reasons of this innate characteristic and/or common background which cannot be changed (not being subjected to FGM/C) and their distinct identity in Somalia. Persecution of this profile may also be for reasons of religion.

Read more in the common analysis

3.13.3. Women and girls fearing forced recruitment by Al-Shabaab

GUIDANCE NOTE
Last update: August 2023

This sub-profile refers to women and girls fearing recruitment by Al-Shabaab against their will.

This profile should be read in conjunction with **3.3. Persons fearing forced recruitment by Al-Shabaab**.

Persecution: legal qualification

Forced and child marriage by Al-Shabaab amount to persecution. Furthermore, women and girls could be exposed to acts by Al-Shabaab which are of such severe nature that they would amount to persecution (e.g. killing, abduction, sexual violence, domestic slavery).

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: age, area of origin and the control or influence of Al-Shabaab, clan affiliation, family/community perception, etc.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of race (e.g. in the case of Bantu women) and/or religion (see also profile **3.8. Individuals (perceived as) contravening social or religious laws/tenets**).

Read more in the common analysis

3.13.4. Women and girls who have left Al-Shabaab

GUIDANCE NOTE
Last update: August 2023

This sub-profile refers to women and girls who had been wives of Al-Shabaab members or otherwise actively engaged in the group's activities and who have left Al-Shabaab.

For the treatment of adult males and boys who had been actively involved in the group, especially as fighters, who desert or defect, see **3.4. Deserters and defectors from Al-Shabaab**. The present subsection should be read in conjunction with the two subsections mentioned above.

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. execution and imprisonment, certain forms of physical violence including sexual violence, torture, death penalty). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.

Well-founded fear: risk analysis

In the case of women and girls having left Al-Shabaab, well-founded fear of persecution by the group would in general be substantiated in **South-Central Somalia** and **Puntland**.

Furthermore, women and girls may have a well-founded of persecution by the community and the government in individual cases. Risk-impacting circumstances could include: past role in Al-Shabaab, clan affiliation and protection, displacement

situation, etc.

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in **Somaliland** should take into account risk-impacting circumstances, such as: the past role in Al-Shabaab, the area of reintegration, participation in a rehabilitation programme, clan affiliation, level of assistance by a support/clan network, displacement situation, having left with their child(ren), distance of the area of deployment of girls for Al-Shabaab from the area of origin and possibility to be reunited with the family etc.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion. Persecution of women who have left Al-Shabaab marriages may also be for reasons of membership of a particular social group based on their common background which cannot be changed (past marriage to an Al-Shabaab member) and distinct identity in Somalia (in relation to stigmatisation).

Exclusion considerations could be relevant to this profile.

Read more in the common analysis

3.13.5. Child marriage and forced marriage

GUIDANCE NOTE
Last update: June 2022
**Minor updates: August 2023*

Persecution: legal qualification

Forced and child marriage amount to persecution. When the consequences of refusal of forced marriage may be of less severe nature (e.g. social stigma), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: prevalence of the practice in the area of origin, age, socio-economic status of the family, clan and family traditions, etc.



Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of religion and/or membership of a particular social group. For example, refusal to enter into a marriage may result in persecution for reasons of membership of a particular social group in relation to a common background which cannot be changed (refusal to marry) and/or a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it (the right to choose whom to marry) and their distinct identity in Somalia (e.g. stigmatisation).

Read more in the common analysis

3.13.6. Women and girls in clan conflicts

GUIDANCE NOTE
Last update: June 2022

Persecution: legal qualification

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. certain forms of physical harm). In relation to the tradition of gobod reeb, forced and child marriage would amount to persecution.

See also sub-profile **3.13.5. Child marriage and forced marriage**.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: belonging to a minority clan, family/clan traditions, etc.



Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of race and/or membership of a particular social group (especially in relation to some minority groups, see more information under profile **3.11. Minorities**).

Read more in the common analysis

3.13.7. Single women and female heads of households

GUIDANCE NOTE
Last update: June 2022
**Minor updates: August 2023*

This sub-profile refers to single women (e.g. divorced women, unmarried women, widows) and female-heads of households. Girls can also fall in this sub-profile.

Persecution: legal qualification

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. physical violence, sexual violence). When the acts in question are of less severe nature (e.g. ostracism), the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: being in an IDP situation, family status (e.g. single mother), family/society perceptions, level of assistance by a support/clan network etc.

In the case of single women and female heads of households without support/clan network, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.

Potential nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of membership of a particular social group. For example, women with children born out of wedlock may be subjected to persecution for reasons of membership of particular social group, based on their common background which cannot be changed (having a child out of wedlock) and distinct identity in Somalia (in relation to stigmatisation by

society and seen as betraying the family honour).

Read more in the common analysis

3.14.1. Violence against children: overview

GUIDANCE NOTE
Last update: June 2022
**Minor updates added: August 2023*

Persecution: legal qualification

Some acts reported to be committed against children are of such severe nature that they amount to persecution (e.g. sexual violence, trafficking, certain forms of child labour, child recruitment, FGM/C). When the acts in question are (solely) of discriminatory nature, the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for a child to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: area of origin, family status, level of assistance by a support/clan network, etc.

In the case of children without support/clan network, well-founded fear of persecution would in general be substantiated in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**.

Potential nexus to a reason for persecution

With regard to the nexus to a reason for persecution, the assessment should take into account the individual circumstances of the child. For example, children born out of wedlock may be subjected to persecution for reasons of membership of a particular social group, based on their common background which cannot be changed (born out of wedlock) and distinct identity in Somalia (in relation to stigmatisation by society).

Read more in the common analysis

3.14.2. Child recruitment by Al-Shabaab

GUIDANCE NOTE
Last update: August 2023

This sub-profile refers to children fearing recruitment by Al-Shabaab. For an overview of other actors recruiting children, see **3.14.1. Violence against children: overview**.

For information on the treatment of families refusing to provide younger family members, including children, as recruits to Al-Shabaab, see profile **3.3. Persons fearing forced recruitment by Al-Shabaab**.

Persecution: legal qualification

Child recruitment is of such severe nature that it amounts to persecution, including when recruitment is not induced by coercion.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender, age, area of origin and the control or influence of Al-Shabaab, clan affiliation and clan positioning towards Al-Shabaab, socio-economic situation of the family, family status (e.g. orphans), etc.

Potential nexus to a reason for persecution

The individual circumstances of the child need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children who refuse to join Al-Shabaab, persecution may be for reasons of (imputed) political opinion and/or religion.

Read more in the common analysis

3.15. Persons with disabilities or severe medical issues

GUIDANCE NOTE
Last update: June 2022

Persecution: legal qualification

The lack of personnel and adequate infrastructure to appropriately address the needs of individuals with (severe) medical issues fails to meet the requirement of Article 6 QD regarding the existence of an actor that inflicts persecution or serious harm, unless the individual is intentionally deprived of healthcare.

In the case of persons living with disabilities, the individual assessment whether the discrimination and mistreatment by society and/or by the family could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Well-founded fear: risk analysis

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution in the whole of Somalia, including **South-Central Somalia, Puntland and Somaliland**, should take into account risk-impacting circumstances, such as: nature and visibility of the mental or physical disability, negative perception by the family/community, existence of support network, etc.



Potential nexus to a reason for persecution

Where well-founded fear of persecution is substantiated, available information indicates that persecution of this profile may be for reasons of membership of a particular social group (e.g. persons with noticeable physical disability, due to this innate characteristic and distinct identity linked to their stigmatisation by the surrounding society).

Read more in the common analysis

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