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Guidance Note 7

COMMON ANALYSIS
Last update: June 2022
**Minor updates: August 2023*

Some of the particular risks Somali children may face include the following.

- **Violence against children (general)**: grave violations against children, including attacks on schools, abductions, maiming, molestation and killings were perpetrated by various actors [Security 2023, 1.4.1.; pp. 41-42; 1.4.3. p.49; 2.1.3., p. 76].

With regard to violence specifically against girls, see sub-profile 3.13.1. Violence against women and girls: overview.

Violence experienced by boys includes sexual violence, killing and maiming and deprivation of liberty by Somali state, federal and international forces, as well as Al-Shabaab and clan militias [Targeting, 5.2., pp. 83-85; Actors, 2.4.6., pp. 43-45; 3.6., p. 57; 4.5., pp. 66-67; 7.1.5., p. 82]. Cases of child trafficking and of child labour have also been reported [Security 2021, 2.6.2.3., p. 131; KSEI 2021, 1.3.5.6., pp. 44-45].

- **Child recruitment**: children have been recruited by multiple actors in Somalia. During the period 1 August 2016 – 30 September 2019, 391 cases of child recruitment were attributed to SNA, 172 cases to SPF and 169 cases to clan militias [Actors, 2.4.6., p. 43; 3.6., p. 57]. FMS forces have also been accused of child recruitment [Actors, 7.1.5., p. 82; 7.2.5., p. 87; 7.5.3., p. 99; 7.5.5., p. 101; 7.6.5., p. 108]. During the same period, 4 910 cases were attributed to Al-Shabaab [Actors, 4.5., p. 67]. On child recruitment by Al-Shabaab, see sub-profile 3.14.2. Child recruitment by Al-Shabaab.
- **FGM/C**: in Somalia, FGM/C is almost universally practiced throughout the country. The majority of girls are circumcised between ages 5-9 [Targeting, 2.4., p. 40]. See more under sub-profile 3.13.2. Female genital mutilation or cutting (FGM/C).
- **Child marriage**: Child marriage rates are higher for girls compared to boys, see sub-profile 3.13.5. Child marriage and forced marriage. However, boys can also be subjected to child marriage [Targeting, 2.3., p. 36].
- **Children born out of wedlock**: a child born out of wedlock would face discrimination and stigma and some would end up on the streets as orphans after getting abandoned by their mothers. Furthermore, children born out of wedlock and their mothers may be abandoned by the rest of the extended family [Targeting, 2.5., pp. 44-45].
- **Children in IDP camps**: the precarious situation of children, and in particular children in female-headed households, in IDP sites continued to be reported as of November 2022 [

Security 2023, 1.4.2., p. 48].

Conclusions and guidance

Do the acts qualify as persecution under Article 9 QD?

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). 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.

What is the level of risk of persecution (well-founded fear)?

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**.

Are the reasons for persecution falling within Article 10 QD (nexus)?

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 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).

See other topics concerning children:

- *3.14.1. Violence against children: overview*
- 3.14.2. Child recruitment by Al-Shabaab

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