Somalia

Country Overview

Politics

Somalia is technically a federal parliamentary republic in West Africa, according to the U.S. Central Intelligence Agency (CIA). The Federal Government of Somalia (FGS) was formed in 2012. Clan elders nominated individuals to serve on the House of the People of the Federal Parliament. The parliament then elected President Hassan Sheikh Mohamud. Former president Sheikh Sharif, who ruled during the Transitional Federal Government (TFG) and was running for re-election, considered the election to be fair. According to Freedom House, mandates for both the Mohamud administration and the parliament were up in August 2016, but the government declared that a “one-person, one-vote election” would not be possible because of the conflict in the country. No alternative transition mechanism has been put in place. Lawmakers called for the President’s impeachment back in August 2016, but the motion has since been dropped.

The FGS maintains control over the capital city, Mogadishu, and most of the local capitals in the country were still controlled by regional governments. However, the self-declared independent Republic of Somaliland and the semi-autonomous Federal State of Puntland control their respective regions of the country. The federal member states that were supposed to be established by the 2012 provisional constitution have yet to be fully functional. Terrorist group Al-Shabaab remains in control of the Juba River Valley and many rural areas in the south-central part of the country. Al-Shabaab continued to engage in armed conflict with the African Union Mission in Somalia (AMISOM) and Somali security forces in 2016. The country has been rife with conflict since January 1991 when Siad Barre’s authoritarian and socialist regime collapsed.

Economy

Somalia is classified by the World Bank as a low income economy. Somalia’s economic infrastructure has been largely destroyed by the enduring conflict in the country. According to the CIA, formalized economic growth has not expanded outside of the country’s capital city, Mogadishu, and a few of the regional capitals. The informal economy in Somalia continues to function, mostly in livestock, remittance/money transfer companies, and telecommunications. Livestock accounts for 40 percent of the country’s GDP and over 50 percent of export revenue. In 2016, economic activity reportedly...
increased 3.7 percent, based on growth in the agriculture, construction, and telecommunications sectors.\textsuperscript{11}

Threats to the Somalian economy, other than the persistent conflict in the country, include droughts, floods, deforestation, overgrazing, soil erosion, and desertification.\textsuperscript{12}

**Social/Human Development**

The main ethnic group in Somalia is Somali (85 percent). Bantu and other non-Somali, including 30,000 Arabs, make up the remaining 15 percent of the population.\textsuperscript{13} According to the U.S. Department of State, the minority groups in the country are “disproportionately subjected to killings, torture, rape, kidnapping for ransom, and looting of land and property with impunity by faction militias and majority clan members.”\textsuperscript{14}

Over sixty percent of the Somali population is under 25 years of age. Just over 40 percent of children in Somalia are in primary school, one of the lowest enrollment rates in the world. The country also has one of the highest youth unemployment rates, leaving them highly vulnerable to recruitment by terrorist groups. Insecurity, drought, floods, food shortages, and unemployment have driven hundreds of thousands of Somalis from their homes.\textsuperscript{15}

Somalia does not have a Human Development Index score.\textsuperscript{16} In fact, there is very little data on the status of the country’s citizens due to the ongoing political insecurity and violence in the country. The World Bank conducted the Somali High Frequency Survey in 2016 in an attempt to fill this gap in knowledge. The preliminary survey found that poverty rates (the percentage of the population living at USD 1.90 a day at 2011 international prices) ranged from 35 to 71 percent in different parts of the country, with rural areas and IDP settlements having the highest rates.\textsuperscript{17}

**U.S. Department of State TIP Report Summary (2017)**

The U.S. Department of State considered Somalia to be a special case for the fifteenth year in a row. The country does not therefore have an official TIP ranking.\textsuperscript{18}

The *Trafficking in Persons Report* noted risk of trafficking in potentially exported supply chains including agriculture, crushing stones, and construction.

Read the full TIP Report at: [https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271280.htm](https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271280.htm)
Migrant and Other Vulnerable Populations

Somalia has had a large negative net migration since the early 1980s.\textsuperscript{19} The largest source country for migrants was Ethiopia at just over 2,000 migrants in 2015. Eritrea was second with only 34.\textsuperscript{20}

There were an estimated 1.62 million persons of concern in Somalia at the end of 2016. Since March 2015, over 33,500 individuals (returning Somalis and Yemeni refugees) fled the conflict in Yemen.\textsuperscript{21}
According to the International Organization for Migration (IOM), tens of thousands of Somalian migrants and refugees leave the country each year due to security and economic reasons. The most common destination country for migrants from Somalia is Kenya, followed by Ethiopia and Yemen.
Exports and Trade

Somalia’s top exports in 2016 were sheep, goats, bovine animals, as well as other live animals. Other top exports include oil seeds and oleaginous fruits, electronic integrated circuit parts, natural gums and resins, mollusks, various fruits, such as apricots, cherries, and peaches, and frozen fish.²⁴

According to mirror data, the top importers of all goods from Somalia are Saudi Arabia and Oman.²⁵
Trafficking in Persons Risk Factors Analysis

Legal/Policy Risk Factors

Level of Legal Protection for Civil Liberties and Workers’ Rights

Freedom of Association

The 2012 provisional federal constitution provides for the rights of workers to form and organize unions, to engage in collective bargaining, and to conduct legal strikes. No group of workers are excluded from these rights and no limits are established on the scope of collective bargaining. The constitution does not prohibit antiunion discrimination. According to the U.S. Department of State, the Somali government and the country’s employers do not respect workers’ rights to freedom of association.26

Working Conditions

There is no national minimum wage in Somalia. Wages and working conditions are generally established based on supply and demand for goods and services, as well as by arrangement through the influence of workers’ clans. The legal workweek is 48 hours a week with an overtime limit of 12 hours a week. Premium pay for overtime is required by law and 15 days of annual leave, in addition to nine paid national holidays, is mandated. However, the Ministry of Labor is reportedly ineffective at enforcing the law and no official structure has been set up to carry out inspections of working conditions.27

Discrimination

The law prohibits discrimination based on race, sex, disability, political opinion, color, language, and social status, but the U.S. Department of State has reported that these laws are not effectively enforced.28

Forced Labor

The law prohibits forced labor, slavery, servitude, and trafficking for any purpose. However, according to the U.S. Department of State, limited efforts have been made by authorities to combat trafficking.29
Child Labor

The 2012 provisional constitution states that “No child may perform work or provide services that are not suitable for the child’s age or create a risk to the child’s health or development in any way” and defines a child as a person under the age of 18 years old. However, no legal minimum working age is explicitly provided. The pre-1991 labor code set the legal minimum working age at 15 with different legal working ages for different hazardous activities. The U.S. Department of State has reported that child labor laws are not enforced in the country. The government did engage in campaigns to remove child soldiers from armed conflict, but the practice has continued to be a problem.30

Civil Society Organizations

The U.S. Department of State reports that human rights groups operated outside of the areas controlled by Al-Shabaab and experienced no major restrictions in Puntland and Somaliland.31 According to Freedom House, NGOs have limited operations actually in Somalia; instead they typically work out of neighboring Kenya.32 Government officials have reportedly harassed and refused to cooperate with NGOs at times.33 Humanitarian organizations are targeted by Al-Shabaab and journalists have been killed, harassed, intimidated, and arbitrarily detained.34

Immigration Policies Limiting the Employment Options or Movement of Migrants

The 2012 provisional constitution provides for the right to freedom of movement for all lawful residents. However, freedom of movement is restricted in many areas of the country by checkpoints operated by government forces, armed militias, clan factions, and al-Shababb and by the ongoing conflict. Information is not available specifically on the status of migrant workers in Somalia.35
Ratification of ILO Conventions Related to Human Trafficking or Rights of Workers and Migrants

<table>
<thead>
<tr>
<th>Conventions</th>
<th>Status</th>
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<tr>
<td>ILO 29 Forced Labor</td>
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<tr>
<td>ILO 87 Freedom of Association and Protection of the Right to Organize</td>
<td>In force</td>
</tr>
<tr>
<td>ILO 98 Right to Organize and Collective Bargaining</td>
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<tr>
<td>ILO 100 Equal Remuneration</td>
<td>Not ratified</td>
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<tr>
<td>ILO 105 Abolition of Forced Labor</td>
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<tr>
<td>ILO 111 Discrimination</td>
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<tr>
<td>ILO 138 Minimum Age</td>
<td>Not ratified</td>
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<tr>
<td>ILO 181 Private Employment Agencies</td>
<td>Not ratified</td>
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<tr>
<td>ILO 182 Worst Forms of Child Labor</td>
<td>In force</td>
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<tr>
<td>ILO 97 Migration for Employment</td>
<td>Not ratified</td>
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Political Risk Factors

Political Instability or Conflict

Somalia has been plagued with political instability and conflict for decades. Since the collapse of Siad Barre’s regime in 1991, the country has “descended into turmoil, factional fighting, and anarchy,” according to the CIA. The FGS was formed in 2012 and exercises some control over parts of the country. However, civilians continue to be killed, injured, and displaced by violent conflict between government forces, armed militias, the AMISOM peacekeepers, and terrorist group Al-Shabaab in the south-central part of Somalia. Fighting between clans and sub-clans continues as well, resulting in the deaths of clan members and civilians.

Somalia scores a 113.4 in the 2017 Fragile States Index, placing it in the highest “Alert” Category. Neighboring Ethiopia has a score of 101.1 and Kenya has a score of 96.4. Yemen, across the Gulf of Aden, has a score of 111.1. The conflict in Yemen between the internationally recognized government of Abd Rabbuh Mansour Hadi and Houthi-Saleh rebels has effected Somalia. Since March 2015, over 33,500 individuals residing in Yemen have fled to Somalia, including over 28,800 returning Somali nationals and 4,500 Yemeni refugees.

Somalia’s percentile rank for political stability and absence of violence/terrorism was 2 on the World Bank’s 2015 Worldwide Governance Indicators report.
Level of Crime and Violence

There are high levels of crime and violence in Somalia, based on clan divisions, warlord activity, and the presence of the terrorist group Al-Shabaab. According to Amnesty International, the armed conflict between FGS security forces, AMISOM peacekeepers, and Al-Shabaab in central and southern Somalia has resulted in countless human rights and international humanitarian law violations. Armed groups have recruited and trained children to be soldiers and abducted, tortured, and killed many civilians. Amnesty International reported that there was no “reliable casualty tracking system” in the country so the total number of civilians killed by the conflict is unknown. Crimes of sexual violence are also widespread in the Somalia. Human Rights Watch describes the rates of sexual violence as “alarming” and reports that internally displaced women and girls are particularly vulnerable. Government soldiers and militia members are reportedly common perpetrators. The courts generally have not investigated abuses by the police, army, or militia members. Clan-based violence has included revenge killings and attacks on civilians.

The World Economic Forum Global Competitiveness Report did not include Somalia in its rankings.

Level of Corruption

The Transparency International Corruption Perception Index scores Somalia as a 10 out of 100, where a 0 signals “Highly Corrupt” and a 100 signals “Very Clean.” Somalia is ranked 176 out of 176 on that index. Corruption is rampant in the country, according to Freedom House, influencing the judiciary, Somaliland’s House of Elders, and government officials. There are few mechanisms in place to hold government officials accountable.

Socio-Economic Risk Factors

Level of National Economic Development

The United Nations has classified Somalia as a “least developed country” since 1971. Somalia does not have a Human Development Index score. There is very little data on the level of national economic development in the country due to political instability and the ongoing conflict.

Level and Extent of Poverty

The World Bank conducted the Somali High Frequency Survey in 2016 in order to generate data on the Somali population. The preliminary survey found that poverty rates (the percentage of the population living at USD 1.90 a day at 2011 international prices) ranges from 35 to 71 percent in different parts of
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the country, with rural areas and IDP settlements having the highest rates.\textsuperscript{51} Somalia’s gross national income (GNI) per capita, based on the United Nations’ triennial review, was USD 119 in 2015.\textsuperscript{52}

\textbf{Degree of Gender Inequality}

The United Nations Development Programme’s (UNDP) 2016 Gender Equality Index and the World Economic Forum’s Global Gender Gap Report do not have data on Somalia.\textsuperscript{53}

According to the Organization for Economic Co-operation and Development (OECD), customary law and Sharia law preside over family matters in Somalia because of the essential collapse of many state institutions. Even though the Family Code of 1975 prohibits the marriage of individuals under 18 years old, with the exception of women as young as 16 with parental consent, early marriage and forced marriages are practiced. The Agricultural Land Ownership Law of 1999 grants women equal rights in inheriting and acquiring land, but Sharia law dictates that daughters can only inherit half of what sons can inherit.\textsuperscript{54}

According to the U.S. Department of State, women are discriminated against in credit, education, politics, and housing.\textsuperscript{55} The law mandates equal pay for equal work, but this is not always respected in practice. Women are underrepresented in employment in the formal sector and are kept in lower-level positions in large companies. Women have been explicitly excluded from economic activities in the areas controlled by Al-Shabaab as the group views female economic activity seen as anti-Islamic. The Council of Ministers approved a national gender and policy plan in May 27, 2016 to improve the education, employment, and political status of women and girls. The Minister of Women, Human Rights, and Social Development subsequently received death threats and the Somali Islamic Scholars Union labeled the policy un-Islamic.\textsuperscript{56} According to Freedom House in 2016, only 14 percent of parliamentary seats were held by women, despite the 30 percent quota requirement set out by the national gender and policy plan.\textsuperscript{57}

Rape is illegal under Somalian law, though no spousal violence is criminalized. Despite the law, sexual violence is perpetrated with impunity in the country, according to Somali NGOs. Government forces and militia members are often perpetrators and female IDPs and minority clan members have been especially vulnerable to crimes of sexual violence.\textsuperscript{58} According to Human Rights Watch, there have been reports that some AMISOM peacekeepers sexually exploited women and girls on their Mogadishu base. Some women were reportedly forced to engage in sexual acts in exchange for humanitarian assistance, medicine, and food.\textsuperscript{59} Gang rape has also been reported to be a problem in the country, primarily in poor neighborhoods and among vulnerable populations, such as immigrants, returned refugees, and IDPs, in urban areas. Sexual harassment is prohibited by the provisional federal constitution as well but it remains widespread.\textsuperscript{60}
Landlessness and Dispossession

There were over 1.5 million IDPs in Somalia by the end of 2016. Many IDPs were returned to areas that AMISOM and Somali security forces had liberated from Al-Shabaab, which created land ownership disputes with no mechanism in place to address them. According to the U.S. Department of State, authorities forcibly evicted close to 91,000 people, mostly IDPs, from January to August of 2016. Many of them were relocated to Mogadishu. However, IDPs were also forcefully evicted from various forms of shelter in Mogadishu by authorities and private land owners.

Environmental Factors

Somalia experiences recurring droughts and flooding during the rainy season. Droughts have contributed to the high numbers of IDPs in the country and have exacerbated the country’s humanitarian crisis. In 2011, there was a famine that killed over a quarter of a million people.

Documented Trafficking in Persons Risk Factors in Key Commodity Supply Chains

Livestock

Livestock Overview

More than half of the Somali population earns a living in the livestock sector and livestock and associated products total more than 80 percent of the country’s exports. Live animals are primarily shipped to Saudi Arabia. The northern part of the country is home to pastoralists, with pastoralists and agro-pastoralists in the south.

Documented Trafficking in Persons Risk Factors in Livestock

According to the U.S. Department of State, ethnic Bantus and Midgaan are sometimes involved in forced labor in herding. Some children are exploited by extended family members in livestock herding.
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**Endnotes**


18 https://www.state.gov/j/tip/rls/tiprpt/countries/2017/271280.htm
