





**53**<sup>rd</sup> of 54 African countries **9**<sup>th</sup> of 9 East African countries





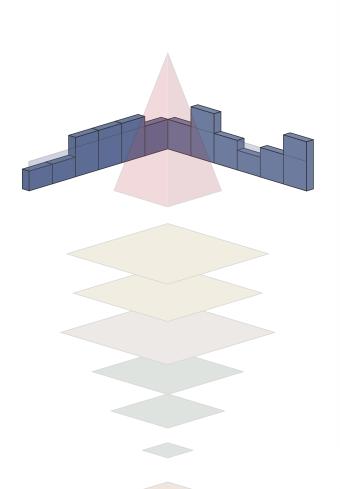






















# **CRIMINALITY**

### Criminal Markets

### **PEOPLE**

Human trafficking is a significant and growing area of concern in Somalia, with children, women and men being forced into sexual exploitation and labour. Most victims come from south-central Somalia, and are destined mainly for Europe, the Gulf states and Southern African states. Ethiopians transiting Somalia are also vulnerable to victimization. It is common for women in the country to act as recruiters and intermediaries. Al-Shabaab also participates in these practices, particularly to recruit child soldiers, as well as engaging in sexual slavery and forced marriage.

Given the decades of conflict in Somalia, human smuggling is a well-entrenched practice, with little resistance from the state. On the contrary, smuggling rings have a long reach and often collude with authorities. Human smuggling is thus considered a viable source of income for Somali citizens, especially those living in the northern part of the country. It is primarily a source country for human smuggling, with many people smuggled across East Africa to Libya, and on towards Europe, as well as a major transit hub for the smuggling of Ethiopian migrants. Pirates often act as smugglers for people moving across the Gulf of Aden to Yemen. Due to regional threats and the current humanitarian situation in Yemen, many Somali expats are also seeking to return home. Although being a less violent market, the COVID-19 pandemic has reduced the influx of migrants, which has caused clans to clash

### **TRADE**

Due to armed violence and political instability since the early 1990s, a significant number of illegal weapons are available in Somalia, ranging from pistols to machine guns and explosive devices, and are commonly trafficked by clan militias, al-Shabaab, governmental groups, and transnational trafficking networks based in the north, particularly Puntland and eastern Somaliland. Criminal groups also receive weapons from local security forces. Overall, arms trafficking in Somalia is endemic and only seems to be growing.

#### **ENVIRONMENT**

Despite a 2012 ban on charcoal exports from Somalia, the commodity is still consistently smuggled out of the country. The cutting of trees for the illicit charcoal trade has contributed to deforestation and land degradation, which further exacerbates the problems of food insecurity and cyclical drought. Additionally, charcoal and other timber products may be taxed by criminal syndicates at certain border crossings, which may contribute to terrorism financing in an indirect way. In regard to fauna crimes, there are reports of ivory and rhino-horn smuggling in the country. Somalia is also a hub for the illegal cheetah trade, with animals arriving from Ethiopia destined for Saudi Arabia or the UAE. Illegal, unreported and unregulated fishing is also prevalent. Furthermore, there is evidence of considerable corruption related to the issuance of prospecting and mining rights and concessions, particularly in the hydrocarbon exploration industry.

### **DRUGS**

The domestic heroin market is non-existent in Somalia but heroin shipments reportedly pass through Somali territorial waters. Similarly, there is no evidence of high-volume trafficking of cocaine, cannabis, or synthetic drugs. This is in large part because neighbouring states have far more stable security environments and networks that are easily co-opted. Moreover, the threat of al-Shabaab executing any drug traffickers remains.

## **Criminal Actors**

In Somalia, al-Shabaab operates under the ranks of a transnational crime syndicate, and is sponsored through engaging in a number of criminal activities, including extortion and racketeering as well as trafficking. In particular, al-Shabaab employs mafia-style tactics of violence and intimidation to collect taxes on various goods. Many other militant actors function on Somalia's territory, ranging from warlord and clan militias to different militant groups. Moreover, criminal networks operating in Somalia, frequently work with al-Shabaab. Criminal entrepreneurs appear to be the primary drivers of criminal networks in the country, with a number of prominent and internationally connected figures taking the foreground. They control ethnic or clan-based networks that coordinate to smuggle commodities to East African and Gulf countries. Pirate networks have



more fluid structures and two major groups can be identified – one operating in the north-eastern part of the country, in Puntland, and the other one controlling central Somalia. They tend to share personnel, resources, territory and most importantly, profits.

The resources controlled by the government in Somalia are minimal due to the state's weakness. At the same time, corruption is widespread. Evidence shows that state officials and government authorities are also involved in organized criminal activities, specifically in taxing flows or gatekeeping illegal activities in return for bribes. As for

foreign actors, North and East African traffickers tend to control many trafficking networks in Somalia. Horn of Africa foreign entrepreneurs and business interests in Somalia often employ techniques that skirt legality. Qatar and the UAE have influenced Somali electoral processes through dark money and bribery. A high number of foreign fighters have also joined al-Shabaab. Lastly, the sustainability of Somalia's fisheries is under threat by the presence of foreign fishing vessels, many of which operate illegally.

## RESILIENCE

### **LEADERSHIP AND GOVERNANCE**

Somalia is a fragmented country and is characterized by internal tension, violent extremism, extensive displacements, and weak governance. After decades of conflict, there is still no formal legitimate authority in place that has complete control over the entire territory. The lack of functioning state institutions has led to scant interest in developing or promoting political and economic processes that could lead to peace and stability. Al-Shabaab continues to function largely undisturbed and launches strikes targeting both military and civil targets in the country.

At an international level, Somalia has ratified three of the 10 relevant international treaties on organized crime. Notably, the country has ratified the protocol on the involvement of children in armed conflict, the Convention on Psychotropic Substances, and the Convention on Narcotic Drugs. Gulf countries and especially the UAE have strengthened their political and military support for Somalia. Most NGOs and all UN agencies are banned from territories that are controlled by al-Shabaab. On the domestic level, while Somalia has several laws related to organized crime, it is the worst performing country in the world when its come to rule of law. Somalia's penal code has not been updated since 1964. Currently, there is no legislation that explicitly criminalizes sex trafficking and forced labour.

### **CRIMINAL JUSTICE AND SECURITY**

Somalia's federal judiciary has become increasingly active and includes a unit tasked with prosecuting terrorism offences, as well as financial and economic crimes. The country also has local courts that work with a combination of traditional and Islamic law. Nevertheless, access to justice is low and the formal justice system faces challenges and criticism. Military courts are still used throughout Somalia to try civilians, primarily suspected members of al-Shabaab and Islamic State. This fragmentation and contestation, coupled with long-standing corruption and impunity, ensures that there is little public credibility in the overarching rule of law. Currently, there is no functioning judicial system in Somalia capable of prosecuting organized crime. Moreover, Somalia has a weak police force that has been receiving sustained technical assistance, capacity building, strategic support, and equipment from different UN Agencies. In addition, the government accepts bilateral support for its policing and security. Overall, the penetration and legitimacy of the Somali national police is limited to the communities in which it serves, and professionalism and integrity of individual police officers is similarly restricted. In regard to territorial integrity, the government controls an extremely minor part of the territory and its influence varies among the semi-autonomous regions. The country's significant coastline and land borders are porous and smuggling activities are common.



### **ECONOMIC AND FINANCIAL ENVIRONMENT**

The popularity of private sector mobile money transfer operators has contributed to the weakening of the Central Bank of Somalia. In addition, robust informal money systems, known as hawala, serve the vast Somali diaspora, and allow transactions to flow across borders without surveillance. Money transfer operators have no real anti-money laundering infrastructure, which means most transactions fall outside of the formal financial system's capacity to regulate. Al-Shabaab routinely uses domestic financial institutions, including commercial banks and mobile money services, to collect, store and distribute revenue, also using mobile money to make salary payments to its soldiers and officials. The government relies on the international community to play an active role in clarifying counterterrorism and anti-money laundering regulations to financial institutions, though this means that attention is more often focused on narrow Combating the Financing of Terrorism concerns rather than combating illicit financial flows related to criminal acts. In general, the commercial sector, as well as public procurement, international aid and concessions in the country are based on patronage networks and tight monopolies that dominate the market.

### CIVIL SOCIETY AND SOCIAL PROTECTION

Most of Somalia's population live in a situation of almost permanent food insecurity. The central state essentially has no capacity to provide basic services, and is reliant on the provision of food, shelter and medical supplies from the international community. International assistance is taxed by al-Shabaab, and the distribution of aid is politicized to reinforce local power. Meanwhile, the government has introduced several national and international policies that aim to prevent transnational organized crime. Somalia also has low-level and high-level defector programmes, aimed at bringing and keeping individuals out of al-Shabaab. However, these have been extensively infiltrated by al-Shabaab and are generally considered to be ineffective. In regard to the media, Somalia ranks among the most dangerous countries for journalists in the world. Journalists who express themselves freely are potential targets of al-Shabaab militants or are exposed to arbitrary detention and torture. At the same time, social engagement and civil society are active in Somalia, and have played an important role in providing local services and peace building.



