

# Chapter 11

# Children of Somalia

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## ABSTRACT

*Children in Somalia confront several challenges, including being exposed to many types of criminality and violence. Due to decades of violence and instability, Somalia's legal system has been disrupted, leaving a dearth of institutions and legal protections to protect children. The protection of children in Somalia has been demanded by the UN, especially in light of the country's current 15-year-old criminal responsibility age. Also, Somalia's courts and jails are not set up to meet the needs of young victims or offenders. Street children and child soldiers are particularly vulnerable to abuse and exploitation, with many facing re-victimization by the government. In general, Somalia's children are in terrible condition, and immediate action is required to guarantee that their rights are upheld and that they may lead secure lives. The building of a strong legislative framework in Somalia that can adequately meet children's needs and stop further harm to this vulnerable group requires the cooperation of the international community.*

## INTRODUCTION

Somalia is located on the East African coast, on the outskirts of the Somali Peninsula, also known as the Horn of Africa. The Gulf of Aden borders it on the North and the Indian Ocean on the east. It has around 11.3 million in the population (July 2018 est) with 2.08 population growth. Somalia's ethnic Somalis make up 95 percent of the population, and associations with the small percentage of Arabs, Indians, Pakistanis, Asians, Europeans, and mixed groups who live there are mostly peaceful.

The Somali Republic was established in 1960 when southern Italian Somalia and northern British Somaliland combined. In the new political system, the South gained

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significant control over the underdeveloped North. Regional rivalries influenced clan politics in a big way. The renowned Isaaq clan, once the majority in Somaliland, has become an ethnic minority. The Darood clan, which had previously been a minor player in the North, reunited with Darood from the South to form a new solid force. Since the clans allied themselves with rival political forces, the electoral structure became fractious (Metz, 1992).

During the early 1990s clan wars, northern Somalia proclaimed itself the independent Somaliland Republic, named former Somali Prime Minister Muhammad Ibrahim Egal as its president, wrote a constitution, established an assembly and governmental structures, and started to act effectively independently of the warring South. The Somaliland Republic continues to declare independence despite not being recognized as a separate nation. During the 1990s, members of the Murjateen clan in northeastern Somalia formed their own government, naming their territories Puntland. Still, they promised to return to Somalia if a central government was established (Countries and their cultures, 2009.).

Somalia has a significantly younger population, with 44% under 14. Somalia faces a significant challenge in facilitating future generations due to an inadequate educational system and a high unemployment rate, especially among the younger population. Somali civilians have been subjected to extreme violence as a result of ongoing military conflict, instability, a lack of state support, and recurring humanitarian crises. There are approximately 2.6 million internally displaced people (IDPs) in the country, many of whom are living in poverty and at risk of violence (Human Rights Watch, 2020).

Child recruitment is a serious crime that continues to claim the lives of an estimated 200,000–500,000 children worldwide (BENREY, 2016). According to Singer, children make up 40% of the world's military forces, including national armies, terrorist factions, and non-state armed opposition organizations, and they fight in 75% of global wars (Singer, 2006).

## **CRIME AGAINST CHILDREN**

Considering the situation at the ground level, it is difficult to get accurate statistics and information regarding the crime committed against children. Child exploitation was committed by all Somali parties to the conflict, including murders, maiming, and the recruiting and use of child soldiers. In 2018, the United Nations reported more incidents of enlisted children being used as soldiers in Somalia than anywhere else. In 2019, Al-Shabab continued its violent child recruitment program, threaten-

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