'For me it's like a murder': the surge in sexual attacks on children in Somalia

May 17, 2018

By Moulid Hujale

The Guardian

https://www.theguardian.com/global-development/2018/may/17/surge-sexual-attacks-children-somalia

When Anab’s madrasa teacher in Mogadishu told her to stay behind after classes, everyone but her two younger brothers left. He ordered the boys to face the wall, then assaulted their six-year-old sister.

Anab’s father, Yusuf, says he clearly saw the “shock and horror in the face” of his daughter later that day.

“She told only her mother what the teacher did to her. I could not believe it. We rushed her to the nearest clinic,” says Yusuf.

Five months after her ordeal, Anab now attends a new school and is beginning to recover. The [Somali Women Development Centre](https://www.swdcsom.org/), a Mogadishu-based organisation that provides medical, psychological and legal support to survivors of sexual violence, has been central to her rehabilitation.

But she is not alone. Recently, there has been a rise in the number of reported cases of sexual violence involving children, according to the centre.

“In the last three months alone, we have documented about 100 rape cases including 26 children, some as young as four, in Mogadishu,” says Amina Arale, the centre’s executive director.

“Most victims come from overcrowded camps for internally displaced people in and around the outskirts of the capital, Mogadishu.”

Sexual violence is [pervasive in Somalia](https://www.hrw.org/report/2014/02/13/here-rape-normal/five-point-plan-curtail-sexual-violence-somalia), but most cases go unreported because of the accompanying stigma. Between September 2016 and February 2017, the [Somalia Protection Cluster](https://www.humanitarianresponse.info/en/operations/somalia/about-protection-cluster-somalia) – a network of about 130 organisations focused on rights and support – reported more than 1,500 incidents in the country.

Yusuf says two of his neighbours told him the same teacher had sexually assaulted their daughters. Shame prevented them from reported the incidents.

“If they first reported him to the police, my daughter would not have been affected today. I suspect he has been abusing her for quite a long time,” he says.

The few who dare to speak out encounter a weak legal justice system. Consequently, many people turn to customary law – conducted by clan elders – which often results in victims marrying their assailants while their families are given some cash compensation.

Yusuf resisted pressure from elders and demanded the perpetrator be brought to book. In February, the man was arrested, found guilty and sentenced to two years in prison.

“I am not satisfied with the judgment,” Yusuf says. “I am working with my lawyer to appeal against the decision and seek a tougher punishment. I do not understand how they come to such a verdict. If I stop pushing the case now, the chances are he will come back and abuse other children.”

The same court sentenced a man convicted of raping a 14-year-old boy to five years in prison earlier this year. The boy’s mother told the Guardian: “For me it is just like a murder. He killed my son, he destroyed his future and my son will live with the trauma for the rest of his life.

“He threw him on the ground, held his head against a ditch – face down – and raped him.”

The ruling was based on a [colonial-era penal code](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwi8o-zQi4rbAhUPXMAKHRpzDqoQFggnMAA&url=http%3A%2F%2Fwww.somalilandlaw.com%2FPenal_Code_English.pdf&usg=AOvVaw02YptH-YLuqUiV5GE8cMXl) written in Italy in the 1930s.

“The penal code is a weak, non-comprehensive legislation that does not respond to the realities on the ground in Somalia in 2018,” says Antonia Mulvey, executive director of [Legal Action Worldwide](http://www.legalactionworldwide.org/sexual-violence/) (Law), a non-profit network of human rights lawyers that is supporting the federal government in the drafting of a new sexual offences bill.

The bill has been in the making for the [past four years](https://www.theguardian.com/global-development/2014/dec/11/somalia-sexual-offences-bill-hailed-as-key-step-towards-lasting-change), but has still not been passed. Political in-fighting within the executive delayed much-needed justice for the many victims of gender-based violence. The speaker of the Somali parliament [resigned](https://www.nytimes.com/2018/04/09/world/africa/somalia-parliament-speaker.html) last month following internal conflict with the president.

Eight-year-old Fartun is still waiting for justice. He was allegedly raped by a man in his 40s in the outskirts of Mogadishu last October. The man was arrested on the same day, and is being held in the central prison.

“I was told the political crisis in the parliament has affected everything,” says Fartun’s father, Jelle.

It is more difficult when the alleged perpetrator is from the security forces, which means the victims themselves might end up being arrested.

Faiza, 20, and her brother were both detained about three weeks ago after they reported a police officer, who had allegedly raped Faiza in Mogadishu.

Their mother says Faiza is being coerced to withdraw the case if she wants her children to be released.

“My daughter was in the house alone when the police entered and raped her, and when her brother came, the officer fired at him,” she says. “They charged them of false accusation and want us to withdraw the case but I will not do that. I will continue to fight until I get justice.”

Activists say many victims, particularly those from poor backgrounds or less powerful clans, fear reporting assaults if the attacker is from the security forces.

In 2013, a woman who said she was [raped by Somali security forces](https://www.theguardian.com/world/2013/feb/05/somali-woman-jailed-claiming-raped) and the journalist who interviewed her were arrested and sentenced to one year in prison. The widely publicised case was later overthrown by a judge in Mogadishu.

The new bill, if enacted, will empower victims and give special protection to vulnerable children and internally displaced people. But rights groups believe enforcement will be difficult.

[A landmark law](http://somalia.unfpa.org/en/news/puntland-passes-law-against-sexual-offences) criminalising all forms of sexual offence was passed in August 2016, in Puntland, the relatively stable semi-autonomous region in north-eastern Somalia. But it has not lived up to campaigners’ hopes, according to rights activist Hawa Abdi, who runs a centre that supports survivors of sexual violence.

Hawa described her [frustrations in a blog](https://gecpdsomalia.org/when-laws-against-rape-arent-enough/) she wrote earlier this year: “Incredibly, in a majority of the cases that my organisation, [the Galkayo Cent](http://www.donordirectaction.org/activist/gecpd/)[re](http://donordirectaction.org/activists/gecpd/), has worked on, the men accused of rape have been members of the police force, military or marines.”

In Somaliland, northern Somalia, a long-awaited rape bill is yet to be passed into law following a historic [approval by parliament](https://www.theguardian.com/global-development/2018/jan/11/somaliland-adopts-legislation-outlawing-rape) and elders in January this year.

Since then a record number of [54 rape cases were reported](https://www.radioergo.org/2018/04/19/clamour-for-enacting-new-rape-bill-as-high-numbers-of-rapes-are-reported-in-somaliland/?lang=en) in the state in just three months, including those of young boys and girls. Based on these figures, campaigners estimate that reported cases for 2018 will be nearly triple those for 2017.

In Mogadishu, Fartun and her family are closely following developments in parliament.

“It is very unfortunate that we have to wait until the government settles its own internal dispute – the very people who are meant to protect us,” says Jelle.