

# Somalia

Population	8 695 928
Female population (as % of total population)	50.4
Women's life expectancy (in years)	49.4
Men's life expectancy (in years)	46.9
Fertility rate (average births per female)	6.0



Due to a series of civil wars (the most recent of which began in 1991 and is ongoing), the country has operated without a central government for almost ten years. As a consequence, customary practices have increasingly taken the place of a non-existent legal system. Justice is perceived and applied differently depending on the region, and is based on a combination of systems that includes tribal rules, Islamic law, and the Penal Code that existed before 1991. Overall, women's rights are restricted by the fact that they live in a highly patriarchal system.

## Family code

The Somali Family Code provides very little protection for women. According to the 1975 Family Code, the legal minimum age for marriage is 18 years for both men and women, but women can marry at the age of 16 years with parental authorisation. Reliable statistics are lacking, but early marriage appears to be common.

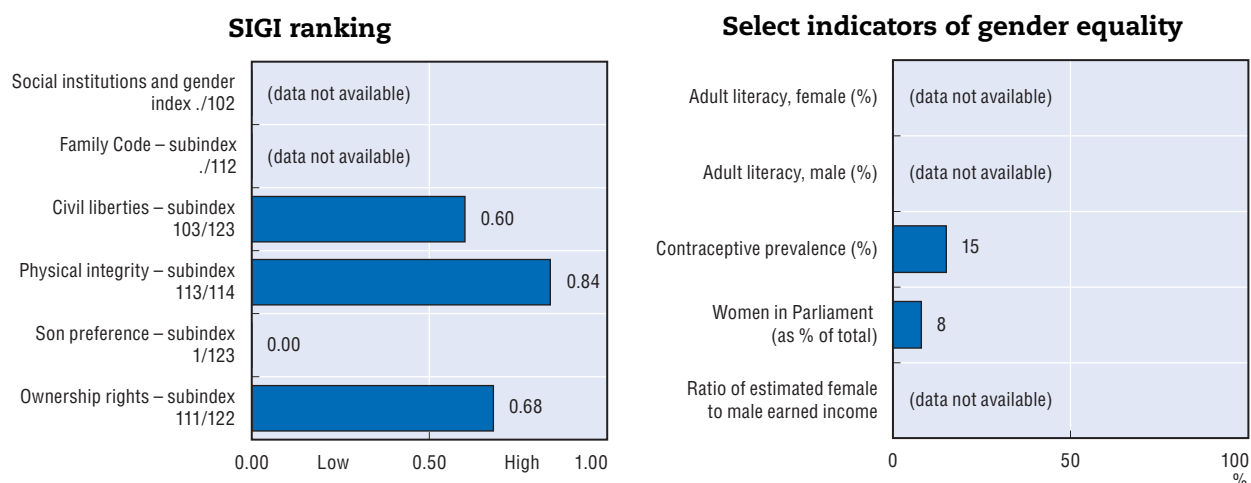
Polygamy is permitted under Somalia's customary and religious systems. Under the civil system, men who wish to take a second (or subsequent) wife must obtain authorisation from a district court of justice. According to civil legislation, men head their families and have sole parental authority. If a couple divorces or separates, the mother is typically granted custody of boys up to the age of 10 years and girls up to the age of 15 years.

Before the current civil war began, the government of Somalia adopted inheritance rights based on the principles of Sharia law. As a result, daughters inherit only half the amount awarded to sons.

## Physical integrity

The physical integrity of Somali women is insufficiently protected. It is very difficult to obtain statistics to assess the scale of violence against women, but it is believed to be widespread. As there is no legislation that specifically covers domestic violence, family conflicts are addressed under customary and Sharia laws.

Sexual violence within Somali households appears to be a serious problem, and is linked to the general issue of gender discrimination. Although there are laws prohibiting rape, these are not generally applied, and there is no legislation against spousal rape. Women have paid a high price in recent civil conflicts, which have been characterised by numerous cases of rape. Moreover, women living in camps for displaced persons continue to be



particularly vulnerable to sexual violence. There has been a recorded increase in the number of gang rapes in the autonomous region Somaliland, primarily in poor neighbourhoods and among immigrant populations.

Female genital mutilation is almost universal in Somalia and infibulation, the most dangerous form of FGM, is still practised, especially in Somaliland, which ignores existing regulations. In 1972, the government established a policy to eradicate FGM: this action prompted strong social resistance and all efforts to combat the practice ended as government institutions crumbled.

Somalia does not appear to be a country of concern in relation to missing women.

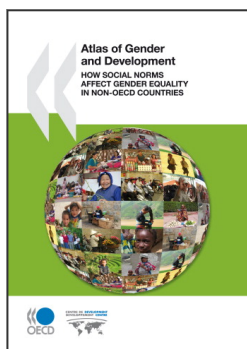
## Ownership rights

Somali women encounter significant discrimination with regards to property ownership. When a woman marries, she is considered to become the “property” of her husband and his tribe, although she does retain a few ownership rights relating to her family and tribe of origin.

Access to land is governed by Sharia law and patriarchal ideology. Women are largely excluded from owning land: it is the collective property of the family and is passed from father to son. Married women also have major difficulties gaining access to property other than land, although, this has changed recently because of large-scale male emigration. A significant number of Somali women now head their families and are thus entitled to become land owners, though tradition restricts Somali women’s access to bank loans.

## Civil liberties

Women in Somalia have almost no civil liberties. The civil war has caused a general loss of mobility, but the effect is more significant for women than men; moreover, the threat of rape continues to limit women’s freedom of movement. In addition, married women are obliged to follow their husbands and have no power to decide where the couple will live. Customary laws also restrict women’s freedom of dress: the Islamic courts have applied Sharia law very strictly, obliging women to wear the veil.



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