



Policy Paper on Returnees to Somalia

Background

Since the collapse of the Somali state in 1991, due to the civil war, Somalis have migrated and settled all over the world. The vast majority of these sought asylum as refugees in North America, Europe, the Middle East, and neighboring African states. Some have become economic migrants, mainly in the Middle East and Africa.

Somalis across the world

There are hundreds of thousands of Somalis who live across the World. Large Somali communities have settled in the North America, Europe, Asia and the Middle East. Most of these are now settled and enjoy full rights as citizens with their immediate families, which make up the second generation of Somalis in their adopted home states.

There is no accurate data on the number of Somali asylum seekers internationally who are still waiting immigration processing and for their legal processes to conclude in their host countries. Others have joined this group as the result of illegal migration and human trafficking.

Somali returnees and their different categories

Somalia is improving slowly and has already seen waves of returnees coming back to the country on a voluntary basis from across the world. Many of these individuals have the means to sustain themselves and provide a positive contribution to Somalia. Somalia is willing to accept these voluntary returnees as they are Somali nationals and have not been deemed to pose a national security risk.

Conversely, there are some Somalis who have had their asylum requests rejected by immigration authorities abroad and others who have committed crimes and as a result, are candidates for mandatory deportation from European Union member states as well as others.

The policy

Despite political and security improvements having created the conditions for Somalia to be able to absorb previous waves of voluntary returnees, the country is not yet prepared to accept returnees on a large scale due to domestic security, political, and economic processes incrementally taking shape. Returnees, particularly when they have been involved in serious criminal activities, bring their own set of problems that could reverse the gains made by our slowly strengthening state and its key institutions.

The Somali government is working hard in all policy areas with Vision 2016 as a guide and this, when achieved, should create a more sustainable and secure environment for the repatriation of Somali citizens. With a year remaining, much has been achieved in the security sector and the state formation process. Somalia is working to secure its successes and to fight vigilantly against any disruption of its progress. This progression in key areas must be maintained before Somalia is able to accept many refugees who could create major setbacks for our still vulnerable state.

Somalia is willing to accept rejected asylum seekers and others below mentioned categories of returnees through a strict case-by-case policy. Somalia will reject the repatriation of any category of persons who may pose an actual or potential risk to Somali national security and stability in all its forms.

However, in certain circumstances, the government of the Federal Republic of Somalia is willing to work with partner nations on the return of a select group of returnees who satisfy the conditions below:

- Any candidate for repatriation to Somalia must prove that he/she is a Somali national and that he/she originate from within the borders of the Federal Republic of Somalia;
- There must be a risk assessment of every candidate for repatriation by the country they are being deported from and by the relevant Somali government authorities
- All returnees must have a fixed address in an accessible part of Somalia;
- Returnees in need of psychological and mental health support cannot be returned to Somalia at present;
- Somalia will not accept the repatriation of certain categories of offenders including radicalized people, sexual predators, and certain violent criminals.
- All returnees with a criminal background must have completed their sentences in their host countries before arriving in Somalia;
- Host governments wishing to return offenders must disclose a full criminal background check to the relevant Somali authorities before a decision can be made.

The Somali federal government is working hard to improve the human rights environment for all its citizens. Actual and potential returnees will also be required, if and when they arrive, to be able to effectively integrate into Somali society and contribute to our national progress. In order for this to be achieved, the below requirements are fundamental:

- The Somali government intends to open a Returnees Management Office (RMO) that will coordinate with the immigration and police departments so as to facilitate returnees' safe and stable integration into Somali society;
- All returnees with criminal backgrounds will, if accepted, have to undergo a probationary period of supervision and support for a minimum of one year in their chosen region;
- Special Somali police unit to be established to track and trace returnees once they have arrived in the country;
- Each returnee must be given \$10,000 by the departing State to restart their lives upon their arrival in Somalia.

The return and reintegration of Somalis at this stage of our government's delicate progress is one that will not be easy. The protection of individual human rights must be balanced against the absolute need to strengthen Somalia's national security in order to combat terrorism in the country and the wider region. To this end, institutions need to be empowered, laws need to be passed. The Somali federal government must ensure the full protection of all its citizens against harmful acts of returnees.

In order to fulfill this policy, the Somali federal government must establish the key implementing organs of this document. These are the Returnees Management Office, the risk assessment officers, and the Special Somali Police unit. Furthermore, this policy will not be operational without the completion of these enabling implementation organizations and instruments.

In the long term, the Federal Government of Somalia will work with its international partners to create an environment that will dissuade Somalis from going abroad due to the peace and economic opportunities available and existing in their own country. Somalia will continue to work with the international community to tackle illegal migration and human trafficking.