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4.2.1. Arbitrary arrests, illegal detention and prison conditions

COMMON ANALYSIS
Last update: October 2025

The analysis below is based on the following EUAA COI reports: Security 2025, 1.6.; Actors 2021, 2.4.6.; Country Focus 2025, 1.7.; Country Guidance should not be referred to as a source of COI.

Special attention should be paid to the phenomena of arbitrary arrests and illegal detention, as well as to prison conditions.

Arbitrary arrests and detentions: Security forces have conducted arbitrary arrests and detentions.

Prison conditions: As of July 2024, there were 14 operational prisons in Somalia, with the conditions described as ‘substandard’ and ‘below internationally recognized standards’. Issues include inadequate infrastructure, lack of steady food and water supplies, limited medical facilities, inadequate separation of prisoners by gender and age, and insufficient rehabilitation and reintegration programs. Medical facilities within prisons were described as rare, and prisoners have restricted access to external medical care.

In cases where a person faces conditions of arrest and/or detention amounting to torture or inhuman or degrading treatment or punishment, a situation of serious harm under Article 15(b) QD/QR would occur.

In cases where there would be a nexus to a reason for persecution, those individuals would qualify for refugee status. If a nexus cannot be substantiated, Article 15(b) QD/QR would apply.



In some cases, the arrest, detention and imprisonment would have been imposed on the applicant for a serious crime committed or other acts falling within the exclusion grounds (Article 17 QD/QR). Therefore, although the criteria of Article 15(b) QD/QR would be met, exclusion considerations should be examined. See 7. Exclusion.

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