

---

# IMPLEMENTATION OF THE BEIJING PLATFORM FOR ACTION BEIJING+20 REVIEW

---



---

## SOMALIA COUNTRY REPORT

2014

---

## CONTENTS

List of Abbreviations and Acronyms .....	3
Map of Somalia.....	5
1. Introduction .....	6
1.1. Background.....	6
2. Section One: Overview analysis of major achievements and challenges since 2010.....	8
3. Achievements, challenges and recommendations in the Areas of Concern.....	14
3.1. Women and poverty .....	14
3.2. Education and training of women.....	17
3.3. Women and health.....	18
3.4. Violence against women .....	23
3.5. Women and Armed Conflict .....	27
3.6. Women and the Economy.....	29
3.7. Women, governance, power and decision-making.....	31
3.8. Human Rights of Women .....	32
3.9 Women and Media.....	33
3.10. Women and Environment.....	34
3.11. The Girl Child.....	35
4. Emerging priorities .....	40
5. Annexures .....	42
Annexure1: Methodology of the Review .....	42
Annexure 2: Report on the BPfA implementation in Somaliland.....	43
Annexure 3: Summary of Conflict Actors .....	72
Annexure 4: The child Protective legal and constitutional framework.....	76
Annexure 5: Ratification of International Human Rights Treaties - Somalia .....	81
Annexure 6: Data on Education.....	83

## List of Abbreviations and Acronyms

AMISOM	African Union Mission in Somalia
ART	Anti-Retroviral Treatment
BTI	Bertelsmann Stiftung's Transformation Index
BPfA	Beijing Declaration and Platform for Action
CECs	Community Education Committees
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CMC	Coordination Monitoring Committee
CRC	Committee on the Rights of the Child
CSO	Civil Society Organization
CSZ	Central South Zone
ERP	Economic Recovery Plan
FAO	Food and Agricultural Organization
FGM	Female Genital Mutilation
FHH	Female Headed Households
GAVI	Global Alliance for Vaccine and Immunization
GBV	Gender Based Violence
GDP	Gross Domestic Product
GER	Gross Enrolment Ratio/Gross Enrolment Rate
GFP	Gender Focal Points
GNP	Gross National Product
GPF	Global Partnership for Education
GPI	Gender Parity Index
HDI	Human Development Index
HDR	Human Development Report
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immune Deficiency Syndrome
IDPs	Internally Displaced Persons
ILO	International Labor Organization
INGO	International Non-Governmental Organisation
IPTCS	Integrated Prevention Treatment Care and Support
MCH	Maternal and Child Health
MDGs	Millennium Development Goals
MHH	Male Headed Households
MICS	Multiple Cluster Indicator Survey
MICS	Multi-Sector Indicator Survey
MMR	Maternal Mortality Rate
MOH	Ministry of Health
NCA	National Constituent Assembly
NDP	National Development Plan
NFP	National Federal Parliament
NGO	Non-Governmental Organization
NGP	National Gender Policy
NOW	National Organization for Women
PLWHIV	People Living With HIV
PRER	Poverty Reduction and Economic Recovery
PRSP	Poverty Reduction Strategy Paper

---

PSS	Primary School Survey
RDF	Reconstruction and Development Framework
RDP	Reconstruction and Development Programme
SOMTA	Somalia Money Transfer Association
SOWC	The State of the World's Children
TBA	Traditional Birth Attendant
TFG	Transitional Federal Government
TFP	Transitional Federal Parliament
TNG	Transitional National Government
ICU	Islamic Courts Union
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGASS	United Nations General Assembly Special Sessions
UNFPA	United Nations Population Fund
UN- HABITAT	United Nations Human Settlements Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNWOMEN	United Nations Entity for Gender Equality and empowerment of Women
UNOSOM	United Nations Operations in Somalia
UNSCR	UN Security Council Resolutions
WB	World Bank
WFP	World Food Programme
WHO	World Health Organization

### Map of Somalia



## 1. Introduction

The Beijing Declaration and Platform for Action (BPfA) is an international agreement on women's rights set up at the Fourth World Conference on Women, held in Beijing in 1995. An accountability process of the Beijing Platform for Action (BPfA) was developed and agreed upon in 1995 that requires member States of the United Nations to meet on a five-yearly basis to review, reassess and make commitments to their implementation of the Platform taking into account existing conditions on the ground. In 2015 there will be another review marking the 20<sup>th</sup> anniversary of the BPfA. The Guidance Notes provided by UN Women and ECA dictates that the review place special emphasis on the periods since 2009. During the review period (2009 to 2014), Somalia experienced ongoing violence which, in combination with a severe drought in 2011, initiated one of the worst humanitarian crises in two decades. However, given the reality that Somalia is yet to submit its first report and due to the scarcity of data and information, for the purpose of this review, 2010 has been used as the point of departure for the next major review process that will take place at the CSW (Commission of the Status of Women) in 2015.

### 1.1. Background

Somalia has an estimated population of 10.55 million as of 2014<sup>1</sup> with a total area of 637,657sq km (246,201 sq miles). The capital is Mogadishu. Ethnically Somalia is a homogenous country comprising of nearly 100% Muslims<sup>2</sup>. There is an increasing influence of Islam in Somali politics, particularly since 2006, the concept of the Umma<sup>3</sup>, has gained significant importance. Somalia gained independence in 1960 as an amalgam of former British and Italian colonies populated largely by ethnic Somalis<sup>4</sup>.

Till today, Somalia continues to experience violence and unrest from a number of different conflicts, which overlap and are interconnected.<sup>5</sup> (For more information on Conflict actors refer to Annex 1). The collapse of the Somali Government in 1991 destroyed public institutions and governance structures. In October 2004, Somalia elected a President of the Transitional Federal Government (TFG) of Somalia and formed an interim Government, known as the Somalia Transitional Federal Institutions (TFIs). In 2007 the African Peacekeeping force African Union Mission in Somalia (AMISOM) was deployed in Somalia. The AMISOM was raised to nearly 10,000 troops and forced al-Shabaab to withdraw from Mogadishu in August 2011. Since 2007, al-Shabaab has expanded its sphere of control and has dominated southern and central Somalia, with the exception of some parts of Mogadishu. However, by the end of 2009 insurgents increased their presence in the capital as well.

Kenya joined the Somali conflict in October 2011, on the side of the Transitional Federal Government (TFG) after al-Shabaab had allegedly launched a series of kidnappings across the Kenyan border. Ethiopia joined Kenya, troops fought al-Shabaab together with local militias in the west of the country. Under military pressure from all sides, al-Shabaab was forced to withdraw from major towns in southern and central Somalia. Even without controlling main

---

1 World Population review 2014.

2 Peace Women, February 2014, Somalia Report.

3 Umma- community of Muslims.

4 Freedom in the world 2013, Somalia Report.

5 Beyond fragility: a conflict and fragility analysis of the Somali Context by Barakat, Connolly, Hardman, Lewis, Lineker, Menkhaus, Rzeszut and Shanks, 2014.

urban centers, al-Shabaab however continues with its guerilla-based, hit-and-run tactics and suicide attacks<sup>6</sup>.

Somalia continues to experience unending violence (3,300 people were killed during the conflict in 2012, with the number of fatalities dropping slightly in 2013 to 3,150<sup>7</sup>). In August 2012, under the prevailing difficult conditions, a meeting of the country's (Federal Republic of Somalia) National Constituent Assembly, consisting of clan elders and local leaders, youth, and women, overwhelmingly passed a new provisional constitution by a margin of 621-13. Since security conditions did not allow for general elections, 135 traditional elders from various clans and regions convened in Mogadishu to elect 275 members of parliament, including women, by secret ballot. Somali elders are influential leaders chosen by their communities to serve for life<sup>8</sup>. The Committee of Elders selected a new federal parliament, which in turn elected the president, who then nominated a prime minister. The cabinet was formed by the end of 2012. The new provisional constitution outlined the expectation that women be included in all branches of Government and includes a non-discrimination clause that makes specific mention of women. However, as of 2012, only 37 members of Somalia's new parliament were female, about half of the 30 percent country's new quota<sup>9</sup>.

The Government is taking steps to extend its control beyond the capital Mogadishu to other areas in South Central Somalia, caught in this struggle are civilians who continue to suffer serious human rights abuses. Amongst them are women and girls who not only suffer sexual violence in the hands of these armed groups but also have to deal with cultural underpinnings. Caught in the cross fire are children who often make up a large proportion of the civilian casualties, additionally both the TFG and the Shabaab have unlawfully recruited child soldiers, some as young as eight<sup>10</sup>. The Islamist armed group Al-Shabaab continues to wield control over much of southern Somalia, and the group have targeted high-profile civilian locales in Mogadishu, including the courthouse, a popular restaurant, and the United Nations compound, killing scores of civilians<sup>11</sup>.

Currently as of early March 2014, Somali security forces and AMISOM groups have launched an intensified military operation to remove Al-Shabaab from the remaining areas in southern Somalia under its control<sup>12</sup>. The Ministry of Defense is providing ongoing reassurance and security to the local residents, and supplying logistical and security support. A large number of violations, including gang rape cases and recruitment of children have been reported. Women are keen to have all these ended and have demonstrated willingness to spearhead peace talks in the communities, should security permit them. Under these circumstances the ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and

---

6 BTI report 2014.

7 Conflict Trends (No. 23) "Real-time Analysis of African Political Violence, February 2014". ACLED Retrieved 16 March 2014.

8 Jocelyne Sambira, Africa Renewal January 2013.

9 Freedom in the World 2013, Somalia Report.

10 Amnesty International Report.

11 World Report 2014 - Somalia Human Rights Watch.

12 "SOMALIA: PM hosts meeting with International Community diplomats on stabilization efforts". *Raxanreeb*. 12 March 2014.

the Convention of the Rights of Child (CRC) and the development of a National Action Plan on United Nations Security Council Resolution 1325 (UNSCR 1325) is necessary.

It is against this background that the overall achievement on the status of the implementation of the BPfA by Somalia under the eleven areas<sup>13</sup> of concern has been assessed and presented in this report. Due to inadequate information the area of concern, 'Institutional Mechanisms for the Advancement of Women' has not been included.

## **2. Section One: Overview analysis of major achievements and challenges since 2010**

### **2.1. Introduction**

The Federal Republic of Somalia is facilitating a review of its overall achievements and obstacles encountered in the implementation of the Platform for Action for the first time. In the absence of past reviews this report will cover actions taken since 2010, in promoting gender equality and the empowerment of women. The conclusion on the achievements and challenges were arrived at through a consultative process<sup>14</sup>.

### **2.2. National policy on gender equality and the empowerment of women**

The Federal Government of Somalia has committed to developing a national policy to protect women from inequality<sup>15</sup>. The policy could set a historic precedent if it is able to ensure the implementation of Somalia's Provisional Constitution and its provision prohibiting all forms of violence against women. In the absence of a National Policy there are several projects and programmes that take specific responsibility of promoting gender equality and empowerment of women viz. the Gender Equality and Women's Empowerment programme for example will build capacities of Women's organizations to play an advocacy role in improving women's access to justice, livelihood, and enhance efforts to end violence against women and children; engage influential men and women, such as religious leaders and elders, to take the lead in promoting women's rights and protecting them against traditional practices such as female genital mutilation.<sup>16</sup>

The Government has been making efforts to increase engagement on human rights issues such as, the adoption of a Post-Transition Human Rights Road Map for 2013-2015, and the New Deal Compact (2014-2016). Additionally the Federal Parliament established an ad hoc Human Rights task force<sup>17</sup> in (Feb 2013) to address the escalating human rights issues, this taskforce has since been disbanded, and currently there is a proposal to appoint a human rights commission.

---

<sup>13</sup> There are twelve areas of concern, they are Women and Poverty, Education and Training for Women, Women and Health, Violence Against Women, Women and Armed Conflict, Women and the Economy, Women, Governance, Power and Decision Making, , Human Rights of Women, Women and the Environment and The Girl Child.

<sup>14</sup> Detailed methodology in Annex 1.

<sup>15</sup> Somalia Transitional Federal Government and African Union Mission in Somalia, Draft Somali National Gender Policy 2013, <http://amisom-au.org/wp-content/uploads/2013/08/EASY-TO-READ-GUIDE-GENDER-POLICY.pdf>.

<sup>16</sup> Gender Equality and Women Empowerment project UNDP Somalia 2012-2015.

<sup>17</sup> 13 member committee led by prominent human rights attorney Maryam Yusuf Sheikh Ali, one of four women on the panel, the Task Force includes an educator, a peace activist, leaders of Somali women's organizations, senior police officers, a humanitarian campaigner, a religious leader, and a media representative.



For the first time, in August 2013 a Ministry of Women and Human Rights Development was created. The Prime Minister joined the Human Rights portfolio with Women's Affairs to form the Ministry of Women and Human Rights Development. The reshuffling of the Government in January of 2014 produced 25 ministries with only 2 female ministers, one as Minister of Construction and the second as the Minister of Women and Human Rights Development which represents a setback from 20% to 10%<sup>18</sup>. Government has now initiated efforts to draft a sexual offences bill, which when passed into an Act and enforced will provide an opportunity to end impunity of such violations.

An inter-ministerial coordination mechanism on gender and implementation of the Government's National Plans on Ending Sexual Violence in Conflict is also being established, with focal points appointed to few ministries. In addition to supporting the development and implementation of the Gender Policy, their task is also to ensure coordination between the ministries on gender as well as coordinating actions between Government, civil society and NGOs. This is in regards to the Peace and State building Goals Working Groups which have been established by the Government to implement the New Deal Compact<sup>19</sup>. The Somalia Gender-based Violence Working Group (GBVWG) is currently closely coordinating with the Government on the implementation of both the GBV Strategy and the Government National Actions Plan on ending sexual violence in conflict.

### **2.3. Federal Government Policy Priority Areas in the Compact<sup>20</sup>: Gender focus**

The Somali Compact provides an overarching strategic framework for coordinating political, security and development efforts for peace and state building activities over the next three years (2014-2016). The Compact is a living document that reflects the ongoing process of transition and defines priority interventions to ensure the country stays on the path to long-term peace and state building. The following five priority areas have been identified in the compact:

#### **a. Inclusive politics**

**Strategic Objective: Achieve a stable and peaceful federal Somalia through inclusive political processes.**

The Government will ensure that the political process is both inclusive and representative with appropriate measures taken to ensure representatives from different sections of the community including elders, women and youth are consciously engaged in the process. Commitments have been made to make efforts to fulfill the 30 percent quota for women's participation in representative bodies, as enshrined in the Garowe II Principles, guiding the transition process and the electoral process, special attention will be paid to women's equal participation as candidates and voters. However, this promise is yet to be reflected in the composition of current electoral review committee which is composed solely of men.

---

18 "Somalia: Prime Minister Unveils His New Cabinet," Shabelle Media Network, 4 November 2012, Retrieved 5 November 2012.

19 Participants at the review meeting on 19th July at Mogadishu.

20 The Somali Compact determine the priorities of Somalia for the next three years (2014-2016) based on the Busan New Deal principles.

## b. Security

**Strategic Objective: Establish unified, capable, accountable and rights based Somali federal security institutions providing basic safety and security for its citizens.**

The clear objective of the Government is promoting security of women with special attention given to securing the rights of women, youth and children; increasing equitable access to justice; contributing to the rule of law; applying human rights standards; adhering to international humanitarian law; and promoting accountable and financially sustainable security institutions.

The commitment to a zero tolerance on gender-based violence, particularly sexual violence and exploitation, and other forms of abuse will be addressed and costed for all institutions responsible for the delivery of security.

A critical step in promoting security is the Action Plan to End the Recruitment and Use of Children in Armed Conflict', which will take into account the needs of women and girls associated with armed groups.

## c. Justice

**Strategic Objective: Establish independent and accountable justice institutions capable of addressing the justice needs of the people of Somalia by delivering justice for all.**

The Government plans focusing on increasing experts who are gender champions and will uphold the Convention of the Rights of the Child and principles of juvenile justice. Enhance the capacity of the judiciary to handle post conflict issues especially sexual violence; provide access to affordable, free legal advice; this should help improve access to justice by women.

## d. Economic Foundations

**Strategic Objective: Revitalize and expand the Somali economy with a focus on livelihood enhancement, employment generation, and broad-based inclusive growth.**

This will be built on expanding the Somali economy with a focus on livelihood enhancement, employment generation, and broad-based inclusive growth. The economy will focus on increasing efficiency of economic and social activities and services, sustainable environmental and natural resource management, increase productivity and enhance opportunities for trade in all sectors of the economy, due attention will be given to the enabling environment to improve women's access and opportunities to engage in profitable income generating activities whilst seeking to address key impediments to their participation in the economic sphere.

## e. Revenue and Services

**Strategic Objective: Increase the delivery of equitable, affordable, and sustainable services that promote national peace and reconciliation amongst Somalia's regions and citizens and enhance transparent and accountable revenue generation and equitable distribution and sharing of public resources.**

The focus is on equitable access to affordable social services. This includes expanding gender responsive basic health, nutrition, water and sanitation and hygiene, and social work, to all regions within federal and regional Government service delivery frameworks. It will also provide access to education for an additional one million children by 2016.<sup>21</sup> It will provide

<sup>21</sup> Indicator from the go-to-school programme, there are currently around 400,000 in school in South Central, 150,000 in Somaliland and 100,000 in Puntland. Of the 1 million (500:300:200 allocation), 900,000 children unfunded at an approximate estimated cost of USD 117 million.

greater opportunity for women's reproductive health issues to be adequately addressed through access to timely and quality services. Access to survivors of GBV or VAW/G on clinical care or administration of PEP, psychosocial support and temporal protection through safe home facilities will be taken forward from this.

## **2.4. Main legislative and policy-making achievements in the promotion of gender equality and women's empowerment over the past decade**

### **a. Adoption of the Somali Compact**

The Somali Compact determines the priorities of the Government for the next three years (2014-2016) and is based on the Busan New Deal principles, initiated in December 2012. This is a significant step forward as it lays the road map for peace and stability in the next three years. Gender is cross cutting across the Compact<sup>22</sup>, requiring the participation of women along with other marginalized groups to raise and respond to challenges that promote and sustain gender disparities across sectors. It recognizes the important role women have played in community mobilizing and peace building and promotes their participation in political and decision making processes. The priorities in the Compact are framed by the five Peace building and State building Goals (PSGs) namely, inclusive politics, security, justice, economic foundation and revenue and services in full respect of human rights. Not considered as a specific priority, gender equality principles and considerations are embedded within all of the priorities defined for each of the five PSGs.

### **b. Adoption of provisional constitutions that promotes gender equality**

Somali leaders have adopted their first official new democratic provisional constitution in 52 years on August 1, 2012, moving the country closer to popular Government and greater human rights. The constitution has a bill of rights<sup>23</sup> with everyone declared to be equal regardless of clan or religion. It clearly states that the Government must not discriminate against any person on the basis of age, race, color, tribe, ethnicity, culture, dialect, gender, birth, disability, religion, political opinion, occupation, or wealth. In Somalia the political structures are influenced by clan culture, so decisions are made along clan lines. Traditionally women are not recognized as full members of their clans as the clans they are born into and the clan they marry into is different, thus their allegiance is questioned, hence remain side-lined.<sup>24</sup>

Special mention is made of the inclusion of women in all national institutions and across the three branches of the Government and in the national independent commissions. It states that every citizen shall have the right to free education up to secondary school.

The constitution makes special mention of the right of protection from sexual abuse, segregation and discrimination in the work place. Once the labor law is endorsed, every workplace policy will have to comply with gender equality in the work place.

It describes female circumcision - widely practiced in Somalia - as tantamount to torture, and bans it<sup>25</sup>. It states children should not be used in armed conflict<sup>26</sup>.

<sup>22</sup> Somali Compact Page 27.

<sup>23</sup> Article 11 of the constitution.

<sup>24</sup> Gender profile Somalia 2013.

<sup>25</sup> Article 15 of the constitution.

Women's groups/movement demand application of the provisions of the constitution. They are critical of the on-going practices. Referring to the five members all men electoral committee constituted by the Government, they asserted that it does not reflect the commitment to gender equality. This could further sideline women's participation in decision making bodies.<sup>27</sup>

**c. Joint Communiqué of the Federal Republic of Somalia and the United Nations on the Prevention of Sexual Violence, 7 May 2013**

The Somali Government and partners have made a firm commitment to address the issue of conflict related sexual violence in the country through a Joint Communiqué<sup>28</sup> adopted in May 2013 after a visit of the SRSG on Sexual Violence in Conflict to Somalia. The Joint Communiqué is followed by the development of a National Action Plan, led by the Ministry of Women and Human Rights in collaboration with Line Ministries and Civil Society, which focuses on effective legislation, setting up necessary structures for the protection of women and girls and reinforcing the commitment for zero-tolerance of such violations in Army and Police Codes of Conduct; implementing procedures/protocols to ensure the protection of victims, witnesses, journalists and others who report on sexual violence; effecting mechanisms for prevention of the practice; addressing cultural attitudes and creating extensive awareness across the country.

**d. Strategic Framework for the Somali AIDS Response 2009-2013**

The first Strategic Framework for the Prevention and Control of HIV/AIDS and STIs within Somali ended in December 2008. The revised strategic framework is built around empowering communities and individuals with knowledge and skills on HIV prevention; reduce stigma and discrimination against People Living with HIV (PLWHIV); strengthening structures and systems for coordination and monitoring and evaluation of the HIV response in Somali populations; and to increase access to high quality treatment and care services.

**e. Somalia Gender Based Violence Working Groups Strategy 2014-2016**

The Somali Government is supported by the Somalia Gender Based Violence Working Group<sup>29</sup> to strengthen prevention of and response to gender based violence (GBV) cases, taking into consideration the protection of women and girls in such a fragile country context. The strategies comprised four pillars--Prevention, Services/Response, Access to Justice and Rule of Law and Coordination--respond to the key provisions of the New Deal Compact<sup>30</sup>, the Joint Communiqué and the Humanitarian Common Appeal Process (CAP).

**f. National Gender Policy**

The Federal Government of Somalia (FGS) through its Ministry of Women and Human Rights Development (MoWHRD) is currently engaged in developing a national gender policy, which is to be fully consulted and developed with Line Ministries of the FGS, Civil Society, as well as the different administrations of the Somali territory by the end of 2014. The existing draft gender policy spells out the establishment of a quota for women in employment especially at the decision-making and high management levels in both public and private sectors and also

<sup>26</sup> Article 29 of the Constitution.

<sup>27</sup> Women's group member at the review meeting on 19<sup>th</sup> July 2014 at Mogadishu.

<sup>28</sup> United Nations Security Council resolutions 1820 (2008), 1888 (2009) and 1960 (2010).

<sup>29</sup> UNFPA and INTERSOSS are providing technical guidance and leadership to the GBV working group.

<sup>30</sup> Goal 3: Justice priorities in the Compact 1,3,5.

supports and safeguards the promotion of national policies that guarantees women's quota in all Government and private institutions. The MoWHRD has recently developed a road map and an action plan to conclude the process of the development and adoption of the National Gender Policy.

Other gender related policies still under development and spear-headed by the MoWHRD, include the draft FGM policy; the draft GBV policy; the draft child protection policy; and the draft family Act<sup>31</sup>.

## **2.5 Potential of the major achievements in bringing about changes in the lives and status of Somali women and girls**

Somalia is on the road to recovery after 21 years of political unrest and devastating drought. The provisional constitution adopted only in August 2012 and the parliament was in place only in November 2012. The bill of rights and the special mention of the inclusion of women in all national institutions amongst others in the constitution is an opportunity for drawing up plans/strategies/policies/legislations that fulfill the commitments.

Against this backdrop the nomination of 24% of women to the National Constituent Assembly (NCA) and 14% women to the National Federal Parliament (NFP); the development of a three-year (2014 to 2016) Somalia Gender Based Violence working group strategy to improve response, capacity access to justice through strong coordination mechanisms; and gender mainstreamed in most policy documents across sectors are significant achievements.

Additionally the New Deal Compact spells out the priorities of the Government for 2014-2016 and lays the road map for peace and stability in the next three years has gender as a cross cutting issue, this clearly indicates the Government's commitment to women's empowerment and peace and security. This is clearly a new way of doing business.

## **2.6 Institutional arrangements for gender equality and women empowerment**

- a. Establishment of a Ministry of Women and Human Rights in August 2013 to address gender issues;
- b. Focal point appointed to a few ministries to promote inter-ministerial coordination mechanism on gender, strengthening gender mainstreaming across the ministries and sectors and ensuring implementation of strategic interventions, including the National Plan on Ending Sexual Violence in Conflict;
- c. Establishment of Peace and State building Goals Working Groups by the Government to implement the New Deal Compact;

Also strong women's groups are actively engaged in advocating for women's empowerment and gender equality;

### **Overall Challenges**

The overall challenges and recommendations were made by the participants at the stakeholder consultation and also confirm the challenges and recommendations identified through the desk review.

---

<sup>31</sup> MDGs progress report for Somalia 2013.

- Limited investment in women's empowerment programs across all sectors;
- Low participation of women in politics/policy and strategy making bodies, decisions, and the few Members in the Parliament are not successful in calling for equal representation or demanding women's rights as enshrined in the Constitution;
- Inadequate programs dedicated to improve women's political empowerment;
- Absence of an appropriate body and mechanism to give effect to the constitutional provisions for women's equality, including the Quota Percentage of women in the Somali Constitution, National Commissions and Judiciary commissions ;
- Poor and weak justice system and institutions which leads to impunity of/for perpetrators of based gender violence;
- Limited national capacities to protect women and girls from SGBV.

### Overall Recommendations

- Investment in gender mainstreaming and women, peace and security issues shall be enhanced; In that, allocating a special fund and/or budget by the Government for policy reforms/media campaigns/pilot programs focusing on strategic areas to effect women's social, political and economic empowerment will address the issues in the immediate term;
- Measures shall be undertaken to strengthen gender technical capacity of all ministries/sectors on a priority basis; appointment of trained and experienced Gender Focal Points to all ministries and departments to ensure regular monitoring of progress and coordinated actions between the different ministries, departments as well as with NGOs and CSOs;
- In line with the constitutional provisions, all committees and commissions established must include proportionate women's representation;
- Gender equality and specific women's empowerment initiatives and/or programs shall be integrated/launched across all the five priority areas in the New Deal Compact with clearly stated outcomes aligned with the PSG priorities;
- Women's representation in all levels of the Government, including selection of women elders vis-a-vis men elders;
- Religious leaders and elders must be mobilized to advocate for women's participation in politics and to protect rights of women;
- Strong accountability framework and monitoring mechanisms to be put in place.

## 3. Achievements, challenges and recommendations in the Areas of Concern

### 3.1. Women and poverty

The BPfA requires Government to "review, adopt and maintain macroeconomic policies that address the needs and efforts of women in poverty<sup>32</sup>", among other policy interventions, given that poverty in Somalia is still very widespread, it is estimated that approximately, 43% of Somalia's population lives below the poverty line<sup>33</sup>, poverty is more pronounced in the rural settings, 61% urban and 94% rural<sup>34</sup> and women are currently grossly disadvantaged and

<sup>32</sup> BPfA Strategic objective 1.

<sup>33</sup> MDGs report 2010.

<sup>34</sup> Humanitarian Needs Review 2014.

constitute the majority of the poor. Efforts are on to reach a target of 21.6% by 2015. The Gender Inequality Index (GII) is alarmingly high 0.776 out of a value of 1 (1 being complete inequality) (2012); Multidimensional Poverty Index (MPI) is 0.47 out of 1 this would place it at 94 out of 104 countries (2010).

### a. Employment

Women experience higher unemployment than men, 74% and 61% respectively. 11% of Men Headed Households (MHH) own land for cultivation which is privately owned, compared to 8.7% among the Women Headed Households (WHH) and additional 2.4% cultivate rented land<sup>35</sup>. According to the 2010 Somalia Household survey, only 33% of women in South Central are in wage employment compared to Puntland 40% followed by Somaliland 36%.

The absence of adequate concrete data to qualify gender differentials in employment has been a challenge. However, it can be inferred that, the key causes of low employment of women, could be lack of ownership of marketable goods which results in poor access to credit, greater responsibility in household and limited access to education and limited mobility due to household responsibilities. Similarly the exact poverty gap ratio cannot be arrived at however, there are regions that are chronically food insecure and the women and children amongst the internally displaced persons and returnee populations suffer most from chronic malnutrition.

The Somali Diaspora has a significant role in the economy of the country, on a per capita basis Somalis are one of the world's largest recipients of remittances. Estimates indicate that at least US \$1.2 billion in remittances is transferred into Somalia each year. 17% of MHH compared with 12% of WHH are in receipt of remittances (internal and external) to supplement household incomes<sup>36</sup>. The Diaspora investment in the private sector into Somalia in many urban areas exceeds the flow of foreign aid in scale and impact<sup>37</sup>. With appropriate guidance and directives, the investment in women's trade can also be impacted by these remittances.

### b. Laws and administrative practices to ensure women's equal rights and access to economic resources.

The Government of Somalia through the constitution has made provisions to ensure women are included in poverty alleviation efforts.

The five year Reconstruction and Development Programme (RDP)<sup>38</sup> drawn from the New Deal Compact clearly articulates the focus for gainful employment opportunities, especially for women and youth, through the

Article 27 on Economic and Social Rights says "It shall be ensured that women, the aged, the disabled and minorities who have long suffered discrimination get the necessary support to realize their socio-economic rights."

engagement of all segments of the Somali population, including and particularly women and vulnerable groups, ensuring Somalis will be not just beneficiaries but the actors in the recovery.

<sup>35</sup> FSNAU Gender Facts and Figures 2011.

<sup>36</sup> FSNAU Gender Facts and Figures 2011.

<sup>37</sup> Cash and Compassion: The Somali Diaspora's Role in Relief, Development and Peace building, UNDP, 2011.

<sup>38</sup> Federal Republic of Somalia, Economic Recovery Plan 2014-2015.

In the context of the BPfA sex disaggregated data to assess the gender differential impact of policies on labor force participation or employment ratios in the different sectors are not available.

### c. Access to financial services

According to the information from World Bank sub-branch office, low income groups are not required to provide any collateral, because economically poor people are not able to meet these requirements. The Government acknowledges the following problems relating to savings and credit:

Banks are often reluctant to support poor people, who want to expand their businesses with a loan and small business in Mogadishu, as they do not meet the requirements to access loans, such as, security deposit or guarantor and individual collateral. Micro finance programs include small amounts of capital to be paid back within a short time frame; this does not encourage women to access such programs. Lack of access to credit by the women just below or just above the poverty line also has negative consequences for small businesses in Somalia<sup>39</sup>. The unconditional cash transfer programs could be the strategy to improve the status of both men and women.

The Unconditional Cash Transfer programme by the Somalia Cash Consortium that benefitted 40,000 households with 6–10 monthly cash transfers totaling USD 41 million in Lower Juba, Gedo, Hiran, and Banadir regions of South and Central Somalia. There is strong data to suggest that social status, of both men and women, improved as a result of the cash transfers.

### Challenges

- The main challenge to monitoring progress is lack of data and continued instability in the country caused by sporadic violence by Al Shabab. Though the Al Shabab group was driven out of the Somali capital of Mogadishu, it still controls much of the southern region and contributes to tremendous regional instability. Generation and use of sex-disaggregated quality data and ensuring continued funding for that is yet to reach the top of the priority while the government is seeking to other key issues related to stability and humanitarian needs such as security, education and health;
- Lack of access to financial services is a challenge for women and the poor in general to access credit;
- Lack of ownership of land and other assets results in little trust being placed in the capacity of women and this, acts as an impediment to accessing loans.

### Recommendations

- The New Deal compact specifies a broad based inclusive growth; this needs to be clearly defined in terms of strategies and policies. The Government-led economic foundation and

---

<sup>39</sup> The Accessibility of Microfinance for Small Businesses in Mogadishu, Somalia by Dr. Abdel Hafiez Ali , Sudan University of Science and Technology Vol. 3, number 11, June 2013.



poverty reduction interventions which will be implemented in the immediate and medium term will be required to clarify strategies for inclusion of women in the economy;

- Government to establish mechanisms to improve financial stability of marginalized women, especially women from WHH;
- Finalization of the National Labor Policy and measures to ensure women's participation in the economy both formal and informal;
- Formulation of a clear policy and regulatory mechanism for microfinance institutions to enable and promote women's access to and benefit from microfinance.

### 3.2. Education and training of women

The country has the one of the world's lowest enrolment rates for primary school children, only 42 per cent of children are in school. Of those, only 36% are girls. The number of out of school and at risk children and youth aged 6-18 years is estimated to be around 4.4 million out of a population of 10.55 million.<sup>40</sup> This necessitates the rebuilding of the education system that broke down because of the conflict.

In 2012, the Ministries of Education participated and were supported in the consultative process of developing Education Sector Strategic Plans (2012-2016). This was rewarded with membership of the Global Partnership for Education (GPE), making Somalia the first Federal Government to be accepted by the GPE. This recognition has since translated into an offer of support, over three years, amounting to US\$ 14.5 million.

The Go-2-School<sup>41</sup>: Educating for Resilience (2013-2016) is a strategy that will enable 1 million additional children and youth to claim their rights to education in 2013.

#### a. Ensuring equal access to education

There has been significant strides made in the education sector in terms of enrolment, yet the Gross Enrolment rate (GER) for across Somalia as indicated by data collected from schools in 2011-2012 is 42%<sup>42</sup> showing the magnitude of challenges. The GER is lower for girls when compared to boys, 24% and 36% respectively based on 2007 data<sup>43</sup>.

Access to education by girls and quality of education remains a large problem in Somalia, especially for South Central region where schools are no longer safe-havens for children affected by the current violence. The gender ratios are in favor of boys across the schooling cycle. In primary schools, the Gender Parity Index (GPI) is 0.9; in secondary school the GPI drops to 0.7, indicating that even fewer girls than boys attend secondary school. While it is difficult to ascertain the number of children in school across Central South Zone (CSZ), in collaboration with partners Government was able to keep 571,607 children in school through the 2011/12 school year despite famine, displacement and conflict<sup>44</sup>. Education is delivered almost entirely through Community Education Committees in CSZ. These Committees levy fees

<sup>40</sup>UNDP, 2012. Somalia Human Development Report indicates that an estimated 68 percent of youth in the 14-29 years are unemployed.

<sup>41</sup> UNICEF Go to School Initiative.

<sup>42</sup> 2 MoEHE, 2011. Somaliland Primary School Census Year Book; MoE, 2011. Puntland Primary School Census Year Book; Education Cluster, 2011. Education Data.

<sup>43</sup> <http://www.unicef.org/somalia/education.html>.

<sup>44</sup> In collaboration with UNICEF and cluster partners.

on families in order to operate schools, creating a barrier to access for the poorest, and is also inadequate to retain quality teachers<sup>45</sup>.

#### **b. Eradicate Illiteracy**

Somalia will not achieve the MDG target of 100% literacy by 2015. The literacy rate across the region varies; the lowest literacy rate is in the South-Central region. Some of the key factors that affect illiteracy are insecurity, protection issues for girls and women, shortage of girls' only schools to overcome cultural barriers, vast distances to be covered to attend school, early marriage, household responsibilities and nomadic lifestyle and perception of gender roles of boys that disfavor education of girls.

#### **c. Vocational training and trained teachers**

As yet the opportunities for vocational skill training in Somalia are limited, although a few skills training projects have been initiated, the outreach of those is limited vis-à-vis the needs. And services for girls are even fewer. Dr Qamar Training Institute is the only training Institute for women in the South-Central Somalia.

Teacher training opportunities will be provided under the education strategic plan. Currently there are only 15% of the teachers who are women and majority of these are not adequately qualified<sup>46</sup>. The number of teachers has increased from 14,000 in 2007 to 16,000 in 2011. However the problem that persists is the low allocations of budgets for teachers making students bear the burden of salaries<sup>47</sup>, which adversely impacts girls' education and in effect their economic empowerment and political role/participation.

#### **Challenges**

- The problem of retention of girls in school due to early/child/forced marriages limit their access to education and in the long run effect their career development;
- The ongoing conflict, poor infrastructure, and inadequate trained teachers are a challenge to retaining girls in schools;
- Insufficient schools and schools without separate toilet facilities for girls is a challenge to retention of girls in schools;

#### **Recommendations**

- Run special scholarship programs for women and girls and organize extensive awareness campaigns on issues related to women on the media;
- Launch a campaign against child/early/forced marriages of in and out of school girls and engagement of elders and media to promote girls education
- Greater investment in infrastructure, girls education, hostels, etc;

### **3.3. Women and health**

The Beijing Platform for Action affirms that women have the right to the enjoyment of the highest attainable standard of physical and mental health. This requires Governments to increase access of women throughout their life cycle to appropriate, affordable and quality

<sup>45</sup> Situation Analysis UNICEF Somalia 2013.

<sup>46</sup> Go 2 School Initiative –Educating for Resilience 2013-2016 Strategy Document.

<sup>47</sup> Go 2 School Initiative Educating for Resilience (2013-2016).

health care, and particularly reproductive health. Access to primary health services for the prevention and treatment of childhood diseases, malnutrition, anemia, diarrheal diseases, communicable diseases, malaria and other tropical diseases and tuberculosis, among others becomes essential.

Somalia's poor national health was exacerbated by protracted conflict and state collapse. Public health services are also not totally free: the patient pays for the medicines. The 2011 data shows that there are little over 100 doctors in the country both in public and private sector and about the same number of registered midwives. In the public sector in 2011, there were 15 hospitals, 87 Maternal and Child Health (MCH) and 165 health posts in the country<sup>48</sup>. As of 2013 there are 8 referral hospitals, 10 regional hospitals and 26 district hospitals, 198 Health Centers (also referred to as Maternal and Child Health Centers and 269 Primary Health Units (sometimes called Health Posts) that are supposed to provide limited curative and preventive services at the community level, but many do not operate<sup>49</sup>.

The National Health Policy II (2012-2016) developed in 2011, Health Sector Strategic Plans (2013-2016) and the Nutrition Plans of Action is of critical importance to address the health sector shortcomings on the well being of women.

### **3.3.1. Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services: Critical Health Indicators**

Low/limited access to health care services in Somalia is due to both systemic as well as structural reasons. There is limited to no access to health services in rural especially nomadic areas largely due to geographical constraints, low quality of services, user fees (most people in these areas are below the poverty line) and small low skilled workforce. All these factors affect women's health, the key health indicators that will be reflected in this report are life expectancy at birth, maternal mortality, infant mortality and availability of skilled health workforce. There are 504 functional health facilities and the density of midwives, nurses and doctors per 1,000 population as of 2011 is only 0.1<sup>50</sup>.

#### **a. Maternal Mortality**

The level of maternal mortality in Somalia is extremely high and on the rise, it has been the highest worldwide. The total fertility rate is 7.3 children per woman of reproductive age, underlying the importance of obstetric services as early marriage amongst girls is common, and young girls face greater risk than women and there is also the risk of high mortality rates in the early stages of life. Maternal Mortality and morbidity rate (MMR) is very high with 1200 deaths per 100,000 live births<sup>51</sup>.

The Joint Health and Nutrition Programme currently being implemented by the Somali Health Authorities aims to strengthen the health systems by improving quality and access to affordable quality health and nutrition services for over 3.4 million Somalis.

---

<sup>48</sup> National health Policy Document 2011.

<sup>49</sup> Health Sector strategic plan 2013-2016.

<sup>50</sup> The State of the World midwifery Somalia 2011.

<sup>51</sup> Multi Cluster Indicator Survey (MICS) data.

There are limited numbers of interventions in the critical areas targeting maternal mortality. Some of the initiatives are; female village health workers programmes; Global Alliance Vaccination Initiative (GAVI); Health Systems Strategy for training female health workers; maternal services and Midwives / TBAs training and increase availability of trained staff to promote safe deliveries.

#### **b. Availability of skilled Health Care Service providers**

The data on health care services have remained static since 1999; majority of childbirths (55.9%) are with the help of Traditional Birth Attendants (TBA); 3.4% of deliveries by medical doctors, 9.4% by family members, and 25.4% are done with the help of nurses and midwives<sup>52</sup>. Service statistics are now being collected from some hospitals and MCH Centers, and consolidation has begun<sup>53</sup>. There is an increase in the births<sup>54</sup> attended by skilled health personnel in the South-Central. However access to family planning services and care for pregnant and delivering women is inadequate (ibid.) Contraceptive prevalence rates is low (15% approx)<sup>55</sup>, this could be due to religious and cultural factors.

#### **c. Infant Mortality Rate**

The Infant Mortality rate for Somalia, rate decreased from 152 deaths per 1000 live births in 1990 to 86 deaths per 1000 live births in 2006. The 2011 regional data shows the highest infant mortality rate was in South-Central (137 deaths).<sup>56</sup>

The data for 1999 to 2006 shows that the infant mortality rates for females declined from 130 to 76 deaths per 1000 live births, i.e. at annual rate of 6.7%, while this rate for males declined from 134 to 91 for the same period, i.e. at annual rate of 5.3%.<sup>57</sup>

#### **d. Life Expectancy at birth**

The life expectancy at birth a measure of overall quality of life in a country and summarizes the mortality at all ages. The Life expectancy at birth for the total population is 51.19 years, for males it is 49.22 years and for females it is 53.23 years (2013est.)<sup>58</sup>

#### **e. Access to health care**

Health care coverage during pregnancy is very low, with 50.7% in urban area and even lower in rural areas, 20.6%. There is no data on antenatal coverage available for South Central. A number of problems that are directly related to availability of health care providers and poor access to health care are the poor condition of facilities, non availability of essential drugs, insecurity and conflict, inadequate capacity of health service providers, few doctors and most important lack of information and education. Currently, less than 30% of births are attended by skilled personnel and a lesser proportion takes place in health facilities

---

<sup>52</sup> UNSD and MICS 2006 & 2011.

<sup>53</sup> Health Sector Strategic Plan 2013-2016.

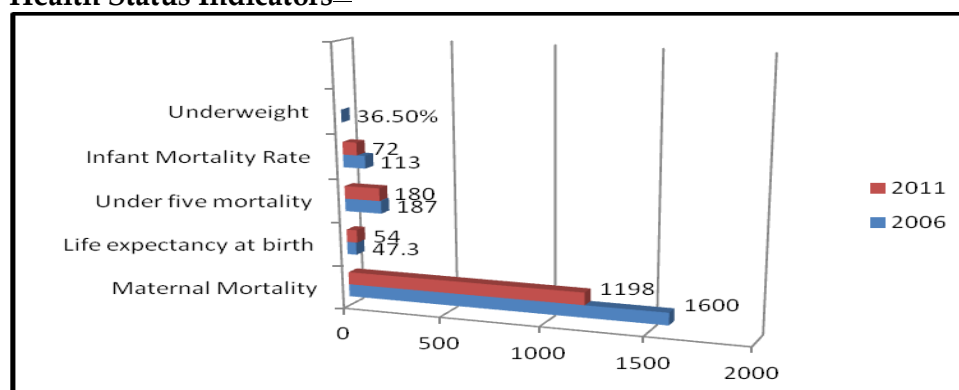
<sup>54</sup> In the absence of baseline it is difficult to arrive at %.

<sup>55</sup> MICS 2011.

<sup>56</sup> See MICS 2011.

<sup>57</sup> [http://www.idrc.org/CCAA/ev-146767-201-1-DO\\_TOPIC.html](http://www.idrc.org/CCAA/ev-146767-201-1-DO_TOPIC.html).

<sup>58</sup> CIA world fact book, December 6, 2013.

**Health Status Indicators<sup>59</sup>**

Health status indicators do show some improvement, however there are significant rural and urban differences across the country as access to services in rural settings is deplorable. Distressingly high prevalence of undernourishment is a distinctive feature of Somalia, the very high percentage of the population whose food consumption is below the minimum level of dietary energy requirements. However, the lack of quality and availability of data throw up challenges for providing substantive analysis of progress on this indicator.<sup>60</sup>

**3.3.2. HIV/AIDS, and sexual and reproductive health issues**

It is estimated that 22,810 people live with HIV in Somalia, among adults 15-49 years, of which 9,240 are male (40.5%) and 13,580 are female (59.5%). The total number of estimated new infections is 2180, of which 930 are male (42.7%) and 1250 are female (57.3%). By the end of 2007, an estimated 3% of those in need of ART were on treatment, 0.4% received interventions for prevention of mother to child transmission of HIV. However, data indicates that the epidemic is concentrated among high risk key and vulnerable populations whose HIV prevalence is higher than that of the general population.<sup>61</sup> Stigma surrounding HIV and discussions on high risk behaviors remains very high, prohibiting open dialogue at various levels and contributing to low up take in services. In response to the needs, the Government of Somalia adopted the vision set out in the Strategic Framework for the Prevention and Control of HIV/AIDS and STIs within Somali Populations 2003 - 2008 and the Strategic Framework for the Somali AIDS Response (2009-2013).

The overall prevalence of HIV/AIDS in Somalia is estimated around 0.9%, which is considered to be low compared with the incidence in surrounding countries.

More than 90% of people with advanced HIV infection are still in need of antiretroviral (ARV) therapy. This unmet need is likely to worsen due to imbalance between HIV transmission and

<sup>59</sup> UNDP HDR 2007, 2011, MDG Progress report 2014.

<sup>60</sup> UNDP HDR 2014 progress report.

<sup>61</sup> Somali HIV hot-spot mapping: Exploring HIV vulnerability among populations at increased risk. IOM, 2008 Nairobi.

existing treatment scale<sup>62</sup>. The table below provides the HIV /AIDS estimates for the different age groups.

#### HIV and AIDS estimates (2012)<sup>63</sup>

• Number of people living with HIV-	31,000 [21,000 - 47,000]
• Adults aged 15 to 49 prevalence rate-	0.5% [0.4% - 0.8%]
• Adults aged 15 and up living with HIV-	26,000 [17,000 - 40,000]
• Women aged 15 and up living with HIV-	13,000 [8,600 - 20,000]
• Children aged 0 to 14 living with HIV-	N/A
• Deaths due to AIDS-	2,500 [1,700 - 3,900]
• Orphans due to AIDS aged 0 to 17-	N/A

### 3.3.3. Prevention programmes

The Health Sector Strategic Plan (HSSP) (Jan 2013 to Dec 2016) is an important step in building the Somali Government's capacity to improve access to health services for the people of Somalia. An important prevention strategy to promote women's health and prevent maternal deaths has been through the strengthening of the maternal health referral systems; this includes ambulances used to facilitate referral of pregnant women who develop complications during delivery; the establishment of the midwifery schools with trained midwives now reaching out to clients in the communities; and incorporation of birth spacing as a priority in the health plans. The ministry of health is leading the zero tolerance campaign on FGMC and treating obstetric FGMC fistula related cases. These efforts are grossly inadequate and require more investments to further strengthen the referral systems.

#### Challenges

- Security situation is making access to services specially by women dangerous
- High level of poverty is leading to poor maternal health
- Low access to services by poor families because of user fees
- Poor infrastructure, lack of equipment and supplies exacerbate the problems related to health
- Limited number of trained health personnel to carry address problems around maternal health
- Women's concerns do not get reflected in the plans because of low participation in policy and planning processes;
- Limited fistula treatment facilities and specialized doctors to treat such patients.

#### Recommendations

- In line with PSGs priorities, improve health-sector infrastructure by rebuilding, rehabilitating and equipping all existing and new health facilities. All facilities shall be equipped in a manner that addresses the special needs of women and girls as well. This will require steady and uninterrupted investment in the sector;

<sup>62</sup> Page 36 OF UNAIDS 2010 Country Report.

<sup>63</sup> UNAIDS data.

- As a stop gap measure for a certain period, introduce/ensure provision of mobile health care services, in particular to rural areas;
- Update data management system on health care services, facilities and personnel to enable planning, informed decisions and investment in the health sector.
- Make available specialized facilities and trained medical professionals to tackle special cases such as fistula and rape.

### 3.4. Violence against women

The Federal Government of Somalia (FGS) does recognize that Somali girls and women have the right to live lives free of violence. Although FGS is yet to ratify CEDAW, it has signed/ratified numerous international covenants and conventions<sup>64</sup> thereby committing to combating all forms of discrimination against women, including violence against women and to adopting the appropriate legislative and institutional measures.<sup>65</sup>

Although providing comprehensive data on the prevalence of Gender Based Violence (GBV) has been a major challenge, it is widely acknowledged that GBV is widespread in Somalia. Factors like prolonged conflict, harmful traditional practices, and recurring disaster put women and girls at risk of GBV. Women and girls among the Internally Displaced persons (IDPs) in the country are more at risk to violence than others, due to insecure living conditions; the nature of work they are engaged in, such as collection of water, firewood, etc. which are generally carried out by women and girls; poor security and limited protection by their clans. Amongst the IDPs, women, girls, elderly from women headed households are most at risk.

It is accepted that the perpetrators of GBV in the South and Central of Somalia are often 'men in uniform.'<sup>66</sup> The most common forms of GBV all over Somalia include rape, physical violence, intimate partner violence and harmful traditional practice such as early marriage and female genital mutilation/cutting (FGM/C).

#### a. Sexual Violence Data

There is no credible data available on the prevalence of gender based violence that can represent the entire country. Although a Gender Based Violence Information Management System (GBVIMS) is maintained and that is being referred to as a major source of data, collection of data has proved being a major challenge due to insecurity, and also intimidation by local communities<sup>67</sup>. Majority of the survivors of violence are internally displaced persons (IDP). It was revealed in several focus group discussions conducted in Puntland and Mogadishu that rape is increasing and is "common," and that sexual harassment, assault and exploitation, in the form of forced abortion, molestation, taunting and groping are all experienced by women in Somalia<sup>68</sup>. The report of the Crime Victimization Survey 2012 indicates that survivors are from

---

<sup>64</sup> They ratified International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

<sup>65</sup> Article 4 and 2 in the Constitution.

<sup>66</sup> The fact that they wear uniform is not a certainty in associating them with the SNA, as various uniforms can just be bought at the market.

<sup>67</sup> DFID Somalia Operational Plan 2011-2015 - Gov.UK..

<sup>68</sup> Gender in Somalia Brief 2 UNDP.

the range of infancy to women of forty five years age, with most survivors being between the age of 11 to 25 years age group<sup>69</sup>.

During the first half of 2013, there were about 800 cases of sexual and gender-based violence reported in Mogadishu alone<sup>70</sup>. Over 1,700 cases of rape were registered in Mogadishu and surrounding areas between January and November 2012<sup>71</sup>. Reports<sup>72</sup> show that, about one-third of victims of sexual violence in Somalia are children. In 2012, 1,220 were sexual violence cases were reported from South Central, of which, 35% of rape cases were against children. With all of these figures<sup>73</sup>, the actual number is likely to be much higher, as many survivors of sexual violence never report their experiences to the authorities for various reasons, including fear of punishment from authorities or perpetrators. Women and girls are also wary of the ostracism and social stigma associated with rape and they have little confidence that the authorities will undertake any adequate investigation into their cases<sup>74</sup>. Increased sexual exploitation and abuse by AMISOM has also been reported.

The table below<sup>75</sup> highlights the different forms of violence faced by women, girls and boys in Somalia and the IDP camps. Some of the common forms of violence are hitting, kicking, teeth knocked out, throwing stones, being shot, locked in the homes etc.

Citizens most vulnerable to or at risk of Gender Based Violence (GBV) and or exploitative forms of protection, and targeted killings	Source of insecurity, violence and protection	South Central Somalia
Women and girls	SGBV, GBV, FGM	✓
	Forced marriage	Islamic militia controlled areas
	Early marriage (under 18)	✓
Minorities and IDPs (men, women and children)	SGBV, GBV, labor exploitation, illiteracy, debt	✓
IDPs living in IDP camps (especially women and children)	Criminal violence, GBV, illiteracy, debt	✓

<sup>69</sup> Violence in the lives of Girls and Women in Somalia supported by UNDP, UN Women and UNPOS.

<sup>70</sup> United Nations, "UN humanitarian wing warns of pervasive sexual violence in Somalia," UN News Centre, August 16, 2013, [www.un.org/apps/news/story.asp?NewsID=45641&Cr=sexual+violence&Cr1=#.Ul2i9NI3sud](http://www.un.org/apps/news/story.asp?NewsID=45641&Cr=sexual+violence&Cr1=#.Ul2i9NI3sud) (accessed January 24, 2014).

<sup>71</sup> UN General Assembly Security Council, Report of the Secretary-General on Sexual violence in conflict, 14 March 2013, A/67/792-s/2013/149, [http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2013\\_149.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_149.pdf) (accessed January 24, 2014).

<sup>72</sup> UNICEF report.

<sup>73</sup> In Central South 1,220 were sexual violence cases. 35% of rape cases are against children. From January - July 2013, UNICEF has assisted 1,234 survivors of GBV, out of which 454 or more than 58% are cases of sexual violence, 22% of survivors are children and 4% of them are boys.

<sup>74</sup> Here Rape is Normal - A five point Plan to Curtail Sexual Violence in Somalia, Human Rights Watch, 2014.

<sup>75</sup> Gender Profile of Somalia developed for the EU Somalia mission October 2013 by Fouzia Musse and Judith Gardner.



Young Men and Boys	Recruitment into armed groups, illegal activities	✓
Young People (male and female)	Human trafficking, radicalization	✓

#### b. Causes and consequences of violence against women

There are no well researched, established underlying causes as to why the cases/incidence of rape is on the rise in Somalia<sup>76</sup>. However, in the context of violence one could assume that conflict and clan based conflict could be one of the many reasons for increased rape in South Central, where security and law enforcement officers as well as gang-members and freelance militia are implicated by survivors. Increasingly households are dependent on women for survival; with women away the children are specially exposed and vulnerable. It has been reported that girls on their way home from collecting water and firewood are also targets of violence. Often the cases of violence in general and rape in particular go unreported. Survivors and their families do not see any value in reporting rape as the perpetrators are often not punished; clan elders sometimes bribe the police to free the offenders; sometimes they even break jails to free offenders<sup>77</sup>. However, the survivors are to bear the consequences of rape which include stigmatization of the survivors by family as well as the community; if it is the case of a single perpetrator often he is asked to marry the survivor; women are often blamed for leaving their children alone; if a woman seeks legal redress she can face humiliation and threats from her own clan, however if she uses the customary law she can expect to gain respect of the clan and the community and is not stigmatized.

#### c. Integrated measures to prevent and eliminate violence against women

A three-year strategy 2014-2016, to tackle the challenges of GBV has been developed with the aim to strengthen prevention and response mechanisms. To this effect the four pillars of the strategy namely, prevention, service provision and response, access to justice and rule of law and coordination have been framed to deliver multisectoral, comprehensive and integrated services<sup>78</sup>. In addition a National Action Plan (NAP)<sup>79</sup> is being finalized to combat sexual violence in conflict. The GBV Strategy and the NAP provide the much needed framework and mechanisms to address VAW in Somalia. Further, the Government has taken a step forward to draft a sexual offence bill with the aim to curb the incidence of sexual violence.

#### d. Female Genital Mutilation/Cutting

Because of its widespread prevalence in Somalia, it is estimated that roughly 98 percent of women have undergone the procedure; most of whom underwent infibulation, the harshest type of FGM. Support for FGM from community members is a key barrier to its eradication; in a

<sup>76</sup> OCHA reported about 800 cases of sexual and gender-based violence have been reported in the Somali capital, Mogadishu, during the first six months of the year, 2013, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA). In 2012, there were at least 1,700 cases of sexual and gender-based violence in Somalia, according to the Special Representative of the UN Secretary-General on Sexual violence in Conflict.

<sup>77</sup> Gender profile of Somalia developed for the EU Somalia mission October 2013 by Fouzia Musse and Judith Gardner.

<sup>78</sup> Somalia Gender-Based Violence Working Group Strategy, 2014-2016, United Nations Humanitarian Coordination Team, February 2014.

<sup>79</sup> MoWHRD being the lead, the NAP was validated in a stakeholders consultation in May 2014 and subsequently was presented in the London Summit held in June 2014.

study conducted among 1,744 women between the ages of 15 and 49 in North East and North West Somalia 90% of the responded reported that they supported the custom of FGM.<sup>80</sup> Despite the support for and resistance to its eradication, the Government of Somalia has made significant strides with regards to eliminating FGM/C. The new Somali Constitution from 2012 outlaws all forms of FGM/C<sup>81</sup>.

A campaign for the acceleration of total abandonment of FGMC resulted in certain tangible gains, and achievements with regard to positive behavioral changes were noticed <sup>82</sup>: There has been a demand for more information on the consequences of FGM/C through engagement with families and awareness campaigns, several girls did not undergo FGM and several religious have turned advocates for eliminating FGM/C<sup>83</sup>.

### Challenges

- Resistance from community and absence of a common position among the religious leaders on abandonment of all forms of FGM/C. Some religious leaders are still in favour of maintaining the sunna type of FGM/C and some advocate for total abandonment of all types. Medicalization<sup>84</sup> of FGM/C, which is an emerging phenomenon, also poses challenges to complete elimination of it;
- Difficulties to reach out to the practitioners and preachers in the most remote rural areas;
- Limited national capacity and inadequate investment (human and financial resources) to address GBV issues, including both protection and prevention;
- No forensic equipment for screening and gathering evidence for GBV survivors access to legal redress;
- No dedicated doctors to screen and support GBV cases.

### Recommendations

- Finalize, enactment and implementation of the sexual violence offence bill on a priority basis;
- Enhanced interventions for strengthening the justice and security sector institutions and their service delivery mechanisms, taking into consideration the challenges of reaching out to communities in rural areas;
- Recruitment of women lawyers and attorneys and women at decision making roles in the security sector, in particular in police;
- Full and accelerated implementation of the GBV Strategy and the NAP;
- Strengthening capacity of relevant institutions in all concerned sectors to augment and ensure timely and effective preventative and response-related measures;
- Make available forensic screening equipment and trained staff in major health facilities;

---

<sup>80</sup> World Bank and United Nations Population Fund (2004). Female Genital Mutilation/Cutting in Somalia.

<sup>81</sup> In Central South Somalia, FGM/C interventions and specifically community dialogues were started in 2013, mainly due to security concerns.

<sup>82</sup> UNFPA-UNICEF Joint Programme on FGM/C: Accelerating Change, 2013 Annual Report.

<sup>83</sup> UNICEF situation report.

<sup>84</sup> Medicalization of FGM/C refers to the event where a doctor conducts FGM/C. However, FGM/C has long-term negative consequences for the victim. The medicalization of this harmful procedure is particularly problematic since it wrongly legitimizes the procedure.

### 3.5. Women and Armed Conflict

Both men and women suffer from sexual violence during armed conflict. However the consequences of violence faced by men and women are different. Women are targeted for different reasons than men and are affected in many different ways. There is the risk of pregnancy and the consequences range from being ostracized by the community, shunned by family and often considered to be violated and unmarriageable. During the armed conflict in addition to the possibility of facing sexual violence more women than men have become refugees and have the responsibility of caring for members of the family. Women who serve as armed combatants also experienced 'sexual slavery'. Thus the role of women in conflict resolution and peace building is recognized and increasingly emphasized in multilateral policy discourse. There were several forums and resolutions where a call was made for increased participation of women in conflict resolution and peace processes at decision making levels; they are the 1995 Beijing Platform for Action; the UN Security Council (SC/RES/1325/2000); but getting women to the discussion table has always been a problem.

#### a. Women's participation in conflict resolution

Somali women consistently lobbied for participating in the peace building conferences in Somaliland, in Borama and Sanaag (1993) and Hargeisa (1996). However, even with confirmation of support from religious leaders women could not participate in the talks, they played the role of cooks and fund raisers. Women built pressure on the clans to allow women to participate in the Boroma 1993 and in 1996 at the Hargeisa conference. However only ten women in Boroma and eleven at Hargeisa were allowed to participate as observers in the talks, they were not given voting rights<sup>85</sup>. Women were only used to set up meetings to discuss conflict resolutions.<sup>86</sup>

Women's participation in the Somali peace process was first formalized at the Conference on National Reconciliation in March 1998, convened in Addis Ababa with the support of the Ethiopian president and the Swedish Life and Peace Institute. A Transitional National Council was established for the meeting at Addis Ababa, it required that one woman be included in each of the three-member delegations from the eighteen regions. This framework failed as it did not engage clans which are the traditional decision making bodies in Somalia<sup>87</sup>.

This exclusion of women from peace processes, from decision-making on peace-building and state-building priorities, and from important state institutions only helped perpetuate the marginalization of women in post-conflict situation.

#### b. Women's contribution to fostering a culture of peace

Women of Somalia made several efforts to promote peace through increasing the engagement of women; a Coalition for Grassroots Women Organizations (COGWO) as a platform for peace building that united women's voices and efforts was established in 1996; a Peace and Human Rights network was set up that engaged CSOs in peace processes; the network Women Pioneers for Peace and Life, known as HINNA (Haweenka Horseedka Nabadda), was formed in 2003 by

---

<sup>85</sup> Somali women in Peace building, Faiza Jama.

<sup>86</sup> Gogol fidis.

<sup>87</sup> The Secretary-General's Report to the Security Council on 17 August 1994 noted that conflicts within the dominant Hawiye clan (to which General Farah Aidid belonged) constituted the major obstacle to national reconciliation, S/1994/977.

former women fighters, to diffuse tensions at critical times in Mogadishu. All these bodies played a key role in organizing peace campaigns.

At the Mbagathi conference in 2003, 100 women from different backgrounds tried to participate however, as these women were categorized as civil society, their role as women peace negotiators lost its significance. An important step forward for the women at

Just 55 women were given places in the Mbagathi conference: 21 as officially registered observers and 34 as official voting delegates. Of these, 26 women took part as members of faction groups or the TNG. A woman sat on each of the Reconciliation Committees established as part of the process, and two women participated in the powerful 'Leaders Committee', consisting of 22 faction leaders and five members of civil society.

the conference was the participation of 2 women in the 'Leaders Committee'. Civil society organizations led by Somali women have achieved much in the past two decades. They have played a key role in ensuring civil society representation at the peace and reconciliation processes, and made some progress on the participation of women in politics. Gender-based inequalities and cultural and practical barriers to equal political participation continue to be the stumbling block for Somali women even today.

### c. Protection, assistance and training to displaced women in need of protection

There are more than 1 million IDPs in Somalia of which 70-80% are women and children who live in extreme poor conditions and need assistance. Additional protections were to be provided to IDPs under the regional Kampala Convention, which went into force in December 2012<sup>88</sup>. Somalia has signed but not yet ratified the convention, obliging the Government to refrain from acts that would defeat the object and purpose of the convention.<sup>89</sup> Efforts were increased through the protection sector to ensure security to displaced women and children. However the sexual offences and other human rights violations continue to be unabated

### Challenges

- The Government is unable to provide and maintain adequate security because of the war against Al-Shabab and women face specific challenges as Al-Shabaab poses severe restrictions on women's mobility and conduct;
- Limited engagement with women's groups in peace resolutions by the authorities.

### Recommendations

- A Human Rights Commission shall be appointed instead of setting up ad-hoc taskforces to address human rights issues in the country;
- Support shall be extended to women's groups to promote peace and prevent human rights violations.

<sup>88</sup> Ibid principle 24(2).

<sup>89</sup> Ibid principle 27(1).

### 3.6. Women and the Economy

The BPfA recognizes that women-headed, led households are very often among the poorest because of wage discrimination, occupational segregation patterns in the labor market and other gender-based barriers<sup>90</sup>. On another front, the purchasing power of Somali households (women and men headed) can be measured by their assets base and income sources. According to the assessment<sup>91</sup> results (2012), compared to women, men headed households dominate in ownership of livestock and productive assets. The policies and strategies of the Federal Government of Somalia show commitment to address and overcome discriminations against women; however the fragile economy, weak production, depleted natural resource base, gender inequality and weak governance systems are barriers to growth. The 2013 Index of Economic Freedom<sup>92</sup> included Somalia for the first time since 2001 however Somalia's economic freedom remains unrated due to a severe lack of reliable data caused by the country's ongoing political instability. The last time Somalia was fully graded was in the 2000 Index when it received a score of only 27.8. The progress toward economic normalization and recovery is severely impeded by continuing security threats and weak state institutions.

#### a. Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources

The Federal Government of Somalia recognizes that there are several factors that impede women's access to employment especially, in decision making roles. Somali women, particularly women entrepreneurs faces challenges like limited financial resources, poor access to credit, existing gender roles and norms, gender discrimination, lack of access to proper knowledge, education and skills amongst others to survive and sustain any enterprise. Though women's to economic opportunities has increased after the formation of the Government, the fact is that they primarily occupy menial positions, often only making enough money to sustain themselves and their families. In addition, women experience higher unemployment rate than that of men (74% for women and 61% for men)<sup>93</sup>. A large percentage of women (86.1%) are engaged in subsistence farming and around 80%<sup>94</sup> are engaged in petty trade and 1%<sup>95</sup> in private sector. Only 14% owned farmland and 28% owned some livestock<sup>96</sup>.

The Constitution clearly provides equal rights for Somali women and men, however, the existing laws and practices of the country are yet to be synchronized with the provision of the constitution; the inheritance system being one of them which is not in consistent with the constitutional provision for women's equal rights as it is in conflict with the sharia law; according to the sharia law, women inherit half of what their men counterpart inherit of a

---

<sup>90</sup> Platform for Action. The United Nations Fourth World Conference on Women. Beijing, China - September 1995. Action for Equality, Development and Peace.

<sup>91</sup> FSNAU GU 2012 assessment.

<sup>92</sup> 2014 Index of Economic Freedom.

<sup>93</sup> Gardner, Judith (2006). A Gender Profile for Somalia (draft), p. 19. NORAD & the EC Somalia Unit publication.

<sup>94</sup> CRD report 2014.

<sup>95</sup> Role of Somali Women in Private Sector UNDP 2014.

<sup>96</sup> Food and Agriculture Organization of the United Nations (FAO) (n.d.) Gender and Land Rights Database: Full Country Report - Somalia, available at

[http://www.fao.org/gender/landrights/report/?country=SO#bib\\_country\\_id=23](http://www.fao.org/gender/landrights/report/?country=SO#bib_country_id=23), accessed 13 October 2010.

family property. Traditional limitations on women's land ownership and absence of codified Land Tenure system contribute to limited land rights. These issues women face often result in forced migration to urban areas. Discriminatory practices also restrict Somali women's access to capital and financial services including bank loans. Due to their limited access and control over family resources, particularly ownership of land, Somali women have limited access to collateral for investment and larger business enterprises<sup>97</sup>.

The participation of women in the private sector is abysmally low even though they serve on the boards of Chambers of Commerce. The representation of women in public-private business mechanisms such as the Chamber of Commerce and women's business associations/networks<sup>98</sup> can make a difference to business women. Women contribute hugely to generate Government revenue.

This clearly indicates that having gender equality enshrined in the Constitution or laws is not enough without concrete steps taken at different levels for its proper implementation. One of the critical issues requiring urgent attention of the Government is building capacity and providing support structures in order to enable women to be economically independent and empowered.

#### **b. Women's equal access to resources, employment, markets and trade**

The Somali Compact outlines the vision of 'Revitalizing and expanding the Somali economy with a focus on livelihood enhancement, employment generation, and broad-based inclusive growth'. In particular, the Compact intends to '*address the fundamental causes of gender inequality through strategic priorities in order to transform the unequal power relations between men and women, resulting in improved status of women and broader gender equality*'. There are several limitations to promoting women's participation in markets, the key factors are; the lack of dedicated focal points in the Ministry of commerce, to support /facilitate participation of women entrepreneurs,' women have no affiliations to any business membership and/or women's organization (95 percent of women not affiliated to any membership)<sup>99</sup> and finally there are limited efforts on skill training.

#### **Challenges**

- The actual data for the gender gaps are not available but efforts need to be made to ensure there is no discrimination of women in formal employment and to support development of and plan specific interventions for women;
- Non recognition of women as farmers, most women are considered to be housewives who do farming in their spare time, this prevents women from accessing Government programs.

#### **Recommendations**

- Promote women's economic empowerment enabling them to access financial services, land and other productive resources and market the produce;

<sup>97</sup> 2007 MDGs Report.

<sup>98</sup> The role of Somali Women in the Private Sector, UNDP Somalia, 2014.

<sup>99</sup> Institutional And Policy Assessment Of Factors Affecting Women Entrepreneurs In Micro And Small Enterprises In Hargeisa And Mogadishu, ILO.

- Recognize women's role and contribution in agriculture and include women farmers in Government programs.

### **3.7. Women, governance, power and decision-making**

Women have been at the forefront of local and national peace-building across Somalia. However, there is an existing cultural bias against women leadership in governance (a bias held by women as well as men) i.e. women are created to bear children and do the housework not to hold political office and or Islam does not allow women to be decision-makers<sup>100</sup>. In Somalia selection of women representatives are done by clan elders and generally based on merits of reliability and obedience to clan causes. As a minority within an otherwise male forum and institutional culture, women representatives are often subject to intimidation. The Government's recognition of inclusion of women primarily through constitutional provisions provides the necessary condition but that is not enough; appropriate policies need to be put in place to translate the constitutional provision into actionable steps.

#### **a. Women in decision making in Government entities**

The Federal Government of Somalia has made some strides to enhance women's presence and role in decision making positions in the Government. The new cabinet appointed on 17<sup>th</sup> January of 2014 increased the ministerial portfolios from 10 to 25, the new appointments have resulted in an increase in the number of women in the cabinet, but the proportion has fallen from 20% in 2013 to 10% in 2014. Of a total of 55 ministers in the New Cabinet five are women, two ministers and three Vice Ministers. The two women ministers were appointed as Minister of Women and Human Rights Development and Minister of Public Works and Reconstruction.

In Somalia the election of women to the Parliament was met with a lot of resistance as clan leaders who elect the parliamentarians vehemently oppose the nomination and selection of women as future MPs who would represent their clans in the institution. Also the machinations of clan Government don't allow women to be represented in the clan and while women belong to several clans (their own, mother's, fathers and husband's), they do not have full memberships of clans in the same way that men do. For the new Federal Parliament the clan elders selected 238 men and 37 women members. Both signatories and clan elders did not see women as 'reliable' candidates who could deliver the votes for certain male clan members who were Presidential candidates. This resistance would make achieving the target of 30% quota for women an uphill task. The 4.5<sup>101</sup> system of selection of candidates to the parliament will leave the selection of women in the hands of the clans, making it difficult for women to achieve 30% representation.

Through a 2007 Presidential Decree all public institutions were required to adhere to 30% representation of women. The provision of this quota was also reflected in the Garowe II Agreement – but it is yet to be materialized.<sup>102</sup> The Government recognizes that promoting gender equality and inclusivity is the responsibility of the state. To increase the participation

---

<sup>100</sup> The participants of the Stakeholders' consultation held in Mogadishu in July 2014 made repeated reference to this widely believed cultural view.

<sup>101</sup> 4 major clans and .5 minor clan.

<sup>102</sup> Joint Programme on Local Governance, United Nations Development Programme (2012). Strengthening Gender Equality in Public Administration in Somalia (unpublished), pp. 11-12.

and representation of women in current political processes and institutions, the new Government needs to give significant attention to electoral reforms. It is in this context that the composition of the electoral review committee gains significance. The electoral committee will have to work with the clans to negotiate the number of seats women could contest from. Women must be appointed to this committee and the review should be conducted through a transparent participatory process.

### Challenges

- Women's participation and representation in the governance and state mechanisms, decision making bodies is far below than the desired level. Therefore, their voice and views are often not heard and addressed in the decision making processes of the Government. The prevailing culture and clans system of Somali society continue to serve as a challenge to addressing and overcoming the issue of women's lack of adequate participation and representation. Women's lack of access to education and opportunities to acquire knowledge and skills are also barriers for women's participation, particularly in political sphere. The absence of party-based politics as opposed to clan-based social system also imposes challenges for women's participation. The 4.5 system of selection of candidates to the parliament rules out the possibility of achieving 30% quota for women in the parliament;

### Recommendations

- Policy measures shall be introduced and instituted by the Government to ensure 30% representation of women across the Government institutions. Steps should be taken to engage with elders and the clan leaders to select women aspirants for the forthcoming elections;
- Media campaigns to promote women's role in public and political spheres;
- Appointment of an independent body to conduct the electoral review in a participatory, consultative and gender responsive manner;

### 3.8. Human Rights of Women

The Convention on the Elimination of All Forms of Discrimination against Women, which is the single most important international treaty to advance gender equality and women's empowerment, has not been signed by Somalia; however, the country has formally accepted several other human rights instruments including the International Covenant on Civil and Political rights, Convention against Torture and other cruel, inhuman or degrading treatment or Punishment, amongst others thereby committing to protecting the human rights of women. The Government recognizes that women's empowerment is closely linked to their legal status in society, this is clearly framed in the Constitution which guarantees all Somalis (women included) fundamental rights and freedoms and re-affirms the principles of equality before the law.

The on-going unrest in the country has made its mark in the human rights violation in the country. There is also no available data on the number of human rights violations in Somalia. Civilians including women and children are known to face severe human rights violations such as rape and female genital mutilation/cutting (FGM/C), denial of a fair trial; trafficking in persons; diversion of humanitarian assistance; forced relocation of IDPs; abuse of and discrimination against minority clans; lack of access to resources for persons with disabilities;



restrictions on workers' rights; forced labor; and child labor<sup>103</sup>. While the Government has pledged to "comprehensively" address sexual violence "as a matter of priority," these commitments have thus far brought about little, change. Evidently there is a gap between commitments and the actual situation on the ground.

Somalia made its first ever/historic presence at the 58<sup>th</sup> Session of the Commission on the Status of Women.<sup>104</sup> This marked a turning point for the public manifestation of the admission of the Government of the need for additional measures and efforts.

### Recommendations

- Establishment of an independent Human Rights Commission with clear mandate to promoting and advancing Human Rights of all citizens, including women, youth and minority clans;
- Ensure Government's accountability to the citizens through awareness on Human Rights and publishing of annual National Human Rights report.

### 3.9 Women and Media

Somalia has a wide-ranging and flourishing media in spite of the uncertainties and tense political and security atmosphere that many journalists work in. Radio and newspapers in

There are two radio stations and two organizations for women journalists, two daily newspapers owned by women and edited by women, there are women owned websites such as the women journalists' website and women journalists' salaries are equal to men. There are several women who are Chief Editors, News Casters and managers.

particular, are able to reach out to a large number of Somali citizens. Media is growing in Somalia, in Mogadishu alone, there are over 10 independent radio stations, more than 20 privately-owned newspapers and more than 30 Somali websites on the internet, but most of these media outlets are directed by men who also occupy positions of authority. There is limited access of women to decision making and expression in the media outfits owned by men, as women journalists do not receive the

same opportunities as their male counterparts in terms of training and career advancement. There is media bill awaiting discussion and approval of the cabinet, this bill is significant as it will determine the extent of freedom of the press. The bill enshrines the major principles and specifically refers to article 18 of the constitution and article 19 of the International Covenant on Civil and Political Rights. It also provides for an "independent" public broadcaster and defines journalism in an open manner.<sup>105</sup>

The role of women in the media is gradually expanding. However in Somalia, most of the women's programmes aired on radio stations cover issues such as beauty, personal health and family, in-trend fashion, etc, but not many issues such as rights and liberties, problems and solutions for women or women's perspectives on arising social, political and economic problems.

<sup>103</sup> Human Rights Watch Feb 13, 2014.

<sup>104</sup> A 15 delegation s led by the Hon. Minster of Women, and Human Rights development with participants from the government and CSOs, including youth peer network, from all the three zones attended the 58<sup>th</sup> session of the CSW.

<sup>105</sup> Reporters without Borders June 25 2014.

Access to Internet is largely unrestricted; while there is no systematic censorship or press prohibitions, freedom of expression of women has been on several occasions severely hampered in recent years.

#### **a. Efforts to enhance participation of women in Media**

With the support from international partners several programmes are being undertaken to train women journalists to cover gender-related topics such as women's political rights, gender relations, social realities, violence against women, HIV-AIDS, and news about women from around the world. Additionally support has also been provided to promote media programmes where women leaders discuss current affairs, as well as gender equality and women's empowerment topics.

#### **Challenges**

- Training opportunities for women in media is limited;
- Inadequate understanding of media personnel of issues related to gender equality, women's empowerment and women, peace and security agenda resulting in confirmation and perpetuation of discriminatory norms, values and practices;
- Media is yet to be considered a career for women in Somalia.

#### **Recommendations**

- Review the media bill and ensure the provisions of the bill promote women's participation in media. Revise vague and often illegitimate restrictions on freedom of expression in the bill. A clear definition on defamation, national security and the concept of false information specially in relation to human rights abuses on women must be stated;
- Steps must be taken to ensure the curriculum of media training institutions deals with social-gender practices, discriminatory norms, values, practices and promote equality of women;
- Create provisions for technical and leadership trainings for women to equip and encourage them to consciously choose media as a career.

### **3.10. Women and Environment**

Livelihood security in Somalia is directly related to the health of its natural resources and is the very foundation of Somali economy and development. There are several key environmental challenges in Somalia and these are directly related to deforestation, land degradation, increasing aridity and overgrazing, water scarcity, waste disposal, climate change and ecosystem services. These challenges have directly impacted the negative trends to poverty, health, economy, ecological and human resilience. From an institutional perspective, Somalia's institutional frameworks for environmental protection and water resource management are still weak. Additionally the rampant trades in charcoal as well as unregulated off-shore fisheries, dumping of hazardous wastes in Somali waters are some of the key areas of concern and have a damaging impact on the country's natural assets which in turn will impact on health and economy indicators of Somalia, specially the women who at the bottom of the production chain work the hardest and reap the least benefits.

### a. Policy Framework

The key concern in Somalia is the lack of sound environmental management which relates to the adoption and effective enforcement of a set of international, regional and national agreements which define the country's own responsibilities as well as those of the international community. Somalia does not have a central body for environmental issues nor functioning environmental policies, environmental management plans or strategies. Many of the environmental aspects are related to water in Somalia. The country does not have a water act, there is an urgent need for a policy/act that take into consideration actions that reflect on the different roles of women and men in relation to use and management of natural resources and environmental decision making. Women are the backbone of Somali society doing much of the labor required for survival, and play an important role in keeping the peace. Traditionally, women have no formal role in the clan based political processes, nor are they often involved in the decision making processes of Government and public bodies, and this has implications for the role of men and women in managing natural resources in Somali society.

### Recommendations

- Setting up of a commission for protection of environment, and support in particular rural women to access land through land loans.
- Ensure women are part of all decision making fora and exercises in order to address and overcome male biases in the environmental and natural resources management interventions and ensure that strategies are informed by and benefit from women's knowledge and experiences;
- Enhance women's access to new technologies as, knowledge and training as part of coping mechanism in the context of climate change as well as to help secure their livelihood and reduce risk of being further impoverished;
- Create new livelihood options/opportunities for poor women and the communities reliant on natural resources in order to reduce risk of over-exploiting them and thus adverse impact on the environment in the long run.

### 3.11. The Girl Child

Family life in Somalia is drawn from a patrilineal clan structure that is male centric and the society invests power and privileges in the man. The Somali clan structure is made of members who are linked together in alliances and serve as solidarity groups during conflict and for protection of natural resources, property as well as for political power. The fundamental unit in the clan system is the Diya group (the blood compensation group, mag in Somali). The Diya group consists of the male members of one or more family lines, who have the same forefathers going back four to eight generations, and who are collectively responsible for the members' actions. A diya-paying group is made up of between a few hundred to a few thousand men linked by lineage and a contractual agreement to support one another, especially in regard to compensation for injuries and death against fellow members. As women are not members of the clans in the same way as men; women do not count as paying members, and payments go directly to men.<sup>106</sup> This negatively impacts women and girls who are affected by the conflict, as they do not receive any protection from their clans when injured or violated.

---

<sup>106</sup> Gender in Somalia UNDP 2012.

Young adults make up 57% of the adult population in Somalia, and almost two thirds are unemployed. This is seen as a risk factor for conflict as the top 10 countries on the Fund for Peace's Failed States Index all have proportions of young people higher than the 47% average for developing countries<sup>107</sup>.

The long lasting conflict and consecutive years of drought have pushed the children of Somalia to live in the harshest of conditions. The children are exposed to multiple vulnerabilities like limited access to food, high risk of diseases, malnutrition and human rights violations. 70-80% of the internally displaced persons( IDP) are children, they are the most vulnerable as many of them come from women headed households, these women have lost their clan protection and are thus vulnerable to violence.

#### a. Clan and gender roles

In order to understand the different forms of discrimination faced by women and girls in the Somali societies, understanding the way the clan functions and how it defines gender roles is critical. The table below provides a snapshot on Clan identity, legal identity and the decision making identity of Men, Women, Girls and boys within the clan system in Somalia<sup>108</sup>

	Clan Identity	Legal Identity	Decision-making Identity
Men	All males automatically are members of a <i>diya</i> group and their clan identity becomes solid.	Acquire legal authority through membership of <i>diya</i> group <sup>109</sup> .	Men are the head of Households and decision makers in all sphere of live.
Women & Girls	At birth, a girl child takes her clan identity from her father.	Women are not members of <i>diya</i> paying <sup>110</sup> .	Women are both highly valued for their opinions in decision-making and at the same time treated as legal minors with minimal rights <sup>111</sup> .
Boys	At birth, a boy child takes his father's clan identity and becomes a member of the same <i>diya</i> group <sup>112</sup> .	<i>Diya</i> group members are linked through kinship and boys at birth are counted <sup>113</sup> .	Boys are excluded in decision-making but are trained to implement decisions

<sup>107</sup> Somalia HDR 2012 report UNDP.

<sup>108</sup> A gender profile of Somalia for the EU Mission to Somalia 2013, Fouzia Musse and Judith Gardner.

<sup>109</sup> The *diya* contract explicitly states the rights and duties of members of the group.

<sup>110</sup> Women do not 'count' as paying or receiving *diya* compensation. It is for this reason that women are sometimes described or describe themselves as being 'zero' or 'not counting' when it comes to clan issues.

<sup>111</sup> It is customary for women or girls to be given as brides to an opposing clan to seal the end of a conflict. They are used as a symbol of peace and also made the butt of jokes about inferior intelligence. Despite women's supposed inferiority men reportedly do listen to their female relatives and seek their opinions; they accept that their mothers sisters aunts wives and daughters can have considerable political influence over them.

<sup>112</sup> Clans gain political and fighting strength from increased numbers and membership expands when a new male child is born. Boys are generally assumed to have a superior place in society relative to women. They are also brought up to fulfill traditionally ascribed male roles and expectations (free from everyday domestic responsibilities, socialization to receive the powerful and dominant roles in religion, economics and politics – all of which are male domains.

A girl child takes her clan identity from her father. However, her value to the clan is ambiguous as she is expected to marry into and bear sons for another clan. Whilst woman's primary clan identity comes from her father she can be identified with either her paternal, husband and or children's clan if different. She may facilitate potentially important alliances for her father's clan or she will be 'lost' to them and her offspring may become their enemy. In this regard girls are seen as a waste of resources by their families.

**b. The girl child: Eliminate all forms of discrimination, negative cultural attitudes, practices and economic exploitation of child labor**

The constitution of Somalia have made several provisions to ensure equality for all irrespective of sex, clan, (dis)ability, etc. , however most girls and women in particular those from rural communities are subject to injustice inherent in the customary law. The levels of education as well as wealth status significantly influence early marriage. In areas controlled by militia forced marriage of young girls is reportedly common, in the south central early marriage is common, families look at this from the angle of security.

From information gathered, Al Shabab militia are said to use cruel, inhuman and degrading forms of punishment to exert control in the areas they hold; women and girls have been stoned to death for alleged adultery and forced into marriages<sup>114</sup>. Violence against women and girls, especially rape and other forms of sexual and gender-based violence (SGBV) are often dealt with through customary law rather than the courts. All families own allegiance to Clans thus cases of rape are preferably referred to Clan elders; this system minimize the chance of Clan conflict but does not always deliver justice for the individual victims Even though there are provisions under the law banning Female Genital Mutilation (FGM) it is still widely practiced because this practice is linked to chastity, virginity, fidelity and dowries. FGM/C is a social convention; girls face social pressure from both family and friends to conform.<sup>115</sup> In Puntland as well, a law banning Pharonic – or Type III infibulation – was passed in 2011. However the law still allows for other forms of circumcision<sup>116</sup> . The challenge facing the Government is, how to change what is a deeply entrenched custom without driving the practice underground.

Culturally more girls than boys in the age group of 5 to 14 years share the extra burden of household chores, girls (29%) are likely to be more affected than boys (23%); Regions are fairly similar, ranging from 20% (Maroodijeex/Saaxil) to 35% (Sool & Sanaag). Rural areas (37%) are twice as affected as urban areas (17%). Many young displaced girls are forced to look after goats in the fields where they are exposed to a risk of sexual exploitation and if they become pregnant, no health services or social support is available to them.

There are reports of forced recruitment of girls and boys by armed groups; however it is impossible to know the number of children forcibly recruited. In 2012 partner reports through the Monitoring and Reporting Mechanism of Grave Violations showed 2,008 boys and 43 girls

---

<sup>113</sup> A son will belong to his father's group and their membership of the group unites them through a contractual alliance to collectively receive or pay blood compensation (*diyya*). Greater symbolic value is placed on a boy than a girl.

<sup>114</sup> Gender Profile of Somalia developed for the EU Somalia mission October 2013 by Fouzia Musse and Judith Gardner.

<sup>115</sup> Situation Analysis UNICEF Somalia 2013.

<sup>116</sup> UNDP Somalia 2012.

recruited by the armed militants; recruitment of girls is rare and is generally regarded as socially unacceptable, however there are documented accounts of girls working for armed opposition groups, particularly in cooking and cleaning. Girls are also brought in to transport detonators, for logistics, and intelligence collection, and they do receive weapons training as well<sup>117</sup>. Although evidence is limited, children are also reportedly trafficked within Somalia for forced labor in agriculture, livestock herding, construction, sexual servitude, domestic service and commercial sexual exploitation. Children are also reportedly trafficked to Tanzania for prostitution.<sup>118</sup> (Annex 3- lists actions that would advance the elimination of the worst forms of child labor in Somalia)

Positive steps have been taken to enhance children's rights, the international labor convention on 'Elimination of the worst forms of child labor'<sup>119</sup> was signed on March 20, 2014 by the Prime Minister of Somalia, as a member state this is fundamental in recognizing the importance of effective elimination of the worst forms child labor.

Additionally, the Provisional Constitution adopted by the National Constitutional Assembly in Mogadishu on August 1, 2012, significantly strengthens the rights of children and shows a high level of compliance with international standards in many key areas, such as, child care, education, early marriage, child soldiers, child neglect and abuse, child labor and juvenile justice<sup>120</sup>. However laws specifically prohibiting human trafficking or the use of children in illicit activities have still to be drawn up by the Government, as the lack of protections against trafficking and the use of children for illicit activities leave children vulnerable to exploitation.

It is amply clear that these efforts to eliminate discrimination and change cultural attitudes and practices will only be possible if there are strong advocacy campaigns accompanied by legal frameworks, a strong legal system and the people of Somalia have access to fair and impartial justice countrywide.

### **c. The Girl child: Health, nutrition and education**

Malnutrition amongst children in Somalia is among the worst in the world. Under nutrition remains a huge public health problem in Somalia and is characterized by high levels of acute, chronic and micronutrient under nutrition. In February 2010, the proportion of children who were acutely malnourished was calculated to be one in six and about 63,000 Somali children were estimated to be severely malnourished<sup>121</sup>. There is no disaggregated data on malnutrition amongst children, thus no inference can be made on discrimination. Similarly there is little gender disparity in health indicators; the difference is more due to geographical locations as few people in rural areas compared to people in the urban areas can access health facilities including immunization programs<sup>122</sup>. The infant mortality rates for females have reduced from

---

<sup>117</sup> Save Somali Women and Children Human Rights in Somalia.

<sup>118</sup> U.S. Department of State. "Somalia (Special Cases)," in *Trafficking in Persons Report- 2012*. Washington, DC; June 19, 2012; <http://www.state.gov/j/tip/rls/tiprpt/2012/192369.htm>.and Integrated Regional information Networks "Somalia Human Trafficking on the Increase" IRIN news .org (online) April 2, 2010 ( cited March 6, 2012. <http://www.irinnews.org/report.apx?reported 8868>.

<sup>119</sup> 182 Elimination of worst forms of child Labor.

<sup>120</sup> Sit Analysis UNICEF Somalia 2013.

<sup>121</sup> FSNAU Technical Series Report Nutrition Situation, Post Deyr '09/10, 2010.

<sup>122</sup> Child Health in Somalia Situation Analysis, WHO/ UNICEF, 2011.

130 to 76 deaths per 1000 live births, i.e. at annual rate of 6.7%, while this rate for males has declined from 134 to 91 for the same period, i.e. at annual rate of 5.3%, this is attributed more to physiological factors<sup>123</sup>.

In the MDGs Progress Report 2010, the education related progress was shown as follows<sup>124</sup>.

MDG 2	Achieve Universal Primary Education	Net enrolment in primary education	16.9%	Unlikely to be met
Proportion of pupils starting Grade 1 reaching Grade 5			31.0%	
Literacy rate (15-24 years)			24.7%	
MDG 3	Promote Gender Equality and Empower Women	Ratio of girls to boys in primary education	54.0%	Unlikely to be met

Enrolment rates and retention levels are reported to be very low with significant gender and regional disparities. In 2011 about 1.8 million children and youth aged 5-17 years were estimated to be out of school in South Central<sup>125</sup> and overall literacy rate was assessed to be less than 25%. The current 2014 report indicates that the enrollment rate of girls between 5-15 years in South Central is 29%, and 48% of the girls between 5-15 in South Central can read and write<sup>126</sup>.

In Somalia the education rights for girls are less respected than for boys given the cultural beliefs and security situation in South Central, and areas under Al Shabaab control. The education structure in South Central is also less established. The Directorate of Education (DoE), under the Ministry of Education, has established functions led by the Director General. The key problem facing the Ministry is lack of adequate qualified and trained staff. In South Central, there are no teachers on the Government payroll. Core funding for schools and teachers comes from the school fees collected from families and communities, as well as, external funding through NGOs and

Most education services, including curriculum development, examinations and certification, which are traditionally associated with the government, have been provided by private Education Umbrellas. This makes standardization, regulation and establishing a cohesive education system difficult. It is reported that in Mogadishu alone there are currently at least eight Education Umbrellas that run schools under different curricula, set exams and issue their own certificates.

<sup>123</sup> See MICS 2011.

<sup>124</sup> <http://www.undp.org/content/dam/undp/library/MDG/english/MDG%20Country%20Reports/Somalia/2010%20SOMALIA%20MILLENNIUM%20DEVELOPMENT-new.pdf>.

<sup>124</sup> Rapid ethnographic study of community-based child.

<sup>125</sup> Education Cluster, 2011. Cluster Report, 2011 South Central Zone.

<sup>126</sup> EGEP baseline report, Relief International, 2014.

remittances from the Diaspora. The Government's inability to pay teacher salaries is one of the critical problems in providing education for Somali children<sup>127</sup>.

From a policy perspective, there are draft policies that have been drawn to guide the education sector in Somalia including: the Draft National Education Policy, the Draft Education Act and the Draft Education Sector Plan. These draft policy instruments and plans provide the broader framework for developing the education sector in Somalia and need to be finalized.

The key factor to low education amongst girls could be economic, social, war-related, high absenteeism, early marriage of girls, low number of female teachers, high costs of education and the existence of traditional misperceptions about girls' education<sup>128</sup>.

The current Go-to-School (G2S) Initiative is new initiative fully aligned with the Education Sector Strategic Plans (2012-2016) and stands out as an

inspiring innovation which will spur education growth in Somalia. It lays special emphasis on girls' education as well as children with special needs. The Ministry of Education in collaboration with partners<sup>129</sup> is implementing this initiative. The recent increase in enrolment rates has been attributed to efforts and initiatives implemented under the G2S programme.

### Challenges

- The greatest challenge facing the Government is poor infrastructure and lack of qualified staff across all sectors.
- Education curriculum needs to be standardized and a cohesive education system adopted by the Government.
- Limited financial resources, poor systems and structures within the Government often result in trained staff being taken away by the private sector.

### Recommendations

- Finalize on a priority basis the FGM Policy, Child Labor Policy, Education Policy;
- Strategies shall be developed and implemented to practically handle and abolish harmful traditional practices;
- Investment in enhancing the capacity and quality of staff across all sectors shall be prioritized.

## 4. Emerging priorities

The Government of Somalia has taken steps to improve the status of women, secure peace and security for them and achieve gender equality. The renewed commitment for inclusive socioeconomic and political development is clearly articulated in the Somali Compact which has gender mainstreaming as a cross cutting issue. To systematically approach gender mainstreaming, the Government has embarked on a process to develop a national gender policy, a draft of which is available, once finalized and officially endorsed this will be a critical policy document, as it is expected to ensure institutionalization of gender mainstreaming, equitable participation of women and also help respond to the multiple challenges to sustained

<sup>127</sup> Situational Analysis Report UNICEF Somalia, 2013.

<sup>128</sup> Situational Analysis UNICEF Somalia 2013

<sup>129</sup> The Ministry of Education in collaboration with UNICEF is implementing the initiative.



gender differences across different sectors. In the absence of data and a monitoring and evaluation system it is difficult to quantify and qualify the achievements in the different areas and this is also a constraint for policy making and planning.

The greatest challenge to the implementation of the Beijing Declaration and the Platform for Action has been the weakened state and security institutions with insufficient and capable human and material resources coupled with an insecure and conflict environment which hinders continuity in the implementation of programmes, as well as access to many parts of the countries, which are still under the control of armed Al Shabab/Islamist groups. High poverty, severe malnutrition, high maternal mortality, continued incidences of GBV amongst others combined with limited resources and weak institutional mechanisms can be addressed only if the policies are enacted. Thus the key priority of the Government is the ratifying of CEDAW and CRC and the enactment of draft policies; gender, HIV, GBV including FGM/C, Health, Education, Labor, Nutrition, Environment, and in collaboration with the development partners and civil society organizations.

There is a need for affirmative action to translate provisions in the constitution and strategies into concrete actions on the ground. Therefore mechanisms must be established to oversee, coordinate, and monitor the implementation of policy recommendations and strategies, through the establishment of Committees (represented by men and women from CSOs and the Government) as a body, to work with the Somali People. This is also to ensure the amendments and development of laws and regulations aimed at removing the sources of gender inequality are included.

The support given by the development partners, civil society organizations (CSOs) in addressing gender concerns is commendable. Steps ought to be taken to strengthen gender technical capacity of institutions, gender focal points must be appointed in policy and decision making positions in all ministries to ensure the implementation of gender perspectives in programmes of line ministries. The focal points should focus on using a coordinated approach to achieve tangible results by coordinating actions between ministries, CSOs and other development partners.

Finally, as the people of Somalia and the Government work towards ending the conflict, adequate financial and human resources require to be allocated in critical areas such as health, education, poverty reduction and prevention of sexual and gender based violence. This should be done with the support from different stakeholders including using the remittances received from the large Somali community abroad to expand the socioeconomic sector and support the implementation of the BPfA.

## 5. Annexures

### Annexure 1: Methodology of the Review

The methodology used in the review, were desk review, interview with key informants, consultation with different stakeholders and feedback, review and finalization of draft report.

1. **Desk review:** a comprehensive review of all secondary literature, data, statistics and analysis vis-à-vis the different areas of concern was carried out. All available secondary literature from diverse sectors from both federal as well as regional Governments was reviewed. Reports, review and analysis conducted by the Government entities, non-Government entities, and partners of the Government, women's groups, CSOs, private sector and international entities, including the UN was looked at and reviewed. Emphasis was placed on literature, evidence and data produced/generated since 2009.
2. **Key informant interview:** key informants from the Government Ministries, civil society organizations and international agencies were identified and interviewed to discuss the BPfA areas of concern, the methodology of the review and the tools for the consultation.
3. **Consultation:** a day long consultation with key stakeholders including, Government counterparts – *ministries, departments, agencies*; MPs and political entities; major CSOs, NGOs, women's groups, working on gender equality, women's empowerment issues; Human Rights Organizations; Media organizations/journalists; Elders; Youth and representatives from relevant international partners, counterparts was undertaken to generate further data, analysis and understanding of Somali women's reality vis-à-vis the twelve areas of concerns.
4. **Drafting report:** the analysis and findings of the desk review and the consultations are the key ingredients of the content of the report. The content is presented in accordance with the report outline described in the guidance notes<sup>130</sup>. The report presents analysis, of data, statistics where available.
5. **Review and finalization of the report:** once the draft report was completed, it was shared with the key stakeholders who were consulted. Feedback (and further inputs) was sought from them in order to enhance the quality and finalization of the report. Once the feedback was received; they were analyzed, reviewed and as appropriate incorporated in the final report.

---

<sup>130</sup> Guidance note for the preparation of national reviews

**Annexure 2: Report on the BPfA implementation in Somaliland** (as presented by the Ministry of Labour & Social Affairs, Somaliland)

# **Republic of Somaliland**

## **Ministry of Labour & Social Affairs (MoLSA)**

---

### **Country Report on Beijing Platform of Action**

**2014**

## Introduction

This report is an attempt to give an insight into the achievements made by Somaliland regarding the implementation of the Beijing Declaration and Platform for Action (BPfA) which regarded equality between women and men as a matter of human rights and a condition for social justice that should not be seen in isolation as a women's issue.

Furthermore, it was recommended that empowerment of women and equality between women and men are prerequisites for achieving political, social, economic, cultural and environmental security among all peoples. The BPfA identified twelve critical areas of concern and laid down strategic objectives and called upon, the state parties, international community and civil society, including non-governmental organizations and the private sector, to take actions in order to implement the BPfA and address those areas of concern.

On behalf of the Government of Somaliland, the Ministry of Labor & Social Affairs made efforts to report on the achievements made over the past five years. For reporting convenience, four of the twelve critical areas of concern have been subsumed into other areas. Therefore, the achievements are structurally reported under the following headings.

1. Women, Governance, Power and Decision Making & Institutional Mechanisms for the Advancement of Women
2. Women and Poverty and the Economy
3. Violence against Women & Human Rights of Women
4. Women and Health
5. Education and Training for Women & The Girl Child
6. Women and Armed Conflict
7. Women and the Media
8. Women and the Environment

## 1. WOMEN, GOVERNANCE, POWER AND DECISION MAKING & INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN

Patriarchal discriminatory norms against women constitute a major challenge to women's participation in politics and decision making in Somaliland. However, with the introduction of multi-party democracy, women's participation in politics and decision making has been witnessing a gradual improvement.

### **Women's representation in elected bodies--parliament and district councils, and cabinet ministers**

The number of women councilors has comparatively increased from two women councilors in 2005 elections to 10 female councilors in 2012 District elections out of 345 councilors. Additionally, the number of women in the cabinet ministers increased from 1 in 2010 to 4 female ministers over the past two years.

However, there is only one female MP in the parliament out of 164 MPs (House of Representatives and House of Elders).

### **Women in the civil service**

There are 1,912 women in the civil service out of 9,591 government employees across the Somaliland. This indicates that women account for 20% of civil servants in Somaliland. The prediction is that women's share in public sector employment will be 31% in 2015, which is below the MDG target of 50%. (Source: MDG 3<sup>rd</sup> report 2010 and Somaliland in figures 2012 by Ministry of planning)

### **Policy framework for gender equality and women empowerment**

In response to existing gender disparity and increase women's participation in public life, the government of Somaliland took the following steps:

- A. A National Gender Policy was developed and approved by the government in 2009.
- B. A National Gender Action Plan was developed in 2013 in order to translate the National Gender Policy into workable strategies and civilities with clear implementation timeline.
- C. National Development Plan of Somaliland is another planning tool encompasses initiatives for addressing gender gaps.

### **Institutional arrangements for gender equality and women empowerment**

- A. The Ministry of Labour and Social Affairs, which is the national gender machinery, was created in 2010.
- B. Gender focal Points were nominated in 10 key ministries to take part in mainstreaming gender into sectoral programs and policies.
- C. Gender inter-agency mechanism comprising of gender focal points and representatives from civil society was established in 2013 in order to enhance planning, implementation, monitoring and evaluation of interventions geared towards gender equality in Somaliland.
- D. Somaliland Human Rights Commission (SLHRC) was created in 2010. The mandate of SLHRC includes investigation of alleged human rights violations against women.
- E. There are vibrant civil society organizations advocating for gender equality and advancement of women's cause particularly women's participation in politics and decision making.
- F. It is very encouraging that women have participation in the existing three political parties (Kulmiye, UCID and Waddani) as evidenced by the establishment of wings headed by women. Rhetorically; each party encourages promotes women's role in both internal affairs of the party and general political life, albeit men's pervasive domination over leadership positions.

### **Ongoing initiative to address gender disparity in politics and decision making**

- A. The government of Somaliland represented by MoLSA, civil society organizations and international agencies are working together to help integrate a provision of quota system for women in the electoral legal framework as a fast-tracking system for increasing their participation in the elected bodies, namely the parliament and District Councils.

## **2. WOMEN AND POVERTY AND THE ECONOMY**

### **Women and Poverty**

Somaliland is one of the poorest countries of the world which is the fourth lowest in the world, ahead of Malawi, the Democratic Republic of the Congo and Burundi. Somaliland's GDP for 2012 is estimated to have been \$1.4 billion, with GDP per capita estimated at \$347. (World Bank 2014)

Somaliland has a population estimated at 3.5 million. Despite being one of the poor countries, Somaliland developed five year national development plan (2012 to 2016) and committed to achieving rapid economic growth and sustainable development.

Therefore, Somaliland's National Development Plan (NDP) provides a medium term framework for achieving the country's long term development aspirations as embodied in Somaliland Vision 2030 and , and the Millennium Development Goals.

### **Somaliland Economy**

Livestock is the backbone of Somaliland's economy and provides livelihood to a considerable proportion of the local population. It contributes to more than 60% of the national GDP and export earnings. This sector is an important source of income and diet of much of the nomadic or semi-nomadic pastoralists. Livestock is now regarded as a source of cash income, as well as a traditional unit of social status and pledge of lineage responsibility, and a last resort against famine in the harsh dry season. (Somaliland in Figures, 2013).

Due to patriarchy culture, Somaliland women are poor often lacking productive assets particularly land, denial of property rights and are underserved with agricultural extension, credit, labour, oxen and limited percentage in formal employment sectors. In pastoralist areas, where there is severer poverty, marginalization and vulnerability is tougher for women. Gender-specific division of labour is even sharper forcing women to shoulder much heavier work responsibilities, customary rules and norms also place women at a disadvantageous position in terms of access to and control over resources.

### **Projects and programs**

Somaliland set priority areas based on the national development plan, the plan is built on five main pillars including Economic, Infrastructure, Governance, Social and Environmental in partnership with Aid agencies, civil society and diaspora. The public private partnership strategy is employed to build main roads in Somaliland which is key indicator and success story for the materialized of national development plan.

### **Challenges**

The unrecognized status of the Government of Somaliland has made it broadly ineligible for official international grants and loans. In addition, there is no poverty reduction strategy and as well as social protection policy to address the roots causes of poverty and to systematically support poor families and pull out of the poverty trap.

### **Women Economic Empowerment**

The objective of the Beijing Platform for Action is the empowerment of all women. It states that the full realization of all human rights and fundamental freedoms of all women is essential for the empowerment of women. The Platform recognizes that



female-maintained households are very often among the poorest because of wage discrimination, occupational segregation patterns in the labour market and other gender-based barriers. On the affirmative, it argues that empowerment of women and equality between women and men are prerequisites for achieving political, social, economic, cultural and environmental security among all peoples.

UN Women defines women's economic empowerment as increasing the ability of women to bring about change that drives valuable outcomes as a result of their increased economic capabilities and agency, i.e. their ability to function effectively in the economy, to participate in labour and product markets on equal terms with men, to shape the gender division of labour, to accumulate assets, to shape the relationship between markets and the state and to influence the institutions and processes that determine growth and development.

### **Government Employment**

According to Somaliland Development plan, the cohort between 15 and 64 years old, regarded as the working age group constitutes 56.4% of the total population according to the World Bank survey in 2002. This is equivalent to a working population of 1.6 million people. The total employment (comprising self employment, salaried employment) among the economically active population is estimated as 38.5% and 59.3% for urban and rural areas respectively. The weighted average national employment rate is estimated at 52.6%. Therefore, unemployment rates amount to 65.5% and 40.7% in urban and rural areas respectively, and 47.4% for the whole country.

The government of Somaliland is the biggest employer in the country. It employs 9,183 staff in civil service positions. The figure does not include security forces and employees of local authorities. They work for 23 ministries and 19 independent agents and commissions. The ministry of education accounts for 35% of government's civilian employees. The Ministry of Health employs 21%. Another 8% work for the Ministry of Finance. Women make up between 20-30% of the government's civilian work force. They are even less represented in the top hierarchy of the civil service: All general directors are men, and only 13 out of 285 department directors are women. (National Development Plan 2012)

### **Private Sector Development**

Private sector development is essential to address poverty and promote economic growth. The private sector in Somaliland is often quoted as being a "success story", particularly for its ability to develop dynamic cost-effective telecommunications and

money transfer systems. The majority of the poor are already engaged with the private sector, particularly in agriculture and service activities and the private sector is also often an important provider of basic services. However, many businesses face numerous challenges from lack of access to credit to the lack of capacity and access to information. They have higher administrative costs, fewer property rights, higher capital costs and limited business opportunities.

According to study on the role of women in private sector 2014, the Somaliland private sector is dominated by micro, small and medium enterprises, and women are the main drivers of especially the small business. However, they usually enter the sector as a coping mechanism and remain trapped due to a number of barriers that limit their abilities to fully participate in social and political life. Enterprise survey data collected by the in 2010 and 2011 on business ownership by gender indicates women make up less than 30% of owners of licensed businesses; confirming the majority of business women are confined to petty trade in low-value goods.

Referring the study on the Role of Women in the Private Sector shown that women have transcended traditional barriers to women's representation and leadership in enterprises, as more educated Somali female entrepreneurs, local or originating from the diaspora, break into new sectors such as livestock, fishery and petroleum importation. Women are also serving on boards of Chambers of Commerce in the region. The study further reveals that women are discriminated against in formal employment and this is most noticeable in both the financial and telecommunications sectors. While women make up roughly around a third of the clientele of banking institutions and 60% of large telecom companies, women hardly feature as employees. The percentage of women being employed in these two sectors was as low as 1 % in some companies, and reached a maximum of only 9%. Evidence suggests that women's participation in wage labor in Somaliland is currently at 36% - mainly concentrated in the agriculture sector.

### **Women Entrepreneurs**

According to the assessment of women entrepreneurs in Hargiesa and Mogadishu found that the women entrepreneurs in Hargeisa and Mogadishu had limited entrepreneurial capacity and resources for starting up and sustaining business enterprises. 47 percent of the women entrepreneurs did not have any formal education and were not able to read and write. Close to 60 percent of the women entrepreneurs were housewives with no prior work or business experience before starting their

current enterprises. 80 percent of business ventures were started on own initiative while 90 percent of the businesses were individual proprietorship.

The study further reveals, In regard to the business enabling environment, a major finance related challenge was lack of credit. Access to capital was very low and personal savings were the main source of start-up capital for about 58% of the entrepreneurs. The study found over 80% of the women's enterprises had not received any form of external support – either financial, technical or in terms of managerial competence development. In addition, nearly all the women entrepreneurs sampled lacked awareness of various institutions that support business development. There was high unawareness of savings and credit facilities (at 82.9 percent). Many businesses struggled to pay business rent, often leading to closure, and rent is recorded as a major constraint for over 40% of the business.

### **Programs and Projects**

- ✓ Nagaad increased access to financial services to **1350** low income women through sustainable livelihood income generating activities, saving mobilization and training in basic bookkeeping.
- ✓ KAABA Microfinance Institution and the parent foundation Doses of Hope Foundation together have helped over 4100 female clients. As the main target group of KAABA MFI is Female, KAABA had given small and medium loans of around 400 female Small business owners for the last five years. Doses of hope has given 6 months of financial literacy training to 160 GVB women in Hargeisa when they completed the the training each and every women was awarded \$400 to establish or to expend small businesses.
- ✓ Kaapa Micro finance institute run by Doses of Hope Foundation provides micro-credits to poor persons including women
- ✓ KAAH Micro-finance institute provide loans to civilians in a bid to create self employment and the plan in place is that they will pay back the loan.
- ✓ Salaama and Dahabshill banks provide micro credits to the community with their restricted rules.
- ✓ Khayraad Organization with financial support of ILO trained 400 women on entrepreneurship and provided grants to 50 trained

## **3. VIOLENCE AGAINST WOMEN & HUMAN RIGHTS OF WOMEN**

### **1. Introduction**

Gender Based Violence is violence that is directed against a person on the basis of gender or sex. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.... While women, men, boys and girls can be victims/survivors of gender-based violence, women and girls are the main victims/survivors. Shall be understood to encompass, but not be limited to the following:

- A. Physical, sexual and psychological violence occurring in the family, including battering, sexual exploitation, sexual abuse of children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- B. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in education institutions and elsewhere trafficking in women and forced prostitution.
- C. Physical, sexual and psychological violence perpetrated or condoned by the State and institutions, wherever it occurs.”

The underlying root cause of SGBV is the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men. Forced displacement, poverty, culture and substance abuses are factors which exacerbate these unequal power relations.

Somaliland women and girls play an important role in all aspects of life, mainly of Productive and reproductive nature. However, regardless of age, marital status and ethnic affiliation they suffer various forms of violence and exploitation including, Female genital mutilation or cutting, Rape/Attempted Rape, Sexual Harassment, Forced/Early Marriage, Domestic Violence, Sexual exploitation.

In Somaliland, though the notion of gender mainstreaming and Human Rights observance are theoretically, efforts to address the issue of GBV by the civil society and Government are underway, it seems that little tangible progress has been accomplished so far. The upcoming informational data is, substantial evidence of the constant violence that women still suffer to date.

The main problem here is that the present is being ruled by the past. Sometimes if a man rapes a woman, the perpetrator is rewarded by marrying to the victim instead of being punished. Such extra judicial and impunity are connected to the custom and mutual agreements based on traditional clan lines. Perhaps it would be good here to have a few extra lines on the possible contradictions in “xeer law”, with international standards, particularly when it comes to protecting the rights of women and girls

More women than men are affected by gender inequalities especially GBV. There are gaps of policies and laws which has impact that women and girls could not protect and failed to provide them equal rights. However, the exits policies and laws have not articulated the needs of women and men properly i.e. they are gender biased. In cases where provisions are made to address gender issues including GBV, they are limited due to existing loopholes. On the other hand, the exit laws and policies are not being enforced effectively so as to provide sufficient protection to the women and girls.

**Legal measures/plans, policy reforms, media campaigns, and pilot programmes or projects have been taken by the government or other actors (NGOs, civil society, the private sector) to achieve these objectives.**

### **2.1 Legal measures/plans, pilot programs or projects has been conducted**

Somaliland government is committed to prevent and response the GBV cases in Somaliland including FGM/C abandonment. The Government aims to fulfill its duty to protect the Rights of Women and Girls, in line with International and Regional conventions and charters. As stated in its Constitution, Article 10: “Foreign Relations” Paragraph 1 states that, “The Republic of Somaliland shall observe all treaties and agreements entered into by the former state of Somalia with foreign countries or corporations provided that these do not conflict with the interests and concerns of the Republic of Somaliland.

” Under paragraph 2 it further states, “The Republic of Somaliland recognizes and shall act in conformity with the United Nations Charter and with international law, and shall respect the “Universal Declaration of Human Rights (1948).”

The Republic of Somaliland is therefore bound by all treaties ratified or acceded by the Republic of Somalia that it is in agreement with, and has confirmed its compliance with them.

At the International level, in 1990, the Republic of Somalia acceded to the 1948 “Convention against torture, and other cruel, inhuman or degrading treatment or punishment

At the Regional level, in 1985, the Republic of Somalia ratified the “African –OAU (Banjul) charter on Human and People’s Rights,” and in 1986, the Republic of Somalia signed the charter. Similarly, in 1991, the Republic of Somalia signed “the African charter on the Rights and welfare of the child.”

However, at the International and Regional level, the Republic of Somaliland is not a signatory to the International “Convention on Elimination of all forms of Discrimination against Women (CEDAW) of 1990,” and the Regional African Union’s (AU) “Protocol (Maputo Protocol -2003) to the convention on elimination of Discrimination against women.”

## **2.2 Constitutional law, Sharia law, civil and customary law**

Somaliland’s constitution allows for three legal systems, based on Shari’ah (Islamic law), civil law and customary law. Islamic courts primarily regulate family issues but have increasingly gained prominence among the business community, whose members appreciate the speedy judgments. Although secular legal codes, including the old Somali penal code, have been applied across the country, they remain subordinate to traditional law, as the courts’ institutional capacity is limited, and judges and attorneys lack training and expertise in secular legal codes.

The Constitution of the Republic of Somaliland recognizes and guarantees all the fundamental human rights and freedoms of the individuals.

Articles 8 – 20 contains provisions guaranteeing certain rights including among others socio-economic and cultural rights and the individual’s right to equality and non-discrimination on grounds of gender, colour, ethnicity, culture, political opinion, language and other social status.

Article 36 (2) of the Constitution obliges the government to promote and enact laws on the rights of women free of customs and practices that are not in harmony with Islamic Sharia and which are prejudicial to the personal and dignity of women. Article 36(3) of the Constitution stipulates that the Somaliland women have the right to own and control property.

### 2.3 Other legal instruments

- Juvenile justice law is approved by the Somaliland cabinet in 2009
- Family law is drafted
- Rape Act is drafted
- FGM bill is drafted
- FGM health professional for code of conduct is draft.
- Child Act is drafted.

### 2.4 Policies:

- National Gender policy is finalized and approved by the cabinet in 2009
- FGM policy based on zero tolerance is a draft
- Child protection policy is drafted focused on child girl's rights
- Somaliland national health policy is finalized in 2012
- Somaliland education policy is finalized in 2013
- National plan of action of implementation juvenile justice, 2014

### 2.5 Other efforts

- National GBV plan of action is finalized in 2008
- FGM communication strategy is draft, 2013
- Establishing Judicial monitoring tool (JMT) including procedural justice evaluation system will be used for collection monitoring, follow up and evaluation of GBV case proceedings
- Somaliland National Development Plan
- National plan of action of implementation gender policy, 2013

### NGP as priority areas:

1. Poverty Reduction, Economic Empowerment and employment
2. Education And Training
3. Health and Reproductive Health
4. Nutrition Security
5. Water Resources And Supply
6. Political Participation And Decision- Making and Human rights;
7. Sexual and Gender Based Violence (SGBV)

The aim of the Plan of Action is to minimize GBV prevalence 15% by the year 2015 in *S/land*

### 2.6 Response to the GBV and FGM

There are certain prioritized response actions for SGBV survivors:

### 2.6.1. Prioritized Response

*Confidentiality of survivor's information must be maintained as stated in Chapter 2 of this SOP:*

- If the victim/ survivor consents to share information and to follow-up interventions, SGBV service providers will give copies of the completed SGBV Incident Form, within 48 hours, to the caseworkers to provide service depending on the victim/survivor's choices.
- If the victim/survivor does not consent to share information and follow-up intervention, SGBV service providers provide to the caseworker only incident data and non-identifying information.
- Other complaint procedures (such as the presence of SGBV complaint boxes) are established to accord the survivors the mechanism to make formal complaints where there is breach of confidentiality.
- Medical examination and treatment of the victim/survivor should be the first prioritized action, if required.
- As soon as a victim/survivor is sent for medical treatment the SGBV service provider has to inform the caseworker.
- Early psycho-social counseling can avoid and reduce traumatic feeling for the SGBV victim/survivor; meanwhile
- Police investigation and protection intervention for physical safety may become necessary for some cases.
- Social re-integration should be pursued for the survivor who is discriminated, isolated and even persecuted by his/her family, community and society
- For those survivors who opt for legal advice, the caseworkers will liaise with the Legal Clinic.

### 2.6.2 GBV data collection

According the reported data collected by the UN agencies regarding three years GBV strategy ( 2013) indicated that the majority of cases reported 41% are rape cases, followed by physical assault (39), sexual assault 11% denial of resources , psychological abuse 3%,) and forced marriage 3%.

### 2.6.3 Rape:

Rape is serious crime against humanity in accordance with Somaliland common law, sharia law and customary law all are prohibited. The specific rape act is drafted. The



current panel code gives maximal ten sentences for rape perpetrators. Women rights and other human activist urged the Somaliland government to increase penalties of rape crimes and some of them demanded till maximal penalties.

The other new phenomenon in Somaliland is gang rape as gang crimes committed in Somaliland has been increased in the last years. According Baahikoob, a sexual assault referral office 30% of rape cases were gang rape in 2013.

According the police report in 2013 , 375 young people were detained in Somaliland and charged gang crimes activities they were sentenced between 3 months and 3 years.

Baahikoob reported the following rape cases only in Hargeisa main cities were the following :

1. 2010,105 rape cases were reported, increased 14.58 comparing in the one year before
2. 2011, 130 cases were reported, increased 18.05%
3. 2012, 195 cases were reported, increased 27.08%
4. 2013,290 cases were reported, increased 40.27
5. The first 6 months, 142 cases, slight decrease, compared last year the first six months were reported 152 cases.

It appeared that 79% of all rape reported cases were children, while 21% were adults.

The most famous SGBV case occurred in Somaliland was in August 20013, when a `Somaliland regional court found guilty of 21 men of gang raping by two girls in Hargeisa. Twenty of men were sentenced to ten years in jail while one man was sentenced to five years.

#### 2.6.4 Domestic violence

It appeared that Somali people accepted that husband could beat his wife regarded kind of discipline, it appeared to be harmful traditional practice, and however Islam disapproved that and condemned domestic violence. Once a number of women came to the prophet, on who be peace, to complain that their husbands had beaten them. The prophet announced that men who beat their wives are not good men. The prophet also said, "Do not beat the female servants of Allah."

Allah knows that life is not always a bowl of cherries. And so He stipulates that a man must be kind to his wife even if he happens to dislike her (Qur'an 4:19). Allah offers a good reason as to why men should not dislike their wives. Allah says that He has placed much good in women (Qur'an 4:19).

Also domestic violence violated women's rights and international law and conventions. domestic law is also prohibited and could be punishable in accordance the Somaliland penal code.

According Somaliland preliminary result multiple Indicator Cluster Survey conducted in 2011 regarding domestic violence More than half of women approve of at least one form of wife beating by the husband. More women (41 percent) feel it is justified especially if the woman neglects the children.

Figure 20. Percentage of women 15-45 years who believe husband is justified in beating his wife/partners in various circumstances, Somaliland 2011

- 39.3 % If she refuses sex with him
- 21.0 % If she burns the food
- 37.4% If she argues with him
- 41.3% If she neglects the children
- 34.6% If she goes out without telling him

### **2.6.5 GBV survivals Access to justice:**

Nagaad (Women umbrella organization in Somaliland) collaborating with the UNDP conducted baseline survey regarding GBV survivals access to the justice. The outcome of the survey was indicated the following:

#### **Among the urban women SGBV victims interviewed**

50% said that free legal services are available provided by legal aid clinics  
 40% said that the free legal services are not available This percentage varies from different urban centers with Hargeisa town recording the high number of free legal aid services availability, Erigavo and Las Anod recording the lowest. 10% of the urban respondents interviewed said that they don't know.

#### **Among the rural women SGBV victims interviewed**

15% said that free legal services are available,  
 65% large majority said that the services are not available in the rural area due low

presence of free legal aid providers in the rural areas.

20% said they don't know if free legal representation is available or not.

### **GBV reporting and dealing with the justice**

40% said it shameful to report the GBV cases

30% victims don't report cases to the police due pressure from the parents.

20% lack of confidence in justice system

10% cultural taboo to discuss FGM/C publicly

40% of women preferred to solve the problems through traditional system

20% preferred the case to be solved in the court.

10% said the SGBV cases to be handled by the police.

Only 30% of SGBV cases are solved judiciary system ( Final court)

60% women in the rural areas stated that they could not access free legal aid assistance.

### **2.6.6 FGM/C data**

In Somaliland, there is a strong belief that FGM/C is an Islamic obligation, a requirement for a girl's marriage ability and a means of livelihood for many women. FGM/C does not only contribute to women and girls' immediate, intermediate and long term health problems, but also does contribute to neonate and maternal mortality.

According Somaliland preliminary result multiple Indicator Cluster Survey conducted in 2011 regarding FGM/C practice in Somaliland.

- According data for FGM/C survey conducted recently by NAFIS Umbrella network appeared that 99.8% of Somaliland women living in the urban area undergone types of FGM, only 0.2 girls living in the urban area were uncut. Girls living in rural area undergone FGM/C in 100%.
- 96.7% - FGM/C is performed by traditional circumcisers/TBA, which is the overwhelming majority of FGM/C practice in Somaliland
- 3.3 % FGM/C performed by medical staff
- In the survey 90.5% of Somaliland women want their daughter to cut, only 9.5% have decided not cut their daughters, which is slight improvement. The survey indicated that 95% of girls between 4 and 11 years undergone some type of FGM/C.
- In Somaliland 86.1% had undergone FGM/C pharonic type, which is the most harmful and danger one, while 13.9% had undergone sunne type.

- Girls in the rural areas undergone FGM/C a lower age at 2 years, girls with urban background was cutting with years.
- . 66% of Somaliland community think that they have to perform FGM/C for cultural reasons and regarded it is a good tradition.

### **3 What Institutions/structures and frameworks have been put in place for the advancement of gender equality;**

#### **3.1 Institutions and structures**

- Human rights commission was established,
- Developed SGBV Standard Operating Procedures ( SGBV SOP'S)
- Capacity building for women Organization group
- Expand Baahikoob( Sexual referral center) in three regions offices including Hargeisa, Burao, and Borame which operated as clinical rape management in Somaliland.
- Established women with disability network( HAN)
- Somaliland Women lawyers association

#### **3.2 Coordination and collaboration**

- Organising monthly GBV coordination meeting
- Organizing monthly FGM Task Force meeting
- Organizing gender focal monthly month
- Organized quarterly cluster meeting to coordinated gender equality efforts functioning and gender machinery in Somaliland

### **4 Have focal points been appointed in the respective government entities/ministries to address gender concerns in the sector;**

Ministry of Labour and Social Affairs has a Gender Section which coordinate gender activities conducted the ministry including:

- Developing policies, systems and instrument to protect rights for Women and girl child.
- Implementation, monitoring and evaluation for national gender policy
- developing and integrated national protection system with the capacity to prevent and respond effectively and efficiently
- implementation of the *National GBV Plan of Action for the prevention and case*

*management of GBV*

- strengthening institutional framework for the coordination and monitoring of the
- Developing a system of community information, education and awareness rising for attitude change to help prevent GBV, and where it occurs, to protect the survivors.
- Gathering information, developing data, data analysis and sharing information related on gender issues particularly those concerning with GBV and sexual abuse cases;
- Creating the right climate be addressed in order to achieve social justice and socio-economic development;
- Prioritizing and implementation for Beijing platform of Action
- Organizing SGBV coordination meetings and its programs are implemented in the regions;
- Promote the public's understanding of what gender policy was about and encourage debate on women welfare needs and how they could be addressed in order to achieve, gender equality, gender sensitive, gender mainstreaming.

Gender section is employed 24 staff's (19 females and 5 males)

Out of the 24 staff members about 8 works in the Ministry's office in Hargeisa, while the remaining 16 (12 females and 4males) work in the regions.

## **5 Are resources allocated to achieve the objective enough/adequate, if not, what are the gaps**

There are gaps exist in Somaliland regarding the resources allocation there are no special budget allocated from the national budget in Somaliland to implement the priorities of Beijing declaration platform of action. The Somaliland government is very committed, however due to limitation of the national budget; Somaliland government could not allocated specific budget the present time.

Because of Somaliland existence without international recognition from rest of the world for over 25 years, the Somaliland central government suffers from disintegration, denial of international donors and marginalized economic transactions, having a negative toll on the local tax payer.

Women have had their share of this disadvantaged position as they are the most vulnerable categories who have been adversely affected by the impact of lack of

international recognition with regard to the promotion, protection and fulfillment of their rights.

Despite this lack of international recognition, the Ministry of Labour and Social Affairs (MOLSA) and the Government of Somaliland generally is committed to establish and strengthen national social protection systems and structures including but not limited to developing policies and legislations in line with the Beijing Declaration and Platform for Action; and to prevent, respond and protect children from all sorts of abuse, neglect and violence.

#### **6 What are the obstacles, gaps, challenges in implementing the critical areas of concern? Constraints/Challenges.**

- Lack of recognition put Somaliland government in a vulnerable position as it suffers from disintegration, denial of international donors and marginalized economic transactions, having a great challenges in implementing the critical areas of concern
- There are policy and legislation gaps in Somaliland, which weakened implementation of 12 areas of critical concerns.
- Involvement of traditional leaders in solving GBV, problems gives more chances to perpetrators to escape from the formal legal system.
- Poor coordination and collaboration mechanism among GBV actors
- Poverty and unemployment rates fuel the increase of GBV incidents in Somaliland
- limited funds for SGBV projects and continuation in a short term period
- Lack of a common stand among religious leaders on FGM/C. One group preaches total abandonment of FGM/C, while the second one advocates for abandonment of Pharaonic type (infibulation) but condones Sunna.
- The FGM/C policies drafted by the Ministry of Labour and Social Affairs based on zero tolerance is challenged by Religious leaders. Some influenced Religious leaders believed the FGM/c pharoanic type to be abandoned, however they

disagree total abandon on FGM practice. They believed FGM/C sunna type is Islamic requirement.

- 'Katt' addiction is an important factor in violence against women and in the subsequent family breakdowns, the burden of maintenance of children squarely falls on women as is the case today across Somaliland.
- The low capacity of human resources and equipment in law enforcement institutions
- Capacity of the police to make satisfactory case investigation is inadequate
- Involvement of traditional leaders in solving GBV, problems gives more chances to perpetrators to escape from the formal legal system.
- Lack of GBV service providers in the remote and rural areas. and community.

**7 What results have been achieved? Provide any statistical evidence, case studies etc.? Provide concrete examples of successful initiatives.**

**7.1 Key Achievements in the last five years:**

- Developing policies and legislation including (Family law, FGM bill, Rape Act, Child Act, child protection policies, FGM policy, disability policy), GBV strategy, GBV SOP's and National plan of action of children).
- Gender responsive police steering committee was established to assist a national police to prevent and response effectively all SGBV forms
- 50% population in Somaliland are aware that free legal services for the GBV survivors are available provided by legal aid clinics
- 9.5% of Somaliland mothers have decided not cut their daughters, which is slight improvement.
- Nearly 14% 86.1% had undergone FGM/C pharonic type, indicated slight decline for FGM/C pharonic type In Somaliland, which is the most harmful and danger one.
- 13.9% had undergone sunne type, indicated that the Sunne type has been

increased

- 17000 students from Secondary and University students were providing training to train other peer groups.
- 35000 youth declared to accept FGM eradication policy and appealing other peer groups to stop this harmful traditional practice.
- 3000 FGM/C traditional practice declared to stop FGM/C practice and they are ready to change their job in order to learn new skills,
- Educated 26000 community members about the impact of the FGM practice in Somaliland.
- 21500 families declares to abandon FGM practice in Somaliland and appealed other families to follow the same steps.
- 2250 fathers from different communities announced 'to accept FGM zero
- 2820 rape victims in the six regions received medical care, counseling and psychosocial support
- 60570 girls prevented to conduct FGM/C pharonic type, 12800 preserved to leave without undergo FGM/C practice, while 40200 girls were performed FGM/C sunna type one and two.

#### **8 Who is responsible for collecting data? Has data collection and compilation begun?**

The Department of Planning and statistics in collaboration with the Department of Social Affairs to be conduct the data. GBVIMS is developed assistant with the UN agencies. However the GBV IMS is not functioning probably as the service providers in Somaliland are reluctant to share the incidents report with the Ministry of Labour and Social Affairs.

The only available data collection available are Baahikoob data which is mostly reported rape cases in Somaliland. The GBVIMS is used by the service providers. The most of service providers are none government actors, some of them are forced to stop the services as lack or limitation of funding.

#### **9 Give examples of measures/recommendations for each of these areas.**

I learned that gender inequity exists in Somaliland as it is in many Sub-Saharan countries.

### **9.1 Recommendations**



- To finalize the drafted policies and legislations and developing ones where gaps exist.
- Strengthened information sharing among government intuitions, civil society, donors and community leader for prevention and response SGBV cases including FGM practices
- Creation awareness raising campaign regarding Sexual Gender Based Violence in all regions SL
- Providing GBVIMS refresh training for GBV stakeholders
- All public and private institutions to appoint a focal person in order to lobby and advocate implementation of National Gender policy
- Conduct TOT training SGBV in our stake holders.
- continue to organise GBV working group meetings and FGM task force in whole Somaliland regions and close coordination meeting at Nairobi level
- expand the awareness raising campaign against violence of women in the rural area
- prepare SGBV conference will all the law enforcement including (Religions , leader , police, lawyers and women lawyers association
- Conduct Consultation sessions with the Cabinet to lobby FGM Policy
- Conduct SGBV impact survey in all six Somaliland regions.
- Monitoring and Evaluation implementation of national gender policy and reflected Beijing declaration platform for action for 12 areas of concern.
- Enhanced cooperation among government officers, NGO's, traditional and religious leaders towards FGM practice eradications.
- Providing capacity building trainings for institutions dealing with the SGBV cases in Somaliland
- Somaliland government to prioritize implementation of Beijing declaration platform of action.
- Somaliland government to review their budget allocation and make consideration to allocate special budget to implement Beijing declaration platform of action
- International community to assist Somaliland government to implement Beijing declaration platform of action.

#### 4. WOMEN AND HEALTH

*In General Population Health Context in Somaliland are:*

The approximately 3.9 million population of Somaliland is served by 25 hospitals, 101 health centers and 155 health posts. The health sector receives substantial but ultimately highly inadequate support from international organizations, despite the fact that the country remains peaceful and effectively government enough for additional funding to be absorbed in a productive manner.

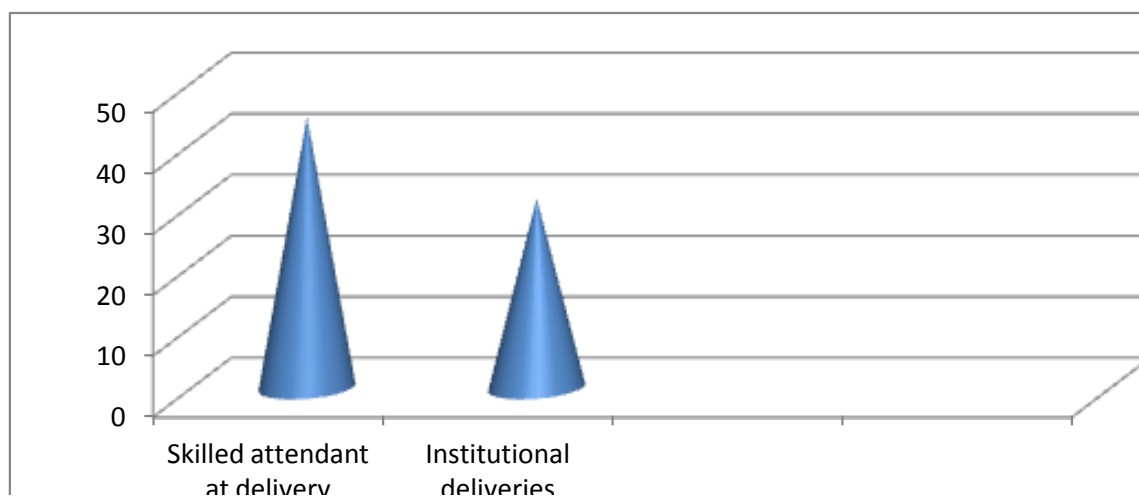
Core statistical indicators in the country are listed as follows: -

- Crude Death Rate - 12/1,000.
- Child Mortality Rates (under five years old) - 90/1,000
- Maternal Mortality Rate (pregnancy related death of a women) 980/100,000
- Infant Mortality Rate (under one year old) 72/1,000
- Neonatal mortality rate (under one month) 42%
- Pregnant women received antenatal care at least once (percentage of total pregnant women seeking for health) 42%
- Women assisted by skilled birth attendant 44%

**Reproductive Health**

Globally, insufficient maternal care during pregnancy and delivery is largely responsible for the staggering annual toll of 360,000 maternal deaths and the more than 3 million newborn deaths estimated to occur within the first month of life. Indeed, roughly three quarters of all maternal deaths take place during delivery and in the immediate post-partum period.

According to the Multiple Indicator Cluster Survey (MICS4) in Somaliland shows thirty two percent of women age 15-49 years with a live birth in the two years preceding the survey received antenatal care (ANC) at least once by skilled personnel. Forty-four percent were attended by a doctor, nurse, midwife or auxiliary midwife at delivery and 31 percent delivered in a health facility.



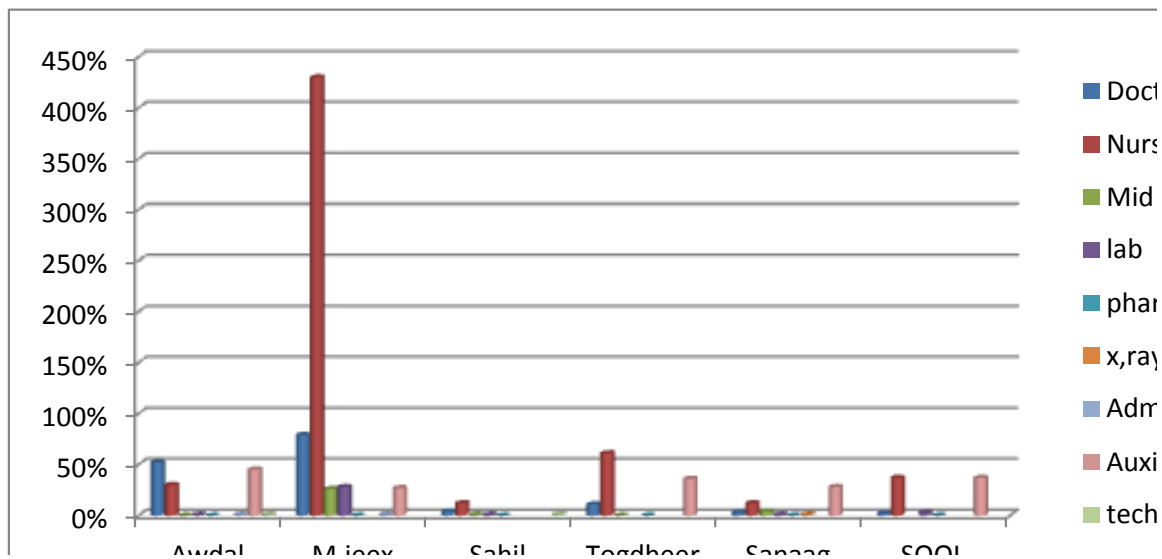
Globally, millions of women want to use safe and effective family planning methods, but are unable to do so because they lack access to information and services or the support of their husbands and communities.

Contraceptive Prevalence Rate	9.8 Per cent
Unmet Need for Contraception	20.1 Per cent

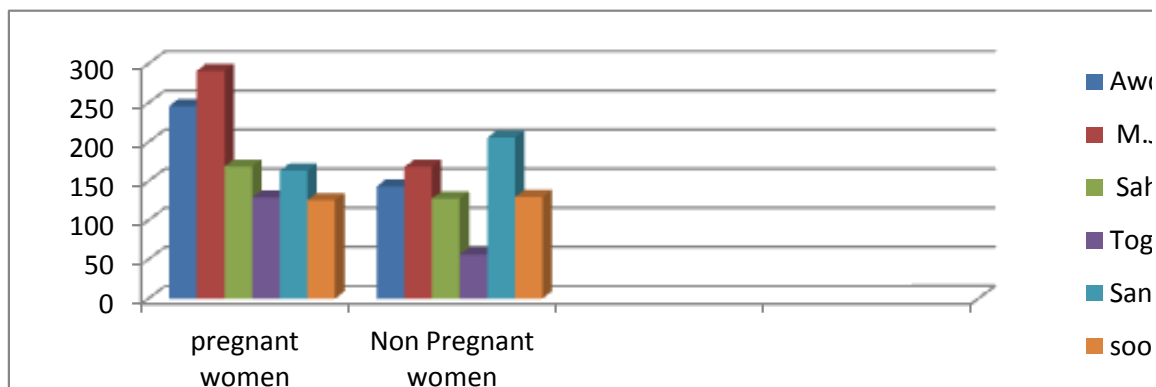
Only 10 percent of married women age 15-49 years use a contraceptive method. The unmet need for contraception (for either spacing or limiting births), is 20 percent.

*Here are below the Data found for women's Health for the last 2 years*

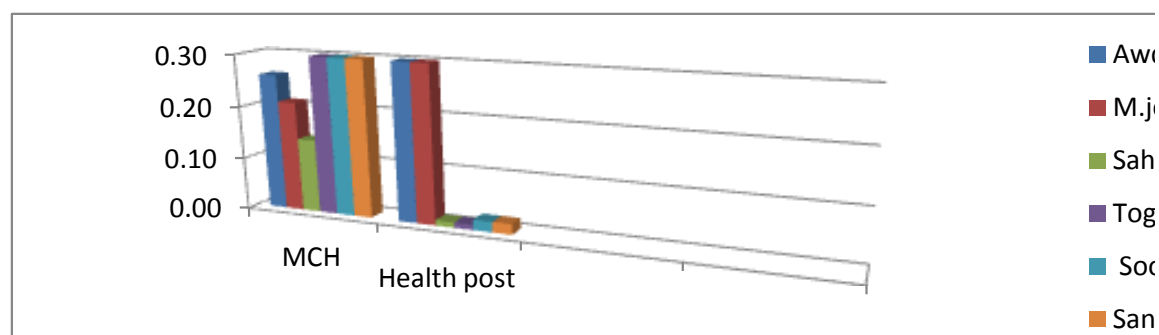
This is last statistic for Women Health Facilities in Somaliland in 2012



**The Last regional Immunization Routing Data of TT for Pregnant & Non pregnant women in 2012**



### Health facilities (MCH and Health post which mostly chair by women) by region 2012



*Therefore, strong recommendations are the demand of the population to increase women's health in Somaliland:-*

- To increase the knowledge of women on nurses and doctors through universities.
- To upgrade with skills the reproductive health of the country.
- To improve the capacity of the regional Health Hospitals and MCH's in Rural areas.
- To increase the number of qualified doctors in Somaliland.
- To Develop and implement proper outreach and Mobile activities to the women in rural areas.

## 5. EDUCATION AND TRAINING FOR WOMEN & THE GIRL CHILD

Distribution of primary education by region 2011/2012

No	region	school	classes	male	female	M/Ftotal
1	Awdal	96		12,490	10,691	23,181
2	M.jeex	241		42,501	28,819	71,320
3	Saaxil	75		5,139	3,881	9,020
4	Togdheer	135		22,134	16,478	39,387
5	Sanaag	184		12,134	10,051	22,185
6	Sool	108		10,813	8,776	19,589
	<b>Total</b>	<b>8,39</b>		<b>105,986</b>	<b>78,696</b>	<b>184,682</b>

year	No. school	No. Class	enrolment Student			Teacher
1996/97	3	7	278	51	329	29
1997/98	3	19	778	139	917	37
1998/99	5	28	1,065	178	1,243	59
1999/00	13	69	2,246	526	2,772	127
2000/01	15	98	3,548	832	4,380	174
2001/02	16	123	4,700	1,052	5,752	232
2002/03	24	178	7,502	1,664	9,166	294
2003/04	30	225	8,458	2,315	10,773	358
2004/05	35	233	92,590	2,590	11,844	300
2005/06	43	243	10,565	3,204	13,769	315
2006/07	44	442	11,681	3,732	15,413	325
2007/08	59	N/A	13,737	5,409	19,146	871
2008/09	68	N/A	14,843	5,646	20,460	546
2009/10	84	677	19,164	7,854	27,018	528
2010/11	99		24,516	11,614	36,130	1,202
2011/12	94		21,229	10,135	31,384	1,124

No	Faculty	2008		2009		2010		2011		2012	
		Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
1	Ms-IT	0	0	43	27	51	22	130	57	448	145
2	Telecom	0	0	0	0	0	0	0	0	83	10
3	Civil Engineering	18	1	25	1	43	2	71	2	143	4
4	Medical	4	2	18	6	12	5	13	4	20	13
5	Anesthesia	0	0	0	0	0	0	0	0	11	2
6											
7	computer science	0	0	0	0	9	4	29	16	165	36
8	Accounting and	0	0	47	30	44	21	28	30	134	62
9	Business	160	51	209	47	213	70	149	91	202	109

10	Economics	0	0	33	2	90	20	154	33	186	54
11	BPA	0	0	0	0	0	0	0	0	21	4
12	Mgt science	0	0	0	0	28	21	92	57	34	24
13	Islamic	0	0	1	8	0	0	24	21	30	11
14	Sciece	18	3	4	3	12	4	8	5	43	21
15	MSM	0	0	0	0	0	0	28	1	38	4
16	Education	66	12	245	59	331	139	131	51	29	5
17	IPCS	0	0	0	0	30	3	21	2	28	6
18	Midwifery	0	0	0	0	0	0	0	0	21	0
19	Medical	0	0	0	0	0	0	0	0	13	4
20	Agricultural	27	7	24	1	30	9	28	5	32	3
21	Nursing	0	0	5	9	7	11	9	17	7	24
22	Dentists	0	0	0	0	0	0	0	0	10	2
23	Sharia& Law	0	0	0	0	21	19	36	11	25	11
24	Diploma	0	0	0	0	40	7	69	13	46	3
25	Diploma in	0	0	0	0	0	0	0	0	25	6
26	Diploma in Dental	0	0	0	0	0	0	0	0	1	1
27	MDG	0	0	0	0	0	0	0	0	34	46
28	D.s	0	0	0	0	0	0	0	0	20	6
29	Crim.&Justi ce	27	5	0	0	0	0	23	4	8	1
30	Distance prog	0	0	0	0	0	0	0	0	0	0
31	Veterinary	0	0	0	0	11	2	0	0	0	0
32	Journalism	0	0	0	0	14	1	0	0	0	0
33	Continuous Study	0	0	0	0	0	0	8	1	0	0
34	Total	358	93	694	222	1,046	394	1,110	436	1,932	667

## 6. WOMEN AND ARMED CONFLICT

No report is captured under the heading of women and armed conflict

## 7. WOMEN AND THE MEDIA

WIJA is the only Somaliland Women Journalist Association which is registered under the permission of the Ministry of Planning and Development in Somaliland. WIJA was established in 2006 October after the first journalist women met. The main agenda of the

meeting was to discuss how women can progress to their vision on journalist skills and the meeting composed maximum 30 persons. After the setting up WIJA, Somaliland women feel that they got their own journalist association which they can express their view. Currently number of women journalist in Somaliland is near 60 journalists which is a very small number according to the needs of women in media in Somaliland.

### **Achievement of WIJA**

- Different trainings on Journalism skills
- The number of Women journalism has been increase.
- Regional women journalism also increased.
- Publishing of monthly journal which covers social issues.

### **Recommendation**

**Capacity Building:** To enhance the service delivery capacity through the needs of WIJA driven interventions of members.

**Advocacy and lobbying:** To strengthen advocacy and lobbying for user friendly policies and legislation and a conducive environment for women suffering from MEDIA through trainings, discussions, debates and media.

**Resource mobilization:** To increase the organization's resources for sustainable programming and members support through galvanizing members support and get increase of donor resource.

**Networking and co-ordination:** WIJA would like to get in future the support of networking and coordination among their members.

## **8. WOMEN AND THE ENVIRONMENT**

No report is captured under the heading of women and the environment due to the time available for reporting.

**Annexure 3: Summary of Conflict Actors****South Central Zone** <sup>131</sup>

Name	Characteristics	Needs	Interests	Positions	Resources	Relationships
<b>Somali Federal Government</b>	Newly elected and widely recognized central Government, Somali's first in over twenty years. It has limited control over its territory in South Central and is reliant on AMISOM peacekeeping, Ethiopian, and Kenyan forces to enforce its authority throughout Mogadishu and the south.  Limited credibility with population who is waiting to see what benefits the new Government is capable of providing to its citizens.	Financial and technical support to establish capacity and deliver services in the areas of its control.  Military support to maintain control of territory currently held and expel Al Shabaab and other anti-Government groups.	Maintaining its legitimacy and regaining control of Al Shabaab controlled territory.  Within the Government, various factions, often based along clan lines and self interest, pursue varying agendas.	Legitimate Government of Somalia	Limited. Reliant on external assistance. Donors pledged \$2.4 billion of support to Somalia in September 2013.	In violent conflict with Al Shabaab. Has been in conflict with clan-based groups in Kismayo over a new Jubaland authority.  Currently contentious relationship with Kenya over their support of the Jubaland authority.  Supported by Ethiopia, who maintains troops in parts of South Central. Testy relationship with independent state Somaliland as negotiations about the question of Somaliland's independence continue.
<b>Al Shabaab</b>	Militant Islamist group that rose to prominence in 2006. At one time it	Financial and materiel support, as well as new recruits to allow the	Establishing an Islamic nation governed by their interpretat	The Government of Somalia is a puppet of the West and an	The annual budget is estimated to be between \$70 and \$100 million	In violent conflict against the Somali federal Government and its allies. Pursues a

<sup>131</sup> Barakat, Connolly, Hardman, Lewis, Lineker, Menkhaus, Rzeszut and Shanks, 2014 Beyond Fragility :A Conflict and Education Analysis of the Somali Context



	controlled most of the south and Mogadishu, but Government forces and their AMISOM, Kenyan, and Ethiopian supporters have pushed Al Shabaab out of the key urban areas in South Central.	group to maintain their conflict against the Government and its allies. It appeals to the marginalized and unemployed youth and other groups. It also fills its ranks through involuntary recruitment.	ion of Shari'a law. Fighting against those it perceives as infidels and friends of the west.	enemy of Islam. Islam and the Somali way of life is under attack from the West and must be defended.	(UN, 2011). It generates its revenue through a regional organized crime network.	combined strategy of conventional warfare and terrorist attacks against civilians that extend beyond Somali borders to Kenya and Uganda. If convenient, clans and other actors – including those who are usually allies of the Government like the Ethiopians – will ally with Al Shabaab against a rival group, as was seen in the conflict in Kismayo in 2013.
<b>AMISOM</b>	Arrived in 2007 with a mandate to protect and support the Government.	Financial, materiel, and technical support to maintain mission.	The military defeat of Al Shabaab and the federal Government controlling its territory.	Supports the federal Government in their push for legitimacy and control over territory in southern Somalia.	22,216 military and police from 15 different African countries. The mission is funded by international donors through the UN Trust Fund for Somalia	Supports the federal Government and undertakes military operations against Al Shabaab.
<b>Ethiopia</b>	Historically Somali's primary regional rival with recurrent disputes over the Ogaden region	Mixed – while a stable, peaceful Somalia would positively impact the Horn of	Maintain their sovereignty over their territory, including the Ogaden.	Generally, supporting the federal Government of Somalia by maintaining control of key towns	Military forces occupying key towns in the northern part of the zone.	While Ethiopia supports the federal Government in its fight against Al Shabaab, the relationship can be

		Africa region, on-going conflict in Somalia allows Ethiopia to play a direct role in the country.	Maintaining a buffer zone against Al Shabaab.	near the Ethiopian border and pushing back Al Shabaab		contentious. There are pro- and anti-Ethiopian factions within the Somali federal Government which can cause deep rifts in internal Somali politics.
<b>Kenya</b>	Kenyan troops began operations against Al Shabaab in 2010 with similar motives as Ethiopia: to protect their borders from encroachments by the Islamists.	A defeated Al Shabaab that is no longer capable of operating in Kenya	<p>Restrict the fundamentalist influence of Al Shabaab.</p> <p>Facilitate the return of hundreds of thousands of Somali refugees from Kenya.</p> <p>Protect its north eastern province from lawlessness across the border.</p> <p>Economic interest from the charcoal trade in Kismayo.</p> <p>Rumoured interest</p>	Supporting the Government against Al Shabaab under the AMISOM mandate, but provided support to the Jubaland administration against the Government forces in the fighting in Kismayo in 2013.	Military forces occupying Kismayo	Actively opposing Al Shabaab. Currently fraught relationship with the federal Government over the Kenyan's support of the Jubaland administration.

			in the potential oil and natural gas deposits in southern Somalia.			
<b>Criminal Militias</b>	Organized criminal groups including small arms traders and self-interested militias that seek to destabilise the zone for economic gain.	Weak Government control, instability	Maintaining the current status quo, which allows unregulated trade and sustains their position of power throughout the zone.	Anti-Government, self-interested economic gain	N/A	Use violence and intimidation against populations to maintain control and safeguard their Businesses.
<b>Civil Society Organizations</b>	Extensive network of well-organized formal social groups.	Financial support for operations; opportunity to fill role in peacebuilding and statebuilding process, as they are often viewed as rivals by the Governments	Filling the vacuum and provide services for the population in the absence of Government.	Generally supportive of the Government and working to build peace at the community levels	Varies by organization.	Strong relationships with the communities they serve. Their role could be expanded upon in terms of legitimising the state-building processes and ensuring that social inclusion is promoted.

## **Annexure 4: The child Protective legal and constitutional framework**

### **3.1 Somalia Provisional Constitution and Children's Rights**

#### **Article 28: Family Care**

- (1) Marriage is the basis of the family, which is the foundation of society. Its protection is a legal duty of the State.
- (2) Mother and child care is a legal duty of the State.
- (3) Every child has the right to care from their parents, including education and instruction. In instances where this care is not available from the family, it must be provided by others. This right applies to street children and children of unknown parents, the rights of whom the state has a particular duty to fulfil and protect.
- (4) Adults have a duty to support their parents if the parents are unable to care for themselves.
- (5) No marriage shall be legal without the free consent of both the man and the woman, or if one or both of them have not reached the age of maturity.

#### **Article 29: Children**

- (1) Every child has the right to a good and righteous name and a nationality from birth.
- (2) Every child has the right to be protected from mistreatment, neglect, abuse, or degradation.
- (3) No child may perform work or provide services that are not suitable for the child's age or create a risk to the child's health or development in any way.
- (4) Every child may be detained only as a last resort, for a limited time, in appropriate conditions, and must be detained separately from adults with the exception of the child's immediate family. The child's immediate family must be informed of the child's detention as soon as practicable.
- (5) Every child shall have the right to legal aid paid for by the State if the child might otherwise suffer injustice.
- (6) Every child has the right to be protected from armed conflict, and not to be used in armed conflict.
- (7) In every matter concerning a child, the child's best interests are of paramount importance.
- (8) In this Article a "child" is defined as any person under 18 years of age.

#### **Article 30: Education**

- (1) Education is a basic right for all Somali citizens.
- (2) Every citizen shall have the right to free education up to secondary school.
- (3) The State shall give priority to the development, expansion and extension of public education.

(4) Private schools, institutes and universities shall be established according to law and in line with the educational program and academic curricula of the country.

(5) The State shall encourage the promotion of research, creativity, and arts, and the advancement of cultural and traditional dances and sports and shall promote the positive customs and traditions of the Somali people.

(6) The State shall adopt a standardized curriculum across all schools of the country, and shall ensure its implementation.

(7) The State shall promote higher education, technical institutes, and technology and research institutions.

(8) The teaching of Islam shall be compulsory for pupils in both public and private schools. Schools owned by non-Muslims shall be exempted from these measures.

Article 41 of the Provisional Constitution provides for the establishment of a National Human Rights Commission that —is independent of State control and is in charge of —setting implementation standards and parameters for the fulfilment of human rights obligations, monitoring human rights within the country, and investigating allegations of human rights violations. A draft law foreseeing the creation of this commission is currently before parliament. It was endorsed by the Human Rights Council in Geneva, which passed a resolution on Somalia during the June 2013 session calling for the Federal Government to compile a human rights roadmap by the end of 2013. Such a Commission could potentially enhance law enforcement of children’s rights. However, human rights organizations such as Human Rights Watch have already expressed criticism of the draft law<sup>132</sup>.

### **Puntland**

The Puntland Constitution addresses specific child rights through Article 19, stating that —the child has the right to life, name, citizenship, upbringing, care and education and that —labour of any kind that can endanger, hurt the life, behaviour, rising up, and care and education of children shall be prohibited. Article 20 further indicates that Puntland State shall guarantee and promote the protection of the orphans, handicapped, mentally affected and abandoned children and —promote the public health care of the mother and child. However, children are defined as —any child under the maturity age of 15 years (Article 19) while international standards (CRC) define a child as —every human being below the age of eighteen years.

### **Somaliland**

In 2008, Somaliland officially launched a new Juvenile Justice Law (the Juvenile Justice Act) at a national conference. The primary aim of this Law is to provide a fair justice system aimed at protecting and promoting the physical and mental well-being and personal development of child offenders while fostering the child’s sense of dignity and worth. It establishes various new institutions such as Children’s Courts, Children’s Police, Social Probation Office, Children Pre-trial Detention Centres, and Children

---

<sup>132</sup> Comment to Somalia’s Parliamentary Committee on Human Rights, Women, and Humanitarian Affairs on Draft National Human Rights Commission Legislation, Human Rights Watch, 2013 ([http://www.hrw.org/sites/default/files/related\\_material/Memo%20NHRC%206%2010%202013.pdf](http://www.hrw.org/sites/default/files/related_material/Memo%20NHRC%206%2010%202013.pdf))

Rehabilitation Centres in addition to various procedures and processes which are not yet in operation in Somaliland. The Juvenile Justice Act is considered as fully compatible with the CRC.<sup>133</sup>

### 3.2 Somalia and the UN Human rights framework

#### Background on international efforts to protect and promote human rights in Somalia<sup>134</sup>

##### Security Council

In its Resolution 1872 (2009), the Security Council recognized that serious crimes had been committed against civilians in the conflict in Somalia, affirmed the importance of ending human rights abuses and combating impunity, and requested UNPOS to work with the Transitional Federal Government to develop its capacity to address human rights issues. It also expanded the sanctions regime to target individuals responsible for violations of international law, namely the obstruction of humanitarian assistance and the recruitment and use of child soldiers.

In addition, since 1999, the Security Council has adopted a number of resolutions to afford greater protection to civilians, including by strengthening the protection framework for women<sup>42</sup> and children.<sup>43</sup>

##### Human Rights Council and special procedures

The Human Rights Council has increased its attention to Somalia in recent years and adopted a number of resolutions<sup>44</sup> with a special focus on technical assistance. On 29 September 2010, pursuant to Human Rights Council decision 14/119, a stand-alone interactive dialogue was held by the Council on the status of technical cooperation, capacity-building programmes in the country and the effectiveness of United Nations support in the promotion and protection of human rights.

The Independent Expert on the situation of human rights in Somalia was appointed by the Human Rights Council in 1993 in its Resolution 7/35.

Overall, special procedures mandate holders have addressed 23 communications. The Special Rapporteur on Violence Against Women, its causes and consequences, the Special Representative of the Secretary-General for Children and Armed Conflict, the former Representative of the Secretary-General on the human rights of internally displaced persons and the Independent Expert on the situation of human rights in Somalia have raised in their reports<sup>135</sup> the need to strengthen coordination among UN agencies, including human rights coordination and monitoring and public reporting.

##### Office of the High Commissioner for Human Rights

---

<sup>133</sup> [http://www.unicef.org/somalia/reallives\\_5434.html](http://www.unicef.org/somalia/reallives_5434.html)

<sup>134</sup> Mainly elaborated in the report of the Secretary-General —United Nations support to end human rights abuses and combat impunity in Somalia (2012)

<sup>135</sup> Report of the Representative of the Secretary-General on the human rights of internally displaced persons (2010), Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (2013)

The work of the Office of the High Commissioner for Human Rights on Somalia is guided by several resolutions of the Security Council and the Human Rights Council<sup>46</sup> and its programme is implemented through UNPOS' Human Rights Unit, which was created in 2008 with a broad mandate to carry out monitoring and capacity building, and mainstream human rights within the activities of the UN Country Team for Somalia. The Unit contributes to the Secretary-General's quarterly report on Somalia, the report on Piracy and the annual report on Violence against Women in Conflict.

In 2011, the Office of the High Commissioner for Human Rights facilitated Somalia's engagement in its first Universal Period Review of the Human Rights Council (18th session). This was Somalia's first engagement with a human rights review mechanism in two decades. Somalia accepted, fully or partially, all 155 recommendations, which collectively represent a comprehensive roadmap for improving the human rights situation in Somalia. These recommendations cover a wide range of issues, such as the political process, peace and reconciliation, protection of civilians in the context of the armed conflict, ratification of international human rights instruments, development of human rights-compliant legislative and policy frameworks (including at the level of the Constitution), establishment of a national human rights institution, and strengthening of civilian police and the judiciary.

On the sidelines of the 18th session of the Human Rights Council, the Office of the High Commissioner for Human Rights advocated for a human rights based approach to the immediate, medium and long-term strategies for addressing the food crisis.

The Office of the High Commissioner has identified the following thematic priorities for its Somalia programme in 2012-2013:

Combating impunity and strengthening accountability, the rule of law, and democratic societies, with an emphasis on institution and capacity building

Protecting human rights in situations of violence and insecurity, with a focus on the protection of civilians, internally displaced persons and journalists

Countering discrimination, with a special focus on discrimination against women and ethnic minorities,

Supporting the signature, ratification and implementation of human rights treaties and facilitating Somalia's effective cooperation with Special Procedures of the Human Rights Council,

Raising awareness about economic and social rights;

**The following actions would advance the elimination of the worst forms of child labor in Somalia:**

Laws and Regulations	Clarify which laws are in effect under the TFG	2011
	Adopt a legal framework on child labor that includes a minimum age for work and a list of hazardous work activities	2009, 2010, 2011
	Ensure laws protect children involved in forced	2011

	prostitution from criminal charges	
	Adopt laws prohibiting human trafficking and the use of children in illicit activities.	2009, 2010, 2011
	Establish an age for which education is compulsory	2009, 2010, 2011
Coordination and Enforcement	Establish a coordinating mechanism to combat the worst forms of child labor	2009, 2010, 2011
	Enforce the prohibitions laid out in the 2004 TFG Charter on forced labor and military service for children under age 18	2009, 2010, 2011
	Apply similarly stringent vetting standards and procedures to the TFG armed forces recruits trained inside Somalia as are applied to those trained outside of Somalia	2011
	Establish an infrastructure to enforce laws relating to the worst forms of child labor.	2009, 2010, 2011
	Policies Adopt a comprehensive policy and action plan to combat the worst forms of child labor.	2009, 2010, 2011
	Adopt a comprehensive policy and national action plan to provide free and compulsory education for all children.	2010, 2011
	Social Programs Develop programs to prevent and address child soldiering and other worst forms of child labor in all areas of the country.	2009, 2010, 2011
	Expand efforts to provide free education.	2011



**Annexure 5: Ratification of International Human Rights Treaties - Somalia**

Treaty	Organization	Introduced	Signed	Ratified
Convention on the Prevention and Punishment of the Crime of Genocide <sup>[27]</sup>	United Nations	1948	-	-
International Convention on the Elimination of All Forms of Racial Discrimination <sup>[28]</sup>	United Nations	1966	-	1971
International Covenant on Economic, Social and Cultural Rights <sup>[29]</sup>	United Nations	1966	1967	1975
International Covenant on Civil and Political Rights <sup>[30]</sup>	United Nations	1966	-	1990
First Optional Protocol to the International Covenant on Civil and Political Rights <sup>[31]</sup>	United Nations	1966	-	1990
Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity <sup>[32]</sup>	United Nations	1968	-	-
International Convention on the Suppression and Punishment of the Crime of Apartheid <sup>[33]</sup>	United Nations	1973	1974	1975
Convention on the Elimination of All Forms of Discrimination against Women <sup>[34]</sup>	United Nations	1979	-	-
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment <sup>[35]</sup>	United Nations	1984	-	1990
Convention on the Rights of the Child <sup>[36]</sup>	United Nations	1989	2002	-
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty <sup>[37]</sup>	United Nations	1989	-	-
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families <sup>[38]</sup>	United Nations	1990	-	-
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women <sup>[39]</sup>	United Nations	1999	-	-

<b>Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict<sup>[40]</sup></b>	United Nations	2000	2005	-
<b>Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography<sup>[41]</sup></b>	United Nations	2000	-	-
<b>Convention on the Rights of Persons with Disabilities<sup>[42]</sup></b>	United Nations	2006	-	-
<b>Optional Protocol to the Convention on the Rights of Persons with Disabilities<sup>[43]</sup></b>	United Nations	2006	-	-
<b>International Convention for the Protection of All Persons from Enforced Disappearance<sup>[44]</sup></b>	United Nations	2006	-	-
<b>Optional Protocol to the International Covenant on Economic, Social and Cultural Rights<sup>[45]</sup></b>	United Nations	2008	-	-
<b>Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure<sup>[46]</sup></b>	United Nations	2011	-	-

## Annexure 6: Data on Education

This data presented here is from the first comprehensive baseline report that serves as the first in a three-part impact evaluation of the Educate Girls, End Poverty (EGEP) program administered by Relief International and funded by the United Kingdom's Department for International Development's (DfID) Girls Education Challenge (GEC) Fund<sup>136</sup>.

**Table 1: School Enrollment Profile by Zone**

	Somaliland	Puntland	South Central
Class size, by enrollment	54.9	52.0	53.8
Girl:Boy ratio, by enrollment	1.16	1.17	1.21

Girls and boys were enrolled in similar numbers and, of those enrolled, attended at similar rates across the three regions.

**Table 2: Baseline Girls Attendance Rate by Zone, Rural/Urban, and School Type**

Zone		Rural/Urban		School Type			
Somaliland	Puntland	South Central	Urban	Rural	Public	Private	Community
93.90%	70.90%	85.20%	76.20%	90.30%	83.20%	70.40%	84.00%

The data reflected in table 2 clearly shows that the attendance rate in schools in rural settings is higher than in urban settings, however the attendance across different types of schools is not different.

Scores from the learning assessments followed expected trends with both math and literacy mean scores increasing with years of schooling. It is clear from the table 3 that there is an increase in scores as the girls move up the grades across the three regions. .

<sup>136</sup> Educate Girls, End Poverty (EGEP) , Somalia Girls Education Challenge , **Baseline Evaluation Report 2014**

Table 3: Uwezo-adapted Learning Assessment by Zone - Literacy and Math

Variable	Somaliland			Puntland			South Central		
	N	Mean % Correct	SD	N	Mean % Correct	SD	N	Mean % Correct	SD
Grade 1 Literacy	68	27.8	33.4	68	57.8	36.6	32	47.5	37.6
Grade 1 Math	70	23.7	29.3	67	37.8	28.5	32	35.9	25
Grade 2 Literacy	204	46.1	36.2	258	75.4	32.8	119	75.4	30.6
Grade 2 Math	204	34.4	32.3	257	55.8	28.2	119	59	21.1
Grade 3 Literacy	193	62.6	37.9	239	84.2	28.4	121	85.1	27.6
Grade 3 Math	191	52.5	32.2	238	67.7	23.5	120	69.7	24.8
Grade 4 Literacy	54	80.4	30.3	65	93.1	17.6	31	95.5	14.1
Grade 4 Math	53	73.2	27.8	65	82	20.2	29	80	16

Grade 5 Literacy	41	92.7	18.3	55	91.5	24.4	23	96.5	10.3
Grade 5 Math	41	77.8	24.9	56	82	21	25	78	17.1
Cohort Literacy	566	41.5	40	782	56.1	43.7	498	44.2	44.2
Cohort Math	567	32.9	34.1	773	43.5	35.3	498	35	35.1