

## Protection Monitoring System - Quarterly Joint Analysis Workshop (JAW) – Puntland

15 July 2021 / 9:30am-12.15 pm

### Workshop Outcome Report

#### Objectives

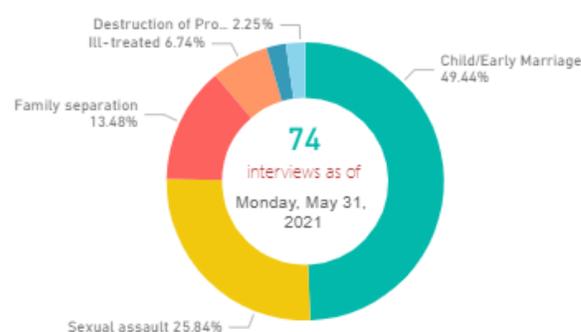
1. Agree on the validity and relevance of the findings
2. Identify the causes and triggers of the key protection concerns, connectors/dividers, and coping mechanism
3. Agree on actions to be taken by relevant stakeholders, including:
  - a. Adjustments in the response and protection programming
  - b. Advocacy messages and actions

#### Current Context

Climate-related disasters, including floods and droughts, have increased in Puntland with an estimated 1.9 million persons affected. In November, Cyclone Gati made landfall in the northeastern region of Puntland and authorities estimated 180,000 people were affected by the cyclone, with 42,000 displaced from their homes<sup>1</sup>. In Puntland, the vulnerability of populations is exacerbated due to the multiple hazards of drought, COVID-19, locust infestation, and Cyclone Gati. Young girls are at particular high risk of early/child marriage due to loss of family income and livestock<sup>2</sup>.

#### Headline Protection Trends

Danish Refugee council in partnership with the Protection Cluster conducted a two-hour online workshop to discuss quarterly findings (January 2021 to June 2021) from Somalia Protection Monitoring System (SPMS) in Puntland.



<sup>1</sup> Tropical Cyclone Gati Update #4. OCHA.

<https://reliefweb.int/sites/reliefweb.int/files/resources/Cyclone%20Gati%20flash%20update%204-%20FINAL.pdf>

<sup>2</sup> Situation of Women and Girls – Drought in Somalia. UNFPA. [https://somalia.un.org/sites/default/files/2021-04/situation\\_of\\_women\\_and\\_girls\\_-\\_drought\\_in\\_somalia.pdf](https://somalia.un.org/sites/default/files/2021-04/situation_of_women_and_girls_-_drought_in_somalia.pdf)

The participants engaged in group work and were divided into three groups, and each group discussed two protection concerns. Below are the key outcomes from the discussions:

### **Group 1: Arbitrary Killing and Ill-Treatment**

**Ill-Treatment:** Key Informants (KIs) reported IDPs, marginalized groups, adolescent girls, persons with disabilities and women being the most affected in the community. Currently SPMS defines ill-treatment as:

Inhumane, cruel, or degrading treatment or punishment. For example, severe pain or suffering, whether physical or mental, intentionally inflicted on a person for such purposes as obtaining from him/her or a third person information or a confession, punishing him/her for an act he/she or a third person has committed or is suspected of having committed, or intimidating or coercing him/her or a third person, or for any reason based on discrimination of any kind.

**Arbitrary killing:** IDPs, adolescent boys, women, men, and marginalized groups being the most affected in the community. Currently SPMS defines Arbitrary Killing as:

Killing of a person by any party to the conflict (state actors - military, police, other security providers, AMISOM or AS) without any legal process. Should not include killing as a result of a crime.

**Note:** the members of Group 1 were not aware of instances of Arbitrary Killing or Ill-Treatment in Puntland, however, participants are aware of severe domestic violence cases that have resulted in death. The group also discussed serious discrimination cases that can be life threatening for certain individuals.

### **Recommendations**

- Overall community-level sensitization on inclusion and tolerance is needed. Given their influence in the community, religious leaders to be engaged to promote human rights for all and tolerance of others. This activity will require awareness and trust-building with the religious leaders.
- Establishment of safe spaces and enrollment in schools of girls as well as those from minority groups in Puntland.
- Strengthen women's participation in decision-making, especially concerning justice and humanitarian issues. It will require strengthening women's capacity and also capacity building for men in order to create space for them.
- Complaint and feedback mechanisms to be reviewed and ensure they are inclusive and safe for all groups.

### **Group 2: No Access to Justice or Compensation and Sexual Assault**

**Sexual Assault:** August 2016 Puntland passed a law criminalizing all sexual offences. We have noted positive coping mechanism and affected individual or groups understanding the importance of accessing medical support. But access to justice is still a large gap in Puntland despite the sexual offense bill passed.

- **Rape** cases did not receive access to Alternative Dispute Resolution (ADR), formal courts or access to fair compensation or duty bearers.

**Access to Justice:** Based on the SPMS findings, the community does reach out to local authorities for support, but the response is slow due to the lack of formal courts in the area or access denied due to social background. In place of the weak/limited access to formal justice the Xeer system has functioned as an effective tool for promoting social cohesion and regulation of inter and intra-clan affairs. The use of traditional justice system comes at a cost particularly in relation to gender equality and human rights. Aspects of Xeer custom may violate provisions of the Somali Provisional Constitution, particularly when it comes to the rights of women, IDPs and minority groups. IDLO has supported the establishment of ADR centers in Puntland State (Galkayo, Buhoodle and Badhan). ADR Centers represent a unique model of justice delivery aimed at facilitating the settlement of disputes through the use of informal dispute resolution methods<sup>3</sup>.

During the group discussion, administrative challenges on the government side and a lack of staff were identified as key challenges. It was also highlighted those officials have a limited understanding and capacity in operationalizing the implementation of the policies in place.

### Recommendations

- Need to increase community awareness on local laws and policies as well as the purpose and services offered by the ADR centers in Puntland.
- Need to work with (or develop a network of) Pro-Bono Lawyers to help assist people who do not have the financial resources to seek legal remedies.
- Need for female lawyers as GBV survivors are not comfortable engaging with male lawyers.
- Capacity building of lawyers through refresher courses with national / international standards.
- Advocate with the government for mobile courts in hard-to-reach areas.

### Group 3: Destruction of Property and Family Separation

**Destruction of property:** Key Informants (KIs) reported property was destroyed due to forced evictions and 21% of KIs reported accidental fires. [The NRC evictions portal](#) also indicated properties were privately owned and reasons for the evictions was due to landlords evicting individuals and groups to develop their land/property.

**Family separation:** KIs reported the cause for family separation in Puntland was due to lack of financial means to support the family, family conflict, and forced evictions. IDPs, refugees, returnees, and women are the most affected groups in the community, and this exacerbates the already existing protection risks because when separated they lose access to their community protection mechanisms.

### Recommendations

#### *Destruction of Property*

- There is a need to engage the CCCM Cluster on site safety audits and engagement with the fire department in Puntland to reduce the cause of the accidental fires.
- Community mobilization is needed on good practices of fire prevention and other causes of destruction of property ie spaces among HHs/Shelters especially IDPs.

<sup>3</sup> Accessing Justice: Somalia's Alternative Dispute Resolution Centers. IDLO. <https://puntlandpost.net/wp-content/uploads/2021/01/report-somalia-adr-centers-4.pdf>

- Engagement with the HLP AoR and partners on ways of reducing forced evictions by collaborating with local authorities on land tenures, title deeds, etc.

### **Family Separation**

- Family separation occurred as a result of families not being able to care for their children due to poverty and the need to send them to work in another town.
- Enhance cash assistance and income generating activities among community members to reduce / prevent family separations.
- Awareness raising on the importance of keeping families together as well as mental health and parental skills, etc.
- When and where appropriate, humanitarian agencies to advocate and support for programs to support return to areas of origin, maintaining principles of safety, dignity, and voluntariness.
- Update the referral pathways for partners working on tracing and re-unification of families to facilitate referrals among humanitarian partners, government, and community members when they come across separated family members that require a family re-unification response.

### **Stakeholder and Power Analysis for Advocacy Planning**

Matt Byrne, Senior ProCap Adviser facilitated a session for the participants on the process involved when developing key advocacy messages. Through a quick exercise below key steps were shared with the participants:

- Defining the problem - what protection risk are we seeking to reduce?
- Identify and map stakeholders - who do we need to influence?
- Developing effective messages and strategies to communicate them - what are our key messages?
- How engage and influence critical stakeholders.

During this session we looked at sexual assault. Overall goal identified as ***“Survivors of sexual assault in Puntland access legal and essential services without discrimination or intimidation”***.

### **Key Messages:**

- Sexual assault has numerous potential consequences that can last a lifetime and span generations, with serious adverse effects on health, education, employment, crime, and the economic well-being of individuals, families, communities, and societies.
- Sexual assault is not a rare phenomenon. For instance, in the first quarter of 2021 sexual violence accounts for 19% of the reported GBVIMS cases. In Somalia, most reported GBV incidents are Physical Violence in the context of intimate partner violence followed by Sexual Assault and Rape.
- Sexual assault is a criminal act, but with the Puntland Sexual Offences Bill passed and implemented, this criminalizes a wide range of sexual offences. Survivors need to access essential services according to their wishes. Communities need to better understand the roles and responsibilities of those investigating and prosecuting sexual violence.
- Access to Justice - The vast majority of survivors are denied access to justice in Puntland, and we want to see wishes respected, timely and non-discriminator access for survivors that is affordable and dignified.

### Tactics (How):

- Civil society: best method to target these groups is through community dialogues around social norms that are enhancing sexual violence in the communities. Religious leaders and elders can spearhead these dialogues and identify other change makers. Messaging included in prayer congregations.
- Public sector: Training, workshops, capacity building in support of response to sexual assault, partner with pressure groups like activists and women groups to campaign in support of access to justice.
- Private sector: Awareness raising and advocacy, request to provide resources and technical expertise.

Click [here](#) to access the stakeholder and power analysis for advocacy planning.

### Annex1: Detailed group work discussions



Group 1- Notes.pdf



Group 2- Notes.pdf



Group 3- Notes.pdf