

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

30 June / 9:30am-12.15 pm

Workshop Outcome Report

Objectives

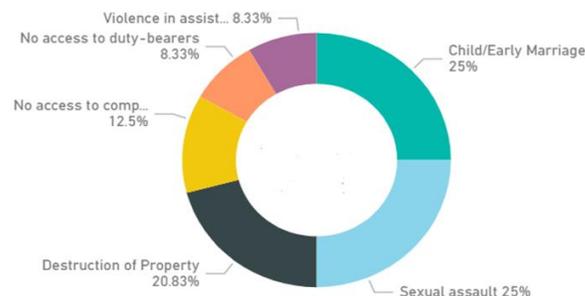
1. Agree on the validity and relevance of the findings
2. Identify the causes and triggers of the key protection concerns, connectors/dividers, and coping mechanism
3. Agree on actions to be taken by relevant stakeholders, including:
 - a. Adjustments in the response and protection programming
 - b.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

Current Context

Key protection violations that communities in Somaliland face include forced displacement, gender-based violence, child rights violations, forced evictions and family separation. The most vulnerable members of the community are often women and children, and those from minority clans as vulnerable members of a community rarely have equal access to humanitarian assistance.

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 May 2021) from the Protection Monitoring System (SPMS) in Somaliland.



The participants also 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: Destruction of Property and No Access to Compensation

Destruction of property recurring protection concern in Awdal district. Key Informants (KIs) reported the property was destroyed due to forced evictions and accidental fire leading to the destruction of property.

Forced evictions data also corresponds with the data shared on the [NRC eviction portal](#). This leads to increased displacement which in turn breaks down the community protection mechanisms and exacerbates already existing inequalities aggravated due to the loss of property and livelihoods, and this introduces a new dimension of vulnerability, marginalization, and exclusion. IDPs have weak security of tenure. Their lack of secure tenure in place of displacement and place of origin greatly inhibits the establishment of durable solutions, as does the availability of land for relocation.

No access to compensation as the most prevalent protection concern in Somaliland. IDPs, adult women and adolescent girls reported as the most affected groups in the community. Incidents that mostly received no access to fair compensation were cases related to HLP, physical abuse and rape cases.

Recommendations

Destruction of Property

- HLP AoR to conduct an assessment or share relevant information on the current land situation and legal frameworks applicable in Somaliland.
- Documentation of best practices in the relocation of IDPs in Somaliland; an example was provided of a relocation initiative that included the issuance of land agreements to the IDPs in order for them to utilize the land for the longer term.
- A comprehensive IDP registration in Somaliland would allow data to inform advocacy and improve the delivery of assistance interventions to the most vulnerable with the ultimate goal of finding a durable solution to displacement.

Access to Compensation

- Improving the awareness on the different legal channels and options for compensation that are available as an alternative to the Xeer system.
- Strengthen the formal legal system to increase capacity and thus access.
- Capacitate the traditional leaders so they can advise on formal and informal legal procedures available.
- Share the report findings with relevant government entities (i.e., NDRA) so they are aware of protection monitoring concerns and can be part of the solution.

Group 2: Child Marriage and Violence in Assistance Delivery

Child marriage remains of the most prevalent protection concern reported by the Key informants (KIs). Adolescent girls, boys and IDPs were reported as the most affected groups in the community. In Somaliland, both girls and boys are affected by child/early marriage, with girls facing additional challenges, consequences, and risks due to poverty and community beliefs, and religious norms that force girls to marry early¹.

Regarding violence in assistance delivery, KIs reported IDPs, older persons 60+ (female), adult women, refugees and persons with disabilities are the most affected in the community. The violence occurred due

¹ Knowledge, Attitudes and Practises on Early and Forced Marriage in Somaliland, Save the Children, 2014.

to individuals cutting the queue for the distribution line and arguments when a person's name was not included in the beneficiary list.

Recommendations

Child Marriage:

- Awareness raising for parents and children on the importance of completing the child's education before marriage.
- Ensure girls who are married or at-risk of being married have access to reproductive health services that are adapted to early and thus at-risk pregnancies.
- Training of traditional elders and religious leaders on the risks and disadvantages of child marriages.
 - Seek support from traditional leaders/sheikhs who have moral influence in the community to reduce child marriages.
- Promote livelihoods training opportunities to boost income opportunities in the community. Trainings to target girls at-risk of early marriage and those that are in early marriages. The increase in educational and vocational skills training opportunities may act as an incentive to delay marriage and/or pregnancy.

Violence in Assistance Delivery

- Strengthen verification procedures during distributions to ensure inclusion of those most in need, taking into consideration the Age, Gender and Diversity (AGD) principle.
- Engagement with local authorities to minimize violence that occurs during assistance delivery.
- Ensure inclusion of the most vulnerable host community members in service delivery.

Group 3: No Access to Duty bearers and Sexual Assault

Access to justice in Somaliland is a complex issue. The Somaliland justice system merges different structures, for example the formal court systems operate throughout the country, while customary and sharia law runs parallel with the formal system². Therefore, access to justice varies from one region to another, rural areas have little to no access, making the informal system (Xeer) the only option the community has access. During the group discussions it was noted that community committees act as a link between the community and local authorities.

Sexual assault reported as the second highest protection concern in Somaliland. IDPs, women and adolescent girls reported to be most affected. In January 2018, Somaliland Parliament passed a law criminalizing all sexual offences bill but implementation of the bill has been slow, due to lack of adequate resources to ensure law enforcement agencies and the judiciary implement and enforced it. A further complication limiting the use of the criminal justice system is that a significant portion of the public has no knowledge about it or how it works. This makes it much less likely that rape will be reported. Moreover, customary law provides a collective outcome, not individual punishment, or redress for crimes. Rape is often dealt with through payment of compensation to the victim's family, or sometimes through marriage of the survivor to the perpetrator³.

² [Striving for access to justice in Somaliland | Oxfam in Horn, East and Central Africa](#)

³ [Horizon Institute's Report on Prosecution of Rape Cases in Somaliland 13 March 2018.doc](#)

Recommendations

Access to Justice

- Community committees to be trained on how to enhance communication between the community and legal service providers. The training should also include the referral pathways to the humanitarian services available.
- Carrying out/update service mapping on current services available for survivors including legal services available in Somaliland.
- Community committees to be representative of women and minority groups as the committees act a support network for community members and can assist them in accessing available justice mechanisms.

Sexual Assault

- Police and relevant authorities should be given appropriate training in responding to and investigating crimes of sexual violence. As a priority, the government should take all necessary actions to ensure victims are protected against acts of retaliation.
- Implementation of rape and sexual offences law. The authorities should ensure that survivors of sexual violence have meaningful redress by creating a justice system that meets international standards.
- The government and other stakeholders to ensure sexual assault cases are not tried through the customary justice system.

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 destruction of property overall goal identified as ***“Reduce the number of Destruction of Property incidents for IDPs in Hargeisa for the next 12 months”***.

Key Messages:

- IDP site management must be coordinated with local authorities.
 - Title deeds should be given to IDPs to prevent a cycle of temporary displacement
 - Planning decisions must take IDP sites/IDP rights into consideration.
 - Local authorities to provide incentives for IDP tenure-especially for land outside the city this will increase the value of the land
 - Ensure written agreements for all IDP sites rather than having an oral one.
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Tactics (How):

- Engage with the HLP AoR to better understand the housing dynamics.
- Raise awareness of the laws in Somaliland and the different legal channels available to them.
- Review the selection criteria of the community committees again age, gender, diversity.
- Engage with traditional leaders on the laws in place to ensure the decisions they make are in line with the formal law to improve access.

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