Report

INCLUSION IN TIME OF CRISES: SOMALIA

Good Practices from IASC Task Force 5

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Geographical coverage

Somalia, country-wide

Actors

- The mandate of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Somalia encompasses monitoring and reporting, technical assistance and capacity-building, and advocacy for the promotion and protection of human rights, including through human rights mainstreaming within the activities of the UN Country Team (UNCT) and Humanitarian Country Team (HCT). Activities include policy guidance, monitoring and reporting on the situation of human rights as early warning and to identify protection gaps, with a focus on marginalized groups and minorities, engaging and mentoring civil society and other partners, and supporting the government to achieve its human rights commitments.

- The Protection Cluster (PC) in Somalia, of which OHCHR is a member. The engagement in the PC is underpinned by OHCHR's monitoring and reporting mandate and builds on OHCHR and the PC's comparative advantage to mainstream protection and human rights and to promote inclusion in the humanitarian response.
- The Ministry of Women and Human Rights Development (MWHRD) and aligned ministries at both the federal and federal member state level, in addition to civil society, human rights defenders and local government. The partnership with the Ministry involves strategic and technical advice and support. It is matched by paralleled partnerships at the Federal Member State and local government levels. The partnership with civil society, human rights defenders and other actors involves a strategic advisory role and mentorship.
- Civil society organizations (CSOs), including those representing minorities and marginalized communities as well as organizations of persons with disabilities. OHCHR provides capacity building and mentorship to CSOs at national and local levels to support and amplify their voices in the development and humanitarian spheres.
- The National Disability Agency (NDA), a government body created following Somalia's ratification of the Convention on the Rights of Persons with Disabilities.

People of Concern

- Minorities, marginalized groups, including persons with disabilities, particularly in areas affected by drought and/or armed conflict.
- Civil society, non-governmental organizations (NGOs), human rights defenders, women, and youth leaders who represent and/or support issues of inclusion and the promotion of human rights at the local level, as well as religious, clan leaders and local authorities who may champion or are accountable for the protection of human rights.

Gender	The overall context in Somalia requires a specific gender-focused approach in programming that is effective and responds to the existing societal structure and needs to be accepted and practical. Gender considerations are factored in the engagement with the stakeholders, especially through planning of activities, selection of partners and advocacy. The primary goal is to promote a "do no harm" approach by taking steps to avoid reinforcing gender inequalities.
Context	Somalia is experiencing a humanitarian crisis compounded by the impact of an active conflict. The strategic focus of good practice is to amplify the voices as well as the contributions, and to emphasize the lived experience of those most affected by strengthening the institutional framework of the authorities, the UN in Somalia, a wider network of civil society, human rights defenders, religious, clan, women, and youth leaders to shape the human rights dialogue during the humanitarian emergency response and contribute within their specific context and needs.

In 2022, Somalia was facing a dire humanitarian situation with an unprecedented fifth consecutive below average rainy season, resulting in mass internal displacements compounded by decades of conflict. Over 1.1 million people had been internally displaced due to drought and 607,000 people by conflict by the end of 2022. In this emergency context, there also exists protracted displacement.

For the first time since 2017, Somalia saw a significant increase in conflict-related harm when comparing 2022 to previous years. This is primarily due to the intensification of Al Shabaab's high profile mass-casualty attacks, coinciding with the finalization of the delayed electoral process. In 2022, OHCHR recorded 1,858 civilian casualties in the context of the armed conflict in Somalia—which is an increase of 60 per cent from 1,163 casualties recorded in 2021.

Taking this background into consideration, the HCT adopted its 2022–2023 strategy on the Centrality of Protection (CoP), which includes reducing exclusion and denial of assistance among its key protection priorities. It has been strengthened through the adoption of the HCT's Accountability Compact and IASC scale up benchmarks in February 2023, both including actions on CoP.

Regarding Somalia's commitment to strengthen engagement with international human rights mechanisms, the Federal Government of Somalia supported 246 recommendations out of 273 received during the Universal Periodic Review (UPR) at the Human Rights Council in September 2021. Supported recommendations related to: legal and general framework of implementation, international humanitarian law, universal and cross-cutting issues, civil and political rights, economic, social, and cultural rights, women's rights, children's rights, and other specific groups and persons. For example, Somalia accepted the recommendation to take all necessary measures to reduce discrimination against members of minority groups and promote their equal representation in political structures and decision-making bodies, as well as their equal access to protection and humanitarian assistance. In addition, the Federal Government submitted the state report to the Human Rights Committee, which monitors the implementation of the International Covenant on Civil and Political Rights. The Federal Government also received the concluding observations adopted by the Committee Against Torture (CAT) and by the Committee on the Rights of the Child (CRC) following the review of Somalia's state reports. The CAT monitors the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment while the CRC monitors the implementation of the Convention on the Rights of the Child. |
| **Implementation and objective** | The overall objective of OHCHR's strategy is to ensure that the most affected parts of the Somali population are visible, have a voice and are part of the humanitarian response—keeping the CoP in mind.

OHCHR leveraged its capacity building, monitoring, and reporting and technical assistance mandate as a component of UNSOM, its membership in the HCT, the humanitarian cluster system and its presence at the national and sub-national levels to promote human rights at |

the grassroots level and enhance the visibility for, and participation of, minorities and marginalized groups in decision-making processes that affect them.

Throughout 2022, and against the backdrop of a deteriorating humanitarian situation compounded by an increase in civilian harm, OHCHR engaged in targeted support to and advocacy with the HCT and clusters. Using their comparative advantages, the Protection Cluster and OHCHR also developed a strong partnership to promote inclusion, produce evidence-based protection analysis to influence the humanitarian response and develop protection-related guidance. In that context, OHCHR's approach was twofold:

1. Advocacy to tailor the humanitarian response framework
To amplify the voice of, and include, minorities and marginalized groups in every segment of the response (e.g., in terms of improved access to protection and assistance), including at the policy, structural and beneficiary level. OHCHR's advocacy was based on analysis that identified gaps in the response and opportunities in terms of reaching, and delivering to, minorities and marginalized groups such as persons with disabilities. OHCHR also provided recommendations to be considered in the humanitarian response, including for targeting and delivering.

2. Working with rights holders and duty bearers, including civil society and NGOs
To strengthen the understanding of and advocacy on the implementation of the recommendations accepted by the Federal Government of Somalia as part of the UPR, which include humanitarian topics in addition to economic, social and cultural obligations. In that regard, OHCHR built on existing CSO initiatives aimed at following up on UPR, recommendations related to inclusion of minorities and marginalized communities in the development and humanitarian spheres, recommendations of treaty bodies as well as Somalia's ratification of the Convention on the Rights of Persons with Disabilities.

Methodological approach

Previous lessons learned during drought response in Somalia identified that certain groups faced an increased risk of being excluded from humanitarian assistance. OHCHR, building on its mandate, advocated for a structural change to strengthen the inclusion of minorities and marginalized groups in the humanitarian response. The initiatives included considerations of age, gender, and diversity, including persons with disabilities, youth groups, minorities, and marginalized groups.

The OHCHR strategy emerged through:

A. Identifying the need to reframe the response through a human rights lens;

B. Providing test case information to understand what is needed; and

C. Creating opportunities for structural changes to enable the response mechanisms to adapt.

This resulted in the twofold approach:

1. Advocated for the Reframing of the Humanitarian Response Framework by:

1.1. Identifying the need for the protection agencies and minority and marginalized groups
- Consultations with members of minorities and marginalized groups to identify the structural challenges for humanitarian response and to design an approach to reach the most affected communities.
- Consultations with protection agencies to identify concrete and practical measures for the response system to be able to effectively include and reach minority and marginalized communities.

1.2 Mapping of available information as a test case to understand what information is needed and necessary
- OHCHR provides analysis of patterns of protection and human rights concerns into the strategic and policy documents of the HCT, highlighting the risks and needs of minorities and marginalized groups. Through its 2019-2021 monitoring and reporting, OHCHR created a baseline on the status of minority rights, the rights of

persons with disabilities and the right to participation of internally displaced persons (IDPs) in Somalia.
- Developed a mapping of minority and marginalized communities at the regional level prioritising regions most affected by the drought, providing relevant information on social dynamics, minorities and marginalized groups, local government, and security actors' structure and past conflict dynamics.

1.3 Capacity building and mentorship

- Support to the National Disability Agency (NDA), which promotes and advocates for disability rights in the development and humanitarian spheres, aims to raise awareness about its mandate and increase visibility of its work. OHCHR supports the NDA through capacity building and mentoring, and was able to facilitate resource mobilization by member states for the NDA, including through a component of a broader joint programme on human rights.

1.4 Championing inclusion in existing humanitarian structures

- In 2022 and for the first time in Somalia, the HCT decided to extend its membership to a minority rights organization led by CSOs to ensure a voice for minorities at the table, thus assisting in amplifying the voices of affected communities and implementing the localization agenda. The local NGO represents minority and marginalized umbrella organisations and ensures a direct link and communication between the humanitarian, protection actors and the affected communities.
- Developed a strategy to map and engage with CSOs defending minority rights and the rights of persons with disabilities, building their capacity to advocate for their rights and concerns, through dedicated mentorship.
- Shared a list with protection agencies enabling them to adapt the existing response structure to include minorities and marginalized groups such as persons with disabilities in humanitarian response planning.
- Jointly with the PC, supported the launch of three working groups within the Somalia PC:
    a. *Disability Inclusion WG*: co-led by PC, CCCM Cluster and organisations of persons with disabilities (OPD), including the NDA, reporting to the ICCG aiming to support all clusters on disability inclusion measures across the response and engagement of OPDs and aiming to identify one OPD to be a member of the PC Strategic Advisory Group (PC SAG) in 2023;
    b. *Minority Rights & Inclusion* WG: Envisaged to be co-led by the PC and Minority Rights Organisations (MRO) reporting to the ICCG to support all clusters on minority inclusion measures across the response and engagement with MROs. The PC Strategic Advisory Group will have one MRO representative starting in 2023.
    c. *Protection of Civilians WG*: co-led by the PC and OHCHR aiming to support HCT, ICCG, other PC WGs with comprehensive analysis -of POC trends and patterns and inform decision-making based on tailored protection actions.

2. Advocacy on Inclusion by Leveraging the UPR recommendations

- As a follow up to the third UPR cycle, 27 CSOs jointly with OHCHR launched the UPR Task Force to strengthen advocacy on the implementation of the UPR recommendations accepted by the Federal Government of Somalia. Separately, OHCHR supports CSOs that have organised themselves into eight clusters constituted along thematic priorities, with one cluster focusing on humanitarian response and development.
- The UPR Task Force and some members of the eight clusters are coordinating on the promotion and follow-up of UPR recommendations, including one recently created cluster dealing with climate change.
- OHCHR provided capacity building workshops to the members of the UPR Task Force on advocacy skills and monitoring the implementation of the recommendations accepted by Somalia.

- Through 2022, OHCHR together with the civil society clusters focused on reviewing the recommendations and the link with the 2030 Sustainable Development Goals and developing a platform of dialogue and engagement with related ministries of the Federal Government of Somalia and parliamentary committees.
- The civil society clusters and dialogue platforms serve for members of civil society, including minorities and marginalized groups to identify and share their priorities with the Federal Government and to jointly develop strategies on how to implement them.

Results and impact	- **REPRESENTATION**:
	  ○ *HCT:* the Marginalized Communities Advocacy Network is a member of the HCT since Q4 2022. It was decided that this membership is rotational, providing other minority rights organizations with the opportunity to be part of the HCT.
	
	  ○ *Disability Inclusion Working Group*: The NDA and six OPDs are members of the working group, who jointly with the Protection and CCCM Clusters, will support disability inclusion across the humanitarian response, sensitive to needs and priorities.
	
	  ○ *Minority Rights & Inclusion Working Group:* In January 2023, the ICCG endorsed the activation of the Minority Rights & Inclusion Working Group, to support sector-specific measures to ensure the inclusion of minority and marginalized groups throughout the humanitarian response. The first roundtable discussion was finalized in February 2023, while its ToRs are currently in development.
	
	  ○ *CSO Cluster on humanitarian response and development:* provides a platform among several CSOs to advocate with the Government and identify concrete actions for the implementation of the recommendations.
	
	- **PARTICIPATION**: The decision by the protection actors in Somalia to include and create the space for marginalized groups to have their voices amplified or contributions included through the HCT and the PC structure (e.g. working groups referred above) is a crucial element and shapes the response mechanism in the long-term to effectively respond to the identified needs.
	
	The UPR Task Force and members of the eight clusters leverage their respective platforms to engage with government institutions to support the development of concrete strategies for the implementation of the UPR recommendations.
	
	- **LEADERSHIP**: The structural response to include minority and marginalized groups in the HCT and PC structure enables the protection actors to adapt the programmatic needs in an effective manner as the requirements for the response mechanism to identify beneficiaries can be shaped and amended to include groups which otherwise would have been left out or difficult to reach. The involvement of the NDA, the government agency in charge of promoting and advocating for the rights of persons with disabilities, also contributes to creating awareness and local accountability.
	Separately, the UPR cluster Task Force and the eight CSO clusters offer fora to develop a common understanding of the needs and priorities of the communities and advocate with government authorities.
	
	- **PARTNERSHIP:** Both frameworks, i.e. the HCT and PC on the one hand and the UPR CSO cluster on the other hand, inherently foster and create a meaningful partnership between concerned communities, government authorities and protection actors by first, ensuring participation at the highest level, second creating the space for the concerns and needs to be shared and third adapting the system to respond to the specific needs.
	
	- **CAPACITY STRENGTHENING**: OHCHR regularly organizes capacity building events for members of the CSO clusters and UPR Task Force during which advocacy strategies and

	how to develop priorities with government authorities are provided. Similarly, by participating and providing information and inputs to the policy and response needs in the HCT and PC structure the participating members strengthen advocacy skills and shape the response to their communities' needs.
	● **RESOURCING:** OHCHR utilizes its most senior levels, i.e., the country representative, for high-level advocacy, in addition to three staff members working approximately 10 per cent of their time to support the establishment of the structures (e.g., UPR CSO cluster) and support to the PC to develop its mechanisms (working groups).
Sustainability	● The strategy is sustainable as it is at no cost and uses existing resources to support the adaptation of the existing HCT and PC working groups on hand and to strengthen platforms for CSOs to engage on the human rights obligations of the government through the UPR CSO forum.
	● The strategy for the humanitarian sphere builds on priority objectives identified by the HCT CoP. The new working groups under the PC and the inclusion of an MRO representative in the HCT allows protection-oriented analysis to be developed and mainstreamed in humanitarian clusters and ensures the voices of minorities and marginalized groups is amplified in decision-making processes for humanitarian response.
	● The strategy related to the UPR Task Force and CSO clusters coalesces existing initiatives by different CSOs who follow-up on the implementation of the UPR recommendations. By bringing CSOs with different expertise, areas of operation and interest, the UPR Task Force and CSO Clusters ensure broad participation, create synergies, and increase resources to follow up, and advocate with local authorities.
Replicability and upscaling	● The HCT and the humanitarian cluster system are part of the response framework in countries dealing with serious crises like drought, conflict or both. As the analysis and structural changes presented in this document draw from or are promoted in various standard UN and humanitarian programming frameworks, including the HNO, HRP and CCA, the strategy can be replicated and where resources allow, upscaled easily in other countries.
	● The strategy also relied on recommendations of UN human rights mechanisms and a rights-based approach to humanitarian needs analysis, mentorship, and capacity building to support the civil society to advocate for their own rights and needs, as well as building partnerships based on comparative advantages. This approach which sustains the UPR CSO Cluster is also replicable as it aligns with the existing UPR process.
Key learning	The key lessons learned stem from the humanitarian response to the drought in 2011. Exclusion of minorities and marginalized groups from humanitarian assistance was identified as a critical concern. Since its presence in Somalia, OHCHR has leveraged its capacity building, monitoring and reporting, and technical assistance mandate as well as its presence at the national level and subnational level to enhance the visibility for and participation of minorities and marginalized groups in decision-making processes that affect them.
	The development of the HCT CoP created the opportunity to work closely with the PC to strengthen consideration for protection and inclusion in the humanitarian response. This led to increased consideration for those issues in policy documents and helped to adapt response mechanisms in the existing system to the specific needs and concerns share by minorities and marginalized communities. This approach contributed to maintaining the spotlight on marginalized groups and minorities in the humanitarian response and creating the space for those stakeholders to directly participate in the assessment and response to their needs.
Related resources	● https://unsom.unmissions.org/sites/default/files/shattering_the_foundation_of_peace_security_and_human_rights_0.pdf
	● https://unsom.unmissions.org/sites/default/files/voices_unheard_english_final_0.pdf

- Somalia Humanitarian Response Plan 2023 | Humanitarian Action
- Minority Mapping for 9 affected regions
- Disability Data Collection and Needs Assessment Surveys (National Disability Agency)
- 2023 Mapping of specialized services available to persons with disabilities in Somalia (Somali Disability Empowerment Network)
- Marginalized Communities Advocacy Network (MCAN) Organization (mcadvoc.org)

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