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Description automatically generated**SECURITY COUNCIL INFORMAL EXPERT GROUP ON**

**WOMEN, PEACE AND SECURITY**

**Summary of the meeting on** **the situation in Somalia,**

**held on 13 May 2024**

On 13 May 2024, the Informal Expert Group on Women, Peace and Security (IEG) convened a meeting on the situation in Somalia. The members were briefed by the Special Representative of the Secretary-General for Somalia and Head of United Nations Assistance Mission in Somalia (UNSOM), Ms. Catriona Laing, accompanied by Deputy Special Representative of the Secretary-General, Mr. Raisedon Zenenga, colleagues from UNSOM and the United Nations Country Team. The meeting concluded with an overview of key recommendations provided by UN Women and additional observations on conflict-related sexual violence shared by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

**Questions from Council Members:**

Members of the Security Council asked questions about the proposed transition from UNSOM to the United Nations Country Team (UNCT) and its impact on women, peace and security agenda in the country, including the capacity of the UNCT to take over some of the mission’s tasks. Several members raised questions about the implementation of Somalia’s first National Action Plan on Women, Peace and Security, gaps in its implementation, and the support the United Nations provides for the implementation, including capacity-building activities. There were also multiple questions about women’s access to justice: how the judicial system deals with sexual and gender-based violence cases, women’s access to and participation in the judicial system, gaps and challenges in the Offences of Rape and Indecency Bill in relation to International Human Rights Law, and opportunities to have the Offences of Rape and Indecency Bill and other Bills revised in the Committee Stage. Security Council Members also asked questions about the situation of women in areas controlled by Al-Shabaab, the underreporting of conflict-related sexual violence (CRSV), including in areas controlled by Al-Shabaab and recently recovered areas, and what they could do to improve the reporting of CRSV cases. Finally, some members raised questions about the likelihood of the ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), the role of women in the constitutional review process, the United Nations’ engagement with Somalia’s security-related line ministries, and women participation in shaping the follow-on mission from the African Union.

**Main points raised in the meeting:**

**Overview of the current situation in Somalia:**

* Somalia is going through a number of complex transitions as it has moved from a country mired in conflict, humanitarian crisis, terrorism, and piracy to a country that addresses its domestic statebuilding challenges and is actively engaged within the region and in the world. The Government is determined to change the narrative and showcase the progress made in tackling these challenges.
* Some of the Government’s current priorities include: 1) providing security and campaigning against Al-Shabaab, including coming up with a comprehensive stabilization package when an area is recovered and putting women at the heart of the peace and security efforts, 2) completing the Constitution, which was drafted twelve years ago, and 3) moving towards one person, one vote elections which would provide an opportunity for women and youth to engage in the electoral processes.
* On 5 May 2024, the Government of Somalia sent a letter to the President of the Security Council, in which the Government requested the termination of the United Nations Mission in Somalia (UNSOM) mandate in October 2024. A few days later, the letter was complemented by another letter noting that the Government hopes to engage with stakeholders in preparation for the transition process “within the appropriate timeline”. The United Nations will engage with the Federal Government in the coming weeks to discuss the way forward for the future UN support in Somalia.
* The African Union Transition Mission in Somalia (ATMIS) planned exit date remains 31 December 2024. ATMIS will be followed by a new African Union force, whose mandate will hopefully have an emphasis on human rights issues, including gender issues.
* In line with Somalia’s National Action Plan on women, peace and security, adopted in September 2022, the United Nations in Somalia have recently agreed on a United Nations Women, Peace and Security strategy, with five priorities for 2024-2026. These include: 1) the achievement of a minimum 30 percent quota for women in all public institutions; 2) capacity-building and technical support to allow Somali women parliamentarians to effectively participate in Parliament; 3) support to increase Somali women’s representation in conflict resolution, including in stabilization efforts; 4) strengthening of the legal framework for protecting women and girls in Somalia; and 5) increased progress towards the eradication of female genital mutilation in Somalia.

**Women’s political participation and the minimum 30 percent quota:**

* Somalia’s 2021-2022 national electoral process concluded in May 2022. The federal elections saw a decline in women’s parliamentary representation, despite the enormous advocacy efforts from many fronts to attain the 30 percent quota for women. Women currently represent 21 percent of the total number of women in both Houses of the Parliament. Ms. Sadia Yasin Haji Samatar was elected as the First Deputy Speaker of the House of the People, becoming the first woman Deputy Speaker in the history of Somalia. In addition, women Members of Parliament secured leadership positions as Chairs of the Upper House, House of the People and Federal Member States’ Caucuses, as well as Chairs, Deputy Chairs and members of Committees and Whips.
* Despite the domestic and international advocacy efforts, the 30 percent quota was not enshrined in the revised text of the first four chapters of the Constitution approved in March 2024. Now, the quota needs to be translated into three parliamentary laws: Election Law, Political Parties Law, and the law to establish the Electoral Management Body. The United Nations continues to provide technical and advocacy support in the process.
* During the 2021-2022 elections, the United Nations supported the establishment of a Women’s Call Center, which served as a one-stop-shop supporting women candidates who were subject to insecurity, including online.
* The United Nations facilitates networking and peer-to-peer support for women Members of Parliament. In 2023, the United Nations established a Somali Women Members of Parliament/UN Leadership Forum, which comprises Somali women representatives from the different Houses of the Parliament, committees, caucuses and the Whips, as well as representatives of the United Nations (UNDP, UNFPA, UNSOM and UN Women). The Forum adopted five strategic areas of priority which are 1) constitutional review process; 2) gender-related priority legislation; 3) strategic engagements with the National Consultative Council; 4) early action to implement the 30 per cent quota for women; and 5) capacity-building for female MPs. The United Nations has supported the study visits of the women’s parliamentary caucuses of both Houses to Rwanda, and provides training to women and men parliamentarians on legislative processes and Temporary Special Measures to enhance their capacity to advocate for women’s rights. In the future, the United Nations will provide mentoring and capacity-building for young women to become candidates in various elections.
* Somali women Members of Parliament and civil society organizations have called for direct support for networking and for women-led civil society organizations, asking to be the direct beneficiaries of the support.
* The United Nations has supported the establishment of 17 women networks across Somalia and have undertaken capacity development on transformational leadership skills, early warning systems for detection and prevention of conflict and sexual violence.

**Women’s protection in law and policy and women’s access to justice:**

* The protection framework for women and girls in Somalia remains weak. Somalia has yet to ratify the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).
* Several proposed amendments in the recent constitutional review process raised significant concerns. There were suggestions to reduce the age of majority to 15, which would have had serious human rights consequences, including legalization of child marriage and child solders. There were also proposals of keeping some forms of female genital mutilation (FGM) legalized. The President of Somalia recognized the importance of compliance with international standards and a decision was made to delay the voting around the amendments on the age of majority and the banning of FGM. Despite the progress achieved, according to the revised Constitution as approved by the Federal Parliament, it remains impossible for a woman to pass on her citizenship to her child.
* The current draft of the Offences of Rape and Indecency Bill contains articles that do not comply with Somalia’s human rights obligations. The draft law does not define rape in line with international standards in that it does not have the element of consent and contains vague definitions of ‘indecency’ crimes, making it challenging for individuals to know what conduct is prohibited and allowing multiple interpretations of enforcement depending on by whom and where the law is enforced. It also provides the death penalty as a potential punishment for the crime of adultery. Along with providing technical assistance to the Ministry of Justice, the United Nations has provided recommendations for the Bill to ensure that the Government of Somalia complies with its international human rights law commitments and continues its advocacy work.
* Impunity for sexual violence crimes continues. Somalia lacks capacity to fully investigate and prosecute perpetrators of these crimes. The representation of women in the judiciary continues to be minimal, with two women out of 294 judges, and most cases are processed through the informal justice system. The United Nations continues to support the Somalia Police Force’s Women and Child Protection Units, to increase its capacity to investigate these crimes, but more financial resources are needed.
* The United Nations Joint Justice and Corrections Programme continues its work to enhance women’s access to justice, including through alternative dispute resolutions mechanisms, such as non-violent communications and generative dialogues that provide women’s groups a means to articulate their needs with the elders and formal justice institutions. The Somalia Government has actively participated in the process and recognized the lack of women’s access to justice.

**Conflict-related sexual violence:**

* Conflict-related sexual violence (CRSV) continues to be an enormous challenge in Somalia. The situation is exacerbated by the Government’s campaign against Al-Shabaab and the humanitarian crisis, which are causing internal displacement and putting women and girls at a higher risk of CRSV.
* The situation of Somalia has been covered in the Report of the Secretary General on Conflict-Related Sexual Violence since 2009 with listings of parties since 2010. The vast majority of CRSV cases are committed by unidentified armed perpetrators, Al Shabaab, clan militia and community defense forces, but the Somali National Army and Police, the Hirshabelle police, Puntland forces, Jubbaland police and the Liyu Police are also implicated. Somali Government has shown commitment and political will to address violations.
* There is significant underreporting of CRSV cases in Somalia due to difficulties in accessing areas controlled by Al-Shabaab, the stigma associated with sexual violence crimes, prevailing insecurity, clan protection for alleged perpetrators, and fear of retaliation. To enhance reporting, the United Nations has built a strong civil society network of traditional and non-traditional partners to cast the net as wide as possible to attain information while recognizing the sensitivity of the subject and the need to ensure that no one is put at risk.
* With over a decade of focus on CRSV in Somalia, rape offenses continued to be carried out with impunity. There is an urgent need to ensure accountability and end impunity for CRSV.
* There is an urgent need for an implementation plan for the 2013 Joint Communiqué of the Republic of the Federal Republic of Somalia and the United Nations on addressing Sexual Violence.
* The United Nations’ interventions that have been made in cooperation with the Government are yielding positive results: verification of age policy that is now in place is working, capacity-building with ministries and military commanders has been effective, and in terms of offences committed by Somali National Forces and other parts of security, the trend in long term is going down.
* There is a vast gap between the need for sexual and gender-based violence (SGBV) response and referral services and what is available for the survivors of SGBV. 3.2 million people are estimated to be in need of GBV response services in 2024, while only a fraction of the referral mechanisms are operational.
* On 30 April 2024, UNSOM and OHCHR issued a report entitled “[Tackling Sexual Violence in Somalia: Prevention and Protection](https://www.ohchr.org/en/documents/country-reports/tackling-sexual-violence-somalia-prevention-and-protection).” The report provides fact-based analysis of progress and obstacles in the prevention and response to CRSV, including under-reporting of the cases, fear of reprisal, and impunity and inability to identify and hold the perpetrators accountable.

**National Action Plan on Women, Peace and Security and women’s participation in peacebuilding:**

* The Government of Somalia adopted its first, costed National Action Plan on Women, Peace and Security on 5 September 2022 with the support of the UN Women and the Government of Sweden. Through the Joint Programme on Women, Peace and Protection, funded by the Peacebuilding Fund and the Somalia Joint Fund, the United Nations has also supported five Federal Member States to develop their Local Action Plans on Women, Peace and Security, which are currently being implemented, established seventeen Women’s Networks across Somalia, and provided capacity-building activities for the networks, women parliamentarians and government officials on transformational leadership skills, early warning systems for detection and prevention of conflict and conflict-related sexual violence, and promotion of the WPS agenda in Somalia. Additional resources are needed for the implementation of the National and Local Action Plans.
* On March 4th 2024, women-led civil society organizations and women leaders, with support from UN Women, launched the Somalia chapter of the African Women Leaders Network, which promotes women’s participation in leadership and advocacy for conflict prevention and resolution. The inaugural launch was attended by the First Lady, Government ministries, and representatives of regional organizations.
* As part of the joint UNSOM-UNDP State-building and Reconciliation Support Program, the United Nations continues to train women to act as peacemakers and will be directing support for women’s community engagement in newly recovered areas. In coming weeks UNSOM’s new Director of Stabilization will meet with women leaders to seek their insight and feedback on how to improve the United Nations efforts in this area.

**Recommendations:[[1]](#footnote-1)**

In upcoming decisions on Somalia, the Security Council should retain existing language on WPS, with special attention to OP 6 and OP 11 of resolution 2705 (2023). In addition, the Security Council could:

* Reiterate the importance of the implementation of the minimum 30 percent quota for women in elections, including in local elections.
* Urge the Federal Government of Somalia to ensure that the Offences of Rape and Indecency Bill adheres to Somalia’s international human rights obligations and stress the importance of adopting pending legislation to protect women and girls and end harmful practices, in line with international and regional human rights standards.
* Demand women’s meaningful participation in and engagement with decision-making processes in Somalia, including membership in the National Consultative Council, the Federal Parliament, the Independent Constitutional Review Commission, and the Oversight Committee, as well as in the Federal Member States.
* Stress the importance of a gender-responsive transition process and ATMIS drawdown and request the African Union and the UN to engage meaningfully with women’s civil society organizations across the country on all aspects of the transition, ensure that comprehensive gender analysis and technical gender expertise are included throughout the process, and monitor the impact on women and girls, in line with OP 6 of resolution 2594.
* Urge the authorities at federal and state level to provide a safe environment for women’s civil society organizations to work freely and protect them from threats and reprisals and request the UN to take measures to continue to report and respond to reprisals against women in public life.
* Encourage the Federal Government of Somalia to ratify CEDAW and the Maputo Protocol.
* Call on the FGS to fulfill its commitments on gender mainstreaming in the security sector and justice institutions, including developing and implementing gender strategies and increasing women’s participation and role in both sectors.
* Urge the Federal Government to expedite the implementation of and allocate budgetary resources for the 2022 national action plan on WPS, which incorporates priorities set out in the 2013 joint communiqué on addressing sexual violence in conflict, and for State-level authorities to do the same for local action plans.
* Call on the authorities and international partners to scale up protection and assistance to women and girls displaced by the ongoing humanitarian crisis, military operations, and climate shocks, including urgently needed sexual and reproductive health and GBV services to address Somali women and girls’ increased risks of exposure to sexual violence, child marriage, FGM and other forms of GBV.
* Call on the authorities to anticipate and address the impacts of counter-terrorism strategies on women’s human rights and women’s organizations and ensure that efforts to prevent violent extremism that can be conducive to terrorism is gender-sensitive, complies with human rights standards, and include women’s rights organizations in both policy development and implementation.
* Call on the Government to continue taking all appropriate actions to implement the recommendations of the UN Committee on the Rights of the Child, including promoting laws enabling women to pass nationality to their children, ensuring appropriate support to victims of sexual violence, and adopting a Federal Bill against FGM.

In addition, Security Council Members could request the sanctions committee on Al-Shabaab to hold a dedicated meeting on gender-based crimes and review the inclusion of gender analysis and information in the reports of the Panel of Experts and the consideration of these issues in the listings of the committee.

1. These recommendations are prepared by UN Women as the secretariat of the Informal Expert Group, in consultation with other UN entities, including the Office of the SRSG on Sexual Violence in Conflict. [↑](#footnote-ref-1)