

## SOMALILAND INTERNAL DISPLACEMENT POLICY



REPUBLIC OF SOMALILAND

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## **FOREWORD**

***(By the Ministry of Resettlement, Rehabilitation and Reconstruction)***

The Ministry of Resettlement, Reconstruction and Rehabilitation (MRR&R) is charged with the responsibility of responding to the needs and ensuring rights of Internally Displaced Persons (IDPs), Refugees and Returnees in Somaliland.

Somaliland has been facing over the years enormous challenges including drawn-out civil war, draughts and overflows of migrants just to name a few.

The Ministry, in collaboration with civil society, will continue to lead and advocate for the IDPs, Refugees and Returnees so that all government institutions and their policies will have lasting, positive and constructive outcomes on the lives of these vulnerable communities. The Ministry will particularly take into account age, gender and disability issues whenever possible. This will also reflect on the annual budget of the Ministry.

The IDP Policy was prepared by the Ministry in collaboration with other partners both local and international, including agencies of the United Nations. This IDP Policy Framework lays out policies, procedures, practices and standards to which all stakeholders have committed in serving IDPs. The purpose of the policy is to guide the Ministry in allocating resources for the empowerment of IDPs, safeguard their legal rights, define roles and responsibilities of all stakeholders, and to provide and coordinate much needed services to IDPs communities, in Somaliland.

This policy links this Ministry with other government Ministries and state agencies that either have jurisdictions over or provide public services to IDPs. Similarly, in the policy framework, IDPs mainstreaming has been given much emphasis to ensure that all government institutions, local and international entities as well as the private sector join forces for the elimination of all forms of abuse, mistreatment, discrimination and violence against IDPs in Somaliland. Additionally, the IDP Policy Framework outlines programmatic delivery mechanism, strategies and priorities of specific tasks designed to remove barriers of social mobility and economic development to the IDPs and apparent attentions were given to children, women, elders and the disable. The policy also puts an emphasis on collaboration at all levels. This is both an indication of and commitment to good governance. The Ministry intends to commit all its six directorates to collaborate with all relevant institutions to ensure the successful implementation of this policy.

This policy is designed to promote and advocate for the safety and the welfare of the IDPs in Somaliland within the framework of the International Conventions and the Somaliland Constitution. The Government of Somaliland is committed to providing support and resources to the Ministry to successfully carry out its mandate. The Minister is very grateful to the UN agencies, international and local organizations for their instrumental contributions in the development of this policy.

**Ali Saed Raygal**

**Minister of Resettlement, Reconstruction and Rehabilitation.**

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## **ABBREVIATIONS**

|                  |                                                             |
|------------------|-------------------------------------------------------------|
| <b>ACRWC</b>     | African Charter on the Rights and Welfare of the Child      |
| <b>AIDS</b>      | Acquired Immune Deficiency Syndrome                         |
| <b>CFS</b>       | Child Friendly Spaces                                       |
| <b>CHH</b>       | Child Headed Household                                      |
| <b>CSO</b>       | Civil Society Organization                                  |
| <b>DRR</b>       | Disaster Risk Reduction                                     |
| <b>FGM</b>       | Female Genital Mutilation                                   |
| <b>FHH</b>       | Family Headed Household                                     |
| <b>GP</b>        | Guiding Principles on Internal Displacement                 |
| <b>HIV</b>       | Human Immunodeficiency Virus                                |
| <b>IDP</b>       | Internally Displaced Person                                 |
| <b>MRR&amp;R</b> | Ministry of Resettlement, Rehabilitation and Reconstruction |
| <b>NGO</b>       | Non-Governmental Organization                               |
| <b>SGBV</b>      | Sexual and Gender Based Violence                            |
| <b>UASC</b>      | Unaccompanied or Separated Child                            |
| <b>UN</b>        | United Nations                                              |
| <b>UNCRC</b>     | United Nations Convention on the Rights of the Child        |

## 1. VISION AND OBJECTIVES

### 1.1 Overall objective, purpose and vision of the policy framework

The Government of Somaliland (hereinafter Government) commits itself to this Policy Framework on Internal Displacement to secure a predictable, systematic, coordinated and principled approach to displacement and a common guidance, improving living conditions and asserting the rights of the internally displaced persons (hereinafter IDPs), and creating conditions conducive to durable solutions.<sup>1</sup>

This Policy Framework draws from applicable rules of international law and is based on the UN Guiding Principles on Internal Displacement. It will enable the Government and its partners to be prepared to deal with displacement and to protect and support IDPs. The Policy Framework is further governed by national laws including the Constitution of Somaliland (hereinafter the Constitution), Shari'a law, Customary Law and other applicable policies.

#### The Policy Framework aims:

1. To re-affirm the *responsibility* of the government towards IDPs and other displacement- affected communities;
2. To provide *guiding principles and strategies* for the assistance and protection of IDPs and to establish a clear framework for coordination, planning, management, evaluation and monitoring of the response to internal displacement;
3. To clarify *notions, definitions and key concepts* of IDP protection in order to ensure a common understanding by all stakeholders;
4. To provide guidance on how to ensure protection and prevention from displacement and put in place *mitigation and contingency measures* for effective emergency preparedness and response;
5. To *minimize* the effects of internal displacement by providing an enabling environment for upholding the *rights and entitlements* of IDPs during all phases of displacement;
6. To find and create conditions conducive to achieving *durable solutions* for IDPs

### 1.2 Guiding Principles

The guiding principles for implementation of this policy framework include

1. **Non-discrimination:** Assistance and protection shall be accessible to and for all IDPs without discrimination. The Government shall protect the rights of all persons affected by displacement at all stages of the displacement without making any discrimination on the basis of age, gender, health status, social background, clan, religious or political affiliation, or any other status. Acknowledging specific vulnerabilities of marginalized groups including children at risk, women at risk, persons with disabilities and medical conditions and older persons at risk among others.
2. **Do no harm:** All actors shall adhere to the principle of "do no harm" when discharging their mandate. Understanding that action, as well as inaction, can have unintended negative consequences. All actors must ensure that all actions and interventions (or lack thereof) do not adversely affect individuals and their communities, our partners or colleagues, or expose them to harm. The principle of confidentiality shall be respected at all times.
3. **Participation:** All displacement affected persons – girls, boys, women and men – shall be given an equal opportunity to participate in decision-making processes on issues that affect them without discrimination.

<sup>1</sup> The Policy has been developed through a transparent, participatory and consultative process, with the following key stakeholders playing a role: relevant government ministries and departments; representatives of internally displaced communities; civil society organizations; humanitarian and development actors including local and international NGOs and the UN and the donor community.

4. **Impartiality, humanity, independence, neutrality:** Humanitarian principles of humanity, impartiality, independence and neutrality shall be adhered to by all actors. All actors shall be sensitive to the suffering of IDPs and treat them with respect, dignity and according to codes of conduct.

All actors shall be guided by and adhere to these principles as laid out in international law, standards, guiding and humanitarian principles.

### 1.3 Rights of IDPs in Somaliland

IDPs, as citizens and residents of Somaliland, are entitled to all rights accorded to all citizens/residents by the Constitution and other applicable laws and policies. The Government shall take affirmative action, where required, to ensure that IDPs enjoy their rights in equality with non-displaced citizens. Ensure that vulnerable groups including women and children are equipped with knowledge about their rights and are able to engage in decision making processes.

This policy framework does not bestow IDPs with any legal or administrative status as they are citizens or habitual residents of Somaliland.

### 1.4 Scope of this policy framework

The policy framework recognizes that internal displacement can occur due to different causes, can be short or long-term, comprised of a single or multiple events, protracted or newly emerging and may occur in rural and urban areas.

The policy framework applies to all IDPs within Somaliland, and addresses, amongst others, the following issues: (1) **Prevention and Protection from Displacement;** (2) **Assistance and Protection;** (3) **Durable Solutions.** Child Protection mechanisms are mainstreamed throughout this policy framework.

## 2. IDENTIFICATION AND PROFILING OF INTERNALLY DISPLACED PERSONS

### 2.1 Definition of internally displaced persons

The term "Internally Displaced Persons (IDPs)" in this Policy refers to persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of, or in order to avoid, the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, including drought, and who have not crossed an internationally recognized state border.

The definition includes those who have been displaced over competition for resources such as land or livestock, pastoralists, who have lost access to their traditional nomadic living space through loss of livestock, loss of access to grazing and water points or markets.

### 2.2 Notion of other displacement-affected communities

For the purpose of this policy framework, other displacement-affected communities are communities, which are affected by the presence of IDPs. Thus, the needs of other displacement-affected communities shall be duly considered, in particular in urban areas and areas where IDPs find a solution.

### 2.3 Principles to identify and profile internally displaced persons

For the purpose of the implementation of the policy framework, the Government has the authority in collaboration with its partners to carry out identification of all IDPs by collecting data and information from all locations within Somaliland on cause and date of displacement, needs and vulnerabilities.

Registration, data collection or profiling of IDPs shall only be conducted if linked to a particular purpose, such as the delivery of assistance and for their protection. This policy framework does not provide for general registration of IDPs.

Common features of displaced populations in Somaliland:

- Uprooted nature of community due to the displacement i.e. disruption of clan protection, loss of access to livelihood and material household assets.
- Prevalence of split households with some members residing permanently or temporary in the place of origin or in other IDP settlements
- Express need for a durable solution or intention to return
- Ability to access services, assistance and markets
- Seasonal travel to rural areas for planting and harvesting season or to maintain security of tenure of land.
- Forced movement to place of refuge

### **3. ROLES, RESPONSIBILITIES and COORDINATION**

#### **3.1 Observance of the policy framework**

The policy framework shall be binding on Government authorities and stakeholders of different sectors including the private sector and then on-state armed actors or similar groups. Stakeholders include local and international non-governmental organizations, civil society, public and private sector institutions, displacement - affected communities, and United Nations agencies. The roles and responsibilities of the different stakeholders are clearly outlined below to ensure effective coordination, accountability and delivery of services.<sup>2</sup>

#### **3.2 The role of the Somaliland Government**

The Government shall have the primary duty and responsibility over all matters related to internal displacement as outlined in this policy framework stating the policy direction on internal displacement. It shall carry out this obligation and responsibility within this framework in accordance with the Constitution, other laws, policies and human rights standards, most notably the UN Guiding Principles on Internal Displacement.

##### **3.2.1 The Ministry of Resettlement, Rehabilitation and Re-integration**

The **Ministry of Resettlement, Rehabilitation and Re-integration (MRR&R)** is the lead government agency responsible for coordinating assistance and protection to the internally displaced and other displacement affected communities<sup>3</sup>. MRR&R provides capacity and strategic leadership to oversee the coordinated implementation process, of this policy framework.

The MRR&R cooperates with and coordinates stakeholders in the delivery of services for the care, protection and assistance of IDPs and other displacement-affected persons.

##### **3.2.2 The role and responsibility of other Ministries**

This policy framework recognizes the roles of line Ministries with sectoral responsibilities towards IDPs, in particular the Ministry of Justice (MoJ), the Ministry of Labor and Social Affairs (MoLSA), the Ministry of Education (MoE), the Ministry of Health (MoH), National Environmental Research and Disaster Preparedness Authority (NERAD), the Ministry of Interior (MoI) and others relevant institutions as applicable. They ensure that IDP related prevention and response activities are incorporated and mainstreamed into their action plans and policies.

<sup>2</sup> A breakdown on all roles and responsibilities is found in the appendix

<sup>3</sup> In accordance with Decree No: RSL/VP/AUNA/29 - 0011756/0106 dated January 8, 2006, the Ministry of Resettlement, Rehabilitation and Reconstruction (MRR&R) has overall responsibility on all matters pertaining to refugees, returnees, and internally displaced people.

### 3.2.3 The role of Governors and Municipal/District Mayors

The policy framework recognizes the important roles of Governors and Municipal/District Mayors in the emergency response, relocation and solution processes. Governors and Municipal/District Mayors shall therefore closely collaborate with the MRR&R to coordinate all activities in the field level e.g. through thematic field level working groups and field level planning and implementation.

## 3.3 The Role of the international community and civil society

The Government recognizes the important role played by humanitarian, development and civil society organizations in assisting and protecting IDPs and commits itself under this policy framework to create an enabling environment for the international community and civil society to discharge their respective mandates. The international community and civil society will support the implementation of this policy framework in close collaboration with the MRR&R and working groups and with other relevant ministries and agencies.

### 3.3.1 The Role of IDP Committees

The MRR&R shall facilitate the setting up of thematic IDP Committee at the local level who will work closely with the Protection Cluster. Sub committees include Child Protection Committee and SGBV Committee. Membership to the committees shall include internally displaced communities and hosting communities, with a special focus on youth and women representation. The IDP committees will support coordination and implementation at the community level and according to specific themes.

### 3.3.2 The Role of the Cluster Lead

There shall be Working Groups (including Child Protection, SGBV, IDP) under the Protection Cluster. The working groups will be comprised of representatives from state and non-state actors with expertise in different thematic areas. Protection issues are mainstreamed within all cluster working groups.

All clusters to which mainstreaming occurs:

- Nutrition
- Food security
- WASH (Water, Sanitation and Hygiene)
- Shelter and Non Food Items
- Health
- Education Cluster

The Inter-Cluster Working Group shall coordinate all cluster working groups and is the decision making body for all clusters.

## 4. PREVENTION, PREPAREDNESS AND MITIGATION

### 4.1 Preventative measures

The Government shall take all possible measures to prevent new and secondary displacement and protect IDPs from arbitrary displacement. In assuming its primary responsibility, the Government commits to:

- Establish a *monitoring and early warning* mechanism for authorities and communities to prepare for and take precautions to prevent a disaster. This mechanism considers the need for broad outreach and ensures that the information reaches communities, including addressing illiteracy, impaired hearing and reading ability, and remoteness of some locations;
- Promoting issues such as awareness of natural hazards, *climate change adaptation* and resilience building as preventative mechanisms that lower the impact of droughts;
- Increase *localized reconciliation*, through inter-communal and clan dialogues. For this purpose, the Government supports the establishment of local peace committees;

- Increase the *knowledge and application of the rules* of human rights and international humanitarian law through compulsory training of police and military forces and any other personnel engaged in law enforcement and sanction any violation of these rules;
- Increase the *resilience of the population to shocks*, in particular of farmers and pastoralists with livelihood-dependency in drought-prone areas, including by introduction of alternative drought-resistant crops, small-scale irrigation schemes, destocking sensitization, provision of accessible veterinary services, drought-reserved grazing areas and protected water points, access to local and regional livestock markets for destocking, trade of animals and its products;
- *Reduce disasters risks* and respective vulnerabilities of communities and abstaining from deforestation and other forms of environmental destruction and sensitizing communities in this regard;
- Take all measures to protect the right to regain access to the *traditional nomadic living spaces*.
- *Undertake urban planning*, including in particular in case of relocation of populations;

All Government authorities at all levels as well as other national and international actors working on IDP matters shall respect and ensure respect for their obligation under international law, including human rights and humanitarian law, in all circumstances so as to prevent and avoid conditions that might lead to displacement of persons.

#### **4.2 Preparedness and Mitigation Measures**

The Government shall take all necessary measures to alleviate the effects of displacement and reduce suffering among IDPs and other displacement-affected communities in accordance with the provisions of this policy framework.

The following measures are taken:

- Allocate adequate *resources* to address preparedness.
- Create *awareness* on the importance of preparedness.
- Develop a *monitoring and early warning system* in areas at risk and advising on precautionary measures;
- Enhance the *capacity* of stakeholders to handle emergencies, including supporting the Development of an Emergency Response Plan as well as public information and outreach campaigns
- Ensure adequate *supplies* of timely delivery of both food and non-food items, emergency medical supplies to affected populations. Prepare areas of refuge through pre-positioning of shelter material and other humanitarian goods ensuring the immediate survival;
- Ensure mapping potential flight and assistance corridors and ensure safety by deploying police forces to protect fleeing civilians, in particular women and children from any form of violence against them;
- Establish a *focal point* comprising state and non-state actors to coordinate activities at all levels.
- *Prevent* conditions that cause internal displacement of populations and put in place cross-sectoral *contingency* planning based on regularly updated conflict and disaster risk analysis.
- *Prevent family separation* in case of internal displacement.
- Prepare for joint rapid needs assessments using one standardized assessment tool;
- Pre-selection of sites safe for settlement, including safety from armed violence, intrusion, violence and fire outbreaks within the site, natural calamities and secondary displacement and evictions, and ensuring access to police stations in the vicinity of sites;
- *Up-scaling* of services in areas of refuge, in particular urban areas taking into consideration the needs of other displacement-affected communities especially low-income urban host community should also be considered for assistance to the extent possible in order to avoid internal conflict among host and IDP communities and further displacement.

#### **4.3 Protection from arbitrary displacement**

The Government recognizes the right of everyone to be protected against arbitrary displacement and prohibits arbitrary displacement which is in violation of the Constitution and international law:

- In situations of natural disasters, internal displacement is arbitrary, unless the safety and health of the affected require their evacuation;
- In situations that require the relocation of people, such relocation is arbitrary unless justified by compelling and overriding public interests with adequate information sharing and support.
- In times of armed conflict, internal displacement is arbitrary unless the security of civilians or imperative military reasons demand the displacement;
- Internal displacement is always arbitrary when it is used as collective punishment or in cases that amount to a crime under international law.

The Government shall adhere to the conditions and process for lawful evacuations and relocations as set out in this policy framework and protect IDPs from relocation by gatekeepers and other private entities.

The Government shall endeavor to protect communities with special attachment to, and dependency on, land due to their particular culture and spiritual values from being displaced from such lands, except for compelling and overriding public interests.

If displacement is necessary to protect security, public order or public health, such displacement has to be carried out according to a clear and sustainable *relocation plan* which will be shared in advance with all affected through full information sharing on the reasons and procedures for the relocation, effective legal remedies and compensation. In this case, affected IDPs shall be included in the identification of safe and secure settlement sights and in the planning and management and implementation of their relocation. The Government has the responsibility to minimize adverse effects of such internal displacement.

#### Standards for relocations of IDPs

The following standards apply to relocations of IDPs and must be met by any relocation plan:

- Relocations are only authorized by relevant Government authorities and carried out in accordance with applicable law;
- Relocations are to be justified by compelling and overriding public interests in each specific case in order to be lawful;
- Where relocations are legitimate and justified by overriding public interests, such relocation serves either to improve the living standards of IDPs pending a durable solutions or as a durable solution in itself.
- Relocations are only conducted when no feasible alternative exists;
- No relocation is carried out that render IDPs homeless or otherwise more vulnerable.

#### Process for relocation of IDPs

The following process applies to relocations of IDPs:

- Relocations are only conducted based on a *governmental relocation plan* that was developed through a *participatory approach* and includes mitigation measures against emerging risks. The relocation plan is publicly announced and communicated in advance to those affected by the relocation.
- IDPs receive *all information* relevant to them in the planning stage and during the relocation process to enable them to make their own decisions and contribute to a smooth relocation process;
- Relocations are conducted after the *free and informed consent* of the affected persons is sought to ensure sustainability of relocations. This may include *go and see visits* (by IDPs/their representatives) to envisaged relocation sites in order to seek their informed consent to facilitate the relocation process;
- Relocations are carried out in a manner that respects the safety, dignity and rights of the people and considers the special needs of women, children, the disabled, the elderly, chronically ill and other persons that are more impacted by the relocation;
- Relocations are only carried out to safe, adequate and habitable sites where satisfactory conditions of safety, shelter, nutrition, health and hygiene exist and where the affected people have access to education and livelihoods to facilitate the resumption of a normal life;

- The family unity is preserved during the relocation process and measures taken to ensure that children are not separated from their parents or caretaker;
- Relocations are only carried out to land that provides IDPs with protection against *evictions* by Government authorities or private actors. Relocated IDPs should receive title deeds. The provision of *permanent land* is of great importance. IDPs shall not be relocated in isolated and remote settlements.
- Relocations are only carried out in the presence of Government officials and monitored by NGOs and the UN;
- IDPs affected by relocation processes have access to free legal aid and to an effective remedy, and where applicable receive adequate compensation for loss suffered;
- Relocation kits will be provided to IDPs, based on needs assessments.

#### 4.4 Evictions

##### 4.4.1 Conditions for lawful evictions

The following conditions for lawful evictions shall apply:

- Evictions occur in exceptional circumstances only and are resorted to where no feasible alternatives exist. In this case, availability of suitable relocation land for IDPs shall be put in place prior to the eviction process and land/ownership/title deeds shall also be taken into account.
- Such exceptional circumstances may consist in the legitimate need to reclaim public land and buildings occupied by IDPs or in the rightful need to restore the land rights of legitimate private land owners or saving lives of displaced persons due to eminent threat.
- In such exceptional circumstances, evictions may be lawful if
  - i. authorized by law;
  - ii. carried out in accordance with the Constitution and applicable international human rights law reflected in these guidelines;
  - iii. undertaken only for legitimate purposes that can be justified by compelling and overriding public interests in the particular case; and
  - iv. conducted as a measure of last resort.

Evictions are always subject to the following safeguard:

- i. Evictions should not render individuals homeless or vulnerable to the violation of other human rights.
- ii. Appropriate measures should be taken to ensure that adequate alternative shelter is made available to those unable to provide for themselves including women, children, the disabled and the elderly.

##### 4.4.2 Procedure for evictions

Prior to an eviction, the following procedure applies:

- IDPs and others at risk of forced evictions are informed and consulted prior to the eviction process and throughout it. The specific needs and perspectives of women, children, the disabled or elderly are taken into account.
- Adequate and reasonable notice of eviction is given to all affected persons:
  - i. *A formal eviction notice is issued in writing at least 60 days prior to the eviction date;*
  - ii. *The notice is issued during day time;*
  - iii. *It is ensured that all members of the community to be evicted are informed about the eviction notice by Government authorities. Communities at risk of eviction must not be informed by gatekeepers;*
- There is one standardized official format used as eviction notice and issued by one designated Government authority to minimize misuse. In case of doubt, eviction notices are subjected to public verification.

- IDPs and others at risk of eviction have the right to have the lawfulness of the eviction reviewed. Eviction notices are suspended until the lawfulness of the decision is determined by the relevant Government authority.
- Timely information to confirm the date of eviction and the applicable procedure is given and decided in close consultation with the community.

During an eviction, the following procedures apply:

- Government authorities are present during the eviction and all persons carrying out the eviction are properly identified prior to the event.
- Evictions shall not be carried out in a manner that violates the dignity and human rights to life and security of those affected.
- Evictions do not take place in bad weather, during night time or during holidays.
- Police officers and other law enforcement official present during the evictions do not use force during evictions and protect communities from the use of force by militias.
- It is prohibited to destroy or demolish habitations as a means of force.
- Persons carrying out the evictions consider that among the communities are persons with mobility restrictions and disabilities.

After any eviction:

- Those affected by the evictions have the right to an effective remedy and legal aid to seek redress.

## **5. ASSISTANCE AND PROTECTION RESPONSE MECHANISMS DURING DISPLACEMENT**

The Government accepts its primary responsibility to assist and protect IDPs during displacement in accordance with this policy framework and recognizes the right of humanitarian organizations and other relevant actors to offer their services in support of internally displaced communities. The Government shall protect humanitarian and other personnel providing assistance and protection to IDPs as well as their transport and supplies or stocks.

The Government shall facilitate community based protection mechanisms. The Government shall also ensure that vulnerable groups are identified in a timely manner and live in an environment that offers protection and that does not condone attitudes and traditions that promote child abuse and exploitation.

IDPs have a right to assistance and protection to ensure their well-being *without discrimination* to reconstruct their lives by building resilience especially with regard to *vulnerable IDPs* to prevent further slide into extreme poverty and exclusion.

### **5.1 Shelter and adequate standard of living**

The Government recognizes and respects the right to basic shelter for IDPs and will in collaboration with humanitarian organizations ensure:

- Allocation of *permanent land* for construction of shelter that meets the physical and primary social needs of displaced communities.
- *Assessment* of the level of damage to shelter in areas of potential and actual return, resettlement and local integration.
- Ensure that proper *lighting* is accessible to prevent human rights violations such as SGBV.
- *Involvement* of IDPs in development of shelter construction programs.
- Priority support for the most *vulnerable* groups including child headed households, female headed households, the elderly, persons with disability and those with medical conditions in shelter construction.
- Establish child friendly spaces within communities to provide children with psycho-social support;

- Provision of assistance for *reconstruction* and rehabilitation of damaged housing for IDPs and other persons in the community when conditions become conducive.
- Provision of *shelter* assistance to IDPs who choose to seek a durable solution by settling in other parts of Somaliland as opposed to their original homes.
- Use of locally available and appropriate *material* for construction of shelter.

## 5.2 Water and Sanitation

The Government through the Ministry of Water shall ensure access to clean drinking water at all stages of displacement. Stakeholders will be encouraged to collaborate with government to enhance provision of water and sanitation services in displaced persons camps and surrounding host communities.

In fulfillment of this the government shall do the following:

- Create *awareness* on the responsibility of displacement-affected communities to observe proper hygiene practices in order to reduce disease incidences.
- Ensure adequate means of managing solid *waste*.
- Ensure provision of *adequate clean water* to meet drinking, cooking and hygiene needs.
- In collaboration with other stakeholders ensure *water* points are at the safe distance.
- Supply of clean drinking water and storage containers.

## 5.3 Food and Nutrition

The Government through the Ministry of Agriculture and in collaboration with stakeholders shall address the widespread household food insecurity that has caused high malnutrition levels among children, pregnant women, the elderly and other vulnerable groups in Somaliland including persons affected by displacement.

Action taken will include but will not be limited to:

- Enhancing *literacy* and skills training to boost food production, nutrition intake and proper food storage;
- Ensure that children's basic nutritional and developmental needs are being adequately and effectively provided for all children
- Identifying *causes* of *food insecurity* and putting in place appropriate safety nets;
- Implementing *school feeding programs* to encourage pupil retention and reduce child malnutrition; and
- Improving the *nutritional status* of vulnerable persons, especially women and children by advocating for increased food and nutrient intake;
- In collaboration with other stakeholders ensure the provision of *feeding-program* for acute and shivery mal-nourished children;
- Involving communities in development of *early warning and response systems* to ensure adequate food;
- Involving *women* in food and nutrition programs for nutrition uptake at house hold level;
- Priority in *food aid and nutrition interventions* to children, pregnant and lactating mothers, the elderly, persons with disability and those with serious medical conditions;
- Protection, *promotion* and support for optimal breastfeeding and complimentary feeding practices during infancy and early childhood
- Providing *food aid, agricultural inputs* (tools, planting seeds and pesticides) for relief and recovery during resettlement of displaced populations.
- Providing *food-for-work*, training and assets to enhance household food security;

## 5.4 Freedom of movement and choice of residence

The Government respects and protects the right to freedom of movement and choice of residence for IDP women, girls, boys and men in accordance with the Constitution, international human rights and humanitarian law standards and shall allow IDPs to:

- Be *protected* against forced return to or settlement in any place where their life, safety, security, liberty and/or health would be at risk.

- *Leave* the country;
- Move *freely* in and out of IDP settlements;
- Seek *asylum* in another country; and
- Seek *safety* in another part of the country;

### 5.5 Health

The Government respects and protects the right to health and access to medical care of IDP women, girls, boys and men in accordance with the Constitution, international human rights and humanitarian law standards and shall ensure, as a minimum, access for IDPs to basic health facilities; and any special attention to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as to appropriate counseling for survivors of gender-based violence.

The government recognizes the right of all IDPs to access health and health care services and will, through the Ministry of Health collaborate with stakeholders to:

- Develop and disseminate *information*, education and communication (IEC) material on health;
- Enhance the *capacity* of health care workers working among IDP and host communities;
- Ensure access to basic *HIV/AIDS prevention*, treatment and care services;
- Ensure adequate *funding* to address health needs of displaced populations at all stages of the displacement;
- Ensure girls and women have access to *sanitary* wear to enhance hygiene and health, self-esteem and encourage retention of girls in school;
- Improve the *lighting* system in IDP camps to reduce incidences of violence including sexual and gender based violence;
- Ensure service providers and duty bearers including health workers are equipped with skills to handle child protection issues;
- Integrate crucial *health services including maternal and reproductive health care*; child health care services including immunization; mental health care and management; counseling; and psycho-social services into primary health services for IDPs and displacement-affected communities;
- Make health care more accessible by rolling out *mobile health services*;
- Prevent spread of *communicable* diseases in displaced persons camps.

Overcrowding and poor sanitation facilities in IDP camps are a major cause of disease transmission. The government through the Ministry of Health shall put in place measures to *prevent* spread of diseases such as malnutrition, acute respiratory infections, diarrhea and malaria by:

- Construction and *rehabilitation* of water systems including bore holes.
- Establishment of water and sanitation *committees* to enhance community participation in water and waste management.
- Making reduction of child and maternal *mortality rates* a priority.
- Promotion of *hand washing* and culturally appropriate practices to boost hygiene in educational facilities and in communities.
- Provision of adequate facilities for *sanitation* and proper disposal of *waste*.
- Provision of *hygiene kits* to enhance health.

### 5.6 Education

The Government recognizes the right to receive education in accordance with the Constitution, international human rights and humanitarian law standards and shall ensure IDP girls and boys equal access to free education or provide education on at least as favorable basis as for members of the host community; and abolish administrative obstacles that may unreasonably, and in a discriminatory manner, limit access to education for IDP girls and boys.

- Enhancing the *capacity* of professionals including health workers, lawyers and social workers to handle sexual and gender based violence cases.
- Ensuring IDPs and survivors of violence have access to *health* services including reproductive health, counseling, psycho-social and legal support and access to justice without discrimination and ensure respect and protection of the right to life, dignity, liberty and security of all IDPs without *discrimination*
- Ensuring that at the outset of emergencies efforts are made to *prevent* and respond to sexual and gender based violence through provision of care, support and treatment for victims and survivors.
- Ensure service providers and duty bearers including social workers, families and communities are equipped with skills to handle child protection issues;
- Installing the necessary infrastructure in IDP settlements including *lighting* and *water* points in several strategic points and put in place adequate *safeguards* to ensure girls and women have physical and personal security when carrying out *domestic duties* including fetching water, firewood or when using bathing and toilet facilities and by providing alternatives to wood fuel;
- Providing *protection (prevention and response)* against sexual and gender-based violence and establishing mechanisms of support, including referral to health mechanisms, access to mental health care, simplified police reporting procedures for victims of rape and other forms of gender-based violence and access to legal aid if applicable.

The Government acknowledges that women affected by displacement in Somaliland face challenges associated with:

- Access to justice resulting from lack of reporting such cases for fear of revenge from the perpetrator or clan members.
- risk of sexual and gender based violence while undertaking domestic chores such as collecting firewood and water, which remain traditional roles for women even during displacement; and
- their low status and social isolation due to prevailing social cultural norms and attitudes;

#### 5.10 Family tracing and family life

The Government recognizes and reaffirms the right to respect the family life of IDPs and recognizes the importance of preserving and protection of family unity.

The Government through the Ministry of Labor and Social Affairs, other line ministries, stakeholders including the police, local and international NGOs and aid agencies shall collaborate and put in place the following measures to facilitate tracing of internally displaced persons:

- Allocation of adequate *resources*.
- An organized system for *tracing*, locating and re-uniting separated family members including using community and traditional communication methods.
- Establishment of an updated *data base* with the relevant information.
- *Involvement* of stakeholders including IDPs and displacement affected communities.

#### Alternative Care for Children

The Government shall take action to ensure the rights of internally displaced children to remain with or be reunited with their families. The Government shall also provide appropriate alternative care options to children where needed as per the UNCRC, and the United Nations Guidelines on the Alternative Care.

Alternative care for children will seek to:

- Respond to the care and protection needs of vulnerable children, families and communities in an integrated manner;
- Prevent and respond to family separation;
- Prioritize re-unification and family tracing for separated and unaccompanied children
- Promote local responsibility to ensure long term stable placements for children who cannot be re-united;

- Ensure allocation of sufficient resources to meet the basic needs of children and their caregivers;
- Ensure institutions offering care placements meet agreed minimum standards in regard to registration and monitoring and expanding already existing alternative care arrangements when necessary
- Ensure an assessment of the child's physical, emotional, intellectual and social needs is carried out before placement;
- Ensure that unaccompanied children, those living in child headed households and other children in need of care and protection are not discriminated during service delivery; and

#### **5.11 Legal, documentation, safety and security**

The Government shall ensure establishment and supervision of response mechanisms on legal protection issues<sup>4</sup>. This will be done in collaboration with stakeholders including members of the Cluster Working Groups in order to facilitate equal access to free legal aid and representation for victims, alleged perpetrators and survivors of abuse and gender based violence among IDP communities. Special attention will be given to vulnerable groups.

##### The Government will support legal access:

- Effective *coordination* of activities among service providers in the justice system;
- Ensure the *rule of law* prevails in critical areas so that victims of rights violations have access to appropriate services including legal assistance;
- Ensuring that agencies offering protection services have the *necessary capacity* to address and refer cases as appropriate and to establish protection systems to address protection incidents that occur;
- Establishment of *community-based mechanisms* to work with protection agencies to address protection issues;
- Access to issuance or replacement of personal documentation;
- Prompt and thorough *investigation* of all security related incidents;
- Protection of IDPs from *discriminatory arrests and detention* as a result of their displacement;
- *Referral mechanisms* of legal services need to be set up to address protection issues and to raise awareness to the IDP communities about the existence of services and procedures in Somali language so that IDPS including children are aware of existing services and how to access them.

##### The Government will ensure safety and security of settlements areas by

- Deploying trained *police forces and security personnel*;
- Ensure service providers and duty bearers including police are equipped with skills to handle child protection issues;
- Ensure that under no circumstance shall displaced children be *recruited* nor be required or permitted to take part in hostilities or recruited into any armed forces or groups as result of their displacement.
- Provide all *child victims/survivors* with adequate, appropriate and timely services, care and protection without any discrimination
- Ensuring *access* to police station;
- Ensuring an adequate degree of security of tenure, including by provision of temporary title deeds, to protect and mitigate against forced evictions;
- Ensuring *safety* from flooding and other natural calamities;
- Establishing *community policing* in settlements;
- Installation of appropriate *lighting* in the IDP settlement through use of solar power or other sources;
- Preventing that IDPs are taken advantage of and ensuring that no rent is extorted from displaced communities by *gatekeepers*;
- Setting up *lockable shelter*, in particular for female or child-headed households;
- Setting up separate *sanitation* facilities for men and women;

<sup>4</sup> Somaliland has a plural legal system which consists of common, civil, customary and sharia law.

The government shall ensure, through collaboration with stakeholders:

- Additional teaching staff is posted to schools to cope with the extra numbers of children.
- Children are not discriminated on the basis of clan, gender, social class or any other status.
- Construction of more sanitation facilities in schools.
- Economically and socially marginalized adults and children access education to improve their lives.
- Education is free or subsidized and accessible to internally displacement-affected children.
- Establishment of non-formal and vocational education centers for youth and adults.
- IDP communities participate in education committees.
- Increase teachers' knowledge and practice of positive discipline and end immediately all corporal punishment and other cruel or degrading punishment. Teachers are equipped with skills to address psycho-social needs of traumatized pupils.
- Ensure service providers and duty bearers including teachers are equipped with skills to handle child protection issues;
- Integration of children into local schools.
- Introducing vocational and life skills training especially for skills transfer where relevant as well as youth education programs.
- Promotion of child friendly schools
- Link unaccompanied, separated and without parental care children with the appropriate social services and family based care.
- Obstacles that hinder children from accessing education such as lack of learning material, uniform, or appropriate documentation from previous schools or their age, distance and security are addressed and abolished.
- School curriculum incorporates peace building and reconciliation; disaster risk reduction; environmental conservation; HIV and AIDS; and human rights to increase knowledge and understanding of displacement.
- Together with other stakeholders set up and use referral system so that children who are out of school can quickly receive the support required to access school
- Vulnerable groups such as girls and children with disabilities are given priority.
- Ensuring women have access to education including vocational education/life skills.

### 5.7 Livelihoods and access to employment

The Government respects and protects economic rights of all IDP women and men in accordance with the Constitution, international human rights and humanitarian law standards and shall recognize the right to work and the right to social protection; and take specific measures to protect IDPs against discrimination in the labor market and support the IDPs and help them earning their living; develop their skills to participate in development, settlement and peace-building activities. IDPs have the right to work and to access livelihoods and the Government must facilitate IDPs to be included in the productive cycle.

The government recognizes that like other pastoral communities, IDP communities face challenges including loss of grazing land; loss of livestock due to drought, disease and conflict; and poor economic policies resulting in low returns from sale of livestock. The government is aware that internally displaced women are particularly vulnerable.

The government in collaboration with other stakeholders will ensure sustainable livelihoods for IDPs and displacement-affected communities by:

- Addressing root causes of loss of livelihoods including conflict.
- Building and enhancing the capacity of displacement-affected communities through training on disaster risk reduction.
- Establish livelihood and economic support for adolescents who are out of school; heading households; pregnant and child mothers; and
- Establishment of social protection/welfare and safety nets for IDPs

- Conducting *studies* on the effect of internal displacement on livelihoods, to address the effect of conflict and other humanitarian crisis on loss of livelihoods among communities affected by displacement as well as market analysis to inform policy making.
- Establishing *credit schemes* based on Islamic law to enhance livelihoods.
- IDP women and men shall be included in *skills training and economic support*. Support IDPs to access *vocational and life skills* training, especially young persons affected by conflict or any other emergencies to equip them with skills to enable them to earn a livelihood and keep them away from criminal activities as well as to make them less vulnerable to trafficking, abuse and exploitation.
- Introducing and facilitating *livelihood* opportunities to reduce risks of a *dependency syndrome*. Where available livelihoods bear risks and expose IDPs to violence, protection for livelihood schemes should be considered. Setting up programs for *women* for livelihood support to reduce exposure to violence.
- Involving *women* in conflict resolution and distribution of relief aid.
- Mainstreaming *child protection* and *gender* in all livelihoods projects.
- Providing livelihood support through *cash and food for work* initiatives.
- Strengthening *livelihoods* through reviving livestock markets, introduction of arid land farming methods, improving access to markets, and construction of appropriate storage systems for harvests.

The government in collaboration with stakeholders shall assist IDPs and displacement-affected communities with re-stocking as part of livelihood support in addition to:

- Assisting *pastoralists* adjust to the changing climatic conditions and identifying alternative means of livelihoods during prolonged periods of drought; and
- Conserving the *environment* as part of disaster preparedness and prevention;
- Constructing new *water* points and repairing old ones;
- Enhancing the *capacity* of pastoralist communities in: improved quality of care for livestock for better health; better management of grazing land; and co-existence with host communities to avoid conflict over grazing land;
- Identifying and strengthening *markets* for livestock and livestock products;

## 5.8 Child Protection

The Government shall take all measures to ensure that children affected by displacement are accorded the right to their special protection as enshrined in the Constitution and other applicable national international laws and policies. Child protection systems shall be strengthened including institutional capacity and monitoring to ensure child protection during internal displacement. Any action taken regarding children shall be guided by the four general principles contained in the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child namely:

- The Best Interests of the Child;
- Non-discrimination;
- Child Participation and
- Survival and Development.

## 5.9 SGBV and gender

The Government shall take measures for preventing and responding to gender based violence and shall, in collaboration with stakeholders take actions through:

- Addressing *causes* of sexual and gender based violence.
- *Documenting* all cases of sexual and gender based violence towards women, men, boys and girls to enable effective interventions.
- *Educating* and empower communities to report cases of sexual and gender based violence.
- *Empowering* women to seek *justice* for gender-specific violence and participate in matters affecting them.

- Setting up *special safety measures* for unaccompanied and separated children, child headed households, female headed households, and other vulnerable categories as defined.

### **5.12 Land, property and possession**

The Government respects and protects the right of IDPs to own land, to have possessions and other property and shall ensure that no one is arbitrarily deprived of property and possessions.

IDPs shall enjoy the right:

- to *own property* including land, homes, businesses, and livestock;
- *not to be deprived* of these property unless in accordance with the law;
- to have any property left behind *protected* by the government;
- to be assisted by the government to *reclaim* any lost property as part of restitution;
- to have *documents* lost during displacement replaced;
- to be *allocated* land and shelter;
- to have a *property registration system* to process property claims and resolve property disputes; and
- to access *traditional* dispute resolution mechanisms.

The Government shall ensure that IDPs have access to land through provision of governmental land and agreements with private land owners where IDPs can stay temporarily as long as displacement lasts.

### **5.13 Protracted displacement – improving living conditions**

The Government commits to gradually upgrade living conditions of internally displaced and other displacement-affected communities in situations of protracted displacement and pending a durable solution in order to avoid a manifestation of a dependency syndrome and chronic poverty.

Pending a durable solution, Somaliland government authorities and other actors take the following measures to upgrade living conditions and counter chronic impoverishment of IDPs:

- Expanding and *upgrading existing services*, in particular education and health facilities, to increase local absorption and integration capacities and ensure equal access by IDPs without discrimination;
- *Upgrading shelter*, housing, water, sanitation and other infrastructure in areas inhabited by IDPs to ensure their safety, health and dignity;
- Including IDP settlements in *urban planning* and upgrading to avoid the proliferation of slum areas in urban centers;
- Providing for *access* to land, shelter and housing
- Implementing *livelihood* support programs and vocational skills training
- Protecting against the *forced* or induced return, relocation or eviction to unsafe areas or any place where the life, safety, liberty or health of IDPs would be at risk.

## **6. FINDING AND ESTABLISHING DURABLE SOLUTIONS**

A durable solution is achieved when IDPs no longer have any specific assistance and protection needs which are linked to their displacement and are able to enjoy their rights without discrimination. Achievement of durable solutions is a gradual, long term process and requires collaboration between government and other stakeholders, especially *development organizations*, in order to develop a long-term plan to promote durable solutions of IDPs, as well as socio-economic development of host communities. All actors shall ensure that the displacement does not last longer than required by the circumstances.

All prevention, preparedness, mitigation, assistance and protection response mechanisms shall be planned and implemented with a view to durable solutions.

The Government and all stakeholders:

- a. Take the necessary measures to create conditions conducive to achieving durable solutions to internal displacement in order to ensure that displacement does not last longer than required by the circumstances;
- b. Recognize that a durable solution may be achieved through (1) return and reintegration, (2) settlement and integration elsewhere in Somaliland, (3) local integration in the place IDPs settle.
- c. Respect the right of internally displaced persons to make a voluntary and informed decision about their future, including the right to return, to settle elsewhere in Somaliland or locally integrate.
- d. Provide relevant and accurate information to internally displaced persons and communities on the situation in their home areas and facilitate free go and see visits to inform their voluntary decision to return.
- e. Abstains from directly or indirectly compelling, undertaking, promoting, or encouraging return or relocation to areas where the life, safety, liberty or health of IDPs would be at risk.
- f. Recognize that a durable solution is achieved when internally displaced persons no longer have specific needs for assistance and protection that are linked to their displacement and enjoy their constitutional and human rights as all other Somali citizens.
- g. Acknowledge that finding durable solutions is a gradual process during which IDPs' needs diminish while they are able to re-establish their own lives and (re-)integrate. In particular, this requires the recovery and establishment of sustainable livelihoods.
- h. Recognize that the process of finding a durable solution requires coordinated and concerted efforts of human rights, humanitarian, development, and peace-building actors.

The Government and all stakeholders apply the following conditions to achieve a durable solution for IDPs:

- a. Long-term safety and security while in transit to areas of return and in areas of return, local integration and resettlement.
- b. Reconstruction of shelter, housing and basic services in return, local integration or resettlement areas to ensure an adequate standard of living, including access to adequate water, food, shelter and housing, health, sanitation and education.
- c. Restoration of and access to land, housing and property
- d. Re-establishment of livelihoods or introduction of alternative livelihood options in areas of return, local integration or resettlement and inclusion in social welfare schemes
- e. In addition and where applicable the following four conditions for a sustainable durable solution may apply:
  - i. Access to issuance or replacement of personal documentation as part of a country-wide birth registration or documentation campaign;
  - ii. Voluntary reunification of separated families;
  - iii. Participation in public affairs on equal footing with resident communities to counter marginalization and ensure social cohesion;
  - iv. Access to effective remedies and access to justice for violations related to the former displacement and access to reparations where applicable.

## **6.1 Forms of solutions**

Durable solutions may be achieved through voluntary return, local integration in the areas of displacement and settlement elsewhere.

### **6.1.1 Supporting Durable Solutions**

In accordance with this policy framework, the Government and relevant stakeholders, support IDPs in pursuing their durable solution. Support is provided based on the following:

- a. IDPs are able to express their free and informed intent to return, locally integrate or resettle to another part of the country;

#### **6.1.4 Voluntary and Sustainable Resettlement in another part of the country**

Resettlement and integration elsewhere within the country, including through permanent resettlement, is supported with the same support package listed under 6.1.2 (voluntary return) and under the same conditions listed in 6.1.1.d or 6.1.1e.

The key elements recognized by the Government and stakeholders for both sustainable local integration and sustainable resettlement are: secure and long term land tenure, access to basic service and access to sustainable and durable livelihoods which may include specific programs of skill transfer to empower IDPs to rely on livelihoods linked to the areas of resettlement.

The Government authorities and other actors support and enable the solutions process of IDPs. Durable solutions are closely monitored, evaluated and supported in order to verify the conditions, report on protection risks, militate against risks and prevent new displacement.

## **7. IMPLEMENTATION OF THE POLICY**

### **7.1 Primary Responsibility**

- a. The primary responsibility to implement this policy framework lies with the *Government*.
- b. The *MRR&R's* bears this primary responsibility within the Government for the implementation of this policy framework in coordination with other relevant Ministries.
- c. The *international community* and civil society support and complement the Somaliland government authorities in this endeavor in accordance with their respective mandates and responsibilities.

The government recognizes that implementation of this Policy is a process that will be achieved progressively through the following measures.

### **7.2 Somaliland Action Plans and Policies**

This implementation of this policy framework and funding thereof is facilitated through several action plans developed by the MRR&R in close collaboration with other actors of this policy framework, within 6 months of adoption of this policy framework. Also, sectoral policies, such as the health policy or the gender policy, will contribute to the implementation.

#### **7.2.1 Somaliland Action Plan**

The strategic plan for implementation provides an *overview* of all measures that are required for this policy's implementation including priorities relating to sector, phase, type and location of intervention and measures taken to implement this framework as well as limitations and a funding strategy.

#### **7.2.2 Relocation action plan**

The relocation plan sets out the standards and process for the lawful relocation of IDPs based on a governmental relocation plan developed through a participatory approach. This plan sets out authorization and justification to prove its lawfulness and adherence to standards, the funding strategy, Somaliland government authority responsible for and in charge of relocation, process and timeline of relocation, information about the relocation site and risk mitigation measures as well as information on how to request a review of the plan and to implement the measures in partnership with other actors.

#### **7.2.3 Solutions action plan**

The area based solutions action plan should be devised by a solutions task team led by the MRR&R in collaboration with other actors relevant to support durable solutions. It should be enable all forms of solutions pursued by IDPs based on a profiling of the population. It should be developed based on a profiling and holistic assessment of the situation in areas of solutions, containing an assessment as to the feasibility of

solutions as well as recommendations for assistance, protection, rehabilitation, reconstruction needs and support packages in the area. The area based solutions action plan also contains risk mitigation measures and measures to ensure sustainability of solutions, including on monitoring and evaluation and is complemented by a funding strategy. Area-based solution action plans distinguish between situations where conditions are conducive for durable solutions (safety/security/freedom of movement, physical integrity and health are not at risk, survival can be ensured through access to basic services and livelihoods) and situations which are not conducive. In situations that are not conducive, returns must not be encouraged, promoted or induced.

### **7.3 Somaliland development plans and program inclusion**

- The Government commits to include displacement specific elements in development plans, poverty alleviation initiatives, urban planning processes and other relevant developmental plans and programs.
- The Government commits to bring areas affected by internal displacement and areas of return up to the development average, including through affirmative action where appropriate;
- Somaliland encourages and commits to *advocate* with other actors to include IDPs and returning refugees in area-based recovery and development plans, programs and activities.
- *Somaliland Vision 2030* is a blue print aimed at formulating a road map for long term development goals. Through this Vision, Somaliland aims at achieving economic prosperity and social wellbeing for its people, building on the success in establishing peace, stability, and democratic institutions. The Vision is anchored on five key pillars namely: Economic Development; Infra-structure Development; Governance and Rule of Law; Social Development; and Environmental Protection. The principles contained in the pillars are to be applied in the design and implementation of national programs and projects including those dealing with internal displacement and related issues.

### **7.4 Capacity and Funding Strategy**

The Somaliland action plan for implementation and other action plans include funding requirements and a funding strategy for resource allocation. Direct budget allocations are prioritized and provided to the MRR&R for the implementation of this policy framework who then undertakes to propose to the international community the funding strategy. An IDP Fund shall be established in collaboration with the Ministry of Finance to receive funding in addition to the governmental budget allocation to implement the strategic action plans.

### **7.5 Monitoring, evaluation and oversight committee**

All stakeholders are accountable to persons affected by displacement and host communities and are guided by integrity and inclusivity.

The implementation of this policy is monitored by an *oversight committee*, composed of the MRR&R and key line ministries, the United Nations, IDP Working Groups, NGOs as well as IDP communities and community committees. The MRR&R reports annually on the progress made in the implementation of this policy framework. The reports shall be made publicly available. Based on progress reports, the MRR&R undertakes to revise funding requirements and proposes them to the international community.

The oversight committee will ensure that the following functions are carried out:

- Development of a *strategic implementation and monitoring Plan* including needs and existing resources, critical issues and priorities as well as roles and responsibilities of stakeholders.
- Development of *simplified and child friendly versions* of this Policy in Somali;
- Dissemination of this Policy at *district and local levels* through awareness raising in order to improve knowledge and capacity on internal displacement and the provisions of this Policy;
- Establishment of *structures at all levels* for effective coordination, implementation and monitoring;

- Building the *capacity* of stakeholders and policy makers including government officers and parliamentarians;
- Involvement and *participation* of displacement - affected persons including marginalized groups in the implementation and monitoring in order to measure the impact of interventions as well as gaps and challenges and the effectiveness of services through participatory ways.
- Regular *research* to inform on effective implementation strategies;
- Establishment of *feedback mechanisms* as well as systems to ensure dialogue and enhance transparency and accountability.
- Development of a *process to enact a law* addressing prevention, protection and provision of assistance to internally displaced persons and affected communities and give effect to regional and international human rights standards on internal displacement and related issues that the Government ascribes to.
- *Allocation and mobilization of resources* and oversee the establishment of an IDP government Fund with contributions from government budgetary allocation, development partners, UN agencies, the private sector, and individuals.

## 8. ANNEX

### 8.1 Glossary of terms

For the purpose of this Policy:

|                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Arbitrary displacement</b>             | Arbitrary displacement means: a) displacement based on policies of apartheid, ethnic cleansing or similar practices aimed at/or resulting in altering the ethnic, religious or racial composition of the affected population; b) in situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand; (c) in cases of large-scale development projects, which are not justified by compelling and overriding public interests; (d) in cases of disasters, unless the safety and health of those affected requires their evacuation; and (e) when it is used as a collective punishment.                        |
| <b>Child</b>                              | A child is defined as "any person under 18 years old" (the United Nations Convention on the Rights of the Child) <sup>6</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Child Protection</b>                   | Measures and structures that prevent and respond to abuse, exploitation, violence and neglect against children.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Child Friendly Space</b>               | Refers to a place meant to provide children with a protected environment in which they can participate in organized activities to play, socialize, learn, and express themselves.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Child Headed Family</b>                | Girls and boys below the age of 18 who are left without any adult to care for them and assume responsibility as heads of households? <sup>7</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Civil Society Organizations (CSOs)</b> | Civil Society Organizations in Somaliland include local and international NGOs, community based organizations, religious organizations, organizations formed by internally displaced persons, the media, human rights organizations and informal groups such as community structures for vulnerable groups. The government recognizes the important role played by CSOs in responding to internal displacement.                                                                                                                                                                                                                                                    |
| <b>Disaster</b>                           | The consequences of events triggered by both sudden-onset and slow-onset of natural hazards such as floods and droughts, which overwhelm local response capacity. Such disasters seriously disrupt the functioning of a community or a society causing widespread human, material, economic or environmental losses, which exceed the ability of the affected community or society. The usage of the term "natural" disaster refers to disasters associated with the impacts of natural hazard events or processes, such as floods and droughts as either triggers or factors contributing to disaster situations to cope by using its own resources. <sup>8</sup> |
| <b>Disaster Risk Reduction</b>            | Refers to activities aimed at minimizing vulnerabilities and disaster risks, to avoid (prevention) or to limit (mitigation and preparedness) the adverse impacts of hazards.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

<sup>6</sup> African Charter on the Rights and Welfare of the Child (1990)

<sup>7</sup> DIPS/DOS, *Regional Standardized Table of Specific Needs*, 10 June 2009

<sup>8</sup> IASC Operational Guidelines on Human Rights and Natural Disasters, *Protecting Persons Affected by Natural Disasters*, 2006; UNISDR definition

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Displacement-affected community</b>             | Refers to those who bear the consequences of internal Displacement. They include internally displaced persons, host communities, communities in return areas and communities in areas where the displaced choose to settle.                                                                                                                                                                                                                                                                                                                                                |
| <b>Durable solution</b>                            | A durable solution refers to a state when IDPs <i>"no longer have any specific assistance and protection needs that are linked to the displacement and can enjoy their human rights without discrimination on account of their displacement."</i> <sup>9</sup> Durable solutions include: return, local integration at the place of displacement or resettlement in another part of the country and reintegration. <sup>10</sup> Somaliland Government authorities shall endeavor to facilitate the reintegration of returned or resettled internally displaced persons.   |
| <b>Eviction</b>                                    | In the context of International Human Rights standards, the term "forced evictions" is defined as the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection. <sup>11</sup>                                                                                                                                                                                                                   |
| <b>Guiding Principles on Internal Displacement</b> | <i>"A series of principles that articulate standards for protection, assistance and solutions for internally displaced persons....They reflect and are consistent with human rights law, humanitarian law and refugee law, and provide guidance to States, other authorities, intergovernmental, and non-governmental organizations faced with issues of internal displacement".</i> <sup>12</sup>                                                                                                                                                                         |
| <b>Humanitarian Assistance (Relief)</b>            | Aid that addresses the immediate needs of individuals affected by crises and is provided mainly by non-governmental and international organizations.                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Internally displaced persons</b>                | IDPs are <i>"persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border"</i> . <sup>13</sup> In the context of Somaliland, IDPs originating from South Central Somalia or other regions within Somalia fall within the scope of the definition. |
| <b>Internal displacement</b>                       | The involuntary or forced movement, evacuation or relocation of persons or groups of persons within internationally recognized state borders.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Mitigation</b>                                  | Measures to reduce the negative effects of internal displacement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Preparedness</b>                                | Measures taken to establish mechanisms to respond to and minimize the negative effects of internal displacement in order to reduce the impact.                                                                                                                                                                                                                                                                                                                                                                                                                             |

<sup>9</sup> Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons, 2010

<sup>10</sup> Handbook for the Protection of Internally Displaced Persons, Global Protection Cluster Working Group, 2007

<sup>11</sup> Office of the High Commissioner for Human Rights (OHCHR), *The right to adequate housing (Art.11.1): forced evictions*. CESCR General Comment 7, 20/05/1997), paragraph 3.

<sup>12</sup> UNHCR, *Master Glossary of Terms*, Department of International Protection, 2005

<sup>13</sup> UN Guiding Principles on Internal Displacement, 1998

|                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy</b>                           | A policy is a statement of basic principles and declared objectives that guide and direct a government and other parties in their actions to pursue the longer term goals it contains.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Profiling</b>                        | "Guidance on Profiling Internally Displaced Persons" defines profiling as the process of identifying internally displaced individuals or groups. This is done through data collection, including counting, and analysis of in order to take action to advocate on their behalf, to protect and assist them and, eventually, to help bring a solution to their displacement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Protection</b>                       | Includes activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of international human rights, humanitarian law and national laws.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Relocation</b>                       | The safe and dignified movement of internally displaced persons undertaken when (1) the security, humanitarian and socio-economic conditions in the current area(s) are at unacceptable levels and there will be an improvement in the new location and (2) if, when return to place of origin remains the end goal, insecurity continues in the area of origin. Essentially, the relocation of IDPs should be kept to a minimum to avoid multiple displacements.                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Returnee</b>                         | IDP returnees return to their homes or places of habitual residence after internal displacement within the country of displacement. An IDP that returns home may continue to need protection and assistance. <sup>14</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Unaccompanied or Separated Child</b> | Person below the age of 18 who is currently not under the care of either parent or other legal or customary primary caregiver. Separated Child: Person below the age of 18 who is separated from both parents and his/her legal or customary primary caregiver, but not necessarily from other relatives. This may, therefore, include boys and girls accompanied by other adult family members. Unaccompanied Child: Person below the age of 18 who has been separated from both parents and other relatives and is not being cared for by an adult who, by law or custom, is responsible for doing so. <sup>15</sup>                                                                                                                                                                                                                                 |
| <b>Vulnerable persons or groups</b>     | Refers to persons or groups of persons, including those affected by displacement who require particular attention on account of the specific needs for protection and assistance they may have compared to others. Persons with specific needs/vulnerable persons are " <i>physically, mentally or socially disadvantaged persons who may be unable to meet their basic needs and may therefore require specific assistance</i> " <sup>16</sup> . They may include children at risk, child headed families, UASC, elderly at risk, women at risk, persons with serious medical conditions, chronic or acute illness or health needs including those with disabilities or persons living with HIV/Aids, survivors of SGBV, members of minority groups, pastoralists and the marginalized, those with legal and physical protection needs, among others. |

<sup>14</sup> Global Protection Cluster Working Group, *Handbook for the Protection of Internally Displaced Persons*, 2007

<sup>15</sup> UNHCR, *Master Glossary of Terms*, Department of International Protection, 2005; DIPS/DOS, *Regional Standardized Table of Specific Needs*, 10 June 2009

<sup>16</sup> UNHCR, *Master Glossary of Terms*, Department of International Protection, 2005

## 8.2 Roles and responsibilities

| Area                                       | Role of the Somaliland Government                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Coordination and Participation</b>      | <ul style="list-style-type: none"> <li>Establish a <i>focal point</i> comprising state and non-state actors to coordinate activities.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Prevention, Response and Monitoring</b> | <ul style="list-style-type: none"> <li>Somaliland shall put measures in place to <i>prevent new and secondary displacement</i> and protect persons from arbitrary displacement, to mitigate its consequences, to provide protection and humanitarian assistance and to identify durable solutions for IDP women, girls, boys and men in an equitable manner.</li> <li>The Government shall acknowledge the right of IDPs to request and receive assistance and protection as well as support in finding a <i>durable solution</i> to their displacement and in creating conditions allowing for adequate durable solutions to their displacement.</li> <li>It shall ensure the <i>development, implementation and monitoring</i> of the policy and recognizes the primary responsibility of Somaliland government authorities to assist and protect all IDPs throughout the displacement cycle. As appropriate such assistance and protection should be extended to other displacement-affected communities.</li> </ul>                             |
| Area                                       | Role of MRR&R                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Coordination and Participation</b>      | <ul style="list-style-type: none"> <li>Acts as <i>focal point</i> and provider of last resort on all matters related to internal displacement.</li> <li>Implements the tasks and measures foreseen in this policy framework <i>in collaboration and coordination</i> with local Somaliland government authorities, other Ministries, civil society and the international community.</li> <li>Coordinates stakeholders in the delivery of services for the care, protection and assistance of displacement-affected persons in accordance with this policy, the Somaliland Constitution, <i>Shari'a</i> Law, existing policies and humanitarian law and standards.</li> <li>Requests the <i>Humanitarian Coordinator</i> of the United Nations to ensure coordinated and integrated planning and programming of humanitarian and development actors guided by the principles contained herein as well as fundraising for respective activities.</li> <li>Plays a <i>supervisory role</i> over all stakeholders and ensure accountability.</li> </ul> |
| <b>Policy Guidance and Laws</b>            | <ul style="list-style-type: none"> <li>Ensures as a matter of priority through coordination with other Ministries that displacement specifics are included in <i>laws, policies, plans and programs</i> of other relevant Ministries as well as create a common understanding and approach to internal displacement and towards durable solutions in Somaliland.</li> <li><i>Advocates</i> with the international humanitarian, development and peace building community to ensure that IDPs are adequately reflected in plans, programs and projects of international organizations.</li> <li>Includes IDPs in relevant Somaliland agendas on <i>stabilization, peace building and social cohesion, economic reconstruction</i> and their integration in development plans and advocate with relevant international organization for the same inclusion.</li> </ul>                                                                                                                                                                                |
| <b>Prevention and Preparedness</b>         | <ul style="list-style-type: none"> <li><i>Fosters peace and understanding between internally displaced persons</i> and host communities and ensures that communities in re-settlement/relocation areas also receive and benefit from long-term interventions.</li> <li>Establish and maintain a <i>contingency planning and emergency response mechanism</i> for displacement situations in coordination with other Ministries with sectoral responsibilities.</li> <li>Establishes and strengthen institutions and build capacity of Somaliland government authorities as necessary.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Response and Durable Solutions</b>      | <ul style="list-style-type: none"> <li>Ensures <i>access to basic needs and services</i> such as food, shelter, education, health services, legal and psychosocial services, documentation, property rights and livelihoods, access to information, among others.</li> <li>Ensures displacement-affected communities including the marginalized have opportunities to <i>participate in decision making</i>.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                   | <p>processes.</p> <ul style="list-style-type: none"> <li>Ensures <i>Minimum Standards</i> for Child protection in humanitarian setting is mainstreamed in all prevention and response programs.</li> <li>Ensures that all displaced <i>children</i>, whatever their age, gender or circumstances is- have access to basic services, security, and prevention from violence and equal access to justice.</li> <li>Ensures that <i>Evictions</i> and relocations are carried out in accordance with the law and with full participation of the displaced community</li> <li>In collaboration with other government ministries ensures availability of <i>permanent land for return, integration or resettlement</i> of internally displaced persons and ensures the creation of a conducive atmosphere to ensure recovery, reconstruction and long term stability.</li> </ul>         |
| <b>Awareness, Data Collection and Information</b> | <ul style="list-style-type: none"> <li>Collect <i>disaggregated</i> data on the condition and number of displacement-affected communities and keeps accurate and up to date on number of persons displaced; ages; gender; social background and health status to enable planning. The government shall ensure that the information is not used as a basis for discrimination.</li> <li>Undertaking a comprehensive <i>assessment</i> of the root causes of displacement.</li> <li>Facilitates the development of simple and <i>child friendly versions of this Policy</i></li> <li>Liaise with the <i>media</i> to disseminate information on internal displacement on a regular basis.</li> <li>Organizes <i>fact finding</i> missions to gather more information on internal displacement</li> <li>Raises awareness on the causes and effects of internal displacement</li> </ul> |
| <b>Monitoring and Evaluation</b>                  | <ul style="list-style-type: none"> <li>Carries out regular monitoring and evaluation of the effectiveness of interventions carried out.</li> <li><i>Monitors the progress of implementation</i> with other Ministries, local Somaliland government authorities, communities themselves, civil society, the United Nations, the donor community and local NGOs.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Resources, donors, budget</b>                  | <ul style="list-style-type: none"> <li>Ensures that government institutions have the <i>resources</i> to carry out their specific mandates. Ensures and prioritizes direct budget allocations for the implementation of this policy framework.</li> <li>Recognizes the important role of bilateral and multi-lateral donors in assisting, protecting and supporting solutions for Somaliland IDPs and requests donors to fund the implementation of action plans under this policy framework, to support other programs and projects to be implemented in line with the principles contained herein, and to allow for flexible funding allocation in the implementation of this policy framework, where humanitarian and development interventions need to be combined.</li> </ul>                                                                                                  |

| Area                                  | Role of other Ministries and Institutions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Coordination and Participation</b> | <ul style="list-style-type: none"> <li>Coordinate with the MRR&amp;R, thematic IDP committees and Working Groups</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Prevention and Response</b>        | <ul style="list-style-type: none"> <li>Ensure that IDP related prevention and response activities are incorporated and mainstreamed into <i>yearly their action plans and policies</i>.</li> <li>Ensure that resources are allocated for IDP prevention and response mechanisms in sector plans</li> <li>Integrate the specific needs of IDPs and other displacement-affected communities into their sectoral plans, programs and projects.</li> <li>Review their sectoral laws and policies to ensure they include IDPs, their particular needs and vulnerabilities, and to adapt them accordingly;</li> </ul> |
| <b>Monitoring and</b>                 | <ul style="list-style-type: none"> <li>Review their planning and programming under sectoral laws and policies to ensure that IDPs are able to access and benefit</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                     |

Evaluation from such programs

| Area                           | Role of Governors and Municipal/District Majors                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Coordination and Participation | <ul style="list-style-type: none"> <li>Coordinate with the MRR&amp;R, thematic IDP committees and Working Groups at the field level</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Prevention and Response        | <ul style="list-style-type: none"> <li>Contingency planning for emergencies involving new displacement;</li> <li>Aligning IDP relocations to district spatial plans</li> <li>Provision of title deeds</li> <li>Support in the availability of basic services such as water, education and health in collaboration with the relevant ministries</li> <li>Help in conflict resolution that may emerge from the relocation/eviction process</li> <li>Undertake site layout planning</li> <li>Relocation and solution planning according</li> <li>Implementation of the eviction guidelines</li> </ul>              |
| Monitoring and Evaluation      | <ul style="list-style-type: none"> <li>Monitoring of the implementation of the IDP Policy Framework at the field level</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Area                           | Role of international community and civil society                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Coordination and Participation | <ul style="list-style-type: none"> <li>Organizations shall closely collaborate and coordinate with the MRR&amp;R, Cluster Working Groups and committees in support of the displaced communities and through their programs and activities</li> </ul>                                                                                                                                                                                                                                                                                                                                                            |
| Prevention and Response        | <ul style="list-style-type: none"> <li>Work in close collaboration with the government to address key issues in emergencies including prevention of displacement; tracing, separation, and re-unification of separated family members; and provision of basic services to IDPS and displacement-affected communities</li> <li>Support the development and implementation of this Policy by providing technical skills, funding and any other assistance to complement government efforts.</li> <li>Strengthening of assistance and protection and supporting of solutions for displaced communities.</li> </ul> |
| Awareness and Information      | <ul style="list-style-type: none"> <li>Creation of awareness on the existence of the Policy</li> <li>Development of simplified and child friendly versions of the Policy</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Monitoring and Evaluation      | <ul style="list-style-type: none"> <li>Collection, documentation and reporting on IDP related information including human rights violations</li> <li>Monitoring implementation of existing laws and policies to ensure compliance with the Somaliland Constitution, laws, regional and international human rights and humanitarian law.</li> </ul>                                                                                                                                                                                                                                                              |
| Area                           | Role of IDP Committees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Coordination and Participation | <ul style="list-style-type: none"> <li>Liaise with the MRR&amp;R and Cluster Working Groups for coordination of activities</li> <li>Ensure the involvement of all stakeholders including the marginalized</li> <li>Work closely with the existing committees</li> </ul>                                                                                                                                                                                                                                                                                                                                         |
| Prevention and Preparedness    | <ul style="list-style-type: none"> <li>Foster peace and cohesion between the internally displaced persons and host communities at the local level</li> <li>Address prevention and reduction of violence over competition for livelihoods and resources</li> <li>Collaborate with other bodies to address prevention</li> <li>Liaise with other bodies to establish specific mechanisms to detect early warning systems and thereby minimize the causes and</li> </ul>                                                                                                                                           |

|                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Response and Durable Solutions</b> | <ul style="list-style-type: none"> <li>effects of displacement</li> <li>Ensure additional protection for <i>vulnerable</i> groups including child headed households, women headed households, those with medical conditions and disabilities and the elderly among others.</li> <li>Identify <i>income generating activities</i> for displacement-affected communities to enhance livelihoods</li> <li>Ensure that all communities get equal opportunities for capacity building</li> <li>Seek durable solutions to displacement.</li> </ul> |
| <b>Awareness and Information</b>      | <ul style="list-style-type: none"> <li>Create <i>awareness</i> on the existence of the Policy</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Monitoring and Evaluation</b>      | <ul style="list-style-type: none"> <li>Monitor the implementation of the strategy at the local level</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                              |

| Area                                       | Role of Cluster Working Group                                                                                                                                                                                                                                                                                                                                                                              | Role of Protection Cluster Working Group and sub groups <sup>17</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Coordination and Participation</b>      | <ul style="list-style-type: none"> <li>To collaborate with other coordination mechanisms</li> <li>To hold regular meetings to address internal displacement related thematic issues.</li> </ul>                                                                                                                                                                                                            | <ul style="list-style-type: none"> <li>Establishment and maintenance of humanitarian coordination mechanism</li> <li>Inclusion of key humanitarian partners</li> <li>Coordination with national and local authorities, State institutions, local civil society and other relevant actors</li> <li>Ensure appropriate links exist with national and local authorities, state institutions, civil society and other relevant actors.</li> </ul>                                                                                                                |
| <b>Policy Guidance and Advocacy</b>        | <ul style="list-style-type: none"> <li>To provide technical expertise in their respective thematic areas.</li> </ul>                                                                                                                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>Ensure that cluster members are aware of relevant policy guidelines, technical standards and relevant international human rights law.</li> <li>Develop a common protection strategy including the identification of gaps, and a predictable action plan.</li> <li>Identify core advocacy concerns including resource requirements and contribute key messages to broader advocacy initiatives of the Humanitarian Coordinator and other actors.</li> <li>Advocate actors to carry out priority activities.</li> </ul> |
| <b>Prevention and Response</b>             | <ul style="list-style-type: none"> <li>Clusters to support the implementation of the policy framework.</li> <li>To address priorities and identify assistance and protection gaps in the thematic cluster specific areas.</li> <li>To ensure achievement of the required impact in relation to the specific cluster area.</li> <li>To strengthen the involvement of institutions at all levels.</li> </ul> | <ul style="list-style-type: none"> <li>Ensure utilization of participatory and community based approaches in protection needs assessment, analysis, planning, monitoring and response.</li> </ul>                                                                                                                                                                                                                                                                                                                                                            |
| <b>Awareness, training and Information</b> | <ul style="list-style-type: none"> <li>To create awareness on and build the capacity of key stakeholders on IDP Policy related matters</li> </ul>                                                                                                                                                                                                                                                          | <ul style="list-style-type: none"> <li>Promote and support training and capacity building needs among humanitarian partners and support efforts to strengthen the capacity</li> </ul>                                                                                                                                                                                                                                                                                                                                                                        |

<sup>17</sup>For sub working groups such as Child Protection, SGBV and IDP, kindly refer to TORs accordingly

|                                  |                                                                                                                                                                                                                                                     |                                                                                                                                                    |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
|                                  | according to thematic areas.                                                                                                                                                                                                                        | of national authorities and civil society.                                                                                                         |
| <b>Monitoring and Evaluation</b> | <ul style="list-style-type: none"> <li>To ensure fulfillment of commonly accepted standards for timely, adequate and effective humanitarian intervention.</li> <li>To monitor the IDP prevention and response according to thematic area</li> </ul> |                                                                                                                                                    |
| <b>Resources</b>                 | <ul style="list-style-type: none"> <li>To ensure resources are used effectively in a coordinated manner.</li> </ul>                                                                                                                                 | <ul style="list-style-type: none"> <li>To ensure resources are mobilized</li> <li>Provision of assistance or services as a last resort.</li> </ul> |

### 8.3 References

- Africa Union Convention for the Protection and Assistance to Internally Displaced Persons in Africa (Kampala Convention).
- African Charter on the Rights and Welfare of the Child (1990)
- Constitution of Somaliland, 2000
- Convention on the Elimination of All Forms of Discrimination against Women, 1979
- DIPS/DOS, Regional Standardized Table of Specific Needs, 10 June 2009
- Geneva Conventions
- Global Protection Cluster Working Group, Handbook for the Protection of Internally Displaced Persons, 2007
- Great Lakes Protocol on the Protection and Assistance to Internally Displaced Persons, 2006
- IASC Operational Guidelines on Human Rights and Natural Disasters, Protecting Persons Affected by Natural Disasters, 2006
- International Conference on the Great Lakes Region (ICGLR)
- International Convention for the Protection of all Persons against Enforced Disappearances, 2006Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons, 2010
- Ministry of Planning, National Development Plan – Somaliland 2012-2016, 2011
- Optional Protocol on the Involvement of Children in Armed Conflict, 2000
- Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, 2000
- Optional Protocol to the CRC on a Communications Procedure (OP3 CRC entered into force in April 2014)
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003
- Protocol on the Property Rights of Returning Persons
- Somaliland vision 2030
- The African Charter on Human and Peoples' Rights, 1986
- The African Charter on the Rights and Welfare of the Child, 1990
- UNHCR, Master Glossary of Terms, Department of International Protection, 2005; DIPS/DOS, Regional Standardized Table of Specific Needs, 10 June 2009
- UNHCR, Master Glossary of Terms, Department of International Protection, 2005
- United Nations Convention on the Rights of the Child, 1989
- United Nations, Somalia, Consolidated Appeal 2013-2015;
- United Nations, UN Guiding Principles on Internal Displacement, 1998