



Security Council

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Letter dated 19 July 2021 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Ireland and Mexico, as Co-Chairs of the Informal Expert Group on Women and Peace and Security of the Security Council and in close cooperation with the United Kingdom, would like to share the summary note of the following meeting of the Informal Expert Group on the situation in Somalia (see annex).

We would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) **Geraldine Byrne Nason**
Permanent Representative of Ireland to the United Nations

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Permanent Representative of the United Kingdom to the United Nations



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Informal Expert Group on Women and Peace and Security of the Security Council

Summary of the meeting on the situation in Somalia held on 30 June 2021

On 30 June 2021, the Informal Expert Group on Women and Peace and Security convened a meeting on the situation in Somalia. The members received a briefing from the Special Representative of the Secretary-General for Somalia and Head of the United Nations Assistance Mission in Somalia (UNSOM), James Swan, and the Special Representative of the Chairperson of the African Union Commission for Somalia and Head of the African Union Mission in Somalia (AMISOM), Francisco Caetano José Madeira, accompanied by colleagues from their teams. The meeting concluded with an overview of key recommendations provided by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and additional observations shared by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

Questions from Security Council members

Members of the Security Council asked questions about lessons learned from the 2016 federal elections and the recent elections in “Somaliland”, women’s representation in the civil service and in the security sector, the work of UNSOM with regard to women’s economic participation, key challenges for a gender-responsive transition plan and recommendations to strengthen language on women and peace and security in the UNSOM mandate. Other questions were focused on the draft sexual offences bill, whether there was accurate reporting of sexual violence cases in Somalia and the intersection between sexual violence and the availability of weapons.

Main points raised in the meeting

- In the 2016–2017 electoral cycle, Somali women achieved 24 per cent representation in both houses of parliament, compared with 14 per cent in the previous elections. Following intensified advocacy by international partners, Somali leaders committed to 30 per cent women’s participation for the current electoral cycle but detail on how the quota will be attained is still required. Not a single woman was elected to the 82-member parliament in the recent one-person, one-vote parliamentary elections in “Somaliland” despite an informal agreement to include women candidates on the party lists. The “Somaliland” elections demonstrated that informal arrangements for women’s participation are insufficient and underscored the importance of a quota for women’s representation. The Special Representative of the Secretary-General for Somalia emphasized that the quota is not an externally imposed concept but reflects a Somali political decision. Achieving the 30 per cent quota requires the swift identification of a mechanism for implementing the quota, including reserving specific seats for women, as well as negotiations with stakeholders such as clan leaders who are driving the seat selection and who frequently invoke tradition as a reason to justify the exclusion of women from political processes.
- The United Nations, together with partners, undertakes a number of concrete measures to support women to run for office, including through advocating for a reduction in the candidate fees for women, which are currently \$20,000 for

upper house candidates and \$10,000 for lower house candidates. In a recent meeting of the National Consultative Council, the Prime Minister and the federal member state leaders decided that these fees should be reduced for women candidates but that continued advocacy is needed to ensure that this translates into policy. UNSOM is also advocating for the involvement of civil society organizations in the selection of the delegates who will ultimately select the members of parliament. UNSOM has also supported the establishment of a Goodwill Ambassador programme to advocate for women's participation.

- Women active in the political system are more likely than men to experience harassment and violence during the electoral period and women candidates have been kidnapped and killed in the past. Women's situation desks staffed with specially trained police officers will be established in each of the joint security operations centres located in the polling locations and will offer an opportunity for women to report violence, including sexual and gender-based violence. Call centres for women candidates are also in the planning and one has already been established in cooperation with the Ministry for Women and Human Rights Development. The centres offer a one-stop opportunity for women candidates to signal obstacles that they encounter in the electoral process.
- Several harrowing cases of violence against women and girls have sent shock waves through Somalia in recent months: an 11-year-old girl murdered and her remains discovered in a cooking pot; a woman killed merely because she asked her husband for a divorce; a young pregnant woman, already a mother of five, found dead and mutilated in a bush; and an estimated 13 men armed with knives gang raping a 15-year-old girl and keeping her in captivity for two days. In some of these cases alleged perpetrators have been arrested but continuing follow-up is needed to ensure that the perpetrators ultimately face justice, which they rarely do.
- The number of cases of conflict-related sexual violence reported by the United Nations in 2020 almost doubled as compared with 2019 despite a climate of chronic underreporting due to shame, stigma, fear of reprisals, lack of access and cultural norms that limit marital and economic prospects for rape survivors. The 419 cases verified in 2020 affected 400 girls, 12 women and 7 boys and can primarily be attributed to clan militia and Al-Shabaab, with the Somali Police Force, the Somali National Army, Jubbaland security forces and Puntland forces also implicated. In the first quarter of 2021, over 100 cases of sexual violence against girls were verified by the United Nations. The United Nations tracks incidents of sexual violence via the monitoring, analysis and reporting arrangements, the monitoring and reporting mechanism on grave violations against children in situations of armed conflict and the database of the Office of the United Nations High Commissioner on Human Rights. AMISOM maintains a telephone line where survivors can confidentially report incidents of sexual violence.
- The vast majority of reported cases of gender-based violence affected internally displaced people who are exposed to heightened risk in settlements that lack safety measures and adequate services. Patterns of sexual violence are often linked with intercommunal disputes over resources, militarization, the spread of small arms and light weapons, institutional fragility and the normalization of gender-based violence, and further exacerbated by the pandemic with its attendant disruptions to schools and services. Sexual violence, primarily forced marriage, continues to be used as a tactic of domination in areas under the de facto control of Al-Shabaab, forcing many families and communities to flee their land.
- The adoption of a robust sexual offences bill has stalled and encounters significant resistance. In 2020, there were four attempts to reduce protections for women and girls, including efforts to reduce the age of majority for girls in

the constitution, to introduce the regressive sexual intercourse-related crimes bill, the effort in “Somaliland” to introduce the rape, fornication and other sexual offences bill and worrying suggested amendments to the child rights bill. Two positive developments include the commencement of the drafting of a sexual offences bill in Jubbaland and, in Puntland, the adoption by cabinet of a bill criminalizing female genital mutilation.

- Most cases of sexual violence are handled according to customary practices, which focus on the well-being of the clan rather than on the rights of the survivors. In March 2020, in a case of rape of girls aged 3 and 4, 15 individuals that had initially been arrested were released on the grounds of lack of evidence. Weak State institutions continue to impede the fight against impunity. AMISOM police helped establish gender desks within police stations in several cities and provided mentoring to thousands of Somali police and military officers, with gender and women’s protection forming a key part of the mentorship.
- Planning, directing or committing acts of sexual and gender-based violence is a stand-alone listing criterion under the Somalia sanctions regime but none of the listings to date includes these crimes. Under the current mandate of the Panel of Experts on Somalia, the Security Council directly requests the Secretary-General to include dedicated gender expertise, but in the current composition of the Panel there is no expert specifically and exclusively focusing on gender issues.
- The human rights due diligence policy on United Nations support to non-United Nations security forces is an entry point for risk assessment for various security forces and includes mitigation measures such as codes of conduct and training. In 2020, over 1,700 members of the military and police received such training.
- The maternal mortality rate stands above 682 per 100,000 births, and one in 1,000 women aged 15–49 will die owing to pregnancy-related complications. An estimated 99 per cent have undergone female genital mutilation.
- The importance of women in the development of the country is prominently featured in the United Nations Cooperation Framework. UNSOM is in the process of moving forward with a Peacebuilding Fund proposal which will be focused on women and peace and security, including enhancing women’s participation in peacebuilding in Somalia and protecting their human rights.
- AMISOM is integrating a gender perspective into its mandate delivery in accordance with Security Council resolution [2568 \(2021\)](#) and developed a gender strategy in 2012. In the strategy, four areas of action are identified: the prevention of all forms of violence against women and girls in conflict and post-conflict situations; promoting the equal participation of women in peace and security decision-making at the local, national and international levels and within AMISOM itself; protecting women’s rights in conflict situations; and ensuring that women’s and girls’ specific relief and recovery needs are met. AMISOM has developed several guidance documents and standard operations procedures to advance women’s issues, including on the prevention of sexual exploitation and abuse. The Mission has also mainstreamed gender in redeployment trainings and in-mission training and ensures that all troop-contributing countries deploy dedicated gender officers. Before any major operations, AMISOM undertakes a risk assessment on the potential consequences for civilians, particularly for women, girls and boys, and puts in place necessary mitigation measures. The Mission created a gender cell at the Mission in 2012 and a women’s protection cell in 2015. Both cells are staffed with three female officers and support the implementation of the gender strategy. AMISOM provided technical support for the development of various

policies on gender-related issues, including the national gender policy and the national action plan on the implementation of Security Council resolution [1325 \(2000\)](#).

Recommendations

The following recommendations were made by UN-Women, as the secretariat of the Informal Expert Group.¹

(a) In view of the upcoming negotiations on the mandate of UNSOM, the Security Council should retain all existing references to women and peace and security in both the preambular and operational paragraphs of resolution [2540 \(2020\)](#), including on the quota of seats for women in the Somali Federal Parliament, the sexual offences bill and the implementation of the joint communiqué of the Federal Republic of Somalia and the United Nations on the prevention of sexual violence and the adoption and implementation of the new national action plan on ending sexual violence in conflict. In addition, in a new mandate of UNSOM, the Security Council should consider adding the following to its operational paragraphs:

Requests UNSOM to continue to take fully into account gender considerations as a cross-cutting issue throughout its mandate and to reinforce its efforts to support, engage and consult with women's civil society organizations, at all levels and in all areas of its work;

Urges UNSOM to continue its advocacy on women's political rights, including with the Federal Government of Somalia and Federal Member States authorities, political parties leaders, Members of Parliament, clan elders and the media, and calls upon the United Nations and the international community to encourage the Federal Government to ensure that women's political rights and equal representation and participation in public spheres, leadership and decision-making are promoted and enshrined in the revised Constitution, and in the electoral and political parties laws;

Also urges the Federal Government of Somalia to recognize the efforts and contribution of women in peacebuilding and to create a conducive environment for women's active and meaningful participation, including in formal processes and in decision-making;

Further urges the Federal Government of Somalia to accelerate the finalization, adoption and implementation of its national action plan on women and peace and security, in close cooperation with civil society, and the adoption of the new national action plan for implementation of the joint communiqué on the prevention of sexual violence;

Urges the Federal Government of Somalia to ratify and implement the Convention on the Elimination of All Forms of Discrimination Against Women, and to pass legislation for the criminalization of sexual and gender-based violence, including female genital mutilation, marital rape and child marriage;

Also urges the Federal Government of Somalia to investigate and prosecute without delay all reported cases of sexual and gender-based violence, including those perpetrated by security personnel, based on a survivor-centred approach, thereby reinforcing a zero-tolerance policy for such violations;

¹ These recommendations are suggestions from United Nations participants in the meeting or from the background note prepared by the secretariat of the Informal Expert Group ahead of the meeting, and they are not recommendations from the Informal Expert Group as a whole or Council members.

Calls upon the Federal Government of Somalia to fulfil its commitments on gender mainstreaming in the security sector institutions, including developing and implementing gender strategies in all security sector institutions as stipulated in the national security pact and increasing women's participation and role in the security and defence sectors;

(b) When negotiating the renewal of the AMISOM mandate later in 2021, the Security Council should retain all the existing language on women and peace and security in resolution [2568 \(2021\)](#) and call for gender analysis and consultations with women's organizations to inform the transfer of security responsibilities to the Somali authorities;

In addition, the Co-Chairs and other Council members should:

(c) Closely monitor and strongly advocate for the implementation of the 30 per cent quota for women's representation on all electoral management committees and in the upcoming elections in both the Upper and the Lower House. In addition, advocate for the inclusion of the quota into the revised constitution, the use of reserved seats and the implementation of the decision to reduce registration fees for women candidates. Council members should also urge the Somali authorities to ensure the safety of women candidates, including through the deployment of trained women police officers to polling stations for monitoring and rapid response, and the provision of close protection to women candidates;

(d) Urge the Federal Government of Somalia to enact the original sexual offences bill of 2018 and urge "Somaliland" authorities to reject the rape, fornication and other sexual offences bill;

(e) Support the Federal Government of Somalia in strengthening investigation and prosecution capacities at the federal and regional levels with respect to sexual and gender-based violence, including through the operationalization of specific help desks at police stations, and to undertake efforts to sensitize various stakeholders, including religious and traditional leaders, local authorities, the judiciary and law enforcement about sexual and gender-based violence;

(f) Support the Federal Government of Somalia to strengthen the compliance capabilities of the Somali security forces and civilian oversight, to create mechanisms to track and respond to civilian casualties and to operationalize the Somali National Human Rights Commission;

(g) Call upon the Federal Government of Somalia and its international partners to increase investment and earmark resources to support the implementation of the women and peace and security agenda;

(h) Provide more sustainable and predictable funding for women's civil society organizations and increased funding for services for survivors of sexual and gender-based violence, including medical, psychosocial and livelihoods support;

(i) Invite the Special Representative of the Secretary-General on Sexual Violence in Conflict to brief the Sanctions Committee and ask the Secretary-General to appoint a dedicated gender expert to the Panel of Experts in line with resolution [2552 \(2020\)](#) and, if needed, increase the number of experts in the new mandate.

The Co-Chairs thanked the Special Representative of the Secretary-General for Somalia and Head of UNSOM, the Special Representative of the Chairperson of the African Union Commission for Somalia and Head of AMISOM and all participants and committed to follow up on the important issues raised at the meeting.