



## WORKSHOP REPORT

# Adopting and implementing Somaliland's draft policy framework on internal displacement

1 - 2 March 2015 in Hargeisa, Somalia

**NRC**

NORWEGIAN  
REFUGEE COUNCIL

**iDMC**

internal  
displacement  
monitoring  
centre



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# Introduction

Somaliland has been largely stable since its declaration of independence in 1991. It is, however, still involved in a territorial dispute with Puntland over the eastern parts of Sool and Sanaag provinces, which causes intermittent hostilities. Internal displacement in the autonomous region, and in Somalia more generally, is a complex phenomenon, with people fleeing conflict, insecurity, drought, flooding and other disasters. Many have been displaced a number of times. Nomadic movements, economic migration and urbanisation further complicate the picture.

Over the last few decades, internally displaced people (IDPs) from Somaliland and south-central Somalia, returnees from Ethiopia and elsewhere, asylum-seekers, refugees and economic migrants have made mainly for the cities of Hargeisa and Burao, where they have dispersed among the local population living in settlements across the city. As of October 2012, Somaliland was thought to be hosting around 84,000 IDPs, many of whom had been living there for years or even decades. In October 2014, the government, the UN and local and international NGOs began a joint profiling exercise in Hargeisa with a view to informing strategies and programmes to support IDPs, and particularly those living in protracted displacement, in their efforts to achieve durable solutions.

In 2014, Somaliland finalised a draft policy framework on internal displacement that had been developed in a transparent, participatory and consultative way. The policy aims to establish a systematic, coordinated and principled response to displacement, and provide common guidance on improving IDPs' living conditions, protecting their rights and facilitating durable solutions. It is yet to be officially adopted, but should be submitted to the cabinet for endorsement following a review by the attorney general.

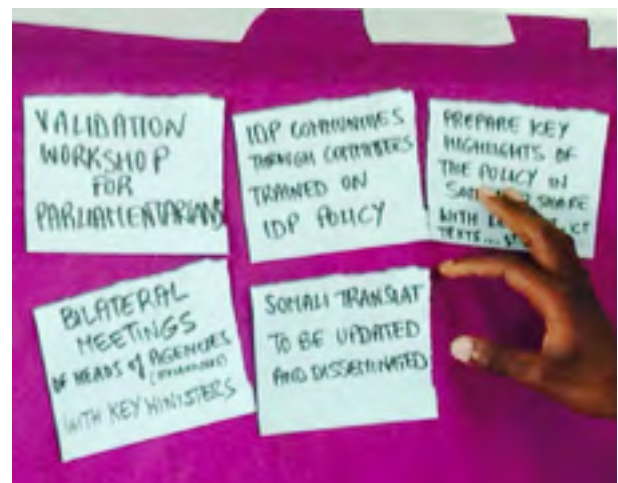
Implementation will require the adoption of several action plans, which the Ministry of Resettlement, Rehabilitation and Reintegration (MRRR) is responsible for developing in close collaboration with its partners, particularly the Ministry of Planning. As stated in paragraph seven of the policy, an overall Somaliland action plan will provide "an overview of all measures that are required for ... 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".

At the request of the local protection cluster, the Internal Displacement Monitoring Centre (IDMC) collaborated with the Norwegian Refugee Council (NRC), the UN Refugee Agency (UNHCR) and MRRR to run a workshop on the adoption and implementation of the draft policy. The event was held in the Somaliland capital of Hargeisa on 1 and 2 March 2015, and targeted national authorities, including MRRR and the justice, social planning and labour ministries, international humanitarian agencies, international and national NGOs, and representatives from IDPs' communities in Hargeisa.

The workshop pursued a number of objectives by enabling the participants to:

- Reach a common understanding of IDPs' protection and the content of the draft policy
- Develop better knowledge of the key principles that underpin IDPs' protection and the pursuit of durable solutions, as contained in the draft policy and international standards
- Develop an advocacy strategy for the policy's adoption
- Lay the foundations for the Somaliland action plan, as identified by the policy

A broadly participatory approach allowed participants to share their experiences and encouraged discussions on improving the response to displacement in accordance with the terms set out by the draft policy. Group work and practical activities drawing on IDPs' realities in Hargeisa and elsewhere in Somaliland made up a large part of the workshop, in an effort to ensure that the tools introduced could be readily put into practice on the ground.



# Agenda

## Introduction

In his opening remarks, MRRR's director general, Mohamud Jibril Younis, said he was optimistic that the cabinet would endorse the draft policy. He referred to the workshop's objectives and expressed the hope that it would result in the development of a practical and simplified action plan that would form the basis for the policy's implementation. The introductory session also gave participants the opportunity to spell out some of their expectations for the workshop. They hoped it would help them to:

- understand the policy's guidance on how to better assist IDPs
- clarify how the policy constitutes a basis for joint, co-ordinated action
- identify ways of facilitating durable solutions, particularly return and local integration
- understand how the policy helps to increase leverage with donors

## What is internal displacement?

The workshop began with an activity that aimed to familiarise participants with the concept of displacement, including its causes and patterns, and to identify the needs and concerns of IDPs and other groups potentially affected by displacement in Somaliland. The participants were asked to locate communities and needs on a map of the country.

The ensuing discussion raised a wealth of observations. IDPs in Somaliland suffer security problems, they lack access to basic services such as shelter and sanitation, and they are often unable to meet their basic necessities such as food and water. The example of the 2007 displacement crisis, when many IDPs arrived in Somaliland from south-central Somalia, shed further light on issues such as increases in the price of basic commodities, including water, and the fact that lack of tenure security impedes IDPs' access to housing and productive land.

Participants also emphasised the specific needs of groups considered particularly vulnerable, such as women, large families, orphans, children and young people in general, disabled people and marginalised ethnic groups. They recognised that protection risks and assistance needs vary considerably between the groups identified. Children and young people are often unable to take advantage of education and vocational training opportu-



nities because they are too far away and there is little or no transport, while women and girls are particularly exposed to the risk of sexual violence because of poor logistical arrangements in the settlements. Clan affiliation was identified as a factor that generally reduces IDPs' exposure to risks and improves their access to services and entitlements.

Participants were also asked to identify host communities' assistance and protection needs. They mentioned environmental impacts, the depletion of resources, overburdened social services and tensions over the prioritisation of IDPs for assistance as principal concerns. They also recognised that IDPs and their hosts are affected by many of the same issues, such as security concerns, particularly their exposure to the risk of gender-based violence, and their lack of access to health and sanitation services. Some participants said that the arrival of displaced communities had pushed many local inhabitants to associate with IDPs or even to claim to be IDPs themselves in order to stand a better chance of receiving assistance.

The session painted an overall picture of the main concerns affecting different individuals and communities,





and underlined the benefits of a needs-based approach to addressing them, rather a response based on status or preconceived categories. This was seen as particularly relevant in urban settings, where IDPs, refugees, migrants and the broader urban poor tend to be difficult if not impossible to distinguish from each other.

The limitations of the exercise were also flagged. Participants recognised that the overall picture was mainly based on the perceptions of members of organisations and institutions involved in assisting and protecting IDPs, with the ultimate beneficiaries playing only a limited role in the consultative process. They also understood that the picture was a static one, and as such did not reflect the fact that displacement is an ever-changing and multifaceted phenomenon driven by various and potentially converging factors.

## Profiling displacement in Somaliland

UNHCR's representative explained the profiling exercise planned for Hargeisa in detail, to clarify its purpose and any possible misconceptions about its roll out. Profiling differs from registration and needs assessments in several ways. Profiling collects anonymous information on the overall displacement situation at a given moment. The exercise in Hargeisa will, among other things, provide an estimate of the number of IDPs disaggregated by age, sex, location and diversity, including clan affiliation; and analyse the current situation of target populations, including their socio-economic background, living conditions and protection concerns.

Given that one of the exercise's main objectives is to provide an evidence base to inform the pursuit of durable solutions, a combination of an extensive mapping, quan-

titative tools such as a household survey, and qualitative ones such as focus group discussions and key informant interviews, will be used to help to understand the needs, capacities and coping mechanisms of the target populations, and factors influencing their choices about whether to eventually return to their places of origin, integrate locally or settle elsewhere in the country. The exercise will use the Inter-Agency Standing Committee (IASC)'s Framework on Durable Solutions as a starting point for the development of context-specific indicators in accordance with international standards.

The presenter highlighted the fact that, when approaching a profiling exercise, it is essential to move away from the assumption that IDPs are necessarily vulnerable or that they are the only needy group within the population. Hargeisa was chosen for the exercise because it hosts the largest displaced population in Somaliland, the second largest being in Burao. It will be conducted in the city's urban and peri-urban areas. Given that urban profiling requires IDPs' presence and needs to be verified among those of other groups that make up the local population, it will target IDPs from Somaliland, IDPs from south-central Somalia, refugee returnees, economic migrants and the urban poor.

The UNHCR presentation prompted a question from the planning ministry about the criteria for identifying IDPs. Reference was made to the paragraph of the draft policy that establishes the notion of an IDP, and to an additional methodological note clarifying that specific questions will be formulated to determine exactly who is an IDP, who is a member of the urban poor and so on. The ministry was also invited to continue its involvement in the profiling taskforce that is developing the methodology for the exercise.

A recurring question in the workshop was whether people who had fled from south-central Somalia should be considered IDPs. The draft Policy is clear that they should be. Having established a definition of an IDP in line with international standards (i.e. “persons who have not crossed an internationally recognised state border”), it states that authorities must fulfil their responsibilities towards all IDPs without distinction. A question was also raised about whether a displaced group relocated from Mohamed Moge settlement to Digale should be thought of as IDPs. The current understanding of their significant residual needs would seem to indicate that they are still to achieve a durable solution, meaning that they should still be considered as IDPs. The profiling findings should be able to assess the displacement-related needs of different population groups. Other questions related to the institutional setting, particularly given the phasing out of the cluster system in favour of a sectoral system that is supposed to take place in 2015.

## The development of the draft Policy

The policy-making exercise launched at the beginning of 2014 resulted in a document that many considered inconsistent and ambiguous in a number of respects. It also contained incorrect terminology and was not fully compatible with international standards. A policy review taskforce was established in April 2014 and an action plan drawn up. Fifteen agencies, including IDMC and the mandate of the UN special rapporteur on IDPs’ human rights, provided input to the review process before a validation workshop on 28 May 2014, at which the text was handed over to MRRR for its final approval on 4 June 2014.

The policy’s objectives are clearly referred to in the first section of the text: to reaffirm the government’s responsibility towards IDPs; to provide guiding principles and strategies for their assistance and protection; to clarify notions, definitions and key concepts; to provide guidance



on how to protect from and prevent displacement; to minimise its effects and to establish conditions conducive to the achievement of durable solutions. It is informed by a number of international standards, such as the Guiding Principles on Internal Displacement, which should ensure that implementation is participatory and non-discriminatory, that it does no harm and that it is in line with the traditional humanitarian principles of impartiality, humanity, independence and neutrality.

The general overview of the policy’s structure and salient characteristics preceded a more thorough description of its provisions guiding the overall response to displacement in Somaliland. It also prompted reference to an existing monitoring and evaluation mechanism covering all administrative procedures, and the recommendation that a specific reference to it be incorporated in the appropriate section of the policy. UNHCR was also asked to circulate again the Somali version of the document. After being originally drafted in English, it was translated and shared in September 2014.

## Framework for response in Somaliland

The draft policy provides the terms of reference for a coordinated and predictable engagement by the state and other national and international stakeholders in IDPs’ assistance and protection. Once adopted it will represent the Somaliland authorities’ approach to displacement, but even before adoption it can be regarded as a framework for collaborative action. It restates and draws upon standards based on international law, most notably the Guiding Principles, national legislation and customary law.

It is established custom in Somaliland that people coming from other areas are well received and given support. The 2006 Somaliland declaration of traditional leaders on *xeer*, or customary law, which is particularly useful in advancing advocacy on protection, represented an opportunity not only to restate the overarching principle of accepting strangers, but also to recodify some norms that were in breach of international human rights standards. Formal law may assist in different respects, for example, by determining when an individual should no longer be considered external to a community and may claim entitlement to local integration.

The draft policy structures response around the three traditional phases of prevention, protection and durable solutions, though in reality they should not be conceived as distinct areas of intervention. Preventative action ultimately serves protection purposes, and establishing the conditions for durable solutions often entails measures that are significant in terms of prevention.

The policy also notes that all interventions, regardless of when they are conceived, should be undertaken with durable solutions in mind. Response should not be conceived as a means of getting IDPs back to their situation before displacement. Rather it is geared to the reinstatement and upholding of their human rights. Multiple, repeated and pendular displacements and IDPs' movements that take place in the broader context of rural-to-urban migration make the phenomenon more complex and pose additional challenges for those involved in the response.

The need to establish better synergies between the international humanitarian and development sectors is also pertinent to the dynamics between national institutions. The Somaliland development fund makes considerable resources available to address concerns that affect IDPs, but MRRR is not eligible to apply for support. Other institutions, such as the planning ministry, should step in to ensure that displacement issues are integrated in overall development plans.

Private sector involvement was also discussed during the workshop. Oil exploration in Somaliland carries with it the risk of displacement, but the companies involved also have the potential to help address some of IDPs' needs in terms of employment and vocational training. Another option might be to test the private sector's willingness to contribute to the fund for IDPs that the draft policy envisages.

The notion of "traditional nomadic living space" mentioned in the policy helped to create a better understanding of solutions for displaced pastoralists. A representative from Save the Children suggested that the environment and livestock ministries should be involved in developing comprehensive strategic measures to address displaced pastoralists' issues, given the number of people who depend on pastoralism in Somaliland and the fact that their displacement puts an entire way of life at risk.

Participants were finally asked to go back to the map where they had initially located IDPs and their main concerns, and to think of potential solutions to the issues raised. The suggestions were grouped into those relating to process - this is how we should go about achieving durable solutions - those that involve access to entitlements - these are the needs that have to be satisfied for durable solutions to be achieved - and those that focussed on the settlement options of return, local integration and settlement elsewhere.

Participants' observations confirmed the validity of the IASC framework for durable solutions' key question, and made the conceptual shift from the 2007 version - when does displacement end? - to the 2010 version - when are durable solutions achieved? - obvious. Pursuing a

settlement option may lead to the end of displacement, but not necessarily the achievement of a durable solution.

A representative from the Danish Refugee Council said that all too often IDPs' personal views prevailed in assessing whether a durable solution had been achieved, and that if individual perceptions are considered the benchmark then the process may never come to an end. They underlined the fact that the purpose and aspiration of the IASC framework is to make the assessment of progress towards durable solutions objective and measurable. Other participants pointed out that access to humanitarian assistance encouraged people to continue to consider themselves IDPs indefinitely.

The importance of making the transition from humanitarian relief to development interventions and adopting area-based approaches that benefit whole communities, including IDPs, was reiterated. There appeared to be a consensus on the need to synchronise interventions targeting IDPs with Somaliland's five-year national development plan. The findings of the profiling exercise will provide the evidence base to inform coordinated advocacy, fundraising and longer-term planning that facilitates durable solutions.



## Action planning

The last phase of the workshop was dedicated to action planning. The participants were divided into three groups and asked to discuss advocacy and awareness raising, capacity building and operational implementation. Focus questions guided each discussion, with the aim of iden-

tifying and articulating different actions in each area. The outcomes are presented in the table below. The activities identified will need to be further debated and possibly validated by a wider audience, including institutions not present at the workshop. Timing also remains to be addressed.

### Action Plan

S/ NO	Objective	Activity	Timeframe (month)	Responsible institution
1	Operational implemen- tation	Ensure that implementation of the draft policy is in line with the Somaliland action plan		
		MRRR to set a clear funding strategy for implementation		
		MRRR to decide how to approach other international community actors		
		Form an environment ministry committee overseen by the planning ministry		
		MRRR to set up a calendar of meetings, with a sub-committee to share progress publicly		
		Set clear SOP and structure (plan)		
		Appoint ministerial focal points		
		Prioritise housing, land and property (HLP) issues		
		HLP sector to promote and raise awareness of concept		
2	Capacity building	Establish community-based mechanisms to claim IDPs' rights		
		Train community leaders, children and young people in IDPs' rights		
		Empower IDPs to advocate for their own rights as contained in the policy		
		Improve local authorities' capacity on land rights and title deeds by sharing good practices		
		Improve local authorities' capacity on IDPs' protection and their responsibilities under the policy		
		Improve MRRR's capacity to coordinate the implementation of the policy		
		Identify of all those in need of capacity building, with priorities being MRRR, government, mayors and IDPs' committees		
		Mainstream the draft policy in other ministries for adoption and implementation		
		Improve MRRR's capacity for advocacy and dissemination		
		Improve MRRR's capacity for coordination		
		Share good practices with MRRR on the adoption of policies elsewhere		

S/ NO	Objective	Activity	Timeframe (month)	Responsible institution
3	Advocacy	MRRR to distribute full copies of the policy and a summary of its key points to other ministries		
		Translate the policy's key points into Somali and share via leaflets, IEC, texts, stickers for newspapers		
		Integrate displacement issues into Somaliland's national development plan		
		Each workshop participant to pass information on the policy to their colleagues		
		Each agency head to commit both financial and human resources		
		Identify ministerial focal points for follow up		
		Consider sensitive elements in advocacy		
		Inform and involve all relevant actors		
		Raise awareness on HLP issues		
		Train displaced communities on the draft policy		
		Run awareness raising workshops for MPs		
		Hold bilateral meetings with agency heads and representatives of key ministries		



## Follow up

The brainstorm that followed the presentation of the draft action plan was instrumental in formulating suggestions for the next steps to be taken:

UNHCR should take the protection cluster lead in drafting a policy paper on outstanding issues relating to the definition of an IDP. It was felt there was a particular need to depoliticise the concept of displacement, based on the fact that the notion aims exclusively to describe people affected by certain humanitarian and development concerns, rather than create a legal status. There were also concerns that the definition could be used for political purposes.

The technical steps that lead to the adoption of a policy and the differences with those that culminate in the enactment of legislation should be clarified for the benefit of all involved.

UNHCR should meet MRRR to confirm its willingness to take the protection sector lead, and if so to discuss transition arrangements.

A policy paper may be required to clarify the definition of "child" further in terms of the age of majority. It was suggested that such definition be removed from the draft policy and the notion be included in specific provisions of the future child protection policy.

UNHCR should set up bilateral meetings with the planning and interior ministries with a view to involving them more directly and briefing them on the key aspects of the draft policy.

The draft action plan developed during the workshop should be further discussed by the protection cluster. Workshop participants should also be invited to join any follow-up discussions.

Once the action plan is finalised, a tentative budget should be agreed for submittal to potential donors, including development agencies.

IDMC should look at possible training initiatives to overcome knowledge and capacity-based obstacles to the implementation of the draft policy. The need for NRC to organise more HLP training was also highlighted. IDMC may provide additional training on durable solutions and law and policy.

## Annex one: Workshop agenda

Timing	Day one
8.30 - 9.30	<b>Opening</b> <ul style="list-style-type: none"> <li>■ Registration of participants</li> <li>■ Opening remarks</li> <li>■ Presentations of participants, expectations and objectives</li> <li>■ Programme overview</li> <li>■ House rules</li> </ul>
9:30 - 11:00	<b>Introduction: what is internal displacement?</b> <ul style="list-style-type: none"> <li>■ Presentation: IDPs and communities affected by displacement</li> <li>■ Presentation: overview of the ongoing profiling exercise</li> </ul>
11:00 - 11:30	<b>Coffee break</b>
11:30 - 12:30	<b>The development of the draft policy</b> <ul style="list-style-type: none"> <li>■ Presentation: the drafting process, the policy's current status, objectives and structure, and implementation</li> <li>■ Q&amp;A</li> </ul>
12:30 - 13:30	<b>Lunch break</b>
13:30 - 15:30	<b>Framework for response (part one)</b> <ul style="list-style-type: none"> <li>■ Introduction to the draft policy: those involved in the response, attention to host communities,</li> <li>■ Prevention of displacement and prohibition of arbitrary displacement in the policy</li> <li>■ IDPs' protection and assistance in the policy</li> <li>■ Activity: addressing protection concerns in Somaliland</li> </ul>
15:30 - 15:45	<b>Coffee break</b>
15:45 - 16:45	<b>Framework for response (part two)</b> <ul style="list-style-type: none"> <li>■ Pursuit of durable solutions and addressing development challenges in the policy</li> <li>■ Activity: addressing core durable solutions issues in Somaliland</li> <li>■ Q&amp;A</li> </ul>
17:30	<b>Conclusions</b>

Timing	Day two
8:30 - 9:00	Recap of day one
9:00 - 10:15	Adoption of the draft policy <ul style="list-style-type: none"> <li>■ Group activity: developing an advocacy strategy for the adoption of the policy</li> </ul>
10:15 - 10:45	Coffee break
10:45 - 12:15	Key challenges to implementation <ul style="list-style-type: none"> <li>■ Group discussions on the following proposed themes: <ul style="list-style-type: none"> <li>▫ HLP</li> <li>▫ Livelihoods</li> <li>▫ Basic services</li> <li>▫ Institutional structures</li> </ul> </li> <li>■ Reporting and Q&amp;A</li> </ul>
12:15 - 13:15	Lunch break
13:15 - 14:45	Action planning (part one) <ul style="list-style-type: none"> <li>■ Activities: Identifying steps required for the implementation of the draft policy</li> </ul>
14:45 - 15:00	Coffee break
15:00 - 17:00	Action planning (part two) <ul style="list-style-type: none"> <li>■ Activity: <ul style="list-style-type: none"> <li>▫ Identifying priorities</li> <li>▫ Setting timelines</li> <li>▫ Assigning responsibilities</li> <li>▫ Identifying partnerships</li> <li>▫ Selecting priority geographical areas</li> </ul> </li> <li>■ Recap and way forward: towards the Somaliland action plan</li> </ul>
17:00 - 17:30	Conclusions



## Annex two: List of participants

Full name	Organisation	Title
Barlet Jaji	Action Africa Help International	Country programme manager
Abdisamad Osman Sheikh	Voices of Somaliland Minority Women Organisation	Protection officer
Abdirahman Mohamed Haji	OCHA	Officer in charge
Abdirashid Yusuf Omer	Danish Refugee Council	Community development officer
Walid Yusuf Ahmed	Ministry of Justice	Legal project officer
Mona Ahmed Mohamed	NRC	Protection officer
Ubah Mohamed Mohamoud	Ministry of National Planning and Development	Director general / coordinator
Khadar Mohamed Ahmed	Hargeisa Legal Clinic	Project coordinator
Mawlid Mohamed Yusuf	Garsoor	Project coordinator
Mariam Abdilahi Abdi	Save the Children International	Project manager
Ismail M Abdi	Save the Children International	Country director
Cabdiqadir Cabdinuur	Mohamed Mooge community	IDPs' representative
Aadan Xasan Nuur	Mohamed Mooge community	IDPs' representative
Abdishakur Sulub Hersi	ASAL	Executive director
Ayanle Mohamed Mohamoud	UNHCR	Protection associate
Mohamoud Yusuf Ali	MRRR	Director for IDPs
Abdirahman M Mussa	MRRR	Planning officer for IDPs
Xasan Cumar Digaale	Digaale community	IDPs' representative
Mohamed Yusuf	Hargeisa municipality	Land officer
Aishahamda Mohamed	Ministry of Labour and Social Affairs	Head of social unit
Yusuf Abdi Aadan	Ayaha 4	Secretary
Farhan Abdi Suleiman	Comprehensive Community-Based Rehabilitation in Somaliland	Programme officer
Abdisabur Abubakar	UN Women	Programme officer
Hamda Yusuf Adem	Ministry of Labour and Social Affairs	Head of planning

# About IDMC

The Internal Displacement Monitoring Centre (IDMC) is a world leader in the monitoring and analysis of the causes, effects and responses to internal displacement. For the millions worldwide forced to flee within their own country as a consequence of conflict, generalised violence, human rights violations, and natural hazards, IDMC advocates for better responses to internally displaced people, while promoting respect for their human rights.

IDMC is part of the Norwegian Refugee Council (NRC).

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