



Policy Framework on
Displacement within Somalia

Ministry of Interior and Federalism
Federal Government of Somalia

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1. Vision and Objectives

The Federal Government of Somalia in recognition of the scale of displacement within Somalia developed this policy framework with a view to put an end to the suffering of the internally displaced persons and returning refugees, including women and children and to resolve displacement as part of efforts to stabilize, build peace and social cohesion, economically reconstruct, and increase the resilience of its people for IDPs and returning refugees to restart their lives in safety and dignity and in full enjoyment of their rights.

1.1 Overall objective of the policy framework

The overall objective of the policy framework is to provide a joint and coherent basis for all relevant actors in order to secure a predictable, systematic, coordinated and principled approach to displacement situations in Somalia by

- Affirming and institutionalizing the primary responsibility of the Federal Government of Somalia and responsibilities of other actors;
- Clarifying definitions;
- Providing a common basis and policy guidance to facilitate activities aimed at preventing new displacement or secondary displacement of returning refugees, responding to displacement, improving living conditions and asserting rights, and to overcome protracted displacement by identifying policy benchmarks and measures to create conditions conducive to solutions for IDPs and returning refugees.

1.2 Scope and parameters of this policy framework

This policy framework on internal displacement

- a. Recognizes all causes of internal displacement in Somalia, including armed conflict, insecurity, clan-based violence, natural disasters and climate change impacts, or evictions.
- b. Applies to internally displaced persons and returning refugees in accordance with section 2.1 of this policy framework and where applicable to returning refugees (section 2.1c) and other displacement-affected communities according to section 2.2 of this policy framework;
- c. Recognizes the various patterns of internal displacement requiring a diversity of solutions and will be applied to all IDPs, including returning refugees, without adverse distinction;
- d. Recognizes that joint and robust efforts by humanitarian, development, human rights and peacebuilding actors are required to address the complexity of the displacement situation in Somalia.

2. Identifying internally displaced persons

2.1 Definition of internally displaced persons

The Federal Government of Somalia recognizes that internally displaced persons are Somali citizens or habitual residents of Somalia and acknowledges the resourcefulness and relevance to engage this population in the economic reconstruction and stabilization of the country. As citizens or habitual residents, all IDPs remain equally entitled to all Constitutional and human rights as granted to other citizens without discrimination. Therefore, for the purpose of this policy framework,

- a. Internally displaced persons (IDPs) are
 - i. Persons or groups of persons who have been forced or obliged 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, clan-based or other forms of generalized violence and insecurity, violations of human rights of natural or human-made disasters, and who have not crossed an internationally recognized state border;
 - ii. Persons or groups of persons who are evicted from their settlement and who have not received an adequate housing and/or land alternative or appropriate compensation allowing them restore their lives in a sustainable manner;
 - iii. 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, also qualify as internally displaced persons.
- b. Returning refugees, including deportees, who suffer of secondary internal displacement upon return or who find themselves in a protracted situation similar to IDPs due to their inability to return to their former homes or places of habitual residence are also covered by this policy framework without prejudice to international agreements and plans applicable to their situation;
- c. Persons falling under categories a and b qualify as IDPs regardless of whether they stay in identified IDP sites, live in urban areas together with non-displaced communities or with host families, irrespective of the cause and duration of displacement and their clan and origin.

2.2 Notion of other displacement-affected communities

For the purpose of this policy framework,

- a. Other displacement-affected communities are communities, which are affected by the presence of IDPs and returning refugees, such as host communities or communities in areas where IDPs and returning refugees are seeking a durable solution ;
- b. Needs of other displacement-affected communities shall be duly considered, in particular in urban areas and areas of return.

2.3 Identification of internally displaced persons

2.3.1 Principles related to the identification of IDPs

This policy framework,

- a. Does not bestow IDPs with any legal or administrative status as they are citizens or habitual residents of Somalia;
- b. Does not provide for a general registration of IDPs. Registration of IDPs shall only be conducted if linked to a particular purpose, such as the delivery of assistance, and be based on the IDP notion in para. 2.1;

2.3.2 Measures to improve the identification of IDPs and their needs

In order to improve the identification of IDPs and their needs, the following measures will be taken:

- a. For targeted interventions, the identification of IDPs is based on the notion in para. 2.1 of this policy framework. Key elements to identify IDPs are the following:
 - Forced movement to place of refuge
 - Uprooted nature of community due to the displacement i.e. disruption of clan protection, loss of access to livelihood and material household assets.

- Clan origins are different to that of the majority surrounding host community or community leaders
 - Prevalence of split households with some members residing permanently or temporary in the place of origin or in other IDP settlements in the urban location resulting from a lack of adequate living space or services at the site or the need to claim extra assistance.
 - Inadequate labour skills where displacement took place from rural to urban areas
 - Express need for a durable solution or intention to return
 - Ability to access services, assistance and markets is constrained;
 - Seasonal travel to rural areas for planting and harvesting season or to maintain security of tenure of land.
- b. In order to inform the planning and implementation of humanitarian and development interventions, a regular profiling and/or regional profiling of IDPs and other displacement-affected communities providing information about the
- magnitude of displacement,
 - location and mobility dynamics of IDPs,
 - specific needs and vulnerabilities linked to displacement, as well as
 - progress in finding a durable solution according to benchmarks outlined in this policy framework.
- is carried out. Such profiling/s shall be undertaken in close collaboration with other governmental bodies and other actors with relevant expertise;
- c. A monitoring system based on the profiling exercises in lit. b of this paragraph shall be established and maintained to monitor the achievement of durable solutions according to benchmarks outlined in this policy framework;
- d. A mechanism to formalize minimum standards to coordinate and evaluate data on IDPs gathered through profiling or assessments by authorities, international organizations and civil society shall be established.

3. Roles and responsibilities

3.1 Observance of the policy framework

This policy framework shall be observed without any adverse distinction

- a. By all authorities and stakeholders referred to in sections 3.2 – 3.5 of this policy framework.
- b. By the private sector as applicable;
- c. By non-state armed actors and similar groups. The adherence to this policy framework does not affect their legal status.

3.2 The primary responsibility of national authorities

This policy framework

- a. States the policy direction on internal displacement, including of returning refugees as specified in section 2.1, in Somalia and recognizes the primary responsibility of national and local authorities to assist and protect all IDPs throughout their displacement and in creating conditions allowing for adequate durable solutions to their displacement. As appropriate

such assistance and protection should be extended to other displacement-affected communities;

- b. Acknowledges the right of internally displaced persons to request and receive assistance and protection as well as support in finding a durable solution to their displacement. The rights and specific needs and vulnerabilities of IDPs shall be at the center of all activities implemented by the Government or any other actor under this policy framework.

3.2.1 The role and responsibility of Ministry of Interior and Federalism

The Ministry of the Interior and Federalism

- a. Is the designated line Ministry on matters relating to internal displacement and returning refugees and the guardian of this policy framework;
- b. Acts as focal point and provider of last resort on all matters related to internal displacement, including of returning refugees, at the national level;
- c. Coordinates the implementation of this policy framework with other Ministries, the Disaster Management Authority, local authorities, communities themselves, civil society, the United Nations, the donor community and local NGOs. To this end, the Minister
 - i. Ensures as a matter of priority through coordination with other Ministries that displacement specifics are included in laws, policies, plans and programs of other relevant Ministries as well as create a common understanding and approach to internal displacement and towards durable solutions in the entire Federal Government;
 - ii. Coordinates and advocates with the international humanitarian, development and peacebuilding community to ensure that IDPs are adequately reflected in plans, programmes and projects of international organizations;
 - iii. Ensures coordination with local authorities and adherence to this policy framework and provides advice and guidance on the application of this policy framework;
 - iv. Implements the tasks and measures foreseen in this policy framework in collaboration and coordination with local authorities, other Ministries, civil society and the international community.
 - v. Ensures and prioritizes direct budget allocations for the implementation of this policy framework.
- d. The Ministry of Interior and Federalism as the national institutional focal point is organized and capacitated so as to be able to assume these tasks at the national and local levels. For this purposes, an Agency on Internal Displacement and Returnees is created within the Ministry. Terms of references for this department are set out in section 8.2 of this policy framework.

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 and Constitution, the Ministry of Work and Social Affairs, the Ministry of Women and Human Rights, the Ministry of Education, the Ministry of Health, the Ministry of Agriculture, the Ministry of National Security and others as applicable. These Ministries with the support of the Ministry of the Interior and Federalism shall, in particular,

- a. Review their sectoral laws and policies to ensure they include IDPs and returning refugees, their particular needs and vulnerabilities, and to adapt them accordingly;

- b. Review their planning and programming under sectoral laws and policies to ensure that IDPs and returning refugees, are able to access and benefit from such programs on an equal basis with other Somali citizens.
- c. Integrate the specific needs of IDPs, returning refugees and other displacement-affected communities into their sectoral plans, programs and projects.

3.2.3 The role of Governors and District Commissioners

This policy framework recognizes the important roles of Governors and District Commissioners assume in the emergency response, relocation and solution processes. Governors and District Commissioners shall therefore closely collaborate with the Ministry of Interior and Federalism in

- a. Contingency planning for emergencies involving new displacement;
- b. Relocation and solution planning according to chapters 6 and 7 of this policy framework;
- c. Implementation of the eviction guidelines in section 4.3 of this policy framework.

3.3 The role of the international community

The Federal Government of Somalia under this policy framework commits to create an enabling environment for the international community to support the assistance, protection and solutions for IDPs and returning refugees in Somalia, and therefore

- a. Recognizes the important role of the international community as a whole in assisting, protecting and supporting solutions for Somalia's IDPs and returning refugees, including humanitarian, development, human rights and peacebuilding actors.
- b. Respects, in particular, the humanitarian principles of humanity, impartiality, independence and neutrality.
- c. Asserts the need for close coordination between humanitarian and development actors. In particular, requests the integration of displacement-specific elements in development plans and activities.
- d. Requests the Humanitarian and Resident Coordinator 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.
- e. Requests the Special Representative of the United Nations Secretary-General to support solutions through integration of displacement-specific aspects in the work of all relevant parts of UNSOM;
- f. Recognizes the important role of bilateral and multi-lateral donors in assisting, protecting and supporting solutions for Somalia's IDPs and returning refugees.
- g. Requests donors to fund the implementation of action plans under this policy framework, to support other programmes 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.

3.4. The role of national civil society

This policy framework

- a. Recognizes the important role of Somali civil society in assisting, protecting and supporting solutions for displaced communities.

- b. Urges national civil society to coordinate their activities in support of the displaced communities and through their programmes and activities support the principles contained in this policy framework.

3.5 The role of internally displaced persons and other displacement affected communities

Internally displaced and other displacement-affected communities are best placed to understand their own needs and wishes. Therefore, all actors under this policy framework shall:

- a. Empower IDPs and create a safe environment to express their views and concerns;
- b. Create an enabling environment and mechanisms for IDPs to be informed, consulted on and able to participate in all major decisions affecting their lives and their future;
- c. Make every effort to solicit the views of women, men, of the elderly, of adolescents and children, and of persons with disabilities and other vulnerable groups.

4. Prevention of and protection from displacement

The Federal Government of Somalia at the national and local levels accepts its primary responsibility to take all possible measures to prevent new and secondary displacement and protect its citizens against arbitrary displacement.

4.1 Preventive measures

Authorities and other actors referred to in chapter 3, commit to take the necessary measures to prevent and mitigate against internal displacement. Such measures aim at

- a. Increasing 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;
- b. Increasing 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;
- c. Reducing disasters risks and respective vulnerabilities of communities and abstaining from deforestation and other forms of environmental destruction and sensitizing communities in this regard;
- d. Undertaking urban planning, including in particular in case of relocation of populations;
- e. Establishing a monitoring and early warning mechanism for authorities and communities to prepare for and take precautions prior to a disaster. This mechanism considers the need for broad reach out and ensures that the information reaches communities, including addressing illiteracy, impaired hearing and reading ability, and remoteness of some locations;
- f. Increasing localized reconciliation, through inter-communal and clan dialogues. For this purpose, the Government supports the establishment of local peace committees.

4.2 Protection from displacement

The Federal Government of Somalia recognizes the right of everyone to be protected against arbitrary displacement and prohibits the following instances of arbitrary displacement:

- a. In times of armed conflict, internal displacement is arbitrary unless the security of civilians or imperative military reasons demand the displacement;

- b. In situations of natural disasters, internal displacement is arbitrary, unless the safety and health of the affected require their evacuation;
- c. In situations that require the relocation of people, such relocation is arbitrary unless justified by compelling and overriding public interests.
- d. Internal displacement is always arbitrary when it is used as collective punishment or in cases that amount to a crime under international law.

Where IDPs are evicted or relocated from their settlements, authorities

- a. Adhere to the conditions and process for lawful evictions and relocations as set out in chapter 4.3 and 6.2 of this policy framework;
- b. Protect IDPs from eviction and relocation by gatekeepers and other private entities.

4.3 Evictions: conditions and procedure

4.3.1 Conditions for lawful evictions

The following conditions for lawful evictions shall apply:

- a. Evictions occur in exceptional circumstances only and are resorted to where no feasible alternatives exist.
- b. 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.
- c. 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.
- d. Are these conditions met and evictions are unavoidable, the eviction procedure set out in section 4.3.2 shall apply.
- e. 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.

4.3.2 Procedure for evictions

Prior to an eviction, the following procedure applies:

- a. 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.
- b. 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 authorities. Communities at risk of eviction must not be informed by gatekeepers;

- c. There is one standardized official format used as eviction notice and issued by one designated authority to minimize misuse. In case of doubt, eviction notices are subjected to public verification.
- d. 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 authority.
- e. 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 procedure applies:

- a. Authorities are present during the eviction and all persons carrying out the eviction are properly identified prior to the event.
- b. Evictions shall not be carried out in a manner that violates the dignity and human rights to life and security of those affected.
- c. Evictions do not take place in bad weather, during night time or during holidays.
- d. 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.
- e. It is prohibited to destroy or demolish habitations as a means of force.
- f. 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. Protection and assistance during displacement

The Federal Government of Somalia at the national and local levels accepts its primary responsibility to assist and protect IDPs during displacement in accordance with this policy framework.

5.1 Preparation for new displacement

Authorities and other actors referred to in chapter 3 prepare for new displacement. In particular, the following measures are taken:

- a. Cross-sectoral contingency planning based on regularly updated conflict and disaster risk analysis;
- b. 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;
- c. Early warning in areas at risk and advising on precautionary measures;
- d. Preparing areas of refuge through pre-positioning of shelter material and other humanitarian goods ensuring the immediate survival;
- e. Preparing for joint rapid needs assessments using one standardized assessment tool;
- f. 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;
- g. Up-scaling of services in areas of refuge, in particular urban areas taking into consideration the needs of other displacement-affected communities.

5.2 Assistance and protection during displacement

Authorities and other actors referred to in chapter 3 assist and protect IDPs and, where appropriate, other displacement-affected communities, during displacement.

5.2.1 Principles of humanitarian action

Authorities adhere to the following principles:

- a. All authorities grant and facilitate rapid and unimpeded humanitarian access to IDPs and the free passage of humanitarian assistance;
- b. Humanitarian assistance and protection shall be
 - i. Provided impartially and in a manner accessible to and for all IDPs without discrimination;
 - ii. Based on assessed needs and considering vulnerabilities of members of IDP communities.
- c. Authorities abstain from and prohibit the diversion of humanitarian assistance by gatekeepers or other actors and take measures to minimize diversion;
- d. Authorities prohibit the exploitation of IDPs by gatekeepers and other actors and ensure direct access to assistance, services and other support structures to IDPs;
- e. Authorities eliminate activities by gatekeepers.

5.2.2 Assistance and protection activities during displacement

Authorities and other actors referred to in chapter 3 undertake the following activities to assist and protect IDPs in an emergency situation and during displacement:

- a. Providing humanitarian assistance ensuring the survival of IDPs during emergency and beyond by addressing their needs for physical safety, family unity, food, water, shelter, health care, sanitation, and clothing.
- b. Ensuring access to basic services, including health and education, for IDPs, alongside other displacement-affected communities especially in urban areas. In particular, ensuring continued access to schooling and health to avoid the disruption of education for children or access to health for chronically ill persons among the IDPs;
- c. Ensuring the safety of settlements areas by
 - i. Deploying trained police forces,
 - ii. Ensuring access to police station,
 - iii. Establishing community policing in settlements,
 - iv. Preventing that IDPs are taken advantage of and ensuring that no rent is extorted from displaced communities by gatekeepers,
 - v. Installation of appropriate lighting in the IDP settlement through use of solar power or otherwise,
 - vi. Setting up separate sanitation facilities for men and women,
 - vii. Setting up lockable shelter, in particular for female or child-headed households,
 - viii. Ensuring safety from flooding and other natural calamities.
- d. Protecting children from forced recruitment and ensuring children have access to a caretaker within the community if separated from parents or home alone during breadwinning times, including through the introduction of child friendly spaces with caretaker;
- e. Providing or facilitating access to land where IDPs can stay temporarily as long as displacement lasts through provision of governmental land and agreements with private land owners;
- f. Ensuring an adequate degree of security of tenure, including by provision of temporary title deeds, to protect and mitigate against forced evictions. Evictions may only be permitted in accordance with section 4.3 of this policy framework;

- g. 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;
- h. Introducing vocational skills training especially for skills transfer where relevant as well as youth education programmes;
- i. Providing protection and deterrence 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.

6. Protracted displacement: Improving living conditions

The Federal Government of Somalia at the national and local levels commits to gradually upgrade living conditions of internally displaced person and other displacement-affected communities in situations of protracted displacement and pending a long-term solution in order to avoid a manifestation of a dependency syndrome and chronic poverty.

6.1 Improvement of living conditions pending a durable solution

Pending a long-term solution, authorities and other actors referred to in chapter 3 take the following measures to upgrade living conditions and counter chronic impoverishment of IDPs:

- a. Expanding and upgrading existing services, in particular education and health facilities, to increase local absorption and integration capacities and ensure access by IDPs;
- b. Upgrading shelter, housing, water, sanitation and other infrastructure in areas inhabited by IDPs to ensure their safety, health and dignity;
- c. Including IDP settlements in urban planning and upgrading to avoid the proliferation of slum areas in urban centers;
- d. Providing for access to land, shelter and housing by
 - i. Providing schemes to gradually increase the degree of security of tenure of land or forms of usufruct providing safety against evictions and allowing for land use by IDPs for livelihoods;
 - ii. Providing schemes for subsidized renting or leasing of land and housing for a nominal and realistically affordable sum;
 - iii. Providing for land allocation schemes to landless IDPs;
 - iv. Facilitation and recognition of community-based arrangements for land tenure;
 - v. Mapping and public recording of land and identification of property and ownership relations in areas where IDPs live to facilitate such measures and the functioning of such schemes;
 - vi. Ensuring access to legal aid by IDPs on any matter related to housing, land and property in areas they settle.
- e. Implementing livelihood support programs and vocational skills training, such as
 - i. Micro-credit/grant systems for setting up small businesses;
 - ii. Ensuring market access in reachable proximity to settlement sites;
 - iii. Provision of livelihood inputs, such as small scale agriculture, garden in a box programmes, or material and infrastructure for productive activities, such as mobile stoves for small scale bakeries or the fabrication of sanitary material;
 - iv. Introducing cash for work schemes;
 - v. Introducing youth education programmes linked to livelihoods;
 - vi. Engaging in other vocational training activities particular targeting at skills transfer where required by the circumstances as well as marketing skills.

- f. 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.

6.2 Relocation framework

6.2.1 Standards for relocations of IDPs

The following standards apply to relocations of IDPs and must be met by any relocation plan referred to in section 8.3.2 of this policy framework:

- a. Relocations are only authorized by relevant authorities and carried out in accordance with applicable law;
- b. Relocations are to be justified by compelling and overriding public interests in each specific case in order to be lawful;
- c. Where relocations are legitimate and justified by overriding public interests according to section 4.2 of this policy framework, such relocation serves either to improve the living standards of IDPs pending a durable solution or as a durable solution in itself in accordance with chapter 7 of this policy framework. Relocations that lead towards a durable solution are carried out in accordance with chapter 7 of this policy framework;
- d. Relocations are only conducted when no feasible alternative exists;
- e. No relocation is carried out that render IDPs homeless or otherwise more vulnerable.

6.2.2 Process for relocation of IDPs

The following process applies to relocations of IDPs:

- a. Relocations are only conducted based on a governmental relocation plan referred to in section 8.3.2 of this policy framework that was developed through a participatory approach and includes mitigation measures against emerging risks. The relocation plan is publicly announced and communicated to those affected by the relocation. The plan is subject to review and may be challenged before an independent body should it not adhere to the standards in section 6.2.1;
- b. 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;
- c. 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 to envisaged relocation sites in order to seek their informed consent to facilitate the relocation process;
- d. 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;
- e. 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;
- f. The family unity is preserved during the relocation process and measures taken to ensure that children are not separated from their parents or caretaker;
- g. Relocations are only carried out to land that provides IDPs with protection against evictions by authorities or private actors. Relocated IDPs should receive title deeds;
- h. Relocations are only carried out in the presence of Government officials and monitored by NGOs and the UN;
- i. 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.

7. Durable solutions: a roadmap towards ending displacement

The Federal Government of Somalia at the national and local levels accepts its primary responsibility to find durable solutions for IDPs, including returning refugees as specified in section 2.1, in order to ensure the displacement does not last longer than required by the circumstances.

7.1 Durable solutions: standards and process

Authorities and other actors referred to in chapter 3 of this policy framework accept that durable solutions is a long and complex process. In order to support and enable the solutions process of IDPs and returning refugees as specified in section 2.1, the following standards and process shall apply:

- a. A durable solution may be achieved through
 - i. Return and reintegration in former homes or places of habitual residence; and in the case of pastoralists to their habitual living space;
 - ii. Local integration;
 - iii. Settlement and integration elsewhere in Somalia, including through permanent relocation according to section 6.2 of this policy framework;
- b. IDPs have to right to make a voluntary and informed decision about their future and the type of durable solution they pursue. To this end, IDPs are provided with relevant and accurate information on their options and on situation in their home or relocation areas, including through facilitation of free go and see visits to inform their decision-making;
- c. Authorities and other actors referred to in chapter 3 abstain 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;
- d. Authorities and relevant actors under chapter 3 support IDPs willing and able to return home spontaneously without promoting or inducing return to unsafe areas. Such return is monitored and supported with a return package containing at a minimum:
 - i. Safe transportation support for transit, including through use of vehicles and other amenities as required for the journey, including food and water;
 - ii. Food assistance for a specified duration;
 - iii. Non-food items and temporary shelter;
 - iv. The provision of a building material and tools or financial support for returning IDPs to reconstruct their homes;
 - v. Livelihood start up support.
- e. Internal displacement ends when IDPs have found a durable solution measured against the benchmarks set out in section 7.2 of this policy framework. Therefore, the achievement of a durable solution is monitored and evaluated in order to verify the conditions, report on protection risks, mitigate against risks and prevent new displacement;
- f. To facilitate the solutions process of IDPs, including returning refugees as specified in section 2.1, area-based solution action plans as referred to in section 8.3.2 are devised.

7.2 Durable solutions: conditions and support measures

Authorities and other actors referred to in chapter 3 shall apply the following eight conditions for a durable solution of IDPs:

- a. **Long-term safety and security and freedom of movement.** The following measures are taken:
 - i. Providing safe means of transport if required;
 - ii. Monitoring return and relocation movements and reporting security incidents to the police for follow up;

- iii. Deploying trained police forces to areas of return or local integration and setting up operational police stations and posts accessible to IDPs and returning refugees;
 - iv. Mine and UXO clearance and conducting mine awareness raising;
 - v. Ensuring IDPs have access to justice and legal aid in areas they find a durable solution;
 - vi. Providing for community-based reconciliation, including by establishing district peace committees, to sustain the reintegration or integration of IDPs and returning refugees;
 - vii. Ensuring freedom of movement in safety and security in areas of durable solutions, including for accessing schools, clinics or livelihoods;
 - viii. Ensuring the free mobility for livelihoods and other purposes, including by facilitating documentation;
 - ix. Implementing disaster risk reduction measures where solutions are found in disaster-prone areas and activate early warning systems.
- b. **Reconstruction of shelter, housing and basic services to ensure an adequate standard of living, including access to adequate water, food, shelter, health, sanitation and education.**
The following measures are taken:
- i. Humanitarian assistance is provided in accordance with assessed humanitarian needs and gradually phased out with impact of self-reliance;
 - ii. Basic health and education services are reconstructed in rural areas where IDPs and returning refugees return to and upgraded or expanded in urban areas where IDPs locally integrate. IDP children's school transfer is facilitated with respective documentation;
 - iii. Water ways, catchments and other such infrastructure is rehabilitated for human and animal consumption;
 - iv. To the extent possible, communities are included in construction and reconstruction efforts to create ownership and generate some income through cash for work programmes;
- c. **Restoration of and access to land, housing and property.** The following measures are taken:
- i. Establish a mechanism to restore housing, land and property as well as leasing and tenancy agreements, and ensure IDPs and returning refugees have access to these mechanisms irrespective of whether they return or locally integrate. IDPs and returning refugees are provided with free legal assistance if required;
 - ii. Providing tenure security, temporary and permanent title deeds, or usufruct schemes to ensure access to land or land use without risk of eviction and other interference. Community-based tenure arrangement are facilitated and recognized;
 - iii. Providing land allocation or subsidized rental/leasing schemes by the Government for landless or particularly vulnerable IDP communities among the IDP population;
 - iv. Restitution of owner- and tenancy rights or access entitlements for IDPs and returning refugees on equal terms as all other citizens and provide them adequate compensation if housing, land or property cannot be restored;
 - v. Acknowledge formal and informal titles and provide for simply accessible dispute settlement mechanisms in case of contested rights;
 - vi. Restore traditional nomadic living space for pastoral communities, including space for strategic mobility of pastoralists, grazing areas and water points;
 - vii. Officially recognize ownership and inheritance rights of women and children of deceased title carriers.

- d. **Re-establishment of livelihoods, creation of alternative livelihood options and inclusion in social welfare schemes.** Solutions for IDPs, including returning refugees as specified in section 2.1, shall be livelihoods based to ensure the sustainability of the solution. This requires:
- i. diversification of livelihoods,
 - ii. undertaking market analysis,
 - iii. skills training relevant to market opportunities,
 - iv. the re-establishing a functional, accessible and affordable education system;
 - v. establishing of safety nets for minimal social protection in areas where communities are or will be permanently or seasonally at risk to shocks upon return;
 - vi. pro poor investment policies that include IDPs and returning refugees as a means to eradicate poverty.

Solutions in rural areas requires revitalizing and innovating the agricultural and pastoral sector of Somalia, which are essential contributors to the country's national food security and critical part of the economic reconstruction of Somalia. Livelihood schemes encompass the following:

- i. Provision of tools to recover farming land;
- ii. Provision of training to recover agricultural skills and knowledge on new agricultural means and methods;
- iii. Provision of agricultural inputs and fertilizers for an adequate duration;
- iv. Reconstruction of agricultural and pastoral infrastructure, such as water canals, catchments and water points;
- v. Establishing small scale irrigation systems for agricultural land in drought prone areas;
- vi. Cash for work programmes for reconstruction work;
- vii. Licensing fishing boats to revitalize the fishing industry;
- viii. Restocking of animals adequate to the climatic and soil conditions in rural areas;
- ix. Sensitization for early warning information and for timely destocking prior to times of drought;
- x. Ensuring safe and free movement of pastoralists to access grazing areas and water points and accessible veterinary services to ensure animal health;
- xi. Provision of marketing skills and literacy training;
- xii. Ensuring access to livestock and other markets for trade including through provision of donkeys and carts or the construction and rehabilitation of access roads;
- xiii. Encouraging the diversification of livelihoods to increase resilience to shocks.

Solutions in urban areas requires skills transfers, access to apprenticeship and education programmes and livelihoods linked to the urban lifestyle and market demands. Urban livelihood schemes shall be based on market analysis and encompass the following

- i. Micro-credit/grant systems for setting up small businesses;
- ii. Ensuring market access in reachable proximity and/or subsidized use of public transport;
- iii. Provision of livelihood inputs, such as small scale urban agriculture or garden in a box programmes;
- iv. Provision of material and infrastructure for productive activities, such as mobile stoves for small scale bakeries or the fabrication of sanitary material;

- v. Introducing cash for work schemes, for setting up shelter, for waste collection, reparation and reconstruction work, collection of firewood;
 - vi. Linking youth education programmes to cash for work or other livelihood programmes;
 - vii. Engaging in other vocational training activities particular targeting at skills transfer where required by the circumstances as well as marketing skills;
 - viii. Providing literacy and computer literacy training.
- e. **Access to issuance or replacement of personal documentation.** The following measures are taken:
- i. Include IDPs in birth registration and other documentation efforts;
 - ii. Ensure access of IDPs to documentation, including physical and financial access;
 - iii. Ensure access of displaced women and children to have documentation issued in their own names.
- f. **Voluntary reunification of separated families.**
- g. **Participation in public affairs on equal footing with resident communities to counter marginalization and ensure social cohesion;**
- h. **Access to effective remedies and access to justice for violations related to the former displacement and access to reparations where applicable.**

8. Implementation of this policy framework

8.1 Implementation responsibility

- a. The primary responsibility to implement this policy framework lies with the Federal Government of Somalia at the national and local levels. The Ministry of Interior and Federalism as the national institutional focal point in accordance with section 3.2.1 of this policy framework bears this primary responsibility within the Government for the implementation of this policy framework in coordination with other relevant Ministries under section 3.2.2;
- b. The international community and civil society support and complement the Somali authorities in this endeavor in accordance with their respective mandates and responsibilities.

8.2 Establishment of the Agency on Internal Displacement and Refugee Affairs

- a. Within the Ministry of Interior and Federalism, an agency is established in charge of matters of internal displacement and returning refugee affairs with three components: (1) a legal and policy component; (2) a planning and response component; and (3) a solutions component.
- b. The agency is organized as follows:
 - i. The agency forms integral part of the Ministry of the Interior and Federalism of the Federal Government of Somalia;
 - ii. This is without prejudice to and does not affect the primary role and responsibility of the Federal Government as a whole to assist and protect its displaced people;
 - iii. The agency shall be under the overall supervision of the Minister of the Interior and Federalism;

- iv. The agency shall be administered by the Permanent Secretary of the Ministry of the Interior and Federalism;
 - v. The agency may adopt its internal rules and regulations.
- c. The responsibilities of the agency are as follows:
- i. Lead and coordinate the development of legal, policy and other regulatory frameworks in line with recognized international standards for IDPs and returning refugees, with the support of other national and international organizations as required;
 - ii. Facilitate coordination within the Government at the national and local levels as well as with international and national actors supporting IDPs and returning refugees;
 - iii. Establish and strengthen institutions and build capacity of national and local authorities as necessary for the Government as a whole to assume its primary responsibility for IDPs and returning refugees;
 - iv. Include IDPs and returning refugee affairs in relevant agendas of the Government on stabilization, peacebuilding and social cohesion, economic reconstruction and their integration in national and local development plans and advocate with relevant international organization for the same inclusion.
 - v. Establish and maintain a contingency planning and emergency response mechanism for displacement situations in coordination with other Ministries with sectoral responsibilities;
 - vi. Develop a national strategic implementation action plans and other plans according to section 8.3 of this policy framework;
 - vii. Develop strategic approaches to comprehensive solutions for IDPs and returning refugees as a humanitarian, development, constitutional and peacebuilding concern and task;
 - viii. Represent the Federal Government in technical discussions on IDP and returning refugee affairs in coordination with other relevant Ministries;
 - ix. Advise other relevant Ministries and Federal Member States on the soliciting of funds for programmes and activities with a positive impact on IDPs, returning refugees, and host communities;
 - x. Perform any other relevant activity that may be assigned to the department under applicable laws and regulations.

8.3 Implementation actions plans

This implementation of this policy framework and funding thereof is facilitated through action plans developed by the Ministry of Interior and Federalism in close collaboration with other actors referred to in chapter 3 of this policy framework, within 6 months of adoption of this policy framework.

8.3.1 National strategic plan for implementation

- a. A national strategic plan for implementation of this policy framework is developed by the Ministry of Interior and Federalism in close collaboration with other Ministries and authorities as well as relevant other actors referred to in chapter 3.
- b. The national strategic plan for implementation provides an overview of all measures that are required for this policy's implementation. Based on this overall assessment, the national implementation plan sets out
 - i. Priorities relating to the institutional responsibility of the Federal Government of Somalia to assume its primary responsibility under this policy framework;

- ii. Priorities relating to the sector, phase, type and location of intervention and measures taken to implement this policy framework;
 - iii. Limitations to the implementation of this policy framework;
 - iv. A funding strategy.
- c. Regional strategies on internal displacement may be developed within the framework of this policy.

8.3.2 Other action plans provided for by this policy framework

Under this policy framework, two types of action plans are foreseen to implement measures hereunder:

8.3.2.1 Relocation plans

Section 6.2 of this policy framework 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

- a. Authorization and justification to prove its lawfulness and adherence to standards contained in section 6.2.1 of this policy framework;
- b. Authority responsible for and in charge of the relocation;
- c. Process of the relocation, including for participation of IDPs, in accordance to section 6.2.2 of this policy framework;
- d. Timeline for the relocation process;
- e. Information about the relocation site and support provided;
- f. Risk mitigation measures;
- g. Information on how to request a review of the plan;
- h. Implementation measures, including partnerships with actors under chapter 3 of this policy framework;
- i. Funding strategy.

8.3.2.2 Solution action plans

Chapter 7 of this policy framework sets out the process and conditions to achieve durable solutions and eventually end internal displacement.

- a. Area-based solution action plan should be devised by a solutions task team led by the Ministry of Interior and Federalism in collaboration with other actors relevant to support durable solutions;
- b. Area-based solution action plans should enable all forms of solutions pursued by IDPs based on a profiling of the population;
- c. Area-based solution action plans
 - i. Are area-based and integral for IDPs and returning refugees;
 - ii. Are developed based on a profiling and a holistic assessment of the situation in areas of solutions and measured against the conditions for solutions set out in section 7.2 of this policy framework;
 - iii. Contains an assessment as to the feasibility of solutions in light of conditions set out in section 7.2 of this policy framework and potentially emerging risks undermining solutions;
 - iv. Contains recommendations for assistance, protection, rehabilitation and reconstruction needs in the area;
 - v. Contains recommendations for support packages;

- vi. Contains risk mitigation measures and measures to ensure sustainability of solutions, including on monitoring and evaluation;
- vii. Include implementation measures and a funding strategy.
- d. Area-based solution action plans distinguish between situations where conditions are conducive for durable solutions, which is when
 - i. A level of safety and security and freedom of movement prevails in solution areas and on route so that IDPs' lives, physical integrity and health are not at risk;
 - ii. The survival of returning IDPs can be ensured and their basic humanitarian needs for food, water, shelter, health, sanitation and education addressed;
 - iii. The situation is conducive for IDPs to engage in livelihood activities;
 - iv. Basic services are available and accessible for IDPs and areas of solutions are generally accessible for recovery and reconstruction efforts to re-establish basic services;

And situations, where conditions are not conducive, which is when above conditions are not met.

- e. In situations that are not conducive, returns must not be encouraged, promoted or induced. As part of area-based solution action plans, spontaneous returns in such situations shall only be assisted in consultation with the Return Consortium and under the following conditions:
 - i. IDPs actively seek support to facilitate a voluntary return;
 - ii. Intention surveys are conducted to ensure the genuine and voluntary decision to return and verify that IDPs are aware of alternative solutions and the risk of unsustainable solutions and renewed displacement;
 - iii. Go and see visits are facilitated to re-affirm their decision in light of the realities and to facilitate initial inter-actions with communities in areas of origin;
 - iv. Genuine wish to return is re-affirmed following a go and see visit for each member of the IDP community.

8.4 Inclusion in development plans and programs

- a. The Federal Government of Somalia commits to include displacement specific elements in national development plans, poverty alleviation initiatives, urban planning processes and other relevant developmental plans and programmes;
- b. The Federal Government of Somalia commits to bring areas affected by internal displacement and areas of return up to the national development average, including through affirmative action where appropriate;
- c. The Federal Government of Somalia encourages and commits to advocate with other national and international actors to include IDPs and returning refugees in area-based recovery and development plans, programs and activities.

8.5 Funding and capacity

- a. The national strategic action plan for implementation and other action plans specified in section 8.3 include funding requirements and a funding strategy;
- b. Direct budget allocations are prioritized and provided to the Ministry of Interior and Federalism for the implementation of this policy framework based on the requirements specified in the national strategic action plan for implementation in section 8.3.1;
- c. The Ministry of Interior and Federalism undertakes to propose to the international community the funding strategy;
- d. The Ministry of Interior and Federalism in collaboration with the Ministry of Finance establish an IDP & returnee fund to receive bilateral and multilateral funding in addition to the

governmental budget allocation to implement the national strategic action plan for implementation as well as under action plans devised hereunder.

8.6 Monitoring and evaluation

- a. The implementation of this policy is monitored by an oversight committee, composed of the Ministry of Interior and Federalism, the United Nations, international and national NGOs;
- b. The Ministry of Interior and Federalism reports annually on progress made in the implementation of this policy framework and make the reports publicly available;
- c. Based on progress reports, the Ministry of Interior and Federalism undertakes to revise funding requirements and propose them to the international community.