Progress Report

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## Contents

I. General Human rights Prospective in Somalia.................................Page 3  
II. Establishment of DCI-Somalia (Executive Summary).......................Page 4  
III. Challenge encountered during the Establishment Stage...............Page 4  
IV. Program Focus & Coverage, Role, Responsibilities............................Page 5  
V. Somalia Ratifies the Convention on the rights of the Child...........Page 6  
VI. Juvenile Justice System ...................................................................Page 7  
VII. Rapid Assessment on Child Protection needs of IDPs ....................Page 8  
VIII. IDP Children’s Well-being .................................................................Page 9  
IX. Economic Responsibilities of IDP Children........................................Page 10  
X. Overall Protection Mechanism..............................................................Page 11  
XI. IDP Children with Physical Impairment ..............................................Page 12  


General Human Rights Perspective in Somalia

Background:

Somalia has suffered a human rights crisis for the last 20 years, characterized by serious violations of human rights and humanitarian law. The protection of civilians in the context of the armed conflict, combined with impunity and lack of accountability, is of major concern. The lack of rule of law and the climate of insecurity has created an environment in which certain categories of professionals, such as journalists and judges, are increasingly targeted for extrajudicial killings. An entire generation has grown up without access to education and the country as a whole suffers from a lack of knowledge about human rights. Women and children’s rights were routinely violated.

Moreover, prolonged grave violations of children’s rights in Somalia including killing and maiming children and other civilians in the course of military operations had become widespread. And for the children who managed to escape physical injury, the psychological effects remained severe and resounding.

Many have lost one or both parents, and other family members, some have lost their entire extended families. All have experienced violence, fear and instability at close quarters. DCI-Somalia as part of the National Human Rights System is willing to make efforts to advocate and encourage the public authority to re-address the prevailing culture of impunity, investigate all incidents of grave violations of children’s rights and ensure that all individuals responsible held accountable.
Establishment of DCI-Somalia

Executive Summary:

Ever since the establishment of DCI-Somalia in Mogadishu City in early May 2015, several relevant activities have been accomplished, and among them are:

- set up an office premises on August 2015, which is two-storey building, attaining all the necessary office equipment and recruiting professional human resources.

Furthermore, DCI-Somalia had established coordination mechanism with the Somali Federal Government inline-Ministries, especially, the Ministry of Interior, Ministry of Women & Human Rights and the Ministry of Justice, Which made possible for this newly established DCI- National Section to obtain all the relevant legal documents, including the Registration certificate and Letters of Partnership.

Eventually, DCI-Somalia’s Executive members had official meetings with UNICEF, Save the Children, UN- Child Rights Protection focal point and other International Human rights based International organizations.

Challenges Encountered during the establishment Stage

Since DCI-Somalia is mandated to use the actual logo of the parent organization, the local community members expected an immediate intervention when there is no an adequate funds to run the overall Project Implementation activity.

Hence, to deal with this kind of issue, DCI-Somalia informed the public that it seeking funds to meet the basic needs of the most vulnerable target population.

However, DCI-Somalia still needs to get a long-term funding commitment in order to achieve its objectives and to implement its planned activities. The success of our long-term plan would depend on sustained commitment and resource mobilization.
**Program Focus and Coverage**

*DCI-Somalia* geographical coverage is all Regions of Somalia. These areas are reached through Child advocacy and community outreach, development training and research, formal and Non formal education, HIV/AIDS and community health.

The Direct beneficiaries of *DCI-Somalia* programmes are vulnerable children, such as child soldiers, child labor, juveniles, out-of-school youth and children who are working in hazardous conditions. *DCI-Somalia* activities are Preventive and Rehabilitative in nature. Hence, both preventive and rehabilitative approaches are used.

*DCI-Somalia* implements **specific programs** to defend children’s rights in the **following areas**: health, education, participation of children, violence against women, child trafficking, sexual abuse, migration, and children within armed conflicts, child labour and juvenile justice.

**Role**

*DCI-Somalia* engages in Wide range of activities on child rights protection and promotion and also advocates towards ending all forms of Human Rights Violations and abuses; be it children, women, and people with disabilities in general. The Protection Section Personnel from *DCI-Somalia* who work with children and young people are required to report suspected risk of significant harm.

*DCI-Somalia* is an autonomous body which frequently work in collaboration with government and other organizations when addressing child wellbeing concerns.

**Responsibilities**

- respond to child well being and protection concerns through referral reporting and service delivery
- inform children and young people of their rights to be protected from abuse or neglect and of the avenues for support available to them
- provide care and support services to children, young people and their families
- promote the safety, welfare and well being of children and young people in their agency
- provide non-discriminatory, culturally appropriate services in accordance with the Anti-Discrimination Act 1977

**Somalia Ratifies the Convention on the Rights of the Child**

*DCI-Somalia* expressed its concern regarding the ratification of the Convention on the rights of the Child (CRC) by the Somali Federal Government through widespread advocacy and lobby of the Civil Society, while becoming the 195th State Party to the Convention.

In December, in a positive legislative development, the Federal Parliament adopted a law ratifying the Convention of the Rights of the Child. The law was signed by President Hassan Sheikh Mohamud on 20 January 2015. *DCI-Somalia* welcomes the progress made by the Federal Government of Somalia and encourages it to sustain all its efforts to better protect children in Somalia, including by finalizing the ratification process of the Convention and to take steps to ratify its Optional Protocol on the involvement of children in armed conflict.

**Concerns**

There are high hopes that the Children’s Law will improve the child rights situation including child services delivery. The children of Somalia have in the past suffered from abuse, exploitation, neglect, conflict and violence, and they continue to suffer. Somalia’s progress and development will require not only economic growth but also a robust commitment to human development and the respect for human rights. The ratification of the Convention on the Rights of the Child is a critical step forward. The sooner it is fully implemented, the quicker Somalia will evolve into a just society with shared prosperity. However, its implementation still faces many challenges.
Juvenile Justice System

“To provide for the care, Protection, treatment, development and rehabilitation of neglected or delinquent juvenile and for the adjudication of certain matters relating to and disposition of delinquent juvenile.”

Whereby in Somalia around 80% of cases involving children are dealt with by traditional elders. In the case of this informal justice system practiced in Somalia, it is designed to keep the peace. In this context the punishment is targeted towards the clan and not the individual perpetrator and compensation may not go to the victim but to the family or the clan of the victim. Therefore it is not victim or accused centred and understands that both offenders and victims are part of the community.

In this regard, DCI-Somalia is dedicated to advocate and to ensure that a coherent and functioning national Juvenile Justice System to be implemented in collaboration with the Ministry of Justice and other Stakeholders.

With respect to juvenile justice at national level, Currently DCI-Somalia is planning to work in the field of Juvenile Justice, while seeking to improve the respect of the rights of the children in the justice system and especially in any kind of centres and settings where they are deprived of their liberty. One of the ways to reach this objective is to ensure a proper monitoring of these detention facilities, such as the Central Prison. DCI-Somalia has set up a close collaboration with all the monitoring mechanisms at national level.

We will disseminate information to parents and children and train teachers, police, nurses and doctors for them to be able to prevent and respond to cases of violence against children.

Together with other partners we ensure building the capacity of other child protection bodies functioning local and community levels.
Annex- 1. Rapid Assessment on Child Protection needs of IDPs

Executive Summary

On the 14th and 15th September 2015, DCI-Somalia’s Child Protection Assessment and Monitoring team conducted a rapid assessment of the location and needs of internally displaced children (IDP). Through interviews with community focal points and Camp leaders the following matters were observed:

- Girls and boys have experienced a wide variety of issues during displacement, including psychosocial distress and limited access to basic resources.
- Children face or are at risk of facing violent attacks.
- Children are at increased risk of exploitation including child labour.
- There are no available child-friendly activities for children, and children are not engaged in any activities. There are currently no recreational opportunities for children in these locations, potentially due to overcrowdedness, poor shelter and adequate child-friendly spaces.
- There is a high demand for the establishment of educational and recreational activities in the areas hosting the IDPs.
- There are a number of children with disabilities and/or with special needs present among the IDPs and there are currently no specialized services available.

Key Findings

Discussions with Camp leaders focused on the following key issues: family separation; children’s psychological well-being and common issues faced by boys and girls, including forms of violence and abuse; activities that children are currently engaging in; children with disabilities or special needs; the future plans of the families.
Children’s Well-being

It has been identified from other prospective a wide variety of issues related to child rights faced by boys and girls in the IDP Settlements:

- **Limited access to basic resources** including food, adequate clean water, Sanitation facilities and medicine.
- **Other issues** including over-crowdedness caused by returnees from Yemen and Kenya and this kind of ex-refugees influx due to the recent war in Yemen
**Economic responsibilities:** IDP children often miss school because their labour is needed at home or to generate household income. While IDP girls are burdened by domestic and childcare responsibilities, due to poverty and poor economic conditions in their families.

“Bashir, the above 8-year old Shoe-shiner is required to take home 2$ on a daily basis as a bread-winner and incase he doesn’t generate that amount he may encounter hash punishment including beating from his parents or guardian”. Eventually, when asked whether he would have gone to school if he gets access to, Bashir responded: “I wish I will go to school one day”.
Protection broadly speaking, protecting the rights of the child means ensuring the rights provided for in the CRC. Protection of displaced children focuses, first, on shielding them from physical and psychosocial harm inflicted by others, such as violence, exploitation, sexual abuse, neglect, cruel or degrading treatment, or recruitment into military forces. Displaced status makes children especially vulnerable to each of these forms of abuse. Second, protection refers to those actions that preserve the identity and cultural, linguistic, and inheritance rights of displaced children, since children removed from their home communities are at significant risk of losing these portions of their heritage. But protection finally also entails providing or ensuring provision at the basic needs of children in terms of food, health and education. DCI-Somalia’s general approach to child protection activities in emergency settings is outlined in a separate prospective document.

Currently, however, there is much that DCI-Somalia can do to help protect displaced children from abuse. DCI-Somalia protection work in displacement emergencies can include direct intervention or advocacy to governments and other organizations to spur their protection work. Especially helpful in the country-specific setting will be strong links to and collaboration with UNHCR, the International Committee of the Red Cross, the UN High Commissioner for Human Rights (UNHCHR), peacekeeping forces, and NGOs active in protection activities. DCI-Somalia has an especially important role in ensuring that such organizations are aware of and focus on the special needs of displaced children in their normal protection activities.
Physical impairment is one of the largest groups among children with disabilities, mainly due to injuries as a result of conflict and war in Somalia, mine accidents, bombings and accidents with unexploded ordinances. Many government and non-government organizations (national and international), as well as UN agencies have data related to the number of school-aged children with physical impairments in Somalia.

Furthermore, lack of nutrition as well as lack of access to affordable quality health care will also lead to thousands of Somalia children becoming physically impaired. A small infection in a wound can without proper treatment result in the loss of a limb. The lack of nutrition affects the physical development of children.

Hence, the below photo shows one of the disabled children that DCI-Somalia Assessment Mission Team met at Sayidka IDP Settlement in Mogadishu.

9-year old IDP Child with physical impairment who remains “deprived “of most of his basic rights