



Ministerie van Buitenlandse Zaken

# Security and rule of law

Organisation			Date		Reporting period			
Region Horn of Africa, Embassy of the Kingdom of the Netherlands, Nairobi (Somalia)			June 2016		2015			
Activity Number	Name	2015 Actual expenditure	Implemented by		Result area	Rio marker Mitigation/Adaptation	Significant/principal	Gender marker Significant/principal
			Name organisation	Channel				
28390	Somalia Stability Fund	900.000	Adam Smith International	Multilateral organisation	Human security	[...]	[...]	Significant
26730	Maritime and Transnational Organised Crime Programme for the Horn of Africa	1.947.368	UNODC	Multilateral organisation	Rule of law	[...]	[...]	Not applicable
26633	Somaliand Development Fund	2.000.000	DFID	Government	Social and economic reconstruction	[...]	[...]	Not applicable
28372	Strengthening Somali Media	38.440	Free Press Unlimited	NGO	Human security	[...]	[...]	Significant
28365	SSF Somalie	2.000.000	DFID DEPARTMENT FOR INTERNATIONAL DEVELOPMENT	Government	General	[...]	[...]	[...]
24839	Legislative sector Somalia	564.933	AWEPA	NGO	General	[...]	[...]	[...]

**Result Area 1** **Human security**

**Result question 1a: To what extent have physical security and freedom from fear as experienced by men and women from all social groups improved? (country level)**

**Subgoals:**

- 1.1 All kinds of violent acts against citizens, including sexual violence, and other physical security threats are reduced
- 1.2 Institutions responsible for maintain security perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens (SSR)
- 1.3 Communities and civil society contribute to human security independently and in coordination with responsible institutions

The overall security situation in Somalia remains volatile. While joint military operations of the Somali National Army and the African Union Mission in Somalia (AMISOM) continued to recover territory from Al-Shabaab, the group continued to undertake organized attacks that posed serious threats in the region. Attacks spiked in Mogadishu, targeting primarily officials of the Federal Government and symbolically important places, and often causing civilian casualties. Al-Shabaab also remained active in other parts of Somalia, with also a significant attack arriving at the coast of Puntland by boats. Despite the military advances, stability is yet to be achieved in most of the recovered areas. Western areas of 'Somaliland' remained relatively peaceful, while the Sool, Sanaag and Cayn regions experienced intermittent armed clashes. There has been a continued decrease in acts of piracy; however acts of terrorism by alShabaab increased. Personal safety has decreased dramatically since 2000 as can be seen from the Mo Ibrahim Index score. This sharp decrease is the result of the conflict that broke out in 2005 and continued till today. This conflict had multiple phases, first from an existential war between the warlords (with support from the US/CIA) and the Islamic courts, than between the transitional government and Ethiopian troops against the Islamic courts and Al-Shabaab, and later between the federal government allied with AU troops against Al-Shabaab. This conflict is still ongoing. The security risks are however different for different groups of citizens. Non-aligned citizens who are not involved in politics or are not openly against Al Shabaab are not targeted, while groups that either work with the government or openly stand up against Al Shabaab and extremism in the country are targeted. However, because of the weakened capabilities of Al Shabaab they focus their resources on high-profile targets, i.e.. government officials & sites and on international staff aligned to the government, UN or AU. The security situation in Mogadishu and much of southern Somalia is better than the years before despite the presence of Al Shabaab. Many Somali diaspora from North America and Europe have also returned to Mogadishu to start businesses and join the efforts of the government in rebuilding the country. In terms of reconstruction, there is a visible change in the capital city since 2013 and there is wide optimism in Mogadishu when it comes to the social and economic development.

Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Percentage of people that feel safe walking alone – Gallup			N/A	N/A	71%	71%		
Indicator 2: Number of female military peacekeepers – UN peacekeeping			N/A	N/A	N/A	N/A		
Indicator 3: Performance of the security apparatus – Fragile states index			10	9.4	8.7	N/A		
Indicator 4: Amount of cleared mined area (in km2) – Landmine monitor			N/A	N/A	N/A	N/A		
Indicator 5: Militarisation – Global peace index			2.2	2.1	2.1	2.1		
Indicator 6: Societal safety and security – Global Peace Index			4.3	4.3	4.3	4.1		
Indicator 7: Homicides per 100.000 population			no records	no records	no records			
Indicator 8: Personal safety	2000: 25 out of 100 score (from a range of 0 to 100)	10	3.1	3.1	n.a.			
Indicator 9: National security	2000: 21.3 out of 100 score	20	15.8	18.3	n.a.			

<p><b>Result question 1b: To what extent have your programmes contributed to these results?</b></p> <p><b>Subgoals:</b></p> <p>1.1 All kinds of violent acts against citizens, including sexual violence, and other physical security threats are reduced</p> <p>1.2 Institutions responsible for maintain security perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens (SSR)</p> <p>1.3 Communities and civil society contribute to human security independently and in coordination with responsible institutions</p>	<p>The Somalia Stability Fund contributed to the stabilisation of fragile parts of Somalia in the following ways: 1) SSF aided the re-establishment of formal government structures in newly-recovered districts in South-Central Somalia. The Stability Fund has also supported a range of Somali governance structures at all levels, such as Federal ministries, regional states and district administrations. The fund also contributes to the regional state formation processes. 2) SSF brought existing and emerging conflicts to an end and mitigated the risks of future conflicts, through conflict mediation processes with local communities in conflict-ridden areas.</p>
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Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Amount of land (in m2) released with Dutch funding (Reports from Handicap International, DCA, UNMAS, MAG Iraq)								
Indicator 2: Number of newly recovered areas worked in within 6 months of recovery (I- communities, ii-local administrations)	2014	25 districts	n.a.	n.a.	i) 3 communities ii) 13 local administrations			
Indicator 3: Number of people trained in conflict resolution and applying those skills	2014	TBD			i) 2,088male ii) 977 female			

<p><b>Assessment of results achieved by NL across the entire Result Area 1</b></p> <p>Assess achieved results compared to planning:</p> <p>Reasons for result achieved:</p> <p>Implications for planning:</p>	<p><b>Human security</b></p> <p>B. Results achieved as planned</p> <p>The Stability Fund proved to be flexible enough to quickly become operational in districts that were liberated from Al Shabaab. Although activities went as planned, it is still quite early to measure impact of the activities. A huge review and evaluation is undertaken by DFID at the moment. The SSF proved to be flexible enough to become operational in districts liberated from Al Shabaab. Also, it has proven flexible enough to enter into new areas of operation and to deliver good results on pilot projects, to hand-over to larger institutions for follow-up (such as with the PFM programmes. However, the overall impact of all these programmes (at outcome level), scattered around the country, is difficult to assess.</p> <p>Because of the limited resources of the Netherlands for Somalia the need is high to identify smart ways to contribute towards improvement of security for citizens. Currently the Netherlands contributes to this through general support to UN and EU, who actively support the AU mission in Somalia and the Federal Government of Somalia in fighting Al Shabaab and building national security institutions.</p>
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<p><b>Result Area 2</b></p> <p><b>Result question 2a: To what extent do men and women from all social groups have access to effective and independent justice institutions and have confidence in the rule of law? (country level)</b></p> <p><b>Subgoals:</b></p> <p>2.1 Men and women from all social groups are aware of their basic rights and fundamental freedoms and have equal means to access formal and informal justice systems (legal empowerment, access to justice)</p> <p>2.2 All justice institutions perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens (justice sector reform)</p> <p>2.3 The justice system is independent and effectively curbs abuse of power by state institutions, armed actors or powerful private actors</p> <p>2.4 Formal and informal justice institutions effectively address legacies of human rights violations and serious crimes committed during periods of armed conflict or dictatorship, and address root causes that give rise to conflict (transitional justice)</p>	<p><b>Rule of law</b></p> <p>The formal justice system in Somalia remains weak and dysfunctional, and most people rely on local modes of conflict resolution including xeer, sharia and ad hoc mechanisms established by militia factions. Of these, xeer is the most widely used and influential; it functions in parallel to state law, making the legal framework in Somalia pluralistic.</p> <p>Various initiatives to strengthen the capacity of justice institutions over the past twelve months have been implemented within the framework of the New Deal for Somalia.</p> <p>Capacity building for the staff of the Justice Institutions has commenced with provision of training to prosecutors, judges, and MJCA staff on a number of urgent topics, such as piracy and maritime crimes, crime scene management and gender-based violence.</p> <p>Somalia stills lacks capacity to independently deter, arrest, prosecute and subsequently detain suspects of maritime crime in line with international standards, but the first steps have been taken, towards proper prisons, and trained Somali judges and prosecutors.</p>							
Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Human Rights and Rule of Law - Fragile States Index		8	10	10	10	N/A		
Indicator 2: Rule of Law overall standing – World Justice Project Rule of Law index			N/A	N/A	N/A	N/A		
Indicator 3: Confidence in Judicial System – Gallup World Poll			N/A	N/A	49%	58%		
Indicator 4: Civil justice free of improper government influence - World Justice Project Rule of Law index			N/A	N/A	N/A	N/A		
Indicator 5: Criminal justice free of improper government influence - World Justice Project Rule of Law index			N/A	N/A	N/A	N/A		
Indicator 6: Corruption Perceptions Index -Transparency International			8	8	8	8		

<p><b>Result question 2b: To what extent have your programmes contributed to these results?</b>  <b>Subgoals:</b>  2.1 Men and women from all social groups are aware of their basic rights and fundamental freedoms and have equal means to access formal and informal justice systems (legal empowerment, access to justice)  2.2 All justice institutions perform their tasks effectively, accountably and in better coordination, responding to the needs of citizens (justice sector reform)  2.3 The justice system is independent and effectively curbs abuse of power by state institutions, armed actors or powerful private actors  2.4 Formal and informal justice institutions effectively address legacies of human rights violations and serious crimes committed during periods of armed conflict or dictatorship and address root causes that give rise to conflict (transitional justice)</p>	<p>United Nations on Drugs and Crime (UNODC) supported Somali regional and federal authorities in building capacity for authority over their coastline and maritime zones, through development of legislation, construction of prisons and training of judges, prosecutors, prison staff and legal educators. Also, the Netherlands is the co-chair of the PSG 3 working group on the development of the Rule of Law, under the New Deal Compact, and contributes to coordination and improvement of Rule of Law efforts.</p>
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Assessment of results achieved by NL across the entire Result Area 2	Rule of law
Assess achieved results compared to planning:	B. Results achieved as planned
Reasons for result achieved:	The UNODC programme focuses on maritime crime and law enforcement. Dutch support for the rule of law sector in Somalia has so far focused on combating maritime crime. Initiatives to support the wider justice sector are being explored, also through the position of co-chair of PSG 3, however thus far with limited results. Al Shabaab's presence in recently liberated areas is frustrating efforts of the government and international partners to establish security and rebuild institutions.
Implications for planning:	

Result Area 3		Peace processes and political governance						
<p><b>Result question 3a: To what extent are processes and political governance in place that stimulate peace and stability? (country level)</b>  <b>Subgoals:</b>  3.1 Programmes are adjusted to the local situation on the basis of adequate conflict analysis  3.2 Domestic and international actors take responsibility for effective and inclusive mechanisms for peacebuilding and prevention of conflict at different levels, with an active role for women (Inclusive peace building, UNSCR resolution 1325)  3.3 Ensure effective, responsive, inclusive, participatory and representative decision-making at all levels</p>								
Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Factionalised elites – Fragile States Index	8.7 (2005)		9.8	10.0	10.0	N/A		
Indicator 2: Group Grievance – Fragile States Index			9.3	9.3	9.5	N/A		
Indicator 3: Confidence in national government – Gallup World Poll			N/A	N/A	63%	78%		
Indicator 4: State legitimacy - Fragile State Index			9.5	9.1	9.3	N/A		

<b>Result question 3b: To what extent have your programmes contributed to these results?</b> <b>Subgoals:</b> 3.1 Programmes are adjusted to the local situation on the basis of adequate conflict analysis 3.2 Domestic and international actors take responsibility for effective and inclusive mechanisms for peacebuilding and prevention of conflict at different levels, with an active role for women (Inclusive peace building, UNSCR resolution 1325) 3.3 Ensure effective, responsive, inclusive, participatory and representative decision-making at all levels	Somaliland: The Somaliland authorities have described their development priorities in the 'Somaliland National Development Plan 2012 – 2016', which is built on five main pillars: economic, infrastructure, governance, social, environmental. The NDP is currently under revision. The Somaliland Special Arrangement (SSA) under the New Deal for Somalia (2013) is based on Somaliland's 'Vision 2030' to enable Somaliland to take ownership of its development agenda. Financing arrangements for the SSA support a gradual and performance-based transition to increased ownership and alignment of government institutions, with the ultimate objective of providing the environment suitable for budget support. In line with New Deal Principles and the SSA, Somaliland and development partners want to build on funding modalities such as the Somaliland Development Fund (SDF), a preferred financing mechanism, as it ensures greater accountability from both development partners and authorities, and increases transparency of aid flows. The Netherlands funding to the Somaliland Development Fund directly supports assistance to build capacity within the authorities – for instance to implement fair and transparent procurement mechanisms-, increasing their capacity to prevent, recognize and address corruption.
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<b>Result Area 4</b>	<b>Social and economic reconstruction</b>
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**Result question 4a: To what extent have sustainable services and employment opportunities aimed at key conflict-related grievances – especially for marginalized groups – increased and improved?**  
**Subgoals:**  
4.1 Government institutions, (local) civil society and the private sector increase sustainable income-generating opportunities (incl. for IDPs and hosted refugees) in a conflict sensitive manner, working towards inclusive development and social cohesion  
4.2 Governments institutions, (local) civil society and the private sector improve (equitable access to) basic services (incl. for IDPs and hosted refugees) in a manner that increases legitimacy of institutions and social cohesion

Indicator	Baseline	Target 2017	Result 2012	Result 2013	Result 2014	Result 2015	Result 2016	Source
Indicator 1: Public services - Fragile States Index			8.5	9.6	9.3	N/A		
Indicator 2: Poverty & economic decline, including unemployment – Fragile States Index			7.7	9.1	9.1	N/A		
Indicator 3: Perception of individual well-being: a) job satisfaction b) standard of living – UNDP Human Development Report			A: N/A B: N/A	A: N/A B: N/A	A: N/A B: N/A	A: N/A B: N/A		
Indicator 4: Uneven economic development - Fragile States Index			7.8	8.7	9	N/A		