



Somalia South Central Non State Actors (SOSCENSA)

Advocacy Strategy

Reviewed in August 2014

Mogadishu, Somalia

SOSCENSA's Advocacy Strategy:

SOSCENSA's Advocacy Strategy, which is a reflection of the current political, economic and social situation in south-central Somalia, is structured around the following four priority areas:

1. The Provisional Constitution
2. Public accountability & Rights of Marginalized groups (judiciary, police and custodial forces)
3. Service provision (aid effectiveness and service delivery)
4. Local Governance.

Within each of the above issues, there are specific problems identified alongside their prioritized solutions. SOSCENSA then developed influencing plans for the selected solution in each issue area as described below.

1. THE PROVISIONAL CONSTITUTION :

Identified problem: lack of understanding of the provisional constitution by the citizens in 11 of the regions of South Central of Somalia”

In South Central Somalia, there is broad public perception that the current provisional constitution “is against the Islamic religion and cultural values of Somali society”. An explanation for this might be due to lack of dissemination of the provisional constitution to the wider society and a lack of understanding of what the constitution entails. This issue was also identified through SOSCENSA's experience in facilitating the Consultative Draft Constitution (CDC) meeting which suggested that a majority of the citizens in South Central Somalia do not fully understand the contents of the Constitution.

Root causes of the problem are:

- Interpretation: Lack of agreement between key actors on the interpretation of the provisional constitution, for example, some religious groups believe that there is no need for a Constitution.
- Ownership: There is a wide belief among many Somalis that the provisional constitution is serving a foreign agenda as it was not conceived initially by the Somalis.

Consequences of this problem include:

- Conflict of interest among Somali communities which has led to the formation of small clan-based entities and a call for the creation of regional states.
Increased suspicion within the population about the process of developing the Provisional Constitution as most believed this process was not participatory. Increased political tensions following the SFG's push to implement Constitutional articles that lay the foundation for establishment of Federal States.

Prioritized Solutions:

- Informing the general public that Islam is not against a Muslim society neither is it against having a secular constitution.

- The Ministry of Justice and Religious Affairs, with the help of the Parliamentary Constitutional Committee and civil society organizations, to print and disseminate a large number of copies of the Provisional Constitution written in the Somali language so as to educate people.
- The Somali Ministry of Social Service and Development/ Education department incorporates the Constitution in the civic education curriculum of schools, both public and private, and with help of the Ministry of Information prepares and broadcasts educational programs about the provisional constitution.
- The Ministry of Justice and Constitutional Affairs, with the help of civil society organizations, launches programs and a campaign aiming to remove public suspicion about the Constitution and explain the impartiality of the Constitution.

Selected Solution:

“SOSCENSA advocates with the Ministry of Justice and Constitutional Affairs, Commission for Constitutional review and Parliamentary Committee for Constitutional Affairs for wider public participation and consensus building on the constitution review process

Influencing Plan: In order to influence the Ministry of Justice and Religious Affairs as well as Parliamentary Constitution Commission to print and disseminate large numbers of the “Provisional Constitution” free among the Somalis then educate them widely, SOSCENSA shall endeavor to:

- Work with the Ministry of Justice and Religious Affairs and Parliamentary Constitutional Commission and lobby for widespread dissemination of the Provisional Constitution through its constituent/representative members in the 11 regions of South-Central Somalia.
- Conduct media awareness-raising on the Provisional Constitution through debates on both national and private media.
- Organize workshops for the public to debate particular issues relating to the provisional Constitution.
- Work with the Ministry of Justice and Religious Affairs to organize meetings where Islamic religious scholars discuss how Islamic teachings and the new Constitution can be mutually compatible.
- Work with its constituent members who have links to the education sector and organize workshops for selected schools and universities.
- Lobby donors to put pressure on the government to complete the constitution-making process in time and organize a national referendum.

2. LOCAL GOVERNANCE

(Governance structure expansion and extension, and promotion of law enforcement e.g. judiciary, police and prisons)

Identified problem: Absence of effective local and national governance institutions (Participation, representation, service provision)

Top-down governance is one of the reasons that many Somali people feel that they have never been represented by the Somali governments as they were never allowed to elect their representatives. They also feel that previously, their views were not listened to, no effective security was provided and that the institutions of the judiciary and the local administrations/national governance were absent or ineffective.

Root causes of this problem are:

- Lack of a constitution that has wide spread public support
- Clan based conflicts and allegiance to clan affiliation over government authorities
- Greed of ruling elites for power
- Lack of transparency and accountability from the central government
- Lack of trust between the government and the people and the absence of an effective social contract
- Lack of democracy
- Lack of social coordination and mobilization
- Lack of understanding by the general public as to the purpose and function of a central government
- Religious fundamentalism
- Pirates
- Warlords
- Dogmatic religious groups misinterpreting Islam

Consequences of this problem include:

- Widespread corruption
- Dictatorship
- Lack of development
- Financial problems
- Social disintegration
- Ineffective governance
- Insecurity
- Absence of equal resource sharing
- Anarchy

Prioritized Solutions:

- The National Parliament protects and defends the Constitution and ensures the governments' full implementation of the Constitution.
- The Somali Ministry of Interior and National Security, through its regional department, ensure that Regional and District Administrations are established by local communities in their respective regions, and not imposed from the top by the central government.
- A local community elects/appoints office holders of their administrations by involving all community leaders.
- Civil society, in collaboration with local communities' leaders, endeavours to ensure that the formation of local government will be inclusive, combining all parts of the society and upholding gender balance.
- The Constitutional Court is responsible for the implementation and interpretation of the Provisional Constitution.
- The Somali population must respect and protect the Constitution as well as contribute towards its implementation.
- The Ministry of Interior and National Security formulates and implements the local administrative laws of regions and districts in collaboration with regional administrations.
- Establishment of locally elected councils.
- Establishment of a Citizenship Bureau for dealing with the citizen's complaints

Selected Solution: "SOSCENSA advocates for the formation, expansion and extension of governance structures from village to the national level".

SOSCENSA advocates for judiciary reforms at all levels

Influencing Plan: In order to influence the Minister of Interior and National Security to put in place the local and national necessary laws for Regional and District Administrations, SOSCENSA endeavours to:

- Work with the individual members from the Parliament and the Parliamentary Committees to organize debates on the Provisional Constitution and to broaden the understanding of MPs to the wider public.

- Work closely with the regional administrations of the Ministry of Interior and National Security to expedite laws affecting those administrations locally and nationally.
- Influence local communities to advocate open and transparent elections to establish inclusive local administrations in their respective geographical areas.
- Lobby government to establish an Ombudsman’s Office where the public could direct their concerns relating to governance issues including service provision and justice.

PUBLIC ACCOUNTABILITY:

Issue: Widespread institutional corruption (civil society, public & private)

Root causes:

- The collapse of the Somali government which inherently led to the collapse of public institutions (legacy of Somali history)
- During the transitional period in Somali politics, citizens relied on a combination of modern, Sharia and traditional justice mechanisms to solve disputes. Some of these processes were biased and further deepened the lack of accountability and transparency.
- Limited capacity (human resources, expertise etc.) of both justice mechanisms.
- In the absence of a stable government, civil society organisations have stepped in to provide services to citizens. During such times, these organisations have engaged in unscrupulous/corrupt business tactics which have further increased tensions with no regulatory framework to monitor business.
- Prolonged civil war created a culture of impunity and lack of accountability within the population as well as the public sector

Solution:

- SOSSENSA will continue to advocate for the establishment of an Anti-Corruption Commission (This is following previous campaigns led by SOSSENSA)
- SOSSENSA will continue to raise public awareness on accountability and transparency
- SOSSENSA will advocate for the inclusion of accountability and transparency in the national education curriculum

Target Audience:

The Ministry of Justice & Constitutional Affairs, Ministry of Interior and Federalism, Ministry of Finance, Ministry of Labor, Ministry of Education and relevant Commissions and Parliamentary Committees.

3. SERVICE PROVISION

Identified Problem: Absence of a national policy on service delivery.

This has been observed following initial conversations between the aid effectiveness working group and relevant stakeholders where it was noted that without a clear policy on aid, then all TWG efforts will be futile.

Root causes of this problem are:

- Limited national institutional capacity to develop national policy, for example, massive brain drain due to deteriorating security
- Rampant corruption in public institutions, for example, those varied interests in opposition of the government policy.
- Limited human and financial resources
- Frequent government reshuffles leads to a loss of institutional memory, i.e. lack of continuity.
- Public fear to demand from the government such policies due to rampant security and fear of unfair arrest or assassinations.

Ignorance by the public on their constitutional rights (no pressure)

The key outcome or consequences of this problem include:

- Lack of beneficial projects
- Anarchy
- Malnutrition
- Poverty
- Aid dependence
- Widespread IDPs
- Loss of confidence
- Reduced productivity
- Lack of equal access to aid distribution among the Somali people.

Prioritized Solutions:

- Target Audience: All government ministries dealing with service provision, Parliamentary Committees dealing with service delivery Government strengthens the existing National Disaster Management Agency and extends its offices to the regions beyond Mogadishu.
- Civil society organizations, government and the wider public make awareness raising efforts towards establishing common ownership and peaceful co-existence of service delivery.
- Government acts in collaboration with both international and local organizations dealing with food security to provide the necessary inputs for increased food production.
- Government to monitor that all aid and developmental projects are responding adequately the actual needs of the recipient population.

Selected Solution: “SOSCENSA advocates timely and sufficient provision and coordination of effective services by national authorities and international organizations”.

Influencing Plan: In order to influence the Ministry of Finance and planning to develop and effectively implement timely provision and coordination of service delivery by the national authorities and international organizations, SOSSENSA shall endeavor to:

- Work with the department of Non-governmental organizations in the Ministry of Finance and planning to ensure that INGOs and LNGOs put in place effective aid that would complement public service delivery.
- Work closely with the department of Regional Administration in the Ministry of Interior and National Security to ensure that regional authorities have put in place the humanitarian aid committees so as to guarantee effective aid and public service delivery.

4: MARGINALIZED GROUPS:

Identified Problem: Marginalized groups experience widespread denial of rights

In Somali society, traditional and cultural norms contribute to discrimination against marginalized groups, such as women and minorities, in the areas of marriage, education and work. This results in these groups being poor, uneducated and unemployed.

Root causes of this problem are:

- Retrogressive social culture which maintains that particular groups remain in marginalized conditions.
- Widespread poverty due to ignorance and unemployment.
- Social norms of segregation, such as 4.5 clan distribution system which maintains the inferior position of particular groups.
- Lack of organization and coordination among those groups to challenge and break these cultures and traditions.

Consequences of this problem include:

- Social exclusion
- Social Injustice – in particular lack of access to education and development
- Discrimination
- Hopelessness
- Lack of confidence
- Increased IDPs.

Prioritized Solutions:

- Organize awareness raising campaigns emphasizing the importance of equality through promoting positive aspects of Somali culture and relevant Islamic teachings
- Organize media debates which are able to challenge baseless negative cultures and beliefs that discriminate against particular groups in Somali society.
- The Government, more broadly, and the Ministry of Social Affairs/Department of Women in collaboration with civil society organizations develop “An affirmative action” on employment specifically for marginalized groups.
- Ministry of Social Service and Development/department of women in collaboration with department of education to develop similar “affirmative action” to the education of the children of those marginalized groups.
- The concerned Ministries work together to empower the marginalized groups including women, minorities and youth in life –saving skills including education, basic and simple professional job design skills.

Selected Solution: “SOSCENSA advocates affirmative action for the protection of the rights of marginalized groups”.

Influencing Plan: In order to influence the Ministry of Social Ministry of Social Service Development and the departments of women and family affairs, Labor, Youth and Sport Development, SOSCENSA endeavors to:

- Work with the respective departments to respond to the needs of marginalized groups and to develop programs specifically aimed at helping those groups in terms of employment opportunities and education

