

ICCG Guidance Note for Humanitarian-Supported Relocations in Somalia

February 2023

A. Background

1. In 2022, over 1,814,452 individuals were displaced across Somalia.¹ Of these, 1,177,820 individuals were displaced as a result of the ongoing severe drought, while 606,799 were displaced due to conflict and insecurity. The largest displacements took place in Bay, Hiraan and Lower Shabelle, while Banadir, Hiran, Galgadud received the largest number of newly displaced families.
2. The protection environment in Somalia is characterized by insecurity and volatility, impact of armed conflict on protection of civilians (including indiscriminate attacks on civilians and civilian infrastructure, unlawful restrictions and impediments on freedom of movement; vulnerabilities exacerbated by the on-going drought, limited basic services capacity and provision; weak or absent protection systems; low awareness of - and respect for - basic rights and rules governing armed conflict; discriminatory and harmful socio-cultural practices relating to gender; access impediments for humanitarian workers; widespread aid diversion and the socio-economic and political disenfranchisement of minority and marginalized groups, including their exclusion from humanitarian assistance².
3. While most Somalis are affected by the current crisis, populations from minority and marginalized groups are disproportionately affected and bear the greatest brunt. This is the result of existing and entrenched discriminatory practices and social norms around clan-based identity and associated hierarchical power dynamics, directly being reflected in systematic exclusion from humanitarian assistance.³
4. Land is highly contested in Somalia and land conflicts are the most prevalent type of conflict faced by displaced persons. Land conflicts can be categorised by reference to their location, i.e., urban and rural land conflicts, with the former driven largely by competition for access to resources such as water and pasture for livestock, and the latter driven predominantly by large scale and rapid urbanisation underpinned by weak legal and institutional frameworks and limited economic opportunities.⁴
5. Displacement is shaping Somalia's urban landscape and contributing to the country's rapid urbanisation.⁵ Somalia's cities are struggling to cope with the immediate and longer-term demands posed by their fast-growing populations and the arrival of people fleeing drought and conflict in rural areas. An approximate, 85% of the sites are informal settlements on private land and about 90% of them are in urban areas.⁶
6. In addition, forced evictions constitute a growing problem in Somalia, on such a scale that it could be described as an epidemic. In 2022, over 188,186 forced evictions were recorded with 77% of these in the Banadir region.⁷ This situation is added to an already entrenched and protracted displacement crisis.
7. Despite recent efforts led by the international community to re-establish urban planning and land administration in major cities, rapid urbanisation is exacerbating urban land conflicts. Long-standing clan divisions pose further challenges to urban land governance and management.⁸
8. There have been several efforts by governments to find land that can be allocated for and given to IDPs, usually by granting them titles to the land they have been occupying. However, in some parts of Somalia, particularly in South Central where land governance is weaker and there is more pressure on land due to high urbanization trends, this remains difficult.⁹ Only 6% of IDP sites are situated on land with government ownership.¹⁰
9. Relocation initiatives are complex, time- and resource-intensive, inter-sectorial undertakings that should be well planned, financed, and executed. This requires a collaborative and inclusive process led by the local authorities. There exists good emerging practises¹¹ on how major government-led relocation initiatives across Somalia have promoted durable solutions through securing longer-term land tenure security, improving service delivery and better living conditions, and mitigating the negative effects associated with forced evictions and the commodification of IDP settlements. Success has been ensured by multi-sector integration into planning and the operationalization of the humanitarian /development/peacebuilding nexus. At the same time, some of these relocation projects have been criticized as not well informed and managed. The lack of in-depth conflict analysis to understand the clan configuration and impact on

¹ [Protection and Return Monitoring Network \(PRMN\), 2022](#)

² UNHCR & NRC (2022). Living in Fear. Briefing Paper

³ Somalia Protection Cluster, Protection Analysis Update (September 2022).

⁴ [Rift Valley Institute \(2022\). Land Conflict in Somalia](#)

⁵ [Oxford \(2020\). Forced Migration Review. Multi-stakeholder approach to urban displacement in Somalia](#)

⁶ [CCCM Cluster Somalia Strategy \(2020\).](#)

⁷ [Eviction Information Portal. HPL AoR 2022](#)

⁸ Ibid

⁹ [NRC \(2022\). Who are you? Understanding the linkages between Legal Identity and HLP rights in Somalia](#)

¹⁰ CCCM Detailed Site Assessment.

¹¹ Refer to Annex 1

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IDP settlements patterns has resulted in increased tension between various groups and land disputes. Moreover, limited access to public land in urban areas has resulted in local authorities allocating land in remote locations far from the cities has raising safety, security and protection concerns.

B. Objective of the Guidance Note

This ICCG Guidance Note sets out guiding principles and standards for main stakeholders in Somalia, which should be advocated for in terms of humanitarian-supported relocation in the short to medium term. In the longer term, a broader strategy is required that not only operationalizes the humanitarian/ development/ peacebuilding nexus, but also incorporates wider socio-economic, cultural, environmental, and spatial considerations for more permanent solutions.

The guidelines put forth do not provide an exhaustive list of activities and measures that need to be put in place, rather the minimum standards and considerations applicable to all sectors that shall be included in the humanitarian decision-making process and development of response plans. Sector specific activities should adhere to this general guidance but be developed as part of the field-level strategies and plans in consultation with ICCG and all Cluster Coordinators.

The objective of humanitarian supported relocation is to establish alternative settlements suitable for habitation when there is an immediate risk to life or health, or when there is a threat to valuable communal/personal assets within a site (linked to the threat of forced evictions). Such cases may include pending evictions of IDP sites, sites located in floodplains or other high-risk topographical locations or settlements located in an area with active conflict¹². For particular issues related to achievement of minimum standards and safety, site consolidation or reconfiguration of IDP settlements should be prioritized over relocations initiatives.

C. Guiding Principles & Minimum Standards for Humanitarian-Supported Relocations

- **Government ownership:** The Government and authorities have the primary duty and responsibility to protect the IDPs and enable them to find solutions for their displacement.
- **Adherence to humanitarian principles and centrality of protection of humanitarian action:** All interventions by humanitarian actors, including engagement in relocations, must adhere to humanitarian principles of humanity, neutrality, impartiality and operational independence. Protection of all persons affected and at-risk must inform humanitarian decision-making and response, including engagement with authorities at national and local levels. It must be central to humanitarian preparedness efforts, as part of immediate and life-saving activities, and throughout the duration of humanitarian response and beyond.
- **Rights-based approach:** Any assistance or support for relocations must be rooted in a rights-based approach engagement with displaced populations themselves and be planned and conducted in a manner, which protects their rights, in particular rights to life, liberty and security, liberty of movement and freedom to choose their residence. Family unity needs to be protected and supported.
- **Voluntariness:** Under no circumstances, should displaced populations be encouraged, coerced, directed or compelled to relocate to areas where their life, safety, liberty, health and well-being would be at risk or to locations where agreeable living conditions cannot be met. Relocation should be voluntary in nature, based on a free, well-informed and documented choice by displaced individuals. Humanitarian actors will not exert any undue pressure of any kind; they will trigger, facilitate or support relocations only upon the explicit request of the displaced individuals and will provide accurate and objective information to displaced individuals, indicating all options available, including the right to stay or move to a third location, and including information on limitations of support provided as well as possible risks. Humanitarian actors should be prepared to use diverse communication methods, based on age, gender and diversity approach, to ensure that all persons, particularly those at risk of exclusion, can make an informed decision and understand its implications. Interventions should uphold freedom of choice and be mindful to not discourage IDPs from pursuing any intermediary or durable solutions on their own, including choosing to stay in their current location of displacement.
- **Do No Harm Approach:** Humanitarian actors must take a 'do no harm' approach, i.e. avoid exposing people to additional risk through their actions. Identifying these risks and mitigation measures is key in this approach (please refer to Potential Risks and Mitigation Measures in section D). For example, humanitarians must ensure that the provision of assistance intended for displaced populations does not result in inducing those who are not willing or not able to relocate. All interventions should be designed to uphold the freedom of choice of displaced populations and to

¹² For more guidance on large-scale relocations of civilians, who face an immediate threat to life in a conflict setting, refer to [UNHCR's Note on Humanitarian Evacuations in Violence and Armed Conflict](#); [NRC – Considerations for Planning Mass Evacuations of Civilians in Conflict Settings](#); and the [GPC roundtable on Humanitarian Evacuations in Armed Conflict](#).

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not discourage them from pursuing transitional solutions on their own, including choosing to stay in their current location of displacement or to move to a third location. Humanitarian-supported relocations should result in a clearly demonstrated improved protection outcome for displaced individuals.

- **Conflict-Sensitive Approach:** Humanitarian and local authorities should ensure that any relocation plans are implemented in a conflict-sensitive manner, including through engaging host communities neighbouring the sites from which displaced populations were re-displaced, relocation sites or areas of origin. The humanitarian community can support authorities in their consultations with host communities. In addition, authorities should ensure that effective and accessible dispute resolution mechanisms are in place before, during and after the relocation. Any decisions to support or facilitate IDPs relocation should be based on understanding among relevant stakeholders, including the authorities, at point of departure and in area of arrival about the relocation standards and implementing modalities – including considerations relative to local absorption capacity from a conflict-sensitive perspective.
 - **Risk Analysis:** The humanitarian community must undertake a documented comprehensive risk analysis of the situation to inform humanitarian negotiations and advocacy and ensure the safety of the displaced populations. The analysis must in an evidence-based manner exclude the risk of relocation fuelling local or regional conflict dynamics or putting IDPs in harm's way, particularly in proximity of the ongoing armed conflict.
 - **Clan Dynamics:** The humanitarian community must incorporate an in-depth analysis of clan dynamics into the comprehensive risk analysis, taking in consideration the dynamics within local authorities and landowners in the current place of residence, the concrete group of IDPs who are in need of a relocation and their host communities in current place of residence, as well as among authorities, land owners and host communities in the considered area of relocation. Humanitarian actors must ensure that proposed relocation does not fuel inter-clan conflict and/or tensions and does not result in or can be perceived to be resulting in forced relocations of these groups or their marginalization and discrimination.
- **Safety and Dignity of Relocations:** Humanitarian actors should ensure that actual relocation movements are carried out in safety and dignity, at minimum ensuring that:
 - Adequately equipped security forces who are accepted by IDPs are deployed to ensure IDPs' safety during the relocation exercises;
 - Appropriate measures are in place to mitigate the risk of separation of children and other vulnerable persons from their families;
 - Appropriate measures are in place to ensure the safety and security of women and girls;
 - Persons with disabilities and older persons are furnished with accessible means of transport;
 - Accessible and appropriate complaint and feedback mechanisms are put in place, and widely and clearly disseminated;
 - All relevant humanitarian actors in the area are informed about appropriate plans and measures to uphold the safety and dignity of IDPs on departure day – particularly Protection (specifically Child Protection with regard to potential family separation), CCCM, WASH, food security, nutrition, shelter, health, education and logistics actors.
- **Housing, Land and Property (HLP) considerations:**
 - Comprehensive HLP due diligence processes in line with international standards should be conducted at the very onset to ensure the HLP rights of both the displaced populations and land/property owners are respected to the greatest extent possible. The HLP due diligence process is a pre-requisite for securing land tenure. It helps with the identification of risks and impacts on the different types of land allocated for displaced populations being settled in new locations. This process involves meaningful consultations with potentially affected groups and other relevant stakeholders. It should be documented and may be used as evidence in dispute resolution should a land conflict arise in the future.
 - Adequate security of land tenure from all relevant stakeholders should be granted as a step towards durable solutions.
 - In addition to security of land tenure, considerations for the plot size should also take into account contextual and cultural aspects. Allocation of plots of land should not place host and displaced communities against each other.

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- Local authorities should ensure that any competing HLP claims are adequately addressed prior to any relocation to mitigate the risk of further conflict.
- Local authorities should engage in meaningful HLP mediation with host communities to mitigate the risks of further conflict. It should also ensure that effective conflict dispute prevention and resolution mechanisms are in place and accessible.
- **Participatory community engagement processes:** The importance of engaging in participatory approaches to ensure that the views of the wider displaced communities including women, minorities, persons with disabilities, youth and older persons, are considered before any concrete relocation plans are made, and to ensure the buy-in beyond only the IDP leadership. In this regard, the undertaking of an intention survey amongst the targeted population to understand their preferred options is critical. Intentions surveys should be conducted at HH level, while respecting diverse intentions and protection needs within a household, and verify that the displaced populations are fully informed of the situation and relocation plans. Responses of HHs to intentions surveys shall not preclude them from changing their decision in relation to the relocation at any later stage. The humanitarian community can support authorities with: community consultations, intentions surveys, identification of vulnerable persons with specific needs, as well as vulnerability multi-sectoral needs assessments, and protection safety audits, in relocation areas.
- **Free and Informed Decision-Making:** All IDPs – including women, minorities, youth, persons with disabilities, and older persons – are enabled to make informed decisions, free from any external pressure or interference, on whether to relocate. Authorities should also facilitate go-and-see visits ahead of any relocation exercise, to enable IDPs to assess conditions, and availability of services, in relocation areas.
- **Ensure that the conditions in the identified relocation sites meet the required standard of physical, legal and material safety, including:**
 - Areas should be free of mines and unexploded ordinances; physical safety and protection should be provided by authorities without discrimination. Explosive Hazards survey need to be undertaken, while relocated population shall receive Explosive Ordnance Risk Education.
 - Freedom of movement and safety and security in the relocation site ensured by the authorities;
 - The relocation site should not be on a floodplain; it can compromise safety and security, particularly in congested or confined spaces. Water entering and stagnating in people's living, learning and working environments poses a general threat to health, dignity and well-being.
 - Proximity to urban centres and existing service delivery points is critical. Access to the IDP site and access from the IDP site to urban areas should be considered, including local roads' condition, the proximity to transport hubs for the supply of relief assistance and other goods as well as seasonal constraints, hazards and security risks. The site and any primary storage and food distribution points must be accessible by heavy trucks from an all-weather road. Other facilities must be accessible by light vehicles. Provide safe, secure roads and pathways within settlements, and all-weather access to all individual dwellings and communal facilities. Access should also consider the needs of people facing mobility barriers¹³.
 - Topography and environmental assessments should be conducted prior to relocation discussions with members of the community with the aim at providing evidence regarding the viability of developing earmarked areas and their potential environmental consequences.
 - Proposed relocation locations must be integrated into urban plans for a city and should not be located in areas that are not planned for development by authorities.
 - Settlement plans should be established by a site planner using rendered designs taking into account Sphere standards, identified locations for future settlement development and service and market locations with such plans agreed upon by authorities and humanitarian/developmental stakeholders.
 - Access to adequate standard of living and basic services, including at a minimum access to adequate food, water, housing, health care and basic education. Provision of services by local authorities and service providers must be agreed and resources mobilized prior to relocation.

¹³ Source: [The Sphere Handbook 2018](#)

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- Relocation shelter typologies must be agreed upon by all stakeholders prior to commencing land assessments. Shelter options must provide a comparatively adequate, safe, private, and dignified shelter solutions that reduces the impact of displacement in protracted crises.¹⁴
- There must be protection services in place for women, children, persons with disabilities, older persons and minority and marginalized groups.
- Ability to engage in / access livelihood opportunities. Livelihoods should be an integral part of any relocation plan and it should include an analysis of needs and livelihood opportunities. For instance, it is recommended to identify available land for cultivation and grazing, or access to markets and/or employment opportunities. Similarly, lessons learned have shown that households supported with livelihoods prior to the actual relocation are more resilient.¹⁵ Furthermore, shelter and settlement responses have the potential to offer local employment, such as roles in technical assistance, supplies and the labour market. Use training and education programmes to boost local capacity to achieve results within a set period¹⁶.
- Government-led initiatives need to be put forward to ensure habitability of the site (e.g. road access, establishing markets, water systems, municipal services, transport, and telecommunication services).
- No parallel systems will be established in locations where government services are in place; humanitarians should engage as appropriate with local authorities and offer technical support. If such services are insufficient, support should look at how to fill gaps.
- Land allocated should be identified in close consultation with local communities, considering clan dynamics.
- Support from local authorities to calm any tensions that may arise with host communities and promote peaceful co-existence and social cohesion must be secured.
- Living conditions at a selected site, if not improved, should at least be similar to those at original sites.
- Proper planning in place and documented agreement reached by authorities, humanitarian partners and community members.

CCCM Guidelines on Relocations

The CCCM Cluster has developed standard operating procedures for relocations (annex 3), which highlight necessary relocation activities that are required during any relocation or settlement activity. However, the document does not detail the cluster's perspective on humanitarian relocation/resettlement. This stance can be found below:

- The objective of humanitarian supported relocation is to establish alternative settlements suitable for habitation when there is an immediate risk to life or health, or when there's a threat to valuable communal/personal assets within a site (linked to the threat of eviction). The CCCM Cluster views the resettlement/relocation of IDPs as a last resort when solutions proposed at the site-level are unable to be effectively administered.
- The CCCM Cluster continues to promote site-level solutions to issues that arise related to minimum standards. These solutions include site decongestion activities (refer to Annex 4) that aim to redesign IDP sites in close collaboration with authorities, HLP partners and humanitarian service providers providing site-level services. Additionally, the cluster recommends the merging of IDP sites when possible, to form larger settlements promoting the equitable distribution of services to all communities located within a human settlement or defined area.
- Relocation or resettlement of IDPs should always focus on **developing durable solutions with the active participation and leadership of local authorities, durable solutions and development partners**. Relocation initiatives should occur only when secured land tenure has been granted for each relocated household to promote the further development of the proposed relocation area and its inclusion within current urban plans.

¹⁴ Additional information is available in the [Dignified and Safer living Conditions for IDPs in Somalia](#) guidance.

¹⁵ Refer to Annex 1

¹⁶ Source: [The Sphere Handbook 2018](#). Additional information is available in two chapters: Shelter and settlement standard 5 and Food security and nutrition – livelihoods standards 7.1 and 7.2.

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RED LINES

Should the Government engage in any forced relocations, or undertake acts or omissions that would amount to coerced relocations, humanitarian actors shall:

- Not participate in the actual relocation movement of IDPs and limit assistance regarding relocation only to extremely vulnerable individuals / persons with specific needs;
- Engage in profiling of the targeted displaced population including in order to identify those for whom relocation is not feasible considering their specific protection and assistance needs, to inform individual protection interventions and advocacy;
- Engage in protection monitoring of the process of relocation, especially of any reports of coercion, including from within the displaced community itself and evictions and of conditions in the targeted locations, including through surveys (pre and post relocation) of IDPs;
- Engage in advocacy with Government and other stakeholders, including at the highest levels, on the need to adhere to principles of voluntariness and other minimum standards (as outlined in Section C);
- Provide information to the IDP community including with respect to services, conditions and access to assistance.

Should there be no evidence-based risk analysis and mitigation measures in place, clearly determined objective of the relocation in line with the above-mentioned standards / principles or demonstrated better protection outcome for the displaced populations, humanitarian actors shall refrain from triggering actions related to the relocation process.

Should there be credible reports of serious protection incidents or concerns affecting IDPs - during or as a result of the relocation process - in particular those related to the rights to life, safety, integrity, dignity and health, humanitarian actors will suspend the relocation, ensure required response is provided, prevention measures are put in place and seek guidance of the HCT on the next steps.

Risk of aid diversion does not justify relocating IDPs from their places of residence.

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D. Potential Risks and Mitigation Measures

| Risks Associated with Humanitarian-Supported Relocations | Mitigation Measures |
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| <p>Providing humanitarian support for relocations of newly displaced populations may raise expectations of support among other displaced persons in the same location or other areas, and may make people less willing to move on their own or create a pull factor</p> | <ul style="list-style-type: none"> ● Agree on and deliver clear, coordinated, and consistent messaging through all stages of engagement about what support can and cannot be expected, and encourage populations to return or relocate on their own where possible. ● Periodically assess rumours or misinformation spreading in the communities and identify information gaps that need to be filled. |
| <p>Providing humanitarian support to relocations may negatively affect the Government's feelings of ownership over the process.</p> | <ul style="list-style-type: none"> ● Regularly reinforce that the primary responsibility for supporting displaced populations to achieve durable solutions rests with the Government. |
| <p>Authorities may not have full knowledge of humanitarian principles and standards described in Section C of this guidance and have other expectations of whether and what the humanitarian-supported relocation process entails in terms of standards, timeline and resources, including those committed by the authorities</p> | <ul style="list-style-type: none"> ● Manage the expectations of the authorities since the outset of the engagement by raising their awareness on humanitarian principles and providing comprehensive and objective explanation of the relocation standards stipulated in Section C. |
| <p>Providing humanitarian support could lead people to believe that humanitarians are guaranteeing their safety and/or well-being while moving or at the intended destination, which is beyond the control of humanitarians.</p> | <ul style="list-style-type: none"> ● Provide factual, up to date, information on locations identified for relocation to internally displaced persons, so that they make informed decisions on intended movements – spontaneous or otherwise. ● Communicate and provide current and projected information on the security situation, with a conflict sensitive communication approach. ● Clearly indicate what support and services will and will not be provided or available both along the route and at the intended destination. ● Where possible, facilitate and coordinate “go and see” visits to intended places with adequate security measures in place, in order for IDPs to assess the situation first hand, share it back to the community and make fully informed decisions. ● Where possible, facilitate direct communication between IDPs and community leaders in areas of intended destination to have direct community-led information and analysis of potential risks to complement the information gathered and shared by humanitarian actors. ● Clearly communicate with the population on the limitations of humanitarian involvement and presence to provide physical protection. |

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| <p>Supporting or facilitating relocations may strain the ability of humanitarians to operate in other areas or respond to other caseloads with heightened humanitarian and protection needs, including in the context of the ongoing armed conflict</p> | <ul style="list-style-type: none"> ● Based on a comprehensive gaps analysis and protection analysis (which may be based on relevant needs assessment, protection assessments and monitoring and related reports), the HCT and ICCG will need to regularly discuss prioritization of the humanitarian response. ● While the initial needs for assistance may increase, measures should be taken to strengthen coping mechanisms to contribute to the decline of the population’s dependency on assistance in the medium and long term. An effective and efficient transition to more sustainability will need coordination with development actors and authorities. |
| <p>If not planned carefully, the relocation could expose people to harm during the journey, at the intended destination, and for those left behind, including challenges related to land tenure and durability of the relocation.</p> | <ul style="list-style-type: none"> ● Rigorous and timely risk assessments need to be conducted covering all phases of the relocation and all locations affected. ● People intending to relocate need to be provided with targeted, coordinated and verified information about the risks and security situation. ● The risk assessment should specifically consider whether the land allocated is owned publicly or privately and what guarantees can be sought to ensure a long-term tenure and possible transfer of ownership to the relocated population. ● Where appropriate, relevant authorities should be engaged in providing security measures. ● Affected communities need to be provided with contact information and means to communicate needs and protection concerns during facilitated movements. |
| <p>Even if initial assessment is positive, supporting movements to an area could cause increased tensions with the local community over things like the increased burden on resources or due to demographic changes.</p> | <ul style="list-style-type: none"> ● Humanitarians should conduct careful risk assessments in advance. The host community in areas of potential movement should be engaged and participate in the assessment, planning, and implementation. ● Humanitarians should support community-based services in the receiving locations that benefit both the host communities, IDPs, and new arrivals, without creating parallel systems that could further weaken any existing government service providers. Humanitarians should carefully monitor the integration of new arrivals and coordinate with development actors and authorities to plan for early recovery and the transition to durable solutions. ● Humanitarians should, when possible, engage both host communities and returnees in an open dialogue to understand and monitor the situation carefully and to allow them to express their own needs and challenges. |
| <p>In providing support to relocations, humanitarians could unwittingly feed into political and/or commercial strategies and intentions, which may be incompatible with humanitarian principles, rights-based and “Do No Harm” approaches</p> | <ul style="list-style-type: none"> ● Target population for the considered humanitarian-supported relocation should be identified and consulted in a participatory manner before engaging with authorities in relation to the process of relocation, including scoping of possible relocation sites. ● Conducting assessments from a conflict sensitive, community-based and “Do No Harm” perspective prior to engaging in humanitarian negotiations with the authorities in relation to the relocation process (including prior to scoping of possible sites) as well as during the whole process can help in identifying any possible political and/or economic strategies and evaluate their compatibility with the standards described in Section C of this Guidance Note, so as to inform further decision-making. |

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E. Recommendations

1. All relocations¹⁷ shall adhere to principles / minimum standards described in Section C and should always be done with a durable solutions lens. Coordinated involvement of all stakeholders, including government, humanitarian, development and peacebuilding actors and Clusters, from the initial planning stages is critical in ensuring minimum standards are met. If adherence to the standards / principles cannot be ascertained, actions related to the relocation process shall not be triggered.
2. Before a considered humanitarian-supported relocation process, humanitarian actors shall conduct an evidence-based conflict-sensitive risk analysis, indicating risk mitigation measures, as per the examples above¹⁸. The objective of the relocation, population groups considered for the relocation, and a demonstrated positive protection outcome for IDPs should be clearly determined from the outset of the process.
3. Humanitarian-supported relocations shall in no circumstances be construed as a solution to aid diversion.
4. Principles / minimum standards and the risks related to the relocation should be objectively communicated to key stakeholders (authorities, humanitarian and development actors, sub-national clusters, IDPs and host communities) in the current area of residence of IDPs and in the potential area of relocation from the outset of the process. Authorities should be informed that any relocation is a complex inter-sectorial process requiring considerable time and resources, including resources committed by the authorities themselves.
5. Government ownership and responsibility is key. Local authorities in particular should be empowered to facilitate engagement between the humanitarian community and displaced communities. This keeps the government engaged and accountable.
6. Comprehensive HLP due diligence processes in line with international standards is a pre-requisite prior to any commitment and investment. Any competing HLP claims – including those involving IDP and host communities – should be adequately addressed prior to any relocation to mitigate the risk of further conflict. Land tenure agreements need to assess the options available for the relocated population to gain ownership of the land or outline other durable solutions.
7. While recognizing that the common goal for displacement populations is to achieve durable solutions and there have been examples of Government-led relocation initiatives supported by durable solutions actors in Somalia¹⁹, humanitarian actors and humanitarian funding mechanisms can only play a limited role in this endeavour. Therefore, in any humanitarian-supported relocation process, early engagement with development actors, development coordination and funding mechanisms is crucial to transition from the initial humanitarian-supported relocation of families to a long-term durable solution initiative. Humanitarian-supported relocation can only be a transitional step towards durable solutions, if all standards / principles stipulated in Section C are adhered to.
8. ICCG should be notified of considered sub-national level initiatives as early as possible in the process to provide adequate guidance to relevant S-ICCGs and partners across the sector at the local level, and elevate any identified concerns to HCT with proposed measures to be taken. In situation of considered relocation, should the standards referred to in this guidance be adhered to, ICCG should make a recommendation for HCT's decision in relation to the inter-sectorial response priorities, so as to prevent straining the ability of humanitarians to operate in other areas or respond to other caseloads. The Protection Cluster and its HLP AoR shall have a central role in these processes.

This guidance note was developed by the Protection Cluster and Housing, Land, and Property Area of Responsibility with technical inputs from the shelter and CCCM clusters.

¹⁷ Given that development and peacebuilding actors in Somalia would also support relocation activities, their respect for humanitarian principles should be upheld.

¹⁸ Humanitarian actors are encouraged to also refer to Protection Cluster's checklist for Humanitarian-Supported Relocations included in annex 2 to this guidance, as well as the CCCM Cluster SOPs on Relocations of IDPs.

¹⁹ Refer to Annex 1.

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F. List of Relevant Legal & Policy Frameworks

- The main international and regional legal and policy frameworks that provide for the protection of displaced populations include:
 - Universal Declaration of Human Rights, Article 13 (1), 25(1), Article 17
 - International Covenant on Economic, Social and Cultural Rights (ICESCR): Article 11(1), General comments 4, 7
 - International Covenant on Civil and Political Rights (ICCPR): Article 6, Article 9, Article 12(1), Article 17
 - Convention on the Rights of the Child, Article 27(3)
 - Convention on the Ending of all Forms of Discrimination Against Women: Article 14(2)(h), 15(2) and 16(1)(h)
 - Fourth Geneva Convention
 - International Convention on the Elimination of All Forms of Racial Discrimination, Article 5(e)(iii), Article 5(d)(v).
 - Guiding Principles on Internal Displacement, Principle 7,8,18 & 21
 - Sphere Handbook (Sphere Standards)
 - Pinheiro Principles on Housing and Property Restitution for Refugees and Displaced Persons, Principle 8
 - Handbook on the United Nations Basic Principles and Guidelines on Development-based Evictions and Displacement
 - OHCHR & UN HABITAT Forced Evictions Fact Sheet No. 25/Rev.1
 - African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), ratified by the Federal Government of Somalia in 2020, particularly Articles III and IX
- With respect to land governance, Somalia has a system of legal pluralism consisting of three systems of laws: the pre-war statutory law, Islamic or Sharia laws, and the customary law. The set of laws regulating the administration and management of land in Somalia can be broadly categorised in to three groups: pre-1969 era laws, those enacted between 1969 and 1991, and post-1991 era laws. It remains unclear which group(s) of laws have been repealed, amended, and/or are still in force.
- The most relevant laws, policies and strategies for the administration and management of land and land resources and securing land tenure for displaced populations include:
 - Constitution of the Federal Republic of Somalia, 2012, Articles 11, 32 & 43
 - Constitution of Somaliland, 2001
 - Agricultural Land Law, 1975
 - Puntland Land Law, 2005
 - Somaliland Constitution, 2001
 - Somaliland Urban Land Management Law, 2001
 - Policy Framework on Displacement within Somalia, 2014
 - Provisional Constitution of Jubbaland, 2015
 - National Eviction Guidelines, 2019
 - Interim Protocol on Land Distribution for Housing to Eligible Refugee-Returnees and IDPs, 2019
 - National Policy for Refugee Returnees and IDPs, 2019
 - The Puntland Urban Land Management Law, 2020
 - Somalia National Development Plan 2020 to 2024 (NDP-9)
 - National Durable Solutions Strategy, 2021
 - South-West Urban Land Management Law, 2022

Annexes accompanying this Guidance Note include:

- Annex 1: Examples of government-led relocation initiatives supported by durable solutions actors in Somalia
- Annex 2: Somalia Protection Cluster and HLP AoR Checklist for Humanitarian-Supported Relocations
- Annex 3: Standard Operating Procedures for Relocations of IDPs in Somalia
- Annex 4: Standard Operating Procedures for IDP Site Decongestion
- Annex 5: Decongestion of IDP settlements as a prevention and control measure for COVID-19 pandemic in Somalia