



# JUSTICE SECTOR STRATEGY 2025-2029



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Ministry of Justice and Constitutional Affairs

# Justice Sector Strategy 2025-2029



Federal Republic  
of Somalia

December 2024

## Human-Centred Justice Sector

This strategy has been developed in collaboration with close to a thousand stakeholders from all across the justice sector. Symbolically, the logo of the Ministry of Justice and Constitutional Affairs includes almost 400 photos from these consultations.

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# Letter from H.E. Hassan Moalim



## Dear Esteemed Colleagues and Partners,

It is with great pride and commitment that I present to you the Justice Sector Strategy 2025-2029, a comprehensive roadmap that embraces human-centred justice as its core principle. This document represents a collective vision for a fair, inclusive, and accountable justice system that serves every Somali citizen.

The Justice Sector Strategy 2025-2029 is deeply aligned with the values, traditions, and unique realities of the Somali people. It aims to strengthen the rule of law by promoting fairness, accountability, and respect for human dignity while respecting our cultural and historical context. A solid justice system is essential for building trust and fostering lasting peace in our nation.

At the heart of this strategy lies a focus on the individual. It prioritizes human-centred justice, ensuring equitable access for all, particularly the most vulnerable members of our society. Recognizing the challenges faced by many, this strategy emphasizes inclusivity and the removal of barriers to justice, affirming that no one is left behind.

The development of this strategy has been a collaborative journey involving a wide range of stakeholders. I extend my deepest gratitude to everyone who has contributed their insights, expertise, and dedication. Your efforts have been instrumental in shaping this vision into a comprehensive and actionable framework.

As we transition to the implementation phase of the Justice Sector Strategy 2025-2029, I warmly invite all stakeholders to actively engage in this transformative journey. This is a shared endeavour that requires collective action to bring the principles of human-centred justice to life. Together, we can ensure that this strategy delivers meaningful outcomes for the people of Somalia.

Thank you for your continued support, dedication, and partnership as we work together to build a more just and equitable society.

**With regards,  
H.E. Hassan Moalim Mohamud**

Minister of Justice and Constitutional Affairs  
Federal Republic of Somalia

# Foreword and Acknowledgments

This document is not only the first Justice Sector Strategy in Somalia but also a testament to the most inclusive and comprehensive process ever undertaken by the justice sector to define a shared vision for Somalia's justice system and the path to achieve it.

Across the Federal Member States and Banadir, the Ministry of Justice and Constitutional Affairs engaged a diverse range of stakeholders, including justice sector staff, clan elders, religious leaders, civil society organisations (CSOs), women leaders, students, universities, Bar associations, and other government ministries.

This extensive effort involved **43 days of consultation, close to one thousand participants, and over three thousand stories and unique contributions.** Such a level of engagement in developing a justice sector strategy - one of the most challenging areas to address in a post-conflict context - is something many countries around the world would aspire to achieve.

We extend our sincere gratitude to all the participants who contributed their time, insights, and perspectives to support the Ministry of Justice and Constitutional Affairs in designing Somalia's first Justice Sector Strategy.

## How to read this document

The strategy is divided into five sections:

1. **Introduction:** Provides an overview of the context in which this strategy was developed, and the methodology applied during the process.
2. **Outcomes of the Strategy Development Process:** Provides a summary of all of the key insights gathered throughout the process as well as an overview of key trends impacting the justice sector.
3. **Key Strategic Topics:** Outlines the main strategic themes that form the foundation of the strategy.
4. **Vision and Strategic Goals:** Includes an overview of the goals along with a detailed list of outputs.
5. **Implementation Guidelines:** Covers recommendations for Monitoring, Evaluation, and Learning (MEL) to ensure effective execution.

Across the document, you will read quotes from numerous and diverse participants of this strategic process. The intent behind including these into this strategic document is twofold:

1. They provide **critical detail and hyperlocal context** into challenges that might otherwise seem generic and fairly predictable. Capturing this type of nuance has been one of the main principles guiding the strategic process.
2. They engrave the **human dimension of the justice sector**, which by all intents and purposes is the one that touches people's lives every day, even if indirectly. In other words, these direct quotes are not the background, but the highlights of this strategy.

The Ministry of Justice and Constitutional Affairs expresses its heartfelt gratitude to all those who contributed to the success of this initiative. We extend our appreciation to:

- The Federal Member States (FMS) For their unwavering collaboration and dedication to promoting justice and the rule of law across Somalia.
- Justice Sector Institutions: Including the judiciary, courts, police, and correction services, for their insights, expertise, and commitment to the justice reform process.
- Courts and Judiciary Leaders: For their pivotal role in upholding justice, providing legal clarity, and contributing to the development of this initiative through their specialized knowledge and experience.
- The Office of the Attorney General: For its critical role in legal oversight, prosecutorial contributions, and ensuring adherence to justice principles throughout the process.
- Community Representatives and Civil Society Organizations For their invaluable input and advocacy for a people-centred justice system.
- **International and Regional Partners** such as the UNDP, UNTMIS and UNODC Joint Justice and Corrections Programme (JJCP) for their technical and implementation support throughout the process, and the European Union (EU) and the Kingdom of the Netherlands, for their generous funding, enabling the successful execution of this transformative initiative.
- Traditional Elders and Religious Leaders: For their wisdom and guidance in aligning justice reforms with Somali values and traditions.
- The Ministries of the Federal Government of Somalia: For their cross-sectoral collaboration and collective efforts in advancing justice and governance reforms
- Academia and Knowledge Institutions: For providing critical research and knowledge that informed our approach.
- The Planning and Policy Team: For their tireless efforts in drafting, coordinating, and finalizing this work.
- The Directorate Leadership: For their vision and guidance in shaping the framework and ensuring its alignment with national priorities.
- To all stakeholders who have contributed their time, expertise, and resources, we acknowledge your efforts in advancing justice for all. This work would not have been possible without your collaboration and commitment.

Finally, it is important to emphasise that the goals outlined in this strategy have been thoroughly discussed and

# List of acronyms

<b>ADR</b>	Alternative Dispute Resolution (centre/mechanism)
<b>AG</b>	Attorney General
<b>AI</b>	Artificial Intelligence
<b>CID</b>	Criminal Investigation Department
<b>CRP</b>	Constitutional Review Process
<b>CSO</b>	Civil Society Organisation
<b>FCAS</b>	Fragile and Conflict-Affected State
<b>FGS</b>	Federal Government of Somalia
<b>FMS</b>	Federal Member State
<b>IDP</b>	Internally Displaced Person
<b>JCM</b>	Justice and Corrections Model
<b>MEL</b>	Monitoring, Evaluation and Learning
<b>MOJCA</b>	Ministry of Justice and Constitutional Affairs
<b>NCC</b>	National Consultative Council
<b>NVC</b>	Nonviolent Communication
<b>ODA</b>	Official Development Assistance
<b>PC</b>	Provisional Constitution
<b>RoL</b>	Rule of Law
<b>SDG</b>	Sustainable Development Goals
<b>VAWG</b>	Violence Against Women and Girls



# *Introduction*





## Definitions of justice gathered through the consultations

From the consultations, justice was broadly defined as being related to equality and rights, ensuring equal treatment for all individuals regardless of gender and providing everyone with their rightful entitlements. It was seen as promoting fairness while encompassing a sense of freedom and security. Justice was also defined through religious and cultural lenses, particularly within the framework of Sharia law and moral governance. For example, one participant stated: *“Justice is getting judiciary based on our religion, which is free from bias, and everything should be rooted in our religion and culture,”* highlighting the alignment with Islamic principles.

Another perspective emphasized the impartiality of the justice system and related processes, such as fair trials, balanced mediation, and the consistent execution of judicial decisions. There was also a focus on fair access to justice, as one participant defined: *“Access to justice means being able to access courts, police, hospitals, and government services.”* This definition underscored the integration of justice with other essential services provided by the government.

Broader definitions emerged that connected justice to peace, fair treatment, and mutual respect within the community. This interpretation was deeply linked to traditional systems of justice and extended to include not just human beings, but also animals and land. Such definitions framed justice as tied to a moral compass guided by the fear of Allah, highlighting its spiritual and ethical dimensions.

# INTRODUCTION

## Definition of justice

Defining justice is a profoundly complex task, particularly in a context as multifaceted as Somalia’s. Justice is not a singular concept; it embodies delicate balances that reflect the diverse needs, aspirations, and realities of the people it serves. Crafting a strategy for Somalia’s justice sector requires recognising and addressing these balances to build a system that is both inclusive and transformative.

Justice goes beyond punishment. The Somali proverb **“Justice begins at home”** underscores the importance of **restorative justice**, focusing on healing rather than retribution. This approach calls for tools like **nonviolent communication (NVC)** and community-based conflict resolution, which place relationships and social cohesion at the heart of the justice process.

This strategy acknowledges this and seeks to chart a path forward that reflects Somalia’s unique context. It is not merely a roadmap for institutional reform but a vision for how justice can truly serve the Somali people - balancing tradition with progress while ensuring that every Somali feels heard, valued, and protected by the system.

## Historical and Legal Context

Fundamental to the role of government is to both establish and operate within the rule of law, and to provide protection to citizens through the rule of law. The collapse of the state in Somalia in 1991 brought lawlessness both to institutions and to communities, where protection and/or justice became inaccessible, particularly for the most vulnerable.

Somalia’s protracted fragility and conflict has affected institutions, including the rule of law and justice sector. Weak institutional mechanisms, low capacity and limited presence in urban centers contribute to low levels of trust and legitimacy in the formal justice system by the population. A key national priority has been the design and adoption

of a consensual Somali Justice and Corrections Model, which will need to be people-centred, realistic, effective and affordable to ensure it contributes to strengthen the legitimacy of the state as well as the justice sector, and hence its use by Somalis.

The lack of an adopted national model is a particular challenge for the Federal Member States (FMS), which have set up state-level justice systems without consideration of the existing federal justice system (itself still fragile) and without the benefit of a strong legal foundation. This means that FMSs continue to develop their respective political identities and justice systems in the absence of an agreement regarding core issues such as the allocation of budgets, legislative precedence, and FMS-centred balance of power dynamics.

In late December 2022, the National Consultative Council (NCC) agreed on the Justice and Corrections Model (JCM) for Somalia. The JCM is expected to provide a robust federal framework based on an integrated court system which seeks to devolve authority to FMS courts, with the Federal Supreme Court as the final authority.

Moreover, the Provisional Constitution (PC) which is the most important legal instrument of the country is incomplete, contradictory and not clear on some of the key issues. The review and finalization of the PC is prerequisite for advancing Somalia's federalism and ensuring overall political stability in the country. For this reason, the Constitutional Review Process (CRP) has been the top-most priority for subsequent post-transition governments since 2012.

As a matter of law, the process of deepening federalism in Somalia is directly related to the finalization of the PC. A number of political agreements (e.g. the structure of the state, the distribution of powers, etc.) need to be enshrined in the Constitution.

In light of the above, the review and finalisation of the Provisional Constitution through an inclusive political process is a strategic imperative for achieving Somalia's long-term peacebuilding and state-building goals. As such, it is also a key component of the efforts outlined in this strategy.

### **Legal framework**

In Somalia, the law derives from at least four sources, including a legislative framework that follows the Italian

(civil law) and British (common law) legal traditions, customary Xeer principles, and Shari'ah.

The collapse of Somalia's central government in 1991 and the following civil war caused the formal justice system of the country to collapse. As a result, the customary Xeer, and Shariah became the only alternative justice model that remained available to the war-torn country of Somalia.

Therefore, in recent history, there has been a mixed application of modern laws and the customary laws known as Xeer. The traditional legal system as it has evolved in Somalia is a combination of Shariah and Xeer. In most traditional settings, clan elders oversee the implementation of the local Xeer, while Islamic scholars are responsible for and called upon to render religious judgments related to criminal acts and civil disputes. However, in 1973, the Siad Barre government introduced a unified civil code. Its provisions were mainly focused on inheritance, personal contracts, and water and grazing rights, which sharply curtailed both Shariah and Somali customary laws. In addition, the new civil code restricted the payment of diya as compensation for death or injury to the victim or close relatives rather than to an entire diya-paying group.

Justice in Somalia is dispensed according to the above mentioned disparate sources of law, creating inconsistent legal outcomes.

Following the collapse of the state in 1991, the first genuine attempt to reconstruct state institutions was the reconciliation conference held in Arta, Djibouti in 2000. Subsequently, in 2004, a new government with a transitional federal charter was formed in Mbagathi, Kenya and a Provisional Constitution was adopted in 2012 as the basis of Somalia's justice system.

However, each of the five FMS has its own constitution which outlines its justice system, and a set of laws that stipulate sentencing guidelines for crimes. Each state has its own Ministry of Justice (MoJ), attorney general and multiple courts in different jurisdictions. Some states are far ahead of others in terms of clarifying local laws, but the vast majority of the states apply a mishmash of British Common Law, Italian Continental Law, Shariah and customary Xeer in their statutory courts. That speaks to the legal plurality that prevails in the country, which leads citizens to shop for the best justice system where they can obtain the most favorable outcome.

Establishing a unified Somali Justice and Corrections Model is paramount, aiming for a framework that is people oriented, viable, and impactful. Such a model is essential for enhancing the state's legitimacy and ensuring the justice system's accessibility and effectiveness for all Somalis.

### **Institutional structure**

Although Somalia formally adopted a federal system of governance in 2004, the application of that system on the ground is still a work in progress. Of all the aspects of the federal dispensation in the country, the justice system is one of the most fragmented across state, regional and even district lines. The federal parliament has yet to enact laws that would officially federalise the judicial branch in compliance with article 105 (2) of the constitution. Therefore, the justice sector currently suffers from a lack of legal coherence and limited capacity, and until agreement is reached on the justice architecture, its structure remains amorphous.

Besides, the elasticity and ambiguity of the PC of Somalia are primary features of the many challenges confronting the structure of the justice system. Article 105 (2) says that the “judicial structure shall be regulated by a law enacted by parliament.” More than several years after the constitution was drafted, the federal parliament has yet to enact laws clarifying the precise structure of the judicial branch, especially in view of the federal dispensation. And in the absence of that important legislation, the courts in the FMSs and the BRA have adopted different structures that align with their socio-political realities.

Most of the five member states and Banadir use a three-tiered justice system inherited from the Siyad Barre regime. The Court of First Instance (CFI) is usually located at the lowest administrative division, which is the district level. In most states, the CFI deals with routine civil and minor criminal cases. Above that is the Appeals Court, which is typically located at the capital of the province (region). This court deals with the cases that are escalated by the CFI due to their complexity and scope. On top of that pyramid is the State Supreme Court (SSC), which is the highest court in the FMS. Among other things, it adjudicates serious crimes (such as capital and rape cases) and acts as the constitutional court at the state level should there be a dispute between government institutions.

## **Global and local challenges**

Building on the historical and legal factors that have shaped the Somali justice sector, it now faces additional pressure from local and global challenges, as well as the nation's evolving goals and ambitions. Somalia, classified as a Fragile and Conflict-Affected Situation (FCAS), faces a range of challenges that extend beyond the typical understanding of the polycrisis experienced by many other countries. The following section outlines the key crises impacting the justice sector, with selected issues explored in greater detail in the Trend Analysis section of this strategy.

### **Polycrisis affecting Somalia's justice sector**

The concept of a **polycrisis** refers to the interconnected and overlapping nature of multiple crises that amplify each other's impacts. In Somalia, several challenges falling under this term are significantly affecting the justice sector. These challenges are not only interlinked but also exacerbate the fragility of institutions and access to justice.

**Prolonged Conflict and Insecurity.** Decades of conflict and the persistent threat of violence from armed groups like Al Shabaab undermine the ability of justice institutions to function effectively and for the government to develop state institutions.

**Displacement and Humanitarian Crises.** As of January 2024 Somalia has approximately 3,539,634 internally displaced persons (IDPs). Justice services are strained by the legal needs of displaced populations, including land disputes, gender-based violence, and lack of legal documentation.

**Climate Change and Resource Scarcity.** Droughts, floods and other climate shocks intensify disputes over resources such as water and grazing land, creating additional caseloads for both formal and informal justice systems. In addition, they exacerbate the level of internal displacement, exposing vulnerable communities to - among other things - justice-related hardships.

**Economic Fragility and Poverty.** Widespread poverty limits people's ability to access justice services, particularly in rural areas where justice infrastructure is underdeveloped.

**Social Inequalities.** Clan-based systems often dominate the justice landscape, in some instances contributing to inequalities in how justice is administered and exclusion of vulnerable groups such as women, children, minorities, and IDPs.

**Youth and Demographic Pressures.** Somalia's rapidly growing youth population, facing high unemployment and social exclusion, might in some instances contribute to instability. This particular challenge, however, also has its upside, with youth being eager to engage in the process of building the justice sector and supporting vulnerable communities.

## International commitments

Somalia is an ambitious country, committed to continuous improvement for the benefit of its citizens. From the perspective of the future of the justice sector, it is important to note that the country has made significant international commitments, including, but not limited to:

### Human Rights and Rule of Law

1. Universal Declaration of Human Rights (UDHR)
2. International Covenant on Civil and Political Rights (ICCPR)
3. International Covenant on Economic, Social, and Cultural Rights (ICESCR)
4. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
5. African Charter on Human and Peoples' Rights (ACHPR)
6. Convention on the Rights of the Child (CRC)

### Rule of Law and Justice Sector

1. Sustainable Development Goals (SDGs)
2. New Deal for Engagement in Fragile States
3. Collaboration with: United Nations Assistance Mission in Somalia (UNSOM), African Union Mission in Somalia (AMISOM) and ATMIS (African Union Transition Mission in Somalia)

### Anti-Corruption and Accountability

1. United Nations Convention Against Corruption (UNCAC)
2. Financial Action Task Force (FATF) Compliance

### Displacement and Conflict-Affected Populations

1. Kampala Convention on Internally Displaced Persons (IDPs)
2. Global Compact on Refugees and Global Compact for Migration

## SDG 16+

When analysing the interconnected challenges faced by Somali communities and their government, it is essential to consider the **SDG 16+ framework**. While **SDG 16** is traditionally defined as a goal to:

*"Promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable, and inclusive institutions at all levels."*

SDG 16+ expands on this by recognising the complexity and interdependence of social challenges, integrating related targets from multiple Sustainable Development Goals highlighting the critical connections between peace, justice and inclusive development. For Somalia, where issues such as displacement, insecurity, weak governance, and climate change are deeply intertwined, the SDG 16+ framework provides a holistic approach to addressing these complexities. It emphasises not only building effective institutions and ensuring access to justice but also fostering social cohesion, reducing inequalities, and empowering marginalised groups.

Key elements of the SDG 16+ framework include (though are not limited to):

- **Peace and Security (SDG 16.1):** Reduce all forms of violence.
- **Child Protection (SDG 16.2):** End abuse, exploitation, trafficking, and violence against children.
- **Justice and Rule of Law (SDG 16.3):** Ensure equal access to justice for all.
- **Inclusive Governance (SDG 16.7):** Ensure participatory and inclusive decision-making.
- **Human Rights (SDG 10.3):** Ensure equal opportunity and reduce inequalities by eliminating discriminatory laws, policies, and practices.
- **Women's Rights (SDG 5.2):** Eliminate all forms of violence against women and girls, including trafficking and exploitation.
- **Inequality (SDG 10.2):** Empower marginalised and vulnerable populations.
- **Urban Resilience (SDG 11.7):** Provide safe and inclusive public spaces.

This integrated approach is reflected in the strategic goal outlined in this document, which embrace cross-sector collaboration, including inter-ministerial coordination.

While this strategy focuses on the justice sector, it is not limited to a narrow justice silo. Instead, it acknowledges the critical need for systemic, cross-sectoral efforts to address Somalia's complex challenges holistically.

## Methodology

Recognising the complexities of historical and present-day developments, as well as the cultural, religious, and institutional contexts, alongside the goals and ambitions of the country and its justice sector, the strategy development team has adopted a set of methodologies designed to navigate this intricate landscape.

### Values and principles guiding the strategy development process

The team has defined and embraced a set of values and characteristics that should define both the process and its outcome (the Justice Sector Strategy).

#### Values

- **Inclusive:** Developed in collaboration with all key stakeholders, ensuring agreement and promoting access to justice for all.
- **Accessible:** Designed to be easy to engage with and interact with.
- **Human-centred with feedback loops:** Prioritising accountability through continuous feedback mechanisms.
- **Transparent:** Ensuring clear decision-making criteria and meaningful engagement.
- **Informative:** Aiming to raise awareness and understanding effectively.

#### Characteristics

- **Realistic:** Acknowledging the needs and current limitations of various parts of the system.
- **Adaptable:** Including measures of success mechanisms for monitoring performance, and the ability to adjust based on lessons learned, supported by a clear decision-making framework.
- **Contextualised:** Prioritising local models while adapting foreign approaches to the Somali context.
- **Impact-focused:** Emphasising achieving meaningful outcomes rather than merely completing activities.
- **Politically acceptable:** Ensuring legitimacy and alignment with political realities.

This strategy has been developed using three core methodologies, each providing a distinct approach to understanding and addressing the complex challenges in Somalia's justice sector:

## 1 Three horizons

This foresight methodology helps envision the future of the justice sector by identifying current practices (Horizon 1), emerging innovations and transitional solutions (Horizon 2), and long-term aspirations (Horizon 3). Horizon Scanning and trend analysis are integral to this process, enabling stakeholders to assess global and local trends, anticipate challenges, and plan strategically for a justice system that evolves over time.

## 2 Participatory research

Rooted in inclusivity, this methodology actively involves stakeholders - such as community members, elders (clan or religious), justice professionals, and representatives of women and youth - in the research process. It ensures that their perspectives, experiences, and needs shape the strategy. By fostering dialogue and co-creation, Participatory Research helps build trust, generate locally relevant insights, and promote ownership of the resulting strategy.

## 3 Positive deviance

This methodology identifies individuals, communities, or organisations that achieve exceptional outcomes despite facing the same challenges as their peers. By studying and replicating their successful behaviours or practices, Positive Deviance offers innovative and context-sensitive solutions that leverage existing resources and capacities within the justice sector. It is particularly effective in uncovering hidden strengths and fostering sustainable, bottom-up change.

Together, these methodologies have provided a comprehensive, inclusive, and forward-thinking foundation for the strategy, addressing immediate needs while paving the way for long-term transformation.

The process engaged close to one thousand participants from the Federal Government and Federal Member States and Banadir. These participants met for 43 consultations and validation sessions all across the country. They represented: justice sector staff, ministries, clan and religious elders, women’s groups, youth groups and students, IDPs, think tanks, Bar associations, and businesses.



**43** consultation sessions

**1000** participants

**>3000** unique stories and insights



2

# *Outcomes of the Strategy*



# Outcomes of the Strategy Development

All of the goals and activities in the strategy have been defined through a participatory process, engaging justice sector staff, clan elders, religious leaders, civil society organisations (CSOs), women leaders, students, universities, Bar associations, and other ministries.

The first step in that process was a series of consultations discussing the system as it is today (Horizon 1), the *status quo* understanding of the justice sector. Participants were tasked with identifying aspects of the system that work well, those that require change and map in detail the dynamics across the three justice systems in the country (formal, Xeer and religious). They have been asked not only to provide generic indications, but also to share specific stories depicting their arguments. Quotes from these stories are included in this section.

Based on the results, it was possible to develop a map of the system and identify key strategic topics - groupings of challenges that would potentially most benefit from strategic interventions. These were later on cross-referenced with the literature review and trend analysis.

This section summarises key outcomes of this process, starting from the aspects of the system that the stakeholders have praised and appreciated through to the challenges they have identified. Lists below are by no means exhaustive, but they do provide a snapshot into the most important aspects of the justice sector as understood by the stakeholders.

## Recognised Strengths of the Somali Justice System

1. The initial steps taken toward **decentralisation** in Somalia's justice system have been mentioned significant milestones in aligning governance structures with the country's federal framework. These early efforts have included the establishment of justice institutions at the Federal Member State (FMS) level and the gradual transfer of decision-making authority from the Federal Government of Somalia (FGS) to regional governments

*Initiation of the federalization of the justice and corrections model (JCM).*

*Need for decentralization of justice service delivery to all levels - region, district and below.*

2. Some aspects of the **cooperation between the traditional and formal justice systems** in Somalia have been assessed as positive, particularly in cases where clan elders play a vital role in bridging gaps in law enforcement and judicial processes. This collaboration has proven effective in situations where local knowledge and community trust are essential for resolving disputes or apprehending suspects.

*(...) There is a case - the trial of which is being heard at the Court of Appeal - in which a man burned his wife who was also pregnant. He escaped from the police, but with the collaboration of clan traditional elders the man was successfully captured and brought before the courts.*

3. **Alternative Dispute Resolution Centers (ADRs)** have in large part received positive feedback from a variety of stakeholders. It is appreciated that they provide support to people without fee and that their decisions are being trusted. Minor challenges are mentioned in the context of how ADRs operate and share information with other parts of the system.

*The ADR offices provide services to the vulnerable people by using traditional Xeer and mediation/arbitration methods for free (without fees). All the cases they resolved/arbitrated were never sent for appeal.*

4. **Universities and other educational institutions provide important support** (training, legal aid to people lacking resources) to other institutions in the justice sector as well as to the individuals seeking legal support.

*Universities such as City University provide legal aid services to those in need and cooperate with justice sector institutions. Similarly, these universities seek advice from and consult with the religious system on matters requiring specialised religious analysis, examination, and judgment.*

For example, in one case, a 12-year-old girl was married to a man whom she later discovered had a mental illness. The girl and her family sought a divorce and payment of her mandatory engagement price, which the husband's family initially refused to pay. The university's legal aid office intervened and sought the assistance of religious judges for their analysis and judgment. The religious judges adjudicated the case, endorsed the divorce, and ensured that the girl received her rightful engagement price from the husband and his family.

- 5. Ministries of Justice (FGS/FMS) as connectors.** Ministries play an important role as connectors and moderators of relationships and interactions across the justice sector institutions (formal, religious and traditional), which is critical from the perspective of collaboration, knowledge exchange and problem-solving. Other ministries, in particular the Ministry of Security, are mentioned in the context of positive collaboration.

*The Ministry of Justice and Constitutional Affairs (MoJCA) develops the important procedures and policies that guide all the institutions that operate in the justice sector in the country.*

- 6. Women's organizations** have been mentioned to play a critical role in broadening access to justice for the general population by advocating for equitable legal frameworks, providing legal aid services, and raising awareness about human rights, particularly for marginalized groups such as women and children. Their contributions often extend beyond legal advocacy, as they actively participate in peacemaking processes, fostering dialogue, and mediating conflicts at both the community and national levels.

*Previously, the elders were unable to resolve the dispute between the two tribes, and the war had been ongoing for years, resulting in the death of many people in the community after the war. We took cars, microphones, and wore white headscarves. Then we travelled to the war zone, taking with us the wives of the warring men and the women whose husbands had been killed in the war. Upon returning to the city, we organized protests saying: "If you do not stop this war, we will migrate and distance ourselves from you." Then they relented and signed an agreement, ending the war and it never came back again. (The Power of Women)*

- a. Raising awareness and mainstreaming laws and practices to prevent violence against women and girls (VAWG)** are goals that still require significant progress. It is clear, however, from the examples and stories shared by the stakeholders that there have also already been significant steps taken in that space.

- 7. Promising collaboration between youth organisations and the justice sector.** The role of youth in Somalia, and particularly within the justice sector, has been identified as holding significant potential for positive impact. Youth organisations have emerged as vital actors, contributing in key areas such as raising awareness about legal rights and justice issues, providing legal aid services, and fostering collaboration with justice sector institutions. During consultations, youth organisations were frequently highlighted as instrumental partners in bridging gaps between communities and formal justice mechanisms. Their efforts not only enhance access to justice but also amplify the voices of younger generations in shaping a more inclusive and effective justice system.

*The relationship between the Judiciary and the youth is good. In their free time, judges provide advice and guidance to young people such as university students and give them legal lessons, and the students then help the poor in court cases for free legal aid services.*

## **Recognised Needs and Challenges of the Somali Justice System**

- 1. Incomplete Constitution.** Lack of the final version of the constitution in place is one of the key sources of many of the other challenges listed below. It has been mentioned throughout consultations both directly and indirectly as a critical step in the process of strengthening the justice sector and delivering justice services to the entire population and in particular to the most vulnerable groups.

*The Constitution is incomplete. If it were completed, it would lead to greater accountability and order. Currently, each person refers to specific articles, leading to inconsistencies. A comprehensive Constitution is needed to address these issues.*

2. **The lack of clarity regarding the roles of the formal, traditional (Xeer), and religious justice systems** emerged as one of the primary challenges identified during consultations, closely tied to the incomplete constitution. Currently, the mandates of these three systems remain largely declarative and ambiguous. While, on the surface, their collaboration in delivering justice services may appear effective, stakeholder accounts reveal a more problematic reality. Issues such as favoritism, power struggles, interference in ongoing processes, and confusion often hinder access to justice. These challenges stem from the absence of clear laws and procedures defining which system should handle specific types of cases and the legal frameworks to be applied.

*Sometimes, conflicts between elders and courts stem from court decisions/rulings on criminal cases. For example, the court issues a capital punishment ruling/sentence (...) for a person who committed the crime of killing another person. Then, the elders of the victim's family and those of the convicted criminal agree to exchange the payment of blood price, which challenges the court decision.*

*At times, the traditional elders get involved in a case without the knowledge of and/or without informing the formal court. After the traditional elders fail to solve the case and become more intractable, they refer back to the formal court system for resolution. Such incidents could create conflicts/tensions between the courts and traditional elders.*

3. **Decentralization yet to be finalized.** The process of decentralization and federalization in Somalia remains incomplete, leading to significant tensions and a lack of clarity regarding governance protocols, laws, and procedures. This unfinished transition has been mentioned to create overlapping mandates and inconsistencies in the application of justice, complicating efforts to establish a cohesive system.

*The critical missing element is the decentralization of judicial services to other districts. It is necessary to decentralize judicial services.*

*Complete the process of federalizing the justice model and political agreement on the same between FGS and FMS.*

4. **Lack of judicial independence.** Judicial independence has been mentioned in the consultations across almost all of the FMSs. The comments referring to the lack of judicial independence focus on three key dimensions:

- a. **Oversight.** Lack of the Judicial Service Commission, which historically has played that role, but still needs to be reestablished (which is tied to the challenge of the incomplete constitution);

*The absence of the Judicial Service Commission (JSC). For example, there are no legitimate institutions which are entitled to either penalize or call to account the formal courts when they fail to perform their duties.*

- b. **Unlawful pressure** put on the judges by non-judicial bodies, including clan elders or persons in a position of power. Examples of threats against judges ruling against specific clan members have been provided across the consultations. On top of that, cases when a ruling by a judge was forcibly overturned by a person in power and/or clan elder have also been mentioned.
- c. **Political & Financial** multiple stakeholders mentioned that judiciary cannot be fully independent unless they have direct control of their finances, which should not come through the executive, but rather assigned by parliament. Equally, participants asserted that the current protocols for judicial appointments lead to undue influence.

*My inherited land from my deceased father was taken from me, and I opened a case in court that has lasted for 4 years. The case is ongoing, and they know who is entitled to the land, but the judges fear tribal influence. Therefore, the court ruled that the land be divided into two equal parts, and I am not satisfied with this judgement because they have no inheritance rights to this land, they did not purchase it from me, and do not have documents proving their ownership of the land. This is one of the obstacles in the justice system, to speak the truth.*

5. **Existing laws have not been updated** and harmonized (two dimensions: (Sharia/secular, FGS/FMS). Stakeholders have listed necessary revisions in terms of:

- a. Specific revisions to existing laws that may not have been updated to reflect the modern context.

There are outdated laws and procedures that need to be updated and reformed. For example, the existing penal code is the one developed and enacted in the early 1970s. According to the penal code, Adjudication and/or fines of criminal cases such as rape and bodily/physical harm are based on Somali Shillings (SSH), which is not used now, at a very low value of SSH. 500-2000 which is even much less than a quarter cent of a dollar. In similar vein, the laws and procedures presently used by the CID Police are outdated ones that allows them to even torture the accused. Besides, the outdated laws only consider witnesses and documents as evidence and do not consider the modern tools and instruments such as CCTV.

- b. Harmonisation of laws across FMS/FGS, introducing extradition laws in FMSs.

*Cases where the culprit is unknown or unaccessible. The plaintiff is present but the culprit either escapes or is unknown. In most cases, the criminal travels from one state to another, even if the criminal court gives a verdict the criminal already is in another place. The court can't extradite him nor does the other state know if this person has a verdict on him. The plaintiff is left with nothing.*

- c. Supplementation of the code with new laws, including in the following areas:
  - o Business and intellectual property law (incl. patent rights, AI, money laundering, etc.),
  - o Human trafficking,
  - o Cyber security,
  - o Maritime law.

**6. Institutional gaps** - stakeholders have listed several institutions that, from their perspective, are missing from the system. It is important to note that some of them might indicate a lack of a programme or policy, not necessarily a separate institution:

- a. Judicial Service Commission (as mentioned in point 3),
- b. Justice Training Institute,

*Training system that belongs to the justice sector (Justice Training Institute), and unified training curriculum.*

*Government institute for legal studies established - students are trained and graduate as lawyers.*

- c. Constitutional Court,

*There is no law that is binding on government officials, and holds them accountable, such as the*

*presidents, prime ministers, ministers, members of parliament, and other officials in the country, because the country does not have a Constitutional Court.*

- d. Courts dealing with specific groups (i.e. children, employees, maritime, etc.),  
*Courts for labour and children [need to be] put in place.*

*Special court for cases related to ocean/sea crimes or disputes [need to be] put in place. Investigators consisting of police and public prosecutors skilled in sea/ocean crimes deployed.*

**7. Financial independence and sustainability of the justice sector.** Insufficient resources constitute a clear and undeniable challenge to the process of reinforcing the justice sector and providing universal access to justice services.

*For example, a review of the 2020 federal budget allocated for the judicial branch reveals that only \$13.4 million was allocated for the entire justice system, including the Ministry of Justice, Office of the Attorney General and all courts operating in Mogadishu (supreme court, appeals court and Banadir courts). That is about 6.4% of the total budget of \$476 million.*

Stakeholders mention multiple factors contributing to this challenge, including:

- a. Insufficient collaboration with the Ministry of Planning,
- b. Ineffective tax collection,
- c. Corruption and nepotism.

*The Ministry of Planning faces the daunting task of allocating limited resources to meet diverse community needs. Despite efforts to prioritise essential services like the justice system, budget constraints often impede progress, leaving citizens longing for timely resolution and redress. The Ministry of Planning's budgetary allocations, albeit well intentioned, fall short of addressing the systemic deficiencies plaguing the justice sector.*

**8. Lack of proper correction facilities and procedures.** All across FMS consultations the condition (or even lack) of correctional facilities has been listed among the critical infrastructure needs of the system. Thorough analysis of these stories, though, allows us to see beyond the actual buildings and recognise a myriad of connected challenges including (but not limited to):

- a. Overcrowding due to ineffective procedures - people being imprisoned without due cause, for too long (breaking the 48 hours limit for incarceration without proper charges/process), in mixed cells (women, men and children together).
- b. Lack of food and sanitation - to the extent that even is a family member brings food for their incarcerated relative; they might not receive it.
- c. Lack of prison staff or remuneration for them.
- d. Human rights being broken (examples of torture, lack of humane conditions).
- e. Lack of effective rehabilitation programmes.

*Poor care in prisons such as: Prisoners not getting their food on time when they need it, even the food that their families bring for them.*

*Prisoners do not receive medical care; the sick and healthy prisoners are kept in the same place that leads them to affect each other.*

*The suspect did not receive justice; and is not brought to the court within legally mandated 48 hours. In some cases, they may remain in prison for up to 8 days without being presented to court.*

- 9 **Insufficient investigative capacities** (technology and skills). This is the second one of the most frequently mentioned resource/infrastructure-related needs. Stakeholders list the lack of modern investigative technologies for CID as well as insufficient training in the procedures and techniques that would enable efficient yet thorough investigations.

*The Investigation Division or CID, which has been established for less than three years, still does not have enough staff, for example, there are only 2 people working there and we do not have enough training. The CID does not have modern investigative equipment like forensic investigation equipment's, so they worked on something called bail to bring the accused and then make the document of innocence. They don't have an established centre but they worked temporarily in a centre that was an animal husbandry.*

10. **Human Resource Management.** Justice sector staff is the cornerstone of the system. However, stakeholders highlight numerous challenges that contribute to justice sector staff feeling unsafe and reporting very low levels of job satisfaction. The following challenges related to the employment, support, and supervision of justice sector staff have been identified:

- a. Lack of predictable and sustainable remuneration:

*The police now work in the position of correction officers who assist the judiciary. The police consist of two parts, Federal and Hirshabelle, in the federal there are between 13-17 soldiers who receive a salary from the federal government, but Hirshabelle Police do not receive any salary and do not have tools to operate such as guns. Police investigator in the entire Middle Shabelle is only one police detective who also assists the CID Police.*

- b. **Nepotism:** Staff are often hired based on clan affiliation or kinship rather than skills and competence, with hiring processes frequently lacking transparency.

*To stop selection of the staff/officials of courts through clan affiliation and nepotism, but rather all vacant positions should be announced in public, and the chairmanship of courts should be selected through competitive process, including the supreme/high court, regional and district courts.*

*An uneducated soldier, who was recruited on clan basis and nepotism, may cause suffering to the civilian population*

- c. **Lack of adequate training.** The competencies and knowledge of justice sector staff are frequently described as insufficient, often attributed to nepotism, highlighting the need for continuous professional development.

*Police should receive training in first aid so that they can provide immediate assistance to injured individuals at the scene of an incident. Additionally, it is important for them to be trained in human rights to ensure that they treat citizens with respect and adhere to lawful practices in their interactions.*

- d. **Insufficient safety** (financial, welfare) and **security** (physical) of the justice sector staff members.

*One day, I met the father of the police commander in the area, and there was a man holding the shirt of the commander's father. The man was threatening the commander's father, saying: "Your son imprisoned my son, and I will cut off your head and kill you if he doesn't release my son. As a result, the son had to be released from the police station. The son was accused of theft, but he was released without any legal proceedings, because of the fear of tribal authorities (elders).*

- e. **Oversight and accountability** of the work done by the justice sector staff.

*Due to the judges' lack of knowledge, it happens that they don't adjudicate the civil rights that emerge from the criminal offence. The absence of the Judicial Service Commission (JSC) caused delayed justice and unaccounted abuse in the justice system. Lack of training for the court assistants resulted in delays and bad work/malpractice.*

- 11. **Knowledge management and collaboration across institutions.** *This, as many other challenges listed in this document, is a mixed bag in terms of its assessment. Though the stakeholders have provided examples of good collaboration across various institutions of the justice sector, they have also listed challenges that emerge from the lack of a unified system (digital or otherwise) for collecting and sharing information across justice sector institutions as well as vague or in-existent collaboration procedures/protocols. Additionally, in some instances, lack of trust between institutions is being quoted.*

*Lack of a unified criminal database that all justice sector institutions share, and it is not digitised.*

*Information sharing among the justice sector institutions is not adequate.*

*Lack of trust in/between the Justice Sector and Judiciary, Police (CID) and AGO for reasons related to nepotism and biased practices.*

- 12. **Delays and inefficiency across the formal system (esp. in the context of enforcement).** *Stakeholders have listed multiple examples of cases getting backed up, rulings not being delivered in time or enforced (fast enough or at all) that impact how the formal system is being perceived and trusted.*

*I am a judge; it's mandatory that whatever I adjudicate in compliance with the law must be enforced. But those who are assigned to enforce the rightful decision cannot be found. That will render the decision meaningless/insignificant.*

*Lack of enforcement of cases or procrastination of enforcement causes the society to lose the trust they have in justice institutions. An example of this is that severally many people appear before the media complaining about these issues.*

- 13. **Access to justice** is far from universal or sufficient. Stakeholders have mentioned several key dimensions of this challenge, including:

- a. **geographically determined access** to justice (including the issue of decentralisation of justice services, transportation to courts/prisons, availability of ADR or other justice services within a close distance)
- b. **group-determined access** (including IDPs - lack of representation and limited access to justice services; minorities, women and children being often referred to as groups that experience most challenges in that context).
- c. **Fees required** in some instances by the formal system are also quoted as a factor limiting access to justice by the low-income population. Availability of exemptions from such payment has not been mainstreamed.

Finally, examples provided by the stakeholders show that often, even though “the service” was provided, its results are deemed unjust or the process itself is described as not truly accessible and respectful for the vulnerable groups.

*The justice system must operate throughout the entire country (village to district).*

*Women rights are sometimes violated when traditional elders settle cases of sexual violence - limiting access to justice.*

*For example, there was a rape case; a girl was raped by 10 men, the accused were arrested and are waiting for their trial. Then clan leaders met outside the court and agreed based traditional xeer; but did not give any medical, psychological or mental and religious care to the raped girl. This is how she is forgotten, which leads to mental illnesses.*

It is especially worth noting that the number of IDPs across Somalia is likely to remain high and even grow, considering the climate crisis and periodical spikes in internal hostilities and terrorist activities, which even more exacerbate the need for well-designed access to justice.

- 14. **Trust and accountability of the justice sector** and its staff members is mentioned in following contexts:

- a. **Corruption** - justice sector staff is being accused of soliciting bribes (which is sometimes explained by the fact that they are not otherwise receiving remuneration for their work) or at least being open to accepting them in exchange for favourable treatment, ruling, release, etc.,
- b. **Abuse of power** is mentioned mainly in the context of exerting unduly pressure on judges, policemen, etc. in order to avoid punishment or gain a favourable ruling for a person in a position of power or coming from a powerful clan.
- c. **Lack of oversight** - both in terms of procedures and independent institutions that would ensure that the justice sector staff is abiding by the law and the protocols that govern their work.
- d. **Ineffectiveness of the system** (see point 12).

*People do not believe that there is justice in the Judiciary. For example, when a Judge in court issues a decision or a verdict on the side of the convicted, he/she says that he/she was not judged fairly, and they accuse the Judiciary of bias and bribery because of low public awareness and lack of trust. Still there is a need for trust building between the Judiciary and the Society.*

*Lack of trust between the people and court/justice. The view of the people: courts/justice is a place owned by non-believers for they don't conduct their work on the basis of religion; (...) the process of courts to reach/issue decisions/rulings take a long time.*

- 15. Insufficient awareness of the general population regarding the formal justice system.** One of the most important challenges listed by the stakeholders refers to the lack of awareness of the general population in terms of the existing laws and procedures that they can use to access justice services. This is often the case that stakeholders (in this case justice sector staff) tend to interpret people's low level of engagement or use of services as lack of awareness. The examples, however, provided during the consultations show that this is only partially true. It is evident that, with knowledge of human rights not fully mainstreamed and Somali law (including the constitution) yet to be updated and harmonised, confusion persists regarding the rights and procedures governing the delivery of formal justice services.
- It is, however, also true that based on people's everyday experience, they have obtained an

elaborate understanding of how each part and type of system works as of today (across formal, Xeer and religious) and based on that they decide which one to choose to address their case.

*Policy development due to the weak Rule of Law, the ongoing conflict, political instability, lack of effective government in the country, have undermined the rule of law, resulting in corruption, power abuse, and this erodes the public trust in the justice system. To address this, policy development is highly needed in the system. Those who abuse their power in the name of their positions which hindered access to justice. A policy that values every part of the community is badly needed, and I believe this addresses the needs of the community.*

*There was a Somali citizen who filed a case in the court. After procrastinating and delaying his case every time it reached 8 months after which time he decided to seek justice elsewhere to get his rights. Therefore, the procrastinations and delays of cases without any good reason is what caused loss of trust in the judiciary/courts.*

- 16. Reconciliation process.** Although this theme may not fall directly under the auspices of the justice sector, it has a profound impact on its functioning. Clan wars, prolonged grievances, and power dynamics influence daily interactions and the overall operation of the justice sector. Throughout the consultations, stakeholders emphasised the need for restorative practices, alongside initiatives such as nonviolent communication (NVC) training, as critical tools to address these challenges.

*There is no genuine reconciliation when conflicts arise, such as disputes between clans. These conflicts are often resolved through government or military intervention, which may stop the fighting but does not provide a lasting solution. There is a need for elders who genuinely work on clan reconciliation. Additionally, there is a lack of traditional conflict resolution centers in villages to address local community disputes. There is no Transparency in the court system.*

*We have a committee which works on nonviolent communication dialogue under the Ministry of Justice, and we work or focus on creating a calm and peaceful environment.*



# *Trend Analysis*



# Trend analysis

Alongside stakeholder consultations, the team conducted horizon scanning and trend analysis. By identifying weak signals of change and gathering evidence of major trends impacting Somalia, eight key trends were selected to shape and inform the content of this strategy.

## **Polarisation and crisis of trust.**

Recent studies indicate that societies worldwide are experiencing increasing polarization, with individuals becoming more entrenched in their own viewpoints, thereby impeding open dialogue and consensus-building. This trend is fueled by widespread, often unverified information and divisive political messages, leading to social distance and mistrust.

While specific longitudinal studies quantifying the trends in public trust toward Somalia's government institutions over time are limited, available research provides some insights into the general trajectory of public trust. Anti-corruption measures and focus on strengthening institutional capacity of public administration play an important role in the context of the inputs gathered through consultations.

Reports indicate that political polarization remains a significant issue in Somalia, with various stakeholders expressing concerns over governance practices and the inclusivity of political processes. For instance, in May 2024, a UN human rights expert urged the Somali government to bolster efforts in promoting inclusive governance and human rights, highlighting ongoing serious and complex security challenges.

## **Growth of new media and social media.**

The proliferation of new media and social media platforms has fundamentally changed the way individuals and communities consume information, communicate, and engage with public discourse. In Somalia, the widespread use of social media platforms like Facebook, Twitter, and TikTok has created both opportunities and challenges for the justice sector. While these platforms can serve as tools for raising awareness, fostering civic engagement, and promoting access to justice, they also amplify the risk of spreading misinformation, which can erode trust in institutions and fuel divisions and polarization.

Research underscores the dual role of social media in both enhancing and undermining trust. As O'Connor and Weatherall note, the same networks that can democratise access to information can also create "epistemic bubbles" that reinforce biases and hinder dialogue. For Somalia, this means that a strategic approach to understanding and engaging with new media is critical to strengthening trust and accountability within the justice sector. However, due to the lack of effective mechanisms tackling misinformation, the government started exploring policy options that might hinder the freedom of speech, which generates a new challenge to the access to justice.

## **Increasing role of women and demand for it.**

In Somalia, cultural shifts are increasingly recognising the pivotal role of women in society, accompanied by a growing demand for their active participation across various sectors. This has even been reported through examples as seemingly benign as the increasing number of female influencers on social media in Somalia. Despite historical challenges, Somali women are making significant strides in leadership, economic participation, and peace building efforts.

The Somali National Development Plan (NDP-9) 2020-2024 emphasizes the importance of women's empowerment and gender equality as central to the country's development agenda. It outlines strategies to enhance women's participation in political processes and decision-making roles. Somali women have been instrumental in peacebuilding and conflict resolution.

Despite these advancements, Somali women continue to face significant challenges, including gender-based violence and limited access to education and healthcare. However, ongoing efforts by both governmental and non-governmental organizations aim to address these issues, fostering a more inclusive environment that recognizes and values the contributions of women.

These developments reflect a broader cultural shift towards acknowledging and promoting the essential role of women in Somalia's socio-economic and political spheres. Their increased influence has a chance to reshape legal precedents, fostering interpretations that advance gender equality.

## **Increasing political instability, terrorist threats in the region**

Somalia has been experiencing heightened political violence, exacerbated by long-standing tensions between key stakeholders. These tensions are fuelled by disputes over authority, resource sharing, and the lack of progress in implementing a fully federalised governance system. Political disagreements, particularly over election timelines and processes, have led to delays and disruptions, weakening trust in governance structures. The instability not only undermines national security but also impacts regional stability, with cross-border implications for neighboring countries.

According to ACLED's 2022 data, there has been a notable increase in protest activities globally, often linked to economic disparities, political grievances, and social injustices. The report emphasizes that regions experiencing heightened inequality and weak governance structures are particularly susceptible to civil unrest.

What is more, Al-Shabaab remains a formidable threat in Somalia and the broader Horn of Africa region. The group continues to conduct attacks targeting civilians, government officials, and international forces. The African Union Transition Mission in Somalia (ATMIS), in collaboration with Somali security forces, has been engaged in operations to degrade Al-Shabaab's capabilities. Despite these efforts, the group maintains the ability to execute high-profile attacks, underscoring the ongoing security challenges.

## **Increasing number of grassroots ways of filling in the systemic gaps.**

In Somalia, grassroots initiatives have become increasingly important in addressing systemic gaps within the justice sector. Community-led efforts, such as informal dispute resolution mechanisms, legal aid programs, and local awareness campaigns, are filling roles that formal institutions often cannot yet fully meet. These initiatives are deeply rooted in local contexts, allowing them to operate with flexibility and respond quickly to the needs of vulnerable populations.

This movement aligns with a broader trend of localisation, where communities actively come together to address their social, environmental, and economic challenges. Localisation promotes the development of integrated systems that are flexible, adaptive, coherent, and stable—characteristics essential for building trust and fostering justice. Such systems are inherently rooted in the community, drawing strength from local knowledge, traditions, and relationships.

In the Somali context, this approach is particularly crucial as it enables the justice sector to adapt to the unique cultural and environmental realities of the nation, while ensuring stability and accountability. It may also improve the quality of services and help better understand what justice means on a hyperlocal level, as providers are closer to their communities.

## **Climate change related tensions and migration.**

Climate change has emerged as a significant driver of migration and conflict in Somalia, exacerbating existing vulnerabilities and placing additional strain on the justice sector. Recurrent droughts, floods, and other climate-related events have led to resource scarcity, particularly in water and arable land, intensifying competition among communities and contributing to conflicts. These environmental stressors have disrupted traditional livelihoods, compelling many Somalis to migrate in search of more stable conditions. The justice sector faces the challenge of addressing disputes arising from such resource-based conflicts and managing the legal complexities associated with increased migration.

The phenomenon of climate-induced migration has resulted in a substantial rise in internally displaced persons (IDPs) within Somalia. According to the United Nations High Commissioner for Refugees (UNHCR), as of 2024, over 1 million people have been displaced due to a combination of conflict, severe drought, and devastating floods, marking a record rate of displacement for the country. These IDPs often relocate to urban areas, leading to overcrowded settlements with limited access to basic services and legal protection.

The justice sector in Somalia must be able to respond to the pressures created by climate change and migration. This might mean developing legal frameworks that effectively address resource disputes, ensuring the protection of IDP rights, and fostering collaboration between formal and informal justice mechanisms, and as such are included in this strategy. It also refers to the collaboration with other sectors around awareness raising, an example of which is this year's award given by the Somali Film Agency to the producers of the "Dabin" series for including relevant content related to climate change.

## **Advancements in mobile and wireless technology**

Somalia's telecommunications landscape is being continuously transformed by advancements in mobile and wireless technology. It has helped foster economic growth (i.e. through easy payments) and enhanced access to information. The proliferation of mobile networks has enabled widespread connectivity, even in remote areas, facilitating communication and access to services such as mobile banking. Justice services have frequently been mentioned as areas that could be partially delivered through the use of these technologies.

Mobile platforms are increasingly being used to disseminate legal information (including broadcasting court proceedings and enabling virtual public access to cases), provide legal aid services, and enhance communication within the justice system (justice sector staff have provided examples of commercial messaging services being used to communicate about criminal cases and other work-related affairs). These initiatives have been instrumental in bridging the justice gap, particularly during periods of instability.

Despite these advancements, challenges remain, including the need for further infrastructure development and the establishment of robust legal frameworks to support digital services. By leveraging mobile and wireless technologies, Somalia has the potential to enhance the efficiency and accessibility of its justice system. Not only that, the stakeholders have mentioned opportunities such as “the integration of advanced tools like AI and augmented reality in legal processes [which] could enhance decision-making and case analysis in the future.”

## **Resource insecurity - Fluctuating levels of ODA, growing debt.**

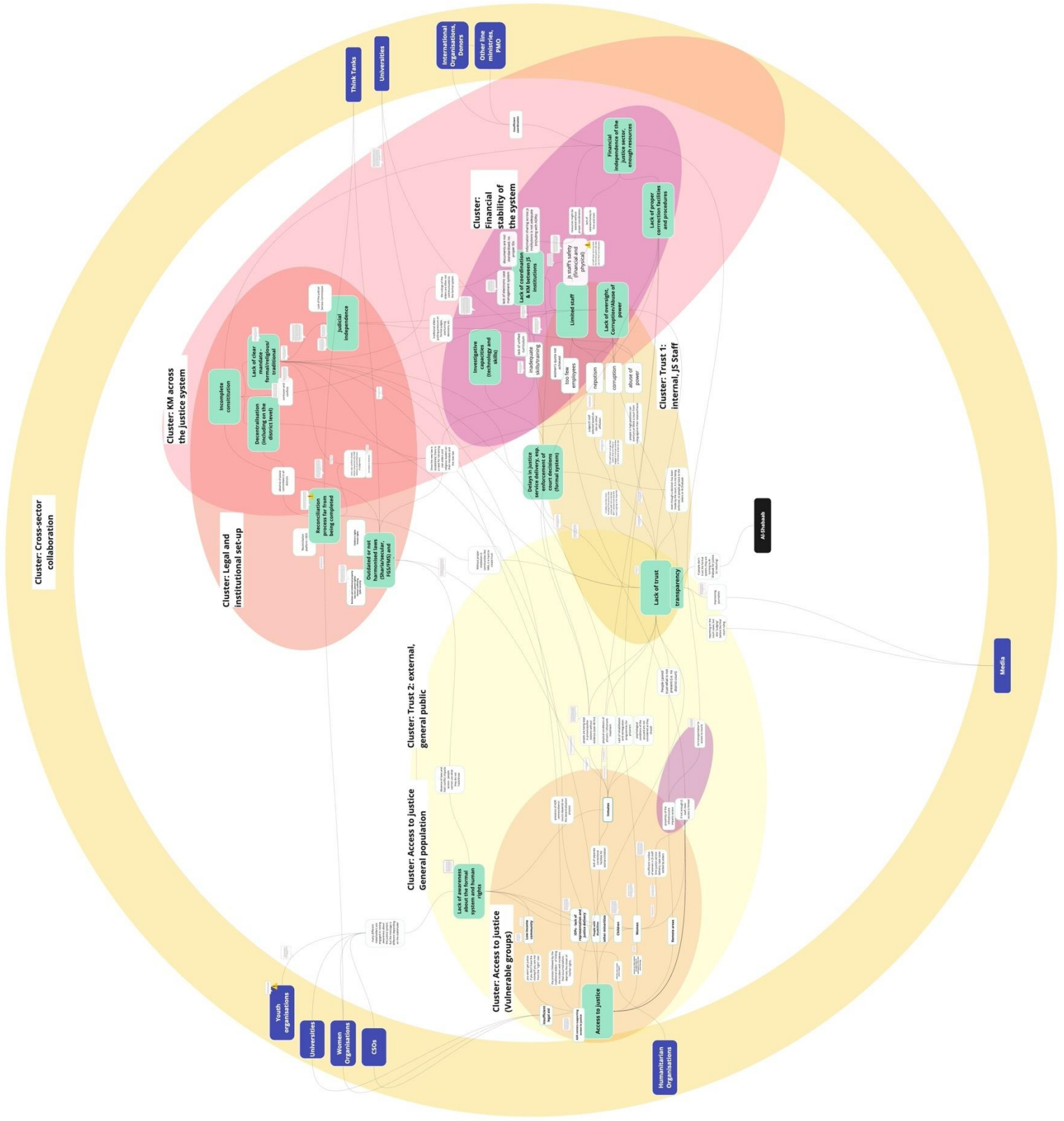
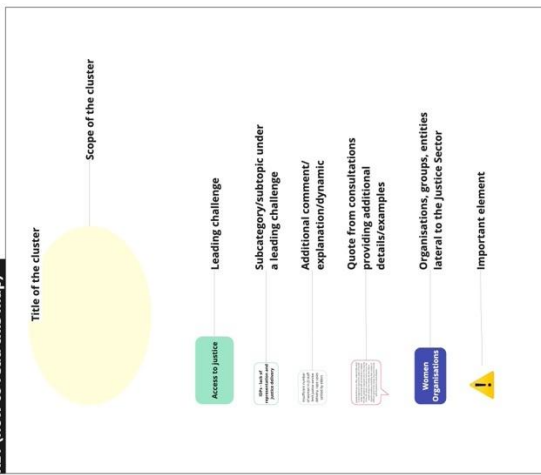
Somalia has historically depended on international aid to support its development and governance structures. Recent years have shown fluctuating levels of ODA, which paired with unstable international context can be expected to continue.

At the same time, Somalia has grappled with a substantial external debt burden, which has impeded economic progress and limited fiscal flexibility. In December 2023, the International Monetary Fund (IMF) and the World Bank announced \$4.5 billion in debt relief for Somalia under the Heavily Indebted Poor Countries (HIPC) Initiative, reducing the country's external public debt from \$5.3 billion at the end of 2018 to \$0.6 billion by the end of 2023. This significant reduction has provided Somalia with an opportunity to reallocate resources toward critical sectors, including justice.

However, the justice sector continues to face significant challenges stemming from limited domestic revenue generation and the absence of sustainable funding mechanisms. Issues such as corruption, public protests against new taxes, and inefficiencies in collecting due payments are just a few examples that illustrate the difficulties in securing adequate budgets effectively.

The interplay between fluctuating levels of ODA and the necessity for revenue generation and debt management underscores the importance of establishing a resilient and self-sufficient justice sector in Somalia. Developing innovative financing strategies, such as public-private partnerships and community-based initiatives, could help bridge funding gaps.

**KEY (how to read this map)**





# *Strategic Topics*



# Strategic Topics

**Strategic Topics** are clusters of challenges and dynamics that are closely interconnected and have been identified through desk research, comprehensive consultations and trend analysis (as described in the previous sections) as critical to achieving the vision for the justice sector. In the process of developing the strategy, they have been further reviewed and explored in more detail, setting the framework for the final list of strategic goals and outputs.

## STRATEGIC TOPIC 1: LEGAL AND INSTITUTIONAL SET-UP

Many of the challenges faced by the justice system stem directly from the lack of a finalised constitution and outdated laws.

Constituting elements:

1. The constitution remains unfinished, and key institutions such as the Constitutional Court and the Judicial Service Commission are yet to be established.
2. There is a lack of clear division of roles and mandates among the three justice systems—formal, Xeer (traditional), and religious—resulting in overlaps and inconsistencies.
  - a. Protocols for collaboration between these justice systems are absent, further complicating coordination and service delivery.
3. Decentralisation has not been fully implemented, both between the Federal Government of Somalia (FGS) and the Federal Member States (FMS), and between the FMS and district-level authorities.
4. Existing laws are outdated and have not been harmonised to reflect the current context or aligned across the Federal Member States.

## STRATEGIC TOPIC 2: INDEPENDENCE OF THE JUDICIARY

Following additional consultations with stakeholders, the decision was made to separate the topic of judicial independence from Strategic Topic 1: Legal and Institutional Set-Up and address it as a standalone Strategic Topic. This decision underscores the critical importance of judicial independence as a cornerstone for a fair, transparent, and effective justice system. By elevating this issue to its own strategic focus, the strategy aims to ensure that judicial independence is prioritised and addressed comprehensively, recognising its role in building public trust, strengthening the rule of law, and safeguarding the impartiality of the judiciary within the broader justice sector framework.

## STRATEGIC TOPIC 3: FINANCIAL STABILITY OF THE SYSTEM

Without sufficient and predictable sources of funding, the justice sector will continue to face significant challenges, as addressing many of its key issues requires not only political action but also adequate resources. Stakeholders highlighted the need for closer alignment and communication with the Ministry of Planning. While other funding sources, such as international aid, were rarely mentioned during consultations, they emerged as a prominent consideration in the desk review and internal discussions regarding the justice sector's financial needs over the next five years.

Constituting elements:

1. Lack of staff remuneration and equipment.
2. Insufficient infrastructure (offices, prisons, etc.).
3. Lack of advanced investigative technology.
4. Lack of knowledge sharing technology (esp. in the context of criminal cases; limited mostly to WhatsApp groups).
5. Lack of coordination with/across donor agencies (allocation and use of available funds).

## **STRATEGIC TOPIC 4: CAPACITY AND JOB SATISFACTION OF JUSTICE SECTOR STAFF**

In short, the justice sector staff has very few reasons to report high levels of job satisfaction. Across the consultations, stakeholders have mentioned the justice sector staff not being paid on time or at all, witnessing or taking part in corruption, abuse of power, nepotism, lack of protection (social and physical), etc. Establishing their trust in the system and improving job satisfaction emerges as a critical element of a system that would be trusted by the public.

Constituting elements:

1. Insufficient or delayed staff remuneration, inadequate social protection, and lack of proper equipment.
2. Threats to staff safety, including physical threats and a lack of adequate protection measures.
3. Insufficient representation of women within the justice sector workforce, particularly in leadership roles.
4. Nepotism in hiring practices, leading to unskilled staff being employed.
5. Limited opportunities for training and professional development to enhance skills.
6. Abuse of power, such as decisions being overruled by individuals with influence or financial resources.

## **STRATEGIC TOPIC 5: PUBLIC TRUST**

This cluster is heavily related to most if not all others. In terms of the public, some of the key topics that emerge are:

1. Lack of transparency in procedures and decision-making, with issues such as corruption, nepotism, and abuse of power.
2. Weak enforcement of procedures and laws, including violations such as detaining inmates for more than 48 hours without charges.
3. Ineffective enforcement of rulings, with delays in implementation and instances where rulings are overturned or halted by elders or individuals in positions of power.
4. Inadequate protection of human rights, exemplified by inhumane prison conditions, where inmates are often deprived of food, and even when families provide it, the supplies may not reach them.

## STRATEGIC TOPIC 6: ACCESS TO JUSTICE

Aside from an overlap with trust, described above, this cluster covers two key elements:

1. **Awareness** - people need to know that a system exists and how it functions in order to be able to use it;
2. **Availability** - people need to be able to reach/get in touch with/access the justice sector staff/institution, cost-free.

Although the first point received many mentions, reflecting efforts by universities, CSOs, clans, youth, and justice sector institutions to raise awareness, there is no clarity on how the justice system actually functions. In particular, the mandates of the formal, religious, and traditional systems remain unclear, leading to a situation where each awareness-raising effort likely conveys different—and often conflicting—information to the public.

Difficulties in accessing justice services were primarily, though not exclusively, mentioned in the context of:

- **Group affiliation:** Women, minorities, children, and IDPs face significant barriers.
- **Payments:** Case initiation fees limit access to justice for many individuals.
- **Distance:** The nearest available justice sector institution is often far from those who need it.
  - **Lack of mobile courts:** Mobile courts are unavailable, further restricting access.
  - **Lack of phone-based solutions:** Phone-based systems that could bridge accessibility gaps are also absent.

Alternative Dispute Resolution (ADR) mechanisms were highlighted as a key strength in providing access to justice services. However, stakeholders also noted the need for minimal corrections to enhance their effectiveness.

## STRATEGIC TOPIC 7: CLIMATE JUSTICE

Climate justice emerged as a distinct Strategic Topic following an in-depth trend analysis, thorough desk research, and a final validation session with stakeholders. It has been identified as a critical area requiring special attention, given the far-reaching consequences of the climate crisis on Somalia's most vulnerable communities. These are often the same populations that face the greatest barriers to accessing justice, such as women, children, internally displaced persons (IDPs), and marginalised groups.

By recognising climate justice as a standalone topic, this strategy seeks to address the intersection of environmental challenges and justice, ensuring that the most affected communities are not left behind.

## STRATEGIC TOPIC 8: KNOWLEDGE MANAGEMENT ACROSS THE JUSTICE SECTOR

In addition to establishing clear protocols that define how each part of the justice system operates—particularly the mandates of the formal, traditional, and religious systems—it is crucial to ensure effective communication and information exchange between these components. This exchange must be conducted in a safe and efficient manner to strengthen coordination across the justice sector.

During consultations, stakeholders identified several challenges stemming from a lack of coordination and knowledge management between justice sector institutions, including:

- **Sharing information about ongoing cases:** Ensuring seamless communication between police, courts, the AGO, and other relevant institutions.
- **Verifying criminal history:** Developing mechanisms to efficiently verify individuals' criminal records.
- **Coordinating efforts along the justice chain:** Improving collaboration between institutions to ensure continuity and consistency in justice delivery.
- **Coordinating the use of resources:** Optimising the allocation and utilisation of resources across institutions.

**Data-driven decision-making:** Ensuring decisions are informed by the highest quality insights and data available.

## STRATEGIC TOPIC 9: CROSS-SECTOR COLLABORATION

There are numerous actors - ministries, CSOs and citizen groups, universities and other educational institutions, media outlets, think tanks, and international organisations - who engage with the justice sector, often in significant and impactful ways. Ensuring that this diverse network works collaboratively towards shared goals and maximises the use of available resources is essential to achieving the objectives outlined in this strategy.

Key areas influenced by these actors include:

- **Financial independence of the justice sector:** Securing adequate and sustainable resources.
- **Awareness-raising:** Promoting understanding of rights, laws, and justice processes among the population.
- **Legal aid and access to justice:** Providing support to individuals to navigate the justice system effectively.
- **Training of justice sector members:** Enhancing the skills and capacities of justice sector staff.
- **Transparency:** Reporting on cases and improving the overall accountability of the justice sector's operations.
- **Policy recommendations and analysis:** Offering evidence-based insights to guide reforms and decision-making.
- **Peace-making processes:** Supporting efforts to resolve conflicts and promote social cohesion.



# Vision 2029





# Justice Sector Vision 2029

***A people-centric justice system that ensures fairness, independence, and equal access to justice for all.***

This vision for Somalia's justice sector reflects the values and principles unanimously shared across communities, justice institutions, and professionals throughout the country. The inclusive approach taken to develop this strategy—and the vision itself—demonstrates the commitment to “putting people first” by respecting their input and recognising their experiences within the justice sector, both at the Federal Government and Federal Member State levels. Similarly, the implementation of this strategy is designed to prioritise inclusivity as a guiding principle.

This section outlines:

1. **Strategic Topics**
2. **Strategic Goals** assigned to each Strategic Topic
3. **Outputs** intended to support the achievement of the Strategic Goals

An annual implementation plan will be developed for each of the five years of the strategy.

Strategic Topic / Area of Intervention	Strategic goal	Outputs
1. Legal and institutional setup	<b>Strategic Goal 1.1:</b> Facilitate the completion and adoption of a comprehensive, inclusive constitution	<b>1.1.1 Conducting a national review process to align all constitutional provisions with Somalia's context</b>  <i>Output 1.1.1.1:</i> Organise and support at least 12 consultative sessions across all federal member states with key stakeholders, including government officials, legal experts, and community leaders, to review and provide input on the constitutional draft.
		<i>Output 1.1.1.2:</i> Facilitate a technical review to ensure the constitutional draft is legally sound, adheres to international standards, and reflects Somali cultural and religious values.
		<b>1.1.2. Enhancing public awareness and participation in the constitutional process</b>  <i>Output 1.1.2.1:</i> Launch a nationwide public awareness campaign to inform citizens about the constitutional process, using media outlets, community meetings, and digital platforms to reach a diverse audience and collect their input.
		<i>Output 1.1.2.2:</i> Develop and distribute a summary document that outlines key areas of consensus and outstanding issues within the draft constitution to inform finalisation efforts.
		<b>1.1.3. Strengthening the capacity of institutions involved in the constitutional process</b>  <i>Output 1.1.3.1:</i> Establish a working group, comprising representatives from relevant ministries, civil society, and international partners, to coordinate support activities and track progress in the constitutional finalisation process.
	<i>Output 1.1.3.2:</i> Develop and implement a monitoring framework to assess the progress of the constitution finalisation process, ensuring accountability and transparency.	
<b>Strategic Goal 1.2.</b> Finalise federalisation efforts	<i>Output 1.2.1:</i> In keeping with the Constitution, develop laws clearly defining the responsibilities and powers of the Federal and State-level	

		governance systems.
<p><b>Strategic Goal 1.3:</b> Define and align mandates for justice service delivery across formal, religious, and traditional justice systems</p>		<p><i>Output 1.3.1:</i> Conduct a comprehensive review and mapping of existing mandates, laws, and procedures (beyond the Constitution) across formal, traditional, and religious justice systems to identify overlaps, gaps, and inconsistencies.</p>
		<p><i>Output 1.3.2:</i> Hold at least 2 workshops with stakeholders from each justice system to build consensus and clarify mandates in line with Somali context, legal frameworks and the Constitution.</p>
		<p><i>Output 1.3.3:</i> In keeping with the Constitution, develop and disseminate clear, harmonised guidelines and training materials that define the roles and responsibilities of formal, traditional, and religious justice actors to reduce jurisdictional conflicts, in particular with regards to the cases of GBV and murder.</p>
		<p><i>Output 1.3.4:</i> Strengthen the role and clarify the mandate of the Alternative Dispute Resolutions centres.</p>
		<p><i>Output 1.3.5:</i> Organise regular coordination meetings to further harmonise collaboration across justice systems and identify any challenges.</p>
<p><b>Strategic Goal 1.4:</b> Harmonise and update legal frameworks to ensure consistency, relevance, and accessibility across jurisdictions</p>	<p><b>1.4.1. Creating a repository of missing or outdated laws and regulations</b></p>	<p><i>Output 1.4.1.1:</i> Conduct a comprehensive review to identify gaps and outdated sections in key areas of the legal code, including (but not limited to) criminal and civil code, the Civil Servants Act, Maritime Law, Intellectual Property Law, Technology and Data Protection Laws, and Natural Resource Protection Law.</p>
		<p><i>Output 1.4.1.2:</i> Develop and launch an accessible digital repository that lists identified missing or outdated laws and regulations, along with proposed recommendations for updating each area.</p>
		<p><i>Output 1.4.1.3:</i> Hold at least 10 stakeholder consultations with government officials, legal experts, and civil society to prioritise areas for legal</p>

		reform and update the repository accordingly.
		<p><b>1.4.2. Drafting and updating specific laws to fill identified gaps</b></p> <p><i>Output 1.4.2.1:</i> Draft and submit proposed revisions for the Civil Servants Act by [specific date], incorporating current best practices for transparency, accountability, and public service standards.</p>
		<p><i>Output 1.4.2.2:</i> Develop a comprehensive draft for new Data Protection Law to address privacy, data security, and information handling standards in line with international norms.</p>
		<p><i>Output 1.4.2.3:</i> Develop a comprehensive draft for the Natural Resource Protection Law, including specific provisions to address climate justice, conservation, and sustainable resource management.</p>
		<p><b>1.4.3. Implementing a system to monitor the effectiveness, clarity, and fairness of implemented changes</b></p> <p><i>Output 1.4.3.1:</i> Design and implement a monitoring framework to evaluate the effectiveness, clarity, and fairness of each updated law, including criteria and indicators for assessment.</p>
		<p><i>Output 1.4.3.2:</i> Conduct a biannual review to assess the impact and effectiveness of implemented legal reforms, using feedback from key stakeholders and affected communities.</p>
	<p><b>Strategic Goal 1.5:</b> Enhance intergovernmental coordination and joint initiatives between the Federal Government and Federal Member States for effective Justice Sector development</p>	<p><b>1.5.1. Establishing structured communication channels between FMSs and FGS</b></p> <p><i>Output 1.5.1.1:</i> Establish a formal intergovernmental committee with representatives from each FMS and the FGS to facilitate regular communication and collaboration on justice sector initiatives as well as the implementation of the strategy.</p> <p><i>Output 1.5.1.2:</i> Implement a shared digital platform to streamline information-sharing, updates, and documentation between FMS and FGS officials on</p>

		ongoing projects and policies.
		<i>Output 1.5.1.3:</i> Hold quarterly meetings to review progress, address challenges, and set priorities for collaborative justice sector efforts.
		<p><b>1.5.2. Developing joint programs and policies</b></p> <p><i>Output 1.5.2.1:</i> Develop and adopt at least [number] joint policy frameworks for key areas such as restorative justice, anti-corruption, and legal training programs, ensuring alignment across FMS and FGS.</p> <p><i>Output 1.5.2.2:</i> Launch a pilot project that involves collaborative efforts between at least two FMSs and the FGS to address a shared justice sector priority, such as access to legal aid or capacity-building for judiciary staff.</p> <p><i>Output 1.5.2.3:</i> Develop a standardised protocol for joint policy development and implementation that includes clear roles, responsibilities, and accountability mechanisms for both FMSs and the FGS.</p>
		<p><b>1.5.3. Building capacity for effective intergovernmental collaboration</b></p> <p><i>Output 1.5.3.1:</i> Conduct a series of training workshops for FMS and FGS officials, focusing on intergovernmental coordination, conflict resolution, and effective communication practices (including NVC).</p>
		<i>Output 1.5.3.2:</i> Establish a mentorship program pairing FMS and FGS officials to foster knowledge sharing and collaboration skills.
2. Independence of the Judiciary	<b>Strategic Goal 2.1:</b> Ensure and promote the independence of the judiciary	<i>Output 2.1.1.:</i> Amend and enforce laws to solidify judicial independence, including protections against external interference in decision-making.
		<i>Output 2.1.2.:</i> Ensure sufficient funding for judicial operations, infrastructure, and personnel.
		<i>Output 2.1.3.:</i> Establish an Independent Judicial Service Commission to guarantee accountability, impartiality, and efficiency within the justice sector.

<p><b>3. Financial stability and sustainable physical infrastructure for the justice sector</b></p>	<p><b>Strategic Goal 3.1:</b> Develop and implement a sustainable financing strategy to strengthen Justice Sector resources</p>	<p><b>3.1.1. Developing a comprehensive financing strategy for the justice sector</b></p> <p><i>Output 3.1.1.1:</i> Create and approve a comprehensive financing strategy document outlining funding sources, priorities, and long-term resource mobilisation goals for the justice sector.</p>
		<p><i>Output 3.1.1.2:</i> Conduct consultations with key stakeholders, including government ministries, donor agencies, and civil society, to align on funding needs and integrate diverse perspectives into the financing strategy.</p>
		<p><i>Output 3.1.1.3:</i> Publish and disseminate the finalised financing strategy to stakeholders to ensure transparency and encourage coordinated contributions to justice sector funding.</p>
		<p><b>3.1.2. Increasing government contributions through the annual budget process</b></p> <p><i>Output 3.1.2.1:</i> Work with relevant ministries and parliamentary committees to propose and advocate for an increase in the justice sector budget allocation, to be reviewed as part of the upcoming budget cycle.</p>
		<p><b>3. Establishing a monitoring system to track financing and resource allocation</b></p> <p><i>Output 3.1.3.1:</i> Develop and implement a monitoring system that tracks the disbursement, allocation, and utilisation of funds within the justice sector, ensuring transparency and accountability.</p>
	<p><i>Output 3.1.3.2:</i> Hold annual review meetings with stakeholders to assess the effectiveness of the financing strategy, make adjustments as needed, and set funding targets for the upcoming year.</p>	
	<p><b>Strategic Goal 2:</b> Develop and implement a sustainable physical infrastructure strategy to strengthen the capacity and accessibility of the</p>	<p><i>Output 3.2.1:</i> Complete and approve a detailed infrastructure development plan that identifies key locations, prioritises facility types, and sets standards for new and renovated justice sector buildings.</p>
	<p><i>Output 3.2.2:</i> Conduct consultations with regional authorities, local communities, and justice sector stakeholders to ensure the infrastructure plan aligns</p>	

	justice sector	with community needs and regional priorities.
		<i>Output 3.2.3:</i> Disseminate the finalised infrastructure development plan to provide transparency and encourage coordinated efforts across justice sector agencies and donors.
		<i>Output 3.2.4:</i> Establish monitoring and reporting mechanisms to track progress, address challenges, and ensure the quality of infrastructure projects across all justice facilities.
4. Capacity and job satisfaction of justice sector staff	<p><b>Strategic Goal 1:</b> Enhance the efficiency and transparency of human resources management within the justice sector, with a focus on recruitment, capacity-building, and oversight processes.</p>	<p><i>Output 4.1.1:</i> Complete a comprehensive review and redesign of HR policies across justice sector institutions, including: recruitment, background checks, onboarding, training, advancement, job autonomy, termination. (See: Annex X - Results of the HR consultations)</p> <p><i>Output 4.1.2:</i> Develop and implement a standardised recruitment framework for the justice sector, including clear guidelines for merit-based selection, recruitment-related information sharing website and transparent oversight mechanisms (anti-nepotism safeguards included).</p> <p><i>Output 4.1.3:</i> Implement regular internal audits of HR processes to ensure compliance with policies and transparency standards in the justice sector.</p>
	<p><b>Strategic Goal 2:</b> Promote gender equality by increasing the representation and leadership of women within the justice sector, ensuring equal opportunities and participation in all levels of decision-making.</p>	<p><i>Output 4.2.1:</i> Introduce and implement a gender quota for women in middle-management and leadership positions within the justice sector, with a progress report on the quota's impact submitted to the Ministry of Justice every 12 months.</p> <p><i>Output 4.2.2:</i> Increase the representation of women in frontline positions, with a focus on roles related to gender-based violence (GBV) reporting, and ensure that women in these roles receive specialised training on GBV.</p> <p><i>Output 4.2.3:</i> Organise annual nationwide awareness campaigns to highlight women in leadership roles within the justice sector and promote policies supporting gender equality,</p>

		<p>ensuring at least 50% of campaign materials are focused on women in leadership.</p>
		<p><i>Output 4.2.4:</i> Increase the enrollment of women in legal degree programs through targeted scholarships, mentorship programs, and outreach initiatives, with enrollment data reviewed and reported annually.</p>
		<p><i>Output 4.2.5:</i> Offer specialised training for women in the justice sector on handling gender-based discrimination and conflict and for men on anti-discrimination, with 90% of participants reporting increased confidence in managing gender-related issues within 3 months of completing the training.</p>
	<p><b>Strategic Goal 3:</b> Ensure the protection and well-being of justice sector staff by guaranteeing timely remuneration, comprehensive social security benefits, and a supportive work environment.</p>	<p><i>Output 4.3.1:</i> Implement a system for ensuring justice sector staff receive their remuneration on time, with quarterly reports on payment timeliness submitted to the Ministry of Justice.</p>
		<p><i>Output 4.3.2:</i> Extend comprehensive social security coverage (including health insurance, pensions, and unemployment benefits) to justice sector staff, including those in remote areas, with a baseline survey conducted to assess staff awareness and access to these benefits.</p>
		<p><i>Output 4.3.3:</i> Establish a staff welfare program that includes mental health support, regular professional development opportunities, and a grievance redress system, with justice sector staff reporting satisfaction with these services in an annual survey.</p>
	<p><b>Strategic Goal 4:</b> Develop and implement comprehensive professional development protocols for current and prospective justice sector staff, including prospective staff, with a focus on Nonviolent Communication (NVC), restorative justice practices and</p>	<p><i>Output 4.4.1:</i> Establish a coordination unit across the justice sector and educational institutions (universities, social work education, etc.) tasked with developing legal education curricula, scholarship, shadowing and training programmes for students (with quota provided for female students).</p>
		<p><i>Output 4.4.2:</i> Design and implement professional development protocols for all justice sector staff, incorporating modules on Nonviolent Communication (NVC), restorative justice and modern technologies, with a rollout plan for implementation across all justice institutions.</p>

	modern technologies.	<p><i>Output 4.4.3:</i> Train new and existing justice sector staff on Nonviolent Communication (NVC), restorative justice principles and the use of modern technologies, with at least 80% of participants demonstrating improved skills in these areas in post-training assessments.</p>
		<p><i>Output 4.4.4:</i> Establish a public complaint (feedback) system that allows institutions to collect feedback on the quality of work delivered by the frontline staff.</p>
5. Public trust	<p><b>Strategic Goal 1:</b> Enhance transparency of the justice system by implementing measures that ensure openness, accountability, and accessibility of processes and decisions.</p>	<p><i>Output 5.1.1:</i> Develop and establish an inclusive public complaint mechanism (digital and analogue) that allows citizens to submit concerns, with a feedback loop ensuring that complaints are acknowledged and addressed.</p>
		<p><i>Output 5.1.2:</i> Develop and implement a public communication strategy, including regular community meetings and the training of youth/community ambassadors in Nonviolent Communication (NVC).</p>
		<p><i>Output 5.1.3:</i> Establish at least three communication channels (e.g., community meetings, social media, dedicated hotlines) based on the public communication strategy, with at least 75% of the population having access to one or more channels.</p>
	<p><b>Strategic Goal 2:</b> Improving oversight of key justice institutions, including in the context of nepotism/abuse of power.</p>	<p><i>Output 5.2.1:</i> Establish an oversight committee and a complaint mechanism to investigate abuses within the justice sector institutions.</p>
		<p>See outputs: 2.1.3. and 4.1.2</p>
	<p><b>Strategic Goal 3:</b> Enhance the effectiveness of ruling enforcement by reducing response times and minimising the occurrence of rulings being overturned</p>	<p><i>Output 5.3.1:</i> Conduct a comprehensive analysis of the current challenges and bottlenecks in the enforcement of rulings, with findings documented and shared with stakeholders for further action.</p>
		<p><i>Output 5.3.2:</i> Develop and propose a set of tailored solutions to address identified barriers to enforcement, based on the findings from the analysis, with a pilot implementation plan for testing</p>

	<p>due to external pressures.</p>	<p>the solutions.</p> <hr/> <p><i>Output 5.3.3: Establish a monitoring and evaluation framework to track enforcement delays and reversals, with quarterly reports to assess the effectiveness of newly designed solutions and make adjustments as needed.</i></p>
	<p><b>Strategic Goal 4:</b> Implement comprehensive prison reform that focuses on improving prison facilities, ensuring human rights, integrating restorative justice practices, and enhancing rehabilitation through training and counseling programs for inmates.</p>	<p><i>Output 5.4.1: Modernizing Prison Infrastructure</i></p> <p>Renovation and construction of facilities to meet international safety and hygiene standards</p> <p>Deployment of advanced security and facility management technologies</p>
		<p><i>Output 5.4.1.1 Modernizing Prison Administration</i></p> <p><i>Implementation of standardized procedures aligned with global correctional practices</i></p> <p><i>Integration of digital systems for record-keeping and inmate management</i></p>
		<p><i>Output 5.4.1.1.2: Enhancing Rehabilitation and Reintegration Programs</i></p> <p><i>Introduction of market-aligned vocational training and educational programs, Strengthened post-incarceration support systems for reintegration, Improving Mental Health Services, Recruitment of qualified mental health professionals and</i></p> <p><i>Implementation of mental health screening and therapy programs</i></p>
	<p><b>Strategic Goal 5:</b> Mainstream</p>	<p><i>Output 5.5.1: Implement a series of community dialogue sessions using restorative justice</i></p>

	restorative justice tools, aiming to reduce polarisation, and promote dialogue and understanding.	principles, aimed at reducing polarisation, with at least 60% of participants reporting improved understanding and reduced conflict in post-session surveys.
		<i>Output 5.5.2:</i> Train facilitators in restorative justice techniques and conflict resolution, with the goal of deploying them in regional community development programs.
<b>6. Access to justice</b>	<b>Strategic Goal 1:</b> Enhance access to justice for historically marginalised groups, including women, children, persons with disabilities, IDPs, and communities in remote areas.	<i>Output 6.1.1:</i> Expand ADR mechanisms to include additional regions/districts, with a focus on providing training to community leaders on ADR processes.
		<i>Output 6.1.2:</i> Create a comprehensive legal aid strategy that includes fundraising and institutional collaboration for delivering justice services, with an increase in funding and partnerships within the first year.
		<i>Output 6.1.3:</i> Pilot mobile justice services in remote areas by deploying teams of legal professionals and justice sector personnel to reach communities in remote and underserved areas.
		<i>Output 6.1.4:</i> Develop and mainstream an efficient and accessible method of reporting a case by individuals, in particular from vulnerable groups (women, children, persons with disabilities and IDPs).
		<i>Output 6.1.5:</i> Establish a support mechanism for local grassroots initiatives and innovations that promote non-discriminatory access to justice for all, especially women, children, persons with disabilities and IDPs, with at least 5 projects funded and operational within 12 months of the mechanism’s launch.
	<b>Strategic Goal 2:</b> Develop and implement an awareness-raising strategy and platform that fosters	<i>Output 6.2.1:</i> Develop and implement a communication plan that ensures all organisations and institutions involved in the awareness-raising efforts deliver a unified message, with monthly coordination meetings to ensure consistency across platforms.

	<p>collaboration through a network of organisations dedicated to shared goals.</p>	<p><i>Output 6.2.2:</i> Launch a comprehensive strategy to mainstream information about how the formal system operates and what are the mandates of the traditional and religious justice systems, utilising traditional media, social and new media platforms to reach at least 50% of the target audience, with quarterly performance reviews to assess engagement levels.</p>
		<p><i>Output 6.2.3:</i> Establish a verified communication mechanism that allows the rapid dissemination of accurate information to counter misinformation, with a system in place to monitor and address any instance thereof.</p>
	<p><b>Strategic Goal 3:</b> Ensure the timely and effective delivery of justice services in newly recovered areas, including the rapid deployment of communication systems and remote access tools for justice.</p>	<p><i>Output 6.3.1:</i> Develop and implement a comprehensive strategy for delivering justice services in newly recovered areas, including the establishment of communication protocols and the deployment of mobile justice teams, with the strategy operational within 6 months and covering at least 5 newly recovered regions.</p>
<p><b>7. Climate Justice</b></p>	<p><b>Strategic Goal 7.1:</b> Strengthen legal frameworks and promote equitable protections for communities affected by climate change, ensuring their access to justice and fostering resilience through legal and institutional support.</p>	<p><i>Output 7.1.1:</i> Review and amend national laws to integrate climate risks and provide legal protections for marginalised groups impacted by climate change, ensuring that at least 90% of the affected population has access to legal support for land, livelihood, and resource loss.</p>
		<p><i>Output 7.1.2:</i> Empower selected institutions in addressing land, resource, and water disputes arising from climate change, with at least 75% of related disputes resolved through these mechanisms within the first year of operation.</p>
		<p><i>Output 7.1.3:</i> Develop and implement legal frameworks that facilitate land rights for displaced persons, with at least 100 displaced individuals or communities receiving legal support for land claims and relocation within 12 months of framework implementation.</p>
<p><b>8. Knowledge Management</b></p>	<p><b>Strategic Goal 8.1:</b> Establish clear</p>	<p><i>Output 8.1.1.:</i> Review and mainstream information about mandates, roles, and responsibilities of all</p>

across the justice sector	mandates and enhance collaboration among justice sector institutions through effective information exchange	justice sector institutions to avoid conflict and ineffective use of resources.
		<i>Output 8.1.2:</i> Establish a standardised protocol for regular inter-institutional meetings and information exchange/learning among justice sector institutions.
	<b>Strategic Goal 8.2:</b> Develop and implement a secure, digital system for case management and maintaining a criminal database, ensuring efficient and confidential handling of justice sector information.	<i>Output 8.2.1:</i> Prototype, test, improve and implement a secure, digital case management system integrated with a criminal database, ensuring 100% of case data is uploaded and accessible within 12 months of system launch.
		<i>Output 8.2.2:</i> Train relevant justice sector staff on the new digital case management system and criminal database, with 80% of trained staff demonstrating proficiency through post-training assessments.
	<i>Output 8.2.3:</i> Complete a security audit of the digital case management system to ensure compliance with data protection laws, achieving a high level of security rating from an independent evaluator.	
9. Cross-sector collaboration	<b>Strategic Goal 9.1:</b> Establish a learning mechanism involving other ministries to ensure the justice sector's adaptability and the effective implementation of strategic goals. (See: Annex X - Results of the KM consultations)	<i>Output 9.1.1:</i> Establish a cross-ministry learning and knowledge-sharing mechanism, with participation from at least 5 key ministries, to facilitate the exchange of key information, plans, lessons learned, ensuring alignment with the justice sector's strategic goals and adaptability to emerging challenges.
	<b>Strategic Goal 9.2:</b> Facilitate the engagement of international organisations across the justice sector and foster synergies across various programs to enhance	<i>Output 9.2.1:</i> Establish a collaborative mechanism/platform for international organisations working within the justice sector, ensuring at least 80% of key stakeholders participate in quarterly coordination meetings to align efforts and identify opportunities for synergies.

	collaboration and impact.	
	<p><b>Strategic Goal 9.3:</b> Encourage, support, and streamline the engagement of non-justice sector actors (e.g., universities, CSOs, companies) in the functioning of the justice sector.</p>	<p><i>Output 9.3.1:</i> Establish a formal network for engaging non-justice sector actors, including educational institutions (universities, social work education), CSOs, and companies, with at least 5 collaboration initiatives launched.</p> <p><i>Output 9.3.2:</i> Initiate joint projects with non-justice sector actors to address key justice sector challenges, with bi-annual progress reports showing measurable outcomes from these partnerships.</p>



# *Implementation Guidelines*



# Implementation guidelines, including Monitoring, Evaluation and Learning (MEL)

As demonstrated throughout the strategy development process, including through feedback from numerous stakeholders, it is essential to continue developing and strengthening Somalia's justice sector through **intentional collaboration with these stakeholders**. The approach to implementing this strategy needs to be adaptable, inclusive and focused on learning. In other words, it is fundamental to **protect the process** started by this strategy development and never to prioritise what has been written over what we are learning during the implementation. Recommendations below are intended to ensure exactly that.

This section takes from the Human-Learning Systems approach principles that enable deep systemic transformation through learning and focus on humanity.



## 1

### LEARNING-CENTRED IMPLEMENTATION

The process of developing the strategy has proven that the justice sector has not yet had sufficient opportunities to gather comprehensive insights and data about itself. Without such collective knowledge **gathered through iterative learning**, strategic decisions and interventions might turn out to be misplaced and even generate results opposite to the ones intended.

#### Integrating feedback loops

This would entail establishing mechanisms for collecting regular feedback from stakeholders (e.g., community members, justice officials, vulnerable groups) on activities such as legal reforms and access to justice improvements. Feedback would be regularly used to adjust activities.

**Example:** After each stakeholder consultation for legal reforms, hold reflection sessions to assess the clarity of guidelines and adapt future consultations based on participant feedback.

#### Testing in a small scale

In a dynamic context, it is particularly important to test solutions before we invest in their full-scale implementation. When implementing the Justice Sector Strategy, begin with pilot projects for new initiatives like mobile justice services or a justice hotline. Their implementation would be smaller in scale, but would still allow you to evaluate the effectiveness of a new solution before mainstreaming them across all FMSs.

**Example:** Conduct a limited trial of a hotline mechanism in one region, assess community outcomes, and adapt the approach for broader implementation.

#### Establishing shared learning spaces and opportunities

Facilitate cross-institutional learning through knowledge exchange sessions, where federal and state actors share lessons on implementing specific goals. Make sure you record (in writing) key lessons from each such session and share them on a platform that is always accessible to all key stakeholders. When conducting an annual review of the strategy, make sure to embed these learnings into the following year's implementation plan.

## 2

### CONTEXTUALISING INTERVENTIONS

There are clear differences in needs and resources across different FMSs. That is why many of the outputs in this strategy will require context-specific adaptations or instructions. When designing activities to account for the complexity and interconnectedness of the justice system, it is important to do that in collaboration with local stakeholders.

**Example:** Engage regional leaders (including youth leaders) to co-create messaging for constitutional awareness campaigns to ensure relevance and local resonance.

## 3

### HUMANITY-FOCUSED DELIVERY

With the turbulent history of Somali people and ongoing crises, including climate-change-related internal displacement and terrorist threats, the need for taking care of the most vulnerable and recognising their needs is paramount. There are two main areas, in which implementation of the strategy can ensure it:

#### **Building trust and relationships**

Prioritise relationship-building among stakeholders, especially in activities requiring alignment across federal and regional bodies. Try to embed opportunities for joint discussions, solution design or informal knowledge exchange that breaks the silos. Invite a variety of stakeholders to share their experiences and inputs in order to build understanding and trust among them.

#### **Enhancing inclusion**

As the process of strategy development has proven, each of the stakeholders holds an important part of the answer to the challenges ahead. Use participatory methods to ensure historically marginalised groups have a voice and can be recognised in the decision-making processes.

**Example:** When drafting the Natural Resource Protection Law, involve displaced communities and women's groups in consultations.

## 4

### ACCOUNTABILITY THROUGH LEARNING

Even though the strategy includes very specific goals and outputs, these should be considered adaptable. Implementation of the strategy is a learning process and as such, it is important to ensure that any time a review is done (at least annually) and a new yearly implementation plan is being developed, the goals should also be reviewed. It is very likely that in the next five years both the context and the understanding of it might change. You might uncover dynamics, solutions, stakeholders that can significantly accelerate or slow down the implementation of this strategy. New challenges might arise because of external or internal changes. Shift accountability from rigid targets to adaptive, learning-based progress tracking impact. Replace static success metrics with adaptable monitoring systems that incorporate lessons learned during implementation.

## 5

### CULTIVATING A LEARNING CULTURE AMONG JUSTICE SECTOR STAFF

Throughout the implementation of this strategy and beyond, it is important to train justice sector staff in knowledge management, Nonviolent Communication, and systems thinking to enable adaptive decision-making. As discussed though, the implementation and the success of this strategic process goes way beyond the activities of the justice sector staff. It is important to promote collaboration with and learning from other stakeholders. Recognise and mainstream where possible successful local innovati

## Annual Implementation Plan - Checklist

For the entire period of strategy implementation, establish a Strategic Plan Implementation Steering Committee, including representatives of FGS and FMSs. This Committee shall also be responsible for coordinating the communication with international organisations in order to align efforts, optimise resource use, and build synergies across justice/RoL programmes implemented throughout the country.

- [if applicable] Organise a sensemaking session, extracting key learnings from the previous year of strategy implementation.
  - Translate the outcomes into any necessary changes to the strategic goals and outputs.
  - Document lessons learned and share them across stakeholders to encourage adaptive learning.
- Select with FMSs the scope of work and priorities for this year's implementation.
- Identify and engage key partners for each goal (make sure to include ministries relevant for each goal).
- Conduct joint planning sessions with partners to review and refine the scope of goals and outputs.
  - Define success and ways of measuring it (indicators allowing to verify if you have achieved the impact that you have intended).
- [if applicable] Align timing with work plans for other strategies and programmes across the sector, check for any overlaps or conflicts.
- Cost activities/review costs and secure sources of funding. If need be, revisit the list of activities with your partners and delay the ones that are lower priority.
  - Explore opportunities for innovative funding mechanisms, such as public-private partnerships or diaspora contributions.
- Create a schedule of activities and distribute it among all relevant stakeholders.
  - Identify potential risks to implementation and develop mitigation strategies (e.g., addressing political, financial, or operational risks).
  - Integrate mechanisms to ensure inclusive participation, particularly of historically marginalised groups (e.g., women, youth, minorities).
- Schedule quarterly knowledge exchange sessions to facilitate peer learning, share progress, and address challenges collectively.
  - Use findings to make mid-year adjustments and improve implementation processes.
- Develop a communication plan to keep stakeholders informed about progress, challenges, and key milestones.
- Maintain a repository for all implementation documents, reports, and learning materials.



# *Key Strategic Documents and Selected References*



# Other Key Strategic Documents

Judicial Training Institute (JTI): Strategic Plan 2024-2027

Federal Republic of Somalia (FRS), National Forensic Institute: National Forensic Strategic Plan 2025–2030

National Strategic Plan: National Reconciliation Framework (NRF) 2025–2029 (updated version) – The Peace building and Reconciliation Pathway for Somalia. Ministry of Interior, Federal Affairs and Reconciliation (MoIFAR), FGS/FRS

Sectoral Strategic Plan, Somali Custodial Corps 2024 – 2026 IDLO, January 2024

Somali Bar Association: Strategic Plan 2023–2028

Somali Police Force, Criminal Investigations Directorate (CID) Strategic Plan 2025–2026

Strategic Plan 2020-2024: “A Beacon of Justice” Office of the Attorney General (AGO), FRS

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## *Annex 1: HRM*



# Annex 1: Human Resource Management - Horizon 3 input summary

During Horizon 3 consultations, stakeholders presented a detailed vision for transforming Human Resources Management (HRM) in Somalia's justice sector. Their inputs reflect a comprehensive approach to improving recruitment, training, remuneration, and accountability, with a strong emphasis on inclusivity, transparency, and merit-based systems. Below is a summary capturing their key suggestions and aspirations.

## 1. Recruitment and Pre-Employment Measures

Stakeholders highlighted the importance of establishing rigorous, transparent, and inclusive recruitment processes to ensure the selection of skilled and motivated individuals. Key suggestions included:

- **Clear Criteria for Recruitment:** Defining specific education, experience, and ethical requirements for key roles, such as requiring district court judges to have at least three years of experience and expertise in both religious and secular law.
- **Coordination with Universities:** Tracking the number of law graduates annually through a coordinated effort with leading universities, such as the National University, Muqdisho, and SIMAD.
- **Encouraging Women in Justice:** Launching awareness campaigns and financial support programmes to encourage women to pursue justice-related education and careers, with a focus on leadership roles.
- **Internship and Job Shadowing Opportunities:** Introducing structured post-graduation internships to provide practical exposure to the justice sector.
- **Geographical and Demographic Representation:** Ensuring hiring reflects the diversity of Somalia, with quotas for women, vulnerable groups, and representation from all regions.
- **Transparent Hiring Processes:** Advertising positions widely, publishing results, and introducing anti-nepotism regulations to promote fair and open competition.

## 2. Work Environment, Training, and Advancement

Creating a professional and supportive work environment was seen as essential for retaining and motivating justice sector staff. Stakeholders envisioned:

- **Clear Job Responsibilities:** Providing staff with well-defined roles (through Terms of Reference) and autonomy to perform their duties without external interference or micromanagement.
- **Customised Training Programmes:** Offering regular, role-specific training in areas such as criminal and civil law, investigative tools, as well as more general training in leadership,

communication skills and modern technologies (including the use of AI in public administration).

- **Human Rights Education:** Integrating human rights training into the curriculum for justice sector staff.
- **Leadership Development:** Prioritising internal promotions for leadership positions and providing training to prepare staff for advancement.
- **Employee Engagement:** Creating channels for staff to voice opinions and actively participate in shaping institutional policies and practices.
- **Adequate Resources:** Ensuring all employees have the necessary space, tools, and equipment to perform their jobs effectively and are remunerated adequately and on time.

### 3. Remuneration and Benefits

A key concern was the need for fair and reliable compensation and benefits, aligned with the responsibilities and risks associated with justice sector roles. This has been a challenge that not only the justice sector staff often reported, but that was also noticed by the broader community, in particular Women Organisations. Stakeholders proposed:

- **Timely and Competitive Salaries:** Guaranteeing that staff are paid on time and in accordance with their positions.
- **Comprehensive Benefits Packages:** Providing health insurance, paid leave, parental/maternity leave, and additional support for pregnant women.
- **Physical Safety Measures:** Enhancing security for justice sector staff, particularly judges (threats of retribution in case of an unfavourable judgement), to ensure their safety in a challenging environment.
- **Self-Sufficient Funding:** Reducing reliance on international organisations for salaries by ensuring sustainable domestic funding for staff remuneration.

### 4. Accountability and Termination Policies

To uphold professional standards and foster accountability, stakeholders emphasised the need for clear policies governing staff performance and contract termination:

- **Updated Civil Service Act:** Revising legislation to enable the termination of staff who fail to meet work demands while protecting project staff from arbitrary dismissals.
- **Transparent Termination Rules:** Ensuring staff cannot be dismissed without clear violations or due process.
- **Accountability Mechanisms:** Establishing dedicated teams or institutions to oversee staff performance and address issues of misconduct.



## *Annex 2: Knowledge Management*



# Annex 2: Knowledge Management - Horizon 3 input summary

Drawing from the inputs gathered during Horizon 3 consultations, the following summary outlines a strategic approach to enhance internal knowledge sharing, inter-institutional collaboration, and engagement with the wider community.

## 1. Internal Knowledge Sharing Within Institutions

Effective knowledge sharing within justice sector institutions is vital for capacity building and operational efficiency. This strategy focuses on fostering a culture of continuous learning and mentorship. Key initiatives as envisioned by stakeholders include:

- **Knowledge Dissemination from Training:** Staff members who participate in training sessions will be responsible for disseminating the knowledge gained to their colleagues through structured sharing sessions (or other protocols).
- **Job Shadowing and Mentoring Protocols:** Implementing opportunities for job shadowing and formalising mentoring practices to facilitate on-the-job learning and knowledge transfer.
- **Knowledge Exchange Meetings:** Equipping staff with the skills to design and conduct effective knowledge-sharing sessions, including virtual exchanges, to promote institutional learning.
- **Expert Support Frameworks:** Providing access to context-specific expert advice and guidance to staff when faced with complex cases or procedures.

## 2. Inter-Institutional Collaboration

Strengthening connections across justice sector institutions ensures consistency, accountability, and efficiency in delivering justice services. The stakeholders have mentioned mechanisms to enhance coordination at national and sub-national levels:

- **Unified Information-Sharing Platform:** Establishing a secure, nationwide case management system to enable seamless information exchange among justice sector institutions.
- **Regular Inter-Institutional Forums:** Convening regular meetings and forums to facilitate dialogue, resolve issues, and share lessons learned across Federal Member States (FMS) and the Federal Government of Somalia (FGS).
- **Knowledge Coordination Institute:** Creating an institute under the Ministry of Justice and Constitutional Affairs (MOJCA) to coordinate training, knowledge sharing, and institutional capacity development.
- **Biometric Registration and Accountability:** Implementing an Officers' Biometric and General Accountability (OBGA) system to monitor staff performance and enhance transparency.

- **Handover Protocols:** Developing clear rules for transferring cases between traditional, religious, and formal justice systems to streamline the justice process.

### 3. Community Engagement and Public Awareness

Building trust and transparency between the justice sector and the public requires consistent engagement and education. The stakeholder have envisioned following actions:

- **Public Information Campaigns:** Producing educational materials for TV, radio, newspapers, and social media to increase public awareness of justice processes.
- **Public Reporting Channels:** Establishing hotlines, online platforms, and physical complaint boxes for citizens to report crimes and share feedback.
- **Open Forums and Office Hours:** Hosting regular public consultations and open forums to foster dialogue between the justice sector and local communities.
- **Civic Education:** Developing curricula for schools and offering online classes for youth and adults on justice-related topics.
- **Justice Sector Representation:** Training justice sector staff to effectively communicate procedures and case details to the public, especially during public events.

### 4. Partnerships with Civil Society and Educational Institutions

Leveraging partnerships with CSOs, educational institutions, and community groups enhances the justice sector's capacity to deliver effective services. Proposed initiatives include:

- **Data Analysis and Research:** Educational institutions supporting evidence-based decision-making through data analysis and research contributions.
- **CSO Training:** Providing training to CSOs on protocols, procedures, and laws to empower them as key actors in raising public awareness and supporting justice delivery.
- **Community Collaboration:** Strengthening relationships between justice sector staff and community elders, women's groups, and other stakeholders to promote social cohesion.

### 5. External Collaboration and Systemic Improvements

Expanding collaboration beyond the justice sector to broader national systems was deemed essential by the stakeholders for comprehensive governance and accountability:

- **National Census and Citizen Registration:** Conducting a comprehensive census and registering citizens to improve data accuracy and resource allocation.
- **Integration Across Sectors:** Establishing mechanisms for inter-sectoral collaboration to address overlapping issues between justice, security, and social welfare sectors.



## *Annex 3: National Results Area*



# Annex 3

## Key National Result Areas

Modernizing Prison Infrastructure

Modernizing Prison Administration international standard

Enhancing Rehabilitation and Reintegration Programs

Capacity Building for Correctional Staff and Prisoners

Improving Mental Health Services in Correctional Facilities

Strategic Objective 1: To establish safe, humane, and rehabilitative correctional facilities in Somalia that meet international standards and address overcrowding and inadequate living conditions.

Modernizing prison infrastructure is fundamental to addressing Somalia's correctional system's systemic challenges. This objective seeks to create facilities that meet international human rights and detention standards while addressing pressing issues such as overcrowding and inadequate living conditions.

Initiative: Construction and renovation of modern correction facilities

Key interventions:

Renovation of six (6) existing prison facilities: Priority will be given to upgrading six outdated prisons between 2025 - 2029 to align with international standards, including improvements to structural integrity, security measures, and living conditions.

Construction of four (6) new correctional facilities: Strategically located correctional facilities will be constructed between 2025 - 2029 in underserved regions to combat modern designs and promote efficiency, safety, and humane treatment. These new facilities will reduce overcrowding and promote hygiene.

Upgrading of the Sanitation and Water Systems: Investments will focus on installing reliable water supply systems, improving sanitation infrastructure, and ensuring access to clean water for all inmates and staff to meet basic health and hygiene requirements.

Through the implementation of modern correctional infrastructure, the expected outcomes include the following:

Significant reduction in overcrowding, ensuring detainees have access to humane and adequate living spaces.

Enhanced hygiene and health standards will contribute to a marked decrease in the prevalence of illness and disease within facilities.

The introduction of secure and dignified spaces will not only promote safety but also align Somalia's correctional practices with its international human rights commitments.

To achieve the objective of modernizing the prison infrastructure, the MOJCA and the Custodial Corps need to implement the following approaches:

Conduct comprehensive needs assessments to identify priority facilities for renovation and construction at federal and federal member states.

Increase government expenditure in correctional services.

Partner with international donors, UN and NGOs to secure technical and financial resources.

Develop monitoring and evaluation frameworks to ensure compliance with construction and renovation goals.

Strategic Objective 2: To provide incarcerated individuals with vocational skills and support services to facilitate successful reintegration into society upon release.

The rehabilitation and reintegration of offenders are essential components of a modern correctional system. Somalia can reduce recidivism, enhance public safety, and foster social cohesion by equipping detainees with the skills, education, and support needed to reintegrate into society.

Initiative: Vocational Training and Reintegration Programs

Key Interventions

Develop Vocational Training and Educational Opportunities

Establish formal education programs within correctional facilities to address literacy gaps.

Introduce vocational training courses in trades such as carpentry, tailoring, agriculture, and technology.

Partner with local industries to create employment pathways for rehabilitated offenders.

Introduce Community-Based Programs for Parolees and Probationers

Establish community centers to provide continuous support and monitoring for released individuals.

Develop mentorship and counseling programs to guide reintegration.

Engage local religious and cultural leaders to support community acceptance of parolees and probationers.

Expand Alternative Sentencing Mechanisms

Promote using non-custodial sentences, such as community service and restorative justice programs.

Enhance legal frameworks to support diversion programs, particularly for juvenile offenders.

Train judicial officers on the benefits and implementation of alternative sentencing models and human right protections.

Through the implementation of vocational training and reintegration programs, the expected outcomes include the following:

Enhanced employability and self-sufficiency of former offenders.

Reduction in prison overcrowding through effective alternative sentencing.

Improved community acceptance and integration of parolees and probationers.

Decreased recidivism rates, contributing to long-term public safety.

To achieve the objective of rehabilitation programs, the MOJCA and the Custodial Corps need to implement the following approaches:

Resource mobilization to raise funds for implementations.

Collaborate with international organizations and NGOs to fund and operationalize these initiatives.

Monitor progress through data collection on employment rates and recidivism among former offenders.

Engage communities and local leaders to foster acceptance and support for reintegration programs.

#### Enablers

To ease the implementation of these strategic initiatives, the sector needs key strategic enablers that will enhance the successful implementation of the key result areas. These enablers include:

##### Legal, regulatory or policy frameworks

A robust legal, regulatory and policy framework ensures that Somalia's correctional systems uphold human rights, operate efficiently, and adapt to contemporary needs. Strengthening the legal foundation will address systemic ambiguities, improve governance, and promote accountability within the corrections sector.

#### Key Interventions

##### Revise the 1972 Prison Law

Overhaul the existing law to incorporate provisions that align with international human rights standards, including the Nelson Mandela Rules.

Include specific guidelines on detainee rights, facility management, rehabilitation, and reintegration.

Establish clear oversight mechanisms to monitor compliance and ensure accountability.

##### Develop Policies to Harmonize Federal and Regional Correctional Laws

Work collaboratively with Federal Member States (FMS) to harmonize laws governing corrections, ensuring uniformity and fairness across all jurisdictions.

Create a centralized framework allowing regional autonomy while aligning with national policies and international obligations.

Standardize the treatment of detainees and operational procedures across the regions.

##### Implement Clear Anti-Torture Legislation

Draft and enact anti-torture laws with clear definitions, penalties, and enforcement mechanisms.

Establish independent bodies to investigate allegations of torture and abuse within correctional facilities.

Train judicial officers, correctional staff, and law enforcement agencies on anti-torture laws and human rights compliance principles.

Through the implementation of legal, regulatory and policy initiative, the expected outcomes include the following:

Comprehensive legal frameworks that meet international standards.

Uniformity and fairness in the treatment of detainees across the Nation.

Strengthened accountability for human rights violations, reducing instances of torture and abuse.

Increased trust in the correctional system from local and international stakeholders.

To achieve the objective of regulatory or policy frameworks, the MOJCA and the Custodial Corps need to implement the following approaches:

Engage national and regional stakeholders, including judicial service commissions, constitutional experts, law makers, UN partners, and legal aid providers to guide legal reforms.

Seek technical assistance from international organizations like the UNSOM, UNDP, UNODC and OHCHR to draft and implement legislation.

Conduct capacity-building workshops for correctional officers, judiciary staff, and law enforcement on new legal standards.

Regularly review and update policies to adapt to emerging challenges and global best practices.

By strengthening the legal and policy framework, Somalia can create a correctional system that is fair, transparent, and aligned with its national and international commitments to human rights and justice.

Finalization of new corrections model

The new corrections model aims to shift from punitive measures toward rehabilitative approaches that focus on reintegrating offenders back into society which includes education, mental health support, vocational training, and restorative justice practices.

Key Interventions

Political and Public Support

Stakeholder Engagement and Collaboration

Needs Assessment and Data Collection

Utilize technology to improve corrections operations, enhance rehabilitation efforts, and support community reintegration.

Community and Family Involvement

Reentry Programs and Aftercare

## Monitoring and Evaluation

Integrate new correction to new prison law and constitution

## Capacity Building for Correctional Staff

A well-trained and adequately supported workforce is essential for the effective functioning of correctional facilities. Capacity building for correctional staff focuses on equipping them with the skills, knowledge, and ethical grounding required to manage detainees humanely and securely. By fostering professionalism, accountability, and transparency, Somalia can create a correctional workforce that upholds human rights and promotes rehabilitation.

### Key Interventions

#### Recruit and Train Additional Correctional Officers

Launch nationwide recruitment campaigns to address staff shortages and improve staff-to-inmate ratios.

Ensure diversity in recruitment, including hiring female officers, and better address the needs of women and juvenile detainees.

Develop rigorous initial training programs covering security protocols, detainee rights, and conflict resolution.

#### Introduce Continuous Professional Development (CPD) Programs

Provide ongoing training in mental health support, human rights standards, and modern correctional practices.

Incorporate modules on rehabilitation strategies, cultural sensitivity, and dealing with vulnerable populations.

Establish exchange programs with international correctional institutions to adopt best practices.

#### Foster a Culture of Accountability and Transparency

Develop clear codes of conduct and performance benchmarks for correctional staff.

Introduce regular performance reviews and audits to ensure compliance with standards.

Set up confidential reporting systems for staff and detainees to report misconduct without fear of reprisal.

Through the implementation of capacity building initiatives, the expected outcomes include the following:

Improved staff-to-inmate ratios, enhancing safety and management.

A professional, well-trained workforce equipped to address the complexities of correctional work.

Increased trust among detainees and the public due to enhanced transparency and ethical practices.

Reduction in staff turnover and misconduct through ongoing professional support and accountability.

To achieve the objective of the capacity building initiatives, the MOJCA and the Custodial Corps need to implement the following approaches:

Collaborate with national education institutions and international organizations to develop and deliver training modules.

Secure funding for recruitment and training from federal and regional governments and donor agencies.

Monitor staff performance using key indicators (KPIs) tied to transparency, ethical conduct, and detainee outcomes.

Conduct periodic reviews of training programs to ensure they remain relevant and aligned with international best practices.

Building the capacity of correctional staff will lay a strong foundation for a humane and effective correctional system in Somalia, ensuring it operates with integrity and a focus on rehabilitation.

#### Improving Mental Health Services in Correctional Facilities

Mental health is a critical yet often overlooked aspect of correctional systems. Addressing mental health challenges among inmates and staff is essential to fostering a humane and rehabilitative environment. Many detainees in Somalia face trauma, stress, and psychological disorders exacerbated by poor living conditions, limited healthcare, and isolation. This is an area of collaboration among the relevant government institutions and as well as UN and other mental health providers in the country.

#### Key Interventions

##### Establish Mental Health Screening and Treatment Programs

Implement mental health assessments during intake to identify and address psychological issues early.

Provide regular counseling and psychiatric support within correctional facilities.

Train healthcare workers and correctional staff to effectively recognize and manage mental health issues.

##### Develop Specialized Care for Vulnerable Populations

Offer targeted support for juveniles, women (particularly those with children), and individuals with a history of trauma or substance abuse.

Establish partnerships with MOH, WHO, UNICEF, INGOs and mental health providers to provide specialized mental health expertise and resources.

##### Promote Mental Wellness for Correctional Staff

Introduce stress management programs and counseling services for staff.

Conduct regular training on managing workplace stress and preventing burnout.

Enhance Collaboration with Communities

Engage families and communities in the rehabilitation process to emotionally support detainees.

Raise awareness of mental health challenges and reduce stigma around seeking help.

Through the establishment of mental health screening and treatment programs, the expected outcomes include the following:

Early identification and management of mental health challenges among detainees and staff.

Reduced incidents of violence and self-harm in correctional facilities.

Improved overall well-being and readiness for reintegration among inmates.

Increased staff morale and reduced turnover due to enhanced mental wellness programs.

To achieve the capacity building initiative, the MOJCA and the Custodial Corps need to implement the following approaches:

Partner with international organizations such as WHO and UNICEF for technical and financial support.

Allocate resources for recruiting and training mental health professionals dedicated to corrections.

Monitor program outcomes through metrics like reduced recidivism and improved psychological health among inmates and staff.

By prioritizing mental health, Somalia can build a correctional system that not only rehabilitates offenders but also safeguards their dignity and contributes to society's overall resilience.



## GET IN TOUCH WITH US.

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