

**Security Council**

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Letter dated 22 February 2023 from the Permanent Representative of Malta to the United Nations addressed to the Secretary-General

In reference to the meeting on the situation in Somalia, held on 22 February 2023, I have the honour to transmit herewith a letter by the Somali Gender Equity Movement, a non-governmental organization and non-partisan sociopolitical global movement that comprises 9,000 diverse Somali women inside the country and in the diaspora who have united to advocate for gender equity in Somalia (see annex).

I should be most grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Vanessa **Frazier**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Malta to the United Nations



Annex to the letter dated 22 February 2023 from the Permanent Representative of Malta to the United Nations addressed to the Secretary-General

Introduction

Thank you for the invitation to address the Security Council. The Somali Gender Equity Movement is privileged to be conveying the voice and concerns of Somali women. The Somali Gender Equity Movement is a non-partisan sociopolitical global movement that comprises 9,000 diverse Somali women inside the country and in the diaspora who have united to advocate for gender equity in Somalia. Part of their work has included a gender assessment of women's political representation at the federal and regional levels including the federal and regional Constitutions and electoral laws and providing training for women political candidates.

Historically, Somali women have contributed to their family and society, which increased once the State collapsed in 1991. Women's role in conflict prevention, peacemaking and peacebuilding; in humanitarian work and in delivering social services is well known and documented. Today, different surveys show that women remain essential for the survival of their families, where a majority of families rely primarily or solely on women's income.

In this briefing, I will focus on two issues that are of critical importance to women's advancement in Somalia.

Political participation

Somali women have long fought for full inclusion in the governance of their country. Despite improvements in the representation of women in politics since the adoption of a 30 per cent gender quota in 2012, women continue to struggle for the full implementation of the gender quota, which remains at the mercy of men.

In the 2021 election, women's representation in the lower house declined to 20 per cent from 24 per cent while interestingly it increased in the Senate to 26 per cent, from 24 per cent. Women's political participation is often presented as against Somali culture and Islam, even though there is some research showing that women politicians are viewed more positively than male politicians by the society.

In the same election, corruption in the selection process, as well as financially, was rife. Many male candidates were choosing women to run against them because women's registration was 50 per cent less than that of men. This led to an increase in the number of women running, but often before the indirect election was to take place, the female candidate would step down, paving the way for the other candidate to win. As in previous elections, both clan elders and religious actors sought to discourage and disqualify women from running. Some female candidates, some of whom were running for seats that they had held in the previous parliament, were threatened to not show up to the election venue. Some were told that there were landmines buried on the road leading to the election centre. Similarly, women's experience and challenges at the regional resembles that at the federal level, with clan elders often refusing to allow women to run.

Somaliland remains the most serious example of what happens to women without a gender quota. In the 2022 local and parliamentary elections, only three women were elected at the local level and there were no women present in Somaliland's 164-member parliament despite the three political parties promising to support women candidates. Women occupy 1.6 per cent (9 of 600) of elected and appointed seats in Somaliland. Despite these challenges, women continue to advocate for 50 per cent gender quota, which was outlined in the Somali Women's Charter.

Women are challenged by the lack of the integration of the gender quota into Somalia's legal instruments including in the Constitution, which remains provisional, as well as the Electoral Law.

Gender-based sexual violence

Gender-based sexual violence in Somalia is an epidemic that affects all women but particularly those in camps for internally displaced persons. This violence often goes unpunished and is committed by individuals as well as members of the security services. When clan elders get involved in rape cases, they often utilize Somali law (Xeer), which asks for financial compensation without any other punishment. In many cases, the compensation is not even paid by the perpetrator but donated by his sub-clan members. The money is then often given to the male members of the rape victim. This compensation is usually not offered to women living in camps for internally displaced persons and from minority clans. The rapist does not receive any other punishment. Women, girls and boys are subjected to rape, sometimes leading to death in order to cover up the rape.

In 2018, the federal Cabinet headed by Hassan Khaire adopted the 2018 Sexual Offenses Bill, which had been under development since 2013 by the Ministry of Women and Human Rights. The Ministry had consulted with different sectors of the society including women's groups, clans and religious elders. The Bill was then sent to the parliament for discussion and adoption. Instead, the parliamentary leadership produced their own bill in parliament, which was then rejected. The bill was taken back by the Ministry for modifications, and it has not surfaced since then. It is critical that this Bill be debated and adopted by the parliament so that there is a legal framework in dealing with perpetrators.

Recommendations

1. It is important that a gender quota of 50 per cent be included in Somalia's legal instruments, including the constitution and electoral laws at the federal and regional levels. In the meantime, women's seats should be reserved in the federal and regional parliaments, as well as across all positions in the government.
2. The adoption and implementation of the Sexual Offenses Bill by the Federal parliament is essential to tackling the epidemic of gender-based sexual violence.
3. The international community can help to ensure that women are able to fully participate in all aspects of their country by tying funding to women's participation. This also includes the adoption of laws that benefit and protect women's rights.