

Universal Periodic Review (UPR)
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I. Introduction	1
1.1 Background History of Puntland.....	1
I.2 More empowered youth, better future leaders.....	1-2
I.3 Puntland, Somalia and the UPR: approach and methodology.....	2
II. Puntland, Somalia and human rights: normative and institutional background.....	2-3
II.1 Human Rights as the ends of government and the means of progress	3
II.2 Constraints and challenges of youth rights in Puntland, Somalia.....	3
III. Need to foster a society where youth are empowered to exercise their rights.....	3-4
III.1 Education.....	4
III.2 Health.....	4-5
III.3 Employment.	5
V. Conclusion	5

Introduction

The story of Somalia is one of the world's gloomiest and most neglected tragedies. In basic human terms the scope of the chaos is massively not measurable. Since early 1991, hundreds of thousands of lives have been lost in appalling circumstances, and mercilessly smashed to death in their homes. Hundreds thousands others were injured by heavy artillery and bullets, leaving them with agonizing pain and suffering without any access to medical care. Thousands more have been assaulted, raped, and looted of all their property as they fled the violence.

The toll of crisis multiplies each day, and hundred thousands of people are displaced by violence from their homes. There is no question that serious of human rights concern persist in Somalia, the country has been without a proper government for almost two decades, with millions of people living in extreme poverty. Therefore, human rights are extremely poor and serious human rights violations are a problem due to the unstable political situation in the country. It is challenging to exam the degree in which human rights are violated or honored when concrete policies and laws are absent or not implemented or reinforced in the proper ways. However, in this document, we will report the rights of youth who are living in Puntland State of Somalia. We will look whether they have the rights to education, health, and employment. In each of the category, we will see whether Puntland State is getting close to meet the Millennium Development Goals and whether any human rights are violated.

Background History of Puntland

The Puntland State of Somalia was formed as an autonomous regional administration on 5th May 1998. It remains committed to being an integral part of a united Somalia. Its Transitional Constitution provides for an anticipated Federal State of Somalia. It occupies an area of 212,510 square kilometers. Population is estimated at 3.7 million, of which 70% is below the age of 30. Puntland represents a country in post-conflict recovery. Civil war had a direct devastating impact on the economy and physical infrastructure of Puntland and affected the lives of all Puntlanders. It has led to entire populations being uprooted and tens of thousands of Puntlanders fleeing to neighboring countries or becoming displaced throughout Somalia.

While most of Puntland has remained relatively stable and peaceful (except for border conflict with Somaliland), the continuing civil war in South and Central Somalia has led to a massive influx of Somalis from these regions which obviously impacts negatively on the State's fragile socio-economic recovery. In addition, Puntland has been adversely affected by the 2001-2004 droughts and the 2004 tsunami. The relative peace and security of Puntland since 1992 has enabled the establishment of basic political and administrative institutions, basic social and educational services, an active civil society and a growing private sector.

1.1 More empowered youth, better future leaders

1. The distraction of the Somali progress is caused by the distrust amongst clans, which led to political unrest making it difficult for the youth who grew up in this distraction to have the same opportunities as the youth around the world.

2. We present our first submission for the Universal Periodic Review (UPR) of Somalia in the context of our commitment to help to build a world in which universal rights give strength and direction to a failed state, NGO, INGO's, and private sectors that can usher us toward a more developed nation that gives equal opportunity to every individuals regardless of gender, clan, and religion.

3. Puntland is heading towards building a self-sufficient state that mimics a functioning democratic system, which is accountable, transparent and responsive to its citizen. Although the government of Puntland State of Somalia is constitutionally committed to the promotion of human rights for all persons in the State, regardless of sex, religion, and clan. It has not yet gained the capacity to put in place policies and laws that protect the human rights and penalizes the violation of their rights. Government of Puntland is putting huge effort to remove the stark conditions Puntlanders face, and harness peace, progress, and democratic values that protects the rights of all humans. But due to the destroyed infrastructure and the demise of the pre-existing systems, it will take time and enormous

resources. The entities of what is valued in developed countries such as access to quality healthcare, fewer pupils in class and equal opportunity for employment are what Puntland is striving to achieve but are not the current priority.

4. In Puntland, getting access to any health facility is a privilege. There are scarcity of medical providers, medical supplies, medical equipments, and medical facilities. Population of approximately 3.7 million, there are only 275 health facilities.¹

5. Currently, parents shoulder their children's education fees from primary to university level education. Thus access to education also becomes privilege rather than a right. Education then becomes accessible to those who have the financial means to access. With this way of privatized education sectors, it automatically excludes, the poor, internally displaced people and it creates gender inequality. In addition to access inequality, the quality of education is low due to insufficient competent teachers, outdated curricula that are rarely situated in the Somali context, and poor quality of educational institutions. Ministry of Education of Puntland is committed to improving access to education and the quality of education; reducing cost sharing of education by training 200 teachers every year and to lift the burden of paying teachers' salaries from the parents. The goal of the Ministry of education is to eventually provide free primary school education.

6. Unemployment rate in the Puntland State Somali is high, and although the arrival of the INGOs and the establishments of NGOs improved the employment rate and create employment opportunities and programs that aids youth to get jobs, still there is high rate of unemployed youth. The unemployment rate is the sheer result of illiteracy, lack of equal opportunity, and scarce resources. Young people are seen as less likely to be affected by unemployment than are adults, but there are concerns relating to youth unemployment. The effects include psychological and social development, risk of involvement in crimes, and failure to develop a sense of ownership and responsibility to their country.

I.2 Puntland, Somalia and the UPR: approach and methodology

7. This report will give partial information of the current human rights situation due to the limitations related to getting accurate data in the country. Through this report, we share the progress made so far in the country but also hope that the information contained in this report can be used to explore opportunities to progress. The submission of this report signifies our immediate need to find a mechanism that acknowledges universal rights and continuously monitors the success and the challenges of obtaining and honoring human rights.

8. The report is prepared by Somali Family Services, (SFS) and the information data collected from Puntland Youth representatives and civil society across Puntland, Somalia. Ministry of Education, Ministry of Health, and African Education Trust provide the data presented in the annexes.

9. In October, the Human Rights Unit of the UN Political Office for Somalia (UNPOS) facilitated a working session on the UPR which was attended by about twelve civil society groups. The working session was hosted by Somali Family Services. Civil society organizations attending the session expressed their commitment to submit reports for Somalia's UPR. SFS took the initiative to report on the rights of youth who reside in Puntland by examining three categories; Education, Health, and Employment. SFS then later held youth gatherings where individuals expressed their concerns and recommendations. Nearly all ages of youth both men and women attended the gatherings, each voicing massive range of concerns. The structure and the substance of this report are shaped by the shared conversations, data and reports covering concerns of the youth. Somali Family Services is thankful to those individuals and heads of the ministries who have given their time and data to enrich the substance of this report and we also thank those who couldn't make it but gave their voice to their peers. We want to welcome and greatly appreciate constructive comments and recommendations from other civil societies and governments.

II. Puntland, Somalia and human rights: normative and institutional background

II.1 Human Rights as the means of progress and the backbone to strong government

10. The majority of Puntlanders are believers of Islam, which teaches the importance of respecting and protecting human rights. However, these teachings are not practiced as instructed due to following reasons; lack of stable and concrete system, weak law enforcement, absent policies, among others. It is crucial for Puntland and for Somalia as whole, to adopt a central legal instrument, which establishes governmental structures. These structures need to respect and acknowledge that the will of the people is the basis of the legitimacy of government. It is necessary for Puntland and Somalia as whole to have a functioning constitution that protects the rights of people regardless of their age, sex, religion, or clan affiliation. Principles of checks and balances between the legislative, parliament, and the judicial branches are core to achieve a strong state and progressive nation.

11. Puntland is heading towards a progressive peace establishment while finding means and mechanisms to strengthen the protection of human rights. In the longer term, the impact of the targeted progress will be seen but it will take time, effort, and commitment from the government and the people. The hope is to have a constitution that provides equal rights to all its citizens while honoring the beliefs of the people. It should have a constitution that instills individuals with the confidence that they have freedom of speech, freedom of association, freedom to practice their religion and freedom of expression.

12. It is important that Puntland government plans for the future and make a commitment to protect rights of its citizens with fairness and equality, a commitment to not restrict people to express their view on how they are governed, a commitment to establish mechanisms for protection and redress, and a commitment to protect the security of individuals while respecting their dignity. These commitments are the backbone of a government and honoring them will result strong government.

II.2 Constraints and challenges of youth rights in Puntland, Somalia

13. The young people of Puntland face immense challenges in every aspect of their lives. A total of 2500 secondary students attend the 10 secondary schools of Puntland with girls constituting only 20% of the total secondary enrolment. 10% of males between the ages of 15 and 18 years and only 5% of females between the ages of 15 and 18 year are in school. 59% of the populations living in nomadic areas but only 1% of them are in school. Only 150 teachers service the secondary schools, and over 90% are males. Sexually transmitted disease rates are currently low compared to other Horn of Africa countries, but growing HIV prevalence of 2% (2.7% for females, 1.5% for males) and syphilis prevalence of 1.9%. 95% of girls and young women experience Female Genital Mutilation (FGM). Access to safe water is a major determinant of health but only 24% of the population has access to safe water throughout the year, and only 2% of the nomadic community obtains water from protected sources. The level of khat addiction is estimated at 15-20% of the population.

14. With high numbers of unemployment, it leaves the youth idle and prone to illegal activities like Al-Shabaab, Al Qaeda and even piracy. Puntland government should implement policies that empower the utilization of youth resource regardless of gender and clan affiliation by providing affordable access education and equal employment opportunity. This will not only create an economic boost but it will reduce idle time for youths to get involved in criminal activities.

III. Need to foster a society where youth are empowered to exercise their rights

15. To empower youth, Puntland government needs to create youth policies that represent and support the interest and the voice of the youth. The youth policy should be one that seeks to achieve equitable, affordable, sustainable, promotional, preventative, curative and rehabilitative health services. Given the vulnerability of young people in regard to many health challenges e.g. child and maternal mortality; sexual disease, khat and drug addiction and youth health services should be a national priority.

16. To foster a society with empowered youth, government should develop a platform to ensure the proper development of the youth, and improve the areas of development in which youths are struggling. Special attention needs to be given to the marginalized young people such as IDPs and those living in poverty.

17. Transitional Federal Charter of the Somali Republic (2004) whose articles outline the sovereignty and territory of Somalia, its religion, and national symbols refers to critical issues for young people including labor, education, political rights, and freedom of information, social welfare and economy.ⁱ This right was written in favor of the youth but it is important we translate this theory into action, and encourage young Puntlanders to take part in being active and responsible citizen.

18. Somali culture tends to favor “wisdom of an old man”. With this way of life it omits the impact and value of the youth. Majority of the citizens in Puntland are under 30 years, with 70 percent in the age range of 15 to 25. A mentality shift is required in this equation and in order to achieve a paradigm shift that promotes the value of youth leadership. The Puntland government should commit to fostering youth leadership. It is where Puntland young women and men are valued and respected as citizens who are able to take active role in a full range of social, cultural, environmental, educational, and employment opportunity for a better Somalia.

III.1 Education

19. Quality education and training is a pre-requisite for sustainable social and economic development. The contribution and active citizenship of young Puntlanders needs to be recognized and fostered. In all of Somalia, education is paid and organized by parents groups or by Muslim organizations.

20. Parents usually bear the responsibility for paying teachers’ salaries. The Minister of Education manages Puntland state of Somalia’s education. The Puntland government, INGO’s and NGO’s are working together in making the education system in Somalia affordable and accessible to all in honor of attaining the Millennium Development Goals.

21. The Millennium Development Goals for Somalia’s states eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015.ⁱⁱ According to the Puntland secondary school statistics, the number of female students is far less than those of male students. Female students’ retention rate decreases as the grade level increases. Thus this translates into gender imbalance in schools. Therefore, the progress of Puntland achieving the MDGs target by 2015 is slow.

22. It is recommended that to increase the number of female enrollment and strengthening the retention rate, female education must be promoted, decrease and delay of early marriages needs to be encouraged, and financial assistance towards education given to families with low incomes.

III.2 Health

22. Puntland has been facing quite a struggle to accommodate the health needs of its citizens due to many reasons; scarcity of health facilities, poor quality hospitals that lack modern medical equipment, lack of medical supplies, inadequate health providers and educators, and limited access to drugs and medication.

23. According to the ministry of health, the estimated number of health facilities in Puntland is 275. There are 6 regional hospitals, 9 districts hospital posts, 8 Tuberculosis clinics, 4 health counseling test, 53 Mother and Child Health (MCH) care facilities and 192 health posts. A fee is charged to access any of the above health facilities. There are few exceptional for MCH facilities where mothers can deliver without being charged any fee; additionally, there are cases where traditional birth attendants charge a small fee for their services. Children aged five and under are also seen at MCH for a small fee. The rest of the community, including youth, elders, and children over five are charged for the services they use.

24. Youth are the neglected group who once again has to bear the burden the shortcomings of the health system. They neither have the resource to pay for health care nor have the opportunity to access or gain the resources.

25. The group with the highest incidence in HIV/AIDS in Puntland is the youth. According to the Millennium development goals for Somalia it expects to provide universal access to treatment for HIV/AIDS for all those who need it by 2010. ⁱⁱⁱ The MoH is committed to reach those who are in need of the health counseling testing, (HCT) but with the limited database census and the rate of migration, it is difficult to account those who have been helped and those who need these facilities.

26. It is important for Ministry of Health to create and implement a health information system includes a detailed electronic medical record reduce the number of double treatment, medical errors, and it will allow all medical facilities to have the patients' health information. In addition to HIS, it is also important that Puntland government creates health insurance schemes for the health care consumers and incentives to the health care providers.

III.3 Employment

27. The employment opportunities available for Puntlanders are by private business sector, government sectors, INGO's and NGO's. These competitive positions requirements are most of the times unattainable to the locals due to the poor to no education background they hold.

28. The youth in Puntland have access to technical and vocational education training seminars that are provided by INGO's and NGO which includes: Shaaqo Doon which is funded by USAID, Women's training institute in Garowe and Bossaso University are among the few that offer the basic job skills that are required in today's market. These programs are in place to train young men and women to be more marketable but with no promise to a job placement.

29. MDG's for Somalia, under MDG 1 of eradicating extreme poverty and hunger: Target 1.B states that achieve full and productive employment and decent work for all, including women and young people. ^{iv} There are minimal employment opportunities for youth in Puntland, due to lack of experience, limited internship opportunity, and lack strong references. In addition, the majority of jobs that exist in Puntland have a college level education requirement.

30. Recommendations to improve the employment rate in Puntland; it is advised that all the school and technical trainings create partnerships with local NGO's, INGO's, government sectors and private business sector so they can provide their students with internship opportunities. The Puntland government can improve the unemployment rate by requiring all the sectors to allow newly graduates an opportunity to get work exposure and transfer their new acquired skills and knowledge to the job market.

V. Conclusion

31. The UPR process gives us the opportunity to discuss with Puntland citizens, the rest of the world, and with fellow members of the Human Rights Council our progress, challenges, and vision for the future on human rights. We welcome observations and recommendations that can help us strengthen the road to a more stable, developed and strong state. Measuring the degree of human rights violation is a challenge due to the ongoing crisis and never ending chaos. The effort of obtaining such goal will require determination and support from civil societies, government sector, private sectors, and International community.

ⁱ National Youth Policy of Puntland publications

ⁱⁱ UNDP Somalia MDG's Target

ⁱⁱⁱ UNDP Somalia MDG's Target

^{iv} UNDP Somalia MDG's Target

