





URBANISATION AND DISPLACEMENT IN MOGADISHU: DEVELOPMENTS, ACTORS, AND INTERESTS

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ABBREVIATIONS & ACRONYMS

ACRC African Cities Research Consortium

BRA Benadir Regional Administration

CAF Community Action Forums
CBD Central Business District

CSO Civil Society Organisations

DC District Commissioner

DSS Durable Solutions Secretariat

DSU Durable Solutions Unit

EU European Union

FGS Federal Government of Somalia

GDP Gross Domestic Product

HCs Health Centres

ICU Islamic Courts Union

IDPs Internally Displaced Persons

INGOs International Non-Governmental Organisations

IS Informal Settlements

ISM Informal Settlement Manager

MoPIED Ministry of Planning, Investment and Economic Development

MPs Members of Parliament

NGOs Non-Governmental Organisations

PACs Police Advisory Committees
PCP Priority Complex Problem

PHU Primary Health Units

ReDSS Regional Durable Solutions Secretariat

RHCs Referral Health Centres

RHs Regional Hospitals

SNP Somali National Police

SURP Somali Urban Resilience Project

TCMPs Traditional and Complementary Medicine Providers

UNOSOM UN Operations in Somalia

SUMMARY

This paper is underpinned by insights gathered from interviews with local authorities, IDPs and residents of informal settlements, NGOs, business people and members of the host community. Fieldwork was undertaken in two districts of Mogadishu: Kaxda and Hodan. They were selected due to the prevalence of informal settlements therein, as well as to represent two varying locations of the city. Hodan is located within the city proper, while Kaxda is located on the outskirts. The spatial location of settlements in these two districts provides an insight into how informal settlements are organised, their access to services and what the impact of these elements is on the lives of informal residents living there.

The fieldwork phase encountered a number of constraints:

- There were a number of delays occasioned by the fluid security situation of Mogadishu. On numerous occasions, security-related road closures meant that field staff could not access interview sites.
- There was the religious holiday of Ramadhan that delayed progress for over a month.
- Hyper vigilance of many people living in Mogadishu means that people can be fearful of standing out. This made some respondents reluctant to engage with the field staff, despite the staff assuring them of the confidential and anonymous nature of the data collection process.
- Inaccessibility of some cadres of respondents, most notably NGO and local authority respondents. These required numerous follow-ups before they could eventually be interviewed.

In summary, exploration in this domain revealed that the term informal settlements relates to those settlements primarily inhabited by urban poor, while IDP settlements – the other kind of informal settlement in Mogadishu – mostly accommodates internally displaced persons. Urban poor settlements are located within the city and IDP settlements are in the periphery of the city. This spatial arrangement relates to the ongoing developments in real estate in Mogadishu, which has largely pushed IDPs out of the city as the value of land has grown and as real estate development has picked up pace.

Security of tenure is different for these two kinds of informal settlement. For those settlements in the city that are located in government buildings, the ability of their residents to continue residing there depends on issues around clan dynamics and what their eviction portends with regard to inciting clan-related conflict. It also depends on the resource capacity of the Government to repossess and restore these properties. Informal settlements on private land within the city have security of tenure as long as they are able to pay their rent, similar to most other rental agreements. For IDP settlements, these are located on private land, and contrary to the case between five and six years ago, they have relatively better security of tenure as now, land rental agreements are made with oversight of the Mogadishu Municipality; many of these leases offering tenure of between three to five years.

Governance arrangements in these two kinds of settlements differ. While IDP settlements have organised management arrangements in which the IDPs participate, informal settlements within the city are more loosely managed, with oversight provided by volunteers with no specifically assigned roles or responsibilities. Engagement with the local authorities also differs in that IDP settlements have a closer engagement with their district commissioners, for example, than do other informal settlements.

The livelihood and economic situation of IDPs and urban poor is similar, both suffering similar levels of deprivation, and a constraint in their ability to pay for services such as water, electricity, education, and so on. But there are also a few differences in their situation; for instance, while IDPs enjoy better

access to a few services such as water and gender disaggregated latrines due to the efforts of humanitarian actors, urban poor in informal settlements do not. On the other hand, compared to IDPs, urban poor — by dint of their clan affiliation to powerful clan groups — enjoy relatively better protections should they need it. The proximity to service grids such as electricity that urban poor have does not translate into better access largely due to cost limitations.

There are ongoing developments at reform that will likely benefit residents of all informal settlements, IDPs included, spearheaded by international actors such as the European Union and the World Bank, and by the Mogadishu Municipality. Nonetheless, resolving the crisis of quality and affordable housing for all residents of informal settlements still has some way to go as efforts are constrained by funding, as well as by spatial and socio-cultural issues that still need to be resolved.

The informal settlements domain is relevant to many of the city systems that ACRC is focusing on: education, water, energy, sanitation, food and so on. To varying extents, it also overlaps with all the other ACRC domains being undertaken in Mogadishu: land and connectivity, youth, safety and security and political settlements.

1 THE CURRENT MOMENT

Understanding the term informal settlement in Mogadishu

Depending on who one is speaking with, the term informal settlement in Mogadishu is understood differently by different people. Conversations reveal that Mogadishu residents understand informal settlements to be those areas where unregulated housing is located, for example, in government buildings or spaces reserved for public purposes where squatters have settled. On the other hand, having a discussion about informal settlements with members of the international community, international non-governmental organisations (INGOs), and other actors in the international space will automatically mean that one is speaking about internally displaced (IDP) settlements. This is an important distinction as it has spatial and socio-economic implications. In this paper, we refer to both kinds of settlements, and while both kinds of settlements are in fact informal settlements, where possible, we will differentiate between them.

• Informal settlements in Mogadishu (non-IDP) fall into two categories: those located in government spaces and those in unplanned areas of the city or on private land. After the collapse of the Somali Government, many government owned spaces and buildings were abandoned and fell into disrepair. Poor Mogadishu residents and a number of IDPs moved into these spaces.¹ As can be expected, most of the Government spaces are located in the city proper – the commercial centre. However, even within these Government spaces, there are attempts to separate urban poor and those viewed as IDPs. These two groups live in separate spaces within these settlements.

The residences located in unplanned spaces within the city, are in reality pockets of land where no development has taken place, or spaces that should be public utility areas, such as road reserves. There are also a few informal settlements located on private land in the city.

• IDP settlements located on the periphery/outskirts of the city. Majority of the land here is privately owned, and all the settlements are leased out to IDPs to settle for a certain period of time as negotiated between the landlord and the IDP settlement Manager (ISM). Compared to other informal settlements, IDP settlements are more densely populated. The majority of residents are people from other parts of Somalia, primarily southern Somalia. Though some urban poor also reside here due to the affordability of housing, and they also occasionally access humanitarian Aid. As opposed to informal settlements located within the city where there are demarcations in the living locations between urban poor residents of Mogadishu and IDPs, in IDP settlements, no such distinction exists.

The table below presents a snapshot of the differences in these settlements:

Table 1: Characteristics of informal settlements

 Settlement
 Characteristics

 Informal settlement in Government
 ■ Located within the city

 buildings/spaces
 ■ Buildings are concrete, though makeshift structures are sometimes erected in the premises

¹ When the Somali Federal Government came into place in 2012, there was a push to repossess these Government owned buildings, and those residing in these spaces were evicted and pushed to the periphery of the city. However, the Government was not in a position to re-possess all the Government owned spaces, and some urban poor and a few IDPs continue to reside there.

	 Majority of residents are urban poor with a few IDPs in some settlements Have access to utilities: electricity, water though cannot most cannot afford to pay, especially for electricity Rent paid in the form of taxes to BRA ranges between - \$20 - \$60 Tenure precarious but largely constrained by prospect of instigating clan-based conflict
Informal settlements in unplanned spaces or on private land	 Located in the city, mainly close to the old parts of the city Located on undeveloped public land Houses made out of corrugated iron sheets House mainly urban poor as well as a few lower middle class residents Have access to utilities: electricity, water Rent – between \$50-\$80 per room Tenure dependent on ability to pay rent
IDP settlements	 Located in city outskirts Majority of residents are IDPs, with a few urban poor also resident Houses are temporary, inadequate, made out of plastic sheets, mud and sticks Highly crowded compared to informal settlements Poor access to utilities; no electricity, shared and inadequate sanitation facilities Tenure dependent on agreement between ISM and landlord, mainly around 3-5 years Rent cost ranges between \$15-\$20 per month

The map below gives a brief overview of the location of informal and IDP settlements in Mogadishu.

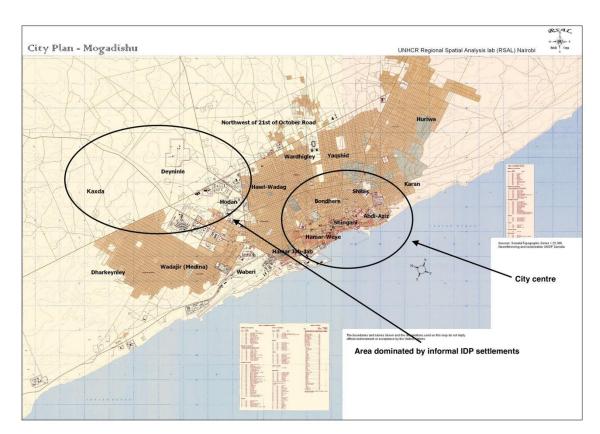


Figure 1: Map of Mogadishu City

Source: http://www.mapperv.com/maps/Mogadishu-Somalia-Tourist-Map.jpg (with Tana adaptation)

1.1 ACTORS IN THE IS DOMAIN

The informal settlement space in Mogadishu has a number of actors comprising: the residents of informal settlements, community leaders and elders, business people and land owners, non-governmental and humanitarian agencies, the Federal Government as well as the Mogadishu Municipality.

The residents of the settlements comprise the urban poor Mogadishu residents² as well as IDPs from other areas of Somalia - predominantly from Lower Shabelle, Bay and Middle Shabelle in the south of the country. In a bid to access humanitarian assistance, some urban poor also self-identify as IDPs.³ Regardless of whether they are IDP or urban poor, both experience similar vulnerabilities and stresses in terms of access to basic services, livelihoods and even security and protection. However, due to the fact that many of the urban poor belong to the dominant clans of Mogadishu, they have relatively greater power or negotiating ability relative to IDPs who remain largely under the power of the ISM in their settlement. Though residing in informal settlements, urban poor can resort to their clan structures for assistance in certain matters, while IDPs cannot do so, and even when they can, their clans have limited power in Hawiye-dominated Mogadishu.

In Kaxda District, one of the two districts in which the research took place, the informal settlements are in actual fact IDP settlements, and by their own understanding of an informal settlement, most

² Can also be referred to Mogadishu citizens to differentiate from long-term IDP residents of the city. They are made up of of a variety of groups: those born in the city; returning Somalis who were refugees in neighbouring countries such as Kenya, Ethiopia, and Uganda; refugees from countries such as Ethiopia, although these make up a very small percentage of the population.

³ (Erik Bryld, 2019)

Mogadishu residents insisted that there are no informal settlements in the District. Kaxda is on the outskirts of the city, far from services such as schools, healthcare centres, electricity and even jobs. As mentioned above, almost all the land in Kaxda and other locations on the outskirts such as Deynille is privately owned, and IDPs have to negotiate residence with landlords, as well as with the clan leadership in the area. An IDP Profiling Study found that 85% of IDP settlements are populated by IDPs. Some urban poor also live in these settlements due to the affordability of the housing.

In Hodan District, on the other hand, the informal settlements are largely populated by urban poor, though a few IDPs also reside there. They are located on either private land, undeveloped land or in abandoned government buildings and sites. As opposed to Kaxda, the Municipality does own some land in Hodan and in the city at large, though not enough for its needs. The Government-owned buildings are of course located on public land, though the Government's ability to repossess, restore and effectively utilise these premises remains low for now.

With regard to evictions, for those urban poor residing in government buildings, their ejection from these properties is a challenge because many of them belong to a majority clan (unlike IDPs who are often from Southern Somalia, and primarily of Bantu and Rahanweyn origin). Their eviction would, therefore, likely be construed as or claimed to be a politically-motivated move and could be a destabilising factor for a Government struggling to establish its authority.

Within the IDP settlements, **informal settlement managers (ISMs)** – commonly referred to as gatekeepers – oversee the running of the settlements. Their operations are supported by an IDP management committee, which in most settlements, comprises about 10 individuals of a mix between male, female and representatives of the clans in the settlements. Ultimately, however, the ISM retains control over the affairs of IDP settlements. ISMs operate⁵ within a network of clan-based power holders including local government officials, landowners, clan leaders and business people. Most of those actors gain some financial benefit from these settlements considering the informal taxation system that ISMs and other gatekeepers in the system^{6,7} have instituted for IDP settlement residents. Further, in terms of land, local government actors are actively involved, playing a role in the location of settlements. They have also been regularly mentioned in the forced evictions suffered by IDP settlement residents⁹, and in the interviews, it emerged that in some locations, these local authorities are now acting as gatekeepers in as much as they control who accesses IDP settlements to deliver Aid.¹⁰

Informal settlements in Hodan and other non-IDP settlements of Mogadishu also have settlement leaders, but their tasks are less well-defined. Rather than being selected, they operate on a voluntary basis where their role is largely one of oversight and trying to bring order rather than one of control.¹¹

Clan leaders/elders as described above wield significant power in this domain. Whenever IDPs seek to settle, clan leaders/elders have to give their permission or advise for a landlord to rent his land to IDPs, especially as IDPs belong to different clans. While there is an amalgamation of clans in Mogadishu as the Capital city, clans still dominate or control specific areas of the city, meaning that

⁴ JIPS. (2016). *Profile at a Glance: Somalia, Mogadishu*. Joint IDP Profiling Exercise.

 $^{^{\}rm 5}$ Meaning they are appointed or operate with the tacit approval of local power holders.

⁶ (Mohamoud, 2017)

⁷ (Drumtra, 2014)

⁸ All the informal settlement residents are required to give up to the gatekeeper a certain amount of the aid they receive from aid agencies. On occasion, this can go up to 50% of the aid they receive, whether in cash or in kind.

⁹ (Joakim Gundel, 2020)

¹⁰ KII local NGO

¹¹ KII-Informal settlements residents, Hodan District

since IDPs arrive in considerable numbers, they do have an effect on the clan configuration of an area. There is a fear that a rise in their numbers has the potential to upset the clan power dynamics at the local level and ultimately at city level.

Political actors in this domain include stakeholders at the municipal level – primarily the district commissioners (DC) governing as part of the Mogadishu Municipality (the Benadir Regional Administration (BRA)). At higher levels, stakeholders are the Federal Government and the federal member states from where the IDPs originate.

At municipal level, legitimacy and leadership at almost all levels is derived through a system that is heavily reliant on tradition and clan. ¹² In order of hierarchy at municipal level, the key actors involved in oversight of informal and IDP settlements are the Mayor, the DC, and the Waah leaders. ¹³ The Mayor is appointed directly by the President and is not an elected official; neither are the DCs who are appointed by the Mayor, but mainly through a negotiated settlement with the major clans in the city.

'The clans keep their power through peaceful and violent means like ...organising protests if the government tries to alter the power balance within the city. If the Mayor or the federal government attempts to abolish the clan balance of the DCs that govern Mogadishu, for example, like when the parliament extended the term limit for the previous president in 2021, the clanbased opposition attacked the presidential palace to force him to retract his decision. The same can happen in the city if there is a conflict over power balance. Elders, MPs and businesses from the influential clans support the DC from their lineage to remain in power. So, the Mayor can replace individuals and sometimes moves DCs to other districts, but the balance remains the same.'

Host community KII-Kaxda District

Each district is made up of a number of Waahs.¹⁴ While the DC is the *de jure* governance face of a district, in reality, power is split between the DC and the more informal traditional leadership that appears more prominently from the Waah level downwards, resulting in an overlap of formal and informal leadership systems. (See Figure in Annex 1).

With regard to **policy actors**, a number of groups, agencies and institutions are involved. This includes a mix of social and political as well as donors, development and non-governmental organisations (NGOs). The Federal Government is involved most directly through the Durable Solutions Secretariat (DSS) under the Ministry of Planning, Investment and Economic Development (MoPIED). The DSS members are drawn from 14 government institutions, including the Office of the Prime Minister and the National Commission for Refugees and IDPs.¹⁵ There is also a Durable Solutions Unit (DSU) at the municipal level within the BRA, but the degree of collaboration between this unit and the

DSS at federal level remains weak. Engagement of the federal member states at policy level is more indirect, where they collaborate with the DSS and DSU.

Development actors such as the World Bank and INGOs such as the UN and humanitarian agencies are engaged in policy development through funding from international donors. The most active are the European Union, the United States, United Kingdom and Denmark who support agencies to implement durable solutions-oriented programming with a view to finding lasting solutions to the

^{12 (}Frik Bryld 2012)

¹³ These are governance units falling directly under the DC. There are also smaller units below the Waah known as the Laan, followed by the Tabelle, but these for the most part are largely invisible in the day-to-day affairs of the District.

¹⁴ (Erik Bryld, 2020)

¹⁵ (Yarnell, 2019)

challenge posed by IDPs and informal settlements in urban areas of Somalia, including Mogadishu.¹⁶ Development actors are also variously involved in the assistance provided to residents of informal settlements - though mostly directed at IDP settlements - in the form of humanitarian support, as well as in other more development-oriented activities of which the durable solutions activities are a part.

Other actors of relevance in informal and IDPs settlements include landowners, business people, the Diaspora and security actors. Private **landowners** hold significant sway in Mogadishu as they determine who settles on their land, for how long and what these settlers can do on the land. Access to land, land ownership and land tenure are significant challenges in Mogadishu due to the fact that there is yet no codified legal framework to adjudicate land and property, and at the same time, there are multiple avenues (including al-Shabab courts)¹⁷ through which land matters are adjudicated some of which can be contradictory.¹⁸ This situation increases the vulnerability of informal and IDP settlement residents in terms of access to land and shelter and the risk of forced evictions, given that IDPs and urban poor tend to settle in informal and semi-permanent settlements in the city, and evictions are rife.

With regard to **business people**, many successful business actors made their fortunes around humanitarian assistance for displaced communities, and as such, they retain close interest and ties with IDP settlements especially in terms of servicing contracts for service delivery to these settlements.¹⁹

The Somali National Police (SNP) has often come under attack for harassing residents of informal settlements, most especially of IDP settlements.²⁰ The SNP has been used extensively in the forceful eviction of residents, the demolition of IDP settlements and the destruction of property.²¹ Recent activities at reviving community-based groups on safety – Community Action Forums (CAFs) and Police Advisory Committees (PACs)²² are an effort by communities, the SNP and development actors to address this issue of police abuse against residents of IDP settlements.²³ Respondents, both host community and IDP settlement residents noted that the Police Commissioner in Mogadishu holds significant sway especially due to his mandate of maintaining security. This research finds that the experience of IDPs with regard to the police are mixed. On the one hand, they are accused of predatory and abusive tendencies, and on the other, they are perceived by some as important actors in securing the security of IDP sites.

As the security situation has undergone relative improvement over the last few years, **Diaspora** Somalis have been active in seeking to reclaim their familial property, and many have also returned to the city. International organisations have also set up bases in the city, and both these groups have led to a spike in the demand and cost of land and real estate, and a proliferation of land disputes.²⁴ This has affected informal settlements and their residents in as much as landlords have capitalised on increased land prices by selling their land off and evicting those living in informal settlements located on these lands.

¹⁶ (Yarnell, 2019)

¹⁷ AL-Shabab is thought to be cheaper, fair and their rulings more likely to be adhered to due to their ability to enforce rulings. Research indicates that al-Shabab courts have become increasingly popular even for those residing outside its territories. (Expanding Access to Justice Program, 2020)

¹⁸ (Christine Kamau, 2019)

¹⁹ (Sherine El Taraboulsi-McCarthy, 2017)

²⁰ (Samuel Hall, 2019)

²¹ (UNSOM & OHCHR, 2019)

²² (Saferworld, 2021)

²³ There is a link here with the Safety and Security Domain that will be further informed by that domain's findings.

²⁴ (Mahad Wasuge, 2017)

Table 2: Actors and Power In the IS Domain

Actor	Capacity	Level of operation	Role(s) in IS	Nature of power
Larger Clans	Hybrid	City level & settlements	Among the most powerful actors. They influence the appointment of the DC, MPs, own most of the land in the IS and critical businesses	Very Powerful
Elders	Hybrid	City level & settlements	Have a lot of influence on the community. They settle disputes, work with ISMs, religious leaders, and mobilise charitable donations	Very Powerful
Land owners	Hybrid	IDP settlements	Owners of land, and have significant say in where informal settlers (IDPs) get to settle and how to use the land	Very powerful
Benadir Regional Administration (BRA) and Local Authorities (LA) – including Mayor	Formal	City level & settlements	Have mandate to oversee Mogadishu city, including planning and management, including informal settlements	Very Powerful
District Commissioner	Formal	City level & settlements	The DC is responsible for governing districts as well as facilitating the provision of services to residents, including to informal settlements. This includes allowing/facilitating access to IDP settlements for NGOs operating in these settlements	Very Powerful
Police Commissioner	Formal	City	Responsible for security in the city, including IDP settlements	Powerful
Informal Settlement Managers (ISMs)	Informal	IDP settlement	ISMs, oversee the running and organisation of IDP settlements	Powerful within settlements; mid-range power with regard to IDP affairs at city level. Limited power in overall city affairs
CSO/NGOs and policy actors	Hybrid	IDP settlement	Providing humanitarian assistance and others services to IDP settlements: education, health, water and sanitation	Powerful, but within the confines of existing power structures in Mogadishu

Established business sector actors	Hybrid	City	Have an interest in settlement through service provision. Have a say and interest in clan power dynamics of the city	Powerful
Diaspora and returnees	Informal	City	Active in real estate and land issues that affect informal settlements	Limited power, though power wielded through clan elders
Host Community	Informal	Settlement	Cohabitate with or near IDPs and other informal settlers	Limited power, though power wielded through clan elders
Residents of informal settlements (including IDPs)	Informal	Settlement	Urban poor and IDPs have insecure tenure in shelter and prone to frequent displacement or eviction	Limited power

1.2 ONGOING AND POTENTIAL REFORMS

Contrary to the situation in the neighbouring countries where coalitions exist to advocate for and advance the rights of informal settlements in the form of organisations such as slum dwellers associations, these do not exist in Mogadishu. The association that informal settlements located within the city have with the BRA is restricted to the collection of taxes, construed to be rents for those living in Government premises. With regard to IDP settlements, until recently (2019) when an IDP policy was instituted within the BRA (under the Durable Solutions Unit), links between settlement governance systems and the municipality were tenuous, save for the *ad hoc* economic links that some DCs had with the ISMs in their districts. The aim of this Policy was to forge a closer collaboration between the formal and informal governance structures around IDP settlement,²⁵ governance, in recognition that there was a need to bring order to the management of these settlements.

Further, efforts such as the IDP Policy were driven by a realisation that Somalia's large-scale and protracted displacement and associated challenges requires a holistic and multi-sectoral consideration compared to the heavy focus that has been placed on humanitarian assistance over the years. A nexus orientation incorporating humanitarian, development and peacebuilding (HDP) approaches is critical to sustainable development and to move towards resolving the

²⁵ (Durable Solutions Unit, 2019)

social, political and economic challenges affecting IDPs and urban poor in informal settlements. Since around 2016, this understanding has been reflected in actions such as those concerned with durable solutions (which has catalysed HDP stakeholders to re-orient the way in which displacement is addressed) while at the same time, enhancing the capacity of the FGS and local authorities to develop and enact related policy interventions.

At the operational level, these policies are being rolled out in programmes such as:

- The EU Re-Integ Programme focused on enhancing Somalia's responsiveness to the management and reintegration of mixed migration flows. This is funded by the European Union.
- The Danwadaag programme (2018–2022) funded by the United Kingdom and led by International Organisation for Migration, incorporates a number of international and national NGOs. The programme integrates learnings captured in Re-Integ, is solutions oriented and focused on local integration.
- The Durable Solutions Programme 2017–2020, that was funded by Denmark, was led by the
 Danish Refugee Council with Tetra Tech and ReDSS as partners. It sought to facilitate the
 (re)integration of displaced communities by ensuring physical, material and legal safety was
 achieved through a combination of protection, livelihoods and basic needs programming.²⁶

There are also ongoing efforts at pilot projects to provide housing to select residents of informal settlements. The first of these efforts aiming at 300 houses, ²⁷ with funding from the EU is one such endeavour and it remains to be seen whether these pilots will catalyse actions towards greater investment to upgrading the living conditions of informal settlement residents through social housing. Another significant ongoing activity that has been affecting informal and IDP settlements is the ongoing World Bank Project - The Somali Urban Resilience Project (SURP) – that includes working on infrastructure development in Mogadishu and other Somali cities that are experiencing large influxes of returnees and IDPs.²⁸

Informal and IDP settlement upgrading in situ would be a complex endeavour in Mogadishu since Municipality land ownership or control is limited and resources are limited. Most land in the city is in the hands of private landowners, and IDP settlements are only allowed temporary residence, while those residents living on government owned premises would need to be relocated. For IDP settlements, upgrading them in their present locations would require at least: ascertaining the number of IDPs as these are always in flux²⁹; acquiring land from the landowners and the Municipality or its partners developing it; and even more importantly, for this to be sustainable, first settling the question around the status of long-term IDPs residing in Mogadishu. This in turn is intrinsically linked to a higher order issue of the Somali Constitution and how/if the question of IDPs will be addressed in the final document.³⁰ For residents of informal settlements in government premises, it would mean finding alternative locations to house them.

Security of tenure

Since 2018 and after an outcry from various actors around the destruction of property and the violation of rights of IDP settlement dwellers with regard to forced evictions, the BRA has taken steps to reduce incidences of forced evictions by regulating rental agreements between landlords and IDP

²⁶ (Sarah Dalrymple, 2021)

²⁷ (DSU-BRA, 2019)

²⁸ (Bank, 2018)

²⁹ The Municipality does not yet have the capacity to register IDPs. Much of what exists, and which also involves estimates, is undertaken by humanitarian agencies.

³⁰ Somalia has a Provisional Constitution approved in 2012. A Constitutional Review Process – supported by the international community - has been ongoing since 2017/2018, but has been variously delayed over the years.

settlements. This is more the case in districts such as Kaxda where there is more private ownership of land on which IDP settlements are located. One of the most significant roles that ISMs play is in identifying and negotiating land leases for IDP settlements. Previously, such agreements were verbal and resulted in regular and arbitrary reversal of terms, and this was one of the causes for the prevalence of forceful evictions of IDPs. Over the last five years, such agreements are now required to be drafted, overseen and lodged with the BRA.³¹ In Kaxda, respondents noted that cases of arbitrary evictions had reduced as a result of this change. Most of the land lease agreements range between three and five years. Considering that the majority of IDPs do not plan to move back to their areas of origin, this can be seen only as a stopgap measure.³²

In places such as Hodan, where some of the informal settlements are located in government buildings or spaces, the case is slightly different. The residents have better protection from forced evictions as they enjoy greater clan protection. In some places, like the Taleh Hotel grounds, in which one informal settlement is located, for example, the majority of residents are former militias, or family members of Somali Army personnel, meaning they enjoy protections from informal power holders such as clan elders and powerful actors in the security sector.

In addition, any such exercise could be seen as one clan acting against another and can quickly escalate into all out conflict in the city. While this provides for some form of tenure security for these residents, it also presents a scenario where relocations or attempts by Government to re-possess such properties will need to be negotiated and concrete alternatives provided. Informal settlements on private land are largely governed by landlord-tenant agreements, and tenure is largely based on a tenant's ability to pay.

'One of the challenges for the LA/BRA and the Federal Government is that they cannot evict informal settlements in the city because all troops on the frontlines will arrive in Mogadishu to protect their relatives and some of their family members.'

Informal settlement Resident-Hodan

With the increase in the cycles of climate disasters, chronic poverty and ongoing insecurity, displacement will persist,

as will rural-urban migration, meaning that, so-called IDPs³³ will continue to arrive in the city. Somalia is undergoing a rapid urbanisation process, and it is estimated that from a previously mainly rural population, the country is currently at 54 percent urbanisation. An extremely high urbanisation rate, especially in comparison to its regional neighbours such as Kenya, where urbanisation is estimated at 28 percent.³⁴

All the above efforts will surely have some effect on the lives of informal settlement residents and this research also recognises that Mogadishu and Somalia in general is on an upward trajectory in terms of efforts at strengthening local governance and service delivery. However, it also acknowledges that in terms of setting progressive and lasting policies that will have a long-term effect on the status of informal settlement dwellers, particularly in this case with regard to IDPs, these will largely be incremental. The country is not yet at a place where such policies can be expected to be wholly effective, taking into account the immediate and competing interests posed by other issues such as security and land ownership, not to mention finalising the above-mentioned Constitution.

³¹ KII-District Commissioner and KIIs with IDPs

³² An IDP profiling exercise in 2016 found that 47% of IDPs did not wish to go back to their areas of origin (JIPS, 2016).

³³ Newcomers to Mogadishu – as in other Somali cities – are often referred to as IDPs, though in reality, this group comprises rural-urban migrants and displaced. The term is also largely associated with socio-economic status as other groups, such as well-off returnees are not referred to as IDPs.

^{34 (}The World Bank, 2020)

A further consideration is that the Municipality and governance in Mogadishu operates in a 'hybrid' environment where formal and informal systems and power structures cooperate and compete, with varying, and at times contradictory interests, especially with regard to informal settlements. For example, as noted by respondents, and as recorded in other studies, business people and landowners in places like Kaxda benefit from having IDPs in their localities;³⁵ they are consumers of goods and services – albeit with comparatively less spending power relative to the host community. Informal, or IDP settlements in this case also play a role in attracting development into the areas where they settle, thereby increasing the value of real estate. On the other hand, political elites fear the potential of IDPs to upset the existing clan power dynamics of the city.

These varied interests among power holders can often be productive, especially in advancing the welfare of informal settlement dwellers as has been seen in the case of the BRA advancing the issue of IDP settlements. They, however, can also be destructive when the interests of power holders are threatened or take precedence as has been seen in the cases of arbitrary and forceful eviction of IDPs, with the collusion of actors within the BRA, political elites and landowners.

Finally, as recently documented in another research study, while over the last few years the legitimacy of state actors has increased relative to non-state actors, ultimately, the politics and priorities at the national level subordinate those at municipality level and of urban dwellers. This means that municipalities, including Mogadishu 'lack the fiscal and political autonomy to develop public services, despite considerable public revenue being collected at the city level–including by city administrations.' This of course also has implications for the looming question of power politics and place of IDPs in Mogadishu. ³⁷

1.3 PRIORITY COMPLEX PROBLEMS

Interviews revealed a number of common challenges affecting this domain as expressed by residents of informal settlements, host communities, local authorities as well as local and international NGOs. The section below has grouped this into PCPs expressed by the various groups.

PCPs according to IDP settlement residents:

1) Lack of security of tenure and access to land

Most of the land within the city confines in Mogadishu is privately owned. The Municipality, therefore, has limited public land on which it can settle or relocate IDP settlements. As such, relocation or housing of IDPs relies heavily on agreements that the Municipality or other actors can make with private land-owners and with clans. This situation is exacerbated by the lack of a codified system for adjudicating land and property.³⁸

With regard to the justice system, there are multiple avenues through which residents can seek recourse: the formal system consisting of the court system; the informal system consisting of *Xeer* - customary law – that is adjudicated by clan elders and religious leaders, Shari'a courts where religious leaders adjudicate; and finally, al-Shabab courts. These systems are at times contradictory and aside from al-Shabab courts,³⁹ their rulings are often not binding, especially where complainants, unhappy

³⁵ Interviews with IDPs in Kaxda District.

³⁶ (Tobias Hagmann, 2021)

³⁷ The view of IDPs as visitors to cities is just as prevalent in many other urban areas of Somalia and Somaliland

^{38 (}Frik Bryld, 2019)

³⁹ AL-Shabab is thought to be cheaper, fair and their rulings more likely to be adhered to due to their ability to enforce rulings. Research indicates that al-Shabab courts have become increasingly popular even for those residing outside its territories. (Expanding Access to Justice Program, 2020)

with a ruling, seek an alternative decision from other courts, thereby contesting the legitimacy of each of these.

Consequently, while forced evictions of IDPs have reduced, and the Government has slowed down its efforts to reclaim its property⁴⁰ inhabited by urban poor in informal settlements located in the city, these are only temporary measures to a growing problem. The main obstacle to settling the land issue in Mogadishu is the presence and importance of powerful vested interests, exacerbated by weak land administration, especially with a lack of an agreed master plan that clearly identifies and demarcates public and private land. In this scenario, land remains one of the most important conflict drivers in the city.⁴¹

1) Effects of a growing city and development of urban infrastructure

A number of respondents decried the effect that the current rapid pace of urbanisation is having on informal settlements, most notably on IDPs. IDP settlements are being pushed further and further away from the city, into the outskirts of the city, where aside from the challenge of negotiating land on which to settle, also means they are farther removed from the sources of employment that are mostly available in the city. It also means being pushed into areas with even more limited or no service delivery arrangements, especially water and health facilities. The construction of roads, for example the Mogadishu-Afgoye road, has meant an attendant rise in land prices and consequently eviction of IDPs. The growth of the city has meant that the sewer and waste disposal system is not able to cope with the growth, and floods are a frequent challenge to informal settlements, especially those in the city, where congestion is greatest. Houses and property are routinely destroyed during the rainy season due to this. On the positive side, a growing city was said to provide more opportunities for jobs for informal and IDP settlement residents, and better roads mean a reduction in transport costs to and from the city.

2) Access to services

Most services in Mogadishu are provided by the private sector, meaning that they are more costly than would be the case where they are provided as a public service. This presents a difficulty for urban poor and IDPs as access is determined by the ability to pay these higher prices. Poverty levels among informal settlement residents and IDPs are high, meaning that their ability to pay for many of these services is minimal. In addition, for IDP settlements located in the periphery of the city, connectivity to service grids, such as the water system and electricity is constrained by the fact that most private service providers have so far focused on the inner parts of the city. Any services to the periphery are therefore more costly due to the logistics element. Humanitarian actors alleviate this challenge by paying for or providing amenities such as water and sanitation facilities for free in IDP settlements, but with declining funding levels, among IDP settlements are left without assistance, and therefore unable to pay and access services.

3) High poverty and unemployment levels

According to the 2nd Somali High Frequency Survey undertaken by the World Bank in 2018/2019, 76% of IDPs are categorised as poor, a higher average compared to the Mogadishu urban poverty levels of

⁴⁰ Respondents attribute this to a lack of funds to take over and rehabilitate these properties, the challenge of where to relocate those residing therein, complicated by the threat of negative repercussions should evictions be perceived as being skewed against certain clans

⁴¹ (Rift Valley Institute , 2017)

⁴² (The World Bank, 2020)

⁴³ (UN-OCHA, 2021)

64%.⁴⁴ Marginalisation due to poor education levels, clan affiliation, as well as lack of marketable skills means that residents of informal and IDP settlements are only able to secure menial jobs thus limiting their livelihood options. This means that IDPs and urban poor remain trapped in a cycle of poverty that is hard to break away from. Recurring shocks, resulting from human activities as well as environmental factors, have eroded the resilience capacity of many households, and food insecurity is high. Thus, residents of informal and IDP settlements can be said to suffer from multiple forms of poverty that work in tandem to reinforce their vulnerability: poverty in income, services, resilience and so on. To survive, residents mentioned adopting some negative coping mechanisms such as sending their children into the city to work rather than sending them to school.

Common PCPs among informal settlement residents and host community:

4) Insecurity

'...changes we observed include the increasing number of robbers armed with knives and small arms entering IDP settlements after sunset and robbing people. It's a new phenomenon that emerged in the last few months, and I am afraid such insecurity acts would develop into more considerable trouble.'

ISM of IDP settlement

Residents of informal settlements as well as host community discussed the rising insecurity both in the city and in the peripheries as well, including in IDP settlements. Other respondents indicated a rise in incidences of drug use among Mogadishu male youth, including informal settlement residents. One consequence they mentioned is a rise in levels of petty theft that has not been experienced previously.

5) Poor urban planning

Urban city residents, among them informal settlement residents continuously raised the issue of poor planning in the city and the repercussions of this on residents. The above mentioned flooding incidents are one of the challenges. Others mentioned the inability for services such as ambulances or fire fighters to gain access when needed due to lack of adequate road access,

as well as the inability to provide services such as garbage collection due to these same factors.

6) Climate change

Specific to climate change, Somalia has an arid and semi-arid climate and is prone to recurring droughts and flooding. Respondents indicated that erratic weather has become more frequent over the years affecting agriculture, pasture and water availability. It has also aggravated clan conflict over limited resources leading to insecurity and dispossession of property suffered by weaker clan members. This combined with the prevalence of al-Shabab in some rural areas has led people to flee to cities for safety. Food insecurity is an additional challenge brought on by unpredictable weather patterns, that is also driving displacement.

Compared to conflict, these climate disasters are a key driver of displacement and poverty. For example, the leading cause of displacement in 2017 was disasters (mainly flooding), which displaced 479,000 people (many of whom ended up in the cities, especially Mogadishu), compared to conflict and violence, which displaced 188,000 people. Droughts and flooding affect informal and IDP settlements in that they lead to a proliferation of such new settlements in urban areas, as well as overcrowding in already existing ones, along with the attendant health challenges this entails.

⁴⁴ (The World Bank, 2019)

⁴⁵ (The World Bank, 2020)

⁴⁶ In 2018, flooding in Mogadishu destroyed IDP dwellings and latrines in K12 settlement. See: *UnSettlement: Urban displacement in the 21st century*, IDMC, 2018.

⁴⁷ (Sarah Dalrymple, 2021)

Host communities especially within the city confines see the growing number of displaced as a challenge as it places pressure on already limited services. Some indicated the growing number of shanties and garbage and general mayhem in the city as being a challenge exacerbated by IDPs flooding into Mogadishu. Especially in the city proper, these pressures cause a strain in relations between IDPs and host communities, thereby reinforcing the prevailing view among many that IDPs are visitors who should go back to their areas of origin as soon as possible.

7) Public is largely locked out of the clan dominated political process

The political process in Somalia and in Mogadishu is dominated by political elites, who continue to entrench the 4.5 electoral model. As noted by all respondents interviewed, the general public is locked out of this system, where elites select the clan representatives in a manner they termed as 'opaque' and driven by finance and power politics. As a result, the concerns and interests of the public do not underpin the selection of leaders. In this context, the priorities of urban poor and IDPs are relegated to the back burner, save for when activists or the international community highlights such concerns.

Despite this, some respondents noted minor changes that have taken place over the last few years. For example, in Kaxda, they said that the DC is younger and has a more modern leadership style, utilising social media platforms to share developments in the city. The result is that these platforms highlight the challenges experienced by the District's residents. As a result, residents have a heretofore unavailable avenue to engage with the DC directly. The perception therefore is one where this young DC is seen as being more responsive and accessible compared to his predecessors. Social media was also seen as an equaliser; providing a level playing field for residents to amplify their voices. One of the positive results of this closer engagement by the DCs was said to be a reduction in incidences of insecurity within IDP settlements, though the same was not noted in informal settlements within the city.

In the city, respondents noted that the longer appointees stay in power, the more time they have to implement positive changes such as prioritising the strengthening of relations with humanitarian actors and construction of roads, which allow relevant actors to better access the settlements. They noted that the constant changing of DCs makes leadership and power unstable, causing disruptions and discontinuation of services.

Table 3: Emerging PCPs

Definition of PCP	For whom is this a problem? (by income group, class, ethnic group, age, etc)	What is the significance of the problem? (how does it affect these groups?)	Who benefits from the persistence of this problem? (are there groups or organisations resisting reform?	What do we need to know more about to solve this problem? (what information is missing?)	What solutions are currently being proposed and by whom?
Lack of security of tenure and unresolved land ownership modalities in the city	IDPs, host community, the City	If IDPs do not have an opportunity to own land and have formal living conditions, lack of security of tenure will mean their continued inability to create roots and opportunities to make a sustainable living. This will leave them trapped in their cycle of poverty and further diminish their prospects of returning home. They will continue to need resources and aid so long as they live in poor conditions and experience human rights abuses. Developing the city appropriately will continue to pose a challenge to the BRA.	ISM can gain benefits from the aid given by CSO/ NGOs, The government does not have to spend energy and resources to supply them with housing and resources. They are likely to be supportive of any reforms but with the caveat that these reforms do not threaten their position and power within the settlements. Some local government actors will continue to profit by acting as gatekeepers. They might not be as amenable to reforms but their influence is superseded by the interest and direction that the BRA chooses to adopt in the matter. Landowners will continue to benefit from using IDPs as a means of increasing the value of their land at little to no cost to them. Their business model at	What mechanisms can be explored to facilitate access to land and security of tenure for IDPs? What options present a viable entry point to support the resolution of this problem?	Humanitarian actors propose that the IDPs should receive skills training and education on their rights so that they appoint committee members who can better negotiate for land rights with ISMs and the DCs. The BRA is seeking ways to provide affordable housing to IDPs. Development actors such as the World Bank are looking at how to include IDPs in urban development plans

			the moment depends partly on the dynamics associated with IDP settlements, and this group is likely to include both enablers and spoilers. Urban poor will continue enjoying access to cheap, albeit poor, housing. They will likely be very welcoming of reforms as long as these do not lead to them being priced out of housing.		
Infrastructure and real estate development in Mogadishu is displacing IDPs to the periphery of the City, with poor access to services	IDPs, and host communities	Boom in real estate and the need for land to construct roads displaces IDPs and leads to increases in land value, which in turn leads to secondary displacement of IDPs. IDPs are pushed to periphery with poor access to services and far from their jobs in the city	The city benefits from development of infrastructure, IDPs who are not educated and are in need of work are then easy targets for cheap labour and exploitation. In the general city context, there are likely to be both enablers and spoilers to any reforms.	What options exist to make urban development beneficial to IDPs and informal settlement residents? As significant actors in this sector, what positive role can private sector play?	BRA has instituted a short-term measure of overseeing land agreements between ISMs and landowners to reduce IDP evictions. A long term solution is pending.
Climate change and recurrent cycles of disasters break down community resilience and increase displacement	IDPs, city and host communities	The influx of migrants due to climate change puts a burden on host communities and to service provision. The resilience of IDPs households is diminished with recurrent disasters leading to poverty and homelessness. Drought and persistent floods destroys infrastructure and create disease	Business people benefit from the business of providing food assistance to displaced populations. Their business interests are paramount and they might challenge any reforms that interfere with their business model. On the other hand, housing reforms should not unduly affect their sector	How can communities be supported to become climate resilient? What mechanisms can be put in place to make the city more ready to receive and support victims of climate disasters?	Better drainage and flood mitigation is needed within cities. The World Bank Resilient Cities Programme is one such initiative Residents of informal settlements and IDPs

of populations to the city					need better quality housing to weather poor climatic conditions
High poverty and unemployment constrain the ability of urban poor and IDPs to improve their lives	Informal settlement residents including IDPs, city and host communities	Leads to high dependency rate among affected populations. This places a burden on those who have to support them, including the Municipality. Increase in criminality in the city	Host communities and businesses have access to cheap labour. This will likely not be affected by any shelter reforms and they are likely to be supportive.	How and where can more employment and skills training be introduced? Is it feasible to make certain levels of education free?	Humanitarian organisations, IDPs and host communities want free education and capacity building
Exclusionary political arrangements deprive most citizens the opportunity to participate in politics, and to have their needs and priorities known and addressed	Affects residents of the settlements	The process of appointing powerful political actors is done arbitrarily and undemocratically, and the public has no say	Clans, Clan Leaders, Businessmen, those who are favoured to become DCs, MPs, etc. These are likely to support any shelter reforms. Political elites as the power structure status quo is maintained in the city. They are likely to support any shelter reforms as long as these do not confer a change of Mogadishu citizenship status of IDPs.	Are there avenues through which the public can feasibly participate in the political process in the current context?	Activists, CSOs and the international community are advocating for universal suffrage, though with the recognition that much needs to be in place for this to become a reality

As discussed in section 1.2 earlier, many of the activities being implemented in Mogadishu to address the above issues stem from a realisation that the issue of informal settlements will need to be addressed from multiple angles for any action to be sustainable.

2 DEVELOPMENTS IN THE DOMAIN

2.1 THE RISE OF IDP AND INFORMAL SETTLEMENTS IN THE CITY

The rise of informal settlements in the city and of IDP settlements goes as far back as 1992. Due to the fighting occurring in many parts of Somalia after the collapse of the government in 1991, IDPs started pouring into Mogadishu, and the city's residents were displaced by inter-clan fighting within the city. Those who could flee the city and the country, did so, while those that remained, especially the urban poor sought shelter in any buildings left standing, many of these being government owned buildings.

For IDPs who lived alongside urban poor in the city proper, it quickly became clear that there was a need to develop a mechanism to govern/manage them, and IDPs selected their own representatives, primarily along clan lines. It is important to note here that, up to early 2000's when IDPs started relocating to the periphery, all those residing in informal settlements, be they urban poor or IDPs were all categorised as 'IDPs'. Their living conditions and level of deprivation was much the same; and some urban poor self-identified as IDPs as this gave them access to humanitarian assistance when it became available.

When aid agencies and UN Operations in Somalia (UNOSOM) arrived in 1993-94, it was easier for them to access the 'IDPs' through the selected representatives. It was during this period that these representatives began to realise that they could use the system to make an income, hence the rise of the 'gatekeeper' system. However, with the departure of UNOSOM and the rise of the Islamic Courts Union (ICU), the system was said to have diminished, but rose again with the return of aid agencies in 2007. One of the factors that enabled the gatekeeper system to take root and flourish was the high level of insecurity in the city. ⁴⁸ At that time until as recent as 2016, most aid agencies made the operational choice to manage their operations remotely from Nairobi, allowing the gatekeeper system to develop and become well established, providing a means of income for ISMs and other individuals in the gatekeeper system.

2.2 SIGNIFICANCE OF THE IS DOMAIN FOR STAKEHOLDERS IN MOGADISHU

Despite the contradictory sentiments expressed by respondents, informal and IDP settlements still retain some degree of importance to Mogadishu. As noted in Section 1, myriad actors – both formal and informal – are benefitting from the continued existence of these settlements, and their interests intersect at certain points or are similar.

For the Somali political elites their concerns are centred around control or exertion of power primarily for clan interests and economic gain emanating largely from land and business interests. The political system is strongly dictated by clan dynamics and retaining clan dominance aligned to the 4.5 clan-based political representation formula. The presence of IDPs in the city becomes a threat to the power balance of the city, which is largely dominated by the Hawiye clan, ⁴⁹ since IDPs represent clans from other parts of Somalia.

Aside from politics and clan dominance, IDP settlements hold a lot of significance for the political elites due to the heavy reliance on foreign Aid and remittances, represented by the large humanitarian and development sector. The country's internal revenue collection remains extremely low at about 3.9%

⁴⁸ Gatekeepers in Mogadishu: Research Study. Erik Bryld, Christine Kamau & Dina Sinigallia. 31 January 2013. The Somalia Cash Consortium.

⁴⁹ (The World Bank, 2020)

of the GDP.⁵⁰ As such, political elites retain a strong interest in international Aid, and it is deeply entrenched in the country's political economy.

The interest of NGOs is largely around improving the lives of informal and IDP settlements residents and urban poor through their service and commodity provisions (medication, education, food etc), as well as in advancing their rights. In the provision of these services, as already indicated, ISMs and other gatekeepers in the system are also known to benefit.

Consequently, business and politics are closely intertwined, especially since those who thrived and built their business on the back of foreign Aid continue to hold significant influence over the politics of the Country and of Mogadishu. ⁵¹ This means that informal settlements, more so IDPs settlements remain of keen interest to the political elites given the financial gains and by extension, the power that securing that Aid bestows on them. Businesspeople are often identified as powerholders not only for the important role they play in supplying critical goods and services to the settlements, but also their identity-linkage to powerful clans.

The group al-Shabab is another interested party in this domain in the city. Due to a largely unregulated political environment, al-Shabaab interests in the IDP settlements are driven by a myriad of direct and indirect transactions related to revenue collection. They manage their own form of taxation and have infiltrated almost all economic transactions in the city. Shabab in literature, 'al-Shabab's intra-elite "understandings" with other political actors in Somalia constitute the most nuanced, complex, and deadly forms of elite bargaining. Al-Shabab's involvement is backed by their ability to provide certain services, the most notable being access to justice for those who have dealings with them. Despite their protestations and the views that IDPs should return to their areas of origin, Mogadishu residents – that is the non-IDP population – also benefit from having IDPs and urban poor in the city as they form an important source of cheap labour.

2.3 GOVERNANCE SYSTEM

As mentioned earlier, governance within the IDP settlements falls under the ISM or 'gatekeeper' who is either appointed by the DC or landowner, is a business actor or is a self-appointed manager with connections within Mogadishu and with the relevant clan dominant in an area. The ISM governs with assistance of a camp management committee that constitutes respected leaders of the clans represented in the settlements. The daily governance by the committees mirrors the traditional Somali governance practices and procedures, especially those of the southern clans from which the majority of residents emanate. The ISM usually selects or approves those selected into these camp committees.⁵⁶

⁵⁰ (Ministry of Planning, Investment and Economic Development, 2020)

⁵¹ (Sherine El Taraboulsi-McCarthy, 2017)

⁵² (Felbab-Brown, 2018)

⁵³ Somali elites comprise political actors, powerful clan leaders/elders, powerful religious leaders, powerful business people as well as other members of the society that hold sway due to their financial status. Thus, political, economic and social and cultural elites.

⁵⁴ (Menkhaus, 2018)

Justice provision by al-Shabab is perceived to be faster, cheaper, having a high likelihood of enforcement, and as being fairer as it is not based on clan or other forms of allegiances. See: *Pathways and Institutions for Resolving Land Disputes in Mogadishu - The Expanding Access to Justice Program in Somalia* (EAJ), 2020.

⁵⁶ (Clara Rubin, 2017)

On the other hand, within informal settlements in the city, there is no structured governance system *per se*, and those that take up the task of oversight do so on a voluntary basis, with no set tasks or assigned responsibilities.⁵⁷

Other parts of this paper have discussed the link between formal and informal governance structures in this domain, where, though the DC for example is part of the formal governance system of the city and has oversight over informal and IDP settlements, their appointment is undertaken as part of a broader formal-informal alliance between the municipality and the clan leadership of the city, forming a 'hybrid' system of governance.

Taking this further, below the DC are other governance structures that form part of the local authority (see Annex 1 for an organogram of the local authority structure). At the lowest levels of this governance structure are the Laan and the Tabelle. The community is meant to select respective leadership representation at these levels, though this is heavily influenced by the clan leadership. Moreover, despite being part of the formal structure, the representatives at these levels do not receive a regular salary, and work on a voluntary basis. As such, it comes as no surprise that they are implicated in the gatekeeper system when it comes to IDP settlements.⁵⁸

Business people also play an important role in determining leaders of the local authority, especially at higher levels of DC and Mayor as they have business interests to protect. Most of the successful business people in Mogadishu belong to one of the four dominant clans.

The outcome of all the above is a scenario where urban poor in informal settlements and IDPs have no say whatsoever in the manner in which they are governed at city level, and neither do their needs and priorities factor in the selection of candidates or political representatives. While informal settlement residents and IDPs do have a degree of 'voice' within their settlements, this does not automatically translate to their needs being heard at the city level, and when this does happen, it is largely due to the personal motivation of a particular DC rather than as part of routine procedure. Humanitarian and development actors have also been instrumental in advocating for the rights and protection of IDPs and residents of informal settlements. Within the city, these residents have a more direct relationship with the local authorities, though this was said to be more extractive in terms of collecting rents, rather than in responding to their needs for better housing, for example. Despite this, the ongoing discussions and efforts around urban development by actors such as the World Bank and others are likely to lead to improved outcomes for residents of informal settlements.

2.4 POLICY AND LEGISLATIVE INITIATIVES/RESPONSES

Over the last few years, the idea of integrating IDPs and informal settlements into the urban development of the city, has slowly been gaining traction, albeit within a complex political environment. According to a former Mayor of Mogadishu, the presence of informal settlements and IDPs in particular are unappealing and not commensurate with the image of Mogadishu that the Municipality is seeking to develop. This idea was partly behind the efforts made by the FGS in 2013/14 to push IDPs out of the city proper and into the periphery.

Since then, policy shifts and increased engagement with the international community has contributed to a gradual modification in practice. For example, the development and implementation of an agreed set of Eviction Guidelines has managed to marginally lower the number of unlawful and forced

⁵⁷ FGD – informal settlements residents

⁵⁸ KII - IDP

⁵⁹ KIIs with multiple IDPs

evictions of residents from the informal settlements, both within the city and of IDPs in the periphery of the city.

Another development has been the initiation of efforts towards providing housing to residents of informal settlements. This has been recognized in the National Development Plan as being a constituent part of urban development of Mogadishu, along with service provision and access to livelihoods. With the support of donors such as the EU and funding from the World Bank, the BRA and the FGS have embarked on pilot projects constructing social housing in Heliwaa, Abdizaziz and in five other districts all targeted at residents of informal settlements.

During interviews, host community members expressed mixed views with regard to informal and IDP settlements. While some blamed residents of these settlements as being drivers of insecurity and disorder within the city, others indicated the need to take into account their vulnerable status in the city, and their inability to make an adequate livelihood, thus necessitating humanitarian aid as well as alms from the city residents. With regard to IDPs, relocation to their areas of origin was a preferred solution for most of the host community interviewed, with others suggesting that NGOs should ensure to enhance the capacity of IDPs to enable them reintegrate more successfully in their home areas, and to be more resilient in the face of future shocks.

2.5 OVERLAP WITH CITY SYSTEMS

A number of city systems are relevant for the informal and IDP settlements. The private and humanitarian/development sectors continue to maintain significant dominance over a majority of the systems. Historically as a result of protracted conflict, the number of elites such as businesspeople, diaspora, community leaders and those from the international community proliferated in the management and supply of most systems as a way to meet the gap in provision of public goods in the absence of the government. Their political capital also grew within this period. Where the private sector is more dominant, access to services is curtailed by the ability of users to pay for services, as most establish some form of fee payment in purchase of services. Poverty levels among informal and IDP settlement residents are high. A majority of services require a payment of hefty fees for connection and continued service, limiting residents' ability to pay. This impedes on the level of quality of services that the residents can access. Humanitarian actors alleviate this challenge by offering alternative services in IDP settlements, but with declining funding levels, among IDPs are left vulnerable to receiving minimal to no assistance.

Specific to informal settlements within the city, they enjoy relatively better connectivity to services such as water, electricity and even schools and health facilities. However, they are also limited in their ability to pay, and further, they do not receive humanitarian assistance, meaning that they need to utilise more of their income on accessing services such as water, compared to IDPs who receive it at a subsidised rate through humanitarian support.

2.6 RELEVANT CITY SYSTEMS

Education

As in other locations of Somalia, IDPs in Mogadishu are among the most excluded with regard to access to education. They experience the lowest levels of school enrolment, where. Only 24.2% of IDP

⁶⁰ (MoPIED, 2020)

⁶¹ (Durable Solutions Unit, 2019)

^{62 (}The World Bank, 2020)

^{63 (}UN-OCHA, 2021)

children under the age of six are enrolled in school; 12% below the national average. ⁶⁴ The financial cost of education is a key barrier, which can be prohibitively high particularly within the dominant private education system. Costs associated with school attendance – such as fees, uniforms, school books – are largely beyond the ability of IDP parents⁶⁵ or guardians to manage, save for the very few who receive remittances from abroad. And even in such cases, there is a difficult choice of either using that money for living expenses or for schooling. As a way of circumventing these economic barriers, IDPs are widely encouraged to enrol their children in NGO-run schools, as most schools in informal settlements have school feeding programmes, which incentivises children from vulnerable households to attend, and for parents to send their children to school.

Non-state actors, such as NGOs, diaspora, donors and communities play a dual role of not only supplementing funding, but are also keen to expand presence where the government has limited access, in order to maintain basic levels of education. The government also runs a few free educational programmes for adults living within IDP settlements. ⁶⁶ Urban poor in informal settlements suffer similar challenges to accessing education, though in terms of proximity, most are closer to these facilities compared to IDPs on the periphery of the city.

Energy

Informal settlement residents in the city benefit more from electricity access, due to their proximity to the grid and service providers. However, settlements such as those hosting IDPs and urban poor are not sufficiently supplied and most of these residents access only 14 hours of electricity per day in comparison to their urban counterparts with 20 hours. ⁶⁷ As with education, affordability is a key area of concern as urban poor and IDPs have limited purchasing power, where electricity costs average between USD 19-60 per month.

To cope, informal and IDP settlement residents rely on biomass fuels, wood and charcoal for cooking. About 60% of IDP households also use torches for lighting and a few households have access to solar lamps. These resources are, however, not always readily accessible; and charcoal supplies are not always stable, as it must be brought in from long distances. To cope, informal and IDP settlement residents resort to burning wastepaper and plastic for cooking, exposing them to serious environmental and safety hazards. Women are especially highly exposed to related health, safety, and protection related risks as they are the ones responsible for handling these household chores.

Food distribution

Food markets in Mogadishu have expanded in tandem with the rise in population especially with the influx of displaced persons. As such, IDPs and returnees in Mogadishu have become an important component of the food supply and demand system. This group represents an emergent consumer group which has expanded or introduced new markets such as in Dharkenleey, Kaxda, Deynille, the Livestock Market in Heliwaa, and Eelasha (which now has a large market called Bakara 2).

The food assistance market industry also plays quite a significant role with regard to IDPs due to the prevalence of food aid to vulnerable populations.⁷¹ This creates a close linkage between the

⁶⁴ Hagmann, T. (2019)

⁶⁵ Altai Consulting. (2018)

⁶⁶ Wasuge, M. (2018)

⁶⁷ The World Bank. (2020). Somalia Urbanization Review.

⁶⁸ UNDP (2018). Shifting the Energy Paradigm in Somalia (STEPS).

⁶⁹ Bryld, E., Kamau, C., Bonnet, C., Mohamoud, M.A. and Farah, F. (2019). *Shelter provision in Mogadishu: Understanding politics*

⁷⁰ African Development Bank Group. (2015). Energy Sector Needs Assessment and Investment Programme.

⁷¹ Jaspars, S., Adan, G. and Majid, N. (2020)

humanitarian sector and the private sector operating in the domain, where actors such as wholesalers, retailers and transporters collaborate with humanitarian agencies in bulk purchase and distribution of food. Large food aid contracts generate a lot of political interest among local authorities, businessmen and clansmen.

Road transport

In the absence of government-operated transport, access to road transportation is controlled wholly by the private sector, who also set prices.⁷² IDPs and the urban poor that live outside the city usually resort to walking, at times over very long distances which poses several safety, health, and security risks.⁷³ The recent efforts to upgrade particular roads such as the Afgoye-Mogadishu road was said to have had a positive effect on the cost and time used to travel to and from the city, which is particularly relevant for IDPs who live on the city outskirts and ned to access the city for work and other services.

Sanitation and solid waste management

Management of sanitation and waste in the settlements is largely informal and unstructured. Not only are informal and IDP settlements excluded from the municipal service grid, but the systems operate in poor conditions where infrastructure is almost non-existent, providing critical challenges.

In 2022, living conditions for 70% of Mogadishu's population was assessed as severe in accessing quality water, sanitation and hygiene. Services are considerably inadequate to serve the huge number of residents living in the informal and IDP settlements. This results in a limited number of available latrines per number of households which leads to overcrowding and open defecation. In many informal settlements, especially within the city, communal latrines are not gender-segregated nor lockable, exposing women and girls to risk of gender-based violence. In IDP settlements, however, humanitarian actors have made valiant efforts to segregate sanitation areas for increased safety of women and girls. Overall, however, proximity to sanitation facilities is particularly challenging for those living with disabilities.

Despite being privately run, the sanitation system in the city is not perceived as a commercially viable compared to waste management due to the small profit margins, high operational risk and difficulties in fee collection.⁷⁴ As such, there are not as many interested private sector actors as in other service sectors such as water.

Water

Water accessibility is sharply segregated between urban and the outskirts of the city, the result being stark differences between the two geographies. Many of the informal settlements, especially IDPs who live outside of the main water pipeline grids, are heavily dependent on small-scale vendors for provision of non-piped water,⁷⁵ though in some locations, NGOs do set up water systems either piped or through water trucking. They at times also provide support in form of equipment maintenance and training of well-owners who are mainly private actors. For informal settlements within the city, water which in most cases is provided in jerrycans, is sold at water kiosks or distributed by donkey carts.

Pricing points between piped water and non-piped water has a significant influence over who has access to safe water.⁷⁶ Poorer households are more likely to pay up to four to six times higher than

⁷² Hagmann, T., et. Al, M. (2018:44).

⁷³ Ibid

⁷⁴ (World Bank, 2021:137)

⁷⁵ Federal Government of Somalia (FGS), *National Development Plan 2017-2019*, December 2016

⁷⁶ REACH (2019) Water, Sanitation and Hygiene Assessment Report

well-off households. Vendor-managed water presents health risks in most cases due to poor user handling and hygiene of the containers, impacting those who rely on this water source.

In some cases, private water companies provide water-payment subsidies or donate profits to the poor, elderly, IDPs, mosques and other public institutions as part of their religious contribution. ⁷⁷ For example, during holy days of Ramadhan, they provide free water to mosques in the city and to informal settlements, including IDPs.

Finance

Confidence among city residents in the traditional commercial banking sector is generally low, where nationally, only 15% of the Somali population has an account with a formal bank. This coverage is even lower among low-income groups such as IDPs and urban poor. This is because formal financial systems of lending and borrowing money are largely inflexible and exclusionary as they often require strict operational procedures which limit access for the lower income groups. For instance, most financial products have a strict eligibility criterion, require a financial guarantor or need proof of financial identity. In a context where there is no functional ID system, this creates critical limitations particularly for displaced Somalis who possess little to no legal documentation such as identity cards, title deeds or other registration documents. Additionally, social networks play an instrumental role for both individuals and businesses, in the ability to secure guarantors which in most cases, is a challenge for those who come from minority clans and those whose social capital has been dissipated from displacement. For instance, to access micro-credit, a borrower is required to present proof of a personal connection to an established person of the community who will act as collateral. In some instances, connection with a prominent clan member is so important, it supersedes all other requirements.

Less formal to informal channels of raising finance thus become the most preferred avenue among poorer residents due to more favourable conditions. Traditionally, residents rely on a range of systems such as communal modalities such as *qaaraan*,⁷⁹ and religious ones like *zakat*.⁸⁰ They also rely on family and friends to borrow money, based on the kinship expectation of trust. For small businesses looking for capital, more relaxed institutional mechanisms such as microfinance institutions, start-up grants offered by NGOs and benevolent loans are used. In recent years, use of mobile money has grown tremendously and has evolved to become among the main payment instruments used by both individuals and businesses alike.⁸¹ Penetration has been significantly higher in IDP settlements (72%) and provides ease of payment in operations such as day-to-day transactions as well payment of business transactions.

Law and Order

The justice system in Somalia is characterised by decades of political fragility. Given that state collapse occurred in very recent history, the current state of law and order in Somalia is still undergoing maturation. Statutory justice institutions are underequipped and are mistrusted due to their ties to the government executive and clan-based affiliations. Customary law and religious traditions have been established as an alternative justice system, which is also susceptible to clan-based partisanship and other forms of corruption.

⁷⁷ World Bank, Somalia Urbanization Review, (2021:100)

⁷⁸ (UNIDO, 2020) Somalia Financial Sector

⁷⁹ A community or family contribution mechanism that mobilises financial resources for use by the community/family, based on need.

⁸⁰ As one of the pillars of Islam that requires Muslims to donate a portion of their wealth to charity.

⁸¹ UNIDO. (2020). Somalia Financial Sector: Technical Report.

The presence of statutory or customary law is geographically and socio-economically dependent and varies widely across Mogadishu. The 17 districts of the city that are recognised by the BRA, can be categorised into three zones with varying degrees of presence of formal security and justice entities. The first zone includes the districts of Waaberi, Hamarweyne, Shangani, Abdiaziz, Hamar-Jajab, and Bondhere. Some parts of Wadajir, Kaaran, Shibis, Warta Nabadda, Howlwadag, and Hodan Districts may also be included in this category.

The second zone is made up of the two main roads of Wadnaha and 30th Road. These two zones are highly populous and include major markets and trading spots such as Bakara, Suuq-ba'ad, and Madina's primary market. In these two zones, police stations are better equipped, but still limited in number of personnel given how densely populated these areas are. This is compounded by a lack of civilian police coordination and policies, and insufficient coordination between the police and the courts.

The third zone is comprised of the outskirts of Mogadishu, the Lower Shabelle regions and the main entrances to the city. This is where there is a marked lack of surveillance systems, and where improvised explosive devices (IEDs) are common on rough roads and uncontrolled territories. In the areas of the city such as informal settlements, police presence is extremely limited, and this has given space to violent militias or al-Shabaab to take over the security systems. However, these actors will often not use formal justice systems, preferring Shari'a or *Xeer*, the Somali traditional justice system. Residents of informal and IDP settlements and minority groups (such as women, members of minority clans) face many barriers to accessing formal institutions due to discrimination or lack of formalised justice-seeking processes. Thus, the informal justice system covers 80-90% of all legal cases in Somalia. However, due to the format of *Xeer*, it is more concerned with community justice, rather than the individual. Moreover, some marginalised or vulnerable members such as women and youth have minimal 'voice' in this system.

Healthcare Systems

Healthcare in Somalia is largely provided by the private sector and by international actors and NGOs in collaboration with Somali authorities.⁸³ Amongst the Somali healthcare providers, there exist multiple sectors. This includes the public sector, the private sector (pharmacies, hospitals and clinics) as well as traditional and informal providers (of traditional and complementary medicine (TCMPs)). There is a higher density of private facilities per 10,000 people than public. In other words, it is estimated that up to 90% of the population makes use of private healthcare facilities. The reason for this comes down to better facilities and service delivery, better quality of equipment and staff, and they are able to offer more advanced treatments.⁸³

These private healthcare systems are concentrated in mostly urban areas. They may be classified as for-profit by semi-public arrangements; private pharmacies or NGO-run facilities. However, qualitative research conducted in Mogadishu, 2016, found that private healthcare is often unaffordable for citizens, and also found evidence of prescription of unnecessary treatments, laboratory tests as well as excessive use of technical equipment which led to overcharging patients.⁸³

The public sector healthcare is composed of five service levels which include (from lowest to highest level): i). Primary Health Units (PHUs) based in rural areas; ii). Health Centres (HCs) found at subdistrict level; iii). Referral Health Centres (RFCs) at district level; iv) Regional Hospitals (RHs) at regional capitals and v). Specialist centres on tuberculosis, antiretroviral therapy and mental health. There is a higher distribution of healthcare providers located in the North than in the South of the country.

⁸² Heritage Institute for Policy Studies (HIPS). (2021). Rebuilding Somalia's Broken Justice System: Fixing the Politics, Policies and Procedures.

⁸³ DIS. (2020). Somalia Health System.

Notwithstanding the quality of care, public sector healthcare is more accessible by the majority of the public as the cost of services is lower. In rural areas, the distance to public clinics is usually closer than private clinics. Additionally, there are also ethical concerns of 'corporatizing' healthcare and placing profit-making above healthcare ethics. Furthermore, there are also concerns of giving patients treatments based on personal connections and other such partisanship (in both public and private).

For those in IDP settlements, healthcare access is highly dependent on financial means, especially when status, clan affiliation and connections play a huge role in the quality of healthcare that one has access to. Among political elites there is a general disinterest in making healthcare more accessible. There are also various security risks faced by healthcare providers, such as direct attacks (such as the BRA outreach vehicles being targeted in March 2021).

The table below provides an overview into the systems and how they interact with the informal settlements.

Table 4: Systems - IS domain nexus

System	Domain - Informal settlements
Education	 IDPs are among the most excluded in education The financial cost of education is a key barrier, as is proximity to education facilities Sector dominated by private sector, challenging affordability NGO-run schools strive to fill the gap, offering more affordable education to urban poor and IDPs, and incentives such as school feeding to encourage enrolment For adult education, the Government also runs a few free educational programmes for those living in informal settlements. 84 Informal settlements in CBD enjoy closer proximity to schools, though affordability remains an issue
Energy	 Informal settlement residents in the CBD have closer proximity to electricity due to their proximity to the grid and service providers, though this does not translate to higher connectivity due to related cost Most of informal settlements in CBD access only 14 hrs of electricity per day compared to 20 hrs by other city residents Informal settlement residents and IDPs rely heavily on charcoal and wood for energy, though not always reliable Women highly exposed to related health, safety, and protection related wood and charcoal use Torches and solar used for lighting for those who have access
Food distribution	 Influx of IDPs and returnees has led to an expansion of the food market due to increased demand for food Food assistance industry plays an important role with regard to informal settlements. Especially IDP settlements There's a close linkage between the humanitarian sector and the private sector operating in the domain Large food aid contracts generate a lot of political interest among various actors: local authorities, businessmen and clansmen

⁸⁴ Wasuge, M. (2018)

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• Public transport ran wholly by the private sector who set prices Road transport IDPs and the urban poor living outside the city opt to walk to manage transport costs • Recent efforts to upgrade roads such as the Afgoye-Mogadishu has mitigated the time and cost of transport into the city, easing pressure for IDPs accessing their work locations Sanitation and solid Management of sanitation and waste in the city and in informal waste management settlements is informal and unstructured. Poor or non-existent sanitation and waste management infrastructure, especially in city outskirts where IDPs reside 70% of Mogadishu's population assessed as having severe shortage of sanitation and hygiene services. • Sanitation facilities in informal settlements and IDP settlements inadequate to serve the high populations Compare to IDP settlements, women and girls in informal settlements at risk of sexual and gender-based violence due to lack of gendersegregated sanitation facilities • Proximity is a particularly challenge for people living with disabilities Water Sector fully in the hand of private sector Stark differences in access to water between CBD and outskirts of Mogadishu • IDP settlements located beyond the main water pipeline grids, and therefore dependent on NGOs and small-scale vendors for water Cost varies by up to six points, with poor households paying more for water compared to better-off households IDPs and informal settlement residents have low purchasing power for potable water • Heightened health risks associated with water vendors due to poor user handling and hygiene of water containers **Finance** Requirements such as IDs and collateral limit access to formal financial serviced for IDPs and urban poor Informal systems thrive instead, including borrowing money from friends and family Mobile money has evolved to become an important instrument for financial inclusion Law and order • Formal justice systems are severely underdeveloped There is a high tendency of formal justice systems towards corruption and clan partisanship • Customary law and order systems and Shari'a are more trusted and accessible, though they can be discriminatory against marginalised or vulnerable members of the community, e.g. women, youth • There is a lack of comprehensive legal infrastructure Access to the formal law and order entities is based on geography and socio-economic status

	• The further away from the city, the more citizens rely on alternative law and order measures, including the al-Shabaab courts, which may not always deliver human-rights based justice
Healthcare systems	 Private healthcare is better funded and managed, and therefore has more resources and higher quality services Private healthcare is used by 90% of the population, but most citizens still find it unaffordable Public healthcare is underfunded, offers poorer services but it is more accessible to large segments of the population especially IDPs receive healthcare through NGOs, but in general have poor access to healthcare There are security risks for both healthcare providers and patients due to security risks in the region

2.7 OVERLAP WITH OTHER DOMAINS

The IS domain overlaps with almost all of the other domains being implemented in Mogadishu.

Safety and security: issues related to safety and security affect residents of informal and IDP settlements in similar ways as it does other residents of Mogadishu. Key differences lie in the fact that for urban poor, their protections are not as strong or as well developed as they would be for better off Mogadishu residents. Spatially, informal and IDP settlements are located in poorer neighbourhoods where levels of crime and insecurity are higher. And in cases of insecurity, urban poor and informal settlement residents, including IDPs, are usually the first suspects due to their socioeconomic situation.

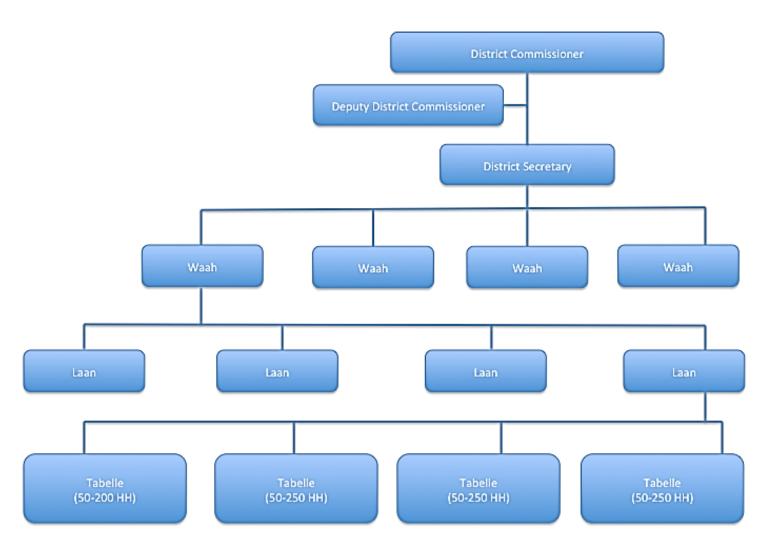
Land and connectivity: the issue of land is one that holds particular relevance for the IS domain. Until the land issue in Mogadishu is resolved, access to land and land ownership will continue to hamper efforts at effective urban development, and relatedly around the feasibility of quality housing and security of tenure for residents of informal sand IDP settlements.

Youth: the youth bulge in Somalia in general and in Mogadishu accompanied by high unemployment rates, low literacy levels and their exclusion from the political sphere present a challenge for the Government and for policy makers. Youth in informal and IDP settlements are especially challenged as they have limited networks and backing to support their efforts to improve their situation. The situation is even more dire for IDP youth who are doubly disadvantaged due to their IDP status in the city. For example, to access housing in IDP settlements, single young men encounter more challenges due to suspicions that they might cause insecurity (through crime) in the settlements, or that they might be affiliated to al-Shabab.

Political settlements: the affairs of Mogadishu's residents are determined by political settlements that dictate the role played by different actors involved in the domain. Of note, most Mogadishu residents are on the receiving end of these settlements, and play almost no role in the bargaining and the endresult of such settlements, which so far, remain the preserve of Mogadishu's elites. Looking at the power dimension of political settlements, urban poor and IDPs, are at the very bottom of the pile.



ANNEX 1: LOCAL GOVERNMENT STRUCTURE – BENADIR REGION



Source: Political Economy Analysis Report – The Community-Driven Recovery and Development Project. $^{85}\,$

TANA COPENHAGEN /

 $^{^{85}}$ Erik Bryld, Christine Kamau, 2012.