

**JOINT STATEMENT BY SOMALI CIVIL SOCIETY**  
**On the Draft Somali Sexual Offences Bill**

10 December 2017

On International Human Rights Day 2017, we, the undersigned, request the Somali Cabinet to adopt the Sexual Offences Bill before the end of this year.

At the 72<sup>nd</sup> session of the General Assembly of the United Nations in New York on 22 September 2017, Somali Prime Minister Hassan Ali Khayre said that the Sexual Offences Bill was “soon to be passed” and that it “provides the tools to fight impunity of sexual predators”. We ask to see these words translated into action.

As civil society organisations working with survivors of rape and sexual assault, we are seeing firsthand that these violations are increasing across Somalia. When survivors try to seek justice for these crimes, there is no law that protects them. The current legal framework does not contain comprehensive, specific provisions relating to sexual violence. Forum shopping is a major problem, with the families of perpetrators often choosing customary or Sharia law instead of going through the formal system if it is likely to provide them with more protection.

Somalis need stronger laws to hold perpetrators of sexual violence accountable, to stop sexual violations being committed against women and children and enable them to live without fear. At present, survivors of sexual violence live with the additional burden of knowing that they will not be able to access their right to justice, and that their perpetrator will most likely walk free. If the Bill is passed, survivors will be empowered to report offences. This will allow them to receive justice, carry on with their lives and achieve their full potential. We want this freedom for all Somalis who have suffered sexual violence. Having a strong legal framework in place will also send a strong message to perpetrators who continuously commit these violations. Impunity is major driver of repeat offenders.

The Bill provides comprehensive protections for survivors of sexual violence and simple, implementable provisions. It uses up to date and specific terminology which is in line with international standards. The current Penal Code does not provide this.

The Somali Provisional Constitution protects women from sexual violence and gives all people the right to integrity of the person. Sharia law condemns sexual violence and encourages punishment for perpetrators. The Bill is needed to give effect to both Sharia law and the Constitution of Somalia.

We call on the Prime Minister and Cabinet to deliver on the promise made by the Prime Minister at the UN General Assembly in New York by:

- Approving the draft Sexual Offences Bill and passing the Sexual Offences Bill on to the Parliament for approval before 31 December.

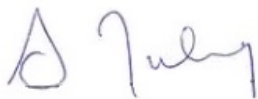
We call on the Committees of Justice and Human Rights to:

- Review the Sexual Offences Bill and arrange to meet with the civil society organisations listed in this statement to discuss their findings with us;

We call on the Parliament of Somalia to:

- Prioritise discussing the Bill on the agenda of the Parliament and the Committees of Justice and Human Rights;
- Pass the Sexual Offences Bill after discussion with civil society and these Committees.

Signed:



**Antonia Mulvey**  
Executive Director  
Legal Action Worldwide



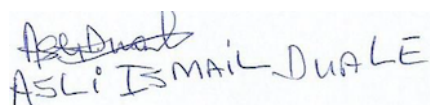
**Ahmed Abdinasir**  
Program Coordinator  
Save Somali Women and Children



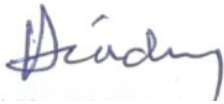
**Ahmed Musa Hassan**  
Executive Director  
Northern Frontier Youth League (NoFYL)



**Rahma Hassan**  
GBV/SRHR Program Director  
Action for Women and Children Concern (AWCC)



**Asli Ismail Duale**  
Chairperson  
Women Education & Voicing Entrepreneurship (WEAVE)



**Alia Aden Abdi**  
Chairperson  
Humanitarian for Women Action (HIWA)



**Mohamed Abdulahi Abshir**  
Executive Director  
Organization for Somalis Protection and Development (OSPAD)



**Abukar Mohamad Jimale**  
Executive Director  
Haweenka Horseedka Nabadda Nolosha (HINNA)



**Mohamoud Mohamed Ah. Bashir**  
Deputy Director  
Juba Foundation



**Fardowsa Sharif Mohamed**  
Programme Director- GBV  
Maternal Mercy & Development



**Abdullahi Mohamud Mohamed**  
Executive Director  
Somali Community Concern (SCC)



**Halima Ali Ulusow**

Chair Lady

Somali Women Child Care Association (SWCCA)

*Amina*

**Amina Arale**

Executive Director

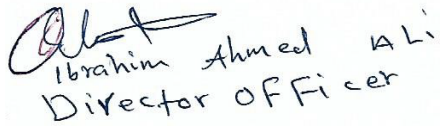
Somali Women Development Centre



**Fadwo Hassan Jim'alle**

Head of Women and Child Cluster

Women and Child Cluster



Ibrahim Ahmed Ali  
Director OFFICER

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**Abdifatah Hassan Ali**

Advocacy Offier

Witness Somalia