BUILDING LOCAL GOVERNANCE in SOMALIA

United Nations Joint Programme on Local Governance and Decentralized Service Delivery
UN-Habitat has been active in the Somali urban sector for more than 30 years and currently is implementing a portfolio of interventions worth USD 40 million with communities, local authorities, state governments, and the Federal Government of Somalia across all Somali regions. The activities have evolved from targeting immediate local needs to more systematic attempts to address sustainable urban development through integrated human settlement programmes. Currently UN-Habitat has a wide range of projects in the areas of local governance, capacity building, waste management, land management, municipal finance, infrastructure development, livelihood and shelter development for vulnerable urban populations, water and

We aim to strengthen local governance and enhance decentralized services in all the regions of Somalia.

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The 25 years of civil unrest have resulted in the destruction of most infrastructure, a large number of displaced people, a destabilized government with fragile leadership, and unclear governmental structures, all of which hinders development. Somalia has a very young population – the median age is 17. About 67 percent of the country’s youth are unemployed.


The objectives of JPLG are to ensure that communities have equitable access to efficient basic services through local government entities and to promote accountable and transparent local government. JPLG hopes to improve the legislative and regulatory framework for decentralized service delivery in the Somali region, provide funding for service delivery through district councils and building the capacity of demand-side governance at the local level.
Municipal finance is a cornerstone of public financial management and a central component of JPLG efforts to implement decentralized services and enhance local governance in Somalia. It is also central to UN-Habitat’s three-pronged approach to urbanization (urban planning, legal and regulatory frameworks, and municipal finance). UN-Habitat has supported local and state governments in the Somali region, particularly Somaliland and Puntland, in policy development, revenue generation, financial system development, and capacity building to strengthen local government systems.

Improving Finance Policy

A legal foundation for the decentralization of financial responsibilities and functions to local government authorities has been established through the adoption of the Decentralization Policy in 2013 in Somaliland and Puntland. The programme subsequently supported the Somaliland and Puntland governments to develop local government finance policies that provide a framework for devolving financial functions to local governments.

Local government finance policy provides a guiding framework on key municipal functions such as revenue generation, expenditure management, budget preparation and execution, capital procurement processes, strengthening of internal control mechanisms, asset management, debt and credit management, and monitoring and evaluation mechanisms. The local government finance policies were developed in a participatory manner and in compliance with the World Bank–led public financial management reform agenda in Somalia.

Improving Revenue Generation and Financial Systems

To support local governments’ revenue generation in Somaliland and Puntland and to fulfill the agenda of decentralization, UN-Habitat, within the framework of JPLG, has identified three key areas of support: (1) develop an up-to-date database for taxation, (2) establish an automated accounting and billing system to improve accountability, transparency, and efficiency, and (3) design an enforceable legal framework with delegation of authority for tax collection within the established legal framework.

Together with local government authorities, UN-Habitat has established a geographic information system (GIS) property database in which data on properties and urban parcels is collected, catalogued, and regularly updated. This database includes information on the location and quality of properties, as well as land use, infrastructure, ownership, and number of occupants, in order to define the tax rate for each property and notify occupants of their tax obligation to the municipality. This data is then connected to the local government finance system to generate bills and to account for tax collection.

Municipal Finance
Funding City Services

Approach to improve municipal finance for local government

- Urban land and property taxation system
- Automated accounting and billing systems (AIMS/BIMS)
- GIS-based database for taxation
- Manuals on local government financial management, internal audits, and district audit committees.
- Urban land and property tax regime

Local Government Finance Policy (LGFP) for Somaliland and Puntland

• Continuous on-the-job training on use of AIMS/BIMS
• Establishment of a GIS unit in municipalities and regular updates for property database
• Training on LGFP
• Public sensitization on tax obligations

POLICY

REVENUE GENERATION / FINANCIAL SYSTEM

CAPACITY BUILDING
This system has been essential to establishing and monitoring the property tax base, but also to assisting in urban planning and infrastructure development and creating an informal cadastre of urban parcels and properties.

With the start of JPLG in 2008, UN-Habitat introduced to Somaliland and Puntland local governments the Accounting Information Management System (AIMS) and the Billing Information Management System (BIMS) in order to improve transparency, accountability, and efficiency. AIMS and BIMS have been used in local governments’ daily operations for all financial transactions and reporting and for improving tax collection, particularly regarding property.

**Key Achievements in Revenue Generation**

The implementation of these systems resulted in significant revenue collection from property taxation. For instance, Hargeisa Municipality saw property tax collection rise from approximately a quarter of a million US dollars in 2008 to over one million US dollars in 2015, an average annual increase of 38 percent, equivalent to almost 300 percent in eight years. Similarly, Berbera Municipality managed to collect half a million dollars last year in property tax.

This significant increase in property tax revenue is largely due to the introduction of JPLG programme reforms, which UN-Habitat has supported with continuous technical assistance and capacity development for local staff. Municipalities have started using the system to also levy other allowable taxes.

The local governments are relying on provisions in Somaliland and Puntland laws that allow them to define tariffs and collect property taxes. It is, however, the participating districts that lack a standardized approach to enforcement, notification, and defining a fair tax rate, as well as tax collection capacity generally, which diminishes the ability and performance of local governments.

**What Next?**

Local government finance policies have been adopted by the inter-ministerial committees in Somaliland and Puntland. The policies need to be approved by the cabinets to provide a solid basis for fiscal decentralization.

Building and property tax collection rates are different from one district to another. A property tax regime to create an overarching framework for better and fair tax collection across the Somali region is a governmental priority. UN-Habitat is working with local and state authorities in Somaliland, Puntland, and Mogadishu to establish a property tax regime for urban areas. The regime will provide a framework for ensuring a fair taxable rate for different properties, improving accountability and enforcement, and establishing conditions for exemptions for the urban poor.
Over just a few decades, Somali society has changed from a predominately pastoral society to a semi-urban and urbanized one. The process has been accelerated by the civil war, rural–urban migration, high natural growth, and the settlement of refugees and internally displaced people in urban centres and their fringes. The unregulated growth of the urban centres has led to new conflicts over scarce resources such as water and land and the limited provision of basic services. This has given Somali towns and cities a new challenge: practicing urban planning in order to accommodate new development for an upcoming young population that is expected to be entirely semi-urban or urban by 2030.

UN-Habitat (through JPLG) has been working with the Ministries of Public Works in Somaliland and Puntland to develop local government capacity on urban planning and land management in order to manage rapid urbanization in a sustainable manner. Spatial strategic planning was introduced as a means to guide municipalities on urban development during the Somalia Urban Development Programme, to which JPLG is a successor. With the start of JPLG, an urban planning manual was also developed to guide municipalities on how to engage in spatial strategic planning.

Developing Policy

In both Somaliland and Puntland, in cooperation with the respective Ministry of Public Works, a comprehensive Urban Regulatory Framework was developed. The framework is both a policy document and a practical guidebook of six volumes on various aspects of urban planning and development. It is also an instrument for the state-level Ministries of Public Works to oversee and regulate urban planning.

Based on the Urban Regulatory Framework, training materials have been developed and tailored learning sessions for technical staff from municipalities and ministries have been conducted in Somaliland and Puntland. Course modules include Basic Principles for Urban Planning, Road Network and Settlement Planning, and the Building Permit and Construction Process.

Implementation of the Urban Regulatory Framework

To test the applicability of the Urban Regulatory Framework, UN-Habitat supported the production of two urban development plans and the respective planning processes in close collaboration with two pilot municipalities – the small agricultural town of Gabiley in Somaliland and Puntland’s main port, Bossaso.

Scope of the Urban Regulatory Framework*

| Volume 1: Framework for Spatial Planning and Plan Making |
| Volume 2: Land Use Planning Standards and Guidelines |
| Volume 3: Building Development Standards and Guidelines |
| Volume 4: Urban Roads and Transport Standards and Guidelines |
| Volume 5: Technical Infrastructure Standards and Guidelines |
| Volume 6: Construction Standards and Guidelines |

*The Urban Regulatory Framework in Puntland was approved by Cabinet decision on 26 November 2015, and the Urban Regulatory Framework in Somaliland was adopted by the National Urban Planning Committee on 13 April 2016.
Public consultations for the Bossaso City Extension Plan started in August 2016. A phasing approach has been adopted by the Bossaso City Council for the development of the urban fringe and has been discussed with local councillors and the mayor. Funding was secured for two urban projects developed during the planning process: a sports complex/youth centre and the public beach.

### Supporting Mogadishu in Urban Strategic Planning

UN-Habitat supported the establishment of the Urban Planning Department within the Benadir Regional Administration (Mogadishu Municipality) in 2013, and consequently the collection of GIS-based spatial data for property registration and the mapping of roads, public space, and other infrastructure. A city consultation forum in 2014 highlighted the need for a Spatial Strategic Plan as an overall guiding document for the increasing activities of the Somali diaspora and other national and international development actors.

UN-Habitat, in cooperation with the Department of Urban Planning, developed **Towards Mogadishu Spatial Strategic Plan**, which is an intensive analysis of the current growth trends, urban challenges, and opportunities in Mogadishu. Spatial urban analysis was presented in thematic maps for various sectors, and three scenarios for the future development of Mogadishu and its hinterland were put forth. The document is aimed at describing the consultative and participatory process needed to develop a visionary and realistic overall plan for the next 10 to 15 years that can guide specific sector plans on transport, roads, housing, shelter for internally displaced persons, and urban regeneration.

### What Next?

The Urban Regulatory Framework pilots in Somaliland and Puntland are not only for the creation of urban development plans. From there, lessons learned shall be used to do the following:

- Facilitate the consultation process for amending current urban management law in Somaliland and drafting similar legislation for Puntland
- Support further capacity-building activities for technical staff from districts and line ministries, including training manuals, practical tools (“How to make an Urban Structure Plan”), and the management of GIS-based data banks for urban planning
- Introduce building permit application procedures and monitoring processes at the municipal level
- Promote the inclusion of standards, principles, and procedures for plan making in the curricula of higher learning institutions

The formation and consolidation of new states in southern and central Somalia opens up new possibilities for utilizing UN-Habitat’s experience in Puntland and Somaliland to set up planning frameworks and enhance the capacity of technical staff, with a strong focus on linking strategic spatial planning with the district development framework.
Land in Somalia at a Glance

In many countries, land is the primary source of livelihood, a cultural landmark, and the space that provides the resources necessary for life to thrive. Land is also a conflict driver: cycles of conflict over the use and management of natural resources, rapid urbanization, and natural disasters in Somalia have created waves of displacement, loss of property, and lack of secure tenure.

Local and state governments have a key role in land management, as land is usually a local government asset in the Somali region and is not necessarily regulated by the central government. Inefficient and inequitable land redistribution has caused grievances, particularly among marginalized groups such as internally displaced people and returnees. The use of formal (secular) and informal (customary and religious) legal systems has also contributed to land disputes and insecurity. Transforming this conflict requires justice mechanisms, especially for the urban poor and other marginalized groups. It is in this context that UN-Habitat/JPLG (in collaboration with Somaliland and Puntland) has developed practical solutions for managing land disputes.

Land Dispute Mechanisms and Local Government

Through JPLG, UN-Habitat supported local and central governments in Somaliland and Puntland by establishing and strengthening a land dispute mechanism anchored in the local government system. In 2010 in Hargeisa, Somaliland’s first Land Dispute Tribunal (LDT) was established in cooperation with the Ministry of Interior, and proved to be successful in addressing urban land conflicts.

To date, the Hargeisa LDT has solved 468 cases out of 575 received cases. Courts systematically refer cases to this body, and decisions are rarely challenged through the constitutional court. The success of the Hargeisa LDT has led to the expansion of the system, with the establishment in 2015 of the Berbera LDT and the Boroma LDT.

The LDTs are administrative tribunals with quasi-judicial powers consisting of appointees from local and state government line ministries and hosted by the local government. Their jurisdiction is over urban land only. The LDT is designed to be a hybrid institution that harmonizes formal and customary legal procedures to provide a trusted, efficient, and rights-respecting dispute resolution forum.

In Puntland, Land Dispute Committees (LDCs) established in nine districts are working as ad hoc administrative bodies that hear disputes over undeveloped land, both rural and urban.

UN-Habitat and the Puntland Ministry of Interior are in the process of regularizing Land Dispute Committees by developing regulations and providing on-the-job training for committee members on
statutory legal analysis, case hearing, and reporting. The process has started with the establishment of the Garowe Land Dispute Committee (the first of its kind in Puntland) as a regular administrative court dealing with land dispute cases.

Capacity building for the LDT/Cs has focused on legal reasoning and statutory analysis, and conducted in all target districts. Research on these hybrid bodies has also provided insight and guidance on how to harmonize plural legal systems for land dispute resolution. This was captured in the landmark report *Harmonization of the Legal Systems Resolving Land Disputes in Somaliland and Puntland*.

In collaboration with the University of Hargeisa and Puntland State University, and through the support of the Norwegian Refugee Council, UN-Habitat has enhanced the capacity of academic institutions to act as land governance training centres for civil servants. Land law curricula and master courses on land governance were developed and adopted as part of their teaching programmes. In addition, a land certificate programme was designed, and key technical local government and line ministries staff were trained on various land governance issues.

### What Next?

- The hybrid nature of LDTs contradicts the provision in Somaliland’s urban management law that provides the basis for their establishment. UN-Habitat, in cooperation with the Ministry of Interior, is planning to revise the current regulations and support the amendment of urban management law. Similarly, in Puntland the development of urban management law and the revision of Land Dispute Committee regulations are planned.
- In cooperation with partner public universities in Somaliland and Puntland, the land governance certificate programme will continue to be provided to civil servants, while the partner universities will continue to provide training on the revised land law curricula.
- UN-Habitat will also continue to strengthen gender equality by making it possible for female civil servants to be trained and be panel members of the Land Dispute Tribunals and Committees, which are imbalanced in gender.
- Despite significant efforts to promote the adoption of the LDT system, the customary system alone is still preferred, particularly in peri-urban areas. This is because the LDT system is expensive and beyond the means of most vulnerable groups. An awareness campaign is being planned to reinforce LDTs to be accessible and affordable, and therefore preferable.

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“Before the LDT, I spent almost 50 percent of my time dealing with land dispute issues; now I do not need to. I refer this massive workload to the LDT and have more time for my local government work.” — Hussein Jiir, former Mayor of Hargeisa
The management of solid and biomedical waste is a core function of local government in any given setting. However, due to years of conflict and poor capacity, local governments in the Somali region have been unable to play this crucial role. As part of its objective to improve service delivery, UN-Habitat/JPLG has taken a systematic approach towards enhancing local government capacity and knowledge on solid and biomedical waste management.

The first step was a waste management sector study, with a focus on solid and biomedical waste, which provided guidance on further engagement. The approach included three key areas – 1) policy and legal framework development, 2) service delivery model, and 3) capacity development – and has been pilotied in key cities in Somaliland (Hargeisa, Berbera, and Boroma) and Puntland (Bossaso and Qardo). The objective is to develop and disseminate knowledge on solid and biomedical waste management in Somalia, and demonstrate a practical solution for local governments to improve service delivery.

Regulatory Framework

The programme supported pilot cities (Hargeisa, Berbera, Boroma, Qardo, Bossaso, and Mogadishu) and has developed by-laws for solid and biomedical waste management. The by-laws were developed in a participatory manner with local councillors, mayors, public–private partnership contractors, and the technical staff of local municipalities. They articulate the roles and responsibilities of the local government regarding waste management, fees and penalties for residents, and contract obligations with the private sector, such as public–private partnerships.

Service Delivery Model

Waste management is poorly done in the Somali region. This is mainly due to a lack of capacity within local governments and the limited knowledge of solid and biomedical waste management (particularly by private sector players contracted through public–private partnerships). It was therefore necessary to develop a simplified service delivery model to demonstrate how local governments can gradually improve service delivery in this sector. The solid waste management model was designed to address the deficiencies observed in service provision in the pilot cities and included six basic steps.

For biomedical waste management, the service delivery model uniquely brought together a public hospital, the local government, and public–private partnership contractors in order to coordinate the management and adequately separate the waste at source and during transfer and treatment.

Capacity Development

The implementation of service delivery models for solid and biomedical waste management required significant
in institutional capacity development support. The technical staff of local governments, public–private partnership contractors, and line ministers in Somaliland and Puntland were trained on best practices in service delivery, awareness raising, public–private contract design and management, procurement, etc. Peer-to-peer training was provided to local staff of the pilot cities and their contractors.

The pilot cities were then provided with a waste collection truck, door-to-door waste containers, and other equipment. The programme provided the partner public hospital with equipment and training to separate biomedical waste. The public–private partnership contractor built a treatment facility that was then equipped by the programme and managed by the local government. The programme also supported a community awareness-raising campaign through the development and dissemination of information on the dangers of poor solid and biomedical waste management.

**Key Achievements on Service Delivery Models**

- Solid and biomedical waste management sector studies for the following municipalities have been successfully conducted: Hargeisa, Berbera, Boroma, Qardo, Bossaso, and Mogadishu.
- An operational plan for solid and biomedical waste management for each above-mentioned city has been developed, keeping in mind the deficiencies identified during the sector studies.
- Public awareness was raised in Hargeisa, Boroma, and Berbera through an information, education, and communication campaign on the harmful impacts of poor solid waste management on people's health and well-being and on how to reduce littering, separate wet and dry waste, hand over waste, and pay the collection agencies.
- Local municipal staff, private sector waste collection actors, and medical practitioners were trained on waste management best practices in Hargeisa, Borbera, Boroma, Qardo, Bossaso, and Mogadishu.
- By-laws for solid and biomedical waste management were developed and adopted, and are currently being implemented in Hargeisa, Berbera, Boroma, Bossaso, and Qardo.
- The procurement of equipment for solid and biomedical waste management service delivery models is near completion.
- A model for private sector engagement in waste management is fully operational in Hargeisa, Berbera, and Mogadishu.

**What Next?**

A larger public awareness campaign on solid and biomedical waste management is needed and is being planned. A week-long clean-up campaign dubbed "My City's Environment, My Responsibility" will be organized in coordination with the partner municipalities, the Ministry of Environment, the Ministry of Interior, and other stakeholders.

Continuous on-the-job training is needed for local governments and public–private partnership contractors in order to ensure improved service delivery.

The system works well only when citizens/institutions pay the prescribed fees for the collection of waste. The revenue generated needs to be invested in infrastructure and capacity for enhancing service delivery. A follow-up with partners is needed to ensure the development of an investment plan to improve the infrastructure.
A political vacuum emerged in Somalia following the collapse of Siad Barre’s regime in 1991. All public institutions disintegrated. Virtually all political, economic, and social activity underwent a process of extreme decentralization. In several parts of the former Somali republic, new entities of governance have since appeared, but their emergence has been uneven and the most advanced among them remain relatively weak.

The capacity training needs of local government elected officials (councillors) and local politicians are among the most urgent in the Somali region and also the most neglected.

To respond to these needs, UN-Habitat/JPLG developed and tested a new combined training module for gender mainstreaming, local leadership management, and conflict management. UN-Habitat/JPLG also supported the formation of the Associations of Local Government Authorities of Somaliland and Puntland, which have been instrumental in advocating for decentralization and good governance and lobbying on behalf of local governments.

The training modules were embedded with the principles of good local governance. They have been planned and written to serve the developmental needs of local governments, but also non-governmental and community-based organizations. As such, the context for learning is consistently conveyed within a spirit and reality of widespread collaboration.

**Associations of Local Government Authorities of Somaliland and Puntland**

Decentralization was widely recognized in Somalia as the most effective way to provide services to people and also as an important self-governing tool for a clan-based society such as Somalia. A unified approach in designing the policy and regulations for decentralization was crucial.

The Associations of Local Government Authorities of Somaliland and Puntland (ALGASL and ALGAPL) were therefore founded on the initiative of mayors from key municipal/district councils. The associations have been mandated to advocate for decentralization, lobby for local governments to influence policy decisions at the central level, and promote good local governance in Somaliland and Puntland. They are also platforms for members to network within the Somali region and exchange experiences and best practices that can be replicated among local governments.

UN-Habitat/JPLG has supported the associations by setting up office facilities and supporting the implementation of a three-year strategic institutional development plan for ALGASL and ALGAPL. Towards sustainability, the associations’ members have increased their financial

So far, 242 men and 75 women have been trained in local leadership management; 717 men and 259 women in conflict management; and 262 men and 141 women in gender mainstreaming.

A geographic information system was introduced as a tool to survey socio-economic data related to buildings and properties in urban areas. Surveys were conducted in 11 municipalities – 6 in Somaliland and 5 in Puntland and Mogadishu – to create a geodatabase that has been primarily used for property taxation, urban planning, land management, service planning, and road construction.

To make the system sustainable, UN-Habitat has also established a GIS unit within local districts and has provided continuous on-the-job training, updating of databases, and development of a procedural technical manual for maintaining and updating the spatial databases.

UN-Habitat has constructed and rehabilitated over 20 office facilities since 2013 in Somaliland and Puntland to provide a decent work environment for local governments.

UN-Habitat has supported the Somali governments, alongside other agencies, in infrastructure development by constructing and renovating local and line ministries’ offices, supplying suitable furniture and equipment, and providing training to local contractors and engineers involved in the activities.

UN-Habitat has also streamlined municipality systems for tendering, procurement, recruitment, monitoring, and reporting on the construction sector. Together with UN-Habitat’s country engineer, the local municipal engineers have collaborated at all stages of land survey, design, supervision, and handover of projects.

**Developing Capacity**

**Geodatabase Development**

A geodatabase was identified as key to improving local government capacity to better plan for current and future needs based on the resources available. UN-Habitat therefore supported local governments in Somaliland and Puntland to create a georeferenced database that can be used to inform decision making in various areas. A geographic information system was introduced as a tool to survey socio-economic data related to buildings and properties in urban areas. Surveys were conducted in 11 municipalities – 6 in Somaliland and 5 in Puntland and Mogadishu – to create a geodatabase that has been primarily used for property taxation, urban planning, land management, service planning, and road construction.

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