Community-driven consultations on housing, land and property needs among minority, marginalised, and displaced communities in Mogadishu

This study was carried out by the Norwegian Refugee Council in Somalia. The report presents the main findings and recommendations of a series of community consultations undertaken through the facilitation of inclusive, safe spaces tailored for minority and marginalised displaced groups in Mogadishu. Further to this, the report analyses specific housing, land and property challenges and barriers faced by marginalised and minority groups, providing a detailed exploration and discussion of localised issues.

Community-led consultations on housing, land and property needs among minority, marginalised, and displaced communities in Mogadishu.

Cover photo: Abbas Aden Ahmed/NRC
Two disputants shaking hands following a successful mediation session in Mogadishu.

DANWADAAG
Towards Durable Solutions to Displacement

UKaid
from the British people

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Executive Summary

In 2023, Somalia endured its worst drought in decades, followed by the most extensive floods in generations. These natural disasters, combined with forced evictions, military operations, and clan conflicts, pushed displacement to an unprecedented 2.94 million people - the highest since 2014. Forced evictions alone left over 207,851 people homeless in 2023.

Recent data reveals a concerning trend, with over 72,000 people forcefully displaced between January and July 2024. This surge has led to severe human rights violations, the erosion of humanitarian investments, and increased vulnerability for affected communities. In Mogadishu, the forced eviction crisis has worsened, with reports of deaths, physical assaults, and destruction of housing, land and property assets, coupled with the inhumane treatment of internally displaced persons (IDPs).

Further to this, Mogadishu struggles with a complex crisis of insecure land tenure, which has profound socio-economic and stability implications. IDPs often have no choice but to settle on private and government land, where they find themselves caught between powerful landlords without clear or lasting tenure security arrangements, resulting in repeated forced evictions which intensify the protection and displacement crises in Somalia. The power imbalance particularly impacts IDPs, from minority and marginalised groups, preventing them from accessing and exercising their basic HLP rights, and leaving them more vulnerable to targeted violent evictions and discrimination.

Since 2018, forced eviction have affected more than 1.5 million people in informal settlements, with more than 80 per cent occurring in the Banadir Regional Administration (BRA) alone. In 2023, 100,907 people were forcefully evicted in Mogadishu, with increased government-led eviction incidents. The threat of forced evictions remains one of the most severe and prevalent protection threats in Mogadishu, particularly for IDPs, minorities, and marginalised households. They disrupt livelihoods, break down community bonds, threaten physical security, and critically undermine people's search for lasting solutions. Between January and December 2023, government security forces evicted 13 sites, forcing more than 10,000 people to flee again.

Figure 1: Trends in forced evictions and preventions in Mogadishu

Bar chart showing Annual Eviction Trends and Annual Prevention Trends by year:

Year	Annual Eviction Trends	Annual Prevention Trends
2024	68,880	26,478
2023	100,907	195069
2022	145820	176394
2021	116127	77608
2020	119240	69500
2019	202270	70589
2018	228208	33480
2017	90125	16350
2016	143510	15300
2015	123421	12,500

■ Annual Eviction Trends   ■ Annual Prevention Trends

Total recorded: 1,341628 people forcefully evicted in +8 years while an additional 6,58,944 people were prevented from forced evictions.

Source:
NRC Eviction Information Portal

This report explores housing, land and property (HLP) challenges confronting minority and marginalised groups in Mogadishu. It centres on how internal displacement, sustained conflict, and environmental changes have worsened HLP issues. Currently, 87 per cent of IDPs in Mogadishu lack clear tenure arrangements and live under constant threat of forced eviction - highlighting the urgent need for holistic, inclusive, and sustainable solutions. Based on extensive consultations and analysis, the report aims to foster dialogues on HLP issues, enhance access to services, and address the legal identity and justice needs of displaced, minority, and marginalised communities.

In commissioning this study, NRC seeks to understand the specific challenges facing marginalised groups and to develop targeted HLP programmes that support lasting solutions. Through detailed analysis of systemic barriers and personal experiences, this report provides vital knowledge to help shape humanitarian response and policy in crisis settings in Mogadishu, Somalia.

Document Overview

Purpose of the study

The study's primary objective is to communicate and analyse the complex housing, land and property (HLP) challenges encountered by minority and marginalised populations in Mogadishu, Somalia. Commissioned by the Norwegian Refugee Council (NRC), the study highlights the organisation's commitment to address HLP issues by adopting an inclusive community engagement strategy.

Consultations facilitated dialogue between targeted communities, gathering first-hand insights into the lived experiences of those directly impacted by HLP obstacles. They were a critical tool for NRC to fully understand the systemic barriers and discriminatory practices hindering fair access to HLP rights and services.

This report brings together findings from those consultations to highlight the need for targeted interventions that address specific needs and priorities. It guides NRC's strategy in developing HLP interventions that are relevant, sustainable, rights-based, and informed by context-specific risk and vulnerability analyses to reduce HLP rights violations.

Summary of objectives

The main objective of the consultations was to explore and discuss in-depth localised issues on HLP, centred on displacement-affected communities. The project delineated four primary sub-objectives, each tailored to address specific HLP challenges within Mogadishu's context:

1. **Create community safe spaces for free HLP services:** Develop an inclusive environment for dialogue on HLP issues among displaced groups, focusing on minorities, marginalised groups, and persons with disabilities.
2. **Context-specific understanding of discrimination:** Deepen insights into the discrimination minority and marginalised groups face, particularly around legal identity, social cohesion, and access to justice.
3. **Stakeholder awareness and engagement strategy:** Increase tailored awareness session sessions among stakeholders on the unique HLP needs of vulnerable populations.
4. **Design HLP interventions:** Tailor HLP interventions to meet community needs, focusing on minorities, marginalised groups, and persons with disabilities, informed by credible evidence and data from research findings.

Key findings

The analysis reveals critical insights into the HLP landscape for minority and marginalised groups in Mogadishu.

Area of focus	Key findings

Legal identity and access to rights	• A staggering 98 per cent of households surveyed reported a lack of legal identity and civil documentation – including birth, marriage, divorce, and death registration. This can expose people to further vulnerabilities and protection threats.
	• Barriers to obtaining such documents include:
	  • financial constraints: 38 per cent
	  • discrimination against internally displaced persons (IDPs): 26 per cent
	  • a lack of essential information: 6 per cent

Forced evictions	• 89 per cent faced the risk of forced evictions, while 11 per cent had suffered forced evictions on multiple occasions. • The widespread tenure insecurity and the prevalence of forced evictions exacerbate vulnerabilities, especially among women and children, leading to increased risks of gender-based violence (GBV). Minorities and marginalised groups face power imbalances, resulting in fear and a lack of capacity to negotiate for extended lease agreements.
Housing, land and property policy awareness and implementation	• The awareness of HLP policies varies, with notable gaps in policy enforcement. Reliance on customary laws over statutory provisions highlights a need for robust legal frameworks and awareness campaigns. • The role of guarantors in land transactions is identified as a key mechanism for conflict mitigation and contributes to the community trust system. Yet policy enforcement remains a major challenge. • The lack of public land registries and insufficient policies - specifically addressing IDP land use, rent payment modalities, and exploitive business/landlords - further complicates matters.
Dynamics around camp/settlement leaders and influence on humanitarian assistance	• Settlement leaders have significant control over aid distribution, often leading to biased delivery based on personal preferences or agendas. • Women-led sites reported safer environments for women facing HLP rights violations, demonstrating the need to strengthen women's leadership in community structures and committees.

Unique and complex housing, land and property experiences of people living with disabilities, including access	• Individuals with disabilities and older people face unique access challenges, highlighting the need for tailored support mechanisms. • IDPs with disabilities highlighted their further exclusion during awareness-raising activities led by non-governmental organisations. • The study recognises the importance of providing accessible materials, such as braille and sign language interpretation services, and improving infrastructure within IDP camps to accommodate these groups. • Participants who identified as blind, deaf or have/had mobility issues expressed extreme levels of social exclusion, ranging from denial of accessing education and health care and, most importantly, legal aid support on HLP.
Clan dynamics, decision making, and the role of minority community leaders in information dissemination	• Community leaders are crucial in disseminating HLP information. However, their effectiveness is often diminished by clan affiliations, socioeconomic status and/or ethnic backgrounds, indicating a need for more inclusive governance and information dissemination strategies.
Economic and social barriers	• Economic instability and rapid urbanisation significantly influence housing dynamics. Some 91 per cent of respondents did not own any property. • Challenges further complicate marginalised groups' access to land and property (e.g. bureaucratic hurdles, discriminatory practices and resource disparities).
Women's experiences of access to housing, land and property, as well as other protection and violations	• Minority and marginalised women and girls identified further complex issues on HLP such as discriminatory practices, domestic disputes, and forced eviction. • Challenges further exacerbated by serious protection concerns (e.g. GBV due to inadequate security measures like a lack of perimeter fencing, police or clan protection).
Women's access to information and decision-making on housing, land and property	• Vulnerable internally displaced women, dependent on the *Xeer* system (customary laws and traditions) and clan elders' decision-making, are often blocked when accessing practical advice or information for resolving HLP issues. • While Mogadishu has the highest number of female gatekeepers (local leaders), they are not appointed as site IDP representatives, limiting their leadership roles. • The *Xeer* system favours male authority, preventing women from influencing decisions on HLP issues.

These findings reveal interconnected legal, economic and social barriers affecting HLP rights for minority and marginalised groups in Mogadishu. Solutions require multiple approaches: legal reforms, policy enforcement, community empowerment and targeted support for vulnerable populations.

Literature Review

Housing, land and property challenges in Somalia

In understanding the unique challenges faced by minority and marginalised groups in Somalia's context, a study by NRC sheds light on the complex interplay of conflict, displacement, and environmental factors (2022). Further NRC reports have highlighted the impact of climate change, disasters, and displacement on HLP, centred on forced evictions and their consequences (2021). Studies have also shown that displaced communities grappling with unclear tenure arrangements face increased risks of forced evictions, further marginalising them in society (UNHCR, 2019; Ahmed et al., 2020). NRC documented that forced evictions in Somalia destroyed more than USD 4.6 million in infrastructure and investments between January and October 2022 - including water, sanitation and hygiene (WASH) facilities, community centres, schools, and solar streetlights[1]. This infrastructure was built to help people affected by drought.

A report by the Internal Displacement Monitoring Centre (IDMC) emphasises gender-based vulnerabilities in displacement contexts (2020). In Somalia, women and children in overcrowded internally displaced person (IDP) settlements face heightened risks of gender-based violence (GBV), including rape and physical assaults (NRC, 2021). Existing literature emphasises the need for gender-sensitive approaches to HLP interventions, addressing the protection risks women and children face in crisis-affected settings (IDMC, 2018; Women's Refugee Commission, 2017).

Research by Human Rights Watch (HRW) explores challenges faced by minority and marginalised groups in obtaining legal identity documentation (2019). Within the Somali context, specific insights can design effective interventions. Research explores the important role of legal identity in securing HLP rights for minority groups in conflict-affected areas (HRW, 2020; Ahmed et al., 2021).

A comprehensive report by the Global Protection Cluster (GPC) delves into the impact internal displacement has on HLP issues globally, with specific insights into Somalia (2019). Several studies highlight the increased risk of forced evictions, tenure insecurity, and inadequate housing conditions for IDPs (IDMC, 2020; Ahmed et al., 2021). Humanitarian organisations play a crucial role in addressing HLP challenges in conflict and displacement settings. A case study on NRC's operational approaches and experiences in mobile and static responses provides valuable insights into the challenges and opportunities of delivering HLP assistance in crisis contexts (NRC, 2020; IDMC, 2019). The importance of community engagement in designing effective HLP interventions is emphasised in a study by the International Organization for Migration

(IOM) (2018). Additionally, community consultations are recognised as a valuable approach to understanding the specific needs and priorities of minority and marginalised groups, ensuring interventions are contextually relevant (IDMC, 2021; IOM, 2020).

Policy reviews and legal analyses

Effective HLP interventions require a comprehensive understanding of existing policies and legal frameworks. Researchers emphasise the significance of policy reviews and legal analyses in identifying gaps and formulating context-specific solutions (HRW, 2020; IDMC, 2019). Moreover, climate change complicates HLP challenges in conflict-affected areas like Somalia.

A 2022 Centre for Affordable Housing Finance in Africa (CAHF) review reveals that the HLP sector lacks regulations, effective legislation, and policies. No distinct regulatory bodies oversee the building and construction sector, and no procedures or regulations are in place to ensure safety, quality and protection of rights. Developers and landowners usually undertake most development projects as private treaties, often forming informal agreements[2]. Evictions remain a major crisis in Mogadishu, with 836 incidents recorded across Somalia and 100,907[3] in 2023, all occurring in Mogadishu due to landowners needing their land back, rental defaults, and the increase in the needs of those internally displaced.

Research by the Intergovernmental Panel on Climate Change (IPCC) explores the intersectionality of climate-induced displacement and HLP issues, emphasising the need for tailored responses (IPCC, 2021; Ahmed et al., 2021). Research by Médecins Sans Frontières (MSF) explores the psychosocial impacts of HLP challenges, highlighting the importance of considering mental health and well-being in HLP interventions (MSF, 2019; Ahmed et al., 2020). The literature indicates a growing recognition of the need for innovative solutions in HLP interventions. A study by the Brookings Institution discusses the use of digital technologies, participatory approaches, and joint monitoring missions, reflecting a shift towards more efficient and effective HLP assistance (Brookings, 2020; NRC, 2021).

Methodological Approach

The research team employed a participatory descriptive design that integrates qualitative and quantitative methods. The mixed methodology offers a nuanced understanding of the complex dynamics surrounding HLP issues in Mogadishu, enabling the researchers to leverage expert data and information (through key informant interviews), as well as the experiences of local communities through household surveys. NRC, in collaboration with Afrolink Consulting field teams facilitated the community consultations through a human rights-centred and participatory approach, using inclusive processes that would allow for constructive engagement with communities in Mogadishu, including minority and marginalised communities who have historically faced exclusion, discriminatory practices, and lack of safe spaces to advocate for themselves freely. As part of conflict sensitivity, inclusive participation and a do-no-harm approaches were implemented, including separate safe spaces tailored to the different displaced community groups (e.g. minority clan community members, Somali Bantus, and marginalised community groups, such us people with disabilities).

A total of 35 participants (10 females and 25 men) from four districts of Mogadishu attended the consultations. The main groups included:

- camp and clan leaders and religious stakeholders
- minority clan group representatives
- representatives of marginalised IDPs, e.g. people with disabilities and some representatives from civil society organisation
- female and male IDPs
- female and male host communities

Quantitative survey design

Sampling strategy

The research team used a systematic random sampling technique to select households for the survey, ensuring representation from minority groups, IDPs, displaced communities, and host communities. To determine sample sizes for each state and country, the study applied Krejci and Morgan's formula – a standardised statistical method for calculating sample sizes when working with known population numbers (see below).

$$S = Z^2 * P * (1-P)/e^2$$

S = Required sample size

Z2 = The table values of chi-square for 1 degree at a 90 per cent confidence level (1.96)

P = Prevalence rate (assumed to be .50 or 50 per cent of the unknown population)

e = Margin of Error (0.05)

Sample = 1.645^2 *0.5(1-.50) / (0.05^2) = 270.

Survey instrument

For the household survey, researchers designed a structured questionnaire to capture detailed information on housing conditions, land tenure, property rights, and challenges. Researchers pre-tested the questionnaire to ensure clarity and relevance to the local context. To ensure effective and understandable communication, seven enumerators (four male and three female), proficient in the local languages.

Data collection process

The timeframe of the household survey allowed for efficient data collection, ensuring the quality of responses while respecting the communities' schedules. To identify households, random sampling ensured a representative sample. Enumerators conducted face-to-face interviews using the structured questionnaire deployed on Open Digital Kit (ODK) using smartphones and tablets.

Qualitative data

Key informant interviews

Researchers adopted a purposive sampling technique to select the key stakeholders with valuable information. This included representatives from relevant ministries, community leaders, HLP experts, and other individuals with substantial HLP knowledge in the selected regions. At least 12 key informant interviews (KIIs) (10 male, two female) were conducted.

Interview structure

The KIIs followed a semi-structured format, allowing for in-depth exploration of key themes. The interviews covered a diverse range of perspectives, including existing policies, challenges faced, and potential solutions regarding HLP in Mogadishu, Somalia. A total of 12 (16 per cent female) KIIs were conducted.

Focus group discussions

Train facilitators conducted a total of four focus group discussions (FGDs) with 32 participants (20 female and 12 male), including FDGs with IDPs and vulnerable minority groups, one with host communities, another with women groups, and a FGD with youths. The participants were purposively selected to ensure diversity and inclusivity. The facilitators explored nuanced perspectives and gave communities voices on HLP issues, discrimination practices, and challenges faced by displacement-affected communities.

Data analysis

The study analysed data in two ways:

Qualitative analysis:

- used thematic analysis of focus group discussions to understand community perspectives on HLP rights
- extracted key insights about community dynamics and relationships

Quantitative analysis:

- processed and cleaned household survey data by checking for inconsistencies, missing values and outliers
- corrected data entry errors to ensure accuracy
- conducted descriptive statistical analysis using frequencies and percentages to show patterns in HLP issues.

Data interpretation and presentation

For qualitative data, the report uses a narrative format to represent the findings. For the quantitative data from household surveys, visual aids, such as charts and graphs, provide clarity and accessibility to the results.

Community IDP elder discussing HLP issues during community consultations FGDs in Mogadishu. Photo: Abbas Ahmed/NRC

Quality assurance

1. Pre-implementation training

Before the commencement of data collection, all enumerators and research assistants involved in the survey, KIIs and FGDs underwent a two-day comprehensive training. This training covered the ethical principles of research, the importance of maintaining confidentiality, and protocols for engaging with diverse community members, including minorities and marginalised groups.

2. Piloting and pre-testing

To validate the survey instruments and interview guides, pilot testing in a location separate from the study areas around Mogadishu allowed for the identification of any ambiguities, errors, or cultural sensitivities in the questions. Based on feedback from the pilot phase, adjustments enhanced the clarity and relevance of the instruments.

3. Enumerators' supervision

During the household survey, a team of experienced supervisors closely monitored the activities of enumerators. Regular check-ins and debriefing sessions addressed any challenges faced by enumerators and ensured adherence to survey protocols. Supervisors also conducted random spot-checks of completed surveys for quality control.

4. Ethical considerations

The research team followed strict ethical principles, including do-no-harm and child safeguarding. All team members received training in these principles to ensure full compliance. The team created safe and inclusive environments for focus group discussions, particularly when engaging with vulnerable groups. They protected participants' wellbeing and dignity by avoiding discriminatory questions or comments that could demean minority groups, IDPs or other vulnerable groups.

5. Quality checks and data verification

The research team conducted daily quality checks of all data, cross-verifying responses, checking consistency and promptly correcting any data entry errors.

Findings

Introduction

This section analyses HLP rights in Mogadishu through community consultations and policy review. The findings focus on how displaced minority groups, women, and people with disabilities access services, legal identity, and justice, as well as their participation in rights-based discussions.

Housing dynamics in Mogadishu

Housing conditions in Mogadishu have transformed significantly over the past decade. Several positive developments have emerged, including improved housing conditions and more sustainable housing types. However, multiple challenges affect housing accessibility and market dynamics:

- security concerns
- economic instability
- widespread tenure insecurity
- weak legal institutions and limited access to justice
- emerging rental trends at housing and site levels
- shift from land-based savings to formal banking
- rapid urbanisation

Since 2015, forced evictions have particularly impacted IDPs. Landowners often allowed IDPs temporary, free settlement to increase land value, then evicted them after market development and land appreciation, especially in Kaxda and Deynile.

Despite these challenges, various initiatives have improved housing and land access for IDPs. There are more sustainable, resilient structures and innovative rental solutions, reflecting a positive shift towards addressing long-standing housing issues.

However, informal settlements still face significant issues, impacting economic activities, health and wellbeing, and influencing market dynamics and housing accessibility that includes:

- **Security issues:** Persistent security concerns, including armed conflict and criminal activities, pose significant challenges to housing accessibility. Insecurity discourages investment in housing projects and disrupts resident's daily lives, leading to displacement and housing instability. Minorities and marginalised communities face further dangers to their HLP rights due to discrimination and violations of their fundamental human rights.

- **Economic instability:** Economic instability, characterised by high unemployment rates, inflation, and limited access to financial resources, exacerbates housing affordability challenges. The lack of economic opportunities hampers resident's access to adequate housing, leading to overcrowding, informal settlements, and housing informality.
- **Urbanisation:** Rapid urbanisation, driven by population growth and rural-to-urban migration, strains existing housing infrastructure and services. The influx of people into urban centres increase the demand for housing, leading to housing shortages, land scarcity, and informal land settlements. Additionally, unplanned urbanisation exacerbates social inequalities and environmental degradation, further complicating efforts to improve housing accessibility. Mogadishu currently counts for over 1,979 internally displaced settlements populated by roughly 230,473 internally displaced households. This makes up approximately 1,247,669 individuals[4]. Mogadishu attracts significant IDP arrivals, recording 422,000 and 195,000 new arrivals in 2022 and 2023, respectively.[5]

Discussions with IDPs in Mogadishu revealed that their communities have not significantly benefited from housing support, including permanent or affordable housing schemes. The ownership of land and housing rights primarily belongs to local people, inherited from their ancestors through a customary system locally known as *Goofle*, or acquired through purchase. However, IDPs have not been granted permanent access to land by either the community, individuals, or the local government. The building of new settlements, schools and permanent houses often involves companies or individuals, excluding minority and marginalised groups from participating in these changes. Furthermore, limited government services, such as public schools and hospitals, exacerbate the challenges faced by these communities in accessing adequate housing support. Countering this, humanitarian organisations such as NRC provide support to IDPs and minorities to access housing solutions. However, due to funding constraints these supports make up about one per cent of the needs on the ground with the opportunity to scale to benefit more people.
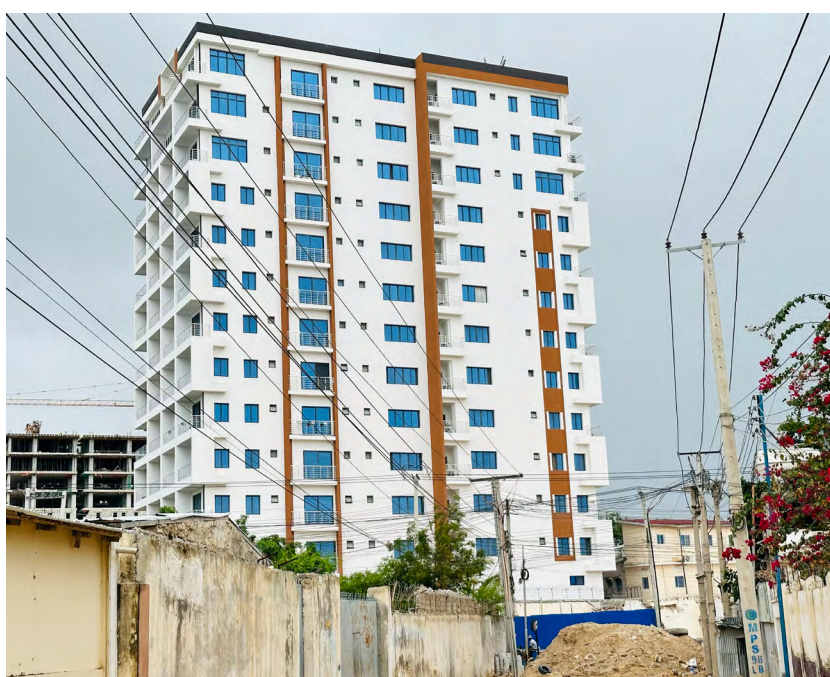
Neighborhood with construction of high-rise apartments. Photo: Abbas Ahmed/NRC

Neighborhood with construction of high-rise apartments. Photo: Abbas Ahmed/NRC

Housing changes samples in Mogadishu: A section of the Darwish IDP settlement adjacent to Somalia parliament during the 2015 pre-eviction assessment. Photo: NRC

A section of the Darwish IDP settlement photo during the 2024 pre-eviction Assessment. Photo: Abbas Ahmed/NRC

Land Ownership and Rights

Ability to own land and property

Respondents in Mogadishu widely recognise the ability to own land, with eight per cent of respondents citing ownership through title deeds. Despite this acknowledgment, accessing land is not without its challenges. Bureaucratic complexities and historical factors create barriers, particularly for vulnerable groups. These barriers contribute to disparities in land ownership between newcomers and long-term residents, increasing inequalities within the community.

A household survey conducted in Mogadishu of 288 respondents included 59 per cent female (see Figure 2). Only eight per cent say they owned a house.

Figure 2: Mogadishu respondents indicating they own a house

Respondents

41% (119)
59% (169)

■ Male ■ Female

Do you own the house you live in?

8%
92%

■ Yes ■ No
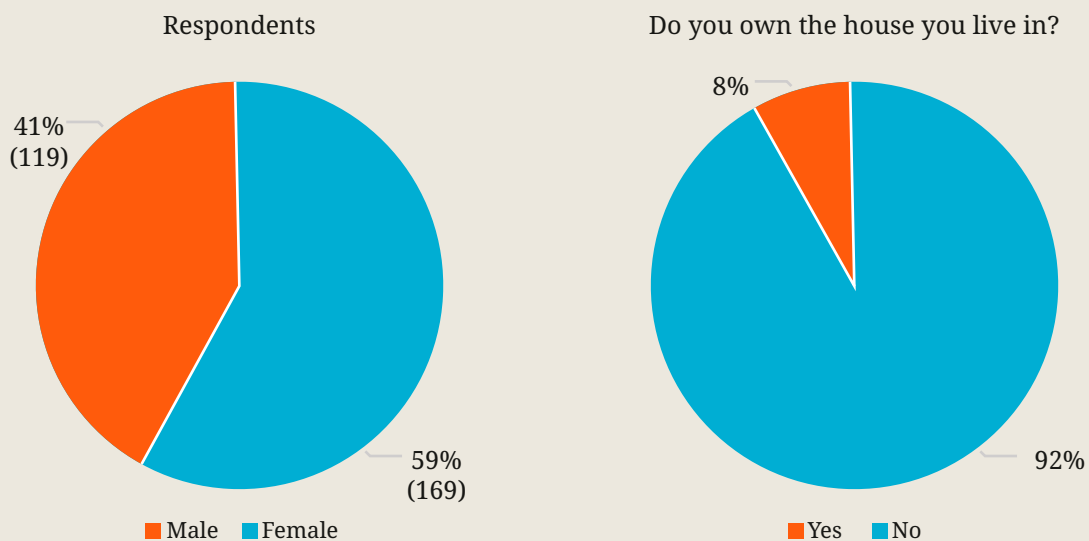
When asked to indicate the type of house they owned, five per cent owned metal-structured houses; 95 per cent of IDPs lived in temporary structures/tents (see Figure 4). When respondents indicated who owned the house/tent they stayed in, 72 per cent said the structures were owned by the camps, 27 per cent were owned by landlords who had rented them to the respondents, and three per cent were community-owned housing structures. In comparison, two per cent were supported by humanitarian organisations, as summarised in Figure 3.

Figure 3: Who owns/supported the house

Category	Percentage
Refugee/IDP camp	72%
Other (Specify)	1%
Landlord/rented	27%
Humanitarian organisation	0%

Figure 4: Type of house

Category	Percentage
Tent/Temporary shelter	95%
Semi-permanent mud house	0%
Permanent stone house	0%
Metal house/shelter	5%

Out of the 288 respondents, nine per cent indicated they owned some form of property while 91 per cent did not own any property. For those who owned some form of property, one respondent owned business premises/shops, and one respondent owned land.

Figure 5: Ownership of property
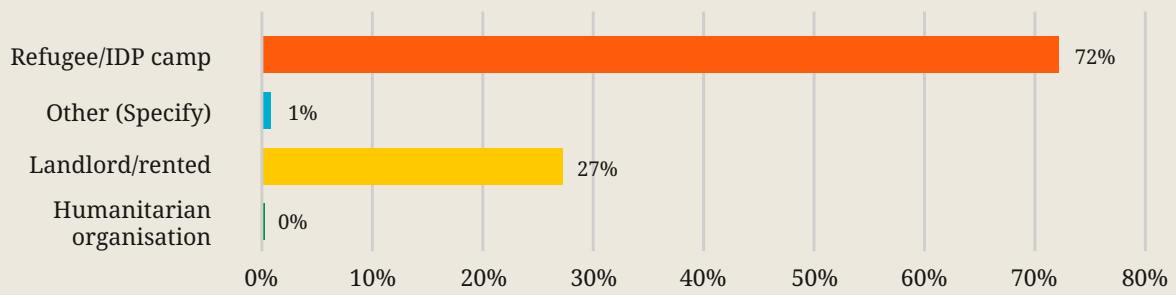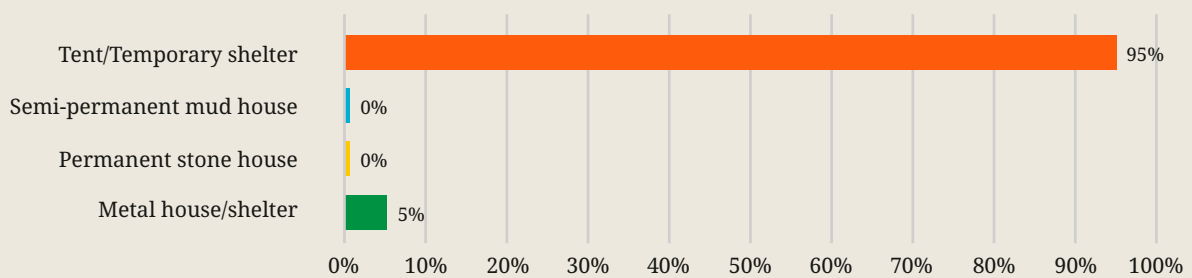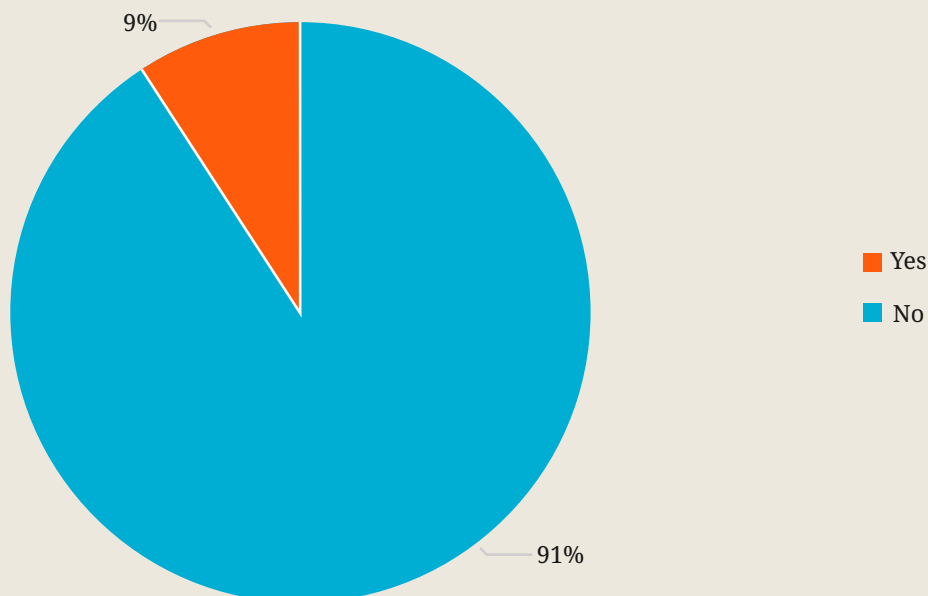
- Yes: 9%
- No: 91%

Procedure for accessing land

Accessing land in Mogadishu involves navigating a complex web of bureaucratic hurdles and local regulations. Land grabbing (*Taabso/Dhul-boob*), multiple and fake title deeds, illegal sales, and widespread public property grabbing disrupt clear pathways to accessing land, creating unresolved land disputes in Mogadishu. While the basic procedure for locals may seem simple, the reality is often far more complicated, especially for marginalised and minority groups. They frequently encounter additional challenges, such as discriminatory practices and resource disparities. Examples of discriminatory practices include targeted forced evictions, land grabbing, the lack of legal recognition of tenure security under customary ownership (as recognised by *Goofle*, which acknowledges only dominant clans), exclusion from local governance and land administration systems, and the overriding of statutory laws by customary practices, which reinforces discriminatory access to land. These hurdles impede their ability to acquire land and worsen existing inequalities, further marginalising vulnerable communities.

An IDP woman's setting informs her of her shelter. Most IDPs in Mogadishu rely on this type of shelter, owning land with insecure tenure. Photo: Abdulkadir/NRC

"The legal complexities, the influence of clan ownership of land and lack of clear policies around land use for IDPs, even in the IDP settlements, leave us in a perpetual state of uncertainty and vulnerability." Community representative, Banadir Region

"We face discrimination and unfair treatment, including locals grabbing our land, even if we save for years and buy land we come from a minority background. They are powerful, can make duplicate documents, and have court connections. Therefore, instead of buying land and suffering abuses, we would rather be in the IDP camps that are not expensive to live in." Minority community representative Mogadishu

Community elders discuss some of the key issues during consultations in Mogadishu. Photo: Abbas Ahmed/NRC

From the household survey conducted, seven per cent of respondents indicated that they knew the procedure for acquiring land or property, while 93 per cent were not familiar with the procedure (see Figure 6).

Figure 6: Respondents' knowledge of the procedure to own land or property

Procedure for owning a land

7%

93%

■ Yes ■ No

Procedure for owning property

7%

93%

■ Yes ■ No
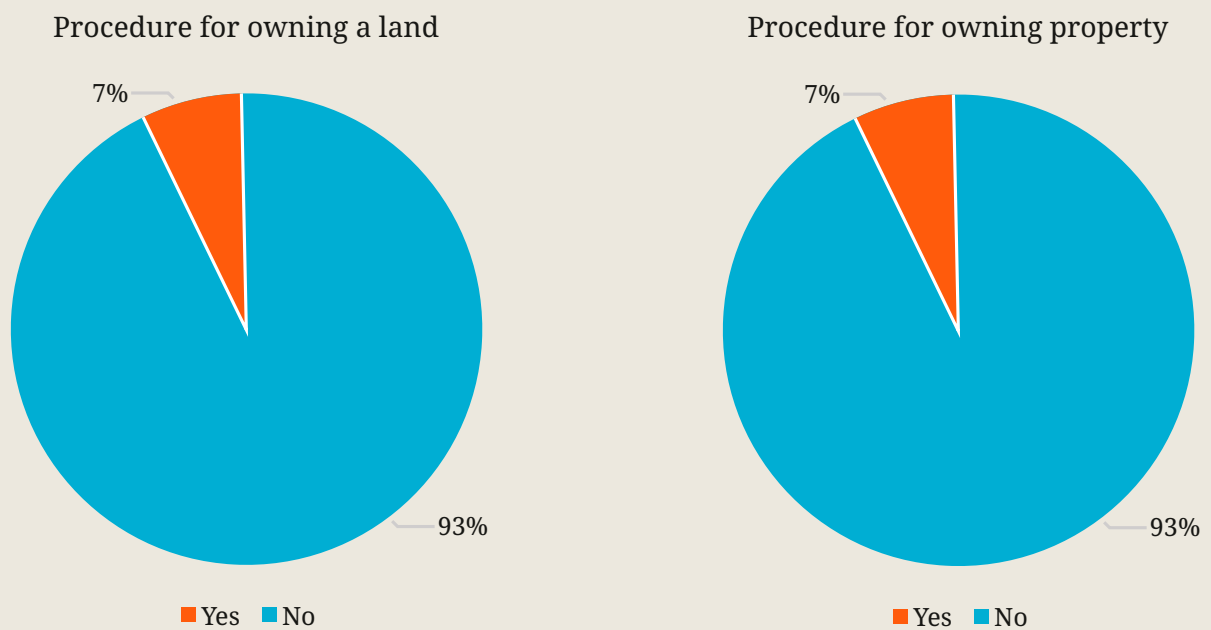
These findings provided the research insights into the root causes of observed disparities:

1. **Bureaucratic barriers**: Complex and inefficient administrative processes, combined with variable regulatory enforcement, impede equitable land access for vulnerable populations.
2. **Discriminatory practices:** Biases in decision-making and property rights enforcement routinely affect minorities and IDPs, which are made worse by societal stigmas.
3. **Resource disparities:** Because marginalised groups lack access to financial capital, legal resources, and land rights information, they are at a competitive disadvantage regarding property purchase.
4. **Knowledge gaps:** A substantial lack of understanding of property ownership procedures and land tenure systems restricts individuals' ability to claim land or navigate legal frameworks.
5. **Structural inequalities:** These inequalities stem from long-standing social and governance structures that favour certain groups. Comprehensive policy changes and legal reforms are needed to achieve true social inclusion and equal rights.

Addressing these disparities requires comprehensive strategies that address both the systemic and contextual factors contributing to inequitable access to HLP rights.

> **Strategic priority:** Humanitarian actors should invest in legal reforms at regional and federal levels, targeted institutional capacity-building initiatives, community empowerment, and efforts that can help to promote inclusive governance and social justice.

Equality in land access

Despite theoretical equality in land access, disparities persist in practice. While the basic procedure for accessing land may appear uniform, nuances exist that disproportionately affect minorities. Factors such as legal awareness, community connections, clan lineage, and historical biases play a significant role in shaping access to land. For example, long-term residents may benefit from established networks and familiarity with local regulations, giving them a competitive advantage over newcomers. Additionally, historical injustices and discriminatory practices continue to hinder equal land access, particularly for marginalised groups. Addressing these disparities requires a multifaceted approach that tackles systemic barriers and ingrained prejudices. Strengthening legal protections, increasing awareness of land rights, and promoting inclusive land governance mechanisms are essential steps towards achieving equitable land ownership in Mogadishu. Efforts to address historical injustices and provide targeted support to vulnerable communities can ensure all residents have equal opportunities to access and own land. Furthermore, fair access to secure land tenure rights is a key pillar in achieving equitable livelihoods and resilience in a more inclusive, transparent and environmentally sustainable environment.

Access to government services

Most respondents did not have easy access to government services. Some 94 per cent lacked easy access to birth certificates and business certificates, 74 per cent who have children lacked easy access to education services, 61 per cent did not have easy access to health care services, and 55 per cent did not have easy access to clean water (see Figure 7).

Figure 7: Easy access to government services
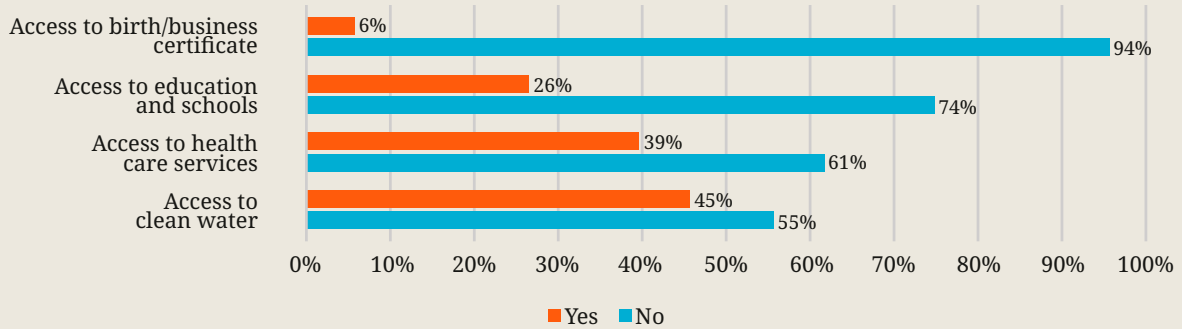
Reasons for lack of access included long distances due to forced evictions moving them away from services (28 per cent of respondents), poor facilities and infrastructure (21 per cent), no services at all (23 per cent), non-responsive government agencies (16 per cent), requests for bribes (11 per cent), and two per cent cited other reasons, including lack of trust in government services, particularly among new arrivals (see Figure 8).

Figure 8: Reasons for lack of access to government services
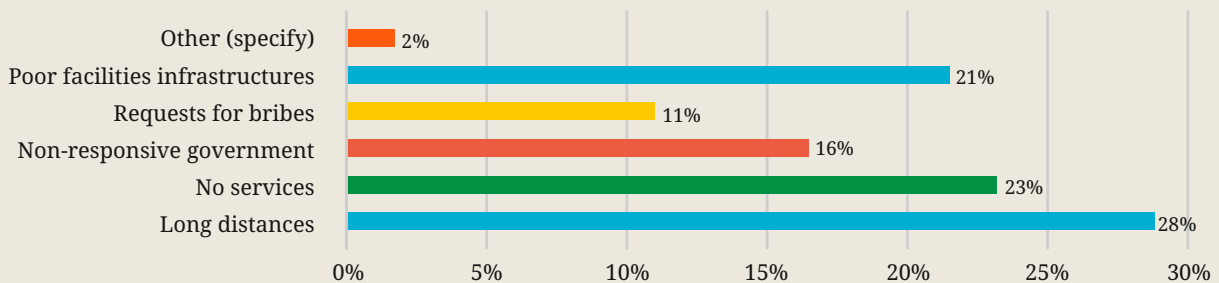
Displacement dynamics in the community

Perception of displaced populations by the host community

The perception of displaced populations by the host community in Mogadishu reflects a complex interplay of empathy, pragmatism, and social dynamics. While there is often a shared understanding among community members that displaced individuals have fled from adversities like conflict or environmental disasters, individual attitudes towards IDPs can vary significantly. During focus group discussions, some members of the host community in Mogadishu exhibited compassion and solidarity towards displaced individuals, viewing them as fellow citizens who deserve support and assistance in their time of need. This perspective often leads to acts of kindness and assistance, such as providing temporary land and shelter, sharing resources, or helping IDPs integrate into the community. However, not all perceptions of displaced populations were positive. In some instances, host community members still harbour concerns about economic factors, land grabbing, long-term political participation, and the social impact of an influx of IDPs. This can lead to tensions, prejudices, or even discrimination against displaced individuals, particularly if they are perceived as competition for scarce resources or job opportunities.

Engagement between the host community and internally displaced persons

Engagement between the host community and IDPs in Mogadishu encompasses a spectrum of interactions, ranging from economic collaboration to social integration efforts. Despite the challenges posed by displacement, many host community members and IDPs find ways to cooperate and support each other. Economically, there are instances of business partnerships and collaboration between host community members and IDPs, resulting in employment opportunities or the exchange of goods and services. Such economic engagement provides a mutual benefit and contribute to the community's economic vitality. Socially, efforts promote understanding and cohesion. Initiatives to create open dialogue, including community-building activities and meetings, provide interaction opportunities and form solidarity. By working together on common goals and shared responsibilities, both groups can develop bonds of trust and mutual respect.

> *"We open our lands to IDPs out of a humanitarian spirit, but it often comes at a significant economic cost to us. Balancing compassion with financial realities is a challenging aspect we face daily."* Landowner from the Benadir Region

> *"When IDPs refuse to move after the agreed period, it creates a complex situation. We want to help, but there are limits to how long we can forgo other opportunities."* Landowner

Handling displacements and the influx of internally displaced persons

Handling displacements and the influx of IDPs in Mogadishu represents a delicate balancing act between humanitarian assistance, social cohesion, and resource management. While there are instances of compassionate support and assistance provided by the host community to IDPs, there are also challenges and limitations in addressing the needs of displaced populations effectively. In some cases, displaced individuals, including IDPs without an officially settled status, face eviction or relocation thanks to government policies, land disputes, or urban development projects. These displacements can disrupt livelihoods, social networks, and access to essential services, posing significant challenges for both IDPs and the host community.

The influx of IDPs has strained resources and infrastructure in host communities, causing overcrowding, housing competition and pressure on public services. Initially, tensions arose between host communities and IDPs, resulting in social divisions, discriminatory marriage practices, limited participation in local governance and increased vulnerabilities.

Several initiatives now address these challenges through collaborative dispute resolution mechanisms in IDP settlements and camps. Independent water and food supply points for IDPs help reduce resource competition with host communities. These approaches emphasise dialogue and human rights protection.

> **Strategic priority:** Humanitarian, development, and donor actors should continue promoting inclusive policies, strengthening social cohesion and ensuring access to basic services for all residents, regardless of their displacement status. Mogadishu can work towards building a more resilient and inclusive community.

Local landlords discuss some of the critical HLP issues during community consultations in Mogadishu. Photo: Abbas Ahmed/NRC

Impact of internally displaced person's access to housing, land and property rights

The impact of IDPs' access to HLP rights in Mogadishu extends beyond individual livelihoods to shape broader socio-economic dynamics and community relations. While some IDPs have secured some form of housing and livelihood opportunities with support from the host community or humanitarian organisations, others still face obstacles due to limited resources, legal barriers, or social stigma associated with their displacement status. Displacement dynamics strain existing resources and infrastructure, sometimes leading to tensions between host communities and IDPs. Efforts to address these challenges include promoting dialogue, strengthening social cohesion, and advocating for the rights of all residents, regardless of their displacement status.

Addressing the root causes of displacement in Mogadishu is complex. It requires political dynamics and the cooperation of various stakeholders - including the national and state government, local authorities, humanitarian agencies, and local community leaders. This approach will help to promote sustainable urban development and ensure equitable access to HLP rights for all residents.

> Weak local governance and land administration have allowed powerful landlords, entrepreneurs and business companies to control land transactions. While regional states like Baidoa and Kismayo have effective municipal policies against forced evictions, Mogadishu faces greater challenges in land administration policies and practices.
>
> Landlords often deny IDPs permission to build essential infrastructure like WASH facilities, boreholes, health centres, schools and permanent housing. They fear these improvements could affect land value and increase land grabbing risks. All infrastructure investments require formal or informal landlord approval. Despite these restrictions, IDP settlements have contributed to Mogadishu's northern expansion towards Afgooye town and along the Mogadishu-Afgooye Road.

An IDP settlement in Mogadishu portrays housing types and congestion. Photo: Abdulkadir Mohamed

Awareness of existing housing, land and property policies and practices

In Mogadishu, the awareness and understanding of existing HLP policies varies among community members. While some individuals demonstrate a limited understanding or lack of awareness of specific policies, others possess more detailed knowledge, often acquired through HLP sessions or engagement with humanitarian organisations. Most of the stakeholders interviewed were aware of some HLP policies and practices but could not mention or articulate examples. Respondents most common answers included land regulation policy (within the Land Act), selling and buying clauses, and customary laws governing land tenure and property rights. These policies establish legal frameworks for land transactions, clarify ownership rights, and address possible disputes or conflicts. Additionally, some respondents highlighted the role of guarantors in land transactions as a mechanism to mitigate disputes and ensure accountability.

IDPs in Mogadishu need identity documents to sign site-level lease agreements, but most lack these documents, particularly those from minority and marginalised groups. Instead, they rely on the *"Damiin"* system, where clan elders or respected community members vouch for individuals. While this system works for local people in IDP settlements, minority and marginalised groups face challenges, requiring support from informal settlement leaders to access land, property and services.

The situation has improved for some. Minority and marginalised community leaders and IDPs who have lived in settlements for over five years have developed coping mechanisms. They build trust with landlords, district authorities and public notaries, who now accept them as respected community elders and guarantors.

Results emphasised how documenting property ownership was an essential process for establishing legal clarity and preventing disputes over land or housing rights. Yet a lack of policy, policy enforcement and awareness resulted in an over-reliance on customary laws and traditional practices, which often play a significant role in governing land tenure arrangements and property rights, particularly on the outskirts or in informal settlements. This gap in policy contributes to a sense of uncertainty or insecurity, particularly among vulnerable populations.

Challenges and opportunities

While some respondent's express confidence in the existing legal frameworks, others raise concerns about gaps in policy implementation and enforcement, discrimination, exploitation, extortion, or lack of access to government services for vulnerable groups. Efforts to address these challenges may include advocacy for policy reform, capacity-building initiatives to enhance awareness and understanding of existing regulations, and community-based approaches to resolving land disputes or conflicts. By strengthening governance mechanisms, local structures, promoting transparency, and ensuring inclusive participation in decision-making processes, Mogadishu can work towards creating a more equitable and resilient HLP framework that benefits all residents.

Accessibility of information for policies to minority and marginalised groups

Across the interviews, a recurring theme emerges. Marginalised communities face significant barriers in accessing information related to their HLP rights. This lack of access restricts their ability to understand and assert their entitlements and increases their vulnerability to exploitation and rights violations. This highlights the need for inclusive and targeted approaches to disseminate policy information.

A community member during free HLP mobile legal clinics in Garasbaley, Mogadishu. Photo: Abbas Ahmed/NRC

Implementation and operational effectiveness of policies

The perspectives on HLP policies exhibit a degree of scepticism and inconsistency. While some respondents suggest that these policies are indeed implemented, others express doubts about their functionality. An ambiguity surrounding the effectiveness of policy enforcement suggests inconsistencies towards HLP policy implementation. It is important to not only enact robust policy frameworks but ensure their enforcement, monitoring to prevent potential exploitation or disenfranchisement of marginalised communities.

Positive outcomes from policy implementation for minority and marginalised communities

The KIIs yielded limited insights into the positive results of HLP policies for minority and marginalised communities. While some respondents mentioned increased respect for policies among local populations and effective monitoring mechanisms by certain authorities, tangible benefits for marginalised groups remain elusive. There is a notable absence of concrete examples illustrating how these policies have directly improved the HLP rights of marginalised communities. Policymakers need to prioritise inclusive policy design and implementation strategies that genuinely uplift and empower marginalised populations.

"Minorities and marginalised communities often seek our office's help for security vetting and guarantor services to rent land. Without a comprehensive identity system, we default to clan lineage and communal testimonials for verification. When this fails, the district may act as guarantor based on the individual's length of stay at the IDP site, though this solution is not always feasible." District official

Unintended consequences or negative impact of policies

Study respondents noted unintended consequences from HLP policies, particularly regarding land disputes. The lack of enforcement, both for legal titles and responsible property ownership requirements in agreements, reveals significant gaps in policy implementation.

Gaps exist between the enforcement of court orders and their execution. When courts rule on land disputes, landlords may exploit connections within security sectors to threaten or forcibly evict occupants, often leading to property destruction and deaths. NRC has been collaborating with the Banadir Regional Administration Durable Solutions Unit (BRA DSU), which chairs the Regional Eviction Taskforce Network, to implement measures ensuring alignment with the Somalia Eviction Guidelines.

These efforts focus on bridging the gap between court-issued eviction orders and the security forces executing them, ensuring that due process is upheld and aligned with Somalia eviction guidelines. Current policy frameworks may worsen inequalities for marginalised communities trying to secure their rights. This highlights the need for thorough impact and conflict sensitivity assessments when designing policies, ensuring they address the diverse needs of marginalised populations.

Legal barriers regarding housing, land and property rights

Minority and marginalised groups face significant legal barriers in accessing their HLP rights. Based on the survey findings, 98 per cent of respondents reported that none of the members of their household possessed legal identification documents, while only two per cent indicated otherwise (see Figure 9).

Figure 9: Household members with legal identification documents

2%

98%

- Yes
- No
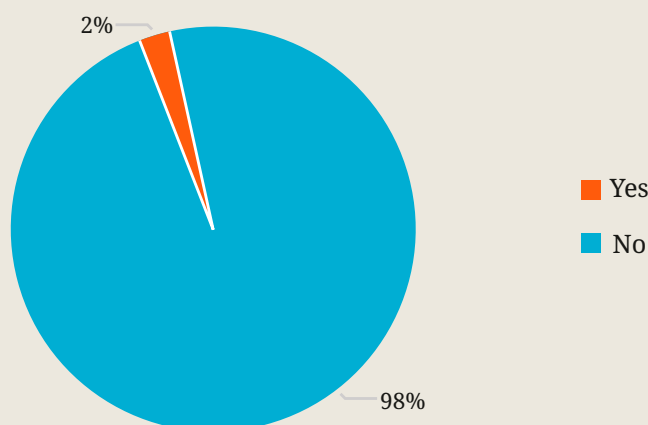
Reasons behind widespread lack of identification documents are multifaceted and underscore the systemic challenges marginalised communities face. 29 per cent of respondents cited the absence of services in their locations as a primary reason for not obtaining legal identification documents. A lack of infrastructure and government services in remote or underserved areas leave residents unable to access essential documentation to assert their HLP rights.

Financial constraints also pose a significant barrier, with 38 per cent of respondents lacking the financial means to obtain legal identification documents. Inadequate financial resources further exacerbate marginalised and minority groups' ability to participate fully in society. Moreover, the survey findings reveal instances of discrimination against IDPs, with 26 per cent of respondents reporting that they were denied legal identification documents due to their status as an IDP. This discriminatory treatment deprives IDPs of their fundamental rights and exacerbates their vulnerability, perpetuating cycles of marginalisation and exclusion.

A further six per cent of respondents cited inadequate information as a barrier to obtaining legal identification documents, highlighting the importance of effective communication and outreach efforts to ensure marginalised communities know their rights and the procedures for obtaining essential documentation.

Figure 10: Reasons for lack of identification documents
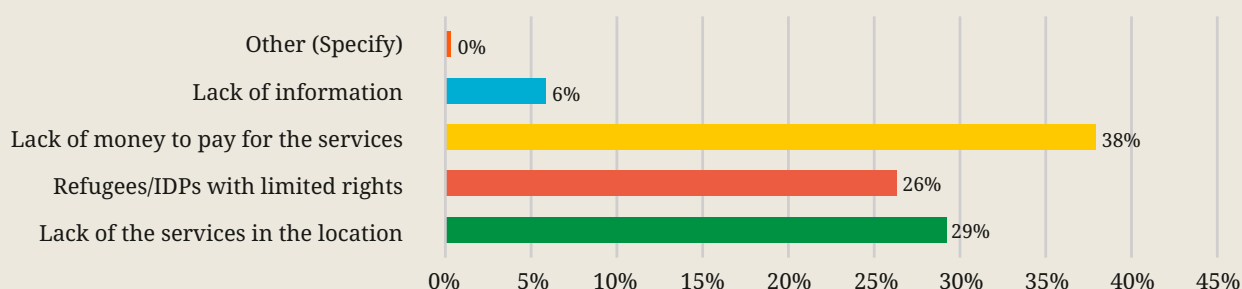
This finding was corroborated by a host community FGD member who noted the following:

"IDPs have legal rights, but these rights are often abused as they are at the mercy of the host communities and the local government where they are seeking shelter or resettlement." Host community FGD member, Mogadishu

"When people are displaced, the last thing they worry about is the land tenure systems, policies, or processes. They only want a place secure enough to protect and raise their family. Tribal politics, poor leadership and lack of protection and enforcement of HLP rights leave IDPs and minorities exposed to discrimination and abuse." IDP leader, Mogadishu

As such, the lack of legal identification documents among minority and marginalised groups reflects deep-rooted systemic issues, including infrastructure gaps, economic inequalities, discrimination against IDPs, and inadequate access to information. Discussions from the interviews with local communities in Mogadishu revealed the following barriers:

1. **Discriminatory laws**: Minority and marginalised groups encounter discriminatory land tenure laws and inadequate representation in decision-making processes. As a result, they can't assert their HLP rights effectively. Discriminatory laws are regulations or statutes that unfairly target or disadvantage certain groups based on ethnicity, race, religion or socioeconomic status.

2. **Complex land tenure systems:** Complex land tenure systems have been a significant barrier regarding HLP rights. These systems include overlapping or unclear property rights, making it challenging for minority and marginalised groups to navigate and secure their land rights.

3. **Limited access to legal representation:** Minority and marginalised groups often face legal barriers related to discriminatory practices, unequal power dynamics, and inadequate legal frameworks. Legal reforms are needed to address these challenges and recognise and protect these communities' rights.

4. **Unequal power dynamics:** Legal barriers mainly stem from unequal power dynamics, where minority and marginalised groups lack representation and influence in decision-making processes. Efforts to address these challenges involve advocating for policy reforms and increasing awareness of HLP rights among these communities.

These barriers collectively contribute to the challenges faced by minority and marginalised groups in asserting their HLP rights effectively, often leading to situations of vulnerability and disadvantage.

> **Strategic priority:** Addressing these barriers requires comprehensive efforts to strengthen infrastructure, address discriminatory practices, improve access to financial resources, and enhance awareness of legal rights and procedures. Only through concerted action can marginalised communities overcome these legal barriers and assert their HLP rights effectively.

Community consultation sessions held during the HLP free legal aid awareness campaign. Photo: Abbas Aden/NRC

Gender dynamics and women's experiences on access to housing, land and property and other protection violations

In the general Somali community, women encounter gender-specific challenges regarding HLP, stemming from cultural norms, discrimination, limited access to resources and inadequate legal protection. Cultural beliefs often dictate that women have no ownership rights, confined to domestic roles with little autonomy to assert control over property. Discrimination based on gender further marginalises women, with societal biases favouring men in property matters. Additionally, limited educational and job opportunities leave many women economically vulnerable, making it difficult for them to access housing and land independently. Customary inheritance practices also favour male heirs, excluding women from land ownership and inheritance rights.

There is explicit recognition in the Qur'an of women's rights to property acquired through purchase, inheritance, mahr (property transferred to the wife from the husband as security for marriage), and other transactions. Although Sharia law ascribes certain rights and duties according to gender, the Sharia courts are male-dominated, and women are at a distinct disadvantage. Conservative customs, local social norms, and misinterpretation of Sharia law can perceive women as the *"possession"* of their husbands or fathers, which may limit their ability to access fair treatment through the Sharia system. Women face significant barriers in asserting their property rights, exacerbating their vulnerability in housing-related issues. Conflict and displacement leave women particularly vulnerable to housing insecurity, as they may be forced to flee their homes without legal protection for their land and property.

This has been highlighted by various community voices in Mogadishu:

> *"Women, particularly in minority communities, encounter hurdles in land access and ownership. Inheritance laws heavily favour male heirs, thereby exposing women and children to the risk of displacement and property deprivation within minority communities."* Woman leader, IDP camp, Mogadishu

> *"Women continue to face challenges in HLP, whether from an inheritance perspective, accessing rights to their property, and, worse, if they belong to minority groups. In as many as some women within the community are now educated and can purchase land, they are in the minority. Most women still depend on their spouses on issues of HLP, which makes access to information difficult, with minimal awareness of their rights and how to appropriate these rights."* Women leader, KII, Mogadishu

The research highlights domestic violence and related threats as key barriers to women's HLP rights in Mogadishu, particularly within marriages. Traditional resolution mechanisms, focusing on compensation without enforcement, fail to protect women. Discriminatory practices further curtail their rights to inheritance and divorce under Sharia law. Women's exclusion from justice processes significantly undermines their voice and protection. In Mogadishu, despite a few IDP women purchasing land to avoid eviction, the majority face restricted HLP rights due to patriarchal norms and informal HLP documentation. Customary

practices disadvantage women in inheritance, often denying them their rightful shares and excluding them from property sale or division notifications, leading to a loss of inheritance rights.

"It was after Eid, and we were forcefully evicted from where we lived and relocated to a new empty land with no neighbours. We were the first to settle. At night, a group of men dressed in security uniforms entered my building and pointed a gun at me. They raped me one by one, quietly, and left me lying dead on the ground." A survivor

"We sometimes ensure security, access to land, basic life-saving services, and housing. There are rarely rape cases in the camps, but, generally, displaced women live in fear when walking to town, and we have witnessed cases of sexual violations." Female IDP camp leader

Housing, land and property violations and discrimination faced by minority groups

HLP violations in minority communities include barriers to rights, justice access, forced evictions, insecure tenure, land disputes and discrimination. These violations particularly impact minority and marginalised groups, causing displacement, property loss and limited access to legal remedies.


A female IDP community consultation with female community members.
Photo: Abbas Ahmed/NRC

"People use power over us because we are a minority clan group, forcing us to be silent with our unbearable experiences." Minority community representative

Forced evictions and lack of legal protection

Community consultations revealed that forced evictions are a significant challenge faced by minority communities. These evictions often occur without proper legal procedures, compensation or alternative housing options, leaving marginalised groups vulnerable to homelessness and further prejudice. The lack of access to legal resources increases difficulties to claim their rights or defend themselves against unlawful evictions. Out of the surveyed respondents in camps within Mogadishu, 89 per cent had suffered forced evictions while 11 per cent had not (see Figure 11).

Figure 11: Respondents who had suffered forced evictions

Suffered forced eviction

Eviction incidents by entity in 2023
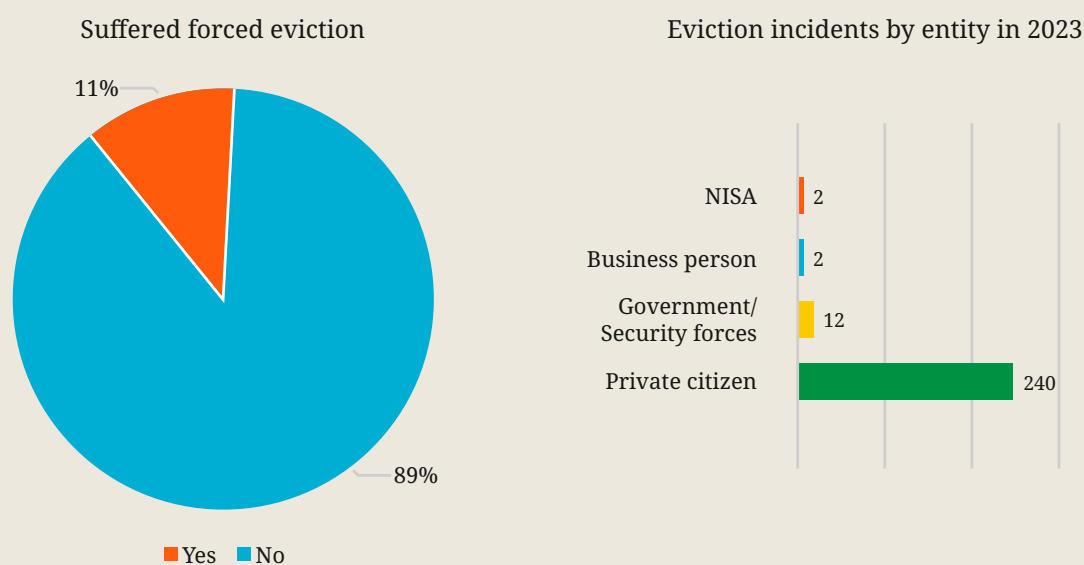
Various factors contribute to the barriers faced by minority and marginalised communities in accessing HLP rights, including the following:

1. **Gender-based discrimination and limited documentation**: Women within minority and marginalised communities face additional hurdles due to discriminatory inheritance laws and cultural practices. They often encounter challenges in accessing and controlling property, further exacerbating gender inequalities. Moreover, the lack of proper documentation for land and property ownership complicates matters as it hampers their ability to prove ownership and defend their rights in legal disputes.
2. **Low income and limited community representation:** Economic constraints, such as low-income levels, pose significant barriers to minority and marginalised groups' access to HLP. Limited financial resources make it challenging to purchase land or secure adequate housing, perpetuating cycles of poverty and exclusion. Additionally, their limited representation in decision-making processes further marginalises their voices and interests, exacerbating their vulnerability to exploitation and rights violations.

Respondents witnessed various limitations exacerbating challenges:

- **Reduced legal protections and supportive measures:** While international organisations and human rights bodies have supported the government in developing frameworks and guidelines to protect the HLP rights of minority groups, implementation gaps persist, leaving marginalised communities vulnerable to rights violations.
- **Lack of effective reporting channels and redress mechanisms:** Many of the respondents expressed frustration with the absence of proper reporting channels, mechanisms to address grievances, bureaucratic hurdles, and discriminatory practices, further compounding their sense of injustice and marginalisation.
- **Eviction and harassment focused on marginalised communities:** Some respondents recount personal experiences observing evictions and harassment faced by marginalised communities, exposing the systemic barriers and lack of legal protection for vulnerable populations.

While there is growing recognition of the legal barriers and obstacles faced by minority and marginalised groups concerning their HLP rights, tangible actions to address these challenges remain insufficient. Efforts to strengthen legal protections, enhance access to justice, and empower marginalised communities through inclusive policy measures and targeted interventions are imperative to promote equity, justice and human dignity for all.

"We, the minority and marginalised community, face forced eviction because of our vulnerable status...we were chased from many places within the city before we finally settled in this camp, and we have been here for some time."
IDP camp leader in Mogadishu

Case study: The Oromo case settlement in Mogadishu

Following the civil war, we sought refuge in an abandoned government building at Kilometer Zero in Mogadishu. Our minority status led to eviction by armed locals, while the neighboring Caanood settlement, predominantly local communities, armed themselves and remained. In 2014, we moved to Tabeleha Sheikh Ibrahim, only to face eviction again, and once more in 2016 from Ceelka Garyare in Garasbaley. To cope, our 200 households were divided across two different sites, allowing evicted groups to be hosted by others while searching for new locations. We've suffered physical assaults, property destruction and security risks, and struggled to defend our HLP rights. Currently, we occupy two sites: one in Kordamac village, Daynille, and another in Garasbaley, Kaxda. After attending HLP sessions with the NRC, we started formalising our agreement for the Kordamac site through a public notary, securing a five-year lease. However, extending this lease poses a challenge due to increasing rent rates. The other site, based on verbal agreements, faces the risk of eviction at any time.

"The fear of forced evictions looms over us constantly. We were evicted three times because we could not either defend ourselves or afford rent. It's not just about losing shelter but about uprooting our lives, our children's education, our livelihoods, and our sense of stability." Oromo site IDP leader

Case study: Violent forced evictions cause destruction and civilian deaths

On the early morning of May 17 2023, in the ex-control village of Dharkenley district, Mogadishu residents faced an abrupt and forceful eviction. Having called this site home for several years, displaced families were given just three weeks' notice to vacate their land. The eviction was executed by a powerful individual, with the support of government security forces.

The violent operation led to the secondary displacement of 606 people and resulted in significant losses. Affected residents suffered from the destruction of both communal and personal property, the loss of humanitarian investments, physical assaults and tragic fatalities. Among the casualties were two young children, both under the age of five, who were killed during the destruction of their homes. Their bodies were discovered under the debris once the eviction ceased. Additionally, two other individuals were physically assaulted while attempting to protect their homes from demolition.

This incident is part of a larger pattern, with 256 forced eviction incidents recorded in 2023 alone (NRC Evictions Portal). Of these, 13 were conducted by government or security forces, many of which did not adhere to Somalia's eviction guidelines. In Mogadishu, over 100,907 people were reported evicted in 2023, with troubling trends indicating a further 50,150 people were forcefully evicted between January and July 2024.

In response, the BRA DSU has spearheaded the BRA Evictions Taskforce to enhance preventive and responsive measures within the BRA. Efforts are underway to institutionalise the due process for eviction notices through the court, mayor's office, and legal department within BRA. The task force, composed of a network of paralegals, the BRA DSU team, decentralised district focal points, local HLP actors, and NRC technical support, is actively working to prevent forced evictions at the site management level. In 2023, 195,069 people in Mogadishu were prevented from forced evictions, with 25,002 people successfully prevented from forced evictions in 2024. However, challenges remain, including limited response capacity, the need for institutionalising eviction guidelines, and funding constraints, which impact the task force's ability to expand its response efforts.

Residents of the Badbado IDP site after eviction. Photo: Abbas Ahmed/NRC

Impact of forced evictions in several IDP sites in Mogadishu. Photo: Abbas Ahmed/NRC

Impact of forced evictions in several IDP sites in Mogadishu. Photo: Abbas Ahmed/NRC

Other complex housing, land and property issues affecting minority and marginalised groups

Minority communities face unique HLP violations, including forced displacement and limited representation in decision-making processes. The survey revealed that 38 per cent of minorities and marginalised groups have challenges retaining HLP, 33 per cent suffer from forced evictions, 25 per cent have rent payment challenges, and five per cent who are divorced women have challenges accessing HLP (see Figure 12).

Figure 12: Minorities and marginalised groups challenges with housing, land and property

Category	Percentage
Retention of HLP	38%
Divorce cases	5%
Rent payments challenges	25%
Forced evictions	33%
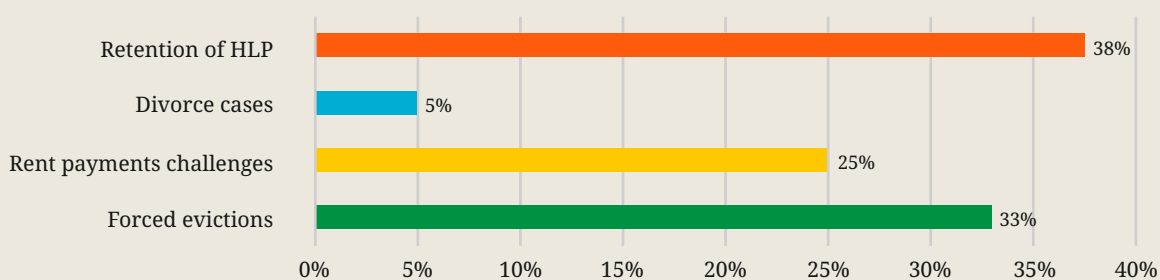
Impact of forced evictions in several IDP sites that were forcefully evicted in Mogadishu. Photo: Abbas Ahmed/NRC

The responses from interviews and FGDs shed light on the HLP violations observed in various communities, particularly those affecting minority and marginalised groups.

1. **Forced evictions due to failure to pay rent**: This is the most prevalent HLP violations within Mogadishu communities.
2. **Insecure tenure and land grabbing:** Minority groups often experience insecure land tenure, such as a lack of formal recognition of their property rights, leaving them vulnerable to displacement and exploitation, further exacerbating their marginalisation and socio-economic hardship.
3. **Challenges in legal recourse and protection:** Respondents highlighted the difficulties faced by minority and marginalised groups in accessing legal recourse and protection against HLP violations. Systemic discrimination based on clan affiliation and lack of access to justice and institutional barriers, including lack of access to services, limited government affiliation, networking and weak legal institutions, often impede their ability to assert their rights and defend themselves against unlawful actions.

Despite these challenges, the responses indicate varying levels of awareness and action:

- **Local monitoring and observation:** Some respondents mention the presence of local committees or authorities tasked with monitoring HLP violations. However, the effectiveness of these mechanisms in addressing the specific needs of minority and marginalised communities remain unclear.
- **Lack of reported violations:** In some instances, respondents did not witness HLP violations in their communities. This may reflect either a genuine absence of such incidents or a potential underreporting of HLP violations, particularly those affecting vulnerable populations.
- **Specific targeted cases of forced evictions:** Several respondents provide examples of forced evictions experienced by minority and marginalised communities.

Some of the cited discussions with study participants on HLP challenges facing women and minority groups are highlighted as follows:

"Gargar camp has experienced forced eviction twice, once in 2022 and again last year, affecting 273 households. No notices were issue. The private landowner wanted them out of his property, hence the use of force to evict them." Women's group, FGD member, Mogadishu

"In our community, many widows, including myself, are denied our rightful inheritance of land due to deeply ingrained customary laws and cultural norms. This leaves us vulnerable, often forced to rely on relatives who already struggle to support themselves. Living in the camp isn't a choice, it's a harsh reality. Unfortunately, many widows share a similar fate, feeling insecure and dependent, their voices unheard." IDP community member, FGD

"I inherited land from my father, who has since passed on. I had the documents in custody of my husband. However, after we divorced, he refused to give me the documents, which poses challenges for me in accessing the land." Women FGD participant, Mogadishu

Women participating in HLP Community dialogue sessions. Photo: Abbas Ahmed/NRC

The impact of fearing over eviction or conflict

1. **Involuntary relocation**: Minority and marginalised women and girls often find themselves disproportionately affected by forced evictions. These evictions disrupt their lives and compel them to relocate, sometimes to unsafe areas, exacerbating their vulnerability and exposure to risks.

2. **Exclusion and lack of support:** Women and girls without male representatives or relatives face exclusion from their communities, especially in times of conflict or crisis. Their issues often remain unaddressed, leaving them vulnerable to exploitation and abuse.

3. **Discriminatory customs:** Discriminatory customs, particularly those rooted in patriarchal traditions, often deny women inheritance and divorce rights guaranteed under Sharia law. Despite legal provisions, implementation remains inadequate, leading to disparities in property inheritance.

4. **Trauma and psychological impact:** Constant fear of eviction or conflict has profound psychological effects on individuals, including stress, anxiety, post-traumatic stress disorder, and other mental health issues. These psychological impacts affect overall well-being and quality of life, making it difficult for women to cope with their housing challenges.

5. **Capacity of minorities and internally displaced persons to negotiate:** While minorities and vulnerable groups, like IDPs, possess negotiation capacities, their ability to negotiate independently is often hindered by power imbalances and structural barriers. Limited access to resources, legal support, and information about rights and options constrain their negotiating power, leaving them vulnerable to exploitation and discrimination. However, collaborative efforts involving religious leaders, clan elders and humanitarian organisations can provide support, advocacy and representation in negotiations with landlords and authorities.

Inclusion of internally displaced persons in dispute resolution mechanisms

The assessment examined IDP and minority/marginalised women's involvement in HLP dispute resolution. While some actively participate in community dispute resolution, others face barriers, including limited representation and exclusion from decision-making roles.

Based on findings from the interviews and discussions held with key stakeholders, IDP women play a significant role in resolving disputes within their displaced communities. They often engage in addressing various issues such as makeshift boundaries, trespassing, conflicts involving their children, and conflicts with female neighbours. Their involvement ranges from informal mediation processes to participating in community leadership roles and establishing mechanisms for conflict resolution. However, some IDP women may face barriers such as limited representation in decision-making bodies, cultural norms prioritising male involvement in dispute resolution, and power dynamics marginalising their voices.

Similarly, minority and marginalised women participate in community discussions, offering perspectives and solutions to conflicts. They are actively involved in community-based dispute resolution mechanisms, providing solutions that consider the unique challenges faced by their communities. In some areas, these women serve as cultural mediators, bridging communication gaps between different parties.

> *"IDP women also engage in informal mediation processes to resolve disputes. Some of the IDP women have emerged as leaders within their displaced communities and contribute to establishing mechanisms for conflict resolution."*
> IDP FGD member, Mogadishu

However, factors such as gender discrimination, lack of access to legal resources, and social inequalities limit their participation in decision-making processes, leading to exclusion from dispute resolution mechanisms.

Influence of the Xeer system on women's access to housing, land and property and decision-making

The Xeer system and elder clan decision-making processes exert a significant influence on women's rights and agency in HLP matters. Within the Xeer system and clan decision-making structures, women frequently find themselves marginalised, with their voices and interests subordinated to those of men. Unlike Sharia Law, these traditional systems are steeped in patriarchal values, perpetuating gender inequalities and limiting women's participation and influence in property-related disputes. For instance, in disputes between spouses over property ownership, women's arguments and entitlements are typically overshadowed by

the prevailing belief that men are the primary breadwinners and hold greater authority over property matters. Women often face significant hurdles in asserting their property rights and achieving fair outcomes.

Although several interviews with women leaders about their involvement in the Xeer system and clan decision-making reveal mixed perspectives. Some report inclusive participation, others highlight women's marginalisation. Men dominate these traditional structures, often leading to decisions that overlook women's interests. Women typically must rely on male relatives to participate, limiting their direct representation.

The findings show varying levels of trust in the Xeer system for HLP decisions. While many vulnerable IDP women depend on this system and clan decision-making, this reliance prevents them from accessing better advice or information for addressing HLP disputes. Though some women trust this traditional system, others remain sceptical due to historical oppression and exclusion from decisions.

> *"Women trust the Xeer (custom) decisions and they are part of those decisions, the decisions have worked for a long time."* Woman IDP FGD participant, Mogadishu

> *"Women don't trust the Xeer decisions and are excluded from those decisions because women have long been oppressed."* Woman leader, Mogadishu, IDP

Women's varying trust in traditional governance systems reflects broader societal inequalities. The findings show a need for a more inclusive approach that addresses gender gaps and increases women's representation. Empowering women and challenging traditional gender norms are essential for fair decision-making and protecting women's HLP rights.

Influence of settlement leaders on humanitarian assistance

The findings show the critical role that settlement leaders in Mogadishu play in the delivery of humanitarian relief, especially their influence on beneficiary selection and resource allocation. While their thorough grasp of community needs allows for precise and efficient aid distribution, there is a risk of biased decision-making, which could lead to discrimination, favouritism, and resource mismanagement.

Settlement leaders, particularly those who include women, play an important role in lobbying for gender-sensitive responses to HLP concerns. Their leadership ensures that women's viewpoints and concerns are considered, improving discussion, community engagement, and the protection of vulnerable groups. Nonetheless, the influence of women

leaders is limited by patriarchal norms and power dynamics, restricting their ability to have an impact on HLP choices.

Strong partnerships between humanitarian organisations and settlement leaders are crucial. Trust and transparency help navigate local dynamics, ensure effective aid delivery, and support community development while respecting local governance systems.

"We are grateful for the land provided by generous owners, but it is often in uninhabitable conditions coupled with us paying 20 per cent of the humanitarian agencies from each household. Sometimes more severe challenges to our community's well-being include threats and fear for our lives." PIDP camp leader

"Our intention is always to help our fellow brothers and sisters in Islam in need, but the appreciation for this gesture is not always evident. They don't pay enough and often don't respect the agreement we enter into, which can be disheartening for us as landowners." KII landowner participant

Strategic initiatives to improve settlement leader influence include:

1. **Strengthen women's leadership:** Encourage and support the active participation of women in leadership roles within IDP camps, providing them with the necessary resources and training to effectively advocate for women's rights in HLP decision-making processes.
2. **Promote gender sensitivity:** Conduct training programs and awareness campaigns aimed at sensitising community members, including male leaders, about the importance of gender equality in HLP decision-making.
3. **Establish women's committees:** Create specific committees or groups dedicated to addressing HLP issues with a majority of women members. These committees can serve as platforms for women to voice their concerns, propose solutions, and actively participate in decision-making processes related to HLP.

People living with disabilities and elderly access to housing, land and property

People with disabilities and elderly persons face distinct HLP challenges. Blind, deaf, and IDP amputees report severe social exclusion, including denial in accessing education and health care and legal aid support. Their specific needs around information access, communication and language require targeted inclusion strategies.

"Our society uses discriminatory labels: 'boos' (crippled), 'coryaan' (handicapped), and 'langare' (limpy), implying that different kinds of disability deem them unreliable for any responsibility. This is also the case in marriage, where many youth are denied the opportunity to marry because of their disability." A blind IDP

The following are some of the key areas highlighted in the findings:

1. **Access to essential information**: Focus group discussions from a camp in Mogadishu highlighted the acute challenges faced by these individuals, especially HLP rights. The absence of braille materials significantly impedes blind people's autonomy and informed decision-making. Similarly, individuals with hearing impairments encounter barriers in participating in HLP discussions and decision-making due to the unavailability of sign language interpretation. Implementing inclusive strategies to bridge these information access gaps is essential for ensuring equitable HLP engagement for all community members, irrespective of their disabilities.

2. **Limited mechanisms for communication:** Discussions with key informants and focus group discussions revealed that people with disabilities, notably the deaf and blind, had restricted communication methods available to them within IDP camps, including a lack of proper reporting channels for assistance extortion. This absence of communication channels creates substantial obstacles for people with disabilities, exacerbating their already marginalised status in the community. Without the correct materials resources, people with disabilities are effectively barred from accessing written papers or engaging in spoken conversations. They are unable to rely on reporting methods to voice their problems, seek restitution, and hold perpetrators accountable. This negligence not only limits their ability to adequately report cases of assistance extortion but increases marginalisation and their vulnerability to exploitation and abuse inside the camp setting.

Specific challenges for the elderly

The elderly in IDP camps face complex challenges that compromise their dignity and increase vulnerability. Limited mobility, inadequate housing and poor access to essential services create significant hardships. Mobility difficulties affect their ability to access necessities, socialise and join community activities. Camp infrastructure often lacks wheelchair accessibility and has uneven terrain.

Housing remains a critical concern. Camp leaders report many elderly residents lack suitable shelter, exposing them to harsh conditions, overcrowding and insecurity. Limited access to essential services - including healthcare, social support and daily assistance - worsens health issues and isolation.

NRC staff distributing disability aids in Mogadishu. Photo: NRC

While older women participate in community discussions, they still face gender-based discrimination and limited decision-making power. This restricts their influence over policies and programmes affecting their wellbeing.

Strategic initiatives to prioritise for the elderly include:

1. **Advance access to information**: Employ innovative methods to broaden access to information, incorporating technologies and approaches that cater to the diverse needs of people with disabilities e.g. digital platforms with screen reader compatibility, developing audio-based resources, or providing tactile or auditory cues to enhance comprehension.
2. **Foster inclusive communication channels:** Establish comprehensive communication channels that are inclusive of disabled individuals, facilitating their participation and engagement within the community e.g. online forums with accessibility features, dedicated helplines equipped with sign language interpretation services, and community outreach programs designed for people with disabilities.
3. **Mitigate language barriers:** Proactively address language barriers by adopting a multilingual approach to information dissemination, ensuring that vital information is accessible in the languages spoken by diverse community members e.g. collaborating with local language experts and utilising translation services.
4. **Enhance support for ageing populations:** Tailor support services to meet the evolving needs of the elderly population, prioritising initiatives that enhance mobility, promote dignified housing options, and facilitate access to essential social and economic resources e.g. implementing age-friendly infrastructure, establishing community-based support networks, and offering specialised healthcare services for older individuals.

5. **Empower older women in decision-making:** Actively involve older women in decision-making processes related to HLP matters, recognising their invaluable insights and lived experiences e.g. promoting gender-inclusive forums, providing capacity-building opportunities, and facilitating mentorship programs.

Community leaders' roles in access to and housing, land and property awareness

Findings showed that community leaders play a pivotal role in supporting their communities' rights to HLP. To effectively fulfil this role, they employ a variety of strategies to access vital information and resources e.g. engagement with governmental agencies responsible for HLP matters. By establishing connections with local and national authorities, community leaders gain access to official information, legal frameworks, and policy updates. However, minority community leaders face challenges that inhibit their effectiveness in executing their mandate due to a variety of factors, including:

- **Clan affiliations:** In communities where clan dynamics are prominent, individuals belonging to smaller or less influential clans are minority groups. As a result, minority clans have less representation in decision-making processes and continue to experience marginalisation.
- **Socio-economic status:** Those with lower income levels or poor living conditions are marginalised within the community due to their economic status. This limit access to education, healthcare, employment opportunities, and basic services, further perpetuating cycles

A female participant during the structure HLP information service. Photo: Abdulkadir/NRC

of poverty and exclusion. Although minority leaders advocate for increased resources and access to services, their voice is not as strong as those from dominant ethnic groups.

- **Ethnic backgrounds:** Individuals belonging to ethnic groups with smaller populations or lesser influence are considered minorities. This perception is influenced by power dynamics and historical inequalities. Representation in leadership is mirrored through this ethnic lens, with minority groups underrepresented.

In Mogadishu, specific examples of marginalised groups within the community include:

1. **People with low incomes**: Individuals or families with low incomes are particularly vulnerable to marginalisation due to their limited financial resources. They may struggle to afford necessities such as food, shelter, and healthcare, making them more susceptible to poverty-related issues and social exclusion.
2. **Those living in poor conditions:** Individuals residing in overcrowded or substandard housing conditions face marginalisation as they lack access to adequate shelter and basic amenities. Poor living conditions can exacerbate health risks and contribute to social stigma and isolation within the community.
3. **Ethnic minorities:** Certain ethnic minority groups may also experience marginalisation due to historical inequalities, discrimination and social exclusion. They may face barriers to accessing education, employment and political representation, limiting their socioeconomic mobility and integration into mainstream society.
4. **Gender minorities:** Women and gender minorities often face systemic discrimination and marginalisation in various spheres of life, including education, employment and political participation. GBV, unequal access to resources and limited decision-making power contribute to their marginalisation within the community.
5. **People with disabilities:** People with disabilities face barriers that limit their participation in society. Physical obstacles, discriminatory attitudes and inadequate support services restrict their social inclusion and economic opportunities.
6. **Political dissidents or opponents**: Individuals with differing political affiliations or dissenting voices may face restrictions towards their right to freedom of expression and political participation.

Local government efforts in addressing housing, land and property in Mogadishu

Mogadishu's local government has taken positive steps to improve housing access by reducing land taxes and identity document costs, and allocating land for marginalised groups and IDPs. The local and national governments have worked together to provide land for IDP camps, collaborating with organisations like NRC and other humanitarian agencies.

Despite these initiatives, concerns persist about equity and effectiveness. Critics point to insufficient resources, bureaucratic obstacles and lack of proactive measures. Marginalised groups and IDPs still face dis-

crimination and inadequate support. Communities also raise concerns about transparency in housing decisions, citing limited engagement and poor information sharing about planning and implementation.

Strategic initiatives for local governments to prioritise include:

1. **Enhance transparency and accountability**: Implement measures to ensure transparency and accountability in housing-related decision-making processes e.g. engaging with community members, soliciting feedback, and providing clear information about housing initiatives and resource allocation.
2. **Increase community engagement:** Foster greater community participation in the planning, implementation and evaluation of housing programs e.g. create platforms for dialogue and consultation where community members can voice their concerns, preferences and suggestions regarding HLP needs and solutions.
3. **Address systemic barriers:** Identify and address systemic barriers that hinder access to housing for marginalised groups and IDPs e.g. reforming discriminatory practices, streamlining bureaucratic processes and providing targeted support to vulnerable populations.
4. **Improve resource allocation:** Allocate sufficient resources and funding to housing initiatives to ensure their effectiveness and reach e.g. prioritise investments in affordable housing, infrastructure development and access to essential services in underserved communities.

Conclusion and Recommendations

Structural, institutional and societal barriers significantly impact minorities and marginalised groups' access to HLP rights. Strategic responses must address these complex challenges through:

- targeted legal aid
- community outreach and information sessions
- enhanced tenure security
- improved women's access to rights
- inclusive community-led practices
- stakeholder collaboration

Consultations in this document show that inclusive approaches and innovative mechanisms will help displacement-affected communities access relevant information and legal support for HLP services.

The report further presents recommendations to address housing challenges in Mogadishu, based on inputs from the various groups included in focus groups.

Key recommendations

1. **Exploring innovative approaches to address the housing crisis**: Utilise innovative approaches to address issues e.g. affordable low-cost housing and financing options, piloting scalable community-led site-level rental subsidy support schemes, launching tenure security awareness campaigns, and exploring diverse scalable tenure models.

Local institution's technical and material to provide HLP services, Kaxda District, Mogadishu. Photo: Abbas Ahmed/NRC

2. **Strengthen legal frameworks:** Explore increased access to transitional justice to document HLP even where state HLP service providers are unreachable, inaccessible, unavailable, or politicised based on clan dynamics or power imbalances e.g. support on documentation like inheritance contracts, wills, and land documents to protect the current and future restitution of HLP rights.

3. **Expand efforts to integrate housing, land and property rights across all relevant frameworks:** To address the significant challenges faced by communities without housing, land, and property rights, mainstream and integrate HLP into humanitarian and development programming. This includes promoting tenure security to prevent forced evictions, integrating HLP considerations to protect human rights, humanitarian and communal investments, and empowering women and minorities through education and livelihoods to enhance their participation in HLP decision-making. Forced evictions exceeded USD 9.6 million in infrastructure losses in 2022 and 2023 (NRC). Strengthening HLP rights reduces vulnerabilities, protects investments, and fosters resilience among marginalised groups.

4. **Establish community support networks:** Develop economic empowerment programs, enhance protection against GBV during and after forced eviction, monitor and report violations, and foster collaborative partnerships.

5. **Promote gender-inclusive decision-making at community structures systems:** Greater inclusion of women and minorities in formal and informal dispute resolution systems will enhance women's agency, address gender bias, foster transparency and accountability, build trust and support legal reforms. Partnering with minority civil society organisations to create safe spaces and support networks will better protect women facing HLP issues.

Destruction of WASH facilities during an eviction process. Photo: Abbas Ahmed/NRC

Recommendations targeted to minority and marginalised groups

The recommendations below are tailored to meet the unique needs of minority and marginalised groups in Mogadishu, ensuring interventions are both effective and sensitive to the nuances of the local context.

1. **Develop and prioritise community-driven information dissemination strategies and tools**:
   - Efforts should focus on targeted awareness campaigns and tailored HLP sessions designed for women, the elderly, individuals with disabilities, and those with limited education backgrounds.
   - They should ensure inclusivity in HLP information sessions tailored to women, the elderly, the disabled, and those with limited education.
   - Efforts should explore alternative methods to promote HLP information to vulnerable IDPs with high illiteracy levels. Utilise accessible formats, including braille and sign language, to enhance comprehension.
2. **Explore the potential for new partnerships with minority or marginalised civil society organisations**:
   - Work with these civil society organisations to improve targeting to reach greater numbers of minorities and marginalised groups, overcoming the unique barriers they face.
3. **Improve the access and enjoyment of legal identity and civil documentation**:
   - Humanitarian and development actors should launch public campaigns to inform IDPs of the importance of obtaining documents.
   - Humanitarian and development actors should advocate for IDPs to access tenure, education, health, employment and humanitarian assistance without documentation requirements.
   - The cost of accessing ID cards/birth certificates ranges from USD 25 to USD 30. This should be reduced or subsidised for IDPs, minorities and marginalised groups. The government should deploy mobile units offering services, while humanitarian and development agencies should facilitate access to these services.
4. **Provide tailored technical assistance to strengthen the land and housing sector**:
   - Implement reform to discriminatory legal frameworks.
   - Continue to explore pathways to increase tenure security for displacement-affected communities residing in informal settlements and those who are informally renting.
   - Advocate for legal reforms to establish clear and secure tenure arrangements.
5. **Secure equitable access to housing, land, and property rights for women**:
   - Engage both men and women in HLP rights discussions.
   - Strengthen women's decision-making power.
   - Amplify women's voices against systemic barriers.
   - Develop targeted training and leadership programmes.
   - Partner with local minority organisations and IDP women.

6. **Strengthen community engagement and support mechanisms**:
   - Diversify community support networks to include persons with disabilities, minorities and marginalised communities.
   - Create mechanisms for inclusive dialogue in HLP decision-making.
   - Ensure strong representation of women, minorities and people with disabilities.
   - Establish safe spaces for lease agreement negotiations.
   - Address biased aid distribution through inclusive structures.

7. **Addressing forced evictions and vulnerability**:
   - Implement protective measures against forced evictions, including strengthened mediation and negotiation capacity for minority and marginalised communities.
   - Continue raising awareness on HLP through approaches that target landowners and the illiterate who are most likely to utilise informal tenure arrangements (verbal agreements).
   - Introduce regulations, ensuring adequate notice, legal recourse and restitution options.

8. **Enhance government leadership and private sector engagement and collaboration**:
   - Adopt multi-stakeholder partnerships for solutions, including law firms, public notaries, academia law clinics, real estate companies and private landlords.
   - Mobilise resources and implement sustainable HLP solutions collaboratively.
   - Strengthen government-led eviction taskforce networks.
   - Get local, national, international and government institutions to contribute to the preventive and response capacity of the eviction task force - under the leadership of the BRA DSU. The task force is a primary example of a government-led multi-stakeholder[6] forum that works collaboratively to prevent evictions and address all related HLP issues. Efforts have contributed to preventing 242,776 people from forced eviction across Somalia with 195,069 people alone in Mogadishu.[7]

An aerial view of an informal IDP site at the periphery of Mogadishu where large IDP populations live at risk of forced eviction. Photo: Abdulkadir Mohamed/NRC

An aerial view of host community housing where IDPs relocate to rent affordable housing in the periphery of Mogadishu. Photo: Abdulkadir Mohamed/NRC

Endnotes

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