

THE DETERMINANTS OF VIOLENCE AGAINST WOMEN AND ACCESS TO HUMAN RIGHTS IN PUNTLAND

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Abstract

Violence against women and girls continues to be a global epidemic that kills, tortures, and injures physically, psychologically, sexually, and economically. It is one of the most pervasive of human rights violations, denying women and girl's equality, security, dignity, self-worth, and their right to enjoy fundamental freedoms. The study was guided by the following objectives; the first objective was to explore the causes of gender-based violence and how they affect women's lives, the second objectives is to investigate the socio-cultural factors that accelerate the increase and institutionalization of violence against women and the third objectives is to explore government efforts in reducing inequality and violence against women and girls in Puntland. This study was conducted through a descriptive survey research design by using both quantitative and qualitative research methods in two-parts: A questionnaire and key informant interviews (KIIs) for collecting data and from selected respondents. Data were analyzed using Statistical Package for Social Science (SPSS) and Microsoft Excel. The study utilized snowball and purposive sampling to select a population sample size of 133. The study utilized Mean, Standard deviation and percentages; tables. In addition to that, data collection was analyzed using themes and explanations. The study revealed the women are not aware about the fact that their rights are being violated and that majority of the perpetrators are men and boys. Most incidences of violence occur due to patriarchal tendencies in the African societies, which fuel the believe that women must be disciplined. Other factors revealed in the study include Alcohol and drug use, Individual /Group Interest, discriminatory Culture, Weak state judicial institutions and depending on Traditional justice systems and Socio-cultural factors. The study further showed that government efforts to control violence against women exist in the Puntland as a whole, although with many weaknesses. Records showed that many women having reported to police, but the legal systems restrict the speedy conclusion of cases while other women choose to withdraw cases owing to fear of being hated by the family members. The study, therefore, recommends that the government should improve the state judicial institutions and police enforcement also the study recommended that a multi-sectoral approach that involves victims of physical abuse, perpetrators of physical violence, community members, religious leaders, government, non-governmental organizations, media, police, criminal justice, should be put in place in eliminating violence against women.

1. BACKGROUND OF THE STUDY

Introduction

Violence against women persists worldwide, occurring in every region, country and culture and cutting across income, class, race and ethnicity. It impedes development and prevents women and girls from enjoying their human rights and fundamental freedoms. In 1993, the United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women (A/RES/48/104). The Declaration defines violence against women as ‘any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.’ (United Nations General Assembly, 1993)

Violence against women is not unusual nor is it committed only by abnormal, psychologically disturbed individuals. On the contrary, it is perhaps the most pervasive form of abuse, a universal phenomenon that cuts across all divisions of class, race, religion, age, ethnicity and geographical region (Pickup, 2001)

Violence against Women is a fundamental violation of women’s rights. A report developed by World Health Organization ((WHO, 2013) found that 30% of women worldwide have experienced either physical and/or sexual intimate partner violence. Globally, as many as 38% of murders of women are committed by intimate partners. Women who have experienced domestic violence report higher rates of important health problems. 16% are more likely to have a low-birth-weight baby, 32% are likely to have an abortion, 32% are likely to experience depression and 24% are likely to acquire HIV, as compared to women who have not experienced partner violence. According to an article in the Huffington Post for 2014, in the United States three women are murdered everyday by a current or former male partner while 38,028,000 women have experienced physical intimate partner violence in their lifetimes. African American women experience intimate partner violence at rates of 35% higher than white women. In 2011, 1509 women in the US were recorded to have been killed by an intimate partner. Worldwide, men who were exposed to domestic violence as children are three to four times more likely to perpetrate intimate partner violence as adults than men who did not experience domestic abuse as children.

On a global scale, violence against women and girls is one of the most prevalent human rights violations. The issue of gender-based violence reaches every corner of the world, and according to word health organization (WHO, 2013a) data from 2013, one in every three women has been beaten, coerced into sex or abused in some other way – most often by someone she knows. Gender based violence is not only limited to developing countries. However, it is believed to be more common there, although that fact has been disputed, reports indicate that women’s vulnerability especially increases in conflict settings or in context of displacement (Kisulee, 2013)

Overview of violence against women in Somalia

The UN Office of the High Commissioner for Human Rights (OHCHR) reported in December 2017 that: ‘The protracted conflict in Somalia has resulted in the prevalence of sexual violence against women, men, boys and girls, with women and girls particularly affected. Continued insecurity, weak rule of law and lack of humanitarian access have aggravated sexual violence. Gender inequality, power imbalances, slow progress in fulfilling Somalia’s obligations under international human rights treaties, displacement of large populations as a result of both the conflict and the drought, as well as the return of refugees from Kenya to mainly Baidoa, Luuq and Kismayo, all contribute to an environment in which women and girls are especially vulnerable to gender based violence, including conflict related sexual violence and sexual exploitation and abuse. Women and girls who are displaced or from marginalized groups suffer the most due to inadequate protection (UN Office of the High Commissioner for Human Rights(OHCHR), December 2017)

Anecdotal reports from field workers suggest that although there has been a general increase in awareness about rape and sexual violence, there remains a reluctance to talk about gender-based violence. For instance, UNICEF reported that 76% of women 15–49 years old consider a husband to be justified in hitting or beating his wife, if his wife burns the food, argues with him, goes out without telling him or neglects the children or refuses sexual relations. Women in Somalia continue to be subject to high levels of conflict-related sexual violence and domestic violence, where rape is often used as a weapon of war. Police and militia members have been found to be perpetrators of rape against women and rape has been commonly practiced in inter-clan conflicts. Women living in Internally Displaced Person (IDP) camps are particularly vulnerable to rape, abduction and forced marriage, and recent reports have documented a pattern of sexual exploitation by troops, in which sex is exchanged for food or money. (Social Institutions and Gender Index, Somalia section, undated , n.d.)

The USSD ‘Country Report on Human Rights Practices for 2016’ stated: ‘Although statistics on cases of gender-based violence in Mogadishu were unreliable, international and local NGOs characterized such violence as pervasive. Government forces, militia members, and men wearing uniforms raped women and girls. While the army arrested some security force members accused of such rapes, impunity was the norm. ‘AMISOM troops committed sexual abuse and exploitation, including rap.(USSD, 2016)

Local civil society organizations in Somaliland reported that gang rape continued to be a problem in urban areas, primarily perpetrated by youth gangs and male students. It often occurred in poorer neighborhoods and among immigrants, returned refugees, and displaced rural populations living in urban areas. In 55 percent of reported cases, a minor was the victim. (USSD, 2016)

The Human Rights Watch ‘World Report 2018’, published on 18 January 2018, stated: ‘Internally displaced women and girls remain at particular risk of sexual and gender-based

violence by armed men, including government soldiers and militia members, and civilians. According to the UN, incidents of reported sexual violence around displacement settlements increased in 2017. (Human Rights Watch, 2018)

The Australian Department of Foreign Affairs and Trade (DFAT), 'Country Information Report – Somalia', dated 13 June 2017, stated: 'Violence against women, including domestic violence, rape, sexual abuse, exploitation and trafficking is widespread throughout Somalia. Somalia is not a party to the UN Convention on the Elimination of Violence against Women. Women without family and clan connections are more vulnerable to gender-based violence and have less access to justice than women who come from majority clans. UN Women reported that the Somali National Army and the national police operate within a patronage system that rewards loyalties, resulting in unequal access to their services, which often disadvantages women. Women also have less access to independent financial resources, which are required in the pluralistic justice system in Somalia.(Australian Department of Foreign Affairs and Trade(DFAT), 2017)

The DFAT report on Somalia also stated: 'In addition to generalised gender-based violence, women in Somalia face sexual abuse perpetrated by all actors in the conflict: Somali security forces, al-Shabaab, AMISOM troops, and within clan militias and communities.'

The evidence collected by HRW of AMISOM-perpetrated sexual violence against Somali women and girls demonstrated a relatively organised pattern of sexual exploitation. Vulnerable women were raped in or near AMISOM bases and then paid small amounts or provided with food or medicine in an attempt by troops to justify the act as transactional sex. The perpetrators ranged from junior to senior officers. Some reported incidents have been investigated by troop-contributing countries or by the African Union (AU). (Australian Department of Foreign Affairs and Trade(DFAT), 2017)

A 'News Deeply' report, 'In Somalia, New Law Could Finally Give Rape Survivors a Voice', dated 27 April 2017, stated: 'Statistics about rape in Somalia vary wildly, and the lack of infrastructure, combined with the rarity of reporting, means there is no way to get a firm grasp on its scope. The Somalia Protection Cluster, a consortium of NGOs working in the country, recorded 1,599 cases of gender-based violence between September 2016 and February 2017. In 2015, the attorney general's office recorded 69 rape cases, 55 of which resulted in a conviction, according to Legal Action Worldwide (LAW), a firm specializing in human rights. Back in 2013, the U.N. recorded 800 cases of gender-based violence in the first six months of the year – in Mogadishu alone. (News Deeply', 2017)

In Puntland, and as in many other societies around the globe, impunity for rape and other forms of sexual violence is pervasive. In an attempt to mitigate against the vice, national authorities in the Puntland State of Somalia, through the Ministry of Justice, Religious Affairs, Constitution and Rehabilitation ((Ministryof Justice, Religious Affairsand Rehabilitation, 2016) on November 29, 2016 launched the first ever Sexual Offences Law criminalizing all sexual offences in the region. Despite the low numbers of rape prosecutions, it is a common perception that incidents of

rape are increasing in the state. Within the first quarter of 2019 alone, as per the data available at the MoJRAR over 15 cases of rape were documented across the four major towns (Garowe, Galkacayo, Bosaso and Qardho) of Puntland State). In a recent interview conducted with officials from Puntland Office of Human Rights Defender (PoHRD) by Smart Vision, a Somalia-based research organization, it was confirmed that cases of rape have been on the rise in Puntland of late. Most disturbing is the sly, cunning and savage way that some perpetrators treat their victims. The officials cited two cases, one where a young girl of 12 years was raped and the perpetrators took pictures and videos and posted them on social media. In another incident, a 9-months pregnant woman was gang raped and then killed.

According to report of (Ministry of Justice, Religious Affairs and Rehabilitation, October 31, 2019) **stated:** As per the report of the office of attorney general, 3387 cases were documented in the past 9 months in all over Puntland. Rape cases were very less prevalent in Puntland compared to number of cases reported, but however, the nature of committing rape crimes and victims who fall under its trap are shocking. [Gang] rape with brutal murder and rapping as young as 2 years old girl as happen in the case of Garowe, rape cases remain to be the most heinous crimes reported in Puntland.

International and Regional Treaties on Women Rights violations

The International and Regional Covenants represents a comprehensive and powerful articulation of commitments by the Member States to address and eliminate gender-based inequity, inequalities and discrimination. These commitments must be honored and fulfilled. It is imperative for policy makers and those seeking to engage in policy advocacy to understand the International and Regional frameworks within which interventions on violence against women are structured.

The Charter and the Universal Declaration of Human Rights (UDHR) was adopted in 1948. It is the normative framework on which the Human rights Protection is grounded. Many States of the world have, since its adoption, developed (through the UN) comprehensive and legally binding frameworks for the promotion and protection of human rights. It provides the standards for Human Rights such as right of freedom from slavery; Association, opinion, expression, assembly and movement; Thought, conscience, and religion; Torture and cruel inhuman or degrading treatment; Unlawful or arbitrary arrest or detention; Arbitrary interference with privacy, family, home or correspondence. Others are the right to equal protection of the law; right to fair trial; rights to asylum from persecution; right to name and nationality; right to nondiscrimination, equality and equity; right to vote and take part in public affairs; right to life and security of person; right to highest attainment of physical and mental health; right to education; right to just and favourable conditions of work; right to adequate food, shelter, clothing and social security; right to participate in cultural life and right to development. (The Universal Declaration of Human Rights (UDHR) (1948), n.d.)

According to (United Nations , 1979) according to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) that was adopted by the United Nations General Assembly on 18th December 1979. It came into force in 1981. As of the 13th September

2004, 178 Countries had ratified and acceded to CEDAW, which is regarded as the most comprehensive bill of rights of women. In Africa, 51 out of the 53 countries have ratified CEDAW. Six African nations ratified CEDAW with reservations (this means that these countries are not bound by certain sections of the CEDAW). Countries like Libya and Algeria entered reservations on the key article of the Convention that is, Article 2, which requires state parties to condemn discrimination and take appropriate action to eliminate discrimination in all its forms. Reservations imply that a government is not ready or is unwilling to undertake commitments to eradicate discrimination as specified under CEDAW. This unfortunately, negates the purpose for which the Convention was adopted and jeopardizes the effective and universal application of the Convention. The Convention, as adopted, embodies legally binding international standards on the rights of women applicable to all women. CEDAW prohibits discrimination against women, in all its forms, and defines discrimination against women as:

According to the Beijing Declaration and Platform of Action was adopted in 1995 in Beijing during the 4th World conference on women. It addresses issues of women's rights in all aspects of life for instance, education, economic, political participation, legal issues and opportunities available for women so that their rights are perceived and protected as human rights. (United Nations , 1995)

According to 'Article 3 of the Provisional Constitution of federal government of Somalia stipulates that women must be included in all national institutions including in elected and appointed positions. The Provisional Constitution also provides for protection from discrimination in the workplace and from violence against women, including sexual abuse. According to the Penal Code, the punishment for rape is five to 15 years. Abortion is prohibited, given it does not comply with Sharia law as practiced in Somalia, but is possible in cases of necessity such as to save the life of the (Provisional Constitution of Federal government Somalia , 2012)

The law criminalizes rape, providing penalties of five to 15 years in prison for violations. Military court sentences for rape included death. The government did not effectively enforce the law. There are no laws against spousal violence, including rape, although on May 27, the Council of Ministers approved a national gender policy that gives the state the right to sue anyone convicted of committing gender-based violence, such as the killing or rape of a woman. Somali NGOs documented patterns of rape perpetrated with impunity, particularly of female IDPs and members of minority clans. (The Independent Advisory Group on Country Information (IAGCI), 2009)

A 'Report of the Independent Expert on the Situation of human rights in Somalia', dated 6 September 2017, submitted to the United Nations Human Rights Council, stated: 'The Puntland Minister of Women and Human Rights Development explained that the Government had taken measures to protect women against sexual and gender-based violence, and described the progress made in their protection...In 2015, Puntland adopted the Puntland Rape Act, which facilitated

the trial of rape cases in formal courts. Chapter 19 of the Rape Act, on the special duties of the prosecution authorities where the accused is charged with a sexual offence, provides that the decision to prosecute the perpetrator of a sexual offence or any other offence under that law will be made by the Attorney General, not the complainant, and that the Somali Penal Code shall not apply to rape cases. It also provides that the prosecution authorities may establish specialized units with specialized prosecutors for sexual offence cases. At all relevant stages of the legal process, the prosecution authorities are required to forbid traditional elders or any other authority or person to take any measures to resolve any offence prescribed under the Act, using the traditional or any other informal dispute resolution mechanism. The Act has therefore removed the power to resolve rape cases through traditional mechanisms from traditional elders and families. (United Nations Human Rights Council, 2017)

This study, the researcher investigates the determinants of violence against women and access to human rights in Puntland

Statement of the problem

Traditionally, in any African culture, men had the right to discipline their wives because patriarchal domination was the norm. Today, women and girls are exposed to gender-specific types of violence. Attacks range from socially accepted disciplining, such as slapping of women by their intimate partners, to extreme domestic violence using crude weapons, rape and gang rape, sadistic methods of sexual and non-sexual torture and violent deaths and mutilations (McEvoy, 2012)

according to report of (Ministry of Justice, Religious Affairs and Rehabilitation, October 31, 2019) **stated:** As per the report of the office of attorney general, 3387 cases were documented in the past 9 months in all over Puntland. Rape cases were very less prevalent in Puntland compared to number of cases reported, but however, the nature of committing rape crimes and victims who fall under its trap are shocking. [Gang] rape with brutal murder and rapping as young as 2 years old girl as happen in the case of Garowe, rape cases remain to be the most heinous crimes reported in Puntland.

The main aim of the research was to determine the factors which influence gender-based violence and women's human rights abuse. It was to document and analyses the nature and interpretation of human rights abuse as encountered by the women and girls in Somalia and particularly Puntland. The research will expect to invoke public debate on enjoyment of basic human rights by women as well as to provide a contextual analysis of the impact of women's human rights abuse and violence on the economic, social and political life patterns of women. The research therefore illustrated how the public experience, conceptualize and act upon negative customary practices in the country as far as of gender-based violence is concerned.

Specific objectives are:

1. To explore the causes of gender-based violence and how they affect women's lives.

2. To investigate the socio-cultural factors that accelerate the increase and institutionalization of violence against women.
3. To explore government efforts in reducing inequality and violence against women and girls in Puntland.

Research Questions

To address the objectives, the study was guided by the following research questions;

1. What are the causes of gender-based violence and how they affect women's lives?
2. To what extent the socio-cultural factors that accelerate the increase and institutionalization of violence against women?
3. What are government efforts in reducing inequality and violence against women and girls in Puntland?

Justification of the study

This study on the determinants of violence against women is important in a number of ways. The findings of the study form a basis upon which evaluation of the prevailing interventions aimed at minimizing violence against women may be based.

This study justifies on the following basis; the woman issues of today forms a major structural issue for the 21st century. As a result, there is an urgent need to understand how women are being discriminated by men and to recognize that women have the same right towards the fulfillment of their basic needs as men. Second, most of the women issues are not mainstreamed into the development processes. So far, women issues in Somalia particularly Puntland are marginal in development debates. Thus, this study sought to bring into light the aspect of violence against women in Somalia particularly Puntland.

It is hoped that policy makers in the area of gender, and the NGOs and CBOs working with the Somalia/Puntland, will have additional knowledge, and come up with informed strategies for gender sensitive planning. Academicians and researchers should also find these findings useful.

2. LITERATURE REVIEW

Over view of Violence Against Women (VAW)

The issue of VAW was recognized globally in 1991 by the CEDAW committee as a result of global grassroots pressure from women's groups. In 1993 the UN passed the United Nations Declaration on Elimination of Violence against Women (Azhar, 2012). It is a global issue which usually occurred in a society where women are considered as a property and dominance is given to a male member of the society (Babur, 2007). It is the worst form of human rights violation and is present in every country, culture, class, ethnicity and age (Azhar, 2012) and the deadliest form of VAW occurred when combined with race, class and different types of other oppressions (Bunch, 1990). These violent situations occurred in workplace, streets and prison as well.

Also exposed the prevalence of physical and/or sexual intimate partner VAW in different parts of the world and revealed that the violence is highest in Africa, Eastern Mediterranean and South East-Asian countries. Next highest is in the regions of America. (WHO, 2013) also reported that

prevalence is lower in the Europe and Western Pacific regions and also in regions where income is high(WHO, 2013)

VAW is described by a UN as: “Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”. There is no universally accepted definition of VAW. It can be defined as a crucial mechanism for women to force them to the subordinate position as compared to men and also includes discrimination of women in terms of nutrition, education and access to health care (UNICEF , 2000). (Ohchr, 2017)define it as unequal power relations of men and women as a result of cultural manifestation. WHO also used a word power for defining VAW with factors of discrimination as: “The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either result in or has a high likelihood of resulting in injury, death, psychological harm, poor development or deprivation” ((Azhar, 2012). (Ogbonna, 2014)added that domestic violence is a harmful behaviour and the most common VAW, which according to care (UNICEF , 2000)a kind of violence by intimate partners and other family members, and manifested with physical, psychological, economic and sexual abuse.

Causes of violence against women

Alcohol and drug use

Some men who use drugs and those who drink alcohol may sometimes men violate their women under the influence of drugs they may not know at that particular time what they are doing and abuse their wives or someone close to them. A recent study has shown that there are many drugs involved in cases of substance-related Gender assault. In Canada the largest the of drug samples contained alcohol and almost 40% contained multiple substances like marijuana, cocaine, GHB (gamma hydroxybutyrate, a central nervous system depressant that is manufactured in the U.S) which influence people to men abuse their victims (TheCanadian Panel on Violence against Women, 2005)

Extensive consumption of stimulus substances like alcohol coupled with ingesting other addictions, for instance, led massive increase of gang rape which is uncommon phenomenon in culturally conservative Somali society (Ministry of Justice, Religious Affairs and Rehabilitation, October31, 2019)

Individual /Group Interest

This is non-cultural cause for gender violence where it emanates from an individual. For example, there is no culture of the society that promote females to be raped forcefully or involuntarily by the male. The cause for such violence is more of individual than the values, norms and beliefs of the society. In such circumstance, a cause factor might be wider enough. According to (Fulu, 2013), the acknowledged motivations for rape highlight its foundation in gender inequality: men reported that they raped because they wanted to and felt entitled to, felt it

was entertaining or saw it as deserved punishment for women (Fulu, 2013). In addition, violence can arise from individual or group interest based on pornographic films, mass media advertisements and emotionality.

In the Puntland where the researcher conducted this research, young population are more familiar with pornographic films. For most of them, mobile phone is the mechanism to transfer and access to it. This observance to pornographic film initiates the observers to practice sex of any type whether voluntary or involuntary. It creates the interest of sexual relation between male and female through mental order to exercise what they think in their mind. Pornography is also a challenge to marital relation in most marriage affairs. (Ministry of Justice, Religious Affairs and Rehabilitation, October 31, 2019)

According to report of (Ministry of Justice, Religious Affairs and Rehabilitation, October 31, 2019) Extensive availability and excess of internet and the wide use of social media platforms by youth, particularly Instagram and Tiktok, had negative impact on the youth normalizing inappropriate culture by encouraging youth to share improper videos and pornography in their accounts.

Discriminatory Culture

In many parts of the world, women are expected to be submissive and sexually available to their husbands at all times, and it is considered both as a right and an obligation for husbands to use violence in order to correct their wives. Till recent years, violence within the family is considered as a private matter in which outsiders, including government authorities, should not intervene. Such kinds of biased culture have a more devastating impact because a woman suffers from sexual violence preferred to remain silent than to risk the shame, stigma and discrimination that would result from disclosure (Ellsberg, 2005)

Weak state judicial institutions and depending on Traditional justice systems

According to the (Human Rights Watch, 2014), stated: 'Weak state judicial institutions have meant that many survivors of sexual violence depend on traditional mechanisms for justice, including customary law, *xeer*¹, and Sharia (Islamic law). Under Somali traditional or customary legal mechanisms, sexual and gender-based violence often goes unpunished, particularly as traditional Somali society does not openly discuss these issues. The elders responsible for taking decisions within rural communities are always men (in Somali Odayaasha/Dhaqanka) and women are not permitted to participate in decisions taken by this group. Rather, in cases concerning women, male relatives represent the women. Compensation for loss of life is typically 100 camels for a man and 50 for a woman. In rape cases, the elders have sometimes compelled victims to marry the perpetrator.

¹Xeer is defined as "the set of rules and obligations developed between traditional elders to mediate peaceful relations between Somalia's competitive clans and sub-clans"

Service providers told Human Rights Watch that traditional justice mechanisms that are ill-equipped to deal with sexual violence have had a negative impact on victims and stripped them of their legal rights. “When a women [sic] is raped, usually the clan elders of the two families come together and agree that the perpetrator’s family pay a small amount of money [anything from \$5 to \$100] to the victim,” a member of a Somali service provider said (Human Rights Watch, 2014)

According Report of the Special Rapporteur on violence against women, its causes and consequences in Somalia, Stated; Cases of sexual violence appear to be difficult to report to police and courts, and access to the formal justice system appears to be complex for a variety of reasons, including the fact that the formal justice system is inoperative in many areas of the country due to the destruction occasioned by the armed conflict and the general underdevelopment. Also, an obstacle is the need to pay police and court officials in order to formally file and process a case. Furthermore, the Penal Code, although it criminalizes rape, considers it as a crime against morals and not a crime against the person and is thus not adequate to substantively address this form of violence against women. As a result, many women do not trust the system, which has failed in the past to hold perpetrators accountable.(Manjoo, 9 to 16 December 2011)

This situation is further exacerbated by the complex interrelationships among customary, religious and formal systems of dispute settlement. The pre-eminence of clan interests, over formal institutions and accountability mechanisms, has had a particular impact on victims of sexual violence. They find themselves disregarded, as their families and clans tend to settle the violations/harms according to customary practices that favour conciliation rather than punishing the perpetrator and seeking redress for the victim. The Special Rapporteur was also made aware that women’s families, following clan lines, prefer to conciliate with the perpetrator’s clan mostly because of family and social pressures and perceived economic benefits that the family and victim’s clan may derive.

The Special Rapporteur heard about victims of rape forced to marry their perpetrators as part of the remedial practices of the traditional justice system. Although authorities and traditional and religious leaders she met denied and opposed this practice, interlocutors stressed that tribal leaders, in the settlements of disputes involving rape cases of single women and girls, often rule that the victim must marry her perpetrator, disregarding the opinion and will of the victim and often her family as well.

Socio-cultural factors

While some literature uses power relations and socio-cultural factors interchangeably, the two are inherently distinct in that while power relation has to do with psychological positioning, the latter has to do with the perpetrators of this positioning. With this understanding, factors like the patriarchal nature of most societies would then help explain the existence and extent of unequal power relations. In these societies, there is legitimized subordination of women, which includes the treatment of women as the property of men through practices such as payment of bride price. This, in turn, perpetuates violence against women and girls (CREA W, 2009)

The socialization process is such that the female gender is relegated to positions, functions and roles that are viewed as inferior and by extension suitable for the bearers of these aspects (IRIN, 2004). In other words, females are perceived as, and socialized to believe that they are weak, inferior and needing direction, guidance and discipline. In other cases, they are socialized to believe that they exist for the sole purpose of satisfying men's needs and desires (Long, 2001). Males, on the other hand, are socialized to demand and expect services from women and to treat them as inferior (Njenga, 2001)

Traditions, customs, beliefs and attitudes are used to justify the subordination and violation of women's rights (El Jack. A., 2003). According to (Bennet, 2005) women are the gatekeepers of the traditions, customs, practices and attitudes passed on through generations. Those who do not toe the line are ostracized by society and endure violence of different types. The powerlessness of women is worsened by their general lack of exposure, illiteracy and low education, which also limits their choices to a better life.

Effect of Gender Based Violence

The Victims/survivors of sexual and gender-based violence are at high risk of severe health and psycho-social problems, sometimes death, even in the absence of physical assault. The potential for debilitating long-term effects of emotional and physical trauma should never be underestimated. Understanding the potential consequences of sexual and gender-based violence will help actors to develop appropriate strategies to respond to these after effects and prevent further harm. (UNHCR, 2017)

Stigma and Discrimination of SGBV survivors

According to (Bokore, 2013) Somali-Canadian case study on the pre-and post-migration experiences of Somali women refugees explores the experiences of prolonged trauma and its resultant effect on Somali women's health. Bokore presents the lack of a cultural context to deal with the trauma of sexual violence as a barrier for Somali women. Within the Somali society, women are required to show a sense of modesty and shame, a custom called "Xishood". Talking about sexuality by women is prohibited by this custom (Bokore N. , 2009). Violated women, especially young girls are encouraged to hide their experience from members of the community to (Bokore, 2013). There is a general attitude of keeping silent about sexual violations directly linked to expectations of modesty. Speaking out and about sexual violations is considered vulgar and immodest

Social consequences

According to (Morrison. A., 2004) observe that GBV leads to social consequences including social stigmatization, social rejection and isolation, loss of roles/functions in society, the blaming of the victim, feminization of poverty and increased gender inequality. All these consequences have led to an increase in maternal morbidity.

Gender based violence has an impact on young girls in social, family and school settings. It is only through the studies presented in the foregoing discussions that we can assess the

impact of gender violence against girls. They suggest that violence against girls is an important cause of poor performance and dropout in schools, although it is difficult to establish cause and effect. The study by Dunne (Leach.F., 2003) on the impact of violence experiences on retention and achievement found that violence against girls, in the form of sexual intimidation, verbal abuse and physical assault was a significant contributor to irregular attendance and underachievement of girls in school and extra curricula activities

The other effects faced women is a public health problem due to the acute morbidity and mortality associated with the assault and because of its longer-term impact on women's physical and psychological health. Psychologically, the victim develops a growing feeling of anxiety and uncertainty due to fear of further violence after the first incident, however minor. The isolation suffered brings about an inability to relate well in public, since she is either prohibited from socializing or her ability to make contact is sabotaged. The perpetrator gains significance in the life of the victim hence controlling her views on herself which are usually negative. There is bound to be serious erosion of personality integrity (individualism), loss of confidence, self-esteem and respect. The woman believes that she is responsible for what is happening to her hence feeding her sense of guilt and shame (Abrahams, 2007)

There is a lack of sense of physical safety due to what happened to her, leading to inability to be at ease or trust what is going on around her. She suffers permanent damage to physical health after severe acts of sexual and physical violence. Physical and emotional abuse both create an atmosphere of fear, shame, uncertainty and lack of trust places a barrier between women and those around them who could have acted as sources of support.

Health consequences

Health consequences of violence against women take various forms. First there are physical and reproductive consequences such as, injury, diseases, gastrointestinal problems, infections, gynecological disorders, unwanted pregnancy, menstruation disorders. Pregnancy complications, sexual disorders, unsafe abortion and miscarriage among others. There are also emotional and psychological effects including post-traumatic stress disorders, mental illness, suicidal thoughts and behaviours, shame, insecurity, self-hate and self-blame among others.

Regarding the issue of female genital mutilation/cutting (FGM/C) the consequences include stress, fear, extreme shock, heavy bleeding and sometimes death. This is complicated like in the case of Somali women who are stitched. (Brady, 2001) indicated that depending on the type of excision made - cutting the tip of the clitoris or removal of the clitoris as well as the minor and major labia women end up suffering complications during their menstrual period, during marriage and at childbirth. (Carr, 2007) also found that as the stitching done during FGM leaves only a small opening, this often results in complications that can lead to infections during the menstrual period and at times a woman has to undergo surgery upon marriage to re-open the vagina. Even during

childbirth, surgery must be performed and this can lead to the baby's or woman's death where surgery is not easily available.

Economic consequences

Female-focused violence represents a hidden obstacle to economic and social development. By sapping women's energy, undermining their confidence, and compromising their health, gender violence deprives society of women's full participation. As the United Nations Fund for Women (UNIFEM) recently observed, "Women cannot lend their labour or creative ideas fully if they are burdened with the potential psychological effects of a violence against women incident include lowered self-esteem, difficulty with interpersonal relations, increased stress, depression, frustration, and anxiety. Those who have encountered GBV display common coping strategies; i.e. indirect expression of anger, denial or minimization of the incident, and compliance; as well as feelings of powerlessness, aloneness, fright, humiliation, and incidence of posttraumatic stress disorder (Dobash, 2007)

Gender based violence is also a serious development concern. Development is not simply the pursuit of economic growth but the linking of economic growth to indicators of social justice and individual well-being. The UNDP defines development as the "enlargement of choices," and the improvement of women's individual agency is essential to this. Therefore, at the most fundamental level, GBV contradicts the goals of development (UNDP, 2010)

Gender based violence against women also undermines development outcomes, because it depletes resources and has various direct and indirect economic and social costs. (Sash.B., 2007) identify direct costs such as medical, criminal justice, social services as well as non-monetary costs such as increased homicide, suicide, alcohol/drug abuse, depressive disorders. For example, in the United States, the health-related costs of rape, physical assault; stalking and homicide by intimate partners are more than \$5.8 billion every single year (UNIFEM, 2003).

Government efforts on Violence against women

The Provisional Constitution and Formal Justice System in Somalia

The Somali government is responsible for ensuring that its security agencies uphold both domestic legislation and the Somali constitution by protecting women and girls from sexual harassment. The prohibition on sexual violence is therefore contained in the Penal code and Chapter two of the Constitution.

Articles 10, 11 and 15 protect the rights to dignity, liberty and security including a specific prohibition of violence against women, access to the courts redress for human rights violations. The constitution also mandates that security forces of Somalia must protect all Somali citizens, implement the constitution, uphold, respect human rights and be transparent and accountable. (196 Chapter 14, Articles 127 and 128.)

Titles 1 and 2 of the Provisional Constitution of Federal government Somalia stipulate General Principles of Human Rights accorded to all Somali citizens. Under these titles, the constitution aims to protect human dignity and equality for all citizens regardless of sex, religion, or social status. Furthermore, the constitution protects the liberty and security of the person, including freedom from all violence against women including female genital mutilation (Musse, 2015)

According to (Federal Republic of Somalia, 2012)Article 15 of the Constitution adopted in 2012 includes the following provisions:

- (1) Every person has the right to personal liberty and security.
- (2) Every person has the right to personal security, and this includes: the prohibition of illegal detention, all forms of violence, including any form of violence against women, torture, or inhumane treatment.
- (3) Every person has the right to physical integrity, which cannot be violated. No one may be subjected to medical or scientific experiments without their consent or, if a person lacks the legal capacity to consent, the consent of a near relative and the support of expert medical opinion.
- (4) Female circumcision is a cruel and degrading customary practice, and is tantamount to torture. The circumcision of girls is prohibited.

Article 24 (5) of the Constitution adopted in 2012 includes the following provisions:

- (5) All workers, particularly women, shall have a special right of protection from sexual abuse, segregation and discrimination in the work place. Every labour law and practice shall comply with gender equality in the work place.

The most notable reasons for government's failure to contain level of violence against women is due to lack of political will as well as weak legal and structural framework that should be in place to address violence against women. In response, the government has come up with a National

Violence against women There is no overall law regarding violence against women in Somalia. The Constitution of Somalia (2012) states that every person has the right to personal security including the prohibition of illegal detention, all forms of violence, including any form of violence against women, torture, or inhumane treatment (Article 15.2). (Minister of Grace and Justice, 1962)criminalizes sexual violence (Article 398-401). Despite some level of protection guaranteed under the Constitution of Somalia and legal codes, incidents of sexual and physical violence against women is common (World Bank , 2013)

According to (Legal Action Worldwide, 2014)report, 'Legal Aid Providers Supporting Gender Based Violence Survivors in Somalia: Report and Recommendations', gave details of the government national action plans on sexual violence in conflict: 'In June 2014, the Ministries of Justice; Women, Human Rights and Development; Security and Somali Police Force; Health; Defence and Somali National Army; Education and Religious Endowments each adopted comprehensive National Action Plans on Sexual Violence in Conflict (NAPs). These Action Plans contain numerous commitments to government oversight bodies to coordinate efforts related to prevention and response to sexual violence, including:

- An Inter-Ministerial Coordination Mechanism comprised of representatives from the seven Ministries who released NAPs, to monitor their implementation and to coordinate sexual violence efforts.
- A Sexual Violence Oversight Committee (SVOC) to monitor investigations of present and future cases of sexual violence.

The composition, mode of operation and terms of reference for the SVOC are yet to be established. The NAPs also commit to the establishment of certain bodies and policies relating to sexual violence and accountability for each Ministry, the most relevant for this report being the Ministries for Justice, National Security, Health and Women and Human Rights Development... These Action Plans are comprehensive and their full implementation could have a significant effect on improving access to justice for GBV [gender based violence] survivors and accountability for perpetrators

According to Puntland Gender Policy (Ministry of Women Development and Family Affairs (MOWDAFA) , 2013) provides a framework for accelerating the realisation of equity fairness between men and women, non-discrimination and fundamental rights for all in Puntland, to achieve these issues the Gender Policy highlights these objectives;

1. To remove gender inequities and imbalances from all socio-economic development sectors.
2. To expeditiously and substantially enhance women's literacy levels, improve attainment levels of girls and women at all levels of education (both academic and professional) to reduce the gender gaps and to reorient existing curricula by effectively making them gender sensitive.
3. To provide women and girls access to quality healthcare services and all other pre-requisites to enjoy good reproductive and mental health, inclusive of healthcare for the elderly and the physically challenged.
4. To enhance and ensure full and impartial representation of women in all political and governance processes including opportunities in elective representation.
5. To safeguard and ensure respect for women's rights including economic, legal, political and social rights. The rights of the marginalised pastoral, rural, and poor women and girls, the disabled, elderly and in vulnerable circumstances and situations must be upheld too.
6. To provide equity through balanced opportunities to work, businesses and in creating spaces of opportunity for women to realise their full potential.
7. To combat all forms of exploitation such as violence and culture-based violence against women and girls and in their socio-economic and legal environments.

In Somaliland, the Constitution 2001 states in article 24(2): "Every person shall have the right to security of his person. Physical punishment and any other injury to the person is prohibited." Article 128 states that the Constitution "shall be the supreme law of the land, and any law which does not conform to it shall be null and void". However, further reform is necessary to confirm the applicability of the prohibition to corporal punishment of children in the home and to repeal article 442(2) of the Penal Code. A Family Code is being drafted. (Abdi, 2010)

Somali Penal Code

Somalia's [1962 Penal Code](#) criminalizes rape and other forms of sexual violence as well as forced prostitution. As Articles 398-9² states that 'carnal intercourse' and 'acts of lust omitted with violence' are punishable with 5-15 years and 1-5 years imprisonment respectively. However, the crimes are too narrowly defined to satisfy international law standards of protection from sexual and gender-based violence. Articles 407-8 of (Minister of Grace and Justice, 1962) criminalize the compulsion or facilitation of prostitution and the exploitation of the proceeds of prostitution. Abduction for the purposes of lust or marriage is prohibited under art 401. In practice however it has been documented that women complaining about a rape may find themselves trapped by the Article 426 prohibition against adultery that makes no exception for the case of rape. Also relevant for our focus on sexual crimes committed by security forces are Art 39(I) making abuse of power in the commission of a crime an aggravating circumstance and Article 33 which provides that when a superior officer orders the commission of an offence both the perpetrator and his superior will be liable. However, in practice these provisions offer little more than theoretical protection. While the 2012 Constitution of Somalia stipulates that 'human rights abuses alleged to have been committed by members of the armed forces against civilians shall be brought before a civilian court' (Art 128) in practice offences are invariably dealt with by military courts and very few prosecutions for sexual abuse succeed.

Puntland Sexual Offense Act, 2016

According to (Ministry of Justice, Religious Affairs and Rehabilitation, 2016) The Puntland Parliament on August 2016 passed a law criminalizing all sexual offences in the Puntland State of Somalia. In its preamble, the act reveals that it's the purpose of the Act to afford complainants of sexual offences the maximum and least traumatizing protection that the law can provide, to introduce measures which seek to enable the relevant organs of state to give full effect to the provisions of this Act and to strengthen the State's commitment to eradicate the pandemic of sexual offences committed in the Puntland State of Somalia or elsewhere by its citizens.

The new defines rape as:

1. A person who intentionally penetrates, to any extent of the vagina or anus of a person by the penis without the consent of the other person is guilty of an offence of rape and shall, on conviction, be punished as provide article 29 with reading of provisions referred to in article 27 of this act.
2. Subsection (1) do not apply to penetration **carried out** in the course of a search authorized by law or for bona fide medical purposes.
3. Marrying the victim to the perpetrator shall not constitute a defense to a charge of rape under this section.
4. Compensating the victim shall not extinguish the criminal action or the penalty imposed under this act.
5. A person who attempts to commit an offence under section (1) shall be liable, on conviction, to term of imprisonment not less than five years and not exceeding ten years.

²(**Art. 399- Acts of Lust Committed with Violence**).-Whoever by, employing the means or under the condition specified in the preceding article, commits upon a person of the other sex acts of lust other than carnal intercourse, shall be punished with imprisonment [96 P.C.] from one to five years.

6. Marriage between the couples shall constitute defense to a charge of rape under this section.
7. If the sexual intercourse is proven to be consensual, the punishment shall be in accordance with the Shari 'a provisions.

The Sexual Offences Act (SOA) criminalizes all sexual crimes including gang rape, sexual exploitation and abuse, sexual harassment, sexual offences involving the Internet and indecent exposure of genital organs in public places. The law also broadens the definition of consent, which is now designed to redress the balance in favour of survivors without prejudicing the perpetrators' right to a fair trial to help juries reach just and fair decisions. The new law accepts survivor's statements and police reports as admissible evidence to the court of law. It is now mandatory that police and prosecutors handling survivors provide referral to free medical, psychosocial and legal support as well as provide protection of witnesses and survivors. Also, forensic lab is introduced and DNA evidence findings was used for the first time in Somalia to convict three suspects who were accused of raping, torturing, and later brutality killing their victim, Aisha Ilyaas, a 12-year-old girl in February 2019 in Galkacayo. The forensic lab based Garowe, Puntland, Somalia examined samples of DNA collected from 10 accused suspects and as per to a statement by the Forensic Science Bureau in Garowe, their findings was the evidence these finally sentenced three men were identified and the other 7 were set free, where their DNA was found on the crime scene. The new Sexual Offense Act adopted by the government, under article 28 reveals that "Any type of forensic evidence may be adduced as evidence in court proceedings for an offence allegedly committed under the provisions of this law. Failure to produce forensic evidence shall not be a bar to prosecution."

Theoretical Framework

This study was guided by the Interacting Factors Model developed by (Maynard M. and Winn, 1989). In this model, the two wished to integrate "a wide range of factors" across various forms of violence against women and reveal their commonalities. The model defines some elements of interacting. These are sociological (historical and cultural), interpersonal or situational (social networks) (Bell, 2008) This perspective examines individual behaviours in context.

The Interacting Factors Model assumes that patriarchy operating from historical level affects the power dynamics of all relationships. Shared patterns of ideas and beliefs passed through generations define one's social networks. Historical and social- cultural factors create an environment in which the growing child learns rules and expectations. It is evident first in the family context, and later in the peer, intimate and work relations. The early experiences define the context for later experiences. Embedded in these social networks are characteristics of the personal relationships in which the individuals act violently. Power dynamics become enacted at the interpersonal level and result in the internalization of gendered values, expectations and behaviours. Thus, cultural norms governing the use of aggression as a tool of the more powerful to subdue the weaker combines with gender inequalities to create an environment conducive for violence against women which is inextricably bound to the social context of male domination and control in the society. The patriarchal view of the society gives men a higher value than women. Men dominate in politics, economics and the social world including the family life. This

is seen as normal and natural. Violence against women is thus an assertion of power and control men have over women, an idea also expressed by (Shipway, 2004)

Using the above model as a framework of analysis, White and Kowaski identified key factors that distinguish between various types of violence against women, the nature of relationship, the ages of the perpetrator and the victim and the form the violence takes. For example, sexual activity between unrelated adults is called rape, among others. In all cases the violence varies in severity continuum and is psychological, verbal or physical and may be episodic or continuous. Intimate violence is learnt and maintained within broad social context that has tolerated, violence against women, (Beech, 2004)

3. RESEARCH METHODOLOGY

Introduction

This section discusses the research design, the population under study, the sampling procedure and data collections procedures. It gives an explanation on the tools and techniques that were used to analyse and present data lastly, ethical considerations pertaining to the research is also discussed.

Research Design

This study adopted a descriptive survey research design. According to (Mugenda & Mugenda, 2003), a survey is an attempt to collect data from members of a population in order to determine the current status of that population with respect to one or more variables. Survey research is considered as the best method available to social scientists and other educators who are interested in collecting original data for purposes of descriptive survey research design can be used to collect information about people's attitude, opinions, habits or a variety of education or social (Kombo, 2006). This study intended on capturing the information on the determinants of violence against women and access to human rights in Puntland. It employed a mix of quantitative and qualitative approaches by way of using questionnaires and interview that included both open-ended and closed-ended questions. The investigation design was chosen in order to accommodate the research questions as stipulated in the objectives

The target population and sample size

The target population is the population to which the researcher ultimately wants to generalise the results (E Amin, 2005). Therefore, the target population of this study will be 200 respondents coming from Households, government agencies, civil society organizations, legal aid clinic centers, Human right defender office, Women Lawyer Association, Individual of legal and human rights experts, traditional elders.

A sample is a portion of the population whose results can be generalized to the entire population (E Amin, 2005). The sample size will consist of Seventy-eight (133) respondents from 200 population using Sloven's formula which is $n = \frac{N}{1 + N(0.05)^2}$ where (n = Sample size, N = target population). This sample will be sufficiently high and representative enough to validate the findings.

From this formula, the sample will be calculated as flows

$$n = \frac{N}{1 + (N e^2)}$$

Where: n = sample size
 N = target population
 e = level of significance/marginal error (0.05)

$$n = \frac{N}{1 + N (e^2)}$$

$$= \frac{200}{1 + 200(0.0025)}$$

$$= \frac{200}{1 + 0.5}$$

$$= \frac{200}{1.5}$$

$$\simeq 133$$

Table 1.1 Sample Size Respondents

Category	Population	Sample
Administrators (Government agencies)	27	18
CSOs	28	19
Households	45	30
legal aid clinic centers	23	15
Individual legal and human rights experts,	17	11
Women Lawyer Association	18	12
Human right defender office	27	18
traditional elders.	15	10
Total	200	133

Source: Researcher (2020)

Research instruments

To ensure that data collected address the study objectives, the data collection instruments must be selected appropriately to avoid collecting irrelevant information, ((Henry, 2004). This study being descriptive in several characteristics, couple with the fact that it targets a relatively large population geographically spread in the different-locations of Puntland, the researcher seeks to develop and use questionnaires and Key Informative interviews as the key data collection

instruments. The questionnaire items comprised of both closed ended and open-ended questions in order to generate maximum information.

Data collection procedure

During the study, primary data collection methods were used. This data was collected using self-administered questionnaires. The study adopted a survey research design. For the purpose of this study, survey research was used to establish factors contributing or perpetuating violence against women and girls in Somalia particularly Puntland. A questionnaire was designed to elicit responses from the respondents for purposes of statistical analysis. They were developed and mainly administered to the women. Structured and Likert type of questions were mainly used to collect information. Key informant interviews were also conducted to supplement what had been elicited from the questionnaire. The interview schedules were used to supplement information got from questionnaires. The interview schedules were mainly administered to different respondents in the different areas in order to find out the extent of violence against women and girls in their areas. Unlike the questionnaire, which had closed ended questions and a few open-ended questions, the interview schedule mainly had open-ended questions.

Data analysis

Once data are collected, they are organized systematically under various themes. Both qualitative and quantitative data analysis techniques were applied in this study. Qualitative information collected from key informants were transcribed, analyzed thematically, and presented in a narrative form (Kombo & T., 2011). The Statistical Package for the Social Sciences (SPSS) was used to analyze quantitative data, which was then to be presented using both graphical and statistical techniques

Ethical considerations

Lists some of the ethical issues as informed consent, confidentiality and anonymity. Bearing in mind the significance of ethical issues in research, the researcher will ensure avoidance of plagiarism, but acknowledges specific scholars should their works used in whatever form, through quotations and citations. The research dealt with matters that were considered to be very private by the respondents. If this privacy was not maintained, the respondents may have felt that they had been duped and partially exposed to public study. The researcher also intends no physical or psychological harm to the respondent 's confidentiality will also be observed.

4. Findings of the Research

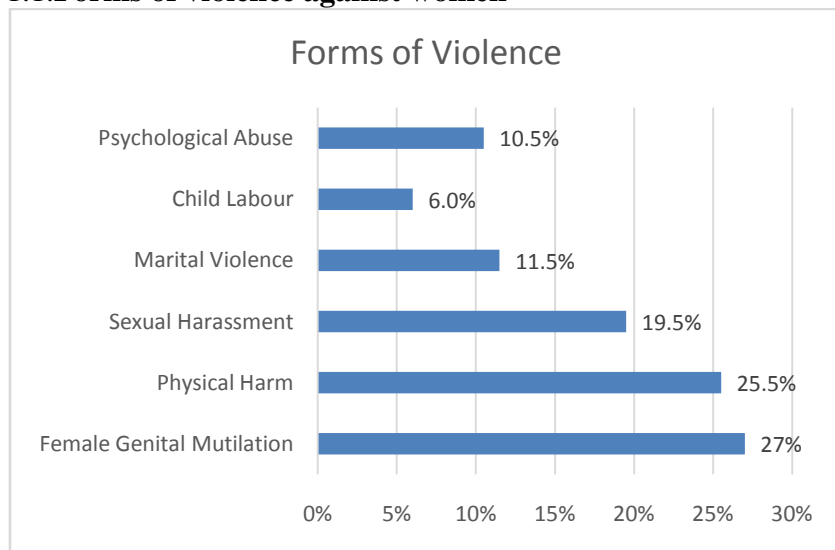
Introduction

This Section serves to present, analyze as well as to discuss empirical findings relating to the determinants of violence against women and access to human rights in Puntland. Data that was collected by the researcher through the use of questionnaires that were distributed and interviews that were conducted are presented, analyzed, discussed and interpreted. The Section gives a meticulous analysis and discussion of what the researcher gathered from the respondents. The presentation of the results is done in the form of tables, and charts.

Community view on violence against women and girls

All the respondents who participated in the study indicated being aware of violence and practices that discriminate against women. All agreed that violence is an offence that is punishable under the penal code of the land.

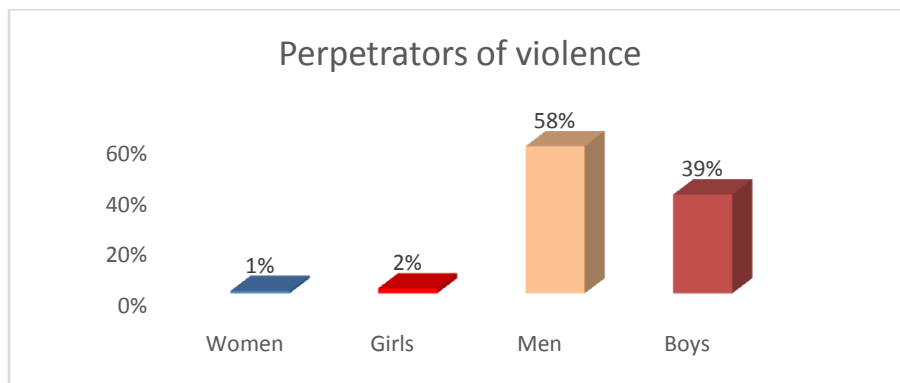
1.1. Forms of violence against women



Source: Primary Data

From the analysis, several forms of violence were noted. 27% of the respondents indicated that Female Genital Mutilation as the most prevalent form of violence against women and girls in Puntland, followed by physical harm 25.5% of the respondents indicated that women and girls have experienced that physical harm is one of widespread form of violence against them. 19.5% of the respondents indicated that Sexual harassment become as a common in the community. 11.5% of the respondents indicated that marital violence was a predominant form of violence while 10.5% of the respondents indicated that psychological abuse was one of the women and girls have experienced. 6.0% of the respondents indicated that child labour was mostly rampant in the community and their rights to accessing education were violated.

1.2 The Perpetrators of Violence



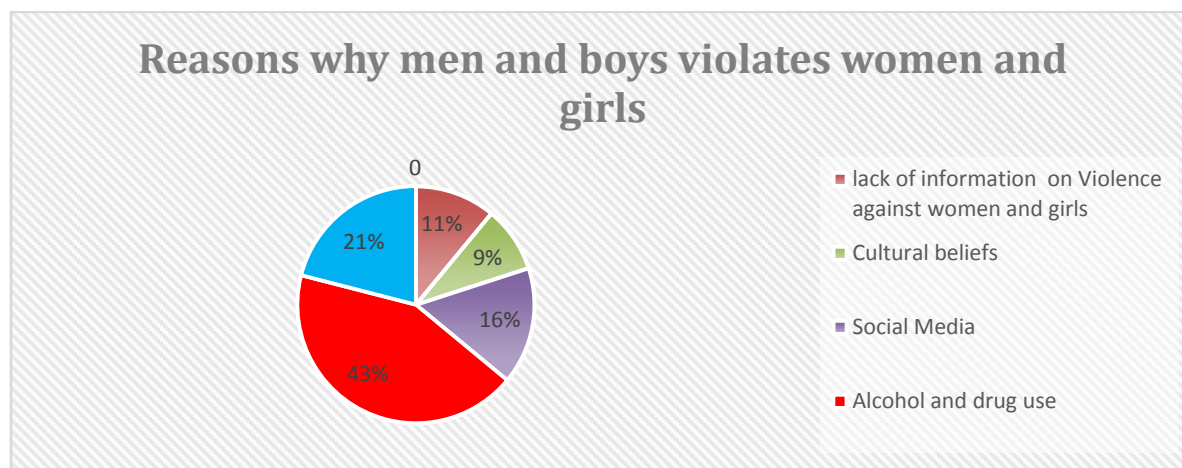
Source: Primary Data

The above chart: shows that majority of cases of violence against women and girls is most likely to be perpetrated by the men. 58% and 39% of the respondents indicated most cases of the violence are perpetrated by the men and boys respectively. One woman narrated; “Here in Puntland, many women and girls suffer at the hands of men and boys. This is brought about by over consumption of alcohol and use of internet (watching sex movies) and results in untold suffering among the women and girls”.

Also, the analysis indicates 2% and 1% of the respondents indicated that they have experienced cases of violence being perpetrated by both girls and women respectively. From this analysis, it has been evidenced that violence is prevalent among the women and girls and that violence is likely to be perpetrated by men and boys against the women and girls.

Causes of gender-based violence and how they affect women’s lives.

1.1 Why Men Violate Women



Source: Primary Data

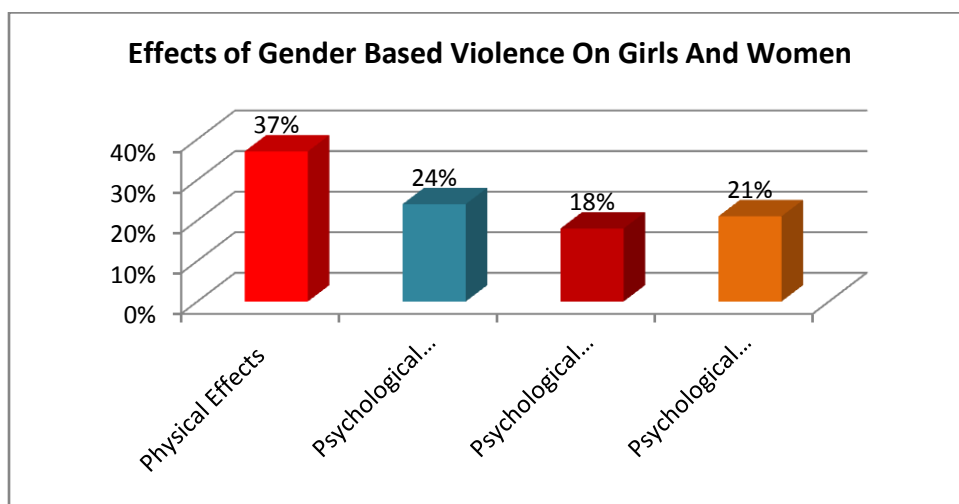
The result from the above Pie chart shows on why they thought men are likely to violate the rights of women and girls, 43% of the respondents indicated that men and boys engage in drug use such as alcohol and chewing Qat/khat that harm their thinking and makes them violent, followed by 21% of the respondents indicated that most men and boys become violent due to frustrations for lack of employment. 16% of the respondents indicated that using of social media in young boys and girls is likely to contribute to violence against women and girls in Puntland, social violence involving social media goes beyond physical violence and includes emotional, psychological, and verbal abuse, as social media has been widely used to circulate, distribute and spread immoral pornography. also, the data shows that 11% of the respondents who indicated that lack of information on Violence Against Women and girl is the reason why men violate women and girls. And finally, 11% of the respondents indicated that cultural beliefs make men/boys feel that women/girls are under their care and that it is expected that it is acceptable to punishment them.

One-client in IDPs was quoted thus: “Our culture allows us to beat our wives for disciplinary issues and I believe most of us suffer from lack of knowledge of the negative effects of these cultural practices due to low educational levels in our community as an IDPs”³

In view of the above, respondents opined; and said that the “If you don't beat your wife at once at every three months, she will look down upon you and even rebel against you, other men in our village will laugh at you. Wife beating has been there since the days of our forefathers, so we follow uniform”⁴

Another client said that “the men of this place chewing khat too much until they lose their senses, due to the effect of this cheap drug substance, they go on a raping spree so that the IDPs is worse than it was in terms of safety. I (as mother) no longer send my daughters to the shops after 7:30 pm because I don't know who is waiting to harm them”⁵.

Physical and Psychological Effects of Gender Based Violence on Girls and Women



According to **effects of gender-based violence against women and girls** the respondents were indicated that the 37% of the violence are physical effects in terms of beating and slapping that affected the victims' body. 24%, 21% and 18% of respondents said there were experience psychological effects in terms of Hatred, Psychosomatic and depression respectively.

One-client was quoted thus: “Physical violence can take many shapes and forms. Physical assault in the form of beating, punching, kicking, biting, burning, maiming, Hitting using object or killing with or without weapons. Physical violence can be perpetrated by spouse, intimate partner, family member, friend, acquaintance, stranger, anyone in a position of power, or members of parties to a conflict”⁶

³ interview, March, 2020

⁴ interview, March, 2020

⁵ interview, March, 2020

⁶ interview, March, 2020

One-client was quoted thus: “I was pushed, shaken, punched and slapped. I was criticised in public, for example, he told me I am useless and he regretted why he married me”⁷

One female client was quoted thus: “she has experience with psychological effects of violence from her husband, she said that you can find you have started hating your children; you feel if you had not given birth to these children, this man would not have hated you. So, when you are irritated with your husband, you beat your children even you hated any one from his relatives and friends”⁸

“One respondent from Legal aid clinics said that we have dealt with several cases where men claim to have abused their wives, these abuse results for trauma cases, for example one victims explains the effect she got and said that when you exposed to physical assault of beating, slapping and pushing of your husband with stick then you get injury, beatings that he keeps on beating, beating me, it’s possible to get high blood pressure and you cannot tell what is causing it; this abuse has hurt me a lot”.⁹

One-client from legal aid clinics was quoted thus : **“every day we get at least one case of violence against women or girls, the victims from whether IDPs or other resident in town, most of the violence is Physical Assaults he mentioned that like this case, in October 2019 Family problem resulted from financial issue with wife complaining that her husband did not give bill after she requested then he beaten her and caused physical assault of bruises on her head”**¹⁰

“Director of legal aid clinics in Garowe indicated that of this area (Garowe) our office-based statistics shows that at least every two-day woman come to our office to report that they have been faced violence”¹¹

“A Police officer indicated that the men in IDPs feel they are superior to women just because they are the breadwinners and majority of women in the IDPs depend on them for financial support. So even when they violate the rights of the women, the women do not report to the police but keep quiet as they do not want to lose their daily bread, this makes violence against women and girls continue unabated”¹²

The study sought to determine the extent to which the respondents agreed with the following attributes by using mobile banking. The responses were rated on a five-point Likert scale where: 5= to a very great extent, 4= great extent, 3- Moderate extent, 2= to a low extent and 1 = to a very low extent. The mean and standard deviations were generated from SPSS and are as illustrated in the table below.

⁷ interview, March, 2020

⁸ interview, March, 2020

⁹ interview, March, 2020

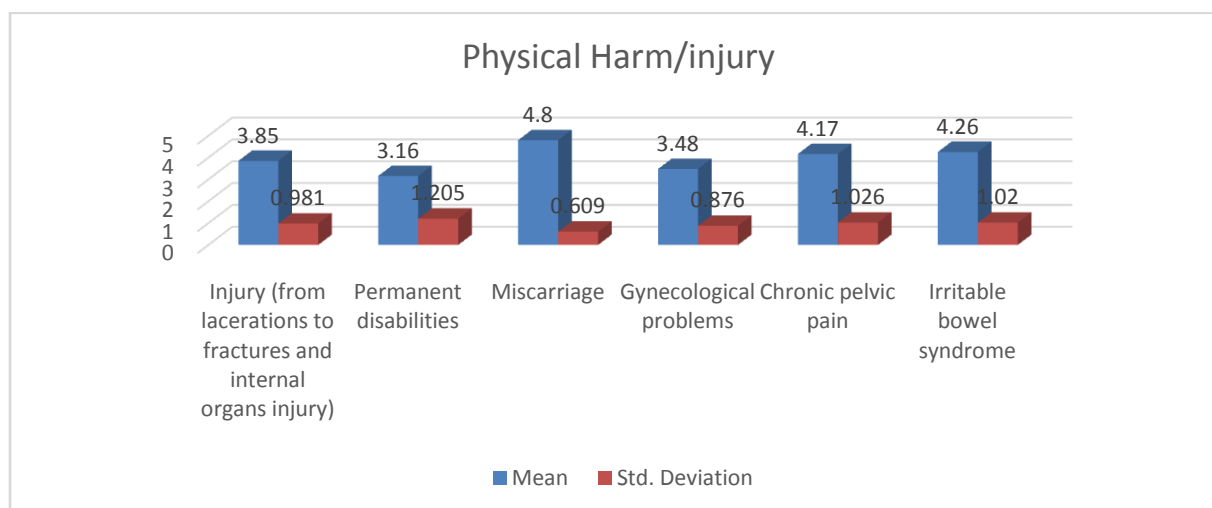
¹⁰ interview, March, 2020

¹¹ interview, March, 2020

¹² interview, March, 2020

Effects of **Physical harm/injury** Violence on Women's Health and Well-Being

Physical harm/injury	Mean	Std. Deviation
Permanent disabilities	3.85	.981
Miscarriage	3.16	1.205
Injury (from lacerations to fractures and internal organs injury)	4.80	.609
Gynecological problems	3.48	.876
Chronic pelvic pain	4.17	1.026
Irritable bowel syndrome	4.26	1.020



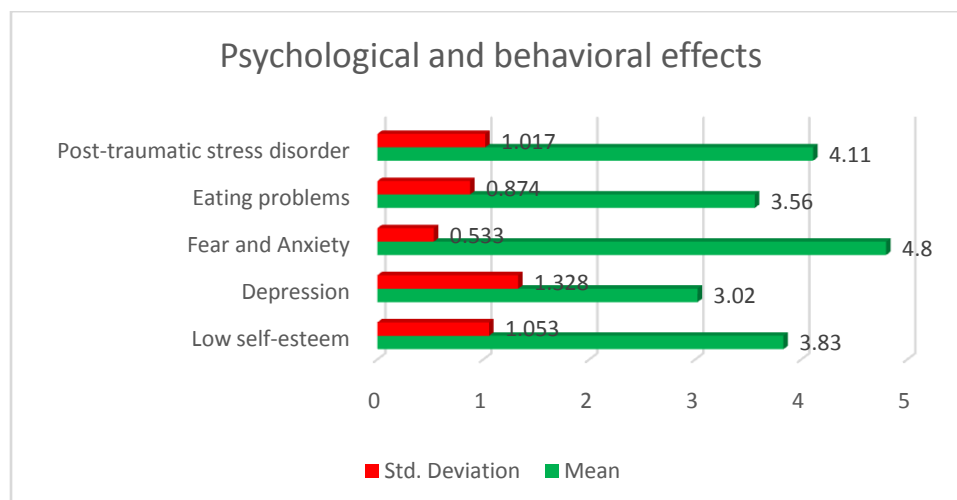
From the study findings in the above table and chart shows that the most common physical harm of violence experienced by women and girls in Puntland, the majority of the respondents agreed to a great extent that Injury (from lacerations to fractures and internal organs injury) effects, Irritable bowel syndrome and Chronic pelvic pain, as indicated by the mean scores of 4.80, 4.26 and 4.17 respectively. On the other hand, most of the respondents moderately agreed that The Permanent disabilities, Gynecological problems and Miscarriage as indicated by the mean scores of 3.85, 3.48, and 3.16 respectively.

My husband is chewing Khat/Qat most evening and come back to home at the mid night. He is knocking the door every time he chewing at the night. One night I was sleeping and don't hear his knocking while he was knocking the door again and again. He was shouting to call my name continuously. Then, I open the door after our neighbors were coming to see what was happening in our home. He entered in to the room and sat down until our neighbors went out of the area. Then, he beat me repeatedly for which I could not open the door. I got serious injured in that

evening. I remain to be unhealthy since I was bleeding very much due to the beating of my husband from time to time¹³

the study sought to determine the extent to which the respondents agreed with the following attributes by using mobile banking. The responses were rated on a five-point Likert scale where: 5= to a very great extent, 4= great extent, 3- Moderate extent, 2= to a low extent and 1 = to a very low extent. The mean and standard deviations were generated from SPSS and are as illustrated in the table below.

Psychological and behavioral effects	Mean	Std. Deviation
Low self-esteem	3.83	1.053
Depression	3.02	1.328
Fear and Anxiety	4.80	.533
Eating problems	3.56	.874
Post-traumatic stress disorder	4.11	1.017



From the study findings in the above table, the majority of the respondents agreed to a great extent that Fear and Anxiety and Post-traumatic stress disorder by the mean scores of 4.80 and 4.11 respectively. On the other hand, most of the respondents moderate agreed that Low self-esteem; Eating problems and Depression as indicated by the mean scores of 3.83, 3.56 and 3.02 respectively.

Effects of Gender Based Violence on Women and Girls

This section gives a detailed account of the findings obtained regarding the effects of GBV on girls and women in Puntland. The presentation is divided into three sub-sections; health, social and economic fronts.

¹³ interview, March, 2020

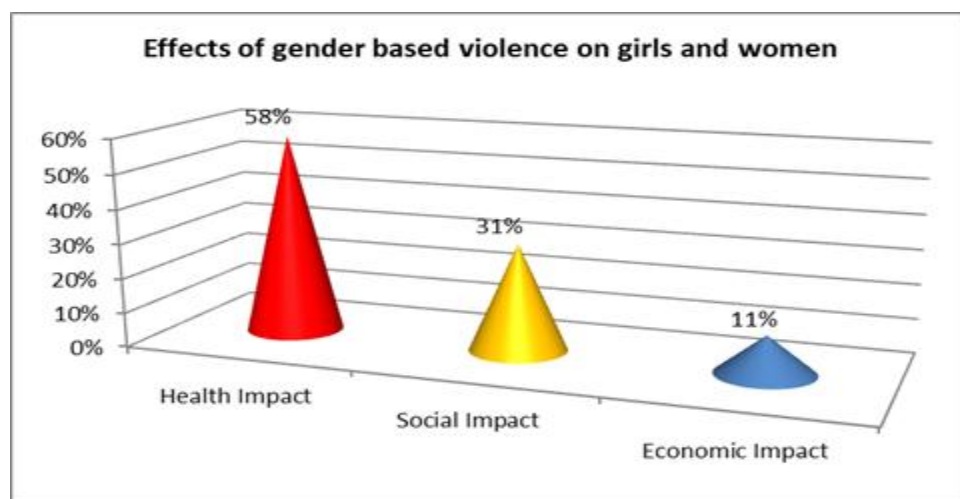
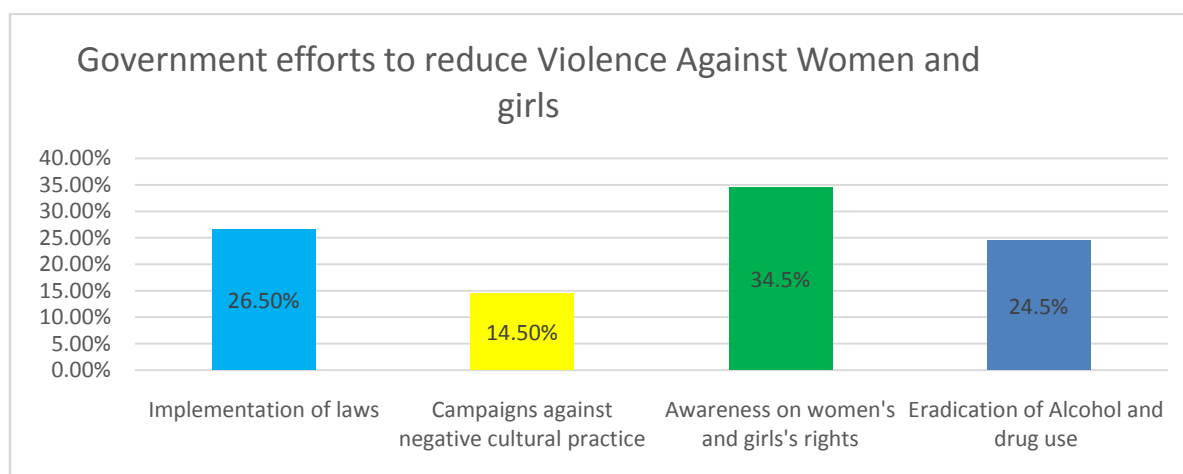


Figure 4.7 Effects of gender-based violence on girls and women

Figure 4.7 shows that 58 % of the respondents said that GBV had a negative health impact, 31 % said that GBV affected them socially. while 16 % said that GBV affected them economically.

Government efforts on Violence against Women and girls

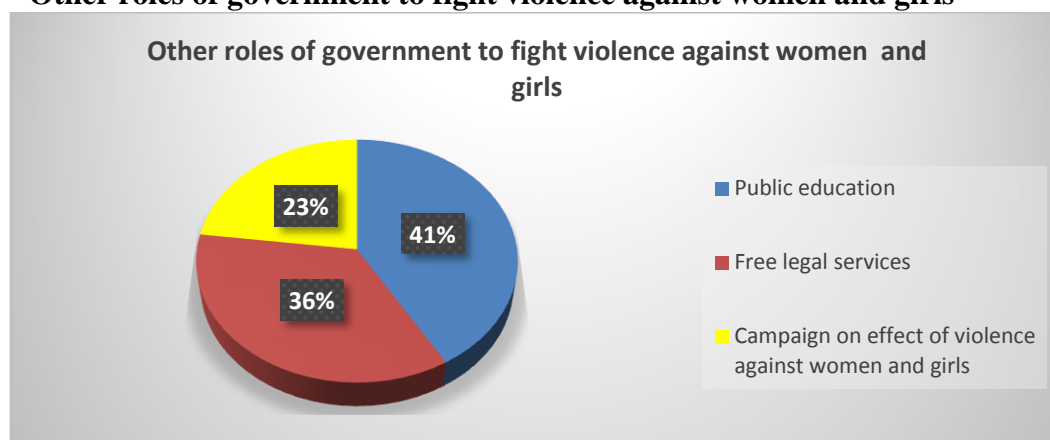
According to the key informants, the government has put in place several measures that are geared towards effectively addressing violence and discriminatory practices against women. This has been done after realization that cases of violence against women as well as discriminatory practices are increasing every day, resulting in lots of social ills including increased poverty levels, low income, high illiteracy, increased number of females headed households and high dependency levels among women.



Source: Primary Data

Asked to shed light on some of the efforts which people think are likely to be effective if used by the Government to eliminate or reduce violence and discriminatory practices, 34.5% of the respondents said that the government should focus on awareness campaigns on women's and girls' rights would most likely reduce violence against women and girls in Puntland because awareness is power full tool and it should work with religious and traditional leaders. 26.5% of the respondents said that the government should implement existing laws of sharia as well as Puntland Sexual Offense Act , 2016, that protect women's rights. 24.5% of the respondents indicated that eradication of Alcohol and drug use is a solution to eliminating violence against women and girls, another of 14.5% of the respondents indicated that campaigns against negative cultural practices and beliefs will reduce the occurrences of violence against women and girls, these cultures including FGM and wife beating in mostly like in IDPs community.

“Other roles of government to fight violence against women and girls



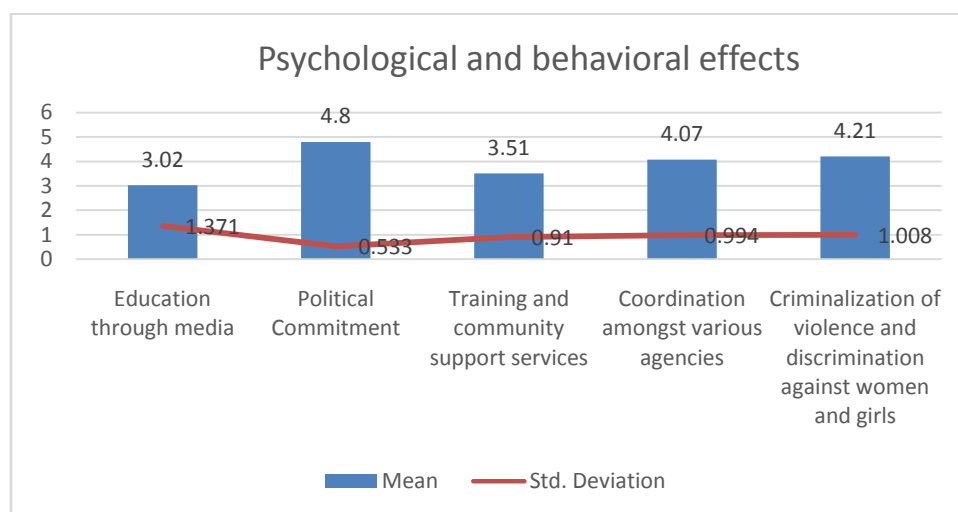
Source: Primary data

The research revealed that the government have another key role in reducing the incidence of violence against women and girls. 41% of the respondents said that the government whether ministry of Women and family affairs, ministry of Justice or human right office need to lead in the public education programs on laws that protect women and girls. 36 % of the respondents said that government need to help in offering free legal services for women and girls that are violated, most of victims should afford fee of legal service and most needed ones IDPs community while 23% of the respondents said that the campaign should centre on the negative effects of the violence and discrimination

The study sought to determine the extent to which the respondents agreed with the following attributes by using mobile banking. The responses were rated on a five-point Likert scale where: 5= to a very great extent, 4= great extent, 3- Moderate extent, 2= to a low extent and 1 = to a very low extent. The mean and standard deviations were generated from SPSS and are as illustrated in the table below.

Other Strategies for minimizing the level of socio-cultural violence against women

Psychological and behavioral effects	Mean	Std. Deviation
Education through media	3.02	1.371
Political Commitment	4.80	.533
Training and community support services	3.51	.910
Coordination amongst various agencies	4.07	.994
Criminalization of violence and discrimination against women and girls	4.21	1.008



From the study findings in the above table, the majority of the respondents agreed to a great extent that Political Commitment, Criminalization of violence and discrimination against women and girls and Coordination amongst various agencies by the mean scores of 4.80, 4.21 and 4.07 respectively. On the other hand, most of the respondents moderate agreed that Training and community support services and Education through media as indicated by the mean scores of 3.51 and 3.02 respectively.

5. Conclusion

The study concludes that violence against women and girls has adverse impact on all facets of women and girls' lives, health, economic and social aspects. These adverse effects are both short-term and long term. Indeed, most of the violence against women and girls' experiences are life changing and totally alter the lives of the victim. The study also notes that there are various ways of addressing violence against women and girls, but the people often fail to report violence against women and girls' cases and therefore, it would look like the mechanisms are not effective. The study confirmed that indeed, high incidences of women rights violation do exist

and that there are numerous socio-cultural, economic, political and legal factors that lead to increased incidences of violation against women.

The study revealed that the government, through various machineries have made efforts to reduce the rate of violation against women. The most important effort was the establishment of a Puntland Sexual Offense Act which was passed into in 2016. the purpose of this law of the Act is to afford complainants of sexual offences the maximum and least traumatizing protection that the law can provide, to introduce measures which seek to enable the relevant organs of state to give full effect to the provisions of this Act and to strengthen the State's commitment to eradicate the pandemic of sexual offences committed in the Puntland State of Somalia or elsewhere by its citizens

The most notable reasons for the government's failure to contain the levels of violence against women, according to the study, is lack of political will coupled by weak legal and structural mechanism for addressing incidences of violence.

6. Recommendations

Based on the above findings, the study recommends the following;

Key actors of health providers, legal aid workers, civil society and local and national administration and law enforcers involved in violence against women and girls' issues in Puntland should collaborate to educate and provide a coordinated referral system which will ensure that the victims receive all necessary assistance. This will mitigate the negative impact of violence against women and girls.

The legal aid workers and health workers should assist victims of the violence to prosecute their tormentors should the police not take action.

Lastly, government must work in collaboration with all stakeholders to come up with educational programmes that inform people about the impact of violence and discrimination against women.

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