
A Thesis Submitted to the School of Arts and Sciences in Partial Fulfillment of the Requirements for the Master of Arts Degree in International Relations

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DECLARATION

Student
I hereby declare that this Thesis Paper is my own original work and has not been presented in any other institution and/or organization for any purpose. All the information herein quoted from other sources is duly acknowledged.

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DEDICATION

I dedicate this work to my mother Fatuma Muhammed Abdi and my father Hassan Abdi who took me to school when I was green and young in order to get education.
ACKNOWLEDGEMENTS

Let me acknowledge members of the MA International Relations Class of 2003, especially Mumo Nzau and other colleagues.

My professor, the late H. O. Okello is also remembered for his academic insight and guidance.

Finally my supervisor Amb/Dr Mwanza was of great help. His invaluable direction cannot be overemphasized.
ABSTRACT

This study examined the nature and dynamics of the Somali Peace Process. It was guided by the following objectives: One, to find out the type of government that is suitable for Somalia at the end of the Peace Process; two, to analyze the achievements of the Somalia National Reconciliation conference and; third, to analyze the challenges facing post-conflict Somalia.

The study was guided by a straightforward methodology, which had to do with the examination of available literature on the subject of study, and subsequently to make scientific inferences and conclusions on the same. The study also sought to trace the Somalia Problem from the roots to more contemporary issues.

It was clear from the findings of the study that the Somalia Peace Process has been taken on strongly through sub-regional conflict management under the Inter-Governmental Authority on Development (IGAD), which steered the process towards major breakthroughs as far as ensuring peace in war-torn Somalia is concerned. The IGAD-driven Somali Peace Process was able to bring the parties to the conflict together in a Conference hosted in Kenya; subsequently leading to the formation of a Transitional Federal Government, which has since settled in Somalia.

Nevertheless, this did not come without challenges. The fact that a number of important actors particularly Somaliland, refused to join the talks has become a "thorn in the flesh" for the new political dispensation. Furthermore, challenges posed by post-conflict reconstruction and peace building are overwhelming. Most of Somalia remains lawless and this is a stumbling block for the reconstruction process. It was therefore recommended that both Somalis and the international community take up the responsibility of enforcing the newly found peace in Somalia, as there is no alternative for the war weary people of Somalia.
1.0 Chapter One

1.1 Introduction

Somalia falls within the Horn of Africa. It borders the Gulf of Aden to the north, Djibouti to the northwest, Ethiopia to the west, Kenya to the Southwest and the Indian Ocean in the East. It has a landmass of about 637,300 sq.kms and a population of about 10 million. In the census held in 1987, Somalia had a population of about 8.7 million with an annual growth rate of 3.1%. About 70% of this population lives in the rural areas, 55% of which are pastoralists, 24% farmers and 1% fishermen. Only 13% of Somalia’s land mass is arable.

By 1870 parts of the Somali coast, especially the Benadir area was controlled by Sayid Barkash, who ruled Zanzibar, Tanzania. During the partition of Africa, 1885, the Somali coast and its hinterland shifted hands several time. Like elsewhere in Africa, the colonial powers, during the Berlin Conference of 1884, divided the Somali-inhabited territories in the horn of Africa into five zones: British Somaliland, French Somaliland, Italian Somaliland, Northern Frontier District (NFD) the present north eastern region of Kenya and-the Og'aden-the present Fifth-zone in Ethiopia.¹

During the colonial period, Britain and Italy met stiff resistance from the Somali clans in the country. Between 1900-1920, Sayid Mohamed Abdulle Hassan and his Darawisha forces fought bitterly with the British administration and their collaborators in the northwestern region of Somalia. Unfortunately, the leader of this anti-colonial struggle, Sayid Mohamed Abdulle Hassan died in Emay area, Ethiopia, in 1920.

In the south, the Italian administration, met stiff resistance from the Biyamaal clan, who with the support of the Darawisha, fought several battles until their pacification in 1907. The Geledi sultanate of the Digil and Mirifle sub-clan also resisted the Italian-occupation in the southern parts of the country. Nasib Bundo of the Jarer clan was also

another Somalia hero. He organized armed resistance against Italian occupation in the Jubaland region that borders Kenya. Nasib Bundo's resistance ended with his imprisonment and death in 1925.

In 1943, the Somali Youth Club (SYC) was formed to synthesis the people and led their struggle against colonialism. This organization (SYC) changed its name to Somali Youth League (SYL) in 1947. The main objective of the Somali Youth League was to unify and liberate the Somali inhabited territories in the Horn of Africa. It also opposed to practicing clannism in Somalia.

The leaders of Digil-Mirifle tribe, in the southwestern regions of Somalia, formed their political movement, Hisbi-Digil and Mirifle-HDM in 1945 to fight the land alienation policy of the Italian colonizers. They later changed the name of their political movement to Hisbi-Dastur Mustaqbal Somalo (HDMS). The leaders of HDMS, after the liberation of the country, wanted to lobby for the establishment of a federal System of Governance in Somalia. Other nationalistic movements including the Somali National League (SNL), United Somali Party and the United National Front (UNF) were founded in British Somaliland to fight colonialism.

In 1948, a conference was organized for the Somalis in the southern regions. They were asked to choose between Britain, France, Italy and Germany as the country that could rule them under - the UN Trusteeship. In this context, Italy became the mandated country in 1950. It ruled the southern regions of Somalia for 10 years – 1950 to 1 July 1960. Britain retained control of northwestern regions of Somalia present Somaliland, the North Frontier District, which later became the NFD Region in Kenya, and the Reserve area – the present fifth Zone in Ethiopia.²

The increased agitation by the Somalis for independence led to the battle of Dhagahtuur in Mogadishu in October 1949. It caused the death of many Somalis and Italians. Likewise, the Italian colonizers and the Somalis fought in Kismayo, the capital of Lower

Juba Region, in 1954. It also caused heavy casualties on both sides. The struggle for independence resulted in the formation of the first internal Somali Government and a Legislative Body that was headed by Aden Abdulle Osman. Mr. Osman later became Somalia’s First President. The Secretary-General of Somali Youth League, (SYL) Abdullahi Isse Mohamud became the Prime Minister of the new administration. There was also a Cabinet of Five Ministers.

On 26 June 1960, the Somaliland protectorate gained its independence from Britain. Similarly, the Southern regions of Somalia gained their independence from Italy on 1 July in 1960. The Legislative-Bodies of these two areas immediately approved a union forming the present Somali Republic. It was a common belief that the country had a solid foundation for political stability, given the homogeneity among the majority of Somali people. They share the same language, religion, and culture. However, the apparent homogeneity at the national level, could not spare the letting down of the Somali blood for the last thirteen years. They are deeply divided on occupational stratifications and clans that trace their origins centuries back.

For the first nine years of its independence, the country was governed under a parliamentary system. Aden Abdulle Osman of the Hawiye clan became the First President of the Somali Republic. He nominated Abdi Rashid Ali Shamarke of Darod clan as his Prime Minister. They ruled the country under a Unitary System of Governance, which contradicts the behaviour of the Somalis who are egalitarian by nature. There was also a lot of corruption and nepotism in the administration of the government. Such practice induced representatives of the different clans to compete for the little resources in the hands of the governments.

In the elections of 1964, Abdirizak Haji Hussein of the Darod clan became Prime Minister, replacing Mr. Shamarke. Some of the regions in the country were unhappy with the results of the election believing that it had been rigged. The government, for her part, used arbitrary arrests, detentions and persecution to stem the tide of disaffection.
What followed was a massive growth of clan parties whose number stood at 70 by the time of the 1969 elections.³

In 1967, the Somali National Assembly elected Abdirashid Ali Sharmarke, as Somalia’s Second President. Mr. Sharmarke nominated Mohamed Ibrahim Egal as Prime Minister. Again the elections in 1969 created a lot of chaos and violence in the country. It caused the death of more than 100 persons. To make matters worse, the government was engaged in excessive mal-administration and corruption that finally led to the assassination of President Sharmarke on 15 October 1969. It was against this background that the late Siad Barre’s regime took control of the country.

1.2 Background of the Study
Following the assassination of President Abdirashid Ali Sharmarke in October 1969, the armed forces staged a coup and installed a new government headed by General Mohamed Siad Barre. Members of the Supreme Revolutionally Council (SRC) consisted of 25 men who were not representing fairly the Somali clans. However, most of the people supported the new regime hoping that it would free them from corruption and clannism. But their hope began to fade with banning of political parties and suspension of the constitutional parliament. The SRC came up with a Charter consisting of thirteen articles meant to regulate the internal and external affairs of the country.

On the economic front, the SRC introduced a negative policy. They nationalized foreign banks, insurance, petroleum, shipping agencies, joint venture industries, agricultural lands and farms adding impetus to the discontent that was building up against the regime. In terms of land the policy of nationalization affected mainly the rich farmlands in the insert-riverine regions, of Juba and Shabelle. The military regime also worsened this situation, when instead of using the land for public good it decided to distribute some of it to well placed personalities within the Regime.⁴

³ Ibid
⁴ Ibid
The regime also established several parastatal agencies, which performed commercial activities such as export and import. The Agricultural Development Corporation was charged with the role of purchasing, storing and distribution of local grains. The Agency became a conduit for fleecing money from the locals as it bought the grains at low prices from the producers and later sold it to the consumers including the same farmers who were not allowed to retain even a small portion of their harvest for household use. This policy became disincentive resulting in decline of food production and at the same time increasing poverty and malnutrition. The shortfall meant that the government had to import food to meet the needs.

By the mid-1970s, the SRC had introduced a Single-Party State. It also introduced Scientific Socialism as the country’s ideology hoping that it would promote nationalism and to stem out clannism in Somalia. To achieve this objective, effigies of clannism were symbolically buried across Somalia. However, this gesture did not achieve its intended objective albeit the initial good will, and the evil of clannism came back to haunt Somalis in the later years of the military rule.5

In the same year, the Regime established the National Security Services and the National Security Court. These two organs had absolute powers to arbitrarily arrest and detain suspects. The National Security Court was made up of judges who were mainly military officers. Laws no. 54 and 67 under the public security ordinance were used to create fear and despondency among the populations. The same year the Vice President and Minister of interior and a number of civilians were arrested and charged with treason and attempted coup against the Supreme Council.

By 1975 public discontent grew even further when the regime publicly executed by firing 10 renowned religious scholars, for openly rejecting the regime’s position, on the equality of men and women on the issue of inheritance. The religious leaders have maintained that the regime’s views were incompatible and contrary to the Islamic law of inheritance. In 1976 the military regime formed the Somali Socialist Party in an effort to re-introduce

5 Ibid
party politics, but it was the only party allowed to operate, and it became a political mouthpiece for the military regime.⁶

The situation of the country was further aggravated when the Country went to war with Ethiopia in 1977, forcing the regime to create armed clan militias in regions bordering Ethiopia to counter rebels operating from there and the latter's aggression. Ethiopia's military regime and some Arab countries supported and armed the rebels thus leading to a proliferation of arms in the region. In its 21 year rule the regime subjected Somalia to an oppressive and autocratic rule. This created the structural conflict that became the foundation for the current realities in Somalia. These realities include a collapsed and failed state, fratricidal civil war, human rights abuse, food-insecurity, poverty, clan animosities, violence and the fragmentation of the country into freedoms.

The pull out of the Somali armed forces from Ethiopia after the Ogaden war created disorder, loss of morale and discipline in the armed forces. The mass influx of refugees and displaced populations from the Ogaden and other unarmed Ethiopian opposition groups destabilized clan demography in Somalia. The refugees from Ethiopia who were settled in northwest region and Hiran caused resentments among the indigenous population who feared losing their land and property to the new comers, opposition movements capitalized on this refugee problem and instigated conflict.⁷

In 1978, aggrieved military officers form Northeastern formed Somali Democratic Front (SSDF) to fight the Regime Military similarly, aggrieved military officers in the northwestern Somalia formed their own Military wing Somali National Movement (SNM) in 1981 to fight Siad Barre's Regime. These two groups which were based in Ethiopia were unable to join forces because of clan differences. Insurgency against military regime began when the SSDF rebels attacked the military installations in Central and Northeastern regions of Somalia. The SNM became active in the northwestern region of Somalia. The regime's forces carried out reprisal attacks against the rebels and

⁶ Ibid
their suspected supporters in these regions through arrest, detention, executions and destruction of water reservoirs.

In 1982, with the help of Ethiopian armed forces, the rebel SSDF movement captured the towns of Galdogob and Balanbaale subsequently the Ethiopian flag was flown over these two towns. A disagreement immediately occurred between Ethiopia and the leaders of SSDF, who objected the hosting of the Ethiopian flag over Somalia territory. This led to the arrest and subsequent detention of SSDF leaders in Ethiopia.8

In 1986, President Barre was involved in a road accident where he was seriously injured, and flown abroad for medical treatment. This proved to be a turning point in political power struggle within the military regime. Serious divisions appeared in the ranks of the ruling military elite and socialist party politburo that were split into two camps on the issue of succession in the event of death or incapacitation of the President. One group was led by Lt. General Mohamed Ali Samatar who was 1st Vice President and senior member of socialist party politburo, and General Ahmed Suleiman Abdalla (Daffle) a member of politburo and son in law to the President. The other group was led by Major General Aden Gabiyou and Brigadier General Maslah Mohamed Siad Barre, the son of the President. The political rift between these two groups had impacted negatively on the lifespan of Said Barre’s regime by accelerating on its downfall.

In 1987, through IGAD mediation, both Ethiopia and Somalia agreed to normalize relation which eventually lead to Ethiopia’s withdrawal from the two towns, the SNM had to move its base from Ethiopia to areas in Somalia. They attacked areas in the northwest regions, with the aim of capturing Hargeisa and Burco districts. This lead to massive reprisal attacks by the government forces that used heavy artillery shells on Burco and aerial bombardment of Hargeisa and its outskirts. The results were the deaths

of thousands of civilians, the destruction of the infrastructure and the displacement of hundreds of thousands who fled into Ethiopia.\textsuperscript{9}

In 1989 the arrest in Mogadishu of Muslim scholars and preachers who were unhappy with the regime’s repressive policies led to mass demonstrations and political unrest. The National Security and Military Intelligence raided the houses of mainly Issak, some Hawiye and some Darod clan members and executed a number of them at Jezeera beach.

In central Somalia, a movement drawing its main support from the Hawiye clan, the United Somali Congress (USC), also took up arms against President Siad Barre’s government and in 1990 formed an alliance with the SNM and an Ogaden-based movement, the Somali Patriotic Movement (SPM). They agreed to divide Somalia into three areas of operation, with the USC being allocated areas between Benadir and Mudug; SNM from Mudug to the Northeast and Northwest regions and the SPM covered the Lower Shabelle towards the south and southwest regions. Another political movement that draws its main support from the Digil and Mirifle clans was also announced in Southwestern regions of Somalia in late 1990 to fight the Siad Barre’s Regime. However, these armed movements lacked clear and cohesive national program for Somalia in the event of regime’s overthrow. This surely was one of the main reasons for the chaotic and fratricidal civil war that ensued after the collapse of the regime in 1991.\textsuperscript{10}

\subsection*{1.3 Problem Statement}

Since 1991, the Somali political leaders have signed five agreements at national level (the Djibouti Agreement of 1991, the Addis Ababa Agreement of 1993, the Sodere Agreement of 1996, the Cairo Agreement of 1997 and the Arta, Djibouti Agreement of 2000) with the help of international community. The Somali leaders were expected to implement these agreements and restore the lost sovereignty of their country. However, none of these agreements had been implemented so far. And the Somali people are still

fighting on the basis of clan. Over 500,000 persons have been killed and 1.5 million displaced within the last thirteen years. In addition, the IGAD hosted Somali Reconciliation Conference at Mbagathi, Kenya has been encountering serious hurdles since October 2002.

In addition, Somalia, at independence was considered a unique state in Africa, being founded on a single ethnic group – the Somali – whose ethnicity was defined by a common language (Af-Somali), a pastoral economy and an adherence to Islam (Sunni), and a clan political system. It is puzzling, therefore, why 45 years later an apparently homogenous society should be wrecked by such internal strife. Therefore, this study examines closely the root causes of the ongoing fighting among the Somali people so as to come up with a solution to the Somali problem. It will also highlight ways of rendering the Mbagathi Somali Peace Process a success. In doing so the researcher will shed light on the reasons that are prolonging the Mbagathi Peace Process and the effect of the Front-Line States in the endeavour.

1.4 Objectives of the Study
The overall objective of this study was to critically analyse the Somali Peace Process under IGAD. Specific objectives included:

1. To find out which system of government would be good for Somalia.
2. To analyse sub-regional conflict management efforts towards Somalia since 1991.
3. Determine whether IGAD’s reconciliation process was provided a lasting solution to the 14-year-old Somali Conflict.
4. To find out the challenges facing post-conflict Somalia.

10 Ibid.
1.5 Justification of the Research

The outcome of the study will be of great assistance to the Somali faction leaders, politicians, scholars, traditional elders, women and youth groups who have been busy finding a viable political solution to the Somali problem.

The outcome of the study will also benefit to scholars and researchers who are willing to examine and document objectively the causes of the Somali conflict. It will introduce the main contention points among the Somali clans to future researchers on the Somali conflict.

The study would also benefit the international community who have been willing to understand the causes of the Somali conflict in general. The study will particularly benefit the United Nations (UN) and the regional organizations Africa Union (AU), League of Arab States (LAS), Inter-Governmental Authority for Development (IGAD) who were working jointly on the reconciliation process of the Somali people, 2002-2004. It will also help the International community to understand ways of removing the hurdles facing post-conflict Somalia.

1.6 Scope of the Study

The study consists of five chapters. Chapter one gives information on the study, which consists background, need for the study, objectives, methods of analysis and procedures, information collection and description, importance of the study and scope of the study. Chapter two is literature review on the Somali conflict. Chapter three examines all sub-regional agreements signed by the Somali leaders since 1991. Chapter four is critical review of the IGAD Peace Process and appropriateness in resolving the Somali problem. Chapter five is summary, conclusions and recommendations. The main preoccupations of the study is to examine the nature and dynamics of the Somali Peace Process under IGAD.
1.7 Methodology
The research materials for this project were from secondary sources. Mainly the information was sourced from United Nations Development Office for Somalia (UNDP Library Centre) in Nairobi, Kenya as well as Publications from the Mbagathi Peace Process. In addition, the reports on the studies done on resolution of the Somali conflict were used. Due to the data and information collected, the method of analyses used was descriptive. Various studies done on resolution of the Somali conflict as well as agreements signed by the Somali leaders since 1991 were examined. Most recent information concerning the challenges facing the new peace was most informative.

1.8 Assumptions of the study
The study was guided by the following key assumptions:

1. The IGAD Peace Process is likely to lead to a lasting solution to the Somali Conflict
2. A favourable system of government might mean a lasting solution conflict within Somalia and between her and neighbouring states.
3. The Somali Problem has historical, political, cultural and territorial roots and dynamics.
4. To find ways of achieving genuine reconciliation at sub-clan levels.
5. The greatest challenge facing Post-Conflict Somalia has to do with insecurity and lack of financial resources.
2.0 Chapter Two: Literature Review

2.1.0 Historical Roots of the Somali Conflict

The Italian government, which colonized the Southern part of Somalia, used the Somali clan system negatively for its divide and rule interests. It prepared its 1954 census based on regions. This way, the territorial entities had less importance than the clans thereby neglecting a significant socio-political aspect of the country.

The consequence of the regional census of the “Somali Italiana” would have serious impact in any aspects of the future political life of the country. Distribution of parliamentary seats of the country was made without any clear criteria. Since clan membership statistical data had never been performed in the south, every clan of ex-Somalia Italiana claims to be the majority, without any statistical reference and/or confirmation.

The district electoral system encouraged the need of clan support to succeed after independence. Somali Youth League (SYL), the ruling party, already in a political dilemma, tried to field non-local politicians to the detriment of local political rivals, inorder to defuse the pure clannic structure of the political election, causing political imbalance and injustice. The consequent two options were clan dependency or electoral fraud.¹¹

Externally, Britain’s diplomacy towards Somalia had always been ambiguous. It had colonized the country, introduced the importance of “Greater Somali” plan and after a while dismantled it without giving minimum consideration to the Somali feelings thus creating an alarming national dilemma.

From 1947, Cold War interests were playing a determinant role to the destiny of Somalia. Eastern and Western States fiercely contended Somalia for its strategic position. The end of the cold war era marked the collapse of the Somali State. In effect the political survival
of Somalia was not based on real social, economic and political equilibrium, but on a forcibly, maintained leadership by the world powers as along as it was in their interest to do so.

During that year Italians infiltrated the Somali clans promising economic and political support to some of them in case of Italian return to Somalia. In 1948, when pro-Italian groups were aggressively attacking SYL buildings and members, incited by Italy, a British trusteeship request of SYL would have created direct Somali clashes causing internal bloodshed, which the nationalist party was avoiding. Instead of fighting against Somalis, on 11 January 1948, SYL decided to fight against Italians, causing the death of 52 Italian citizens.

Great Britain created a sensitive political and territorial problem for Somalia. A good part of the Somali population was subjected to domination of other African countries. Britain's surrender of Somali territories to Ethiopia generated deeply rooted sentiment of enmity against Ethiopia and a territorial controversy between Somalia and Kenya.¹²

The absence of a united Somalia, consequently would become one of the main obstacles to Somalia’s development. As a direct out come of European colonialism, after 30 of independence, Somalia is suffering the harvest of a disorientating political dilemma that could be described as the real cause of the total collapse of the Somali State.

Instigated by the Italian settlers and Somali loyalists, The Italian administration whose national goal was to bridle the anti colonial waves of Pan-Somali groups started to kill, jail and frustrate SYL activists and supporters. In August in 1952, a number of Somalis were jailed and other skilled. On the other hand, the Italian administration rewarded the pro-Italian, nominating them to important government offices in the post-mandate Somali administration in order to replace the Italian officers.

Further, Somalia inherited cold war legacies which included: Growth of new dictators who, counting on the assistance of powerful States believe the can rule the country following the footsteps of the late President Mohamed Siad Barre. Heavy armaments obtained by clan militias form the cold war weapons stock piled in Somalia, with which all Somalis are held hostage. Hence the Somali conflict has been contributed to negatively by colonial influence.

2.2.0 Effects of Clanism

Somalia has five major clan groupings: Darod, Hawiye, Dir, Isaaq and Digil and Mirifle. Each comprises of numerous sub-clans and lineages, whose loyalties and political affiliations are in constant evolution depending on variable such as leadership, competition of resources and opportunities.13

Beneath the apparent homogeneity at the national level, the Somali society was divided, not only by social and occupational stratifications and differences between urban and rural sectors but especially by the clan forms of social organization to which most Somalis belong.

Clans consist of aggregations that trace their relations back many generations and traditionally claim specific territories. Considerable authority rests with elders and chiefs who continued to wield influence after independence. Competition for political positions and state resource became a new element affecting inter-clan relations with establishment of a central state.14

The nationalistic spirit of the SYL dictated that a Somali leader whatever his clan of origin, represented everyone, but the clan constitution of the Somali society is a huge

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obstacle to surmount towards statehood. Political negotiations and transitional political measures from clan to nation were missing. Nationhood and Statehood are new difficult concepts for the Somali people to understand and assimilate. In their view camels identified with the Somali state was belonging to everybody without concrete rules to divide its milk. Back to tradition, clashes between the owners were inevitable in such cases.

At popular level, clan differences and divisiveness was highly perceived. The SYL central committee did not to succeeding instilling all sense of nationalism in the Somali soul despite the efforts. The unity that the Somali people had against colonialism started to collapse gradually. Clan loyalty and pride overruled the short-lived nationalism of SYL supporters. Among them, two main groupings were formed; a group opposed to the internal government (mainly Darod) and another supporting it mainly Hawiye).

Further, the first seeds of discord were so was gradually the internal conflict deteriorated into a real political confrontation. The political problems of today started years before independence infiltrating dangerously in the soul of the pre-independence leaders of Somalia and after them, all other Somali administrations whether civilian or military. According to Ayes Osman Hagi and Abdiwahid Osam Hagi, distribution of seats in the pre-independence internal governments was not fair.  

Table 2.2.1.0

<table>
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<th>PERIOD</th>
<th>Hawiye</th>
<th>Darod</th>
<th>Dir</th>
<th>Digil and Mirifle</th>
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May 1959
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<th>5</th>
<th>3</th>
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<th>2</th>
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<td>TOTAL</td>
<td>9</td>
<td>5</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>18</td>
</tr>
</tbody>
</table>

Sources: Aves and Abdiwahid Osman Hagi, pp. 179-181

The composition of the two internal governments as shown in the table, had the Hawiye clan being dominant which caused a feeling of political disparity and dissatisfaction especially within the Darod community.

A combination of factors set Somalia on its tragic course towards humanitarian catastrophe following the assassination of President Abdirashid Ali Shermarke in October 1969 followed by a coup stage by the armed forces, who installed a new government headed by general Mohamed Siad Barre. These included:

The authoritarian character of the Siad Barre government: Narrowing of the political base of the regime in terms of clans: Disastrous war with neighbouring Ethiopia in 1977-78 over Ogaden and the resulting influx of hundreds of thousands of refugees from the Ogaden: and finally, a regional arms race fuelled by the super power rivalry of the cold war which further militarized the country.16

Division of the political pie at independence was considered in terms of clan instead of in terms of two United States. The south covered both the Presidential and Prime Minister seats, neglecting completely the important union issue. The North also did not negotiate

its political rights as a joining state, disintegrating after the union into Isaaq, Darod and Dir clans with different interest.

The clan subordination of the military regime was more dreadful and devastating. The Somali National Army was pure and intact in terms of clan influence before the revolution. The clan protection need of General Siad Barre infested the military barracks in which respected senior, well prepared national officers were neglected and replaced with newly enlisted clan members of the leader, who received fresh grade promotions and position nominations. This disintegration of the army would, in the future facilitate the failure of the Somali State. A solid, well-integrated healthy national army would have save the country from total collapse.

After 1980, Somali ceased to exist substantially as a state. It existed only formally. An alarming clan month was eating away its internal structures and at the end of 1990, a clan-controlled state became an easy target to clan-based opposition movements. These sentiments are echoed. Deterioration of economic, social and political conditions in the late 1970’s and 1980’s saw traditional clan loyalties come to the fore, fragmenting the Somali Nation. This conflict uprooted half a million people, devastated the economy, sharply reduced food production and saw Somalia’s limited resources further diverted from economic and social development to military expenditure.\(^{17}\)

In the final years as functioning state Somalia was among the poorest but the most militarised nations on earth spending five dollars on its armed forces for every dollar spent on education and health. Further influx of refugees upset the existing clan demography after Somalia’s defeat in the 1977-78 war with Ethiopia leading to a growing political instability.

An opposition element in a clan could bring disgrace and an anti-revolutionary label to the entire group, whose only commonality was their original roots. The new police-state environment of the government’s labelling of clans as “friends” or “foes” forced

\(^{17}\) Ibid
colleagues, classmates and friends to be aware of each other's clan affiliation. The alertness to a person's clan identification started, after years of clan lineage indifference in the big cities, because of political arrests and threats after innocent discussions and critique to the regime among friends and colleagues.\(^{18}\)

During the last ten years of the dictatorial regime, the government encouraged and sometimes funded clan conflicts between neighbouring populations. Clan animosities and wars escalated in the absence of effective traditional reconciliation procedures rendering an overall environment of hostility throughout the country.

Clannism became the rule in government administration. All high ranking state officials considered the irrespective offices as their private property without sector shame. Clan divisiveness gradually contaminated all aspects of Somali life. It was felt in the countrywide, in small towns and big cities, in public offices and military barracks. Even in small markets, the business community operated on a clan basis.

The state property which consisted in great part of foreign aid, became the best "Mandeeq" to raid, As in the past, one involves his own clan to get support. This "raiding" had continued to the present time. The upshot of this is that every clan leader, through his clan or sub-clan, is fighting to seize power in order to control the flow of future foreign aid.

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Clan unity and nation disintegration was the consequence, clan hegemony against peaceful egalitarian co-existence, clan military overruling against clan defence struggle and lastly clan territorial expansion against active or passive actions of hard and revenge.

Somali was gradually disintegrating. Clan wars fuelled by the government, using the super power weaponry, were irreversibly dividing the Somali people and growing a giant monster of clan animosity in the soul of every Somali. The bulk of armaments supplied by the USSR, the USA and Italy came into the hands of opposition clans causing lethal
conflicts between the Somali government and rebel clans and between neighbouring clans who had old accounts to settle.\(^{20}\)

Signatories to the Safari Park Declaration only committed themselves at personal level. The peace process had mutated into an absurd game where the goals (peace and government) remained fixed, but the players the playing field and even the rules were in constant flux. Clan loyalty and cohesion as away of life played a central role in triggering the civil war and the current Somali emergency. All these sentiments and arguments are supported by Aves and Abdiwahid Osman Hagi in their Statistical Data and Findings and reflected in the table below.

### Table 2.2.2.0

Clan Representation in the Somali Government 1960-1990

<table>
<thead>
<tr>
<th>Period</th>
<th>Darood</th>
<th>Hawiye</th>
<th>Isaaq</th>
<th>Rahalinweyn</th>
<th>Godabirsii</th>
<th>Digiul</th>
<th>Tumari</th>
<th>Arab</th>
<th>Dir</th>
<th>Recr Hamar</th>
<th>Issa</th>
<th>Mad Iban</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960-1969</td>
<td>36</td>
<td>53</td>
<td>20</td>
<td>10</td>
<td>5</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>112</td>
</tr>
<tr>
<td>1969-1990</td>
<td>180</td>
<td>92</td>
<td>82</td>
<td>14</td>
<td>18</td>
<td>13</td>
<td>17</td>
<td>15</td>
<td>10</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>455</td>
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<tr>
<td>Total</td>
<td>126</td>
<td>125</td>
<td>102</td>
<td>24</td>
<td>23</td>
<td>17</td>
<td>17</td>
<td>15</td>
<td>14</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>567</td>
</tr>
</tbody>
</table>

Source: Aves Osman Hagi and Abdiwahid Osman Hagi (pp. 132-134)

2.3.0 **Contemporary Causes of the conflict: Political Division**

1978 saw a failed coup attempt and the onset of formation of armed opposition movements in an attempt to depose the Government.

They included Somali Salvation Democratic Front (SSDF) formed by officers in the North East who escaped arrest after the 1978 failed coup Somali National Movement (SNM) formed in the Northwest in 1981 and started a guerrilla war. United Somali Congress (USC), which drew main support from the Hawiye clan formed in central

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\(^{20}\) ibid
Somalia. They formed an alliance with SNM and the Somali Patriotic Movement (SPM), an Ogaden-based movement in 1990.

President Mohamed Siad Barre declared a state of emergency in December 1990. A month later, his army crumbled and he fled to the south with a rump force. Huge quantities of heavy weapons fell into the hands of the victorious factions. USC took control of Mogadishu but was divided into rival factions based on different sub-clans of Hawiye. One faction was headed by General Mohamed Farah Aidid of the Habar Gedir sub-clan who had led the USC’s military operations against the Siad Barre Government. Another Mogadishu-based faction of the USC was led by Mr. Ali Mahdi Mohamed of the Abgal sub-clan.

Throughout 1991, battles among factions’ militias, widespread looting and banditry tore Somali apart. Rival militias seized and fought over different regions and towns. SSDF took power in the North East, rival factions of USC competed for control of Mogadishu and elsewhere numerous new factions with localized power bases moved to defend their interests.

SNM proclaimed an independent state in the North West known as “Somaliland” at Burao May 1991. Mediation efforts sponsored by Djibouti, Egypt and Italy and two conferences of faction leaders in Djibouti in June and July 1991 Borneo fruit. Political crisis depended and in November 1991, forces of General Aidid and those at Mr. Ali Mahdi started fighting for control of Mogadishu. The city was divided into two zones, the southern, dominated by General Aidid’s forces and the northern held by Mr. Ali Mahdi’s militia.21

USC forces fought a new movement, Somali National Front (SNF) constituted by remnants of ex-president Siad Barre’s army in Southern Somalia in March-April 1991,

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boutrous further states. SNF lost the control of Kismayo, Somalia’s second largest city ad retreated to Bardera and parts of Gedo region at the border with Kenya.

A ceasefire concluded in March 1992 between the rival USC factions and involving the UN, the OAU, the Arab League and the Organization of the Islamic conference, saw SNF driven south across the Kenyan border between April and June 1992.

Chaos and violence in the southern agricultural regions, Somalia’s traditional breadbasket, saw the plundering of grain stores and the uprooting of local farming populations, the single most important direct cause of the famine which gripped southern Somalia in 1992-1993. It is estimated that between 300,000 and 500,000 Somalis fell victim to the famine and war in 1992.

The UN Security Council, in its resolution 775 (1992), approved the deployment in Mogadishu increasing UN Security forces in Somali to 3,500 on 28 August 1992 which was never to happen due to the refusal of some faction leaders to approve the deployment of the peace-keepers. Some faction leaders were taking an aggressive threatening stance towards the UN particularly the faction allied to General Aied. Local faction leaders apparently instigated the Somalis by spreading the perception that the UN had decided to abandon its policy of cooperation and was planning to “invade” the country.22

On 12 November 1992, General Aied demanded that UNOSOM troops leave the Mogadishu airport occupied two days ago according to a 1992 August Agreement and following arrangements with local security forces at the airport. Meanwhile confrontation had been developing in the South West, continues Boutrous,” where the militia of former President said Barre succeeded in recapturing Bardera in October 1992 where WFP, UNICEF and NGOs’ relief workers were trapped in the city and food stocks looted.

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It was recognized that no meaningful overall progress could be made without resolving the conflict in Mogadishu and those within the dominant Hawiye clan to which both Mr. Ali Mahdi and General Aidid belonged. Indeed, the root causes of dissension and tension among the 15 factions were also, by and large, attributable to rivalries within the Hawiye.

Although both General aided and Mr. Ali Mahdi expressed their willingness to participate in a Hawiye reconciliation conference there remained grave misgivings about the seriousness of their commitment, as well as that of other factions, to peace and national reconciliation clearly shown by the SNA and the SSA who continued to encourage and facilitate the creation of new partisan groups which were not parties to the agreements reached in Addis Ababa and Nairobi.
3.0 Chapter Three: Sub-regional Efforts to Restore Peace in Somalia 1991-2004

3.1.0 Assessment of Background of the Process

Somali faction leaders have violated countless ceasefires and peace agreements. The October 2002 Eldoret Cessation of Hostilities has been violate so often it is virtually meaningless. Subsequent obstruction and walkouts went unpunished, exposing lack of international interest or political will. Kenyan Foreign Minister Kalonzo Musyoka, threatened of “punitive measures including the application of a targeted sanctions regime” against those not honouring the 29 January 2004 commitment, a threat unlikely to carry much weight.

The failure of the Somali factions to commit themselves to peace or co-operate adequately with the UN and its agencies, made it impossible for the operation (called upon to deal with a devastating famine and brutal multi-sided civil war) to carry out its mandate fully. Warnings factions placed so many obstacles in UNOSOM’s path including:- Attacks on international aid workers. Looting of warehouses containing relief supplies. Shelling of ships bringing in food. On 19 February 24, disaffected leaders left Kenya for Jowhar, Somalia, where they announced their intent to form a new alliance whose aim was described as “salvaging” the Nairobi talks by the group’s spokesman, Sheikh Aden Madoobe of RRA or otherwise organize a peace conference inside Somalia. Defection of two signatories to the 29 January was a clear setback. Undeterred by the announcement of Kenya’s Foreign Minister, on 5 March 2004, of IGAD’s intentions to proceed to the final phase of the National Reconciliation conference, more than a dozen participating faction leaders called for the suspension of the talks to avert yet another failure.

March 17 2004 saw six SRRC leaders declare the formation of National Organizing Council for Somalia (NOCS) in Jowhar, whose aims allegedly included relocation of the peace conference to Somalia. The Mbagathi Plenary decision was rejected by seventeen
leaders including four of the eight signatories of the 29 January agreement. In an open letter to the UN Secretary General on 1 March 2004, the delegates were not given the platform and the plenary was overpowered in that regard.

The faction leaders only signed the Safari Park Declaration because each of them received the recognition he wanted; Abullahi Yusuf was recognized as President of Puntland, Mohamed Abdi Yusuf was recognized as Prime Minister of the new-revived TNG; the G8 was formally recognized as apolitical grouping for the first time with Mohamed Qanyare as its head; Aden Madoobe got what he wanted as the only signatory form RRA and Abdiqasim signed as the Head of State. Apart form this, they agreed on virtually nothing. Islamic court militia, the report continues, gathered as faction leaders in January 2004 together with neighbourhood watch committees and launched a campaign to clean petty criminals off the streets of the anarchic capital.24

The Inter-Governmental authority for Development (IGAD) member states (Ethiopia, Kenya, Uganda, Sudan, Djibouti and Eritrea excluding Somalia), have failed to harmonise their approaches and objectives, ensure that Egypt is with them, make appropriate structural adjustments to the process, work with donors to deal with the debts incurred by the process and create realistic budgets and timelines, undertake to respect the United Nations arms embargo on Somali and call for international sanctions against those who continue to obstruct the peace process.25

A political stand in the three country IGAD Technical Committee (whose role was to “guide and mediate” the talks while ensuring respect for rules of procedure) and disputed arrangements for representation form Somalia’s diverse clans and factions were not

addressed by the leadership of the conference as well as venue. Deep and persistent rivalries among regional states have undone the peacemaking and done much to sustain and aggravate the Somali crisis. Ethiopia’s dominance of the Technical Committee and close involvement in conference mechanics such as organization for the daily agenda and screening of delegates produced an increasingly noticeable bias in favour of the Somali Restoration and Reconciliation Council (SRRC).

Some individuals perceived to harbour an Anti-Ethiopian or Pro-TNG biases were denied the opportunity to participate and delegates objecting were either co-opted or on occasion coerced. You have to be brave to speak in the plenary session if you aren’t an SRRC supporter. 26

Different points of view of the IGAD States that surfaced from the beginning in Khartoum, caused misunderstanding between some frontline states entrusted to organize and prepare the reconciliation conference for Somalia. A regional harmony and mutual understanding between IGAD states was seen to be necessary before the reconciliation of the Somalis in undertaken.

IGAD’s efforts in Djibouti and Nairobi have failed in the past for lack of international commitment and backing. The Transitional Government of Somalia failed to get the consent and support of the armed faction leaders in the region. Already from the beginning, Ethiopia was suspecting the existence of linkage between the TNG and Islamic extremists. 27

The lack political maturity and nationalism on the part of the Somali leaders especially the TNG and faction leaders enabled external actors to meddle with process. Their different attributed towards the TNG and SRRC would shake the Khartoum proposal for another reconciliation conference in Kenya.

26 Ochieng Kamudnyi Op. Cit. p.221

Djibouti briefly suspended its participation in the talks in September 2003, following the “landmark” signing of a Transitional National Charter by passing blame on some of its counterparts in the Process. Failure of the new IGAD facilitation Committee to convene the Retreat in December 2003, two deadlines passing as various Somali leaders took issue with the list of participants and the Kenyan and Ugandan governments engaging in a fairly public tussle over its leadership and venue further heightened the crisis.

On 9 January 2004, combined efforts of Ugandan and Kenyan mediators as well as international observers brought 38 Somali leaders under one roof at Safari Park Hotel in Nairobi and on 29 January at State House, the Kenyan Presidential residence, International Observers agreed with the IGAD Facilitation Committee that all leaders present in Nairobi should sign the Safari Park Declaration which never happened. Instead only eight of them were called forward: five faction leaders, and on Abdiqasim representative and two civil society figures.28

Moderating regional tensions has so far proven beyond the means of Kenya, whose own diplomatic compass has swung from one position to the other. The three-county committee initially responsible for managing the talks on behalf of the regional Inter-Governmental authority for development (IGAD) was practically paralysed by chronic disagreements between Ethiopia and Djibouti.29

Unfazed by the defections of two signatories of the accord, the IGAD Facilitation Committee insisted that the process was on track and pushed ahead with endorsement of the agreement by the Mbagathi plenary and the Transitional national assembly (formed in August 2000 in Arta, Djibouti with 245 representatives)

Late April 2004, the IGAD Facilitation Committee Circulated a draft “road map” to delegates and international observers proposing the launch of the third phase in early May.

28 ICG Report 2004 “Biting the Somali Bullet”
According to the draft, a transitional parliament was to come into being that month and a transitional federal government be sworn in on 1 July, the 44th anniversary of Somalia’s independence.

This will provide a framework to enable us to build the nation from a political point of view, which will include preparations for national elections, revival of the justice system and completion of basic laws relating to democratization and civil education.

IGAD’s member states have found it impossible to forge a common approach, sometimes for reasons that have nothing to do with Somalia. According to President Ismail Omar Guelleh of Djibouti, the region is deeply divided. With the kind of conflict we are experiencing in the region, how can we create a consensus on our own?  

Ethiopia persuaded IGAD and its international partners to endorse, over Egyptian objections, a new approach to political reconstruction which favoured her allies in Somaliland, Puntland and the Hiraan and Bay regions. An approach distrusted by some Somalis for its origin and federalist implications for fear that any resulting central government would be ineffective. In March 2001, Addis Ababa had backed the formation of a rival alliance, SRRC.

Regional battle lines were clearly drawn prior to the Eldoret conference. Djibouti, Eritrea and Egypt were staunch TNG supporters. Ethiopia, who has regarded TNG as an instrument of Arab and Islamist influence, expected Eldoret to establish a new more friendly transitional authority.

In a statement former Kenyan President Moi expressed concern in some diplomatic circles concerning the credibility of some frontline states. However did not stifle the process for achieving the required goals. These sentiments were echoed by international observers, entrusting the Somali peace process to Djibouti, Ethiopia and Kenya.

29 Ibid.
30 Ibid. See also ICG Africa Report 2004.
On 25 October 2003, an IGAD summit in Kampala, Uganda invested responsibility in a newly formed Ministerial Facilitation committee involving six of the seven IGAD member states (Ethiopia, Kenya, Uganda, Sudan, Djibouti and Eritrea excluding Somalia), a move which was said to have displeased a section of the frontline states.

According to an American diplomat, The Ethiopians were offended by the suggestion of the Kenyans that they had played an unconstructive role. The Ethiopian position is that they’re damned if they do and damned if they don’t. But you don’t get a workable agreement in Somalia without the Ethiopians. This made some among the Ethiopian Diplomatic team to return to Addis Ababa while the rest put in only infrequent and discreet appearances with SRRC citing. Ethiopia’s absence as a reason to suspend the talks and relocate them to a more neutral country.31

Even though each IGAD member state was protecting its national interest in the Peace Process, Kenya played its role fairly as a host country. Some Somali leaders accused members of the frontline states of taking sides, which required neutrality on the part of mediators.

The IGAD Facilitation Committee called for an investigation in March 2004 by a Monitoring group charged with compiling a blacklist of those violating the arms embargo inside and outside Somalia, announced by the UN Secretary General Kofi Annan in early February 2004 on indications of renewed arms flow to Southern Somalia reportedly from Ethiopia.32

Threats of sanctions may help dissuade Somali faction leaders but if it’s an empty threat, it will reinforce the culture of impunity among the Somali leaders placing a durable peace out of reach. Failure to penalize violations of peace accords and the disinclination to being Somali war criminals to justice are also responsible for legitimizing the warlords

32 Ibid
and their “dismissive attitude” towards the international community. IGAD’s reluctance to request for a sanctions regime is the remaining hurdle. We are all just waiting for IGAD to trigger the process.

International interest in bringing Somali war criminals or other large-scale human right violators to justice has been lacking. Notorious figures like General Morgan and the late General Gabiyo were dignified as “Leaders” at IGAD talks. A British MP flagged the issue in a recent House of Commons debate “Where is General Morgan, the person who is alleged to be responsible for war crimes in Northwest Somalia in the late 1980’s? We met him last Monday. He is the guest of the British taxpayer, which I as a representative of taxpayers resent. We are paying for him to stay in the Safari Park Hotel outside Nairobi, as part of the conference on the future of Somalia. A peace process for Somalia as a whole cannot be built with war criminals.

It should be unacceptable for those responsible for such crimes to be included in any new government. The international community ignored the Somalia tragedy before and after the downfall of Siad Barre. There were no attempts to mediate a ceasefire or initiate other types of preventive diplomacy. In particular, the cold war powers ignored Somalia. The United States military and economic aid that kept the dictatorial regime in power was one of the main causes of the civil war in Somalia. Instead of intervening when the Somali State was near collapse, as in the case of Ethiopia, the American administration was following the tragic events of Somalia with indifference.33

Unfortunately, Somalia’s crisis was occurring roughly at the same time as the break-up of the Soviet union and the beginning of the war in former Yugoslavia. These events attracted the greater part of the international community’s attention. No embassies were functioning in Mogadishu hence there were no diplomatic cables being sent home to alert the outside world of the impending disaster. Journalists kept out of the country, hence Somalia had not yet become a matter of prime concern to the international community.

The UN had no model to follow in its efforts to being humanitarian assistance and peace to the people of Somalia. Its response was flexible and creative due to an evolving series of unprecedented and unusually complex situations. Despite set-backs UNOSOM I and II and the US led-UNITAF were able to secure a people and a country caught in the theories of famine, civil war and collapse of all governments institutions. In 1992, approximately 4.5 million Somalis out of an estimated population of 8 million required urgent external assistance. Of these some 1.5 including 1 million children were at risk of starvation. The effort undertaken by UNITAF to establish a secure environment in Somalia is far from complete and in any case has not attempted to address the situation throughout all of Somalia.34

Due to this, UNOSOM II, the first UN peace-enforcement mission was established together with a wide range of agenda to assist in the process of national reconciliation and rehabilitation of political institutions and the economy. The UN in particular was to offer, assistance to the people of Somalia to promote and advance political reconciliation through broad participation by all sectors of Somali society and the re-establishment of national and regional institutions and civil administration in the entire country.

UN actively sought to create an environment conducive for Somali leaders to bring about national reconciliation. UN had recognized that unless a comprehensive political settlement involving all Somalia’s clans, sub-clans and political factions was attained, any progress achieved in humanitarian and other areas would remain fragile, vulnerable to the threat of renewed conflict.35

UN sponsored several major peace conferences and a number of local reconciliation meetings. These include: -

The Addis Ababa conference held form 4 to 15 January 1993. It drew representatives from 15 Somali political factions as well as leaders of community organizations, elders, scholars and women’s groups. A ceasefire was signed by the 15 groups.

A National Reconciliation Conference held on March 1993 in Ethiopia. This included, not only the factions and other Somali groups but also the Standing Committee of the countries of the Horn of Africa, the OAU, the Arab league, the Organization of the Islamic Conference and the Movement of the No3-Aligned countries. This yielded the Addis Ababa Agreement in which 15 Somali political movements agreed to end armed conflict, reconcile their differences through peaceful means and seek to establish a transitional governing mechanism.

Consultations were convened in Nairobi on March 1994 by the Special Representative of the UN Secretary General. They involved the main political organizations and a significant number of elders. A Nairobi declaration was signed committing the primary antagonists in the Somali conflict to a ceasefire, voluntary disarmament and a peaceful settlement of the conflict. However implementation of the two accords proceeded at an extremely slow pace as the Somali parties failed to honour the commitments they had made.36

The international community missed three important occasions at which preventive diplomacy might have succeeded. These are:

Immediately after the May 1988 war broke out between the government of Somalia and the Isaq clan. At the time Amnesty International denounced the systematic torture of prisoners by the government security forces and human rights originations around the world protested the repression. “Africa Watch” called for an international outcry against killing of thousands of civilians in the separate reports: the US government conducted two of them. The world community was clearly witnessing a serious crisis in which a large population faced the dire consequences of what to be a civil war. One could expect

that in the absence of democratic mechanism the rescue of the victimized population. It did not, and this represents the first missed opportunity. While the world watched, Siad Barre’s government responded to the Manifesto by arresting many of its signatories including the former President of Somalia, Aden Abdulle Osman.

The international community and the UN should have seized the opportunity provided by the Manifesto appeal to offer its good offices for mediation. This was the second missed opportunity. The lack of support for the Djibouti government’s attempt at reconciliation undertaken from July 10 to 21 1991. The said, “The government of Djibouti had requested the support of UN, which refused with no explanation except that the matter was too complicated. Had the UN, together with the regional organizations, been involved in preparing this conference the reconciliation process could have gotten off to a good start. Even though the negotiations would have been long and arduous, international pressure would have ensured all parties were committed to the other results. This conference was the third missed opportunity.37

UNOSOM II took over with uncertainty the responsibility of the Somali Operation on 4 May 1993. The day after UNITAF’s departure, the planned “secure environment” was full of apprehension. The faction leaders of Somalia were in full control of their armament and militia and ready for confrontation, having assessed properly the weaknesses of the mission and prepared themselves accordingly.

Lack of integration of forces, a common agenda of participant states and the quick fix American “secure environment” did not provide disarmament and nation building for Somalia, a difficult task that UNOSOM accepted without having the military and economic means to perform it properly.38


38 United Nations Blue Book Series 1994
The UN Security Council approved a proposal to establish four operational zones in Somalia by a UN resolution 767 (1992); around Berbera in the Northwest, Bossasso in the Northeast, Mogadishu in central Somalia and Kismayo in the south. In each zone, a consolidated UN operation was to carry out activities related to emergency relief, rehabilitation, reconstruction and institution building, ceasefire monitoring and containment of potential hostilities, demobilization and disarmament and national reconciliation.

Generalized warfare did not break out after the withdrawal of United States and European contingents in late 1993 and early 1994, but security conditions continued to deteriorate in the absence of a political settlement of the country's crisis. UN officials worked closely with the faction leaders as well as other representatives of Somali society such as clan elders and religious leaders to facilitate political reconciliation and communal healing. In the end, efforts proved unavailing as the co-operation of the Somali parties was not forthcoming despite some tentative signs of progress hence the security council decided to terminate UNOSOM's mandate.39

The UN security council decided to withdraw UN forces from Somalia in March 1995 citing the lack of progress, failure of factions to co-operate adequately with UNOSOM II, deterioration in security conditions and limits to the international community's ability to sustain indefinitely its support. However by the time of withdrawal, insecurity had been markedly reduced in significant parts of Somalia, the immediate threat of further famine had been averted though lack of national reconciliation meant that these gains were precarious.

The security council invoked the enforcement provisions of Chapter VII of the Charter of UN due to lack of a government of an agreement among the parties to the conflict. Many agencies and programmes of UN systems were involved in assisting Somalis.

rebuild their nation from the ground up. These include; United Nations Development Programme (UNDP), United Nations Children’s Fund (UNICEF), World Food Programme (WFP), Food and Agriculture Organization of the UN (FAO), World Health Organization (WHO), Office of the United Nations High commissioner for Refugees (UNHCR), United Nations Educational Scientific and Cultural Organization (UNESCO), International Committee of the Red Cross (ICRC) and an array of Non-Governmental Organizations (NGO’s).

Italy’s former colonial ruler of Somalia and Somalia’s closest Western friend, did not undertake the necessary diplomatic efforts, in the last years of the Somali agony, to prevent the total disintegration of the Somali State. Its serious commitment towards a viable preventive diplomacy would have avoided the bloody civil war of Somalia and the stateless statues of the country.\textsuperscript{40}

Italy’s attitude during the UNOSOM mission was very questionable. The Italian General, Bruno Lo did not consider himself part of the UN military commando. He followed the orders of his own commander in Italy, most of the time ignoring UNOSOM internal military orders.

Italy’s presence in Somalia was merely to keep an eye on the Americans. Italian role has been controversial. It has failed to recognize the Cairo Agreement of 1997 claiming that it was not all-inclusive. In February 2002, Italy declared that it does not recognize the TNG, a product of the IGAD sponsored Djibouti conference of May/June 2000.\textsuperscript{41}

Despite twelve years of agony and civil war in Somalia, Italy remained indifferent to its former colony as long as no other parties were involved. Whenever a third party initiative is launched, Italy manipulated the Somali political leadership, favouring the


\textsuperscript{41} Ibid
clan or faction opposed to the imitative. Aborted the third party plan. Italy was again back to its usual lethargic inattention about Somalia matters.\textsuperscript{42}

The death of 18 American rangers and hundreds of Somali civil society members in Somalia, caused a deep American resentment and lack of interest to Somalia affairs. After UNOSOM, the American administration decided to forget about Somalia for a while, leaving the people of Somalia to face its destiny alone. If and when the Somali people would be mature enough to decide its political fate, the case of Somalia was passed to IGAD East African States, entrusted to sponsor mediation between Somalis and to reorganize, when the time comes, one or more reconciliation conferences.

US was interested in Somali after its independence for cold war reasons because of its geographically strategic location. Unluckily, form time to time, the interest of Eastern and Western powers and their unlimited attention and assistance became a curse to Somalia.\textsuperscript{43}

The US has been less visible, showing a reluctance to re-engage in Somalia since the 1993 military debacle in Mogadishu. American representation has been a higher American profile this is an election year. There is a feeling in Washington that we should tackle one thing at a time. Once Sudan is moving in the right direction, we might be able to pay more attention to Somalia.

The situation in Somalia will continue to deteriorate until the political will exists among the parties to reach a peaceful solution to their dispute or until the international community gives itself new instruments to address the phenomenon of a failed state.

The challenge between international community members is negatively affecting the Somali destiny. Internal actors and external players of the Somali politics are leading Somalia into scaring condition in which every group dictates its own terms.

\textsuperscript{42} Ibid
\textsuperscript{43} Ibid
In particular, the foreign actors diverging interests are condemning Somalia towards a critically one way situation. The goal achievement of one party is the defeat of another, whose main purpose is to annul whatever result the other group reached, without giving minimum consideration as before to the interest of the Somali people.\textsuperscript{44}

UN represented by a Representative of the Secretary General (SRSG), Ambassador Winston Tubman played a neutral role in the Peace Process while keeping an eye on the overall picture of the same. He also intervened when the Process stalled or was about to collapse. This was in the interest of the Somali people. Financial support notwithstanding, donors in a few instances failed to supply the level of political commitment and technical assistance required for the success of the Somali peace process.

International observers, including the European Union (EU) (commission) and the United States, lobbied the Kenyan government to restore the "inclusivity" of the process. European Union (EU) diplomatic engagement has remained low-key though it has fronted most of the funding for the talks until April 2004. Italy and UK have been the most active among European Union (EU) member states.\textsuperscript{45}

The wider International Community is guilty of studies indifference. International interest has dwindle\textsuperscript{d} to the point that competing regional influences in the process have gone unchecked, a sign that some regional powers may interpret as support for their behaviours rather than indifference to it. It is unclear what has actually been agreed to and by whom. Rules of procedure are so fluid and obscure that they have become a bone of contention in themselves.

Somalia's immediate neighbours have allegedly been accused of providing military assistance to various factions at one time or another since the advent of the civil war. In

the same line other regional players including have intervened at various time in support of factional clients. Military and financial support of foreign governments and private sports has benefited Somalia’s Islamist militants.

Ethiopia has consistently been the largest state provider of arms to Somali factions, most recently to its SRRC allies, an allegation denied by the Ethiopian government. Djibouti, Eritrea, Egypt and Yemen have provided military material to TNG and allies previous with Yemen “Somalia’s Arms Supermarket” considered the primary source of commercial arms sales. No supplying country has ever been sanctioned or reprimanded.46

Yemeni arms dealers are not alone in their disregard for international law, the Report continues. Businessmen from Britain, Australia, South Africa, Thailand, United Arab Emirates, Djibouti and Pakistan have either provided military supplies to Somalia or taken part in negotiations with a clear intent to do so. Governments have given cash to factional clients to procure arms in domestic and international markets with Arab states topping the financial violators list; Saudi Arabia, Libya and Qatar have made significant constitutions to TNG security forces and militia allies hence have been able to sustain military occupation of Southern Somalia coast between Marka and Kismayo.47

Seventeen years after independence, a war of liberation was launched by western Somaliland freedom fighters and heavily assisted by the Somali National Army conquered a great part of the Somali territories in Ethiopia. Somalia was defeated with the assistance of Soviet and Cuban forces and received an international order to withdraw unconditionally from captured territories. Form them an important national unifying ideal was ruptured irreversibly.

Despite Somalia’s old historical ties to the Arab world, the Arab League, made no particular effort to undertake a reconciliatory preventive diplomacy between the

government of Somalia and the opposition movements in the last years of the dictatorial regime. No significant mediation initiatives were undertaken by the Arab League countries when the Somali government was engaged in a serious war against its own people.\textsuperscript{48}

AU’s plans for a ceasefire monitoring force would undoubtedly help translate the threats into reality. Whether successful or not, the Arab League has at last played its regional and ethnic role in the Somali crisis, after Arta conference of reconciliation, Arab League members like Saudi Arabia, Qatar, United Arab Emirates and Libya recognized politically and assisted economically the Transitional National Government wishing security and stability for Somalia.

To contra-balance the success of Arta conference. Ethiopia organized the opposition factions who refused to join the conference, together with other leaders who participated in the Arta conference, but were not satisfied with their political positions. The Somali Reconciliation and Restoration Council (SRRC) was formed in April 2001. Ethiopia promised both political and military assistance to SRRC.

Since the civil war broke out in Somalia in December 1990, the Somali political leaders have signed five major agreements at national level with the help of international community. So far none of these agreements has been implemented. These agreements are:

\section*{3.1.1 The Djibouti agreement of 1991}

The Djibouti government hosted a National Reconciliation Conference for the Somali factions except SNF of Siad Barre in July 1991 to end the civil war in the country. The contents of the agreement included, to wage an all out war against said Barre, who had been fighting in Gedo region at that time, implement a general ceasefire throughout the

\begin{itemize}
\item\textsuperscript{47} Ibid
\item\textsuperscript{48} Ibid
\end{itemize}

39
country; respect the national unity of the country and readopt temporarily the 1950 constitution, establish a 123 member parliament based on the pre-1969 allocation of seats and allow Ali Mahdi Mohamed of the Hawiye clan to been interim President for the country for two years.

The signatories of the agreement failed to honour their commitment, rendering it fruitless. General aided, who had been the chairman of USC faction at that time went into war with Ali Mahdi Mohamed. They fought an all-out war for control of Mogadishu in November 1991. It lasted for four months, during which time an estimated 25,000 civilians were killed or wounded, as rival factions bombarded each other in heavily populated area using tanks, artillery and fleets of “technical” pick up trucks mounted with large-calibre machine-guns, artillery and anti-aircraft guns.” Since then, Mogadishu has been divided into North and south controlled by Ali Mahdi Mohamed and Hussein aided respectively.49

3.1.2 The Addis Ababa Agreement of 1993
Leaders of 15 movements participated in talks in Addis Ababa between 8 and 15 January 1993 and signed three agreements. They declared an immediate ceasefire, establishment of a ceasefire monitoring group composed of UNITAF and UN troops, handover of all heavy weaponry to the ceasefire monitoring group, encampment and disarmament of militias, release of prisoners of war and the free movement of Somalis throughout the country. The talks were chaired by the UN Special Representative for Secretary General and attended by the OAU, the Arab League, the Organization of the Islamic Conference and the Standing committee of the countries of the Horn of Africa. They also established an ad-hoc committee to prepare for a national reconciliation conference in Addis Abba on 15 March 1993.50

The fragility of the Addis Ababa agreements became abundantly clear when forces led by General Mohamed Siad Harsi “Morgan” Son-in-law to former president said Barre and

leader of one of two rival factions of SPM, began infiltrating Kismayo in February 1993 despite presence of UNITAF troops, to drive out forces led by Colonel Ormar Jess, an SPM all of General Aidid the SNA. The events in Kismayo were a serious violation of the ceasefire and a setback to hopes that the factions would have over their heavy weapon.

On 27 March 1993, leaders of 15 armed Somali factions attending a conference in Addis Ababa Agreement of the First Session of the Conference on National Reconciliation in Somalia. They committed themselves to put an end to armed conflict and to reconcile our differences through peaceful means and continue the peace process under the auspices of the UN and in co-operation with the regional organizations and standing committee of the Horn of Africa.\(^{51}\)

A transition for two years to anew central government premised on the notion that Political and administrative structures in Somalia need to be rebuilt to provide the people as a whole with an opportunity to participate in shaping the future of the country. Was set out the leaders also committed themselves to “complete and simultaneous disarmament throughout the entire country in accordance with the disarmament concept and time frame set by the ceasefire Agreement of January 1993.

The SNM controlling northwest was the only major faction, which did not officially participate in the Addis Ababa conference. The agreement provided for the Transitional National Council (composed of three representatives of each of 18 regions including a woman from each region, five additional seats for Mogadishu and one nominee from each to the 15 political factions participating in the conference) to set up a committee to bring about reconciliation and seek solutions to outstanding political problems with the SNM.

The Agreement marked a milestone in the combined efforts of Somalis and the international community to restore security and rebuild political institutions on democratic foundations. It ended with an invitation to the United Nations to extend all necessary assistance to the people of Somalia for the implementation of this agreement.

However, there were worrying signs that some of the faction leaders did not fully embrace the approach of the Agreement. Worse still in June 1993, both the political reconciliation process and the arrangement for disarmament and demobilization were derailed when militia in South Mogadishu attacked UNOSOM II troops, inflicting heavy casualties and plunging Mogadishu into a new period of violent confrontation. 32

3.1.3 Sodere Agreement of 1996
The Ethiopia government held a National Reconciliation Conference for 26 Somali factions at Sodere Ethiopia, between 22 November 1996 and 3 January 1997. After long deliberations, the Somali faction leaders agreed to: establish a National Salvation Council, which be the highest authority, representing Somalia until a transitional government will be formed; appoint an independent General audit committee under the direct control of the council; nominate an executive committee of eleven- man who, will execute the decisions of the National Salvation Council and compose a presidential Council of five man who will represent the National Salvation Council at National and international levels. 33

However, the conference evolved into an attempt to forge ruling coalition in opposition to self - proclaimed government of General Aided. The Egyptian government successfully derailed the Sodere initiative by convening a rival peace conference But, its plans for a Somali national government were wrecked when several factions aligned with Ethiopia withdrew. The agreement has not been fulfilled due to lack of commitment from its signatories.

34 Ibid
3.1.4 Cairo Agreement of 1997

Even though the Somali faction leaders seemed to be unwilling to give peace to their people, yet the international community did not stop its endeavour in reconciling the Somali people. In this context, Egyptian government hosted a National Reconciliation Conference for the Somali faction leaders between 12 November and 22 December 1997. After lengthy deliberations, the faction leaders agreed to convene a National Reconciliation conference in Baidoa on 15 January 1998, establish a transitional government that will maintain peace and stability among Somali people, adopt a transitional Charter, constitute an assembly an independent judiciary and elect a thirteen member Presidential council and nominated a Prime Minister. Finally, signatories of the Cairo Declaration have not succeeded in implementing the agreement. Instead the faction leaders got divided over the issue.

3.1.5 The Arta Agreement of 2000

A reconciliation Conference for more than 2,500 participants from all corner of Somalia and from all sections of the Somali civil society was organized in Arta Djibouti in May/august 2000. The conference was all-inclusive drawing participants from clan elders, politicians, intellectuals, religious dignitaries, Somali NGO representatives, women’s groups and members from the Diaspora. Though the self-seceded Republic of Somaliland and the regional authority of Puntland declined to participate, a great number of their elders and other civil society member of the Northern regions supported the initiative and actively took part in the conference Congress participants as well as parliamentary seats were shared in terms of clan.

Division was easier between five big groupings but exhaustingly difficult within the internal sub-clan parts of every group. An ad-hoc conflict resolution committee was established whose final verdict was binding. A Transitional National Parliament was formed with Hon. Abdalla Derow Issak as speaker. Dr. Abdikassim Salad Hassan was

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53 See *Sodere Agreement* p. 6
54 Ibid
55 Cairo Agreement p. 2
elected President among 42 candidates and Ali Khalif Galeydh nominated Prime Minister, who appointed a 25-member cabinet of Ministers.

This new government (TNG) was recognized internationally by the UN, the OAU, IGAD, the Organization of Islamic Conference and the Arab League but the United States and EU single states did not recognize it. Due to different political approaches by the frontline states (Ethiopia, Djibouti and Kenya). A reconciliation initiative organized by Kenya in January 2002 to bring together TNG and opposition factions aborted.\(^\text{56}\)

Disintegration of the Arta process started with the removal of Ali Khalif as Prime Minister. TNG had some weaknesses which included awareness that any reaction in response to provocation by armed factions would cause another clan-based carnage in Mogadishu; a situation residents were not prepare for. Deep economic crisis for not receiving assistance form the Arab states whose previous financial aid was mismanaged, as declared by the Somali parliament under Prime Minister Ali Khalif. Inability to receive armaments unlike the Ethiopian backed faction leaders, who were receiving armament assistance by land since the “campaign against terrorism” introduced the inspection all vessels entering Somalia. Lack of integration and representation of all Somali clans in the army and the Police Force.\(^\text{57}\)

The government found itself in a rather passive impotent situation, which further crippled the reliability and credibility of the TNG. The Arta Agreement, like the rest before it, has not been implemented so far due to lack of commitment on the part of the concerned parties.

\(^{56}\) Ibid
\(^{57}\) Ghalib Mohammed Jama (1995) *the Cost of Dictatorship; The Somali Experience* (New York, Lillian Barber Press, Inc), p. 15
3.2.0 The IGAD Peace Process: Somalia National Reconciliation Conference

The Somali National Reconciliation Process, which is the 14th reconciliation process for Somalia, was an initiative of the IGAD Heads of States. While on a meeting in Khartoum, Sudan, on 11 January 2002, they reached a resolution to have a Somali National Reconciliation Process.

They reiterated their commitment to the unity and territorial integrity of Somalia. Kenya, Ethiopia and Djibouti referred to as the frontline states were called upon to coordinate their efforts towards a National Reconciliation Conference on Somalia. It was agreed to hold the reconciliation conference in Kenya. The process was to be led by Kenya with the other frontline states playing a leading role.58

The frontline states mandated to coordinate the process established a main Technical Committee which was later to become the IGAD Ministerial facilitation committee to be responsible for: Drawing up the terms of reference for the proposed coordination; Determining a criteria for participation deciding on the number of participants to take part in the conference; Monitoring the peace process; Determining a workable budget and a time frame for the whole peace process; and Reporting and being responsible to the council's chairman.

A Leaders Committee, which was composed of all the signatories to the Declaration on the cessation of hostilities, was also set up. This committee was engaged to bring together all reports from the reconciliation committees after presentations to the plenary where delegates debated them and amendment made. The Leaders committee also went over contentious issues and agreed on what was to represent to the plenary. The Technical Committee headed by the Kenyan diplomat Elijah Mwagiru and later by Ambassador Bethuel Kiplagat planned the peace talks as a three-phase process.59

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3.2.1 Phases of the Conference

The conference went through three main phases. Phase I would decide the terms of engagement and mechanisms of the conference. This phase began on October 15 2002. It included Somali political and faction leaders, traditional and religious leaders and representatives from the civil society. It culminated with the signing of the Declaration of Cessation Hostilities and general agreement on Structures and principles with all parties signing the agreement at the end of October 2002.

Phase II was launched in November 2002 after the ends of Phase I. It would deal with issues under pinning the conflict in Somali. Six reconciliation committees were mandated to produce an Interim charter and transitional action plans on: Disarmament, Demobilization and Re-integration; Land and property rights economic recovery, institution building and resource mobilization; regional/International relations and monitoring arrangements; and conflict resolution and reconciliation. Members of the committees were chosen by the Technical Committee from among the delegates. The Transitional Federal Charter was endorsed on 15 September 2003 marking the end of Phase II.\(^{60}\)

Phase III commenced in June 2004. It is concerned with formalizing power sharing arrangements of the transitional government. This is being done using a 4.5 clan formula (the four major clan groupings; Darod, Hawiye, Dir and Digil/Mirifle and the 5 for the minority clans) The selection of members of parliament is to be done by political and faction leader in consultation with traditional and religious leaders using the same formula. Election of the president will be done by the parliament.

\(^{60}\) ibid
3.2.2 Land and Property Rights Committee

The Terms of Reference of this committee were:

- To give a detailed proposal on legal mechanisms for the settlement of disputes after a government is formed and a time frame for its implementation.
- To undertake clan and regional efforts towards resolutions of political disputes over occupied land and property.

After arduous deliberations, the committee concluded that:

Issues regarding land and property rights were the root of the conflict in the Somali civil war.

Holding illegally acquired public and private property is a major obstacle to the achievement of national peace reconciliation and a just and all-inclusive government hence the concerned parties should accept consensus on giving up or returning public and private properties to its rightful owner(s) unconditionally. A solution should be found to all cases of movable and immovable property, one should consult region or district courts in the region that shall act with advice and opinion of the traditional elders in that region. It is important to investigate and identify the location and the condition of public property inside or outside the country.

The Supreme Court should resolve any disputes about public properties claimed by individuals. A National commission whose membership should have a fair clan balance be formed to look into land and property rights and also to establish which public and private properties were grabbed.

3.2.3 Economic Recovery, Institutional Building and Resource Mobilization Committee

The objectives of this committee, which consisted of 30 members, were;

- To prepare a macro-economic outline-plan that matches the developing federal structure.
• Formulation of a trade and commerce strategy and preparation of rehabilitation and development plans and resource mobilization strategies including targeted support to build the capacity of all new Somali institutions.

• After lengthy deliberations the committee proposed order of priorities in which reconstruction of all key sectors had to be undertaken, Public administration (including security, law and order), basic infrastructure rehabilitation, revival of social services and productive sectors.

• The committee gave cost estimates of institutional development and activities over a period of two years. During this period, further studies are to be undertake to develop more detailed sector strategies and plan to achieve more focused rehabilitation and reconstruction.

3.2.4 Regional/International relations and monitoring arrangements committee

The committee consisting of 25 members focused on three dimensions of regional and international relations of Somalia post-war reconstruction and peaceful reconciliation.

The first dimension was regional security and international terrorism regional security measures to be undertaken by Somalia and neighbouring governments including mechanisms to promote inter-state dialogue and resolving inter-state disputes; for a effective security cooperation, joint security implementation, monitoring and enforcement. It also focused on mechanisms for enforcing regional and international cooperation in combating international terrorism as well as preventive and combative measures of international terrorism.\(^{61}\)

The second dimension dealt with regional integration, cooperation and cross-border trade and outline mechanism for combating illicit trade across the borders.

The third dimension focused on the action to implement the Nairobi Declaration on the Proliferation of small arms and Light weapons (SALW’s), mechanism for the

\(^{61}\) ibid.
implementation and enforcement of the UN arms embargo; international cooperation to support the return and accommodation of the Somali exiles and refugees and the future collaboration between international NGOs, agencies and Somalia in the provision of humanitarian and development assistance for reconstruction and peaceful reconciliation. Reestablishment of Somalia’s diplomatic service, poised to facilitate Somalia’s post-war regional and international relations was also dealt with.

After joint deliberations, the committee recommended that Somalia should:

- Promote regional security and should not go to war without the approval of parliament.
- Establish mechanisms and effectively cooperate with other actors in measures to prevent and combat international terrorism in all forms.
- Respect the independence, unity and territorial integrity of all countries of the world and live peacefully with all countries particularly the neighbours.
- Respect all treaties entered into lawfully by the former regimes recognized internationally by the legitimate government of Somalia.
- Wage a constant war on illicit cross-border trade such as smuggling, drug trafficking, money laundering and small arms trade.

3.2.5 Disarmament, Demobilization and Re-integration Committee

This committee which was composed of 30 members was mandated to:

- Work out strategies for disarmament, demobilization and rehabilitation of the Somali militias.
- Formulate a demobilization and rehabilitation plan.
- Prepare a structure of the Somali national forces including the armed forces, police force, custodial forces and the Somali Intelligence Agency.

After deliberations, the committee recommended that:

- Simultaneous disarmament and demining should be given the first priority once the transitional government takes over.
It is important to get international observes to implement the UN Security Council Resolutions 733 (23rd January 1992) and 1407 (3rd May 2002) to end the flow of weapons into Somalia from outside.

- The disarmament program should commence simultaneously throughout the country for the people to have confidence in the exercise.
- Disarmament and rehabilitation should be implemented uniformly in the country.
- The command structure of the military should be rebuilt in order to secure the country internally and externally and to restore confidence of the Somali people.
- A broad based Somali National Government should be established for the weapons to be collected effectively.
- A demobilization plan should be prepare which should consist; a demobilization program to create awareness, preparing financial support and forces to conduct the operation, society; preparing camps thus building camps, houses, offices, classes, mosques, clinics, dinning rooms, disciplinary rooms and safe warehouses for food and weapons, pooling, accounting and encamping of the militia; training of the militia both physically and mentally to raise their mental degradation suffered during the civil war and lastly welfare of the militia to take care of their livelihood and that of their immediate families.

3.2.6 Conflict Resolution and Reconciliation Committee

The committee consisting of 30 members had the following terms of reference:

- Discussing and drafting proposals for the resolution of conflicts in Somali.
- Identify mechanisms for addressing human rights violations and promote truth and reconciliation.
- Pursue clan, regional and leadership reconciliation.
- The proposals and recommendations were to be submitted to the Somali National reconciliation conference on or before 30th January 2003.

After lengthy deliberations, the committee recommended that: In order to resolve conflicts prohibiting the creation of state structures, a leadership reconciliation
Committee composed of non-partisan individuals whose sole interest is the good of Somalia with no interest in power should be established.

A criterion should be set in the provisional federal charter for selecting a leader for the Somali people based on honesty, integrity, patience, diplomacy, generosity, confidence, relationship building, justice, fairness, good education, leadership ability and above parochial clan politics.

The future Somali state government should endeavour to build confidence and trust between cans through equitable allocation resources and strong democratic institutions. Disputes between Somalia and regional neighbours especially the frontline states should be addressed through diplomacy to avoid military confrontations that may escalate regional conflicts. Women rights issues should be stipulated in the charter and in effect women representation in the transitional federal government should not be less than 10%.

A National Commission on human rights should be established, strengthen capacity of Islamic Courts in addressing past violations, involve the international community in addressing past human rights violations and set up a truth and reconciliation commission to address the same.

A National Land Reforms Commission be established to investigate and arbitrate all cases of land grabbing and forceful occupation of property. The commission should also formulate a national land reforms program on land adjudication, tenure and use.

A National Disaster Management Centre beset up to formulate a national disaster management and response plan and disaster early warning and early response mechanisms.
4.0 Chapter Four

4.1.0 A critical Analysis of the IGAD peace Process

The Somali National Reconciliation Conference was the fourteenth attempt to restore law and order in Somalia, thirteen earlier efforts having failed to bring peace. Under the auspices of IGAD, Kenya was mandated to host the fourteenth attempt. The conference began on 15th October 2002 at Eldoret, Kenya. In February 2003 the conference moved to Mbagathi, Nairobi.

Interest in this peace process is justified on a number of grounds. First, the conflict has been very costly in terms of human life, the destruction of property and infrastructure. Second, the peace process has cost the region, its governments and peoples a lot. The international community has also invested heavily in terms of humanitarian assistance and financial support for the peace process. Besides, the lack of peace in Somalia has other effects like disruption of trade and general insecurity in the region as a whole.

The Somali National Reconciliation Process is structured in four levels of decision-making. The first level is that of heads of IGAD states and governments. This level incorporates the various heads of states and the government of the IGAD region. Below this is the IGAD ministerial council. This involves all the foreign ministers of the IGAD region and acts as an advisory organ to the summit. The facilitation committee comprising the special envoys of Kenya, Djibouti, Eritrea and Uganda does the day-to-day running of the conference on behalf of the IGAD governments. To assist the facilitation committee is a secretariat. The facilitation committee works closely with the IGAD Partners Forum who are the key donors to the conference.

The conference has three levels of decision-making. The first is the leader’s committee composed of Somali leaders. There is no consensus on which the Somali leaders are, and this has often led to lot of debate. There are those who believe that the genuine Somali leaders are those who signed the Declaration of Cessation of Hostilities on 27th October, 2002. That position restricts the leadership to a group of 24 faction leaders. Others
would like a broader definition of leaders that includes a larger number than the 24 faction leaders.

The second level is that of the officially invited delegates who belong to different factions. The number of official delegates has remained a contentious issue right from the beginning of the conference. While the officially invited delegates were 361 there was an additional 5 from the civil society. However, at the onset of this phase it was reported that the number had reached 800. The question of which of them are genuine has remained elusive. The last level of decision-making in the conference is the plenary. This comprises the delegates, the leaders committee, the IGAD facilitation committee and observers who include the IGAD Partners Forum among others. The plenary is the highest decision making organ of the conference; it ratifies all decisions taken by the other organs of the conference. The rationale behind this was to allow the widest participation in decision making for purposes of ownership and consensus building.

These fundamental questions which arose regarding the conference, included: Whether the process could deliver a government; If it could not, it would find the issues that were hindering progress the process. Other concerns were based on the cost affectivity of the process. Many donors raised the issue whether it was worth continuing to invest in a process that has no tangible results.

Siad Barre’s government remained unresponsive to the wishes of the people of Somalia and turned itself into an autocratic, authoritarian regime. The poor management of public affairs affected not only the allocation of political power but also resources. It is this situation that degenerated into conflict between the government and its citizenry. The collapse of the Somali state came after the deposition of Siad Barre in 1991 by a combination of rebel forces. However, once the common enemy was deposed, the rebel forces led by Gen. Mohamed Aideed, Ali Mahdi and others fragmented into clan-based groups that disagreed on everything except the deposition of the Somali dictatorship. The declaration of Ali Mahdi as president did not go well with other groups who began war
afresh.\textsuperscript{62} The violence that ensued unleashed clan animosity and competition, massive destruction of property and internal and external displacement.

During the civil war, Somalis were divided between those who alleged that their clan or sub-clan was underrepresented, and those that believe that the previous governments had maintained clan and regional balance.\textsuperscript{63} Those who are aggrieved like the Hawiye, Dir, Digil Mirifle and the others are struggling to ensure that this time round they have a chance to participate in some real action that determines their destiny and ensures their representation in the future government. The struggle in the peace talks has been about who becomes the next president. Groups such as the Hawiye have vowed never to let another Darood take over power after the reconciliation process. The latter on their part insist that the Arta process rewarded the Hawiye and it is now their turn to lead in the new dispensation. However, continued military action could not brought a solution to the problem since no single group managed to have a clear-cut military advantage over the others.

The most crucial process was the thirteenth Conference held at Arta in Djibouti. Djibouti sponsored the Arta conference, which resulted in the formation of the Transitional National Government (TNG) led by Abdikassim Salaad.\textsuperscript{64} This conference invited members of the civil society and the traditional elders together with representatives of professionals, economists, teachers, farmers, health care workers, jurists and writers among others. However some other crucial group of actors, such as Puntland and Somaliland and armed groups in Modadishu declined to attend.

The results of the Arta Conference could not be implemented because the actors who were excluded, the armed factions, effectively blockaded and confined the activities of the new government to a section of Mogadishu. Although Arta took into consideration the clan balance in terms of numbers, it ignored the number issue in terms of the


\textsuperscript{63} Ayes O. Hagi and Abdiwahid O. Hagi, \textit{Clan, Sub-clan and Regional representation in the Somali government Organisation 1960-1990: Statistical Data and Findings}. 
individual and corporate actors involved. Arta was an attempt to move away from the earlier failure of earlier peace conferences. As a result an SRRC alliance emerged after Arta and effectively sabotaged the resolutions of the agreement. The show of strength by the armed faction leaders buried the hope of Djibouti and its allies to run a government in Somalia. As such, Ethiopia gave full support to the SRRC and rallied support for it in Somalia. Furthermore, the architects of Arta based their process in reference to the 1960 Constitution which may not have reflected the wishes of the current Somali people. They failed totally to take into consideration that the awareness level had radically changed and that the clans were more informed than they were then in terms of political representation. In its own assessment towards the end of its term in office, the TNG admitted this fact.

The fourteenth peace initiative under the auspices of IGAD mandated the three frontline states of Kenya, Djibouti and Ethiopia (As the Technical Committee) to run the conference. The pre-negotiation phase of this conference involved the identification of the actors in the conflict. IGAD sent a team to Somalia for this purpose.  

The conference was conceptualised in three phases. The first phase was the pre-negotiation, phase two was the negotiation stage and phase three concerned power sharing.  

The pre-negotiation stage, though dogged by the issue of those who were left out managed to identify a venue, in Eldoret, Kenya. This phase ended with the signing of the Declaration of Cessation of Hostilities on 27th October, 2002 at Eldoret. This document

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64 The TNG government mandate lasted for three year and ended in August 2003. However, involving sections of the 1960 constitution, Salaad has extended his tenure of office.
65 IGAD working Document, a report on the visit to Somali (Djibouti) 1999
became the reference point of who is leader is not. In the view of the SRRC, the
G8Alliance and the TNG, it is those who signed the Declaration that are authentic
leaders of the Somali people. Those who did not sign the document and who mainly
formed the TNG of Abdikassim and the National Salvation Council contend this view.
The stalemate is now around the two groups. Without having any serious issue the two
sides took to opposing any suggestion made by their opponents. The issue of numbers
again featured strongly as each group tried to set the pace of the reconciliation process.
While the numbers favoured signatories, they pushed for the quick conclusion of the
conference. Later, when the numbers did not favour, they called for a recess of the
conference.

The conference also endorsed the Rules of Procedure that were meant to guide the
conference. These Rules of procedure remained the backbone of the contentions all
through. During the endorsement of the Transitional Charter on 15th September 2003 the
groups that were unhappy with the results complained that the rules of procedure
were flawed. Again after the plenary session of 23rd February 2004 the same complaint
had been made by those who had lost in the game of numbers earlier. What was evident
was that the dissatisfied groups used the rules as red herrings. None of them pinpointed
the exact rule or rules that were not adhered to.

Another problem that faced the conference was the excess number of delegates who had
come uninvited. The number of delegates invited stood at on the higher side. Attempts to
reduce the number by sending away some of the excess numbers met with stiff opposition
from the leaders themselves. The issue became even more complicated when the
conference shifted to Nairobi where the numbers increased.

Phase two of the Reconciliation process began with six committees dealing with different
issues. Committee One examined issues to do with the Charter and the transactional

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66 There are two TNG’s that led by Hassan Abshir and that led by President Abdikassim Salaad. The group
mentioned above is the former.
67 Somali National Reconciliation conference, the rules of Procedure, adopted by the plenary (Eldoret) on
26th October 2002.
government, while Committee Two looked at issues to do with disarmament, demobilization and re-integration; Committee Three’s mandate was to discuss land and property rights; Committee Four was on economic recovery and reconstruction; Committee, Five and Six dealt with issues of regional and international relations and conflict resolution and reconciliation respectively.

A period short period of political transition in Kenya temporarily seemed to have delayed the activities of the Committees. Nevertheless a window of opportunity presented itself and the SRRC used it to gain control and have an upper hand in the game of numbers. At this point, the TNG threatened to withdraw its delegation but the process continued in the long run.

The committee work was also affected by other changes that happened in the same year. The committees were almost through with their work by the end of January 2003. However, two significant things occurred. Bethuel Kiplagat replaced Elijah Mwangale as the special envoy and chairman of the IGAD Technical Committee. This change affected the conference operations as the two leaders had different personalities and approach to things.

After a month the committees were able to continue with their work and by April all committee reports were ready for the plenary sessions. The plenary as the highest decision making organ of the conference was meant to adopt the committees’ reports. The presentation of the reports began with the least controversial to the most controversial. The plenary was able to adopt all the reports by May, except the two reports given by Committee One. One committee led by some Somalis aligned to the TNG of Mr. Abdikassim Salaad and Djibouti produced a report that was in favour of a centralized form of government. The other group aligned to the SRRC (Somali Reconciliation and Restoration Council) came up with a pro-federalist structure. Those who favoured a federal system for Somalia could not see eye to eye with those for a centralist system government.

The Technical Committee engaged a group of experts to help it harmonise the two documents. This committee led Prof. Samatar drew a lot of animosity from the faction leaders, who on their part also set up their own term to do the same. Eventually the result was even further confusion as the Technical Committee ended up with seven different versions of the two harmonized documents. Divisions among the leaders and the various groups were along the lines of the document they favoured. After long periods of negotiations and lobbying by women at the conference the leaders came up with an agreed document on 5th July 2003.

A stalemate on Article 11 ensured during July to September, 2003 over the form of government, issues of governance and the selection process as diplomatic efforts were stepped up to harmonize the positions taken by the two groups. The remaining groups of delegates of the TNG led by the Prime Minister Hassan Abshir and the speaker of parliament Mr. Abdullah Derrow, SRRC, and a section of the civil society struggled to write the Transitional Charter. The final version of the Transitional Charter was adopted by the plenary on 15th September 2003.

Following this adoption a number stakeholders (particularly those for unitary system) expressed their dissatisfaction with the process alleging that rules of procedure were not followed as required. Some leaders complained that the Rules of Procedure were not followed, non-delegates were allowed to participate in the plenary and the decisions of the arbitration committee on the composition of the delegation had not been effected. Djibouti also accused Kenya of foul play and questioned the credibility of the Charter and the ownership of the conference, and left the conference and withdrew from the Technical Committee too.

The withdrawal of Djibouti raised concern to all including the Somali leaders who wrote several appeals to president Ishmael Gele. Other IGAD member states including Kenya sent delegations to Djibouti to persuade them to return to the conference. The withdrawal of Djibouti was on the basis that the plenary lacked Somali ownership, the rules of
procedure were not adhered to and that the process was no longer all-inclusive but favoured Ethiopia and its allies. The authenticity of these complaints against IGAD was not the issue; indeed the conference had to be halted before it went into the power-sharing phase with the numbers favouring the opponents.\footnote{67}

The 10th IGAD summit of Heads of State and Government came in handy at Kampala on 20-25th October 2003. The summit while reviewing the progress of the SNRC and the challenges faced made certain decisions. It expanded the technical committee to include all IGAD member states. This meant that Uganda, Eritrea and the Sudan joined it. In response to concerns over ownership of the process, the summit emphasized Somali ownership by renaming the technical committee the facilitation committee. Thirdly the summit directed that the facilitation committee should meet at the ministerial level to review the status of the peace process with a view to removing all obstacles towards the attainment of peace in Somalia.\footnote{68}

The first ministerial facilitation meeting took place in Nairobi, Kenya on 28th October 2003. While appreciating the decision of an expanded facilitation committee and the return of Djibouti, Ethiopia blaming Abdikassim for insulting them at the Africa Union meeting in Maputo, Mozambique left the conference silently. The ministers decided that an exclusive Somali leaders consultative meeting be held for a period of ten days. The objective of the consultative meeting was to try and bring deeper reconciliation among the political leaders, create dialogue and remove the obstacles to the conference, and lastly to attain the much needed inclusivity. In principle the IFC agreed that no party could be allowed to give preconditions for attending the consultative talks and that the conference could not be taken back to renegotiate certain issues.\footnote{69}

However, those who joined would be allowed to raise concerns that would be taken into consideration. The second and the third ministerial meetings while reiterating the same position, urged the Somali leaders to attend the consultative talks and those who were

\footnote{67 See Ochieng Khamudanyi Op. Cit. p. 234}
\footnote{68 Ibid}

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away were asked to return to the conference. Indeed the ministers issued a warning that whoever did not participate at the consultative talks risked being named as an anti-peace crusader in Somalia.

Severally, the consultative meeting could not take off because of various reasons among them who would be allowed to attend. Those leaders who remained in Mbagathi founded an alliance, the group of 20, which brought them together. They argued that they were unwilling to meet with any other leader at the consultative meeting except Abdikassim Salaad and the other four signatories to the Declaration on Cessation of Hostilities signed in Eldoret. This gave rise to the famous formula of 24+1 for the consultative talks. On the other hand the leaders who had left for Somalia formed the Ballad group, which later called itself the National Salvation Council. This group insisted that it would not come back to the peace process unless they were all recognized as Somali leaders and accepted on equal terms at the talks.

After visits to Mogadishu by members of the facilitation committee\textsuperscript{71} and the International Partners Forum the latter position was adopted on the grounds of inclusivity. After this visit the Mogadishu groups were willing to come to the consultations but the group of 20 were still unwilling to meet some of the individuals form Mogadishu accusing them of being fake or recently created leaders.\textsuperscript{72} Combined pressure from the international community and the IFC made the group of 20 relent and the consultations began on 8\textsuperscript{th} January 2004.

President Yoweri Museveni, Chairman of IGAD Summit of Heads of State and governments met with all the groups, comprising the TNG led by President Abdikassim Salaad, the group of 20, the National Salvation Council and the civil society. On 9\textsuperscript{th} January President Mwai Kibaki of Kenya and chairman to IGAD Facilitation committee

\textsuperscript{66} Ibid

\textsuperscript{71} The troika of IFC, AU and the IPF made one of the visits. Amb Mohamed Ali Foum of AU led this delegation comprising of Amb. W. Birrigwa -Uganda's representative to Ethiopia and permanent representative to AU, ECA and IGAD, col. P. Marwa of IGAD- Djibouti, Mr. David bell of the British High commission, Mr. Perlingarde of the Swedish Embassy, Mr. A. Ramatta and Mr. J. Kiboi of IFC.

\textsuperscript{72} The fear is based on the fact that the Mogadishu groups are direct opponents of the group of 20.
on Somalia joined President Museveni for the launch of the consultative talks. The breakthrough attained by president Museveni came about in the context of bringing together Abdikassim Salaad and Abdullai Yusuf to a round table discussion. This dialogue opened a window for discussion on power sharing that gave hope to these contestants. This turn of events helped clear the air on the some of the issues that were earlier contentious.

Progress was made through shuttle diplomacy. The positions of these parties that could not meet were identified. The TNG and a section of the Civil Society allied to them, the group of 20 and another section of the Civil Society allied to them, the group of 20 and another section of the civil society and the national salvation council held divergent views. The sticky issues resolved around the title of the Charter, and the government, the duration of the transitional period, the mode of selection of the members of parliament as stated in Article 30 of the adopted Transitional Charter, the size of the Transitional Parliament as stated in Article 30 of the adopted Transitional Charter, the size of the Transitional Parliament, the composition of the delegates and the plenary that adopted the Charter.

The TNG insisted that the Charter be replaced by the 1960 constitution, the size of parliament be reduced to 171, the title other Charter and the transitional government be changed, the selection of MPs be left to the traditional elders, the delegates and the plenty be reconstituted. On the other hand the Group of 20 took the view that the Charter earlier adopted at Mbagathi remains, the size of parliament be 351, the selection of MPs be done by politicians in consultation with the traditional leaders and that the consultations could only be held between the 24 signatories and Abdikassim Salaad. In the view of the group of 20 the plenary was considered properly reconstitute since it had representatives of all the groups based on the 4.5 clan formula.

73 Abdikassim Salaad who had fallen off with his TNG delegation led by Hassan Abshir and Abdalla Derraw of the Prime Minster and speaker of Parliament respectively questioned the authenticity of delegates.
From these positions the IFC came up with a harmonized paper. It proposed that the title of the Charter remains the same, and the title of government be left as it is. The most significant change it proposed was on Article 30 of the adopted Charter. It called for the selection of MPs to be done by sub-clan politicians recognized by TNG, existing regional administrations, faction leaders recognized by the conference and endorsed by genuine sub clan traditional leaders. Secondly, Article 32 of the Charter proposed that transitional period should be five years and finally a proposal was given that he amendments be adopted by an extra ordinary plenary.

The harmonized document did not go well with National Salvation Council who insisted that their name had to be explicitly reflected in Article 30. In their opinion they read that their right to the selection of MPs was being denied. After another round of shuttle diplomacy that was done in unclear circumstance another version of the harmonized document that explicitly reflected name and the other groups emerged. A ceremony was arranged at State House, Nairobi, where president Kibaki witness a symbol in signing ceremony on 29th January 2004.

In the post-signing period some key faction leaders denied having signed the document earlier. They complained of some problems especially in the text that had been signed at state house, Nairobi. They reside her following fundamental points on the signed document. First, those who signed were at chosen according to the 4.5 clan formula that had earlier been agreed; secondly that Article 30 that was negotiated mentioned the term "sub clan" unlike the final document that did do three times, thirdly, the question of who are “political leaders” referred to and who was to participate in the selection of MPs remained contentious; fourthly, Abdikassim Salaad only signed as a witness rather than a key party. The group of 20 was unhappy with the protocol that Abdikassim was being accorded as the president of the Republic of the Somalia when his term had already expired.

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74 “Declaration on Harmonization of various Issues Proposed by the Somali Delegates at the Somali consultative Meetings” Harmonised Position Paper Somali National Reconciliation conference 29th January, 2004
4.2.0 Actors, Interests and Issues

Attempts to resolve any conflicts are bound to fail if the actors are not identified. The "actors" refer to all the participants in the conflict be they mediators the warring parties. Mediators are all those groups who help the conflicting parties by bringing them together, gaining trust, setting the agenda, clarifying issues and formulating agreements.\textsuperscript{76} All actors have certain interests in the conflicts, which is what make them become involved in the first place.\textsuperscript{77}

For purposes of analysis, it is convenient to view the actors form the perspective of internal or external forces. This kind of analysis will help in understanding the kinds of pressures that were being applied to the conference. The external actors can be referred to as the invisible actors. Although they are not directly involved in the war they are part of the conflict.\textsuperscript{78} In conflict resolution it is important that the invisible actors are taken into consideration. If they are ignored any solution to the conflict will not succeed because the invisible actors will undermine it. The actors in the Somali conference have an interest in the outcome to the conflict. The visible actors in this conflict are the Somali groups, both interims of individuals and the clans. The frontline states namely, Kenya, Djibouti and Ethiopia and the two former colonial powers, Britain and Italy constitute the invisible actors.

4.2.1 Role of Djibouti

In the SNRC external actors were strongly involved in determining the outcome of the conference. Conflict of interest with in the region vis-à-vis Somalia created bottlenecks for the Conference. Djibouti, a neighbouring state was involved in the talks for various reasons. Like the other two frontline states Djibouti played a major role in mid-wifing the Process.

\textsuperscript{76} Hugh O Ramsbotham et al, cotemporary conflict resolution: the Prevention, management and Transformation of Deadly conflicts (Cambridge: Polity Press, 1999), pp 158-159.
\textsuperscript{77} Makumi Mwagiru, community Based approaches to conflict in Kenya: Crises Prevention and conflict Management (Nairobi: GTZ Kenya, 2001)
4.2.2 Role of Ethiopia

Ethiopia's interest in Somalia is traceable to the history of the two countries. Indeed both Menelik II and Emperor Haile Sellassie annexed portions of Somalia. Ethiopia's shares a 2000km border with Somalia, which explains its security concerns. Ethiopia's interests lie in the strategic concern for security. It has been argued that internal wars have regional effects through a spill over effect. Thus Ethiopia needs a neighbour that would be partner in its security arrangements. Like Kenya and Djibouti, Ethiopia played its role in that is expected from any neighbouring country.

4.2.3 Role of Kenya

Kenya also shares a 700-1000km borderline with Somalia. Kenya has suffered highly through the huge numbers of refugees who are a financial burden and a threat to its environment. Further, the war in Somalia has led to an increase in insecurity through the infiltration of small arms into Kenya. Apart from these, Kenya's interest was explained by its concern especially during the Moi era to remain as a leading peacemaker in the region. President Moi, towards the end of his tenure, engaged in many peace-making missions as a way of maintaining his statesmanship.

4.2.4 Ugandan Interests

The interests of Uganda are naturally influenced by the fact that once Moi left power, President Museveni considered himself up successor as the regional leader. This was strengthened by the fact that Museveni took over as the chairman of the IGAD Summit of Heads of State and Government, which provided an opportunity for leadership in the region. President Museveni and his government were sympathetic to the Somali course. Therefore, as the Chairman of IGAD, he always ensured that Somali Peace Process ended in Success.

78 Ibid.
4.2.5 Eritrea Interests

Due to historical relations between Somalis and Eritreans as well as current realities in the Sub-region Eritrea, committed itself to play its role in the peace process. They also had their representative at the Somali talks at all times.

4.2.6 Arab League

Egypt, Libya and the Arab League followed the proceedings at Mbagathi keenly on the ground that they are Muslim states like Somalia. However, Egyptian interests go beyond Islam. Somalia, as a Muslim country and a member of the Arab league always had a soft spot in the Arab League. For this reason, the League had a high power envoy in the AGAD-led peace process. They offered financial resources where they could and supervised the Peace Process accordingly. Egypt being a dominant Arab country had also its special envoy to the Mbagathi Peace Talks. Egypt also played its role as it deemed fit for its national interest.

4.2.7 International partners forum

The international community formed the International Partners Forum (IPF). The group was responsible apart form the IGAD countries, for financial assistance to the negotiations. The key members included Italy, Britain, Sweden, Norway, Denmark, the USA, UN, Arab League, Egypt, the African Union and the European Union. During the consultation meetings at Safari Park, the IPF and the IFC began to hold joint meetings. The joint meetings were encouraged on the basis of coordinated decision-making. This aspect was seen in the light of mediating as a team. Particularly the EU covered most of the expenses of the Mbagathi Process.

Sweden on its part was actively involved as one to the countries with the largest Somali refugee populations in the world. The registered number of Somalis is 40,000, of whom 30,000 are registered as Somalis, and 10,000 as Ogaden Somalis. The Ogadens are those who entered Sweden during the Siad Barre regime. Since they needed asylum they used this region of Ethiopia for their survival. This explains why Sweden provided critical financial and moral support at the IPF level. The ruling party in Sweden, the social
democratic party made an agreement with the Somalis that in return for their vote once the party formed the government it would help in the peace process and in the reconstruction of Somalia. Besides, Sweden is recognized as an advocate for peace in the world. It is motivated by this tradition to participate actively in the negotiations.

4.3.0 Comparison between IGAD Reconciliation Process and Earli er Management Efforts

The frontline reconciliation process was an initiative of IGAD mandating the frontline states to take the leading role and involving the international community. Reconciliation processes held prior to this era initiated and organized by the host countries without the involvement of regional neighbours or the international community. Unlike the other previous reconciliation conference held in the region since 1991, the Mbagathi peace process has nominated five committee that came up with recommendations and modalities of solving the problem sin the Somali country. While the previous reconciliation conferences lacked the ability to focus substantial issues that created problems among the Somali people be it land grabbing, implementation of federalism, among others.

The frontline reconciliation process has been all-inclusive. All sectors of the Somali society and from every part of Somalia have been involved including clan elders, politicians, intellectuals, religious dignitaries, Somali NGO representatives, Women’s groups and the Diaspora. Previous reconciliation process were being organized for and attended by faction and militia leaders wit some factions not even represented.

In the frontline reconciliation talks, observers from the International Community as well as IGAD partners Forum (IPF) have been invited for consultations and logistical support. Past reconciliation processes have had no such observers drawing participants fro the factions and representatives of the host nation only.
The frontline reconciliation process has seen a common and unified approach towards attaining their goal (peace and stability of the Somali Nation). Previous reconciliation processes have been bipartisan with the host nations supporting some factions to serve their own interests. Funding of the frontline reconciliation process is by International Community as well as the IPF while past reconciliation processes were financially supported by the host countries.

The outcome of former reconciliation conferences seemed to have lacked the blessing of the countries in the region. The Mbagathi process has enjoyed the support of IGAD as well as the AU.

However, despite all these disparities between the frontline reconciliation process and those held previously, certain issues have been common in all the conferences held in the last 14 years. There have been agreements on establishing a two-year transitional government to maintain peace and stability in Somalia, adoption of a transitional charter, constituting an assembly, electing an Interim President and nomination of a Prime Minister. Previous reconciliation processes signed agreements with regard to the same though they did not see the light of day due to lack of commitment and political will on the part of the signatories.

4.4.0 Accounting for Difficulties that Faced the Somali National Reconciliation Process

4.4.1 Poor Leadership

The Somali leaders especially the faction and political leaders have displayed lack of adequate cooperation in the peace process by recalling their representatives from the conference, boycotting proceedings, threatening to relocate the peace talks and forming new alliances.

The Somali faction leaders have violated countless ceasefires so often rendering them virtually meaningless. Subsequent obstruction and walkouts from proceedings by alliances are clear indications of the lack of political will and commitment to peace on the
part of the Somali leaders. Disputes among the Somali leaders over arrangements for representation from Somalia’s diverse clans and factions have been paralysing the peace talks. It is not clear whose interest the civil representatives are representing and what kind of mandate they possess to speak on behalf of others.

4.4.2 Diverse Interests among Front-Line States

Deep persistent rivalries, tensions and divisions among regional and IGAD states which have nothing to do with Somalia have been undoing the peace process. In this context some of the Front-Line States specifically Ethiopian Djibouti are playing their games through their alias (Somalis) in the Peace Process. This should be stopped if the Peace Process is to end successfully.

Political approaches of IGAD states since the inception of the peace process in Khartoum have been different hence causing misunderstandings, Political bias and disputed representation from the Somali clans and factions have not been fully addressed by the frontline states. Denial of participation, co-option and occasional coercion of delegates perceived to harbor different views from certain groups has been observed. Self-suspending from participation in the talks; public tussles over leadership and venue as well as swing of attitudes among the frontline states have heightened the crisis. IGAD has been reluctant to request for a sanctions regime from UN and the international community to deal with violators of ceasefires especially the Cessation of Hostilities with some member states wilfully violating it.

Genuine traditional elders have not been given the opportunity to play a more substantive role in the peace process. Somali Islamists have been denied the opportunity to play any role in the talks though so far they have demonstrated a greater sense of social responsibility and openness to democratic principals and practice than any faction leaders, such as a move can radicalise some elements and foster solidarity with extremists.
4.4.3 Lack of Commitment on the Part of the International Community

In some instances, (some) members of the International Community showed lack of commitment and backing to some degree especially during the initial stages of the process.

Obstructions and walkouts from proceedings have gone unpunished exposing lack of international interest or political will. The international community displayed lack of interest in bringing to justice Somali war criminals and human rights violators; instead they have been dignified as “leaders”. The international community has shown studies indifference with dwindling interest to the point that competing regional influence in the peace process have gone unchecked.

The IGAD Partners Forum (IPF) was made up of observers from the international community who are always present for consultation. The IGAD Partners Forum (IPF) includes Canada, Japan, China, Norway, Denmark, Finland, Germany, Netherlands, Russia, Italy, Sweden, Egypt, United Kingdom, France, Switzerland, the United Nations, the European Union, the League of Arab States, and the United States of America. The IGAD Partners Forum (IPF) has been of great help to the peace process financially availing funds to support the talks as well as giving logistical support.

4.5.0 Challenges Facing the New Government

In late 2004 the IGAD Peace Process for Somalia bore fruits. It managed to steer the more than 400 delegates attending the Conference to a logical conclusion. Following long deliberations at Mbagathi Nairobi, the Conference saw the election of members of the Transitional Federal Government. Two 275 MPs were elected. A National Assembly was headed by Hon. Sherrif Hassan Sheik Adan. Abdulahi Yusuf was elected President and subsequently he nominated Mohamed Ali Ghedi Prime Minister, who also appointed a Cabinet of 43 Ministers on the basis of the 4.5 Clan format. But this state of affairs has not come without any challenges. The following are the major challenges facing the “new peace”: 
4.5.1 Reconstruction
The civil war left a lot of destruction in its wake. Most infrastructure collapsed. This ranges from water and sanitation, roads, telecommunication and ports. Most government buildings, schools and public health facilities are still in a state of ruins. As the new government takes over, these challenges are staggering and will take a long time to return to normal.

4.5.2 Political Division and Dissent
As latest as June 2005, the Transitional Federal Government had not settled back to Somalia. There had been a lot of political opposition coming from several quarters. Some armed warlords especially in Mogadishu and area in the Southern part of have been challenging the relocation plans of the Government on the ground. Similarly the break away Somaliland Republic has not shown any signs of wishing to be part of the “new Somalia.” Most recently, there has been heated debate both within and without the Transitional federal government as to where the capital city will be. The government is yet to be fully in control.

4.5.3 Insecurity
Anarchy in Somalia has led to a grave state of insecurity. Most of the country is in the hands of War Lords and Clan leaders who need not recognize the newly formed government. There are a lot of weapons in the wrong hands. The major structures that ought to enforce order are not just there. There is no standing army and police force leave alone an air force or navy. Somalia could be home to dangerous terrorist groups and organizations involved in international organized crime. Recently, pirates who demanded several thousand Dollars as ransom seized a World Food Programme ship ferrying food to Tsunami victims, forcing WFP suspend its operations temporarily.
4.5.4 Post-Conflict Peace Building

The biggest problem and perhaps the greatest challenge facing IGAD is to ensure that the “peace” it has so made will not recourse to war once again. But from the look of things, such a scenario is not completely impossible. There has been a lot of resentment (from within Somalia) towards any efforts to send an African Union Peace Enforcement Force to Somalia. The challenge here has to do with disarming militia groups, repatriating refugees, reintegrating ex-combatants and IDPs and finally putting in place conflict prevention and early warning mechanisms.
5.0 Chapter Five: Summary, Conclusions and Recommendations

5.1.0 Summary
The legacies of European colonialism, a schismatic kinship system, the contradiction between a centralized state and a pastoral culture, Cold War geopolitics, militarization, under development and inequitable development, ecological degradation, the abuse of power, corruption and human rights violations all provide some explanation for the crisis in Somalia.

Cumulative effects of decades or protracted conflict within Somalia and between it and its neighbours and poor leadership on the part of Somalis, lack of unity and rule by clan have played a major role towards mistrust and conflicts among the Somali people. Between 1991 and 2000, a number of key sub-regional efforts were put in place in order to end the conflict that went on for one and a half decades. These however did not bare any fruits, paving way for the IGAD-driven Peace Process 2002-2004.

Though faced with a number of structural difficulties emanating from lack of trust on the Somali leaders, the Somalia National Reconciliation Conference held in Nairobi was able to create a favourable environment, which led to the formation of a new government. Nevertheless, the new government is faced with a myriad problems and/or challenges which have mainly to do with the failure of the international actors managing the conflict failing to enforce “the peace” effectively.

5.2.0 Conclusions
Based on the findings of the study, the following conclusions were arrived at:
- Most of Somalia’s problems can be traced to its colonial past and years of post independence misrule, which created a recipe for division and internal civil strife and anarchy. But the study has concluded that the destiny of the Somali people lies in the hands of the Somalis themselves.
Over and above these internal causes of state collapse in Somalia. A number of
key external actors have become part and parcel of the Somali internal turmoil
and are perhaps the biggest obstacle to the full realization of peace in Somalia.

The IGAD-driven peace process has made the greatest effort to restore peace and
order in Somalia. The formation of a Transitional Federal Government (in Kenya,
late 2004) has been its biggest achievement.

Be it as it may however, the Somali Peace Process will be incomplete if the IGAD
states, the African Union and the International Community will continue to watch
as the Transitional Federal Government is left on its own to take up a Somalia
which has been in utter anarchy for more than 14 years.

The study finally concludes that a Federal System would be best for Somalia
since historical experiences have changed the political culture of the Somali, to
the extent that there are many cleavages within the contemporary society.

The greatest challenges facing post-conflict Somalia have to do with
infrastructural reconstruction; insecurity; political divisions within and around
Somalia and finally; conflict prevention, healing and long-term reconciliation.

5.3.0 Recommendations
Based on the findings and conclusions of the study, the following recommendations were
made:

- IGAD member states should ensure that their past internal divisions should re-
emerge deny the necessary support to the government they have helped the
Somali people form. There is dire need for the frontline states to take the first step
in ensuring that the newly concluded Peace Process benefits the Somali People. If
this does not happen, the good work done will end in futility.
• IGAD member states should take initiative in establishing and calling for targeted international sanctions against those obstructing the peace process. A Peace Enforcement Force is almost inevitable. There will be no peace if most of the country is governed by gun-trotting militia.

• IGAD should not allow external forces which had earlier failed to restore peace in Somalia to negatively impact the final stages of the process.

• The International Criminal Court should be encouraged to collect data and create dossiers on those responsible for undermining the Peace Process through continues military action and commission of war crimes.

• The UN Security Council and the International Community should ensure that the “new peace” is fully realized in Somalia by whatever means. To achieve this goal, the UN Security Council should lift the arms embargo on Somalia to allow deployment of Protection Troops by IGAD and AU member states. The international community should also avail the necessary financial, political and technical support to the new government and African initiatives for Somalia.
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