

***Somalia and Somaliland: Strategies for dialogue and  
consensus on governance and democratic transition***

**Paper Prepared for the UNDP Oslo Governance Centre**

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## EXECUTIVE SUMMARY

This paper has been prepared in response to a request by the UNDP Oslo Governance Centre (OGC) to examine the experience of Somaliland in peace building and in forging effective institutions of governance, assess its lessons and implications for Somalia as a whole, and outline a scenario for UNDP and international involvement in seeking a lasting solution to the Somali crisis. The study is based on a review of the historical context and developments leading to the collapse of Somalia as a unified state and the experiences of Somaliland in peace building and governance. The author also undertook a field mission to Somaliland from 1 to 30 November 2002.

Electoral politics, military rule, and the resurgence of clan-based political factions provide the historical background and context of contemporary political developments in Somalia. The relatively successful experience of peace building and effective governance in Somaliland is based on innovative methods of representation and consultation involving the management of power-sharing arrangements and factional competition. The analysis of this background together with attempts to deal with the crisis to which it gave rise is followed by a whole range of recommendations for both national actors and the international community.

Somaliland and Somalia share three decades of common history and similar sociopolitical structure, both of which are rooted in a clan system that serves as a mechanism of solidarity and fragmentation as well as competition and coalition building. This shared political history validates two political axioms. One, in a predominantly clan-based society, leadership accountability is subordinate to the imperative of factional competition. Two, this competition renders a centralized state as well as the administrations of territorial entities vulnerable to autocratic rule, factional violence, and local disputes. It is this enigma of the functions of the clan system – its capacity to serve as a mechanism of solidarity and warfare, its vulnerability to fragmentation and the weakness of its mechanism of leadership accountability – which needs to be understood.

The number, size and leadership style of clans shaped the differential patterns of factional competition and conflict as well as the contrasting responses to the collapse of the state in Somalia. The size and population of Somalia is twice that of Somaliland, and Somalia obviously has a larger number and a more complex system of clans. But Somalia has become partitioned into four other territorial entities that serve as platforms for rival clan-based factions and violent competition among lineage cliques for leadership and control of local resources and economic infrastructure of the territorial entities.

Somaliland is more homogenous than Somalia. It is also larger than each of the other four territorial entities in Somalia. Like these other entities, Somaliland is homeland to one of the principal Somali clans. But whereas the clan system subverted efforts to resolve disputes and conflicts among and within the clans in the relatively smaller territorial entities in Somalia, it has served in Somaliland as a mechanism of reconciliation and for

building political consensus on an agenda for peace, governance, and transition to a multiparty democratic system.

Somaliland's approach and the lessons of its experience in peace building suggest that a resolution of the leadership disputes within the other territorial entities is the most immediate challenge in Somalia today. Conflicts among clan-based factions and cliques within factions and the consequent cleavages in the territorial communities not only impede territorial peace building but also subvert implementation of agreements negotiated in national reconciliation conferences. These faction-driven cleavages and local disputes have been the most important factors for the failure of internationally sponsored reconciliation initiatives to facilitate a settlement accord in Somalia.

## **Summary of Recommendations**

Three sets of recommendations are made for national actors, the international community and UNDP. While the primary responsibility for resolving the crisis lies with Somali political leaders and civil society, including the Somali Diaspora, support and assistance by the international community in general and the UN system in particular are indispensable. A three-phase scenario of peace building is recommended, beginning with finding solutions to local disputes and factional conflicts, both of which are symptoms of wider challenges to achieving and implementing a political settlement.

### *1. Recommendations for National Actors*

Recommendations for national actors are made in accordance with the three-phase scenario, in which strategies for peace building at the territorial level must be aligned with an agenda for a comprehensive political settlement for Somalia as a whole. There is need to establish and consolidate a system of leadership accountability at the national and territorial levels. Only then will it be possible to break the vicious cycle of factional rivalry and conflicts that enable territorial, factional and civil society leaders to skirt responsibility for their actions and makes them not accountable for their political performance and its consequences, which is a flagrant violation of human rights

### **Phase 1 Strategy: Build the foundation for a political consensus through territorial peace building**

Recommendation 1: Link clan representation to territorial entities in order to anchor the participation of civil society representatives in territorial governance and peace building

Recommendation 2: Focus territorial peace building on achieving political consensus on territorial administrations

Recommendation 3: Link territorial peace building to an agenda for a comprehensive political settlement

## **Phase 2 Strategy: Link the territorial peace building process to an overall political settlement in Somalia**

Recommendation 4: Form interim joint institutions for consultations and negotiations

Recommendation 5: Establish joint commissions for demobilization and reconstruction

## **Phase 3 Strategy: Align transitional processes with democratic dialogue and development**

Recommendation 6: Link formation of transitional unity government to a transparent and credible process of democratic transition

Recommendation 7: Accept parallel transitions of Somaliland and the rest of Somalia through an internationally monitored and supervised process

### *2. Recommendations for the International Community*

A sustained international support closely aligned with the proposed strategies for peace building is essential for their successful implementation. Five recommendations are proposed for consideration of the international community as a framework for its support to a comprehensive political settlement. The recommendations are intended to stimulate dialogue within the international community on ways and means of supporting peace building in Somaliland and Somalia.

Recommendation 1: Align international peace building measures with national settlement strategies

Recommendation 2: Support the territorial peace building process

Recommendation 3: Support the reconstruction process

Recommendation 4: Support and backstop the transitional process

Recommendation 5: Assist IGAD in supporting the implementation of the settlement accords

### *3. Recommendations for UNDP*

As a major development cooperation agency within the UN system with responsibility for governance and capacity development, UNDP should help coordinate international support and assistance for conflict prevention, peace building and long-term development in Somalia. For purposes of providing the analytical framework for the dialogue and transition processes, UNDP, should produce innovative approaches to align the overall concerns of the international community with the immediate issues of concern to the Somali political leaders and civil society groups. It should also contribute to strategic

analysis of the long-term development issues, dialogue among Somali political leaders, collaborative action between them and civil society groups, as well as partnership between the professionals inside the country and in the Diaspora, and between them and the international development institutions. Following are the specific recommendations for UNDP:

Recommendation 1: Undertake a strategic conflict assessment (SCA) of Somalia, including a strategic analysis of the immediate and long-term issues of reconstruction and effective governance

Recommendation 2: Help coordinate international support and assistance for poverty eradication and sustainable development

Recommendation 3: Provide post-election assistance to local government councils in Somaliland as a pilot for support to decentralization in Somalia

Recommendation 4: Facilitate the participation of Somali professionals in the Diaspora in post-settlement reconstruction in Somalia

Recommendation 5: Help establish a Centre for Reconstruction and Governance in Somalia

## Introduction

This paper has been prepared in response to a request by the UNDP Oslo Governance Centre (OGC) to examine the experience of Somaliland in peace building and in forging effective institutions of governance, assess its lessons and implications for Somalia and outline a scenario for UNDP and international involvement in seeking a lasting solution to the Somali crisis.

The study is based on a review of the historical context and developments leading to the collapse of Somalia as a unified state and the experiences of Somaliland in peace building and governance. The author also undertook a field mission to Somaliland from 1 to 30 November 2002. During the course of the field mission, the author reviewed and analyzed information contained in official documents and media descriptions of events and conducted in-depth interviews and discussions with a broad range of political actors and civil society representatives as well as ordinary citizens. The discussions and interviews were used to explore the concerns of the interviewees and their assessment of the challenges to the future political evolution of Somalia and Somaliland.

The study was conducted against a backdrop of two important events: elections in Somaliland and the IGAD-sponsored conference in Eldoret, Kenya. An analysis of the developments surrounding the two events is outside the scope of the present paper. Both events were in progress at the time of the completion of the study. They each have a high degree of immediacy and implications. The outcome of the Eldoret meeting and the elections in Somaliland can accentuate the pattern of factional rivalries or create opportunities for dialogue between Somalia and Somaliland. It is hoped that the findings and recommendations of this study can contribute to the coordination of the implementation of the outcome of the two events.

Part I of the paper reviews the context and history of Somalia and the role of factions in the collapse of the state and in the formation of territorial entities. Part II analyzes the experience of Somaliland and its approach to reconciliation and governance and concludes with an assessment of the lessons of this experience and their implications for peace building in Somalia as a whole. Part III identifies the issues to be addressed and resolved in a comprehensive political settlement. And Part IV concludes the paper with an outline of a scenario linking the resolution of conflicts and disputes at the territorial level to an agenda for a comprehensive national settlement, and recommendations on how national actors, the international community and UNDP can support the process leading to such a settlement, lasting peace, reconstruction and development.

## **PART I. BACKGROUND: HISTORY AND CONTEXT OF CONTEMPORARY POLITICAL DEVELOPMENTS**

### **A. Electoral Politics and Clan Leaders: The Art and Strategies of Factional Competition**

During its first decade of independence, Somalia was a model of political democracy. In 1961, a national referendum ratified the country's provisional post-independence constitution. The constitution was designed to establish a centralized unitary government consisting of a President, an executive Prime Minister, and a parliament.

In 1964 and again 1969, the country held its first and second multiparty parliamentary elections. Both elections resulted in the election of a new government. In between the two elections, in 1967, the parliament elected a new President who in turn appointed a new Prime Minister. In short, Somalia had three successive Prime Ministers under two Presidents over a period of nine years.

The electoral laws balanced the unitary and centralized features of the state with a system of proportional representation. This proved to be uniquely suited to the competitive nature of the Somali clan system. Both the electoral and clan systems were used as a platform for organizing electoral factions and constructing majorities through building competitive coalitions among the winners of the parliamentary elections. In the last elections of 1969, some 64 electoral factions and parties fielded candidates in the elections. The incumbent faction received about 40% of the electoral vote and 62 of 122 contested seats. At the end of the election, all of the winning candidates joined the governing party, but aligned themselves with rival wings of the governing political party, the Somali Youth League. In each instance, the President nominated his closest political ally as Prime Minister.

The shifts and changes in electoral factions and post-election alliances were the defining attributes of the Somali political process and in large part helped the process of political integration. On the other hand, the growth of factions and the shifts in alliances weakened the effectiveness of the civilian governments. It also diminished the legitimacy of the core institutions of the state, as rivalries progressively escalated the level of corruption and patronage, including appointments and promotion to key administrative and financial positions in the civil service.

### **B. Military Rule: The Suppression of Factions**

Six months after the 1969 election, a junta led by the Commander of the army, General Mohamed Siad Barre, overthrew the government. Like the civilian elite, the military officers were equally faction-ridden.

To consolidate its power after having displaced Somalia's first generation of politicians, the Junta co-opted some of best-educated and generally respected professionals and included them into a Council of Secretaries that acted as the cabinet of the Junta but under the leadership and guidance of the military council. General Mohamed Siad Barre chaired both Councils. Both the junta and the Council of Secretaries were structured to

give them a profile of a national (multi-clan) political coalition similar to those that the civilian politicians organized as part of their electoral strategies. This symbolic gesture to clan politics diminished initial opposition.

But the military junta proceeded to set Somalia on a radically different political path. By the second anniversary of the coup, the junta proclaimed the adoption of scientific socialism. The proclamation also coincided with the purge of two of the most senior generals in the junta, the minister of defense and the vice-chairman of the military council, who were accused of plotting a coup. Both were publicly executed in 1972. The execution, the first in Somalia's history, was followed by two other episodes of executions, in 1974 of six young northern political activists, and in 1976 of a group of religious leaders that had protested against the introduction of a new family law. These executions crystallized the ruthlessness of the junta and its willingness to eliminate dissent.

By the middle of the 1970s, the junta had put in place a wide range of measures that it used for control and regimentation of civil society. These culminated in the adoption of Soviet style political and security institutions to maintain control over both the army and civil society. In 1976, the junta transformed itself as a single party, with a central committee and a Political Bureau of five members, both of which General Siad Barre headed. This completed the institutionalization of autocratic rule and General Siad Barre consolidation of power in the army, the party, and the government.

In theory, the government and the army were instruments of the party and subordinate to it. Senior army officials headed the Security Service with a network of national and regional offices, agents, and civilian informers. The security system also included security courts and detention facilities. The officials of regional and local governments and their security and military counterparts formed regional security committees with extensive powers of detention.<sup>1</sup>

In its first ten years, the Junta established a reputation for tough political management in sharp contrast with the political factionalism of the civilian governments of the first decade. This reputation enabled it to gain extensive credits and loans from the World Bank and the European Development Fund and from Arabian Gulf States after Somalia joined the league of Arab States in 1974.

The end of the regime's alliance with the Soviet Union following the Somali-Ethiopian war of 1977- 1978 and an abortive coup immediately after the war set in motion efforts to renew the regime and restructure its leadership. In 1979, a new constitution was introduced and elections conducted to elect the President and members of a new parliament in which the party nominees were the only candidates. But the constitution

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<sup>1</sup> In 1977, General Siad Barre unleashed the Somali-Ethiopian war of 1977. The war ended the junta's alliance with the Soviet Union as the latter shifted its support to the Ethiopian regime.

and elections encouraged the civilian wing of the regime's leaders to seek reforms and liberalization of its policies. This implicitly meant the weakening of the regime's elaborate security apparatus and the influence of the party over the government. The advocates of reforms were in part responding to growing disaffection and pressures from civilian activists outside the government. The latter groups were beginning to link with the large Somali expatriate workers and business groups in the Arabian Gulf States who migrated to avoid political repression and seek economic opportunities after the drought of 1973-74<sup>2</sup>.

General Siad Barre interpreted the advocacy of reform as a threat and veiled opposition to his leadership. He quickly purged the advocates of reforms and liberalization within the regime.<sup>3</sup> The government sought to fragment opposition by periodically incorporating factions from different clans or sponsoring and elevating new wings of leaders of rival clans into the second tier leadership positions. But the purges and subsequent detentions of civilian activists in the early 1980s effectively streamlined and transformed the political and military leadership of the regime into a clan-based military rule and crystallized and intensified opposition.

### **C. The Resurgence of the Politics of Factions: The Junta and Clan-based Factions**

In 1980, the leaders of a 1978 abortive coup organized the first of the insurgency movements, the Somali Salvation Democratic Front (SSDF). A second movement, the Somali National Movement (SNM) was established in 1981 by migrant workers and expatriate professionals in the Gulf States, notably in Saudi Arabia and the United Arab Emirates. Both movements set up offices in Ethiopia and camps along the long Somali-Ethiopian border with the backing and support of the Ethiopian army. The formation of these two movements set in motion defection of a larger number of military officers, who assumed command of the militias of the newly formed insurgency movements. By the mid-1980s, a low-level insurgency had grown into a full-scale civil war.

The growing and increasingly brutal war pitted a clan-based military government against similarly organized and led insurgency movements. As part of its counter-insurgency strategy, the government mobilized and organized pro-government militia. The insurgency movements in turn countered with attacks against civilians of the communities of the pro-government militias.<sup>4</sup>

The civil war entered a decisive phase in May 1988 when the SNM attacked the two principal towns in the Northwest regions, setting off an insurrection throughout the area.

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<sup>2</sup> For an analysis of the junta's first ten years, see Mohamud Jama, "Somalia: Crisis and Decay of an Authoritarian Regime," *Horn of Africa Journal*, 1980

<sup>3</sup> This included two members of the military council and four members of the Council of the secretaries. Other members of the council of secretaries defected and sought asylum outside the country.

<sup>4</sup> For an analysis of the insurgency, see Mohamud Jama, "From Irredentism to Insurgency," *Horn of Africa Journal*, 1982.

After three months of a brutal urban warfare, the government regained control of the cities, but in the process destroyed most of the two cities and forced all of the urban population to abandon the cities and seek asylum in Ethiopia. Similarly the rural population retreated into the Somali-Ethiopian border areas. The 1988 attack on the two cities transformed what had been until then a low intensity rural insurgency centered on the Somali-Ethiopian border into a total civil war.<sup>5</sup> The vast displacement of both urban and rural population isolated the government forces in ghost towns. This enabled the anti-government forces to recruit from among the refugees and border villages. The rebels concentrated their efforts on ambushes of the government supply lines and reinforcements.

The escalation weakened the morale of the army and ultimately caused the army's fragmentation. In 1989, two new southern clan-based insurgency movements, the United Somali Congress (USC) and the Somali Patriotic Movement (SPM) were formed causing defection of key units of the army to their respective clan-based militia. By the middle of 1990, government control of the country had shrunk to areas around Mogadishu and to the administrative centres of the regions, where army garrisons were posted.

In December 1990, the three major rebel movements mounted parallel attacks against Mogadishu and Baidoa in Southern Somalia and against the principal army garrisons in Northern towns of Hargeisa, Burao and Berbera. By the end of January 1991, the regime crumpled. But the collapse of the regime left a political vacuum that remains twelve years later.

#### **D. Factions in a Failed State: Agenda and Strategies**

The collapse of the regime in January 1991 set in motion the fragmentation of the country into five territorial entities that broadly corresponded to the distribution and settlement of the major clan groups.

In three of the five territorial entities-- the northwest, the northeast, the southeast with Mogadishu, the capital-- one of the insurgency movements gained control. The other two territories, the southwest and Juba Valley regions, remained zones of conflict. In the Southwest, a new clan-based faction seized control of the region in 1999 after a three-year campaign. The Juba valley area is now controlled by a new configuration of local cliques allied with the TNG group in the southeast.

The strategies of the factions to reconstitute Somalia are based on two contrasting agendas and approaches: the formation of interim governments through conferences of faction and clan representatives versus the establishment of territorial authorities. These two approaches and related agendas have become the defining attributes of the politics of factions.

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<sup>5</sup> Human Rights Watch Africa, *A Government at War with its People* and U.S. Department of State, *Why Refugees Flee*, 1989.

**Interim governments:** The first attempt to form an interim government was immediately after the collapse of the Siad Barre regime, but it triggered opposition from territorial factions. In June 1991, six months after the formation of the first interim government, the Government of Djibouti invited representatives of six factions and former leaders of the civilian governments of the 1960s to a reconciliation meeting in June 1991. But the leaders of the SNM in the Northwest and rivals of the interim government in Mogadishu refused to participate. In addition, representatives of the former regime who regrouped and established a territorial stronghold in the Southwest region were not invited.

The conference reaffirmed the leadership of the interim government and unleashed one of the most severe factional conflicts between supporters and opponents of the interim government in Mogadishu. These conflicts over the interim government created the humanitarian tragedy of 1992-3 that led to the deployment of US-led multinational force, later replaced by the United Nations peacekeeping operation in Somalia.

The withdrawal of the UN forces in March 1995, set in motion parallel efforts to form a second interim government. The Governments of Ethiopia and Egypt sponsored two parallel efforts. Both failed. But in 1997, General Mohamed Aided proclaimed the establishment of a second interim government. He was killed a year later as he continued his attempts to expand the authority of his administration against the opposition of both supporters of the first interim government and new factions opposed to both. The death of General Aided ended the dispute over interim governments but it also strengthened local faction leaders, who established a stronghold either in Mogadishu or in areas surrounding the capital.

In September 1999, the President of Djibouti in a speech to the United Nations General Assembly declared his plans to hold a National Peace Conference for Somalia. The conference was held between June and August 2000, outside the city of Djibouti and has come to be known as the Arta Process. The conference sought to eclipse the political influence of faction leaders by inviting key officials of the former regime, and sponsoring civil society representatives opposed to the faction and territorial leaders. In September 2000, the Arta Conference proclaimed the establishment of a third interim government led by an alliance of some of the Mogadishu factions and splinter groups opposed to the leaders of the territorial entities. The leaders of the three of the five territorial entities either refused to participate or rejected the outcome of the Arta Conference.

In all three attempts, one of the cliques of the Mogadishu-based factions formed the core leadership of the interim government. All three attempts sought legitimacy through alliance with secondary leadership groups outside Mogadishu. All three interim governments faced immediate challenge from one or more of the Mogadishu-based factions.

**Territorial entities as platforms for factional cliques:** The formation of each of the Mogadishu-based interim governments intensified fears of the return to autocratic clan-based factional rule. In 1991, the leaders of the Somali National Movement formed an interim government in the five northwestern regions (Somaliland) in opposition to the

first interim government in Mogadishu. In 1997, opponents of the second interim government proclaimed the establishment of the State of Puntland in northeastern regions of Somalia. In 2001, a third territorial administration was formed in southwestern regions of Somalia in opposition to the third interim government formed at the second Djibouti sponsored national reconciliation conference. Each of the interim government faced concerted opposition of rival factions often with broad territorial support.

The collapse of the regime caused massive internal displacement of the civilian population. About half of the Mogadishu population returned to their respective communities of origin as did millions of refugees and internally displaced people. The upheavals led to new outflow of refugees. These large-scale shifts in population fuelled and magnified the effects of the factional conflicts and added to the legacies of the civil war. These experiences of the civil population reinforced support for clan-based territorial entities, but the competitions for the leadership of the territorial governments caused new cycles of conflict and internal displacement. In addition, factional conflicts and competition for control of the strategic economic infrastructure and assets, notably the ports, airports and strategic roads in their respective areas culminated in the fragmentation of the clan-based factions into warring cliques.

Since 1997, the intensity of inter-clan conflicts has largely declined. This has made possible modest movements of goods and services between territories. But the inter-clan conflicts have been replaced by a quagmire of disconnected violent local conflicts. In Puntland and the Southwest, the territorial leadership splintered into two rival lineage-based factions. In the Southeast, the Transitional National Government (TNG) faces opposition from factional leaders that has prevented it from establishing effective local administration. In the Juba valley region, an alliance of local factions with the support of the TNG gained control of Kismayu.

In Somaliland, some of the local leaders in the two eastern regions – Sool and Sanag— have joined the Puntland administration while others from these two regions and other parts of Somaliland have aligned themselves with successive interim governments in Mogadishu. Both tendencies contribute to and add to the distrust between Somaliland and Puntland and Somaliland and the TNG and weaken the stability and cohesion of the territory.

## **E. Concluding Observations**

The contemporary political history of Somalia is a history of factions whose formation, structure, and strategies in large part reflected the specific constitutional and political context of the period. During the first ten years of Somalia as an independent state under civilian government, electoral factions were formed to compete for clan support in parliamentary elections.

The most successful factions attracted broad-based support from their respective clan, thus enabling the leaders of such factions to form or become part of the core leadership of a broad-based electoral coalition. The electoral factions also served as a platform for forming post-election coalition to compete for national political offices. The leaders of

incumbent coalitions had to compete with rivals in their respective lineage groups and with other clan-based electoral coalitions in maintaining and re-building a winning coalition in subsequent elections.

During the two decades of military regime, 1969-1990, the junta formed the core governing factions. It incorporated civilians into secondary leadership positions and suppressed those it viewed as posing a threat to the leadership of the Junta. This differentiated strategy of incorporation and suppression artfully applied in the context of a tradition of a clan-based political competition became the hallmark of the regime's policies and its survival strategies.

Dissent and opposition initially manifested themselves as an informal network of cliques and were gradually linked to clandestine opposition to the junta, which coalesced as a succession of clan-based insurgency movements, each of which challenged the regime in its clan territory. The core faction of the junta in turn successfully appealed to and mobilized clan backing to support its war against the insurgents.

The final collapse of the regime transformed Somalia into territorial entities. Support for both the territorial entities and their leadership is closely linked. But the territorial entities have also become the platforms for rivalries among lineage based cliques engaged in violent disputes and competition for territorial leadership and control of the territorial strategic economic assets and resources. But for most people, support to territorial entities remains anchored in a desire for security and aspiration for employment opportunities and access to services and decision-makers.

## **PART II. SOMALILAND: EXPERIENCE IN PEACE BUILDING AND GOVERNANCE**

### **A. Approach to Peace Building and Governance**

The Somali clan system serves as a mechanism of solidarity and fragmentation as well as competition and coalition building. It is this enigma of the functions of the clan system – its capacity to serve as a mechanism of solidarity and warfare, its vulnerability to fragmentation and the weakness of its mechanism of leadership accountability – which needs to be understood. Somaliland adapted these features and functions of clan organization in its strategies of organizing resistance to the regime, resolving conflicts within the movement during the struggle, as well as in postwar reconciliation and in building political consensus.

### **B. Experience and Issues in Peace Building and Governance**

Somaliland's postwar approach to peace building and governance were structured to achieve inter-clan reconciliation in order to fill the postwar political vacuum. In April 1991, the leaders of the Somali National Movement (SNM) organized the first conference of representatives of the clan groups in northern regions of Somalia that constituted Somaliland before its unification with (southern) Somalia in 1960.<sup>6</sup> The objective of the Conference was to assess the postwar political situation and formulate a strategy to cope with the collapse of Somalia as a unified state. The Conference affirmed the end of the civil war and recommended the re-establishment of Somaliland as a separate state within its pre-union borders. The Central Committee of the SNM adopted the recommendation of the conference and reconstituted itself as a de facto council of deputies that in turn elected the chairman of the SNM as head of the interim government for a two-year period of transition.

Somaliland was established as a covenant for peace against a background of relief that a ten-year civil war and 22 years of autocratic misrule had ended. But Somaliland was also born in the midst of societal dislocations and destruction. Most of its population of about three million lived in rural areas of Somaliland as displaced communities, or, sought safety in refugee camps across the border in Ethiopia. Several hundreds of thousands who migrated to Mogadishu over the previous three decades were caught in the cycle of violence there during the last days of the former regime and after its collapse. They like the internally displaced and others who sought asylum in Europe, the Middle East, and North America over the previous two decades, had started to return to their homelands, most of which lay in ruins.

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<sup>6</sup> The decision also reflected SNM history and tradition of seeking consensus at critical points through broad-based inter-clan deliberations rather than through its internal policy-making structures. The political structure and military organization of the SNM reflected the relative strength and support of the different subclans to the movement. The convening of the conference was also an acknowledgment that the SNM lacked the organizational and political infrastructure to manage the difficult postwar political and economic challenges

The experience of Somaliland since its re-establishment in May 1991 – its successes and setbacks in peace building and governance – can therefore be best understood in the context of two interrelated objectives: to build a political consensus on separation from the rest of Somalia and to build and maintain peace. These twin objectives also underpin its strategies of territorial governance and continue to influence its approach to peace building and institutional and political development.

Somaliland communities have through the first territorial conference in 1991 and two subsequent conferences in 1993 and 1997 developed a unique approach to consensus building and deliberations, adapted to their particular circumstances. The deliberations and decision of the conferences built a foundation for quasi-democratic practices that were elaborated and accepted as part of the instruments for self-governance. These instruments helped fill the political and institutional vacuum that was created after the collapse of the state in Somalia.

The method of participation and representation in successive conferences in Somaliland was based on the norms and structure of its clan social organization. The number of delegates to the conferences was proportional to the size of the clans. Each of the clans in turn distributed representation to the different lineage units. The distribution of conference delegates among the lineage units within clans and among the clans was also structured to be both proportional and universal. This often gave smaller clans and lineage units in a clan larger representation relative to their size, but it also assured greater consensus among and within clan groups.

A lengthy process of unstructured consultations and ad-hoc discussions preceded each of the conferences. These preparatory consultations in each instance helped create an environment conducive to broad political consensus on the agenda and modalities of the conferences. Informal meetings outside the formal proceedings of the conferences also were used to resolve political differences and disputes that in turn contributed to the acceptance of and support to the decisions and outcome of the conferences.

### **C. Managing Factional Conflicts**

The principal challenge to Somaliland was to transform a clan-based armed insurgency movement into a territorial civilian government and organize basic institutions of governance for which the movement had broad mandate and sympathy but for which it lacked the necessary resources and capacity. Initial efforts to transform the movement into a government triggered conflicts and feuds among the diverse wings of the SNM leadership, each of which led part of the movement's militia. The competition and rivalry within the leadership of the movement also paralleled local disputes over control of the municipal and regional administrative structures that determined access to the sources of revenue.

The fusion of factional rivalries at the political level with local disputes triggered opposition to the reorganization of militias under the control of the new administration and an outbreak of violent conflicts in all of the main cities, including Burao in December

1991, and Berbera and Hargeisa in 1992. Half of the cabinet of the interim government resigned as a consequence of these conflicts. The conflicts and cleavages within the leadership of the SNM led to the demise of the SNM as an organized political force. It also created a political vacuum that heightened the urgency of restoring peace and re-affirming the Covenant for peace and self-governance.

In late 1992, months before the end of the tenure of the first interim administration, an ad hoc committee of elders under the leadership of the chairman of the first conference started preparation for a second conference. The committee became the catalyst for the mobilization of a broad spectrum of religious, traditional and business leaders to end the local conflicts in order to create the conditions for holding the conference and the resolution of the political and factional dispute at the conference. After almost six months of pre-conference caucuses and deliberations during the conference, a new realignment of the political forces emerged under the leadership of the organizing committee of the conference, adopted a New Political Charter, and elected new leaders.

The officials of the second interim government assumed office on 18 May 1993. As a first step, the new administration created a command structure to manage the collection of heavy weapons and supervise the recruitment of regional militia and former police into territorial armed forces. This resulted in a quick but partial success. Significant elements of the regional militia were reorganized as units under government control. But the factional conflicts of the previous two years re-emerged in the form of opposition to the reorganization of the militia. After months of negotiations and skirmishes between pro-government and anti-government militias, negotiations collapsed, thus leading to an outbreak of violence that lasted longer and proved more costly than the conflict during the tenure of the first interim government.

The two-year tenure of the second interim government was extended to 1997 as a result of upheavals and conflicts. The end of the extension to the tenure of the government created the context for parallel and competing peace building initiatives that coincided with the preparations for the third territorial conference, in 1997. These parallel efforts led to a political realignment that finally put a closure on the conflict and led to the re-election of the government for a five-year period. The government rewarded some of the leaders of rebellion with appointments to cabinet level posts and incorporated their militias into the territorial forces.

**Institutional development:** The three successive Conferences in 1991, 1993, and 1997 established a broad consensus on methods and size of representation and the procedures for electing officials. These conferences also institutionalized the prerogatives of clans and subclans to select their representatives to the legislative organs--the Council of deputies and the council of elders. These principles--sovereignty of Somaliland's conferences, agreement on method of representation to the conferences and procedures for the selection of representatives to the Council of Elders and the Council of Deputies through internal negotiation of the subclan notables-- became the foundation of the provisional constitution and the political institutions of Somaliland. The broad acceptance

of these principles is the basis of the legitimacy and authority of the Somaliland government.

**Disarmament and reorganization of paramilitary forces:** Setbacks to the consolidation of peace and delays in the process of transition were in large part rooted in disputes over the organization and control of the militia. In retrospect, initial efforts to bring militia under government control without a comprehensive strategy for demobilization proved futile and costly. These efforts, particularly during 1991- 1992, re-ignited local disputes and factional violence. The reorganization and demobilization of the militia after 1993 was also subverted as a result of the legacies of the previous disputes. The post-1993 factional disputes and conflict similarly left a legacy of alienation and residual political distrust even though some of the serious aspects have been ameliorated through the 1997 conference.

Somaliland's demobilization went through successive phases that coincided with the process of territorial peace building. Territorial conciliation through the conference created a climate for recruitment of the militia into one of three territorial security forces: the army, police, and custodial corps. The resolution of factional conflicts also helped to end opposition to the command and control of the militia and set the stage for retraining and the collection of both small arms and heavy weapons. Most of the heavy weapons were collected as part of unit recruitment. One of the conditions for the recruitment and incorporation into the security forces was that clan militia will bring with them both unit and personal weapons. A restructuring and training launched in 1997 helped weed out those deemed not suited to serve into the security forces, mostly through voluntary withdrawal but without the weapons and for which those leaving the armed forces received modest compensation.

Approximately 60% of Somaliland's resources are allocated to the police, custodial corps, and a Territorial Army. But after almost ten years of sustained disarmament large quantities of small arms and heavy caliber weapons remain in possession of civilian population. The availability and possession of weapons has contributed to lapses of security and degeneration of some local disputes into violent and armed incidents. Most of the local conflicts stem from economic and land disputes for which the local authorities have neither the legal infrastructure nor the resources to prevent or manage.<sup>7</sup>

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<sup>7</sup> According to the local police of Burao, in the regional administrative centre of Togdheer, there were about 35 murders involving the use of weapons in each of the last three years. The most serious instance occurred during the mission on November 21, 2002 when four police officers and a civilian were killed as police tried to dismantle a temporary outdoor market on a main road junction that blocked traffic. The temporary structures of the squatters were removed but an owner of a temporary gas station resisted. This led to return of the squatters and new attempts to clear the area, resulting in the violent confrontation. In a typical fashion, the local authorities demanded clan elders to intervene by facilitating the arrest and trial of the perpetrators. The local elders demanded investigation into the actions of local officials by the central authorities. The local officials arrested some of the elders. The incident illustrates the inadequacy of police

The strong postwar internal cohesion of the clan constituencies within Somaliland was an important factor in the success of the conferences and managing subsequent conflicts. Since the 1993, Somaliland's government also invested significant proportion of its resources to restructure the militia as police and security forces. This investment in security coupled with a broad public support to peace created an environment conducive to successful demobilization of the militia, but the maintenance costs of the militia also ties resources needed for the provision of basic services and the establishment of effective administration.

In general, a strategy of reconciliation through dialogue and consultations in inter-clan conferences has enabled Somaliland to resolve factional conflicts and implement a process of demobilization and maintain peace as well. This approach to peace building also enabled the civil society and business enterprises to cope with the difficult postwar conditions. All of these developments in turn made it possible for international organizations to launch modest programmes to support local recovery and reconstruction efforts.

#### **D. Managing Competition through Power Sharing**

Somaliland's approach to governance is based on maintaining political consensus through power sharing arrangements, in addition to developing innovative strategies for managing political competition and the political transition. The successive conferences were occasions for competition for political offices. The election of candidates to the main national political offices – the President, the Vice President and the chairpersons – was based on political consensus and on power sharing arrangements among the main clans and competition within clans. Successful candidates were those with the most support within their respective clans, although theoretically candidates with less support in their respective clans could be elected with the support of the other clans. In practical terms, incumbents in 1991 and 1997 were able to gain the support of their clans and used the power of their incumbency to weaken their rivals. But in 1993, incumbents of all of these political offices (the President, the Vice President and Chairman of the Council of Deputies) lost.<sup>8</sup>

Since 1991, representatives to the two legislative councils were selected through caucuses of lineage-based groups within clans while the leadership of the two councils and the cabinet of the Presidents were largely structured to ensure balance among the lineage groups. Despite the formal power sharing arrangement, the competition for national political offices is becoming highly intense. The growing intensity of competition is beginning to erode the cohesion within clans and diminish the efficacy of power sharing for which a strong internal cohesion of the clan groups is necessary.

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training and the lack of a functioning court system and risks to security and peace from local disputes.

<sup>8</sup> The Council of Elders was until 1993 an ad hoc forum and was formally established in 1993.

The lineage-based system of selecting representatives and electing candidates to national political offices has proved ineffective in ensuring the accountability of elected officials. An effective system of leadership accountability requires the evolution of a national political constituency. While the latter is clearly lacking, Somaliland communities have consistently sought to build the foundations for a transition from a method of selecting representatives through clan-based quota and lineage caucuses to multiparty elections and decentralized territorial administration.

**Managing the political transition:** A transition to democratic governance through elections has been a central element in Somaliland's political strategies. But the strategies of political transition had become linked with leadership succession and therefore proved highly intractable. The 1991 Buraq conference elected officials and representative of an interim government for a two-year period of transition to a democratically-elected government. The 1993 conference elected new leaders and representatives but extended the period of transition by another two years to 1995. The two councils later extended the tenure of the government by another 18 months. The third conference convened in Hargeisa in 1997 re-elected the president and representatives of the two councils for another five years of transition, until May 2002. The conference also reviewed a draft national constitution and endorsed application of the principal political provisions of the draft constitution as the legal framework for political transition.

In May 2001, Somaliland adopted a new constitution that introduced multiparty elections to replace the conference system through which the President and his Vice President and the members of the Council of Elders and the Council of Deputies were to be elected. The Government and the Council of deputies have now completed the electoral law and regulations.<sup>9</sup> These consist of laws governing the establishment of political parties; the organization and conduct of elections, including the establishment of a seven member independent Electoral Commission; and legislation on citizenship. The Council of Deputies has endorsed members of the Electoral Commission, three of which were nominated by the Government. The opposition political parties and the Council of Elders nominated the others.

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<sup>9</sup> The elections were due to be held before the February 2002 end of the tenure of the government. But the government and the Council of Deputies failed to enact the electoral law and regulations on time. The Council of Elders therefore exercised its authority under the constitution by extending the tenures of the President and the Council of Deputies by one year. The Council of Elders also asked the government and the Council of Deputies to complete preparations for and the conduct of elections before February 2002. Somaliland's incumbent President first elected in February 1993 died in May 2002 after the second month of the one-year extension to his tenure. As provided in the new constitution, the Vice President assumed the office of the presidency. There are no constitutional provisions for further extension of the tenure of the new President or the two legislative bodies.

As the first step of the election process, Somaliland held elections for local government on 15 December 2002, and these were to be followed by the presidential elections in January 2003. The regulations for parliamentary elections or a date for parliamentary elections has yet to be established<sup>10</sup>. The local government elections established local councils in the 25 districts of the six administrative regions. The district councils will be responsible for the district administration while the central government will appoint regional governors with responsibility for the coordination of the central government offices in the region. The election of the district councils marks the transition to a decentralized system of administration through a democratic process.

The Electoral Council certified eight political parties to participate in the local government elections. One of them failed to submit candidates in any of the 25 electoral districts. Two merged. Six political parties participated in the local government elections. These parties were legally recognized as political associations and organized as a network of political notables and their local supporters in the different regions. The leaderships of the parties while structured to project a national profile are in all instances organized as fronts for presidential candidates and their respective supporters and allies who hope to form the core leadership of the administration of the successful candidates. The three parties with the most votes in the local government elections have been certified as political parties and will participate in the presidential and parliamentary elections.

**Designing an electoral system:** Somaliland sought to establish a democratic political process through multiparty elections. It also designed and structured the electoral system to encourage the emergence of political parties with national constituencies that can be the basis for building a governing majority. Some critics of the electoral system have expressed skepticism about the efficacy of elections in an essentially clan-based society. Other critics have raised apprehensions about the fairness of the implementation of the election process and its outcome. However, the election results proved that fears of election violence were unfounded, but they did highlight the critical influence of lineage groups in the electoral process. The results also confirmed many of the technical and political concerns that were cited as risk factors, notably:

- Inadequacy of both the resources available to the Electoral Commission and the preparation for the elections
- Inadequacy of the administrative infrastructure in rural districts in which six out of ten potential voters live.
- The unfair advantage of the party of the incumbents, whose political leaders and local political appointees (Governors and mayors) combine party campaign functions with their other responsibilities, which are supposed to be non-partisan.

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<sup>10</sup> The tenure of the Council of Elders also ends in May 2003. Both the composition and method of selecting members have not been addressed.

## **E. Findings**

The approach and key strategies in Somaliland's peace building and governance can be summarized in terms of the following findings.

- 1.** Peace building in Somaliland was an acknowledgement of the collapse of the former regime and with it the primary reason for the conflict. But the collapse of the regime also created a political vacuum that had the potential for renewal of conflicts. It is in this sense of acknowledging the end of a major historical conflict together with the need of preventing its recurrence and/or new forms of violent conflict that is unique to Somaliland's experience to peace building.
- 2.** An accord on the ground rules for the process and the method of participation in territorial deliberations and decision making needs to inspire confidence and consensus. In Somaliland, the rules for participation and representation in conferences did inspire confidence among groups and enhance political consensus. The traditional social organization of the clans proved highly effective in inspiring confidence and facilitating a broad-based participation in the political process even without formally established democratic political institutions.
- 3.** To be sustainable and effective, territorial peace building and reconciliation must address the concerns of all stakeholders, at least among the majority initially, and then empower all others and promote a strong internal consensus within the different groups.
- 4.** Territorial peace building in Somaliland was incremental and subject to reversals. The political conferences helped bring about a fragile consensus on peace and governance. However, without a comprehensive strategy of demobilization, peace proved unsustainable.
- 5.** Complete and effective disarmament and demobilization require political consensus on a framework for power sharing. They also require a successful resolution of local disputes in order to ensure effective implementation of demobilization.
- 6.** Public support for territorial peace building requires adequate progress on three sustaining factors—governance, demobilization, and reconstruction. Demobilization enhances the legitimacy of territorial governance and its capacity to resolve local disputes, thereby creating opportunities for reconstruction that helps alleviate risks to territorial conciliation.
- 7.** Succession conflicts during periods of transition posed serious threats to the political consensus constructed through territorial conciliation.
- 8.** A strong institutional foundation for political participation in peace building is essential to coping with succession conflicts during periods of transition. Strategies of political transition must also be rooted in power sharing and leadership accountability.

## **F. General Observations**

Political developments in Somaliland have gone through two distinct phases. The first phase sought to institutionalize political consensus in peace building. During the first phase, which lasted for seven years (1991-97), Somaliland's approach to peace building clearly sought to achieve a political consensus in order to build the foundation for effective governance. The second phase focused on efforts to enact the constitutional and legal framework in order to manage the political transition while maintaining peace and creating the institutional and policy framework for overcoming challenges to effective and democratic governance. The experience of Somaliland and its lessons can therefore be assessed in terms of its progress in sustaining internal consensus on political separation.

For most people, separation and peace have become synonymous. Political separation remains the critical ingredient of its internal consensus. The broad public support for separation has enabled Somaliland to overcome two severe instances of conflict during the first seven years. After each instance of conflict, the legitimacy of Somaliland's basic political charter and support for its interim government was reaffirmed and deepened the internal support for peace.

The three political organs of government perform three interrelated functions. Power is heavily concentrated in the office of the President. The Council of Elders legitimizes the presidential exercise of power by providing political justification for controversial and difficult actions and decisions by the President. In 1995, the Council of Elders extended the tenure of his office. In 1997, it facilitated his reelection by supporting his political programme. In 2002, it extended his tenure and endorsed the postponement of the election. Similarly, the Council of Deputies has largely ratified the government's legislative proposals and appointment of high level officials. Political acceptance of these actions if not their legitimacy has been in large part a pragmatic way of avoiding conflicts and instability.

The system of executive presidential government in the context of clan-based elections of officials has proved both vulnerable to factional conflicts and incompatible with effective governance. The nomination of candidates for election to the office of the President through internal clan caucuses diminishes the legitimacy of both offices and makes the incumbents dependent on clan support and susceptible to clan-based factional opposition as well. Similarly, the selection of candidates to the legislative organs through clan-caucuses makes representatives not accountable to either regional or national constituencies. Both support for and opposition to those elected has weakened the accountability of elected leaders to other than their immediate lineage constituencies. In the absence of accountability, competition for control and access to official patronage escalated, mushroomed and coalesced as factional dissent, which eventually distorted power-sharing arrangements. This cycle of clan-based dissent and the weakness of leadership accountability had resulted in periodic outbreak of violence, and this eroded the authority of the government in some parts of Somaliland and, in some instances, the very legitimacy of Somaliland.

Periodic crises occurred at the end of the tenures of elected officials in 1993, 1997 and 2002. In 1993 and 1997, there was a broad consensus to reconvene a conference of the representatives of the communities (clans) of the administrative regions. Finally, the recurrent political disputes at the end of the tenure of each administration reinforced the need to establish a system for managing conflicts associated with the presidential succession. Ad-hoc conferences of clan representatives proved an effective mechanism for peace building, but this did not diminish the challenge of orderly democratic political change in Somaliland.

Elections represent both risks and opportunities for political change. On the risk side, elections have generated wider public participation likely to unravel the fragile consensus on power sharing and weaken internal group cohesion, thus creating conditions for the re-emergence of political factions and local disputes. On the other hand, a successful management of the presidential and parliamentary elections can help bring about positive political change as a basis for the configuration of a representative national leadership.

The central question is whether the election system as structured can create the conditions for the emergence of democratically or fairly elected national leadership. A second question is whether the scope of clan influence can be reduced in order to provide a space for the evolution of a political leadership with a national constituency.

The challenge to the future political development of Somaliland is how to adapt the lessons of its experience to forging effective governance and a democratic political transition. The present electoral system has produced elections of local officials who are accountable to district wide constituencies. The system of proportional representation is also consistent with the practices and methods of proportionality in clan representation. But the large number of districts and the arbitrary number of political parties – only the three parties with the most votes can contest parliamentary elections – are likely to produce highly skewed parliamentary representation, with an unrepresentative majority. Such an outcome would sharply contradict the principles of Somaliland's social organization and its preference for governance based on consensus building.

Parliamentary elections using the six administrative regions as a single electoral district are fairer than the partition of the regions into smaller electoral districts. This approach would create opportunities for the evolution of both national and strong regional political parties and encourage alliances of national and regional parties to work together in order to contest presidential elections. An electoral system structured along these lines has the best chance of fostering political consensus and the accountability of successful candidates to multiple constituencies.

## **G. Lessons and Implications for the Rest of Somalia**

Somaliland and Somalia share a similar sociopolitical structure and three decades of a common history. The lessons of Somaliland's political experience, including its approach to reconciliation and peace building and the difficulties it encountered in establishing basic institutions of governance with a decentralized territorial administration, can be adapted to the rest of Somalia as a framework for peace building and democratic political

transition. Somaliland's postwar approach to peace building and governance were structured to achieve inter-clan reconciliation in order to fill the postwar political vacuum. Its approach and experience validate the following lessons and principles.

- A clan-based territorial process of reconciliation is the most effective and efficient method of resolving factional conflicts and lineage-based disputes within territories.
- To be sustainable, resolution of factional conflicts must be linked to solutions to local disputes.
- Reconciliation within each of the territories is a necessary precondition for the emergence of acknowledged and legitimate territorial leaders, who still need to become accountable to their respective territorial constituencies.
- An effective implementation of peace building strategies must therefore be linked to a consensus on governance.

These lessons suggest that the agenda and strategies for achieving a comprehensive political settlement in Somalia must:

- a) Include all of the rival factions and cliques in a process of territorial peace building;
- b) Align the territorial peace building with an agenda for a comprehensive political settlement;
- c) Structure the agenda for political settlement to alleviate the fears and distrust among the territorially-based clan communities; and
- d) Structure and focus the settlement strategies to establish a system of leadership accountability and transparent political transition.

Somaliland approach to governance also suggests risks that need to be considered.

***Risk One: Vulnerability of leadership accountability to a clan-based political system of political representation***

The system of clan-based political representation is effective in establishing a basis of stability and peace, but it is inherently incompatible with holding elected officials accountable for their performance, as support and opposition to an incumbent leadership both become fused with clan politics. It also negates the evolution of a national political constituency, thus weakening the political cohesion necessary for democratic transition.

***Risk Two: Vulnerability of the clan-based system of governance to factionalism***

A system of clan-based conferences inescapably produces a highly centralized but fragmented leadership not unlike those produced under the electoral model of the 1960s but without the political legitimacy conferred by direct democratic elections. Institutionalized clan-based representation also corrupts clan traditions and systems of leadership. Systemic vulnerability to clan-based factional competition can be moderated through significant devolution of authority to local government and constitutional limitation on the powers of the executive, including limitation on the tenure of political office holders.

***Risk Three: Vulnerability of democratic governance to poverty***

In Somaliland, the vulnerability of good governance to subversion through clan-based politics is widely recognized, as is its root-cause: poverty. There is also fundamental civic aversion to violence and attachment to peace. The balance between these countervailing forces, or vulnerability of political institutions and civic aversion to violence, is likely to determine the prospects for stability and orderly political transition.

The political experience of both Somaliland and Somalia over the last four decades validates two political axioms: (1) in a predominantly clan-based society, leadership accountability is subordinate to the imperative of factional competition; and (2) lack of leadership accountability renders a centralized state as well as territorial entities vulnerable to factional violence.

### **PART III. ISSUES AND CHALLENGES IN FUTURE POLITICAL SETTLEMENT**

Both Somaliland's experience over the last decade and Somalia's factional politics have been and are likely to remain rooted in the structure and spatial settlement of their respective clan groups. In every clan, lineage units within the clan form the first principle of political participation. Each of the lineage units has distinct rural areas of settlement within a traditional clan homeland. Urban settlement patterns largely mirror this pattern of rural settlements. Support for territorial entities reflects the spatial distribution of the clan groups and the aspirations of local communities within these territorial units for better services and economic opportunities. But the urban population centers are also platforms for political competition, which fuels the proliferation of local disputes and subverts both territorial peace and a national settlement accord.

Strategies for political settlement must therefore entrench a system of leadership accountability to offset factional conflicts at the national level and local disputes at the territorial level. Only then will it be possible to break the vicious cycle of factional rivalry and conflicts that enables territorial, factional and civil society leaders to skirt responsibility for their actions and makes them not accountable for their political performance and its consequences, which constitutes a flagrant violation of human rights.

#### **A. Overcoming Fears and Distrust**

The formation of factions and the competition for their leadership are manifestations of rivalries within and among clan groups. Both are symptoms of fears and distrust and deep-seated and shared antipathy to the restoration of a centralized unitary government. Fears of clan-based political domination sustain support for factions as well as fears of autocratic factional rule. In Somaliland, these antipathies overlap with the aspiration for territorial self-governance and development and foster support for its separation. In other instances notably in the northeast (Puntland) and southwest regions (Maayland), support for a federation of clan-based territorial entities has been adopted to enhance territorial development and as a deterrent to the emergence of an autocratic central government.

In the southeast, the same fears are the source of local opposition to the TNG and its attempts to consolidate its authority in Mogadishu. The claims of the TNG to be a legitimate authority of Somalia, like similar and earlier attempts by others, has reinforced fears of a return to a clan-based autocratic government. In its charter, the TNG has proposed the establishment of a federal government after a three-year period of transition in order to alleviate fears of an autocratic government. But this has not minimized fears and opposition to its claims and efforts. Both the impetus and incentives for the formation of interim governments in Mogadishu and opposition to them in large part reflect expectations that clans in the immediate vicinity of the capital will gain greater benefits from post-settlement reconstruction than those in the interior.

## **B. Devolution of Authority**

Devolution of a significant level of authority to territorial entities during the transitional period can help defuse fears of and guard against risks of a slippery descent to an autocratic rule. But this must be aligned with an institutional framework for governance at the national level that establishes a system of leadership accountability.

## **C. Balanced Territorial Development**

A decentralized structure of governance must also be coupled with balanced territorial development. Both are appropriate elements in postwar reconstruction strategies and the empowering of civil society groups at the territorial level. This is also necessary for enabling an interim central authority to focus its efforts and resources on rebuilding an economic infrastructure and basic national institutions and help align challenges of governance and reconstruction at the territorial and national levels.

In their strategies and tactics, the factions in Somalia do capitalize on the aspirations of territorial communities. But the recurrent conflicts among rival cliques within these territories help erode the authority of incumbent leaders. Thus, the factional competition and local disputes diminish the legitimacy and capacity of any combination of factions to form an interim central authority.

## **D. Prospects and Challenges to Future Relations between Somaliland and Somalia**

As pointed out above, Somaliland had a separate pre-independence political history as a British colony before its unification with the Italian colony of Somalia in 1960. Its current separation is a political response to both the collapse of the Somali state and three decades of unification.<sup>11</sup> For the vast majority of the present population, particularly those 40 years of age and younger, the civil war of the 1980s and separation during the 1990s is the most salient experience. For this age group, Somaliland represents peace and stability together with expectations of modest recovery, while reunification stimulates fears of political upheavals and instability. For those over 50, and the political elite in particular, both awareness of public sentiment in Somaliland and appreciation of the complexity of a political settlement in Somalia induce a sense of political fatigue. It is this combination of fears, disillusionment and political pragmatism that constitutes the critical impediment to a political dialogue with Somalia.

The insistence of the successive Somaliland administrations on a separate path to political transition in part reflected efforts to insulate the internal political process of Somaliland

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<sup>11</sup> Somaliland accounted for about a third of Somalia's 1973 population. Approximately, more than 90% of the population enumerated in the census were born within the five regions of Somaliland. The current political attitudes towards Somalia reflect a sense of separate and distinct historical and geographical identity, including disillusionment with the unification.

from the factional violence in Somalia. Thus, an acceptance of parallel democratic transition could serve as an entry point for a successful external mediation and ultimately create the conditions for an enduring solution to future relations of Somalia and Somaliland. Over the short-term it can also facilitate and create opportunities for an interim agreement on modalities of cooperation that will facilitate the access of both territories to international development assistance.

## **PART IV. CONCLUSIONS AND RECOMMENDATIONS**

### **A. Contrasting Responses to the Collapse of the State**

Electoral politics, military rule, and the resurgence of clan-based political factions provide the historical background and context of contemporary political developments in Somalia. The relatively successful experience of peace building and effective governance in Somaliland is based on innovative methods of representation and consultation involving the management of power-sharing arrangements and factional competition. The analysis of this background together with attempts to deal with the crisis to which it gave rise is followed by a whole range of recommendations for both national actors and the international community.

Somaliland and Somalia share three decades of common history and similar sociopolitical structure, both of which are rooted in a clan system that serves as a mechanism of solidarity and fragmentation as well as competition and coalition building. This shared political history validates two political axioms. One, in a predominantly clan-based society, leadership accountability is subordinate to the imperative of factional competition. Two, this competition renders a centralized state as well as the administrations of territorial entities vulnerable to autocratic rule, factional violence, and local disputes. It is this enigma of the functions of the clan system – its capacity to serve as a mechanism of solidarity and warfare, its vulnerability to fragmentation and the weakness of its mechanism of leadership accountability – which needs to be understood.

The number, size and leadership style of clans shaped the differential patterns of factional competition and conflict as well as the contrasting responses to the collapse of the state in Somalia. The size and population of Somalia is twice that of Somaliland, and Somalia obviously has a larger number and a more complex system of clans. But Somalia has become partitioned into four other territorial entities that serve as platforms for rival clan-based factions and violent competition among lineage cliques for leadership and control of local resources and economic infrastructure of the territorial entities.

Somaliland is more homogenous than Somalia. It is also larger than each of the other four territorial entities in Somalia. Like these other entities, Somaliland is homeland to one of the principal Somali clans. But whereas the clan system subverted efforts to resolve disputes and conflicts among and within the clans in the relatively smaller territorial entities in Somalia, it has served in Somaliland as a mechanism of reconciliation and for building political consensus on an agenda for peace, governance, and transition to a multiparty democratic system.

Somaliland's approach and the lessons of its experience in peace building suggest that a resolution of the leadership disputes within the other territorial entities is the most immediate challenge in Somalia today. Conflicts among clan-based factions and cliques within factions and the consequent cleavages in the territorial communities not only impede territorial peace building but also subvert implementation of agreements negotiated in national reconciliation conferences. These faction-driven cleavages and

local disputes have been the most important factors for the failure of internationally sponsored reconciliation initiatives to facilitate a settlement accord in Somalia.

## **B. Strategies for Peace Building**

Strategies for political settlement in both Somalia and Somaliland must therefore entrench a system of leadership accountability to offset factional conflicts at the national and territorial levels. Only then will it be possible to break the vicious cycle of factional rivalry and conflicts that enable territorial, factional and civil society leaders to skirt responsibility for their actions and makes them not accountable for their political performance and its consequences—a flagrant violation of human rights.

The political experience of Somaliland during 1991-2001 provides insights into the critical challenges to peace building and political settlement in Somalia. Strategies for a political settlement must first address and be based on solutions to local disputes and factional conflicts, both of which are symptoms of wider challenges to achieving and implementing a political settlement.

The spatial and social organization of both Somalia and Somaliland contribute to broad support to governance through territorial entities. Support for the territorial entities reflects aspirations of the civilian population to manage arrangements for their local security and future economic development as well as legacies of conflict during the last two decades of violent faction-driven civil and political strife. But an assessment of Somalia's political experience during the last decade suggests that:

- Internal leadership rivalries and disputes in each of the territorial entities in Somalia have prevented the dialogue necessary for the evolution of a national political constituency.
- Political consensus within each of the territories is a necessary precondition for the emergence of acknowledged and legitimates territorial leaders accountable to their constituencies, thereby creating opportunities for a credible dialogue.
- An effective implementation of a national political settlement must also be linked to a resolution of disputes within each of the territories and to an agenda for a comprehensive political settlement.
- For dialogue and negotiations to succeed, the leaders of each of the territories must also accept the core concerns of the civil society groups in the other territorial entities.

## **C. A Scenario for Peace Building**

The lack of clearly articulated and pragmatic framework for political settlement has been the most critical factor and the central reason for the failure of past settlement efforts. An essential but preliminary step in peace building in Somalia is therefore to clearly articulate a principled approach to a political settlement that aligns peace-building strategies at the territorial and national levels.

A scenario for a phased process of political settlement is outlined below. The scenario is designed to achieve an accord on an agenda for peace building within Somalia and dialogue between Somalia and Somaliland. It represents a generalization and elaboration of the lessons of Somaliland's experience in peace building and the development of political institutions. Key strategies and steps are outlined in three successive phases, as shown in the figure in Annex 2, a schematic description of the strategic issues and processes of a comprehensive political settlement.

Phase one of the scenario proposes peace building within territories as the first step with the objective of establishing a broad-based administration in each of the territories in Somalia. In phase two, leaders that emerge through peace building within territories should form a joint forum for consultations, discussions, and negotiations leading to an accord on the principles and strategies of political transition. A national accord that emerges through the first two phases will diminish the distrust and fears among the civil society groups and foster a broad-based support for the both establishment of a transitional unity government and effective implementation of the provisions of a national settlement accord.

#### **D. Recommendations for National Actors**

##### **Phase 1 strategy: Build the foundation for a political consensus through territorial peace building**

The objective of the first phase of the scenario is to build the foundation for peace building at the territorial level in order to facilitate a political accord on territorial administration and the emergence of legitimate leaders in the territorial entities.

*Recommendation 1: Link clan representation to territorial entities in order to anchor the participation of civil society representatives in territorial governance and peace building*

In both Somalia and Somaliland, settlements of lineage units are concentrated in district administrative units in each of the regions, while clan settlement overlap with regional administrative divisions in larger multi-clan territorial entities. Clan representation is therefore best decided at the territorial level. A fair system of representation at the regional and district levels will therefore be a foundation for balanced territorial leadership, lead to an agreement on a realistic territorial framework for administration and reconstruction and support power sharing at national level.

Such an approach to representation and power sharing will promote cohesion at the territorial level and facilitate the implementation of territorial governance, demobilization, and reconstruction as well as the implementation of a national political accord. During the interim process, the subdivisions within the territorial entities will serve as a framework for local governance and the delivery of essential services. The number and boundaries of district and regional administrative subdivisions within

Somaliland and Somalia are often the source of local disputes but these disputes can best be resolved within the context of territorial governance and peace building.

*Recommendation 2: Focus territorial peace building on achieving political consensus on territorial administrations*

Territorial entities have become platforms for factional feuds over the leadership and governance of the territories and control of the ports and other core local infrastructure facilities. The severity and the specific sources of factional conflicts and local disputes vary in the different territorial entities.

The immediate challenge in Somalia is to agree on a framework for resolving disputes within territories as part of territorial peace building accord that can be the basis for a consensus on the structure of territorial governance, power sharing and the emergence of a credible territorial leadership committed to reconciliation.

A territorial settlement anchored and linked to an accord on establishing political and administrative institutions can create the conditions for the demobilization of the rival militias. An effective demobilization and disarmament of the militia will also create conditions conducive to the start-up of economic activities in the private sector and build the foundation for economic reconstruction.

The leaders of the territorial entities need to agree on common strategies for demobilization and operating procedures and guidelines for disarmament and command and control of the militias in their territories. But the territorial authorities will be responsible for the effective implementation of negotiated accords on demobilization.

The demobilization program must also be structured and linked to the creation of opportunities for the reintegration of the generations of youths hardened by three decades of neglect and lawlessness, who pose threats to security.

*Recommendation 3: Link territorial peace building to an agenda for a comprehensive political settlement*

In Somaliland, territorial peace building through inter-clan conferences created a framework for building territorial administration. In contrast, efforts to organize interim national governments in Somalia without territorial reconciliation have proved consistently unsustainable.

Conflicts among clan-based factions and cliques within factions and the consequent cleavages in the territorial communities have consistently subverted the implementation of agreements negotiated in national reconciliation conferences. This had been the single most important factor in the failure of previous attempts to establish interim governments. In two of the four territorial entities in Somalia-- Puntland and the Southwest region-- clan-based reconciliation has also proved neither effective in sustaining peace nor in establishing territorial government.

The failure to link territorial peace building with a national settlement process has limited the consolidation of territorial peace building. A resolution of the leadership disputes within the territorial entities is therefore the most immediate challenge. But this needs to be linked to a comprehensive national process.

**Phase two strategy: Link territorial peace building process to overall political settlement**

*Recommendation 4: Form interim joint institutions for consultations and negotiations*

The objective of the second phase is to establish mechanism for dialogue among the leaders and representatives of the territorial entities. Officials elected to lead territorial administration through process of territorial reconciliation will constitute a Transitional Unity Council as a forum for dialogue and negotiations. The TUC will serve as the framework for negotiations and the coordination of the settlement process. The TUC will elaborate its functions and standard operating procedures.

*Recommendation 5: Establish joint commissions to support demobilization and reconstruction*

The dialogue among leaders and representatives of the territorial entities will create the environment conducive to political settlement. But the implementation of any accord will require an agreement on the demobilization of large number of militia. But the implementation of disarmament and demobilization will require financial support to reconstruction. Strategies for reconstruction must however be structured to ensure balanced territorial development, accelerate the rehabilitation of the infrastructure for essential services, and support the retraining of Somalia's youth denied opportunities for education and training over the last three decades.

For a considerable of time, most government institutions created through a settlement accord will be engaged in internal development and will lack the manpower and capacity to undertake complex reconstruction programs.

The TUC should establish joint technical commissions for reconstruction and demobilization and national security. The core functions of the two technical commissions will be to establish common procedures and protocols on demobilization and coordination and utilization of international assistance.

The two Commissions will serve as the technical counter-parts to international and bilateral development partners. The Commissions will coordinate demobilization and policies and investments in key infrastructure facilities. They will be supported by a central secretariat to conduct the need assessments and appraisal of projects. The actual implementation of projects shall be monitored and overseen by a network of regional secretariats for reconstruction and demobilization. The regional offices will also provide technical and advisory and management services to local authorities.

The TUC will monitor and certify compliance with territorial conciliation accords.

The United Nations and the UNDP could be asked to mobilize resources for the TUC and the joint commissions as part of their support to peace building process.

### **Phase 3 strategies: Aligning accords on interim government with democratic process**

A successful implementation of the key tasks in the first two phases is a necessary precondition for building the political consensus necessary for negotiations leading to a comprehensive political settlement. The challenge during the third phase will be negotiating an accord on a framework for political transition.

*Recommendation 6: Link formation of transitional unity government to transparent and credible process of democratic transition*

Upon completion of the second phase process, the TUC will start dialogue and consultation on a framework for political transition that can be the basis for establishing a Transitional Unity Government. As part of the steps leading to the establishment of the TUG, the TUC will also adopt procedures for demobilization and guidelines for command and control of a national army. The Territorial Assemblies will approve all decisions of the TUC.

Upon the establishment of the TUG, the functions of the joint commissions will be assumed as part of those of the TUG. The TUC will serve as a consultative forum and become part of the TUG organs. The Accord establishing the TUG will define the respective powers of the territorial administration, the TUC and the TUG.

Since 1991, Somaliland has consistently pursued a strategy of political separation from the rest of Somalia. The insistence of the successive administrations on a separate path to political transition has enabled Somaliland to largely insulate its process of reconciliation from the factional violence in Somalia. While Somaliland strategy of separation has complicated mediation efforts of external actors, it has not and does not contribute to the factional disputes and violence in the rest of Somalia. Indeed, it is the lack of political consensus within Somalia, rather than Somaliland separation that is the core of the Somali dilemma. But the experiences of Somaliland during the last ten years show that peace is necessary but not sufficient condition for overcoming the daunting economic difficulties.

The difficulties that Somaliland faces and will continue to face have also limited its capacity to build a foundation for effective institutions of governance. Both factors also pose significant threat to its internal political consensus. In addition, a continuation of the cycle of violence and conflict in (southern) Somalia will also accentuate economic and political difficulties in Somaliland.

*Recommendation 7: Accept parallel transitions of Somaliland and Somalia through internationally monitored and supervised process*

Somaliland's political separation was a response to the collapse of the Somalia. It has built the foundation for a democratic transition. The acceptance of parallel political reconciliation may therefore be the most effective framework for dialogue and peaceful political transition in both Somaliland and Somalia. Over the short term, an acceptance of parallel transition could also facilitate interim agreement on modalities of an accord on international cooperation that will facilitate access of both territories to international development assistance.

The first phase of the scenario could be limited to Somalia. The outcome of the IGAD-sponsored meeting could help create the conditions for the implementation of the first and second phases of the scenario. Somaliland could formally join the process in phase two. Alternatively, Somaliland could enter into a protocol with the TUG on separate but parallel process of transition within the context of the United Nations supervised elections whose outcome will determine future relations of Somalia and Somaliland.

What is important is to align and structure peace building in Somalia and Somaliland in manner that fosters framework agreements on a democratic transition and can be the basis for peace and the establishment of transitional authorities in Somaliland and Somalia. The experiences with parallel transition to democracy could ultimately create the conditions for an enduring solution to future relations of Somalia and Somaliland and help crystallize future architecture of the political and institutional arrangements in both Somaliland and Somalia.

**E. Recommendations for the International Community**

The international community can best contribute to and enhance the prospects for a comprehensive political settlement and its successful implementation if its support to peace building is aligned with and complemented by a sustained and significant programme of reconstruction.

*Recommendation 1: Align international peace building measures with national settlement strategies*

The United Nations Security Council can facilitate a lasting solution to the Somali tragedy if it adopts a principled approach that encourages and supports a comprehensive political settlement. The Council should adopt and apply clear and consistent standards, which support peace building and democratic governance. These standards should include:

- Acknowledgement of political leadership that emerges through territorial conciliation.

- Recognition and support to acknowledged territorial leaders who commit themselves to peacefully participate in an internationally facilitated settlement process.
- Higher priority to funding and supporting capacity building assistance to territorial administrations that take concrete measures to participate in a UN sanctioned settlement process.
- Coordination and channeling of external assistance to support and strengthen links between the territorial and national democratic governance and peace building processes.
- Sanctions against leaders and factions, which oppose conciliation and demobilization of their militias as part of territorial conciliation.

The UN Security Council could elaborate these standards to give the United Nations and the international community principled and transparent guidelines to support the process of peace building. The UN Security Council should impose sanctions against those who subvert peaceful democratic transition. By combining a set of incentives and sanctions, such an approach can establish a system of accountability and create the conditions for an accord consistent with the democratic will of the Somali people.

A settlement that emerges through territorially based conciliation processes coupled with firm and rigorous application of internationally endorsed measures will also diminish the power of faction leaders to derail a negotiated political settlement.

*Recommendation 2: Support the territorial peace building process*

The mobilization and coordination of financial support for territorial peace building strategies can encourage consensus on power sharing, bring about the election of credible territorial leadership and help establish an institutional framework for territorial governance, demobilization and reconstruction.

Support to territorial peace building will require monitoring and operational support to each of the territories. This will include:

- Monitoring of the territorial deliberations and decisions
- Certification of the election of territorial leaders
- Support to territorial oversight mechanisms to ensure transparency and compliance of the actions of elected leaders with respect to signed accords on territorial governance
- Support to the disarmament of the militias and the organization and retraining of territorial police
- Technical support to command and control systems of the militia throughout the demobilization process
- Technical and advisory services to support the organization of a territorial administrative system and revenue collection
- Support to core start up reconstruction activities.

*Recommendation 3: Support to the reconstruction process*

UN assistance should be structured to support territorial peace building, including reconciliation, demobilization, democratic governance and reconstruction. To this effect, UN humanitarian and recovery assistance needs to be programmed and consolidated into larger programs targeted to priority reconstruction needs and coordinated with activities of international NGOs to create a critical mass of services at the local level. This approach will not only improve services to the intended beneficiaries of humanitarian assistance but also empower national professionals and significantly increase the institutional capacity of territorial and local service organizations. A realignment of local and external assistance will also stimulate private sector investment in reconstruction.

*Recommendation 4: Support and backstop the transitional process*

In the final and third phase, critical UN support will be required to encourage agreement on the establishment of a Transitional Unity Government. UN peace building strategies should focus on operational support to re-establishing basic institutions of government at the national level and sustaining territorial reconstruction and governance. Initial support will be dedicated to establish and strengthen mechanisms for dialogue and agreement among the territorial entities through the TUG and its two commissions for reconstruction and demobilization and security.

The Secretary-General has established a peace building Trust Fund for Somalia. The Trust Fund can be used to support the initial phase of the settlement process. UN funding for later phases of the process will greatly benefit from strong support by the Security Council for post-settlement activities. A successful settlement accord will in turn facilitate the re-engagement of the World Bank and the International Monetary Fund as well as bilateral and other multilateral development institutions.

*Recommendation 5: Assist IGAD in supporting the implementation of the settlement accords*

Somalia's neighbors and the IGAD Member States should participate in international monitoring of the settlement process in order to enhance its sustainability. The IGAD Partners Forum has developed and formulated cooperation programs to serve as a framework for regional linkages in support of regional stability and security. The interests of both Somalia and its neighbors can be best served and strengthened through regional cooperation in investment in trans-border infrastructure, trade and services.

This recommendation is designed to align peace building in Somalia with regional security. All of Somalia's immediate neighbors contain sizable Somali communities. Somalia's civil wars of the 1980's both directly and indirectly affected these communities. In many instances, the conflict and violence spilled over into the Somali communities in neighboring countries, as both governments and the Somali communities of neighboring countries either supported the Somali government or the insurgency movements. These

political trends are still evident at the present, and they may fuel the regionalization of the Somali crisis.

The collapse of the state and its consequences have led to a broad revival of Islamic practices in Somalia, a country whose people are all Sunni Muslims. This upsurge in religiosity is reflected in increased attendance at services in mosques and recourse to Islamic courts and judges in resolving civil disputes in the absence of law enforcement agencies and a judicial system. Similar trends of religious revival are noticeable within Somali refugee communities in North America, Europe, and the Middle East.

Militant fundamentalist groups no doubt have influenced some of the religious leaders of Somali refugee communities. Some of these leaders have received funding for missionary activities in Somalia, which has enabled them to establish links with religious leaders in many local communities. Some of these missionary groups share with international fundamentalist groups a common view of the role of Islam in Muslim societies. On the other hand, most of these leaders, both local and external, have engaged mainly in religious activities in Somalia. In exceptional instances, Islamic leaders have assumed leadership of their respective lineage groups and recruited militias in their respective lineage groups. Their commitment to put an end to violence within their local communities, has earned popular support for the religious leaders.

The fear among Somalia's neighbors is expanded regionalization of the instability and conflicts in which Somalia becomes a political haven for an alliance of ethnically based militant Islamic movements in the region. Both Somali and other Muslim ethnic groups in neighboring countries can be vulnerable to the appeal of Islamic fundamentalist movements to political and economic reforms and spiritual austerity. But whereas in Somalia, adherence to Islam if not its strict practice is common to all, in neighboring countries, Islam is highly correlated with ethnicity. A political settlement in Somalia is therefore in the interest of all of Somalia's neighbors. It would foster and create the conditions for stability in Somali inhabited areas of neighboring countries.

## **F. Recommendations for UNDP**

As a major development cooperation agency within the UN system with responsibility for governance and capacity development, UNDP should help coordinate international support and assistance for conflict prevention, peace building and long-term development in Somalia. For purposes of providing the analytical framework for the dialogue and transition processes, UNDP, should produce innovative approaches to align the overall concerns of the international community with the immediate issues of concern to the Somali political leaders and civil society groups. It should also contribute to strategic analysis of the long-term development issues, dialogue among Somali political leaders, collaborative action between them and civil society groups, as well as partnership between the professionals inside the country and in the Diaspora, and between them and the international development institutions. Five recommendations are proposed for UNDP.

*Recommendation 1: Undertake a strategic conflict assessment (SCA) of Somalia, including a strategic analysis of the immediate and long-term issues of reconstruction and effective governance*

UNDP should help provide the analytical framework for the efforts of both national actors and the international community in finding a lasting solution to the Somali crisis. This would involve conducting a strategic conflict assessment of Somalia as a background to a strategic analysis of the long-term issues of concern to Somali political leaders and civil society groups, including Somali professionals in the Diaspora. Issues for which detailed analysis of the root causes is needed include post-settlement problems of reconstruction and development; refugees and internally dispersed persons; the relationship of poverty and violence to migrations and population concentration in urban areas; and environmental degradation. Within UNDP, this strategic analysis could be undertaken by the OGC.

*Recommendation 2: Help coordinate international support and assistance for poverty eradication and sustainable development*

The experience of Somaliland during 1991-2001 provides insights into opportunities for intervention and post-settlement challenges in Somalia. UNDP should help document the lessons of the Somaliland experience to help define and illustrate the post-settlement poverty issues and challenges facing Somalia as a whole.

*Recommendation 3: Provide post-election assistance to local government councils in Somaliland as a pilot for support to decentralization in Somalia*

The administrative regions within Somaliland are the basis for management and delivery of essential services. There is also broad political consensus that these administrative regions should serve as the framework for planning and implementing future programmes of reconstruction. The December 2002 local government elections represent the first stage in a strategy of building local institutions to support local reconstruction and civil society participation in policy decisions and resource allocation.

As an effort to strengthen the institutional capacity of newly elected district councils in Somaliland, the post-election assistance for local governance and decentralization should support the establishment of an institutional mechanism to conduct a systematic analysis of local reconstruction needs and focus attention on the linkages between district, regional and national strategies.

To maximize its usefulness as a pilot, this project should also be designed:

- To conduct studies of the critical issues of governance and reconstruction at the local level;
- To provide training and analytical assistance to the newly elected local government councils;

- To strengthen the devolution of authority and the delivery of essential services to the most vulnerable local communities.

*Recommendation 4: Facilitate the participation of Somali professionals in the Diaspora in post-settlement reconstruction in Somalia*

The leaders of civil society groups in the various territorial entities in Somalia and Somaliland are engaged and focused on immediate political questions, notably participation and representation in the IGAD meetings, elections in Somaliland, and more immediate concerns such as economic resources and human security. Civil society groups and the Somalis in the Diaspora recognize that the outcome of the elections in Somaliland and the IGAD-sponsored meeting will create the context for future trends in Somaliland and Somalia. But neither of these two events provides an opportunity for a comprehensive and systematic discussion and dialogue of the immediate and long-term challenges and issues.

Much of the discussions among the Somali communities within the country and among those in the Diaspora takes place within small groups and is focused on the specific issues in territorial entities and in many instances in parts of the territorial entities. An example of this is the proliferation of web sites and within countries in local newspapers for which the web sites serve as vehicles for re-dissemination. While these groups provide useful services, there is a need for inter-Somali dialogue that will highlight shared problems and opportunities for contribution to post-settlement reconstruction. A better communication and opportunities for dialogue among groups in the Diaspora and between them and those within the country can help focus the issues and challenges in post-settlement challenges.

UNDP should help facilitate the participation of Somali professionals inside the country and selective recruitment of professionals in the Diaspora with skill profiles that meet the needs of post-settlement reconstruction in Somalia.

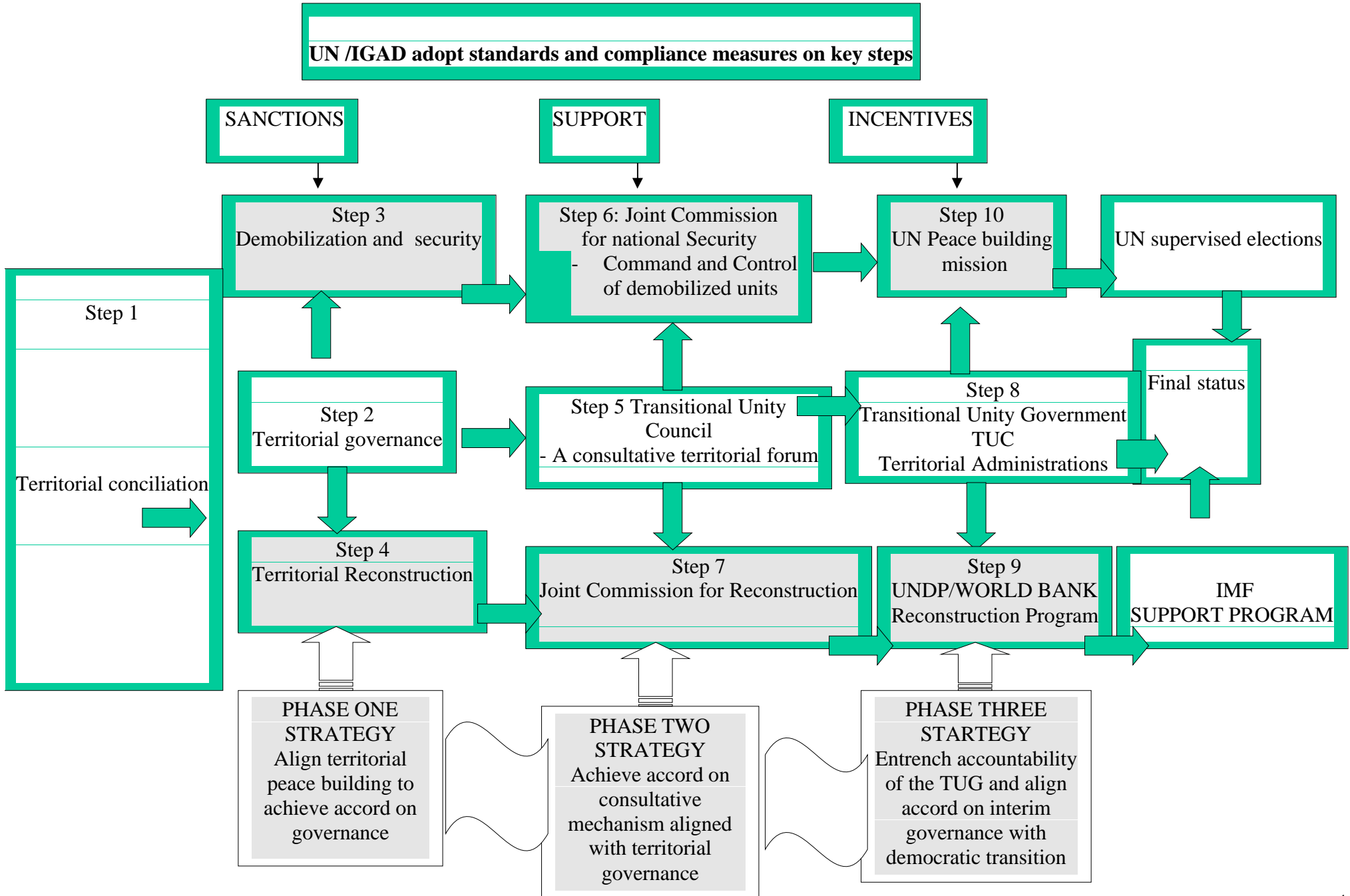
*Recommendation 5: Help establish a Centre for Reconstruction and Governance in Somalia*

The contribution of Somali professionals to the reconstruction effort can best be achieved through a Centre for Reconstruction and Governance in Somalia. The Centre will establish a database on territorial peace building, territorial governance and reconstruction. It will also fill gaps in information and analysis on the Somali situation and contribute to the generation and sharing of new knowledge. This will be done through a variety of mechanisms, including analytical studies, training and operational support to territorial governance and reconstruction. The proposed post-election assistance project could serve as a model for systematic analysis and documentation of post-settlement issues as well as for generating new ideas and sharing knowledge on peace consolidation and civil society participation in the formulation of policies at the subnational level.

## Annex 1: Structure and Leadership of Territorial Entities

Territory/ main clans	Controlling group	Rivals
<p>Northwest/ Somaliland Isaaq sub clans Gadabursi Sub clans Hart/ Dolbahante &amp; Warsangelle Others</p>	<p>Somaliland Government: Current President succeeded President Egal who died in may 2002. Council of Elders: 82 member and Council of deputies: 82 member Tenure of government and Council of deputies ends in May 2003 Elections: local government elections scheduled for October 2002 to be followed by parliamentary and presidential elections by February 2003 Six parties including that of the incumbents registered to take part in elections</p>	<p>Splinter groups in the TNG Splinter Group allied with rival wings of the Puntland leadership</p>
<p>Southeast (Mogadishu) Clans: Hawiye subclans</p>	<p>TNG established in September 2000 at the Arta conference Inrerim President, Prime minister and parliament who term ends in August 2003</p>	<p>Splinter Local faction leaders seeking to replace or gain key positions in a newly reconstituted government</p>
<p>Northeast/ Puntland formally established in 1998 Clans: Harit/Majerteyn</p>	<p>Puntland administration elected in 1998 for three years. The Puntland leaders declare extension of their tenure in 2001 Rivals reject the extension and the chief justices declares himself as an interim leader Rivals organize a meeting of the elders Dissension among the elders</p>	<p>Rival administration elected in 2001  Splinter groups allied with the TNG</p>
<p>Southwest established in 2001 Clans: Digil iyo Mirifle {Rahan weyne)</p>	<p>RRA formed in 1996 RRA gains control of Bay region Tripartite leadership formed RRA joined SRRC Chairman of the RRA declares himselves also President of the Southwest region Disputes over power-sharing leads to outbreak of violence</p>	<p>Two leaders of the RRA formed rival administration in rural areas of the region.  Splinter group of the RRA allied with the TNG</p>
<p>Juba Valley Clans: Darood/Ogaden, Mareehan and Harti Dir/ Biyamaal Hawiye/ Others:</p>	<p>Militias of factions allied with the TNG take over Kismayu in 2000</p>	<p>Factions and militias of clans opposed to the TNG</p>

## Annex 2: Schematic Description of the Settlement Process





### Annex 3: Results of 2002 Local Government Elections in Somaliland

The following table shows the distribution of party vote by region and district in the December 2002 local government elections in Somaliland. It summarizes the performance of the parties in the six urban districts and regions. Each of the parties did best in the districts and region of their respective leaders, with the parties of the candidates for the posts of President and Vice President scoring the highest votes.

	Region/District Awdal	Total vote	UDUB	Kulmiye	UCID	SAHAN	HORMOOD	ASAD
1	Baki	26118	15286	3605	2217	1717	2300	993
2	BORAMO	52103	30836	7551	3970	1367	2039	6340
3	LUGHAYA	11502	4233	1464	940	1264	2424	1177
4	SAYLAC	10772	8584	1059	295	151	466	217
	Subtotal	100495	58939	13679	7422	4499	7229	8727
	<b>% of vote</b>	<b>22.8362953</b>	<b>32.855414</b>	<b>16.44940</b>	<b>15.010921</b>	<b>9.3842559</b>	<b>17.832650</b>	<b>22.040105</b>
	<b>Northwest</b>							
5	HARGEISA	<b>124180</b>	<b>52322</b>	<b>18368</b>	<b>15728</b>	<b>12021</b>	<b>19576</b>	<b>6165</b>
6	B/GUUBADLE	15184	4105	2925	1405	1431	2951	2367
7	GABILE	25433	11475	4527	2588	550	5416	877
8	SALAXLAY	21586	3087	4103	10955	746	1161	1534
	Subtotal	186383	70989	29923	30676	14748	29104	10943
	<b>%</b>	<b>42.3533234</b>	<b>39.572660</b>	<b>35.98330</b>	<b>62.041905</b>	<b>30.762170</b>	<b>71.794365</b>	<b>27.636629</b>
	<b>SAHEL</b>							
9	BERBERA	<b>22211</b>	11173	4539	2286	1332	1062	1819
10	SHEIKH	5023	2329	770	614	722	126	462
	Subtotal	27234	13502	5309	2900	2054	1188	2281
	<b>%</b>	<b>6.18860309</b>	<b>7.5266599</b>	<b>6.384232</b>	<b>5.8652212</b>	<b>4.2843435</b>	<b>2.9305836</b>	<b>5.7606828</b>
	<b>TOGDHEER</b>							
11	BURAO	<b>45910</b>	12760	13762	1915	9261	1319	6893
12	BOHODLE	2287	33	644	2	6	10	1592
13	ODWEYNE	18401	5537	3070	2904	5967	125	798
	Subtotal	66598	18330	17476	4821	15234	1454	9283
	<b>%</b>	<b>15.1336046</b>	<b>10.218017</b>	<b>21.01541</b>	<b>9.7504247</b>	<b>31.775895</b>	<b>3.0328313</b>	<b>19.362980</b>
	<b>SOOL</b>							
14	LAS ANOD		Vote suspended					
15	AYNABO	6261	1055	3070	224	51	154	1707
16	TALEEX		Vote suspended					
17	XUDUN		Vote suspended					
	Subtotal	6261	1055	3070	224	51	154	1707
	<b>%</b>	<b>1.42273790</b>	<b>0.5881074</b>	<b>3.691767</b>	<b>0.4530377</b>	<b>0.1063785</b>	<b>0.3798904</b>	<b>4.3110415</b>
	<b>SANAAG</b>							
20	ERIGAVO	<b>33518</b>	9756	7413	1306	9281	1409	4353
18	GAR ADAG	6352	1327	2369	907	0	0	1749
19	C/AFWEYNE	13226	5491	3919	1188	2075	0	553
21	L/QORAY		Vote suspended					
22	BADHAN		Vote suspended					

23	DHAHAR	suspended						
				Vote suspended				
	Subtotal	53096	16574	13701	3401	11356	1409	6655
	% share	<b>12.0654354</b>	<b>9.2391395</b>	<b>16.47586</b>	<b>6.8784887</b>	<b>23.686955</b>	<b>3.4757511</b>	<b>16.807253</b>
	<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
	GRAND TOTAL	440067	179389	83158	49444	47942	40538	39596
	% OF TOTAL	<b>100</b>	<b>40.764020</b>	<b>18.89666</b>	<b>11.235561</b>	<b>10.894250</b>	<b>9.2117791</b>	<b>8.9977208</b>

<b>Awdal</b>	UDUB	Kulmiye	UCID	SAHAN	HORMOO D	ASAD	Total
Subtotal	58939	13679	7422	4499	7229	8727	100495
<b>% of vote</b>	<b>13.393187</b>	<b>3.1083903</b>	<b>1.6865613</b>	<b>1.0223443</b>	<b>1.6427044</b>	<b>1.9831071</b>	22.83629538
<b>Northwest</b>							
Subtotal	70989	29923	30676	14748	29104	10943	186383
<b>%</b>	<b>16.131407</b>	<b>6.7996464</b>	<b>6.9707567</b>	<b>3.3513078</b>	<b>6.6135383</b>	<b>2.4866668</b>	42.35332347
<b>SAHEL</b>							
Subtotal	13502	5309	2900	2054	1188	2281	27234
<b>%</b>	<b>3.0681691</b>	<b>1.2064072</b>	<b>0.6589905</b>	<b>0.4667471</b>	<b>0.2699588</b>	<b>0.5183301</b>	6.188603099
<b>TOGDHEE</b>							
<b>R</b>							
Subtotal	18330	17476	4821	15234	1454	9283	66598
<b>%</b>	<b>4.1652748</b>	<b>3.9712134</b>	<b>1.0955150</b>	<b>3.4617455</b>	<b>0.3304042</b>	<b>2.1094515</b>	15.13360466
<b>SOOL</b>							
Subtotal	1055	3070	224	51	154	1707	6261
<b>%</b>	<b>0.2397362</b>	<b>0.6976210</b>	*	*	*	<b>0.3878954</b>	1.325252746
<b>SANAAG</b>							
Subtotal	16574	13701	3401	11356	1409	6655	53096
<b>%</b>	<b>3.7662446</b>	<b>3.1133895</b>	<b>0.7728368</b>	<b>2.5805161</b>	<b>0.3201785</b>	<b>1.5122697</b>	12.06543549
GRAND TOTAL	179389	83158	49444	47942	40538	39596	440067
<b>%</b>	<b>40.8</b>	<b>18.9</b>	<b>11.2</b>	<b>10.9</b>	<b>9.2</b>	<b>9</b>	<b>100</b>

## **Annex 4: Terms of reference**

### **UNDP OSLO GOVERNANCE CENTRE**

#### **TERMS OF REFERENCE**

<b>Position Title:</b>	Consultant on Conflict Prevention
<b>Post Type:</b>	SSA
<b>Duty Station:</b>	Hargeisa, Somaliland
<b>Duration:</b>	1 month
<b>Starting Date:</b>	1 November 2002

#### **Background**

The UNDP Oslo Governance Centre was established in March 2002 to serve as a global thematic facility for the Bureau for Development Policy (BDP) on governance. A unit of the Institutional Development Group (IDG), the UNDP-OGC is a resource and service centre designed to push forward the UNDP knowledge agenda on democratic governance, in harnessing all that is known about specific areas of governance and using that knowledge to improve service delivery by UNDP programme officers around the world.

The Centre's work focuses on the four areas of access to justice, civil society, human rights and conflict prevention. Its team of specialized government advisers will respond to demands for policy advice from developing countries, channeled through UNDP Resident Representatives, and will also contribute to developing global consulting services in the practice area of democratic governance. This involves keeping abreast of research and policy developments, gathering and communicating lessons learned from experience, partnering with other institutions specializing on governance, and playing a strong advocacy role for corporate global policy frameworks. In carrying out these functions, the team will also help enhance the skills of staff in UNDP country offices.

Policy advisers are already at work on access to justice, civil society and human rights, respectively. The conflict prevention post is still vacant, but BDP has promised to fill it by the 1<sup>st</sup> of April 2003. Meanwhile, given the crucial importance of this area for BDP and its role in UNDP collaboration with the World Bank, the European Commission and the Organization for Economic Cooperation and Development (OECD) on the "Difficult Partnerships" Initiative, a highly qualified consultant is being temporarily hired to undertake a study on Somaliland.

Within the context of this initiative and the parallel BDP initiative on fragile states, the OGC is launching a multi-phase project on conflict prevention and peace building in Somalia, whose long-term objective is the implementation of a focused reform agenda on

governance, peace building and institutional development. During the first phase, the specific interest of the project relates to how we can learn from the experience of the Somaliland Republic as a de facto state on these issues, particularly the use of traditional mediation and reconciliation structures in building peace and effective institutions of governance at the local and central levels. Can this experience be replicated in other parts of Somalia? How and when can this experience and Somaliland's current relations with other parts of Somalia be useful in setting in motion a process of national reconciliation and peace building likely to bring about lasting peace, stability and development in Somalia?

An issues paper by a Somali national with extensive knowledge of the country and who is widely respected in both Hargeisa and Mogadishu is being commissioned to look at these and related issues, with an emphasis on how Somaliland's accomplishments and challenges can be a vehicle for opening a dialogue on peace and reconciliation for Somalia as a whole. For the subsequent phases of the project, the OGC would like to associate the UNDP Country Office for Somalia (now based in Nairobi), the SURF-AS (Beirut), the Somali diaspora, the Ministry of Foreign Affairs of Norway and other interested donors in opening a dialogue process likely to assist the leaders of Somaliland in ways that will make them more pragmatic and open to international efforts to find a solution to the Somali crisis.

### **Duties and Responsibilities**

Under the supervision of the Director of the UNDP-OGC and in the context of the Centre's mission on knowledge production, the consultant will have overall responsibility in developing an issues paper on Somaliland as outlined above. More specifically, he will:

1. Travel to Somaliland to interview a wide range of political and other opinion leaders on the pertinent issues.
2. Write a comprehensive paper on the Somaliland experience, with particular emphasis on its positive lessons for Somalia as a whole, and outline a scenario for UNDP and international involvement in seeking a lasting solution to the crisis.
3. Submit the paper to the OGC at the end of the consultancy period.

### **Qualifications**

1. Advanced university degree in sociology, law, political science or related discipline.
2. Fluency in English, with working knowledge of another UN language desirable.
2. Comprehensive knowledge and expertise on Somalia and in conflict prevention, including change management processes.

3. Very strong analytical abilities; communications and advocacy skills; and an ability to apply a comprehensive development approach to social reality; and a high level of technical competence in conflict analysis and practical interventions.