

A working Paper on the Situation in Somalia
"Vision and Solution"

Introduction:

Whereas The Association of Senates, Shoora Councils and Equivalent Councils in Africa and the Arab World, ASSECAA is interested in playing an effective role in strengthening ties of cooperation between Arab and African States; is also interested in performing a more effective role, within the framework of respect for cultural diversity, to have an impact on international effort, to remove the root causes of tensions and violence and to contribute to the peace and security in Africa, the Middle East and the entire world. It is also interested in working for accomplishing an important bridge in communication and cooperation between Africa and the Arab World to enable the area to utilize its resources to benefit from the international inclination towards regional blockings.

Whereas The Association has adopted a consultative approach on issues related to mutual interests in all fields; whether they are local or international, as a mechanism to promote, support and strengthen economic, political, social and cultural cooperation between Arab and African States and the entire world by issuing recommendations and practical resolutions towards such issues.

Pursuant to this consultative approach and everyone's keenness to address the various challenges, the Second Session of the Association's Conference held during the period from 8-9 May, 2007 resulted in the formation of a Political Committee for Conflict Resolutions. The Committee's task is to study humanitarian crises in Africa and the Arab World in consultation with the Presidency and General Secretariat of the Association.

Whereas the Somali situation is still on top of issues and crises being considered by your the esteemed committee, it included this issue in the agenda of its first meeting

held in Abuja. Since the crises in Somalia remains a standing issue, it is being tabled once again in this meeting.

Within this framework, this paper starts with an introduction of previous efforts which have been exerted to achieve reconciliation between parties in the Somali conflict for spreading peace, security and stability and for the rebuilding of the Somali State. The introduction will analyze the factors which lead to the failure of such effort with the objective of drawing on the lessons learnt to enhance the on going effort in Somalia. The paper includes practical suggestions in the light of such developments and suggests implementation mechanisms as well:

Previous Reconciliation Efforts:

More than seventeen years have elapsed while Somalia is still experiencing the worst humanitarian situation and is still in a dark tunnel. This situation is breeding new crises, chaos and bloody conflicts which have claimed many lives. It has destroyed properties, left more than three hundred thousand people dead, maimed thousands of others and displaced more than one million people inside Somalia and abroad. The country is also facing increased draught and famine which is forcing the people to risk their lives in the high seas in an effort to reach the shores of neighboring countries.

Despite all efforts made, and are still being made, by regional and international parties to contain the Somalia issue, the painful scenes are repeated, a matter which has generated a general feeling of pessimism towards any attempt at reconciliation. This feeling will continue if tangible results are not achieved and real progress is not made towards improvement of the situation.

Anyone, who has been following the Somali situation closely in all its stages of development, will find that many attempts and initiatives at reconciliation have been made. The African Union, the League of Arab States, the United Nations and the Security Council, Arab states - Yemen, Egypt, Djibouti and Sudan. African States - Ethiopia and Kenya. European States and the United States, have all tried to contain the deteriorating situation in Somalia. A national reconciliation conference was held and includes all parties in the conflict. Numerous meetings and conferences were also held subsequent to that. Many declarations have been issued. Resolutions and agreements were reached in Djibouti. The first was reached in 1991 and the second in 2000. Another agreement was reached in Addis Ababa – Sodora in 1996. Cairo in

1997. Two conferences in Kenya; one in Eldoret, in 2002 and the other in Nairobi in 2004. Moreover, there have been repeated meetings between parties to the conflict in Sana'a and Khartoum. The United Nations also sent a peace-keeping mission. During the convening of the African Union's Summit at the end of January of 2007 in Addis Ababa, pressure mounted on the Somali Transitional Government to engage in a national reconciliation process. Views of many states and regional and international forces concurred on the need for political dialogue in Somalia; and on the need to enter a new stage of reconciliation between all groups in Somali society. Some had gone as far as to suggest that the legitimate government will remain weak if it doesn't engage in a broad process of popular participation and expand the decision-making process. This view was confirmed right when a number of major players were excluded. These forces went on to form a national alliance of the opposition for the re-liberation of Somalia. They waged fierce battles against the Somali Government and its allied Ethiopian forces. More than ten thousand people were killed in this flare-up of the conflict. It caused more people to be displaced and created a new problem – Piracy. Sea piracy is threatening the security and safety of international maritime traffic in the Gulf of Aden, the coasts of Somalia and in the Somali economic and regional waters. 2008 saw a widening of the state of chaos and deterioration of the situation throughout Somalia, inland and in the sea. Somalia reached a situation where the transitional government seems to be unable to control. A matter, which has created a need for renewed regional and international efforts to contain this situation.

In the last quarter of 2008, the UN sponsored peace talks between the Transitional Government and the alliance of the opposition for the liberation of Somalia were held in Djibouti. The Government's delegation was lead by the Deputy Prime Minister and Minister of Information, Ahmed Abdul-Salam. The Alliance for the liberation of Somalia, Djibouti branch was headed by Sheikh Sharif Sheikh Ahmed. Some pockets stayed away from the talks: the Asmara branch of the alliance and The Mujahiddin Al-Shabab movement.

The talks lead to an agreement on a timetable for the Ethiopian forces withdrawal from Somalia. The timetable calls for such a withdrawal on two stages. The first starts on 21st of November, 2008 with a ceasefire. Then, the Ethiopian forces will start the

withdrawal and dismantle their bases in the cities of Bald and Mogadishu. The second phase was to be completed within 120 days thereafter. African Union peacekeepers were to take up the security responsibility together with Somali forces. This has not been implemented up till now in sufficient numbers. The parties meetings in Djibouti also agreed to double the membership of the Somali parliament. The additional seats would be given to representatives of the four largest tribes and a limited number of seats would be given to smaller tribes. The agreement calls also for the election of a new president for the country after the post was vacated by the resignation of the transitional president, Abdullah Yousef, who, pursuant to the provisions of the Somali constitution, was replaced by the speaker of the parliament for one month. The Somali Parliament has been expanded and held a meeting in Djibouti to elect a new president. The new parliament held presidential elections where Sheikh Sharif Sheikh Ahmed won. He was sworn in as the new president of Somalia on 31/1/2009. In turn, president Sheikh Sharif Sheikh Ahmed appointed Mr. Omar Abdirashid Ali Sharmarke as the new prime minister of Somalia. The parliament was quick to confirm Mr. Sharmarake.

In parallel to reconciliation efforts, the Security Council adopted a new resolution which allows warships to enter the regional Somali waters, with consent from the Somali government, to fight piracy. The Council unanimously adopted the French and the United States sponsored resolution, which became known as resolution number 1816. All the fifteen members of the Council voted in favor of the resolution.

On the other hand, clashes continued to break out between the Somali government forces and Al-Shabab Al-Mujahddin who took control of the Parliament building in Baidwa. A group of the Islamic Courts- the Asmara branch – continued as an armed opposition, a matter, which puts the new government of national unity face to face with a future requiring concerted effort to contain remaining pockets by attracting them to the reconciliation process in Somalia. All those concerned with peace in Somalia in particular and the Horn of Africa in general should objectively focus on the root causes of past reconciliation failures. They should prevent a repeat of the same mistakes and search for new practical, strong and solid formulas to ensure that the recent reconciliation doesn't relapse.

Factors Behind The Failure Of Reconciliation Efforts And The Rebuilding Of A Somali State:-

Reading from the above, one can say that the difficulties in finding away out in the Somali situation lies somewhere in the fact that the diagnosis of the situation was incorrect and, therefore; attempts to find a solution have been made on false premises. It is rather important to keep in mind the previous attempts at reconciliation and the difficulties of rebuilding a Somali state at the same time. The most important factors which may have lead to this situation can be summarized in the following:-

a) Internally:-

Wrong analysis of the Somali society from the tribal and political perspective, may have lead to the gaps in attempts at reconciliation and, therefore; resulted in failure.

The tribal and political realities in the Somali society can be visualized as follows:-

- Underestimation of the strength of the mainstream tribes - specifically the tribes which control large parts of the country, Mogadishu and central and southern Somalia. They, in fact, enjoy a major political social and military clout, as well as; organizational capacities which have been acquired during the past five decades; which, by in large, has formed the larger part of all the political influence over Somali authority. The twenty years of the rule of former president Siad Barre and the opposition experience during he seventeen years following his downfall. This has developed in a way which threatens support by the vast majority of the Somali population around this to a degree which makes it rather difficult to ignore. This will remain true even in the future. In case, the senior or middle level leadership of the tribes or the opposition forces, spearheaded by the Islamic Courts; decide to go the route of an armed conflict against any future political formula or to engage in the political process as the natural extension of Somalia within the Arab environment, at least politically.
- Differences amongst the partners of the current political process:- The Transitional Government, the Alliance for Peace and Anti Terrorism (war lords).
- The emergence of political entities in the ground:- the Republic of Somali Land, Punt Land and the Republic of Southwest Somalia.

- Diversity of the opposition to the existing political process which is represented by most of the forces under the umbrella of the Islamic Courts:- The Union of Islamic Courts, Al-Shabab Group, The Society for Peaceful call to Deeds and Prevention of Sins, Sheikh Hassan Al-Turki Group, The defense group for rural areas and the nation, the Somali religious scholars league, Hajj Abu Baker Omar forces, The Salvation and Reconciliation Organization and Sheikh Yousef Inta'di's forces, in specific. In addition to the group of tribes living in areas under the control of the Council.
- The rest of the Somali society, tribes, political parties, political and military forces, small Islamic movements, leading figures, have put themselves with one side or another according to the situation prevailing at the time. Most or some of them at least, have pegged their support for the government, for example, to what kind of influence or financial returns they may get.

B) Externally: - Regional and International.

- Many of the parties with influence in Somali society, who have seen their interests clashing with the concept of having an independent state, have worked to foil any effort or plan to achieve stability, security and law and order in Somalia lead by effective legal and administrative framework.
- Lack of sufficient inputs and elements, up till now, to make the efforts for rebuilding the Somali State a success. It is clear that all aid given to Somalia never reached the desired level, especially since the country faced daunting tasks for rebuilding the political and social infrastructure made worst by the total collapse of all facets of life in the country.
- The wrong linkage between effort to rebuild the Somali State and the war against terrorism. Therefore, consideration for rebuilding the Somali state as part of the strategy for fighting terrorism when it should have been the other way around.
- The insistence of some regional and international parties to restructure the situation in Somalia and the pace of such restructuring to suit their interest. This has lead to the frequent breakout of crises and the creation of new ones.
- Impact of the regional disputes on the Somali situation, which lead the parties of the conflict to work against any decision adopted toward reconciliation or state building.

- The feeling amongst Somalis that Security Council resolutions on Somalia are biased and favor the interest of large countries seemingly taking precedent over anything that serves peace and security in Somalia.
- The feeling of Somalis that the presence of international forces in the regional waters of the country represents international hegemony undermining the sovereignty of Somalia and a challenge to peace, safety and stability of the country. This, they consider, as one of the main factors undermining any proposals for reconciliations. Whether such feeling is true or not, this is weakening the confidence on any effort designed to contain the situation in Somalia.
- The systemic exclusion by the transitional government of the Islamic Courts, supported by most international and regional forces. This is creating an impression that any participation by the Islamic Courts in a power sharing arrangement seems impossible. It even goes as far as to suggest that even the mere existence of the Courts as a political entity in Somalia is unwanted. They cite the reason that this was the main reason for the break out of war in the first place. Therefore, it seems illogical to believe that these parties would give any political concession to the Courts especially after they had waged war to prevent the court from achieving such status.
- Previous peace efforts have ignored the reality of the existing Somali identity which is centered on the three components: Arab, African and Islamic. These are components that constitute an urgent demand by all Somalis if the right balance is to be struck.

Suggestion in the light of developments in the pursuit of a solution for the Somali issue:

Considering the factors of failure in effort to achieve reconciliation and rebuilding of the Somali state, these suggestions are made in search of a way out from the conflict and to work for the success of the Djibouti reconciliation on the ground.

These suggestions focus on the following:-

First: Consideration of the law of tribal balance, within the supreme interest of Somalia, and mobilization of the people towards achievement of political stability based on the principal of comprehensive national reconciliation. On this direction, effort should be made to enable the mainstream tribes, both their military and political forces, to regain their natural position in political life restoring their past gains– either totally or a partially. Due consideration should also be made that these tribes are effective partners and are difficult to ignore or avoid. A more comprehensive view which should consider avoiding the previous government's actions, thought to be oppressive and harsh towards political opponents in general and mainstream tribes in particular. This is especially important since all indicators point to the strong link between the potential for increased resistance over time and between the seriousness of the mainstream tribe's members in joining either the resistance or the authority in one form or another.

Second: Due consideration to the global situation and circumstances, behind the sudden uprising and disappearance of the Islamic Courts, in the Islamic arena; or behind the fall of the current government. On this regards, and according to the International Crises Group's research center, in a report entitled: Somalia: Staying Away From This Failed State ": that the withdrawal of the Ethiopian forces may provide an opportunity for a credible peace. The report added "despite the international community avoiding the Islamic opposition, there is no practical track either through the extension of the hands to its leaders in an attempt to restore stability in the security situation of the country through a truce and addressing the root causes of the problem".

Third: Participation of widely accepted political, social and military figures; either by reintegrating them within the tribal slate, or within new political parties, so that they can play their role within the relative success they are expected to achieve towards political settlement on the basis of the current tribal political realities.

Fourth: To work quickly toward the reconstitution of the national army which should be representative of all the people in Somalia and all regions? The army should be able to integrate the armed militias within its ranks under a new

restructure where constitutional provisions should provide for the army to be neutral and independent.

One should not neglect that the absence of the State from the scene has led to the emergence of a generation brought up on war and fighting. This can only be overcome by building a national army whose recruits should owe allegiance only to Somalia. General national education should spread quickly amongst this generation, civilians and military, to compensate for lost time and to lay the foundation for a new era; where education which refines the souls and strengthens loyalty to the nation and builds scientific knowledge is widely available.

Fifth: Consideration for the status of numerous groups of Somali society who have been excluded by the state of sharp division, in official as well as, unofficial circles since the military confrontations in 2006. These groups were divided between supporters and opponents of different leanings, especially since there are many indicators confirming the possibility of spreading to wider areas. This is so, since some forces have adopted hard-line positions rejecting any political settlement; either whole or partial and want to continue the resistance. This is coupled with a state of hesitation reflected in the positions of the Security Council and the African Union, especially relevant to sending forces to Somalia. The subsequent fall of the government has resulted in the many failures that were experienced during the past two years.

Six: There are hard-line groups in Somalia as well as extremists. Therefore, it's not wise to be content with a mere classification of such group without any attempt at bridging the gap between them and any requirements for a political settlement. Prior preparation to achieve this settlement can be through deep religious dialogue with these groups by a select group of enlightened religious scholars who are able to correct religious misconceptions amongst the youths in an attempt to soften their hard-line positions.

Seventh: Due to the multiplicity of the conflicting Somali forces, the implementation of the principle of noninterference as included in Article Four of the Declaration of States Rights and Duties in International law, the UN General Assembly, 1949; which calls on states to refrain from inciting civil wars in the

territories of another state and the to refrain from organizing activities which aim at inciting such a war. Therefore, the application of this principal in the case of Somalia calls for all regional and international parties pursuing a solution of the conflict to refrain from siding with one party against another. It's hoped that the new US administration will change the so called creative chaos policy adopted by the former administration which failed, not only in achieving security, peace and stability in the region, but left deep wounds which are difficult to heal in a number of areas including Somalia which has become a failed state. The Royal British Institute for Strategic Studies stated, in one of its reports, that the failed state in Somalia may spread to others parts of the region to confirm international presence; not for the sake of providing an opportunity for the states in the region to play their role, but as an excuse for intervention by the superpowers through colonialism which reinvents itself according to circumstances. This has been evident in the practices in more than one country in the region within the so called building of a new Greater Middle East.

The final communiqué of the Third Conference of ASSECA confirms the urgent need for a regional effort to assist Somalia and the Somali people to restore their unity and to achieve security, stability and social peace under strong national institutions. The communiqué pointed out that Somali waters have become a hotbed just like its inland. The heat has also extended to the Gulf of Aden and the west of the Indian Ocean and the Arab Sea, due to the increasing activities of pirates now threatening international maritime traffic. The communiqué stated that dealing with piracy is of concern to the states of the region since they are responsible for acting to fulfill the prerequisites of their sovereignty over the regional waters. The international community should assist these countries in the protection of international maritime traffic.

Eight: The withdrawal of Ethiopian forces calls for the deployment of more African peacekeeping troops AMISOM, The number of troops now in Somalia are two battalions from Rwanda, Burundi and Uganda. It's expected that the number of troops will increase from others countries, especially from the IGAD group. This will be supported by increased allocations of resources to enable such a force to achieve its mission successfully.

Ninth: Enablement of the states in the Horn of Africa to forge stronger partnerships and cooperation between each other; and to remove mutual fears which have shaken the confidence amongst them. Solution to border disputes has been clearly stated in article four Para b of the article of association of the African Union. It states that existing borders at the time of independence of each country should be respected. This is a reaffirmation of a similar position adopted by the Organization of African Unity in the first constituent conference and the subsequent Cairo Summit. In this respect, Somali – Ethiopian cooperation should be encouraged towards increased exchange and reconciliation to reflect good neighborliness, confidence and mutual respect for the sovereignty of both neighbors.

Tenth: The international role is considered pivotal to helping Somalia to implement the vital tasks needed to end the absence of central authority and rebuilding of state's institutions. The current capacity at the local level is lacking and can not address the risks of terrorism and fight the increasing piracy. Therefore, this requires a strong international presence in a supportive role which would help Somalia rebuild State institutions to take up the ensuing responsibility. The supportive international role falls on the United States of America, The European Union, The African Union, The League of Arab States and the Organization of Islamic Conference, as well as; other capable countries in the first degree. This role should be aligned with a plan for international funding to revive Project Hope to achieve comprehensive development for all States in the Horn of Africa.

Eleventh: Motivate the forces engaged in the reconciliation effort to reach an agreement on a permanent constitution to be based on a federal system that would include all the three Somali states: Southwest of Somalia, Punt land, and the Somali Land. This would include the actual situation in the ground making for a constitutional solution acceptable by all parties to the conflict.

Mechanisms for Implementation of the Suggestions:

Often times, proposals and resolutions adopted to address issues, problems and explosive crises in both the Arab and African regions, although significant, remain in drawers and don't see the light. The reason: lack of financial resources and practical and appropriate mechanisms. Sometimes, such mechanism intersects with agenda of parties who do not like to see these regions stable and, therefore, turn against any progress towards peacemaking and security. A complex case, such as Somalia, will not be easy to be tackled by any one party. Many joint efforts have been made and failed to achieve the desired results. This calls for a search of practical mechanism which would benefit from the failures of the previous attempts in knowing the causes and to avoid wasting time by introducing more effective mechanisms.

The Association will be greatly honored to play a leading role in coordinating effort and to come together in a joint and organized action with the African Union, the League of Arab States and other regional groups in both the Arab and African regions.

It may be appropriate, that ASSECA will make an initiative to call for a joint meeting of the General Secretariats of these regional organizations to discuss, primarily, the causes of failure of previous attempt to address the current crises in the region which are still difficult to resolve. Then, subsequently, agree on joint mechanisms for action. One of manifestations of such mechanisms may be the establishment of specialized operation rooms, one for each issue and country case. The staff of these operation rooms would work at transforming proposals and suggestions to specific programs and timetables.

The setting-up of operation rooms doesn't, in any way, mean increased staff and enlargement of the administrative apparatus, but rather a contribution to making these organizations more effective using existing staff. The existing staff can be redistributed and retrained for the new tasks. Such arrangement can be agreed upon by the general secretariats in the organizations.

In conclusion, all proposals made, any future addition and all the mechanisms which may be adopted for implementation of such proposals, will not be effective enough if the situation in Somalia is not contained. Cooperation of all countries in the region surrounding Somalia is greatly needed. A strong will and belief should prevail that the negative impact, which has been felt in the form of an influx of refugees and piracy, may develop to create even a more complex problem which would be difficult to contain. Therefore, the states of the region should come together and leave aside their differences, mend fences and adopt long term national and regional visions which wisely estimate the hidden agenda behind the international resolution regarding this very important strategic area of the world. Countries of the region should consider that others may be attracted by the rich resources which are yet to be utilized and the advantages created by the state of chaos to those wanting to find burying grounds for their nuclear and hazardous waste.

Time in the region has become blood, or may seem as such from the way things are developing, if no collective action is taken through organized activities that would transform the region into an Oasis of peace and security.