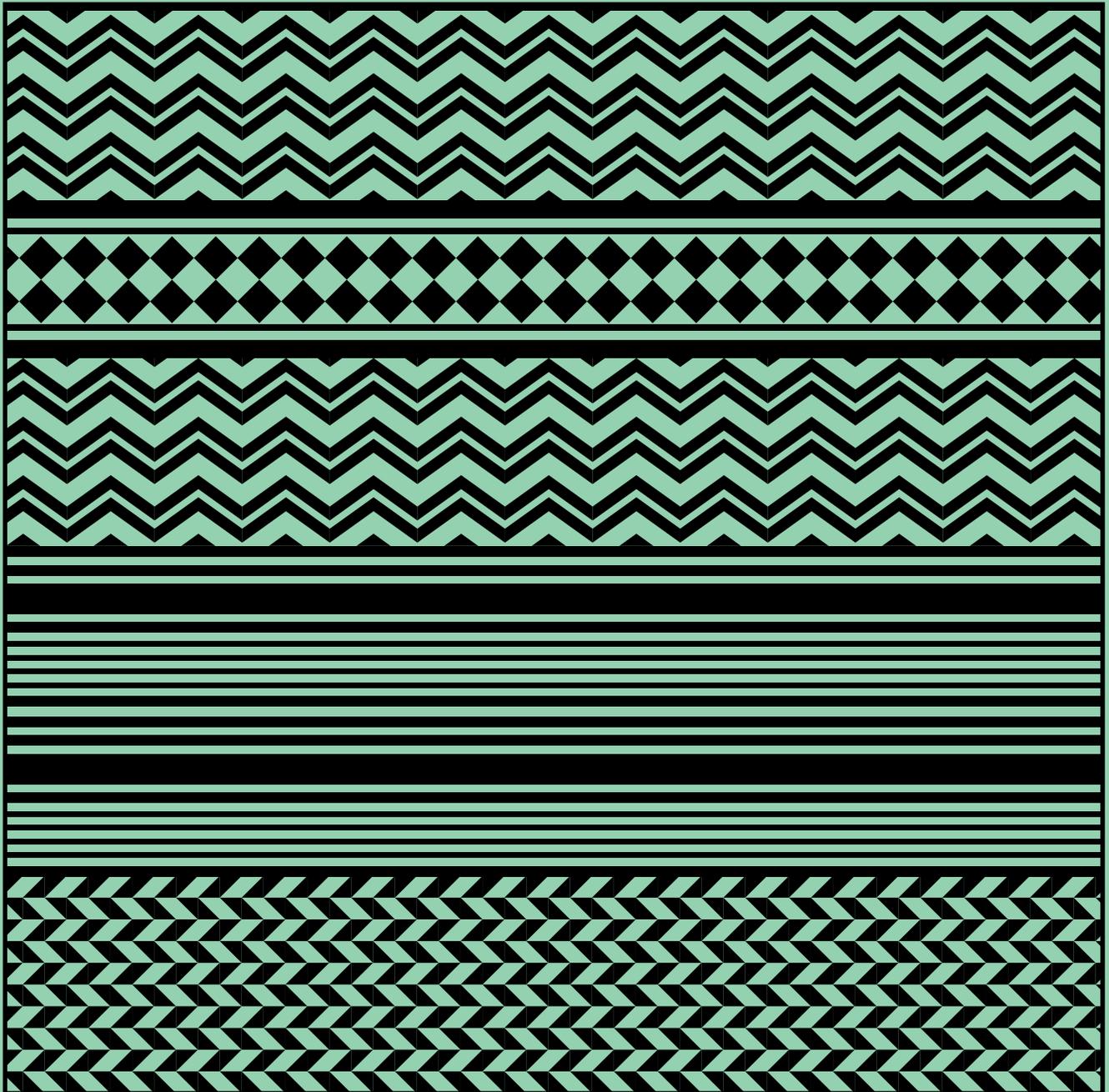




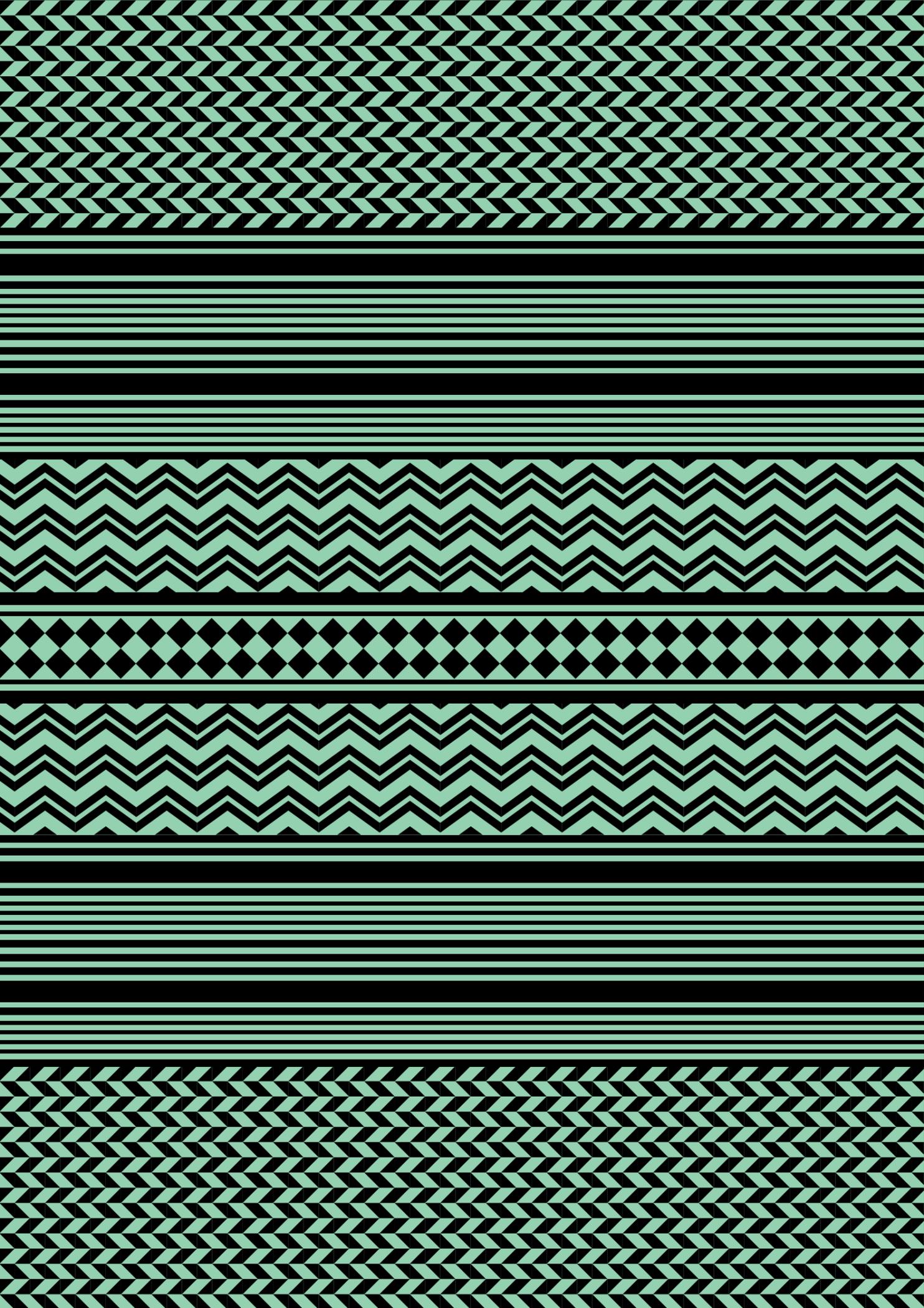
# DURABLE LOCAL RECONCILIATION IN SOMALIA FACTORS THAT ENHANCE DURABILITY & SUCCESS



EXECUTIVE SUMMARY - 2021

IMPLEMENTED BY ADAM SMITH INTERNATIONAL

DELIVERING PEACE & STABILITY IN SOMALIA



'WHERE THERE IS  
NEGOTIATION, THERE IS  
HOPE FOR AGREEMENT'

SOMALI PROVERB



## PURPOSE

SSF commissioned this research to identify and understand the instances of successful (or most successful) reconciliation in Somalia and study their common characteristics. It tasked the research team with identifying local reconciliation programming best practices and recommending how success can be enhanced and replicated across Somalia. The research considered the extent to which women, youth, and marginalised groups have been involved (or not) and whether there were any connections to efficacy and impact, thus applying a gender and social inclusion lens.

## METHODOLOGY

In Phase 1, the research team conducted a desk review of documents and datasets relevant to the study's themes. The literature review profiled 24 cases of local reconciliation. The team analysed each case focusing on the peace enforcement mechanisms, outcomes, principal stakeholders and their roles, the role of women, and contextual and programmatic factors relevant to the outcome.

In Phase 2, based on an agreed set of criteria, SSF selected 9 case studies for further investigation through primary field data collection. The research team interviewed 48 sources in person or by telephone in Mogadishu, Galkayo, Kismayo, Beletweyne, Gedo region in Jubbaland, and Hiran region in Hirshabelle during August and September 2021. The cases selected are identified and summarised in Table 1 below:

Table 1: Synopsis of case studies — Phase 2

Code	Case Study Synopsis
CS08	This case involved the violent conflict between the Jijeele and Gaalje'el clans in 2005 around the town of Buqda Aqabl, in the area adjoining Hiran and Middle Shabelle regions, based on long-standing grievances and competition within and between them for natural and political resources.
CS09	In 2004, the long-running, low-intensity conflict between Sa'ad and Saleebaan Hawiye clans, involving disputes over grazing areas and killings and looting of livestock, erupted into violent conflict. The conflict, which had remained unaddressed since the civil war era due to the absence of Xeer between the communities and effective local government authority, was finally resolved at a peace conference in Adado in 2007.
CS15	In 2015 and 2016, violence broke out between the Habr Gidir and Majeerteen in Galkayo, triggered by tensions over the imbalance of investment development in the north compared to the south (including by the international community) along the long-standing fault line between them. This was exacerbated by the Galmudug state formation process and ultimately represented the final collapse of the 1993 Mudug Accord.
CS19	This was SSF's Hobyo District Reconciliation Forums programme, aimed at reconciling the clans in Hobyo District in Galmudug state through identifying unresolved issues related to conflicts and allowing local communities to discuss their grievances and address them. The reconciliation process in 2018 was intended to lead to the resolution of outstanding disputes between the communities as a precursor to the formation of the Hobyo district council within the Wadajir Framework.
CS21	This case involved the reconciliation by Al-Shabab of a conflict between Marehan clans in Gedo region in 2019 after centuries of conflict.
CS23	This was part of SSF's Joint Galkayo Peacebuilding Initiatives Project in June 2020, intended to end a 40-year-old conflict between Sa'ad and Leelkase clans over access to water and grazing land along the Lanwaley-Saxo axis in Western Mudug.
CS25	This case involved a prominent role for the Kismayo Women's Peace Platform in partially resolving a conflict between the Majeerteen and Awramale clans over disputed pastureland around the villages of Dalsan and Qandal in Lower Juba in 2020–21.

## KEY FINDINGS & ANALYSIS

Most violent conflicts are between clans and involve access/control over natural and political resources. Acts of revenge based on these initial causes and failure to comply with the terms of peace agreements, including diya payments, perpetuate and escalate conflicts over time.

Most cases identified involve conflicts that lasted for more than ten years, with many dating back to the Barre regime or even the colonial era.

Peace enforcement mechanisms appear to have a positive impact on the effectiveness and durability of reconciliation initiatives.

Broader reconciliation activities, including social and cultural activities and joint community development projects, appear to have a positive impact on the effectiveness and durability of reconciliation initiatives, especially when combined with effective enforcement mechanisms.

Prominent roles of women and youth appear to have a positive impact on the effectiveness and durability of reconciliation initiatives.

Of the 12 cases identified in Phase 1 that satisfy our definition of success, all featured enforcement mechanisms of some kind, eight included broader reconciliation activities, eight included a prominent role of women and five were locally funded.

Of the nine case studies investigated in Phase 2, five met our definition of success (C08, C15, C18, C19, C23). Of these:

- all included at least one peace enforcement mechanism
- four included broader reconciliation activities (C15, C18, C19, C23)
- four included a prominent role for women (C08, C15, C18, C19)
- two involved an effective mediator (C08, C15)
- one was locally funded (C08), three were donor-funded (C18, C19, C23), one was a mix of local and donor funding (C15)

Three cases were a “moderate success” - peace was sustained but the underlying conflict drivers were not addressed (C11, C21, C25)

One case was a “failure” - peace was not sustained and violence returned (C09)

## PEACE ENFORCEMENT MECHANISMS

Peace enforcement mechanisms appear to enhance the effectiveness and durability of reconciliation efforts; all 12 successful cases identified in Phase 1 included them. They featured in 6 of the 8 moderately successful cases and 3 of the 4 failures. Of the enforcement mechanisms in 10 of the 12 successful cases, 3 were community actors, 3 were security actors, and in 4, there was a combination of both community and security actors. In 2 successful cases, political actors were the sole enforcement actor, and they featured in combination with community and security actors in 3 successful cases. In the 9 case studies in Phase 2, enforcement mechanisms appeared in the form of 7 community actors, 6 security actors, 4 political actors, and 2 religious actors.

The findings suggest that several factors increase the effectiveness of enforcement, relating to a combination of the enforcement mechanisms

themselves, the interactions between them where more than one are present, and other elements of the reconciliation process. These factors are:

- The legitimacy of the enforcement mechanisms in the eyes of communities, often based on their joint or integrated nature in the case of community and security actors.
- Joint community-based structures, most likely consisting of elders from both clans (though membership can be more inclusive), to provide fora for the identification and discussion of emerging tensions and security incidents.
- A peace agreement clearly outlining the obligations and responsibilities of both parties, including the shared use of natural resources, the amounts and dates for diya payments, and establishing sanctions for their violation.

- Meetings bringing clan leaders and security officials together for the management and de-escalation of intercommunal tensions, and to coordinate responses to conflict or violations of the terms of an agreement, including the timely arrest of perpetrators by security forces and the application of sanctions provided in peace agreements.

- Adequate enforcement capacity on the part of local security actors. This includes the technical, logistical, and administrative capabilities necessary for army or police units to provide adequate security services to local communities.

While the research findings indicated that effective enforcement mechanisms were necessary to achieve reconciliation (in that all successful cases included them), they also suggested that, by themselves, they were insufficient. 10 cases identified in Phase 1 included enforcement mechanisms but were not successful.

## BROADER RECONCILIATION ACTIVITIES

All 8 cases identified which included broader reconciliation activities were successful. These included cultural and outreach activities, such as sporting and musical events, designed to bring communities together, meetings, training, and education sessions to ‘sensitise’ the idea of peace among them, and joint development programmes intended to deliver practical and tangible benefits to both communities.

While broader reconciliation activities appear to contribute to positive outcomes, as 8 successful cases did include them and no moderately successful cases or failures did, they do not appear to be an essential ingredient of success, as 4 successful cases did not include them.

While the role and possible impact of such activities are already documented, the research findings provide additional insights on their interaction with enforcement mechanisms in the context of reconciliation processes and how, together, they appear to increase the prospect for successful outcomes. Peace enforcement creates a secure and stable space where reconciliation activities can address grievances and promote interaction to help build constructive relationships between communities—a crucial element of the definition of “successful” reconciliation adopted by this research. The findings support the assertion that the combination of enforcement mechanisms with broader reconciliation activities do appear to contribute to positive outcomes: 66% of successful cases included both components, compared with 0% of moderately successful cases and 0% of failures.

## THE PROMINENT ROLE OF WOMEN

Women played prominent roles in 8 of the 12 successful cases identified in Phase 1, including 4 of the 5 successful case studies that underwent more detailed interrogation in Phase 2. These included outreach activities whereby women travelled across clan lines and negotiated with militia leaders to secure ceasefires. They organised events promoting intercommunal interaction, such as the International Women's Day event in Galkayo in 2017, and secured the communities' support for, and engagement in, reconciliation processes. They also made substantive contributions to those processes as participants in conferences, signatories to peace agreements, and members of joint community committees established to oversee their implementation.

Sources identified the nature and extent of women's involvement in starting and continuing conflict, and their perhaps paradoxical significance in advancing peace. Case studies provided examples of women playing more substantive and meaningful roles in reconciliation processes—both individually and collectively—than indicated in the literature review, through activities that often mirror those they deployed at the start of conflicts. Women activists used a range of tools and settings to discuss the causes of conflicts, but also their impact on families and wider communities, and the benefits of reconciliation, including organising public gatherings and demonstrations, holding meetings with elders and grassroots peace organisations, and developing print, radio, and social media products. Women's groups, such as the Mudug Women's Organisation, the Mudug Women's Peace Committee, and the Kismayo Women's Peace Platform, target these activities across clan lines. In 2 case studies, women were also actively involved in the substance of the reconciliation processes themselves.

The research indicates that ensuring the meaningful participation of women in reconciliation processes appears to contribute to positive outcomes. This illustrates the value of their inclusion from an outcome-based technical perspective, as well as (equally valid) justifications of equity and inclusivity.



## XEER

The focus of customary law on collective accountability rather than individual punishment is most often manifested through the pronouncement of diya payments owed by the patrilineal relatives of perpetrators to compensate aggrieved parties for killings. The continual cycles of violence that characterise many conflicts can lead to the cumulative amounts of outstanding diya payments becoming so large as to be unpayable in practice. The failure to pay on time and in full, and the absence of effective enforcement tools available to elders, often contributes to the continuation or re-emergence of conflicts.

An innovative approach was instigated by the Somali National Movement (SNM) in Somaliland in the aftermath of Somaliland's declaration of independence.<sup>1</sup> The Isaaq elders dominating the SNM and leading the wide-ranging reconciliation process adopted a form of forgiveness used when diya amounts accumulated over decades of conflict are deemed incalculable and therefore expunged. In this case, the elders also took the deliberate decision to move towards greater individual accountability based on harsh punishments, according to Shari'ah, to deter future violations of the peace. Henceforth, individual perpetrators and their families, rather than wider traditional diya-paying groups, would be held accountable for violations of the agreements. This was intended to end the escalation of incidents and endless cycles of revenge attacks between clans resulting from the Somali cultural focus on collective accountability. The relative stability of Somaliland—especially when compared to the relative turbulence of south and central Somalia—in the years since these innovations in 1993 suggests that they made a positive contribution to the effectiveness and durability of the reconciliation process undertaken there. Further examples were found across the cases whereby shifts from collective to individual accountability and the establishment of new Xeer as a result of reconciliation processes contributed to success.

# RECOMMENDATIONS

## DONORS SHOULD:

### IN RELATION TO PEACE ENFORCEMENT MECHANISMS:

**Encourage** the parties to draft peace agreements with clear provisions identifying transgressions and specifying sanctions for those transgressions. Those that hold individuals accountable, rather than the diya-paying group generically, appear to be most effective.

**Encourage** the parties to draft peace agreements that envisage enforcement mechanisms. Agreements without mechanisms to implement them, particularly to sanction violations, are not sufficient—they tend to be violated without consequences, and small incidents tend to escalate into inter-group conflict. Mechanisms that envisage complementary roles for community and security actors appear to be the most effective.

**Support** the formation of joint or integrated units, both financially and organisationally. Joint or integrated units need stipends, supplies, and operating costs. Meaningful integration processes require the complete dissolution of militia unit formation and commands.

**Ensure** that security forces deployed to enforce the agreement are appropriate for the context and make sure that local communities, relevant military, state, and district officials have a say in their formation and deployment. Where appropriate, and using trusted interlocutors, engage with influential local government officials, SNA commanders, and police commissioners on how to create new joint or integrated units to deliver a sustainable peace enforcement function.

**Ensure** that both community and security institutions in peace enforcement mechanisms are inclusive and representative. Broad community discussions including women and the youth should inform their membership and articulate their roles. Practical arrangements with established processes and routines, such as monthly meetings with security and political actors, and with community groups overseeing broader reconciliation activities, enhance the chances that these mechanisms will function effectively.

**Deliver** programmes in areas with existing effective security actors or support their development where necessary, either through incorporating capacity building activities into programme design or partnering/co-locating with organisations able to do so. These could be supply-side programmes such as SSJP and ERI, or demand-side actors like LPI/SWSO, Saferworld, Berghof Foundation, and Conflict Dynamics International. These options would help to ensure the presence of army or police units in programme locations with the technical, logistical, and administrative capabilities necessary to provide effective enforcement of peace agreements and the transparency and accountability required to gain communities' trust and deliver adequate local security services.

### IN RELATION TO BROADER RECONCILIATION ACTIVITIES:

**Incorporate** a broad set of activities in support of reconciliation into programme design, based on community needs identified through participatory discussions and context analysis.

**Ensure** activities intended to build trust and strengthen relationships between communities are designed and delivered in an inclusive way, with participatory discussions to ensure the active involvement of women and youth groups, as well as minority clans where appropriate.

**Link** any structures created to implement and oversee broader reconciliation activities with peace enforcement actors through regular meetings to share information, allowing members of both to develop an overview of the reconciliation process and identify any locations or issues that may benefit from targeted interventions as a result of ongoing or developing conflict dynamics.

### IN RELATION TO THE ROLE OF WOMEN:

**Understand** local gender dynamics and their likely impact on the programme. This should include the identification of champions, enablers, and blockers of increased women's participation in programme locations, together with appropriate plans for engagement with each faction.

**Arrange** consultations at community level at the start of reconciliation processes, including with the elders leading them. These should build support for the inclusion of women in the process—including among women themselves—identifying their roles and discussing the obstacles to their participation. This could include arranging opportunities for elders who have been involved in successful reconciliation processes involving women in prominent roles to share their experiences and identify the practical benefits of women's participation and its impact on outcomes.

**Design** appropriate activities to facilitate women's participation in processes, based on the results of the initial discussions and analysis. These could include separate women's reconciliation conferences running prior to, or parallel with, "main" processes, or encouraging and supporting women's participation in the "main" process.

**Target** capacity building support to address the needs of individual women and women's groups in programme locations. This could include organisational support, advocacy, public speaking, and leadership training.

Identify and engage trusted women's groups that are rooted in local communities, can mobilise intercommunal support, and help to deliver relevant activities.

### IN RELATION TO EFFECTIVE MEDIATORS:

**Ensure** that the context analysis clarifies the power dynamics between the conflicting clans and other clans in the area, together with other potentially relevant stakeholders, to help identify both the need for, and potential identity of, effective mediators.

**Design** metrics to monitor the levels of support of the conflicting parties and wider communities for any mediator to ensure that they maintain the trust of the parties and continue to play an impartial and effective role throughout the process.

### IN RELATION TO THE ROLE OF YOUTH:

**Encourage** the creation of space for inter-generational dialogue at the outset of reconciliation processes. This can help develop elders' appreciation of youth groups' skills and their potential contributions, build a sense of shared purpose between them, and encourage an inclusive rather than elder-dominated process. Research demonstrated that when elders are more aware of the benefits that youth can bring to a peacebuilding initiative, they tend to include and support their participation, and that the youth's participation can contribute to mitigating the risk of violence and build cross-community relations that can support more durable reconciliation.

**Identify** youth groups that are trusted and valued by communities, check their track record, and consider engaging with them as both partners and beneficiaries.

### IN RELATION TO LOCAL OWNERSHIP AND FUNDING:

**Avoid** engaging with processes that have effective local leadership and sufficient local funding, and which donor interventions may destabilise. By default, donors should not engage in local reconciliation processes unless there are evident gaps that could not be filled otherwise. The evidence suggests that when credible elders oversee processes, and local communities finance them and so have 'skin in the game', they are more committed to see it through—and to a constructive outcome.

**Continue** to work through local partners who have the trust of their communities, and when there are evident gaps that can only be filled through donor intervention, provide funding, technical advice, facilitation, and logistical support and keep donor visibility in reconciliation processes to a minimum.

## DONORS SHOULD CONSIDER:

### IN RELATION TO UPSTREAM INTERVENTIONS:

Coordinating with the Ministry of Interior, Federal Affairs, and Reconciliation and the National Reconciliation Framework, and targeting interim district administrations to deliver upstream interventions in locations in advance of the announcement of Wadajir Framework initiatives. This would involve establishing new, or repurposing existing, community-based structures to provide fora to proactively manage local-level tensions in advance of the announcement of the district council formation process, as this could trigger overt competition and contestation for territorial control which could escalate to violence. Examples of existing donor-funded community structures that could be adapted and utilised for this purpose include: the District Peace Committees developed by Conflict Dynamics International in all Federal Member States and the Benadir Regional Authority in 2016–2017; Saferworld’s Community Action Fora established in Mogadishu, Kismayo, and Baidoa in 2017–2019; and the Community Action Plans developed in Afmadow district in Jubbaland as part of Katuni Consult’s Citizen-Directed Negotiated Accountability programme in 2015. There are doubtless others.

### IN RELATION TO XEER:

Convening participatory discussions at the outset of reconciliation processes with influential members of Somali society who would need to agree to any innovations of the Xeer (respected elders, religious leaders, businesspeople, intellectuals, young fighters), including consideration of: i) amnesties; ii) attempts to ensure diya payments are realistic and affordable, or represent symbolic payments; and iii) moving towards a system of greater individual accountability, including the adoption of sanctions for violations of peace agreements based on Shari’a or, where feasible, statutory criminal law. These elements could be coordinated with, or incorporated into, donor-supported justice sector capacity building programmes.

Developing tools to help sensitise wider communities to the benefits of any shift in approach away from established Somali custom resulting from the above discussions, such as local media products and further participatory discussions bringing together women’s and youth groups and security and government officials, and designing external communications strategies to mitigate the reputational risks to donors associated with any initiative promoting the wider use of Shari’a. This could also involve sharing examples of, and lessons from, innovations in the Xeer in other successful cases and how they contributed to positive outcomes.

### IN RELATION TO AREAS FOR FURTHER RESEARCH:

Undertaking a deeper investigation to better understand the gendered dimensions of conflict and reconciliation processes and their impact on outcomes. This would explore how the roles of people in conflict and reconciliation processes reflect wider societal gender constructs, and how a better understanding of these might contribute to the identification of the most effective ways to secure the meaningful participation of women, as well as how to generate acceptance and support from traditionally resistant groups for this participation.

Identifying the connections between conflicts and reconciliation and wider state building processes, including the formalisation and regularisation of land tenure and the potential impact this could have on mitigating intercommunal conflict in Somalia.

## ENDNOTES

1 This was Case 01 derived from Phase 1 mapping of reconciliation processes.

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