

Country/entity Somalia

Region Africa (excl MENA)

Agreement name Final Agreement from the National Reconciliation Commission-led Initiative

Date 15 Jan 2007

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/conflict level Intrastate/local conflict

Somali Civil War (1991 -)

Originally spurred by centre-peripheral tensions, fighting broke out in 1981 between the regime of President Said Barre and the Somali National Movement, a militia primarily consisting of members from the northern Ishaq clan. Fighting intensified in the late 1980s as more clan-based militias arose. President Barre's regime collapsed in late 1991 and as a result the UN intervened. However persistent attacks on the UN's forces forced a withdrawal in 1994. From the mid- to late 1990s, the character of the conflict shifted as warlords fought for access to rents. Also during this period, two different peace agreements arose; the Soderre Declaration, which was mediated by Ethiopia and supported by IGAD, and the Cairo Accord, which was brokered by Egypt. Fighting, already noticeably lessened compared to the early 1990s, decreased and the more amicable environment paved the way for the Transitional Government to be formed in 2000 (replaced in 2004 by the Transitional Federal Government).

Nonetheless, opposition to the TFG arose in the form of the Islamic Courts Union (ICU), which by early 2006 had taken control of most of southern Somalia until they were ousted by an armed intervention by Ethiopia in December 2006. As a result, the ICU splintered. Hard-line ICU members formed the Takfiri organization, Harakat al-Shabaab al-Mujahideen, and launched a guerrilla campaign against the TFG. Another faction of the ICU fled to Djibouti and formed the Alliance for the Re-liberation of Somalia, which was absorbed into the ruling TFG after successful negotiations in 2007.

To deal with the new round of fighting, the UN-mandated AMISOM force was deployed in 2007. Since then, insecurity has fluctuated between the urban and rural areas as the al-Shabaab's territorial gains waver. Local militia leaders maintain de facto governance over communities. From 2009 to 2012, insecurity spilled over into the Gulf of Aden and the Indian Ocean when Somali pirates seized, looted and ransomed ships. In 2014, 'Operation Indian Ocean' was launched and in parallel with infighting among al-Shabaab, the organisation's position in Somalia has diminished slightly. However, as evidenced by large-scale attacks by al-Shabaab in northern Kenya throughout 2013-2015, the lack of security continues to destabilize the region. Al-Shabaab continues to launch surprise attacks with the aim of forcing out foreign military presence in Somalia. Targets include both military forces and civilians. The devastating attack in October 2017 in Mogadishu saw 587 fatalities and resulted in a renewed military offensive by the Somali government and African Union allies. Since 2017, the U.S. has increased its air strikes targeting al-Shabaab militants, and in December 2018 they announced to re-establish a permanent diplomatic mission in the country. Al-Shabaab has been characterized as a spoiler in the Somali peace process and have therefore been placed outside of any negotiations.

Close

Somali Civil War (1991 -)

Stage Framework/substantive - comprehensive

Conflict nature Inter-group

Peace process Somali Local Peace Processes

Parties Hubeer & Yantaar clan (sub-clans of the Mirifle clan):

Names of Yantaar Delegates

1. Malaq Caliyaw Mahamed Wardhere
2. Malaq Maadey Cabdi Nur
3. Malaq Dadir Macalin
4. Malaq Cabdi Rashid Sh/ Cabdi
5. Malaq Cabdi Rashid Sh/ Mahamed
6. Malaq Husein Aftimo Bulle
7. Oday Arabaw Abdrihman
8. Ahmed Ibrahim Ali
9. Mursal Mohamed Kulan
10. Moalim Abdulahi Qalimow
11. Hashi Cali Yusuf
12. Sheikh Osman Jawarey
13. Ibradim Ali Mursal
14. Sheikh Xasan Omar
15. Haji Mohamed Abdi

Names of Hubeer Delegates

1. Ugaas Hassan Shure Mahamud
2. Malaq Aadan Salad Nur
3. Malaq Miris Husein Hassan
4. Malaq Iftin Ali Kusanow
5. Member Madey Abdi Jirow
6. Member Sharma'arke Abdi Abdirahman
7. Sh.Ibrahim Jibril Aliyow
8. Derow Aadan Mursal
9. Madey Hassan Ali Kus
10. Kalar Maney Abdulle
11. Bukay Ali Aan
12. Armiye Sheikh Abdulkdir
13. Ma'alim Musalim M. Nur
14. Sh. Husein Sh. Ibrahim
15. Ali Yarow Dahir

Third parties

Abdulahi Osman Du'ale, Vice chairman of Idale and chairman of the National Reconciliation Commission;
Minister National Reconciliations Subject;
Minister of National security;
Prime Minister of TFG;
The head of Somalia police force;
The head of Bay police forces;
The chairman of Bay region

Burhakabe District

1. Sheikh Mohamed Nur Sheikh Hussein
2. Haji Malaq Aadan Abdirahman
3. Malaq Aamin Abdiyow Hussein
4. Malaq Haji Mohamed Malin Ali
5. Malaaq Yare Ali Osman
6. Malaq Abdi Salan Sheikh Ibrahim
7. Malaaq Osman Yarow Bulle
8. Malaaq Sidow Aadan Moalin
9. Malaaq Hilowle Hussien Ali Yarow
10. Mohamed Ali Gaab (the chairperson of security)
11. Abdi Rashid Hassan Ali (the vice person of station)
12. Mugwaal Nur Moalin (the chairperson of youth center)
13. Sharif Sheikh Yerow Sheikh Abdulatif
14. Haji Abdulahi Moalin Shati
15. Abdulahi Sidow Sheikh Yerow

Berdale District

1. Sheikh Bayadir Sheikh Abdirahman Bababey
2. Sheikh Aamin Abdi Aadan
3. Malaaq Hussein Abdi Ali
4. Hussein Hassan Moalin
5. Mohamed Mursal Aadan

Ufrow District

1. Sheikh Haji Abduladif Sheikh Ibrahim
2. Ugaas Hussein Mursal Ma'an
3. Haji Aadan Iiman Arab
4. Yusuf Moalin Abdow
5. Nurow Warsame Dheer
6. Abdow Qoore Warbuuk
7. Ugaas Isaaq Ibrahim Hassan

Durey- Eemid District

1. Ali Sheikh Mohamed Nur Sheikh
2. Hassan Mohamed Robow
3. Ibrahim Muqtar Ali

Qansaxadhere District

1. Aliyow Sagaar Mohamed
2. Mohamed Uudey Aadan
3. Mad Isaaq Uburow
4. Cah Jerbey Hassan

Description Peace agreement regarding the ownership of Idale village. Agreement preamble has extensive description of conflict resolution project.

Agreement document [SO_070115_Final Agreement National Reconciliation Commission-led Initiative.pdf \(opens in new tab\) | Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group Groups→Racial/ethnic/national group→Rhetorical
Page 6, Final Agreement National Reconciliation Commission-led Initiative
The decision on the reconciliation
After listening to the claims of both sides; after listening to the mediators who visited the conflict area; after hearing the testimony of persons on the causes of the conflict; after interviewing the Malaqyo and the religious groups of Bay regions who were well-informed on Idale affairs; after conducting extensive research into the history of the community; the committee formed decisions as follows:...

Religious groups

Groups→Religious groups→Rhetorical

Page 6, Final Agreement National Reconciliation Commission-led Initiative

The decision on the reconciliation

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Groups→Religious groups→Other

Page 1, Untitled Preamble, ... The particular shock was that two mosques were destroyed, with the holy Koran cut and burned. The committee declared that those responsible had committed a serious violation of Islam.

Page 2, Agreement in the NRC-led peace initiative

Committee decision concerning Idale

When the committee reviewed:

... 4. The majority of houses, trade, mosques, and planted trees belong to the Yantaar.

Page 2, Agreement in the NRC-led peace initiative

Committee decision concerning Idale

Agreed decision:

1. The offences of burning Idale village, destroying the mosques and cutting the planted trees were charged as the responsibility of the Hubeer sub-clan.

Page 2, Agreement in the NRC-led peace initiative

Committee decision concerning Idale

Request

1. The committee requested all religious groups, Malaqyo and intellectuals of Digil and Mirifle to support the decision and implement it with good intention and act in order to stop the conflict.

Page 4, Agreement in the NRC-led peace initiative

Clarification of reconciliation acceptance

Malaqyo, religious groups and intellectuals of Yantaar are the delegates who participated in the reconciliation of the two clans Hubeer and Yantaar as their names signed below.

They confirmed that they will be guided by whatever decisions concerning the reconciliation of the two clans is reached by the National Reconciliation Commission who mediate Hubeer and Yantaar clans.

Page 5, Agreement in the NRC-led peace initiative

... The participants were specific individuals assigned to end the disputes between the clans, including Malaqyo and religious groups selected from the region and delegates representing both sides, with each side comprising 15 members who selected four persons to talk on their behalf.

Page 5, Agreement in the NRC-led peace initiative

... At the end of the presentations by both sides, the committee needed further information and it was deemed necessary to send delegates to Idale village accompanied by Malaqyo, religious groups, and police forces. They met the neighboring clans and questioned them about the fighting and visited the location where the fighting had started. Subsequently they met members of the two clans and discussed how to solve the conflict. They asked the clans to forget the past and restore their brotherly relationship and to abide by the decisions issued by the National Reconciliation Commission. Both sides welcomed this and promised to accept the decision of National Reconciliation Commission.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders Page 4, Agreement in the NRC-led peace initiative
Clarification of reconciliation acceptance
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Page 6, Final Agreement National Reconciliation Commission-led Initiative
The decision on the reconciliation
After listening to the claims of both sides; after listening to the mediators who visited the conflict area; after hearing the testimony of persons on the causes of the conflict; after interviewing the Malaqyo and the religious groups of Bay regions who were well-informed on Idale affairs; after conducting extensive research into the history of the community; the committee formed decisions as follows:...

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing Power sharing→Political power sharing→General Sub-state level
Page 6, Final Agreement National Reconciliation Commission-led Initiative
The decision on the reconciliation
... 5. The committee issues that Idale village chairmanship will be given to the Yantaar clan and the vice chairmanship will be given to the Hubeer clan.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws Page 2, Agreement in the NRC-led peace initiative
Committee decision concerning Idale
Agreed decision:
... 2. 33 of the 37 members of the committee agreed that the land belonged to the persons who used the land appropriately and carefully in line with Sharia and the community judged that the Yantaar own the productivity of Idale and have the right to manage the village. The rest of the sub-clan accepted the judgment.

Page 6, Final Agreement National Reconciliation Commission-led Initiative
The decision on the reconciliation
... 4. The person who kills will be killed, and the responsibility of capturing him will be charged to his clan in collaboration with Somali national security forces and if the killer escapes and it is clarified that his clan was involved in this, they will be fined 200 camels - 100 camels in compensation and 100 camels as a fine. If he captured over whatever period, and if it is recognised that his clan was not involved in his escape, they will pay only 100 camels as compensation and capturing the killer whenever he is seen.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources Page 2, Agreement in the NRC-led peace initiative
Committee decision concerning Idale
When the committee reviewed:
... 4. The majority of houses, trade, mosques, and planted trees belong to the Yantaar.

Page 2, Agreement in the NRC-led peace initiative
Committee decision concerning Idale
Agreed decision:
1. The offences of burning Idale village, destroying the mosques and cutting the planted trees were charged as the responsibility of the Hubeer sub-clan.

International funds No specific mention.

Business Page 2, Agreement in the NRC-led peace initiative
Committee decision concerning Idale
When the committee reviewed:
... 4. The majority of houses, trade, mosques, and planted trees belong to the Yantaar.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management
Page 6, Final Agreement National Reconciliation Commission-led Initiative
The decision on the reconciliation

... 2. Idale village was owned by God, then by Somalis, and it will be resided in by every person who is Somali and has documentation [property rights/ deeds].

Land, property and environment→Land reform/rights→Property return and restitution
Page 2, Agreement in the NRC-led peace initiative

Committee decision concerning Idale

When the committee reviewed:

... 4. The majority of houses, trade, mosques, and planted trees belong to the Yantaar.

5. The farms, wells and water catchments surrounding Idale are owned by the Yantaar.

6. The Hubeer confessed that a well in existence for 86 years was dug by the Yantaar.

7. We listened to testimony that the sub-clan burned Idale in order that it would not to be resettled again and not become pastureland.

Land, property and environment→Land reform/rights→Other land rights

Page 1, Agreement in the NRC-led peace initiative

Committee decision concerning Idale

Committees consisting of five sub-clans of the Mirifle clan and known as Sagal and Sideed met at Qansaxadhere district where Yantaar and Hubeer had been fighting for about one year. The reason for the conflict was the ownership Idale village. Each clan claims ownership of the Idale village located on the road between Baidoa and Dinsoor, crossing an area know as Dooy (meaning pastureland). The committee is composed of 37 members representing districts such as Qansaxadhere, Ufrow, Dureey, Eemid, Buurhakabe, Berdale and Tooswayne, and they selected amongst themselves three chairpersons (shirgudoon) and a secretary.

Page 2, Agreement in the NRC-led peace initiative

Committee decision concerning Idale

When the committee reviewed:

... 7. We listened to testimony that the sub-clan burned Idale in order that it would not to be resettled again and not become pastureland.

Page 2, Agreement in the NRC-led peace initiative

Committee decision concerning Idale

Agreed decision:

... 2. 33 of the 37 members of the committee agreed that the land belonged to the persons who used the land appropriately and carefully in line with Sharia and the community judged that the Yantaar own the productivity of Idale and have the right to manage the village. The rest of the sub-clan accepted the judgment.

Page 6, Final Agreement National Reconciliation Commission-led Initiative

The decision on the reconciliation

... 3. Each person who is a resident in Idale has the right to own legal properties and no one has the authority to take it from him.

Pastoralist/ nomadism rights	<p>Page 2, Agreement in the NRC-led peace initiative Committee decision concerning Idale When the committee reviewed: ... 3. Idale includes pastureland and both sub-clans have the same livelihoods in the districts they share as Digil-Mirifle clan, including districts Manas, Dharqo, Raama Aday, Safar- Nolay, Ofka-Aan and Idale.</p>
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	<p>Page 2, Agreement in the NRC-led peace initiative Committee decision concerning Idale When the committee reviewed: ... 5. The farms, wells and water catchments surrounding Idale are owned by the Yantaar.</p> <p>Page 2, Agreement in the NRC-led peace initiative Committee decision concerning Idale When the committee reviewed: ... 6. The Hubeer confessed that a well in existence for 86 years was dug by the Yantaar.</p>

Security sector

Security Guarantees	<p>Page 6, Final Agreement National Reconciliation Commission-led Initiative The decision on the reconciliation ... 4. The person who kills will be killed, and the responsibility of capturing him will be charged to his clan in collaboration with Somali national security forces and if the killer escapes and it is clarified that his clan was involved in this, they will be fined 200 camels - 100 camels in compensation and 100 camels as a fine. If he captured over whatever period, and if it is recognised that his clan was not involved in his escape, they will pay only 100 camels as compensation and capturing the killer whenever he is seen.</p>
Ceasefire	<p>Security sector→Ceasefire→Ceasefire provision Page 5, Agreement in the NRC-led peace initiative [Untitled sub-section] When the period of the agreed ceasefire ended, a violent conflict occurred in Idale between the Federal Government and the Islamic Courts Union, which caused devastation. The delegates were not able to come together in the assigned period and for that reason a common decision was taken to extend the period for another 10 days.</p> <p>Page 5, Agreement in the NRC-led peace initiative [Untitled sub-section] ... When the second period of ceasefire concluded, a conference was opened at the National Reconciliation centre with the aim of resolving the protracted conflict between the Hubeer and Yantaar (sub)-clans.</p>

Police	Page 5, Agreement in the NRC-led peace initiative [Untitled sub-section] ... At the end of the presentations by both sides, the committee needed further information and it was deemed necessary to send delegates to Idale village accompanied by Malaqyo, religious groups, and police forces. They met the neighboring clans and questioned them about the fighting and visited the location where the fighting had started. Subsequently they met members of the two clans and discussed how to solve the conflict. They asked the clans to forget the past and restore their brotherly relationship and to abide by the decisions issued by the National Reconciliation Commission. Both sides welcomed this and promised to accept the decision of National Reconciliation Commission.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.

Courts	<p>Transitional justice→Courts→National courts Page 2, Agreement in the NRC-led peace initiative Committee decision concerning Idale Agreed decision: 1. The offences of burning Idale village, destroying the mosques and cutting the planted trees were charged as the responsibility of the Hubeer sub-clan.</p>
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	<p>Transitional justice→Reparations→Material reparations Page 6, Final Agreement National Reconciliation Commission-led Initiative The decision on the reconciliation ... 4. The person who kills will be killed, and the responsibility of capturing him will be charged to his clan in collaboration with Somali national security forces and if the killer escapes and it is clarified that his clan was involved in this, they will be fined 200 camels - 100 camels in compensation and 100 camels as a fine. If he captured over whatever period, and if it is recognised that his clan was not involved in his escape, they will pay only 100 camels as compensation and capturing the killer whenever he is seen.</p> <p>Page 6, Final Agreement National Reconciliation Commission-led Initiative The decision on the reconciliation ... 6. No person is entitled to damages incurred during the clashes except those killed during the ceasefire process.</p>
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.

International mission/force/similar

No specific mention.

Enforcement mechanism

Page 2, Agreement in the NRC-led peace initiative
Committee decision concerning Idale

Agreed decision:

... 3. The committee commanded Hubeer to accept the committee judgments and follow the committee's decision.

Page 2, Agreement in the NRC-led peace initiative
Committee decision concerning Idale

Request

... 2. The committee asked that the Transitional Federal Government, particularly those members who are part of the parliament and especially the Ministers of Judiciary and Reconciliation, to give support for the implementation of the decision.

Page 6, Final Agreement National Reconciliation Commission-led Initiative
The decision on the reconciliation

...1. The clan who refuses the decision issued by the committee will be liable for a fine of 100,000,000 So. Shillings and if they did not pay within 15 days, they will forfeit 100 camels, and if they did not pay they will be enforced to pay.

Related cases

No specific mention.

Source

Source: Ibrahim Ali Amber 'Oker', Community-based Peace Processes in South Central Somalia (ed.) Mark Bradbury (Somalia: The Center for Research and Dialogue & Interpeace, 2008), p. 111-114