

Country/entity Somalia

Region Africa (excl MENA)

Agreement name Protocol Establishing the Signatories Technical Facilitation Committee

Date 22 Jun 2012

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/conflict level Intrastate/intrastate 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 Implementation/renegotiation

Conflict nature Government/territory

Peace process	Somalia Peace Process
Parties	President Sheikh Sharif Sheikh Ahmed of the Transitional Federal Government of Somalia; Honourable Sharif Hassan Sheikh Aden, Speaker of the Transitional Federal Parliament; Prime Minister Abdiweli Mohamed Ali; President Abdirahman Mohamed Mohamoud 'Farole' of Puntland; President Mohamed Ahmed Alin of Galmudug; and, representatives of Ahlu Sunna Wal Jama'a.
Third parties	The meeting was facilitated by the United Nations under the auspices of the Special Representative of the Secretary-General for Somalia, Ambassador Augustine P. Mahiga.
Description	Agreement establishes the criteria and functions of the Signatories Technical Facilitation Committee, which is primarily to provide support for the constitutional drafting process.

Agreement document [SO_120622_ProtocolFacilitationCommittee.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	No specific mention.
Religious groups	No specific mention.
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	Page 2, ARTICLE 2, Establishment of the Signatories Technical Facilitation Committee, 1. The Signatories Technical Facilitation Committee is comprised of 18 persons which shall include women.
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 No specific mention.

**Public
administration**

No specific mention.

Constitution

Governance→Constitution→Constitutional reform/making

Page 2, ARTICLE 3, Functions of the Signatories Technical Facilitation Committee, 1. The Signatories Technical Facilitation Committee shall--

(a) Finalize the draft of the new provisional constitution for provisional adoption in accordance with--

(i) The Transitional Federal Charter, as amended by Decree dated June 22, 2012; and
(ii) All directions and agreements reached by the Somali Roadmap Signatories;

(b) Include within the draft provisional constitution a chapter on final and transitional provisions--

(i) A Schedule of Transitional Provisions to give full effect to the Roadmap principles as agreed in the accords referred to in Article 1 (2); and

(ii) any further Articles or provisions as appear necessary or desirable to finish the text as a complete, harmonious statement meeting the criteria set out in paragraph

(a), subject to approval from the Somali Roadmap Signatories;

[...] (c) Advise the Somali Roadmap Signatories on refinements, revisions, insertions or deletions that may be required to perfect the text of the draft provisional constitution;

(d) Ensure that the text of the draft provisional constitution is complete, coherent and internally consistent in every respect before publishing it to the National Constituent Assembly for consideration;

(e) Provide such advice to the National Constituent Assembly and its committees concerning the meaning and interpretation of provisions of the text of the draft provisional constitution as stipulated in the Protocol Establishing the Somali National Constituent Assembly, adopted by the Somali Roadmap Signatories on June 22, 2012;

(f) In consultation with the Legal Committee and the Coordinating Committee of the National Constituent Assembly propose revisions of the text of the draft provisional constitution in any manner required to address issues referred to the Signatories Technical Facilitation Committee by the National Constituent Assembly; and

(g) Prepare and publish the final text of the new constitution, if it has been provisionally approved by the National Constituent Assembly.

2. In carrying out its functions under clause (1) (g), the Signatories Technical Facilitation Committee--

(a) May effect any revisions as may be required to correct patent errors in spelling, punctuation, grammar, numbering, cross- - references, consistency and usage, internal conflicts, disharmonies and similar errata and infelicities that are apparent on the face of the document; and

(b) Shall publish, with the final text, a list of all such changes that the Signatories Technical Facilitation Committee makes to the text, with a brief explanation of the reason for the change.

3. The Signatories Technical Facilitation Committee shall publish the text of the draft provisional constitution for public review and comment at the time, and in the manner, as may be directed by the Somali Roadmap Signatories from time to time.

Power sharing

Political power sharing No specific mention.

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	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

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	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory The meeting was facilitated by the United Nations under the auspices of the Special Representative of the Secretary-General for Somalia, Ambassador Augustine P. Mahiga

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source UN Peacemaker - <http://peacemaker.un.org/>; http://peacemaker.un.org/sites/peacemaker.un.org/files/SO_120622_ProtocolFacilitationCommittee.pdf
